OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 7, 2010

Mr. Gregg Spathis
FOIA Officer
Village of Bourbonnais
600 W. Main St. NW
Bourbonnais, IL 60914

RE: FOIA Pre-approval Request – No. 6559

Dear Mr. Spathis:

On March 31, 2010, we received from the Village of Bourbonnais a written request for approval of its intent to assert the Section 7(1)(c) exemption in response to a Freedom of Information Act request received from [redacted] dated March 29, 2010. [redacted] request sought, among other things, a "copy of [the] petition signed by Vantage Lane residence [sic]."

Section 7(1)(c) of the Freedom of Information Act permits a public body to withhold "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." That provision further defines an "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."

As a result of this review, we have determined that the Village may not properly withhold the petition in question under **Section 7(1)(c).** The petition constitutes a formal request by residents to their government to take official action on an issue. The petition, signed by residents and presented to their local government, does not appear to contain information that is highly personal and the release of that information would not be objectionable to a reasonable person.

Please note that pre-approval from this Office is only required with regard to assertion of two exemptions: the Section 7(1)(c) personal privacy exemption and the Section 7(1)(f) exemption for predecisional, deliberative process materials. Denials based on other exemptions can be issued directly to the requester without notification to this Office. This letter is not intended to advise you of the applicability of any other exemption to the disclosure of information contained in the requested documents. In this case, the exemption in Section 7(1)(b) may allow the Village to redact private information from the petition, such as home addresses and personal telephone numbers. *See* 5 ILCS 140/2(c-5) and 7(1)(b).

If you have any questions, please feel free to contact me at 217-785-7438.

Sincerely,

Cara Smith
Public Access Counselor

B[redacted]

Amanda M. Lundeen
Assistant Public Access Counselor

cc: [redacted]