



**Lori Lightfoot**  
Mayor

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

**Eddie T. Johnson**  
Superintendent of Police

July 29, 2019

Mr. Freddy Martinez  
76779-25792379@requests.muckrock.com

**RE: NOTICE OF RESPONSE TO FOIA REQUEST**  
**REQUEST RECEIPT DATE: July 22, 2019**  
**FOIA FILE NO.: P508333**

Dear Mr. Martinez:

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

*“Records and materials related to the solicitation, acquisition, and use of face recognition technology and related software and services. This software or services may be provided by Rekognition, Face++, and FaceFirst; this request is applicable to these and any other company providing facial recognition services under consideration or contract with this agency.*

*Responsive materials include but are not limited to:*

- *Agreements: contracts (including non-disclosure agreements), licensing agreements, nondisclosure agreements*
- *Bid records: Requests For Proposal (or equivalent calls for bids), sole source or limited source justification and approval documentation, documentation of selection, and other materials generated in the consideration and selection of the technology in question*
- *Company relations and communications: records related to meetings or follow-up actions with any vendors, companies, or other private entities marketing face recognition to this agency for immigration, intelligence, law enforcement, or other use.*
- *Financial records: purchase orders, invoices, and other memoranda and documentation.*
- *Marketing records: All marketing materials - unsolicited, requested, or otherwise - acquired from vendors of face recognition technology*
- *Policy records: any policy directives, guidance documents, memoranda, training materials, or similar records governing the use of face recognition technology for immigration, law enforcement, or other purposes. Any memoranda of understanding between this agency and other agencies to share data, access remote systems or other forms of information sharing with external agencies.*
- *Training records: training material governing the use, sharing, or access to any related data related to or collected by the face recognition software/technology, including the legal standard that is required before using the technology. Documents, should they exist, about training for bias in the use of facial recognition technology.*
- *Use and function records: Materials that describe the function of the software considered or in use by*

*this agency, including emails, handouts, PowerPoint presentations, advertisements, or specification documents.*

- *Validation and accuracy: Records, reports, audits, and other documents sufficient to describe validation, accuracy, reliability, and policy compliance of the system*

*Please limit search to records produced from January 1, 2017 – present. Please include as response records: communications, memorandums, background papers, meeting minutes, email exchanges, or presentation materials.”*

Please be advised that given the scope of your request, processing such a request would be unduly burdensome as written. Section 3(g) of 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.” 5 ILCS 140/3(g). For instance, for the emails and communications, there are no identified search terms, nor names and/or email addresses of those you want the search conducted on, without which CPD cannot conduct a productive search. Therefore, your request for emails and communications alone is unduly burdensome as currently written. In order to effectively run a search, CPD needs (1) the email address(es) or employee name(s) of the account(s) you wish searched; (2) key words you wish to search for; and (3) the timeframe to be searched. And this is not even inclusive of all other parts of your request. At this time your request as currently written has been interpreted as unduly burdensome. 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.

In addition, please be advised that you may check for City of Chicago contracts online at:

[https://www.chicago.gov/city/en/depts/dps/provdrs/contract/svcs/awarded\\_contracts.html](https://www.chicago.gov/city/en/depts/dps/provdrs/contract/svcs/awarded_contracts.html)

If you agree to narrow your request, you must submit a revised written request to my attention. We 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 have the right to have a denial reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General, 500 S. 2nd Street, Springfield, Illinois 62706; or by telephone at (877) 299-3642. You also have the right to seek judicial review of your denial 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