



E-Notice

2018-CH-06576

CALENDAR: 10

To: Matthew Vincent Topic
matt@loevy.com

NOTICE OF ELECTRONIC FILING

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
CHICAGO JUSTICE PROJECT vs. CHICAGO POLICE DEPARTMENT**

The transmission was received on 05/22/2018 at 1:42 PM and was ACCEPTED with the Clerk of the Circuit Court of Cook County on 05/22/2018 at 2:11 PM.

CHANCERY_ACTION_COVER_SHEET (CHANCERY DIVISION)

COMPLAINT

Filer's Email: matt@loevy.com
Filer's Fax: (312) 243-5902
Notice Date: 5/22/2018 2:11:48 PM
Total Pages: 50

**DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
COOK COUNTY
RICHARD J. DALEY CENTER, ROOM 1001
CHICAGO, IL 60602**

(312) 603-5031
courtclerk@cookcountycourt.com

IN THE CIRCUIT CIVIL COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, COUNTY DIVISION

CHICAGO JUSTICE PROJECT

Plaintiff

v.

CHICAGO POLICE DEPARTMENT

Defendant

No.

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5/22/2018 1:42 PM
2018-CH-06576
CALENDAR: 10
CIRCUIT COURT OF
COOK COUNTY, ILLINOIS
CHANCERY DIVISION
CLERK DOROTHY BROWN

CHANCERY DIVISION CIVIL COVER SHEET
GENERAL CHANCERY SECTION

A Chancery Division Civil Cover Sheet - General Chancery Section shall be filed with the initial complaint in all actions filed in the General Chancery Section of Chancery Division. The information contained herein is for administrative purposes only. Please check the box in front of the appropriate category which best characterizes your action being filed.

- 0005 [] Administrative Review
0001 [] Class Action
0002 [] Declaratory Judgment
0004 [] Injunction

- 0007 [x] General Chancery
0010 [] Accounting
0011 [] Arbitration
0012 [] Certiorari
0013 [] Dissolution of Corporation
0014 [] Dissolution of Partnership
0015 [] Equitable Lien
0016 [] Interpleader
0017 [] Mandamus
0018 [] Ne Exeat

- 0019 [] Partition
0020 [] Quiet Title
0021 [] Quo Warranto
0022 [] Redemption Rights
0023 [] Reformation of a Contract
0024 [] Rescission of a Contract
0025 [] Specific Performance
0026 [] Trust Construction
0027 [] Foreign Transcript
0085 [] Petition to Register Foreign Judgment
[] Other (specify)

By: /s MATTHEW VINCENT TOPIC

[x] Atty. No.: 41295 [] Pro Se 99500

Name: LOEVY & LOEVY

Atty. for: CHICAGO JUSTICE PROJECT

Address: 311 N ABERDEEN 3FL

City/State/Zip: CHICAGO, IL 60607

Telephone: (312) 243-5900

Primary Email Address:

matt@loevy.com

Secondary Email Address(es):

joshb@loevy.com

foia@loevy.com

Pro Se Only: [] I have read and agree to the terms of the Clerk's Office Electronic Notice Policy and choose to opt in to electronic notice from the Clerk's office for this case at this email address:

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

CHICAGO JUSTICE PROJECT,)
)
Plaintiff,)
)
v.)
)
CHICAGO POLICE DEPARTMENT,)
)
Defendant.)

COMPLAINT

NOW COMES Plaintiff, CHICAGO JUSTICE PROJECT by its undersigned attorneys, LOEVY & LOEVY, and brings this suit to overturn Defendant CHICAGO POLICE DEPARTMENT's refusal, in willful violation of the Illinois Freedom of Information Act, to produce records related to various CPD reports and CPD data. In support of its Complaint, CJP states as follows:

INTRODUCTION

1. Pursuant to the fundamental philosophy of the American constitutional form of government, it is the public policy of the State of Illinois that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees consistent with the terms of the Illinois Freedom of Information Act ("FOIA"). 5 ILCS 140/1.

2. Restraints on access to information, to the extent permitted by FOIA, are limited exceptions to the principle that the people of this state have a right to full disclosure of information relating to the decisions, policies, procedures, rules, standards, and other aspects of

government activity that affect the conduct of government and the lives of the people. 5 ILCS 140/1.

3. All public records of a public body are presumed to be open to inspection or copying. Any public body that asserts that a record is exempt from disclosure has the burden of proving by clear and convincing evidence that it is exempt. 5 ILCS 140/3.

4. Under FOIA Section 11(h), “except as to causes the court considers to be of greater importance, proceedings arising under [FOIA] shall take precedence on the docket over all other causes and be assigned for hearing and trial at the earliest practicable date and expedited in every way.”

PARTIES

5. Plaintiff CHICAGO JUSTICE PROJECT is the FOIA requester in this case.

6. Defendant CPD is a public body located in Cook County, Illinois.

JUNE 14 REQUEST (ARREST DATA)

7. On June 14, 2017, CJP requested individual arrest data for every arrest made by CPD from 1999-2016. Group Exhibit A.

8. On June 20, 2017, CPD denied the request stating that under Section 3(g) the burden of production outweighed the public interest in disclosure. Group Exhibit A.

9. The burden of compliance does not outweigh the public interest in disclosure.

MAY 25 REQUEST (BROMWICH REPORT)

10. On May 25, 2017, CJP requested Michael Bromwich’s report on CPD training completed in 2016 and “all invoices, cancelled checks, contracts, work orders, and any other financial documents that in any way are related to” Bromwich’s work for CPD. Group Exhibit B.

11. On June 9, 2017, CPD denied the request stating that the Bromwich report is

exempt under Section 7(1)(m) because the record was prepared at the request of an attorney. CPD stated that it does not maintain the records responsive to the remainder of the request. Group Exhibit B.

SEPTEMBER 26 REQUEST (COMPREHENSIVE ANALYSIS)

12. On September 26, 2016, CJP requested the comprehensive analysis that CPD official referenced in a September 21, 2016, briefing with alderman at City Hall. CJP also requested all records that CPD maintains regarding staffing or allocation of CPD resources from January 1, 2011, to September 26, 2016. Ex. C.

13. On October 4, 2016, CPD took a five day extension. Ex. D.

14. Despite follow up communications from CJP, CPD never responded and never produced any responsive records. Ex. E.

JANUARY 20 REQUEST (CRIME INCIDENT DATA)

15. On January 20, 2017, CJP requested “case level crime incident data for all crime incidents including homicides from 1980-2016 including data related to how the incident is originally coded as it enters the CPD and the final incident classification.” Ex. F.

16. On January 27, 2017, CPD took a five day extension. Ex. G.

17. On February 3, 2017, CPD denied the request stating that it would need to create an algorithm to gather the responsive data and this constituted creating a new record. CPD also stated that under Section 3(g) the burden of production outweighed the public interest in disclosure. Ex. H.

18. On February 18, 2017, CJP narrowed the request to the time period 1999-2016. Ex. I.

19. CPD did not respond to the narrowed request and did not produce responsive

records.

FEBRUARY 17 REQUEST (DV DATABASE)

20. On February 17, 2017, CJP requested “the database records related to domestic violence that were provided to ABC Chicago News and are reported on in this news report: [url to report].” Group Exhibit J.

21. CPD never responded to the request or produced any responsive records. Group Exhibit J.

DECEMBER 19 REQUEST (EMAILS)

22. On December 19, 2017, CJP requested emails (from seven listed positions/individuals) related to Superintendent Eddie Johnson’s announcement on September, 21, 2016, that CPD would hire 1,000 more police officers. Group Exhibit K.

23. On December 20, 2017, CPD responded that it needed complete names despite the fact that CJP had listed the exact positions it requested emails from. Group Exhibit K.

24. CPD never produced the responsive records. Group Exhibit K.

SEPTEMBER 11 REQUEST (HIRES & ACADEMY)

25. On September 11, 2017, CJP requested records related to the number of people CPD hired and the number of people that went through CPD’s academy. Group Exhibit L.

26. On September 11, 2017, CPD took a five day extension. Group Exhibit L.

27. CPD never produced the responsive records.

JUNE 23 REQUEST (OEMC CALL FOR SERVICE DATA)

28. On June 23, 2017, CJP requested “all call level police call for service data originally created by the Office of Emergency Management and Communications, but maintained by the Chicago Police Department for the years 1999-2016.” Ex. M.

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29. On June 30, 2017, CPD responded stating that it does not possess records responsive to the request. Ex. N.

APRIL 10 REQUEST (STAFFING)

30. On April 10, 2017, CJP requested records related to staffing by district for January 1st of each year for the years 2000-2017. Ex. O.

31. After additional correspondence, on May 2, 2017, CPD responded that it only possessed responsive data going back to 2008. Ex. P.

32. On May 24, 2017, CPD produced responsive records for 2008-2017, but not 2000-2007 stating that it did not possess the responsive records for 2000-2007. Ex. Q.

FEBRUARY 24 REQUEST (IAD DATA)

33. On February 24, 2018, CJP requested various records related to digital complaint data received by Internal Affairs Division from 2000-2017. Ex. R.

34. After additional correspondence, on April 5, 2018, CPD responded largely denying the request and stating that under Section 3(g) the burden of production outweighed the public interest in disclosure for part of the request. CPD stated that it did not possess some of the other records requested and it produced a small portion of responsive records. Ex. S.

35. The burden of compliance does not outweigh the public interest in disclosure.

COUNT I – JUNE 14 WILLFUL VIOLATION OF FOIA

- 36. The above paragraphs are incorporated by reference.
- 37. CPD is a public body under FOIA.
- 38. The records sought in the FOIA request are non-exempt public records of CPD.
- 39. CPD has willfully and intentionally violated FOIA by refusing to produce the requested records.

COUNT II – MAY 25 WILLFUL VIOLATION OF FOIA

- 40. The above paragraphs are incorporated by reference.
- 41. CPD is a public body under FOIA.
- 42. The records sought in the FOIA request are non-exempt public records of CPD.
- 43. CPD has willfully and intentionally violated FOIA by refusing to produce the requested records.

COUNT III – SEPTEMBER 26 WILLFUL VIOLATION OF FOIA

- 44. The above paragraphs are incorporated by reference.
- 45. CPD is a public body under FOIA.
- 46. The records sought in the FOIA request are non-exempt public records of CPD.
- 47. CPD has willfully and intentionally violated FOIA by refusing to produce the requested records.

COUNT IV – JANUARY 20 WILLFUL VIOLATION OF FOIA

- 48. The above paragraphs are incorporated by reference.
- 49. CPD is a public body under FOIA.
- 50. The records sought in the FOIA request are non-exempt public records of CPD.
- 51. CPD has willfully and intentionally violated FOIA by refusing to produce the

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requested records.

COUNT V – FEBRUARY 17 WILLFUL VIOLATION OF FOIA

- 52. The above paragraphs are incorporated by reference.
- 53. CPD is a public body under FOIA.
- 54. The records sought in the FOIA request are non-exempt public records of CPD.
- 55. CPD has willfully and intentionally violated FOIA by refusing to produce the

requested records.

COUNT VI – DECEMBER 19 WILLFUL VIOLATION OF FOIA

- 56. The above paragraphs are incorporated by reference.
- 57. CPD is a public body under FOIA.
- 58. The records sought in the FOIA request are non-exempt public records of CPD.
- 59. CPD has willfully and intentionally violated FOIA by refusing to produce the

requested records.

COUNT VII – SEPTEMBER 11 WILLFUL VIOLATION OF FOIA

- 60. The above paragraphs are incorporated by reference.
- 61. CPD is a public body under FOIA.
- 62. The records sought in the FOIA request are non-exempt public records of CPD.
- 63. CPD has willfully and intentionally violated FOIA by refusing to produce the

requested records.

COUNT VIII – JUNE 23 WILLFUL VIOLATION OF FOIA

- 64. The above paragraphs are incorporated by reference.
- 65. CPD is a public body under FOIA.
- 66. The records sought in the FOIA request are non-exempt public records of CPD.

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67. CPD has willfully and intentionally violated FOIA by refusing to produce the requested records.

COUNT IX – APRIL 10 WILLFUL VIOLATION OF FOIA

68. The above paragraphs are incorporated by reference.

69. CPD is a public body under FOIA.

70. The records sought in the FOIA request are non-exempt public records of CPD.

71. CPD has willfully and intentionally violated FOIA by refusing to produce the requested records.

COUNT XI – FEBRUARY 24 WILLFUL VIOLATION OF FOIA

72. The above paragraphs are incorporated by reference.

73. CPD is a public body under FOIA.

74. The records sought in the FOIA request are non-exempt public records of CPD.

75. CPD has willfully and intentionally violated FOIA by refusing to produce the requested records.

WHEREFORE, CJP asks that the Court:

- i. in accordance with FOIA Section 11(f), afford this case precedence on the Court's docket except as to causes the Court considers to be of greater importance, assign this case for hearing and trial at the earliest practicable date, and expedite this case in every way;
- ii. declare that CPD has violated FOIA;
- iii. order CPD to produce the requested records;
- iv. enjoin CPD from withholding non-exempt public records under FOIA;
- v. order CPD to pay civil penalties;

- vi. award Plaintiff reasonable attorneys' fees and costs;
- vii. award such other relief the Court considers appropriate.

RESPECTFULLY SUBMITTED,

/s/ Joshua Hart Burday

Attorneys for Plaintiff
CHICAGO JUSTICE PROJECT

Matthew Topic
Joshua Burday
LOEVY & LOEVY
311 North Aberdeen, 3rd Floor
Chicago, IL 60607
312-243-5900
matt@loevy.com
joshb@loevy.com
Atty. No. 41295

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From: **Tracy Siska** tsiska@chicagojustice.org
Subject: **Chicago Justice Project FOIA 6/14/17**
Date: **June 14, 2017 at 7:00 AM**
To: **Chicago Police Department, Dept: Records & Inquiry** foia@chicagopolice.org



Please provide the following records in accordance with the Illinois Freedom of Information Act. Please provide the following records in digital format.

A. Provide individual arrest data in **Digital Format** for every arrest made by the Chicago Police Department from 1999-2016.

Please define each of the tables and fields included in the data requested in this FOIA.

If the Chicago Police Department chooses to withhold fields please detail the exact field, what type of data the field holds, and what exemption applies to each field.

We expect the Chicago Police Department to fulfill this request in the 5 days allotted by Illinois Law. Please direct all correspondence regarding this request to this email address. Please supply the data requested through email at this address.

Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 120 S. LaSalle St., Suite 1440 | Chicago, IL 60603
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: [CJPJustProj](https://twitter.com/CJPJustProj)

From: **Washington, Kenyatta M.** Kenyatta.Washington@chicagopolice.org
Subject: **P062825**
Date: **June 20, 2017 at 11:22 AM**
To: **tsiska@chicagojustice.org**



Good Morning:

FOIA has received your request. Please see the attached information.

Thank You.

--K. Washington, MA
FOIA

PDF

P062825, Siska,
Respo...tter.pdf



Rahm Emanuel
Mayor

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

Eddie T. Johnson
Superintendent of Police

June 20, 2017

VIA E-MAIL

Traey Siska
tsiska@chicagojustice.org

Re: NOTICE OF RESPONSE TO FOIA REQUEST
REQUEST DATE: June 14, 2017
FOIA FILE NO.: P062825

Dear Mr. Siska:

The Chicago Police Department (CPD) is in receipt of your Freedom of Information Act (FOIA) request stating:

"Please provide the following records in accordance with the Illinois Freedom of Information Act. Please provide the following records in digital format.

**Provide individual arrest data in Digital Format for every arrest made by the Chicago Police Department from 1999-2016.*

**Please define each of the tables and fields included in the data requested in this FOIA."*

Your request was reviewed by the undersigned. After consultation with the Research and Development Division (R&D) of CPD, it has been determined that your request is **unduly burdensome**. Please be advised that FOIA provides in 5 ILCS 140/3(g) that requests for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information.

In order to properly address the scope of your request and determine whether responsive records exist, this matter was referred to R&D. After doing a search, it was determined that for the year of 2016, there were 85,716 records of individual arrests. If we were to use this as the standard amount of arrests made, then for 17 years, there's an estimate total of 1,457,172 individual arrests made. Please be advised that this data is not already composed in a database. Therefore, a new record spreadsheet would have to be created.

To complete your request, said data would have to be pulled manually from each individual arrest report and then a spreadsheet would need to be created. R&D has indicated that they do not have the capacity to pull this information and create a new record. Additionally, please be advised that FOIA "does not obligate agencies to create or retain documents; it only obligates them to provide access to those which it in fact has created and retained." *Kissinger v. Reporters Comm. for Freedom of the Press*, 445 U.S. 136, 152 (1980); *Forsham v. Harris*, 445 U.S. 169, 186 (1980) ("FOIA imposes no duty on the agency to create records." [citing *NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132, 161-62 (1975) (holding that FOIA does not compel agencies to write or create material to explain disclosed documents)]). However, assuming that CPD could have the manpower and capacity to conduct such a search, such a task would take R&D a couple of years to compile before said information would be presented to FOIA.

As your request is currently written, it has been determined to be unduly burdensome and that CPD's burden to process your request outweighs the public's interest. In light of the sheer volume of responsive documentation, it has been

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Email: police@cityofchicago.org • Website: www.cityofchicago.org/police

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determined that your request requires narrowing. Pursuant to section 3(g) of FOIA, we would like to extend to you an opportunity to modify your request to make it more manageable. Unless, and until, a new FOIA request is submitted, CPD will be unable to process your request. CPD encourages you to review your request to ascertain the details of your query, such as relevant dates and parties. Once this is determined, you can submit a revised FOIA request to CPD.

If you would like additional help, please contact FOIA for assistance. If you require additional assistance, feel free to contact this office as well. If you agree to narrow your request, you must submit a revised written request to the address below:

Chicago Police Department
Attention: Freedom of Information
Office of Legal Affairs, Unit 114
3510 S. Michigan Avenue
Chicago, IL 60653

The Chicago Police Department 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. In the event that we do not receive a narrowed request and your current FOIA request is therefore denied, you will have a right of review by the Illinois Attorney General's Public Access Counselor, who can be contacted at the address below:

Public Access Counselor
Office of the Attorney General
500 S. 2nd Street
Springfield, Illinois 62706
Phone: 312-814-5526 or 1-877-299-FOIA (1-877-299-3642)
Fax: 217-782-1396 E-mail: publicaccess@atg.state.il.us

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of a denial letter. 5 ILCS 140-9.5(a). When filing a Request for Review, you must include a copy of the original FOIA request and a denial letter. You may also seek judicial review of a denial under 5 ILCS 140/11 by filing a lawsuit in the State Circuit Court.

Sincerely,

K. Washington

K. Washington, FOIA Officer
Freedom of Information Division
Chicago Police Department
Legal Affairs



Rahm Emanuel
Mayor

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

Eddie T. Johnson
Superintendent of Police

June 9, 2017

Ms. Tracy Siska
tsiska@chicagojustice.org

Re: **NOTICE OF RESPONSE TO FOIA REQUEST**
REQUEST DATE: May 25, 2017
FOIA FILE NO.: P062076

Dear Ms. Siska,

The Chicago Police Department (CPD) is in receipt of your Freedom of Information ("FOIA") request. Upon review by the undersigned, it was determined that you are seeking:

"A. Michael Bromwich's report on Chicago Police Department training / training academy completed in 2016.

B. Please provide all invoices, cancelled checks, contracts, work orders, and any other financial documents that in any way are related to the work that Michael Bromwich did for the Chicago Police Department."

Upon review, it was determined that the records you seek in part A are precluded from disclosure and are therefore being withheld in their entirety. Section 7(1)(m) of FOIA exempts from disclosure records that are "(c)ommunications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies." 5 ILCS 140/7(1)(m).

The records you requested fall squarely within the definition of records whose disclosure is prohibited by Section 7(1)(m) of FOIA, as these are privileged and confidential records prepared at the request of counsel and would be a violation of attorney-client privilege. Therefore your request for part A is denied.

As for part B, it is determined that the Chicago Police Department does not maintain records responsive to your request. Please note that each City department is a "public body" under Section 2 of FOIA, 5 ILCS 140/2(a). See Duncan Publishing, Inc. v. City of Chicago, 304 Ill. App 3d 778, 784, 709, N.E.2d 1281, 1286 (1st Dist. 1999). (Clearly, each of the individual departments are subsidiary bodies of the City and are "public bodies" as defined by the FOIA.) A FOIA request must be directed to the department that maintains the records you are seeking.

Emergency and TTY: 9-1-1 • Non Emergency and TTY: (within city limits) 3-1-1 • Non Emergency and TTY: (outside city limits) (312) 746-6000

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Group Exhibit B

You have the right to have a denial reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General, 500 S. Second St., Springfield, IL 62706, (877)299-3642. You also have the right to seek judicial review of your denial by filing a lawsuit in the Cook County Circuit Court.

If I can be of further assistance, you may contact me at (312) 745-5308, or by mail at the address below:

Sincerely,

A. Shulruff
Freedom of Information Act Officer
Chicago Police Department
Office of Legal Affairs, Unit 114
3510 S. Michigan Ave.
Chicago, IL 60653

From: **Tracy Siska** tsiska@chicagojustice.org
Subject: **Chicago Justice Project 9/26/16 FOIA**
Date: **September 26, 2016 at 5:11 PM**
To: **Chicago Police Department, Dept. Records & Inquiry** foia@chicagopolice.org



To Whom it May Concern:

Please provide the following records in accordance with Illinois' Freedom of Information Act:

A. The top to bottom comprehensive analysis that top Chicago Police Department officials repeatedly referenced in a September 21, 2016 briefing with alderman at City Hall saying that this comprehensive analysis was the basis for why Superintendent Johnson had requesting the hiring of a 1,000 additional officers for the Chicago Police Department.

B. Any analysis, reports, memos, or documents that the Chicago Police maintains on the subject of Chicago Police Department staffing or allocation of Chicago Police Department resources from Jan 1, 2011 - September 26, 2016.

I expect the Chicago Police Department to fulfill the request in the five working days allocated by the Illinois Freedom of Information Act.

Please contact me at contact information below with any questions. Please email any responses to this request.

Thanks,

Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 220 N. Green St., Suite # 3059 | Chicago, IL 60607
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj



Rahm Emanuel
Mayor

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

Eddie T. Johnson
Superintendent of Police

October 4, 2016

VIA EMAIL

Tracy Siska
Chicago Justice Project
tsiska@chicagojustice.org

Re: NOTICE OF RESPONSE TO FOIA REQUEST
REQUEST DATE: September 26, 2016
FOIA FILE NO.: P052505

Dear Ms. Siska:

The Chicago Police Department (CPD) is in receipt of your Freedom of Information Act (FOIA) for:

"A. The top to bottom comprehensive analysis that top Chicago Police Department officials repeatedly referenced in a September 21, 2016 briefing with alderman at City Hall saying that this comprehensive analysis was the basis for why Superintendent Johnson had requesting the hiring of a 1,000 additional officers for the Chicago Police Department.

B. Any analysis, reports, memos, or documents that the Chicago Police maintains on the subject of Chicago Police Department staffing or allocation of Chicago Police Department resources from Jan 1, 2011 – September 26, 2016."

Under the Illinois Freedom of Information Act, a public body may extend the time to respond to a FOIA request by up to 5 business days for a limited number of reasons (see 5 ILCS 140/3(e)). We are extending the time to respond to your request by 5 business days for the following reason(s):

- (X) the requested records are stored in whole or in part at other locations than the office having charge of the requested records;
- (X) the request may require the collection of a substantial number of specified records, if any exist;
- () the request is couched in categorical terms and may require an extensive search for the records responsive to it;
- (X) the requested records have not been located in the course of routine search and additional efforts are being made to locate them;
- () the requested records, if any exist, may require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under section 7 of the freedom of information act or should be revealed only with appropriate deletions;

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E-mail: police@cityofchicago.org • Website: www.cityofchicago.org/police

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Exhibit D

- () the request for records cannot be complied with by the public body within the limits prescribed by paragraph (c) of this section without unduly burdening or interfering with the operations of the public body;
- () there is need for consultation, which shall be concluded with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request.

Please note that because you submitted your request after the close of business it is considered to have been received the next business day. Also, given the scope of the search and the potential for our staff to search through a large quantity of data, it may take more than the additional 5-business days to respond to your request. If that is the case, we will contact you.

If you require additional assistance, please contact this office at (312) 745-5308, or by mail:

Chicago Police Department
Attention: Freedom of Information
Office of Legal Affairs, Unit 114
3510 S. Michigan Avenue
Chicago, IL 60653

Sincerely,



P.O. Zuniga, #10919
Freedom of Information Officer
Chicago Police Department
Office of Legal Affairs, Unit 114

From: FOIA1 FOIA1@chicagopolice.org
Subject: RE: Chicago Police FOIA #P052505
Date: October 12, 2016 at 11:10 AM
To: Tracy Siska tsiska@chicagojustice.org



Thank you!

From: Tracy Siska [tsiska@chicagojustice.org]
Sent: Wednesday, October 12, 2016 11:06 AM
To: FOIA1
Subject: Re: Chicago Police FOIA #P052505

Hello,

You may have to Oct. 21.

Tracy

Tracy Siska | Executive Director
Chicago Justice Project | 220 N. Green St., Suite # 3059 | Chicago, IL 60607
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

On Oct 12, 2016, at 10:11 AM, FOIA1 <FOIA1@chicagopolice.org> wrote:

Dear Tracy,

I have yet to receive the records that you had requested. The officers I reached out to are diligently searching for response records. Since they have not yet completed the task I was wondering if I could have some more time. Can I have to October 21 to get back to you?

P.O. Zuniga, # 10919

From: **Tracy Siska** tsiska@chicagojustice.org
Subject: **Chicago Justice Project FOIA 1/20/16**
Date: **January 20, 2017 at 9:21 AM**
To: **Chicago Police Department, Dept: Records & Inquiry** foia@chicagopolice.org



Please provide the following records in accordance with the Illinois Freedom of Information Act. Please provide the following records in digital format.

- Provide case level crime incident data for all crime incidents including homicides from 1980-2016 including data related to how the incident is originally coded as it enters the CPD and the final incident classification. Please define each of the tables and fields included in the data requested in this FOIA.
- If the Chicago Police Department chooses to withhold fields please detail the exact field, what type of data the field holds, and what exemption applies to each field.

Tracy Siska | Executive Director
Chicago Justice Project | 220 N. Green St., Suite # 3059 | Chicago, IL 60607
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj



Rahm Emanuel
Mayor

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

Eddie T. Johnson
Superintendent of Police

January 27, 2017

Tracy Siska
Chicago Justice Project
Response Via Email: tsiska@chicagojustice.org

Re: **NOTICE OF RESPONSE TO FOIA REQUEST**
REQUEST DATE: January 20, 2017
FOIA FILE NO.: P056637

Dear Ms. Siska,

This notice is in response to your request dated January 20, 2017 received by the Chicago Police Department on said date for records and information under the Freedom of Information Act (FOIA), 5 ILCS 140 *et seq.*

In order to determine the extent of responsive information, inquiry must be made within this office and relevant files must be searched. Your request may require the collection of a substantial number of specified records. Therefore, it is necessary to extend the time for response as permitted by 5 ILCS 140/3(e). A response will be mailed to you on or before February 3, 2017.

Sincerely,

A handwritten signature in black ink, appearing to read "Dane J. Rohrer", with a long horizontal flourish extending to the right.

Dane J. Rohrer
Freedom of Information Officer

City of Chicago Department of Police
Office of Legal Affairs-FOIA Unit
3510 South Michigan, Fourth Floor
Chicago, Illinois 60653
(312) 745-5308
foia@chicagopolice.org

Emergency and TTY: 9-1-1 • Non Emergency and TTY: (within city limits) 3-1-1 • Non Emergency and TTY: (outside city limits) (312) 746-6000

E-mail: police@cityofchicago.org • Website: www.cityofchicago.org/police

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Exhibit G



Rahm Emanuel
Mayor

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

Eddie T. Johnson
Superintendent of Police

February 3, 2017

Tracy Siska
Chicago Justice Project
Response Via Email: tsiska@chicagojustice.org

Re: **NOTICE OF RESPONSE TO FOIA REQUEST**
REQUEST DATE: January 20, 2017
FOIA FILE NO.: P056637

Dear Mr. Siska,

The Chicago Police Department (CPD) is in receipt of your Freedom of Information ("FOIA") request. Upon review by the undersigned, it was determined that you are seeking:

"provide case level crime incident data for all crime incidents including homicides from 1980-2016 including data related to how the incident is originally coded as it enters the CPD and the final incident classification. Please define each of the tables and fields included in the data requested in this FOIA."

CPD has interpreted your request as seeking spreadsheet documentation of data for every incident recorded by CPD over a 36 year period. In order to determine whether responsive documents exist, this matter was directed to the CPD Research and Development: Analysis Unit. Upon review of this matter, R&D has indicated that there is no existing formula from which such data could be drawn, compiled and produced. To properly address this request, R&D would have to generate an entirely new mathematical algorithm by which such data might be drawn and disseminated. In consideration of this situation, no responsive records exist pertaining to this request. It should be emphasized that FOIA requires public bodies to provide *existing* public records. See 5 ILCS 140/3(a) ("Each public body shall make available to any person for inspection or copying all public records, except as otherwise provided in Sections 7 and 8.5 of this Act."). FOIA does not require public bodies to create records, or compile information for the purpose of creating a record.

Even assuming, arguendo, that R&D could produce such documentation, processing such a request would be unduly burdensome as written. FOIA provides in 5 ILCS 140/3(g) that requests for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information. As stated *supra*, a customized mathematical formula would have to be developed by R&D in order to generate the sort of data you are seeking. Based on R&D's current work backlog and the time needed to formulate and produce an accurate algorithm, this task alone would take several weeks to complete. R&D has also noted that data concerning incidents recorded prior to 1999 is maintained in paper format, and is not digitized in a central database. In consideration of the unit's incredible workflow, such a broad search for paper documentation would take R&D several weeks, if not months to complete and compile. The CPD Bureau of Patrol has indicated that in the past four years alone, 400,000 arrests were conducted by CPD. Thus, processing statistics over the past 36 years would involve the review of data from over two million arrests.

A compilation of all the aforementioned documents for each responsive incident would therefore require the review of several thousand pages of data for information that is exempt under FOIA and other relevant state and federal statutes. Based on past requests, it would be reasonable to expect a trained FOIA officer to take at least one minute to review one

Emergency and TTY: 9-1-1 • Non Emergency and TTY: (within city limits) 3-1-1 • Non Emergency and TTY: (outside city limits) (312) 746-6000

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Exhibit H

page of responsive documents. Reviewing all responsive documents in the aggregate would consequently require well in excess of 50 hours to complete such a demanding task. The short response time allowed by FOIA makes the task of identifying, collecting, and reviewing potentially responsive records in a timely manner unduly burdensome upon CPD. As a result, CPD has determined that compliance with your request is unduly burdensome and that CPD's burden to process your request outweighs the public's interest.

At this time, your request has been interpreted to seek data pertaining to every criminal incident recorded by CPD over the past 36 years, which would involve the creation and review of thousands of pages of spreadsheet documentation. Please note that the Department does not maintain such data in an existing format, and such spreadsheet documentation would have to be newly created. As such, CPD retains no responsive records pertaining to your request. It should be emphasized, that FOIA requires public bodies to provide *existing* public records. See 5 ILCS 140/3(a) ("Each public body shall make available to any person for inspection or copying all public records, except as otherwise provided in Sections 7 and 8.5 of this Act."). FOIA does not require public bodies to create records, or compile information for the purpose of creating a record.

When generating a FOIA request, please bear in mind that you are responsible for being as clear and specific as possible. Information that would assist CPD in determining what specific event you are interested in includes date of incident, area of occurrence, or RD number. Under the Act, CPD is solely responsible for disclosing the documentation in its possession that relates to a public request, subject to any applicable exclusions. 5 ILCS 140/3(g). However, this is only possible when a petition specifies what type of documentation is being requested. It should be emphasized that the Act neither requires nor allows CPD to speculate as to the details of any request; this information can only be provided by the petitioner. Pursuant to section 3(g) of FOIA, we would like to extend to you an opportunity to modify your request to make it more manageable. Once the above listed variables are determined, a new FOIA request can be submitted to CPD, specifying the records you would like CPD to provide.

In the event that responsive information has been exempted by CPD, such decisions may be reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General, 500 S. 2nd Street, Springfield, Illinois 62706, (877) 299-3642. You also have the right to seek judicial review of your denial by filing a lawsuit in the Circuit Court of Cook County. Any and all appeals to the Circuit Court of Cook County must be filed within two years of the alleged violation.

If you require additional assistance, feel free to contact this office.

Sincerely,



Dane J. Rohrer
Freedom of Information Officer

City of Chicago Department of Police
Office of Legal Affairs-FOIA Unit
3510 South Michigan, Fourth Floor
Chicago, Illinois 60653
(312) 745-5308
foia@chicagopolice.org

From: **Tracy Siska** tsiska@chicagojustice.org
Subject: Re: FOIA P056637
Date: February 18, 2017 at 2:44 PM
To: Rohrer, Dane J. Dane.Rohrer@chicagopolice.org



Dane,

Please consider this email a narrowed request under the Illinois Freedom of Information Act.

- Provide case level crime incident data for all crime incidents including homicides from 1999-2016 including data related to how the incident is originally coded as it enters the CPD and the final incident classification. Please define each of the tables and fields included in the data requested in this FOIA.
- If the Chicago Police Department chooses to withhold fields please detail the exact field, what type of data the field holds, and what exemption applies to each field.

Trac Siska

Tracy Siska | Executive Director
Chicago Justice Project | 220 N. Green St., Suite # 3059 | Chicago, IL 60607
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

From: **Tracy Siska** tsiska@chicagojustice.org
Subject: **Chicago Justice Project FOIA 2/17/17**
Date: **February 17, 2017 at 9:19 AM**
To: **Foia1** foia1@chicagopolice.org



Please provide the following records in digital format under Illinois' Freedom of Information Act:

A. Please provide the database records related to domestic violence that were provide to ABC Chicago News and are reported on in this news report:

<http://abc7chicago.com/news/i-team-most-chicago-police-accused-of-domestic-violence-go-undisciplined/1758664/>

Please fulfill this request in the working days allotted by Illinois law.

Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 220 N. Green St., Suite # 3059 | Chicago, IL 60607
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

From: **Tracy Siska** tsiska@chicagojustice.org
Subject: **Re: Chicago Justice Project FOIA 2/17/17**
Date: **April 10, 2017 at 2:26 PM**
To: **Foia1** foia1@chicagopolice.org



Can you please send me an update on the status of this request? I never received any response from the Chicago Police Department.

Thanks,

Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 120 S. LaSalle St., Suite 1440 | Chicago, IL 60603
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

On Feb 17, 2017, at 9:19 AM, Tracy Siska <tsiska@chicagojustice.org> wrote:

Please provide the following records in digital format under Illinois' Freedom of Information Act:

A. Please provide the database records related to domestic violence that were provide to ABC Chicago News and are reported on in this news report:

<http://abc7chicago.com/news/i-team-most-chicago-police-accused-of-domestic-violence-go-undisciplined/1758664/>

Please fulfill this request in the working days allotted by Illinois law.

Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 220 N. Green St., Suite # 3059 | Chicago, IL 60607
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

From: **Tracy Siska** tsiska@chicagojustice.org
Subject: **Re: Chicago Justice Project FOIA Request 121917**
Date: **December 26, 2017 at 10:11 AM**
To: **FOIA** foia@chicagopolice.org



Hello,

Please provide me the names of individuals who held those positions for the following time frames so that I can then send those names back to you to request their emails - time period: 1/1/16 - 12/19/17.

Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 9 W. Washington, Suite 400 | Chicago, IL 60604 | Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

On Dec 20, 2017, at 8:54 AM, FOIA <foia@chicagopolice.org> wrote:

Dear Ms. Siska,

Thank you for your FOIA request.

Please be advised that we cannot complete your FOIA as it is written. The information is insufficient.

Per the supervisory FOIA Sergeant, please provide the specific and complete names of those on whom you would like this email search run.

Thank you,

CPD FOIA Intake

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering that message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this document is strictly prohibited.

From: Tracy Siska [tsiska@chicagojustice.org]
Sent: Tuesday, December 19, 2017 11:50 AM
To: FOIA
Subject: Chicago Justice Project FOIA Request 121917

Please provide in unlooked digital format copies of the following records in accordance with the Illinois Freedom of Information Act:

A. Index of all email received by or authored by any of the positions / individuals named in part C of this request that in any way address the subject of Wednesday September 21, 2016 announcement's by Superintendent Eddie Johnson to hire 1,000 additional officers to the Chicago Police Department.

B. Index of all email received by or authored by any of the positions / individuals named in part C of this request that in any way address any analyses in whatever format that serve as a basis for or support for the September 21, 2016 decision by Superintendent Johnson to hire a 1,000 more officers to the Chicago Police Department

C. Positions / Individuals we are seeking emails from:

1. Superintendent Johnson
2. Superintendent's Chief of Staff
3. Superintendent's Special Advisor
4. First Deputy Superintendent
5. Chief Communications Officer
6. Commanding Officer of News Affairs
7. Director of Research & Development Division

Please fulfill this request in the 5 working days allotted by Illinois Law. Contact me at this email address by replying to this email with any questions you may have. Please fulfill this request by replying to this email.

Tracy Siska

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Group Exhibit K

Tracy Siska | Executive Director
Chicago Justice Project | 9 W. Washington, Suite 400 | Chicago, IL 60604 | Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

From: Tracy Siska tsiska@chicagojustice.org
Subject: Chicago Justice Project FOIA 9/11/17
Date: September 11, 2017 at 11:05 AM
To: Chicago Police Department, Dept: Records & Inquiry foia@chicagopolice.org



Please provide the following records in accordance with the Illinois Freedom of Information Act.

A. "Please provide aggregate totals for the following categories broken down by month for every month since 1/1/16 - through 8/31/17. Please further break down the data by the race and gender of the individuals.

1. Number of officers hired by the Chicago Police Department
2. Number of cadets entering the Chicago Police Department academy
3. Number of cadets graduating from the Chicago Police Department academy
4. Number of officers retiring from the Chicago Police Department
5. Number of officers that left the employ of the Chicago Police Department for any reason besides retirement

B. For every entrance exam given by the Chicago Police Department from 1/1/16 - 8/31/17 please detail the following aggregate totals: Please further break down the data by the race and gender of the individuals.

1. Number of individuals that applied to take the exam
2. Number of individuals that completed the exam
3. Number of individuals that passed the exam
4. Number of individuals that attempted each qualifying test, i.e. the psychological exam, POWER test, etc....., and the number of individuals that both failed and passed the exam.

Please fulfill this request in the 5 working days mandated by Illinois Law. If you have any question please respond to this email. When fulfilling this request please reply to this email and send the material in digital format.

Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 53 W. Jackson Blvd., Suite 1205 | Chicago, IL 60604
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

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From: FOIA foia@chicagopolice.org
Subject: RE: Chicago Justice Project FOIA 9/11/17- Extension Notice FOIA # P428461
Date: September 11, 2017 at 11:48 AM
To: Tracy Siska tsiska@chicagojustice.org



Extension Notice FOIA # P428461

The Chicago Police Department received your Freedom of Information Act Request on September 11, 2017. Under the Freedom of Information Act, a public body may extend the time to respond to a FOIA request by up to 5 business days for a limited number of reasons. Pursuant to Section 5 ILCS 140/3(e) of the Act, the CPD is extending the time to respond to your request by 5 business days from the original due date for the following reason(s):

- () The requested records are stored in whole or in part at other locations other than the office having charge of the requested records;
- () The requested records require the collection of a substantial number of specified records;
- (X) The request is couched in categorical terms and requires an extensive search for the records responsive to it;
- () The requested records have not been located in the course of routine search and additional efforts are being made to locate them;
- () The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure or should be revealed only with appropriate deletions;
- (X) The request for records cannot be complied by the public body within the time limits prescribed by the Freedom of Information Act, 5 ILCS 140/3(c), without unduly burdening or interfering with the operations of the public body;
- (X) There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of any public body having a substantial interest in the determination or in the subject matter of the request.

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Chicago Police Department
FOIA Section

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From: Tracy Siska [tsiska@chicagojustice.org]
Sent: Monday, September 11, 2017 11:05 AM
To: FOIA
Subject: Chicago Justice Project FOIA 9/11/17

Please provide the following records in accordance with the Illinois Freedom of Information Act.

A. "Please provide aggregate totals for the following categories broken down by month for every month since 1/1/16 - through 8/31/17. Please further break down the data by the race and gender of the individuals.

1. Number of officers hired by the Chicago Police Department
2. Number of cadets entering the Chicago Police Department academy
3. Number of cadets graduating from the Chicago Police Department academy
4. Number of officers retiring from the Chicago Police Department
5. Number of officers that left the employ of the Chicago Police Department for any reason besides retirement

B. For every entrance exam given by the Chicago Police Department from 1/1/16 - 8/31/17 please detail the following aggregate totals: Please further break down the data by the race and gender of the individuals.

1. Number of individuals that applied to take the exam
2. Number of individuals that completed the exam
3. Number of individuals that passed the exam
4. Number of individuals that attempted each qualifying test, i.e. the psychological exam, POWER test, etc..., and the number of individuals that both failed and passed the exam.

Please fulfill this request in the 5 working days mandated by Illinois Law. If you have any question please respond to this email. When fulfilling this request please reply to this email and send the material in digital format.

Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 53 W. Jackson Blvd., Suite 1205 | Chicago, IL 60604
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

From: Tracy Siska tsiska@chicagojustice.org
Subject: Re: Chicago Justice Project FOIA 9/11/17- Extension Notice FOIA # P428461
Date: September 30, 2017 at 4:18 PM
To: FOIA foia@chicagopolice.org



Can you please let me know the status of our FOIA request?

Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 9 W. Washington, Suite 400 | Chicago, IL 60604 | Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

On Sep 11, 2017, at 11:46 AM, FOIA <foia@chicagopolice.org> wrote:

Extension Notice FOIA # P428461

The Chicago Police Department received your Freedom of Information Act Request on September 11, 2017. Under the Freedom of Information Act, a public body may extend the time to respond to a FOIA request by up to 5 business days for a limited number of reasons. Pursuant to Section 5 ILCS 140/3(e) of the Act, the CPD is extending the time to respond to your request by 5 business days from the original due date for the following reason(s):

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- (X) The request is couched in categorical terms and requires an extensive search for the records responsive to it;
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- () The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure or should be revealed only with appropriate deletions;
- (X) The request for records cannot be complied by the public body within the time limits prescribed by the Freedom of Information Act, 5 ILCS 140/3(c), without unduly burdening or interfering with the operations of the public body;
- (X) There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of any public body having a substantial interest in the determination or in the subject matter of the request.

Chicago Police Department
FOIA Section

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From: Tracy Siska [tsiska@chicagojustice.org]
Sent: Monday, September 11, 2017 11:05 AM
To: FOIA
Subject: Chicago Justice Project FOIA 9/11/17

Please provide the following records in accordance with the Illinois Freedom of Information Act.

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4. Number of individuals that attempted each qualifying test, i.e. the psychological exam, POWER test, etc..., and the number of individuals that both failed and passed the exam.

Please fulfill this request in the 5 working days mandated by Illinois Law. If you have any question please respond to this email. When fulfilling this request please reply to this email and send the material in digital format.

Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 53 W. Jackson Blvd., Suite 1205 | Chicago, IL 60604
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

From: Tracy Siska tsiska@chicagojustice.org
Subject: Re: Chicago Justice Project FOIA 9/11/17- Extension Notice FOIA # P428461
Date: October 10, 2017 at 10:38 AM
To: FOIA foia@chicagopolice.org



Can you please provide me with an update on my FOIA request?

Tracy

Tracy Siska | Executive Director
Chicago Justice Project | 9 W. Washington, Suite 400 | Chicago, IL 60604 | Ph. (312) 971-6745 |
tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

On Sep 30, 2017, at 4:18 PM, Tracy Siska <tsiska@chicagojustice.org> wrote:

Can you please let me know the status of our FOIA request?

Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 9 W. Washington, Suite 400 | Chicago, IL 60604 | Ph. (312) 971-6745 |
tsiska@chicagojustice.org | www.chicagojustice.org |
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Extension Notice FOIA # P428461

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- The request is couched in categorical terms and requires an extensive search for the records responsive to it;
- The requested records have not been located in the course of routine search and additional efforts are being made to locate them;
- The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure or should be revealed only with appropriate deletions;

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- (X) The request for records cannot be complied by the public body within the time limits prescribed by the Freedom of Information Act, 5 ILCS 140/3(c), without unduly burdening or interfering with the operations of the public body;
- (X) There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of any public body having a substantial interest in the determination or in the subject matter of the request.

Chicago Police Department
FOIA Section

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From: Tracy Siska [tsiska@chicagojustice.org]
Sent: Monday, September 11, 2017 11:05 AM
To: FOIA
Subject: Chicago Justice Project FOIA 9/11/17

Please provide the following records in accordance with the Illinois Freedom of Information Act.

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Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 53 W. Jackson Blvd., Suite 1205 | Chicago, IL 60604
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

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From: Karr, Landon P. Landon.Karr@chicagopolice.org
Subject: FW: Follow-up - P428461 FW: Chicago Justice Project FOIA 9/11/17- Extension Notice FOIA # P428461
Date: October 10, 2017 at 2:11 PM
To: tsiska@chicagojustice.org



Mr. Siska,

Apologies for the delay in getting this material together. As easy as it may seem, it is simply not a set of records that is maintained regularly by CPD. I'm still trying to see what I can do to piece together some of this from a variety of different places within this department.

Again, apologies. I will be in touch once I have a better answer for you.

Landon

From: FOIA
Sent: Tuesday, October 10, 2017 1:31 PM
To: Karr, Landon P.
Subject: Follow-up - P428461 FW: Chicago Justice Project FOIA 9/11/17- Extension Notice FOIA # P428461

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering that message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this document is strictly prohibited.

From: Tracy Siska [tsiska@chicagojustice.org]
Sent: Tuesday, October 10, 2017 10:38 AM
To: FOIA
Subject: Re: Chicago Justice Project FOIA 9/11/17- Extension Notice FOIA # P428461

Can you please provide me with an update on my FOIA request?

Tracy

Tracy Siska | Executive Director
Chicago Justice Project | 9 W. Washington, Suite 400 | Chicago, IL 60604 | Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

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On Sep 11, 2017, at 11:46 AM, FOIA <foia@chicagopolice.org> wrote:

Extension Notice FOIA # P428461

The Chicago Police Department received your Freedom of Information Act Request on September 11, 2017. Under the Freedom of Information Act, a public body may extend the time to respond to a FOIA request by up to 5 business days for a limited number of reasons. Pursuant to Section 5 ILCS 140/3(e) of the Act, the CPD is extending the time to respond to your request by 5 business days from the original due date for the following reason(s):

- The requested records are stored in whole or in part at other locations other than the office having charge of the requested records;
- The requested records require the collection of a substantial number of specified records;
- The request is couched in categorical terms and requires an extensive search for the records responsive to it;

- () The requested records have not been located in the course of routine search and additional efforts are being made to locate them;
- () The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure or should be revealed only with appropriate deletions;
- (X) The request for records cannot be complied by the public body within the time limits prescribed by the Freedom of Information Act, 5 ILCS 140/3(c), without unduly burdening or interfering with the operations of the public body;
- (X) There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of any public body having a substantial interest in the determination or in the subject matter of the request.

Chicago Police Department
FOIA Section

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering that message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this document is strictly prohibited.

From: Tracy Siska [tsiska@chicagojustice.org]
Sent: Monday, September 11, 2017 11:05 AM
To: FOIA
Subject: Chicago Justice Project FOIA 9/11/17

Please provide the following records in accordance with the Illinois Freedom of Information Act.

A. "Please provide aggregate totals for the following categories broken down by month for every month since 1/1/16 - through 8/31/17. Please further break down the data by the race and gender of the individuals.

1. Number of officers hired by the Chicago Police Department
2. Number of cadets entering the Chicago Police Department academy
3. Number of cadets graduating from the Chicago Police Department academy
4. Number of officers retiring from the Chicago Police Department
5. Number of officers that left the employ of the Chicago Police Department for any reason besides retirement

B. For every entrance exam given by the Chicago Police Department from 1/1/16 - 8/31/17 please detail the following aggregate totals: Please further break down the data by the race and gender of the individuals.

1. Number of individuals that applied to take the exam
2. Number of individuals that completed the exam
3. Number of individuals that passed the exam
4. Number of individuals that attempted each qualifying test, i.e. the psychological exam, POWER test, etc..., and the number of individuals that both failed and passed the exam.

Please fulfill this request in the 5 working days mandated by Illinois Law. If you have any question please respond to this email. When fulfilling this request please reply to this email and send the material in digital format.

Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 53 W. Jackson Blvd., Suite 1205 | Chicago, IL 60604
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

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From: **Tracy Siska** tsiska@chicagojustice.org
Subject: **Chicago Justice Project FOIA Request 6/23/17**
Date: **June 23, 2017 at 4:38 PM**
To: **Chicago Police Department, Dept: Records & Inquiry** foia@chicagopolice.org



Please provide the following data in digital format as prescribed in the Illinois Freedom of information Act.

A. Please provide all call level police call for service data originally created by the Office of Emergency Management and Communications but maintained by the Chicago Police Department for the years 1999-2016.

Please contact me at this email address with any questions you might have or to fulfill this request. Please fulfill this request in the five days allotted by Illinois Law.

Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 120 S. LaSalle St., Suite 1440 | Chicago, IL 60603
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj



Rahm Emanuel
Mayor

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

Eddie T. Johnson
Superintendent of Police

June 30, 2017

Ms. Tracy Siska
tsiska@chicagojustice.org

RE: NOTICE OF RESPONSE TO FOIA REQUEST
REQUEST DATE: June 23, 2017
FOIA FILE NO.: P263046

Dear Ms. Siska:

The Chicago Police Department (CPD) is in receipt of your Freedom of Information Act (FOIA) request for the following:

"All call level police call for service data originally created by the Office of Emergency Management and Communications but maintained by the Chicago Police Department for the years 1999-2016."

Please be advised that the Chicago Police Department no longer provides nor maintains records responsive to your request. Please note that each City department is a "public body" under Section 2 of FOIA, 5 ILCS 140/2(a). See Duncan Publishing, Inc. v. City of Chicago, 304 Ill. App 3d 778, 784, 709, N.E.2d 1281, 1286 (1st Dist. 1999). (Clearly, each of the individual departments are subsidiary bodies of the City and are "public bodies" as defined by the FOIA.) A FOIA request must be directed to the department that maintains the records you are seeking.

<https://www.cityofchicago.org/city/en/depts/oem/dataset/foialog.html>

If I can be of any further assistance, you may contact me at the address below.

Sincerely,

A. Shulruff
Freedom of Information Act Officer
Chicago Police Department
Office of Legal Affairs, Unit 114
3510 S. Michigan Ave.
Chicago, IL 60653

Emergency and TTY: 9-1-1 • Non Emergency and TTY: (within city limits) 3-1-1 • Non Emergency and TTY: (outside city limits) (312) 746-6000

E-mail: police@cityofchicago.org • Website: www.cityofchicago.org/police

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Exhibit N

From: **Tracy Siska** tsiska@chicagojustice.org
Subject: **Chicago Justice Project FOIA 4/11/17**
Date: **April 10, 2017 at 2:35 PM**
To: **Chicago Police Department, Dept: Records & Inquiry** foia@chicagopolice.org



Please provide copies of the following records in accordance with the Illinois Freedom of Information Act.

A. Please provide records that detail staffing by district for January 1st of every year for the years of 2000-2017. Please detail only sworn personnel and break the numbers down by rank.

Please fulfill this request in the 5 days allotted by Illinois law. Please contact me with any questions you might have. Please direct all correspondence to this email address and please send relevant records in digital format to this email address.

Thanks,

Tracy Siska

Tracy Siska | Executive Director
Chicago Justice Project | 120 S. LaSalle St., Suite 1440 | Chicago, IL 60603
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

From: Washington, Kenyatta M. Kenyatta.Washington@chicagopolice.org
Subject: RE: P059949
Date: May 2, 2017 at 11:59 AM
To: Tracy Siska tsiska@chicagojustice.org



I am unsure. I related your response to R&D and they stated that the system that either the system/or data only goes as far back as 2008, at least concerning the requested information. I do know that CPD isn't as electronically up to date., Unfortunately, we really are more paper orientated.

However, I will forward this full e-mail to that department and wait fro their reply. I can't speak on their system or issues because I don't use that system.

I will keep you updated.

Thank you.

From: Tracy Siska [tsiska@chicagojustice.org]
Sent: Tuesday, May 02, 2017 11:50 AM
To: Washington, Kenyatta M.
Subject: Re: P059949

Kenyatta,

There have to be files with the CPD - paper or digital - that detail staffing at each district on the 1st of January. Are you telling that nowhere within the CPD administration are documents that maintain that count either in paper or in digital format?

I find that hard to believe.

Please confirm this.

Tracy

Tracy Siska | Executive Director
Chicago Justice Project | 120 S. LaSalle St., Suite 1440 | Chicago, IL 60603
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

On May 2, 2017, at 11:47 AM, Washington, Kenyatta M. <Kenyatta.Washington@chicagopolice.org> wrote:

Hello:

Please be advised that the Director of R&D has indicated that their system only allows for this data to go back as far is 2008.

Thank You,

From: Tracy Siska [tsiska@chicagojustice.org]
Sent: Monday, May 01, 2017 4:26 PM
To: Washington, Kenyatta M.
Subject: Re: P059949

Hello Kenyatta,

We wish to have the request fulfilled as filed.

Tracy

Tracy Siska | Executive Director
Chicago Justice Project | 120 S. LaSalle St., Suite 1440 | Chicago, IL 60603
Ph. (312) 971-6745 |

tsiska@chicagojustice.org | www.chicagojustice.org |
Twitter: CJPJustProj

From: Washington, Kenyatta M. Kenyatta.Washington@chicagopolice.org
Subject: P059949
Date: May 24, 2017 at 11:05 AM
To: tsiska@chicagojustice.org



Good Morning:

FOIA received your request. Please see the attached information.

Thank you.

--K. Washington, MA
FOIA



P05549-Siska-Sworn...2.xlsx



P05549-Siska-Sworn...TD.pdf



Rahm Emanuel
Mayor

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

Eddie T. Johnson
Superintendent of Police

May 24, 2017

VIA E-MAIL

Tracy Siska
tsiska@chicagojustice.org

Re: NOTICE OF RESPONSE TO FOIA REQUEST
REQUEST DATE: April 10, 2017
EXTENSION SENT: April 18, 2017
FOLLOW UP: May 2, 2017
FOIA FILE NO.: P059949

Dear Ms. Siska:

The Chicago Police Department (CPD) is in receipt of your Freedom of Information Act (FOIA) request stating:

"Please provide records that detail staffing by district for January 1st of every year for the years of 2000-2017. Please detail only sworn personnel and break the numbers down by rank."

Your request has been reviewed by the undersigned. After consulting with the Research and Development Division (R&D) of the CPD, it has been determined that your request is partially granted. FOIA is providing you data that details staffing by district for January 1st of every year for the years of 2008-2017. Please be advised that R&D only has the ability to run the information as far back as 2008 due to the current program that they have access to, which was created by Information Services. Additionally, after consulting with the Public Safety Information Technology (PSIT) Section of Information Services Division, it was confirmed that they have no data available for the requested years. Therefore, there are no responsive records for the timeframe of 2000-2007.

If I can be of further assistance, please contact me at the following address:

Chicago Police Department
Attention: Freedom of Information
Office of Legal Affairs, Unit 114
3510 S. Michigan Avenue
Chicago, IL 60653

Sincerely,

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Exhibit Q

K. Washington

K. Washington, FOIA Officer
Freedom of Information Act Division
Chicago Police Department
Office of Legal Affairs

Emergency and TTY: 9-1-1 • Non-Emergency and TTY: (within City limits) 3-1-1 • Non-Emergency and TTY: (outside City limits) (312) 746-6000
Email: police@cityofchicago.org • Website: • Non-Emergency and TTY: www.cityofchicago.org/police

From: **Tracy Siska** tsiska@chicagojustice.org
Subject: **Chicago Justice Project FOIA 2/24/18**
Date: **February 24, 2018 at 10:43 AM**
To: **Chicago Police Department, Dept: Records & Inquiry** foia@chicagopolice.org



Please provide the following records in machine readable digital format in accordance with the Illinois Freedom of Information Act.

A. Provide all data related to complaints against officers received by Internal Affairs Division and the subsequent investigations for the years 2000-2017.

B. Provide aggregate totals for the following categories related to Internal Affairs Division investigations for the years 2000-2017

1. Complaints received broken down by category
2. Closed investigations broken down by category and outcome
3. The number of cases submitted for prosecution to the Cook County State's Attorney
and the United States Attorney's broken down by category
4. The number of cases accepted for prosecution by Cook County State's Attorney and
the United States Attorney's broken down by category
5. The number of cases accepted for prosecution by Cook County State's Attorney and the United States Attorney's broken down by category that resulted in a conviction.
6. The number of cases where there was a recommendation for discipline and the officer
field a grievance seeking an arbitration hearing
7. The outcomes for all cases where the officer sought an arbitration hearing to challenge
the recommended discipline broken down by category and outcome.

Please fulfill this request in the 5 working days mandated by Illinois Law. Please send all questions or updates to this request via email by responding to this email.

Tracy Siska

Tracy Siska
Chicago Justice Project
9 W. Washington, Suite 400 Chicago, IL 60602
(312) 971 - 6745

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Exhibit R

From: **Kendra Berry** Kendra.Berry@chicagopolice.org
Subject: **Notice of Response to FOIA Request No. P441535**
Date: **April 5, 2018 at 1:53 PM**
To: **Tracy Siska** tsiska@chicagojustice.org



Please see the attached letter and documents in response to your request.

Thank you,

Kendra N. Berry, MPA
Freedom of Information Officer
Chicago Police Department Office of Legal Affairs
kendra.berry@chicagopolice.org | 312-745-5308



Responsive Docum...o. 1.xls Responsive Docum...o. 2.xls P441535 - Siska - Final...tter.pdf

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Exhibit S



Rahm Emanuel
Mayor

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

Eddie T. Johnson
Superintendent of Police

26 February 2018

Tracy Siska
Chicago Justice Project
9 W. Washington, Suite 400
Chicago, Illinois 60602

Re: NOTICE OF RESPONSE TO FOIA REQUEST
FOIA File Number: P441535

Dear Ms. Siska:

This notice is in response to your request received by the Chicago Police Department for records and information under the Freedom of Information Act (FOIA), 5 ILCS 140 *et seq.* Upon review by the undersigned, it was determined that you are seeking:

"A. Provide all data related to complaints against officers received by Internal (sic) Affairs Division and the subsequent investigations for the years 2000-2017.

B. Provide aggregate totals for the following categories related to Internal Affairs Division investigations for the years 2000-2017

- 1. Complaints received broken down by category*
- 2. Closed investigations broken down by category and outcome*
- 3. The number of cases submitted for prosecution to the Cook County State's Attorney and the United States Attorney's broken down by category*
- 4. The number of cases accepted for prosecution by Cook County State's Attorney and the United States Attorney's broken down by category*
- 5. The number of cases accepted for prosecution by Cook County State's Attorney and the United States Attorney's broken down by category that resulted in a conviction.*
- 6. The number of cases where there was a recommendation for discipline and the officer filed a grievance seeking an arbitration hearing*
- 7. The outcomes for all cases where the officer sought an arbitration hearing to challenge the recommended discipline broken down by category and outcome.*

Your request was reviewed by the undersigned. Your request was interpreted as a request for the complete investigative CR files for the timeframe listed above. Given the scope of your request, processing such a request would be unduly burdensome as written. Pursuant to 5 ILCS 140/3(g), FOIA provides that requests for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information.

Emergency and TTY: 9-1-1 · Non Emergency and TTY: (within city limits) 3-1-1 · Non Emergency and TTY: (outside city limits) (312) 746-6000

E-mail: police@cityofchicago.org · Website: www.cityofchicago.org/police

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At this time your request as currently written has been interpreted as unduly burdensome. Pursuant to section 3(g) of FOIA, we would like to extend to you an opportunity to modify your request to make it more manageable. Until a new FOIA request is submitted that specifies what records you are seeking, CPD will be unable to process your petition. CPD encourages you to review your request to ascertain the details of your query. If there is a particular incident category in which you are interested, it may be possible to conduct a search based on these parameters. Once this is determined, a new FOIA request can be submitted to CPD, specifying the records you would like CPD to provide.

If I can be of further assistance, you may contact me at (312) 745-5308 or by mail at the following address:

Chicago Police Department
Attention: Freedom of Information
Office of Legal Affairs, Unit 114
3510 S. Michigan Ave.
Chicago, IL 60653

You have the right to have a denial reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General, 500 S. Second St., Springfield, IL 62706, (877) 299-3642. You also have the right to seek judicial review of your denial by filing a lawsuit in the Cook county Circuit Court under 5 ILCS 140/11.

Sincerely,

Kendra Berry
Freedom of Information Officer

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

CHICAGO JUSTICE PROJECT

v.

CHICAGO POLICE DEPARTMENT

No. 2018-CH-06576

Defendant Address:
CHICAGO POLICE DEPARTMENT
3510 S MICHIGAN AVE
CHICAGO, IL 60653

[X] SUMMONS [] ALIAS - SUMMONS

To each defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- [X] Richard J. Daley Center, 50 W. Washington, Room 802, Chicago, Illinois 60602
[] District 2 - Skokie 5600 Old Orchard Rd. Skokie, IL 60077
[] District 3 - Rolling Meadows 2121 Euclid 1500 Rolling Meadows, IL 60008
[] District 4 - Maywood Maybrook Ave. Maywood, IL 60153
[] District 5 - Bridgeview 10220 S. 76th Ave. Bridgeview, IL 60455
[] District 6 - Markham 16501 S. Kedzie Pkwy. Markham, IL 60428
[] Richard J. Daley Center 50 W. Washington, LL-01 Chicago, IL 60602

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than thirty (30) days after its date.

[X] Atty. No.: 41295
Name: LOEVY & LOEVY
Atty. for: CHICAGO JUSTICE PROJECT
Address: 311 N ABERDEEN 3FL
City/State/Zip Code: CHICAGO, IL 60607
Telephone: (312) 243-5900
Primary Email Address: matt@loevy.com
Secondary Email Address(es):
joshb@loevy.com

Witness: Tuesday, 22 May 2018
/s/ DOROTHY BROWN
DOROTHY BROWN, Clerk of Court
Date of Service:
(To be inserted by officer on copy left with Defendant or other person)



**Service by Facsimile Transmission will be accepted at:

(Area Code) (Facsimile Telephone Number)

Chancery DIVISION

Litigant List

Printed on 05/22/2018

Case Number: 2018-CH-06576

Page 1 of 1

Plaintiffs

| Plaintiffs Name | Plaintiffs Address | State | Zip | Unit # |
|----------------------------|--------------------|-------|-----|--------|
| CHICAGO JUSTICE PROJECT | | | | |

Total Plaintiffs: 1

Defendants

| Defendant Name | Defendant Address | State | Zip | Unit # | Service By |
|------------------------------|------------------------------|-------|-------|--------|---------------|
| CHICAGO POLICE DEPARTMENT | 3510 S MICHIGAN AVE CHICAGO, | IL | 60653 | | Sheriff-Clerk |

Total Defendants: 1