



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

Lisa Madigan
ATTORNEY GENERAL

July 7, 2010

Kenneth Terrinoni
Boone County Administrator
1212 Logan Avenue
Belvidere, Illinois 61008

RE: Pre-Authorization Request – 2010 PAC 8279
Requester: Kate Piercy on behalf of the Illinois Policy Institute

Dear Mr. Terrinoni:

We have received and reviewed the written notice from Boone County (County) of its intention to deny disclosure of certain information in employee records as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c). This letter is to advise you that your request is approved.

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

The County’s use of the exemption in Section 7(1)(c) with regard to dates of birth is approved. We have determined that the disclosure of this information would be highly objectionable to a reasonable person. The subjects’ right to privacy in these personal details outweighs any legitimate public interest in obtaining this information. Therefore, the disclosure of this information would constitute a clearly unwarranted invasion of personal privacy. 5 ILCS 140/7(1)(c).

The County does not need to seek pre-authorization to redact home addresses of individuals, as that information is properly exempt from disclosure under Section 7(1)(b) of FOIA, as defined by Section 2(c-5) of FOIA. Section 7(1)(b) exempts from disclosure private information. The definition of “private information” in Section 2(c-5) includes home addresses. Public bodies must seek pre-authorization from our office only to assert the exemptions contained in Sections

7(1)(c) and 7(1)(f) of FOIA. As such, the County does not need our pre-authorization to redact home addresses, and we decline to independently determine whether use of this exemption is appropriate in this case.

Should you have questions or concerns, please call our office at 1-877-299-FOIA (3642). This letter shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:



Amalia Rioja
Chief Deputy Public Access Counselor

cc: Ms. Kate Piercy
Director of Government Reform
Illinois Policy Institute
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