



**Lori E. Lightfoot**  
Mayor

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

**Eddie T. Johnson**  
Superintendent of Police

August 8, 2019

**VIA ELECTRONIC MAIL**

Amy P. Campanelli  
Public Defender of Cook County  
69 W. Washington Street, 16<sup>th</sup> Floor  
Chicago, IL 60602  
c/o [Era.laudermilk@cookcountyil.gov](mailto:Era.laudermilk@cookcountyil.gov)

***Re: CPD's Response to the Cook County Public Defender's Press Release Regarding CPD's Gun Offender Dashboard***

Madam Public Defender,

In response to your August 7 press release - in lieu of a phone call or email communication directly to me or my office - I should begin with the fact that, at the very least, we do agree on the basic sentiment of your opening statement. Albeit for very different reasons, you and I are both deeply troubled by the information contained in CPD's Gun Offender Dashboard, which was unveiled online for public access and review this week. We also agree that every individual arrested and charged with a crime in Chicago and throughout the nation enjoys the presumption of innocence and the right to a fair trial, which as you may have overlooked, is included in the introductory paragraph of the Gun Offender Dashboard homepage. Aside from that, and as I'll explain in further detail, we do not agree on much else.

When I review the Gun Offender Dashboard, I am deeply troubled because after 31 years of service as a Chicago Police Officer, I know personally and professionally the fear, suffering, and pain that gun offenders who carry firearms with impunity can bring to communities across Chicago. I know how the availability of illegally possessed firearms can quickly turn an otherwise everyday conflict into a deadly shooting. On a daily basis, I see how the firearms freely trafficked and transferred throughout Chicago contribute to the cyclical and unacceptable levels of gun violence experienced in the City's neighborhoods. I know or have come into contact with too many people - too many crime victims, too many families, too many hardworking Chicago residents - who are sick and tired of being afraid for the safety of their children when they go out to play, or to go for a walk to the store on a hot summer night, because they never know if they might come across the next gang beef, stray bullet, or robbery crew. And above all, I share their frustration when the same individuals who carry guns illegally and perpetuate that fear are caught by CPD officers and almost instantly released back into their communities. CPD's Gun Offender Dashboard helps to provide a voice for the victims of gun violence - who too often are overshadowed by those who seem to advocate for the perpetrators of gun violence.

I am deeply troubled by individuals in the Gun Offender Dashboard like Nicholas Dominick, who was arrested in May of this year for unlawful possession of a firearm by a convicted felon. Despite

Mr. Dominick's extensive criminal history, which includes multiple arrests, two prior firearm convictions, and a prior conviction for aggravated battery to a police officer, he was released the day after his arrest on bond. I am troubled by individuals like Deandre Butler, who was released on bond last year for a felony gun charge. While on bond, Mr. Butler committed attempt murder and aggravated battery with a firearm.

Since I became Superintendent, there has been no greater priority for CPD than to do our part in reducing this senseless gun violence, and in doing so, restoring the community's trust with the police and overall sense of safety. Our recent efforts have yielded progress as violence continues to trend downward year over year, but undoubtedly our work will continue to this end. In doing so, we have focused on data-driven crime strategies, allocating resources to the drivers of violence, and with new initiatives like the Gun Offender Dashboard, we have begun to create a more transparent Department. The use of both internal data and relevant information provided by our partners has helped to inform our policies and resource allocations, and create a better understanding of how certain strategies and systems work in practice. This Dashboard serves as just one of multiple transparency tools that we hope to unveil in the coming weeks, adding a necessary degree of openness for the public to examine an integral part of the gun violence discussion. In the very near future, CPD will open a dashboard containing use of force data for similar public access and pertinent discussion.

