



**OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS**

**Lisa Madigan**  
ATTORNEY GENERAL

May 2, 2011

Ann Kavanaugh, FOIA Officer  
Schaumburg Police Department  
1000 W. Schaumburg Road  
Schaumburg, IL 60194-4198

RE: Pre-Authorization Request – 2011-PAC 13829

Dear Ms. Kavanaugh:

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

Lexis Nexis submitted a FOIA request on April 25, 2011 for Schaumburg Police Department Motor Vehicle Theft Case Report RD 11-8816. In its written notice, the SPD 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 SPD'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 SPD 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 Tammy Friedewald at (217) 558-1926. This correspondence shall serve to close this matter.

Sincerely,

*Dushyanth Reddivari mc*

Dushyanth Reddivari  
Assistant Public Access Counselor

cc: Lexis Nexis  
P.O. Box 7000  
Southeastern, PA 19398