



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 29, 2011

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

RE: Pre-Authorization Request — 2011 PAC 13758

Dear Ms. Nistler:

We have received from the Park Ridge Police Department a notice of intention to deny disclosure of certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended. On April 12, 2011, the Department received a FOIA request from LexisNexis in which they sought a copy of report number 11-05952. In its written notice, the Department asserted that a date of birth is exempt from disclosure under Section 7(1)(c) (5 ILCS 140/7(1)(c)).

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 the disclosure is consented to in writing by the individual subjects of the information." *Id.* 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 exemption in Section 7(1)(c) with regard to a date of birth is **approved**. We have determined that the disclosure of dates of birth would constitute a clearly

April 29, 2011

Page 2

unwarranted invasion of personal privacy under Section 7(1)(c). This 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 Department may issue a partial denial letter directly to the requester and release the report 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,

STEVE SILVERMAN BY EK

Steve Silverman
Assistant Public Access Counselor

cc: LexisNexis
P.O. Box 7000
Southeastern, Pennsylvania 19398

13758 pre-auth at 71c dob pd