



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

Lisa Madigan
ATTORNEY GENERAL

July 13, 2010

Nicole M. Wickham
FOIA Officer
Aurora Police Department
1200 East Indian Trail Road
Aurora, IL 60506-1896

RE: Pre-Authorization Request – 2010 PAC 8290
FOIA Requestor: Tammy Mancini

Dear Ms. Wickham:

We have received and reviewed the written notice from the Aurora Police Department (Department) of its intent to deny disclosure of dates of birth and insurance policy numbers 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 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 dates of birth is approved. We have determined that disclosure of dates of birth would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c) of FOIA. This information is highly personal by its very nature, and the subjects’ right to privacy with respect to this information outweighs any legitimate public interest in obtaining it.

However, the Department’s use of Section 7(1)(c) to withhold insurance policy numbers is denied. We have determined that the disclosure of this information is not highly objectionable to a reasonable person. The subjects’ privacy interests are minimal, and the legitimate public interest in obtaining this information outweighs this slight privacy interest. Therefore, the

disclosure of this information would not constitute a clearly unwarranted invasion of personal privacy. 5 ILCS 140/7(1)(c).

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

Sincerely,

Cara Smith
Public A

By: S
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cc: Tammy Mancini
Hausmann-McNally Law Offices
274 Traverse Court
Romeoville, IL 60446-5021