



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

April 14, 2010

Nancy Sujet  
Administrative Assistant  
Village of Lake in the Hills  
600 Harvest Gate  
Lake in the Hills, IL 60156-4803

RE: Pre-Authorization Request – 2010 PAC 6640

Dear Ms. Sujet:

We have received and reviewed the written notice from the Village of Lake in the Hills (Village) 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.

██████████ submitted a FOIA request on March 29, 2010, for police reports “relating to all 911 calls to 5495 Savory Drive in 2009 and 2010.” In its written notice, the Village asserted that dates of birth are exempt from disclosure under Section 7(1)(c).

**Determination**

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.*

The Village’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 under Section 7(1)(c). 5 ILCS 140/7(1)(c). 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 Village should issue a

partial denial letter directly [REDACTED] and release the records to her 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: [REDACTED]

Amalia Ryoja  
Chief Deputy Public Access Counselor

cc: [REDACTED]