From:

Slagel

Sent:

Monday, January 23, 2012 8:37 AM

Subject:

RE: Gates Supplemental Class

Please let us know if there are any questions or if we can be of assistance in any way.

Thank you.

Allan

From: Lewin, Jonathan H. [mailto:Jonathan.Lewin@chicagopolice.org]

Sent: Monday, January 23, 2012 8:11 AM

To: Slagel, Allan T.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William

Cc: Amarilio, Jonathan B.; Jackson, Heather A.; Ryczek, Martin E.; Soto, Alexis C.

Subject: Re: Gates Supplemental Class

Capt Marty Ryczek will be my point of contact, and will work with Alex and Rick. Thx

Jonathan

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Monday, January 23, 2012 04:15 AM

To: Lewin, Jonathan H.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William **Cc**: Amarilio, Jonathan B. < <u>JAmarilio@Shefskylaw.com</u>>; Jackson, Heather A. < <u>hjackson@shefskylaw.com</u>>

Subject: RE: Gates Supplemental Class

Beginning of the week of Feb 6. Require some time to review and confirm data prior to providing to Plaintiffs Counsel and claims administrator on Feb 13.

Thank you.

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com From: Lewin, Jonathan H. [mailto:Jonathan.Lewin@chicagopolice.org]

Sent: Friday, January 20, 2012 3:29 PM

To: Slagel, Allan T.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William

Cc: Amarilio, Jonathan B.; Jackson, Heather A.

Subject: Re: Gates Supplemental Class

What does as soon as possible mean in terms of a drop-dead date?

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Friday, January 20, 2012 03:21 PM

To: Lewin, Jonathan H.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William Cc: Amarilio, Jonathan B. < <u>JAmarilio@Shefskylaw.com</u>>; Jackson, Heather A. < <u>hjackson@shefskylaw.com</u>>

Subject: Gates Supplemental Class

This is to review the subject matter of today's conference call:

The Gates Supplemental Class is comprised of arrestees (1) whose money was seized, (2) who were charged with a narcotics related offense between October 17, 2009 and May 14, 2011, (3) whose money was not inventoried as evidence in any criminal investigation, (4) against whose money no forfeiture action was commenced and (5) whose money was not returned.

To identify the members of the Gates Supplemental Class, we will need Asset Forfeiture's to identify the arrestees whose money was seized and inventoried for potential forfeiture during the class period (10/17/09 – 05/14/11), but against whose money no forfeiture action was initiated. We will then need PSIT to compare that asset forfeiture data against eTrack data to ascertain whether the money has been returned to those arrestees for whom forfeiture was not initiated. This process should provide us with a penultimate class list.

After that initial list is compiled, we should manually review, for purposes of quality control, all inventories on that list over \$1,000 to make sure that they were appropriately returnable to the class members.

The list needs to be compiled as soon as possible in order to complete this and other portions of inventorying case settlements before the retirement of the judge supervising the cases.

Please contact us if you have any questions.

Thank you.

Allan

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to

this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

Circular 230 Notice: To ensure compliance with requirements imposed by regulations governing practice before the Internal Revenue Service, unless expressly stated otherwise, any advice contained in this communication (including any attachments) concerning tax issues cannot be used, and is not intended to be used, for (i) the purpose of avoiding penalties that may be imposed under the Internal Revenue Code or (ii) the promotion, marketing or recommendation of any transaction or matter discussed in this communication (including any attachments).

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

Circular 230 Notice: To ensure compliance with requirements imposed by regulations governing practice before the Internal Revenue Service, unless expressly stated otherwise, any advice contained in this communication (including any attachments) concerning tax issues cannot be used, and is not intended to be used, for (i) the purpose of avoiding penalties that may be imposed under the Internal Revenue Code or (ii) the promotion, marketing or recommendation of any transaction or matter discussed in this communication (including any attachments).

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

From:

Bazarek

Sent:

Monday, January 23, 2012 8:13 AM

Subject:

Re: Gates Supplemental Class

Thanks Jon William E. Bazarek First Asst. General Counsel Office of Legal Affairs

From: Lewin, Jonathan H.

Sent: Monday, January 23, 2012 08:11 AM

To: 'aslagel@shefskylaw.com' <aslagel@shefskylaw.com>; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.;

Bazarek, William

Cc: 'JAmarilio@Shefskylaw.com' <JAmarilio@Shefskylaw.com>; 'hjackson@shefskylaw.com'

<hjackson@shefskylaw.com>; Ryczek, Martin E.; Soto, Alexis C.

Subject: Re: Gates Supplemental Class

Capt Marty Ryczek will be my point of contact, and will work with Alex and Rick. Thx

Jonathan

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Monday, January 23, 2012 04:15 AM

To: Lewin, Jonathan H.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William **Cc**: Amarilio, Jonathan B. <JAmarilio@Shefskylaw.com>; Jackson, Heather A. <hjackson@shefskylaw.com>

Subject: RE: Gates Supplemental Class

Beginning of the week of Feb 6. Require some time to review and confirm data prior to providing to Plaintiffs Counsel and claims administrator on Feb 13.

Thank you.

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

From: Lewin, Jonathan H. [mailto:Jonathan.Lewin@chicagopolice.org]

Sent: Friday, January 20, 2012 3:29 PM

To: Slagel, Allan T.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William

Cc: Amarilio, Jonathan B.; Jackson, Heather A.

Subject: Re: Gates Supplemental Class

What does as soon as possible mean in terms of a drop-dead date?

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Friday, January 20, 2012 03:21 PM

To: Lewin, Jonathan H.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William **Cc**: Amarilio, Jonathan B. < <u>JAmarilio@Shefskylaw.com</u>>; Jackson, Heather A. < <u>hjackson@shefskylaw.com</u>>

Subject: Gates Supplemental Class

This is to review the subject matter of today's conference call:

The Gates Supplemental Class is comprised of arrestees (1) whose money was seized, (2) who were charged with a narcotics related offense between October 17, 2009 and May 14, 2011, (3) whose money was not inventoried as evidence in any criminal investigation, (4) against whose money no forfeiture action was commenced and (5) whose money was not returned.

To identify the members of the Gates Supplemental Class, we will need Asset Forfeiture's to identify the arrestees whose money was seized and inventoried for potential forfeiture during the class period (10/17/09 - 05/14/11), but against whose money no forfeiture action was initiated. We will then need PSIT to compare that asset forfeiture data against eTrack data to ascertain whether the money has been returned to those arrestees for whom forfeiture was not initiated. This process should provide us with a penultimate class list.

After that initial list is compiled, we should manually review, for purposes of quality control, all inventories on that list over \$1,000 to make sure that they were appropriately returnable to the class members.

The list needs to be compiled as soon as possible in order to complete this and other portions of inventorying case settlements before the retirement of the judge supervising the cases.

Please contact us if you have any questions.

Thank you.

Allan

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

Circular 230 Notice: To ensure compliance with requirements imposed by regulations governing practice before the Internal Revenue Service, unless expressly stated otherwise, any advice contained in this communication (including any attachments) concerning tax issues cannot be used, and is not intended to be used, for (i) the purpose of avoiding penalties that may be imposed under the Internal Revenue Code or (ii) the promotion, marketing or recommendation of any transaction or matter discussed in this communication (including any attachments).

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

From:

Lewin

Sent:

Monday, January 23, 2012 8:11 AM

Subject:

Re: Gates Supplemental Class

Capt Marty Ryczek will be my point of contact, and will work with Alex and Rick. Thx

Jonathan

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Monday, January 23, 2012 04:15 AM

To: Lewin, Jonathan H.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William **Cc**: Amarilio, Jonathan B. <JAmarilio@Shefskylaw.com>; Jackson, Heather A. <hjackson@shefskylaw.com>

Subject: RE: Gates Supplemental Class

Beginning of the week of Feb 6. Require some time to review and confirm data prior to providing to Plaintiffs Counsel and claims administrator on Feb 13.

Thank you.

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

From: Lewin, Jonathan H. [mailto:Jonathan.Lewin@chicagopolice.org]

Sent: Friday, January 20, 2012 3:29 PM

To: Slagel, Allan T.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William

Cc: Amarilio, Jonathan B.; Jackson, Heather A.

Subject: Re: Gates Supplemental Class

What does as soon as possible mean in terms of a drop-dead date?

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Friday, January 20, 2012 03:21 PM

To: Lewin, Jonathan H.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William **Cc**: Amarilio, Jonathan B. < <u>JAmarilio@Shefskylaw.com</u>>; Jackson, Heather A. < <u>hjackson@shefskylaw.com</u>>

Subject: Gates Supplemental Class

This is to review the subject matter of today's conference call:

The Gates Supplemental Class is comprised of arrestees (1) whose money was seized, (2) who were charged with a narcotics related offense between October 17, 2009 and May 14, 2011, (3) whose money was not inventoried as evidence in any criminal investigation, (4) against whose money no forfeiture action was commenced and (5) whose money was not returned.

To identify the members of the Gates Supplemental Class, we will need Asset Forfeiture's to identify the arrestees whose money was seized and inventoried for potential forfeiture during the class period (10/17/09 - 05/14/11), but against whose money no forfeiture action was initiated. We will then need PSIT to compare that asset forfeiture data against eTrack data to ascertain whether the money has been returned to those arrestees for whom forfeiture was not initiated. This process should provide us with a penultimate class list.

After that initial list is compiled, we should manually review, for purposes of quality control, all inventories on that list over \$1,000 to make sure that they were appropriately returnable to the class members.

The list needs to be compiled as soon as possible in order to complete this and other portions of inventorying case settlements before the retirement of the judge supervising the cases.

Please contact us if you have any questions.

Thank you.

Allan

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

Circular 230 Notice: To ensure compliance with requirements imposed by regulations governing practice before the Internal Revenue Service, unless expressly stated otherwise, any advice contained in this communication (including any attachments) concerning tax issues cannot be used, and is not intended to be used, for (i) the purpose of avoiding penalties that may be imposed under the Internal Revenue Code or (ii) the promotion, marketing or recommendation of any transaction or matter discussed in this communication (including any attachments).

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination,

distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

From:

Lewin

Sent:

Monday, January 23, 2012 8:11 AM

Subject:

Re: Gates Supplemental Class

Capt Marty Ryczek will be my point of contact, and will work with Alex and Rick. Thx

Jonathan

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Monday, January 23, 2012 04:15 AM

To: Lewin, Jonathan H.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William **Cc**: Amarilio, Jonathan B. <JAmarilio@Shefskylaw.com>; Jackson, Heather A. <hjackson@shefskylaw.com>

Subject: RE: Gates Supplemental Class

Beginning of the week of Feb 6. Require some time to review and confirm data prior to providing to Plaintiffs Counsel and claims administrator on Feb 13.

Thank you.

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

From: Lewin, Jonathan H. [mailto:Jonathan.Lewin@chicagopolice.org]

Sent: Friday, January 20, 2012 3:29 PM

To: Slagel, Allan T.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William

Cc: Amarilio, Jonathan B.; Jackson, Heather A.

Subject: Re: Gates Supplemental Class

What does as soon as possible mean in terms of a drop-dead date?

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Friday, January 20, 2012 03:21 PM

To: Lewin, Jonathan H.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William **Cc**: Amarilio, Jonathan B. < <u>JAmarilio@Shefskylaw.com</u>>; Jackson, Heather A. < <u>hjackson@shefskylaw.com</u>>

Subject: Gates Supplemental Class

This is to review the subject matter of today's conference call:

The Gates Supplemental Class is comprised of arrestees (1) whose money was seized, (2) who were charged with a narcotics related offense between October 17, 2009 and May 14, 2011, (3) whose money was not inventoried as evidence in any criminal investigation, (4) against whose money no forfeiture action was commenced and (5) whose money was not returned.

To identify the members of the Gates Supplemental Class, we will need Asset Forfeiture's to identify the arrestees whose money was seized and inventoried for potential forfeiture during the class period (10/17/09 - 05/14/11), but against whose money no forfeiture action was initiated. We will then need PSIT to compare that asset forfeiture data against eTrack data to ascertain whether the money has been returned to those arrestees for whom forfeiture was not initiated. This process should provide us with a penultimate class list.

After that initial list is compiled, we should manually review, for purposes of quality control, all inventories on that list over \$1,000 to make sure that they were appropriately returnable to the class members.

The list needs to be compiled as soon as possible in order to complete this and other portions of inventorying case settlements before the retirement of the judge supervising the cases.

Please contact us if you have any questions.

Thank you.

Allan

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

Circular 230 Notice: To ensure compliance with requirements imposed by regulations governing practice before the Internal Revenue Service, unless expressly stated otherwise, any advice contained in this communication (including any attachments) concerning tax issues cannot be used, and is not intended to be used, for (i) the purpose of avoiding penalties that may be imposed under the Internal Revenue Code or (ii) the promotion, marketing or recommendation of any transaction or matter discussed in this communication (including any attachments).

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination,

distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

From:

Slagel

Sent:

Monday, January 23, 2012 4:16 AM

Subject:

RE: Gates Supplemental Class

Beginning of the week of Feb 6. Require some time to review and confirm data prior to providing to Plaintiffs Counsel and claims administrator on Feb 13.

Thank you.

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

From: Lewin, Jonathan H. [mailto:Jonathan.Lewin@chicagopolice.org]

Sent: Friday, January 20, 2012 3:29 PM

To: Slagel, Allan T.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William

Cc: Amarilio, Jonathan B.; Jackson, Heather A.

Subject: Re: Gates Supplemental Class

What does as soon as possible mean in terms of a drop-dead date?

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Friday, January 20, 2012 03:21 PM

To: Lewin, Jonathan H.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William **Cc**: Amarilio, Jonathan B. < <u>JAmarilio@Shefskylaw.com</u>>; Jackson, Heather A. < <u>hjackson@shefskylaw.com</u>>

Subject: Gates Supplemental Class

This is to review the subject matter of today's conference call:

The Gates Supplemental Class is comprised of arrestees (1) whose money was seized, (2) who were charged with a narcotics related offense between October 17, 2009 and May 14, 2011, (3) whose money was not inventoried as evidence in any criminal investigation, (4) against whose money no forfeiture action was commenced and (5) whose money was not returned.

To identify the members of the Gates Supplemental Class, we will need Asset Forfeiture's to identify the arrestees whose money was seized and inventoried for potential forfeiture during the class period (10/17/09 - 05/14/11), but against whose money no forfeiture action was initiated. We will then need PSIT to compare that asset forfeiture data against eTrack data to ascertain whether the money has been returned to those arrestees for whom forfeiture was not initiated. This process should provide us with a penultimate class list.

After that initial list is compiled, we should manually review, for purposes of quality control, all inventories on that list over \$1,000 to make sure that they were appropriately returnable to the class members.

The list needs to be compiled as soon as possible in order to complete this and other portions of inventorying case settlements before the retirement of the judge supervising the cases.

Please contact us if you have any questions.

Thank you.

Allan

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

Circular 230 Notice: To ensure compliance with requirements imposed by regulations governing practice before the Internal Revenue Service, unless expressly stated otherwise, any advice contained in this communication (including any attachments) concerning tax issues cannot be used, and is not intended to be used, for (i) the purpose of avoiding penalties that may be imposed under the Internal Revenue Code or (ii) the promotion, marketing or recommendation of any transaction or matter discussed in this communication (including any attachments).

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

communication (including any attachments).

From:

Lewin

Sent:

Saturday, January 21, 2012 9:35 AM

Subject:

RE: Gates Supplemental Class

Got it earlier... this will be worked on as the priority. It should be done by next week.

Jonathan H. Lewin

Managing Deputy Director

Public Safety Information Technology

City of Chicago

Office of Emergency Management and Communications

1411 W Madison St

Chicago, IL 60607

Voice: 312-746-9205

Facsimile: 312-745-6990

24 Hr Help Desk: 312-744-DATA

www.ChicagoPolice.org

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail (or the person responsible for delivering this document to the intended recipient), you are hereby notified that any dissemination, distribution, printing or copying of this e-mail, and any attachment thereto, is strictly prohibited. If you have received this e-mail in error, please respond to the individual sending the message, and permanently delete the original and any copy of any e-mail and printout thereof.

From: Cuello, Beatrice V.

Sent: Saturday, January 21, 2012 9:14 AM

To: Lewin, Jonathan H.

Subject: Fw: Gates Supplemental Class

From: Bazarek, William

Sent: Saturday, January 21, 2012 09:13 AM

To: Cuello, Beatrice V.; Shear, Marvin J.; Rodriguez, Hector

Cc: Glatz, Elizabeth L.; Price, Ralph M. **Subject**: Fw: Gates Supplemental Class

Fyi William E. Bazarek First Asst. General Counsel Office of Legal Affairs

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Friday, January 20, 2012 03:21 PM

To: Lewin, Jonathan H.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William **Cc**: Amarilio, Jonathan B. <JAmarilio@Shefskylaw.com>; Jackson, Heather A. <hjackson@shefskylaw.com>

Subject: Gates Supplemental Class

This is to review the subject matter of today's conference call:

The Gates Supplemental Class is comprised of arrestees (1) whose money was seized, (2) who were charged with a narcotics related offense between October 17, 2009 and May 14, 2011, (3) whose money was not inventoried as evidence in any criminal investigation, (4) against whose money no forfeiture action was commenced and (5) whose money was not returned.

To identify the members of the Gates Supplemental Class, we will need Asset Forfeiture's to identify the arrestees whose money was seized and inventoried for potential forfeiture during the class period (10/17/09 - 05/14/11), but against whose money no forfeiture action was initiated. We will then need PSIT to compare that asset forfeiture data against eTrack data to ascertain whether the money has been returned to those arrestees for whom forfeiture was not initiated. This process should provide us with a penultimate class list.

After that initial list is compiled, we should manually review, for purposes of quality control, all inventories on that list over \$1,000 to make sure that they were appropriately returnable to the class members.

The list needs to be compiled as soon as possible in order to complete this and other portions of inventorying case settlements before the retirement of the judge supervising the cases.

Please contact us if you have any questions.

Thank you.

Allan

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax)

http://www.shefskylaw.com

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

From:

Cuello

Sent:

Saturday, January 21, 2012 9:15 AM

Subject:

Fw: Gates Supplemental Class

From: Bazarek, William

Sent: Saturday, January 21, 2012 09:13 AM

To: Cuello, Beatrice V.; Shear, Marvin J.; Rodriguez, Hector

Cc: Glatz, Elizabeth L.; Price, Ralph M. **Subject**: Fw: Gates Supplemental Class

Fyi

William E. Bazarek First Asst. General Counsel Office of Legal Affairs

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Friday, January 20, 2012 03:21 PM

To: Lewin, Jonathan H.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William **Cc**: Amarilio, Jonathan B. <JAmarilio@Shefskylaw.com>; Jackson, Heather A. <hjackson@shefskylaw.com>

Subject: Gates Supplemental Class

This is to review the subject matter of today's conference call:

The Gates Supplemental Class is comprised of arrestees (1) whose money was seized, (2) who were charged with a narcotics related offense between October 17, 2009 and May 14, 2011, (3) whose money was not inventoried as evidence in any criminal investigation, (4) against whose money no forfeiture action was commenced and (5) whose money was not returned.

To identify the members of the Gates Supplemental Class, we will need Asset Forfeiture's to identify the arrestees whose money was seized and inventoried for potential forfeiture during the class period (10/17/09 – 05/14/11), but against whose money no forfeiture action was initiated. We will then need PSIT to compare that asset forfeiture data against eTrack data to ascertain whether the money has been returned to those arrestees for whom forfeiture was not initiated. This process should provide us with a penultimate class list.

After that initial list is compiled, we should manually review, for purposes of quality control, all inventories on that list over \$1,000 to make sure that they were appropriately returnable to the class members.

The list needs to be compiled as soon as possible in order to complete this and other portions of inventorying case settlements before the retirement of the judge supervising the cases.

Please contact us if you have any guestions.

Thank you.

Allan

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

From:

Lewin

Sent:

Friday, January 20, 2012 3:29 PM

Subject:

Re: Gates Supplemental Class

What does as soon as possible mean in terms of a drop-dead date?

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Friday, January 20, 2012 03:21 PM

To: Lewin, Jonathan H.; Peplinski, Richard J.; Rubino, Michelle A.; Kilroy Jr, William A.; Bazarek, William **Cc**: Amarilio, Jonathan B. <JAmarilio@Shefskylaw.com>; Jackson, Heather A. <hjackson@shefskylaw.com>

Subject: Gates Supplemental Class

This is to review the subject matter of today's conference call:

The Gates Supplemental Class is comprised of arrestees (1) whose money was seized, (2) who were charged with a narcotics related offense between October 17, 2009 and May 14, 2011, (3) whose money was not inventoried as evidence in any criminal investigation, (4) against whose money no forfeiture action was commenced and (5) whose money was not returned.

To identify the members of the Gates Supplemental Class, we will need Asset Forfeiture's to identify the arrestees whose money was seized and inventoried for potential forfeiture during the class period (10/17/09 - 05/14/11), but against whose money no forfeiture action was initiated. We will then need PSIT to compare that asset forfeiture data against eTrack data to ascertain whether the money has been returned to those arrestees for whom forfeiture was not initiated. This process should provide us with a penultimate class list.

After that initial list is compiled, we should manually review, for purposes of quality control, all inventories on that list over \$1,000 to make sure that they were appropriately returnable to the class members.

The list needs to be compiled as soon as possible in order to complete this and other portions of inventorying case settlements before the retirement of the judge supervising the cases.

Please contact us if you have any questions.

Thank you.

Allan

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended

recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

From:

Slagel

Sent:

Friday, January 20, 2012 3:22 PM

Subject:

Gates Supplemental Class

This is to review the subject matter of today's conference call:

The Gates Supplemental Class is comprised of arrestees (1) whose money was seized, (2) who were charged with a narcotics related offense between October 17, 2009 and May 14, 2011, (3) whose money was not inventoried as evidence in any criminal investigation, (4) against whose money no forfeiture action was commenced and (5) whose money was not returned.

To identify the members of the Gates Supplemental Class, we will need Asset Forfeiture's to identify the arrestees whose money was seized and inventoried for potential forfeiture during the class period (10/17/09 - 05/14/11), but against whose money no forfeiture action was initiated. We will then need PSIT to compare that asset forfeiture data against eTrack data to ascertain whether the money has been returned to those arrestees for whom forfeiture was not initiated. This process should provide us with a penultimate class list.

After that initial list is compiled, we should manually review, for purposes of quality control, all inventories on that list over \$1,000 to make sure that they were appropriately returnable to the class members.

The list needs to be compiled as soon as possible in order to complete this and other portions of inventorying case settlements before the retirement of the judge supervising the cases.

Please contact us if you have any questions.

Thank you.

Allan

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

Circular 230 Notice: To ensure compliance with requirements imposed by regulations governing practice before the Internal Revenue Service,

unless expressly stated otherwise, any advice contained in this communication (including any attachments) concerning tax issues cannot be used, and is not intended to be used, for (i) the purpose of avoiding penalties that may be imposed under the Internal Revenue Code or (ii) the promotion, marketing or recommendation of any transaction or matter discussed in this communication (including any attachments).

From:

Lewin

Sent:

Wednesday, January 11, 2012 11:31 AM

Subject:

Re: CPD Training Scenarios for seizure of money.DOCX

Completely agree.

From: Peplinski, Richard J.

Sent: Wednesday, January 11, 2012 11:30 AM

To: Kapustianyk, Michael W.; Lewin, Jonathan H.; Bazarek, William; Kranz, Daniel R.; Randell, Ann M.

Cc: Hickey, James K.; Glatz, Elizabeth L.; Forlenza, Brigid C.; Shear, Marvin J.; Soto, Alexis C.; Ryczek, Martin E.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

Right now, if you select a narcotics IUCR, the choice of "US CURRENCY TO BE HELD IN ORIGINAL FORM" shouldn't even show up. Perhaps the list of IUCRs needs to be updated, more specific examples where this came up would help.

As far as the ticket forwarded relating to CIBs:

Currently CIBs can not be inventoried as HELD IN ORIGINAL FORM. My understanding, gleaned from a discussion some time ago with ERPS, was if you have a stack of money (CIB) and some of it has evidentiary value due to bloodstains, etc., you would call the Forensics people and they would basically separate the evidentiary money from the non-evidentiary money. Inventorying the evidentiary as normal money with "HOLD IN ORIGINAL FORM" and the rest of the CIB in "TO BE DEPOSITED" with accompanying descriptions and paperwork of that interaction. If this is not correct, we can obviously take steps to change it.

There are a multitude of scenarios which involve specific combinations of inventory type, amount/serial number, IUCR, narcotics related, action taken (HFI, etc), destination (ERPS, FORENSICS, etc), property owner, etc. It is a certainty there are circumstances that come up which don't fit neatly into the current validation process placed in the system. The more we use hard restrictions in the application, the more likely it is to not account for a scenario, which makes usage of the application that much more difficult for those involved.

-R

PO Richard Peplinski #17600

Chicago Police Department
Office of Emergency Management and Communications
Public Safety Information Technology Group
3510 S. Michigan Chicago II. 60653
richard.peplinski@chicagopolice.org

From: Kapustianyk, Michael W.

Sent: Wednesday, January 11, 2012 10:51

To: Lewin, Jonathan H.; Bazarek, William; Kranz, Daniel R.; Randell, Ann M.

Cc: Hickey, James K.; Peplinski, Richard J.; Glatz, Elizabeth L.; Forlenza, Brigid C.; Shear, Marvin J.; Soto, Alexis C.;

Ryczek, Martin E.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

Good Morning All,

I believe the issue that was raised by PO Bartuch from Asset Forfeiture Division (email string attached) is for situations when money needs to be held in original form and then the recovering member answers "YES" to the subsequent question: "Is this money narcotics related?"

eTrack does not allow this. Here is the error message eTrack provides:

1 error has occurred

The US CURRENCY TO BE HELD IN ORIGINAL FORM currency disposition is not narcotics related. Please update either disposition or the narcotics related answer.

So if a recovering member wants to hold currency in original form because of evidentiary value (e.g., physical evidence, serial numbers) in a narcotics related case (narcotics IUCR Code), the eTrack will not allow it. The policy change to S07-01 and S07-01-02 from 13 May 11 only effected money designated as "Hold for Investigation" and did not change our policy on "Hold Currency in Original Form."

We can discuss further at the meeting today.

Thanks,

mike

<<<<<<<<<>>>>>>

Sergeant Michael Kapustianyk

Research and Development Division, Unit 127

Chicago Police Department 312-745-6071 / x-8-4-285

michael.kapustianyk@chicagopolice.org

From: Lewin, Jonathan H.

Sent: Wednesday, January 11, 2012 10:02 AM

To: Bazarek, William; Kapustianyk, Michael W.; Kranz, Daniel R.; Randell, Ann M.

Cc: Hickey, James K.; Peplinski, Richard J.; Glatz, Elizabeth L.; Forlenza, Brigid C.; Shear, Marvin J.; Soto, Alexis C.;

Ryczek, Martin E.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

We can scope out any requirements for changes and provide a time and cost estimate. Sgt Soto and Capt Ryczek should be copied on these as well. Thx

Jonathan H. Lewin
Managing Deputy Director
Public Safety Information Technology
City of Chicago
Office of Emergency Management and Communications
1411 W Madison St
Chicago, IL 60607

Voice: 312-746-9205 Facsimile: 312-745-6990

24 Hr Help Desk: 312-744-DATA

www.ChicagoPolice.org

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail (or the person responsible for delivering this document to the intended recipient), you are hereby notified that any dissemination, distribution, printing or copying of this e-mail, and any attachment thereto, is strictly prohibited. If you have received this e-mail in error, please respond to the individual sending the message, and permanently delete the original and any copy of any e-mail and printout thereof.

From: Bazarek, William

Sent: Wednesday, January 11, 2012 9:59 AM

To: Kapustianyk, Michael W.; Kranz, Daniel R.; Randell, Ann M.

Cc: Hickey, James K.; Peplinski, Richard J.; Glatz, Elizabeth L.; Lewin, Jonathan H.; Forlenza, Brigid C.; Shear, Marvin J.

Subject: RE: CPD Training Scenarios for seizure of money.DOCX

Mike: Officer Peplinski relayed to me yesterday afternoon that e-track is available for members who seek to inventory currency as hold in original form, as to ERPS requirement of written report, I have no information on that requirement but I'm sure ERPS will explain.

Bill

From: Kapustianyk, Michael W.

Sent: Tuesday, January 10, 2012 11:45 AM

To: Kranz, Daniel R.; Randell, Ann M.; Bazarek, William

Cc: Hickey, James K.

Subject: FW: CPD Training_ Scenarios for seizure of money.DOCX

Good Morning All,

Dan and Ann – here are the strings of emails from this morning (and one attached) about the concerns with ERPS and PSIT/eTrack in terms of hold for investigation money inventories.

Bill – it seems like there is still confusion about money inventories. ERPS is requiring a paper report to justify a hold in original form and Asset Forfeiture believes they cannot perform their investigations with the way eTrack currently processes these inventories. Is there any way you can coordinate a meeting with the stakeholders (OLA, R&D, PSIT, ERPS, Asset Forfeiture) to iron out what is happening now with these inventories and what, if any changes need to be made in AFD and ERPS SOPs, eTrack, or the policy? I could compile the list of 3 or 4 issues as I see it from Allan's original emails.

Allan is asking for resolution but I think we need a CPD discussion to sort out what exactly is currently going on before any changes to the policy is made.

Thanks,
mike

<<<<<<<<<>>>>>>>>>

Sergeant Michael Kapustianyk

Research and Development Division, Unit 127

Chicago Police Department
312-745-6071 / x-8-4-285
michael.kapustianyk@chicagopolice.org

Allan,

I had a discussion this morning with the group in R&D that worked on the money inventory task. If ERPS is requiring something not in the directive and if eTrack is not performing the way the policy was intended (or how Asset Forfeiture needs it to function to complete investigations), then you are right, there are definitely issues.

However, before any changes in policy are made, I think CPD needs everyone back at the table to iron out what exactly needs to be done for money inventories from the operational, policy, and technology aspects. I will reach out to Bill Bazarek to see if he can coordinate a meeting with all of the stake holders.

Thanks and I'll let you know. mike

<<<<<<<<<>>>>>>>

Sergeant Michael Kapustianyk
Research and Development Division, Unit 127
Chicago Police Department
312-745-6071 / x-8-4-285
michael.kapustianyk@chicagopolice.org

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Tuesday, January 10, 2012 7:28 AM

To: Kapustianyk, Michael W.

Cc: Jackson, Heather A.; Bazarek, William; Rubino, Michelle A.; Kilroy Jr, William A.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

Mike-

The to/from requirement identified by ERPS below concerning money to be held in original form is different than the provisions of the Special Order S 07-01 dated May 13, 2011 which states:

"All money seized without a search warrant will not be inventoried as Hold for Investigation unless a justifiable and articulable reason exists for the hold described in eTrack AND the amount exceeds \$500 OR the amount is \$500 or less and the rightful owner of the money cannot be determined."

Also, the ERPS procedure is different than PSIT's understanding concerning hold in original form inventories. See attached email.

Also, as raised in the email with PSIT, are issues concerning CIBs. S07-01-04 dated January 14, 2004 did not appear to include a discussion of the to/from memo requirement or PSIT's blanket restriction on such inventories.

Thus, potentially, modification to the orders might be required along with a change by PSIT on inventorying procedures for eTrack.

Accordingly, I suggest a call as soon as practicable to review these matters so that Asset Forfeiture can proceed with its proposed training.

Thank you.

Allan

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

From: Glatz, Elizabeth L. [mailto:Elizabeth.Glatz@chicagopolice.org]

Sent: Monday, January 09, 2012 3:03 PM

To: Jackson, Heather A.; Bazarek, William; Forlenza, Brigid C.; Shear, Marvin J. **Cc:** Rubino, Michelle A.; Slagel, Allan T.; Kapustianyk, Michael W.; Kilroy Jr, William A.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

Heather, I had the ERPS Sergeants review the attached scenarios. The only issue was with scenario #4. In the yes response it should also include that if held in original form the requesting officer also needs to complete a To/From subject report providing a detailed explanation for the hold. We are required to have this information by Auditing and Control when audits of the vault are completed.

Lt. Liz Glatz Evidence and Recovered Property

From: Jackson, Heather A. [mailto:HJackson@Shefskylaw.com]

Sent: Friday, January 06, 2012 1:47 PM **To:** Glatz, Elizabeth L.; Bazarek, William

Cc: Rubino, Michelle A.; Slagel, Allan T.; Kapustianyk, Michael W.; Kilroy Jr, William A.

Subject: CPD Training_ Scenarios for seizure of money.DOCX

Attached please find training scenarios that were developed with AFU, in anticipation that AFU personnel will be preforming training relating to seizure of money for narcotics, pursuant to the directives amended last year. Again, the scenarios were developed with, and approved by, AFU. Please review on behalf of ERPS and OLA, and let us know if you have any questions, comments or changes to the scenarios, or if there are other CPD departments or individuals who should review/approve. We would like to obtain approval of the substance of these scenarios, which will be put into PowerPoint format, so that AFU personnel can be prepared for the training sessions. Thanks in advance.

Heather A. Jackson Shefsky & Froelich 111 East Wacker Drive Suite 2800 Chicago, IL 60601 p: 312.836.4172 f: 312.275.7580

http://www.shefskylaw.com

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

From:

Lewir

Sent:

Wednesday, January 11, 2012 11:31 AM

Subject:

Re: CPD Training_ Scenarios for seizure of money.DOCX

Completely agree.

From: Peplinski, Richard J.

Sent: Wednesday, January 11, 2012 11:30 AM

To: Kapustianyk, Michael W.; Lewin, Jonathan H.; Bazarek, William; Kranz, Daniel R.; Randell, Ann M.

Cc: Hickey, James K.; Glatz, Elizabeth L.; Forlenza, Brigid C.; Shear, Marvin J.; Soto, Alexis C.; Ryczek, Martin E.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

Right now, if you select a narcotics IUCR, the choice of "US CURRENCY TO BE HELD IN ORIGINAL FORM" shouldn't even show up. Perhaps the list of IUCRs needs to be updated, more specific examples where this came up would help.

As far as the ticket forwarded relating to CIBs:

Currently CIBs can not be inventoried as HELD IN ORIGINAL FORM. My understanding, gleaned from a discussion some time ago with ERPS, was if you have a stack of money (CIB) and some of it has evidentiary value due to bloodstains, etc., you would call the Forensics people and they would basically separate the evidentiary money from the non-evidentiary money. Inventorying the evidentiary as normal money with "HOLD IN ORIGINAL FORM" and the rest of the CIB in "TO BE DEPOSITED" with accompanying descriptions and paperwork of that interaction. If this is not correct, we can obviously take steps to change it.

There are a multitude of scenarios which involve specific combinations of inventory type, amount/serial number, IUCR, narcotics related, action taken (HFI, etc), destination (ERPS, FORENSICS, etc), property owner, etc. It is a certainty there are circumstances that come up which don't fit neatly into the current validation process placed in the system. The more we use hard restrictions in the application, the more likely it is to not account for a scenario, which makes usage of the application that much more difficult for those involved.

-R

PO Richard Peplinski #17600

Chicago Police Department

Office of Emergency Management and Communications

Public Safety Information Technology Group

3510 S. Michigan Chicago Il. 60653 richard.peplinski@chicagopolice.org

From: Kapustianyk, Michael W.

Sent: Wednesday, January 11, 2012 10:51

To: Lewin, Jonathan H.; Bazarek, William; Kranz, Daniel R.; Randell, Ann M.

Cc: Hickey, James K.; Peplinski, Richard J.; Glatz, Elizabeth L.; Forlenza, Brigid C.; Shear, Marvin J.; Soto, Alexis C.;

Ryczek, Martin E.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

Good Morning All,

I believe the issue that was raised by PO Bartuch from Asset Forfeiture Division (email string attached) is for situations when money needs to be held in original form and then the recovering member answers "YES" to the subsequent question: "Is this money narcotics related?"

eTrack does not allow this. Here is the error message eTrack provides:

1 error has occurred

The US CURRENCY TO BE HELD IN ORIGINAL FORM currency disposition is not narcotics related. Please update either disposition or the narcotics related answer.

So if a recovering member wants to hold currency in original form because of evidentiary value (e.g., physical evidence, serial numbers) in a narcotics related case (narcotics IUCR Code), the eTrack will not allow it. The policy change to S07-01 and S07-01-02 from 13 May 11 only effected money designated as "Hold for Investigation" and did not change our policy on "Hold Currency in Original Form."

We can discuss further at the meeting today.

Thanks, mike

<<<<<<<<<<>>>>>>>

Sergeant Michael Kapustianyk Research and Development Division, Unit 127 Chicago Police Department 312-745-6071 / x-8-4-285

michael.kapustianyk@chicagopolice.org

From: Lewin, Jonathan H.

Sent: Wednesday, January 11, 2012 10:02 AM

To: Bazarek, William; Kapustianyk, Michael W.; Kranz, Daniel R.; Randell, Ann M.

Cc: Hickey, James K.; Peplinski, Richard J.; Glatz, Elizabeth L.; Forlenza, Brigid C.; Shear, Marvin J.; Soto, Alexis C.;

Ryczek, Martin E.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

We can scope out any requirements for changes and provide a time and cost estimate. Sgt Soto and Capt Ryczek should be copied on these as well. Thx

Jonathan H. Lewin
Managing Deputy Director
Public Safety Information Technology
City of Chicago
Office of Emergency Management and Communications
1411 W Madison St
Chicago, IL 60607

Voice: 312-746-9205 Facsimile: 312-745-6990

24 Hr Help Desk: 312-744-DATA

www.ChicagoPolice.org

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail (or the person responsible for delivering this document to the intended recipient), you are hereby notified that any dissemination, distribution, printing or copying of this e-mail, and any attachment thereto, is strictly prohibited. If you have received this e-mail in error, please respond to the individual sending the message, and permanently delete the original and any copy of any e-mail and printout thereof.

From: Bazarek, William

Sent: Wednesday, January 11, 2012 9:59 AM

To: Kapustianyk, Michael W.; Kranz, Daniel R.; Randell, Ann M.

Cc: Hickey, James K.; Peplinski, Richard J.; Glatz, Elizabeth L.; Lewin, Jonathan H.; Forlenza, Brigid C.; Shear, Marvin J.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

Mike: Officer Peplinski relayed to me yesterday afternoon that e-track is available for members who seek to inventory currency as hold in original form, as to ERPS requirement of written report, I have no information on that requirement but I'm sure ERPS will explain.

Bill

From: Kapustianyk, Michael W.

Sent: Tuesday, January 10, 2012 11:45 AM

To: Kranz, Daniel R.; Randell, Ann M.; Bazarek, William

Cc: Hickey, James K.

Subject: FW: CPD Training_ Scenarios for seizure of money.DOCX

Good Morning All,

Dan and Ann – here are the strings of emails from this morning (and one attached) about the concerns with ERPS and PSIT/eTrack in terms of hold for investigation money inventories.

Bill – it seems like there is still confusion about money inventories. ERPS is requiring a paper report to justify a hold in original form and Asset Forfeiture believes they cannot perform their investigations with the way eTrack currently processes these inventories. Is there any way you can coordinate a meeting with the stakeholders (OLA, R&D, PSIT, ERPS, Asset Forfeiture) to iron out what is happening now with these inventories and what, if any changes need to be made in AFD and ERPS SOPs, eTrack, or the policy? I could compile the list of 3 or 4 issues as I see it from Allan's original emails.

Allan is asking for resolution but I think we need a CPD discussion to sort out what exactly is currently going on before any changes to the policy is made.

Thanks,
mike

<<<<<<<<<<<<>>>>>>>>>

Sergeant Michael Kapustianyk

Research and Development Division, Unit 127

Chicago Police Department

312-745-6071 / x-8-4-285
michael.kapustianyk@chicagopolice.org

Allan,

I had a discussion this morning with the group in R&D that worked on the money inventory task. If ERPS is requiring something not in the directive and if eTrack is not performing the way the policy was intended (or how Asset Forfeiture needs it to function to complete investigations), then you are right, there are definitely issues.

However, before any changes in policy are made, I think CPD needs everyone back at the table to iron out what exactly needs to be done for money inventories from the operational, policy, and technology aspects. I will reach out to Bill Bazarek to see if he can coordinate a meeting with all of the stake holders.

michael.kapustianyk@chicagopolice.org

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Tuesday, January 10, 2012 7:28 AM

To: Kapustianyk, Michael W.

Cc: Jackson, Heather A.; Bazarek, William; Rubino, Michelle A.; Kilroy Jr, William A.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

Mike-

The to/from requirement identified by ERPS below concerning money to be held in original form is different than the provisions of the Special Order S 07-01 dated May 13, 2011 which states:

"All money seized without a search warrant will not be inventoried as Hold for Investigation unless a justifiable and articulable reason exists for the hold described in eTrack AND the amount exceeds \$500 OR the amount is \$500 or less and the rightful owner of the money cannot be determined."

Also, the ERPS procedure is different than PSIT's understanding concerning hold in original form inventories. See attached email.

Also, as raised in the email with PSIT, are issues concerning CIBs. S07-01-04 dated January 14, 2004 did not appear to include a discussion of the to/from memo requirement or PSIT's blanket restriction on such inventories.

Thus, potentially, modification to the orders might be required along with a change by PSIT on inventorying procedures for eTrack.

Accordingly, I suggest a call as soon as practicable to review these matters so that Asset Forfeiture can proceed with its proposed training.

Thank you.

Allan

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

From: Glatz, Elizabeth L. [mailto:Elizabeth.Glatz@chicagopolice.org]

Sent: Monday, January 09, 2012 3:03 PM

To: Jackson, Heather A.; Bazarek, William; Forlenza, Brigid C.; Shear, Marvin J. **Cc:** Rubino, Michelle A.; Slagel, Allan T.; Kapustianyk, Michael W.; Kilroy Jr, William A.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

Heather, I had the ERPS Sergeants review the attached scenarios. The only issue was with scenario #4. In the yes response it should also include that if held in original form the requesting officer also needs to complete a To/From subject report providing a detailed explanation for the hold. We are required to have this information by Auditing and Control when audits of the vault are completed.

Lt. Liz Glatz
Evidence and Recovered Property

From: Jackson, Heather A. [mailto:HJackson@Shefskylaw.com]

Sent: Friday, January 06, 2012 1:47 PM **To:** Glatz, Elizabeth L.; Bazarek, William

Cc: Rubino, Michelle A.; Slagel, Allan T.; Kapustianyk, Michael W.; Kilroy Jr, William A.

Subject: CPD Training_ Scenarios for seizure of money.DOCX

Attached please find training scenarios that were developed with AFU, in anticipation that AFU personnel will be preforming training relating to seizure of money for narcotics, pursuant to the directives amended last year. Again, the scenarios were developed with, and approved by, AFU. Please review on behalf of ERPS and OLA, and let us know if you have any questions, comments or changes to the scenarios, or if there are other CPD departments or individuals who should review/approve. We would like to obtain approval of the substance of these scenarios, which will be put into PowerPoint format, so that AFU personnel can be prepared for the training sessions. Thanks in advance.

Heather A. Jackson Shefsky & Froelich 111 East Wacker Drive Suite 2800 Chicago, IL 60601 p: 312.836.4172 f: 312.275.7580

http://www.shefskylaw.com

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.

From: Peplinski

Sent: Wednesday, January 11, 2012 11:30 AM

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

Right now, if you select a narcotics IUCR, the choice of "US CURRENCY TO BE HELD IN ORIGINAL FORM" shouldn't even show up. Perhaps the list of IUCRs needs to be updated, more specific examples where this came up would help.

As far as the ticket forwarded relating to CIBs:

Currently CIBs can not be inventoried as HELD IN ORIGINAL FORM. My understanding, gleaned from a discussion some time ago with ERPS, was if you have a stack of money (CIB) and some of it has evidentiary value due to bloodstains, etc., you would call the Forensics people and they would basically separate the evidentiary money from the non-evidentiary money. Inventorying the evidentiary as normal money with "HOLD IN ORIGINAL FORM" and the rest of the CIB in "TO BE DEPOSITED" with accompanying descriptions and paperwork of that interaction. If this is not correct, we can obviously take steps to change it.

There are a multitude of scenarios which involve specific combinations of inventory type, amount/serial number, IUCR, narcotics related, action taken (HFI, etc), destination (ERPS, FORENSICS, etc), property owner, etc. It is a certainty there are circumstances that come up which don't fit neatly into the current validation process placed in the system. The more we use hard restrictions in the application, the more likely it is to not account for a scenario, which makes usage of the application that much more difficult for those involved.

-R

PO Richard Peplinski #17600

Chicago Police Department
Office of Emergency Management and Communications
Public Safety Information Technology Group
3510 S. Michigan Chicago II. 60653
richard.peplinski@chicagopolice.org

From: Kapustianyk, Michael W.

Sent: Wednesday, January 11, 2012 10:51

To: Lewin, Jonathan H.; Bazarek, William; Kranz, Daniel R.; Randell, Ann M.

Cc: Hickey, James K.; Peplinski, Richard J.; Glatz, Elizabeth L.; Forlenza, Brigid C.; Shear, Marvin J.; Soto, Alexis C.;

Ryczek, Martin E.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

Good Morning All,

I believe the issue that was raised by PO Bartuch from Asset Forfeiture Division (email string attached) is for situations when money needs to be held in original form and then the recovering member answers "YES" to the subsequent question: "Is this money narcotics related?"

eTrack does not allow this. Here is the error message eTrack provides:

1 error has occurred

The US CURRENCY TO BE HELD IN ORIGINAL FORM currency disposition is not narcotics related. Please update either disposition or the narcotics related answer.

So if a recovering member wants to hold currency in original form because of evidentiary value (e.g., physical evidence, serial numbers) in a narcotics related case (narcotics IUCR Code), the eTrack will not allow it. The policy change to S07-01 and S07-01-02 from 13 May 11 only effected money designated as "Hold for Investigation" and did not change our policy on "Hold Currency in Original Form."

We can discuss further at the meeting today.

Thanks. mike

<<<<<<<<<>>>>>>>

Sergeant Michael Kapustianyk Research and Development Division, Unit 127

Chicago Police Department

312-745-6071 / x-8-4-285

michael.kapustianyk@chicagopolice.org

From: Lewin, Jonathan H.

Sent: Wednesday, January 11, 2012 10:02 AM

To: Bazarek, William; Kapustianyk, Michael W.; Kranz, Daniel R.; Randell, Ann M.

Cc: Hickey, James K.; Peplinski, Richard J.; Glatz, Elizabeth L.; Forlenza, Brigid C.; Shear, Marvin J.; Soto, Alexis C.;

Ryczek, Martin E.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

We can scope out any requirements for changes and provide a time and cost estimate. Sgt Soto and Capt Ryczek should be copied on these as well. Thx

Jonathan H. Lewin Managing Deputy Director Public Safety Information Technology City of Chicago Office of Emergency Management and Communications 1411 W Madison St Chicago, IL 60607

Voice: 312-746-9205 Facsimile: 312-745-6990

24 Hr Help Desk: 312-744-DATA

www.ChicagoPolice.org

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail (or the person responsible for delivering this document to the intended recipient), you are hereby notified that any dissemination, distribution, printing or copying of this e-mail, and any attachment thereto, is strictly prohibited. If you have received this e-mail in error, please respond to the individual sending the message, and permanently delete the original and any copy of any e-mail and printout thereof.

From: Bazarek, William

Sent: Wednesday, January 11, 2012 9:59 AM

To: Kapustianyk, Michael W.; Kranz, Daniel R.; Randell, Ann M.

Cc: Hickey, James K.; Peplinski, Richard J.; Glatz, Elizabeth L.; Lewin, Jonathan H.; Forlenza, Brigid C.; Shear, Marvin J.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

Mike: Officer Peplinski relayed to me yesterday afternoon that e-track is available for members who seek to inventory currency as hold in original form, as to ERPS requirement of written report, I have no information on that requirement but I'm sure ERPS will explain.

Bill

From: Kapustianyk, Michael W.

Sent: Tuesday, January 10, 2012 11:45 AM

To: Kranz, Daniel R.; Randell, Ann M.; Bazarek, William

Cc: Hickey, James K.

Subject: FW: CPD Training_ Scenarios for seizure of money.DOCX

Good Morning All,

Dan and Ann - here are the strings of emails from this morning (and one attached) about the concerns with ERPS and PSIT/eTrack in terms of hold for investigation money inventories.

Bill - it seems like there is still confusion about money inventories. ERPS is requiring a paper report to justify a hold in original form and Asset Forfeiture believes they cannot perform their investigations with the way eTrack currently processes these inventories. Is there any way you can coordinate a meeting with the stakeholders (OLA, R&D, PSIT, ERPS, Asset Forfeiture) to iron out what is happening now with these inventories and what, if any changes need to be made in AFD and ERPS SOPs, eTrack, or the policy? I could compile the list of 3 or 4 issues as I see it from Allan's original emails.

Allan is asking for resolution but I think we need a CPD discussion to sort out what exactly is currently going on before any changes to the policy is made.

Thanks, mike

<<<<<<<<<>>>>>>

Sergeant Michael Kapustianyk Research and Development Division, Unit 127 Chicago Police Department 312-745-6071 / x-8-4-285

michael.kapustianyk@chicagopolice.org

Allan,

I had a discussion this morning with the group in R&D that worked on the money inventory task. If ERPS is requiring something not in the directive and if eTrack is not performing the way the policy was intended (or how Asset Forfeiture needs it to function to complete investigations), then you are right, there are definitely issues.

However, before any changes in policy are made, I think CPD needs everyone back at the table to iron out what exactly needs to be done for money inventories from the operational, policy, and technology aspects. I will reach out to Bill Bazarek to see if he can coordinate a meeting with all of the stake holders.

Thanks and I'll let you know.

mike

<<<<<<<<<<<>>>>>>>

Sergeant Michael Kapustianyk Research and Development Division, Unit 127 Chicago Police Department 312-745-6071 / x-8-4-285

michael.kapustianyk@chicagopolice.org

From: Slagel, Allan T. [mailto:aslagel@shefskylaw.com]

Sent: Tuesday, January 10, 2012 7:28 AM

To: Kapustianyk, Michael W.

Cc: Jackson, Heather A.; Bazarek, William; Rubino, Michelle A.; Kilroy Jr, William A.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

Mike-

The to/from requirement identified by ERPS below concerning money to be held in original form is different than the provisions of the Special Order S 07-01 dated May 13, 2011 which states:

"All money seized without a search warrant will not be inventoried as Hold for Investigation unless a justifiable and articulable reason exists for the hold described in eTrack AND the amount exceeds \$500 OR the amount is \$500 or less and the rightful owner of the money cannot be determined."

Also, the ERPS procedure is different than PSIT's understanding concerning hold in original form inventories. See attached email.

Also, as raised in the email with PSIT, are issues concerning CIBs. S07-01-04 dated January 14, 2004 did not appear to include a discussion of the to/from memo requirement or PSIT's blanket restriction on such inventories.

Thus, potentially, modification to the orders might be required along with a change by PSIT on inventorying procedures for eTrack.

Accordingly, I suggest a call as soon as practicable to review these matters so that Asset Forfeiture can proceed with its proposed training.

Thank you.

Allan

Allan T. Slagel Shefsky & Froelich Ltd. 111 East Wacker Drive Suite 2800 Chicago, IL 60601 312.836.4056 312.275.7604 (efax) http://www.shefskylaw.com

From: Glatz, Elizabeth L. [mailto:Elizabeth.Glatz@chicagopolice.org]

Sent: Monday, January 09, 2012 3:03 PM

To: Jackson, Heather A.; Bazarek, William; Forlenza, Brigid C.; Shear, Marvin J. **Cc:** Rubino, Michelle A.; Slagel, Allan T.; Kapustianyk, Michael W.; Kilroy Jr, William A.

Subject: RE: CPD Training_ Scenarios for seizure of money.DOCX

Heather, I had the ERPS Sergeants review the attached scenarios. The only issue was with scenario #4. In the yes response it should also include that if held in original form the requesting officer also needs to complete a To/From subject report providing a detailed explanation for the hold. We are required to have this information by Auditing and Control when audits of the vault are completed.

Evidence and Recovered Property

From: Jackson, Heather A. [mailto:HJackson@Shefskylaw.com]

Sent: Friday, January 06, 2012 1:47 PM **To:** Glatz, Elizabeth L.; Bazarek, William

Cc: Rubino, Michelle A.; Slagel, Allan T.; Kapustianyk, Michael W.; Kilroy Jr, William A.

Subject: CPD Training_ Scenarios for seizure of money.DOCX

Attached please find training scenarios that were developed with AFU, in anticipation that AFU personnel will be preforming training relating to seizure of money for narcotics, pursuant to the directives amended last year. Again, the scenarios were developed with, and approved by, AFU. Please review on behalf of ERPS and OLA, and let us know if you have any questions, comments or changes to the scenarios, or if there are other CPD departments or individuals who should review/approve. We would like to obtain approval of the substance of these scenarios, which will be put into PowerPoint format, so that AFU personnel can be prepared for the training sessions. Thanks in advance.

Heather A. Jackson Shefsky & Froelich 111 East Wacker Drive Suite 2800 Chicago, IL 60601 p: 312.836.4172 f: 312.275.7580

http://www.shefskylaw.com

This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of any information contained in or attached to this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing or saving in any manner. Thank you.