



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 15, 2011

Tpr. Kerry Sutton
FOIA Officer
Illinois State Police
801 South Seventh Street, Suite 1000-S
Springfield, IL 62794

RE: FOIA Pre-Authorization Request - 2011 PAC 15868

Dear Tpr. Sutton:

We have received and reviewed the written 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 2010)). ISP is seeking to redact the names of suspects from the requested document.

On July 19, 2011, [REDACTED] submitted a FOIA request for ISP Laboratory Case # C09-015473. In its written notice, ISP asserts that the names of suspects are exempt from disclosure under section 7(1)(c) of FOIA.

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 2010).

DETERMINATION

ISP's use of the exemption in section 7(1)(c) to withhold the names of suspects is **approved**. We have concluded that ISP has met its initial burden to demonstrate that the disclosure of names of people suspected of crimes for which they were never arrested or charged would be highly objectionable to a reasonable person. Under these circumstances, the suspects' right to privacy outweighs any public interest in the information that ISP intends to withhold.

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Accordingly, ISP may issue a partial denial letter and release the report with the names of suspects redacted, if it has not already done so.

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

Very truly yours,



DUSHYANTH REDDIVARI
Assistant Attorney General
Public Access Bureau

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cc:

