

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

MARC VANEK,)	
)	
Plaintiff,)	
)	
v.)	No.
)	
CITY OF CHICAGO, a municipal corporation,)	
DAVID O'NEIL BROWN, in his official and)	
individual capacity as Superintendent of)	
Police, ERIC CARTER, in his official and)	
individual capacity as First Deputy)	
Superintendent of Police, JASON BROWN, in)	
his official and individual capacity, THOMAS)	JURY DEMANDED FOR ALL
MILLS, in his official and individual capacity)	NON-EQUITABLE COUNTS
JAMES TRIANTAFILLO, in his official and)	
individual capacity, and JOSE M. TIRADO,)	
in his official and individual capacity as)	
Chief of the Bureau of Counterterrorism,)	
)	
Defendants.)	

COMPLAINT FOR EQUITABLE AND OTHER RELIEF

Plaintiff, Marc Vanek, through his attorneys, Robert W. Fioretti, Richard F. Linden and Peter V. Bustamante, complains of Defendants, City of Chicago, a municipal corporation, David O'Neil Brown, Superintendent of the Chicago Police Department ("CPD"), in his official and individual capacity, Eric Carter, First Deputy Superintendent of Police in his official and individual capacity, Jason Brown in his official and individual capacity, Thomas Mills, in his official and individual capacity, James Triantafillo, in his

official and individual capacity, and Jose M. Tirado, Chief Bureau of Counterterrorism, in his official and individual capacity, as follows:

Nature of the Action

1. Plaintiff Sergeant Marc Vanek (“Sgt. Vanek”) files this action for violations of the Illinois Whistleblower Act [740 ILCS 174/1, *et seq.*], violations of free speech and due process under Article 1 of the Illinois Constitution and defamation claims against Defendant Jason Brown. Sgt. Vanek reported, to the Superintendent of Police and others, unlawful conduct by then Lt. Jason Brown (“Lt. Brown) who has since been elevated to the position of Commander. In the midst of the 2020 riots, Lt. Brown, without authorization, unlawfully diverted department resources for his own personal benefit when he ordered a team of CPD Police Officers and a Sergeant to personally guard his home and neighborhood.

2. Lt. Brown lived in a peaceful and tranquil neighborhood where there was no looting or civil unrest. He abused his position with the CPD and diverted resources away from other parts of the City which were experiencing violence and looting.

3. Because he reported Lt. Brown’s misconduct, Sgt. Vanek was subjected to repeated acts of retaliation. He went from a rising figure in the CPD, heading an elite unit that helped the CPD gain national attention by confiscating guns and illegal narcotics off the streets of Chicago to being detailed to the 11th District working midnights as a patrol

Sergeant. The 11th District is Chicago's most dangerous and violent District, and the least desirable District to work in.

4. In 2020, the CPD, recognizing that officers may be unwilling to report misconduct by fellow officers because they would be exposing themselves to retaliation, issued a formal policy banning retaliation against Officers who report misconduct. The CPD issued General Order G08-05 which on its face prohibits all Department members from engaging in any form of retaliation against any Department member or member of the public. Sgt. Vanek had a right, secured under the Illinois Constitution, to be free from retaliation. Plaintiff seeks declaratory, equitable and compensatory relief.

Parties

5. Plaintiff, Marc Vanek is a resident of Cook County, Illinois. At all times pertinent, Vanek was employed by the City of Chicago. Vanek is a Sergeant with the CPD.

6. Defendant, City of Chicago, is a municipal corporation, organized and existing under and by virtue of the laws of the State of Illinois.

7. Defendant, David O'Neil Brown ("Supt. Brown"), is the Superintendent of the CPD and is being sued in his official and individual capacity.

8. Supt. Brown is and was a policy maker for the CPD and has final policy making authority and/or was delegated with final policy making authority with regard to the conduct alleged herein.

9. Defendant, Eric Carter (“Carter”), is the First Deputy Superintendent of the CPD and is being sued in official and individual capacity.

10. Carter is and was a policy maker for the CPD and has final policy making authority and/or was delegated with final policy making authority with regard to the conduct alleged herein.

11. Defendant, Jason Brown (“Lt. Brown”), was a Lieutenant and is now a Commander with the CPD. Lt. Brown is being sued in official and individual capacity. Lt. Brown was Sgt. Vanek’s supervisor. Lt. Brown is and was a policy maker for the CPD and has final policy making authority and/or was delegated with final policy making authority with regard to the conduct alleged herein.

12. At all relevant times to the Complaint, Defendant, Thomas Mills (“Commander Mills”), was a Commander with the CPD who was subsequently promoted to Deputy Chief of the Bureau of Counterterrorism. Commander Mills is being sued in his official and individual capacity. At all relevant times to the Complaint, Commander Mills was a policy maker for the CPD and had final policy making authority and/or was delegated with final policy making authority with regard to the conduct alleged herein.

13. James Triantafillo (“Lt. Triantafillo”), is a lieutenant with the CPD. Lt. Triantafillo is being sued in his official and individual capacity. Lt. Triantafillo is and was

a policy maker for the CPD and has final policy making authority and/or was delegated with final policy making authority with regard to the conduct alleged herein.

14. At all relevant times to the Complaint, Defendant, Jose M. Tirado (“Chief Tirado”), was the Chief of the Bureau of Counterterrorism with the CPD and is being sued in his official and individual capacity.

15. Chief Tirado was a policy maker for the CPD and had final policy making authority and/or was delegated with final policy making authority with regard to the conduct alleged herein.

Jurisdiction and Venue

16. The Court has jurisdiction over Sgt. Vanek’s claims. Defendants reside in Illinois and Plaintiff’s causes of action arose in Illinois.

17. Venue is proper in Cook County. Defendants reside in Cook County, Illinois and Plaintiff’s causes of action arose in Cook County.

Facts Related to All Claims

Sgt. Vanek’s Rising Career with CPD

18. Sgt. Vanek was hired as a Police Officer with the CPD on September 11, 2000. He was promoted to Detective in December 2006 and to Sergeant in February 2014.

19. In 2017, Sgt. Vanek was the supervisor of Squad D7 of the Narcotics Division. Squad D7 engaged in the use of covert Facebook profiles to conduct undercover controlled purchases of narcotics and weapons. Squad D7, acting in a part-time basis, was

able to conduct 124 controlled purchases, purchased 17 different kinds of narcotics, seized 18 weapons and 18 vehicles from 68 targets. This investigation, named Operation Fishnet, completed in December 2017, was the first ever investigation into Facebook's "Secret Groups" that were selling illegal narcotics and weapons. The investigation made national news. (See, Group Exhibit 5 and [youtube.com/watch?v=Yusm81y_MWg](https://www.youtube.com/watch?v=Yusm81y_MWg)).

20. Operation Fishnet was so successful that Facebook sought an in-person meeting with CPD and Sgt. Vanek. Prior to the February 7, 2018 meeting, Sgt. Vanek met with members of the CPD's Command Staff to prepare for the Facebook meeting including then First Deputy Superintendent Anthony Ricco. After the Facebook meeting Sgt. Vanek issued a report about Facebook's unwillingness to cooperate with law enforcement.

21. Even before Operation Fishnet, Sgt. Vanek's was already very much aware of the use of social media by criminal elements. On July 20, 2017, Sgt. Vanek testified before the United States House of Representatives Committee on the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, on behalf of Midwest Gangs Investigators Association, an organization with over 2000 members representing 12 states throughout the Midwest. As part of his testimony, Sgt. Vanek reported on the increasing use of social media by criminal elements.

22. In or about March 2018, Sgt. Vanek began discussing the creation of an Internet Narcotics Enforcement Team (“INET”) to focus on online illegal sales of narcotics and weapons.

23. On or about June 1, 2018, INET was established as part of CPD’s Narcotics Division.

24. INET targets illegal narcotic and weapon sales conducted over the internet. It investigates the Dark Web, Social Media, Apps and Cryptocurrency. Dark Web investigations utilize covert bank accounts, surveillance tactics, electronic investigation tactics and non-hand to hand controlled buys. The INET team consisted of Sgt. Vanek, seven Chicago Police Officers, 1 DEA Agent and 1 U.S. Postal Inspector.

25. INET proved to be highly successful. CPD received positive publicity about the many arrests made along with illegal weapons and narcotics taken off the streets.

26. On June 20, 2019, the CPD requested that Sgt. Vanek make a presentation to the Israeli Government on INET. On June 25, 2019, Sgt. Vanek made a presentation to Gabi Biton, the Israeli National Police Attaché.

27. In October/November 2019, Sgt. Vanek was selected to attend the Sergeants Executive Development Training to prepare him for future leadership positions.

28. On or about December 3, 2019, Sgt. Vanek and then Police Superintendent Charlie Beck conducted a national press conference into the second operation of

Facebook's secret groups selling illegal narcotics and weapons. (See, [youtube.com/watch?v=-gEx4zi8Tt4](https://www.youtube.com/watch?v=-gEx4zi8Tt4)).

29. On December 18, 2019, Sgt. Vanek and INET were highlighted during a CompStat meeting. CompStat is a performance management process that is used by the CPD designed to reduce crime, enhance implementation of Department strategies, foster compliance with Department standards, and achieve other Department goals and objectives.

30. In January 2020, Sgt. Vanek made a presentation to HIDTA ("High Intensity Drug Trafficking Area") Executive Board about the accomplishments of INET. The presentation was well received.

31. In January 2020, Sgt. Vanek led INET to conduct the closing operation into a major cannabis trafficker after a nearly yearlong investigation. The offender, who was using a forklift to transport the cannabis, had his own website selling cannabis in Chicagoland. The investigation was the subject of a CPD press release. (See, Exhibit 5).

32. In January and February 2020, Sgt. Vanek attended meetings with CPD Command Staff and Police Superintendent Beck as Facebook was again scheduled to meet with CPD Command Staff and Mayor Lori Lightfoot's Office over Sgt. Vanek's second investigation into Facebook. Sgt. Vanek, Superintendent Beck and Mayor Lightfoot's Public Safety staff met with Facebook executives about the evidence that Sgt. Vanek and his team uncovered.

33. After the second Facebook meeting, Supt. Beck directed Sgt. Vanek to purchase another weapon on Facebook. Sgt. Vanek was successful in purchasing a weapon on Facebook and he subsequently met with First Deputy Supt. Anthony Ricco (“Ricco”). Supt. Beck informed Sgt. Vanek that he was quickly becoming his favorite sergeant.

34. Sgt. Vanek’s career with the Chicago Police Department was on the rise. As the team leader of INET, Sgt. Vanek was at the forefront of investigations into illegal activities on the Dark Web, the illegal purchases of guns and drugs, money laundering of bitcoin, and other illegal activities.

35. In Operation Never Forget, INET recovered 14 semi-automatic rifles, 2 shotguns, a machine gun with a 30 round magazine and flash suppressor, and close to 1000 rounds of ammunition, including armor piercing rounds. Twelve targets were arrested and charged.

36. In Operation Facebooked, INET investigated Facebook’s secret and closed groups that sell illegal narcotics and weapons. This operation was a follow-up to Operation Fishnet that INET conducted into Facebook’s secret and closed groups. Despite Facebook’s unwillingness to cooperate with law enforcement, Operation Facebooked resulted in 23 different types of narcotics purchased with a street value of \$105,091.70, 65 targets, 147 undercover buys, 46 vehicles seized, 7 weapons purchased and \$1,178.00 in U.S. currency seized.

37. As a result of Sgt. Vanek's investigations and hard work, the CPD received a plethora of favorable press. Attached hereto as Group Exhibit 5 is a sampling of the positive press. For example, a December 3, 2019 newspaper article shows interim Police Supt. Charlie Beck pictured with First Deputy Supt. Anthony Riccio at a news conference announcing the arrests of over 50 individuals using private Facebook groups and messages to sell guns or drugs. The CPD leaders also accused Facebook of failing to help prevent the illegal sales of guns. A December 2019 USA Today article reported the purchase on Facebook, of an assault rifle with a 30-round magazine from a man who was in Chicago while on parole in Texas and that others charged in Vanek's investigation traded drugs for weapons, which they sold on Facebook. (*See*, Group Exhibit 5).

38. In another December 3, 2019 article on "Operation FaceBooked," the CPD announced the arrests of 53 people "when officers found sellers in private Facebook groups." In this article, First Deputy Superintendent Riccio states: "If our undercover officers don't immediately buy them, they're sold. . . They're sold for well over what they would sell for in a gun store because the purchasers know they are buying them discreetly." (*See*, Group Exhibit 5).

39. A USA Today December 21, 2017 article reported that then Police Supt. Eddie Johnson said that Facebook offered no cooperation as Sgt. Vanek's team conducted an investigation leading to the arrests of 50 individuals and the recovery of 18 guns and \$46,000 in drugs. The article speaks positively about the 10-month investigation and

reported that among the sellers was a Chicago Public Schools teacher, one suspect was wanted for attempted murder in Indiana and another was a parolee recently arrested for carjacking and aggravated battery by firearm. Anthony Riccio stated: "The things that are being trafficked on their site are killing people in Chicago." (See, Group Exhibit 5).

40. In a December 22, 2017 ABC article, Mayor Rahm Emanuel is quoted in a statement: "These innovative raids are the latest example of the smart, strategic steps the men and women of the Chicago Police Department are taking to combat gun violence." The above is just a small sampling of the positive press that the CPD received on account of Sgt. Vanek's expertise and hard work.

Covid Strikes

41. In March 2020, Covid struck and all INET operations were shut down. Team members were placed in uniform to monitor CTA locations in the 16th District.

42. On or about April 13, 2020, INET resumed normal operations while Sgt. Vanek was on furlough.

43. On or about May 28, 2020, looting and rioting started in Chicago. All of Narcotics, including Sgt. Vanek's INET team, were placed in uniform on 12-hour days and sent to Guaranteed Rate Field for rioting and looting mobilizations.

Sgt. Vanek Discovers Lt. Brown's Wrongful Deployment of CPD Personnel and Resources

44. In the last week of May 2020, Sgt. Vanek discovered that Lt. Brown assigned Sgt. Cassandra Williams' Narcotics Division team to guard his home and neighborhood.

Lt. Brown's neighborhood was peaceful and not experiencing civil unrest. No other police officers received this type of protection. At the time, Lt. Brown was the acting Commander of the Narcotics Division.

45. Sgt. Vanek complained to Lt. Brown telling him that it was not fair to all of the other Narcotic Officers who, unlike Lt. Brown, had real worries about the safety of their own families, homes, and neighborhoods and did not have personal CPD protection. Lt. Brown responded: "Mind your own fucking business, this is my unit and I will do what I want with my people." Lt. Brown's personal use of CPD resources is unlawful and against CPD policies, procedures, and rules.

Sgt. Vanek Files a Formal Complaint with Superintendent Brown over Lt Brown's Misappropriation of CPD Personnel and Resources

46. On June 4, 2020, Sgt. Vanek filed a formal written complaint with Supt. Brown over Lt. Brown's improper officer deployments (a copy of the June 4, 2020 Complaint is attached hereto as Exhibit 1). The complaint reiterated the terse and profane response that Sgt. Vanek received from Lt. Brown and Lt. Vanek explained why he was complaining directly to the Police Superintendent:

The R/Sgt is writing this TO FROM to the above to inform the above of this issue due to the lack of chain of Command (Narcotics currently has no Commander or Deputy Chief) and the lack of trust in those currently in the R/Sgt chain of Command due to Lt. Jason Brown's direct relationship with them.

(Exhibit 1).

47. Sgt. Vanek received no response to his complaint to Police Superintendent Brown and upon information and belief no investigation was ever initiated as a result of Sgt. Vanek's complaint about Lt. Brown.

48. In or about July 1, 2020, Narcotics returned to normal duties.

49. On or about July 23, 2020, all task forces, including Sgt. Vanek's INET team, were ordered to hold off on any activity.

50. On or about August 8, 2020, Sgt. Vanek requested a meeting with newly installed Lieutenant James Triantafillo to discuss INET. Lt. Triantafillo refused Sgt. Vanek's request for a meeting.

51. From the last part of July to August 13, 2020, Sgt. Vanek was on furlough and his INET team was covered by another sergeant.

52. On or about August 14, 2020, a second round of looting occurred in Chicago.

53. On or about August 15, 2020, a Looting Task Force was created at the direction of Mayor Lightfoot. CPD Chief of Detectives Brendan Deenihan requested Sgt. Vanek's INET team's assistance to investigate those who committed looting acts and those who were selling looted items online. Sgt. Vanek's team was temporarily moved to Area 3 to work on the Looting Task Force.

54. Sgt. Vanek's team made a significant impact in the performance of the Looting Task Force. INET conducted 215 online engagements, made 48 purchases,

arrested 51 looting targets, impounded 19 vehicles, and recovered 5 weapons. The team was routinely in the news for making looting related arrests (*See, <https://home.chicagopolice.org/category/looting-related-arrests/>*).

55. Due to the global pandemic and civil unrest, for 7 ½ months of 2020, INET worked only two months during which there was gun activity, controlled narcotic buys, vehicle seizures and arrests.

56. During August and September 2020, Sgt. Vanek routinely requested additional officers to help his INET team. All the requests were denied. During this time, Sgt. Vanek received a phone call from HIDTA Director Nick Roti asking why INET's numbers were down. Sgt. Vanek explained that Covid, looting assignments, INET not being allowed to use any of its federally funded overtime, short staffing, and the fact that the U.S. Postal Inspector was not allowed to engage in activity due to Covid contributed to the lower numbers.

57. On or about September 20, 2020, after Sgt. Vanek and his team returned from the Looting Task Force to Narcotics, Sgt. Vanek received a phone call from Lt. Triantafillo and Lt. Brown who both questioned INET's investigation into controlled undercover weapon purchases from individuals selling illegal firearms on the website Armslist.com. The Mayor's Office and Command staff fully supported the investigation and wanted to conduct a press conference. As a matter of fact, in July of 2020, Mayor Lori Lightfoot wrote a letter to Donald Trump stressing that one of the primary problems in

Chicago is that there are too many illegal guns that “flood our streets year after year, seemingly without end. Most of the guns are not originating in Chicago: sixty percent of illegal firearms recovered in Chicago come from outside of Illinois. They are coming from neighboring states that have very relaxed gun ownership laws, and from federally licensed gun dealers who repeatedly sell guns that end up associated with violent crime within three years or less of sale.” (Exhibit 6). Mayor Lightfoot recognized INET’s work when she stated: “Additionally, every day, on social media platforms illegal gun sales are happening among criminals. Our Police Department has extensive experience investigating and prosecuting these sales, but the weight of the federal government could demand a real change in behavior.” (*Id.*).

58. During a phone call, Sgt. Vanek explained to Lt. Triantafillo and Lt. Brown that the investigation into armslist.com started because the weapon used to murder Commander Paul Bauer on February 13, 2018, was purchased from that website. Lt. Triantafillo responded: “It doesn’t matter where the gun that killed Bauer came from. He was going to be killed that day anyways.”

59. Lt. Brown and Lt. Triantafillo ordered Sgt. Vanek to stop making weapon purchases. Sgt. Vanek replied that he did not agree with this and that someone will have to answer to the Mayor and others. After Lt. Brown and Lt. Triantafillo hung up, Commander Mills called Sgt. Vanek and berated him for questioning Mill’s judgment to stop gun purchases.

60. The decision to stop gun purchases resulted in more sales of guns from Indiana and other states, where straw purchasers operate freely. The failure to interdict these gun purchases resulted in straw purchasers being more confident in carrying out their illegal activities, resulting in guns flooding Chicago where they have been used to kill Chicago Police Officers and citizens.

61. On October 2, 2020, Sgt. Vanek met with Commander Mills who told Sgt. Vanek that he had no idea what INET did while at the same time stating that “anyone can be trained” to do INET’s job.

62. On October 20, 2020, Sgt. Vanek was ordered to meet with Lt. Brown, Commander Mills and Lt. Triantafillo about the status of INET. These individuals informed Sgt. Vanek that INET was no longer allowed to make purchases of any weapons on any Internet/social media platform. Lt. Brown and Commander Mills stated that “narcotics recovered too many guns and that we need to focus on narcotics.”

63. On October 21, 2020, Lt. Triantafillo wrote a report replete with misstatements and mischaracterizations about Sgt. Vanek’s INET team’s performance. The report falsely criticized INET’s performance and complained that Sgt. Vanek should have alerted his chain of command of specific hurdles his missions faced so that proper support could have been provided. This report came after Sgt. Vanek’s repeated requests for additional officers had been denied along with his requests for meetings with his chain of command. The report also contained false allegations about Sgt. Vanek’s inability

to utilize the Postal Inspector assigned to his INET team. This report was a cover-up for adverse employment action instituted and planned against Sgt. Vanek.

64. On December 20, 2020, Lt. Brown was promoted to Commander of Narcotics. Hereinafter, Lt. Jason Brown is referred to as either Lt. Brown or "Commander Brown."

Forging of Narcotic Interviews

65. On January 1, 2021, Sgt. Sarah Vanthof was summoned to help Commander Brown "fix" all of the new Narcotics interviews because they were done incorrectly. The Inspector General's Office was auditing the interviews conducted by Narcotics.

66. During the first week of January 2021, Sgt. Vanek while walking past the conference room at Homan Square noticed a uniformed Police Officer with many file folders writing on papers in the folders. Commander Brown's secretary, Police Officer Khaled Shaar, informed Sgt. Vanek that the files were messed up beyond belief and that they needed to be corrected because someone "beefed." When asked by Sgt. Vanek if they were forging interview sheets, Officer Shaar nodded. Shortly after this exchange, Sgt. Vanek commented to Commander Brown that "I see you're getting audited," to which Commander Brown replied, "Mind your own fucking business."

Sgt. Vanek Removed from INET

67. On January 15, 2021, Sgt. Vanek met with Commander Brown and Lt. Triantafillo. Commander Brown informed Sgt. Vanek that he was being removed from

INET stating, “we are going in a different direction.” Sgt. Vanek was replaced by Sgt. Nichelle Fraction who had no experience in online investigations. After Commander Brown left the meeting, Sgt. Vanek asked Lt. Triantafillo the real reason he was being removed, to which Lt. Triantafillo responded: “The writing was on the wall a while ago. This was going to happen anyways.”

Lt. Brown Files a False CR in Retaliation Against Sgt. Vanek

68. On or about February 12, 2021, Sgt. Vanek met with Lt. Triantafillo who told Sgt. Vanek that Commander Brown had ordered Triantafillo to obtain a Complaint Register Number (“CR”) against him for a Rule 14 violation with respect to the use of HIDTA funds to purchase covert cell phones. Rule 14 involves making false reports, written or oral. CRs are complaints filed against members of the CPD for acts of misconduct. The complaints are typically investigated by Internal Affairs and, if sustained, Officers are subject to discipline which can include termination.

69. Sgt. Vanek explained to Lt. Triantafillo how the process for the use of HIDTA funds worked, that all the receipts were in order, that the applicable procedures had been followed, and that there was no basis for a CR or a Rule 14 violation. Lt. Triantafillo agreed and indicated that the CR was because of what happened this last summer. Even knowing that the CR was false, Lt. Triantafillo was personally involved in the acts of retaliation against Sgt. Vanek by, *inter alia*, obtaining a false CR and following through with the CR.

Sgt. Vanek Detailed to Midnights in the 11th District

70. On February 17, 2021, Sgt. Vanek received a phone call from Commander Brown informing him that “he had to pull a CR” on Sgt. Vanek and that effective at Midnight, Sgt. Vanek would be detailed to the 11th District. The 11th District is centered around Garfield Park on the city’s West Side and historically has the highest murder rate in the City. The 11th District is the most violent District in the City. It is one of, if not, the least desirable place to be assigned. Sgt. Vanek works by himself without a partner.

First Deputy Superintendent Carter Signs Off on Chief Tirado’s Request to Remove Sgt. Vanek from INET and to Detail him to the 11th District

71. On February 17, 2021, Defendant Jose Tirado, Chief of the Bureau of Counterterrorism sent a Memo to Defendant First Deputy Superintendent Carter stating:

The undersigned respectfully requests that the below listed member’s [Sgt. Vanek] detail be cancelled immediately. This cancellation is involuntary and will be effective immediately. This member will be assigned to the 011th District.

(A copy of the February 17, 2021 Memo is attached hereto as Exhibit 2).

72. First Deputy Superintendent Carter signed off and approved of the involuntary cancellation of Sgt. Vanek’s detail in Narcotics/INET and moving him to the 11th District (Exhibit 2).

73. On February 18, 2021, Commander Patrick McKenzie of the 11th District informed Sgt. Vanek that he was being placed on midnights and would have to put in a slip for the previous night. Sgt. Vanek informed the 11th District’s front office that he was

assigned to days in Narcotics and that he had the third highest seniority in District 11. The response was, "this is what the Commander [McKenzie] said." Commander Jason Brown, Deputy Chief Thomas Mills and Commander McKenzie all knew each other having very recently worked together in the 11th District. The cancellation of the detail in Narcotics/INET and Sgt. Vanek's assignment to the 11th District on Midnights as patrol Sergeant constitute adverse employment actions.

74. Also, on February 18, 2021, Sgt. Vanek was informed by members of INET that Commander Brown called in members of INET and yelled at them for submitting to/from memos to leave Narcotics to go to the Detective Division. Commander Brown told the INET members to pick a District in patrol they wanted to go to or that it was their choice to come back into his office one at a time and pledge their loyalty to Commander Brown.

75. Sgt. Vanek reported to the 11th District on February 18, 2021 where he remains today working midnights alone as a patrol Sergeant facing danger on a daily basis.

76. On or about February 15th/16th 2021, Commander Brown called a Sergeants meeting and informed all the Sergeants in the Narcotics Unit that he had to remove a Sergeant from the Unit because he was misappropriating funds. Sgt. Vanek was the only Sergeant removed from Narcotics. The statement was meant to defame Sgt. Vanek.

77. Commander Brown's Complaint Register that Sgt. Vanek made a false report and his statement to the sergeants that Sgt. Vanek misappropriated funds are false and constitute further acts of retaliation in an attempt to damage and disparage Sgt. Vanek. The CR is still open and has not been resolved.

78. On May 28, 2021, District Watch Bids were announced and the 11th District had an opening on the 2nd Watch (Days). Sgt. Vanek completed the required paperwork for the day shift opening and had the seniority in District 11 to successfully bid.

79. On May 30, 2021, Vanek received an email from the 11th District's front office informing him that he was ineligible to bid to the 2nd Watch because he was only "detailed" and not formally assigned to the 11th District. The Sergeants Union contacted Management Labor Affairs Section of CPD and were told that the order stands and that Sgt. Vanek must be assigned to the 11th District to bid.

80. On May 30, 2021, Sgt. Vanek called the 11th District's front office to inquire about the November yearly Intra-District Watch Bids and was informed that he would still not be able to bid to any watch and will be in limbo. Sgt. Vanek also inquired how his furlough selection would be handled seeing as per contract, Sergeants bid together. Sgt. Vanek was informed that he would not be able to make a furlough selection.

81. On June 12, 2021, after an officer was injured, Sgt. Vanek went over the police radio to document the lack of manpower in the 11th District and to advise Officers working in the District to only go to calls when there are several other beat cars available

for backup. On this Friday night, the 11th District should normally have had 17 beats working but only had 9 beats working in 90 degree weather. A Police Officer was injured because there were no cars available for backup.

82. Due to a lack of manpower, Sgt. Vanek feared for his and other officers' safety. Prior to Sgt. Vanek's arrival in the 11th District, the 1st Watch had over 110 Officers assigned. Upon his arrival, the District was down to just over 60 Officers making backup almost impossible.

83. After voicing his concerns over the radio, Sgt. Vanek received a phone call from Lt. John Ward, the 11th District Watch Operations Lieutenant. Lt. Ward advised Sgt. Vanek that the 11th District Commander was very upset that the lack of manpower was broadcasted over the radio and that he was not to let people know about the lack of manpower. Sgt. Vanek responded that this is an officer safety issue and that the Officers needed to be immediately made aware of no backup.

CPD's History of Retaliation

84. A primary reason that Sgt. Vanek did not make a documented complaint to the Internal Affairs Department or follow the normal chain of command, but instead opted to make a formal complaint directly to Superintendent Brown, was because of CPD's documented history of retaliation. When Sgt. Vanek approached Lt. Brown with respect to Sgt. Cassandra Williams and her Narcotics team guarding his home, the

Narcotics Division/Criminal Networks Group did not have a Commander or Deputy Chief.

85. Both the Commander of Narcotics and the Deputy Chief of the Criminal Networks Group (Narcotics was under the Criminal Networks Group umbrella) had been demoted and not replaced. The next level of command was Defendant First Deputy Superintendent Carter. Carter personally brought Lt. Brown to the Narcotics Division to run it until a Commander was named. Carter had stated in a supervisors' meeting prior to the civil unrest that Lt. Brown had a good chance to be the next Commander of Narcotics.

86. Because of the direct connection Lt. Brown had with Carter and the history of retaliation within the CPD, an official complaint in Sgt. Vanek's normal chain of command would have been futile and almost certainly would have resulted in additional acts of retaliation.

Cassandra Williams Lodges the Same Complaints about Commander Brown's Misuse of CPD Resources and Acts of Retaliation

87. In or about June 2021, 30-year CPD member and 18-year Sergeant Cassandra Williams ("Sgt. Williams"), filed a complaint with the City of Chicago's Inspector General alleging that in June 2020, Lt. Brown, who was an acting Commander at the time, asked her to send a team to guard his personal residence (a copy of the 6/14/21 Chicago Tribune Article is attached hereto as Exhibit 3).

88. Lt. Brown asked Sgt. Williams whether officers were talking about the assignment and told her not to discuss it (Exhibit 3). Sgt. Williams claims that she was retaliated against by being given new, less desirable assignments (*Id.*).

89. On June 1st and 2nd, 2020, Sgt. Williams reported to Guaranteed Rate Field to a command post/staging area established in response to the looting and violence related to the murder of the George Floyd by a Minneapolis Police Officer (Exhibit 3). Lt. Brown told her to report to his street, which was less than a block from the staging area. Sgt. Williams took a team in one unmarked police vehicle and a rented van and found no signs of trouble (*Id.*).

90. Despite no signs of trouble on Lt. Brown's street, Brown sent the team back 5 times that same week (*Id.*). Sgt. Williams questioned Lt. Brown's assignment because CPD resources should be put to better use (*Id.*). The officers with Sgt. Williams asked why they were on Lt. Brown's block which was peaceful with no signs of unrest (*Id.*).

91. Sgt. Williams grew increasingly uncomfortable with the assignment as the civil unrest continued (Exhibit 3). Lt. Brown asked her in October 2020 if she had been discussing the assignment on his block with anyone (*Id.*). Sgt. Williams told Lt. Brown that she had talked to others because it was common knowledge in the Narcotics Unit and that others were talking about it. Lt. Brown told Sgt. Williams not to talk about it (*Id.*).

92. After returning from medical leave in January 2021, Sgt. Williams learned that her assignment had been changed (*Id.*). She was no longer assigned to the narcotics

investigations but would instead work the unit's main desk, answering phones (*Id.*) Sgt. Williams' hours were also changed despite her seniority in the unit (*Id.*).

COUNT I (Violations of Illinois Whistleblower Act against all Defendants)

93. Plaintiff realleges and incorporates by reference paragraphs 1 through 92 as if fully set forth herein.

94. The Illinois Whistleblower Act ("IWA") provides in relevant part:

(a) An employer may not retaliate against an employee who discloses information in a court, an administrative hearing, or before a legislative commission or committee, or in any other proceeding, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation.

(b) An employer may not retaliate against an employee for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation.

(740 ILCS 174/15).

95. The IWA also provides:

Other retaliation. Any other act or omission not otherwise specifically set forth in this Act, whether within or without the workplace, also constitutes retaliation by an employer under this Act if the act or omission would be materially adverse to a reasonable employee and is because of the employee disclosing or attempting to disclose public corruption or wrongdoing.

(740 ILCS 174/20.1).

96. Section 30 of the IWA provides:

Damages. If an employer takes any action against an employee in violation of Section 15 or 20, the employee may bring a civil action against the

employer for all relief necessary to make the employee whole, including but not limited to the following, as appropriate:

- (1) reinstatement with the same seniority status that the employee would have had, but for the violation;
- (2) back pay, with interest; and
- (3) compensation for any damages sustained as a result of the violation, including litigation costs, expert witness fees, and reasonable attorney's fees.

(740 ILCS 174/30).

97. Defendant City of Chicago was, at all times complained of, Sgt. Vanek's employer as defined in 740 ILCS § 174/5.

98. The individual Defendants were at all times "employers" within the meaning of 740 ILCS §174/5.

99. Sgt. Vanek was at all times complained of an employee of the City of Chicago as defined in 740 ILCS § 174/5.

100. Sgt. Vanek disclosed information to a government or law enforcement agency—the CPD and Police Superintendent Brown—where Sgt. Vanek had reasonable cause to believe that the information disclosed a violation of a State or federal law, rule, or regulation. The information disclosed included Commander Brown's unauthorized, wrongful, and unlawful use and deployment of CPD personnel and resources to guard his personal residence and neighborhood. Such conduct violates CPD Rules, Regulations

and Policy, and violates Illinois law by misappropriating public resources for personal benefit.

101. Through his complaints to Police Superintendent Brown about Lt. Brown's unauthorized, wrongful, and unlawful use and deployment of CPD personnel and resources to guard his personal residence and neighborhood, Sgt. Vanek disclosed or attempted to disclose public corruption or wrongdoing committed by Lt. Brown.

102. Defendants violated Section 15 [740 ILCS 174/15] and Section 20.1 [740 ILCS 174/20.1] of the IWA by their acts of retaliation against Sgt. Vanek including but not limited to:

- (a) Sgt. Vanek's removal from the Narcotics Division including his removal from INET;
- (b) Detailing Sgt. Vanek to the 11th District;
- (c) Sgt. Vanek's assignment from days in an elite unit to midnights working as a patrol Sergeant in the 11th District;
- (d) Detailing Sgt. Vanek to the 11th District preventing him from bidding out of the 11th District or to another shift;
- (e) The filing of the Complaint Register with false allegations;
- (f) Changing the terms and conditions of his employment;
- (g) Subjecting Sgt. Vanek to unsafe and dangerous conditions inside the 11th District;
- (h) Making defamatory statements about Sgt. Vanek misappropriating funds and disparaging his name and character;

- (i) Damaging Sgt. Vanek's career in the CPD and his opportunities for advancement;
- (j) Damaging the prospects for future earnings and a career outside the CPD by removing Sgt. Vanek from INET;
- (k) Subjecting Sgt. Vanek to other adverse terms and conditions of his employment in violation of the IWA; and,
- (l) Allowing the CPD to retaliate against whistleblowers by placing them in unfavorable assignments.

103. Each of the Defendants made, took part in, assisted in, and/or participated in the retaliation against Sgt. Vanek.

104. Defendants' conduct proximately caused Sgt. Vanek's damages including but not limited to emotional pain and suffering, humiliation, damage to his reputation, degradation, inconvenience, future pecuniary losses, attorneys' fees and expenses, and other compensatory and consequential damages.

WHEREFORE, Plaintiff, Marc Vanek prays for judgment in his favor and against Defendants and requests that he be granted the following relief:

A. Compensatory damages in an amount to be determined at trial exceeding \$50,000 to compensate Sgt. Vanek for all economic losses, emotional distress, humiliation, anguish, along with prejudgment interest, caused by Defendants' conduct;

B. A order reinstating Sgt. Vanek to his prior post, with the same seniority status that he would have had, but for the violations, back pay, with interest;

C. A permanent injunction enjoining Defendants from engaging in the practices and conduct complained of herein;

D. Punitive damages as allowed by law;

E. Compensation for any damages sustained as a result of the violations, including litigation costs, expert witness fees, and reasonable attorneys' fees; and,

F. Any other relief as the Court may deem just or equitable.

COUNT II (Violations of Free Speech under the Illinois Constitution against all Defendants)

105. Plaintiff realleges and incorporates by reference paragraphs 1 through 104 as if fully set forth herein.

106. Under Article I of the Illinois Constitution, public employees, including police officers, have the right to speak on matters of public concern without being retaliated against. A public employee cannot be discharged or otherwise penalized for exercising his right to freedom of speech.

107. Sgt. Vanek's June 4, 2020 complaint to Supt. Brown (Exhibit 1) about Lt. Brown's diversion and personal use of CPD resources was a proper exercise of free speech guaranteed under the Illinois Constitution.

108. Plaintiff was speaking as a private citizen when he complained about Lt. Brown's diversion and misuse of CPD resources. At the time Lt. Brown deployed officers to guard his home, other areas of Chicago were being looted and vandalized. This

diversion of resources took officers away from other parts of the City where they were needed.

109. Plaintiff's speech as set forth in his June 4, 2020 complaint did not owe its existence to Sgt. Vanek's professional responsibilities as a Police Sergeant. The complaint and speech at issue is not ordinarily within the scope of Plaintiff's duties as a Sergeant.

110. The speech at issue addressed matters of public concern. There was great public concern in May and June 2020 concerning the civil unrest. The public concern related to Sgt. Vanek's protected speech is shown by the attached Chicago Tribune Article dated June 14, 2021 about Sgt. Cassandra Williams and the complaint she filed with the City's Inspector General regarding Lt. Brown and his improper use of CPD personnel and Department resources to guard his personal residence (Exhibit 3).

111. The speech in question addressed matters of immense public concern. There were a series of civil disturbances in 2020 in response to the May 25, 2020 murder of George Floyd. The demonstrations, riots and looting occurred simultaneously with those in over 100 other cities, to wit:

- (a) Chicago and 11 other major cities declared curfews to prevent looting and vandalism. On May 29, 2020, protesters marched through the Loop. Demonstrators shut down several downtown streets and blocked traffic on the Eisenhower Expressway. Protesters were seen throwing bottles and climbing onto cars. At least one individual was arrested while carrying a gun.
- (b) During protests on May 30, 2020, one person died and six were shot. CPD made multiple arrests that day with approximately a dozen officers injured. Approximately 108 arrests were confirmed on the night of May 29th/May

30th, 2020. About 3,000 protesters initiated a demonstration at Daley Plaza on May 30th. Protesters hopped onto CTA buses and tried to overturn police vehicles. Protesters marched down Michigan Avenue and other parts of the City. One CPD Sergeant suffered a broken arm near Trump Tower. Fires were set.

- (c) Civil unrest, looting and vandalism occurred in numerous parts of the City including the intersection of Chicago Avenue and Kedzie, West Garfield Park, Canaryville, Bronzeville, Wicker Park, River North, and Little Village.
- (d) On May 31, 2020, Mayor Lightfoot asked Governor Pritzker to send in the National Guard. The economic damage caused by the disturbances exceeded \$125 million.
- (e) On June 1, 2020, all exit ramps for I90/94 were closed from 18th Street to Division Street. Violence and looting occurred throughout the day on June 1st.

112. Sgt. Vanek's interest in expressing the speech in question is not outweighed by the City's interest in promoting effective and efficient public service.

113. Sgt. Vanek suffered compensable injury and harm as a result of his rights guaranteed by Article 1 of the Illinois Constitution.

114. The City of Chicago, through the CPD and Defendants Supt. Brown, Lt. Brown, Eric Carter, James Triantafillo, Thomas Mills and Jose Tirado intentionally subjected Sgt. Vanek to unequal and retaliatory treatment including changing the terms and conditions of his employment, having him detailed to the 11th District, removing him from INET and the other acts of retaliation set forth in Paragraph 102 of this Complaint.

115. Defendants acted under color of state law at all material times hereto.

116. The conduct of the Defendants in retaliating against Sgt. Vanek violated his right to free speech and free association as secured under Article 1 of the Illinois Constitution.

117. Defendants' actions in violating Sgt. Vanek's constitutional rights were intentional, willful, malicious and/or in reckless disregard of Plaintiff's rights as secured under Article 1 of the Illinois Constitution.

118. Defendants' conduct proximately caused Sgt. Vanek's damages including but not limited to emotional pain and suffering, humiliation, damage to his reputation, degradation, inconvenience, future pecuniary losses, attorneys' fees and expenses, and other compensatory and consequential damages.

WHEREFORE, Plaintiff, Marc Vanek prays for judgment in his favor and against Defendants and requests that he be granted the following relief:

A. Compensatory damages in an amount to be determined at trial exceeding \$50,000 to compensate Sgt. Vanek for all economic losses, emotional distress, humiliation, anguish, along with prejudgment interest, caused by Defendants' conduct;

B. A order reinstating Sgt. Vanek to his prior post, with the same seniority status that he would have had, but for the violations, back pay, with interest;

C. A permanent injunction enjoining Defendants from engaging in the practices and conduct complained of herein;

D. Punitive damages as allowed by law;

E. Compensation for any damages sustained as a result of the violations, including litigation costs, expert witness fees, and reasonable attorneys' fees; and,

F. Any other relief as the Court may deem just or equitable.

COUNT III (Violations of Due Process under the Illinois Constitution against all Defendants)

119. Plaintiff realleges and incorporates by reference paragraphs 1 through 118 as if fully set forth herein.

120. Effective December 30, 2020, Supt. Brown issued CPD General Order G08-05 entitled "PROHIBITION OF RETALIATION" ("General Order", a copy of the General Order is attached hereto as Exhibit 4).

121. The General Order "prohibits all Department members from engaging in any form of retaliation against any Department member or member of the public (Order, p. 1). The Order also provides that the Department "strictly prohibits its members from enlisting or directing any other Department member to engage in any form of retaliation against Department members. . ." (*Id.*).

122. Under the General Order, prohibited forms of retaliation includes taking: "adverse employment actions by the Department or Department supervisors including providing unfavorable assignments, poor evaluations, or lack of consideration for special assignments." (*Id.* p. 2). Specific prohibitions include retaliation for engaging in protected lawful exercise of First Amendment rights which encompass "criticizing the Department,

a Department member, or a member's conduct" and for "filing a complaint, reporting an allegation of misconduct, or providing information regarding alleged misconduct." (*Id.*).

123. The General Order provides that the Department "considers retaliation and acts contributing to retaliation serious misconduct" and that "any allegation of retaliation will be thoroughly investigated. . ." (*Id.*, p. 3).

124. The General Order created a substantial and undeniable property right for any member of CPD to be free from retaliation for engaging in protected exercise of free speech, for filing a complaint, reporting an allegation of misconduct, or providing information regarding alleged misconduct.

125. Defendants violated Sgt. Vanek's substantive due process rights through their retaliatory acts as set forth in paragraph 102 and elsewhere in this Complaint.

126. Sgt. Vanek was deprived of his property rights by the Defendants. There was no rational basis for the Defendants denying Plaintiff's right to be free from retaliation.

127. The retaliation to which the CPD and the individual Defendants subjected and continue to subject, Sgt. Vanek to is not rationally related to any legitimate governmental interest and is irrational.

128. Defendants' actions in violating Sgt. Vanek's constitutional rights were intentional, willful, malicious and/or in reckless disregard of Plaintiff's rights as secured under Article 1 of the Illinois Constitution.

129. Defendants' conduct proximately caused Sgt. Vanek's damages including but not limited to emotional pain and suffering, humiliation, damage to his reputation, degradation, inconvenience, future pecuniary losses, attorneys' fees and expenses, and other compensatory and consequential damages.

WHEREFORE, Plaintiff, Marc Vanek prays for judgment in his favor and against Defendants and requests that he be granted the following relief:

A. Compensatory damages in an amount to be determined at trial exceeding \$50,000 to compensate Sgt. Vanek for all economic losses, emotional distress, humiliation, anguish, along with prejudgment interest, caused by Defendants' conduct;

B. A order reinstating Sgt. Vanek to his prior post, with the same seniority status that he would have had, but for the violations, back pay, with interest;

C. A permanent injunction enjoining Defendants from engaging in the practices and conduct complained of herein;

D. Punitive damages as allowed by law;

E. Compensation for any damages sustained as a result of the violations, including litigation costs, expert witness fees, and reasonable attorneys' fees; and,

F. Any other relief as the Court may deem just or equitable.

COUNT IV (Defamation Per Se against Defendant Jason Brown)

130. Plaintiff realleges and incorporates by reference paragraphs 1 through 92 as if fully set forth herein.

131. On or about February 15/16, 2021, Defendant Lt. Jason Brown, then acting Commander of the Narcotics Unit called a meeting of sergeants. The meeting was attended by twelve or more sergeants.

132. At this meeting, Defendant Lt. Brown, maliciously and with full knowledge that the statement was false, stated that he had to remove a Sergeant from the Unit because he was misappropriating funds.

133. Sgt. Vanek was the only Sergeant removed from the Narcotics Unit and Sgt. Vanek's removal from the Unit was common knowledge throughout the Narcotics Unit.

134. The Illinois Criminal Code makes it is a crime to misappropriate funds.

135. Lt. Brown made a false statement about Sgt. Vanek when he stated that he had to remove a Sergeant from the Unit because he was misappropriating funds.

136. Lt. Brown made an unprivileged publication of the aforementioned statements to third parties as there were more than twelve (12) Sergeants in attendance at the Sergeants Meeting when Lt. Brown made the statement.

137. The publication caused damages. The statement harmed Sgt. Vanek's reputation in that it lowered Sgt. Vanek in the eyes of the community and/or deterred the community from associating with Sgt. Vanek.

138. The above statements are false and defamatory "*per se*" in that they state that Sgt. Vanek is guilty of a crime or impute on him the commission of a criminal offense. The statements are defamatory "*per se*" because they contain words that impute that Sgt.

Vanek is unable to perform and/or lacks integrity in performing his employment duties as a Police Sergeant.

139. The statements are also defamatory "*per se*" in that they impute that Sgt. Vanek lacks ability and/or otherwise prejudices Sgt. Vanek in his profession.

140. At all times pertinent Defendant Jason Brown was acting in the scope of his employment and acted in his official capacity when he made the defamatory statement about Sgt. Vanek.

WHEREFORE, Plaintiff, Marc Vanek prays for judgment in his favor and against Defendant Jason Brown, and requests that he be granted the following relief:

- A. Compensatory damages in an amount to be determined at trial exceeding \$50,000 to compensate Sgt. Vanek for all economic losses, emotional distress, humiliation, anguish, along with prejudgment interest, caused by Defendant's conduct;
- B. Punitive damages as allowed by law;
- C. Compensation for any damages sustained as a result of the defamation, including litigation costs, expert witness fees, and reasonable attorneys' fees; and,
- D. Any other relief as the Court may deem just or equitable.

JURY DEMAND

The Plaintiff hereby demands trial by jury for all non-equitable Counts and Claims.

MARC VANEK,

s/ Robert W. Fioretti

Robert W. Fioretti (Atty. No.)
Roth Fioretti LLC
311 South Wacker Drive
Chicago, IL 60606
(312) 922-6262
rwf@rothfioretti.com

Richard F. Linden (Atty. No. 28273)
Peter V. Bustamante (Atty. No. 70292)
17 North State Street – Suite 1550
Chicago, IL 60602
(312) 590-0211
lindenlaw@gmail.com
pvbust@bustamantelaw.com

Exhibit 1

TO: David O. BROWN
Superintendent
Chicago Police Department

FROM: Sgt. Marc VANEK #1426
Narcotics Division

SUBJECT: **Questionable Officer Deployments**

R/Sgt is writing to inform the above that acting Commander Lt. Jason Brown of the Narcotics Division this week has deployed a team of Officers to guard his house which is located in the Bridgeport neighborhood while the entire Narcotics Division was awaiting deployment and did get deployed from Guaranteed Rate Field with those officers guarding Lt. Jason Brown's home remaining at his residence. R/Sgt approached Lt. Jason Brown as to the concern many officers are having feeling their homes are not being protected and Lt. Jason Brown ordering a team to protect his home. R/Sgt informed Lt Jason Brown that many officers after reading social media and news postings are fearful their families and homes are not being protected as they are deployed to Guaranteed Rate Field and cannot leave. R/Sgt upon confiding to Lt. Jason Brown these issues Lt. Jason Brown became irate stating "This is my fucking Unit I will do what I want." At that time R/Sgt ended the conversation with Lt. Jason Brown and returned to his team.

The R/Sgt is writing this TO FROM to the above to inform the above of this issue due to the lack of chain of Command (Narcotics currently has no Commander or Deputy Chief) and the lack of trust in those currently in the R/Sgt chain of Command due to Lt. Jason Brown's direct relationship with them. If you have any questions please feel free to contact me via Department email. Thank you for your time.



Sgt. Marc VANEK #1426
Narcotics Division

Exhibit 2

Bureau of Counterterrorism

17 February 2021

To: Eric M. Carter
First Deputy Superintendent

From: Jose M. Tirado
Chief
Bureau of Counterterrorism

Subject: Cancellation of Detail

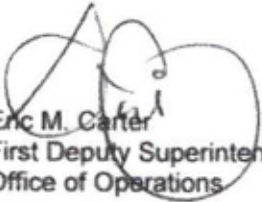
The undersigned respectfully requests that the below listed member's detail be cancelled immediately. This cancellation is involuntary and will be effective immediately. This member will be assigned to the 011th District.

Rank	Name	Star #	Employee#	From	To
Sgt	Marc Vanek	1426	16683	189	011



Jose M. Tirado
Chief

Bureau of Counterterrorism



Eric M. Carter
First Deputy Superintendent
Office of Operations

**ATTORNEY CLIENT
PRIVILEGE**

Cc: Director Robert Landowski

JMT/je

Sent from my iPhone

Exhibit 3



USA



STATISTICS

TRUSTED 6/14/2021, 2:57:18 PM

0826 378 208

NEWS VIEWED



900 615 899

TOTAL USERS

1 617

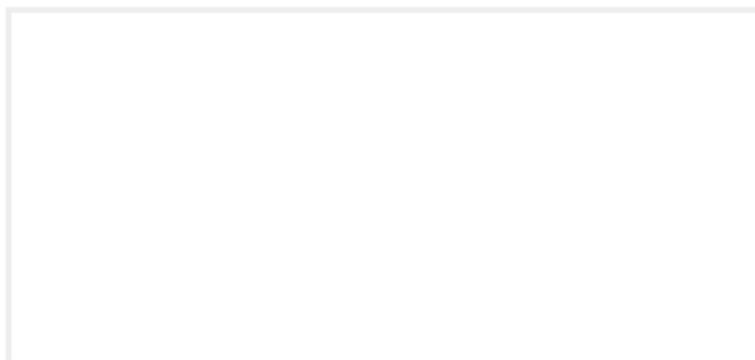
ONLINE



LEGAL ISSUES

Chicago police sergeant alleges commander sent officers to the block his home sits on during last year's unrest

A Chicago police sergeant has filed a complaint with the city's inspector general alleging that during the early, tense days of last year's civil unrest, a commander assigned her and a team of officers to a post on the Bridgeport block where he lives.



Sgt. Cassandra Williams, a 30-year department member and 18-year sergeant, told the Tribune that Jason Brown, then an acting commander, asked her on June 2, 2020, to take a team to his block after a neighbor saw someone who appeared to be videotaping or photographing his home, which they perceived as a safety threat. Months

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Chicago police sergeant alleges commander sent officers to the block his home sits on during last year's unrest home, which they perceived as a safety threat. Months later, after she said Brown asked her whether officers were talking about the assignment and told her not to discuss it, Williams said she was given new, less desirable work duties.

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Cassandra Williams, a Chicago police sergeant who says her team was deployed for several days to protect her supervisor's house in Bridgeport during unrest in the city. (E. Jason Wambsgans / Chicago Tribune)

No arrest or threat was found, but the assignment continued for several days over the next week, Williams said, with seven officers eventually taking part in the detail. Teams of officers had been staging during the unrest at nearby Guaranteed Rate Field, the home of the Chicago White Sox, also in Bridgeport.

Williams has been interviewed by the city inspector general's office, said her attorney, Torrey Hamilton.

A spokesman for the Chicago Police Department said he could not comment on any of the allegations because the matter is under investigation by the IG's office. Brown, now the commander of the narcotics unit, also refused to comment, citing the pending investigation and department rules.

The inspector general's office does not comment on pending investigations. The probe is likely to consider a department rule of conduct that prohibits an officer's use of his or her position for personal gain or influence.

The allegations against a high-ranking officer come as the department continues to attempt to implement court-mandated reform, which aims to professionalize the response to public safety and repair damage done by years of civil rights abuses in Chicago's Black and Hispanic neighborhoods.



**OTHER
NEWS**

All News

Great Britain
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Football sport
news

Deutsche
fußballnachrichten

Notizie sul calcio
italiano

Noticias de fútbol
español

Football sport
nouvelles



OTHER NEWS

"Sunday
Morning"
Full Episode
August 22,

Williams, who is assigned to the narcotics unit, initially worked two days downtown during the heated, troubling days at the end of May 2020 after the police murder of

2021

08:02

Comments

George Floyd in Minneapolis touched off both peaceful protests and unrest across the country.

How the political environment is moving toward Republicans

08:00

Comments

On June 1 and 2 last year, she reported to Guaranteed Rate Field. All days off for Chicago officers had been canceled, with a command post established at the South Side ballpark to coordinate responses citywide.

Williams said before she arrived, Brown texted her and said he needed to speak to her. Once there, he shared that a neighbor had reported seeing two men driving on his block and that they had gotten out of their car and appeared to be taking video or photographs of Brown's house, she said.

CBS News poll: Most Americans disapprove of Biden's handling of Afghanistan withdrawal

08:00

Comments

Brown, who was then a lieutenant but acting commander of the unit, was responsible for helping to launch citywide responses that day. Williams said he told her to report to his street, which was less than a block from where all officers were staging, she said.

Board member of Stacey Abrams' voter org said mail ballots are most vulnerable to fraud in 2007 interview

08:00

Comments

Williams took a team in one unmarked police vehicle and a rented van, she told the Tribune last week. The team left after midnight, with no signs of trouble, she said.

But Brown sent them back for the next three days and then two more later in the week, until the entire narcotics unit was notified it was returning to normal duty June 9, Williams said.

The post remained quiet, as neighbors came out to thank officers with food and tell them they appreciated having them on the block, the sergeant recalled. She found the neighbors genuine and kind.

Williams started to question the assignment as things remained quiet, however, and as she drove home each night through neighborhoods, many Black and Hispanic, where businesses had been broken into and ransacked. Her own Walgreens, she said, was hit, and she couldn't refill her prescriptions.

Bronzeville mourns longtime community organizer killed at 65. 'Everything he did was about bringing people together.'

The officers with her also started asking why they were on Brown's block, she said.

"It was so quiet you could drop a pin on the ground and hear it." she said. adding that a peaceful neighborhood

protest was held a few blocks away one of the evenings, but they did not respond to it.

08:00
Comments

"I kind of felt like, why are we sitting here?" Williams asked. "Why aren't we with everybody else? To provide protection that people need rather than sitting in a nice, quiet area where there is nothing going on?"

