



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

April 12, 2010

Ms. Laura Godette
Deputy Clerk
Village of Tinley Park
16250 South Oak Park Avenue
Tinley Park, Illinois 60477

RE: Pre-Authorization Request – 2010 PAC 6616

Dear Ms. Godette:

We have received and reviewed the written notice from the Village of Tinley 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 names, addresses and information that identify individuals from incident report number 01-10-006253.

Personal telephone numbers, addresses and driver's license numbers are private information as defined by subsection 2(c-5) of FOIA. This information is exempt from disclosure under subsection 7(1)(b) of FOIA.

Information that would unavoidably disclose the identity of a person who provided information to a law enforcement agency is exempt from disclosure under subsection 7(1)(d)(iv). In addition, information that if disclosed, would "endanger the life or physical safety of law enforcement personnel or any other person," may be redacted under Section 7(1)(d)(vi)(emphasis added). Use of these exemptions to deny disclosure of information does not require pre-approval from our office. If appropriate, the Village may redact the name of the "suspect" and "other person" in the incident report and their identifying information pursuant to 7(1)(d) without seeking preapproval from our office.

Determination

The Village's use of the exemption in 7(1)(c) with regard to dates of birth is approved. We have determined that the disclosure of an individual's date of birth would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c) of FOIA. 5 ILCS 140/7(1)(c). This type of information is highly personal, and the subject's right to privacy outweighs any legitimate public interest in disclosing this information.

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The Village should issue a partial denial letter directly to [REDACTED] and release the records to [REDACTED] with the appropriate information redacted. If you have any questions, please feel free to contact me at (312) 814-5206. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:


Amalia Rioja
Chief Deputy Public Access Counselor

cc:

[REDACTED]