



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

Lisa Madigan
ATTORNEY GENERAL

April 21, 2010

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

RE: Pre-Authorization Request – 2010 PAC 6827

Dear Trooper Sutton:

We have received and reviewed the written notice from the Illinois State Police (ISP) of its intention to deny certain information within [REDACTED] request for records relating to case no. 99-CR-16598, as exempt from disclosure under subsection 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended.

In its written notice, the ISP asserted that the victim names be redacted from all requested records because the disclosure of which would constitute a clearly unwarranted invasion of personal privacy” and are exempt from disclosure under subsection 7(1)(c) of FOIA.

Subsection 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.*

The ISP’s use of the exemption in 7(1)(c) with regard to victim names is approved. We have determined that the disclosure of victim names *in this instance* would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). 5 ILCS 140/7(1)(c). This type of information is highly personal by its very nature and the subject’s right to privacy outweighs any legitimate public interest in disclosing this information. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By: [REDACTED]

Lola Dada-Olley
Assistant Public Access Counselor

cc: [REDACTED]

