



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

Lisa Madigan
ATTORNEY GENERAL

July 20, 2010

Wendellyn J. Briggs
FOIA Officer
Town Of Normal
100 East Phoenix Avenue
Normal, IL 61761-0589

RE: Pre-Authorization Request – 2010 PAC 8465
[REDACTED]

Dear Ms. Briggs:

We have received and reviewed the written notice from the Town of Normal (Town) of its intent to deny disclosure of dates of birth, references to specific injuries in a police report's narrative, and insurance policy numbers as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c).

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.*

Determination

The Town's use of the exemption in Section 7(1)(c) with regard to dates of birth and references to specific injuries is approved. We have determined that disclosure of dates of birth and references to specific injuries would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c) of FOIA. This information is highly personal by its very nature, and the subjects' right to privacy with respect to this information outweighs any legitimate public interest in obtaining it.

However, the Town's use of Section 7(1)(c) to withhold insurance policy numbers is denied. We have determined that the disclosure of this information is not highly objectionable to a

reasonable person. The subjects' privacy interests are minimal, and the legitimate public interest in obtaining this information outweighs this slight privacy interest. Therefore, the disclosure of this information would not constitute a clearly unwarranted invasion of personal privacy. 5 ILCS 140/7(1)(c).

Should you have questions or concerns, please feel free to contact me at (312) 793-0865. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:

Sara Gadola Gallagher M&N
Sara Gadola Gallagher
Deputy Public Access Counselor

cc:

