



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 9, 2011

Ms. Laura Godette
FOIA Officer
Village of Tinley Park
16250 S. Oak Park Avenue
Tinley Park, IL 60477

RE: FOIA Pre-Authorization Request - 2011 PAC 15762

Dear Ms. Godette:

We have received and reviewed the written notice from the Village of Tinley Park of its intention to deny disclosure of certain information under section 7(1)(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(c) (West 2010)). The Village is seeking to redact dates of birth from the requested document.

On July 20, 2011, Lexis Nexis submitted a FOIA request for Tinley Park Police Department report # 2011-15750. In its written notice, the Village asserts that dates of birth 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 the disclosure is consented to in writing by the individual subjects of the information." The exemption defines "unwarranted 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." 5 ILCS 140/7(1)(c) (West 2010).

DETERMINATION

The Village's use of the exemption in section 7(1)(c) for the dates of birth is **approved**. We have determined that the Village has met its initial burden of demonstrating 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. *See, e.g., Oliva v.*