



Lori E. Lightfoot
Mayor

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

David O. Brown
Superintendent of Police

June 16, 2021

Anonymous
112454-29400645@requests.muckrock.com

RE: NOTICE OF RESPONSE TO FOIA REQUEST
REQUEST RECEIPT DATE: May 13, 2021
FOIA FILE NO.: P660061

Dear Anonymous:

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:

"Any and all case files, including (but not limited to) original incident reports, witness testimonies, officer testimonies, evidence lists, officer notes, and other related record(s), from March 20th 2020 to March 20th 2021, relating to unlawful lockouts or evictions within the City of Chicago, as defined by the City of Chicago Residential Landlord and Tenant Ordinance, Municipal Code Title 5, Chapter 12, Section 160: Prohibition On Interruption Of Tenant Occupancy By Landlord."

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 was conducted based on the parameters provided. You are receiving the Original Case Incident Reports, Supplementary Reports, and Arrest Reports as responsive records to your request. However, please be aware that certain information has been redacted pursuant to 5 ILCS 140/7(1)(b), (c), and (d).

The information that was redacted included employee identification numbers, driver's license numbers, state identification numbers, addresses, and telephone numbers. 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." Therefore, these identifiers were properly redacted pursuant to Section 7(1)(b).

Second, the names, addresses and other information that could be used to identify the victim and /or witnesses, or others who provided information to the police have been redacted. The redacted information is exempt from disclosure under 5 ILCS 140/7(1)(d)(iv), which enables a public body to redact information that would "unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative law enforcement, or penal agencies; except that

the identities of witnesses to traffic accidents, traffic accident reports, and rescue reports shall be provided by agencies of local government, except when disclosure would interfere with an active criminal investigation conducted by the agency that is the recipient of the request."

Moreover, the names and identifying information of victims, witnesses, and other third-party names, for instance, the names of suspects who were never arrested and of persons referenced incidentally in reports, such as relatives or neighbors (see, e.g., Ill. Att'y Gen. PAC Req. Rev. Ltr. 31526, issued November 26, 2014, at 6) are exempt pursuant to Section 7(1)(c). 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." Victims, witnesses and third-parties have a strong interest in keeping their identity private and therefore their names, and dates of birth were properly redacted pursuant to Section 7(1)(c) of FOIA.

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