



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

April 19, 2011

Kerry F. Partridge  
Freedom of Information Act Officer  
City of Rockford  
425 East State Street  
Rockford, IL 61104

RE: Pre-Authorization Request - 2011 PAC 13512

Dear Mr. Partridge:

We have received and reviewed the written notice from the City of Rockford ("City") of its intention to deny disclosure of dates of birth pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA), 5 ILCS 140/1 et seq., as amended.

On April 4, 2011, [REDACTED] submitted a FOIA request seeking a copy of the City's police report No. 11-03730. In its April 13, 2011, written notice to the Office of the Public Access Counselor, the City asserted that dates of birth are exempt from disclosure under Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)) which 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.*

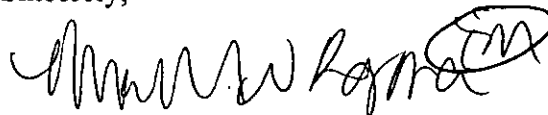
**Determination**

The City's use of the exemption in Section 7(1)(c) with regard to dates of birth is approved. This type of information is highly personal by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information. As such, the City may issue a partial denial letter directly to the requestor and release the records with the appropriate information redacted if it has not already done so.

Accordingly, the City has met its burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA.

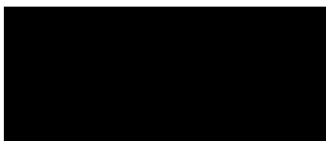
If you have any questions, please feel free to contact me at (312) 814-5383. This correspondence shall serve to close this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew C. Rogina". The signature is written in a cursive style and is enclosed within a hand-drawn oval.

Matthew C. Rogina  
Assistant Public Access Counselor

cc:



*13512 preauth at 71c dob pd*