

4/14/2022 12:14 PM

By: AL

**IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT
CHAMPAIGN COUNTY, ILLINOIS**

Susan W. McGee
CLERK OF THE CIRCUIT COURT
CHAMPAIGN COUNTY, ILLINOIS

CHRISTOPHER HANSEN,)	
)	
Plaintiff,)	
)	
v.)	2022CH000015
)	
CITY OF URBANA,)	
URBANA POLICE DEPARTMENT,)	
)	
Defendants.)	

COMPLAINT

NOW COMES Plaintiff, CHRISTOPHER HANSEN, by the undersigned attorneys, Loevy & Loevy, and brings this suit to overturn Defendants’ willful violation of the Illinois Freedom of Information Act. Even though HANSEN made multiple good faith efforts to avoid the need for litigation by asking Defendants to provide a detailed factual basis for the exemptions they claimed and provide all non-exempt information, Defendants refused to do so regarding 17 police reports that involve use of force by the police officers. In support of the Complaint, HANSEN states as follows:

INTRODUCTION

1. Pursuant to the fundamental philosophy of the American constitutional form of government, it is the public policy of the State of Illinois that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees consistent with the terms of the Illinois Freedom of Information Act (“FOIA”). 5 ILCS 140/1.

2. Restraints on access to information, to the extent permitted by FOIA, are limited exceptions to the principle that the people of this state have a right to full disclosure of information

relating to the decisions, policies, procedures, rules, standards, and other aspects of government activity that affect the conduct of government and the lives of the people. 5 ILCS 140/1.

3. Under FOIA Section 1.2, “[a]ll records in the custody or possession of a public body are presumed to be open to inspection or copying. Any public body that asserts that a record is exempt from disclosure has the burden of proving by clear and convincing evidence that it is exempt.” 5 ILCS 140/1.2.

PARTIES

4. Plaintiff CHRISTOPHER HANSEN made the FOIA request at issue in this case. HANSEN is the founder of Check CU, which is a non-profit news-media website. *See* <https://checkcu.org/about>.

5. Defendant CITY OF URBANA (“URBANA”) is a public body located in Champaign County, IL.

6. Defendant URBANA POLICE DEPARTMENT (“UPD”) is a public body located in Champaign County, IL.

JANUARY 29, 2022 FOIA REQUEST

7. On January 29, 2022, HANSEN submitted a FOIA request to URBANA for “police reports from the following cases: U18-01151; U18-2801; U18-04072; U18-05862; U18-06720; U19-00613; U19-03483; U19-04104; U19-04358; U19-05734; U20-00726; U20-01195; U20-01218; U20-01316; U20-01320; U20-03048; U20-05477.” Ex. 1.

8. URBANA assigned reference number FOIA-2022-F-073 to the matter and “routed” the request to UPD. *Id.*

9. On February 7, 2022, UPD provided its response in four parts. Each response letter was labeled from “a” to “d” and pertained to the following police reports:¹

- a. U18-01151; U18-2801; U18-04072; U18-05862; U18-06270 (Ex. 2);
- b. U19-00613; U19-03483; U19-04104; U19-04358; U19-05734 (Ex. 3);
- c. U20-00726; U20-01195 (Ex. 4);
- d. U20-01218; U20-01316; U20-01320; U20-03048; U20-05477 (Ex. 5).

10. HANSEN challenges the denial of the following information and/or records:

- State of Illinois Department of Human Services – Division of Mental Health, “Petition for Involuntary/Judicial Admission” in U19-03483 and U19-04104;
- U20-3048;
- Page 21 of U20-0128 (Ex. 6); and
- The names of supervising officers who signed these reports.

11. Regarding U20-3048, UPD produced a single page record with the summary of the incident and the arrested individual’s name, but denied the remaining records by citing Section 7(1)(d)(iii) of FOIA. UPD claimed that the incident “may result or may have resulted in criminal charges being filed.” Ex. 5.

12. For the remaining records, UPD cited one or more of the following statutory exemptions: Section 7(1)(b), 7(1)(c), 7(1)(d)(iv), and 7(1)(f).

13. In violation of Section 9(a) of FOIA, UPD has not provided a “detailed factual basis for the application of any exemption claimed.” 5 ILCS 140/9(a).

¹ URBANA did not identify the police reports in each response letter. HANSEN inferred which police reports URBANA was referencing from the attachments URBANA sent along with each response letter.

14. Instead, UPD made vague and generic claims that the records are exempt under FOIA.

15. On March 10, 2022, to better understand the exemptions Defendants claimed to withhold various information and avoid litigation, HANSEN asked Defendants to provide “which exemptions have been used for which redactions” and identify information that it has exempted entirely, but Defendants never responded. Ex. 7.

16. On March 25, 2022, in his continued effort to avoid the need for litigation, HANSEN asked Defendants to provide records showing the names of the supervisors who signed these police reports. HANSEN explained that he does not challenge the withholding of the supervisors’ signatures and stated that the identities of the supervisors are of significant public interest as they pertain to the review and approval of a public record by a public employee, but Defendants never responded. Ex. 8.

17. As of the date of this filing, Defendants have failed to comply with FOIA and have not produced all records responsive to the request.

**COUNT IV – JANUARY 29, 2022 FOIA REQUEST,
FAILURE TO PRODUCE RECORDS**

18. The above paragraphs are incorporated by reference.

19. Defendants URBANA and UPD are public bodies under FOIA.

20. The records sought in the FOIA request are non-exempt public records of URBANA and UPD.

21. URBANA and UPD violated FOIA by failing to provide all non-exempt records responsive to the request.

**COUNT II – JANUARY 29, 2022 FOIA REQUEST,
WILLFUL AND INTENTIONAL VIOLATION OF FOIA**

22. The above paragraphs are incorporated by reference.

23. Defendants URBANA and UPD are public bodies under FOIA.

24. The records sought in the FOIA request are non-exempt public records of URBANA and UPD.

25. During the time period from January 29, 2022, to present, URBANA and UPD were aware that it must provide a “detailed factual basis for the application of any exemption claimed” pursuant to Section 9(a) of FOIA.

26. During the time period from January 29, 2022, to present, URBANA and UPD were aware that merely including the statutory language of the exemptions claimed does not meet the burden of “detailed factual basis.”

27. Because URBANA and UPD had no good faith basis withhold the records at issue under the various exemptions it claimed, URBANA and UPD have willfully and intentionally or otherwise in bad faith violated FOIA.

WHEREFORE, HANSEN asks that the Court:

- i. declare that CITY OF URBANA and URBANA POLICE DEPARTMENT have violated FOIA;
- ii. order CITY OF URBANA and URBANA POLICE DEPARTMENT to produce all records responsive to the request;
- iii. enjoin CITY OF URBANA and URBANA POLICE DEPARTMENT from withholding non-exempt public records under FOIA;
- iv. order CITY OF URBANA and URBANA POLICE DEPARTMENT to pay civil penalties;
- v. award HANSEN reasonable attorneys’ fees and costs;
- vi. award such other relief the Court considers appropriate.

Dated: April 14, 2022

RESPECTFULLY SUBMITTED,
/s/ Shelley Geiszler

Attorneys for Plaintiff
CHRISTOPHER HANSEN

Matthew Topic, ARDC # 6290922
Josh Loevy, ARDC # 6327897
Merrick Wayne, ARDC # 6330610
Shelley Geiszler, ARDC # 6335917
LOEVY & LOEVY
311 North Aberdeen, 3rd Floor
Chicago, IL 60607
312-243-5900
foia@loevy.com



FOIA Request

Request for Copies or Inspection of Public
Records under the Illinois Freedom of
Information Act (FOIA).

Request Number: 2022-F-073
Date Received: January 31, 2022
Initial Due Date: February 07, 2022
Routed To: UPD
Response to be prepared by: UPD

Submission Type and Date Transmitted:

Email Submission, January 29, 2022 8:44 PM

Requester's Name:

Christopher Hansen

Requester's Address:

Requester's Daytime Phone Number(s):

Requester's Email Address(es):

[REDACTED]

Response Format:

Email Response

Commercial Request:

No

Records Requested:

Please provide:

Police reports from the following cases:

U18-01151

U18-2801

U18-04072

U18-05862

U18-06270

U19-00613

U19-03483

U19-04104

U19-04358

U19-05734

U20-00726

U20-01195

U20-01218

U20-01316

U20-01320

U20-03048

U20-05477

Exhibit 1

Subject: FOIA Request #2022 F 073a Urbana Police Department Response
From: "Weck, Anthony" <weckac@urbanaininois.us>
To: "[REDACTED] <[REDACTED]>
Cc: "Koker, Amy" <kokeral@urbanaininois.us>, !FOIA Correspondence <FOIACorrespondence@urbanaininois.us>
Date Sent: Monday, February 7, 2022 4:15:03 PM GMT 06:00
Date Received: Monday, February 7, 2022 4:15:33 PM GMT 06:00
Attachments: 2022 F 073a (Hansen).pdf

Please see attachment.

Tony Weck
FOIA Specialist / Offender Registrations

Police Department | City of Urbana
400 S Vine St | Urbana, Illinois 61801
Office: 217.384.2320
Fax: 217.384.2363



Committed to the Ten Shared Principles

*Working Together to Build Trust, Improve Relationships, and
Keep Communities Safe*



URBANA POLICE DEPARTMENT
Bryant D. Seraphin, Chief of Police



February 7, 2022

Attn. Christopher Hansen

Re: Freedom of Information Act Request
City of Urbana FOIA-2022-F-073

Dear Requester:

This letter is in response to your Freedom of Information Act (FOIA) request dated January 29, 2022. The Freedom of Information Officer received your request on January 31, 2022 and designated it as FOIA request number 2022-F-073.

Attached, please find a portion of the records responsive to your request pursuant to the Freedom of Information Act. More specifically, the requested reports for calendar year 2018 are attached; processing of reports from calendar years 2019 and 2020 is underway and said reports are forthcoming. Barring any impediments beyond our control, our next correspondence regarding this request will be issued by **February 14, 2022**.

Please note, some of the information contained in the requested records may have been withheld or redacted pursuant to one or more of the following statutory exemptions:

- 5 ILCS 140/7(1)(a) exempts information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law. More specifically, information accessed by means of the Illinois State Police's Law Enforcement Agencies Data System (LEADS) cannot be disseminated to any individual or organization that is not legally authorized to have access to the information. 20 ILCS 1240.80(d). Therefore, the Urbana Police Department cannot, by law, release those portions of the requested information that are accessed by and/or stored in LEADS; any requests for such information will need to be submitted to the Illinois State Police for consideration.
- 5 ILCS 140/7(1)(b) exempts "private information" or rather, unique identifiers such as "an individual's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person." 5 ILCS 140/2(c-5).
- 5 ILCS 140/7(1)(c) exempts "personal information" contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.

- 5 ILCS 140/7(1)(d)(iv) which exempts “records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would...unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the identities of witnesses to traffic accidents, traffic accident reports, and rescue reports shall be provided by agencies of local government, except when disclosure would interfere with an active criminal investigation conducted by the agency that is the recipient of the request.”

Please be advised that if you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to appeal this response. Such an appeal is a “Request for Review” and must be sent to the Public Access Counselor (PAC), at the Illinois Attorney General’s Office at 500 South Second Street, Springfield, Illinois, 62706. The phone number is (217) 558-0486. If the PAC denies your appeal, you have the right to judicial review of this decision in the Champaign County Circuit Court. Additionally, I have included a copy of your rights under the Act for your convenience.

Sincerely,

A handwritten signature in blue ink that reads "A. Weck 391". The signature is written in a cursive style.

Tony Weck
FOIA Specialist
Urbana Police Department
Phone: (217) 384-2320
Fax: (217) 384-2363

cc: Amy Koker
File

§ 11. (a) Any person denied access to inspect or copy any public record by a public body may file suit for injunctive or declaratory relief.

(b) Where the denial is from a public body of the State, suit may be filed in the circuit court for the county where the public body has its principal office or where the person denied access resides.

(c) Where the denial is from a municipality or other public body, except as provided in subsection (b) of this Section, suit may be filed in the circuit court for the county where the public body is located.

(d) The circuit court shall have the jurisdiction to enjoin the public body from withholding public records and to order the production of any public records improperly withheld from the person seeking access. If the public body can show that exceptional circumstances exist, and that the body is exercising due diligence in responding to the request, the court may retain jurisdiction and allow the agency additional time to complete its review of the records.

(e) On motion of the plaintiff, prior to or after in camera inspection, the court shall order the public body to provide an index of the records to which access has been denied. The index shall include the following:

(i) A description of the nature or contents of each document withheld, or each deletion from a released document, provided, however, that the public body shall not be required to disclose the information which it asserts is exempt; and

(ii) A statement of the exemption or exemptions claimed for each such deletion or withheld document.

(f) In any action considered by the court, the court shall consider the matter de novo, and shall conduct such in camera examination of the requested records as it finds appropriate to determine if such records or any part thereof may be withheld under any provision of this Act. The burden shall be on the public body to establish that its refusal to permit public inspection or copying is in accordance with the provisions of this Act. Any public body that asserts that a record is exempt from disclosure has the burden of proving that it is exempt by clear and convincing evidence.

(g) In the event of noncompliance with an order of the court to disclose, the court may enforce its order against any public official or employee so ordered or primarily responsible for such noncompliance through the court's contempt powers.

(h) Except as to causes the court considers to be of greater importance, proceedings arising under this Section shall take precedence on the docket over all other causes and be assigned for hearing and trial at the earliest practicable date and expedited in every way.

(i) If a person seeking the right to inspect or receive a copy of a public record prevails in a proceeding under this Section, the court shall award such person reasonable attorneys' fees and costs. In determining what amount of attorney's fees is reasonable, the court shall consider the degree to which the relief obtained relates to the relief sought. The changes contained in this subsection apply to an action filed on or after the effective date of this amendatory Act of the 96th General Assembly.

(j) If the court determines that a public body willfully and intentionally failed to comply with this Act, or otherwise acted in bad faith, the court shall also impose upon the public body a civil penalty of not less than \$2,500 nor more than \$5,000 for each occurrence. In assessing the civil penalty, the court shall consider in aggravation or mitigation the budget of the public body and whether the public body has previously been assessed penalties for violations of this Act. The changes contained in this subsection apply to an action filed on or after the effective date of this amendatory Act of the 96th General Assembly.

Subject: FOIA Request #2022 F 073b Urbana Police Department Response
From: "Weck, Anthony" <weckac@urbanaininois.us>
To: "[REDACTED] <[REDACTED]>
Cc: "Koker, Amy" <kokeral@urbanaininois.us>, !FOIA Correspondence <FOIACorrespondence@urbanaininois.us>
Date Sent: Monday, February 14, 2022 4:18:15 PM GMT 06:00
Date Received: Monday, February 14, 2022 4:18:39 PM GMT 06:00
Attachments: 2022 F 073b (Hansen).pdf

Please see attachment.

Tony Weck
FOIA Specialist / Offender Registrations

Police Department | City of Urbana
400 S Vine St | Urbana, Illinois 61801
Office: 217.384.2320
Fax: 217.384.2363



Committed to the Ten Shared Principles

*Working Together to Build Trust, Improve Relationships, and
Keep Communities Safe*



URBANA POLICE DEPARTMENT
Bryant D. Seraphin, Chief of Police



February 14, 2022

Attn. Christopher Hansen

Re: Freedom of Information Act Request
City of Urbana FOIA-2022-F-073

Dear Requester:

This letter is in response to your Freedom of Information Act (FOIA) request dated January 29, 2022. The Freedom of Information Officer received your request on January 31, 2022 and designated it as FOIA request number 2022-F-073.

Attached, please find a portion of the records responsive to your request pursuant to the Freedom of Information Act. More specifically, the requested reports for calendar year 2019 are attached; processing of reports from calendar year 2020 is underway and said reports are forthcoming. Barring any impediments beyond our control, our next correspondence regarding this request will be issued by **February 21, 2022**.

Please note, some of the information contained in the requested records may have been withheld or redacted pursuant to one or more of the following statutory exemptions:

- 5 ILCS 140/7(1)(a) exempts information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law. More specifically, information accessed by means of the Illinois State Police's Law Enforcement Agencies Data System (LEADS) cannot be disseminated to any individual or organization that is not legally authorized to have access to the information. 20 ILCS 1240.80(d). Therefore, the Urbana Police Department cannot, by law, release those portions of the requested information that are accessed by and/or stored in LEADS; any requests for such information will need to be submitted to the Illinois State Police for consideration.
- 5 ILCS 140/7(1)(b) exempts "private information" or rather, unique identifiers such as "an individual's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person." 5 ILCS 140/2(c-5).
- 5 ILCS 140/7(1)(c) exempts "personal information" contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.

- 5 ILCS 140/7(1)(d)(iv) which exempts “records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would...unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the identities of witnesses to traffic accidents, traffic accident reports, and rescue reports shall be provided by agencies of local government, except when disclosure would interfere with an active criminal investigation conducted by the agency that is the recipient of the request.”

Please be advised that if you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to appeal this response. Such an appeal is a “Request for Review” and must be sent to the Public Access Counselor (PAC), at the Illinois Attorney General’s Office at 500 South Second Street, Springfield, Illinois, 62706. The phone number is (217) 558-0486. If the PAC denies your appeal, you have the right to judicial review of this decision in the Champaign County Circuit Court. Additionally, I have included a copy of your rights under the Act for your convenience.

Sincerely,

A handwritten signature in blue ink that reads "A. Weck 391". The signature is written in a cursive style.

Tony Weck
FOIA Specialist
Urbana Police Department
Phone: (217) 384-2320
Fax: (217) 384-2363

cc: Amy Koker
File

§ 11. (a) Any person denied access to inspect or copy any public record by a public body may file suit for injunctive or declaratory relief.

(b) Where the denial is from a public body of the State, suit may be filed in the circuit court for the county where the public body has its principal office or where the person denied access resides.

(c) Where the denial is from a municipality or other public body, except as provided in subsection (b) of this Section, suit may be filed in the circuit court for the county where the public body is located.

(d) The circuit court shall have the jurisdiction to enjoin the public body from withholding public records and to order the production of any public records improperly withheld from the person seeking access. If the public body can show that exceptional circumstances exist, and that the body is exercising due diligence in responding to the request, the court may retain jurisdiction and allow the agency additional time to complete its review of the records.

(e) On motion of the plaintiff, prior to or after in camera inspection, the court shall order the public body to provide an index of the records to which access has been denied. The index shall include the following:

(i) A description of the nature or contents of each document withheld, or each deletion from a released document, provided, however, that the public body shall not be required to disclose the information which it asserts is exempt; and

(ii) A statement of the exemption or exemptions claimed for each such deletion or withheld document.

(f) In any action considered by the court, the court shall consider the matter de novo, and shall conduct such in camera examination of the requested records as it finds appropriate to determine if such records or any part thereof may be withheld under any provision of this Act. The burden shall be on the public body to establish that its refusal to permit public inspection or copying is in accordance with the provisions of this Act. Any public body that asserts that a record is exempt from disclosure has the burden of proving that it is exempt by clear and convincing evidence.

(g) In the event of noncompliance with an order of the court to disclose, the court may enforce its order against any public official or employee so ordered or primarily responsible for such noncompliance through the court's contempt powers.

(h) Except as to causes the court considers to be of greater importance, proceedings arising under this Section shall take precedence on the docket over all other causes and be assigned for hearing and trial at the earliest practicable date and expedited in every way.

(i) If a person seeking the right to inspect or receive a copy of a public record prevails in a proceeding under this Section, the court shall award such person reasonable attorneys' fees and costs. In determining what amount of attorney's fees is reasonable, the court shall consider the degree to which the relief obtained relates to the relief sought. The changes contained in this subsection apply to an action filed on or after the effective date of this amendatory Act of the 96th General Assembly.

(j) If the court determines that a public body willfully and intentionally failed to comply with this Act, or otherwise acted in bad faith, the court shall also impose upon the public body a civil penalty of not less than \$2,500 nor more than \$5,000 for each occurrence. In assessing the civil penalty, the court shall consider in aggravation or mitigation the budget of the public body and whether the public body has previously been assessed penalties for violations of this Act. The changes contained in this subsection apply to an action filed on or after the effective date of this amendatory Act of the 96th General Assembly.

Subject: FOIA Request #2022 F 073c Urbana Police Department Response
From: "Weck, Anthony" <weckac@urbanaininois.us>
To: "[REDACTED]" <[REDACTED]>
Cc: "Koker, Amy" <kokeral@urbanaininois.us>, !FOIA Correspondence <FOIACorrespondence@urbanaininois.us>
Date Sent: Monday, February 21, 2022 4:39:16 PM GMT 06:00
Date Received: Monday, February 21, 2022 4:39:51 PM GMT 06:00
Attachments: 2022 F 073c (Hansen).pdf

Please see attachment.

Tony Weck
FOIA Specialist / Offender Registrations

Police Department | City of Urbana
400 S Vine St | Urbana, Illinois 61801
Office: 217.384.2320
Fax: 217.384.2363



Committed to the Ten Shared Principles

*Working Together to Build Trust, Improve Relationships, and
Keep Communities Safe*



URBANA POLICE DEPARTMENT
Bryant D. Seraphin, Chief of Police



February 21, 2022

Attn. Christopher Hansen

Re: Freedom of Information Act Request
City of Urbana FOIA-2022-F-073

Dear Requester:

This letter is in response to your Freedom of Information Act (FOIA) request dated January 29, 2022. The Freedom of Information Officer received your request on January 31, 2022 and designated it as FOIA request number 2022-F-073.

Attached, please find a portion of the records responsive to your request pursuant to the Freedom of Information Act. More specifically, a portion of the requested records for calendar year 2020 are attached; processing of remaining reports for calendar year 2020 is underway and said reports are forthcoming. Barring any impediments beyond our control, our next correspondence regarding this request will be issued by **February 28, 2022**.

Please note, some of the information contained in the requested records may have been withheld or redacted pursuant to one or more of the following statutory exemptions:

- 5 ILCS 140/7(1)(a) exempts information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law. More specifically, information accessed by means of the Illinois State Police's Law Enforcement Agencies Data System (LEADS) cannot be disseminated to any individual or organization that is not legally authorized to have access to the information. 20 ILCS 1240.80(d). Therefore, the Urbana Police Department cannot, by law, release those portions of the requested information that are accessed by and/or stored in LEADS; any requests for such information will need to be submitted to the Illinois State Police for consideration.
- 5 ILCS 140/7(1)(b) exempts "private information" or rather, unique identifiers such as "an individual's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person." 5 ILCS 140/2(c-5).
- 5 ILCS 140/7(1)(c) exempts "personal information" contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.

- 5 ILCS 140/7(1)(d)(iv) which exempts “records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would...unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the identities of witnesses to traffic accidents, traffic accident reports, and rescue reports shall be provided by agencies of local government, except when disclosure would interfere with an active criminal investigation conducted by the agency that is the recipient of the request.”

Please be advised that if you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to appeal this response. Such an appeal is a “Request for Review” and must be sent to the Public Access Counselor (PAC), at the Illinois Attorney General’s Office at 500 South Second Street, Springfield, Illinois, 62706. The phone number is (217) 558-0486. If the PAC denies your appeal, you have the right to judicial review of this decision in the Champaign County Circuit Court. Additionally, I have included a copy of your rights under the Act for your convenience.

Sincerely,

A handwritten signature in blue ink that reads "A. Weck 391". The signature is written in a cursive style.

Tony Weck
FOIA Specialist
Urbana Police Department
Phone: (217) 384-2320
Fax: (217) 384-2363

cc: Amy Koker
File

§ 11. (a) Any person denied access to inspect or copy any public record by a public body may file suit for injunctive or declaratory relief.

(b) Where the denial is from a public body of the State, suit may be filed in the circuit court for the county where the public body has its principal office or where the person denied access resides.

(c) Where the denial is from a municipality or other public body, except as provided in subsection (b) of this Section, suit may be filed in the circuit court for the county where the public body is located.

(d) The circuit court shall have the jurisdiction to enjoin the public body from withholding public records and to order the production of any public records improperly withheld from the person seeking access. If the public body can show that exceptional circumstances exist, and that the body is exercising due diligence in responding to the request, the court may retain jurisdiction and allow the agency additional time to complete its review of the records.

(e) On motion of the plaintiff, prior to or after in camera inspection, the court shall order the public body to provide an index of the records to which access has been denied. The index shall include the following:

(i) A description of the nature or contents of each document withheld, or each deletion from a released document, provided, however, that the public body shall not be required to disclose the information which it asserts is exempt; and

(ii) A statement of the exemption or exemptions claimed for each such deletion or withheld document.

(f) In any action considered by the court, the court shall consider the matter de novo, and shall conduct such in camera examination of the requested records as it finds appropriate to determine if such records or any part thereof may be withheld under any provision of this Act. The burden shall be on the public body to establish that its refusal to permit public inspection or copying is in accordance with the provisions of this Act. Any public body that asserts that a record is exempt from disclosure has the burden of proving that it is exempt by clear and convincing evidence.

(g) In the event of noncompliance with an order of the court to disclose, the court may enforce its order against any public official or employee so ordered or primarily responsible for such noncompliance through the court's contempt powers.

(h) Except as to causes the court considers to be of greater importance, proceedings arising under this Section shall take precedence on the docket over all other causes and be assigned for hearing and trial at the earliest practicable date and expedited in every way.

(i) If a person seeking the right to inspect or receive a copy of a public record prevails in a proceeding under this Section, the court shall award such person reasonable attorneys' fees and costs. In determining what amount of attorney's fees is reasonable, the court shall consider the degree to which the relief obtained relates to the relief sought. The changes contained in this subsection apply to an action filed on or after the effective date of this amendatory Act of the 96th General Assembly.

(j) If the court determines that a public body willfully and intentionally failed to comply with this Act, or otherwise acted in bad faith, the court shall also impose upon the public body a civil penalty of not less than \$2,500 nor more than \$5,000 for each occurrence. In assessing the civil penalty, the court shall consider in aggravation or mitigation the budget of the public body and whether the public body has previously been assessed penalties for violations of this Act. The changes contained in this subsection apply to an action filed on or after the effective date of this amendatory Act of the 96th General Assembly.

Subject: FOIA Request #2022 F 073d Urbana Police Department Response
From: "Weck, Anthony" <weckac@urbanaininois.us>
To: "[REDACTED]" <[REDACTED]>
Cc: "Koker, Amy" <kokeral@urbanaininois.us>, !FOIA Correspondence <FOIACorrespondence@urbanaininois.us>
Date Sent: Tuesday, March 1, 2022 4:42:46 PM GMT 06:00
Date Received: Tuesday, March 1, 2022 4:43:24 PM GMT 06:00
Attachments: 2022 F 073d (Hansen).pdf

Please see attachment.

Tony Weck
FOIA Specialist / Offender Registrations

Police Department | City of Urbana
400 S Vine St | Urbana, Illinois 61801
Office: 217.384.2320
Fax: 217.384.2363



Committed to the Ten Shared Principles

*Working Together to Build Trust, Improve Relationships, and
Keep Communities Safe*



URBANA POLICE DEPARTMENT
Bryant D. Seraphin, Chief of Police



March 1, 2022

Attn. Christopher Hansen

Re: Freedom of Information Act Request
City of Urbana FOIA-2022-F-073

Dear Requester:

This letter is in response to your Freedom of Information Act (FOIA) request dated January 29, 2022. The Freedom of Information Officer received your request on January 31, 2022 and designated it as FOIA request number 2022-F-073.

Police report number U20-3048 is currently exempt from disclosure under 5 ILCS 140/7(1)(d)(iii) because disclosure would "create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing". The incident about which the above-named report was generated may result or may have resulted in criminal charges being filed. As such, it is the obligation of the City of Urbana to ensure that it does not disseminate any information that could taint any potential juror in the community by releasing information, be it in the form of statements, observations or documentation. For your information, a case listing regarding this case has been included.

Otherwise, attached, please find the remainder of the records responsive to your request pursuant to the Freedom of Information Act. More specifically, the attached records are the remainder of the requested reports from calendar year 2020. Please note, some of the information contained in the requested records as well as in the aforementioned case listing may have been withheld or redacted pursuant to one or more of the following statutory exemptions:

- 5 ILCS 140/7(1)(a) exempts information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law. More specifically, information accessed by means of the Illinois State Police's Law Enforcement Agencies Data System (LEADS) cannot be disseminated to any individual or organization that is not legally authorized to have access to the information. 20 ILCS 1240.80(d). Therefore, the Urbana Police Department cannot, by law, release those portions of the requested information that are accessed by and/or stored in LEADS; any requests for such information will need to be submitted to the Illinois State Police for consideration.
- 5 ILCS 140/7(1)(b) exempts "private information" or rather, unique identifiers such as "an individual's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person." 5 ILCS 140/2(c-5).

- 5 ILCS 140/7(1)(c) exempts “personal information” contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.
- 5 ILCS 140/7(1)(d)(iv) which exempts “records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would...unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the identities of witnesses to traffic accidents, traffic accident reports, and rescue reports shall be provided by agencies of local government, except when disclosure would interfere with an active criminal investigation conducted by the agency that is the recipient of the request.”
- 5 ILCS 140/7(1)(f) exempts “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.”

This concludes the Urbana Police Department’s response to this request.

Please be advised that if you believe any records you are seeking have been wrongfully withheld or redacted, you are entitled to appeal this response. Such an appeal is a “Request for Review” and must be sent to the Public Access Counselor (PAC), at the Illinois Attorney General’s Office at 500 South Second Street, Springfield, Illinois, 62706. The phone number is (217) 558-0486. If the PAC denies your appeal, you have the right to judicial review of this decision in the Champaign County Circuit Court. Additionally, I have included a copy of your rights under the Act for your convenience.

Sincerely,

A handwritten signature in blue ink that reads "A. Weck 391".

Tony Weck
FOIA Specialist
Urbana Police Department
Phone: (217) 384-2320
Fax: (217) 384-2363

cc: Amy Koker
File

§ 11. (a) Any person denied access to inspect or copy any public record by a public body may file suit for injunctive or declaratory relief.

(b) Where the denial is from a public body of the State, suit may be filed in the circuit court for the county where the public body has its principal office or where the person denied access resides.

(c) Where the denial is from a municipality or other public body, except as provided in subsection (b) of this Section, suit may be filed in the circuit court for the county where the public body is located.

(d) The circuit court shall have the jurisdiction to enjoin the public body from withholding public records and to order the production of any public records improperly withheld from the person seeking access. If the public body can show that exceptional circumstances exist, and that the body is exercising due diligence in responding to the request, the court may retain jurisdiction and allow the agency additional time to complete its review of the records.

(e) On motion of the plaintiff, prior to or after in camera inspection, the court shall order the public body to provide an index of the records to which access has been denied. The index shall include the following:

(i) A description of the nature or contents of each document withheld, or each deletion from a released document, provided, however, that the public body shall not be required to disclose the information which it asserts is exempt; and

(ii) A statement of the exemption or exemptions claimed for each such deletion or withheld document.

(f) In any action considered by the court, the court shall consider the matter de novo, and shall conduct such in camera examination of the requested records as it finds appropriate to determine if such records or any part thereof may be withheld under any provision of this Act. The burden shall be on the public body to establish that its refusal to permit public inspection or copying is in accordance with the provisions of this Act. Any public body that asserts that a record is exempt from disclosure has the burden of proving that it is exempt by clear and convincing evidence.

(g) In the event of noncompliance with an order of the court to disclose, the court may enforce its order against any public official or employee so ordered or primarily responsible for such noncompliance through the court's contempt powers.

(h) Except as to causes the court considers to be of greater importance, proceedings arising under this Section shall take precedence on the docket over all other causes and be assigned for hearing and trial at the earliest practicable date and expedited in every way.

(i) If a person seeking the right to inspect or receive a copy of a public record prevails in a proceeding under this Section, the court shall award such person reasonable attorneys' fees and costs. In determining what amount of attorney's fees is reasonable, the court shall consider the degree to which the relief obtained relates to the relief sought. The changes contained in this subsection apply to an action filed on or after the effective date of this amendatory Act of the 96th General Assembly.

(j) If the court determines that a public body willfully and intentionally failed to comply with this Act, or otherwise acted in bad faith, the court shall also impose upon the public body a civil penalty of not less than \$2,500 nor more than \$5,000 for each occurrence. In assessing the civil penalty, the court shall consider in aggravation or mitigation the budget of the public body and whether the public body has previously been assessed penalties for violations of this Act. The changes contained in this subsection apply to an action filed on or after the effective date of this amendatory Act of the 96th General Assembly.



URBANA POLICE DEPARTMENT

U20-01218

INCIDENT DETAIL							
(CIT-1)	Officer: 3332	METCAD Event#: 200750195	Incident: UU2001218				
Occurred on Sunday 03/15/2020 at 17:50							
Reported on Sunday 03/15/2020 at 17:58				Dispatch Time: 18:00		Arrival Time: 18:00	
Incident Adr: 00408 E ILLINOIS ST URBANA				Loc type: 151. CHURCH		GEO:57602	
Officer Injured:		Use of Force: Y					
OFFENSE							
Offense Crime Code/Desc.	CSA	Act.	# Pr.	Force	Circ.	Weapon	Bias
0510 ASSAULT-AGGRAVATED	-		0000	NO		90	88
2440 RECKLESS DRIVING	-		0000	NO			88
3711 RESIST/OBS CORRECT/POLICE/FIRE	-		0000	NO			88
9705 CRISIS INTERVEN. - MENTAL ILLNESS	-		0000	NO			88
SYNOPSIS							

Arrestee and victim were involved in an argument. Arrestee attempted to strike victim with his vehicle. Arrestee then brandished a weapon which he brought within close proximity to the victim's face which caused the victim believe he would be imminently battered. Arrestee, when stopped in his vehicle by officers, resisted officers' commands and physically resisted as well.

ARRESTEE/OFFENDER												
Name LYNN, PHILIP (arrestee)						Address			Telephone			
Emp Code N						Employer/School Name			Emp Address			Emp Tel unknown
DOB		Age (when occurred)	Race	Sex	Height	Weight	Hair	Eye	SSN		DL#	
		60	W	M	510	180	BAL	BRO	0 - -		IL	
Injury Code	Victim Code	Hospitalized?		Treated by						Alc, Drg, CIT		
M										(CIT)		
Show up: Date/Time			Show Up Location				Conducting Officer			Arrest: Date/Time		
00:00										03/15/2020 / 18:58		
Arresting Officer			Arrest Location				Transporting Officer			Dispo/Type		
RICH			1502 N CUNNINGHAM							NTA-88 / O		
Miranda?	Miranda Officer			Miranda: Date/Time			03/15/2020 / 18:29					
YES	RICH			03/15/2020 / 18:29								
Arrest Number(s): <i>A20-1066, 1067, 1068</i>												

MCCLELLAN, DON C officer's initials *DM* approved *[Signature]* (UU2001218)

VICTIM												
Name [REDACTED]						Address [REDACTED]				Telephone [REDACTED]		
Emp Code N	Employer/School Name [REDACTED]					Emp. Address [REDACTED]				Emp Tel unknown		
DOB [REDACTED]	Age (when occurred) 28	Race W	Sex M	Height 507	Weight 175	Hair BAL	Eye BLU	SSN 0 - -	DL# IL [REDACTED]			
Injury Code N	Victim Code I	Hospitalized?		Treated by					Alc,Drg,CIT			
WITNESS												
Name [REDACTED]						Address [REDACTED]				Telephone [REDACTED]		
Emp Code Y	Employer/School Name [REDACTED]					Emp. Address [REDACTED]				Emp Tel unknown		
DOB [REDACTED]	Age (when occurred) 24	Race W	Sex F	Height 502	Weight 120	Hair BLN	Eye HAZ	SSN 0 - -	DL# IL [REDACTED]			
Injury Code N	Victim Code	Hospitalized?		Treated by					Alc,Drg,CIT			
Name [REDACTED]						Address [REDACTED]				Telephone [REDACTED]		
Emp Code Y	Employer/School Name [REDACTED]					Emp. Address [REDACTED]				Emp Tel unknown		
DOB [REDACTED]	Age (when occurred) 39	Race W	Sex F	Height 509	Weight 185	Hair BRO	Eye BRO	SSN 0 - -	DL# IL [REDACTED]			
Injury Code N	Victim Code	Hospitalized?		Treated by					Alc,Drg,CIT			
Name [REDACTED]						Address [REDACTED]				Telephone [REDACTED]		
Emp Code F	Employer/School Name [REDACTED]					Emp. Address [REDACTED]				Emp Tel unknown		
DOB [REDACTED]	Age (when occurred) 52	Race W	Sex M	Height 606	Weight 200	Hair BRO	Eye HAZ	SSN 0 - -	DL# IL [REDACTED]			
Injury Code N	Victim Code	Hospitalized?		Treated by					Alc,Drg,CIT			
Name [REDACTED]						Address [REDACTED]				Telephone [REDACTED]		
Emp Code Y	Employer/School Name [REDACTED]					Emp. Address [REDACTED]				Emp Tel unknown		
DOB [REDACTED]	Age (when occurred) 34	Race W	Sex M	Height 604	Weight 275	Hair BRO	Eye BLU	SSN 0 - -	DL# IL [REDACTED]			
Injury Code N	Victim Code	Hospitalized?		Treated by					Alc,Drg,CIT			

MCCLELLAN, DON C

officer's initials DN approved [Signature] (UU2001218)

RELATION				
Offense	Victim	Relationship	Offender	
0510 ASSAULT-AGGRAVATED	[REDACTED]	(AQ) ACQUAINTANCE	LYNN, PHILIP	
2440 RECKLESS DRIVING	[REDACTED]	(ST) STRANGER	LYNN, PHILIP	
3711 RESIST/OBS CORRECT/POLICE/FIRE	[REDACTED]	(AQ) ACQUAINTANCE	LYNN, PHILIP	
9705 CRISIS INTERVEN. - MENTAL ILLNESS	LYNN, PHILIP	(VO) OFFENDER*	(VO) OFFENDER*	
PROPERTY				
Tag# 66995 Description WATCHGUARD CASE FILE: 332, 347, 370, 377, 422				
Loss Recv	Quantity Measure Value	.000 .00	Serial # Evidence? YES	Loc BWC/IWC Disposition URBANA DIGITAL VIDEO ARCHIVE
Drug Code NA	Evidence Pkg Type None	Property Code 905-BODY CAMERA VIDEO		
NARRATIVE				

On 03/15/20 at 05:59pm, I was dispatched to a reckless driving report at First Wesleyan Church, 408 E. Illinois.

METCAD advised that Philip Lynn had battered someone inside of the church and had also attempted to strike someone with his vehicle while leaving. METCAD advised the vehicle was a black Dodge Charger ([REDACTED]; IL)

When I arrived on the scene, I observed a group of people on the north side of the church. The group was comprised of [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED]. I approached the group and Richard Olson stepped forward and announced that he had called police.

[REDACTED] told me that the group was part of a Narcotics Anonymous group that was meeting at that time in the basement of the church. [REDACTED] explained that, due to the issues with the Corona virus, the group had decided to clean the church as part of their meeting. Lynn, who had come for the meeting, announced his displeasure at having to clean as part of the meeting. [REDACTED] said that Lynn initially left: seemingly because he did not want to clean. Lynn returned and was told by another group member, [REDACTED], to just start cleaning. Lynn's response to this was to put his face close to [REDACTED] and verbally abuse him. [REDACTED] said that he then told Lynn that he needed to leave due to his aggression. Lynn then began to advance towards [REDACTED] which [REDACTED] responded by putting his arm up to block Lynn. Lynn did not advance further and said "you can't make me leave". Lynn then sat in a seat and, in the process, put his arm

MCCLELLAN, DON C officer's initials DM approved [Signature] (UU2001218)

backwards and struck, another NARCANON meeting member, [REDACTED] in the back of the head.

[REDACTED] said that he then told Lynn that he had to leave because he had struck another meeting member. Lynn then started screaming at everyone in the meeting. Lynn told the group that he was going to break the churches windows.

I asked [REDACTED] about the Lynn's egress from the church. [REDACTED] responded that Lynn had attempted to hit, another meeting member, [REDACTED], with his vehicle as he left the parking lot.

I then spoke with [REDACTED]. [REDACTED] said that, as she arrived for the meeting, she observed Lynn leaving. [REDACTED] said after approximately 2 minutes, Lynn returned to the meeting and immediately began screaming at [REDACTED] very close to [REDACTED] face. [REDACTED] said that [REDACTED] then put himself between [REDACTED] and Lynn. [REDACTED] attempted to de-escalate the situation. Lynn told [REDACTED] that he could not kick him out of the meeting. Lynn then apparently struck [REDACTED] in the back of the head. [REDACTED] said that she did not believe Lynn was attempting to strike her and did it by accident. [REDACTED] said that Lynn was still screaming and that she told Lynn that he had just hit her. She told Lynn that he could not hit people. [REDACTED] said that [REDACTED] and [REDACTED] told Lynn to leave. [REDACTED] said that a group of people then started to leave the room. [REDACTED] said she was unsure of who left because she went into a separate smaller room. [REDACTED] had nothing further regarding the incident.

I then spoke with [REDACTED]. [REDACTED] started by referencing the fact that [REDACTED] was struck. [REDACTED] said that he did not believe that Lynn purposefully hit [REDACTED]. [REDACTED] said that he had gotten out his phone to call police after [REDACTED] was struck. [REDACTED] said that Lynn claimed, at the time, that he was struck by members of the meeting. [REDACTED] said that Lynn claimed that this occurred due to the fact that [REDACTED] and other meeting members had attempted to stop Lynn from leaving. I asked [REDACTED] what had occurred when Lynn had left in his vehicle. [REDACTED] showed me approximately where the vehicle was on the north side of the church and where he was standing. [REDACTED] indicated that he was standing approximately 20 ft to rear of the vehicle in an attempt to get a photo of Lynn's license plate. [REDACTED] said that Lynn said "quit fucking with me".

█████ said he turned around to go back towards the church. █████ said that Lynn then immediately started to reverse his vehicle. █████ said that █████ then started to yell "hey! hey! stop" due to the fact that Lynn almost struck █████ with his vehicle. █████ said that Lynn then got a coat hanger, held together by black zip ties, out of the vehicle and began to wave the coat hanger in front of █████ face. █████ said that he believed Lynn was going to hit him with the coat hangers. █████ said that █████ then got between him and Lynn.

I then spoke with █████. █████ demonstrated to me the location at which █████ had been standing (approximately 20ft to the rear of the vehicle). █████ said that █████ had been attempting to take a picture of Lynn's license plate. █████ said that she was standing on the curb close to the north wall of the church. Lynn, █████ continued, began aggressively backing up his vehicle in the space that █████ was occupying. Lynn then exited his vehicle, grabbed a coat hanger from the back seat of the vehicle, and began to menace █████ with them. I asked █████ if she believed that Lynn might hit █████ with the hanger and █████ started to say "At first". █████ said that he probably would not have struck █████ because she put himself between █████ and Lynn. █████ did concede that Lynn definitely put the hanger close to █████ face. █████ said that Lynn was yelling "take out your weapon" to █████. █████ said she then told Lynn to leave. I asked █████ if she believed that, based on Lynn's speed and direction, █████ was attempting to hit █████. █████ responded that she believed Lynn was and added that she could see Lynn looking in his rearview mirror behind him. █████ said that was the moment she warned █████ to "look out".

I then spoke with █████. █████ told me that he was supposed to open the building for the meeting. █████ said that Lynn had already opened the building for the meeting. █████ said that the meeting group had decided to clean the meeting tables due to the Corona virus problem. █████ said that Lynn began to clean the table, but then said "this is bullshit, we shouldn't be doing this". █████ said that he reiterated to Lynn that they had voted to clean the tables and that Lynn should just clean them. Lynn responded that █████ had no right to talk to him like he was a child and became very agitated. Lynn eventually said "fuck you, you're an asshole" to █████ and then left. Lynn returned 5 minutes later. █████ said that Lynn approached █████ as he was sitting at the head of the table. Lynn

pointed his finger in [REDACTED] face and yelled "don't you ever speak to me like that again". [REDACTED] said he believed that Lynn was attempting to provoke [REDACTED]. [REDACTED] said that [REDACTED] and [REDACTED] then asked Lynn to leave. Lynn then sat down and accidentally struck [REDACTED] on the back of the head. [REDACTED] said that law enforcement was then summoned. Lynn's response was to threaten breaking the church windows. Lynn then proceeded to get into his vehicle and back out of his space very quickly toward [REDACTED]. [REDACTED] said that [REDACTED] was standing directly in Lynn's path to back up his vehicle prior to Lynn backing up. [REDACTED] said he believed that there was no possible way that Lynn was unaware that [REDACTED] was behind him. [REDACTED] said that he heard [REDACTED] attempt to reason with Lynn and then left in his vehicle.

While I was interviewing witnesses, Ofc. Ruff, Ofc. Rich and SGT Cervantes were able to locate Lynn in his vehicle at 1502 N. Cunningham. In the process of stopping Lynn, Lynn obstructed the officers' investigation by not following directions and physically resisting. Ofc. Rich informed me that Lynn claimed that [REDACTED] had pushed his face and this caused Lynn's mouth to bleed. I told Ofc. Rich that, based on witness statements, Lynn should be issued a Notice to Appear for Aggravated Assault (due to the incident occurring on church grounds) and a citation for reckless driving. Ofc. Rich informed me that he would also be issuing Lynn and Notice to Appear for Obstructing/Resisting a Police Officer (see these officers' supplemental reports for more details.

I spoke with [REDACTED], [REDACTED], and [REDACTED] briefly about the bleeding mouth. Both said that they were aware that his mouth was bleeding, but that no one had been physical towards Lynn. [REDACTED] said that she believed that Lynn possibly bite the inside of his mouth during the commotion inside of the church. I saw no indication of injury on any of the witnesses that lead me to believe they had been in a physical altercation.

So ends my report.

Copied by CMS-5AO-⁴³⁶-3162020 LC		Entered/titled by LC ✓ CS	
Miscellaneous LEADS #s			
Reporting officer signature [REDACTED]	Date 03/15/20	Supervisor signature [REDACTED]	Date and Badge: 3/15/20
No secondary dissemination without consent from URBANA POLICE DEPARTMENT			

MCCLELLAN, DON C

officer's initials DN approved [Signature] (JU2001218)



**URBANA POLICE DEPARTMENT
SUPPLEMENTAL REPORT**

U20-01218

#20-02669

SUPPLEMENTAL DETAIL			
Case Number: UU2001218 Supp: #A2002669	Officer: 3370	Date Entered: 03/15/2020	Date/Time of Orig. Rpt. 03/15/2020 17:50
Incident Adr: 00408 E ILLINOIS ST URBANA		Title of Report: NTA RESISTING/ AGG ASSAULT	
Officer Injured:	Use of Force: Y		
NARRATIVE			

On 03/15/2020, at 1803 hours, I was in the area of Urban Beauty and Fashion located at 1502 North Cunningham Avenue when a report of a battery was dispatched.

METCAD advised that the driver of a black Dodge Caliber (IL [REDACTED]) attempted to run people over in the parking lot of the Wesleyan Church located at 408 East Illinois Street. The car was registered to Philip Lynn, who lived in Rantoul.

Responding officer advised that the Dodge Caliber was likely headed northbound on Cunningham Avenue.

At 1803 hours, Sergeant Cervantes advised that he located the vehicle on Cunningham Avenue near the intersection of Kerr Street. I staged my squad car on Cunningham Avenue near Bender's Mattress, located at 1206 North Cunningham Avenue and waited for the vehicle to pass.

At 1804 hours, I initiated a suspicious vehicle stop with the assistance of Officer Ruff and Sergeant Cervantes. It should be noted that my body camera malfunctioned on the previous call, and I was wearing Officer Ruff's body camera from 1805:19 hours until 1820:30 hours. At 1820 hours, my camera was properly functioning.

Upon the initial approach, I instructed the driver to shut the ignition off, provide his driver's license and provide his insurance. The driver complied. After shutting the car off, the driver, Philip Lynn, stated, "Is this about what happened at the meeting." I asked Philip what kind of meeting he attended. Philip advised it was a narcotics anonymous meeting. While at the meeting, Philip said he made comments about the coronavirus, which aggravated the other members of the meeting. Philip said he left

RICH, RAYMOND L

 officer's initials M approved [Signature] (UU2001218 - #A2002669)

the meeting; however, Philip stated he changed his mind and went back to the meeting. Philip said he came back to the meeting because he was not going to be run out of an NA meeting. Philip advised that when he returned to the meeting, he sat down and refused to leave. Philip explained that [REDACTED] ([REDACTED]) approached him and asked him to leave. When he refused to leave, Philip said that [REDACTED] shoved his chin backward with his hand, causing his mouth to bleed. Philip said he left after being pushed in the face.

I later found out from Officer McClellan that multiple independent witnesses at the narcotics anonymous meeting denied the occurrence of a physical altercation between Philip and [REDACTED].

I asked Philip if anything happened when he left, and he said, "No, I just want to go home, this is not fair." I asked Philip if there was an incident with his car when he left, and he said that there was not. Philip said that no one followed him outside. Philip asked if he could go home and then stated, "Nothing happened, he hit me, and then I left."

Philip was getting aggravated as I was speaking to him, and his emotions were up and down.

At 1811 hours, I started to radio Officer McClellan to gather details from the scene. Philip began to get upset and said, "I've had two strokes; I don't need this; I need to go home and never go back to that meeting." At 1811:47 Philip mumbled, "I have to get out of here." Immediately after making this statement, Philip reached for the ignition, locked the door, and started rolling up his driver's window. I believed Philip was trying to flee from the traffic stop and I reacted by reaching my hand into the vehicle to unlock the door.

Philip yelled, "I'm not going anywhere; I just don't want to talk." I told Philip to unlock the door, but he did not comply. I reached into the car through the window, unlocked the door, and I opened the door. While I was opening the door, Philip was yelling, "I'm not going anywhere." As I was attempting to grab Philip's car key, Philip was reaching his right hand between the center console and seat.

As Philip moved his hand towards the console seat area, Officer Ruff

RICH, RAYMOND L

officer's initials RM approved [Signature] (UU2001218 - #A2002589)

entered the vehicle through the passenger side and attempted to secure Philip's right arm. Sergeant Cervantes and I were on the driver's side and were trying to secure Philip's left arm. As we were securing Philip's hands, we gave commands to stop reaching and relax.

Officer Ruff calmly stated to Philip, "It is a safety concern for you to be reaching around in the vehicle." Philip began yelling and said, "Call an ambulance; I am having a heart attack." Phillip continued to tense his entire body and resisted Officer Ruff, Sergeant Cervantes, and my attempts to place handcuffs on his wrists.

Sergeant Cervantes secured Philip's left wrist, I secured Philip's lower extremities, and Officer Ruff secured Philips right arm and head. Due to Philip's continued resistance, Officer Ruff applied the hypoglossal pressure point to Philip's jawlines. Philip was placed in handcuffs in the front of his body.

In the process of applying the hypoglossal pressure point, Philip's head came into contact with Officer Ruff's outer tactical vest. The equipment on the vest caused a scratch on Philip's right cheek and top of his head. After the incident, Officer Ruff attempted to photograph the injuries to Philip's head, but Philip would not cooperate. Please see Officer Ruff's supplemental report for a full explanation of his actions.

After Philip was secured in restraints, Philip claimed officers on the scene abused him. Philip's mood continued to change from a calm conversation level to screaming and then crying. Philip was evaluated by Carle Ambulance Service and he signed a refusal of medical care. While Philip was being assessed, I compared Philip's rendition of the incident with the information provided by Officer McClellan.

At 1829 hours, I reengaged with Philip and read him his Miranda Warning. Philip agreed to speak to me. I asked Philip to tell me what happened when he left the church. Philip stated, "I put the car in drive and left, and then you pulled me over." Philip said, no one was around him, and he said that he looked back and then pulled away. Philip denied any incident occurring in the parking lot of the Wesleyan Church. However, Officer McClellan advised Philip attempted to hit people in the parking lot with his vehicle while leaving and swung at someone with a coat hanger.

RICH, RAYMOND L

officer's initials Mapproved [Signature]

(UU2001218 - #A2002669)

After speaking to Philip, I was informed that Officer McClellan established probable cause for aggravated assault and reckless driving. Philip was issued two Illinois State Notices to Appear. One NTA for Aggravated Assault (form 27420) and one for Resisting and or Obstruction of a police officer. In addition to the notices to appear, Philip was issued a traffic citation for reckless driving (#193873)

Please see Officer McClellan's report for the full description of the incident at the Wesleyan Church.

Copied by <i>CMC-AMC-UBA 3/16/20 LC</i>		Entered/Filed by <i>LC ✓ CS</i>	
Miscellaneous LEADS #s			
Reporting officer signature [Redacted]	Date: <i>3/15/20</i>	Supervisor signature [Redacted]	Date and Badge: <i>3/15/20</i>
No secondary dissemination without consent from URBANA POLICE DEPARTMENT			

RICH, RAYMOND L officer's initials *RY* approved *[Signature]* (U2001218 - #A2002669)



**URBANA POLICE DEPARTMENT
SUPPLEMENTAL REPORT**

U20-01218

#20-02665

SUPPLEMENTAL DETAIL				
Case Number: UU2001218 Supp: #A2002665	Officer: 3347	Date Entered: 03/15/2020	Date/Time of Orig. Rpt. 03/15/2020 17:50	
Incident Adr: 00408 E ILLINOIS ST URBANA			Title of Report: USE OF FORCE	
Officer Injured:		Use of Force: N		
PROPERTY				
Tag# 66992	Description DIGITAL PHOTOGRAPHS			
Loss Recv	Quantity Measure Value .000 .00	Serial # N/A Evidence? YES	Loc	Disposition DIGITAL EVIDENCE ARCHIVE
Drug Code NA	Evidence Pkg Type None	Property Code 970-PHOTOS-DIGITAL		
NARRATIVE				

I assisted with the investigative stop of the suspect vehicle in the 1500 block of N Cunningham.

I parked my squad car behind Sgt. Cervantes and Officer Rich's squad cars. I exited my vehicle and activated my body worn camera. I approached the passenger side of the vehicle and observed the driver from that point of view. I observed the driver to be an elderly white male wearing a black Harley Davidson jacket.

Officer Rich began questioning the driver about the incident that occurred at First Wesleyan Church. I could see the male appeared very agitated and was moving his arms and hands around frantically. I could hear the male talking loudly with Officer Rich but could not make out every word as the passenger windows were rolled up.

Officer Rich informed me his body worn camera was not working. I walked over to the driver side of the vehicle, removed my camera from my vest and gave it to Officer Rich. I then returned to the passenger side of the vehicle. It should be noted my in-squad car camera was activated.

Officer Rich switched to a different radio channel in order to speak with officers on scene at the Church. As Officer Rich continued his investigation the male grew more upset. I then observed the male roll his driver's side window up then reach for the ignition. I observed Officer Rich open the driver side door of the vehicle. The male grabbed his keys from the ignition and placed them in his right side jacket pocket. The

RUFF, ERIC L

 officer's initials ER approved [Signature] (UU2001218 - #A2002665)

male then began to grab/reach near his waistband.

Officer Rich and Sgt. Cervantes attempted to gain control of the male's arms. I opened the front passenger side door and entered the vehicle. I reached over and grabbed ahold of the males right arm. The male tensed his body and began yelling.

I attempted to reach into the males right front jacket pocket to retrieve his keys so that to prevent the vehicle from being able to move. Officers held the male's arm in place at his side. The male began yelling and breathing heavily. In a soft voice I asked the male to calm down. I explained to the male we were holding his arms for our safety and his as we had no knowledge of what he was grabbing for and if there was weapons inside the vehicle.

The male told me to call an ambulance because he thought he was having a heart attack. I told the male we would call an ambulance for him immediately. Sgt. Cervantes called for an ambulance via the radio. The male repeatedly asked to be left alone. I replied that we could not leave him alone as of now.

I reached down by the males right hip and unfastened the seatbelt. The male stated he wanted to go home and to stop abusing him. As the seatbelt was removed the male tensed up and pulled his arm away from Sgt. Cervantes. Officer Rich grabbed ahold of the male's legs and pulled them off the floorboard and held them together outside the vehicle.

The male leaned towards the passenger seat in an attempt to defeat the grasps of Sgt. Cervantes. I placed both of my hands underneath the male's jaw bone on the right side and left side. Using my index and middle finger of both hands I applied slow steady pressure to the area commonly known as the hypoglossal nerve. As soon as I applied the pressure the male relaxed his right arm. Using a soft voice tone I asked the male to stop resisting and to please calm down. I assured the male that officers were not there to hurt him and stopped applying pressure.

I removed my handcuffs from my vest and placed one cuff on the males right wrist. After the handcuff was secured on the male's right wrist he stopped resisting. The male relaxed his muscles and controlled his

RUFF, ERIC L

officer's initials ER approved [Signature] (UU2001218 - #A2002665)

breathing. I attempted to sit the male back up in the driver's seat as that position would be more comfortable and allow him to breath easier. The male closed his eyes and stopped talking. I attempted to push on the male's shoulder to sit him up right. As I applied pressure to the shoulders the male tensed up his body. I attempted a second time and the male tensed up again. This lead me to believe the male was knowingly resisting my efforts to sit him up.

I applied a steady amount of pressure to the male's shoulder to sit him up and he yelled "ouch". I advised the male I wanted him to sit up. The male advised me he was having a heart attack. I then advised the male I wanted him to sit upright so he could breath easier. The male began breathing heavier. I told the male when he resists it makes it harder for him to breath.

I attempted to sit the male up again and he tensed up and continued yelling. I continued speaking to the male in a soft voice and pleaded with him by asking him to please sit up. Realizing the effect of applying pressure to the hypoglossal earlier I applied slow steady pressure to the hypoglossal again while simultaneously asking the male to please sit up.

The male complied and immediately sat up. Once the male was sitting upright I immediately stopped applying pressure. I also released my grip on the males right arm.

I observed a small amount of blood coming from the top of the male's head. There appeared to be a small superficial cut on top of the male's head. I looked down at my vest to see what could have caused the cut. I observed my handcuff key sticking out of the handcuff pouch. I cannot be certain if the handcuff key caused the cut on the male's head, however when holding the male's head and applying pressure to the hypoglossal the male's head was near where my handcuff key is stored.

The male advised officers he hoped we burned in hell and that he was a good Christian who did not deserve this. The male looked at Sgt. Cervantes and saw he was wearing a body camera. The male asked if the camera was recording. Sgt. Cervantes and I explained that the cameras were recording the entire incident.

RUFF, ERIC L

officer's initials ERapproved [Signature]

(UU2001218 - #A2002665)

The male accused officers of throwing him on the ground. I corrected the male and advised him he was not thrown on the ground and that he never was taken out of the vehicle.

The male tensed up again and attempted to pull the handcuffs apart. I told the male the handcuffs would not hurt if he didn't pull against them. The male said he wanted to go home and I told him he was not going home. The male then asked if I was going to take him to jail. I told the male I was taking him to the hospital to make sure he was taken care of as he previously said he was having a heart attack.

The male said he did not want to go to the hospital he wanted to go home and get on his oxygen machine. I again advised the male he requested an ambulance as he said he was having a heart attack so an ambulance to going to evaluate he accordingly. The male wanted officers to drive him home so he could get on his oxygen machine. I told the male he requested an ambulance so we were going to provide one. The male said "I don't care what I said, now I'm better". Based on my training and experience as a police officer and first responder a heart attack is a serious medical emergency and individuals do not just recover that quickly as there could be unseen underlying issues.

The male said he did not want to talk anymore. I told the male he did not have to talk. I told the male that officers in good faith could not allow him to drive home after telling us he was having a heart attack. While talking to the male he leaned away and covered his ears with his hands.

Officer Rich explained to the male that when the ambulance arrives he needs to remain calm and speak with them. The male attempted to make a deal and said he would be calm if we removed the handcuffs. The male was told no and he said he would not talk to the ambulance as long as the cuffs were on.

Paramedics arrived and scene and attempted to talk with the male. Sgt. Cervantes asked where the were the keys to the vehicle. I advised Sgt. Cervantes the keys were still inside the front right jacket pocket. I reached inside the vehicle and retrieve the keys from the pocket and laid them on the roof of the vehicle.

Attached to the key ring was a small silver container. Based on my training and experience I believed the container to be a nitroglycerin container. I unscrewed the lid from the container and observed a bottle of nitroglycerin. I informed the paramedic of the medication as well as what medical issues the male stated he had.

Officer Rich walked back to his squad car to speak with Officer McClellan via radio about the initial incident. Officer Rich called me back to his squad and returned my body worn camera to me. I placed it on my vest and returned to the male's vehicle.

Sgt. Cervantes ordered me to retrieve a camera from his squad car to take photographs of the male's head. I took said photographs using a department camera.

I then stood by with the male while Officer Rich spoke with Sgt. Cervantes. I asked the male if all this was necessary. The male shook his head and said no and that he should not have even been pulled over.

The male stated police are not the same as they used to be and went on to say a police officer attacked his son for a small amount of cannabis and another officer attacked him for a warrant in front of his children.

I told the male in my opinion Christians are different today as he was casting a stones and making assumptions about officers based past on two past experiences. Even though I did not know the officers or the circumstances surrounding the incidents he described I apologized to him for his negative experience but assured him me or my officers were not part of those incidents.

Officer Rich returned to the vehicle to talk with the male. I took the camera that I used to take pictures of the male's head and placed it in my squad car.

Due to another call for service Sgt. Cervantes instructed me to leave the scene and handle that call.

Upon returning to the police station I removed my vest and photographed it and where my handcuff was stored. Those photographs are attached to this

RUFF, ERIC L.

officer's initials  approved  (UU2001218 - #A2002666)

report.

The camera that I used to take photographs of the male's head was logged and turned into the evidence technician for processing.

I reviewed my body camera video prior to authoring this report.

Nothing further to report at this time.

Copied by <u>CMS-SAO-436 3162020 LC</u>		Entered/Filed by <u>LC ✓</u> <u>CL</u>	
Miscellaneous LEADS #s			
Reporting officer signature 	Date: <u>3/15/20</u>	Supervisor signature 	Date and Badge: <u>3/15/20</u>
No secondary dissemination without consent from URBANA POLICE DEPARTMENT			

RUFF, ERIC L

officer's initials ER approved [Signature] (LU2001218 - #A2002665)





**URBANA POLICE DEPARTMENT
SUPPLEMENTAL REPORT**

U20-01218

#20-02671

SUPPLEMENTAL DETAIL			
Case Number: UU2001218 Supp: #A2002671	Officer: 3472	Date Entered: 03/15/2020	Date/Time of Orig. Rpt. 03/15/2020 17:50
Incident Adr: 00408 E ILLINOIS ST URBANA		Title of Report: USE OF FORCE INTERVIEW	
Officer Injured:	Use of Force: N		
NARRATIVE			

On 03/15/2020 I contacted Philip Lynn who was the arrestee in this incident in reference to a complaint of excessive force used by officers involved in the arrest. Sergeant Cervantes explained that during the arrest Lynn made several comments that he intended to take legal action against the Urbana Police Department and felt that the amount of force they used was excessive.

I called Lynn via telephone as he lives in Rantoul. I explained to Lynn that I was the on duty supervisor and was not actively involved in the incident or investigation relating to his charges. I asked Lynn to explain to me what occurred during this incident.

LYNN'S STATEMENT:

Lynn explained that he was involved in an argument at the First Wesleyan Church. Lynn said that during the argument he got into a yelling match. When he was leaving the church he was pushed by another male and hit in the face which caused his mouth to bleed.

Lynn said that he left the church in his vehicle and was stopped near the Dollar General by Urbana Officers a short time later.

Lynn said that he felt the officers who had stopped him were overly aggressive with him for no reason. Lynn said that he was asked to get his insurance information from his glove box by Officer Rich. Lynn said that when he did this, he was grabbed by Officer Ruff and put into a headlock which broke his glasses and cut the top of his head. I asked Lynn if he was treated for any of these conditions or for his heart issues when an ambulance was called and he said that he didn't trust that he would get proper treatment so he refused.

MCKINNEY, MATTHEW C

officer's initials _____

approved _____

(UU2001218 - #A2002671)

Lynn explained that he has a long list of health issues and believed that after telling this to the Officers on scene they should have tempered their response to his condition. Lynn denied reaching for the keys of his vehicle or trying to start his car. Lynn also said that he complied with Officers and did not resist them during the incident.

I asked Lynn if he, at any point, grabbed the keys or attempted to drive away while Officer Rich and Officer Ruff were attempting to talk to him. Lynn said that the keys were not in the ignition of the vehicle and said that they were on the passenger seat of his car. Lynn said that he reached for the keys to put them in his pocket and open his glove box but denied attempting to start his car or put it in gear.

Lynn explained several times that he was upset about being arrested and felt it was unwarranted. Lynn said that he did not feel that officers took the time to take his statement and did not gain enough information from him at the scene about what occurred. While I was talking with Lynn, he became upset and said that he did not want to deal with this anymore because it was causing him too much stress and relayed that he had other personal issues going on. Lynn then abruptly hung up the phone and ended our conversation.

At no point during my conversation with Lynn did he make any other claims of injury or excessive force, other than the cut to his forehead, his broken glasses, and his belief that the officers should have used less force.

BODY CAMERA FOOTAGE:

I reviewed the body camera footage of Sergeant Cervantes. In his body camera footage I noted that Officer Rich is seen standing at the driver's door of the vehicle and suddenly starts telling Lynn "no". Officer Rich then starts telling Lynn to unlock his door. Officer Rich then opens the vehicle from the drivers side with Sergeant Cervantes, and Officer Ruff opens the passenger side door.

Lynn begins to scream at Officer Rich and Sergeant Cervantes. Officer Ruff and Sergeant Cervantes explain to Lynn why they are telling him to stop and why his actions of reaching into his pockets and compartments of the

vehicle present a potential for danger. Lynn requested an ambulance and says he is having a heart attack. Sergeant Cervantes requested an ambulance but when Officers explain to Lynn that they are not going to release his arms at his request he again becomes upset and starts yelling for them to stop abusing him. During this time Officer Ruff, Officer Rich and Sergeant Cervantes are each providing calm and clear commands to Lynn to stop resisting them and to remain calm.

As they attempt to remove Lynn's seat belt and place him into handcuffs, Lynn continues to yell and scream about being abused. During this time Lynn attempts to grab the steering wheel and appears to continue to be actively avoiding being placed in handcuffs. Sergeant Cervantes is able to apply handcuffs to Lynn in front of his body. Lynn is then left in place in the front seat of the vehicle while they wait for paramedics to respond.

When paramedics arrived Lynn denies having any injuries or heart problems. Lynn tells paramedics that Officers are making things up and denies having any medical problems.

At one point during Lynn's conversation with Sergeant Cervantes, he says "if you want to say resisting that's okay but reckless driving I did not do". I noted that Lynn specifically denied that other charges were valid but did not have issue with the resisting arrest charge.

I reviewed Officer Ruff's body camera footage as well. Officer Rich was wearing Officer Ruff's body camera at the time because his had stopped working. In the footage Officer Rich is speaking with Lynn at the driver's window of the vehicle. Officer Rich continually seeks to gain an understanding as to what occurred but Lynn provides little information. Officer Rich explains to Lynn that he is not free to leave and that Officers were still investigating the incident and trying to figure out what occurred. In this body camera footage Lynn can be seen reaching towards the ignition and turning his car on as he begins to roll his window up. This is the initial encounter which appears to drive Officer Rich's response to open the door and start to place Lynn in hand cuffs.

FINDINGS:

MCKINNEY, MATTHEW C

officer's initials _____ approved MM (UU2001218 - #A2002671)

In reviewing the body camera footage, speaking with Lynn, and reviewing the reports authored by the Officers involved [REDACTED]

[REDACTED]

Copied by <i>CMS-5A0-436 3162020 LC</i>		Entered/Filed by <i>LC ✓</i>		<i>OL</i>
Miscellaneous LEADS #s				
Reporting officer signature	Date:	Supervisor signature:	Date and Badge:	
[REDACTED]	[REDACTED]	[REDACTED]	<i>3/16/2020 472</i>	
No secondary dissemination without consent from URBANA POLICE DEPARTMENT				

MCKINNEY, MATTHEW C

officer's initials _____

approved _____



(UU200121B - #A2002671)

U20-1218





**URBANA POLICE DEPARTMENT
SUPPLEMENTAL REPORT**

U20-01218

#20-02673

SUPPLEMENTAL DETAIL			
Case Number: UU2001218 Supp: #A2002673	Officer: 3422	Date Entered: 03/16/2020	Date/Time of Orig. Rpt. 03/15/2020 17:50
Incident Adr: 00408 E ILLINOIS ST URBANA		Title of Report: RESISTING	
Officer Injured:	Use of Force: N		

NARRATIVE

On 3/15/20 at about 1800 hours UPD officers were dispatched to 408 E. Illinois St. (First Wesleyan Church for a report of a battery. METCAD advised that a person, later identified as Philip Lynn, was physical with someone at the church and that as he left the scene, he was trying to run people over. METCAD provided a vehicle description of a black Dodge Caliber (IL) [REDACTED] and a physical description of the offender, as an older white male with a beard, wearing a black Harley Davidson Jacket.

I observed the above described person and vehicle northbound in about the 600 block of N. Cunningham as I was southbound. I turned my car around and called out where the vehicle was. Officer Rich conducted a suspicious vehicle stop on Lynn's car in the parking lot of Northgate Plaza located at 1502 N. Cunningham.

Officer Rich made contact with Lynn and I approached on the passenger side of Lynn's vehicle where he was the only occupant. When Officer Ruff arrived, he took position at the passenger side and I went back to my squad car to make contact with Officer McClellan to ensure he had enough officers to conduct interviews at the church. I found that there were about 8 people at the church he was trying to interview and Officer McCormack responded to assist Officer McClellan. I then stood by on the passenger side of Officer Rich's vehicle as he spoke to Lynn.

The following is a summary of the incident. It is not verbatim, exhaustive or necessarily in chronological order. For a detailed account, see my body worn camera footage that has been attached with this report. I have reviewed portions of the footage prior to writing this report. The footage from my camera has been added to the digital case file for this incident.

As Officer Rich was at the driver's side window speaking to Lynn, I
 CERVANTES, MICHAEL P officer's initials _____ approved _____ (UU2001218 - #A2002673)

overheard Officer Rich say "no, hey, no" and then try to open the door. I then heard him order Lynn to unlock the door and my impression at that point was that Lynn was trying to unlawfully leave or that he wanted Lynn to exit the vehicle. Lynn was screaming, but I could not make out everything he said. I did hear Lynn saying "no. I'm not going anywhere. Leave me alone." as I saw Officer Rich trying to open the door and telling Lynn to unlock it. At that time I was not sure if this was in response to Officer Rich trying to get him out of the car or a command that I did not hear previously given to Lynn by Officer Rich. Just as Officer Rich was able to get the door unlocked and open it, I observed Lynn's right arm/hand up by the ignition. I reached in to grab his arm to prevent him from starting the car and driving away and potentially hitting one of us or anyone else in the parking lot. Given the original call and his alleged dangerous driving behavior, this was of immediate concern. Lynn pulled his right arm away from the ignition, but I was unsure where the key was at that point. Lynn then moved his hand toward his right hip/pocket area in a quick manner. Officer Ruff opened the door and grabbed onto Lynn's right arm at this point and Officer Rich grabbed onto Lynn's left arm. I had ahold of Lynn's jacket on the left shoulder area with my right hand and his left forearm with my left hand. I gave multiple commands for him to relax in an effort to get him to calm down and at one point, in an attempt to begin to try to reason with Lynn, I asked him if he wanted to stay in the car. However, Lynn just screamed and began flailing his right arm and upper body as Officer Ruff attempted to gain control of it while calling us "assholes." Lynn began what can be described as a verbal tirade against us that consisted of various swears, threats and name calling that lasted throughout the contact.

Lynn stated that he believed he was having a heart attack and requested an ambulance. I called for an ambulance for him within a seconds. He then said he was not going to talk to anyone because we would not let go of his arms. I observed that the shoulder portion of the seatbelt was tight on the left side of Lynn's neck because of his movements and Officer Ruff ultimately unbuckled it. I also knew that Lynn was not stable I did not trust letting go of his arms in fear that he would attempt to drive away and put others in danger. Officer Ruff told me that the keys to the car were in Lynn's pocket.

After the seatbelt was unbuckled and we loosened the grip on Lynn's left

arm, he thrashed again, tensing up his muscles and trying to pull forward, all while accusing us of abusing him. I grabbed onto Lynn's left wrist with both my hands as he tried to pull it forward. Officer Ruff released Lynn's right arm to begin using pain compliance technique (hypoglossal nerve) on him and I observed Lynn reach toward Officer Ruff's face with his (Lynn's) right hand. I then grabbed onto Lynn's right wrist and held it until Officer Ruff put a handcuff on it. A short time later, Lynn went limp and acted as though he was unconscious, but quickly began screaming and flailing again as Officer Ruff and I tried to get him to sit up, and as I put the other handcuff on his left wrist. Officer Ruff again used the same pain compliance technique on Lynn until he calmed down and stopped resisting me putting the other handcuff on him. Note that I told Lynn to stop pulling away as he tensed up left arm as I put the handcuff on his left wrist. We all used verbal commands while using any control or pain compliance technique in an attempt to gain cooperation from Lynn.

After handcuffs were placed on his wrists, in front of his body, he sat up. I told him that he could stay in the car as we awaited the ambulance. He accused us of throwing him on the ground, which did not happen. I told him that everything was recorded a number of times. I noticed that his head was bleeding (apparently from inadvertently rubbing against a handcuff key on Officer Ruff's vest) and he related that he just wanted to go home and no longer wanted an ambulance or to go to the hospital. I later asked Officer Ruff to photograph the injuries to Lynn's head.

I had Officer Rich hold onto Lynn's arm (to keep Lynn seated) while I put on latex gloves. Officer Ruff removed the keys to the car from Lynn's pocket so that we could let go of his arms without fear of him trying to get the keys and drive away while being treated. Throughout the above described incident, events were tense, uncertain and rapidly evolving. Due to Lynn's medical issues and age, we did not remove him from the vehicle and place him on the ground to be handcuffed behind his back or put him in the back of a squad car. Instead, I opted to keep him where he was so that he could get medical treatment if needed, while still weighing our safety, his safety and the safety of the public all while the investigation continued.

When the ambulance arrived, Lynn began screaming again and essentially told the paramedics that he did not want any treatment for any of the

number of ailments they brought up. Specifically, one of the paramedics asked him about why we (the police) would call them saying that he (Lynn) was having a heart attack and Lynn responded, "because they're making stuff up." Note that Lynn is the one who said he was having a heart attack and wanted an ambulance. Lynn ultimately refused any treatment, signed the refusal and said multiple times that he was fine.

At one point while I stood by with Lynn, he stated that he wanted to die and that his life was not worth anything because of all this. I later confirmed with him that he was not suicidal and that he had no intention of hurting himself.

Lynn also made statements to the effect that he wanted to take legal action against me and the other officers as well as making false allegations that we "hit him." Based on his allegations, I later requested Sgt. McKinney conduct a use of force investigation. See his report.

