



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 2, 2010

Ms. Renee Botica
FOIA Officer
Village of McCook
5000 Glencoe Avenue
McCook, Illinois 60525

RE: Request for Pre-Authorization, 7(1)(c) – No. 2010 PAC 5922

Dear Ms. Botica:

We have received and reviewed the written notice from the Village of McCook of its intent to deny portions of the crash reports requested by [REDACTED] by FOIA dated February 4, 2010, as exempt from disclosure under subsection 7(1)(c) of the Freedom of Information Act ("FOIA"), 5 ILCS 140/9.5(b).

Your explanation indicates that portions of the information which you seek to exempt fall within the definition of private information as set forth in subsection 2(c-5) of the Act and exempted under subsection 7(1)(b) of the Act. Included among these are social security numbers, telephone numbers, and driver's license numbers.

The only two exemptions that require pre-approval from this office are for preliminary drafts under Section 7 (1)(f) of FOIA or unwarranted invasion of personal privacy under Section 7(1)(c). Any other exemption, such as 7(1)(b) noted above, can be asserted, related information redacted and sent directly to the requester without the need for formal pre-authorization.

It appears from your explanation that the only information you seek to redact which would not be encompassed within subsection 7(1)(b) "private information" would be the referenced "medical information of parties/witnesses" included on any of the reports. We have reviewed the applicability of subsection 7(1)(c) to this type of information. As a result of this review, we have determined that it is appropriate for the Village of McCook to redact medical information of parties/witnesses under subsection 7(1)(c), because the

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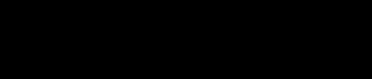
information is personal information, the disclosure of which would constitute a clearly unwarranted invasion of privacy. Thus, the Village's request to assert the exemption under 5 ILCS 140/7(1)(c) is hereby approved and further inquiry into this matter is not warranted.

If you have any questions, please feel free to contact me at (217) 557-0548.

Sincerely,

Cara Smith
Public Access Counselor

By:


Heather V. Kimmons
Deputy Public Access Counselor

cc:

