



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

January 14, 2011

Beverly Glass  
Freedom of Information Officer  
Frankfort Police Department  
20603 Lincolnway Lane  
Frankfort, IL 60423-1492

RE: Pre-Authorization Request - 2011 PAC 11734

Dear Ms. Glass:

We have received and reviewed the written notice from the Frankfort Police Department of its intention to deny disclosure of certain information pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

On January 3, 2011, [REDACTED] submitted a FOIA request seeking police report numbers 01-3045, 01-3125, 01-3148, 01-3190, 01-3270, 01-3490, 01-3956, 01-4643, 01-4705, and 02-1710. In its written notice, the Department asserted that dates of birth are exempt from disclosure under 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."

**Determination**

The Department's use of the exemption in Section 7(1)(c) with regard to a date of birth is approved. This type of information is highly personal by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information. As such, the Frankfort Police Department may issue a partial denial letter directly to the requestor and release the records with the appropriate information redacted.

If you have any questions, please feel free to contact the Public Access Counselor's Office at (312) 814-5383 299-3642. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith  
Public Access Counselor

By:

*Matthew C. Rogina* BY: KK

Matthew C. Rogina  
Assistant Public Access Counselor

cc:



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