



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 6, 2010

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

RE: Pre-Authorization Request – 2010 PAC 8210

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 contained within a specific record pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c).

On June 24, 2010, the ISP received a FOIA request from [REDACTED] in which Mr. [REDACTED] sought a copy of the complete Lab Test Results Transcript for case # 10-CR-4458. In its written notice, the ISP asserts that the other suspect's names contained in the requested record have been redacted under Section 7(1)(c) of FOIA.

Determination

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." 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." *Id.*

The ISP's use of the Section 7(1)(c) exemption to withhold disclosure of the other suspect's names is **denied**. We have determined that the disclosure of the names of the other suspect would not constitute a clearly unwarranted invasion of personal privacy because the requested record shows that this other suspect had been arrested and charged in relation to the offense. Accordingly, the ISP has failed to meet its burden of demonstrating that the other suspect's names in the requested record is exempt from disclosure under Section 7(1)(c) of FOIA.