



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 3, 2010

Katherine Gaseor
Freedom of Information Officer
Village of Norridge
4000 N. Olcott Avenue
Norridge, IL 60706

RE: Pre-authorization Request – 2010 PAC 8578

Dear Ms. Gaseor:

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

██████████ submitted a FOIA request on July 14, 2010, seeking the percentage that Village employees pay toward their healthcare insurance coverage and a copy of all FOIA requests submitted to the Village since January 1, 2010, excluding those submitted by ██████████

In its written notice, the Village asserted that it intended to redact the names, addresses and phone numbers of the FOIA requesters.

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.*

The Village’s use of the exemption in Section 7(1)(c) with regard to the names, addresses and phone numbers of FOIA requesters is approved. The disclosure of the names and addresses of

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FOIA requesters was considered by the court in *Chicago Alliance for Neighborhood Safety v. City of Chicago*, 348 Ill. App. 3d 188 (1st Dist. 2004). In that case, the court held that the FOIA requesters, particularly those who are crime victims, witnesses, or individuals interested in crime prevention, have a privacy interest in keeping confidential their names and addresses and keeping confidential the fact that they have made a FOIA request to a public body. The court concluded that the requesters' interest in privacy with regard to their names and addresses outweighs the public's interest in disclosure. *Id.* at 212.

The same reasoning applies to the facts presented by [REDACTED] FOIA request here. In his case, the requester is seeking the names of all individuals who have filed FOIA requests with the Village since January 1, 2010. Based on the analysis in *Chicago Alliance of Neighborhood Safety*, we approve the Village's reliance on exemption Section 7(1)(c) to redact the names, addresses and phone numbers of FOIA Requests from the responsive documents. We have determined that the disclosure of this information would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). 5 ILCS 140/7(1)(c). This type of information is highly personal and the subject's right to privacy outweighs any legitimate public interest in disclosing this information.

Please note that to the extent that the addresses are home addresses and the telephone numbers are home or cell phone numbers, they fall within Section 7(1)(b), which does not require a public body to notify the Public Access Counselor before redacting this information.

If you have any questions, please call 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]