OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 25, 2010

Julie Nistler
Park Ridge Police Department
200 South Vine Avenue
Park Ridge, IL 60068

RE: Pre-Authorization Request – 2010 PAC 10222

Dear Ms. Nistler:

We have received and reviewed the written notice from the Park Ridge Police Department (Department) of its intention to deny certain information as exempt from disclosure under subsection 7(1)(c) of the Freedom of Information Act. 5 ILCS 140/1 *et seq.*, as amended (FOIA). The Department is seeking to redact dates of birth from the requested documents.

[redacted] of St. Matthews Nursing Home submitted a FOIA request on October 12, 2010 for Agency Case [redacted]. In its written notice, the Department asserted that the dates of birth are exempt from disclosure under Section 7(1)(c) of FOIA.

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." 5 ILCS 140/7(1)(c). 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 Department's use of the exemption in Section 7(1)(c) with regard to the dates of birth is approved. We have determined that the disclosure of dates of birth would constitute a clearly unwarranted 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.

Accordingly, the Department may issue a partial denial letter and release the reports with the dates of birth redacted, if it has not already done so.

If you have any questions, please feel free to contact me at (217) 785-7438. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By: Amanda Lundeen
LF

Amanda M. Lundeen
Assistant Public Access Counselor

cc: [redacted]
St. Matthews Nursing Home
1601 N. Western
Park Ridge, IL 60068

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