**CITY OF ROCKFORD**

**Freedom of Information Response Letter**

To: Todd Feathers,

On September 10, 2024, the City of Rockford received your written request for inspection or copying of certain City public records (“Your Request”).

**1. Partial Approval/Partial Denial or Denial of Request**

Your Request has been approved in part and denied in part. The records you have requested are identified below, along with an indication of which records have been approved and which have been denied. The reasons for this partial denial are stated in Section 9 below.

Your Request is hereby denied in its entirety. The reason(s) for denial are stated in Section 9 below.

This response pertains to the following records listed below (The “Specified Records”)

**Records Requested** **Approved/Denied**

|  |  |
| --- | --- |
| Pursuant to the Illinois Freedom of Information Act., I hereby request the following records:  1) User account audit logs documenting each time a department account has conducted a search or taken another action on the department's Flock Safety ALPR system from 1/1/2024 until the date this request is processed. Flock audit logs are retained indefinitely and contain metadata including, but not limited to: the date of the search, the time of the search, the search term/rules, and the user conducting the search. The audit logs are recorded in a database so I ask that you provide it to me as a .csv, .xls, or other database filetype.  If you have any questions about this request, please do not hesitate to ask. If you would like to set up a time to discuss this request over the phone, please email me at tfeathers@gizmodo.com.  In the event that you determine certain records or portions of records are exempt from disclosure, I ask that you provide a detailed explanation of the records or portions of records being withheld and the statutory exemptions under which they are being withheld.  I am requesting these records as a journalist in order to write articles in the public interest about the operations of a government agency.  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,  Todd Feathers | Approved/Denied in part—redactions as indicated below |
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**2. Availability of Records**

Copies available at

E-mailed to Requester through Next Request portal

Available for review at

Mailed to:

Faxed to

**3. Appointment for Inspection or Pick‑up**  
The Specified Records will be made available for inspection or pick‑up at      . You must call the Freedom of Information Liaison Officer at City of Rockford at       to schedule an appointment for inspection or pick up of the Specified Records.

If, within five Business Days after the date of this Notice of Approval, you have not made an appointment to inspect or pick up the Specified Records, then the Specified Records will be re-filed and will be made available to you only upon the filing of a new Request for records.

Pursuant to Sections 2(c-10) and 3.1 of the Illinois Freedom of Information Act, 5 ILCS 140/2(c-10) and 140/3.1, the City has determined that Your Request is a request made for commercial purposes. The Specified Records will be available for inspection or pick-up on or after       (the “Availability Date”). If, within five Business Days after the Availability Date, you have not made an appointment to inspect or pick up the Specified Records on or before the fifth Business Day after the Availability Date, then the Specified Records will be re-filed and will be made available to you only upon the filing of a new Request for records.

**4. Copying and Certification Fees**

No copies or certified copies of the Specified Records will be provided to you until the following applicable fees have been paid. Fees must be paid in cash, by cashier’s or certified check, or by money order.

8½ x 11 or 8½ x 14 Black and White Copy Cost:

First 50 Pages: Free

Additional Pages: $.15 per page

Reproduction of Electronic Medium Cost: $

Outside Vendor Cost: $      (see attached invoice)

Other Actual Reproduction Cost: $      (see attached invoice)

Cost as Fixed by Statute: $

Total Fee: $

The following provisions marked with an “x” apply to your request:

There were no fees for this request.

Your fees have been paid in full.

Your request for a fee waiver or reduction has been approved in the following amount: $

Your request for a fee waiver or reduction has been denied.

You have previously deposited the following amount: $

A balance is now due in the following amount: $

**5. Mailing of Records**

Your request that the City mail the Specified Records to you has been denied on the basis that you have not shown that it would be unduly burdensome for you to arrange to pick up the Specified Records.

Your request that the City mail the Specified Records to you has been approved. However, before the City will mail the Specified Records, you must pay the balance, if any, indicated in Section IV above and the following additional amount to cover the cost of postage: $     .

**6. Responsible Official**

The City’s Freedom of Information Officer is the official responsible for this response.

**7. Notice of the Right to Review by Illinois Attorney General**

If your request is denied and or partially denied, you have the right to file a request for your request to be reviewed by the Public Access Counselor of the Office of the Illinois Attorney General. The Public Access Counselor may be contacted at:

Leah Bartelt, Public Access Counselor

Office of the Attorney General

500 S. 2nd Street

Springfield, Illinois 62701

Phone: 1-877-299-FOIA (1-877-299-3642)

Fax: 1-217-782-1396

Email: public.access@ilag.gov

**8. Notice of Right to Judicial Review**

Under Section 11 of the Illinois Freedom of Information Act, 5 ILCS 140/11, you have the right to seek judicial review if your request is denied. The City cannot advise or represent you in this matter. You should consult your own legal counsel.

**9. Justification for Denial**

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

The Specified Records are Chronologically maintained arrest or criminal history information, the disclosure of which would interfere with pending or actually and reasonably contemplated law enforcement proceedings, endanger the life or physical safety of any person or compromise the security of a correctional facility. § 2.15(c)

Your Request, couched in categorical terms, is unduly burdensome because the burden on the City 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. § 1, § 3(g)

Your Request is unduly burdensome because you have repeatedly requested the Specified Records or similar public records, which records are unchanged or identical to records previously provided or properly denied pursuant to the Act. § 3(g)

The Specified Records are private information. § 2(c-5), § 7(1)(b)

Disclosure of the Specified Records would constitute a clearly unwarranted invasion of personal privacy. § 7(1)(c)

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 City. § 7(1)(d)(i)

create a substantial likelihood that a person would be deprived of a fair trial or an impartial hearing. § 7(1)(d)(iii)

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 City. § 7(1)(d)(v)

obstruct or interfere with an active or ongoing criminal investigation by the City. § 7(1)(d)(vii)

The Specified Records relate to the security of correctional institutions or detention facilities. § 7(1)(e)

Law enforcement records of other persons requested by a person committed to the Department of Corrections or a county jail, including, but not limited to arrest and booking records, mug shots, and crime scene photographs, except as these records may be relevant to the requestor’s current or potential case or claim. § 7(e-10)

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)

Disclosure of the Specified Records would jeopardize the security of a data processing system, of the data contained therein, or of other related data processing materials. § 7(1)(o)

Disclosure of the Specified Records is specifically prohibited by the Personnel Records Review Act. § 7.5(q)

Disclosure of the Specified Records is specifically prohibited by the Juvenile Court Act of 1987 Act. § 7.5(bb)

Disclosure of the Specified Records is not authorized within the Law Enforcement Officer-Worn Body Camera Act. § 7.5(cc)

Information gathered or records created from the use of automatic license plate readers in connection with Section 2-130 of the Illinois Vehicle Code. § 7(1)(d-7)

Disclosure of the Specified Records is specifically prohibited by the following Federal or State law, rule, or resolution: 20 Ill. Adm. Code § 124080(d) (LEADS). § 7(1)(a)

 Other:

Dated: 11/05/2024 CITY OF ROCKFORD, ILLINOIS

By: Joshua A. Versluys

Freedom of Information Officer