OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 16, 2010

Ms. Nancy Sujet
Freedom of Information Officer
Village of Lake in the Hills
600 Harvest Gate
Lake in the Hills, IL 60156

RE: Pre-Authorization Request — 2010 PAC 8976

Dear Ms. Sujet:

We have received and reviewed the written notice from the Village of Lake in the Hills (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 140/7(1)(c).

[redacted] submitted a FOIA request dated August 3, 2010, seeking a copy of police report # L06-10443. In its written notice, the Village asserted that dates of birth 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.*

The Village'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. As such, the Village may issue a partial denial letter directly to Mr. [redacted] and release the record to him 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:

Amalia Rioja by EK

Amalia Rioja
Chief Deputy Public Access Counselor

cc: [redacted]