



SHERIFF DUSTIN D. HEUERMAN CHAMPAIGN COUNTY SHERIFF'S OFFICE

204 E. Main Street
Urbana, Illinois 61801-2702
(217) 384-1204

Dustin D. Heuerman

Sheriff
ph (217) 384-1205

Chief Deputy
Shannon Barrett
ph (217) 384-1222
fax (217) 384-1219

Captain
Law Enforcement
Shane Cook
ph (217) 384-1207
fax (217) 384-1219

Captain/Jail Supt
Corrections
Karee Voges
ph (217) 819-3534
fax (217) 384-1272

Jail Information
ph (217) 384-1243
fax (217) 384-1272

Investigations
ph (217) 384-1213
fax (217) 384-1219

Civil Process
ph (217) 384-1204
fax (217) 384-1219

Records/Warrants
ph (217) 384-1233

January 30, 2020
Christopher Hansen
corruptcu@gmail.com

Dear Mr. Hansen,

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

We are in receipt of your recent Freedom of Information Act Request Form asking for the following:

"I am requesting records under the Illinois Freedom of Information Act.

I am requesting:

1) Any and all documents related to any social media accounts held in the past 2 years by you, your public body, or by any employee of your public body.

Accounts that appear to be personal accounts, if used in any way to:
Issue statements relating to County business
Distribute information about their work for their department/
the County
Provide announcements/information to the public and/or to solicit public input related to County issues
Any accounts meeting any of these criteria fall within the realm of public records and must be included.

1a) I am requesting any posts, comments, photos, links, or other documents that are not currently publicly displayed on these pages.

This includes items posted by officials, employees, and by any other person, including citizens. This may include items that were once displayed but have now been deleted or hidden. This includes any documents produced through the private chat features. This includes any data within the account which is not visible to the public such as account settings, filters, and lists of block/banned users (screenshots of these pages/lists would be the most suitable way to fulfill this portion of the request).

1b) I am especially interested in blocked/banned users, so please include screen shots of those user lists, even if there is no one on the list. The list of blocked users is a public document which cannot be viewed directly by the public. The only suitable way to provide this document is to navigate to the part of the social media account that shows the list of blocked users, and take a screen shot. To be clear, I am not asking for a list or a description, I am asking for the actual document (a screen shot, or multiple screen shots



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as needed). Every social media account has the means to show the owner/admin a list of blocked/banned users. The blocked/banned users list must not be deleted or modified - this FOIA request is for the list as it stands at the moment that this request is instantiated.

1c) Any documents showing users that were banned/blocked within the past 2 years (that is, users who were previously banned/blocked but are no longer banned/blocked).

1d) I am also requesting any associated documents which may include reasons for deletions, banned or blocked users (and any related notes/documents). Any and all emails and internal communications about decisions regarding deletions, banning, and blocking should be included.

1e) Please also include document(s) and/or a list showing what individuals have access to each account. Accounts may multiple login credentials, or the same login credentials may be shared by multiple people.

Of course, I am not asking for any documents that are already visible to the public on these social media accounts. However, if documents/information are not visible to all users because one or more users have been blocked from viewing it, then those documents must be included.

"Banned" or "blocked" means any adjustment or tool employed so that a particular user or users cannot see/read or comment/participate in the same manner as every other user.

2) Any and all documents related to the handling, retention, deletion, etc... of the documents mentioned above. Any minutes, filings, processes, polices, etc... should be included. This would include any filings or communications with the Illinois Secretary of State.

As a reminder, according to the Illinois Secretary of State:

"Social media posts are considered public records if:

- Posts are made on an official public agency account or on a private account that is being used to distribute information for that agency to the public. Not included are private accounts of public employees that are not used as part of their job. If a private account is used to conduct government business, then it becomes public and is subject to FOIA and the Local Records Act.

and

- The content being posted is unique. Agencies do not need to preserve redundant content in all of its forms. For example, if the same event announcement is put out via



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both a press release and a social media post, then only one copy must be kept. Usually agencies will find it simpler to retain the "traditional" version, and this is acceptable.

Chief Deputy

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However, if the content of the two versions differs significantly, they should be considered unique records and both be retained."

Captain

Law Enforcement

Shane Cook
ph (217) 384-1207
fax (217) 384-1219

I am happy to receive the data on whatever electronic medium is easiest".

Our response to your FOIA request:

Captain/Jail Supt Corrections

Karee Voges
ph (217) 819-3534
fax (217) 384-1272

- 1) Our public Facebook page is <https://www.facebook.com/champcosheriff/> and our public Twitter account is ChampCoSheriff. A search for "Accounts that appear to be personal accounts, if used in any way to: Issue statements relating to County business Distribute information about their work for their department/ the County Provide announcements/information to the public and/or to solicit public input related to County issues Any accounts meeting any of these criteria fall within the realm of public records and must be included" concluded with negative results. The records do not exist.

