OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 1, 2010

Laura Godette
Deputy Clerk
Village of Tinley Park
16250 S. Oak Park Ave.
Tinley Park, Illinois 60477

RE: Pre-Authorization Request – 2010 PAC 6823

Dear Ms. Godette:

We have received and reviewed the written notice from the Town of Normal (Town) of its intention to deny disclosure of 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.

[redacted] submitted a FOIA request dated April 13, 2010, seeking a copy of specific Cad report. In its written notice, the Town asserted that the phone number of a complainant and the name of someone from a health care organization are exempt from disclosure under Section 7(1)(c) of FOIA.

Determinations

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.*

First, we have determined that the telephone number of the complainant falls within the Section 7(1)(b) exemption for private information. 5 ILCS 140/7(1)(b). FOIA defines 'private information' to mean "unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, **home or personal telephone numbers**, and personal email addresses." 5 ILCS 140/2(c-5) (emphasis added).

Notably, the use of the Section 7(1)(b) exemption to deny disclosure of private information contained in the requested report does not require pre-approval from our office.

Next, the Town's use of the Section 7(1)(c) exemption with regard to the name of someone from a health care organization is **denied**. We have determined that the disclosure of this information would not constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c) of FOIA. Accordingly, the Town has not met its burden establishing a basis for redacting this information.

If you have any questions, please feel free to contact me at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:

Tola Adewola
Assistant Public Access Counselor

cc: