

4/7/2022 3:09 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.)	2022CH000013
)	
CHAMPAIGN COUNTY STATE’S)	
ATTORNEY’S OFFICE,)	
CITY OF URBANA,)	
VILLAGE OF RANTOUL,)	
)	
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. HANSEN has requested various records pertaining to potential police misconduct. HANSEN attempted to resolve the matter without litigation by repeatedly providing his news media credentials to CHAMPAIGN COUNTY STATE’S ATTORNEY’S OFFICE, but Defendant has continued to assess burdensome fees that the statute does not allow to be charged to media requesters and has denied HANSEN’s FOIA request. CITY OF URBANA and VILLAGE OF RANTOUL, in a similar manner, identified HANSEN as a “recurrent requester” and have delayed the release of records even though he explicitly made the request as a member of the news media and provided his news media credentials. Since as early as October 2020, HANSEN repeatedly stated that he is a member of the news media, but Defendants have continuously ignored his good faith attempts, which left him no choice but to bring forth litigation regarding this matter. 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 news-media website. *See* <https://checkcu.org/about>.

5. Defendant CHAMPAIGN COUNTY STATE’S ATTORNEY’S OFFICE (“CHAMPAIGN COUNTY SAO”) is a public body located in Champaign County, IL.

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

7. Defendant VILLAGE OF RANTOUL (“RANTOUL”) is a public body located in Champaign County, IL.

DECEMBER 17, 2020 FOIA REQUEST TO CHAMPAIGN COUNTY SAO

8. On December 17, 2020, HANSEN submitted a FOIA request to CHAMPAIGN COUNTY SAO for “[a]ny and all records related to the arrest, jailing, and prosecution of Quintin Brown and Wayne Colson.” HANSEN specified that he seeks “all reports, police reports, dash cam video, body cam video, jail video, emails, electronic messages, etc.” about these two individuals. Ex. 1.

9. Quintin Brown and Wayne Colson were arrested in February 2018 and held in jail for a year for crimes they did not commit. The CHAMPAIGN SAO dismissed the cases against Mr. Brown and Mr. Colson on January 22, 2019. Mr. Brown and Mr. Colson recently each filed a civil lawsuit alleging that the police officers fabricated eyewitness identifications to procure the arrest warrants.

10. On December 21, 2020, CHAMPAIGN COUNTY SAO asserted that HANSEN does not “fit the applicable legal definition(s) of ‘news media’” and therefore HANSEN must pay fees for CHAMPAIGN SAO to process the request. Ex. 2.

11. Prior to the December 17, 2020 request, HANSEN had submitted an identical request to CHAMPAIGN COUNTY SAO on June 8, 2020, September 25, 2020, and October 26, 2020. In response to each request, CHAMPAIGN COUNTY SAO refused to identify HANSEN as a news media requester, categorized the request as “voluminous,” and assessed \$200 for fees even though HANSEN explicitly stated that he is the member of the news media. Group Exhibit 3.

12. CHAMPAIGN COUNTY SAO referenced its prior denial letters in its response to HANSEN’s December 17, 2020, request. Ex. 2.

13. Section 2(f) of FOIA defines “news media” as “a newspaper or other periodical issued at regular intervals whether in print or electronic format, a news service whether in print or electronic format, a radio station, a television station, a television network, a community antenna television service, or a person or corporation engaged in making news reels or other motion picture news for public showing.” 5 ILCS 140/2(f).

14. Section 2(h) of FOIA states, in relevant part, “‘Voluminous request’ does not include a request made by news media and non-profit, scientific, or academic organizations if the principal purpose of the request is: (1) to access and disseminate information concerning news and current or passing events; (2) for articles of opinion or features of interest to the public; or (3) for the purpose of academic, scientific, or public research or education.” 5 ILCS 140/2(h).

15. Section 6 (a) and (d) state:

(a) When a person requests a copy of *a record maintained in an electronic format, the public body shall furnish it in the electronic format specified by the requester*, if feasible. If it is not feasible to furnish the public records in the specified electronic format, then the public body shall furnish it in the format in which it is maintained by the public body, or in paper format at the option of the requester. A public body may charge the requester for the actual cost of purchasing the recording medium, whether disc, diskette, tape, or other medium. *If a request is not a request for a commercial purpose or a voluminous request, a public body may not charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records.* Except to the extent that the General Assembly expressly provides, statutory fees applicable to copies of public records when furnished in a paper format shall not be applicable to those records when furnished in an electronic format.

(d) The imposition of a fee not consistent with subsections 6(a) and (b) of this Act *constitutes a denial of access to public records* for the purposes of judicial review.

5 ILCS 140/6(a), (d). (Emphasis added).

16. HANSEN meets the definition of “news media” under Section 2(f) of FOIA.

17. HANSEN has founded and operates the non-profit news website, Check CU. *See* <https://checkcu.org>.

18. Around the time of CHAMPAIGN COUNTY SAO's December 21, 2020 denial, HANSEN's news website Check CU had more than 70 articles published and about 35 separate entries in the Records Library, where he shares government records obtained via FOIA with the general public.

19. In addition, HANSEN's articles were published in *Public i*, a non-profit newspaper in Urbana Champaign that is operated by the Urbana-Champaign Independent Media Center. See <http://publici.ucimc.org/about>.

20. Further, HANSEN is a member of the Investigative Journalists and Editors ("IRE") and the Society of Professional Journalists ("SPJ").

21. Pursuant to Section 2(h) of FOIA, HANSEN's request is not a "voluminous request" as it is a request made by news media.

22. Because HANSEN is a member of the news media, pursuant to Section 6(d) of FOIA, CHAMPAIGN COUNTY SAO's imposition of a fee that is not consistent with Section 6(a) of FOIA constitutes as a denial of HANSEN's request.

23. HANSEN has repeatedly provided his news media credentials to CHAMPAIGN COUNTY SAO. Ex. 1; Ex. 3 at 4, 10, and 17.

24. Despite HANSEN's repeated attempts to establish his news media status to avoid litigation, CHAMPAIGN COUNTY SAO has refused to acknowledge HANSEN as a member of the news media, has categorized his FOIA request as "voluminous," and has denied his request by imposing a non-statutory fee.

25. As of the date of this filing, CHAMPAIGN COUNTY SAO has failed to comply with FOIA and has produced no records responsive to the request.

MARCH 15, 2022 FOIA REQUEST TO URBANA

26. On March 15, 2022, HANSEN submitted a FOIA request to URBANA for “[a]ny and all records relate to the 2018 arrests of Quintin Brown and Wayne Colson, and the resulting criminal cases 2018CF000107 and 2018CF000108.” HANSEN specified that the records should include “all documents, video and audio files, and related correspondence.” Ex. 4.

27. On March 21, 2022, URBANA stated that it is “treating” HANSEN’s request as a “request from a recurrent requester, as defined in Section 2(g)” of FOIA. Ex. 5.

28. On March 21, 2022, HANSEN informed URBANA that he is making the request as a member of the news media. HANSEN asked if URBANA needs additional information beyond the credentials that HANSEN provided in his original request, but URBANA never responded. Ex. 6.

29. Section 2(g) of FOIA states, in relevant part, “For purposes of this definition, *requests made by news media* and non-profit, scientific, or academic *organizations shall not be considered in calculating the number of requests* made in the time periods in this definition when the principal purpose of the requests is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic scientific, or public research or education.” 5 ILCS 140/2(g). (Emphasis added).

30. HANSEN has been stating that he is a member of the news media in his FOIA requests since October 23, 2020.

31. HANSEN’s March 15, 2022 request included his credentials, such as links to his website CheckCU and the YouTube page associated with CheckCU, as well as other news outlets where his articles were published. Ex. 4.

32. As previously stated, HANSEN meets the definition of “news media” under Section 2(f) of FOIA.

33. HANSEN made the above request as a member of the news media and to disseminate information regarding the arrest of Mr. Colson and Mr. Brown.

34. Further, because HANSEN is a member of the news media, under Section 2(g) of FOIA his requests should not be considered in calculating the number of requests to categorize him as a “recurrent requester.”

35. URBANA’s deadline to comply with the request was March 23, 2022.

36. Even though HANSEN offered to provide additional information to URBANA to establish his news media credentials to avoid litigation, URBANA has ignored his attempt and has denied the request by failing to comply with the request within the statutory deadline.

37. As of the date of this filing, URBANA has failed to comply with FOIA and has produced no records responsive to the request.

MARCH 24, 2022 FOIA REQUEST TO RANTOUL

38. On March 24, 2022, HANSEN submitted a FOIA request to RANTOUL for “[a]ll police reports, video, and images related to an incident that occurred on or around August 4, 2015 regarding an armed robbery and eventual officer involved shooting in Rantoul.” To aid RANTOUL’s search for records, HANSEN provided a link to a news article that discusses the incident. Ex. 7.

39. On April 2, 2022, RANTOUL acknowledged receipt of the request. Ex. 8.

40. On April 2, 2022, RANTOUL stated that it is “treating” HANSEN as a recurrent requester “under subsection (g) of Section 2” of FOIA. Ex. 9.

41. On April 2, 2022, HANSEN reiterated that he is making this request as a member of the news media and cannot treat the request as a request from a recurrent requester, but RANTOUL never responded. Ex. 10.

42. HANSEN's March 24, 2022 request included his credentials, such as links to his website CheckCU and the YouTube page associated with CheckCU, as well as other news outlets where his articles were published. Ex. 7.

43. HANSEN has been stating that he is a member of the news media in his FOIA requests since October 29, 2021.

44. As previously stated, HANSEN meets the definition of "news media" under Section 2(f) of FOIA.

45. HANSEN made the above request as a member of the news media and to disseminate information about an officer-involved shooting.

46. Further, because HANSEN is a member of the news media, under Section 2(g) of FOIA his requests should not be considered in calculating the number of requests to categorize him as a "recurrent requester."

47. RANTOUL's deadline to comply with the request was April 1, 2022.

48. Even though HANSEN provided information to RANTOUL to establish his news media credentials and ultimately to avoid litigation, RANTOUL has ignored his attempt and has denied the request by failing to comply with the request within the statutory deadline.

49. As of the date of this filing, RANTOUL has failed to comply with FOIA and has produced no records responsive to the request.

**COUNT I – DECEMBER 17, 2020 FOIA REQUEST TO CHAMPAIGN COUNTY SAO,
FAILURE TO PRODUCE RECORDS**

50. The above paragraphs are incorporated by reference.

51. CHAMPAIGN COUNTY SAO is a public body under FOIA.

52. The records sought in the FOIA request are non-exempt public records of CHAMPAIGN COUNTY SAO.

53. CHAMPAIGN COUNTY SAO violated FOIA by failing to provide records responsive to the request.

**COUNT II – DECEMBER 17, 2020 FOIA REQUEST TO
CHAMPAIGN COUNTY SAO,
FAILURE TO PERFORM AN ADEQUATE SEARCH**

54. The above paragraphs are incorporated by reference.

55. CHAMPAIGN COUNTY SAO is a public body under FOIA.

56. CHAMPAIGN COUNTY SAO bears the burden of proving beyond material doubt that it performed an adequate search for records responsive to the request.

57. CHAMPAIGN COUNTY SAO has failed to come forward with sufficient evidence to carry this burden.

58. CHAMPAIGN COUNTY SAO has violated FOIA by failing to adequately search for records responsive to the request.

**COUNT III – DECEMBER 17, 2020 FOIA REQUEST TO CHAMPAIGN COUNTY SAO
WILLFUL AND INTENTIONAL VIOLATION OF FOIA**

59. The above paragraphs are incorporated by reference.

60. CHAMPAIGN COUNTY SAO is a public body under FOIA.

61. The records sought in the FOIA request are non-exempt public records of CHAMPAIGN COUNTY SAO.

62. During the time period of December 17, 2020, to present, CHAMPAIGN COUNTY SAO was aware of the definition of “news media” under Section 2(f) of FOIA.

63. During the time period of December 17, 2020, to present, CHAMPAIGN COUNTY SAO was aware that “voluminous requests” do not include requests made by news media pursuant to Section 2(h) of FOIA.

64. During the time period of December 17, 2020, to present, CHAMPAIGN COUNTY SAO was aware that HANSEN has provided his news media credentials in his December 17, 2020 request and his prior requests.

65. During the time period of December 17, 2020, to present, CHAMPAIGN COUNTY SAO was aware that HANSEN has founded and operates the news website, Check CU.

66. During the time period of December 17, 2020, to present, CHAMPAIGN COUNTY SAO was aware that HANSEN meets the definition of “news media” under Section 2(f) of FOIA.

67. During the time period of December 17, 2020, to present, CHAMPAIGN COUNTY SAO was aware that imposing a fee that is not consistent with Section 6(a) of FOIA constitutes a denial of access to public records under Section 6(d) of FOIA.

68. Because CHAMPAIGN COUNTY SAO had no good faith basis to deny HANSEN’s status as a member of the news media, to identify the FOIA request as a voluminous request, to assess fees inconsistent with Section 6(a) of FOIA, and to deny the FOIA request, CHAMPAIGN COUNTY SAO has willfully and intentionally or otherwise in bad faith violated FOIA.

**COUNT IV – MARCH 15, 2022 FOIA REQUEST TO URBANA,
FAILURE TO PRODUCE RECORDS**

69. The above paragraphs are incorporated by reference.

70. URBANA is a public body under FOIA.

71. The records sought in the FOIA request are non-exempt public records of URBANA.

72. URBANA violated FOIA by failing to provide records responsive to the request.

**COUNT V – MARCH 15, 2022 FOIA REQUEST TO URBANA,
FAILURE TO PERFORM AN ADEQUATE SEARCH**

73. The above paragraphs are incorporated by reference.

74. URBANA is a public body under FOIA.

75. URBANA bears the burden of proving beyond material doubt that it performed an adequate search for records responsive to the request.

76. URBANA has failed to come forward with sufficient evidence to carry this burden.

77. URBANA has violated FOIA by failing to adequately search for records responsive to the request.

**COUNT VI – MARCH 15, 2022 FOIA REQUEST TO URBANA,
WILLFUL AND INTENTIONAL VIOLATION OF FOIA**

78. The above paragraphs are incorporated by reference.

79. URBANA is a public body under FOIA.

80. The records sought in the FOIA request are non-exempt public records of URBANA.

81. URBANA is aware of the definition of “news media” under Section 2(f) of FOIA.

82. During the time period of March 15, 2022, to present, URBANA was aware that requests made by news media shall not be considered in calculating the number of requests to determine whether the request is a “recurrent requester” under Section 2(g) of FOIA.

83. During the time period of March 15, 2022, to present, URBANA was aware that HANSEN has provided his news media credentials in his March 15, 2022 request and his prior requests.

84. During the time period of March 15, 2022, to present, URBANA was aware that HANSEN has founded and operates the news website, Check CU.

85. During the time period of March 15, 2022, to present, URBANA was aware that HANSEN meets the definition of “news media” under Section 2(f) of FOIA.

86. Because URBANA had no good faith basis to identify HANSEN as a “recurrent requester” and to deny the FOIA request by failing to comply with the request, URBANA has willfully and intentionally or otherwise in bad faith violated FOIA.

**MARCH 24, 2022 FOIA REQUEST TO RANTOUL,
FAILURE TO PRODUCE RECORDS**

87. The above paragraphs are incorporated by reference.

88. RANTOUL is a public body under FOIA.

89. The records sought in the FOIA request are non-exempt public records of RANTOUL.

90. RANTOUL violated FOIA by failing to provide records responsive to the request

**MARCH 24, 2022 FOIA REQUEST TO RANTOUL,
FAILURE TO PERFORM AN ADEQUATE SEARCH**

91. The above paragraphs are incorporated by reference.

92. RANTOUL is a public body under FOIA.

93. RANTOUL bears the burden of proving beyond material doubt that it performed an adequate search for records responsive to the request.

94. RANTOUL has failed to come forward with sufficient evidence to carry this burden.

95. RANTOUL has violated FOIA by failing to adequately search for records responsive to the request.

**MARCH 24, 2022 FOIA REQUEST TO RANTOUL,
WILLFUL AND INTENTIONAL VIOLATION OF FOIA**

96. The above paragraphs are incorporated by reference.

97. RANTOUL is a public body under FOIA.

98. The records sought in the FOIA request are non-exempt public records of RANTOUL.

99. RANTOUL is aware of the definition of “news media” under Section 2(f) of FOIA.

100. During the time period of March 24, 2022, to present, RANTOUL was aware that requests made by news media shall not be considered in calculating the number of requests to determine whether the request is a “recurrent requester” under Section 2(g) of FOIA.

101. During the time period of March 24, 2022, to present, RANTOUL was aware that HANSEN has provided his news media credentials in his March 24, 2022 request and his prior requests.

102. During the time period of March 24, 2022, to present, RANTOUL was aware that HANSEN has founded and operates the news website, Check CU.

103. During the time period of March 24, 2022, to present, RANTOUL was aware that HANSEN meets the definition of “news media” under Section 2(f) of FOIA.

104. Because RANTOUL had no good faith basis to identify HANSEN as a “recurrent requester” and to deny the FOIA request by failing to comply with the request, RANTOUL has willfully and intentionally or otherwise in bad faith violated FOIA.

WHEREFORE, HANSEN asks that the Court:

- i. declare that Defendants have violated FOIA;
- ii. declare that Plaintiff qualifies as a member of the news media for FOIA purposes;
- iii. order Defendants to conduct an adequate search for the requested records;

- iv. order Defendants to produce the requested records;
- v. enjoin Defendants from withholding non-exempt public records under FOIA;
- vi. order Defendants to pay civil penalties;
- vii. award HANSEN reasonable attorneys' fees and costs;
- viii. award such other relief the Court considers appropriate.

Dated: April 7, 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

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

From: Christopher Hansen <corruptcu@gmail.com>

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

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

Date Sent: Thursday, December 17, 2020 3:58:35 AM GMT 06:00

Date Received: Thursday, December 17, 2020 3:58:35 AM GMT 06:00

Mr. Banach,

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

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

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

The requested records are of significant interest to the public.

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

Thank you,
Christopher Hansen
CheckCU.org

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

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

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

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

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

To: corruptcu@gmail.com

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

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

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

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

Good afternoon Mr. Hansen,

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

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

Julia R. Rietz
State's Attorney

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

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



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

Office of
State's Attorney
Champaign County, Illinois

December 21st, 2020
[Email: corruptcu@gmail.com]

Re: FOIA Request reiterated most recently on December 17th, 2020

Dear Mr. Christopher Hansen,

The Champaign County State's Attorney's Office is in receipt of your (reiterated) request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq. (the Act), received originally on June 8th, 2020, repeated on September 25th, 2020, repeated again on October 26th, 2020, and repeated again on December 17th, 2020. This letter follows our previous correspondence - see all previous correspondence.

In our third-to-last letter to you dated September 29th, 2020, we declined your request for a fee waiver and noted that FOIA fees remain applicable to your request. In our last two letters to you dated October 15th and October 27th, 2020, we reiterated the position. See all previous correspondence.

In your most recent email, sent December 17th, 2020, at 4:03 a.m., you wrote in part: "I am writing to again ask that you comply with the FOIA and provide the requested information." You then proceed to make additional representations regarding your writing.

In response to your comment about complying with FOIA: our office is currently and has been complying with FOIA. The only impasse, if any, is that you continue to request and expect either a total fee waiver or an exemption from the fee applicable to this voluminous request. If you choose not to pay the applicable fee, that is your choice, but the applicability of the fee under FOIA has been laid out in detail in our correspondence.

We have considered the additional representations you have made here in your December 17th email, which elaborates on the information you previously provided in your October 26th email, which elaborates on the information you previously provided in your email of September 25th. While we thank you for this additional information, you as a FOIA requester still do not fit the applicable legal definition(s) of "news media" or a "non-profit organization", and as such the fees authorized by FOIA as discussed in our October 27th, 2020, letter remain applicable to this request. We are (again) declining your request for a fee waiver.

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

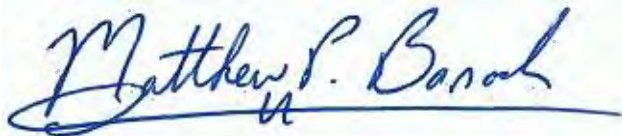
You have a right to have your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

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

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

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

Sincerely,

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

Matthew Banach
Assistant State's Attorney

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

Hello,

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

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

Thank you,
Christopher Hansen

Julia R. Rietz
State's Attorney

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

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



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

Office of
State's Attorney
Champaign County, Illinois

June 9, 2020
[Email: corruptcu@gmail.com]

Re: FOIA Request Received June 8, 2020

Dear Mr. Christopher Hansen,

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

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

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

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

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

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

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

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

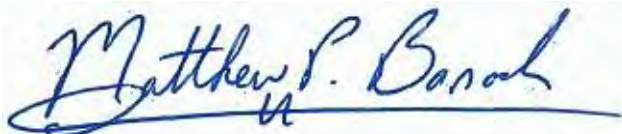
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

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

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

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

Sincerely,

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

Matthew Banach

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

From: Christopher Hansen <corruptcu@gmail.com>

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

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

Date Sent: Monday, June 15, 2020 11:47:05 PM GMT 05:00

Date Received: Monday, June 15, 2020 11:47:05 PM GMT 05:00

Mr. Banach,

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

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

Regards,
Christopher Hansen

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

Good morning Mr. Hansen,

Attached please find the response to your FOIA request.

Sincerely,

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

Julia R. Rietz
State's Attorney

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

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



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

Office of
State's Attorney
Champaign County, Illinois

June 17, 2020
[Email: corruptcu@gmail.com]

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

Dear Mr. Christopher Hansen,

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

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

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

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

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

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

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

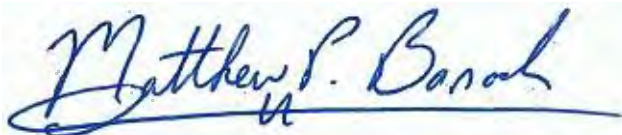
Thank you for your response and for elaborating, but some additional specific information is necessary in order to clarify your representations and properly apply the applicable provisions and definitions of FOIA:

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

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

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

Sincerely,

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

Matthew Banach

Julia R. Rietz
State's Attorney

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

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



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

Office of
State's Attorney
Champaign County, Illinois

June 24, 2020
[Email: corruptcu@gmail.com]

Re: FOIA Request Received June 8, 2020 – Fee

Dear Mr. Christopher Hansen,

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

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

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

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

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

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

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

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

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

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

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

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

Total fee: \$200.00

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

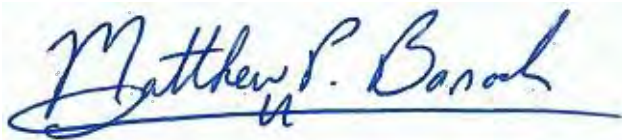
You have a right to have your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

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

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

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

Sincerely,

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

Matthew Banach

Subject: Champaign State's Attorney FOIA Request Colson & Brown Records
From: Christopher Hansen <corruptcu@gmail.com>
To: SAOFOIA@co.champaign.il.us
Date Sent: Friday, September 25, 2020 2:34:30 PM GMT 05:00
Date Received: Friday, September 25, 2020 2:34:30 PM GMT 05:00

Hello,

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

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

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

Thank you,
Christopher Hansen

Julia R. Rietz
State's Attorney

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

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



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

Office of
State's Attorney
Champaign County, Illinois

September 29, 2020
[Email: corruptcu@gmail.com]

Re: FOIA Request Received September 25, 2020

Dear Mr. Christopher Hansen,

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

Your request stated:

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

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

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

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

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

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

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

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

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

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

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

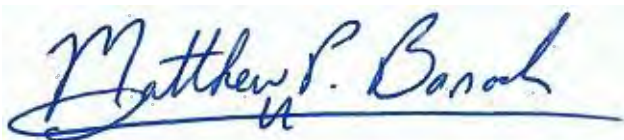
Public Access Counselor
Office of the Attorney General
500 South 2nd Street

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

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

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

Sincerely,

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

Matthew Banach

Julia R. Rietz
State's Attorney

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

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



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Phone (217) 384-3733
Fax (217) 384-3816

Office of
State's Attorney
Champaign County, Illinois

October 15, 2020
[Email: corruptcu@gmail.com]

Re: FOIA Request Received September 25, 2020 – Fee

Dear Mr. Christopher Hansen,

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

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

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

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

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

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

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

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

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

Total fee: \$200.00

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

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

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

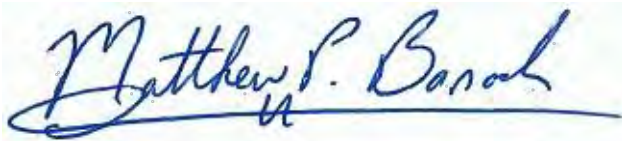
Fax: 217-782-1396

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

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

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

Sincerely,

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

Matthew Banach
Assistant State's Attorney

Subject: Champaign State's Attorney FOIA Request Colson & Brown Records
From: Christopher Hansen <corruptcu@gmail.com>
To: SAOFOIA@co.champaign.il.us
Date Sent: Monday, October 26, 2020 2:18:44 PM GMT 05:00
Date Received: Monday, October 26, 2020 2:18:44 PM GMT 05:00

Hello,

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

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

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

Thank you,
Christopher Hansen

Julia R. Rietz
State's Attorney

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

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



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Urbana, Illinois 61801
Phone (217) 384-3733
Fax (217) 384-3816

Office of
State's Attorney
Champaign County, Illinois

October 27th, 2020
[Email: corruptcu@gmail.com]

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

Dear Mr. Christopher Hansen,

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

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

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

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

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

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

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

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

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

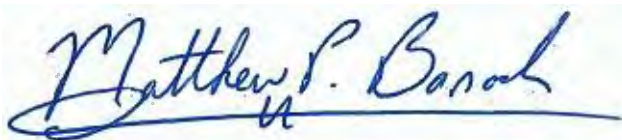
You have a right to have your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

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

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

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

Sincerely,

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

Matthew Banach
Assistant State's Attorney

Subject: City of Urbana FOIA Request - Colson & Brown Arrests
From: Check CU <[REDACTED]>
To: "McNeil, Ross" <remcneil@urbanainllinois.us>
Date Sent: Tuesday, March 15, 2022 11:27:34 PM GMT-05:00
Date Received: Tuesday, March 15, 2022 11:27:34 PM GMT-05:00

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

Please provide:

Any and all records relate to the 2018 arrests of Quintin Brown and Wayne Colson, and the resulting criminal cases 2018CF000107 and 2018CF000108.

Records should include all documents, video and audio files, and related correspondence.

This is not a commercial request. Please provide the records in digital format via email.

This request is being made by news media (see credentials below), and cannot be treated as voluminous or as a request from a recurrent requester.

I am requesting a fee waiver for any fees that may be assessed.

Thank you,
Christopher Hansen
CheckCU.org

I am a writer and contributor for CheckCU.org, CorruptCU.com, and ILDocs.com, all of which are non-profit. I am also a writer for the Public i and the IMC, a non-profit organization. In that capacity, I write and publish articles regarding issues of public interest at regular intervals. My content is viewed by thousands of readers per month.

I regularly post videos to Check CU's YouTube page: https://www.youtube.com/channel/UCStfHy5d5G1_EuPnbxePpyw

I regularly post articles on CheckCU's Facebook page: <https://www.facebook.com/CheckCU>

My websites CheckCU.org and ILDocs.com also host thousands of pages of public records, largely sourced through FOIA, and all available for free access by the public. Records posted on my sites are frequently used and cited by the public and by public officials.

I also send FOIA documents and information to various news outlets, such as CU-CitizenAccess, the Daily Illini, WCIA, Smile Politely, the Public i, and Illinois Leaks for their use. I am a member of the Investigative Journalists and Editors (IRE) and the Society of Professional Journalists (SPJ). I intend to access and disseminate the information to the public, I intend to write articles on the information, and I intend to research and speak on the information at public meetings for the purposes of public education.

You can find a some of my media references and credentials here:

<https://checkcu.org/press-and-media-references/>

This request cannot be treated as voluminous or from a recurrent requester. As outlined in Section 2(g):

"For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered in calculating the number of requests made in the time periods in this definition when the principal purpose of the requests is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education."

Exhibit 4

Subject: Recurrent Requester Notice – FOIA Request 2022-F-199
From: "McNeil, Ross" <remcneil@urbanaininois.us>
To: " [REDACTED] " < [REDACTED] >
Date Sent: Monday, March 21, 2022 5:34:10 PM GMT-05:00
Date Received: Monday, March 21, 2022 5:34:15 PM GMT-05:00
Attachments: 2022-03-21, Recurrent Requester Notice, 2022-F-199.pdf

Dear Requester,
Please find attached a Recurrent Requester Notice regarding your FOIA Request 2022-F-199. Sincerely,
Ross McNeil
FOIA Officer
Executive Department

City of Urbana
400 S. Vine St | Urbana, Illinois 61801

[cid:image004.jpg@01D74E5A.B9D0EFE0]

Exhibit 5

March 21, 2022

Christopher Hansen
[REDACTED]

Recurrent Requester Notice – FOIA Request 2022-F-199

Dear Requester,

This message is in response to your Freedom of Information Act (FOIA) request, dated March 15, 2022. The City of Urbana received your request on March 16, 2022, and designated it as FOIA request number 2022-F-199.

You requested:

Any and all records relate to the 2018 arrests of Quintin Brown and Wayne Colson, and the resulting criminal cases 2018CF000107 and 2018CF000108.

Records should include all documents, video and audio files, and related correspondence.

Section 2(g) of FOIA allows certain requests to be treated as having been submitted by a recurrent requester which allows the public body additional time to respond to such requests. Please be advised that the City of Urbana is treating your request as a request from a recurrent requester, as defined in Section 2(g). Prior to submitting this request, between February 23, 2022, and March 01, 2022, inclusive, the City received 13 FOIA Requests from you. Those 13 prior requests submitted within a 7-day period qualify this request as having been submitted by a recurrent requester. The City will make every effort to respond to this request as quickly as possible.

The City hereby notifies you that the City's initial response will be provided to you on or before April 14, 2022. In that response, the City shall:

1. Provide an estimate of the time required by the City to provide the records requested and an estimate of fees to be charged, which the City may require to be paid in full before copying the requested records;
2. Deny the request pursuant to one or more of the exemptions found in FOIA;
3. Notify you that the request is unduly burdensome and extend an opportunity to reduce the request to manageable proportions;
4. Provide the requested records.

Sincerely,
Ross McNeil
FOIA Officer

Subject: Re: Recurrent Requester Notice – FOIA Request 2022-F-199

From: Check CU <[REDACTED]>

To: "McNeil, Ross" <remcneil@urbanaininois.us>

Date Sent: Monday, March 21, 2022 6:18:20 PM GMT-05:00

Date Received: Monday, March 21, 2022 6:18:20 PM GMT-05:00

Mr McNeil,

As you are already aware, and as I explained in my FOIA request, and as I have repeatedly explained in prior responses, this request is being made by news media. You cannot treat the request as voluminous or from a recurrent requester. The records will be used to disseminate information concerning news and current or passing events, for articles of opinion or features of interest to the public, and for the purpose of academic, scientific, or public research or education.

Please let me know if you require any further information or credentials beyond the explanation that has been included in my FOIA request.

Regards,
Christopher Hansen
CheckCU.org

On Mon, Mar 21, 2022 at 5:34 PM McNeil, Ross <remcneil@urbanaininois.us> wrote:

Dear Requester,

Please find attached a Recurrent Requester Notice regarding your FOIA Request 2022-F-199.

Sincerely,

Ross McNeil

FOIA Officer

Executive Department

City of Urbana

400 S. Vine St | Urbana, Illinois 61801



Subject: Village of Rantoul FOIA Request - August 4th, 2015 Robbery & Officer Involved Shooting
From: Check CU <[REDACTED]>
To: jgray@myrantoul.com
Date Sent: Thursday, March 24, 2022 9:18:22 PM GMT-05:00
Date Received: Thursday, March 24, 2022 9:18:22 PM GMT-05:00

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

Please provide:

All police reports, video, and images related to an incident that occurred on or around August 4th, 2015 regarding an armed robbery and eventual officer involved shooting in Rantoul.

