



VILLAGE OF NORTHBROOK
NOTICE OF RESPONSE FOR PUBLIC RECORDS UNDER FOIA

To: David S.
MuckRock

On February 28, 2024 the Village of Northbrook received your written (*amended*) request for the inspection, copying, or certification of certain Village public records ("Your Request") pursuant to the Freedom of Information FOIA ("FOIA").

1. Denial of Request

Your Request is hereby denied in its entirety. The reason(s) for denial are stated in Section 3 or the reason stated below:

Your Request has been denied in part. The records for which Your Request is denied and granted are detailed below:

(a) Your Request is denied as to the following records (the "Specified Records"):

(b) Your Request is granted in part as the following records (the "Approved Records"):

2. Approval of Request

Your Request has been approved in its entirety. The records for which Your Request has been approved are detailed below:

(a) Your Request has been approved in its entirety as to the following records (the "Specified Records"):

(b) Requested Records are Available on a Website maintained by the Village at this address:

3. Justification of Denial

Your Request is being denied with respect to the Specified Records because the Specified Records are exempt from disclosure pursuant to FOIA for the following reason or reasons (references are to sections of FOIA):

(A) No Public Records Have Been Located

The Village does not have any public records in its possession or control, or in the possession of a party with whom the Village has contracted to perform a government function and that directly relate to the government function, that are responsive to your request. §1, §2(c), § 7(2)

(B) Personal Privacy

- The Specified Records contain private information. § 2(c-5), § 7(1)(b)
- The Specified Records contain information that, if released, would constitute a clearly unwarranted invasion of personal privacy. § 7(1)(c)

(C) Internal Operations

- The Specified Records are preliminary drafts, notes, recommendations, memoranda, or other records in which opinions are expressed or policies or actions are formulated. §7(1)(f)
- The Specified Records relate to pending negotiations for the purchase or sale of real estate. § 7(1)(r)
- The Specified Records constitute proposals or bids for a contract, grant, or agreement that has not been awarded or for which a final selection has not been made, and disclosure would either frustrate the Village's procurement procedures, or give an advantage to any person who may submit a proposal or bid. §7(1)(h)

(D) Law Enforcement and Security

- The Specified Records were created in the course of administrative enforcement proceedings, or for law enforcement purposes, and disclosure would:
 - interfere with a pending or actually and reasonably contemplated law enforcement proceeding by the Village. § 7(1)(d)(i)
 - interfere with active administrative enforcement proceedings by the Village. § 7(1)(d)(ii)
 - unavoidably disclose the identity of a confidential source or confidential information provided by the confidential source, or the identity of persons who file complaints with or provide information to administrative, investigative, law enforcements or penal agencies. § 7(1)(d)(iv)
 - disclose unique or specialized investigative techniques other than those generally used and known, and disclosure would result in demonstrable harm to the Village. § 7(1)(d)(v)
 - endanger the life or physical safety of any person. § 7(1)(d)(vi)

- obstruct or interfere with an active or ongoing criminal investigation by the Village. § 7(1)(d)(iv), § 7(1)(d)(vii)
- The Specified Records were created are law enforcement records created for law enforcement purposes, contained in a shared electronic record management system, were not created by the Village, the Village did not participate in or have a role in any of the events which are the subject of the specified records, and the Village only has access to the specified records through the shared electronic record management system. §7(1)(d-5)
- The Specified Records contain information that cannot be released from the LEADS database. §7(1)(a); 20 Ill. Adm. Code §1240.80
- The Specified Records are recordings that cannot be disclosed under the Law Enforcement Officer-Worn Body Camera Act. §7.5(cc); 50 ILCS 706/10-20(b)

(E) Juvenile Records:

- The Specified Records are prohibited from disclosure by the Juvenile Court Act of 1987. §7.5(bb)
- The Specified Records contain information that cannot be released pursuant to the Abused and Neglected Child Reporting Act. §7(1)(a); 325 ILCS 5/11
- The Specified Records contain information that cannot be released pursuant to the Privacy of Child Victims of Criminal Sexual Offenses Act. §7(1)(a); 725 ILCS 190/3.

(F) Attorney Communications / Auditor Communications

- The Specified Records constitute or reflect communications between the Village and an attorney or auditor that are not subject to discovery in litigation. §7(1)(m).
- The Specified Records were prepared or compiled at the request of an attorney advising the Village in anticipation of criminal, civil, or administrative proceedings. § 7(1)(m)
- The Specified Records were prepared or compiled with respect to an internal audit of the Village. § 7(1)(m)

(G) Personnel

- The Specified Records are test questions, scoring keys, or other examination data used to determine employment or license qualifications. § 7(1)(q)
- The Specified Records relate to adjudication of an employee grievance or disciplinary case, and do not constitute the final outcome of a case in which discipline was imposed. § 7(1)(n)
- The Specified Records relate to employee collective bargaining matters and do not constitute a final collective bargaining agreement. § 7(1)(p)
- Disclosure of the Specified Records is prohibited by the Personnel Records Review FOIA. § 7.5(q)

(H) Building Plans

- The Specified Records are architects' plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds. § 7(1)(k)
- The Specified Records are architects' plans, engineers' technical submissions, and other construction related technical documents for projects constructed or developed with public funds, but only to the extent that disclosure would compromise security. § 7(1)(k)

(I) Not Public Records

- The Specified Records are neither prepared by or for the Village, nor have the Specified Records been or are being used by, or received by, the Village. § 1, § 2(c)
- The Specified Records are not within the Village's possession or control, nor are the Specified Records related to a governmental function. § 1, § 2(c), § 7(2)

(J) Miscellaneous:

- Your Request, couched in categorical terms, is unduly burdensome because the burden on the Village of complying with Your Request outweighs the public interest in providing the Specified Records, and efforts to reduce Your Request to manageable proportions have been unsuccessful after the Village's extension of the opportunity to meet and confer on the documents requested. § 1 &3(g)
- Your Request is unduly burdensome because you have repeatedly requested the Specified Records, which records are unchanged or identical to records previously provided or properly denied pursuant to the FOIA § 3(g)
- Disclosure of the Specified Records is specifically prohibited by the following Federal or State law, rule: HIPAA § 7(1)(a).

(4) Payment for Records

No copies or certified copies of the specified records will be provided until the following fees have been paid. Fees must be paid in cash, by cashier's check, or certified check, or by money order.

Traffic crash report:

Printing fee:

Mailing fee:

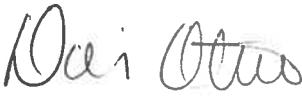
Media fee:

Notice of the Right to Appeal

You have a right to appeal this decision within 60 days to the Public Access Counselor of the Office of the Illinois Attorney General, 500 South 2nd Street, Springfield, Illinois 62701, (phone number 1-877-299-3642 ema) or to seek judicial review under Section 11 of FOIA, 5 ILCS 140/11.

Dated: June 4, 2024

VILLAGE OF NORTHBROOK

By: 

Title: FOIA Officer