



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

January 11, 2011

Wendellyn J. Briggs  
Freedom of Information Officer  
Town of Normal  
100 East Phoenix Avenue  
Normal, IL 61761-0589

RE: Pre-Authorization Request — 2011 PAC 11661

Dear Ms. Briggs:

We have received and reviewed the written notice from the Town of Normal 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.

██████████ submitted a FOIA request dated December 30, 2010, seeking a copy of traffic incident report number A10-1337. In its written notice, the Town asserted that dates of birth are exempt from disclosure under Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)) which 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.”

**Determination**

The Town’s request for approval of its decision to withhold the dates of birth pursuant to Section 7(1)(c) 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).

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. As such, the Town may

issue a partial denial letter directly to the requester and release the records with the appropriate information redacted.

If you have any questions, please feel free to contact the Public Access Counselor's Office at (312) 814-5383. This correspondence shall serve to close this matter.

Sincerely,

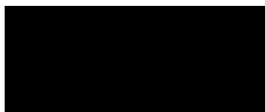
Cara Smith  
Public Access Counselor

By:

A large black rectangular redaction box covering the signature of Matthew C. Rogina.

Matthew C. Rogina  
Assistant Public Access Counselor

cc:

A black rectangular redaction box covering the list of recipients for the carbon copy (cc).

*11661 preauth al 71c dob pd*