



Brandon Johnson
Mayor

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

Larry Snelling
Superintendent of Police

September 24, 2024

Via Email:

Rachel Jag
foia@aflegal.org

RE: NOTICE OF RESPONSE TO FOIA REQUEST
FOIA FILE NO.: P980203

Dear Rachel Jag:

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

"Please read the attached document.

"Requested Records Under the Illinois Freedom of Information Act, 5 ILCS 140, AFL respectfully requests the following records:

A. All records including the terms "Tren de Aragua" OR "TdA."

B. All records including the terms "Venezuela(n)" AND "gang(s)."

C. All records referencing the presence of the Tren de Aragua gang in Chicago, Illinois.¹

D. Records sufficient to show the number of Tren de Aragua gang members identified and arrested in Chicago, Illinois since January 21, 2021.

E. All records referencing the arrests of Edwin Camejo,² Adelvis Rodriguez-Carmona,³ and any other known members of Tren de Aragua, including but not limited to arrest affidavits and other applicable crime or incident reports.

F. All communications with the U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations Field Office in Chicago, Cook County Police Department, and Cicero Police Department referencing gang activity in the state of Illinois."

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 in collaboration with the Department's Office of

Legal Affairs. Given the scope of your request, it was determined that 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 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. Providing all Original Case Incident and Supplementary reports from "Incidents" alone has 278 cases. Based on past requests for Original Case Incident and Supplementary reports, Original Case Incident reports are typically at least 3 pages in length and the longest with Supplemental reports may exceed hundreds of pages in length. The total page count of 278 cases using the minimum of 3 pages is 834 pages of responsive documents, which would require substantial collection, redaction, and review of documents. Even assuming that CPD could review and compile the responsive documents based on the aforementioned search, this task represents an unduly burdensome request for action.

Based on past requests, it would be reasonable to expect a trained FOIA Officer to take at least three minutes to review one page of responsive documents. More than 834 pages of responsive documentation would require at least 42 hours to review, which is not inclusive of the time necessary to retrieve the documents, to the exclusion of all other tasks. These facts, paired with the short response time allowed by FOIA, make 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, the Department has determined that responding to this request would be unduly burdensome as currently written, and pursuant to Section 3(g), is extending to you an opportunity to confer in an attempt to reduce the request to manageable proportions. CPD encourages you to review your request to ascertain the specific details to your query. Unless and until a new FOIA request is submitted that specifies and narrows the records you are seeking, CPD will be unable to provide further records. Once this is determined, a new FOIA request can be submitted to CPD, specifying the records you would like CPD to provide.

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 in collaboration with the Department's Office of Legal Affairs. Given the scope of your request, it was determined that 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 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. Providing all of the emails you are requesting constitutes more than 377,378 emails. Based on past requests for emails, emails are typically at least one page in length and the longest with attachments may exceed hundreds of pages in length. The total page count of 377,378 emails, even using a conservative estimate that each email numbered only one page in length, would constitute at least 377,378 pages of responsive documents, which would require substantial collection, redaction, and review of documents. Even assuming that CPD could review and compile the responsive documents based on the aforementioned search, this task represents an unduly burdensome request for action.

Based on past requests, it would be reasonable to expect a trained FOIA Officer to take at least three minutes to review one page of responsive documents. More than 377,378 pages of responsive documentation would require at least 18,869 hours to review, which is not inclusive of the time necessary to retrieve the documents, to the exclusion of all other tasks. These facts, paired with the short response time allowed by FOIA, make 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, the Department has determined that responding to this request would be unduly burdensome as currently written, and pursuant to Section 3(g), is extending to you an opportunity to confer in an attempt to reduce the request to manageable proportions. CPD encourages you to review your request to ascertain the specific details to your query. Unless and until a new FOIA request is submitted that specifies and narrows the records you are seeking, CPD will be unable to provide further records. Once this is determined, a new FOIA request can be submitted to CPD, specifying the records you would like CPD to provide.

However, CPD in collaboration with Data Fulfillment and Analysis Section, is providing you with an Excel file, "22143_P980203_Tren_De_Aragua" as responsive records to your request.

Please be advised that, pursuant to the FOIA, certain information has been redacted in order to protect personal privacy. These redactions are explained below.

Section 7(1)(b) exempts from disclosure "[p]rivate information, unless disclosure is required by another provision of this Act, a State or federal law or a court order." 5 ILCS 140/7(1)(b). The FOIA, in 5 ILCS 140/2(c-5), defines "private information" as follows:

"'Private information' means 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, home addresses have been redacted.

You have a right of review by the Illinois Attorney General's Public Access Counselor. 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. You can file a request for review by writing to the following:

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: public.access@ilag.gov

If I can be of further assistance, you may contact me at 312-745-5308.

Sincerely,

A. Armour
Freedom of Information Act Officer
Chicago Police Department

Office of Legal Affairs, Unit 114
3510 S. Michigan Ave.
Chicago, IL 60653