



COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 26th, 2026

TOPIC: FOIA Appeal - Hopkins

BACKGROUND BRIEF:

On September 24, 2026, the Village received a Freedom of Information Act (FOIA) request via email from Mr. Al Hopkins. The request sought documentation concerning Officer Mires' time off on August 11, 2026, including the following:

“Please provide documentation on that the request for time off Officer Mires submitted for 8/11/26 was approved, and that it was known by the person who approved it, his known whereabouts, the reason the time off was requested and that he had an informal hearing at 9:15 am that day.”

On September 28, 2026, the Village issued a partial denial following a search for responsive records. One responsive document, a subpoena related to the August 11, 2026, court hearing, was located and provided to Mr. Hopkins.

Officer Mires was not scheduled to work on August 11, 2026, as it was his regularly scheduled day off. Therefore, he did not submit a request for vacation or other leave, and no leave approval was necessary. As a result, no leave request or approval documents exist. Additionally, no responsive records were identified documenting his whereabouts or a reason for requesting leave, as no leave was requested. The subpoena was the only responsive document located concerning the scheduled court hearing.

On October 9, 2026, the Village received a FOIA appeal from Mr. Hopkins via email. In his appeal, Mr. Hopkins stated:

“The FOIA request was for the dated documents Mires signed to request Aug 11 off ... the reason for request and the dated documents signed to approve the request. .. there is no lawful reason for those records to be denied”

The Village's partial denial was based on the absence of responsive records, not the withholding of existing records under a FOIA exemption. The requested leave documentation does not exist because Officer Mires was not required to request or obtain approval for time off on his regularly scheduled day off.

The Village Council is requested to review the FOIA appeal and determine whether to uphold, reverse, or partially reverse the Village's original determination. Supporting documentation is attached for Council's review.

RECOMMENDED MOTION:

The Village Council may take one of the following actions:

- **Reverse the Partial Denial:** To reverse the Village's partial denial of Mr. Hopkins' FOIA request.
- **Uphold the Partial Denial:** To uphold the Village's partial denial of Mr. Hopkins' FOIA request on the basis that no additional responsive records exist.

Administrative Note: The Village has provided the only responsive document identified. The remaining requested records do not exist because Officer Mires was on his regularly scheduled day off and did not submit a leave request requiring approval. Accordingly, reversing the partial denial would not, by itself, result in the production of additional records.