

Return Date: No return date scheduled
Hearing Date: 2/19/2021 10:00 AM - 10:00 AM
Courtroom Number: 2410
Location: District 1 Court
Cook County, IL

2020CH06403

FILED
10/22/2020 9:44 AM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL
2020CH06403

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EXHIBIT

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FILED DATE: 10/22/2020 9:44 AM 2020CH06403



OFFICE OF THE STATE'S ATTORNEY
COOK COUNTY, ILLINOIS

KIMBERLY M. FOXX
STATE'S ATTORNEY

CHLOE K. RASMAS
FOIA OFFICER

69 W WASHINGTON
CHICAGO, ILLINOIS 60602

WRITER'S E-MAIL ADDRESS:
CHLOE.RASMAS@COOKCOUNTYIL.GOV

WRITER'S DIRECT LINE:
(312) 603-2296

October 4, 2018

VIA EMAIL

Tracy Siska
tsiska@chicagojustice.org

Re: FOIA Request dated 9/20/18

Dear Mr. Siska:

I am responding to the request for documents under the Illinois Freedom of Information Act ("FOIA") statute that was received by the Cook County State's Attorney's Office (the "SAO") on September 20, 2018 via e-mail. On September 27, 2018 the SAO sent the statutory request for a five-day extension. We are herewith timely submitting our response.

You have asked for:

CJP would like to get an updated data set from your office that is consistent with what we received as part of our settlement negotiations related to CJP v SAO 15CH18147 - starting from the 1st day after the previous day set and ending 8/31/18.

The SAO sought clarification as to the wording of your request on October 1, 2018 via email:

Tracy – can you please clarify something. I read this as you are seeking an extension of the data from the last date you received, not an update of the entire data set you received the first time. So you'd receive new cases in their pending state, but not updates to the cases in the old data set. As in you'd get whatever new cases have been filed since the last date your previously received data, in their current state – not a complete rerun of what you already have.

On October 2, 2018 you sent the following clarifying response via email:

We are seeking data on any new activity for any cases that were originally provided to us plus all data related to new cases that were submitted to felony review and cases that were approved for felony prosecution.

Does this make sense?

Also, we want the data exported in a delimited format that can be read by any database system and not in a proprietary format that requires us to purchase a certain software to be able to read the data.

The SAO's case-level data is publicly available online and is accessible at:
<https://datacatalog.cookcountyil.gov/browse?tags=state%27s%20attorney%20case-level>.

The data, which goes back to roughly 2010 and is currently updated through October 2, 2018, contains four user-friendly tables, each documenting a key phase in a case's movement through the office: Intake, Initiation, Dispositions, and Sentencing. The data tables have been redacted of personally identifying information, but include unique numerical identifiers so cases, defendants, and charges can be followed through the different tables.

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To the extent this publicly available information does not satisfy your FOIA request, please note complying with your request as written, for data “*consistent with what we received as part of our settlement negotiations related to CJP v SAO 15CH18147*,” would pose an undue burden on the daily operations of the SAO.

The following tasks related to the pulling, analysis, and production of the data necessary to comply with your request illustrate that burden. The SAO must first conduct the search for updated data, which involves comparing the original data set against the live production database to identify the information changed in the interim between when the SAO submitted the original dataset to you and your current request seeking new information as of August 31, 2018. This pull alone, before any analysis or review, based on previous complex searches, will take a minimum of four and a half days of off-business hours systems running, so as not to impact normal case processing operations due to network limitations. To further illustrate the impacts this search will cause to the daily operations of the SAO, please note the data pull required to comply with *CJP v SAO 15CH18147* rendered the database temporarily unusable by regular staff across the office on multiple occasions. Taking the mechanical stress to the SAO’s network this large of a search creates, similar troubleshooting will be likely necessary for this search – one that requires a complete rerun of the previous dataset plus any new cases added since the last production – which will add to the estimated time of completion. The entire process of pulling the data will take at least an entire week.

Once the pull is complete, the SAO must review and sterilize the data with expert individuals to identify fields that contain sensitive case-level information such as unique identifiers, work product, HIPPA protected information, and other protected or otherwise FOIA exempt material. The onerousness of a review of a at least 100 note columns potentially containing such FOIA exempt material, multiplied by a cumulative two million rows of applicable data under those columns is incalculable. While pattern searching queries can be utilized, any such pattern search will necessitate subsequent reviews based on the hits of those pattern searches. This subsequent manual review is estimated to take multiple SAO employees upwards of several full days to complete with accuracy.

Finally, assembly of the data set into the proper structure for delivery will take a minimum two and a half days. Executing delivery of the dataset in a transferrable format, given the size of the file, will impact data operations such that to keep the SAO’s network operations from crashing, will again require 48-72 hours of systems running.

For the reasons stated above, which enumerate how compliance with your request would pose an undue burden on the daily operations of the SAO, your request is onerous and must be revised and narrowed.

If you agree to narrow your request, you must submit a revised written request to my attention. The SAO will take no further action or send you any further correspondence unless and until your current request is narrowed in writing. If we do not receive your narrowed request within fourteen (14) calendar days of the date of this letter, your current request will be denied.

You have a right to appeal this decision to Sarah Pratt, Public Access Counselor, Office of the Illinois Attorney General, 500 S. 2nd Street, Springfield, Illinois 62706, (phone number 1-877-299-FOIA) or to seek judicial review under Section 11 of FOIA, 5 ILCS 140/11 (2017).

Sincerely,

s/Chloe K. Rasmus

Chloe K. Rasmus
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