



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 14, 2010

Sue Matthews
FOIA Officer
Village of Villa Park
20 S. Ardmore
Villa Park, Illinois 60181

RE: Pre-Authorization Request — 2010 PAC 6452

Dear Ms. Matthews:

We have received and reviewed the written notice from the Village of Villa Park (Village) of its intention to deny disclosure of certain information 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 dated March 22, 2010, seeking a copy of Police Report #091231026361. In its written notice, the Village asserted that a date of birth is 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 Section 7(1)(c) exemption with regard to a date of birth is approved. We have determined that the disclosure of dates of birth would constitute a clearly unwarranted

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invasion of personal privacy. 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 Village may issue a partial denial letter directly to Mr. Williams and release the report 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:


Amanda Lundeen *AL*
Assistant Public Access Counselor

cc:

