



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 8, 2011

Michelle E. Brooks
Assistant City Attorney
City of Urbana
Legal Division
400 South Vine Street
Urbana, Illinois 61801

RE: Pre-Authorization Request — 2010 PAC 10566

Dear Ms. Brooks:

We have received and reviewed the written notice from the City of Urbana of its intention to deny disclosure of certain information pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

Ann Russell submitted a FOIA request dated October 27, 2010, seeking a copy of Record Number #U105575. In its written notice, the City asserted that certain information in that report is exempt from disclosure under Section 7(1)(c). Specifically, the City identified information in the synopsis section and the narrative section of the report that it asserts is exempt. The City also asserts that the dates of birth in the report and the entire final document in the City's submission to this Office are exempt from disclosure under Section 7(1)(c).

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 the disclosure is consented to in writing by the individual subjects of the information." *Id.* 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 City's use of the exemption in Section 7(1)(c) with regard to the specified information in the synopsis and narrative portions of the report, the dates of birth in the report, and the entire final document is approved. All of this information is highly personal, and the release of this information would be objectionable to a reasonable person. The subject's right to privacy outweighs any legitimate public interest in obtaining this information. Therefore, we conclude that the City has met its initial burden of proving that this information is exempt under Section 7(1)(c).

Accordingly, the City 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 the Public Access Counselor's Office at (877) 299-3642. This correspondence shall serve to close this matter.

Sincerely,

Sarah Kaplan BYEK

Sarah Kaplan
Assistant Public Access Counselor

cc:

