



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

Lisa Madigan  
ATTORNEY GENERAL

April 11, 2011

Tpr. Kerry Sutton  
Freedom of Information Officer  
Illinois State Police  
[Kerry\\_Sutton@isp.state.il.us](mailto:Kerry_Sutton@isp.state.il.us)

RE: Pre-Authorization Request, 2011 PAC 13386

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 pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA), 5 ILCS 140/1, et seq., as amended.

On March 27, 2011, [REDACTED] submitted a FOIA request seeking a copy of Police Report no. 03CF 1833. In its April 6, 2011 written notice to the Office of the Public Access Counselor, the ISP asserted that dates of birth and the names of victims are exempt from disclosure under Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)) which 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." 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."

**Determination**

The ISP's use of the exemption in Section 7(1)(c) with regard to dates of birth and the name of victims is approved. This type of information is highly personal by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information. As such, the ISP may issue a partial denial letter directly to the requestor and release the records with the appropriate information redacted if it has not already done so.

If you have any questions, please feel free to contact me at (312) 814-5383. This correspondence shall serve to close this matter.

Sincerely,



Matthew C. Rogina  
Assistant Public Access Counselor

cc:



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