



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 7, 2010

Kristine Curran
FOIA Officer
Village of Lisle
925 Burlington Avenue
Lisle, Illinois 60532

RE: Pre-Authorization Request – 2010 PAC 9921

Dear Ms. Curran:

We have received and reviewed the written notice from the Village of Lisle (Village) of its intention to deny disclosure of dates of birth in a specific report pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c).

On September 28, 2010, [REDACTED] submitted a FOIA request to the Village, seeking a copy of police report #10-6968. In its written notice, the Village asserts that the dates of birth, contained within requested 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.” The exemption defines “unwarranted 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 Section 7(1)(c) exemption with regard to dates of birth is **approved**. A date of birth is highly personal information, and an individual’s right to privacy with respect to his date of birth generally outweighs any legitimate public interest in obtaining it. Thus, disclosure of the dates of birth would constitute a clearly unwarranted invasion of personal privacy to the individuals. As such, the Village has met its burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA.

Accordingly, the Village may issue a partial denial letter to Ms. Fraticola and may release the records to her with the appropriate information redacted.

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Please note, however, that this letter does not express an opinion or provide advice as to the applicability of any other non-7(1)(c) exemptions to the requested report. If you have any questions or concerns, please feel free to contact me at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:



Tola Sobitan
Assistant Public Access Counselor

cc:

