



**OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS**

Lisa Madigan  
ATTORNEY GENERAL

August 17, 2010

William M. Miller  
Chief of Police  
Flossmoor Police Department  
2800 Flossmoor Road  
Flossmoor, Illinois 60422

RE: Pre-Authorization Request — 2010 PAC 9079

Dear Chief Miller:

We have received and reviewed the written notice from the Flossmoor 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.

██████████ submitted a FOIA request on August 5, 2010 seeking the address of a burglary that occurred on the 2300 block of Hutchinson. 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 proposed 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 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 may issue a partial denial letter and release the records to with the appropriate information redacted.