



# 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

November 13, 2020

Christopher L. Henard – B80333

Danville Correctional Center  
3820 E Main St  
Danville, IL 61834

Dear Mr. Henard:

Please consider this our response to your attached Freedom of Information Act request, received via postal mail on November 5, 2020 and summarized below:

*Records regarding 2020-CF-116.*

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

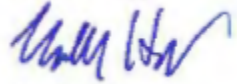
E-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us)



- (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



# FREEDOM OF INFORMATION REQUEST

## STATE OF ILLINOIS



### INSTRUCTIONS:

Requestor should fill out the REQUEST portion (the top half) and sign the Requestor's Signature block. Send copies 1 and 2 to the Agency. Keep the 3rd copy for reference. Send no money at this time. Unless notified otherwise the Agency's response for APPROVED, DENIED or DEFERRED will be sent back within 7 working days after receipt of the form.

Name of Agency <i>F.O.I.A. Officer Jonesboro</i>		City <i>Jonesboro</i>
Address <i>Officer 309 W. Market St.</i>		
Requestor's Name (Or business name if applicable) <i>Christopher L. Howard - BED333</i>		
Street Address <i>Danville cor. ct. 3820 E. Main St.</i>		
City <i>Danville</i>	State <i>IL</i>	Zip <i>61831</i>

Date of Request <i>10-31-20</i>	Phone Number <i>(217) 446-2000</i>
CERTIFICATION REQUESTED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
Requestor's Signature <i>Christopher L. Howard</i>	

### DESCRIPTION OF RECORDS REQUESTED:

*Case # 2020 - CF - 116*  
*investigative reports,*  
*detective notes, witness statements,*  
*transcripts from arraignment hearing,*  
*Arrest Report,*  
*Discovery, warrant.*

*Any + all court hearings*  
*or court processing paperwork*

*Any + ALL paperwork in*  
*records to this case #*

REQUESTING COPIES

TO INSPECT RECORDS

### AGENCY RESPONSE (REQUESTOR DOES NOT FILL IN BELOW THIS LINE)

APPROVED

The documents requested are enclosed.

The documents will be made available upon payment of copying costs ..... \$ \_\_\_\_\_

You may inspect the records at \_\_\_\_\_  
on the date of \_\_\_\_\_

The request creates an undue burden on the public body in accordance with Section 3(f) of the Freedom of Information Act, and we are unable to negotiate a more reasonable request.

The materials requested are exempt under Section 7 \_\_\_\_\_ of the Freedom of Information Act for the following reasons:

### INDIVIDUAL(S) THAT DETERMINED REQUEST TO BE DENIED

### RIGHT TO APPEAL

If desired, submit the attached APPEAL form (No. 2) along with copies of this original REQUEST and DENIAL and reasons for appeal to:

Request delayed, for the following reasons (in accordance with 3(d) of the FOIA):

You will be notified by the date of \_\_\_\_\_ as to action taken on your request.

Information required by this form is MANDATORY in order to comply with 83-1013. Failure to so provide may result in this form not being processed. This is approved by the Forms Management Center.

FOIA Officer

Date of Reply

-0005 (6/84)

VD FOR REQUESTOR: 1st copy (white) - send to Agency; 2nd copy (canary) - send to Agency; 3rd copy (pink) - Requestor's copy



FREEDOM OF INFORMATION REQUEST

STATE OF ILLINOIS



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Name of Agency Union County Courthouse - offices	F.O.I.A. City Jonesboro
Address Attn: F.O.I.A. Officers 309 W. Market St.	
Requestor's Name (Or business name if applicable) Christopher L. Higgins - B80333	
Street Address Danville Carr. center 3820 E. Main St.	
City Danville	State IL
Zip 61834	

Date of Request 10-31-20	Phone Number (217) 444-0441
CERTIFICATION REQUESTED [ ] YES [X] NO	
Requestor's Signature <i>Christopher L. Higgins</i>	

DESCRIPTION OF RECORDS REQUESTED:

Case # 2020 - CF - 116  
investigative reports, Detective notes,  
witness statements, Arrest Report,  
Discovery, warrant,  
transcripts from Arraignment hearing,  
any other court hearings

Any all paperwork in  
regards to this case #  
Any all court hearings  
OR court proceeding paperwork

[X] REQUESTING COPIES

[ ] TO INSPECT RECORDS

AGENCY RESPONSE (REQUESTOR DOES NOT FILL IN BELOW THIS LINE)

APPROVED

- The documents requested are enclosed.
- The documents will be made available upon payment of copying costs ..... \$ \_\_\_\_\_
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FOIA Officer

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