



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

November 12, 2010

Michael S. Recupito
Director of Police Administration
Round Lake Police Department
741 West Town Line Road
Round Lake, IL 60073-5709

Re: Pre-authorization request - 2010 PAC 6380

Dear Mr. Recupito,

We have received the Round Lake Police Department's (Department) 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 Incident Report 2010-000282. The Department asserted that birth dates listed in the report are exempt from disclosure under Section 7(1)(c) (5 ILCS 140/7(1)(c)). The Department also asserted that information which discloses the name of an individual's emergency contact and the emergency contact's relationship to the individual is exempt from disclosure under Section 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 Department's 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 Department's request to redact emergency contact information also is approved. We determined in 2010 PAC 8380 that an individual's emergency contact information is exempt from disclosure under Section 7(1)(c). An individual's right to privacy outweighs any legitimate interest in disclosing his or her emergency contact information.

The Department 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)), and Section 7(1)(d)(iv) (5 ILCS 140/7(1)(d)(iv)). We have not analyzed the assertion of those exemptions; the Department's assertion of those exemptions 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.

Sincerely,

Cara Smith
Public Access Counselor

By: 
Steve Silverman
Assistant Public Access Counselor

cc: 

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