



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

May 19, 2011

Mr. David Silverman
Mahoney, Silverman & Cross, LLC
822 Infantry Drive
Joliet, Illinois 60435

RE: FOIA Pre-Authorization Request – 2011 PAC 14109

Dear Mr. Silverman:

We have received and reviewed the written notice from the Village of Shorewood (Village) of its intention to deny disclosure of certain information under section 7(1)(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(c) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010). On April 27, 2011, [REDACTED] requested police records from any incidents that occurred from April 3, 2011 to April 17, 2011 at a certain address concerning a particular individual. The Village has identified Incident Report LS1110418004126 as responsive to this request. The Village seeks pre-authorization to withhold the photographs associated with that report and to redact certain medical and other personal information from that report.

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." The exemption defines "unwarranted 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." 5 ILCS 140/7(1)(c) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010.

DETERMINATION

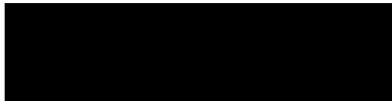
The Village's use of the exemption in section 7(1)(c) to withhold the photographs is **approved**. These are close-up photographs of injuries on a victim's body. This information is highly personal, and the victim's right to privacy outweighs any legitimate public interest in obtaining these photographs.

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The Village's use of the exemption in section 7(1)(c) to make the proposed redactions is **approved**. Based on our review of the document, the redacted information consists of specific descriptions of medical conditions and other highly personal information. In this instance, the subjects' right to privacy outweighs any legitimate public interest in obtaining this information. We conclude that the Village has met its initial burden of demonstrating that the photographs and the information the Village proposes to redact is exempt under section 7(1)(c).

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

Very truly yours,



SARAH KAPLAN
Assistant Attorney General
Public Access Bureau

cc: *Via electronic mail*

