



Rahm Emanuel
Mayor

Department of Police • City of Chicago
3510 S. Michigan Avenue • Chicago, Illinois 60653

Garry F. McCarthy
Superintendent of Police

1 July, 2015

Sent Via E-Mail

Freddy Martinez
Freddymartinez9@gmail.com

RE: NOTICE OF RESPONSE TO FOIA REQUEST
REQUEST DATE: 6 May, 2015
FOIA FILE NO.: 15-2560

Dear Mr. Martinez,

This letter is in response to the Freedom of Information Act ("FOIA") request you sent which was received by the Chicago Police Department on 6 May 15. At that time this FOIA was given the reference number, 15-2560. In subsequent correspondence between you and the undersigned, you agreed to a response date of 1 July for this FOIA request.

The original language of your request is immediately below:

"Greetings,

I am seeking the following public records, regardless of physical form or characteristics, under the Illinois Freedom of Information Act the following about the Crime Prevention and Information Center (CPIC).

Records about the funding of CPIC from May 2013 - Present for any yearly reports. Also included in this requests is documents sufficient to show the funding of CPIC on a quarterly basis.

Records about the funding of CPIC from May 2013 - Present for any of the following sources: 1505 funds, 1505ML funds, "asset forfeiture" or "equitable sharing" programs.

Any correspondence in CPIC that mention "Stingray" "Hailstorm" or "Cell site simulators".

Records sufficient to show any arrest of a City of Chicago employee under CPIC Directive IV. G. 22.

All records sufficient to show any injury or death of a citizen as a

result of a City of Chicago employee under CPIC Directive IV. G. 25.

All records sufficient to show any dispatch of IPRA under CPIC Directive IV. G. 30 b.

A copy of the last week's log of "significant events" under CPIC Directive IV. I.

Any reports that summarize the efficiency of Spotshotter technology that is maintained under CPIC directive V. D. 1.

Any reports, emails, correspondence or other records that use any or all of the following keywords that are maintained by CPIC: Black Lives Matter, #BlackLivesMatter, Twitter, Social Media, protest, Reykia Boyd, Eric Gardner, #Ferguson, Ferguson, Mike Brown, or Laquan McDonald

Records under CPIC directive IV G 25 that mention Laquan McDonald.

Records sufficient to show any sharing of information of "contact cards" between CPIC and Chicago Police Department.

Please correspond with me only using the email address from which this email has been sent. Please produce electronic records in their native format with all original metadata and please scan any paper records and produce as PDFs. This request is not made for a commercial purpose.

Please feel free to contact me with any questions, especially with questions about the scope of this request.

Thanks,

Freddy Martinez"

On 13 May 15, you were sent correspondence advising you that your request would be treated as a voluminous request pursuant to 5 ILCS 140/2(h). The FOIA provides that any "individual, corporation, partnership, firm, organization or association, acting individually or as a group" who submits a request that "(i) includes more than 5 individual requests for more than 5 different categories of records or a combination of individual requests that total requests for more than 5 different categories of records in a period of 20 business days; or (ii) requires the compilation of more than 500 letter or legal-sized pages of public records unless a single requested record exceeds 500 pages" is a voluminous request.

On 6 June 15, you sent correspondence narrowing your request to the following:

"I would like to narrow my search for CPIC in the following ways. (I tried to call you to discuss but wasn't able to reach anyone).

I am seeking the following public records, regardless of physical form or characteristics, under the Illinois Freedom of Information Act the following about the Crime Prevention and Information Center (CPIC).

Records about the funding of CPIC from May 2013 - Present for any yearly reports. Also included in this requests is documents sufficient to show the funding of CPIC on a quarterly basis.

Records about the funding of CPIC from May 2013 - Present for any of the following sources: 1505 funds, 1505ML funds, "asset forfeiture" or "equitable sharing" programs.

All records sufficient to show any injury or death of a citizen as a result of a City of Chicago employee under CPIC Directive IV. G. 25 over the last year (2015)

A copy of the last week's log of "significant events" under CPIC Directive IV. I.

Records sufficient to show any sharing of information of "contact cards" between CPIC and Chicago Police Department.

Please feel free to contact me with any questions, especially with questions about the scope of this request.

Thanks,

Freddy Martinez"

In subsequent correspondence between you and the undersigned, you agreed to a response date of 1 July for this narrowed FOIA request.

In response to the first portion of your narrowed request seeking, **"Records about the funding of CPIC from May 2013 - Present for any yearly reports. Also included in this requests is documents sufficient to show the funding of CPIC on a quarterly basis."**, a review of the City of Chicago website was conducted. The Chicago Police Department is providing you with PDF copies of the City of Chicago Budget Overview for the years 2013, 2014 and 2015. Funding for the Crime Prevention and Information Center is reflected, by year, under the section, Chicago Police Department.

The funding scheme for the Crime Prevention and Information Center is forecast and executed on a yearly, not quarterly, basis. Therefore, for the portion of your request seeking quarterly funding records there are no responsive records.

For your convenience the URL is included here, <http://www.cityofchicago.org/city/en/depts/obm.html> .

In the response to the second portion of your narrowed request seeking, ***"Records about the funding of CPIC from May 2013 - Present for any of the following sources: 1505 funds, 1505ML funds, "asset forfeiture" or "equitable sharing" programs."*** This portion of your request was reviewed by the undersigned, personnel from the Deployment Operations Center and personnel from the Bureau of Organized Crime. It was determined that there are no responsive records concerning this portion of your request.

In response to the third portion of your narrowed request seeking, ***"All records sufficient to show any injury or death of a citizen as a result of a City of Chicago employee under CPIC Directive IV. G. 25 over the last year (2015)."*** This portion of your request was reviewed by the personnel from the Deployment Operations Command. A search of the appropriate database was conducted using the search string, *"injury or death of a citizen as a result of a City of Chicago employee"*. It was determined that there are no responsive records concerning this portion of your request.

In response to the fourth portion of your narrowed request seeking, ***"A copy of the last week's log of "significant events" under CPIC Directive IV. I."***, you are being provided with copies of the Daily Activity Report covering 14 June 15, through 20 June 15. The Chicago Police Department may provide you with copies of these reports but only with certain information redacted. The redacted information is exempt from disclosure under the following paragraphs of the Freedom of Information Act:

5 ILCS 140/7 (1)(b) Private information, unless disclosure is required by another provision of this Act, a State or federal law or a court order.

In accordance with the above referenced statutory exemption, information such as home addresses, telephone numbers, employee identification numbers have been redacted.

5 ILCS 140/7 (1)(c) Personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "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. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.

In accordance with the above referenced statutory exemption, information such as dates of birth, victim's name(s) and identifying information have been redacted.

Identifying information concerning the victims and witnesses, which are exempt under 5 ILCS 140/7(1)(d)(iv).

Accordingly, the names of witnesses have been redacted from the reports provided to you.

Additionally, the Juvenile Court Act of 1987 (JCA) (705 ILCS 405/1) (West 2010) is applicable for

these documents.

705 ILCS 405/5-905(2) specifies, in part, that....."reports in which a minor was arrested, charged or investigated must be withheld in full."

Therefore, any references to juveniles have been redacted.

In response to the fifth portion of your narrowed request seeking, **"Records sufficient to show any sharing of 'contact Cards' between the CPIC and Chicago Police Department"**. This portion of your FOIA request was reviewed by the undersigned and personnel from the Deployment Operations Command. While the directives that govern the conduct of the Chicago Police Department are available on-line, the Department is, nevertheless, providing you with Special Order S03-04-04, Crime Prevention and Information Center, and S04-13-09, Contact Information Center.

The organizational relationship between the Chicago Police Department and the Crime Prevention and Information Center is described in Special Order S03-04-04. The policies concerning the commemoration of, and access to, Contact Information Cards is contained in S04-13-09.

The complete set of Chicago Police automated directives may be found at, <http://directives.chicagopolice.org/directives/>.

Sincerely,

Victor H Castillo Jr.
Office of Legal Affairs
FOIA Section
Chicago Police Department
(312) 745-5308

For your information, you have the right to a review of this denial by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 S. 2nd Street
Springfield, IL 62706
Ph. (877) 299-FOIA
Fax: (217) 782-1396
E-mail: publicaccess@atg.state.il.us

You also have the right to seek judicial review of a denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

If can be of any further assistance please contact me at (312)745-5308 or at FOIA@chicagopolice.org. *(Attn Victor Castillo in the subject line)*