



Office of the State's Attorney

Union County, Illinois

DANIEL KLINGEMANN
STATE'S ATTORNEY

Union County Courthouse
309 West Market Street, Room 239
Jonesboro, Illinois

Telephone: (618) 833-7216
Facsimile: (618) 833-3349

December 3, 2019

[sent via email]

Joseph A. Cervantez
Tetzlaff, Cervantez & Associates, P.C.

contact@marionlawfirm.com

Dear Mr. Cervantez:

Please consider this our response to your attached Freedom of Information Act request, received via email on November 22, 2019 and summarized below:

Any and all audio and video recordings, any and all radio transmissions any and all reports relating to an incident on or about the 20th day of October, 2019 in Union County, Illinois. The case being Union County Case Number 2019-CF-263, involving Deputy R. J. Bridges.

We are denying your request. Please be advised of the following:

- (1) We are denying your request for these records as they relate to a pending case or cases and as such disclosure would create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing pursuant to Section 7(1)(d)(iii) of FOIA (5 ILCS 140/7(1)(d)(iii)). By releasing the requested records under FOIA, there would be no restriction where they could be disseminated: print media, social media, etc. As such, to release them under FOIA would serve to create a strong potential that any juror would be exposed to said records prior to any trial. Such records are more appropriately obtained via subpoena and furnished for discovery pursuant to Supreme Court Rule 415(c) (134 Ill. 2d R. 415(c)) where materials such as those responsive to this request would remain in the exclusive custody of the attorneys they are furnished to under the Regulations of Discovery.
- (2) Public Information Officer Rollie Hawk and Union County State's Attorney Daniel Klingemann are the persons responsible for this denial.
- (3) You have the right to review by the Public Access Counselor. Her contact information is below.

Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 S. 2nd Street
Springfield, Illinois 62706

Phone: 1-877-299-FOIA (1-877-299-3642)



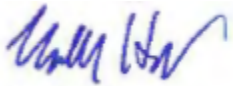
Fax: (217) 782-1396

E-mail: publicaccess@atg.state.il.us

- (4) You have the right to judicial review of this denial under Section 11 of FOIA (5 ILCS 140/11).

We consider your request completed. If we can be of further assistance, please let us know.

Sincerely,



Rollie Hawk
Public Information Officer
Union County State's Attorney
rhawk@unioncountyl.gov

Enclosure

Cc: Daniel Klingemann, State's Attorney



County of Union, Illinois
Freedom of Information Act (FOIA) Request Form

Date Requested: November 22, 2019
Request Submitted By: Tetzlaff, Cervantez & Associates, P.C.
Street Address: 500 N. Holland Avenue
City/State/ZIP: Marion, IL 62959
Telephone (optional): 618/997-1943 E-mail (optional): contact@marionlawfirm.com
Fax (optional): 618/993-6141

Records Requested (please be as specific as possible; attach additional pages if needed):

Any and all audio and video recordings, any and all radio transmissions any and all reports relating to an incident on or about the 20th day of October, 2019 in Union County, Illinois. The case being Union County Case Number 2019- CF-263, involving Deputy R. J. Bridges.

Is this request for a Commercial Purpose? YES NO

(It is a violation of the Freedom of Information Act for a person to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose, if requested to do so by the public body under 5 ILCS 140.3.1(c))

Are you requesting a fee waiver? YES NO

(If you are requesting that the public body waive any fees for copying the documents, you must attach a statement of the purpose of the request, and whether the principal purpose of the request is to access or disseminate information regarding the health, safety and welfare or legal rights of the general public under 5 ILCS 140/6(c)).

Please retain a copy of this form for your records.

Submit the original to one of our FOIA officers:

Rollie Hawk, Public Information Officer
Union County State's Attorney's Office
309 West Market Room 239
Jonesboro, IL 62952

rhawk@unioncountyl.gov

(618) 833-8248

Daniel Klingemann
Union County State's Attorney
309 West Market Room 239
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(618) 833-7216