



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

April 16, 2010

Wendellyn J. Briggs
City Clerk/Freedom of Information Officer
100 E. Phoenix Avenue
P.O. Box 589
Normal, Illinois 61761-0589

RE: Pre-Authorization Request – 2010 PAC 6713

Dear Ms. Briggs:

We have received and reviewed the written notice from the Town of Normal (Town) of its intention to deny certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended (FOIA). The Town in seeking to redact a telephone number and information related to injury and medical care from the requested document.

██████████ submitted a FOIA request on April 7, 2010 for Accident Report #A09-233. In its written notice, the Town asserted that the telephone number and information related to injury and medical care are exempt from disclosure under Section 7(1)(c) of FOIA.

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 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.*


Determinations

First, we have determined that the telephone number the Town intends to redact falls within the Section 7(1)(b) exemption for private information. “Private information” means unique identifiers, including a person’s social security number, driver’s license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email

addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person.” 5 ILCS 140/7(1)(b)

Use of this exemption to partially deny disclosure of public records does not require preapproval from our Office.

Second, the Town’s use of the exemption in 7(1)(c) with regard to injury and medical care is approved. This type of information is highly personal by its very nature and a person’s right to privacy outweighs any legitimate public interest in disclosing this information.

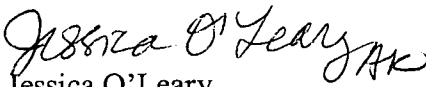
Accordingly, the Town may issue a partial denial letter directly  and release the record to him with the telephone number and information related to injury and medical care redacted if it has not already done so.

If you have any questions, please feel free to contact me at (312) 814-1003. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:


Jessica O’Leary
Assistant Attorney General

cc:

