



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

May 14, 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 6988

Dear Ms. Nistler:

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

██████████ submitted a FOIA request on April 15, 2010 for Agency Case #10-05115. In its written notice, the Department asserted that dates of birth are exempt from disclosure under Section 7(1)(c) of FOIA because “disclosure of that information would be likely be highly personal or objectionable to a reasonable person and the subject’s right to privacy outweighs any legitimate public interest in releasing it.”

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 Departments’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 Department's issuance of a partial denial letter and its release of the record 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
by EIC
Jessica O'Leary
Assistant Attorney General

cc:

