



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

Lisa Madigan
ATTORNEY GENERAL

July 29, 2010

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

RE: Pre-Authorization Request – 2010 PAC 5457

Dear Trooper Sutton:

We have received and reviewed the written notice from the Illinois State Police (ISP) of its intent to deny disclosure of a victim's name as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c).

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 disclosure is consented to in writing by the individual subjects of the information." 5 ILCS 140/7(1)(c). The exemption defines "[u]nwarranted 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.*

Determination

ISP's use of the exemption in Section 7(1)(c) with regard to the victim's name is **approved**. This is highly personal information, the release of which would be objectionable to reasonable persons. Moreover, the subject's right to privacy with respect to this information outweighs any legitimate public interest in obtaining it. Accordingly, disclosure of the victim's name would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c) of FOIA.

Should you have questions or concerns, please feel free to contact me at (312) 793-0865.

Sincerely,

Cara Smith
Public Access Counselor

By:



Sara Gadola Gallagher
Deputy Public Access Counselor

cc:

