



September 13, 2019

**VIA E-MAIL**

Mr. Khalid Hasan

Lucas & Cardenas, P.C.

Email: [kjh@lucasandcardenas.com](mailto:kjh@lucasandcardenas.com)

RE: 19-FOIA-254 [REDACTED] Incident on 2019-08-27

Dear Mr. Hasan:

Metra's FOIA Department (the "FOIA Department") is responding to your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq. ("FOIA").

**I. Background**

On August 29, 2019, the FOIA Department received your request for the following information:

"1. Any and all police reports, ambulance reports, case reports, supplementary reports, street files, laboratory reports, notes and memoranda, printed or otherwise, and files relating to the incident occurring on or about August 27, 2019, involving [REDACTED], that took place at or near the Metra Arlington Park station, located at 2121 W. Northwest Hwy., Arlington Heights, IL 60004.

2. Any and all 911 calls recording, in-squad, police/fire station and police/fire video and audio recordings of the incident, or of any witness to any events involving or relating to the incident, in a non-proprietary format which is capable of viewing in a DVD, CD or VHS player.

3. All notes and/or memoranda used to compile the reports.

4. All written and recorded statements from all witnesses in this particular case.

5. Names, addresses, and phone numbers of all individuals contacted in connection with this case.

6. The substance of all oral confessions or statements of any and all persons contacted in connection with this case, and all notes and records of or pertaining to such oral statements.

7. All physical evidence of whatever nature or kind pertaining to this particular case.

8. Results of any and all forensic and scientific testing and experiments made in connection with this particular case.

9. Any and all photographs and/or videotapes of whatever nature or kind made in connection with this particular case" ("Request"). Your Request is denied.

**II. Denial**

Your Request is denied under Section 7(1)(d)(i) and (vii) of FOIA which states:

1. 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 disclosure 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;

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

5 ILCS 140/7(1)(d)(i);(vii). Metra Police Department has declared this is an ongoing investigation. As such, the records you have requested are not available for release at this time.

### **III. Right of Review**

You have the right to have the partial denial of your Request reviewed by the Public Access Counselor (“PAC”) of the Illinois Attorney General’s Office. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

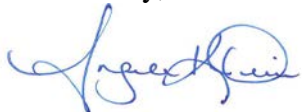
Public Access Counselor  
Office of the Attorney General  
500 South 2nd Street  
Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us).

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

You also have the right to seek judicial review of your partial denial by filing a lawsuit in the circuit court. 5 ILCS 140/11.

If I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,



Angela K. Ollie  
Freedom of Information Officer  
[FOIA@metrarr.com](mailto:FOIA@metrarr.com)  
FOIA Hotline #312-663-3642