

Angulo, Guadalupe

From: D A <[REDACTED]>
Sent: Friday, March 24, 2017 10:34 AM
To: Public Access
Subject: Edgar County Watchdogs/Carlinville

Sarah Pratt
Public Access Counselor
Office of the Attorney General
Office of the Attorney General
500 South Second Street
Springfield, IL 62706

Dear Miss Pratt:

Please refer this complaint to the appropriate bureau or division if it does not fall within the parameters of your duties.

I am a former newspaper owner and I have great respect for the Freedom of Information Act and Open Meetings Act. And I have equal disdain for those who attempt to use those laws for political or monetary gain. By their misuse of the law, they endanger the integrity and the future of FOIA and OMA. When public bodies are forced to expend taxpayer dollars and precious staff time responding to often frivolous requests, I can foresee a future when the General Assembly will be emboldened to amend FOIA rules to make it more difficult for citizens to file such requests when they have a legitimate reason to do so.

Specifically, this complaint refers to a group known as the Edgar County Watchdogs, led by John Kraft of Paris, Illinois. In recent months, the "group" (my belief is that the Watchdogs are Kraft and one other individual, though their website would imply a much larger contingent) has filed voluminous FOIA requests in communities throughout southern Illinois. These requests have required small governmental bodies to expend large sums of taxpayer funds to research and make copies to comply with the Watchdog's requests. These requests, because of their volume, appear to be "fishing expeditions" with no clear objective.

I am a resident of Carlinville, where the Watchdogs have filed multiple FOIA requests for large volumes of materials related to nominating petitions, the City Elections Board's handling of an objection to the incumbent Mayor's petitions, meeting minutes, credit card receipts and other documents. In some cases, these documents are easily accessible online or by appearing in person at city hall and asking to see them. The FOIA requests, in many instances, appear to be a means of grandstanding and creating the appearance of impropriety without foundation.

The City of Carlinville, while not denying the FOIA request, determined the Watchdogs to be a commercial entity that solicits donations from the public to support their FOIA hobby. Accordingly, the City of Carlinville required payment of a \$200 copying fee to cover the city's costs for reproducing the documents the Watchdogs requested—at least one of which amounted to 600 pages. Mr. Kraft subsequently filed a second FOIA asking for credit card receipts and, later, a lawsuit filed claiming his rights were violated.

My concern is that Mr. Kraft's FOIA assaults often are suspiciously timed to coincide with local elections, such as in Carlinville and Chatham. There is considerable circumstantial evidence that he has been contacted and "fed" allegations by one or more candidates in the Carlinville city election and/or their supporters. While publicly claiming his intention is to expose corruption within the city government, his private comments and comments on social media confirm that his target is the incumbent mayor, whom he described as "smug" and "smirking." As you may know, supporters of one of the mayor's opponents filed an objection late last year in attempt to ban the mayor's name from the ballot by challenging the validity of signatures on her nominating petition. Those objections were found to be invalid by the City Election Board, whose findings were confirmed by the Circuit Court on appeal. Kraft's current mission appears to be a last ditch effort, directed and influenced by political opponents, to rehash an issue that already has been resolved by the court and, more importantly, undermine the candidacy of a candidate.

From the last Presidential election, we have seen the danger to democracy posed by candidates allegedly colluding with outside entities to influence an election. As in the national race, Kraft's strategy seems to be to sow seeds of distrust with misinformation. As noted earlier, many of the documents he requested are readily available for review by anyone; filing an FOIA to see them is tantamount to filing an FOIA to get a copy of the mayor's business card. It is a largely fabricated controversy that misuses FOIA for political purposes.

I would request an investigation to determine the level of collusion between the Edgar County Watchdogs and local political candidates and/or their supporters in the upcoming municipal election. I would also ask for an investigation to determine whether or not money or other considerations changed hands between the Watchdogs and political candidates in Carlinville, Chatham and other communities where the Watchdogs appear to have filed politically motivated actions. Such consideration could be as benign as an agreement to promote the Watchdog's efforts to solicit donations. Such determinations not only would confirm the Watchdogs as a commercial entity, as alleged by the City of Carlinville, but also demonstrate a level of collusion between Mr. Kraft and political candidates in local municipal elections.

Since the municipal election is two weeks away, I would ask for an expedited response to this request.

Thank you in advance for your time and consideration.

Sincerely,

Dave Ambrose



CC: State Board of Elections