



December 2, 2016

**VIA EMAIL**

Ms. Kimberly Metcalf  
[REDACTED]

RE: 16-FOIA-296 MPD Report Re: [REDACTED] 11/22/2016

Dear Ms. Metcalf:

We are in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (“FOIA”).

**I. Background**

On November 25, 2016 we received your request for a Metra Police Report in connection with the arrest of [REDACTED] on Tuesday, November 22, 2016 (“Request”). Your Request is denied.

**II. Denial**

The documents requested regarding the above-referenced accident are exempt from disclosure in their entirety under Sections 7(1)(d)(i) and (vii) of FOIA, which states in part:

[r]ecords in the possession of any public body created in the course of . . . any law enforcement . . . 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 . . . agency that is the recipient of the request and . . .

(vii) obstruct an ongoing criminal investigation by the agency that is the recipient[.]

5 ILCS 140/7(d)(i) and (vii).

The Metra Police Department has advised that this incident is an ongoing investigation, and as such any record regarding this matter is not available for release at this time.

**III. Right of Review**

You have the right to have the 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 denial letter. 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.

You also have the right to seek judicial review of your 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,



Sonserese Hatch  
Freedom of Information Officer  
[foia@metrarr.com](mailto:foia@metrarr.com)  
FOIA Hotline #312-663-3642