



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 22, 2010

Catherine T. Aparo, Village Clerk
Village of Evergreen Park
9418 South Kedzie Avenue
Evergreen Park, IL 60805

RE: Pre-Authorization Request – No. 6238

Dear Ms. Aparo:

We have received and reviewed the written notice from the Village of Evergreen Park ("Village") of its intent to deny disclosure of 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 Village seeks to redact dates of birth, telephone numbers, license plate numbers, driver's license numbers, and driver/witness addresses from traffic accident reports dated February 15, 2010 to March 3, 2010.

The Village's use of the exemption in 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. 5 ILCS 140/7(1)(c). Dates of birth are highly personal information, and the subject's right to privacy in this information outweighs any legitimate public interest in obtaining it.

The remaining information that the Village seeks to redact may be done without seeking pre-authorization from our office. Information classified as unique identifiers may be redacted and the remaining documentation may be sent directly to the requester pursuant to 5 ILCS 140/7(1)(b). Subsection 2(c-5) of FOIA explicitly classifies personal license plate numbers, personal telephone numbers, driver's license numbers and home addresses as unique identifiers. Therefore, in accordance with subsection 7(1)(b) and 7(1)(c), the Village should issue a partial denial letter directly to [REDACTED] and release the report to him with the appropriate information redacted.


If you have any questions, please feel free to contact me at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor


Lola Dada-Olley
Assistant Public Access Counselor

cc:


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Milwaukee, WI 53203