



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

Lisa Madigan
ATTORNEY GENERAL

March 22, 2011

Via Electronic Mail

Sgt. Kelly Walter
Illinois State Police
Kelly_Walter@isp.state.il.us

RE: Pre-Authorization Request 2011 PAC 12896

Dear Sgt. Walter:

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). Specifically, [REDACTED] submitted a FOIA request to ISP for DNA results in Case #0916424. ISP is seeking to redact from the requested documents the names of possible suspects who were not arrested or charged in connection with the incident.

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

ISP's use of the exemption in Section 7(1)(c) to redact suspects' names is **approved**. We have concluded that the disclosure of the 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 redact from the report.

If you have any questions, please feel free to contact Tammy Friedewald at (217) 558-1926.
This correspondence shall serve to close this matter.

Sincerely,

Amanda Lundeen
AM

Amanda M. Lundeen
Assistant Public Access Counselor

cc:



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