Jonathan Scott, Zooney Deschanel Planning Las Vegas Wedding, Says Report

Williams said she at one point told Brown the team was restless and asked if he could send a replacement team to give them a break. He said no, she said.

08:00
Comments

She also sent him texts about how kind and supportive the neighbors were and saying she was happy to help. The texts, which she showed to the Tribune, do not suggest any outward concern on her part with the assignment at that point.

What's on TV This Week: 'Killer Cheer Mom,' 'American Horror Story,' surfing and more

At one point in the texts, she called it the "best detail ever." She also told Brown, "if you need anything, anytime, I'm here Boss!"

08:00
Comments

When asked about this, Williams said the department's culture is one that demands lower ranks ingratiate themselves with bosses. And it does not support criticizing them, for fear of being tagged as a rat, she said.

Pentagon activates Civil Reserve Air Fleet to aid Afghan evacuations

"If I had said, 'No, I don't want to do that,' what happens to me then?" she said. "I'm going to be ostracized. ... I've heard it. I've seen it. I was afraid."

07:47
Comments

Williams and her attorney said Williams also has grown increasingly uncomfortable over time with the assignment from Brown, who is white, as the civil unrest in Chicago and across the country continued alongside a national reckoning on race and the profession of policing.

Biden administration activates airlines in Civil Reserve Air Fleet for Afghanistan evacuations

Williams said she also got more uncomfortable after Brown asked her in October if she had been discussing the assignment on his block with anyone. She told him that she had talked to others, because it was common knowledge in the unit and others were talking about it.

07:37
Comments

She said he told her not to talk about it.

Shortly after that conversation, Williams left for a planned vacation and then remained out on medical leave because she contracted COVID-19 and broke her

Tropical Storm Henri

toe.

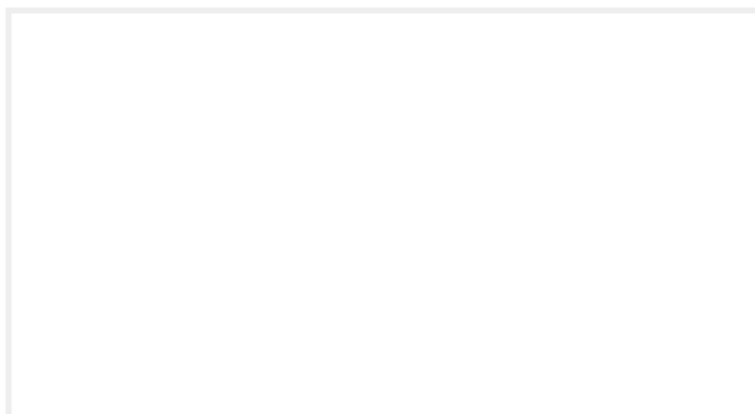
When she returned to work in January, Williams learned that her assignments had been changed. She was no longer assigned to narcotics investigations but would instead work the unit's main desk, answering phones and keeping track of prisoners. Her hours also changed, despite her seniority in the unit, she told the Tribune.

The new assignment removed her from the neighborhoods, where as a Black woman, she thought she could relate to families and residents and offer a "caring" approach to police work, even as she was helping target drug corners and dealers.

The reassignment, she added, also felt degrading, considering her rank in the unit, and she came to worry she was being retaliated against. She contacted the IG's office in March, and when it called to schedule an interview, she sought the advice of an attorney.

After discussing the case with her attorneys, Williams decided to also speak out publicly, saying the preferential treatment given to the block undercuts reforms and the message from Chicago police leaders about restoring trust and treating all neighborhoods the same. That message isn't likely to stick if that is not what rank-and-file officers see happening.

"People wonder all the time, why is the police and the community so at odds," she said. "The top is messed up. And that is what makes the bottom messed up."



Football news:

Bayern President on PSG transfers: I'm still trying to understand how this relates to the FFP

Kane will start the Premier League match in reserve for the first time since 2018

heads

toward the Northeast

07:22

Comments

More than 50 million are under extreme weather warnings as Henri closes in on US

Exhibit 4



PROHIBITION OF RETALIATION



ISSUE DATE:	30 December 2020	EFFECTIVE DATE:	30 December 2020
RESCINDS:			
INDEX CATEGORY:	Professionalism		

I. PURPOSE

This directive:

- A. prohibits all Department members from engaging in any form of retaliation against any Department member or member of the public,
- B. provides guidelines to Department members regarding retaliation, and
- C. outlines the responsibilities for reporting and investigating allegations of retaliation.

II. RELATED LAWS

- A. MCC 2-156-018 "Duty to Report Corrupt or Unlawful Activity"
- B. MCC 2-156-019 "Whistleblower Protection"
- C. MCC 2-160 "Human Rights"
- D. MCC 2-160-100 "Retaliation Prohibited"
- E. 775 ILCS 5/6-101(A) "Retaliation" (Illinois Human Rights Act)

III. POLICY

- A. Department members will:
 - 1. act with a high degree of ethics, professionalism, and respect for the public and in a manner that promotes trust between the Department and the communities that it serves.
 - 2. treat all persons with courtesy and dignity.
 - 3. act, speak, and conduct themselves in a professional manner and maintain a courteous attitude in all contacts with the public.
- B. The Department prohibits and does not tolerate any abuse of law enforcement authority by its members.
- C. The Department is committed to ensuring the actions of its members are lawful, ethical, and serve a proper law enforcement purpose knowing that the conduct or actions of a single Department member may impair public trust and confidence or cast suspicion and disrespect upon the entire Department.
- D. Department members have a duty to report allegations of misconduct, are required to cooperate with misconduct investigations, and will not interfere with or undermine any investigation into allegations of misconduct consistent with the policies outlined in the Department directive titled "Complaint and Disciplinary Procedures."
- E. The Department strictly prohibits its members from:
 - 1. engaging in any form of retaliation against Department members or members of the public, as defined by the law or this directive or
 - 2. enlisting or directing any other Department member to engage in any form of retaliation against Department members or members of the public, as defined by the law or this directive

- F. For the purposes of this directive, retaliation is defined as any conduct, action, or inaction of a damaging, intimidating, or threatening nature, or any interference, intimidation, coercion, or other adverse action taken against any individual designed to serve as retribution that is intended to punish, cause harm or emotional stress, or improperly influence the individual's actions.
- G. Retaliation can include deliberate action or failure to take action as required of a Department member that involves an improper motive, including but not limited to:
1. physical conduct and direct or indirect actions, including arrests, issuance of citations, surveillance, and vehicle or street stops.
 2. deliberate inaction or denial of Department services including refusing to respond to a call for service, refusing to complete a report, denial of information, or refusing to perform a Department function.
 3. direct or indirect verbal, written, or electronic communications, including threats, intimidation, or communications meant to offend, ridicule, or embarrass.
 4. adverse employment actions by the Department or Department supervisors including providing unfavorable assignments, poor evaluations, or lack of consideration for special assignments.
 5. adverse workplace-related actions by Department members that impair the efficiency, safety, or effectiveness of that member, the Department, or both. including refusing to provide or intentionally delaying a request for assistance or back-up or creating an unsafe or hostile work environment (e.g., bullying, false accusations).
- H. **Specific Prohibitions.** The Department prohibits:
1. any and all forms of retaliation against any Department member or any member of the public for:
 - a. engaging in protected lawful exercise of First Amendment rights (e.g., protected speech, lawful demonstrations, observing or filming police activity, or criticizing the Department, a Department member, or a member's conduct).

NOTE: First Amendment rights are not absolute and are subject to reasonable time, place, and manner restrictions. Further guidance may be found in the Department directive titled "**The First Amendment and Police Actions.**"

 - b. filing a complaint, reporting an allegation of misconduct, or providing information regarding alleged misconduct.
 - c. supporting, participating in, or cooperating with any complaint or misconduct investigation, including providing witness statements, interviews, or evidence.
 - d. reporting criminal activity or calling for or requesting police services.
 - e. participating in any Department activities, including community engagement opportunities, strategic planning, or criminal or administrative investigations.
 - f. providing information to initiate or support any complaint or investigation by the Chicago Office of the Inspector General, Chicago Commission on Human Relations, or the Illinois Department of Human Rights.
 2. any and all forms of retaliation against any Department member or any member of the public based on any protected class under federal, state, and local law, including a person's race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, lawful source of income, credit history, criminal record, or criminal history.

3. using force, consistent with the Department directive titled "**Use of Force**":
 - a. as punishment or retaliation (e.g., force used to punish or retaliate for fleeing, resisting arrest, or insulting a Department member), or
 - b. in response to a person's lawful exercise of First Amendment rights (e.g., protected speech, lawful demonstrations, observing or filming police activity, or criticizing a Department member or conduct).
 4. any and all forms of retaliation against any Department member for engaging in a collectively bargained right, making or filing internal or external charges or complaints of employment discrimination, or for cooperating with any internal investigation or mediation of a complaint, consistent with the Department directive titled "**Equal Employment Opportunity Policy.**"
- I. The Department considers retaliation and acts contributing to retaliation serious misconduct that could potentially include elements of criminal conduct. Therefore, any allegation of a Department member engaging in or supporting acts of retaliation will be thoroughly investigated consistent with the Department directive titled "**Complaint and Disciplinary Procedures.**" Department members may be disciplined up to and including separation from the Department for misconduct, including retaliation and acts contributing to retaliation.
1. If a supervisor determines that immediate action should be taken during the pendency of the investigation to prevent further retaliation or allegations, he or she will forward that information to the Bureau of Internal Affairs for further consideration.
 2. The Chief, Bureau of Internal Affairs, or designee, will monitor pending retaliation investigations and will forward requests for immediate action to the Legal Affairs Division for further consideration and response. These actions can include, but are not limited to, appropriate changes in assignments, details, or other nondisciplinary measures.
- J. Department members will continue to:
1. abide by the **Rules and Regulations** of the Chicago Police Department.
 2. be guided by principles as delineated in the Department directive titled "**Vision, Mission Statement and Core Values,**" and
 3. adhere to the policies for fair, unbiased, and respectful behavior as outlined in the Department directive titled "**Human Rights and Human Resources.**"

IV. RESPONSIBILITIES

- A. It is the responsibility of all Department members to prevent retaliation from occurring, identify and stop retaliation when it does occur, take allegations of retaliation seriously, and encourage individuals to come forward without delay to report acts of retaliation.
- B. Department supervisors will monitor the adherence to the policies established in this directive by all subordinates.
- C. When a Department member **directly observes an act of retaliation by a Department member or receives an allegation of retaliation**, the member will immediately notify a Department supervisor, sworn or civilian, and take any appropriate action to stop any continuing acts of retaliation.
1. Department members need not first report the complaint to their immediate supervisor as delineated in the Department directive titled "**Complaint and Disciplinary Procedures**" and may bring an alleged complaint of retaliation to any Department supervisor, including directly reporting the allegation to a supervisor in the Bureau of Internal Affairs.
 2. The reporting Department member will prepare a To-From-Subject Report, containing the information received, observations made, and any action taken, and submit the report to his

or her unit commanding officer before reporting off duty on the day the member becomes aware of the retaliation.

NOTE: Department members may contact a supervisor in the Bureau of Internal Affairs to request an alternative reporting method to provide a written summary of the alleged incident.

- D. When a Department member **believes that he or she has been a victim of retaliation**, the member will immediately notify a Department supervisor, sworn or civilian, and prepare a To-From-Subject Report describing the incident or acts of retaliation.
1. Department members need not first report the complaint to their immediate supervisor as delineated in the Department directive titled "**Complaint and Disciplinary Procedures**" and may bring an alleged complaint of retaliation to any Department supervisor, including directly reporting the allegation to a supervisor in the Bureau of Internal Affairs.
 2. The reporting Department member will:
 - a. submit the report to his or her unit commanding officer before reporting off duty on the day the member becomes aware of the retaliation, or
 - b. contact a supervisor in the Bureau of Internal Affairs to request an alternative reporting method to provide a written summary of the alleged incident.
- E. When an act of retaliation by a Department member is directly observed or an allegation is received from any person, the notified supervisor will initiate an investigation, in accordance with the Department directive titled, "**Complaint and Disciplinary Procedures**," including, but not limited to:
1. obtaining a Log Number and preparing an initiation report,
 2. ensuring that a To-From-Subject Report is obtained from each Department member having knowledge of the circumstances surrounding the incident prior to the end of his or her tour of duty,
 3. notifying the Civilian Office of Police Accountability (COPA) of the alleged misconduct, and
 4. notifying the involved member's unit commanding officer, if the notified supervisor is not the member's unit commanding officer obtaining a Log Number.

NOTE: If a supervisor determines that alternative reporting or notification methods are necessary for officer safety or to prevent further retaliation or allegations, he or she will contact a supervisor in the Bureau of Internal Affairs for guidance and alternative methods.

David O. Brown
Superintendent of Police

19-047 JAB/MWK

Group Exhibit 5

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CHICAGO SUN-TIMES

FRIDAY, DECEMBER 22, 2017 | 51 CITY EDITS \$2 ELSEWHERE | LATE SPORTS FINAL



Chicago Police slam social media giant for being no help with probe of 'secret' pages that act as flea markets for guns and drugs

FACEBOOK FAIL

MITCH DUDEK REPORTS, PAGE 4

Chicago Tribune CHICAGOLAND

Critics pan revised Obama center garage plan

Open-space advocates want parkland preserved

By LESLIE BOWMAN AND BLAKE KARRIN | Chicago Tribune

Approved design for the Obama Presidential Center's controversial parking garage is getting a thumbs-down from some community leaders who attended a second-floor meeting at which the plan was unveiled.

Like its predecessor, the new design calls for an above-ground, two-story garage, concealed by landscaping at the east end of the 57-story, 71-story, and 100-story wings of land that connects Jackson and Washington parks.

But the new design eliminates features like a children's play area and replaces them with a grass-covered slope that would rise higher than the east entrance for the adjacent Shery South Lane railroad tracks. The gently sloping landscape would be taller than the previous plan, and would allow people to gaze over the Midway to the west or across Jackson Park to the east.

