



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

September 29, 2010

Ms. Karyn Showers
Freedom of Information Officer
Village of Romeoville
1050 W Romeo Rd.
Romeoville, IL 60446

RE: Pre-Authorization Request – 2010.PAC 9670
FOIA Requester [REDACTED]

Dear Ms. Showers:

We have received and reviewed the written notice from the Village of Romeoville (Village) of its intention to deny disclosure of certain information as exempt from disclosure pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA), 5 ILCS 140/1, *et seq.*, as amended.

[REDACTED] submitted a FOIA request dated September 10, 2010, in which he sought a copy of a report concerning an arrest that occurred at a particular residence on [REDACTED] on September 1, 2010. In its written notice, the Village asserted that dates of birth and the narrative portion of the 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." 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 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). This type of information is highly personal and the subject's right to privacy outweighs any legitimate public interest in disclosing this information.

The Village's use of the Section 7(1)(c) exemption with regard to the portion of the narrative that the Village proposes to redact is also approved. We have determined that disclosure of this information would constitute a clearly unwarranted invasion of privacy because it contains highly personal information in which the subject's right to privacy outweighs any legitimate public interest in disclosure. Accordingly, the Village has met its burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA. As such, the Village may issue a partial denial letter directly to [REDACTED] and release the record to him with the appropriate information redacted.

If you have any questions, please feel free to contact the Public Access Counselor's Office at (877) 299-3642. This correspondence shall serve to close this matter.

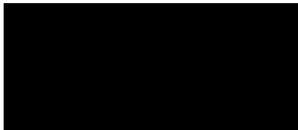
Sincerely,

Cara Smith
Public Access Counselor

By: Tola Adewola DNE

Tola Adewola
Assistant Public Access Counselor

cc:



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