



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

September 7, 2010

Deputy Clerk Laura Godette  
Village of Tinley Park  
16250 S. Oak Park Ave.  
Tinley Park, IL 60477

RE: Pre-Authorization Request – 2010 PAC 9402

Dear Ms. Godette:

We have received and reviewed the written notice from the Village of Tinley Park (Village) 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.

██████████ requested a copy of police report number 09-22469 and any other information about that case. In its written notice emailed to this office on September 2, 2010, the Village asserted that the dates of birth included in the responsive police report 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 Village’s use of the exemption in Section 7(1)(c) with regard to the 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, and the subject’s right to privacy outweighs any legitimate public interest in disclosing this information.

As such, the Village should issue a partial denial letter directly to [REDACTED] and release the report to him with the appropriate information redacted. This letter expresses no opinion about the information that the Village asserts is exempt from disclosure under Section 7(1)(b) of FOIA.

If you have any questions, please feel free to contact Sarah Kaplan at (312) 814-2086. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith  
Public Access Counselor

By:

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

cc:

