



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

October 29, 2010

Ms. Janet Traven
City Clerk
City of Joliet
150 W. Jefferson St.
Joliet, IL 60432

RE: Pre-Authorization Request – 2010 PAC 9828
FOIA Requester: J. Quinones – JQ and Company

Dear Ms. Traven:

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

On September 16, 2010, J. Quinones requested any additional reports, including supplemental, reconstruction or photographs, which the City had with respect to a June 10, 2009, vehicle crash. In its written response, the City asserts that release of some of the photographs would constitute an unwarranted invasion of personal privacy under Section 7(1)(c).

Section 7(1)(c) 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.”

Determinations

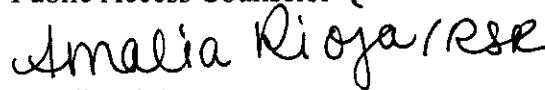
The City’s use of the exemption in Section 7(1)(c) with respect to the photographs is **approved**. The City has indicated that the photographs depict personal injuries sustained in the car accident. Photographs of this nature contain images that are highly personal, and the subjects’ right to privacy with respect to this information outweighs any legitimate public interest in obtaining it. Thus, the City has met its initial burden of demonstrating that the photographs are exempt from disclosure under Section 7(1)(c) of FOIA, as disclosure would constitute a clearly unwarranted invasion of personal privacy to the subjects of the information.

As such, the City should issue a partial denial letter directly to the FOIA requester in accordance with this letter. Should you have questions or concerns, please feel free to contact Rebecca Riddick at (312) 814-2138. This correspondence shall serve to close this matter.

Sincerely,

cc: J. Quinones
JQ and Company
P.O. Box 59007
Chicago, IL 60659

Cara Smith
Public Access Counselor

A handwritten signature in black ink that reads "Amalia Rioja" followed by the initials "RSE". The signature is written in a cursive style.

By: Amalia Rioja
Chief Deputy Public Access Counselor