



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

June 16, 2011

Ms. Linda Fields
City Clerk
City of Belleville
101 South Illinois Street
Belleville, Illinois 62220-2199

RE: FOIA Preauthorization Request– 2011 PAC 14616

Dear Ms. Fields:

We have received and reviewed the written notice from the City of Belleville of its intention to deny disclosure of certain information requested by Ms. Laura Girresch of the *Belleville News Democrat* pursuant to section 7(1)(c) of the Freedom of Information Act (FOIA), 5 ILCS 140/7(1)(c) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010. Ms. Girresch had requested copies of all applications for a custodian position with the City. The City seeks preauthorization to withhold the applications of unsuccessful candidates under section 7(1)(c) of FOIA.

Section 7(1)(c) 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." The exemption defines "unwarranted 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." 5 ILCS 140/7(1)(c) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010.

DETERMINATION

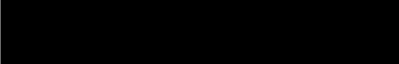
The City's use of the exemption in section 7(1)(c) to withhold the applications of unsuccessful candidates for the custodian position is **approved**. This Office has previously concluded that employment applications of unsuccessful candidates may be withheld under section 7(1)(c). See Ill. Att'y Gen. PAC Pre-Auth al13784, issued April 28, 2011; Ill. Att'y Gen'l

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Pre-Auth al5196, issued July 29, 2010. We noted that such employment applications contain highly personal information, the disclosure of which would be objectionable to a reasonable person. *See* Ill. Att'y Gen'l Pre-Auth al5196, issued July 29, 2010. Furthermore, release of such information could have an adverse impact upon the current employment of unsuccessful candidates and deter qualified applicants from applying for open positions. *See* Ill. Att'y Gen. PAC Pre-Auth al13784, issued April 28, 2011; Ill. Att'y Gen'l Pre-Auth al5196, issued July 29, 2010. Under these circumstances, the unsuccessful applicants' right to privacy outweighs any legitimate public interest in obtaining their employment applications.

If you have any questions, please contact me at 312-814-2770. This correspondence shall serve to close this matter.

Very truly yours,


JOHN SCHMIDT
Senior Assistant Attorney General
Public Access Bureau

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cc: Ms. Laura Girresch
Belleville News Democrat
120 South Illinois Street
Belleville, Illinois 62220-0427