



Via email – foia@invisibleinstitute.com

February 3, 2021

Mr. Sam Stecklow, Reporter
Invisible Institute
Experimental Station
6100 S. Blackstone Avenue
Chicago, Illinois 60637

Re: Freedom of Information Act Request 21-060-002

Dear Mr. Stecklow,

On behalf of the Civilian Office of Police Accountability (COPA), I am responding to your Freedom of Information Act (FOIA) request, received by this office on January 4, 2021, in which you seek the following:

1. An update of the data previously produced by COPA under FOIA request 20-060-145 relating to every CR that COPA has access to in CLEAR or CMS, regardless of the investigating agency, as well as some data points not previously received (denoted with *italics*).

An update of this data because COPA's last release appears to have inadvertently merged or removed some columns—specifically, in the spreadsheet provided under 20-060-145 labeled “clear_accused - 7/27/2020,” after the CR numbers transition from a six to a seven-digit ID number, the use of the “FINDIN_DESC” and “PENALTY_DESC” columns shift. The “FINDIN_DESC” column goes almost entirely blank, and the “PENALTY_DESC” column shifts from describing whether the penalty in the “PENALTY_CD” column is initial or final to occasionally providing a short reasoning for why a specific penalty was issued. Certainly we are interested in having that description present in the data, and a bullet point was added to this request to capture it—but the variations within a specific column, if they are indeed the result of an inadvertent merging or deletion of columns, are making it difficult to fully analyze the data. Please contact me for further clarification regarding this if needed.

2. All data subject to release under FOIA regarding every CR that COPA has access to in CLEAR or CMS, regardless of the investigating agency, dating back as far as COPA maintains data. This data includes but is not limited to the following for every CR, regardless of outcome and including those that have not been closed:

- CR number
- Date of incident
- Time of incident
- Date of notification/complaint
- Date investigation was closed, or an indicator it is ongoing
- Address of incident
- Geocoordinates of incident
- Beat of incident
- Location code of incident
- Category code
- Category name/description
- Case type
- *Narrative of incident*
- *Number of days passed between opening and close*
- *Any associated case numbers, and the type of case number (e.g., CB, RD, TRR, FRU)*
- *EEO Complaint number, if applicable*
- *Civil suit number, if applicable*
- *Date civil suit was settled, if applicable*
- *Whether the incident related to biased language*
- *Whether the incident related to bias-based profiling*
- *Whether the incident was alcohol-related*
- *Whether the incident was pursuit-related*
- *Whether the incident involved violence in the workplace*
- *Whether the incident involved domestic violence*
- Whether the case involved a police shooting
- Whether the complaint was made by a sworn officer of CPD or a civilian
- Whether the case was referred to the offices of the Cook County State's Attorney or U.S. Attorney for the Northern District of Illinois
 - If so, which
 - If so, date of referral
- Investigating agency (BIA, COPA/IPRA, OIG, FBI, etc.)
- Current status
- Current level of review (Superintendent, Department of Law, etc.) if applicable
- For each investigator assigned to each CR, please provide:
 - First name of investigator
 - Middle name or initial
 - Last name
 - Star or badge number
 - Any unique IDs associated with the investigator
 - Race
 - Gender
 - Agency
 - Year of birth
 - Unit, team, and division/district assignment at time of CR
 - Current unit, team, and division/district assignment
 - Rank or job title at time of CR

- ☐ Current rank or job title
 - ☐ Date of appointment or hire
 - ☐ Date that each assigned investigator was assigned to the CR
 - ☐ Date that each assigned investigator was removed from the CR
- For every accused officer, please provide:
 - ☐ First name
 - ☐ Middle name or initial
 - ☐ Last name
 - ☐ Race
 - ☐ Gender
 - ☐ Star or badge number
 - ☐ *Date of appointment*
 - ☐ Any other unique IDs associated with the officer
 - ☐ Birth year
 - ☐ Unit, team, and division/district assignment at time of incident
 - ☐ Current unit, team, and division/district assignment
 - ☐ Rank at the time of the incident
 - ☐ Current rank
 - ☐ Whether the officer was on or off duty at the time of the incident
 - ☐ Whether the officer was arrested
 - ☐ Whether the officer was injured
 - If so, OBR report number
 - ☐ For every allegation against each officer, please provide for each allegation:
 - *Accusation ID*
 - Complaint category code
 - Category code description
 -
 - Recommended investigatory finding
 - Recommended investigatory finding description
 - Final investigatory finding
 - Final investigatory finding description
 - Recommended disciplinary outcome
 - Recommended disciplinary outcome description
 - Final disciplinary outcome
 - Number of days suspended, if applicable
 - Final disciplinary outcome description
 - *Any columns available in the data showing reasoning for a disciplinary finding or recommendation, or lack thereof*
- For every civilian witness, please provide:
 - ☐ Race
 - ☐ Gender
 - ☐ Year of birth
 - ☐ Age

- For every witness who is a sworn CPD member, please provide:
 - First name
 - Middle name or initial
 - Last name
 - Any unique IDs associated with the officer
 - Race
 - Gender
 - Birth year
 - *Date of appointment*
 - Unit, team, and district/division assignment at time of incident
 - Current unit, team, and district/division assignment
 - Rank at the time of the incident
 - Current rank
- For all victims in each CR, please provide:
 - Race
 - Gender
 - Year of birth
 - Any injuries suffered
- For all complainants in each CR, please provide:
 - Race
 - Gender
 - Year of birth

3. Copies of the SQL data queries generated to produce this data.

With respect to your request for “an update of the data previously produced by COPA under FOIA request 20-060-145 relating to every CR that COPA has access to in CLEAR or CMS, regardless of the investigating agency, as well as some data points not previously received (denoted with *italics*)” because COPA’s last release appears to have inadvertently merged or removed some columns, please be advised that it appears that for log numbers ≥ 1000001 , the finding and penalty descriptions were not used the same way as the previous log numbers. As stated above, the finding and penalty descriptions were occasionally used to provide justification to the issued finding or penalty. Looking at the data, it appears that log numbers < 1000001 were migrated from another system.

With respect to your request which for “all data subject to release under FOIA regarding every CR that COPA has access to in CLEAR or CMS, regardless of the investigating agency, dating back as far as COPA maintains data” including but not limited to the data requested above, for every CR, regardless of outcome and including those that have not been closed”, COPA is providing you with 14 spreadsheets which contain the following data responsive to your requests which are outlined in paragraphs 1 and 2 above.

Please be advised that we have identified the following attributes which are not tracked in the systems; thus, they are not included in the files:

- Geocoordinates of incident
Not tracked in both CLEAR and CMS
- Any associated case numbers, and the type of case number (e.g., CB, RD, TRR, FRU)
Some are tracked in CLEAR (TRR, CB and RD) but none are tracked in CMS
- Whether the incident related to bias-based profiling
Not tracked in CMS
- Whether the incident was alcohol-related
Not tracked in CMS
- Whether the incident involved violence in the workplace
Not tracked in CMS

- Whether the case was referred to the offices of the Cook County State's Attorney or U.S. Attorney for the Northern District of Illinois
 - If so, which
Not tracked in CLEAR, but tracked in CMS
 - If so, date of referral
Not tracked in both CLEAR and CMS
- Current level of review (Superintendent, Department of Law, etc.) if applicable
Not tracked in both CLEAR and CMS

- For each investigator assigned to each CR, please provide:
 - Unit, team, and division/district assignment at time of CR
Not tracked in CMS
 - Rank or job title at time of CR
Not tracked in CMS. In CLEAR, specific position at time of complaints is not tracked, but the role is (Investigator or Supervising Investigator)

- For every accused officer, please provide:
 - If so, OBR report number
This number is not tracked in both CLEAR and CMS.

 - For every allegation against each officer, please provide for each allegation:
 - Accusation ID – Not available in CMS
 - Recommended investigatory finding
 - Recommended investigatory finding description
 - Final investigatory finding
 - Final investigatory finding description***In CLEAR, log numbers < 1000001 use all four attributes, but log numbers > = 1000001 use only the recommended investigatory finding and final Investigatory finding. The description fields are used for remarks. For CMS, all four attributes are represented by Recommended Finding and Final Finding in the data set.***

- Recommended disciplinary outcome
- Recommended disciplinary outcome description
- Final disciplinary outcome
- Number of days suspended, if applicable
- Final disciplinary outcome description

In CLEAR, log numbers < 1000001 use all four attributes, but log numbers >= 1000001 use only the recommended disciplinary outcome and final Disciplinary. The description fields are used for remarks. For CMS, all Five attributes are represented by Recommended Penalty and Final Penalty in the data set.

- *Any columns available in the data showing reasoning for a disciplinary finding or recommendation, or lack thereof*
This is tracked in CLEAR only for log numbers >= 1000001 (See Recommended Finding Description, Final Finding Description, Recommended Disciplinary Description, Final Disciplinary Description). This is not tracked in CMS.

Please be advised that these spreadsheets are being provided to you subject to redactions in accordance with the following exemptions to the Illinois Freedom of Information Act. Additionally, please note that some columns were removed entirely because the content was protected from disclosure under the FOIA rules and line-by-line redactions would be overly burdensome.

- 5 ILCS 140/7(1)(a) Information specifically prohibited from disclosure by Federal or State law or rules and regulations adopted under Federal or State law.
- 5 ILCS 140/7(1)(b): Private information, which is defined as:
[U]nique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, personal email addresses [. . .] home address and personal license plates.
- 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.
- 5 ILCS 140/7(1)(d)(iv): Records that would "unavoidably disclose the identity of a confidential source" or the identities of "persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies."

While the majority of the data you requested is available in CMS, there are a few pieces of information that do not exist in CMS; thus, they are not included in the files. In addition, the extracted data only pertains to complaints/notifications under COPA jurisdiction since COPA does not have access to CPD/BIA detail data. For the CMS data related to complaints/notifications under the jurisdiction of the Chicago Police Department, you may send a FOIA request via email to the Chicago Police Department at foia@chicagopolice.org, or via letter to:

Chicago Police Department
Attn: Freedom of Information Officer
Freedom of Information Section, Unit 114
3510 S. Michigan Ave.
Chicago, IL 60653

With respect to your request for copies of the SQL data queries generated to produce this data as outlined in paragraph 3 above, please be advised that codes are proprietary information and therefore is exempt from disclosure pursuant to the following exemption:

- 5 ILCS 140/7(1)(g): "Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested."

Finally, while we believe the information provided to you is correct, there may be some inaccuracies given our search limitations with CLEAR and CMS. COPA cannot be sure of the accuracy or completeness of our data queries as COPA has only been granted partial access to the CLEAR and CMS databases. Also, CPD has not provided us with the relationships between the tables in the CLEAR database and CMS, thereby limiting our search capabilities. Nonetheless, we have, to the best of our knowledge, not intentionally excluded files or erroneously included any files contained in the spreadsheet.

To the extent that you consider this a denial of your FOIA request, you have a right of review by the Illinois Attorney General's Public Access Counselor, who can be contacted at 500 South Second Street, Springfield, Illinois 62706 or by telephone at (217) 558-0486. You may also seek judicial review of denial under 5 ILCS 140/11 of FOIA.

Sincerely,

Tyra Sherese Peterson

Tyra Sherese Peterson
Paralegal II/FOIA Officer