



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 11, 2010

Ms. Valerie Rogers
FOIA Officer
Lake County Housing Authority
33928 N. US Highway 45
Grayslake, Illinois 60030

RE: FOIA Pre-Authorization Request – 2010 PAC 8750

Dear Ms. Rogers

We have received and reviewed the written notice from the Lake County Housing Authority (Authority) of its intention to withhold 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.

Specifically, [REDACTED] submitted a FOIA request to the Authority on July 29, 2010 seeking copies of the Authority's attendance sheet from June 2009 through June 2010.

On July 29, 2010 the Authority submitted a pre-authorization request to our Office, asserting that the signatures contained in those attendance sheets are exempt from disclosure under Section 7(1)(c) of FOIA which 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

The Authority's request for approval of its decision to withhold the signatures pursuant to Section 7(1)(c) is hereby approved.

The Authority asserts that this information should be withheld because a signature is a unique identifier and is exempt from disclosure under Section 7(1)(c). Certain unique identifiers, such as Social Security numbers, are expressly exempted from disclosure under Section 7(1)(b) of FOIA. Although signatures are not referenced in that section, we agree with the Authority's

assertion that other unique identifiers may nonetheless be exempted under Section 7(1)(c) if their disclosure could reasonably lead to an unwarranted invasion of personal privacy.

It is the conclusion of this Office that an individual's signature is highly personal in nature, and that disclosure of a signature could lead to a clearly unwarranted invasion of personal privacy. Accordingly, absent specific facts demonstrating a need for disclosure (such as the necessity for comparing with another signature, for example), a signature may be withheld from disclosure pursuant to Section 7(1)(c).

In 2010 PAC 6963, this Office concluded that the Authority's attendance sheets that did not contain specific information regarding the nature of an employee's illness or the purpose of an outside appointment were not exempt from disclosure under Section 7(1)(c). In keeping with our analysis of 2010 PAC 6963, it is our determination that the Authority should provide [REDACTED] with the requested attendance sheets, but may redact any signatures so long as it provides names in lieu of the signatures.

If you have any questions concerns, please contact me at (312) 814-5383. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By: [REDACTED]

[REDACTED]
Matthew C. Rogina
Assistant Public Access Counselor

cc: [REDACTED]