



Office of the State's Attorney

Union County, Illinois

TYLER R. EDMONDS
STATE'S ATTORNEY

Union County Courthouse
309 West Market Street, Room 239
Jonesboro, Illinois

Telephone: (618) 833-7216
Facsimile: (618) 833-3349

May 15, 2019

Wendy Pittman
Brown & Crouppen
wendyp@getbc.com

Dear Ms. Pittman:

Please consider this our response to your attached Freedom of Information Act request, received via email on February 21, 2018 and summarized below:

We represent Terence L. Taylor in a pending personal injury claim. Under the (FOIA), we are requesting a copy of the police report, as well as any photos, cruiser/dash camera videos, (CAD) reports, supplemental reports, and/or written or recorded statements made by any wit.

Please find attached records responsive to your request with the following information redacted:

- Home addresses, personal telephone numbers, license plate numbers and driver's license numbers are defined as private information in Section 2(c-5) of FOIA (5 ILCS 140/2(c-5)) and per Section 7(1)(b) of FOIA (5 ILCS 140/7(1)(b)) are therefore exempted.
- Dates of birth are exempt under Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)) as approved by the Office of the Attorney General in pre-authorization letter 2011 PAC 13577.
- The names of third parties who were never arrested or were incidentally mentioned in police reports are exempted under Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)) as approved by the Office of the Attorney General in pre-authorization letter 2011 PAC 12140.
- Per Section 10-10 of the Law Enforcement Officer-Worn Body Camera Act (50 ILCS 706/10-10), "law enforcement-related encounter or activities" does not include when the officer is completing paperwork alone or only in the presence of another law enforcement officer. As such, video under those conditions is not subject to release under FOIA.
- Per Section 10-20 of the Law Enforcement Officer-Worn Body Camera Act (50 ILCS 706/10-10), any recording disclosed under the Freedom of Information Act shall be redacted to remove identification of any person that appears on the recording and is not the officer, a subject of the encounter, or directly involved in the encounter. Therefore several sections of video have been obscured and several sections of audio have been removed.

Please note that it would be unduly burdensome to redact all individual identities in the responsive video, therefore the obscured portions of video obscure the entire screen. However, if there are specific portions of the video that could be narrowed down, individual identities could be obscured rather than the entire screen.



Additionally note that while we cannot release the attached records without redaction under FOIA, they could be made available without redaction via subpoena.

We consider your request completed. If we can be of further assistance, please let us know.

Sincerely,



Public Information Officer
Union County State's Attorney
rhawk@unioncountyl.gov

Enclosure

Cc: Tyler R. Edmonds, State's Attorney
Scott Harvel, Sheriff





County of Union, Illinois
Freedom of Information Act (FOIA) Request Form

Date Requested: 2-21-18
 Request Submitted By: Brown & Crouppen - Wendy Pittman
 Street Address: 211 N. Broadway, Suite 1600
 City/State/ZIP: St. Louis, MO 63102
 Telephone (optional): 314-561-6350 E-mail (optional): wendyp@getbc.com
 Fax (optional): 314-667-3983

Records Requested (please be as specific as possible; attach additional pages if needed)

We represent Terence L. Taylor in a pending personal injury claim. Under the (FOIA), we are requesting a copy of the police report, as well as any photos, cruiser/dash camera videos, (CAD) reports, supplemental reports, and/or written or recorded statements made by any wit.

Is this request for a Commercial Purpose? YES NO
(It is a violation of the Freedom of Information Act for a person to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose, if requested to do so by the public body under 5 ILCS 140.3.1(c))

Are you requesting a fee waiver? YES NO
(If you are requesting that the public body waive any fees for copying the documents, you must attach a statement of the purpose of the request, and whether the principal purpose of the request is to access or disseminate information regarding the health, safety and welfare or legal rights of the general public under 5 ILCS 140/6(c).)