Turning to the substance of your press release, your first grievance seems to be a matter of semantics. The Dashboard refers to "gun offenders" in the clearest, most literal sense. Simply, a person who possesses or uses a gun in violation of the law is by any rational and legal definition a gun offender. Specifically within the Gun Offender Dashboard, which is limited to state felony charges, any felony violation of state law involving the possession or use of a firearm over the indicated time period is a felony gun offender. This information is encompassed in the dataset, and includes individuals who possess firearms with a previous felony or domestic battery conviction, who are subject to an order of protection, or who fail to obtain a state required background check and licensure to lawfully possess a gun. It further includes those individuals who violently shoot, rob, carjack, or murder with a firearm, so long as an associated felony weapons charge is within the top three charges. Again, there could not be a more clear application of the phrase "gun offender" to a felony gun charge dataset.

And to the contrary, the unfortunate reality for Chicago residents is that there seems to be a general lack of recognition within the criminal justice system when assessing a charged offender's risk to the community as to how closely interconnected illegal firearm possession and the use of guns in shootings and retaliations, gang intimidation and control, and domestic violence are. The recidivism rates of felony gun offenders in 2018 demonstrate how unfortunate this reality is for public safety in Chicago. To provide some data for context, of those arrested in 2018 for a felony weapons arrest (4,311 gun offenders), *as of July of 2019*:

- 5.5% have been released and rearrested for another felony weapons offense;
- 11.4% have been released and rearrested with another violence or weapons offense;
- 34.5% have been released and rearrested for any offense; and
- 72 of these individuals have been shot following their release

Second, while I appreciate the clarification between the practical impact of a C and D bond, the

bond data on the dashboard is accurate, insofar as it reflects the listed categories as they are reflected and maintained within the Cook County mainframe data system. In order to remain completely transparent and avoid manipulating those data categories as they are maintained in the Cook County mainframe, CPD cannot differentiate between C or D bonds because the Cook County mainframe literally lists the identifier as, "DEFENDANT REL ON C OR D BOND."

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CASE (START OF FELONY CASE) PAGE: 003 OF 006
DEFENDANT NAME: LST APPEAL:
009 F 2 720-5/24-1.6(A)(2) AGE USW/PERSON/PREV CDEVI
010 F 4 625-5/11-301(A) AGE DUI/NO VALID DL

DISPOSITION INFORMATION

052119 - 0411 - A00000001
IND/INFO-CLK OFFICE-PRES JUDGE 053119 1701
CLERK'S OFFICE 26TH & CALIFORNIA 0900 AM

053119 - 0415 -
CASE ASSIGNED 060719 5701
MARTIN LEROY K JR
ROOM 101 26TH & CALIFORNIA 1000 AM

052219 - 0895 - A00000001
DEF RELEASED ON C OR D BOND
2ND DIST CIRCUIT COURT RM 136

ENTER=ENT F2=PRT CVR SHT F3=RTN F7=BKW F8=FRW F9=APL F10=RST F12=PRT CLR=EXIT
=> PRINT PAGES PAGE: 001 THRU 008 DESTINATION
01/007

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Third, as to this new category of B Bonds, they do in fact exist, again, insofar as they are reflected within the Cook County mainframe system. I believe this was part of an effort you publicly supported to expedite the release of offenders who are in pretrial custody for what are statutorily referred to as "Category B" offenses, and created within the Cook County data system in reference to the "Category B Offense Bail Credit Order." See CCCR N514 (06/05/18). These Category B offenses include certain felony gun charges, such as Class 4 felony Aggravated Unlawful Use of a Weapon. See 725 ILCS 5/102-7.2. In the Cook County mainframe, where a D bond is issued and the offender remains in custody until enough credits are received to cover bond, the release disposition is categorized as "DEF RELEASED/CATEGORY B BOND." In its Gun Offender Dashboard, CPD appropriately and accurately designated these individuals released during pretrial as "B Bonds."

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CASE (START OF CASE ) PAGE: 003 OF 004
DEFENDANT NAME: LST APPEAL:
050619 - 0610 - I10000002
SPECIAL COND OF BAIL ORDERED
LYKE JR., JOHN F.
BRANCH 1 RM 100

050619 - 5212 P00000003
DEF RELEASED CATEGORY B BOND
MUNICIPAL DISTRICT 1

053019 - 0913 - I10000004
DEF DEMAND FOR TRIAL
GONSALES, PETER M.
BRANCH 39 RM 1

053019 - 0405 - I10000004
SUPERSEDED BY DIRECT INDJMENT C001
19CR7357
GONSALES, PETER M. 00000000

ENTER=ENT F2=PRT CVR SHT F3=RTN F7=BKW F8=FRW F9=APL F10=RST F12=PRT CLR=EXIT
=> PRINT PAGES PAGE: 001 THRU 004 DESTINATION
01/007

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Fourth, the state and federal court system have long recognized that the First Amendment to the U.S. Constitution embodies a right of public access to court records and criminal proceedings. This legal rationale mirrors our thought process when creating the Gun Offender Dashboard, in that opening the criminal court process to neutral observers establishes an important means of assuring the overall fairness of criminal proceedings. Similarly, the Illinois Freedom of Information Act requires the expeditious public release of basic arrest and charging information, specifically the arrestee's name, arresting agency, charge, incarceration status, bond amount, and time of release from custody. 5 ILCS 140/2.15(a). Court precedent and state law recognize that these are the types of basic criminal record information traditionally and historically provided to the press and public for purposes of inspection, fairness, and honest government. In other words, listing these general factors on CPD's Gun Offender Dashboard is not only good and transparent practice, it is required by law and protected by the First Amendment. Perhaps your ire would be more appropriately directed at the state's public records laws and the United States Constitution.

Fifth, setting aside the offender risk assessment tool at bond court - which does not consider the entirety of the defendant's criminal history and is largely based upon self-reporting from the offender in custody - you generally refer to the "safeguards" in place to protect the community when an offender is released during pretrial custody. It is troubling to say the least that you would consider the electronic monitoring system as such a safeguard. In response to your misguided assertion, I can only quote CPD's partner in law enforcement, Sheriff Tom Dart, who oversees this system and penned a letter to the Cook County Board last year expressing his severe public safety concern:

*"Out of concern for the public safety that I am sworn to safeguard, I have determined that I am neither satisfied nor convinced that the E.M. program, in its current form, offers adequate protections given this recent dramatic increase in violent offenders."*

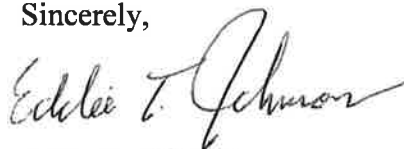
*Letter from Sheriff Dart to Cook County Board President, February 2018*

As I have said publicly before, I strongly believe that nonviolent, low-risk offenders should not wait in jail unnecessarily during pretrial due to an inability to post bond. CPD continues to implement diversion programs that further keep these individuals from being arrested and going to court in the first place, and has initiated programs throughout the Department to keep nonviolent persons suffering from addiction or mental illness out of the custody of the police and the courts. However, I unequivocally reject the assertion that gun offenders are "non-violent." Pretrial jail custody should be reserved for those who pose a risk of violence to the community. It is CPD's contention that the current bond system is not adequately assessing the risk that felony gun offenders pose to the residents of Chicago.

Finally, as expressed throughout this response, the CPD Gun Offender Dashboard is one of CPD's many early efforts to create better data transparency and honest discussions about issues that are important to many Chicagoans. In reference to your final data point, I will let the openness of our dataset speak for itself, and continue to evaluate the court outcomes as they progress. In the meantime, CPD will continue to focus our efforts on the drivers of gun violence, and use the Dashboard and other data sources at hand to inform our crime reduction strategies.

In the future, please feel free to contact me directly to discuss any issue. My door is always open to you and your staff.

Sincerely,

A handwritten signature in black ink that reads "Eddie T. Johnson". The signature is written in a cursive style with a large, prominent initial "E".

Eddie T. Johnson  
Superintendent of Police  
Chicago Police Department