



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

March 4, 2011

Mr. Michael S. Recupito  
Freedom of Information Officer  
Round Lake Police Department  
741 West Town Line Road  
Round Lake, IL 60073

RE: Pre-Authorization Request - 2011 PAC 12649

Dear Mr. Recupito:

We have received and reviewed the written notice from the Round Lake 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 140/7(1)(c), as amended.

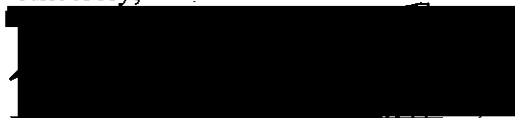
On February 23, 2011, [REDACTED] submitted a FOIA request seeking a copy of police incident report number 11-0246. In its written notice, the Department asserted that dates of birth and emergency contact information in this report are exempt from disclosure under Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)), 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 dates of birth and emergency contact information 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 Department may issue a partial denial letter directly to the requestor.

If you have any questions, please feel free to contact me at (312) 814-5383. This correspondence shall serve to close this matter.

Sincerely,

  
Matthew C. Rogina  
Assistant Public Access Counselor

cc:



*12649 preauth al 71c dob pd*