



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 25, 2011

Macon County Auditor's Office
Amy C. Stockwell, Auditor and FOIA Officer
Via email: astockwell@co.macon.il.us

Re: Pre-authorization request – 2011 PAC 13034

Dear Ms. Stockwell:

We have received from the Macon County Auditor's Office a notice of intention to deny disclosure of certain information requested under the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended. [REDACTED] requested a copy of a specific employee's most recent paystub. The Auditor's Office requested pre-authorization pursuant to Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)) to redact amounts withheld for state and federal taxes as well as all information regarding a specific deduction.

Information in public records is exempt if disclosure would "constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." 5 ILCS 140/7(1)(c). An "[u]nwarranted invasion of personal privacy" is 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 request for pre-authorization to redact information from the paystub is approved. Information regarding the specific deduction and the amounts withheld for state and federal taxes are highly personal forms of information. The employee's right to privacy outweighs any legitimate public interest in obtaining this information. Moreover, the redacted information does not relate to the obligation, receipt and use of public funds under Section 2.5 of FOIA (5 ILCS 140/2.5). Accordingly, we conclude the Auditor's Office has sustained its burden of demonstrating that the redacted information is exempt from disclosure under Section 7(1)(c).

This letter shall serve to close this matter. If you have any questions, please feel free to contact me at 312-814-6756 or ssilverman@atg.state.il.us.

Sincerely,



Steve Silverman
Assistant Public Access Counselor

cc:

