



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 26, 2010

Julie Nistler
FOIA Officer
City of Park Ridge
Police Department
200 South Vine Avenue
Park Ridge, Illinois 60068

RE: Pre-Authorization Request -- 2010 PAC 10267

Dear Ms. Nistler:

We have received and reviewed the written notice from the Park Ridge Police Department (Department) 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:

██████████ submitted a FOIA request dated October 13, 2010, seeking copies of documents concerning incidents occurring on October 4, 2010, at a specific address. In its written notice, the Department asserts that dates of birth and a suspect's name are exempt from disclosure under Section 7(1)(c) of FOIA.

Determinations

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 Department's use of the Section 7(1)(c) exemption 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. 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.

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The Department's use of the Section 7(1)(c) exemption with regard to a suspect's name, who has not been arrested, is also approved. We have determined that the disclosure of information identifying suspects would be objectionable to a reasonable person. Accordingly, the Department has met its burden of demonstrating that this information is exempt from disclosure pursuant to Section 7(1)(c) of FOIA. As such, the Department may issue a partial denial letter directly to the requester and release the records to her in accordance with this letter.

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:

Amalia Rioja by EK.
Amalia Rioja
Chief Deputy Public Access Counselor

cc:



10267 pre-auth at TIC dog suspriv pd