



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 22, 2010

Wendellyn J. Briggs, City Clerk
Town of Normal
100 East Phoenix Ave
P.O. Box 589
Normal, IL 61761-0589

RE: Pre-Authorization Request – 2010 PAC 6833

Dear Mr. Briggs:

We have received and reviewed the written notice from the Town of Normal (Town) of its intention to deny disclosure of certain information as exempt from disclosure under subsection 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended (FOIA).

██████████ submitted a FOIA request on April 12, 2010 for Accident Report No. 10 403. In its written notice, the Town asserted that information regarding medical treatment of an individual and dates of birth is exempt from disclosure under Section 7(1)(c).

Determinations

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(10)(c). The exemption defines “[u]nwarranted invasion of personal privacy” as the “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 Town’s use of exemption in Section 7(1)(c) with regard to medical treatment is approved. We have determined that the disclosure of medical information and medical treatment would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). 5 ILCS 140/7(10)(c). This type of information is highly personal by its very nature and the subject’s right to privacy outweighs any legitimate public interest in disclosing this information.

The Town’s use of exemption in Section 7(1)(c) with regard to dates of birth is approved. We have determined that dates of birth would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). 5 ILCS 140/7(10)(c). This type of information is highly personal

by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information.

Accordingly, if it has not already done so, the Town may issue a partial denial letter directly to [REDACTED] and release the records to him with the appropriate information redacted.

If you have any questions, please feel free to contact me at (312) 814-5206. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:

[REDACTED]
Amalia Rioja
Chief Deputy Public Access Counselor

cc:

[REDACTED]