



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL


March 23, 2011

Ann Kavanaugh
1000 W. Schaumburg Road
Schaumburg, IL 60193-1899

RE: Pre-Authorization Request - 2010 PAC 12996

Dear Ms. Kavanaugh:

We have received and reviewed the written notice from the Village of Schaumburg Police Department (Department) of its intention to deny certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended (FOIA). The Department is seeking to redact dates of birth and portions of the narrative from the requested documents.

 submitted a FOIA request for reports #11-05573. In its written notice, the Department asserted that the dates of birth and portions of the narrative 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, 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.*

Determination


The Department'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. 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.

The Department's use of the exemption in Section 7(1)(c) with regard to redacting portions of the narrative is approved. We have concluded that the disclosure of the names and information of people associated with the suspect would be highly objectionable to a reasonable person. Under these circumstances, the right to privacy outweighs any public interest in the information that the Department intends to redact from the report.

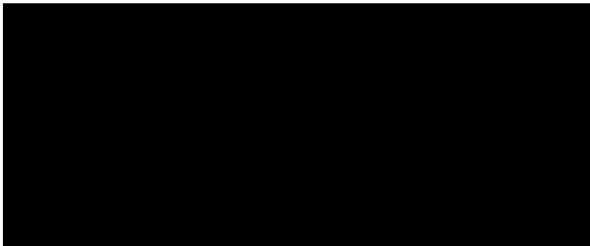
If you have any questions, please feel free to contact Tammy Friedewald at (217) 558-1926. This correspondence shall serve to close this matter.

Sincerely,



Amanda M. Lundeen 
Assistant Public Access Counselor

cc:



12996 preauth al 71c names dob priv pd