



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

February 9, 2011

Beth Prager  
Lake County State's Attorney  
18 North County Street  
Waukegan, IL 60085

RE: Pre-Authorization Request - 2011 PAC 12168

Dear Ms. Prager:

We have received and reviewed the written notice from the Lake County State's Attorney of its intention to deny certain information as exempt from disclosure under subsection 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended (FOIA). The Lake County State's Attorney is seeking to redact dates of birth from the police report, as well as withhold the CAD report containing the victim's statement to 911 and the Domestic Violence Risk Assessment form.

██████████ submitted a FOIA request for reports ██████████. In its written notice, the State's Attorney asserted that the dates of birth, CAD report and Domestic Violence Risk Assessment form are exempt from disclosure under Section 7(1)(c) of FOIA.

Section 7(1)(c) of FOIA 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." 5 ILCS 140/7(1)(c). 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.*

**Determination**

The State's Attorney's use of the exemption in Section 7(1)(c) with regard to the dates of birth is **approved**. We have determined that the disclosure of dates of birth would constitute a clearly unwarranted invasion of personal privacy. 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.

The State's Attorney's use of the exemption in Section 7(1)(c) with regard to withholding the CAD report and Domestic Violence Risk Assessment form is approved. We have concluded that the disclosure of the victim's name and information contained in these documents would be highly objectionable to a reasonable person. Under these circumstances, the right to privacy outweighs any public interest in the information that the State's Attorney intends to withhold.

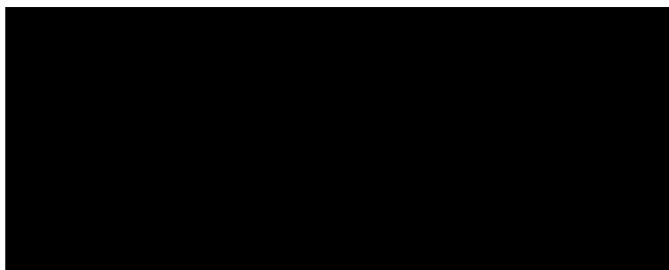
If you have any questions, please feel free to contact Tammy Friedewald at (217) 558-1926. This correspondence shall serve to close this matter.

Sincerely,

*Amanda Lundeen*  
*AL*

Amanda M. Lundeen  
Assistant Public Access Counselor

cc:



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