

April 4, 2012

Rebecca Riddick
Assistant Attorney General
Public Access Bureau
500 South Second Street
Springfield, Illinois 62706

Re: OMA Request for Review – 2011 PAC 18624

Dear Ms. Riddick,

The response from the Edgar County ETS stated they “were not denying a FOIA request.” By not providing the public records requested, of which they were in their possession of, constitutes a denial.

The fact that I received the requested public records from the Edgar County Sheriff Office has no bearing. The Edgar County Sheriff Office was not in possession of the public record at the time the request was made.

In fact, the Edgar County Sheriff Department, in a response to an earlier FOIA request for the same public records, stated they could not provide the requested records because it is not a public record that they maintain, and Edgar County 911 coordinator had possession of the requested records. The Sheriff Dept directed me to contact the Edgar County ETS to receive a copy of it..

If further information is requested, please contact me at 217-808-2527 or by email.

Sincerely,


John Kraft
7060 IL HWY 1
Paris, IL. 61944



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 29, 2012

Mr. John Kraft
7060 IL HWY 1
Paris, Illinois 61944

RE: FOIA Request for Review – 2011 PAC 18624

Dear Mr. Kraft:

The Office of the Attorney General, Public Access Bureau, has received the enclosed response to your Request for Review from the Edgar County Emergency Telephone System Board.

You may, but are not required to, reply in writing to the public body's enclosed response. If you choose to reply, you must submit your reply to this office within 7 business days of your receipt of this letter. 5 ILCS 140/9.5(d) (West 2010), as amended by Public Act 97-579, effective August 26, 2011. Please send a copy of your reply to the Edgar County Emergency Telephone System Board as well.

If you have any questions about this matter, please contact me at (312) 814-8413.

Very truly yours,

A handwritten signature in blue ink that reads "Rebecca Riddick".

REBECCA RIDDICK
Assistant Attorney General
Public Access Bureau

cc. Ms. Nanette Crippes (will receive letter only)
Edgar County 911 Director
115 West Court, Room C
Paris, Illinois 61944



Edgar County

Emergency

Telephone

System Board

115 W Court Rm C

Paris, Illinois 61944

March 19, 2012

Rebecca Riddick
Assistant Attorney General
Public Access Bureau
500 South Second Street
Springfield, IL 62706

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Public Access
Counselor

RE: FOIA Request for Review – 2012 PAC 18624

Dear Ms. Riddick:

We are in receipt of your letter dated March 6, 2012. I apologize for the delay in getting back to you regarding this request. I was on vacation all of last week and did not receive this until I returned to my office today. I am a one person department and am the only one who has the information to respond to your request.

I have spoken with Chief Deputy Steve Guess with the Edgar County Sheriff Department. He has advised me that Mr. Kraft was given a copy of the radio traffic in question. We were not denying a FOIA request. We did not feel that the FOIA request that Mr. Kraft made pertained to the business of our public body, the Emergency Telephone System Board. He was asking for records pertaining to the business of the Edgar County Sheriff Department. They merely use our recorder to record their phone lines and radio frequencies. I am the administrator of that piece of equipment and can produce copies of recordings, but have no authority over their phone lines or radio frequencies. I typically only give these recordings out when presented with a subpoena. I did give a copy of that recording to Sheriff Motley and told Mr. Kraft that he would need to contact the Sheriff for a copy of this. This FOIA request did not pertain to business of the ETSB.

I will be addressing this recorder issue at the next ETSB meeting. It appears to me that we may need to re-think the setup that we have allowing the Sheriff's Department to use our recorder if it makes us responsible for FOIA requests for everything on that recorder. Thank you for your time and if you have any questions, please contact me at (217)465-9115.

Sincerely,

Nanette Crippes

Nanette Crippes
Edgar County 9-1-1 Director
ETSB FOIA & OMA Officer

cc Mr. Dee Burgin, ETSB Chairman