



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

September 21, 2010

Trooper Kerry Sutton
Freedom of Information Officer
Illinois State Police
801 S. 7th Street
P.O. Box 19461
Springfield, IL 62794

RE: Pre-Authorization Request – 2010-PAC 9628

Dear Trooper Sutton,

We have reviewed your notice of intention to redact information from Illinois State Police Report No. C07-038061 pursuant to Section 7(1)(c) of the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended. [REDACTED] requested records of his DNA test results in Cook County Case Nos. 08-CR-3590 and 08-CR-3591. The State Police asserted that the victim's name is exempt from disclosure under Section 7(1)(c).

Information in public records is exempt personal information if disclosure would "constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." 5 ILCS 140/7(1)(c). An "[u]nwarranted invasion of personal privacy" is 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 request by the State Police to redact the victim's name pursuant to Section 7(1)(c) is *approved*. A crime victim's identity is highly personal information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. A crime victim's right to privacy outweighs any legitimate public interest in the disclosure of his or her name.

This letter shall serve to close this file. If you have any questions, please feel free to contact me at (312) 814-6756 or ssilverman@atg.state.il.us.

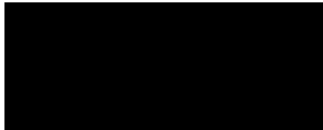
Sincerely,

Cara Smith
Public Access Counselor

By:


Steve Silverman
Assistant Public Access Counselor

cc:



9628 pre-auth 7(1)(c) vic priv pd