



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

February 18, 2011

Laura Godette
Deputy Clerk
Village of Tinley Park
16250 South Oak Park Ave
Tinley Park, IL 60477

RE: Pre-Authorization Request – 2011 PAC 12394
Requester: [REDACTED]

Dear Ms. Godette:

We have received and reviewed the written notice from the Village of Tinley Park of its intention to deny disclosure of certain information as exempt from disclosure under section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

On February 11, 2011, [REDACTED] requested police reports 10-28796, 10-28409 and 10-28783. In its written notice dated February 11, the Village asserts that the dates of birth included in these reports 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 the 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.*

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 under Section 7(1)(c). This information is highly personal, and the subjects’ right to privacy outweighs any legitimate public interest in disclosing this information.

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Accordingly, the Village should issue a partial denial letter directly to [REDACTED] and release the reports to her with the appropriate information redacted.

If you have any questions, please feel free to contact me at (312) 814-2086. This correspondence shall serve to close this matter.

Sincerely,

[REDACTED]

Sarah Kaplan
Assistant Public Access Counselor

cc:

[REDACTED]

12394 preauth al 71c dob pd