

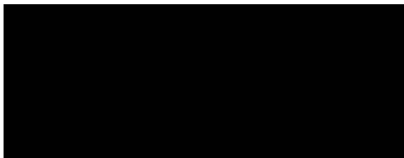


OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

September 25, 2024

Via electronic mail



RE: FOIA Request for Review – 2024 PAC 82990

Dear [REDACTED]:

This determination letter is issued pursuant to section 9.5(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(c) (West 2023 Supp.)). For the reasons that follow, the Public Access Bureau has determined that no further action is warranted in this matter.

On August 26, 2024, you submitted a FOIA request to the Village of Elmwood Park (Village) seeking a copy of an incident report by stating the report number. On September 10, 2024, the Village provided you with a copy of the incident report and animal bite report corresponding to that report number, but redacted certain discrete information pursuant to sections 7(1)(b) and 7(1)(c) of FOIA.¹ In particular, the Village's response stated that it redacted home or personal telephone numbers and home addressees under section 7(1)(b). In your Request for Review, which you finished submitting on September 20, 2024, you disputed the redaction of the other dog owner's home address and home or personal telephone number. You explained that your dog was the victim of the incident and that you are seeking the other dog owner's contact information to pursue reimbursement.

Section 7(1)(b) of FOIA exempts from disclosure "[p]rivate information, unless disclosure is required by another provision of this Act, a State or federal law or a court order." Section 2(c-5) of FOIA (5 ILCS 140/2.5 (West 2023 Supp.)) defines "private information" to include:

¹5 ILCS 140/7(1)(b), (1)(c) (West 2023 Supp.), as amended by Public Act 103-605, effective July 1, 2024.

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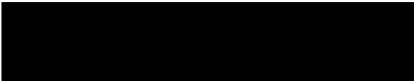
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[U]nique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, **home or personal telephone numbers**, and personal email addresses. Private information also includes **home address** and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person. (Emphasis added.)

The information that you seek in unredacted form—a home or personal telephone number and a home address—meets the plain language of the definition of "private information." Therefore, those pieces of information are exempt from disclosure under section 7(1)(b). Although you explained that you need these pieces of information to seek reimbursement from the other dog owner, the Public Access Bureau is unable to conclude that a public body must disclose information that falls within the scope of a FOIA exemption. Under these circumstances, this office has determined that no further action is warranted in this matter.

This file is closed. If you have any questions, please contact me at katherine.goldsmith@ilag.gov.

Very truly yours,


KATIE GOLDSMITH
Assistant Attorney General
Public Access Bureau

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cc: *Via electronic mail*
The Honorable Gina Pesko
Village Clerk/FOIA Officer
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