



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

February 16, 2011

Wendellyn J. Briggs  
Town of Normal  
100 East Phoenix Avenue  
PO Box 589  
Normal, IL 61761-0589

RE: Pre-Authorization Request 2011 PAC 12303

Dear Ms. Briggs:

We have received and reviewed the written notice from the Town of Normal of its intention to deny certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/Pet seq., as amended (FOIA). The Town is seeking to redact dates of birth from the requested documents.

Frank Lowry of Hausmann-McNally Law Offices submitted a FOIA request for Accident Reports dated 1-1-11 through 1-15-11. In its written notice, the Town asserted that the dates of birth are exempt from disclosure under Section 7(1)(c) of FOIA.

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.*

**Determination**

The Town's use of the exemption in Section 7(1)(c) with regard to the dates of birth is approved. We have determined that the disclosure of dates of birth would constitute a clearly unwarranted invasion of personal privacy. 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.

Accordingly, the Town may issue a partial denial letter and release the reports with the dates of birth redacted, if it has not already done so.

If you have any questions, please feel free to contact Tammy Friedewald at (217) 558-1926. This correspondence shall serve to close this matter.

Sincerely,



Amanda M. Lundeen *AL*  
Assistant Public Access Counselor

cc: Mr. Frank Lowry  
Hausmann-McNally Law Office  
903 North 4<sup>th</sup> Street  
Petersburg, IL 62675-1110

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