



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 11, 2010

Ms. Heather Allen
Freedom of Information Officer
City of Moline
1616 6th Avenue
Moline, IL 61265

Dear Dr. Williamson:

RE: FOIA Pre-Approval Request – No. 8869

We have received and reviewed the written notice from the City of Moline of its intention to deny the request of [REDACTED] for photographs of an alleged victim of domestic violence arising out of an incident that led to the requestor's arrest and prosecution. The City seeks approval of the Public Access Counselor to withhold the photographs pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA) because they constitute "personal information, the disclosure of which would result in a clearly unwarranted invasion of personal privacy." 5 ILCS 140/7(1)(c). For purposes of FOIA, an "[u]nwarranted invasion of personal privacy means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs the legitimate public interest in obtaining the information." 5 ILCS 140/7(1)(c).

As a result of our review, we have determined the photographs may be withheld pursuant to Section 7(1)(c) because disclosure would result in a clearly unwarranted invasion of the alleged victim's personal privacy. The photographs depict certain apparent injuries to the victim in an unflattering or embarrassing manner. Disclosure of photographs of this nature would be objectionable to a reasonable person. Therefore, the request to assert the exemption under Section 7(1)(c) is approved and further inquiry into this matter is not warranted.

If you have any questions, please feel free to contact me at 312-814-2770. This correspondence