



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

August 25, 2010

Lisa Madigan
ATTORNEY GENERAL

Laura Godette
Deputy Clerk
Village of Tinley Park
16250 S. Oak Park Ave.
Tinley Park, Illinois 60477

RE: Pre-Authorization Request – 2010 PAC 6417

Dear Ms. Godette:

We have received and reviewed the written notice from the Village of Tinley Park (Village) of its intention to deny disclosure of certain information pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

██████████ submitted a FOIA request dated March 18, 2010, seeking copies of all records of domestic calls for specific addresses, from December 2006 to the present. In its written notice, the Village asserted that victims' names are exempt from disclosure under Section 7(1)(c) of FOIA.

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." 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 Village's use of the exemption in Section 7(1)(c) with regard to victims' names is approved. A victim's name clearly falls within the definition of 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.

We note that the Village deleted a date of birth from Incident Report # 01-09-028285 but made no mention of it in the preauthorization request. The Village's use of the exemption in Section 7(1)(c) with regard to a date 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). 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 Village may issue a partial denial letter directly to Ms. [REDACTED] and release the documents to her with the appropriate information redacted.

If you have any questions, please feel free to contact the Public Access Counselor's Office at (877) 299-3642. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By: [REDACTED]
[REDACTED]
Amalia Rioja
Chief Deputy Public Access Counselor

cc:

[REDACTED]