After Officer Rich spoke to Lynn again about what happened, I advised Officer Rich that based on information received from officers at the church, Lynn could be issued Notices to Appear (NTA) for Aggravated Assault and an IVC Citation for Reckless Driving. I also related that another NTA could be issued for resisting based on what happened with Lynn in the parking lot of Northgate Plaza. Lynn pleaded with me to remove the Reckless Driving citation and I told him that I would not do that. He continued to argue and I related that the place to argue was in court. Lynn said that he would get a lawyer and go to court, but continued to engage me in conversation about what happened. He also later said that he was going to move out state. He related that I was going to kill him with the citations in an apparent effort to use his health problems to manipulate me to not have enforcement action taken on him.

Furthermore, Lynn later attempted to call his daughter and post on social media as Officer Rich was attempting to garner information from other officers at the church. I told him that he could not until we were done and that afterwards, I would even call his daughter, but that I did not want him calling people and having them showing up on the stop to increase tensions.

Officer McCormack arrived to issue Lynn a No Trespass Notice for the church to which Lynn refused to sign. I explained to Lynn that it was fine for him not to sign the form, but that this was all documented and that if he went back he could be arrested. Officer McCormack gave him his copy of the form. Officer McCormack also identified a key on Lynn's keyring as belonging to the church and removed it. Lynn became upset and screamed that was his mailbox key. Officer McCormack related to me that was the exact style/type of key with the same markings identified to him by the person he spoke with at the church. I told Lynn that I directed Officer McCormack to take the key to the church and verify it was the right key. At this point, Lynn said that he did not want the key back.

As we waited for Officer Rich to fill out the paperwork for Lynn, he tried to close his glovebox as he called Officer Ruff a "motherfucker" and accused him of breaking the glovebox because it would not close. Lynn moved items that were protruding from the glovebox around and the box closed. Lynn was ultimately released from handcuffs and signed the various NTAs and the IVC citation.

Throughout the contact Lynn went from yelling at us, crying, swearing at us, verbally assaulting us and then later apologizing for all the horrible things he said to me personally.

Copied by <i>CMR/APP 03/16/2020 CA</i>		Entered/Filed by <i>UC ✓ CA</i>	
Miscellaneous LEADS #s			
Reporting officer signature	Date:	Supervisor signature	Date and Badge:
			<i>3-16-20</i>
No secondary dissemination without consent from URBANA POLICE DEPARTMENT			

CERVANTES, MICHAEL P

officer's initials _____ approved _____ (UU2001218 - #A2002673)

ILLINOIS CITATION AND COMPLAINT

No 193873

URBANA POLICE DEPARTMENT

DCN **A20-1066**

COMPLAINT

PAGE NO. COUNTY OF **CHAMPAIGN** TOWNSHIP OF TWP. NO.

PEOPLE STATE OF ILLINOIS VS CITY/VILLAGE OF ALIBONIA CORPORATION PLAINTIFF **URBANA, ILLINOIS** VS

DEFENDANT NAME: (Last) **Lynn** (First) **Philip** (M.I.) **None** (S.D.#) **(60)**
 ADDRESS: [REDACTED] (City) **Rantoul IL 61864** (State) **IL** (Zip) **61864**
 DR. LIC. STATE **IL** CDL EXPIR. DATE **5/22/23** DATE OF [REDACTED]
 EYES **BRN** Female Male
 HAIR **Bald** HEIGHT **510** WEIGHT **180**

This Undersigned states that on **3/15/20** at **1255** A.M. Defendant did unlawfully operate:

VEHICLE REGISTRY NO. [REDACTED] STATE **IL** YEAR **12/2020** US DOT # [REDACTED]
 MAKE **Dodge caliber** YEAR **2009** COLOR **Black**
 PEDESTRIAN TRAILER/SEMI-TRAIL PASSENGER CAR TRUCK COMMERCIAL MOTOR VEHICLE YES NO
 BUS TRUCK TRACTOR RECREATIONAL VEH PLACARDED HAZ. MATERIAL YES NO
 MOTORCYCLE OTHER CODE(S) 18 OR MORE PASS. VEHICLE YES NO

Upon a Public Highway, or other Location, Specifically **408 E Illinois Street Urbana**

Located in the County and State Aforesaid and Did Then and There Commit the Following Offense URBAN DISTRICT

VIOLATION I.V.C. 625 ILCS 5/:

5-707 OPERATING UNINSURED VEHICLE 11-502 () ILLEGAL TRANSPORTATION ALCOHOL
 6-101 NO VALID DRIVER'S LICENSE 11-401(a) FAILURE TO REDUCE SPEED/ACCIDENT
 6-303 () DRIVING WHILE LICENSE SUSPENDED/REVOKED 11-401 (b) BREEDING _____ MPH IN A _____ MPH ZONE
 11-305 DISOBEYING TRAFFIC CONTROL DEVICE 11-709 () IMPROPER LANE USAGE
 11-501(w) () DRIVING UNDER INFLUENCE 12-403.1 FAILURE TO WEAR SEAT BELT () D () P
 LOCAL ORDINANCE CH **625** ACT **S** (SEC) **11-503**
 NATURE OF OFFENSE **Reckless driving**

INCIDENT ACCIDENT TYPE: DRIVER INJURY ONLY PROPERTY DAMAGE PERSONAL INJURY FATAL REP. NO. **U20-01218**
 ROAD CONDITIONS: WET DRY SNOW ICE
 VISIBILITY: DAY NIGHT HAZE SNOW FOG FLEET
 METHOD: 0. H.M.R./RADAR 1. FLAN CAR 2. RADAR 3. A-CRAFT 4. MARKER 5. VASCAR
 6. C. SIGNED 7. ASSIST 8. ACCIDENT 9. OTHER 10. UDAP
 NOTATIONS:

RELEASE METHOD OF RELEASE (see inside portion, back side of Gold Copy) FULL AMOUNT 10%
 1. CASH CURRENCY \$ _____ E-BAL \$ _____ AUTH# _____
 2. IL DRIVERS LICENSE 3. BOND CARD NO. _____ ISSUED BY: _____
 4. BOND POSTED ON TICKET NO. _____ 5. NO BOND-CONFINED AT _____
 6. NOTICE TO APPEAR 7. PROMISE TO COMPLY 8. INDIVIDUAL BOND (FULL) AMOUNT \$ _____
 WITHOUT ADMITTING GUILT. Licensee to comply with the terms of this Ticket and Release.

COURT PLACE/DATE ADDRESS / COURTHOUSE **COURTROOM L, 101 E. MAIN STREET**
 CITY **URBANA** ZIP **61801** IL ON **5/1/20** AT **9:00** A.M. P.M.
 COURT APPEARANCE REQUIRED NO COURT APPEARANCE REQUIRED
 See instructions on top portion, back side of Gold copy

Under penalties as provided by law for false certification pursuant to Section 1-109 of the Code of Civil Procedure and penalty pursuant to Section 32-2 of the Criminal Code of 2012, the undersigned certifies that the statements herein are true, correct and correct.

MONTH **3** DAY **15** YEAR **2020** OFFICER'S SIGNATURE [REDACTED] I.D. NO. [REDACTED]

NOTE: USE SEPARATE CITATION FOR EACH VIOLATION

URBANA POLICE DEPARTMENT

27429

NOTICE TO APPEAR

Urbana Case # U20-01218

Arrest # A20-1067

- State of Illinois
- Urbana Park District
- City of Urbana

NTA Docket # _____
 In the Circuit Court of the
 Sixth Judicial Circuit
 Champaign County, Illinois

VS:

DEFENDANT	Name <u>LYNN, Philip</u>		Address [REDACTED]		Apt. #	City, State	u <input type="checkbox"/>	Tr#
	Parent/Guardian <u>NA</u>		Address <u>N/A</u>		Apt. #	City, State	u <input type="checkbox"/>	Tr# <u>NA</u>
	Employer/School <u>Unemployed</u>		Address <u>N/A</u>		Apt. #	City, State	u <input type="checkbox"/>	Tr# <u>NA</u>
	Social Security # [REDACTED]	DLN & State [REDACTED]	DOB [REDACTED]	Race <u>W</u>	Sex <u>M</u>	Ht. <u>510</u>	Wt. <u>180</u>	Hair <u>Red</u>

Resisting/Obstructing
~~North Gate Plaza 1502 Cumr~~ 720 ILCS 5/31-1 576024
 Violation Chapter/Section GEO Code

North Gate Plaza 1502 Cunningham 03/15/2020 1810
 Location of Violation Date & Time of Violation

COURT INFO	Court Date <u>5/15/2020</u>	Court Time <u>1330</u>
	Court Location <u>F</u> <u>101 East Main Street, Urbana, Illinois</u>	Authority <input checked="" type="checkbox"/> State of Illinois Statutes <input type="checkbox"/> Urbana Park District Ordinances <input type="checkbox"/> City of Urbana Ordinances

Pursuant to 725 Illinois Compiled Statutes 5/107-2, you are hereby notified and directed to appear in the Circuit Court for the Sixth Judicial District, Champaign County, Illinois at the time and place set forth herein, to answer the charge(s) to be filed against you in violation of the ordinance or statute indicated.

Issued this 15 day of March, 20 2020, at 1837 M
 By: [REDACTED] # 370

- State of Illinois Statutes:** You are charged with violating a State of Illinois statute. You must go to court at the time and place indicated above. IF YOU FAIL TO APPEAR, A WARRANT FOR YOUR ARREST WILL BE ISSUED.
- Urbana Park District Ordinances:** You are charged with violating an Urbana Park District Ordinance. You must go to court at the place and time indicated above. IF YOU FAIL TO APPEAR, A WARRANT FOR YOUR ARREST MAY BE ISSUED, at which time the Judge may impose a higher fine.
- City of Urbana Ordinances:** You are charged with violating a City of Urbana Ordinance.
 - YOU MUST GO TO COURT:** You must go to court at the place and time indicated above. IF YOU FAIL TO APPEAR, A WARRANT FOR YOUR ARREST MAY BE ISSUED, at which time the Judge may impose a higher fine.
 - YOU MUST GO TO COURT, UNLESS YOU PAY IN THE NEXT 60 DAYS.** You must go to court at the place and time indicated above, unless you mail or deliver to the City of Urbana Finance Department the MINIMUM FINE of \$ _____ within 60 days after you have received this notice. If you do not pay the fine with 60 days, you must appear in court, at which time the Judge may impose a higher fine. (See instructions on reverse) IF YOU FAIL TO APPEAR, A WARRANT FOR YOUR ARREST WILL BE ISSUED.

IF YOU FAIL TO ANSWER THE CHARGE MADE OR FAIL TO APPEAR IN COURT ON ANY DATE SET FOR YOUR APPEARANCE, A DEFAULT JUDGMENT IN THE AMOUNT OF \$750 PLUS COURT COSTS MAY BE ENTERED AGAINST YOU FOR EACH VIOLATION.

[REDACTED SIGNATURE]

Defendant (signature)

Original - Police Canary - Finance Pink - Violator Goldenrod - Communication

Further instructions on back

INSTRUCTIONS FOR COURT APPEARANCES ON CITY OF URBANA ORDINANCE VIOLATION

CONTESTING THE CHARGE(S):

You have the right to contest this ordinance violation by appearing personally in Court with or without an attorney. You may demand a jury trial by filing a jury demand and paying a jury demand fee when entering your appearance, plea, answer to the charge, or other responsive pleading.

If you want to contest the charge(s), you should appear at the place and time indicated on the front of this notice and you should not pay the MINIMUM FINE.

FURTHER QUESTIONS

If you have questions regarding the charges filed against you or the amount of the MINIMUM FINE, then you should contact the Urbana Police Department at 217-384-2320. If you have questions regarding whether or not to pay the MINIMUM FINE or to contest the charges, you should seek the advice of an attorney.

INSTRUCTIONS FOR PAYING THE MINIMUM FINE IF NO COURT APPEARANCE IS REQUIRED

If you pay the MINIMUM FINE within 60 days after receiving this notice, you do not need to appear at the place and time indicated on the front. The MINIMUM FINE for the ordinance you are charged with violating is marked on the front of this notice. Bring the full amount of the minimum fine in cash, cashier's check, money order, or you may use credit card. Settlement on fines paid with a personal check will be delayed 10 business days for the check to clear the bank.

METHOD OF PAYMENT:

You may pay the MINIMUM FINE by mail or in person as follows:

PAYMENT BY MAIL:

- Mail to the
Finance Department
City of Urbana
400 S. Vine St.
Urbana, Illinois 61801
- Sign the portion of this notice marked WAIVER OF TRIAL, below.
- Enclose the signed portion of the notice marked "Communication Copy."
- Mail the payment in sufficient time to be received by the City of Urbana so that it arrives within 60 days of the issuance of this notice.

