

Dunham, Lorraine

From: [REDACTED]
Sent: Saturday, March 30, 2024 9:47 PM
To: Public Access; Bartelt, Leah
Subject: [EXTERNAL] PAC Request for Review – Evanston Police Department’s FOIA Response Regarding Drone Multimedia Footage
Attachments: Evanston_Police_Drone_Footage_2023-Present.zip
Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED] **Niles Coalition**
Evanston, Illinois
[REDACTED]
March 30, 2024

Leah Bartelt, Public Access Counselor
Office of the Attorney General
500 S. 2nd Street
Springfield, Illinois 62701

PAC Request for Review – Evanston Police Department’s FOIA Response Regarding Drone Multimedia Footage

Dear Public Access Counselor,

I am writing to request a review of the Evanston Police Department’s response to my Freedom of Information Act (FOIA) requests dated 03/05/2024 (please see attached screenshot) for drone footage multimedia files.

On 03/18/2024 we received a reply that indicated that

“requested records require examination by personnel having the necessary competence to determine if they are exempt from disclosure or should be revealed only with appropriate redactions;”

The next day we received a responsive record <“Niles_Coalition_-_669.pdf”> that (oddly) contained the body of a request we filed on 11/08/2023 and a cited portion of the Freedom from Drone Surveillance Act.

No multimedia files were provided or any reason for denial of these records.

Attached, please find screenshots of the FOIA request and a zip file containing all communications and responsive records in the course of this request.

We appreciate your attention to this matter and look forward to your guidance on ensuring transparency and accountability in our public agencies.

Sincerely,

[REDACTED]
Niles Coalition

<https://www.nilescoalition.org>

Muckrock FOIA- Evanston Police Drone Footage 2023-Present (link): <<https://www.muckrock.com/foi/evanston-7790/evanston-police-drone-footage-2023-present-159841/>>

From: Niles Coalition

03/05/2024

Subject: Illinois Freedom of Information Act. Request: Evanston Police Drone Footage 2023-Present

Portal

To Whom It May Concern:

Pursuant to the Illinois Freedom of Information Act., I hereby request the following records:

Any and all multimedia--including, but not limited to, aerial surveillance/drone footage, video footage, audio files, photographs, etc. – captured by Evanston Police via aerial drones, remotely piloted vehicles (RPVs), remotely piloted aircraft (RPAs), unmanned aerials (UAs), unmanned aerial vehicles (UAVs), and/or unmanned aerial systems (UASs) since January 1 2023 up until the present date this request is fulfilled.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Niles Coalition

Evanston Police Drone Footage 2023-Present

Share



Niles Coalition filed this request with the Evanston Police Department of Evanston, IL.

Tracking # 24-669

Submitted March 5, 2024

STATUS

Completed

MuckRock users can file, duplicate, track, and share public records requests like this one. Learn more. [File a Request](#)

6 Communications 1 File

Filter communications [Collapse All](#)

From: Niles Coalition 03/05/2024
Subject: Illinois Freedom of Information Act. Request: Evanston Police Drone Footage 2023-Present Portal
To Whom It May Concern:
Pursuant to the Illinois Freedom of Information Act., I hereby request the following records:
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or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Niles Coalition

From: Evanston Police Department

03/06/2024

Subject: Your City of Evanston public records request #24-669 has been opened.

Portal

City of Evanston

Your record request #24-669 has been submitted successfully.

Reply to this email or sign in to contact City of Evanston.

Change your email settings | Visit our help center

From: Evanston Police Department

03/18/2024

Subject: [External Message Added] City of Evanston public records request #24-669

Portal

City of Evanston

A message was sent to you regarding record request #24-669:

Please be advised that an additional 5 business days from the original due date is needed and the additional time is needed for the following reason(s):

_____ records are stored at other locations than the office having charge of the requested records;

_____ request requires the collection of a substantial number of specified records;

_____ request has categorical terms and requires an extensive search;

__X__ requested records require examination by personnel having the necessary competence to determine if they are exempt from disclosure or should be revealed only with appropriate redactions;
_____ records cannot be compiled with the public body within the time limits prescribed by paragraph (c) of this Section without unduly burdening or interfering with the operations of the public body; and/or
_____ There is a need for consultation, with another public body or among two or more components of the City having a substantial interest in the documents produced.

Questions about your request? Reply to this email or sign in to contact staff at City of Evanston.
Technical support: See our help page
https://www.nextrequest.civicplus.help/hc/en-us/categories/17720084172567-Requesters

From: Evanston Police Department 03/19/2024

Subject: [Document Released to Requester] City of Evanston public records request #24-669 Portal

City of Evanston

A document has been released to you for record request #24-669:

* Niles Coalition - 669.pdf

Document links are valid for one month.
After April 19, you will need to sign in to view the document(s).

Questions about your request? Reply to this email or sign in to contact staff at City of Evanston.
Technical support: See our help page
https://www.nextrequest.civicplus.help/hc/en-us/categories/17720084172567-Requesters

Niles_Coalition_-_669
View Embed Download

From: Evanston Police Department 03/19/2024

Subject: Your City of Evanston public records request #24-669 has been closed. Portal

Record request #24-669 has been closed. The closure reason supplied was:

Fulfilled - No Redactions

We released all of the requested documents pursuant to your FOIA Request.

Questions about your request? Reply to this email or sign in to contact staff at City of Evanston. Technical support: See our help page

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To Whom It May Concern:

Pursuant to the Illinois Freedom of Information Act., I hereby request the following records:

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The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Niles Coalition

City of Evanston

Your record request #24-669 has been submitted successfully.

Reply to this email or sign in to contact City of Evanston.

 Change
your email settings | <a
href="https://www.nextrequest.civicplus.help/hc/en-us/categories/17720084172567-Req
uesters">Visit our help center

Use this to confirm your account. The link is only valid for 24 hours.

City of Evanston

Hello Niles Coalition!

You can confirm your City of Evanston public records portal account by copying and pasting the URL below into your web browser. This link is only valid for the next 24 hours.

Magic link:

https://evanston.nextrequest.com/users/confirmation?confirmation_token=mKsFA-VVNbz57kg3KaqA

Questions? Check out our help page (<https://www.nextrequest.com/support>) or email us at support@nextrequest.com.

Powered by NextRequest (<https://www.nextrequest.com>).

City of Evanston

A message was sent to you regarding record request #24-669:

Please be advised that an additional 5 business days from the original due date is needed and the additional time is needed for the following reason(s):

___ records are stored at other locations than the office having charge of the requested records;

___ request requires the collection of a substantial number of specified records;

___ request has categorical terms and requires an extensive search;

___ requested records have not been located and additional efforts are being made to locate them;

X requested records require examination by personnel having the necessary competence to determine if they are exempt from disclosure or should be revealed only with appropriate redactions;

___ records cannot be compiled with the public body within the time limits prescribed by paragraph (c) of this Section without unduly burdening or interfering with the operations of the public body; and/or

___ There is a need for consultation, with another public body or among two or more components of the City having a substantial interest in the documents produced.

Questions about your request? Reply to this email or sign in to contact staff at City of Evanston.
Technical support: See our [help page](https://www.nextrequest.civicplus.help/hc/en-us/categories/17720084172567-Requesters)

City of Evanston

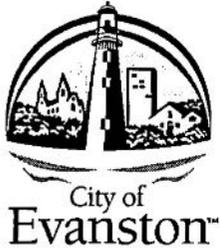
A document has been released to you for record request #24-669:

* Niles Coalition - 669.pdf

Document links are valid for one month.

After April 19, you will need to sign in to view the document(s).

Questions about your request? Reply to this email or sign in to contact staff at City of Evanston.
Technical support: See our help page



CITY OF EVANSTON
RELEASE OF REQUESTED PUBLIC RECORDS

To: Niles Coalition
263 Huntington Ave
Boston, MA 02115

On March 6, 2023, the City of Evanston received your written request for the inspection, copying, or certification of certain City public records ("Your Request") pursuant to the Freedom of Information FOIA ("FOIA").

Your Request was for the following records:

Police Reports requested.

Your Request is granted.

Dated: March 18, 2023

CITY OF EVANSTON

By:

Title: Deputy Chief



City of Evanston Public Record Requests

Request #24-669

Open
As of March 7, 2024, 10:45am
Request Visibility: Staff

Details

To Whom It May Concern:

Pursuant to the Illinois Freedom of Information Act., I hereby request the following records:

Any and all multimedia—including, but not limited to, aerial surveillance/drone footage, video footage, audio files, photographs, etc. – captured by Evanston Police via aerial drones, remotely piloted vehicles (RPVs), remotely piloted aircraft (RPAs), unmanned aerials (UAs), unmanned aerial vehicles (UAVs), and/or unmanned aerial systems (UASs) since January 1 2023 up until the present date this request is fulfilled.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Niles Coalition

Upload documents directly: https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fevanston-police-department-8699%252Fevanston-police-drone-footage-2023-present-159841%252F%253Femail%253DFOIA%252540cityofevanston.org&url_auth_token=AAAaDRCanQZJ7mpZkEKmkUJ3UGc%3A1ri464%3AAhWxdLRHd9q-EzGCEsmOAEzFqbosQgO_YMt5nULiCtM

Received

March 6, 2024 via web

Due

March 14, 2024

Departments

Police

Requester

Niles Coalition

159841-13012841@requests.muckrock.com
MuckRock News, DEPT MR159841 263 Huntington Ave , Boston, MA 02115
617-299-1832
N/A

Requester email status list

Request opened

- **Sent** March 6, 2024, 9:07pm
- **Delivered** March 6, 2024, 9:07pm
- **Opened** March 6, 2024, 9:07pm

Tags



City of Evanston Public Record Requests

Request #23-2812

Closed

As of March 15, 2024, 3:32pm

Request Visibility: Staff

Details

All documents created from January 2018 through the date this request is processed related to the agency's use of airborne tools, vehicles, and weapons: aerial drones, remotely piloted vehicles (RPVs), remotely piloted aircraft (RPAs), unmanned aerials (UAs), unmanned aerial vehicles (UAVs), and/or unmanned aerial systems (UASs)(hereinafter "drones").

Please search specifically records in each of the below document categories. A response to each of the categories and items would be appreciated.

ACQUISITION AND PROCUREMENT

- i) requests for proposals (RFPs), proposals/quotes submitted by vendors, contracts, leases, budget requests, project/equipment budgets, cost allocations or reimbursements for the purchase of drone equipment;
- ii) Grant applications and award letters for drone equipment purchases;
- iii) Insurance contracts for all drone equipment;
- iv) Communications (including electronic communications) between the agency head or agency quartermaster (or individual responsible for equipment purchases and maintenance) and drone vendors, manufacturers or retailers;
- v) Communications (including electronic communications) between the agency head and agency quartermaster (or individual responsible for equipment purchases and maintenance) regarding acquisition, lease or use of drone equipment;
- vi) Communications (including electronic communications) between the agency head and the governor, mayor and city/town manager regarding the acquisition of drones;

AUTHORIZATION

- vii) Applications (including all components and support documentation) for Certificates of Waiver/Authorization (COA) from the Federal Aviation Administration, as well as COA grant notifications and final agreement;
- viii) Contracts for services related to drones, such as data storage, data analysis, image storage, image analysis, video storage, video analysis, operation, maintenance;

EQUIPMENT LOGS and ADD-ONS

- i) Inventories/logs/lists/databases of all drones owned, leased or operated by or for the agency;
- ii) Maintenance logs for all drones owned, leased or otherwise operated by or for the agency;
- iii) records and logs related to any attachments or additional equipment used or designed to be used with the drones, including all license plate readers, video cameras, thermal cameras, data storage, Stingrays or cell phone simulators, etc.

POLICIES AND GUIDANCE

- i) Policies, guidelines, protocols, manuals and/or instructions on the use/operation of drones and usage of data, images and video obtained from drone flights;
- ii) Communications from the agency head, quartermaster (or individual responsible for overseeing equipment purchases and maintenance) on approved uses for drones;
- iii) Memorandums of understanding (MOUs), memorandums of agreement (MOAs) or any other agreements or contracts with other government agencies, private corporations, organizations or individuals to share drone equipment, data, images or video or to operate drones on behalf of the agency;

TRAINING DOCUMENTS

- i) Curriculum used to train drone operators and observers;
- ii) Training log for all drone operators and observers;
- iii) Certifications of training completion for all drone operators and observers;
- iv) Contracts, purchase orders, budget requests or reimbursement orders for training sessions for all drone operators and observers;

USE DOCUMENTS AND DATA

- i) Flight logs for all drone flights, including training flights;
- ii) Flight logs transmitted to the Federal Aviation Administration pursuant to Certificate of Waiver/Authorization (COA) requirements;
- iii) Reprimands relating to drones, including misuse of equipment and failure to properly maintain equipment.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

Thank you in advance for your anticipated cooperation in this matter.

I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Niles Coalition

Upload documents directly: https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fevanston-police-department-8699%252Fevanston-drone-and-uav-acquisition-policy-and-use-154350%252F%253Femail%253DFOIA%252540cityofevanston.org&url_auth_token=AAAaDee9ITyOpXpsB2NGI7AfttM%3A1r2Mxi%3A0jRD74wPXb3PpfVx2iF9pc8ALn8SP5xHLSBaG0GVE7Q

Received

(725 ILCS 167/20)

Sec. 20. Information retention.

(a) If a law enforcement agency uses a drone under Section 15 of this Act, the agency shall destroy all information gathered by the drone within the following timeframes:

(1) All information gathered pursuant to paragraph (1), (2), (3), (4), (5), (6), or (9) of Section 15 shall be destroyed within 30 days after being gathered.

(2) All information gathered pursuant to paragraph (10) of Section 15 shall be destroyed within 24 hours after being gathered.

(3) All information gathered pursuant to paragraph (7) of Section 15 shall be turned over to the requesting local government agency as soon as practicable, and all gathered information shall be destroyed immediately after the information has been turned over.

(b) Notwithstanding subsection (a), a supervisor at a law enforcement agency may retain particular information if:

(1) there is reasonable suspicion that the information contains evidence of criminal activity;

(2) the information is relevant to an ongoing investigation or pending criminal trial;

(3) a supervisor at the agency deems that the information will be used exclusively for training purposes, provided that any such information shall not contain any personally identifiable information; or

(4) the information consists of only flight path data, metadata, or telemetry information of the drone.

(Source: P.A. 103-101, eff. 6-16-23.)