



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

September 7, 2010

Ann Kavanaugh
Freedom of Information Officer
Village of Schaumburg Police Department
1000 W. Schaumburg Road
Schaumburg, IL 60153

Re: Pre-authorization request - 2010 PAC 9384

Dear Ms. Kavanaugh:

We have received the Village of Schaumburg Police Department's notice of intent to redact information in Report #09-19776. 5 ILCS 140/1 *et seq.* [REDACTED] requested the report, which details the arrest of her son. The Department's proposed response is to disclose the report but redact the date of birth of a store security guard, [REDACTED], who accused [REDACTED] son of stealing a bottle of cologne.


Information in public records is exempt if disclosure would "constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." 5 ILCS 140/7(1)(c). An "[u]nwarranted invasion of personal privacy" is 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 request to redact [REDACTED] date of birth pursuant to Section 7(1)(c) is *approved*. Birth dates are a highly personal form of information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. A subject's right to privacy outweighs any legitimate public interest in the disclosure of his or her date of birth. Therefore, the Department should directly issue a partial denial letter to [REDACTED], and release the report with [REDACTED] birth date redacted.

This letter shall serve to close this file. If you have any questions, please feel free to contact me at (312) 814-6756 or ssilverman@atg.state.il.us.

Sincerely,

Cara Smith
Public Access Counselor

By: 
Steve Silverman
Assistant Public Access Counselor

cc: 