

# McLean County Incident Summary Report - 202303622

Date: 03/21/2023 13:37

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Report # 202303622	Normal PD		
Report Date: 03/16/2023	20:00	Start Date: 03/16/2023	* 202303622 *
	End Date:		202303622
		Status: 09 - Administratively closed	
Summary:	COMPLAINT OF ELECTIONEERING AT NORMAL WEST.		
Report Type:			

## Incident Location

Address	501 N PARKSIDE RD	Distance:	
Intersection:			
	NORMAL, IL 61761		
	Beat: 1 - Sub Beat: 13 -		
	OTHER PUBLIC COMPLAINT / 472		

## Incident Offenses

# 1 - 6029 OTHER PUBLIC COMPLAINT - - Original Report
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## Incident People

7(1)(c): Third - 7(1)(c): - Reporting Person - Original Report	* 100756768 *
	100756768
7(1)(c): Third - 7(1)(c): - Interviewed - Original Report	* 100774115 *
	100774115
7(1)(c): Third party - 7(1)(c): - Interviewed - Original Report	* 100288767 *
	100288767

## Incident Vehicles

## Incident Property

Original Report - VIDEO TAPE;BWC 472 03/16/2023 7:36:24; Model:EJS 202303622; Misc#:UFJ00602_20230317003624E0; Val:\$1.00;	* 110752043 *
	110752043
Original Report - VIDEO TAPE;BWC 472 03/16/2023 8:00:17; Model:EJS 202303622; Misc#:UFJ00602_20230317010012E0; Val:\$1.00;	* 110752044 *
	110752044

## Incident Officers

Reporting OFFICER TODD VANHOVELN - NPD - 7472 - Original Report
Approving SERGEANT JONATHAN MCCAULEY - NPD - 7796 - Original Report
Assisting OFFICER THOMAS SLUDER - NPD - 19869 - Original Report

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Incident Narrative 1 03/16/2023 20:00

Reporting OFFICER TODD VANHOVELN - NPD, ID # 7472

On 03/16/2023, I Officer VanHoveln serving in squad #78 responded to Normal West High School 501 N. Parkside Rd. for a complaint of electioneering at a school music concert. Upon arrival I met with [7(1)(c): Third party] in front of the school. [7(1)(c)] advised me there was a table set up with material supporting the Unit 5 referendum and brochures for school board candidates who also support the referendum. We walked into the school towards the gym where the concert was being held. I observed a table with a banner on it, but no other material. I was informed the material had been removed by an unknown person prior to my arrival. I recorded the table with my BWC and attached my BWC footage to this report. The following is a summary of this incident. I did not review my BWC prior to writing this report.

After briefly speaking to [7(1)(c)], I was introduced to [7(1)(c):] who also had witnessed the table with election information. [7(1)(c)] showed me several photos she had taken of the table with the election materials. I later provided her a business card with my email address and asked her to email the photos to me so I could attach them to this report. [7(1)(c)] informed me there was also a speech given prior to the concert by someone endorsing the Unit 5 referendum. [7(1)(c)] advised me she took a partial video of the speech with her cell phone. While speaking to [7(1)(c)] another individual came out to the table where the banner supporting the referendum was. [7(1)(c)] informed me this was the person who was handing out the information earlier in the evening.

I contacted the individual [7(1)(c)] had pointed out. I learned I was speaking to [7(1)(c): Third party] informed me she was a volunteer passing out the information at the table on behalf of the Parents Music Association. [7(1)(c)] admitted there was material at the table supporting the passage of the Unit 5 referendum. [7(1)(c)] also advised there were brochures for the four Unit 5 board candidates who support the passage of the referendum. [7(1)(c)] did not know what happened to these items as they were no longer on the table. [7(1)(c)] later informed me the name of the [7(1)(c): Third party name(s) and identifiers]. [7(1)(c)] reported that [7(1)(c)] was the individual who had given the speech during the concert in favor of the referendum passing. I was unable to speak to [7(1)(c)] as he was not located after the concert ended. [7(1)(c)] informed me his contact info would be on the Unit 5 music parents association website. I later looked for [7(1)(c):] information on the website but could only find an email address Unit5MusicParents@gmail.com.

