

BURKE, WARREN, MacKAY & SERRITELLA, P.C.

MEMORANDUM

TO: The Village of Barrington Hills Board of Trustees
FROM: BWMS
RE: Pending OMA/FOIA PAC matters
DATE: August 19, 2014

Since our last memorandum to the Board in July 2014, we have not been informed of any new developments in the following PAC requests for review:

2012 PAC 18438;
2012 PAC 19762;
2014 PAC 29369.

With respect to 2014 PAC 30114, 30115 and 30117:

These three PAC requests for review resulted from complaints by Ms. Pauline Boyle. Ms. Boyle informed the PAC that she had submitted three FOIA requests to the Village in May 2014, to which the Village did not respond. The Village responded to the PAC that the Village has an electronic system for tracking FOIA requests submitted to the Village, and that the Village's records do not reflect that Ms. Boyle's requests were received by the Village at the time she alleges. The Village also enclosed its FOIA tracker logs for the relevant time-period. The Village further informed the PAC that it had previously tested its FOIA tracking system and found it to be functioning properly. The Village also stated that it first received these particular FOIA requests from Ms. Boyle in June 2014, via facsimile. The Village stated that, as each request of Ms. Boyle's was received, the Village responded. In two instances, the Village had no responsive records. In one instance, the Village sought clarification from Ms. Boyle regarding her request, but Ms. Boyle did not respond. A copy of the Village's responses to Ms. Boyle was enclosed with the Village's responses to the PAC in each of these matters.

On July 16, 2014, the Village received copies of letters from the PAC to Ms. Boyle stating that the Village's responses to her PAC complaint resolved the requests for review in each matter. Accordingly, the PAC has closed these files.

2014 PAC 30403:

This PAC request for review arises from a June 2014 FOIA request submitted by Mr. Patrick Borrico. Mr. Borrico sought all of the Village Police Department's June 2014 police records relating to him. The Village Police Department responded to Mr. Borrico's request, providing the records but redacting them pursuant to FOIA exemptions for private information, information that would disclose unique or specialized investigative techniques, information that could endanger the life or physical safety of law enforcement personnel, and information

regarding the expression of opinions or formulation of policies or actions. The PAC has asked the Village Police Department for a detailed explanation of the factual and legal bases for the asserted FOIA exemptions, and for an unredacted copy of the records which the PAC is obliged to keep confidential. The Village Police Department's FOIA Officer has responded to the PAC. The Village has not yet received a decision from the PAC regarding this matter.