



December 10, 2020

**VIA EMAIL AND FIRST-CLASS MAIL**

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Mayor

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Civilian Office of Police Accountability  
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Chicago, Illinois 60622

Lynn McCarthy  
Supervisor, Law Enforcement  
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Cook Cty. State's Attorney's Office  
2650 S. California Avenue, 11D40  
Chicago, Illinois 60608

**RE: COPA Log #2020-4697**

Dear Chief Administrator Roberts and ASA McCarthy:

This letter is in response to the Cook County State's Attorney's Office's ("CCSAO") Supervisor Lynn McCarthy's request for extension, received on December 10, 2020. As stated in ASA McCarthy's letter, the extension is being sought in order to review the materials under Log #2020-4697 and determine whether criminal charges will be brought, and if so, if any party to that action will seek a protective order.

The CCSAO expressed that, due in part to COVID-19 limitations and scheduling, critical investigative steps that have not yet been completed. The victim and/or his attorney has not yet been able to view the materials but have expressed a concern about the victim's privacy infractions if the materials are released. The CCSAO also expressed concerns that if criminal charges are filed, release of the materials at this time could create a substantial likelihood that the defendant will be deprived of a fair trial or an impartial hearing pursuant to 5 ILCS 140/7(d)(iii). The involved officer's attorney has indicated that he plans to object to a release of the materials during the pendency of a criminal case, but does not currently have a forum in which to do so. If charges are filed, the defendant would have an opportunity to request a court order suspending the release of materials during the pendency of the criminal case.

Accordingly, this will confirm that this request is granted pursuant to Section IV (B) of the Transparency Policy, and that the materials under Log #2020-4697 will be released on or before January 8, 2021, unless a protective order in the related criminal case is received before that date.

Very truly yours,

Mark A. Flessner  
Corporation Counsel