



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

February 14, 2011

Kerry Sutton  
Freedom of Information Officer  
Illinois State Police  
801 S. Seventh St.  
Suite 1000-S  
Springfield, IL 19461

RE: Pre-Authorization Request — 2010 PAC 12222

Dear Trooper Sutton:

We have received and reviewed the written notice from the Illinois State Police 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.

██████████ submitted a FOIA request dated January 28, 2011, seeking "DNA results for case number 0916424." In its written notice, the ISP asserted that suspect names are exempt from disclosure under Section 7(1)(c) of FOIA. The ISP was unable to determine if the suspects had been arrested.

**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, 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.*

The ISP's use of the exemption in Section 7(1)(c) with regard to suspect names is approved. We have determined that the disclosure of these names would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). 5 ILCS 140/7(1)(c). 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. Therefore, the ISP has met its initial

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burden demonstrating that the redacted information is exempt under Section 7(1)(c). As such, the ISP may issue a partial denial letter directly to the requester and release the records with the appropriate information redacted.

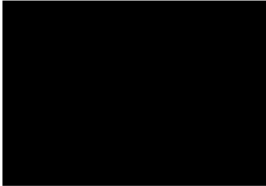
If you have any questions, please feel free to contact the Public Access Counselor's Office at (877) 299-3642. This correspondence shall serve to close this matter.

Sincerely,

*Amalia Rioja by: AA*

Amalia Rioja  
Acting Public Access Counselor

cc:



*12222 preauth al 71c sus priv pd*