



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

February 15, 2011

Julie Nistler
Park Ridge Police Department
200 South Vine Avenue
Park Ridge, IL 60068

RE: Pre-Authorization Request - 2011 PAC 12218

Dear Ms. Nistler:

We have received and reviewed the written notice from the Park Ridge Police Department 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 Department is seeking to redact dates of birth and the names of possible suspects who were not arrested or charged from the requested documents.

[REDACTED] submitted a FOIA request for Agency Case [REDACTED]. In its written notice, the Department asserted that the dates of birth and suspect's names 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 Department'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. Therefore, the Department has met its initial burden in demonstrating that the redacted information is exempt under Section 7(1)(c).

The Department's use of the exemption in Section 7(1)(c) with regard to redacting a suspect's name is approved. We have concluded that the disclosure of the names and contact information of people suspected of crimes for which they were never arrested or charged would be highly objectionable to a reasonable person. Under these circumstances, the suspect's right to privacy outweighs any public interest in the information that the Department intends to redact from the report. Therefore, the Department has met its initial burden in demonstrating that the redacted information is exempt under Section 7(1)(c).

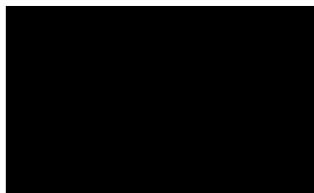
If you have any questions, please feel free to contact Tammy Friedewald at (217) 558-1926. This correspondence shall serve to close this matter.

Sincerely,



Amanda M. Lundeen
Assistant Public Access Counselor

cc:



12218 preauth al 71c susp dob priv pd