

Kankakee County Sheriff's Office

Michael D. Downey
Sheriff

www.KankakeeCountySheriff.com

3000 S. Justice Way
Kankakee, IL 60901

Chief Deputy Ken McCabe
FOIA Officer



Phone: 815-802-7100
Fax: 815-802-7101

Freedom of Information Act Request Form

Date Requested:

4-19-18

Requestor's Name:

Street Address:

City / State / Zip:

Email Address:

Phone Number:

Fax Number:

Request Submitted Via:

Mail

In Person

Fax

Records Requested: (Provide as much specific detail as possible. You may attach additional pages if necessary)

Police Report ~~of~~ officer dispatched to
Limestone Turn Road District for theft
of fuel on 4/19/18 @ 2:45 AM

Indicate if you wish to inspect the above records or wish a copy of them:

Inspection

Copy

Both

Type of Copies (Select all that apply):

Paper Copies

Black/White

Color (If available, at an add'l charge)

Electronic Copy (Specify format)

PDF

Is this request for a commercial purpose?

Yes

No

(It is a violation of the Freedom of Information Act for a person to knowingly obtain public record for a commercial purpose without disclosing that it is for a commercial purpose, if requested to do so by a public body) 5 ILCS 140.3.1(c).

For Office Use Only:

Date Received:

4/19/18

Received By:

K

Date Due:

4/20/18

Approved:

Denied:

No Record Found:

Date:

4/24/18

Reason for Denial:

PENDING CASE



Kankakee County Sheriff's Police
Michael D. Downey, Sheriff

[REDACTED]

We are in receipt of your FOIA request for Kankakee County Sheriff's Office for Police report pertaining to officers' dispatched to Limestone township road district for theft of fuel on 4/19/2018 at 2:45am. I must respectfully deny your request at this time due to the fact that there is an ongoing investigation into this matter and a pending criminal proceeding. I would direct you to

5 ILCS 14017 Section 7 Exemptions (d)(i)(ii) & (vii) which states records are exempt from disclosure if:

(d) Records in the possession of any public body created in the course of administrative enforcement, proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that discloser would:

(i) Interfere with pending or actually and reasonably contemplated law enforcement

proceedings conducted by any law enforcement or correctional agency that is the recipient of the request:

(ii) Interfere with active administrative enforcement proceedings conducted by the public body that is the recipient of the request;

(vii) Obstruct an ongoing criminal investigation by the agency that is the recipient of the request.

You have a right to have this denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). you can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
5000 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396

E-mail: publicaccess@atg.state.il.us

You also have the right to seek judicial review of your denial by filing a lawsuit in the State Circuit Court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. 5 ILCS 14019.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filling a Request for Review with the PAC.

If I can be on any further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken McCabe".

Ken McCabe
Chief Deputy

Kankakee County Sheriff's Office

3000 South Justice Way • Kankakee, Illinois 60901-8262

911 Emergency

(815) 802-7100 – Administration

Fax (815) 802-7101

E-mail: mdowney@k3county.net