



November 8, 2016

VIA E-MAIL

Mr. Allan Stevo

Email: allanjstevo@att.net

RE: 16-FOIA-278 Traffic Tickets - Blue Island, IL

Dear Mr. Stevo:

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 1, 2016, we received your request for:

1. The names and addresses of all persons given traffic citations by the Metra Police in Blue Island, Illinois, from January 1, 2013 to the current date;
2. Total amount of fines these traffic citations produced, and which public agency received the fines associated with these citations; and
3. Any correspondence received or sent to the city of Blue Island, seeking permission to issue traffic violations, in Blue Island, Illinois

(“Request”).

In an email sent to you on November 3, 2016, we informed you that after consultation with the Metra’s Police Department, they advised that the requested records would have to be located and manually pulled. As such, gathering the information to respond to your Request would be disruptive to the day-to-day operations of the Department, making your Request for these records unduly burdensome. With this in mind, we asked if you would consider narrowing the scope of your Request to the time period of 2013-2014, with the understanding that you may submit a future request for additional records. Additionally, we informed you that the staff member tasked with locating and pulling these records, advised extra time would be required to accomplish pulling records for 2013-2014. It was estimated that your responsive records could be provided to you by November 30, 2016. We asked that you respond to our email indicating if you were agreeable to narrowing your request for records to the time period of 2013-2014, and if you would agree to extend the due date to November 30. To date, we have not received a response from you. Accordingly, your Request is denied.

II. Denial

We are denying your Request as unduly burdensome under 5 ILCS 140/3(g), which states that a public body may deny a request where “compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information.” Your Request as written is overly broad and would be disruptive to the day-to-day operations of the Metra Police Department personnel tasked with locating and pulling the requested documents. Further, your Request would severely interfere with the day-to-day operations of our department as we would need to review any records that may be responsive to your Request; and this would interfere with our ability to fulfill other FOIA requests, making your Request for these records unduly burdensome. Since you did not reply to our email requesting that you narrow the scope of your Request, it has been determined by Attorney Jamie Harrmann that your Request falls squarely within the parameters of 5 ILCS 140/3(g).

Please note that you may resubmit your Request by narrowing the scope of your Request for a shorter period of time. If you would like to discuss your Request, please contact us at our telephone number below.

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.

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,



Kathleen E. Haton
Freedom of Information Officer
FOIA@metrarr.com
FOIA Hotline #312-663-3642