



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 12, 2010

Julie Nistler
FOIA Officer
City of Park Ridge
Police Department
200 South Vine Avenue
Park Ridge, Illinois 60068

RE: Pre-Authorization Request — 2010 PAC 8898

Dear Ms. Nistler:

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 pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c).


██████████ submitted a FOIA request dated July 27, 2010, seeking a copy of report ██████████. In its written notice, the Department asserted that dates of birth and the narrative portion of the requested report are exempt from disclosure under Section 7(1)(c) of FOIA.

Determinations

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.*

August 12, 2010
Page 2

First, 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). 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.

Second, the Department's use of the Section 7(1)(c) exemption with regard to the narrative portion of the police report is approved. We have determined that disclosure of this information would constitute a clearly unwarranted invasion of personal privacy because the report pertains to a personal matter and no arrests or subsequent prosecution occurred. This type of information is highly personal and the subject's right to privacy outweighs any legitimate public interest in disclosing this information. Accordingly, the Department has met its burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA. As such, the Department may issue a partial denial letter directly to 

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:

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

cc: 