Please retain a copy of this form for your records

Submit the original to one of our FOIA officers:

Rollie Hawk Union County Chief Information Officer 309 West Market Room 115 Jonesboro, IL 62952 cio@unioncountylv.gov (618) 833-8248	Tyler Edmonds Union County State's Attorney 309 West Market Room 239 Jonesboro, IL 62952 ucsainfo@unioncountylv.gov (618) 833-7215
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One Metropolitan Square
811 North Riverside, Suite 1000
801 East, 110th Street
Oak Brook, Illinois 60110
(708) 571-1100
www.bcc.com

Office in St. Louis, Missouri, LLC
Attended by Charles Washington
Office in MD & Falls on Highway 28



BROWN & CROUPPEN
LAW FIRM

1000 Pennsylvania Building
Aurora, IL 60005

Partners:
David A. Brown
Cory B. Crouppen
Richard L. Herman
Amy A. Johnson

February 21, 2018

Union County Sheriff's Department
307 West Market Street
Jonesboro, IL 62952

RE:	Date of Incident:	February 7, 2018
	Incident Location:	Interstate 57
	Our Client:	Terence L. Taylor
	Other Involved Parties:	Lanall Wyatt
	Report Number:	Unknown

Dear Records Custodian:

We represent Terence L. Taylor in a pending personal injury claim. Under the Freedom of Information Act (FOIA), we are requesting a copy of the police report covering the above-captioned occurrence, as well as any photos, cruiser/dash camera videos, Computer Aided Dispatch (CAD) reports, supplemental reports, and/or written or otherwise recorded statements made by any witnesses and/or parties related to the above-referenced incident.

Please return a copy of this letter for ease of file location.

Thank you for your prompt attention.

Sincerely,

Andrea McNairy
Brown & Crouppen, P.C.

ADM/wp

Incident Report

LAWMAN © 2019 IDS Applications

Union County Sheriff's Office
 309 W Market St
 Jonesboro, IL 62952
 Phone (618) 833-5500
 email sheriffadmin@unioncountyil.gov
 Fax (618) 833-3900

Generated on 03/19/2019 @ 09:46:59 by UC1 (Harvel,Scott Sheriff) on SHERIFFNOTEBOOK

Incident 2018-000407 Auto Accident
Reported Wednesday, February 7, 2018 @ 00:24:26
At 7000 Us Highway 51 S Loop, Dongola, IL

Entered By UC27 Meisenheimer,Lance #1109
UC # UC180233013

Officer/Unit Assigned UC9 Miller,Logan

Unit 1440 Tanker
 Enroute 2/07/2018 00:49:46 7000 Us Highway 51 S Loop, Dongola
 In Service 2/07/2018 02:43:52

Unit 5U13 Ambulance 5u13
 Arrived 2/07/2018 00:47:03 7000 Us Highway 51 S Loop, Dongola
 Enroute 2/07/2018 01:10:15 ucer
 Arrived 2/07/2018 01:18:51
 In Service 2/07/2018 02:43:55
 Enroute 2/07/2018 02:56:27 semo
 Arrived 2/07/2018 03:28:14 st francis
 In Service 2/07/2018 04:44:58

Unit UC3 McGee,Robert #5947
 Enroute 2/07/2018 00:40:23 7000 Us Highway 51 S Loop, Dongola
 Arrived 2/07/2018 00:46:09
 Status Check 2/07/2018 00:51:16 Watchman Status Canceled
 In Service 2/07/2018 02:43:57

Unit UC9 Miller,Logan
 Enroute 2/07/2018 00:25:33 7000 Us Highway 51 S Loop, Dongola
 Arrived 2/07/2018 00:46:14
 Status Check 2/07/2018 00:51:18 Watchman Status Canceled
 Enroute 2/07/2018 01:23:38 ucer

Arrived 2/07/2018 01:39:52
 Status Check 2/07/2018 01:45:04 Watchman Status Canceled
 In Service 2/07/2018 02:47:04
Unit UC23 Turner, Michael #5986
 911 Call 2/07/2018 00:33:58 At&t Mobility, [REDACTED] - Sw, Anna, IL [REDACTED]
 In Service 2/07/2018 02:44:04

Public Narrative

truck flipped upside down in the roadway male trapped inside

Adult

Terrence L Taylor
 Last Known Address
 [REDACTED]
 Harrisburg, IL 62946
 [REDACTED] IL DL

DOB	Current Age	Incident Age	Sex	Race	HGT	WGT	Hair	Eyes	Build	Skin
[REDACTED]	50	49	M	B	603	190	BLK	BRO		

Suspect Dui: Alcohol Arrest Adult on 2/07/2018

Citation Misdemeanor
 Arresting Officer **Miller, Logan** Ticket# **25346**

Evidence 1.00 Dvd Value:\$0.00 Property Offense:Dui: Alcohol 95.5-11.501
 Date Recovered:2/07/2018 Location Recovered : UC SO
 Body Camera DVD

Evidence Chain of Custody for Evidence Number 000000477 Exhibit ID 1

Officer	Status	Date	Location	Notes
McDaniel, Kyle #6161	Evidence Duties	2/17/2018 @ 11:05:23	VAULT	CDF 11-199

Report for Incident 2018-000407, Auto Accident, document created on 2/07/2018 @ 21:48:31

On 2/7/18, at approximately 12:24am, I, Deputy Miller, was dispatched to State Route 51 South, at the Little Creek Loop, reference a possible vehicle crash. While en-route, dispatch advised they had received another call about the crash, and that there was a pick-up truck upside down in the middle of the roadway.

When I arrived on scene I activated my body worn camera. I observed a white Dodge Dakota lying on it's roof in the NW bound lane. It appeared that the truck had struck the guardrail on the SW side of the roadway, causing the truck to roll, coming to rest on it's roof. The vehicle beared Illinois registration [REDACTED].

When I got to the vehicle, there was a black male, later identified as Terrence Taylor, lying in the passenger area of the vehicle. Taylor was lying inside the vehicle on the roof. Taylor was lying crossways in the vehicle, with his feet at the driver's door, and his head at the front passenger door. It appeared that Taylor had not been wearing his seatbelt. There was a spiderweb break in the center of the windshield, indicative of the driver's head hitting the windshield.

Taylor was complaining that he thought his hip was broken. I advised Taylor to lay still until EMS arrived to check on him. I observed a strong odor of an alcoholic beverage coming from Taylor and the passenger compartment of the vehicle.

While waiting on EMS to arrive, I assessed the crash scene and diverted traffic. I noticed several empty beer cans, pieces of broken bottles, and one full bottle of an alcoholic beverage still in the passenger compartment of the vehicle next to Taylor's head.

After EMS removed Taylor from the vehicle, Sgt McGee asked Taylor if there was anyone else in the vehicle. Taylor replied that [REDACTED] was the driver of the vehicle, and that he had left to go find help. No further reports were made from any residences nearby. [REDACTED] never returned to the scene. Due to the severity of the crash, it is unlikely that [REDACTED] could have walked away from the scene. Taylor had significant facial swelling and a broken hip as a result of the crash. Due to Taylor's injuries, I did not attempt to administer the Standardized Field Sobriety Test.

EMS transported Taylor to the Union County Hospital. Soon after, I relocated to the Union County Hospital. Sgt McGee stayed on scene.

When I arrived on scene I spoke with the ER attending doctor, [REDACTED]. I asked [REDACTED] about Taylor's condition, and he replied that all they knew at that point was that Taylor appeared very intoxicated. Taylor was pulling against the nurses the entire time I was at the hospital. It took 5 hospital employees to restrain Taylor so that the doctor could examine him and take the x-rays.

I issued Taylor a citation for driving under the influence. I read Taylor the "Warning to Motorist" form verbatim. I asked Taylor if he consented to chemical testing and he shook his head no. Due to Taylor's condition, he was unable to sign the "Warning to Motorist" form. I served Taylor notice of summary suspension/revocation of his driving privileges.

[REDACTED] advised me that they had taken a blood sample from Taylor before I arrived. [REDACTED] stated that the test indicated that Taylor had a blood alcohol concentration of 0.06. [REDACTED] stated that this level of blood alcohol did not explain Taylor's behavior. [REDACTED] stated that he believed Taylor must also be under the influence of an additional narcotic.

I left Taylor with copies of his citation, the "Warning to Motorist" form, and the "Law Enforcement Sworn Report".

I reviewed my body camera footage while completing this report.

WARNING TO MOTORIST

Case Number 11C-180233013

DUI TRAFFIC CITATION NO. (11-501A1)

DUI TRAFFIC CITATION NO. (11-501A2)
025306

11-401 Citation No.

DUI TRAFFIC CITATION NO. (OTHER)

Subsequent to an arrest for driving while under the influence of alcohol, other drug(s) or intoxicating compound(s), or any combination thereof (DUI), or Section 11-401 - leaving the scene of a fatal or personal injury accident, you are hereby notified that:

As provided in Section 11-500 of the Illinois Vehicle Code, you are a first offender unless within the last 5 years of this arrest for DUI or leaving the scene you have had:

- A previous conviction or court-assigned supervision for DUI or a similar provision of a local ordinance; or
- A conviction in any other state for DUI or a similar offense where the cause of action is the same or substantially similar to the Illinois Vehicle Code; or
- A driver's license suspension/revocation for violating Section 11-501.1 of the Illinois Vehicle Code, except in cases where you submitted to a chemical test(s) disclosing an alcohol concentration of .08 or more or any amount of a drug, substance or intoxicating compound resulting from the unlawful use or consumption of cannabis as listed in the Cannabis Control Act (for a DUI arrest prior to 07-29-2016 or a delta-9-tetrahydrocannabinol concentration of either 5 nanograms or more of whole blood or 10 nanograms or more of other bodily substance for a DUI arrest on or after 07-29-2016); a controlled substance as listed in the Illinois Controlled Substances Act; an intoxicating compound as listed in the Use of Intoxicating Compounds Act; or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, and were subsequently found not guilty of the associated DUI charge.

Considering the above, you are warned:

1. If you refuse or fail to complete all chemical tests requested and:
 - If you are a first offender, **your driving privileges will be suspended for a minimum of 12 months; or**
 - If you are not a first offender, **your driving privileges will be suspended for a minimum of 3 years; or**
 - If you were involved in a motor vehicle accident that caused personal injury or death to another, **your driving privileges will be revoked for a minimum of 12 months.** Personal injury means a Type A injury that requires immediate professional attention in a doctor's office or medical facility, including severely bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene.
2. If you submit to a chemical test(s) disclosing an alcohol concentration of .08 or more, a delta-9-tetrahydrocannabinol concentration of either 5 nanograms or more of whole blood or 10 nanograms or more of other bodily substance or any amount of a controlled substance as listed in the Illinois Controlled Substances Act; an intoxicating compound as listed in the Use of Intoxicating Compounds Act; or methamphetamine as listed in the Methamphetamine Control and Community Protection Act: and:
 - If you are a first offender, **your driving privileges will be suspended for a minimum of 6 months; or**
 - If you are not a first offender, **your driving privileges will be suspended for a minimum of 1 year.**

You are further warned that if you are a Commercial Driver's License (CDL) holder, your CDL privileges will be disqualified for the following time period if you refuse to submit to or fail to complete all chemical tests requested, or submit to a chemical test(s) disclosing an alcohol concentration of .08 or more or any amount of a drug, substance or intoxicating compound resulting from the unlawful use or consumption of cannabis as listed in the Cannabis Control Act; a controlled substance as listed in the Illinois Controlled Substances Act; an intoxicating compound as listed in the Use of Intoxicating Compounds Act; or methamphetamine as listed in the Methamphetamine Control and Community Protection Act:

- If you have not had a prior 12-month disqualification of your CDL privileges, **your CDL privileges will be disqualified for 12 months.**
- If you have had a prior 12-month disqualification of your CDL privileges, **your CDL privileges will be disqualified for life.**

MOTORIST UNDER AGE 21

You are further warned that as a motorist under age 21, if you submit to a chemical test(s) disclosing an alcohol concentration of more than .00 and less than .08, your driving privileges will be suspended as provided in Sections 6-208.2 and 11-501.8 of the Illinois Vehicle Code.

As provided in Section 6-208.2, you are a first offender unless you have had a previous suspension under Section 11-501.8 for refusing or failing to complete a chemical test(s) or for submitting to a chemical test(s) disclosing an alcohol concentration of more than .00.

- If you are a first offender, **your driving privileges will be suspended for a minimum of 3 months; or**
- If you are not a first offender, **your driving privileges will be suspended for a minimum of 1 year.**

SCHOOL BUS DRIVER

You are further warned that as a school bus driver operating a school bus in accordance with Section 6-106.1a of the Illinois Vehicle Code, if you submit to a chemical test(s) disclosing an alcohol concentration of more than .00, your privilege to possess a school bus driver permit will be cancelled for 3 years as provided under Sections 6-106.1a and 6-106.1b of the Illinois Vehicle Code.

