



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

November 15, 2010

Illinois State Police  
Trooper Kerry Sutton  
801 South Seventh Street  
PO Box 19461  
Springfield, IL 62794

Re: Pre-authorization request – 2010 PAC 10660

Dear Trooper Sutton:

We have received from the Illinois State Police a notice of intention to deny disclosure of certain information requested under the Freedom of Information Act. 5 ILCS 140/1 *et seq.*, as amended. [REDACTED] requested a copy of discovery records in Case No. FECR 43961 in Clinton County, Iowa. The ISP located responsive records in Investigative Case File #01-14373. The ISP asserted that birth dates listed in those records are exempt from disclosure pursuant to Section 7(1)(c) (5 ILCS 140/7(1)(c)).

Information in public records is exempt if disclosure would “constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information.” 5 ILCS 140/7(1)(c). An “[u]nwarranted invasion of personal privacy” is 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.*

**Determination**

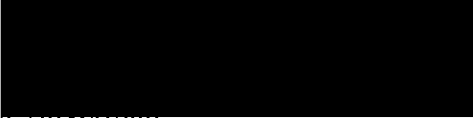
The request to redact birth dates pursuant to Section 7(1)(c) is **approved**. Birth dates are a highly personal form of information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. A subject's right to privacy outweighs any legitimate public interest in the disclosure of his or her date of birth.

The ISP intends to redact additional information pursuant to Section 7(1)(a) (5 ILCS 140/7(1)(a)), Section 7(1)(b) (5 ILCS 140/7(1)(b)), Section 7(1)(d)(iv) (5 ILCS 140/7(1)(d)(iv)), Section 7(1)(d)(v) (5 ILCS 140/7(1)(d)(v)), and Section 7(1)(d)(vi) (5 ILCS 140/7(1)(d)(vi)). We have not analyzed the assertion of those exemptions; the assertion of those exemptions by the ISP is not contingent upon receiving pre-approval from our office.

This letter shall serve to close this file. If you have any questions, please feel free to contact me at (312) 814-6756 or [ssilverman@atg.state.il.us](mailto:ssilverman@atg.state.il.us).

Sincerely,

Cara Smith  
Public Access Counselor

By:   
Steve Silverman  
Assistant Public Access Counselor

cc: 

10660 preauth al 7(1)(c) dob al 7(1)(c)