



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

June 16, 2011

Trooper Kerry Sutton  
FOIA Officer  
Illinois State Police  
801 South Seventh Street, Suite 1000-S  
Springfield, Illinois 62794-9461

RE: FOIA Pre-Authorization Request – 2011 PAC 14444

Dear Trooper Sutton:

We have received and reviewed the notice from the Illinois State Police (ISP) 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).

On May 19, 2011, [REDACTED] requested all lab reports relating to case 09 CR 15812. In its notice dated May 30, 2011, ISP seeks pre-authorization to redact the name of an alleged crime victim.

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**

ISP's use of the exemption in section 7(1)(c) to redact the name of the alleged victim is **approved**. This information is highly personal, and the subject's right to privacy outweighs any legitimate interest in obtaining the victim's identity. We conclude that ISP has sustained its initial burden of demonstrating that this information is exempt under section 7(1)(c).

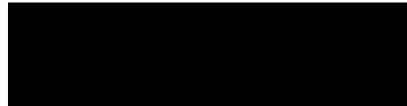
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Accordingly, ISP may issue a partial denial letter directly to Mr. Montgomery and release the records to him with the appropriate information redacted. If you have any questions, please contact me at (312) 814-2086. This correspondence shall serve to close this matter.

Very truly yours,

  
SARAH KAPLAN  
Assistant Attorney General  
Public Access Bureau

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SK:jh

cc: 