Warning Issued To Francis L. Taylor
Name of Motorist

[Redacted]
Driver's License Number

(motorist) acknowledge receipt of this warning to motorist.

[Signature]
Signature of Motorist

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct.

[Signature]
Signature of Arresting Officer

6057
ID Number

Union County Sheriff's Office
Law Enforcement Agency

7-7-18
Date of Warning

2:12
Time of Warning

LAW ENFORCEMENT SWORN REPORT

Circuit Court, Union County, 9th Municipal District

Case Number UC180433013

DUI TRAFFIC CITATION NO. (11-501A1)	DUI TRAFFIC CITATION NO. (11-501A2)
11-401 Citation No.	DUI TRAFFIC CITATION NO. (OTHER)

Name Taylor Terrance L
Last First Middle

<input type="checkbox"/> CDL holder	Driver's License Number	State
	[REDACTED]	<u>IL</u>

Street Address: [REDACTED]
 City & State: [REDACTED]
 Sex: M Date of Birth: 11/25/15
 Notice of Summary Suspension/Revocation Given On: 3/25/18
 Month Day Year

City and/or County of Arrest: Union County
 Arrest Date: 2/7/18 10:20 a.m.
 Month Day Year Time
 Place of Refusal or Location of Test(s): Union County Hospital
 Refusal or Test Date: 2/7/18 1:50 p.m.
 Month Day Year Time

The suspension/revocation shall take effect on the 46th day following issuance of this notice. Subsequent to an arrest for violating Section 11-501 of the Illinois Vehicle Code, or similar provision of a local ordinance or Section 11-401 of the Illinois Vehicle Code, you are hereby notified that on the date shown above, you were asked to submit to a chemical test(s) to determine the alcohol, other drug(s), intoxicating compound(s), or any combination thereof, content of your breath, blood, urine or other bodily substance and warned of the consequences pursuant to Section 11-501.1 of the Illinois Vehicle Code. You have the right to a hearing to contest your suspension/revocation. You must file a petition to rescind your suspension/revocation within 90 days of this notice.

- Because you refused to submit to or failed to complete testing, your driving privileges will be suspended for a minimum of 12 months.*
- Because you submitted to testing conducted pursuant to Section 11-501.2, which disclosed:
 - an alcohol concentration of _____, which is .08 or more; or a delta-9-tetrahydrocannabinol concentration of either 5 nanograms or more of whole blood or 10 nanograms or more of other bodily substance
 - any amount of a drug, substance or intoxicating compound resulting from the unlawful use or consumption of a controlled substance as listed in the Illinois Controlled Substances Act; an intoxicating compound as listed in the Use of Intoxicating Compounds Act; or methamphetamine as listed in the Methamphetamine Control and Community Protection Act; your driving privileges will be suspended for a minimum of 6 months.*
- Because you refused to submit to or failed to complete testing and you were involved in a motor vehicle crash that caused Type A personal injury or death to another, your driving privileges will be revoked for a minimum of 12 months.
- Because you are a CDL holder and you submitted to testing conducted pursuant to 11-501.2 which disclosed any amount of a drug, substance or compound resulting from the unlawful use or consumption of cannabis as covered by the Cannabis Control Act your CDL privileges will be disqualified for a minimum of 12 months.

Driver's license surrendered? Yes No; Reason: Not in possession
 Driver's license valid at time of arrest? Yes (Sign receipt) No (Void receipt)

I have complied with Section 11-501.1 of the Illinois Vehicle Code by having reasonable grounds to believe the arrestee was in violation of Section 11-501 or a similar provision of a local ordinance, or Section 11-401: (Explain)

Multiple liver scans present at the scene of the crash. Doctor at the ER stated he would take under the influence of drugs or alcohol

Pursuant to Section 11-501.1 of the Illinois Vehicle Code I have:
 Served immediate Notice of Summary Suspension/Revocation of driving privileges on the above-named person.
 Given Notice of Summary Suspension/Revocation of driving privileges to the above-named person by depositing in the U.S. mail said notice in a prepaid postage envelope addressed to said person at the address as shown on the Uniform Traffic Ticket.

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct.

Signature of Arresting Officer: [Signature] ID Number: 6257
 Law Enforcement Agency: Union County Sheriff's Office Date: 2/7/18
 Month Day Year

013514