



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

April 20, 2010

Lisa Madigan
ATTORNEY GENERAL

Patrick McDonald
FOIA Officer, Records Supervisor
Glendale Heights Police Department
300 Civic Center Drive
Glendale Heights, Illinois 60139

RE: Pre-Authorization Request – 2010 PAC 6801

Dear Mr. McDonald:

We have received and reviewed the written notice from the Glendale Heights Police Department (Department) 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 April 8, 2010, for report number GL10002650 which concerns an incident at Shark City Billiards, Glendale Heights, Illinois. In its written notice, the Department 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 Department’s use of the exemption in Section 7(1)(c) with regard to 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 Department should issue a partial denial letter directly ██████████ and release the records to him 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*
by ER
Amalia Rioja
Chief Deputy Public Access Counselor

cc:

