

Ms. Nancy Warren

ID: SPIR-2016-IL-0008

Office Coordinator/Freedom of Information Officer

City of Aurora Law Department

44 E. Downer Place

Aurora, IL, 60507

[nwarren@aurora-il.org](mailto:nwarren@aurora-il.org)

Sent via: Electronic mail

September 19<sup>th</sup>, 2016

Re: FOIA Request

Ms. Warren,

Pursuant to the state open records law 5 Ill. Comp. Stat. 140/1 to 140/11.5, I write to request access to and a copy of the following:

1. Records regarding the City of Aurora and the Aurora Police Department's acquisition of stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras, including invoices, purchase orders, contracts, loan agreements, solicitation letters, and correspondence with companies providing the devices, and similar documents. In response to this request, please include records of all contracts, agreements, and communications;
2. Records regarding any arrangement or agreement between the City of Aurora, the Aurora Police Department and other state law enforcement agencies, other state governmental bodies and federal law enforcement agencies that is in regards and pertaining to the sharing the use of stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras, or any offers by the City of Aurora and the Aurora Police Department to share the use of stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras with other law enforcement agencies and other governmental bodies;
3. All requests by the Harris Corporation or any other corporation, or any state or federal agencies, to the City of Aurora and the Aurora Police Department to keep confidential any aspect of the City of Aurora and the Aurora Police Department's possession and use of stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras, including any non-disclosure agreements

between the City of Aurora, the Aurora Police Department, the Harris Corporation or any other corporation, or any state or federal agencies, regarding the City of Springfield and the Springfield Police Department's possession and use of stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras;

4. Policies and guidelines of the governing use of stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras, including restrictions on when, where, how, and against whom they may be used, limitations on retention and use of collected data, guidance on when a warrant or other legal process must be obtained, and rules governing when the existence and use of stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras may be revealed to the public, criminal defendants, or judges;
5. Any communications or agreements between the City of Aurora, the Aurora Police Department and wireless service providers (including AT&T, T-Mobile, Verizon, Sprint Nextel, and U.S. Cellular) concerning use of stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras;
6. Any communications, licenses, or agreements between the City of Aurora, the Aurora Police Department and the Federal Communications Commission, federal and state law enforcement agencies regarding and pertaining to the use of stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras;
7. Any communications, notifications, and or agreements between federal agencies to the City of Aurora and the Aurora Police Department, that is concerning the federal agencies' use of stingrays, cell site stimulators, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras in the City of Aurora.
8. Records reflecting the number of investigations in which stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras were used by the City of Aurora and the Aurora Police Department or in which stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras owned by the City of Aurora and the Aurora Police Department that were used, and the number of those investigations that have resulted in prosecutions;

9. Records reflecting a list of all cases, with docket numbers if available, in which stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras were used as part of the underlying investigation by the City of Aurora and the Aurora Police Department or in which stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras owned by the City of Aurora and the Aurora Police Department were used as part of the underlying investigation;
10. All applications submitted to state or federal courts for search warrants or orders authorizing use of stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras by the City Aurora and the Aurora Police Department in criminal investigations or authorizing the use of stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras owned by the City of Aurora and the Aurora Police Department in criminal investigations, as well as any warrants or orders, denials of warrants or orders, and returns of warrants associated with those applications. If any responsive records are sealed, please provide documents sufficient to identify the court, date, and docket number for each sealed document;
11. All City of Aurora and Aurora Police Department policies, guidelines, rules, practices, or legal analysis regarding the use of stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, closed circuit television cameras which concern: restrictions on when, where, how, and against whom they may be used;
  1. what intonation can be acquired using this technology;
  2. the possibility of disruption of lawful phone calls;
  3. protections for non-targets;
  4. protections for non-targets;
  5. protections for privacy invasions;
  6. when a warrant or other legal process must be obtained;
  7. deployment of this technology in investigations conducted with other agencies or at the request of other agencies;
  8. disclosure of information acquired using this technology to other state and to federal agencies; and
  9. when the existence and use of stingrays, X-ray vans, and surveillance enabled light bulbs, social media monitoring software, predictive policing software, and closed circuit television cameras may be revealed to the public, criminal defendants, or judges

I would like to request a waiver of all fees that are associated with this request. The law allows you to impose a waiver or reduction of fees when information is sought in the public interest, as is the case for this request. Mr. Smith requests a waiver of document search, review, and duplication fees on the grounds that disclosure of the requested records is in the public interest and because the disclosure is likely to contribute and should significantly to the public understand of the operations of the activities of

the government. The information that I am requesting is in the interest of the public and the information that I am seeking has educational contributable value.

As provided by the open records law, I will expect your response within five (5) working days. See 5 Ill. Comp. Stat. 140/3(c).

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

I would note that willful violation of the open records law can result in the award of reasonable attorney' fees. See 5 Ill. Comp. Stat. 140/11(i).

I would prefer to receive all of the requested information to me by email. My email address is at: [iscampaign@usa.com](mailto:iscampaign@usa.com). You can also send me my requested records by mail at the following mailing address:

Isaiah X. Smith

Isaiah Smith Campaign

P.O Box 163411

Fort Worth, Texas, 76161

  
Respectfully,

Isaiah X. Smith

Isaiah Smith Campaign

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