



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

Lisa Madigan
ATTORNEY GENERAL

April 21, 2010

Karen Arnold
Village of Lisle, FOIA Officer
925 Burlington Avenue
Lisle, IL 60532

RE: Pre-Authorization Request – 2010 PAC 6829

Dear Ms. Arnold:

We have received and reviewed the written notice from the Village of Lisle (Lisle) of its intention to deny certain information contained in documents relating to police report 10-1338, as exempt from disclosure under subsection 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended.

In its written notice, Lisle asserted that the dates of birth are personal information contained within the public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy” and are exempt from disclosure under subsection 7(1)(c) of FOIA.

Subsection 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.*

Lisle’s use of the exemption in 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.

Accordingly, Lisle should provide a copy of the requested records with the redactions of dates of birth to the requester. If you have any questions, please feel free to contact me at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:


Lola Dada-Olley
Assistant Public Access Counselor

cc:

