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Courtroom Number: 2410
Location: District 1 Court
Cook County, IL

2020CH06403

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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

Mueller, Benjamin

From: Geller, Michael
Sent: Thursday, September 26, 2019 5:06 PM
To: chloe.rasmas@cookcountyil.gov
Cc: Steadman, Paul
Subject: Chicago Justice Project Request for Information
Attachments: Letter Re Chicago Justice Project.pdf; 7.19.19SISKA.pdf

Dear Ms. Rasmus:

Please see the attached correspondence. We look forward to receiving your response.

Kind regards,

Michael Geller

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E michael.geller@dlapiper.com



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Paul Steadman
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T 312.368.2135
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September 26, 2019

VIA E-MAIL

Chloe K. Rasmus, Esquire
Cook County State's Attorney's Office
500 Richard J. Daley Center
Chicago, Illinois 60602
chloe.rasmus@cookcountyil.gov

Re: Chicago Justice Project Request for Information

Dear Ms. Rasmus:

We write to you with regard to our client, Chicago Justice Project ("CJP"), its request for information under the Illinois Freedom of Information Act (the "Act") dated July 12, 2019 (the "Request") and your response dated July 19, 2019 (the "Response").

We have two significant concerns with your Response. First, we disagree that the Crimes Database Data Dictionary is exempt from disclosure. And second, we question whether the CCSAO truly does not possess documents responsive to numbers 2 – 7 in the Request.

Number 1 in the Request

First, the Response claims that the Crimes Database Data Dictionary is exempt from disclosure "pursuant to Section 7(1)(o)" of the Act. Specifically, you claimed the Data Dictionary is "a logical design" of the Cook County State's Attorney's Office's ("CCSAO") and its release would "compromise the networks" used to house confidential material.

Your characterization is demonstrably wrong. CJP already possess the data held within CCSAO's Crimes Database as a result of a settlement between CJP and CCASO in *Chicago Justice Project v. Cook County State's Attorney's Office*, Case No. 15 CH 18147 (the "Litigation"). In the Litigation, CCSAO agreed to provide the entirety of the database (subject to redaction of certain fields deemed sensitive) to CJP. The settlement followed active litigation, in which the presiding judge made clear that the records are not secret, are subject to FOIA, and would have to be produced. Thus, there is simply no risk associated with the disclosure of the Data Dictionary(ies) to CJP, which is/are simply the material needed to interpret the fields identified in said database. And there is no good-faith claim that the Data Dictionary could "compromise the networks" of CCSAO. Moreover, the Data Dictionary is required by CJP to interpret the data that has already



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been produced by CCSAO pursuant to the Lawsuit and the Settlement, making it effectively subject to the spirit and terms of the Settlement Agreement itself.

Even if, *arguendo*, CJP did not possess the underlying Crimes Database, neither Section 7(1)(o) nor any other section would prevent disclosure of the Data Dictionary(ies). The Data Dictionary(ies) appear(s) to be purely technical tools used to translate the fields/categories of data housed in the database. This information does not fall into any of the categories enumerated for exemption in Section 7(1)(o), and it is simply not confidential. Unless you can substantiate your claim with evidence, if any exists, that disclosure of the Data Dictionary(ies) would “compromise the networks” of the CCSAO, the Data Dictionary(ies) are clearly subject to FOIA, not subject to any exemption and must be produced immediately.

Numbers 2 – 7 in the Request

With regard to numbers 2 – 7 in the Request, the CCSAO’s Response claims that it has no such documents. We find this exceedingly impossible to believe.

For instance, number 3 in the Request sought materials used to train or educate individuals on how to enter information into the Crimes Database. You claim no such materials exist. But we know the Crimes Database exists, and that it is exceedingly complicated; indeed, we have it. We know it is regularly updated by the CCSAO. We know the database is a technical system which is not “off-the-shelf” software, on which most employees might arguably already be trained. Given these factors, it is nearly impossible to imagine that there is not a single document, email, manual or any other material with information or instructions for operating, searching, entering new information and/or updating the Crimes Database.

Similarly, number 7 in the Request seeks documents sufficient to explain or identify the contents of a number of names of fields in the Crimes Database. Certainly, there must be some document or manual that explains what each of these fields mean. If not, it seems it would be impossible for the CCSAO’s personnel to properly populate the Crimes Database.

* * * * *

At bottom, the CCSAO appears to be withholding information subject to FOIA that should be disclosed. While CJP is well within its rights to appeal the Response, it would prefer to discuss this matter in an amicable setting with the CCSAO. Indeed, CJP has worked collaboratively with the CCSAO in the past to resolve similar disputes, and we are hopeful that the parties can continue this working relationship. Please advise if your office is amenable to such a discussion. If not, the CCSAO will be forced to take further legal action to facilitate the release of this public information.

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CJP reserves all rights, We look forward to receiving your prompt response.

Best regards,

DLA Piper LLP (US)

A handwritten signature in black ink that reads 'Paul Steadman'.

Paul Steadman
Partner



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

July 19, 2019

VIA EMAIL

Tracy Siska
tsiska@chicagojustice.org

Re: FOIA Request dated 7/12/19

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 July 12, 2019 via e-mail.

In your request you state:

In accordance with the Illinois Freedom of Information Act, 5 ILCS 140, I request that your office provide the following public records:

- 1. The Crimes Database system Data Dictionary(ies).*
- 2. All Data Dictionary(ies) for any Case Management System currently being used by or under the control of the CCSAO for felony prosecutions.*
- 3. Documents sufficient to explain, detail or describe the contents of the table and any and all field(s) present in the Crimes Database system.*
- 4. Any training or instructional materials for the Crimes Database system which are used to educate or train individuals on how to input, maintain, archive, or upkeep the Crimes Database system.*
- 5. Any training or instructional materials for the Case Management System currently being used for any and all felony prosecutions in Cook County.*
- 6. Documents sufficient to explain, detail or describe the contents of the table and any and all field(s) present in any Case Management System currently being used by or under the control of the CCSAO for felony prosecutions by CCSAO.*
- 7. Documents sufficient to explain, detail or describe the contents of the field(s) present in any Case Management System, identified in the attached Exhibit A.*

DEFINITIONS

"Case Management System" means and refers to software (or any other electronic system or database) used to manage the life cycle of a case and organize case information.

"CCSAO" means and refers to the Cook County State's Attorney's Office.

"Crimes Database" means and refers to system used to store felony prosecution data, including but not limited to the data produced by CCSAO to Chicago Justice Project in connection with Chicago Justice Project v. Cook County State's Attorney's Office, Case No. 15 CH 18147.

"Data Dictionary" means and refers to any set of information describing the contents, format, and structure of a database and the relationship between its elements, used to control access to and manipulation of the database.

The term "table" means and refers to a set of data elements using a model of vertical columns and horizontal rows, the cell being the unit where a row and column intersect.

The term "field" means and refers to the basic unit of data entry in a database

INSTRUCTIONS

If the agency believes they are going to withhold any document or information pertinent to the requests made herein, please identify the document or information in as much detail as is possible and detail in specific language why each document or piece of information is being withheld.

If any information requested herein is withheld on the basis of a claim of privilege or subject to protection as material prepared in anticipation of litigation or trial, then that claim shall be made expressly in a writing that describes the nature of the Documents, Communications, or Things not produced or disclosed in a manner that will enable us to assess the applicability of the privilege or protection. With regard to each claim of privilege or protection, the following information should be provided in the response or the objection:

- (a) the type of Document, e.g., letter or memorandum;
- (b) general subject matter of the Document;
- (c) the date of the Document; and
- (d) such other information as is sufficient to identify the Document for a subpoena duces tecum, including, where appropriate, the author, addressee, and any other recipient of the Document, and, where not apparent, the relationship of the author, addressee, and any other recipient to each other.

If any Document or Thing identified herein has been lost, discarded, or destroyed, each such Document or Thing should be identified as completely as possible, including as to each such Document or Thing, its date, general nature (e.g., letter, memorandum, telegram, telex, photograph, computer printout), subject matter, each author or originator, each person indicated as an addressee or copy recipient, and its former custodian(s). In addition, as to each such Document or Thing, the following information shall be supplied:

- (a) date of disposal, loss, or destruction;
- (b) manner of disposal, loss, or destruction;
- (c) reason for disposal or destruction, or any explanation of loss;
- (d) persons authorizing the disposal or destruction;
- (e) persons having knowledge of the disposal, destruction, or loss; and
- (f) persons who destroyed, lost, or disposed of the Document or Thing.

I look forward to hearing from you in writing within five working days, as required by the Act 5 ILCS 140(3). Please direct all questions or responses to this FOIA request to this email address by responding to this email.

EXHIBIT A

- Table L_COURT: COURT_TYPE_ID Number
- Table L_FACILITY: FACILITY_AREA_ID Number
- Table T_PERSON_ADDL_INFO: DL_STATE_ID Number
- Table T_PERSON_ADDL_INFO: CUSTODY_STATUS_ID Number
- Table T_PERSON_ADDL_INFO: GANG_TYPE_ID Number
- Table T_PERSON_ADDL_INFO: CITIZENSHIP_STATUS Number
- Table T_PERSON_ADDL_INFO: PROPERTY_LOSS_TYPE Number
- Table T_PERSON_ADDL_INFO: SKIN_TYPE_ID Number
- Table T_PERSON_ENTITY_INFO: ENTITY_TYPE_ID Number
- Table L_OFFICER: TITLE_ID Number
- Table T_ADDR: CITY_ID Number
- Table T_ADDR: COUNTY_ID Number

- *Table T_CASE_PARTICIPANT: CASE_PARTICIPANT_ROLE_ID Number*
- *Table T_CASE_PARTICIPANT: PARTICIPANT_STATUS_ID Number*
- *Table T_ARREST_INFO: ARREST_REASON_ID Number*
- *Table T_ARREST_INFO: IDENTITY_METHOD_ID Number*
- *Table T_ARREST_INFO: INITIAL_CUSTODY_STATUS_ID Number*
- *Table T_CASE_DETAIL: CASE_DETAIL_TYPE_ID Number*
- *Table T_CASE_DETAIL: EVENT_RESULT_ID Number*
- *Table T_CASE: CASE_TYPE_ID Number*
- *Table T_CASE: CASE_SUBTYPE_ID Number*
- *Table T_CASE: OFFENSE_TYPE_ID Number*
- *Table T_CASE: CASE_STATUS_ID Number*
- *Table T_CASE: CLOSE_REASON_ID Number*
- *Table T_CASE: CLOSE_SUB_REASON_ID Number*

The SAO is fully withholding records responsive to the first part of your request seeking the “*Crimes Database system Data Dictionary(ies)*,” pursuant to Section 7(1)(o) of the IL FOIA.

Section 7(1)(o) exempts from disclosure:

Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section.

The data dictionaries you seek are a logical design of our case management system, the release of which would compromise the secure networks the SAO employs to house extensive material subject to exemptions under Section 7 of FOIA.

The SAO possesses no records responsive to parts 2-7 of your request.

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
 FOIA Officer/Policy Analyst
 69 W Washington
 Chicago, Illinois 60602
 (312) 603-2296