



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

April 26, 2010

Julie Nistler  
Police Records Supervisor/FOIA Officer  
Park Ridge Police Department  
200 S. Vine Avenue  
Park Ridge, Illinois 60068

RE: Pre-Authorization Request - 2010 PAC 6895

Dear Ms. Nistler:

We have received and reviewed the written notice from the City of Park Ridge (City) 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 City is seeking to redact dates of birth from the requested documents.

██████████ submitted a FOIA request on April 14, 2010 for Police Reports #10-05246 and #10-06757. In its written notice, the City asserted that the release of dates of birth "would likely be highly personal or objectionable to a reasonable person and the subject's right to privacy outweighs any public interest in releasing it" and are exempt from disclosure under Section 7(1)(c) of FOIA.

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.*

**Determination**

The City's use of the Section 7(1)(c) exemption 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. 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, the City's issuance of a partial denial letter and the release of the records with the dates of birth redacted were appropriate.

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* AK  
Jessica O'Leary  
Assistant Attorney General

cc:

