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**Re: CPRB Hearing this Friday (City response to Hansen email of 10.21)**

1 message

**Christopher Hansen** <corruptcu@gmail.com>

Thu, Oct 22, 2020 at 1:09 PM

To: Ricardo Diaz <Xpenn.diaz@gmail.com>, Scott Dossett <dossett.scott@gmail.com>, tupelo1114@gmail.com, dsp70\_1999@hotmail.com, Tony Allegretti <tony.allegretti@gmail.com>, IHRO <hro@urbanaininois.us>, Maryalice <mwu@urbanaininois.us>, "! Laut, Julie" <jrlaut@urbanaininois.us>, sehurse@urbanaininois.us, "! Brown, Bill" <bbrown@urbanaininois.us>, dproberts@urbanaininois.us, Jared <jtmiller@urbanaininois.us>, "! Colbrook, William" <wpcolbrook@urbanaininois.us>, "Mitten, Carol" <cjmitten@urbanaininois.us>

Dear CPRB,

This doesn't make any sense. The CPRB Ordinance has clearly stated requirements that have not been followed. Numerous times in the past 18 months, Bryant Seraphin and Carol Mitten have utilized the CPRB provisions in creative ways to deny complaints and stifle civilian access. They have even invented numerous obstacles which are not stated in the CPRB Ordinance. I don't understand why we would suddenly start ignoring clearly stated requirements which are designed to protect the complainant.

Here, Mitten has volunteered that it is a matter of fact that the City/CPRB did not follow the ordinance requirements, but she thinks that she deserves special consideration. I wish I was given such consideration when Seraphin and Mitten have denied me access to the CPRB in the past. As a reminder, Mitten is being paid an enormous amount of money in these matters and I am volunteering my time for free.

The PAC opinion that Mitten has provided indicates violations by the City of Urbana, as do many other recent PAC letters which can be viewed on my website ([www.checkcu.org](http://www.checkcu.org)). In regards to the requested emails, the PAC did not take any interest or position in Curt Borman's decisions that the emails were unduly burdensome. I will submit another FOIA request specifically for these appeal cases and the City will have a much harder time justifying the denial. I will also pursue copies of video, the existence of which I have just recently become aware.

Carol's 3rd paragraph shows her poor attitude toward residents who wish to utilize the CPRB process. She cites the CPRB Ordinance, Section 19-36 as a defense to the City's actions, then immediately argues that we should ignore Section 19-36 in regards to my own claims about proper notice.

My CPRB appeal on January 29 of this year was a grand embarrassment because the Urbana Police Department violated Section 19-36. At the time that I addressed the CPRB in closed session on the evening of the appeals hearing, the board members had no awareness of investigation reports related to the appeal. They were only made aware by myself, when I produced (massively redacted) copies that I'd received via FOIA. We now have to redo that hearing at great cost to everyone, and I suggest we not make a habit of such blunders.

Clearly, the administrative staff cannot be trusted to comply with Section 19-36. The burden is placed upon the appellant to perform their own due diligence. I will do this work, but it is incredibly painstaking and resource intensive on my side given the City's posture on FOIA.

Speaking of resources, it makes no sense for the City or the CPRB members to devote resources to a hearing that legally cannot happen. I don't understand why Mitten is proposing that the City commit all of those resources for a meeting tomorrow when we already know that the ordinance has not been followed.

I would suggest that the City staff could ameliorate the situation they've created by filling my FOIA request and providing the records today, but that would create another conflict. Though they could easily accomplish this, doing so would be an admission that their past several months of harping on the impossibilities of filling FOIA requests was all just for show.

This hearing date was not established "weeks" ago, it was only contemplated. I don't know when it was established. None of the hearing details have been made clear to me and I have no more knowledge of the hearing procedure than what is shown on the sparse agenda (which is nothing). I have no idea if I am to participate via Zoom or if there will be a portion of the meeting held in-person (such as the hybrid HRC hearing earlier this year). I don't know what staff/UPD will be allowed to sit-in on the closed session and I expect that, like other meetings, I won't be able to see the list of attendees on Zoom. The documents that Mitten did provide 1 week ago make mention of video evidence that I do not have and have not seen. Speaking of video, we still haven't determined how we are going to deal with that over Zoom, given that video play has worked terribly in previous City Zoom meetings.

This whole situation is untenable and Mitten's urging to push forward is simply reckless.

-Christopher Hansen

From: **Mitten, Carol** <[cjmitten@urbanainllinois.us](mailto:cjmitten@urbanainllinois.us)>  
Date: Thu, Oct 22, 2020 at 11:28 AM  
Subject: CPRB Hearing this Friday (City response to Hansen email of 10.21)  
To: Ricardo Diaz <[xpenn.diaz@gmail.com](mailto:xpenn.diaz@gmail.com)>, Scott Dossett <[dossett.scott@gmail.com](mailto:dossett.scott@gmail.com)>, Darrell Price <[dsp70\\_1999@hotmail.com](mailto:dsp70_1999@hotmail.com)>, Katrina Kindle <[katrinakindle2@gmail.com](mailto:katrinakindle2@gmail.com)>, [allegretti.cprb@gmail.com](mailto:allegretti.cprb@gmail.com)  
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**PLEASE DO NOT REPLY ALL**

Board Members:

Mr. Hansen sent you an email yesterday requesting postponement of the CPRB Hearing scheduled for tomorrow at 6:00 pm. The primary reason for this request is that he is awaiting the City's response to his FOIA request for records he feels are germane to his appeal. The secondary reason is that the City failed to notify him of the hearing by certified mail at least 10 business days in advance. The responsibility for the lapse in notification by certified mail was mine.

The hearing should be convened and the parties given a chance to make their case to the Board for postponement (Mr. Hansen) or proceeding (the City). So that everyone has the chance to review this in advance, I have attached the PAC decision regarding Mr. Hansen's FOIA request. There are no records outstanding relevant to the cases under appeal that he will receive through this FOIA; the emails in question were deemed to be unduly burdensome. He was provided redacted versions of the investigation reports (sought through his FOIA) in his hearing packet. If the Board finds that the City introduces anything to the record that is not already in the packet during the hearing, then Mr. Hansen can be given additional time to respond should you deem that appropriate.

As for having insufficient time to review the records I provided to him, there is no requirement for the City to provide ANY documentation to him not already in his possession. We are required under the provisions of Section 19-36 to provide a complete set of documentation to the Board members, which were sent to you approximately two weeks ago. We will argue that he has not been disadvantaged by the lack of notice by certified mail, because he has been aware of the meeting date for weeks. In fact, we coordinated everyone's schedule, including Mr. Hansen's, in setting the date and time we selected.

Thank you for your consideration. I look forward to seeing you all tomorrow evening at 6 pm.

Carol

**Carol J. Mitten**

City Administrator

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