(see: <https://will.illinois.edu/news/story/police-release-details-of-rantoul-robbery-suspect-shooting>)

This request is being made by news media (see credentials below), and cannot be treated as voluminous or as a request from a recurrent requester.

I am requesting a fee waiver for any fees that may be assessed.

Thank you,
Christopher Hansen
CheckCU.org

I am a writer and contributor for CheckCU.org, CorruptCU.com, and ILDocs.com, all of which are non-profit. I am also a writer for the Public i and the IMC, a non-profit organization. In that capacity, I write and publish articles regarding issues of public interest at regular intervals. My content is viewed by thousands of readers per month.

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I regularly post articles on CheckCU's Facebook page: <https://www.facebook.com/CheckCU>

My websites CheckCU.org and ILDocs.com also host thousands of pages of public records, largely sourced through FOIA, and all available for free access by the public. Records posted on my sites are frequently used and cited by the public and by public officials.

I also send FOIA documents and information to various news outlets, such as CU-CitizenAccess, the Daily Illini, WCIA, Smile Politely, the Public i, and Illinois Leaks for their use. I am a member of the Investigative Journalists and Editors (IRE) and the Society of Professional Journalists (SPJ). I intend to access and disseminate the information to the public, I intend to write articles on the information, and I intend to research and speak on the information at public meetings for the purposes of public education.

You can find a some of my media references and credentials here:

<https://checkcu.org/press-and-media-references/>

This request cannot be treated as voluminous or from a recurrent requester. As outlined in Section 2(g):

"For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered in calculating the number of requests made in the time periods in this definition when the principal purpose of the requests is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education."

Subject: Fwd: Village of Rantoul FOIA Request - August 4th, 2015 Robbery & Officer Involved Shooting
From: Check CU <[REDACTED]>
To: David Wesner <dwesner@efbclaw.com>, seisenhauer@myrantoul.com
Date Sent: Saturday, March 26, 2022 12:20:04 AM GMT-05:00
Date Received: Saturday, March 26, 2022 12:20:04 AM GMT-05:00

It appears the Village Clerk and FOIA Officer may not be properly handling FOIA requests. I am therefore forwarding this request to the Village Administrator and Village Attorney.

----- Forwarded message -----

From: Check CU <[REDACTED]>
Date: Thu, Mar 24, 2022 at 9:18 PM
Subject: Village of Rantoul FOIA Request - August 4th, 2015 Robbery & Officer Involved Shooting
To: <jgray@myrantoul.com>

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

Please provide:

All police reports, video, and images related to an incident that occurred on or around August 4th, 2015 regarding an armed robbery and eventual officer involved shooting in Rantoul.

(see: <https://will.illinois.edu/news/story/police-release-details-of-rantoul-robbery-suspect-shooting>)

This request is being made by news media (see credentials below), and cannot be treated as voluminous or as a request from a recurrent requester.

I am requesting a fee waiver for any fees that may be assessed.

Thank you,
Christopher Hansen
CheckCU.org

I am a writer and contributor for CheckCU.org, CorruptCU.com, and ILDocs.com, all of which are non-profit. I am also a writer for the Public i and the IMC, a non-profit organization. In that capacity, I write and publish articles regarding issues of public interest at regular intervals. My content is viewed by thousands of readers per month.

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You can find a some of my media references and credentials here:

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Exhibit 8

Subject: Re: Village of Rantoul FOIA Request - August 4th, 2015 Robbery & Officer Involved Shooting
From: David Wesner <dwesner@efbclaw.com>
To: Check CU <[REDACTED]>
Cc: "seisenhauer@myrantoul.com" <seisenhauer@myrantoul.com>
Date Sent: Saturday, April 2, 2022 12:44:21 PM GMT-05:00
Date Received: Saturday, April 2, 2022 12:44:25 PM GMT-05:00

Mr Hansen

I apologize for this. I left the office early on Friday for a couple of things including an event for a family member. I thought I had sent out the response. As soon as I am able to get to my computer I will take care of that.

Also, as you know I have been asked to assist in the responses to your request. So, any complaints or criticisms are related to me and not to the Clerk/foia officers.

Thank you

Dave

Sent from my iPhone

On Mar 26, 2022, at 12:20 AM, Check CU <[REDACTED]> wrote:

It appears the Village Clerk and FOIA Officer may not be properly handling FOIA requests. I am therefore forwarding this request to the Village Administrator and Village Attorney.

----- Forwarded message -----

From: Check CU <[REDACTED]>
Date: Thu, Mar 24, 2022 at 9:18 PM
Subject: Village of Rantoul FOIA Request - August 4th, 2015 Robbery & Officer Involved Shooting
To: <jgray@myrantoul.com>

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

Please provide:

All police reports, video, and images related to an incident that occurred on or around August 4th, 2015 regarding an armed robbery and eventual officer involved shooting in Rantoul.

(see: <https://will.illinois.edu/news/story/police-release-details-of-rantoul-robbery-suspect-shooting>)

This request is being made by news media (see credentials below), and cannot be treated as voluminous or as a request from a recurrent requester.

I am requesting a fee waiver for any fees that may be assessed.

Thank you,
Christopher Hansen
CheckCU.org

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I regularly post articles on CheckCU's Facebook page: <https://www.facebook.com/CheckCU>

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You can find a some of my media references and credentials here:

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This request cannot be treated as voluminous or from a recurrent requester. As outlined in Section 2(g):

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Subject: FOIA Request - Mar 24 2022

From: David Wesner <dwesner@efbclaw.com>

To: Check CU <[REDACTED]>

Cc: Janet Gray <J-Gray@village.rantoul.il.us>, Scott Eisenhauer <seisenhauer@village.rantoul.il.us>

Date Sent: Saturday, April 2, 2022 2:32:58 PM GMT-05:00

Date Received: Saturday, April 2, 2022 2:33:03 PM GMT-05:00

Attachments: Response - C Hansen FOIA 03 24 2022.pdf

Mr. Hansen,

Here is the Village's initial response that was prepared.

Dave

David B. Wesner

Evans, Froehlich, Beth & Chamley

44 Main Street, Suite 310

Champaign, IL 61820

Tel: (217) 359-6494

dwesner@efbclaw.com

Fax: (217) 359-6468

www.efbclaw.com

Exhibit 9

JOSEPH P. CHAMLEY
DAVID B. WESNER

LAW OFFICES OF
EVANS, FROELICH, BETH & CHAMLEY
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
44 MAIN STREET, THIRD FLOOR
CHAMPAIGN, ILLINOIS 61820

TELEPHONE 217-359-6494
FAX NO. 217-359-6468

JAMES W. EVANS
RETIRED
KURT P. FROELICH
(1943-2014)
KENNETH N. BETH
RETIRED

April 1, 2022

Via e-mail

E-mail to: [REDACTED]

Christopher Hansen
CheckCU.org

RE: FOIA Request to Village of Rantoul

Dear Mr. Hansen:

On March 24, 2022, you submitted a Freedom of Information Act (the Act) request by e-mail to Janet Gray, the Village Clerk for the Village of Rantoul. Your request has been forwarded to me, one of its Attorneys, to provide the response.

The request submitted was: "All police reports, video, and images related to an incident that occurred on or around August 4th, 2015 regarding an armed robbery and eventual officer involved shooting in Rantoul."

Section 2(g) of the Act defines "Recurrent requester" as a person that, in the 12 months immediately preceding the request, has submitted to the same public body (i) a minimum of 50 requests for records, (ii) a minimum of 15 requests for records within a 30-day period, or (iii) a minimum of 7 requests for records within a 7-day period. In the twelve months preceding this request, you have submitted 7 requests within a 7-day period, being one request on November 3, 2021, four requests on November 7, 2021 and three requests on November 8, 2021. As such, you fall under the definition of recurrent requester as set forth in the Act.

The Village is treating your request of March 24, 2022 as a request under subsection (g) of Section 2 of the Act. The reasons for which the Village is treating this request as one under subsection (g) of Section 2 of the Act are identified above. Pursuant to Section 3.2 of the Act, the Village's initial response will be provided within 21 business days of March 24, 2022. The proposed responses that can be asserted are: providing an estimate of the time required by the Village to provide the records requested and an estimate of the fees to be charged, if any, and which would need

to be paid in full before copying the requested documents; deny the request pursuant to one or more exemptions set out in the Act; notify you that the request is unduly burdensome and extend an opportunity to you to attempt to reduce the request to manageable proportions; or, provide the records requested.

Yours very truly,
EVANS, FROEHLICH, BETH & CHAMLEY

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

Cc: Janet Gray, Village Clerk

Subject: Re: FOIA Request - Mar 24 2022
From: Check CU <[REDACTED]>
To: David Wesner <dwesner@efbclaw.com>
Date Sent: Saturday, April 2, 2022 2:45:05 PM GMT-05:00
Date Received: Saturday, April 2, 2022 2:45:05 PM GMT-05:00

Mr. Wesner,

As I have made clear repeatedly, these requests are from news media. You cannot treat the request as coming from a recurrent requester.
My request contained the text below. Please let me know if you need any further credentials from me.

I am a writer and contributor for CheckCU.org, CorruptCU.com, and ILDocs.com, all of which are non-profit. I am also a writer for the Public i and the IMC, a non-profit organization. In that capacity, I write and publish articles regarding issues of public interest at regular intervals. My content is viewed by thousands of readers per month.

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I regularly post articles on CheckCU's Facebook page: <https://www.facebook.com/CheckCU>

My websites CheckCU.org and ILDocs.com also host thousands of pages of public records, largely sourced through FOIA, and all available for free access by the public. Records posted on my sites are frequently used and cited by the public and by public officials.

I also send FOIA documents and information to various news outlets, such as CU-CitizenAccess, the Daily Illini, WCIA, Smile Politely, the Public i, and Illinois Leaks for their use. I am a member of the Investigative Journalists and Editors (IRE) and the Society of Professional Journalists (SPJ). I intend to access and disseminate the information to the public, I intend to write articles on the information, and I intend to research and speak on the information at public meetings for the purposes of public education.

*You can find a some of my media references and credentials here:
<https://checkcu.org/press-and-media-references/>*

*This request cannot be treated as voluminous or from a recurrent requester. As outlined in Section 2(g):
"For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered in calculating the number of requests made in the time periods in this definition when the principal purpose of the requests is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education."*

On Sat, Apr 2, 2022 at 2:33 PM David Wesner <dwesner@efbclaw.com> wrote:

Mr. Hansen,

Here is the Village's initial response that was prepared.

Dave

David B. Wesner

Evans, Froehlich, Beth & Chamley

44 Main Street, Suite 310

Champaign, IL 61820

Tel: (217) 359-6494 dwesner@efbclaw.com

Fax: (217) 359-6468 www.efbclaw.com

Exhibit 10