Jail Information

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- 1a) "I am requesting any posts, comments, photos, links, or other documents that are not currently publicly displayed on these pages.

Civil Process

ph (217) 384-1204
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This includes items posted by officials, employees, and by any other person, including citizens. This may include items that were once displayed but have now been deleted or hidden. This includes any documents produced through the private chat features. This includes any data within the account which is not visible to the public such as account settings, filters, and lists of block/banned users (screenshots of these pages/lists would be the most suitable way to fulfill this portion of the request").

Records/Warrants

ph (217) 384-1233

All post(s) are public post(s) and we do not delete or hide post(s), please see attached screenshots for further details.

- 1b) "I am especially interested in blocked/banned users, so please include screen shots of those user lists, even if there is no one on the list. The list of blocked users is a public document which cannot be viewed directly by the public. The only suitable way to provide this document is to navigate to the part of the social media account that shows the list of blocked users, and take a screen shot. To be clear, I am not asking for a list or a description, I am asking for the actual document (a screen shot, or multiple screen shots as needed). Every social media account has the means to show the owner/admin a list of blocked/banned users. The blocked/banned users list must not be deleted or modified - this FOIA request is for the list as it stands at the moment that this request is instantiated".



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The Sheriff's Office has not blocked or banned any users to our knowledge. Please see attached screenshots for further details.

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1c) "Any documents showing users that were banned/blocked within the past 2 years (that is, users who were previously banned/blocked but are no longer banned/blocked)".

A search for this concluded with negative results. The records do not exist.

Captain/Jail Supt **Corrections**

Karee Voges
ph (217) 819-3534
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1d) "I am also requesting any associated documents which may include reasons for deletions, banned or blocked users (and any related notes/documents). Any and all emails and internal communications about decisions regarding deletions, banning, and blocking should be included".

A search for this concluded with negative results. The records do not exist.

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1e) "Please also include document(s) and/or a list showing what individuals have access to each account. Accounts may multiple login credentials, or the same login credentials may be shared by multiple people".

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Please see attached screenshot for details on individuals who have access to Facebook. Regarding the Sheriff's Office Twitter account, this account was developed by the previous administration and only they had administrative rights to the account. Since the change in administration, the Sheriff's Office Twitter account has essentially gone dormant with the last post being on April 25, 2019. Please see attached screenshot for further details.

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2) "Any and all documents related to the handling, retention, deletion, etc... of the documents mentioned above. Any minutes, filings, processes, polices, etc... should be included. This would include any filings or communications with the Illinois Secretary of State".

Please see attached policy. A search for the remaining requests in section 2 of your FOIA concluded with negative results. The records do not exist.



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Please be aware that the enclosed records may be redacted because those portions are exempt from disclosure under 5 ILCS 140/7(1)(c), because the disclosure of the information in the records would constitute a clearly unwarranted invasion of personal privacy or may be exempt from disclosure under 5 ILCS 140/7(1)(b), because the disclosure would constitute invasion of private information.

If you wish to appeal this decision, please submit, in writing, why you think this decision is in error, and mail to:

Public Access Counselor
Illinois Attorney General's Office
500 S. Second St.
Springfield, Il. 62705

Sincerely,

A large, stylized handwritten signature in blue ink, appearing to read "Curt Apperson".

Lt Curt Apperson
Freedom of Information Officer
Champaign County Sheriff's Office
CA/hh

Employee Speech, Expression and Social Networking

1025.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or deputy associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1025.1.1 APPLICABILITY

This policy applies to all forms of communication including but not limited to film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file sharing sites.

1025.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Champaign County Sheriff's Office will carefully balance the individual employee's rights against the department's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

1025.3 SAFETY

Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Champaign County Sheriff's Office employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee's family or

Champaign County Sheriff's Office

Champaign County SO Policy Manual

Employee Speech, Expression and Social Networking

associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of a deputy who is working undercover.
- Disclosing the address of a fellow deputy.
- Otherwise disclosing where another deputy can be located off-duty.

1025.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

A public employee has a protected right, in certain circumstances, to speak as a citizen addressing matters of public concern. Matters of public concern include but are not necessarily limited to governmental corruption or a general intentional failure to discharge governmental responsibilities.

Matters of internal operations lacking significant connection to matters of general community concern are not protected.

To meet the department's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected:

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Champaign County Sheriff's Office or its employees.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Champaign County Sheriff's Office and tends to compromise or damage the mission, function, reputation or professionalism of the Champaign County Sheriff's Office or its employees. Examples may include:
 1. Statements that indicate disregard for the law or the state or U.S. Constitution.
 2. Expression that demonstrates support for criminal activity.
 3. Participating in sexually explicit photographs or videos.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements, photographs or expressions to a web site that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.
- (e) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department

Champaign County Sheriff's Office

Champaign County SO Policy Manual

Employee Speech, Expression and Social Networking

for financial or personal gain, or any disclosure of such materials without the express authorization of the Sheriff or the authorized designee.

- (f) Posting, transmitting or disseminating any photographs, video or audio recordings, obtained during the course of official duties with the Champaign County Sheriff's Office on any personal or social networking or other website or web page, without the express authorization of the Sheriff.
- (g) Accessing web sites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
 1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
 2. During authorized breaks; such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1025.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or deputy associations, employees may not represent the Champaign County Sheriff's Office or identify themselves in any way that could be reasonably perceived as representing the Champaign County Sheriff's Office in order to do any of the following, unless specifically authorized by the Sheriff:

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any web site.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Champaign County Sheriff's Office.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized

Champaign County Sheriff's Office

Champaign County SO Policy Manual

Employee Speech, Expression and Social Networking

bargaining unit or deputy associations, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502)).

1025.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

1025.5.1 PERSONAL ONLINE ACCOUNTS

The Department shall not request, require or coerce any applicant or employee to divulge any username, password or related account information in order to gain access to the applicant or employee's personal online account, nor shall the Department demand access in any manner to an applicant or employee's account or profile on a personal online account (820 ILCS 55/10).

Members may be required to share specific content that has been reported to the Department, without requesting or requiring members to provide access to their personal online account, as set forth in 820 ILCS 55/10.

1025.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Sheriff or authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1025.7 TRAINING

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.

Facebook Page Settings for "Champaign County Sheriff's Office".

Page Info | **Manage Jobs** | **Notifications** | **Insights** | **More** | **Edit Page Info** | **Settings** | **Page**

Page Visibility | **Page Location for Effects** | **Country Restrictions** | **Age Restrictions** | **Page Restrictions** | **Privacy Filter** | **Search Page Suggestions** | **Page Visibility** | **Post in Multiple Languages** | **Translate Automatically** | **Comment Ranking** | **Content Distribution** | **Download Page** | **Share Page** | **Disable Page** | **Live Commentary**

Page Visibility | **Page Location for Effects** | **Country Restrictions** | **Age Restrictions** | **Page Restrictions** | **Privacy Filter** | **Search Page Suggestions** | **Page Visibility** | **Post in Multiple Languages** | **Translate Automatically** | **Comment Ranking** | **Content Distribution** | **Download Page** | **Share Page** | **Disable Page** | **Live Commentary**

Facebook Page Settings for "Champaign County Sheriff's Office" (continued).

Page Info | **Manage Jobs** | **Notifications** | **Insights** | **More** | **Edit Page Info** | **Settings** | **Page**

General | **Page Info** | **Messaging** | **Templates and Tabs** | **Event Ticketing** | **Post Attribution** | **Notifications** | **Advanced Messaging** | **Facebook Badges** | **Page Roles** | **People and Other Pages** | **Preferred Page Audience** | **Authorizations** | **Brand Content** | **Instagram** | **Featured** | **Composting** | **Page Support Inbox** | **WiFi Network** | **Page Management History** | **Page Transparency**

Page Visibility | **Visible Posts** | **Comments** | **Post and Story Sharing** | **Messages** | **Tagging Ability** | **Others Tagging the Page** | **Page Location for Effects** | **Country Restrictions** | **Age Restrictions** | **Page Restrictions** | **Privacy Filter** | **Search Page Suggestions** | **Page Visibility** | **Post in Multiple Languages** | **Translate Automatically** | **Comment Ranking** | **Content Distribution** | **Download Page** | **Share Page**



Following

Champaign Co Sheriff

@ChampCoSheriff

Official Twitter Acct. for the Champaign County Sheriff's Office (IL). This acct is not monitored 24 hrs. For emergency assistance dial 9-1-1.

204 E. Illinois, Urbana, IL

co.champaign.il.us/sher...

Joined December 20...

492 Following 4,532 Followers



Followed by [redacted] St. [redacted], an...

Tweets Tweets & replies Media Likes



Champaign Co Sheriff · 4/25/19

CONGRATULATIONS!! (from left) Deputies Gage Bolt, Chase Reifsteck, and Daniel Fromm!! All three graduated today from the 14-week University of Illinois Police Training Institute Law Enforcement Academy with class...

facebook.com/champcosheriff...

2

1

5



Champaign Co Sheriff · 4/25/19

