



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

January 31, 2022

VIA ELECTRONIC MAIL

Mr. Kirk Allen
Edgar County Watchdogs
P.O. Box 593
Kansas, Illinois 61933
kirk@illinoisleaks.com

RE: Freedom of Information Act Request
2021 FOIA 068840

Dear Mr. Allen:

Thank you for writing to the Office of the Illinois Attorney General with your request for information pursuant to the Freedom of Information Act (FOIA) (5 ILCS 140/1 *et seq.* (West 2020)).

In an e-mail received on December 6, 2021, you requested the following:

1. Copy of all reports, documents, audio/video recordings provided to the Attorney General by the Illinois State Police regarding the criminal investigation of the former Shelby County Sheriff's office involving illegal gun sales and payroll fraud. This matter was turned over to the AG for a charging decision over a year ago and considering there has been no further action taken nor any ongoing investigation I am seeking all the records provided by the ISP as a result of their investigation.

On December 13, 2021, we extended the time to respond to your request by five business days pursuant to section 3(e)(iv) of FOIA (5 ILCS 140/3(e)(iv) (West 2020)) because the requested records had not been located in the course of routine search and additional efforts were being made to locate them. We further extended the time to respond to January 31, 2022, in letters this office sent to you on December 20, 2021, December 27, 2021, January 10, 2022, January 18, 2022, and January 24, 2022.

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Your request is denied pursuant to section 7(1)(d)(i) of FOIA. 5 ILCS 140/7(1)(d)(i) (West 2020). Section 7(1)(d)(i) exempts from disclosure "[r]ecords in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement * * * agency [created] for law enforcement purposes * * * to the extent that disclosure would unavoidably * * * interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement * * * agency that is the recipient of the request." The records contain information related to the legal issues under consideration by this office and other government agencies. To release such information while the investigation is pending would interfere with this office's ability to fully assess all legal issues and pursue the appropriate courses of action.

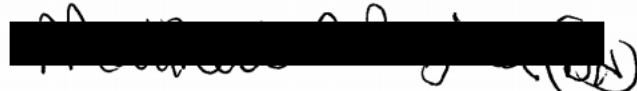
You have a right to have the denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a) (West 2020). You may file your request for review with the PAC by writing to:

Leah Bartelt
Acting Public Access Counselor
Office of the Illinois Attorney General
500 South 2nd Street
Springfield, Illinois 62701
Fax: (217) 782-1396
Public.access@ilag.gov

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 140/9.5(a) (West 2020). Please note that you must include a copy of your original FOIA request and of this denial letter when filing a request for review with the PAC.

You also have the right to judicial review of your denial by filing suit in the appropriate Illinois court. 5 ILCS 140/11 (West 2020). If you should have any questions, please contact me at (312) 814-3180.

Very truly yours,



MATTHEW C. ROGINA
Assistant Attorney General
FOIA Officer

MCR:ga:lk