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November 30, 2015

CRYSTAL DE VERGER
Victim/Witness Coordinator

Mr. Mike Woodyard
Franklin, IL
mwoodyard1@gmail.com

Dear Mr. Woodyard:

Thank you for writing the Morgan County State's Attorney's Office with your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq.

On November 27, 2015, you clarified your request for the following documents in an email as indicated below:

Request:

1. The original FOIA's included "any other form of communications" which would include for example, cell phone text messages, emails sent or received from a personal account, and transcripts from voice messages.

As I'm sure you are aware the Illinois Attorney General's Public Access Bureau established rules stating that electronic communications shared between government officials and employees on both publicly and privately-owned devices are considered subject to a FOIA.

The Illinois Attorney General's Public Access Bureau's rules also makes clear that it doesn't matter on what device a record is created, if it involves transactions of the public's business, it is a public record subject to a FOIA. As such, they were part of the original FOIA requesting "any other form of communications" that were not specifically listed.

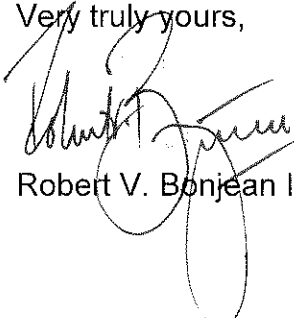
For example: On Sunday, November 15th, 2015 you had a meeting with several South Jacksonville officials. Being a Sunday, I would assume there would of been text messages and/or emails sent and received from a personal electronic device prior to the meeting. Your FOIA does not include any.

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The following documentation is attached in response to your request:


Four pages of a text conversation between SA Bonjean and Attorney Dan Wright from Brown, Hay and Stephens, Counsel for the Village of South Jacksonville.

Very truly yours,



Robert V. Bonjean III

Enclosure

 Messages

Dan

Details

Sat, Nov 14, 12:27 PM

Bobby, I hope all is well. I understand your office will not file on the latest South Jax/Linda Douglass issue. I believe the statute requires a formal referral from you to the App Pros. Would you be willing to make that formal referral next week?

Let's be perfectly clear - my office has not even considered the latest Linda Douglas issue/ Sgt. Mike Broaddus came up to my office yesterday morning & began explaining the situation - 2 sentences in



← Messages

Dan


Details

I asked him if this had anything to do with the ISP investigation in South Jacksonville & he said yes. I proceeded to explain that I have a conflict & that the matter should be presented to the Asst Attorney General that considered the initial investigation - now I'm hearing that Sgt Broaddus is saying I won't do anything which is completely inaccurate- Give me a call and I'll be happy to explain that a referral was previously made to the App Prosecutor after the Ethics Commission Report and it was denied. I was told by the



11:13 AM



 Messages


Dan

Details

App Prosecutor that the Attorney General had previously reviewed the ISP investigation so they should handle anything else related to it

Got it. It's a new issue unrelated to the prior matter referred to the AG so that may be where the local police are coming from. I understand your position though. We just want to make sure the new charges are filed by whatever jurisdiction is handling. If you believe your prior referral to the AG and App Pros apply to any new issues relating to South Jax



 Messages

Dan

Details

unrelated to the prior matter referred to the AG so that may be where the local police are coming from. I understand your position though. We just want to make sure the new charges are filed by whatever jurisdiction is handling. If you believe your prior referral to the AG and App Pros apply to any new issues relating to South Jax, then we can move forward on that basis. I'll give you a call this weekend. Very much appreciate your response. Thanks, my friend.



iMessage