I spoke to [7(1)(c)] again trying to find out where [7(1)(c): Third party name(s) and identifiers] was so I could record her personal information for the report. We could not find [7(1)(c)], so I shut off my BWC. [7(1)(c)] was later located, and I re-activated my BWC. I attached both videos to this report. [7(1)(c)] and [7(1)(c)] had a brief exchange about the possible electioneering. [7(1)(c)] believed [7(1)(c)] was conducting illegal electioneering because she was inside a public school and only one side of the referendum was being supported. [7(1)(c)] stated there were currently 9 candidates for the Unit 5 Board race, and only the four candidates supporting the referendum were represented by [7(1)(c)] organization. I informed both I would be documenting the incident with a report. I informed them I would need to do additional research on the issue as I was not currently familiar with all laws covering electioneering. [7(1)(c)] advised there was a report taken near the end of February involving electioneering at another Unit 5 School. I was unable to locate the report in EJS but did locate an article on the Cities 92.9 website covering this incident which appeared to take place on February 21, 2023.

I later looked up the following statutes covering Election Code interference prohibition (10 ILCS 5/9-25.1), the Employees Ethics Act (5 ILCS 430/), and the Local Governmental Employee Political Rights Act (50 ILCS 135/). I could not find any specific violation which covered this incident. In this case it was a private parental organization presenting the material, and I did not find any evidence of a school employee involved. I was unable to locate any Unit 5 staff members to verify whether permission was obtained to solicit political information at the event.

At this time, I do not believe there is evidence to support a criminal allegation of electioneering. I did send an email to S.R.O. Cawley to see about getting possible video footage from the school. I recommend this case be administratively closed at this time.









## **Public Records Exemptions**

Enclosed please find a copy of the response documents for your public records request. The following information is provided to explain the process employed to review and produce the response documents.

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**CONCERNING POLICE INCIDENT REPORTS: Each report is evaluated based on the characterization of said person in the report. Those categorized as “witness” “victim” “other” “interviewed” or “reporting person” or “suspect” (in the case where no charges were filed or arrests made) are afforded a reasonable right to privacy in their statements provided to law enforcement. Arrestees are not afforded a reasonable expectation of privacy.**

### **Town of Normal FOIA Officers:**

Angelia Huonker, Town Clerk

Tierra Shickel, Town Chief Deputy Clerk

Jodi Pomis, Town Deputy Clerk

Tara Beall, Clerk Office Associate

Town Clerk's Office: (309) 454-9509

DeputyClerk@normal.org

### ***APPEAL RIGHT***

Pursuant to law, you are entitled to appeal the decision denying your request for certain information. You may appeal by requesting a review by the Attorney General's Public Access Counselor within 60 calendar days from the date of this denial. Here is the contact information of the Public Access Counselor

Office of the Attorney General

Public Access Counselor

500 S. 2<sup>nd</sup> Street

Springfield, Illinois 62706

877-299-3642

[public.access@ilag.gov](mailto:public.access@ilag.gov)

You also have the right to judicial review. Suit may be filed in the Circuit Court for McLean County:

Law and Justice Center

Circuit Clerk

104 W. Front St.

Bloomington, IL 61701

(309) 888-5301

[www.co.mclean.il.us/circuitclerk](http://www.co.mclean.il.us/circuitclerk)

<b>Reason</b>	<b>Description</b>	<b>Pages</b>
7(1)(c): Third party name(s) and identifiers	5 ILCS 140/7(1)(c) - "Clearly unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. Those involved or interviewed who were not arrested maintain a reasonable expectation to privacy in their statements to police.	1-2
7(1)(c): Dates of Birth	5 ILCS 140/7(1)(c) - "Clearly unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information.	1