



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

Lisa Madigan
ATTORNEY GENERAL

March 4, 2011

Via Electronic Mail

Tpr. Kerry Sutton
Illinois State Police
Kerry_Sutton@isp.state.il.us

RE: Pre-Authorization Request 2011-PAC-12603

Dear Tpr. Sutton:

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

[REDACTED] submitted a FOIA request for the forensic reports in Agency Case #DR09-27729. In its written notice, the ISP asserted that dates of birth and victim's name 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

ISP's use of Section 7(1)(c) exemption with regard to the dates of birth and the victim's name is **approved**. We have concluded that the disclosure of this information would be highly personal and objectionable to a reasonable person and that the subjects' right to privacy outweighs any legitimate public interest in obtaining the information.

Accordingly, ISP may issue a partial denial letter and release the report with the appropriate information redacted, if it has not already done so.

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
Public Access Counselor

cc:



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