"It's going to be a spectacular place for sitting on the lawn, being a 'lounger' out, etc. a prospect," the plan's landscape architect, Brooklyn-based Michael Van Valkenburgh, said in a telephone interview before the meeting.

Deitchman and engineer firms would cover the north and south sides of the mound, he said, while "outstanding openings" would bring natural light and air into the garage.

The Obama Foundation, the nonprofit charged with building the presidential center, did not make a copy of the design available to reporters. Foundation leaders also declined to name the cost of building the new design. The foundation plans to pay for the garage, which would be built on about 4 acres of land that the city of Chicago would "convey" to the foundation. The design will

could change. Foundation officials said.

Steve Anagnost, when the first garage plan was made public, the proposed facility has drawn criticism from open space advocates who called it an intrusion on public land. The Chicago Urban Walkways did not attend those.

McNamee said, co-president of Jackson Park West, a watchdog group that was formed to monitor the review and the design. "The garage is not on public land they shouldn't see," she added.

The jobs released in August called for the garage to hold 400 to 450 vehicles. Vehicles who come to the center would park there and cross Shery Island Avenue to Jackson Park, where the center will be built.

The foundation wants the visitors to patronize new businesses that it expects will pop up near the center. That would be consistent with the foundation's goal to create a "neighborhood of science and

industry," which lets visitors enter the museum without setting foot in the neighborhood.

The new plan eliminates a bus loop-off area that would have been wedged between the South Shore Line and the garage. Buses bringing visitors to the Obama center will park on the east side of State Street, Van Valkenburgh said.

Community leaders attending Wednesday night's meeting included Paul Lane, president of the Outdoor Museum of African American History, and Michael McNamee, co-chair of the group Save the Park.

McNamee said his organization wants the space where the garage would be built to be preserved because of its historical value. The Midway, like Jackson and Washington parks, was designed by the famed 19th-century architect and landscape architect Frederick Law Olmsted. All three are on the National Register of Historic Places. The Obama Foundation would not expand its footprint from Jackson

Park to the Midway, McNamee said.

The foundation's two-hour meeting was productive, said Steve Berman, president of the Chicago Urban League. The center's designers presented the new plan, then took questions from the audience.

"It was a good conversation, not hostile, but people with different views," Berman said. "This is an opportunity to build something that has not been done before."

The heart of the presidential center will consist of a three-building complex: an oval-shaped lower housing a museum, a forum building and what could be a small branch of the Chicago Public Library. A fourth building south of the main cluster would be an athletic center with a basketball court. Foundation officials have said they want to break ground next year and open the center in 2021.

Planning@chicago.gov
www.obamapresidential.org



Hang time at the lakeshore

William Apple of Chicago says he gets great joy looking the birds along the lakeshore, as he does at Midwestern Beach located at 6741 S. Thackeray.

Police allege Facebook is harboring crime

50 arrested after infiltrating secret online group

By PETER NICKRAAS

Chicago Tribune

Chicago police complained Thursday that they received no cooperation from Facebook during a drug and gun-involving investigation involving a secretive, invite-only group on the social network that couldn't be found through the search function.

A department source said conversations to set up by investigators were shut down when Facebook learned they involved law enforcement. About 50 people whose names were on the list and a gun have been seized, officials said at a news conference during which they repeatedly blamed Facebook.

"Facebook has a responsibility to the people that they serve to ensure that their types of things don't go on," police superintendent Eddie Johnson said. "We're quite frankly they haven't been very friendly to law enforcement in preventing these things."

There was no immediate comment from Facebook.

Police arrested the possession of 11 firearms and 144,000 worth of drugs, including from a trafficker who was found with drug paraphernalia at Lincoln Elementary School.

The department's narcotics division began the investigation when a source told them about the group, officials said. The leads were confirmed by undercover officers who infiltrated the group, according to Anthony Woods, chief of the department's organized crime division.

Five people have been taken into custody and 18 are wanted, an officer said.

"One offender is wanted for attempted murder in Indiana. Another had three illegal guns while on electronic monitoring. Another had been convicted of

murder for carrying and aggressive battery in Florida, and he did all this while he was on parole," Johnson said. "Every Chicagoan deserves their streets to be free of gun violence."

Nickraas said there are "dozens and dozens of these invite-only groups, a lot of them used by illegal things, including trafficking the guns and firearms. We're focused on them our choice."

He said many of the guns had digital serial numbers, making them difficult to trace. "These are guns that are ending up in the South Side, West Side of the city being used in gang shoot-ups," Nickraas said.

He said the Facebook group selling guns and drugs would not be found by searching and that someone had to watch for anyone who wanted to join them.

"I absolutely think Facebook has a responsibility to monitor this and for this very reason," Nickraas said. "There's other illegal activities — I want to point out this is there and — there are illegal activities going on on Facebook. We're looking at potentially because trafficking things that cause an end. There's a lot of contacts going on there."

The things that are being trafficked on their site are killing people in Chicago," he added. "I think they have an obligation to do things to make sure that will doesn't happen."

"If any other organization was putting guns or allowing guns and drugs to be trafficked over the course of the city, I think we'd take action and citizens would expect us to take some action."

"I think they have the same obligation as any other business," Nickraas said.

Expert warns not all students can handle pressure to achieve

Chicago police blame Facebook for illegal gun, drug sales



Chicago police say investigators have arrested more than 50 people accused of using private Facebook groups and messages to sell guns or drugs.

The department's new interim superintendent and other officials also blamed the social media company for complicating such cases by taking down investigators' fake profiles during a Tuesday press conference announcing results of the two-year investigation.

A message seeking comment from Facebook's press office was not immediately returned Tuesday. The company's policies ban fake accounts.

Facebook in 2016 prohibited all private firearms sales on its site or Instagram.

Chicago police, though, said dealers are "emboldened" by using private groups that allow them to limit who sees posts about firearms and drugs for sale.

Officials said the guns sell quickly and it's difficult to know where they wind up.

TOP NEWS

Chicago police blame Facebook for illegal gun and drug sales

- By Associated Press
- Dec. 3, 2019



ASSOCIATED PRESS

Former Los Angeles Police Chief Charlie Beck, left, who was named interim police superintendent in Chicago by Mayor Lori Lightfoot, addresses a news conference in Chicago today. Standing with Beck is First Deputy Superintendent Anthony Riccio, as the pair announced that investigators have arrested more than 50 people accused of using private Facebook groups

and messages to sell guns or drugs. Police also blamed the social media company for complicating such cases by taking down investigators' fake profiles during a press conference announcing results of the two-year investigation.

CHICAGO >> Private Facebook groups have "emboldened" sellers of illegal drugs and guns to connect with potential buyers over the social media site, Chicago police said today, as leaders announced that a two-year undercover investigation led to more than 50 arrests.

Police leaders, including Chicago's new interim superintendent, also accused Facebook of failing to help prevent illegal sales of guns. The social media company banned private sales, trades and exchanges of firearms in 2016, but investigators said they found dealers using private groups and messages to quickly sell firearms and drugs at prices higher than street values.

First Deputy Superintendent Anthony Riccio said Facebook agreed to shut down groups identified during the Chicago investigation but that it also should kick members of those groups off the site.

"Facebook often cites privacy concerns when they are confronted with the facts of our investigation," Riccio said. "The truth is, Facebook is harboring criminals. These criminals know how to use the privacy Facebook affords them and they profit from the sales of illegal drugs and dangerous guns."

Riccio also said police have been frustrated by Facebook's removal of fake profiles that investigators use to pose as potential buyers.

Facebook spokeswoman Sarah Pollack said the company quickly responds to "valid legal" requests from police.

"Illicit drug and firearms sales have no place on our platform," Pollack said. "We remove content and accounts that violate our policy and catch over 97% of drug sale content and over 93% of the firearms sales content we remove before it is reported to us."

The company's instructions for law enforcement say a subpoena is required to share a subscriber's records including name, email addresses and location information on recent log-ins; disclosing contents of an account requires a federal or state search warrant. The site also says all Facebook users must use "the name they go by in everyday life," and fake accounts will be penalized.

Facebook says it uses detection technology to find content that violates its policies banning the sale of drugs or firearms, including posts in private groups.

Chicago police leaders have blasted Facebook after previous investigations of illegal guns and drug sales on the site. In 2017, then-Superintendent Eddie Johnson said the company was failing to cooperate with police cracking down on the activity.

Tension over law enforcement's use of social media networks exists in other areas too; for example, police in Memphis were sued by the state's branch of the American Civil Liberties Union in 2018 for using an undercover Facebook account to monitor protest groups' activities.

Personal privacy advocates say Facebook could do more to protect users from that type of police activity and keep meeting its baseline responsibility to hold law enforcement to the same rules as everyone else on the platform.

"Police shouldn't get to follow different rules than members of the public," said Dave Maass, a researcher for the Electronic Frontier Foundation. "They may say 'Oh, this is to cut down on gun sales.' The next thing you know, you're searching social media for information on First Amendment activities or whether they've been driving while texting."

Charlie Beck, Chicago's interim police superintendent and the former head of the Los Angeles Police Department, said Tuesday that Facebook users' privacy rights don't "trump the rights of the general public."

"Another person's rights have to stop where the safety of another individual becomes in jeopardy," Beck said. "That's what laws are all about."

50 arrested after Chicago police infiltrate Facebook groups selling guns, drugs

By [Sarah Schulte](#)

Friday, December 22, 2017

CHICAGO (WLS) -- Chicago police have arrested 50 people, including a Chicago Public Schools teacher, and have warrants for another 18 after infiltrating secret Facebook groups selling illegal drugs and guns, police said Thursday.

The arrests come after police said they infiltrated dozens of secret Facebook groups that require approval by a group administrator to see. Police began their investigation in February after receiving information from a confidential informant.

Daniel Caponigri, a first-year physical elementary teacher at Chicago's George Leland elementary, was arrested this week at the CPS school for selling drugs.

"Facebook has a responsibility to the people they serve to ensure these type of things don't happen, quite frankly they have not been very friendly to law enforcement to prevent these things," said Chicago Police Superintendent Eddie Johnson.

Superintendent Johnson said his investigators received no cooperation from Facebook during its 10 month investigation. Police said undercover officers infiltrated dozens of private invitation only secret groups on Facebook that were selling drugs and firearms.

"Many with serial numbers scratched out some with magazines capable for holding more than 30 rounds of ammo, most fully loaded ready to use at the time of purchase," said Chicago Police Organized Crime Chief Anthony Riccio.

The kind of guns, police say, that are regularly used in Chicago's shootings. Police arranged the purchase of 18 illegal firearms and \$45,000 dollars' worth of drugs. Police said all kinds of illegal trafficking is done through dozens and dozens of invitation-only secret groups that are not visible on a regular Facebook page.

"The things being trafficked on the site are killing people in Chicago, I think they

have an obligation to take steps to insure it doesn't happen," Riccio said.

In a written response, a Facebook spokesperson says, "We are investigating this report now as it is the first time we have been alerted to it. We do not allow the sale of guns or drugs on our platform. We routinely work with law enforcement."

Chicago police said they asked for help from Facebook, but did not get any cooperation.

Johnson said Chicago police have recovered 8,600 firearms off the streets this year and have made nearly 30 percent more gun arrests than last year.

Chicago Police Spokesman Anthony Guglielmi said that the department and Facebook would be meeting in January to better collaborate on stopping illegal activity.

Mayor Rahm Emanuel issued a statement saying, "These innovative raids are the latest example of the smart, strategic steps the men and women of the Chicago Police Department are taking to combat gun violence. Whether criminals are operating online or on the street, we will always ensure CPD has the tools, technology, training and talent to track them down. I commend the leadership and rank and file of CPD for their proactive, professional policing that has taken more than 8,600 illegal guns off our streets this year and helped drive a reduction in crime in communities throughout the city."

[CHICAGO LOOTING](#)

Inside CPD's Efforts To Find The Looters From This Summer's Mayhem

Within 24 hours of the August attacks on the downtown area, the city set up the Looting Task Force to put names to the faces in the crowd. And that task force is actively seeking the public's help to arrest those involved

By [Phil Rogers](#) and [Lisa Capitanini](#) • Published October 22, 2020 • Updated on October 23, 2020 at 1:45 pm

In a high-tech command center on the second floor of the Area 2 police headquarters at Belmont and Western, Chicago police detectives are involved in a needle-in-a-haystack effort to identify thousands of people responsible for looting hundreds of stores in the downtown area.

The assault on Michigan Avenue and other commercial areas on the Near North Side unfolded in the early morning hours Aug. 10, after erroneous reports of a juvenile being shot by Chicago police. Police say it was actually a 20-year-old man who allegedly fled and fired shots at pursuing officers.

By the time the mayhem ended, hundreds of businesses had been vandalized and looted, and over a dozen police officers were injured. And that incident followed a similar outbreak of violence following the shooting of George Floyd in Minneapolis last May.

"It was just criminal acts," said Chief of Detectives Brendan Deenihan, referring to the outburst of violence in August. "There was no civil unrest attached to this. It was just crime."

In the face of millions of dollars in damage and stolen merchandise, a special looting task force was set up to track down the perpetrators. But that was a tall order. Videos from merchants and CPD pod cameras showed thousands taking part in the mayhem.

"The team is extremely focused on what their job is to do," Deenihan told NBC 5. "And their job is to find these people and arrest them."

It isn't easy. For the last two months, detectives assigned to the task force have been gathering hundreds of surveillance videos from store owners, matching those up with

city cameras in an effort to capture usable images of the perpetrators, and track their movements from store to store.

"We have to do our due diligence, and make sure that the people we're looking at were actually inside those locations," Sgt. Alex Wolinski told NBC 5. "This is old school, boots on the ground, detective work."

So far, 87 individuals have been charged, most of them on felony looting and burglary counts. But detectives concede that thousands more are out there to be found.

During a recent visit to the Area 3 command center, NBC 5 watched as five detectives pored over video images, pushing in to grab usable shots, and following those individuals to confirm they had taken part in actual thefts. In some of the videos the looters appear to know each other, in others, one person smashes the window of a mall or store, then hundreds surge inside.

"We are seeing teams of four or five individuals moving from location to location to location," Wolinski said. "But we also saw people [individuals] who probably saw an opportunity."

It's all an immense challenge, but police have received tremendous assistance from the victimized merchants.

"A lot of information has been shared," said Rich Gamble, chief of the Magnificent Mile Association. "Police have asked for video, photos, descriptions of products that have been lost - and a lot of that information has been shared."

But that assistance has gone beyond providing video. While investigators have been hesitant to talk about their tactics, prosecutors have revealed in court that police have found numerous looted items for sale on online sites. And they have arranged undercover buys where the alleged perpetrators have been arrested.

Gamble says many merchants have recognized their items online and notified police.

"Some of the merchandise still had tags on it," he said. "Some of the retailers here have radio frequency tags that are in their product, so they can tell the police where the product is."

For the merchants, many in high-end Michigan Avenue area stores, the assaults could not have come at a worse time. Some were just finding their footing after coronavirus-related closures, and the previous looting incidents in May. And Gamble notes many who work in those downtown businesses are residents of the very communities which have joined in calls for reform this year.

"It's not about profits, it's about people," Gamble said. "It's just devastating when a lot of people that work on the front lines are from the community and immigrant community

that's crying out for justice to be done. Many other workers are in the hospitality business or the hotel business."

And, far from the cliché often heard in the media, police genuinely are asking for the public's help in identifying the perpetrators. Online, CPD has posted [hundreds of so-called "seeking to identify" photos](#). To supplement those, detectives have also posted [close-up videos of scores of the looting incidents](#).

"There were thousands of people down there, and their only goal was to loot these stores," Deenihan said. "They chose to do this, so they will have to suffer the consequences when they do get arrested."

DECEMBER 21, 2017 3:52 PM UPDATED 4 YEARS AGO

Chicago police say Facebook 'secret groups' traffic in guns and drugs

By [Bernie Woodall](#)
3 MIN READ

(Reuters) - Police in Chicago said on Thursday they have arrested 50 people suspected of using “secret groups” on Facebook to deal in guns and drugs, and have teamed up with the world’s largest social media network to crack down on criminal trafficking online.

Announcing the arrests at a news conference, Police Superintendent Eddie Johnson initially criticized Facebook as being unhelpful during a 10-month investigation by his department.

“Quite frankly, they haven’t been very friendly to law enforcement to prevent these things,” he told reporters.

However, police later said the department and the California-based company agreed to work collaboratively “to target any illegal activity on the platform.”

Police did not detail charges facing the 50 men and women arrested through Thursday, but said there were “dozens and dozens” of private Facebook groups being used for illegal drug and weapons transactions. Arrest warrants for 18 more suspects have been signed, and most have prior criminal histories, police said.

Among the illicit sites monitored by police was one offering a “Thanksgiving special” on cocaine baggies discounted to \$40 from a normal street price of \$60.

In an emailed statement on Thursday, Facebook Inc, which boasts 2 billion users worldwide, said it had only just been alerted to the arrests in Chicago.

“We do not allow the sale of guns or drugs on our platform. We routinely work with law enforcement and outline how officials may submit a request on our site,” Facebook added.

Among those arrested was an elementary school teacher taken into custody at his Chicago school in possession of scales often used for weighing drugs, according to Anthony Riccio, chief of the police department’s organized crime unit.

Since a confidential informant alerted investigators about alleged criminal trade on Facebook in February, police detectives working undercover arranged for the purchase of 17 different types of drugs and 18 different illegal firearms, Riccio said.

Riccio said investigators created covert identities on Facebook and were invited into private groups, which are closed unless the user-administrator allows someone to join. Police then monitored messages and contacted those in the group via Facebook to make buys.

Chicago has been singled out by President Donald Trump as one of the most violent U.S. cities. In 2016, the number of murders there exceeded 760.

Reporting by Bernie Woodall in Fort Lauderdale, Florida; Editing by Leslie Adler and David Gregorio

Suspected Chicago looter busted trying to sell \$2,700 sweater to undercover cops

By

[Lee Brown](#)

August 20, 2020 9:22am

[Updated](#)

Undercover cops busted a suspected [looter in Chicago](#), after he tried to sell them a \$2,700 designer sweater, according to a report.

Melvin Banks, 29, advertised the Brunello Cucinelli swag for sale online, which was seen by a staffer at the Italian luxury brand's looted Windy City store, prosecutors said, [according to the Chicago Sun-Times](#).

Banks was arrested after undercover cops arranged to pay \$800 for the stolen item — one that clearly impressed the judge at his first court hearing Wednesday, the paper noted.

"I don't know how a \$2,000 sweater feels, but it must be immaculate," Cook County Judge John Lyke Jr. told the hearing, according to the report.

It "feels very, very soft, I'm certain. But that's a little too rich for my blood," the judge insisted.

Banks — a dad of three who lives with his parents — told police he was asleep during the Aug. 10 looting, prosecutors said.

He claimed he got it for free from his girlfriend — but she gave a conflicting story about them being out of town at the time and getting it from a cousin, the report said.

Banks was held on \$2,000 bail, but kept overnight for a pending drug charge for which he was out on bond, the Sun-Times said.

He is not the only accused looter with swanky swag. Mom of four Gabrielle McGriff was charged Tuesday with selling a pair of \$1,400 boots also stolen from the Brunello Cucinelli store, the paper said.

The looting devastated Chicago last week, sparked by false reports about the [officer-involved shooting of Latrell Allen](#), who police say was only hit after he fired at two officers while trying to flee arrest.

Chicago police say Facebook did not cooperate in drug and gun-running probe

By PETER NICKEAS

CHICAGO TRIBUNE |

DEC 21, 2017 AT 1:05 PM

Chicago police complained Thursday that they received no cooperation from Facebook during a drug and gun-running investigation involving an invitation-only group on the social network that couldn't be found through the search function.

A department source said covert accounts set up by investigators were shut down once Facebook learned they involved law enforcement. About 50 people have been arrested so far and 18 guns have been seized, officials said at a news conference during which they repeatedly blasted Facebook.

"Facebook has a responsibility to the people that they serve to ensure that these types of things don't go on," police Superintendent Eddie Johnson said. "And quite frankly they haven't been very friendly to law enforcement to prevent these things."

There was no immediate comment from Facebook.

Police arranged the purchase of 18 firearms and about \$46,000 worth of drugs, including from a teacher who was found with drug paraphernalia at Leland Elementary School.

The department's narcotics division began the investigation when a source told them about the group, officials said. The buys were conducted by undercover officers who infiltrated the group, according to Anthony Riccio, chief of the department's organized crime division.

Fifty people have been taken into custody and 18 are wanted on warrants.

“One offender is wanted for attempted murder in Indiana. Another sold these illegal items while on electronic monitoring. Another had been recently arrested for carjacking and aggravated battery by firearm, and he did all this while he was on parole,” Johnson said. “Every Chicagoan deserves their streets to be free of gun violence.”

Riccio said there are “dozens and dozens of these secret groups, a lot of them used for illegal things, including trafficking the guns and firearms. It's dozens of them out there.”

He said many of the guns had defaced serial numbers, making them difficult to trace. “These are guns that are winding up in the South Side, West Side of the city being used in gang shootings,” Riccio said.

He said the Facebook group selling guns and drugs would not be found by searching and that someone had to vouch for anyone who wanted to join them.

“I absolutely think Facebook has a responsibility to monitor this and for this very reason,” Riccio said. “There's other illegal activities — I want to point out this is phase one — there's other illegal activities going on on Facebook. We're looking at potentially human trafficking, things of that nature as well. There's a lot of tentacles going out here.

“The things that are being trafficked on their site are killing people in Chicago,” he added. “I think they have an obligation to take steps to make sure that stuff doesn't happen. If any other organization was putting guns or allowing guns and drugs to be trafficked onto the streets of the city, I think we'd take action and citizens would expect us to take some action.

“I think they have the same obligation as any other business,” Riccio said.

Chicago Police: Facebook didn't help with gun, drug investigation

Aamer Madhani

USA TODAY

(12/21/17)

CHICAGO — The city's top law enforcement officer on Thursday ripped social media giant Facebook for doing too little to assist the agency to thwart illegal gun and drug sales facilitated through the social media platform.

The sharp criticism came as Chicago Police officials announced they carried out a months-long sting on drug and illegal gun dealers who used private Facebook groups to sell contraband.

Police Superintendent Eddie Johnson said Facebook offered no cooperation as officers conducted an investigation that ultimately led to the arrests of 50 individuals and the recovery of 18 guns and \$46,000 in drugs. Police said some of the guns were illegally sold for three times their retail value by convicted felons prohibited from possessing firearms.

Officers are still looking for 18 other individuals who used Facebook private groups to advertise and sell drugs and illegally owned guns.

Facebook has a responsibility to the people that they serve to ensure that these types of things don't go on," Johnson said. "And quite frankly they haven't been very friendly to law enforcement to prevent these things."

The department's narcotics division began investigating the private groups after a tip by a source who said users were brazenly selling drugs and firearms in private groups.

Facebook users could only access the private groups if approved by the administrator of the page.

Over the 10-month investigation, more than 17 different kinds of illegal drugs and 18 weapons — many of which had serial numbers scratched out so they'd be difficult to trace — were purchased by undercover officers who infiltrated the groups.

Among the sellers was a Chicago Public Schools elementary school teacher, said Anthony Riccio, chief of the department's organized crime division.

Riccio and Johnson said the department sought Facebook's help as they went about investigating the illegal sales, but that officials from the company were not cooperative.

Facebook said in a statement it had been unaware of the Chicago Police Department's concerns and was investigating how the matter was handled. The company noted that it routinely works with law enforcement agencies and prohibits the sale of guns and drugs on the platform.

The company reached out to the Chicago Police Department after Johnson and Riccio made their blistering remarks on Thursday, and the two sides agreed to meet in the New Year.

Anthony Guglielmi, the chief spokesman for the police department, said Facebook officials stressed to the city's police officials that they took the issue of preventing the sale of guns and drugs through the platform seriously.

Like many Silicon Valley tech giants, Facebook has been searching to balance its users' privacy concerns while meeting law enforcement demands. Earlier this month, it issued a transparency report that said U.S. law enforcement made 32,716 requests for user data during the first half of 2017, up about 25% from the 26,014 requests made during the last six months of 2016.

Facebook said it complied with 85% of requests made in the first half of 2017.

Johnson and Riccio did not detail what kind of information or help they sought from Facebook as Chicago Police went about their investigation.

Riccio said that users of the groups were wary of being infiltrated by undercover cops and required that new users be vouched for by someone that the administrator of the group trusted.

All but six of the 68 suspects in the Chicago sting had criminal backgrounds.

Riccio said that the private groups seemed to give the suspects the sense that they could operate under the radar and dodge law enforcement scrutiny.

One suspect was wanted for attempted murder in Indiana; another was a parolee who was recently arrested for carjacking and aggravated battery by firearm. A third suspect, who was already on court-ordered home monitoring from a previous arrest, arranged to have undercover officers meet him outside his home.

The suspect kept his electronic bracelet touching the side of the building, so as not to trigger the monitoring system, as he completed the deal that he brokered through a private Facebook group, Riccio said.

"The things that are being trafficked on their site are killing people in Chicago," he said. "I think (Facebook) have an obligation to take steps to make sure that stuff doesn't happen."

Operation FaceBOOKED: Chicago police blame social media giant for 'emboldening' criminals

Grace Hauck

USA TODAY

Chicago police are trying to rid the city's streets of illegal guns and drugs, but Facebook is making their job all the more difficult, officers said Tuesday.

Over the course of a two-year investigation — code-named "Operation FaceBOOKED" — officers arrested 53 people involved with illegal gun and drug sales in hidden groups on the social media site. While Facebook shut down the groups in question, the site refuses to block the members of those groups, police say.

"Social media conglomerates like Facebook are encouraging this type of illegal activity by turning a blind eye in the name of member privacy," said interim superintendent Charlie Beck, who took office Monday night following the firing of Chicago's former police chief Eddie Johnson.

Officers also expressed frustration with Facebook for shutting down the fake profiles of undercover officers, saying the site should allow law enforcement to operate with covert identities for the public good.

The company's policies ban fake accounts. Law enforcement authorities, like all other platform users, are required to use their real names, according to Facebook spokesperson Sarah Pollack. Facebook routinely responds to valid law enforcement requests for information and provides operational guidelines to law enforcement who seek records from Facebook, she said.

The company also prohibits private firearms sales on Facebook and Instagram. Facebook has removed 7 million pieces of drug sale content and 4.8 million pieces of firearm sales content in the last six months, according to Pollack. The company catches more than 97% of drug sales and more than 93% of firearms sales before they are reported, she said.

uring the investigation, undercover officers infiltrated seven unsearchable groups and purchased seven guns and 23 types of narcotics in 147 undercover buys, police said.

One of four men arrested Monday night, Thomas Lucas, 27, of the city's northside Logan Square neighborhood, pled guilty in a 2017 CPD investigation into Facebook, police said. He was placed on probation but immediately resumed selling heroin on Facebook.

"Facebook's refusal to remove Lucas's profile from the website after his initial run-in with the police led him to continue to sell drugs on Facebook," said deputy superintendent Anthony Riccio. "The bottom line is that offenders are emboldened by the privacy afforded by Facebook. This has created a thriving market where guns and drugs are priced high and sold fast."

Undercover officers also purchased an assault rifle with a 30-round magazine on Facebook from a man who was in Chicago while on parole in Texas. The man had posted a video of himself using the semi-automatic rifle to Facebook. Others charged in the investigation traded drugs for weapons, which they sold on Facebook, police said.

