



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

June 24, 2010

Trooper Kerry Sutton  
Illinois State Police  
801 S. Seventh St., Suite 1000-S  
PO Box 19461  
Springfield, IL 62794

RE: Pre-Authorization Request – 2010 PAC 8019

Dear Trooper Sutton:

We have received and reviewed the written notice from the Illinois State Police (ISP) of its intention to deny certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act. 5 ILCS 140/1 *et seq.*, as amended (FOIA).

██████████ submitted a FOIA request on June 11, 2010 seeking "...statements, photographs, recordings, medical records, DNA/forensic records, investigative records, etc...All of which pertain to the alleged offense of predatory criminal sexual assault of a child...that took place on or about December 1, 2003 in the City of Chicago, Cook County, Illinois." In its written notice, ISP asserts that the names of victims 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 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

The ISP's use of the exemption found in Section 7(1)(c) of FOIA to deny disclosure of the names of victims is approved. We have determined that the disclosure of victims' names would constitute a clearly unwarranted invasion of personal privacy. This type of information is highly personal by its very nature and the victims' right to privacy outweighs any legitimate public interest in disclosing this information.


Accordingly, the ISP may issue a partial denial letter and the release the records with names of victims redacted.

If you have any questions, please feel free to contact me at (312) 814-1003. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith  
Public Access Counselor

By: 

 Jessica O'Leary  
Assistant Attorney General

cc: 