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March 28, 2022

Via e-mail

E-mail to: 

Christopher Hansen
CheckCU.org

RE: FOIA Request to Village of Rantoul

Dear Mr. Hansen:

On February 18, 2022, you submitted a Freedom of Information Act (the Act) request by e-mail to Janet Gray, the Village Clerk for the Village of Rantoul. Your request was forwarded to me, as the Village Attorney, and I provided an initial response. The following is the Village's response to your request.

The request submitted was: "Records sufficient to indicate the locations of any automatic license plate readers (ALPRs) in the Village of Rantoul. If the Village possesses any maps indicating locations, please provide them. Please provide any records which indicate the current, past, or future planned locations of ALPRs." As you are aware, this request is identical to a request you submitted to the Village on November 1, 2021. The Village's response to that request was to deny the records pursuant to Section 7(1)(v) of the Act.

Response: Your request is DENIED.

Section 7(1)(v) of the Act provides the following exemption: "(v) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public.

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Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.”

As with many communities, the Village of Rantoul implemented the use of ALPRs in response to criminal activity in the community which includes shootings and attacks against its citizens. ALPRs are a piece of equipment deployed by law enforcement agencies which are designed, through their technology, to provide security measures to identify and respond to attacks and other criminal activity occurring against citizens within their jurisdiction. The technology is used in law enforcement investigations to detect and apprehend those individuals involved in shootings and attacks against the citizens of the Village and who are likely to commit additional attacks, or other criminal activity. Any records or maps indicating or otherwise showing the deployment and location of ALPR cameras falls within the exemption in Section 7(1)(v) of the Act. Any disclosure of the deployment and location of ALPRs would reasonably be expected to jeopardize their effectiveness, as well as the likely destruction of the equipment itself. Any disclosure, which would make public the locations of the ALPRs, would greatly inhibit the ability of the police department to continue to utilize them in its response to attacks and potential attacks on its citizens, as well as its investigations, where license plate numbers may play a key role in the apprehension of those who commit shootings and attacks against the citizens.

Further, with regard to the portion of your request addressing “records which indicate the current, past, or future planned locations of ALPRs”, Section 7(1)(f) provides an additional exemption for such records. Section 7(1)(f) provides:

(f) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body. The exemption provided in this paragraph (f) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents.

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Any records regarding current, past, or future planned locations involve preliminary drafts, notes, recommendations in which opinions are expressed or actions are formulated concerning the ALPRs, including their locations. As such, these records would be exempt from disclosure.

You have a right to request review of the denial of records as set forth above by the Illinois Public Access Counselor:

Public Access Bureau
Office of the Attorney General
500 S. 2nd Street
Springfield, Illinois 62706
217-558-0486
publicaccess@atg.state.il.us

You may also file suit for injunctive or declaratory relief in the Circuit Court of Champaign County Illinois.

Yours very truly,
EVANS, FROEHLICH, BETH & CHAMLEY

BY: /s/ David B. Wesner
David B. Wesner

Cc: Janet Gray, Village Clerk