"The truth is, Facebook is harboring criminals," Riccio said.

Lucas was scheduled to appear in court in Chicago Tuesday.

10,000 guns confiscated from Chicago streets in 2019

In a press conference last week, Chicago police announced that officers had confiscated 10,000 guns so far in 2019. That equates to about one illegal gun every 48 minutes — more than the combined total of guns confiscated in New York City and Los Angeles this year, police said.

Trump called Chicago a war zone:What's true about gun violence there?

In the press conference, former police chief Eddie Johnson called for universal background checks and the end of gun shows and online gun sales.

"It's easy for the criminal element in Chicago to go across the borders, fill up a duffle bag with guns and then distribute them throughout our city," Johnson said. "Until we stop those kinds of flows, we're going to continue to see this problem."

Last year, Chicago police confiscated 9,800 guns, Johnson. said.

The department reported 1,958 shooting incidents and 452 murders as of Nov. 24 this year — the fewest murders at this point in the year since 2015.

Chicago police arrest 53 in 'Operation FaceBOOKED' investigation

NEWS

by: [Julian Crews](#)

Posted: Dec 3, 2019 / 12:46 PM CST / Updated: Dec 3, 2019 / 05:14 PM CST

This is an archived article and the information in the article may be outdated.

Please look at the time stamp on the story to see when it was last updated.

CHICAGO — An undercover sting has exposed a “dark web” of illegal sales of guns and drugs.

Police officials announced the arrests of 53 people as part of their investigation known as “Operation FaceBOOKED.”

Arrests were made when officers found sellers in private Facebook groups and made a deal.

Police said buyers will seek out weapons and drugs this way because it is discrete due to Facebook’s privacy policy.

“If our undercover officers don’t immediately buy them, they’re sold,” said First Deputy Supt. Anthony Riccio. “They’re sold for well over what they would sell for in a gun store because the purchasers know they are buying them discreetly.”

Investigators within CPD’s Bureau of Organized Crime said members of covert groups are making these deals. Typical Facebook users cannot find these groups with a simple search. They have to be invited inside. But police said Facebook is stopping them when they realize undercover officers are not who they say they are.

“Facebook is harboring criminals. Criminals know how to use the privacy Facebook affords them, and they profit from the sale of illegal drugs,” said Riccio. “The people who are doing the illegal acts, under their own identities, Facebook doesn’t shut them down. But when they find out there are officers

working undercover, with covert identities, Facebook will shut those officers down... because we're not real."

Police officials are not saying that Facebook is assisting in any criminal activity, but they are saying the company is not doing enough to shut down groups where narcotics and weapons are being sold.

"All it would take, is allowing us to work with Facebook just like we work with neighbors and businesses to stop the sale of illegal guns," said Interim Police Superintendent Charlie Beck. "The only difference is where it's being bought."

Facebook company spokeswoman Sarah Pollack released the following statement:

"Illicit drug and firearms sales have no place on our platform. We remove content and accounts that violate our policy and catch over 97% of drug sale content and over 93% of the firearms sales content we remove before it is reported to us."

"We've had productive conversations with Mayor Lightfoot's office about promoting public safety in Chicago and look forward to continuing them. We remain ready to quickly respond to valid legal process from the Chicago Police Department in order to prosecute those who break the law and refer any matters involving credible threats to prevent harm."

CPD's Looting Task Force Leads to 74 Arrests, Hundreds of Tips Since Launch

[Matt Masterson](#) | September 29, 2020 4:26 pm

Police Superintendent David Brown said he has consistently asked for longer sentences for the “looters, thieves and vandals” who have been arrested after breaking into businesses across Chicago in recent months.

The superintendent on Tuesday gave an update on the department's Looting Task Force, a unit launched in August made of Chicago police detectives who specifically work to identify and arrest those suspected of being involved in recent looting incidents and burglaries.

Since the task force was created, Brown said police have received 406 tips and made 74 felony arrests. While he said it's not the role of the Chicago Police Department to “tip the scales one way,” Brown said he has sought more jail time for suspects arrested in these cases.

“But that's the extent of where we want to go in the scale-tipping because there's independence along the way,” he said. “We're not judge and jury, we're arresting officers. The state's attorney is charging, the courts decide sentencing.”

The police department has published a [47-minute compilation of surveillance footage](#) from 80 different break-ins that allegedly occurred on Aug. 10. That unrest was [precipitated by a police shooting in Englewood](#) a day earlier in which an officer wounded a 20-year-old man. That man, Latrell Allen, has since been charged with the attempted murder of two CPD officers.

The CPD has been [posting photos and videos of suspected looters](#) on its official website and [YouTube page](#) for weeks. Officials on Tuesday said that 67 of those videos posted online have led to 74 felony arrests for looting and other crimes.

Police have also seized 26 vehicles allegedly involved in the Aug. 10 looting as well as five firearms.

“Each window and door that was broken out that night left our city wounded,” Brown said. “Our collective sense of safety was shattered by the actions of the looters, thieves and vandals that you see on this video.”

While it appeared businesses along the Magnificent Mile were the main targets of looters that night, small businesses and grocery stores on the South Side were also burglarized.

Nedra Sims Fears, executive director of the Greater Chatham Initiative — a business revitalization organization serving the Chatham, Avalon Park, Auburn-Gresham and Greater Grand Crossing neighborhoods — said these areas have also been “hit hard” by the looting.

She said 17 of the 55 small, medium and large grocers in these neighborhoods have left. And two-thirds of those closures were “directly due to looting.”

“When those grocery stores were looted along 79th Street, along Cottage Grove Avenue and along Ashland Avenue, we created food deserts,” Fears said. “So I just really want to share that the looting has (a) negative impact.”

Tips can be submitted by calling 312-744-8263 or emailing 630lootingtaskforce@chicagopolice.org. Anonymous tips can also be submitted at CPDtip.com.

Contact Matt Masterson: [@ByMattMasterson](https://twitter.com/ByMattMasterson) | mmasterson@wttw.com | (773) 509-5431

Exhibit 6



OFFICE OF THE MAYOR
CITY OF CHICAGO

LORI E. LIGHTFOOT
MAYOR

July 20, 2020

President Donald Trump
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President,

I am responding again to your letter from June 26th, 2020, and recent statements from you and members of your Administration regarding offers of federal assistance to the City of Chicago. Despite the misplaced and incendiary rhetoric from you and your staff which is divisive and unhelpful, I will take you at your word that you want to assist the City in its effort to reduce violence so I will be specific about what we need from the federal government to make us safer.

Let me state clearly and proudly that it is my honor and privilege to serve the people of Chicago. Each life lost in our city breaks my heart and is felt personally both as a tragedy by the family who has lost a brother, sister, mother, father, or child and by every resident.

What we have here in Chicago—and what dozens of American cities alike are facing—requires leadership at all levels of government. It requires genuine efforts to unite us and collaborate, not more conflict and division. It requires focus and resources in two major areas of public health: on guns and COVID-19, both of which disproportionately impact our Black and brown residents. I have led a city response to keep Chicagoans safe, and we have curbed the impact of COVID-19, but our residents and our national economy are cracking. To address these challenges, I have identified the following areas in which the federal government has the unique ability to step up:

Common-sense gun safety reform. We need you, as President, to take a leadership role in enacting meaningful and common-sense gun control legislation, which you have so far refused to do. One of our primary problems with addressing gun violence in Chicago is there are too many illegal guns that flood our streets year after year, seemingly without end. Most of the guns are not originating in Chicago: sixty percent of illegal firearms recovered in Chicago come from outside of Illinois. They are coming from neighboring states that have very relaxed gun ownership laws, and from federally licensed gun dealers who repeatedly sell guns that end up associated with violent crime within three years or less of sale. This means that Chicago and Illinois cannot make the needed change on its own. Federal support and intervention are needed in the following ways:

1. We need universal background checks and closure on simple loopholes, a ban on assault weapons, and policies that keep guns out of the hands of people who are dangerous to themselves and others as well as promoting gun safety.
2. Additionally, adequate federal enforcement of existing laws is critical, including supporting federal efforts to investigate federally licensed gun dealers, including the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) which has been constrained by the gun lobby. Year after year, the Chicago Police Department takes more guns off the street than NYPD and LAPD combined. In 2017, it was 8,600; in 2018 it was 9,500; in 2019 it was 10,800, and 5,296 already in 2020. Why? In part because there is an illegal gun trafficking market originating in other states and ending up on the streets of Chicago. Interstate gun trafficking requires a federal focus. It can never be adequately addressed by local law enforcement alone and requires sufficient staffing.
3. Additionally, every day, on social media platforms, illegal gun sales are happening among criminals. Our Police Department has extensive experience investigating and prosecuting these sales, but the weight of the federal government could demand a real change in behavior.
4. Finally, it would be helpful if you would authorize the provision of resources for the purchase of National Integrated Ballistic Information Network (NIBIN) machines and staffing for more firearms examiners. These two elements would be important and worthwhile investments.

Public safety support, not games. What we do not need, and what will certainly make our community less safe is secret, federal agents deployed to Chicago. Any other form of militarized assistance within our borders that would not be within our control or within the direct command of the Chicago Police Department would spell disaster. As any law enforcement official will tell you, what is needed more than anything in an operation to protect lives is a clear mission, a detailed operations plan, and a chain of command. Secret, federal agents who do not know Chicago, are unfamiliar with the unique circumstances of our neighborhoods and who would operate outside the established infrastructure of local law enforcement would not be effective, regardless of the number, and worse will foment a massive wave of opposition. Deploying resources like we have seen in Portland, Oregon, does not make residents safer, particularly when gun violence plays a significant role in Chicago's loss of life. Quite the opposite. The deployment of secret, federal agents in Portland has undermined residents' confidence in all levels of government and fomented more unrest. Such a deployment of secret, federal agents who arrest, and detain residents without any cause and then deprive those residents of due process is clearly unconstitutional. It is a bad idea and I urge you not to do it.

As a former federal prosecutor, I can attest that more federal prosecution or investigatory resources to augment existing federal violent crime suppression efforts, under the leadership and control of the U.S. Attorney, could assist in keeping communities safe. Given the urgency of the gun violence, we need federal violent crime and particularly gun cases investigated and the worthy ones charged in weeks and months, not years.

Community-based outreach. An important step in mitigating gun violence during COVID-19 as gun sales continue to rise and emergency health services are strained, we ask for your support in providing robust investment in community-based violence interventions. This includes street outreach and trauma support that sustains lifesaving community-based violence intervention

programs, retains violence interrupters, and allows for the development and replication of effective models for lifesaving violence intervention initiatives. Further, any federal funding must not be restricted because of hateful policies towards our residents such as restricting support for Sanctuary Cities that support all residents equally.

Get at the root cause through community investment. By investing in neighborhoods and addressing the root causes of gun violence, we can continue to make meaningful gains in public safety in communities throughout the city. This means focusing on the systemic issues—racial inequities, poverty, community divestment—that drive gun violence in Chicago. The violence our city is confronting is symptomatic of a larger public health and economic crisis, only exacerbated by this COVID-19 pandemic. Despite having previously managed a balanced budget, city finances are strained due to less revenue from COVID-19 safety measures and a weakened economy. One of your first acts in supporting us should be direct aid to state and local governments in the next COVID-19 relief package under consideration now in Congress. Your June 26th letter notes that Chicago received funding through the Coronavirus Relief Fund but does not mention the restrictions of having to go toward COVID-19 expenses only. What cities, towns and villages need now is flexible funds to cover shortfalls due to the COVID-19 restrictions and struggling economy, and fund essential city operations such as public safety and mental health. You have previously expressed your support for this funding to communities across the country, and I ask that you keep your original word. Additionally, as a part of the support for our neighborhoods that are suffering under the stress of COVID-related challenges, we request your assistance to our residents who are most at risk for violence involvement:

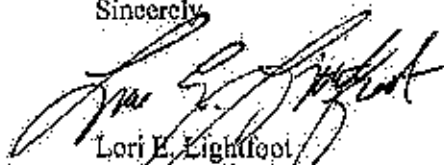
- Extend expanded Unemployment Insurance benefits to help millions get by during this economic downturn.
- Enable affordable housing, and rental assistance to provide stability for those at risk for homelessness. Your administration's budget regularly proposes elimination of the HOME Investment Partnerships (HOME) and Community Development Block Grant (CDBG), and public housing capital fund. We are grateful that Congress acts on a bipartisan basis to restore those cuts, which assist in stabilizing our neighborhoods, which is needed now more than ever.
- End regulatory rollbacks that impact the health, safety, and well-being of Chicagoans.
- Create more opportunities for returning residents. I applaud the First Step Act, but we must do more to build our communities.
- Stitch our broken social safety net, which—as a start—means to stop attempts to claw back the Affordable Care Act.
- Stop doing more injury and harm to our immigrant and refugee communities. Every individual and every child adds value, their lives matter and instead of treating them with humanity and compassion,

In the end, we very much want to *partner* with an executive branch that respects our city, inclusive of *all* our residents, regardless of race, ethnicity, country of origin, religion, sexual orientation or ability. Partnership includes respect that you have not shown our residents as of late in mocking the level of violence that challenges Chicagoans. Please stop with the rhetoric and find the moral courage to simply support the needed actions listed above: enact common sense gun laws, partner with our law enforcement actors through providing investigative resources, deliver on community-

based resources for public safety, and invest in our neighborhoods and residents. These acts will deliver on your promise to make Chicagoans safer—not derision, mandates, or militarized forces. I would be more than happy to have my team sit down with yours to go through the actionable policy and legislative items that you can support to help make these actions a reality.

Because of the depth of these challenges, we must recognize that this will not be solved overnight, but I fight every day to ensure that it is improved. We'll continue working with Chicagoans from every neighborhood and background — from block clubs and faith groups to businesses and school communities — who have joined us hand-in-hand in our multifaceted, comprehensive approach to reducing the violence in our city.

Sincerely,



Lori E. Lightfoot
Mayor, City of Chicago