



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

May 2, 2011

Terri Bethune  
FOIA Officer  
DuPage Township  
241 Canterbury Lane  
Bolingbrook, IL 60440

RE: Pre-Authorization Request – 2011 PAC 13787  
Requester: Rhonda Reed-Slaughter, The Number-Crunchers

Dear Ms. Bethune:

We have received and reviewed the written notice from DuPage Township of its intention to deny disclosure of certain information under Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c).

On April 15, 2011, Ms. Rhonda Reed-Slaughter requested "the official list of members of the Levy Center (including their addresses)" for certain fiscal years. The Levy Center is a community center sponsored by the Township that provides recreational and educational programs for seniors. The Township asserts that the names of members of the Levy Center are exempt under Section 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 the 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 Township's use of the exemption in Section 7(1)(c) to withhold the names of members of the Levy Center is **denied**. The names of members of this center, without more, are not highly personal. In this instance, the Township has not demonstrated that the subjects' right to privacy outweighs the legitimate public interest in this information, which relates to the use of public

funds. Therefore, the Township has not sustained its initial burden of demonstrating that this information is exempt under Section 7(1)(c).

The Township also asserts that the federal Privacy Act of 1974 prohibits disclosure of the requested list, and therefore the list is exempt from disclosure under Section 7(1)(a) of FOIA. The use of the exemption in Section 7(1)(a) does not require pre-approval from this Office. We make no finding as to the applicability of this Section.

If you have any questions, please contact me at (312) 814-2086. This correspondence shall serve to close this matter.

Sincerely,



Sarah Kaplan  
Assistant Public Access Counselor

cc: Ronda Reed-Slaughter  
by email: rhonda@thenumbercrunchers-bolingbrook.com