



Bolingbrook

a place to grow



Mary S. Alexander-Basta
Mayor

Martha M. Barton
Village Clerk

Michael T. Lawler
Deputy Mayor
&
Village Trustee

Village Trustees
Mary S. Alexander-Basta
Michael J. Carpanzano
Robert M. Jaskiewicz
Sheldon L. Watts
Maria A. Zarate

Village Attorney
Odelson • Sterk •
Murphey • Frazier •
McGrath, LTD.



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December 29, 2020

Via Electronic Mail

Kirk Allen
Illinois Leaks
Edgar County Watchdogs
PO Box 593
Kansas, IL 61933
Kirk@illinoisleaks.com

Re: FOIA Request – P001671-122820

Dear Mr. Allen:

In reference to your FOIA of December 21, 2020 requesting:

1. Copy of the investigation records regarding the criminal investigation of former DuPage Township Supervisor Bill Mayer. This would include interviews, audio/video recordings, and any other records created during the investigation.
2. Copy of all records forwarded to the Will County State's Attorney regarding the criminal investigation of former DuPage Township Supervisor Bill Mayer.
3. Copy of all communications with the FBI and any records they provided to the Bolingbrook Police Investigators regarding the investigation of former DuPage Township Supervisor Bill Mayer.

Your request is denied. The records requested are exempt pursuant to the following:

1. 5 ILCS 140/7(1)(b). Private information as defined in 5 ILCS 140/2(c-5).



TREE CITY USA

A Community of 76,697

2. 5 ILCS 140/7(1)(c). Personal information. For example, records containing information obtained from third parties such as neighbors as well as suspects who have not been arrested is an unwarranted invasion of personal information. See, e.g., Ill. Att'y Gen. PAC Req. Rev. Ltr. 31526, issued November 26, 2014, at 6.
3. 5 ILCS 140/7(1)(d)(i). Records are exempt because there is a pending law enforcement proceeding.
4. 5 ILCS 140/7(1)(d)(iv). Disclose the identity of victims or witnesses or persons who provide information to the police.
5. 5 ILCS 140/7(1)(f). Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body.

You have a right to have the 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
500 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 a 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. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

Sincerely,

Fran Miller
FOIA Officer
Encl.
c Police Department

POO1671-122820

12.21.20
12.29.20

Fran Miller

From: Kirk Allen <Kirk@illinoisleaks.com>
Sent: Monday, December 21, 2020 9:21 AM
To: FOIA
Subject: Illinois Leaks - Edgar County Watchdogs - Kirk Allen - FOIA of 12.21.20 - Re. Bill Mayer - Investigation, Docs. Sent to W.C. States Attorney & FBI

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender, verify the email and know the content is safe.

In accordance with the Freedom of Information Act of Illinois, I am requesting the following public records.

- 1) Copy of the investigation records regarding the criminal investigation of former DuPage Township Supervisor Bill Mayer. This would include interviews, audio/video recordings, and any other records created during the investigation.
- 2) Copy of all records forwarded to the Will County State's Attorney regarding the criminal investigation of former DuPage Township Supervisor Bill Mayer.
- 3) Copy of all communications with the FBI and any records they provided to the Bolingbrook Police Investigators regarding the investigation of former DuPage Township Supervisor Bill Mayer.

I qualify as both media and non-profit under the definitions in Section 2 (c-10) ("Commercial purpose"), Section 2 (f) ("News media"), Section 2 (g) ("Recurrent requester"), and Section 2 (h) ("Voluminous request") of the Freedom of Information Act, for the purposes of being exempt to the provisions of Section 3.1 (Requests or commercial purposes), Section 3.2 (Recurrent requesters), Section 3.6 (Voluminous requests), and Section 6 (Authority to charge fees).

I request expedited processing on the basis of an urgency to inform the citizens and taxpayers of Illinois about their government's activities. If any element of this request is denied in whole or in part, I ask that you justify all withholdings individually by reference to specific exemptions of the Act. Please provide all responsive information to me electronically.

I request a rolling production of records, such that the public body furnishes records to my attention as soon as they are identified, preferably electronically, but as needed then to my attention, at the below address. If you have any questions please do not hesitate to contact me. Rolling production is not to be perceived as an agreement to extend the time frame for compliance under FOIA.

If you are not the FOIA officer responsible for any part of this request you are required by law to forward it to the appropriate FOIA officer.

The purpose of the request is to access and disseminate information regarding the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

As outlined in FOIA, documents shall be furnished without charge or at a reduced charge, as determined by the public body, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and

welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

I am requesting the records be provided in electronic format if that is the method in which they are stored.

Thanks,

Kirk Allen

Edgar County Watchdogs

PO Box 593

Kansas, IL 61933