



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

May 25, 2011

Trooper Kerry Sutton
Illinois State Police
801 S. Seventh St., Suite 1000-S
P.O. Box 19461
Springfield, Illinois 62794

RE: FOIA Pre-Authorization Request – 2011 PAC 14229

Dear Trooper Sutton:

We have received and reviewed the written notice from the Illinois State Police 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). The ISP seeks pre-authorization to withhold victim names from laboratory report number W10-002519.

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 ISP's use of the exemption in section 7(1)(c) to withhold the names of any victims is **approved**. We have concluded that the ISP has met its initial burden of demonstrating that the disclosure of the victim's name and information contained in these documents would be highly objectionable to a reasonable person. Under these circumstances, the right to privacy outweighs any public interest in the information that the ISP intends to withhold.

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If you have any questions, please contact Andres Acosta at (877) 299-3642. This correspondence shall serve to close this matter.

Very truly yours,

Rebecca Riddick by: *AA*

REBECCA RIDDICK
Assistant Attorney General
Public Access Bureau

cc:

