



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 19, 2010

Sue Tunzi
FOIA Officer
City of Park Ridge
Police Department
200 South Vine Avenue
Park Ridge, Illinois 60068

RE: Pre-Authorization Request — 2010 PAC 8375

Dear Ms. Tunzi:

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

Jamie McCloud of State Farm Insurance, on behalf of insured [REDACTED] submitted a FOIA request dated July 6, 2010, seeking a copy of Report # 2010 08346. In its written notice, the Department asserted that dates of birth 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." 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 exemption in Section 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

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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 directly to Jamie McCloud and release the records with the appropriate information redacted.

If you have any questions, please feel free to contact me at (312) 814-5206. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:

Amalia Rioja
Amalia Rioja *by EK*
Chief Deputy Public Access Counselor

cc: Jamie McCloud
State Farm Insurance
IOC SIU-CC
P.O. Box 2357
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