



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 15, 2010

Janet K. Traven
City Clerk
City of Joliet
150 West Jefferson Street
Joliet, Illinois 60432

RE: Pre-Authorization Request – 2010 PAC 6507

Dear Ms. Traven:

We have received and reviewed the written notice from the City of Joliet ('City') of its intention to deny disclosure of a police report as exempt under Section 7(1)(c) of the Freedom of Information Act ('FOIA'). 5 ILCS 140/7(1)(c).

On March 25, 2010, Ms. [REDACTED] submitted a FOIA request for police report #091225-028047. In its written notice, the City asserts that requested police report is exempt from disclosure under Section 7(1)(c) of FOIA.

Determination

We note, initially, that the report in question does not relate to the commission of a criminal offense. 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." 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." *Id.*

The City's use of the Section 7(1)(c) exemption with regard to the entire police report is **approved**. We have determined that disclosure of the police report would constitute a clearly unwarranted invasion of privacy because the report pertains primarily to the medical condition and treatment of the subject. 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 City has met its burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA.

July 15, 2010

Page 2

If you have any questions, please feel free to contact me at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:


Tola Adewola
Assistant Public Access Counselor

cc:

