

Subject: Re: FOIA Documentation of Quintin Brown and Wayne Colson in 2018
id=ccsaocivil:p1084a1335

From: Christopher Hansen <[REDACTED]>
To: Crystal Pascoe <stattcivilmail@co.champaign.il.us>
Cc: Matthew Banach <mabanach@co.champaign.il.us>
Date Sent: Thursday, December 17, 2020 3:58:35 AM GMT 06:00
Date Received: Thursday, December 17, 2020 3:58:35 AM GMT 06:00

Mr. Banach,

I am writing to again ask that you comply with the FOIA and provide the requested information.

Again, I am requesting any and all records related to the arrest, jailing, and prosecution of Quintin Brown and Wayne Colson. This includes all reports, police reports, dash cam video, body cam video, jail video, emails, electronic messages, etc...

This is not a commercial request. I am a writer for the Public i and the IMC, a non profit organization. I am also a writer and contributor for CheckCU.org and CorruptCU.com. I also frequently send FOIA documents and information to various news outlets, such as WCIA, Smile Politely, and Illinois Leaks for their use. I am a member of the Investigative Journalists and Editors (IRE) and the Society of Professional Journalists (SPJ). I intend to access and disseminate the information to the public, I intend to write articles on the information, and I intend to research and speak on the information at public meetings for the purposes of public education.

The requested records are of significant interest to the public.

I am requesting a fee waiver for any fees assessed, and I would like the documents delivered electronically by email.

Thank you,
Christopher Hansen
CheckCU.org

On Tue, Oct 27, 2020 at 4:36 PM Crystal Pascoe <stattcivilmail@co.champaign.il.us> wrote:
Good evening Mr. Hansen,

Attached please find our response to your FOIA request dated October 26th, 2020.

Sincerely,
Crystal D. Pascoe
Administrative Legal Secretary
Civil Division
Champaign County State's Attorney's Office
101 East Main Street
Urbana, IL 61801
TEL: 217 384 3733

Subject: FOIA Documentation of Quintin Brown and Wayne Colson in 2018
id=ccsaocivil:p1084a1335

From: Crystal Pascoe <stattcivilmail@co.champaign.il.us>

To: [REDACTED]

Cc: Matthew Banach <mabanach@co.champaign.il.us>

Date Sent: Monday, December 21, 2020 1:53:16 PM GMT 06:00

Date Received: Monday, December 21, 2020 1:53:20 PM GMT 06:00

Attachments: 2020.12.21 Response to FOIA Request Emailed to SAO on 12.17.2020.pdf

Good afternoon Mr. Hansen,

Attached please find the response to your FOIA request emailed on December 17, 2020.

Sincerely,
Crysta D. Pascoe
Administrative Legal Secretary
Civil Division
Champaign County State's Attorney's Office
101 East Main Street
Urbana, IL 61801
TEL: 217-384-3733

As to the current status of your FOIA request, we refer you back to our detailed letters dated October 15th, 2020, and October 27th, 2020. See letters.

You have a right to have your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

You have the right to seek judicial review by filing a lawsuit in the State Circuit Court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of your original FOIA request and this letter when filing a Request for Review with the PAC.

Sincerely,

A handwritten signature in blue ink that reads "Matthew P. Banach". The signature is written in a cursive style with a long horizontal flourish underneath.

Matthew Banach
Assistant State's Attorney

Subject: Champaign State's Attorney FOIA Request Colson & Brown Records

From: Christopher Hansen <[REDACTED]>

To: SAOFOIA@co.champaign.il.us

Date Sent: Monday, October 26, 2020 2:18:44 PM GMT 05:00

Date Received: Monday, October 26, 2020 2:18:44 PM GMT 05:00

Hello,

I am requesting any and all records related to the arrest, jailing, and prosecution of Quintin Brown and Wayne Colson. This includes all reports, police reports, dash cam video, body cam video, jail video, emails, electronic messages, etc...

I am a writer for the Public i and the IMC, a non profit organization. I am also a writer and contributor for CheckCU.org, a non profit organization. I am also a writer and contributor for CorruptCU.com, a non profit organization. I also frequently send FOIA documents to various news outlets, such as WCIA, Smile Polity, and Illinois Leaks for their use. I intend to access and disseminate the information to the public, I intend to write articles on the information, and I intend to research and speak on the information at public meetings for the purposes of public education.

I am requesting a fee waiver for any fees assessed, and I would like the documents delivered electronically by email.

Thank you,
Christopher Hansen

Subject: FOIA Documentation of Quintin Brown and Wayne Colson in 2018
id=ccsaocivil:p1084a1335
From: Crystal Pascoe <stattcivilmail@co.champaign.il.us>
To: [REDACTED]
Cc: Matthew Banach <mabanach@co.champaign.il.us>
Date Sent: Tuesday, October 27, 2020 4:36:13 PM GMT 05:00
Date Received: Tuesday, October 27, 2020 4:36:17 PM GMT 05:00
Attachments: 2020_10_27 Response to FOIA.pdf

Good evening Mr. Hansen,

Attached please find our response to your FOIA request dated October 26th, 2020.

Sincerely,
Crysta D. Pascoe
Administrative Legal Secretary
Civil Division
Champaign County State's Attorney's Office
101 East Main Street
Urbana, IL 61801
TEL: 217-384-3733

Julia R. Rietz
State's Attorney

Barbara Mann
Chief of the Civil Division
email: bmann@co.champaign.il.us

Matthew Banach
Assistant State's Attorney
email: mbanach@co.champaign.il.us



Courthouse
101 East Main Street
P. O. Box 785
Urbana, Illinois 61801
Phone (217) 384-3733
Fax (217) 384-3816

**Office of
State's Attorney
Champaign County, Illinois**

October 27th, 2020

[Email: ██████████]

Re: FOIA Request reiterated most recently on October 26th, 2020

Dear Mr. Christopher Hansen,

The Champaign County State's Attorney's Office is in receipt of your (reiterated) request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq. (the Act), received originally on June 8th, 2020, repeated on September 25th, 2020, and repeated again on October 26th, 2020. This letter follows our previous correspondence - see all previous correspondence.

In our second-to-last letter to you dated September 29th, 2020, we declined your request for a fee waiver and noted that FOIA fees remain applicable to your request. See letter.

Our last letter to you was dated October 15th, 2020, advising you of the fee applicable to your unmodified and still voluminous FOIA request. See letter.

Your most recent communication is now an email dated October 26th, 2020, in which you state:

"I am requesting any and all records related to the arrest, jailing, and prosecution of Quintin Brown and Wayne Colson. This includes all reports, police reports, dash cam video, body cam video, jail video, emails, electronic messages, etc...

I am a writer for the Public i and the IMC, a non-profit organization. I am also a writer and contributor for CheckCU.org, a non-profit organization. I am also a writer and contributor for CorruptCU.com, a non-profit organization. I also frequently send FOIA documents to various news outlets, such as WCIA, Smile Polity, and Illinois Leaks for their use. I intend to access and disseminate the information to the public, I intend to write articles on the information, and I intend to research and speak on the information at public meetings for the purposes of public education.

I am requesting a fee waiver for any fees assessed, and I would like the documents delivered electronically by email."

We have considered the additional representations you have made here in your October 26th email, which elaborates on the information you previously provided in your email of September 25th. While we thank you for this additional information, you as a FOIA requester still do not fit the applicable legal definition(s) of “news media” or a “non-profit organization”, and as such the fees authorized by FOIA as discussed in our October 15th, 2020, letter remain applicable to this request. We are (again) declining your request for a fee waiver.

As to the current status of your FOIA request, we refer you back to our detailed letter dated October 15th, 2020. See letter.

You have a right to have your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

You have the right to seek judicial review by filing a lawsuit in the State Circuit Court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of your original FOIA request and this letter when filing a Request for Review with the PAC.

Sincerely,

A handwritten signature in blue ink that reads "Matthew P. Banach". The signature is written in a cursive style with a long horizontal flourish at the bottom.

Matthew Banach
Assistant State's Attorney

Subject: Champaign State's Attorney FOIA Request Colson & Brown Records

From: Christopher Hansen <[REDACTED]>

To: SAOFOIA@co.champaign.il.us

Date Sent: Friday, September 25, 2020 2:34:30 PM GMT 05:00

Date Received: Friday, September 25, 2020 2:34:30 PM GMT 05:00

Hello,

I am requesting any and all records related to the arrest, jailing, and prosecution of Quintin Brown and Wayne Colson. This includes all reports, police reports, dash cam video, body cam video, jail video, emails, electronic messages, etc...

I would like to receive the documents in digital form by email. If files are too large for email, I can dropoff/exchange/pickup a usb thumb drive.

I am a writer for the Public i and the IMC, a non profit organization. I am also a writer and contributor for CheckCU.org, a non profit organization. I intend to both disseminate the documents to the public and to write articles on the information contained within the documents. I am requesting a fee waiver for any fees assessed.

Thank you,
Christopher Hansen

Subject: FOIA Documentation of Quintin Brown and Wayne Colson in 2018
id=ccsaocivil:p1084a1335
From: Crystal Pascoe <stattcivilmail@co.champaign.il.us>
To: [REDACTED]
Cc: Matthew Banach <mabanach@co.champaign.il.us>
Date Sent: Tuesday, September 29, 2020 12:39:07 PM GMT 05:00
Date Received: Tuesday, September 29, 2020 12:39:11 PM GMT 05:00
Attachments: 2020.09.29 Response to 9 25 20 FOIA Request.pdf

Good afternoon Mr. Hansen,

Attached please find our response to your Sept 25th FOIA request.

Sincerely,
Crysta D. Pascoe
Administrative Legal Secretary
Civil Division
Champaign County State's Attorney's Office
101 East Main Street
Urbana, IL 61801
TEL: 217-384-3733

Julia R. Rietz
State's Attorney



Courthouse
101 East Main Street
P. O. Box 785
Urbana, Illinois 61801
Phone (217) 384-3733
Fax (217) 384-3816

Barbara Mann
Chief of the Civil Division
email: bm Mann@co.champaign.il.us

Matthew Banach
Assistant State's Attorney
email: mbanach@co.champaign.il.us

**Office of
State's Attorney
Champaign County, Illinois**

September 29, 2020

[Email: ██████████]

Re: FOIA Request Received September 25, 2020

Dear Mr. Christopher Hansen,

The Champaign County State's Attorney's Office is in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq. (the Act) dated September 25, 2020 and received by our office September 25, 2020.

Your request stated:

I am requesting any and all records related to the arrest, jailing, and prosecution of Quintin Brown and Wayne Colson. This includes all reports, police reports, dash cam video, body cam video, jail video, emails, electronic messages, etc...

I would like to receive the documents in digital form by email. If files are too large for email, I can dropoff/exchange/pickup a usb thumb drive.

I am a writer for the Public i and the IMC, a non-profit organization. I am also a writer and contributor for CheckCU.org, a non-profit organization. I intend to both disseminate the documents to the public and to write articles on the information contained within the documents. I am requesting a fee waiver for any fees assessed.

From context, this request appears to be the same subject matter of your previous request from June 8, 2020, in which you had requested documents for Quintin Brown and Wayne Colson, which we had established through our prior correspondence meant Champaign County felony cases 18CF107 (People v. Quintin Brown) and 18CF108 (People v. Wayne Colson). Our last correspondence in said matter was our letter to you dated June 24, 2020, in which we had advised you as to the fee applicable to said request under FOIA. You did not respond to our letter regarding said fee and did not otherwise pay said fee, and no documents were ultimately tendered. See all prior correspondence.

Our office is (still) treating this FOIA request as a voluminous request. "Voluminous" requests are defined in the FOIA statute at 5 ILCS 140/2(h) and further addressed at 5 ILCS 140/3.6. The reason for this is the very large nature of the two felony files (18CF107 and 18CF108) about which you have requested information, as they include

thousands of pages of responsive documents in various forms and a significant amount of data in the form of video recordings. As we are directed to pursuant to 5 ILCS 140/3.6(b), our office shall provide you ten (10) business days to respond to this letter and specify whether you would like to amend your request to avoid being classified as a voluminous request. If you fail to respond to this letter or if your amended request continues to be voluminous, our office will respond to the request and assess fees for the voluminous request in accordance with Section 6 of FOIA within five business days after receipt of your response or of the response deadline. Our office may request an additional ten (10) business days to comply with the request. If you fail to accept or collect the responsive records, we will still charge you for our response pursuant to Section 6 of the Act and your failure to pay will be considered a debt due and owing and may be collected in accordance with applicable law.

Due to the very large nature of the two felony files about which you have requested information, including their related responsive data files which are in both PDF and non-PDF formats, our preliminary estimate of applicable fees would be \$200.00, as provided for at 5 ILCS 140/6(a-5). If you choose to amend your request, we will provide an amended estimate. Pursuant to 5 ILCS 140/3.6(c) we will require you to pay in full before we copy the requested documents.

Due to the very large size of your request and the anticipated responsive documents and videos, the files will be too large to email. In your email request dated September 25th, 2020, you said that if the files are too large for email you can drop off, exchange, or pick up a usb thumb drive. Thank you, that will likely be necessary.

As discussed above, please respond to this letter within ten (10) business days and specify whether you would like to amend your request to avoid being classified as a voluminous request. If your request continues to be a voluminous request following your response, or if you fail to respond, you will be required to pay the fee in full before we copy the requested documents. Fee payment can be made by check or money order made payable to "Champaign County State's Attorney's Office" with "FOIA fee" written on the memo line.

We have considered the comments included in your request regarding how you submit your writing to various volunteer forums. While we thank you for that additional information, you as a FOIA requester still do not fit the applicable legal definition(s) of "news media" or a "non-profit organization", and as such the fees authorized by FOIA as discussed herein remain applicable to this request. We are (again) declining your request for a fee waiver.

You have a right to have your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street

Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

You have the right to seek judicial review by filing a lawsuit in the State Circuit Court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of your original FOIA request and this letter when filing a Request for Review with the PAC.

Sincerely,

A handwritten signature in blue ink that reads "Matthew P. Banach". The signature is written in a cursive style with a long horizontal flourish underneath the name.

Matthew Banach

Subject: FOIA Request Documentation of Quintin Brown and Wayne Colson in 2018
id=ccsaocivil:p1084a1335

From: Crystal Pascoe <stattcivilmail@co.champaign.il.us>

To: [REDACTED]

Cc: Matthew Banach <mabanach@co.champaign.il.us>

Date Sent: Thursday, October 15, 2020 4:11:23 PM GMT 05:00

Date Received: Thursday, October 15, 2020 4:11:27 PM GMT 05:00

Attachments: 2020_10_15 5th FOIA letter to Christopher Hansen Fee.pdf

Dear Mr. Hansen,

Attached please find our current letter regarding your FOIA request.

Sincerely,

Crysta D. Pascoe

Administrative Legal Secretary

Civil Division

Champaign County State's Attorney's Office

101 East Main Street

Urbana, IL 61801

TEL: 217-384-3733

Julia R. Rietz
State's Attorney

Barbara Mann
Chief of the Civil Division
email: bmenn@co.champaign.il.us

Matthew Banach
Assistant State's Attorney
email: mbanach@co.champaign.il.us



Courthouse
101 East Main Street
P. O. Box 785
Urbana, Illinois 61801
Phone (217) 384-3733
Fax (217) 384-3816

**Office of
State's Attorney
Champaign County, Illinois**

October 15, 2020

[Email: ██████████]

Re: FOIA Request Received September 25, 2020 – Fee

Dear Mr. Christopher Hansen,

The Champaign County State's Attorney's Office is in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq. (the Act) dated September 25, 2020 and received by our office September 25, 2020. This letter follows our previous correspondence – see all previous correspondence. As noted in our previous correspondence, your request dated September 25 is the same subject matter as your FOIA request we discussed earlier in June of this year.

On September 29, 2020, our office sent you a letter advising you that our office is (still) treating this FOIA request as a voluminous request. As discussed in our previous correspondence, the two felony files about which you have requested information are very large and contain thousands of documents in various forms and a significant amount of data in the form of video recordings. As directed by 5 ILCS 140/3.6(b) we provided you ten business days to respond to our letter and specify whether you would like to amend your request to avoid being classified as a voluminous request, and advising you of the \$200.00 fee which would be applicable to the voluminous request if it remained voluminous. See our previous letter dated September 29, 2020, for all details.

The Section 140/3.6(b) time period of ten business days since our September 29 letter has elapsed and as of today your original request as stated in your email September 25, 2020, remains un-amended. As such, at present your request remains a voluminous request, the voluminous request fee remains applicable, your request is not exempt from said fee, and our office's determination is to decline to apply a fee waiver or reduction to your request. As provided for by FOIA at 5 ILCS 140/6(c), in setting the amount of any waiver or reduction our office may take into consideration the amount of materials requested and the cost of copying them, and as discussed at length in our previous correspondence the amount of materials requested here is very large.

As required by 5 ILCS 140/3.6(c), we are obliged to respond to you at this time to advise that the estimate of the fees to be charged is \$200.00. As provided by 5 ILCS 140/3.6(c)(i) we will require you to pay this \$200.00 fee in full before copying the requested documents. This is consistent with our estimate and letter of September 29, 2020.

As required by 5 ILCS 140/6(a-5), at this time we are obliged to provide you with an accounting of all fees, costs, and personnel hours in connection with this request for public records. The fees for this request are calculated according to FOIA's statutory fee scales for voluminous requests, which are based on the data size of the request as measured in megabytes, separated into documents in portable document format (PDF) and not in a portable document format (non-PDF) and charged under both fee scales, as provided for at 5 ILCS 140/6(a-5). Said accounting is as follows:

Non-PDF data in this request: 12,163.1 megabytes of data.
Non-PDF fees: \$100.00 for more than 4 megabytes of data.

PDF data in this request: 923.116 megabytes of data.
PDF fees: \$100.00 for more than 160 megabytes of data.

Costs: At present no (zero) fees for "costs" of reproduction have been included, since your previous email(s) indicated your intention to provide a drive if the files were too large for email (and the files are in fact too large to email). If you later retract your offer of providing a drive, or further "costs" become necessary and are incurred, we will re-calculate any applicable and chargeable costs accordingly and advise you of the same.

Personnel Hours: 81 hours of personnel time. This includes staff and attorney time spent searching for and gathering responsive documents, reviewing responsive documents for applicable FOIA exemptions, applying applicable FOIA exemptions, legal research, and drafting and sending correspondence. This includes time spent on a connected request for the same materials which came from another requester immediately prior to your June 8, 2020 request and which at times was concurrent with your request. Your email dated June 16, 2020, referred to your expectation that another member of the public had already asked for these records. At present no (zero) fees for "personnel hours" have been included, since the statutory fee scales applicable to your request do not calculate any fees based on personnel hours.

Total fee: \$200.00

As previously discussed and as provided for by 5 ILCS 140/3.6(c)(i) we will require you to pay this \$200.00 fee in full before copying the requested documents. Fee payment can be made by check or money order made payable to "Champaign County State's Attorney's Office" with "FOIA fee" written on the memo line.

You have a right to have your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706

Fax: 217-782-1396

E-mail: publicaccess@atg.state.il.us

You have the right to seek judicial review by filing a lawsuit in the State Circuit Court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of your original FOIA request and this letter when filing a Request for Review with the PAC.

Sincerely,

A handwritten signature in blue ink that reads "Matthew P. Banach". The signature is written in a cursive style with a long horizontal flourish underneath.

Matthew Banach
Assistant State's Attorney

Subject: Champaign County SA/Sheriff FOIA Request Colson & Brown Records
From: Christopher Hansen <[REDACTED]>
To: SAOFOIA@co.champaign.il.us, SheriffFOIA@co.champaign.il.us
Date Sent: Monday, June 8, 2020 1:13:31 AM GMT 05:00
Date Received: Monday, June 8, 2020 1:13:31 AM GMT 05:00

Hello,

I am requesting any and all records related to the arrest, jailing, and prosecution of Quintin Brown and Wayne Colson. This includes all reports, police reports, dash cam video, body cam video, jail video, emails, electronic messages, etc...

I would like to receive the documents electronically. If files are too large for email, I can dropoff/exchange/pickup a usb thumb drive.

Thank you,
Christopher Hansen

Subject: Champaign County SA/Sheriff FOIA Request Colson & Brown Records
id=ccsaocivil:p1084a1335

From: Crystal Pascoe <stattcivilmail@co.champaign.il.us>

To: [REDACTED]

Cc: Matthew Banach <mabanach@co.champaign.il.us>

Date Sent: Tuesday, June 9, 2020 9:45:45 AM GMT 05:00

Date Received: Tuesday, June 9, 2020 9:45:50 AM GMT 05:00

Attachments: 1st FOIA letter to Christopher Hansen voluminous.pdf

Good morning Mr. Hansen,

Attached please find the response to your FOIA request.

Sincerely,

Crysta D. Pascoe
Administrative Legal Secretary
Civil Division
Champaign County State's Attorney's Office
101 East Main Street
Urbana, IL 61801
TEL: 217-384-3733

Julia R. Rietz
State's Attorney

Barbara Mann
Chief of the Civil Division
email: bmenn@co.champaign.il.us

Matthew Banach
Assistant State's Attorney
email: mbanach@co.champaign.il.us



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P. O. Box 785
Urbana, Illinois 61801
Phone (217) 384-3733
Fax (217) 384-3816

**Office of
State's Attorney
Champaign County, Illinois**

June 9, 2020

[Email: ██████████]

Re: FOIA Request Received June 8, 2020

Dear Mr. Christopher Hansen,

The Champaign County State's Attorney's Office is in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq. (the Act) dated June 8, 2020 and received by our office June 8, 2020.

Our office is treating this FOIA request as a voluminous request. "Voluminous" requests are defined in the FOIA statute at 5 ILCS 140/2(h) and further addressed at 5 ILCS 140/3.6. The reason for this is the very large nature of the two felony files (18CF107 and 18CF108) about which you have requested information, as they include thousands of pages of responsive documents in various forms and a significant amount of data in the form of video recordings. As we are directed to pursuant to 5 ILCS 140/3.6(b), our office shall provide you ten (10) business days to respond to this letter and specify whether you would like to amend your request to avoid being classified as a voluminous request. If you fail to respond to this letter or if your amended request continues to be voluminous, our office will respond to the request and assess fees for the voluminous request in accordance with Section 6 of FOIA within five business days after receipt of your response or of the response deadline. Our office may request an additional ten (10) business days to comply with the request. If you fail to accept or collect the responsive records, we will still charge you for our response pursuant to Section 6 of the Act and your failure to pay will be considered a debt due and owing and may be collected in accordance with applicable law.

Due to the very large nature of the two felony files about which you have requested information, including their related responsive data files which are in both PDF and non-PDF formats, our preliminary estimate of applicable fees would be \$200.00, as provided for at 5 ILCS 140/6(a-5). If you choose to amend your request, we will provide an amended estimate. Pursuant to 5 ILCS 140/3.6(c) we will require you to pay in full before we copy the requested documents.

Note as to dash cam video: Your email dated June 8, 2020, requests "dash cam video". Since this FOIA request is directed to our office (the Champaign County State's Attorney's Office), we can only provide responsive video which is in our possession.

Any other videos not in our possession would need to be requested from the respective police agency or agencies.

Note as to jail video: Your email dated June 8, 2020, requests “jail video”. Since this FOIA request is directed to our office (the Champaign County State’s Attorney’s Office), we can only provide responsive video which is in our possession. Any other videos not in our possession would need to be requested from the respective jail.

Note as to form of response: Due to the very large size of your request and the anticipated responsive documents and videos, the files will be too large to email. In your email request dated June 8, 2020, you said that if the files are too large for email you can drop off, exchange, or pick up a usb thumb drive. Thank you, that will likely be necessary.

You have a right to have your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

You have the right to seek judicial review by filing a lawsuit in the State Circuit Court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of your original FOIA request and this letter when filing a Request for Review with the PAC.

As discussed above, please respond to this letter within ten (10) business days and specify whether you would like to amend your request to avoid being classified as a voluminous request. If your request continues to be a voluminous request following your response, or if you fail to respond, you will be required to pay the fee in full before we copy the requested documents. Fee payment can be made by check or money order made payable to “Champaign County State’s Attorney’s Office” with “FOIA fee” written on the memo line.

Sincerely,

A handwritten signature in blue ink that reads "Matthew P. Banach". The signature is written in a cursive style with a horizontal line underneath the name.

Matthew Banach

Subject: Re: Champaign County SA/Sheriff FOIA Request Colson & Brown Records
id=ccsaocivil:p1084a1335

From: Christopher Hansen <[REDACTED]>
To: Crystal Pascoe <stattcivilmail@co.champaign.il.us>
Cc: Matthew Banach <mabanach@co.champaign.il.us>
Date Sent: Monday, June 15, 2020 11:47:05 PM GMT 05:00
Date Received: Monday, June 15, 2020 11:47:05 PM GMT 05:00

Mr. Banach,

I've reviewed your letter. I am surprised that this request should require significant work on your end, as I'd expected other members of the public and/or parties involved in a lawsuit would have already asked for these records. Are there portions that have already been prepared and distributed which you can more readily supply?

My interest in these records, as you may have guessed, is related to the handling of these cases by the police and the justice system. The public interest is incredibly strong. I intend to distribute the records to local justice groups of which I am a part, and I will also likely write one or more articles for the Public i. I have no commercial use for the records and my interest is in distributing the records to local non profit organizations, and for writing my own articles and engaging in my own reform work with local groups and governments. I believe the Illinois FOIA law provides exemptions for my cause in which the public body may not invoke voluminous request charges. In any case, I politely request a fee waiver for my purposes.

Regards,
Christopher Hansen

On Tue, Jun 9, 2020 at 9:45 AM Crystal Pascoe <stattcivilmail@co.champaign.il.us> wrote:
Good morning Mr. Hansen,

Attached please find the response to your FOIA request.

Sincerely,

Crystal D. Pascoe
Administrative Legal Secretary
Civil Division
Champaign County State's Attorney's Office
101 East Main Street
Urbana, IL 61801
TEL: 217 384 3733

Subject: FOIA Request Documentation for Quintin Brown and Wayne Colson in 2018
id=ccsaocivil:p1084a1335

From: Crystal Pascoe <stattcivilmail@co.champaign.il.us>

To: [REDACTED]

Cc: Matthew Banach <mbanach@co.champaign.il.us>

Date Sent: Wednesday, June 17, 2020 10:43:32 AM GMT 05:00

Date Received: Wednesday, June 17, 2020 10:43:36 AM GMT 05:00

Attachments: 2nd FOIA letter to Christopher Hansen Clarification.pdf

Good morning Mr. Hansen,

Attached please find our current letter.

Sincerely,

Crysta D. Pascoe
Administrative Legal Secretary
Civil Division
Champaign County State's Attorney's Office
101 East Main Street
Urbana, IL 61801
TEL: 217-384-3733

Julia R. Rietz
State's Attorney

Barbara Mann
Chief of the Civil Division
email: bmenn@co.champaign.il.us

Matthew Banach
Assistant State's Attorney
email: mbanach@co.champaign.il.us



Courthouse
101 East Main Street
P. O. Box 785
Urbana, Illinois 61801
Phone (217) 384-3733
Fax (217) 384-3816

**Office of
State's Attorney
Champaign County, Illinois**

June 17, 2020

[Email: [REDACTED]]

Re: FOIA Request Received June 8, 2020 – Further Correspondence

Dear Mr. Christopher Hansen,

The Champaign County State's Attorney's Office is in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq. (the Act) dated June 8, 2020 and received by our office June 8, 2020. This letter follows our previous correspondence – see all previous correspondence.

Thank you for your reply email dated June 15, 2020. You wrote "I am surprised that this request should require significant work on your end, as I'd expected other members of the public and/or parties involved in a lawsuit would have already asked for these records."

The calculation of fees for voluminous requests is addressed in the FOIA statute at 5 ILCS 140/6(a-5), and said calculations are based on the size of the responsive data (in megabytes). Personnel hours spent do not contribute to the calculation of the fee for non-commercial voluminous requests such as this one. Your FOIA request per your email dated 6/8/20 was in broad terms and requested "any and all records" across several categories in two felony cases, calling for what amount to thousands of pages across multiple records, and it is the total volume of the requested records which triggers and calculates the fee. Also, please bear in mind that the processing and tendering of materials via discovery in criminal and civil cases is very different in both law and process from the processing and tendering of materials under FOIA.

You wrote: "Are there portions that have already been prepared and distributed which you can more readily supply?"

As I mentioned above, the fee calculation is based on the volume of the responsive data. If you do choose to amend your request, how you choose to amend your request is up to you, since you would know which materials are most important to your interest and your inquiry. Both felony files you've requested information about are very large, so even an amended request for "all police reports" related to just one CF case file would still be more than 500 pages and would span multiple requested records responsive to that category. If you choose to amend your request, we will of course re-examine the

volume of records which are responsive to the request as amended and re-calculate accordingly.

You wrote: "My interest in these records, as you may have guessed, is related to the handling of these cases by the police and the justice system. The public interest is incredibly strong. I intend to distribute the records to local justice groups of which I am a part, and I will also likely write one or more articles for the Public i. I have no commercial use for the records and my interest is in distributing the records to local non-profit organizations, and for writing my own articles and engaging in my own reform work with local groups and governments. I believe the Illinois FOIA law provides exemptions for my cause in which the public body may not invoke voluminous request charges. In any case, I politely request a fee waiver for my purposes."

Thank you for your response and for elaborating, but some additional specific information is necessary in order to clarify your representations and properly apply the applicable provisions and definitions of FOIA:

Are you making this request as a staff member of the Public i, or other news media? The definition of "news media" as relevant to FOIA is provided at 5 ILCS 140/2(f). If so, please let us know specifically which news media organization and provide some information or means of corroborating said membership.

Alternatively, are you making this request as a staff member of a specific non-profit organization? If so, please let us know which specific non-profit organization and provide some information or means of corroborating said membership.

Once you respond, we will hopefully have enough information to properly evaluate whether your request is completely exempted from fees under FOIA, or, if not, whether it is then a matter of evaluating your request for a fee waiver or reduction.

Sincerely,

A handwritten signature in blue ink that reads "Matthew P. Banach". The signature is written in a cursive style with a long horizontal line underneath.

Matthew Banach

Subject: FOIA Documentation of Quintin Brown and Wayne Colson in 2018
id=ccsaocivil:p1084a1335

From: Crystal Pascoe <stattcivilmail@co.champaign.il.us>

To: [REDACTED]

Cc: Matthew Banach <mabanach@co.champaign.il.us>

Date Sent: Wednesday, June 24, 2020 12:42:41 PM GMT 05:00

Date Received: Wednesday, June 24, 2020 12:42:45 PM GMT 05:00

Attachments: 2020_06_24 3rd FOIA Letter to Christopher Hansen Fee.pdf

Dear Mr. Hansen,

Please find attached our current correspondence.

Sincerely,

Crysta D. Pascoe
Administrative Legal Secretary
Civil Division
Champaign County State's Attorney's Office
101 East Main Street
Urbana, IL 61801
TEL: 217-384-3733

Julia R. Rietz
State's Attorney

Barbara Mann
Chief of the Civil Division
email: bmenn@co.champaign.il.us

Matthew Banach
Assistant State's Attorney
email: mbanach@co.champaign.il.us



Courthouse
101 East Main Street
P. O. Box 785
Urbana, Illinois 61801
Phone (217) 384-3733
Fax (217) 384-3816

**Office of
State's Attorney
Champaign County, Illinois**

June 24, 2020

[Email: [REDACTED]]

Re: FOIA Request Received June 8, 2020 – Fee

Dear Mr. Christopher Hansen,

The Champaign County State's Attorney's Office is in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq. (the Act) dated June 8, 2020 and received by our office June 8, 2020. This letter follows our previous correspondence – see all previous correspondence.

Your original request, per your email dated June 8, 2020, requested: “any and all records related to the arrest, jailing, and prosecution of Quintin Brown and Wayne Colson. This includes all reports, police reports, dash cam video, body cam video, jail video, emails, electronic messages, etc...”

On June 9, 2020, our office sent you a letter advising you that our office is treating this FOIA request as a voluminous request. As discussed in our previous correspondence, the two felony files about which you have requested information are very large and contain thousands of documents in various forms and a significant amount of data in the form of video recordings. As directed by 5 ILCS 140/3.6(b) we provided you ten business days to respond to our letter and specify whether you would like to amend your request to avoid being classified as a voluminous request, and advising you of the \$200.00 fee which would be applicable to the voluminous request if it remained voluminous. See our previous letter dated June 17, 2020, for all details.

On June 16, 2020, you replied via email addressing matters related to this request, however your email that date did not include any amendment of your request. We replied to your June 16 email with our letter dated June 17, 2020. Between our letter of June 17 and today's date we have not received further correspondence from you.

The Section 140/3.6(b) time period of ten business days since our June 9 letter elapsed yesterday, June 23rd, 2020, and as of today your original request as stated in your email June 8, 2020, remains un-amended. As such, at present your request remains a voluminous request, the voluminous request fee remains applicable, your request is not exempt from said fee, and our office's determination is to decline to apply a fee waiver or reduction to your request. As provided for by FOIA at 5 ILCS 140/6(c), in setting the amount of any waiver or reduction our office may take into consideration the amount of

materials requested and the cost of copying them, and as discussed at length in our previous correspondence the amount of materials requested here is very large.

As required by 5 ILCS 140/3.6(c), we are obliged to respond to you at this time to advise that the estimate of the fees to be charged is \$200.00. As provided by 5 ILCS 140/3.6(c)(i) we will require you to pay this \$200.00 fee in full before copying the requested documents. This is consistent with our estimate and letter of June 9, 2020.

As required by 5 ILCS 140/6(a-5), at this time we are obliged to provide you with an accounting of all fees, costs, and personnel hours in connection with this request for public records. The fees for this request are calculated according to FOIA's statutory fee scales for voluminous requests, which are based on the data size of the request as measured in megabytes, separated into documents in portable document format (PDF) and not in a portable document format (non-PDF) and charged under both fee scales, as provided for at 5 ILCS 140/6(a-5). Said accounting is as follows:

Non-PDF data in this request: 12,163.1 megabytes of data.
Non-PDF fees: \$100.00 for more than 4 megabytes of data.

PDF data in this request: 923.116 megabytes of data.
PDF fees: \$100.00 for more than 160 megabytes of data.

Costs: At present no (zero) fees for "costs" of reproduction have been included, since your original email dated June 8 indicated your intention to provide a drive if the files were too large for email (and the files are in fact too large to email). If you later retract your offer of providing a drive, or further "costs" become necessary and are incurred, we will re-calculate any applicable and chargeable costs accordingly and advise you of the same.

Personnel Hours: 80 hours of personnel time. This includes staff and attorney time spent searching for and gathering responsive documents, reviewing responsive documents for applicable FOIA exemptions, applying applicable FOIA exemptions, legal research, and drafting and sending correspondence. This includes time spent on a connected request for the same materials which came from another requester immediately prior to your June 8, 2020 request and which at times was concurrent with your request. Your email dated June 16, 2020, referred to your expectation that another member of the public had already asked for these records. At present no (zero) fees for "personnel hours" have been included, since the statutory fee scales applicable to your request do not calculate any fees based on personnel hours.

Total fee: \$200.00

As previously discussed and as provided for by 5 ILCS 140/3.6(c)(i) we will require you to pay this \$200.00 fee in full before copying the requested documents. Fee payment can be made by check or money order made payable to "Champaign County State's Attorney's Office" with "FOIA fee" written on the memo line.

You have a right to have your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

You have the right to seek judicial review by filing a lawsuit in the State Circuit Court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of your original FOIA request and this letter when filing a Request for Review with the PAC.

Sincerely,

A handwritten signature in blue ink that reads "Matthew P. Banach". The signature is written in a cursive style with a long horizontal flourish at the bottom.

Matthew Banach