



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

December 17, 2010

Villa Park Police Department
Attn: Susan Matthews
Via email: susanm@vppd.org

Re: Pre-authorization request – 2010 PAC 11315

Dear Ms. Matthews:

We have received the Villa Park Police Department's notice of intention to deny disclosure of information requested under the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended. LexisNexis requested a copy of Report No. 101004019007. The Department asserted birth dates of individuals listed in the report are exempt from disclosure under Section 7(1)(c) (5 ILCS 140/7(1)(c)).

Information in public records is exempt if disclosure would "constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." 5 ILCS 140/7(1)(c). An "[u]nwarranted invasion of personal privacy" is 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 Department's request for pre-approval to redact birth dates pursuant to Section 7(1)(c) is **approved**. Birth dates are a highly personal form of information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. A subject's right to privacy outweighs any legitimate public interest in the disclosure of his or her date of birth.


The Department intends to redact additional information pursuant to Section 7(1)(b) (5 ILCS 140/7(1)(b)). We have not analyzed the assertion of those exemptions; the assertion of those exemptions by the Department is not contingent upon receiving pre-approval from our office.

This letter shall serve to close this file. If you have any questions, please feel free to contact me at (312) 814-6756 or ssilverman@atg.state.il.us.

Sincerely,

Cara Smith
Public Access Counselor

By:


Steve Silverman
Assistant Public Access Counselor

cc: LexisNexis
P.O. Box 7000
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