



September 16, 2016

**VIA EMAIL**

Ms. Elisa Wolter  
[REDACTED]

RE: 16-FOIA-221 Police Report MP 16-00031024

Dear Ms. Wolter:

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 September 2, 2016, we received your request for a copy of the police report related to the death of your sister, [REDACTED] on August 24, 2016, which occurred at 5310 N Forest Glen at 11:30 p.m. (“Request”). Your Request is granted in part and denied in part.

**II. Responsive Document**

In response to your Request, Metra is providing you with a copy of police report #MP-1600031024 (“Responsive Document”).

The photographs mentioned in the Responsive Document are extremely graphic in nature. You may contact us if you want these photos.

After performing a diligent search of Metra’s records, we have been unable to locate Chicago Police Department event report #1623717503, as referenced in the Responsive Document. The Metra Police Department does not maintain records of outside agencies. As such, you may submit your request for this record to:

Chicago Police Department  
Attn: Freedom of Information Officer  
Records Inquiry Section, Unit 163  
3510 S. Michigan Ave.  
Chicago, IL 60653  
Email: [foia@chicagopolice.org](mailto:foia@chicagopolice.org)

**III. Partial Denial**

While FOIA requires public bodies to provide access to public records generally, FOIA also authorizes units of government to withhold certain information. Therefore, Attorney Thomas Stuebner has determined that the following portions of the Responsive Document are exempt from disclosure under certain provisions of FOIA:

1. The employee identification number, personal telephone number and home address of the parties mentioned in the Responsive Document are being redacted because they are exempt from disclosure under Section 7(1)(b) of FOIA, which exempts “private information.” “Employee identification numbers,” “personal telephone numbers” and “home addresses” are specifically mentioned within the definition of “private information” found in Section 2(c-5) of FOIA.
2. The dates of birth, the name of the third-party, as well as the physical descriptions of the parties mentioned in the Responsive Document are being redacted because they are exempt from disclosure under Section 7(1)(c) of FOIA, which exempts “personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy...” Section 7(1)(c) goes on to say that, “‘Unwarranted invasion of personal privacy’ means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information.” It has been determined that the aforementioned data falls squarely within that definition and its redaction is appropriate under FOIA.

#### **IV. 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,



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

Attachment