



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 9, 2011

Patti Taves
Records Supervisor
Glen Ellyn Police Department
535 Duane Street
Glen Ellyn, Illinois 60137-4675

RE: Pre-Authorization Request – 2010 PAC 10016

Dear Ms. Taves:

We have received and reviewed the written notice from the Glen Ellyn Police Department 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 September 29, 2010, seeking copies of police reports relating to an incident described in her request. In its written notice, the Department asserted that dates of birth and portions of the narrative of the responsive report are exempt from disclosure under Section 7(1)(c) (5 ILCS 140/7(1)(c)).

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.” *Id.* 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 specified information in the narrative portion of the report is approved. We have determined that the disclosure of this information would be objectionable to a reasonable person, and the subject’s right to privacy outweighs any legitimate public interest in disclosing this information.

We also approve the Department's use of the exemption in Section 7(1)(c) with regard to the dates of birth in this report. 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 subject's right to privacy outweighs any legitimate public interest in disclosing this information.

We conclude that the Department has met its initial burden of demonstrating that the information it proposes to withhold is exempt under Section 7(1)(c). The Department may issue a partial denial letter directly to the requester and release the records with the appropriate information redacted.

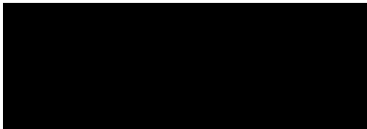
If you have any questions, please feel free to contact the Public Access Counselor's Office at (877) 299-3642. This correspondence shall serve to close this matter.

Sincerely,

Sarah Kaplan by EK

Sarah Kaplan
Assistant Public Access Counselor

cc:



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