



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 20, 2010

Ann Kavanaugh
Records Supervisor
Schaumburg Police Department
1000 W. Schaumburg Road
Schaumburg, Illinois 60194-4198

RE: Pre-Authorization Request – 2010 PAC 6802

Dear Ms. Kavanaugh:

We have received and reviewed the written notice from the Schaumburg Police Department (Department) of its intention to deny certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended. The Department is seeking to redact dates of birth from the requested document.

██████████ submitted a FOIA request on April 9, 2010, for Police Report #05-2259. In its written notice, the Department asserted that the release of dates of birth “would constitute a clearly unwarranted invasion of personal privacy” and are exempt from disclosure under Section 7(1)(c) of FOIA.

Determinations with respect to 7(1)(c)

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 Section 7(1)(c) exemption 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. 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.

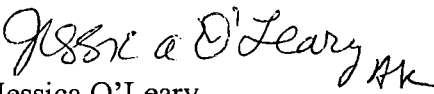
As such, the Department may issue a partial denial letter to the requester and release of the records with the appropriate information redacted.

If you have any questions, please feel free to contact me at (312) 814-1003. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:


Jessica O'Leary
Assistant Attorney General

cc:

