



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 23, 2010

Trooper Kerry Sutton
FOIA Officer
Illinois State Police
801 S. 7th Street, Suite 1000-S
Springfield, IL 62794-9461

RE: Request for Review, FOIA Partial Denial – 2010 PAC 5564

Dear Trooper Sutton:

We have received and reviewed the written notice from the Illinois State Police (ISP) of its intention to redact the name of the victim in the responsive lab report(s) in the above-referenced matter as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act, (FOIA). 5 ILCS 140/1 *et seq.* For your reference, this matter relates to a FOIA request made by Cook County Department of Corrections inmate, [REDACTED]

As you know, 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.*

We have determined that ISP has met its burden of demonstrating that the victim's name is exempt from disclosure under Section 7(1)(c). The disclosure of a victim's name would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). This type of information is highly personal by its very nature and the victim's right to privacy outweighs any legitimate public interest in disclosing this information.

In accordance with this letter, ISP may release the requested records to the requester, in a matter not inconsistent with the determination reached herein. If you have any questions, please call me at 217-782-9078. This letter shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By: 

Matthew M. Sebek
Assistant Attorney General, Public Access Division

cc: 

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