



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

November 8, 2010

Ms. Janet Binder  
Freedom of Information Officer  
Village of Villa Park.  
Villa Park, Illinois 60181-2610

Dear Ms. Binder:

RE: FOIA Pre-Approval Request - 2010 PAC #0502

We have received and reviewed the written notice from the Village of Villa Park of its intention to deny in part the request of [REDACTED] for records regarding Village fire inspector Michael Byron. The Village seeks approval of the Public Access Counselor to redact birth dates from those records pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA) because they constitute "personal information, the disclosure of which would result in a clearly unwarranted invasion of personal privacy." 5 ILCS 140/7(1)(c). For purposes of FOIA, an "[u]nwarranted invasion of personal privacy means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs the legitimate public interest in obtaining the information." 5 ILCS 140/7(1)(c).

The Village also intends to withhold or redact other information pursuant to Section 7(1)(b) of FOIA. 5 ILCS 140/7(1)(b). We will not discuss that exemption claim at this time because FOIA does not require a public body to obtain preauthorization from the Public Access Counselor of exemption claims under Section 7(1)(b). See 5 ILCS 140/9.5(b)

As a result of our review, we have determined that birth dates mentioned in the records may be redacted pursuant to Section 7(1)(c) because disclosure would result in a clearly unwarranted invasion of the alleged victim's personal privacy. Therefore, the request to assert the exemption under Section 7(1)(c) is approved and further inquiry into this matter is not warranted.


If you have any questions, please feel free to contact me at 312-814-2770. This correspondence

will serve to close the matter.

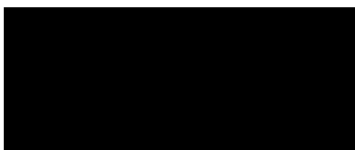
Sincerely,

Cara Smith  
Public Access Counselor

By:

  
John Schmidt  
Assistant Attorney General

cc:



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