



Lori E. Lightfoot
Mayor

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

David O. Brown
Superintendent of Police

July 8, 2020

Mr. Christopher Bing
93703-40253801@requests.muckrock.com

RE: NOTICE OF RESPONSE TO FOIA REQUEST
REQUEST RECEIPT DATE: May 27, 2020
FOIA FILE NO.: P582860

Dear Mr. Bing:

The Chicago Police Department (CPD) is in receipt of your Freedom of Information Act (FOIA), 5 ILCS 140/1, *et seq.*, request for the following:

"Product brochures, Powerpoint presentations, memos, emails and other documents from technology contractor Cellebrite and its subsidiary Blackbag Technologies Inc. about their offerings. Such product documents may carry terminology/keywords/descriptions that include: "Digital Intelligence Solutions," "forensic acquisition," "UFED" and "digital investigations." This FOIA seeks marketing, training and other related materials produced by the contractor, Cellebrite/BlackBag Technologies, to explain/sell their product offerings/services to U.S. government national security and law enforcement agencies/offices between the years 2017 and 2020 (or date of review)."

As permitted by 5 ILCS 140/3(e), the time was extended in order to conduct a thorough search for these records. Your request was reviewed by the undersigned. A search of our records was conducted based upon the parameters provided. In order to determine if CPD was in possession of responsive records, your request was forwarded to the Bureau of Technical Services – Information Services Division, the Gang Investigation Division Electronic and Technical Support Unit, and the Bureau of Detectives. You are receiving emails, attachments, and contracts as responsive records to your request. However, please be aware that certain information has been redacted pursuant to 5 ILCS 140/7(1)(b) and (c).

The information that was redacted includes order numbers, proposal numbers, and signatures. The redacted information is exempt from disclosure under 5 ILCS 140/7(1)(b) of the Freedom of Information Act, which exempts "private information, unless disclosure is required by another provision of this Act, a State or federal law or court order." "Private information" is defined in section 2(c-5) as "unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person." 5 ILCS 140/2(c-5) (West 2010). In addition, signatures are unique identifiers and, therefore, an exempt form of private information. See 2010 PAC 9838 (Ill. Att'y Gen. PAC Req. Rev. Ltr. 9838, issued December 10, 2010, at 2).

Moreover, 5 ILCS 140/7(1)(c) exempts from disclosure, "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." Therefore, names were properly redacted pursuant to Section 7(1)(c) of FOIA.

Furthermore, exemption 7(1)(d)(vi) (5 ILCS 140/7(1)(d)(vi) (West 2010), as amended by Public Acts 97-333, effective August 12, 2011; 97-385, effective August 15, 2011; 97-452, effective August 19, 2011), provides that a public body may withhold information if disclosure would endanger the life or physical safety of law enforcement personnel or any other person. Therefore, names and information of undercover officers are withheld.

Please be aware that the Bureau of Detectives has stated that product brochures, power point presentations, memos, and other documents are proprietary and CPD does not have permission to release them. Therefore these records are withheld pursuant to 5 ILCS 140/7(1)(g) which exempts from disclosure "[t]rade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested."

You have a right of review by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General, 500 S. 2nd Street, Springfield, Illinois 62706, by telephone at (877)299-3642, fax at (217)782-1396, or email at publicaccess@atg.state.il.us. You also have the right to seek judicial review by filing a lawsuit in Cook County Circuit Court.

Sincerely,

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