



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

November 23, 2010

Laura Godette
Deputy Clerk
Village of Tinley Park
16250 S. Oak Park Ave.
Tinley Park, Illinois 60477

RE: Pre-Authorization Request — 2010 PAC 8730

Dear Ms. Godette:

We have received and reviewed the written notice from the Village of Tinley Park (Village) 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.

LexisNexis (in connection with claim number 10-2228583) submitted a FOIA request dated July 21, 2010, seeking a copy of Report/Case # 10-16599. In its written notice, the Village asserted that dates of birth, drivers' license numbers, social security numbers and license plate numbers are exempt from disclosure under Section 7(1)(c) of FOIA.

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 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 Village's use of the exemption in Section 7(1)(c) 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 under Section 7(1)(c). 5 ILCS 140/7(1)(c). This type of information is highly personal by its very nature and the subject's right to privacy outweighs any

November 23, 2010

Page 2

legitimate public interest in disclosing this information. As such, the Village may issue a partial denial letter directly to the requester and release the report with the appropriate information redacted.

Please note that social security numbers, drivers' license numbers and license plate numbers may be redacted as "private information" under Section 7(1)(b), which does not require pre-authorization from our office.

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

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