



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 31, 2010

Janet Binder
Freedom of Information Officer
Village of Villa Park
20 S. Ardmore Avenue
Villa Park, Illinois 60181-2610

RE: Pre-Authorization Request – 2010 PAC 9334

Dear Ms. Binder:

We have received and reviewed the written notice from the Village of Villa Park (Village) of its intention to deny disclosure of dates of birth in a specific police report pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c).

On August 23, 2010, [REDACTED] submitted a FOIA request to the Village seeking "information for case number [REDACTED] as per the DuPage case website regarding retail theft on 10-28-2004." In its written notice, the Village asserts that the dates of birth listed in the requested report are exempt from disclosure under Section 7(1)(c) of FOIA.

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." The exemption defines "unwarranted 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 Section 7(1)(c) exemption with regard to dates of birth is **approved**. A date of birth is highly personal information, and an individual's right to privacy with respect to his date of birth generally outweighs any legitimate public interest in obtaining it. Thus, disclosure of the dates of birth would constitute a clearly unwarranted invasion of personal privacy to the individuals. Accordingly, the Village has met its burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA.

If you have any questions or concerns, please feel free to contact me at (312) 814-6437. This correspondence shall serve to close this matter.

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Sincerely,

Cara Smith
Public Access Counselor

By: 

Tola Adewola
Assistant Public Access Counselor

cc: 