PAYMENT IN PERSON:

- Bring the payment to the Finance Department, First floor of the City Building at the above address between 8:00 AM and 5:00 PM, Monday through Friday.
- Sign the portion of this notice marked WAIVER OF TRIAL, below.
- Bring the signed portion of the notice marked, "Communication Copy."
- Bring the full amount of the MINIMUM FINE in cash, cashier's check, money order, or you may use a credit card. If you use Discover or VISA, an additional processing fee applies.

YOU MUST EITHER PAY THE MINIMUM FINE WITHIN 60 DAYS, OR APPEAR AT THE PLACE AND TIME INDICATED ON THE FRONT OF THIS NOTICE. OTHERWISE, A WARRANT FOR YOUR ARREST MAY BE ISSUED OR A DEFAULT JUDGMENT MAY BE ENTERED AGAINST YOU.

MINORS, 16 YEARS OF AGE OR YOUNGER, MUST BRING A PARENT OR LEGAL GUARDIAN TO COURT

WAIVER OF TRIAL.

By signing below, I hereby elect not to contest the violation alleged on the front of this notice, and freely and voluntarily waive my right to any trial regarding the violation.

Print your name

Street Address

Signature

City, State, Zip

Date

URBANA POLICE DEPARTMENT

27430

NOTICE TO APPEAR

Urbana Case # U20-0128

Arrest # A20-1068

- State of Illinois
- Urbana Park District
- City of Urbana

NTA Docket # _____
 In the Circuit Court of the
 Sixth Judicial Circuit
 Champaign County, Illinois

VS:

DEFENDANT	Name <u>Lynn Philip</u>		Address [REDACTED]		Apt. #	City, State <u>Rantoul IL</u>	u <input type="checkbox"/> c <input type="checkbox"/>	Tax# [REDACTED]
	Parent/Guardian <u>NA</u>		Address <u>NA</u>		Apt. #	City, State <u>NA</u>	u <input type="checkbox"/> c <input type="checkbox"/>	Tax# <u>NA</u>
	Employer/School <u>unemployed</u>		Address <u>NA</u>		Apt. #	City, State <u>NA</u>	u <input type="checkbox"/> c <input type="checkbox"/>	Tax# <u>NA</u>
	Social Security # [REDACTED]	DLN & State [REDACTED]	DOB [REDACTED]	Race <u>W</u>	Sex <u>M</u>	Ht. <u>510</u>	Wt. <u>180</u>	Hair <u>Brd</u>

Aggravated Assault

Violation

720 UCS 5/12-2

Chapter/Section

576024

GEO Code

408 E Illinois St Urbana

Location of Violation

03/15/2020 1755

Date & Time of Violation

COURT INFO	Court Date <u>5/5/2020</u>	Court Time <u>1330</u>
	Court Location <u>F</u> <u>101 East Main Street, Urbana, Illinois</u>	Authority <input checked="" type="checkbox"/> State of Illinois Statutes <input type="checkbox"/> Urbana Park District Ordinances <input type="checkbox"/> City of Urbana Ordinances

Pursuant to 725 Illinois Compiled Statutes 5/107-2, you are hereby notified and directed to appear in the Circuit Court for the Sixth Judicial District, Champaign County, Illinois at the time and place set forth herein, to answer the charge(s) to be filed against you in violation of the ordinance or statute indicated.

Issued this 15 day of March, 20 20, at 1837 M

By: [REDACTED] # 320

- State of Illinois Statutes:** You are charged with violating a State of Illinois statute. You must go to court at the time and place indicated above. IF YOU FAIL TO APPEAR, A WARRANT FOR YOUR ARREST WILL BE ISSUED.
- Urbana Park District Ordinances:** You are charged with violating an Urbana Park District Ordinance. You must go to court at the place and time indicated above. IF YOU FAIL TO APPEAR, A WARRANT FOR YOUR ARREST MAY BE ISSUED, at which time the Judge may impose a higher fine.
- City of Urbana Ordinances:** You are charged with violating a City of Urbana Ordinance.
 - YOU MUST GO TO COURT:** You must go to court at the place and time indicated above. IF YOU FAIL TO APPEAR, A WARRANT FOR YOUR ARREST MAY BE ISSUED, at which time the Judge may impose a higher fine.
 - YOU MUST GO TO COURT, UNLESS YOU PAY IN THE NEXT 60 DAYS.** You must go to court at the place and time indicated above, unless you mail or deliver to the City of Urbana Finance Department the MINIMUM FINE of \$_____ within 60 days after you have received this notice. If you do not pay the fine with 60 days, you must appear in court, at which time the Judge may impose a higher fine. (See instructions on reverse) IF YOU FAIL TO APPEAR, A WARRANT FOR YOUR ARREST WILL BE ISSUED.

IF YOU FAIL TO ANSWER THE CHARGE MADE OR FAIL TO APPEAR IN COURT ON ANY DATE SET FOR YOUR APPEARANCE, A DEFAULT JUDGMENT IN THE AMOUNT OF \$750 PLUS COURT COSTS MAY BE ENTERED AGAINST YOU FOR EACH VIOLATION.

[Signature]

Defendant (signature)

Original - Police

Canary - Finance

Pink - Violator

Goldenrod - Communication

Further instructions on back

INSTRUCTIONS FOR COURT APPEARANCES ON CITY OF URBANA ORDINANCE VIOLATION

CONTESTING THE CHARGE(S):

You have the right to contest this ordinance violation by appearing personally in Court with or without an attorney. You may demand a jury trial by filing a jury demand and paying a jury demand fee when entering your appearance, plea, answer to the charge, or other responsive pleading.

If you want to contest the charge(s), you should appear at the place and time indicated on the front of this notice and you should not pay the MINIMUM FINE.

FURTHER QUESTIONS

If you have questions regarding the charges filed against you or the amount of the MINIMUM FINE, then you should contact the Urbana Police Department at 217-384-2320. If you have questions regarding whether or not to pay the MINIMUM FINE or to contest the charges, you should seek the advice of an attorney.

INSTRUCTIONS FOR PAYING THE MINIMUM FINE IF NO COURT APPEARANCE IS REQUIRED

If you pay the MINIMUM FINE within 60 days after receiving this notice, you do not need to appear at the place and time indicated on the front. The MINIMUM FINE for the ordinance you are charged with violating is marked on the front of this notice. Bring the full amount of the minimum fine in cash, cashier's check, money order, or you may use credit card. Settlement on fines paid with a personal check will be delayed 10 business days for the check to clear the bank.

METHOD OF PAYMENT:

You may pay the MINIMUM FINE by mail or in person as follows:

PAYMENT BY MAIL:

- Mail to the
 Finance Department
 City of Urbana
 400 S. Vine St.
 -- Urbana, Illinois 61801
- Sign the portion of this notice marked WAIVER OF TRIAL, below.
- Enclose the signed portion of the notice marked "Communication Copy."
- Mail the payment in sufficient time to be received by the City of Urbana so that it arrives within 60 days of the issuance of this notice.

PAYMENT IN PERSON:

- Bring the payment to the Finance Department, First floor of the City Building at the above address between 8:00 AM and 5:00 PM, Monday through Friday.
- Sign the portion of this notice marked WAIVER OF TRIAL, below.
- Bring the signed portion of the notice marked, "Communication Copy."
- Bring the full amount of the MINIMUM FINE in cash, cashier's check, money order, or you may use a credit card. If you use Discover or VISA, an additional processing fee applies.

YOU MUST EITHER PAY THE MINIMUM FINE WITHIN 60 DAYS, OR APPEAR AT THE PLACE AND TIME INDICATED ON THE FRONT OF THIS NOTICE. OTHERWISE, A WARRANT FOR YOUR ARREST MAY BE ISSUED OR A DEFAULT JUDGMENT MAY BE ENTERED AGAINST YOU.

MINORS, 16 YEARS OF AGE OR YOUNGER, MUST BRING A PARENT OR LEGAL GUARDIAN TO COURT

WAIVER OF TRIAL.

By signing below, I hereby elect not to contest the violation alleged on the front of this notice, and freely and voluntarily waive my right to any trial regarding the violation.

Print your name

Street Address

Signature

City, State, Zip

Date

F10 Entry _____

Case #	U20-01218
Event #	_____
Geo Code #	_____
Beat	_____

NO TRESPASS NOTICE

You, Lynn, Philip, are hereby given written and verbal notice of no trespass. You may not enter or remain upon the land(s) or any building(s) of First Wesleyan Church at 408 E. Illinois, Urbana, IL. Pursuant to Illinois statute 720 ILCS 5/21-3, Criminal Trespass to Real Property and Urbana City Code, Section 15-35 Criminal Trespass to Land, if you are found in violation of this Notice of No Trespass given to you, then you are subject to immediate arrest.

Name of Person Being Banned (Last, First, MI): Lynn, Philip
 Date of Birth: _____ Race: W Sex: M DLN: _____
 Address: _____, Rantoul, IL Telephone: _____
 Employer/School: _____
 Violator's Signature: Refused
 Duration of Trespass Notice: 6 Months 1 year Permanent

Name of Property Agent Banning (Last, First, MI): _____
 Date of Birth: _____ Race: White Sex: Male DLN: _____
 Address: _____ Telephone: _____
 Property Agent Signature: _____

Witness of Notice of No Trespass (Last, First, MI): McCormack 377
(Badge #, if applicable)

Date and Time of Service: 03/15/20 @ 1850hrs

Brief description of reason why person is being given notice of no trespass from property: _____
Reckless driving in parking lot.

BUSINESS/PROPERTY OWNER IS RESPONSIBLE FOR RETAINING COPY OF NOTICE

White Copy – File Copy for Individual Serving Notice
 Canary – Police Department Copy
 Pink - Violator Copy

Subject: Re: FOIA Request #2022-F-073d - Urbana Police Department Response

From: Check CU <[REDACTED]>

To: "Weck, Anthony" <weckac@urbanaininois.us>

Cc: "Koker, Amy" <kokeral@urbanaininois.us>, !FOIA Correspondence <FOIACorrespondence@urbanaininois.us>

Date Sent: Thursday, March 10, 2022 6:37:50 PM GMT-06:00

Date Received: Thursday, March 10, 2022 6:37:50 PM GMT-06:00

Mr. McNeil,

You have sent four responses over the past month, and you have cited a number of different FOIA exemptions. Can you please indicate which exemptions have been used for which redactions, and list any items which you have exempted entirely?

Thanks,
Christopher Hansen
CheckCU.org

On Tue, Mar 1, 2022 at 4:43 PM Weck, Anthony <weckac@urbanaininois.us> wrote:

Please see attachment.

Tony Weck
FOIA Specialist / Offender Registrations

Police Department | City of Urbana
400 S Vine St | Urbana, Illinois 61801
Office: 217.384.2320

Fax: 217.384.2363



Committed to the Ten Shared Principles

*Working Together to Build Trust, Improve Relationships, and
Keep Communities Safe*

Exhibit 7

Subject: Re: FOIA Request #2022-F-073d - Urbana Police Department Response

From: Check CU <[REDACTED]>

To: "Weck, Anthony" <weckac@urbanailinois.us>, "McNeil, Ross" <remcneil@urbanailinois.us>

Date Sent: Friday, March 25, 2022 5:24:44 PM GMT-05:00

Date Received: Friday, March 25, 2022 5:24:44 PM GMT-05:00

Mr. McNeil and Mr. Weck,

Upon review of the records provided, it appears that you have redacted supervisors names/signatures from the police reports.

I do not need to see the actual signatures, but the information contained within the redaction (the identity of the supervisor) should be provided. This information is of significant public interest as it pertains to the review and approval of a public record by a public employee. Can you please provide records, or a version of the records already provided, sufficient to show the names of the supervisors on these police reports?

I am not submitting a new FOIA request - I am seeking information withheld in request 2022-F-073.

Thanks,

Christopher Hansen

CheckCU.org

On Thu, Mar 10, 2022 at 6:37 PM Check CU <[REDACTED]> wrote:

Mr. McNeil,

You have sent four responses over the past month, and you have cited a number of different FOIA exemptions. Can you please indicate which exemptions have been used for which redactions, and list any items which you have exempted entirely?

Thanks,

Christopher Hansen

CheckCU.org

On Tue, Mar 1, 2022 at 4:43 PM Weck, Anthony <weckac@urbanailinois.us> wrote:

Please see attachment.

Tony Weck
FOIA Specialist / Offender Registrations

Police Department | City of Urbana
400 S Vine St | Urbana, Illinois 61801
Office: 217.384.2320

Fax: 217.384.2363



Committed to the Ten Shared Principles

*Working Together to Build Trust, Improve Relationships, and
Keep Communities Safe*

Exhibit 8