

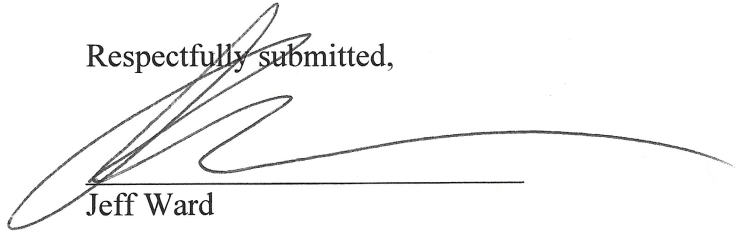
2. The Respondent argues “The personal privacy exemption is applicable to the Petitioner’s FOIA request.” That argument fails on the following grounds:

- a. In *McGee V. Kelley*, 2017 Ill App (3d) 160324 (2017), the Appellate Court ruled that, “Under FOIA, public records are presumed to be open and accessible,” and “Based on this intent, FOIA’s exemptions are to be read narrowly.”
- b. The only personal information contained in those complaints are the victims’ names, and the Petitioner is not asking for the victims’ names.
- c. The Petitioner has an interest in the requested documents as a taxpayer and a journalist. Journalists work on behalf of the public interest and again, in *McGee V. Kelley*, the Appellate Court ruled, “The public has an interest in monitoring law enforcement to ensure it is acting in the public’s interest.”
- d. The fact that there might be an alternative means to acquire the information in a FOIA request in no way mitigates the statutory requirement of a public body to answer that FOIA request.
- e. *State-Journal Register – v. University of Illinois Springfield* 2013 IL App (4th) 120881 does not apply because that requestor’s FOIA was denied because they asked for the notes compiled during a sexual misconduct investigation. The Petitioner is not asking for the deliberatory notes, he’s asking for the complaints themselves.

3. The Respondent argues that the PAC “usurps the vital function of the court. That argument fails on the following grounds:

- a. If the Respondent truly believes the PAC abrogates the power of the Illinois judiciary, then I would respectfully suggest he contact his state representatives and lobby to change the law. What he is asking the court to do is to perform the judicial equivalent of jury nullification which is utterly antithetical to the law.
- b. If every newspaper or journalist had to resort to the courts, at \$377 a complaint, every time a FOIA request was denied, that financial deterrent would rapidly render the FOIA statute obsolete.

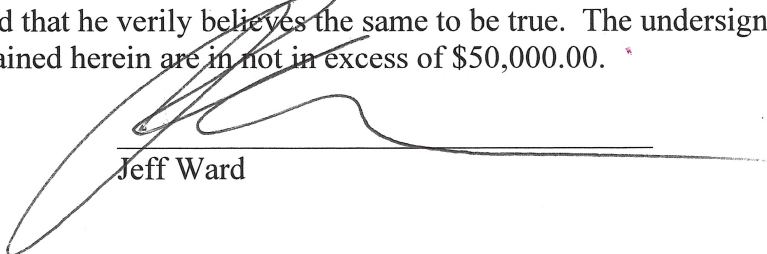
Respectfully submitted,



Jeff Ward

VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this Complaint are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true. The undersigned further states that the damages contained herein are in not in excess of \$50,000.00.



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