



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

Lisa Madigan
ATTORNEY GENERAL

June 21, 2010

Ms. Ann Kavanaugh
Freedom of Information Officer
Village of Schaumburg Police Department
1000 W. Schaumburg Rd.
Schaumburg, IL 60194

RE: Pre-Authorization Request – 2010 PAC 7925

Dear Ms. Kavanaugh:

We have received and reviewed the written notice from the Village of Schaumburg Police Department (Department) of its intent to deny disclosure of dates of birth as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c).

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 of 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 dates of birth is **approved**. A date of birth is highly personal information, and the subjects’ right to privacy with respect to this information outweighs any legitimate public interest in its disclosure. As such, disclosure of the dates of birth would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c) of FOIA.

If you have any questions, please feel free to contact me at (312) 793-0865. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

cc:

By:

Sara Gadola Gallagher
Deputy Public Access Counselor