



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 21, 2011

Ms. Jaclyn Bannister
University of Illinois
Jaclynb@illinois.edu

RE: Pre-Authorization Request - 2011 PAC 13450

Dear Ms. Bannister:

We have received and reviewed the written notice from the University of Illinois (University) of its intention to withhold certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA), 5 ILCS 140/1, *et seq.*, as amended.

On April 1, 2011, [REDACTED] requested a copy of a August 31, 2010 police report where [REDACTED] was arrested.

On April 8, 2011, the University submitted a Pre-Authorization Request to the Office of the Public Access Counselor with regard to [REDACTED] request and sought to withhold dates of birth and a reference to [REDACTED] state of mind pursuant to Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)), which exempts from inspection and copying "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless disclosure is consented to in writing by the individual subjects of the information." The exemption defines "[u]nwarranted invasion of personal privacy" as "the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information." *Id.* On April 21, 2011, the University withdrew a portion of its pre-authorization request with regard to the [REDACTED] date of birth and the reference to his state of mind and indicated that it will release this portion of the report to [REDACTED]

Determination

The University's request for approval of its decision to withhold a date of birth in the report pursuant to Section 7(1)(c) is approved. Disclosure of this information can properly be characterized as highly personal and objectionable to the reasonable person. Further, there exists no legitimate public interest in disclosure of this information.

Accordingly, the University has met its initial burden pursuant to Section 7(1)(c) and must disclose this information to [REDACTED]. Should you have any questions or concerns, please feel free to contact me at (312) 814-5383. This correspondence shall serve to close this matter.

Sincerely,

[REDACTED]

Matthew C. Rogina
Assistant Public Access Counselor

cc: [REDACTED]
[REDACTED]

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