



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 11, 2011

Wendellyn Briggs
City Clerk/Freedom of Information Officer
Town of Normal
100 East Phoenix Ave
P.O. Box 589
Normal, IL 61761-0589

RE: Pre-Authorization Request – 2011 PAC 11695
Requester: Metropolitan Reporting Bureau

Dear Ms. Briggs:

We have received and reviewed the written notice from the Town of Normal 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 140/7(1)(c).

On January 3, 2011, the Town received a request from the Metropolitan Reporting Bureau for traffic crash report # U100221108. In its written notice dated January 4, 2011, the Town asserted that the date of birth included in the report is exempt from disclosure under Section 7(1)(c) of FOIA.

Determination

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.*

The Town’s use of the exemption in Section 7(1)(c) with regard to the date of birth is approved. We have determined that the disclosure of dates of birth would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). 5 ILCS 140/7(1)(c). This information is highly personal, and the subject’s right to privacy outweighs any legitimate public interest in disclosing this information.

Accordingly, the Town should issue a partial denial letter directly to the Metropolitan Reporting Bureau and release the report to the Bureau with the appropriate information redacted.

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

Sincerely,

Cara Smith
Public Access Counselor

By:

A large black rectangular redaction box covering the signature of Sarah Kaplan.

Sarah Kaplan
Assistant Public Access Counselor

cc: Metropolitan Reporting Bureau
Box 926, William Penn Annex
Philadelphia, PA 19105-0926

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