



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 11, 2011

Wendellyn J. Briggs
Freedom of Information Officer
Town of Normal
100 East Phoenix Avenue
Normal, IL 61761-0589

RE: Pre-Authorization Request - 2011-PAC-11660

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 pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA), 5 ILCS 140/7 *et seq.*, as amended.

██████████ submitted a FOIA request dated January 3, 2011, seeking traffic incident report number 10-1427. In its written notice, the Town asserted that dates of birth are exempt from disclosure under Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)) which 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." 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."

Determination

The Town's request for approval of its decision to withhold the dates of birth pursuant to Section 7(1)(c) 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).

This type of information is highly personal by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information. As such, the Town may


issue a partial denial letter directly to the requester and release the records with the appropriate information redacted.

If you have any questions, please feel free to contact me at (312) 814-5383. This correspondence shall serve to close this matter.


Sincerely,

Cara Smith
Public Access Counselor

By:


Matthew C. Rogina
Assistant Public Access Counselor

cc:


11660 *preauth at 71c dob mun*