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AGENDA

• OVERVIEW OF RIDE SHARING
• PROCESS OF INVESTIGATION & PROSECUTION
  • TYPES OF EVIDENCE AVAILABLE
  • HOW TO OBTAIN EVIDENCE
  • CASE DIFFICULTIES AND HOW TO OVERCOME THEM
• CASE STUDY
  • PEOPLE OF THE STATE OF ILLINOIS v. ADNAN NAFAHAT

DON'T GET IN THE CAR WITH A STRANGER!
DON'T MEET PEOPLE FROM THE INTERNET ALONE!
ORDER YOURSELF A STRANGER FROM THE INTERNET TO GET INTO THE CAR WITH ALONE...

UBER
LYFT
Curb
Via
Getaround
ALLEGED VIOLENT CRIME INVOLVING UBER AND LYFT

- Deaths: 52
- Assaults: 102
- Sexual Assaults & Harassment: 395
- Kidnapping: 22

VICTIMS OFTEN ARE...
- ALONE
- VULNERABLE
- TRAVELING LATE AT NIGHT
- YOUNG
- UNDER THE INFLUENCE

MAKE IT 2
*Calls Uber* Baby: IM DRUNK!!!! UBER :OKAY
THE OBSTACLES

CRIME OFTEN NOT REPORTED IMMEDIATELY

VICTIM HAS LIMITED OR NO MEMORY OF CRIME

NO WITNESSES

THE DEFENDANT CONTROLS THE CRIME SCENE

I HAVE A VICTIM WHO REPORTED A CRIME DURING A RIDE SHARE.

NOW WHAT???

START WITH THE RIDE SHARE COMPANY!

WHAT IS AVAILABLE TO ME FROM THE RIDE SHARE COMPANY?

- Driver Information
- Rider Information
- Vehicle Information
- Route Information
- Ride Share Company Policy
- Receipts
- Trip Summaries
- Credit Card Information
- Customer Comments
HOW DO I KNOW WHERE TO GET THE INFORMATION?
THE TWO MAJOR PLAYERS

WHAT IS IT?
WHAT IS AVAILABLE?
HOW DO I GET IT?

- What is Lyft and what records do we have?
- What type of legal process does Lyft require before producing user information?
- What form of requests does Lyft require? How are requests processed?
- How does Lyft handle emergency requests?
- Does Lyft notify individuals of a law enforcement request for information relating to them?
- Additional questions
What is Lyft and what records do we have?

Lyft is a technology company that operates an application, website, and technology platform which provides a marketplace where persons who seek transportation to certain destinations ('riders') can be matched with persons driving to or through those destinations ('drivers') (collectively, 'Users'). Lyft does not provide transportation services, and Lyft is not a transportation carrier. Riders can use the Lyft application to request transportation from drivers via their smartphone. At the end of the ride, both the rider and driver receive a copy of the fare receipt.

We store and maintain information as described in our Privacy Policy and Terms of Service. Notwithstanding anything in our Privacy Policy that may otherwise allow disclosure, this Law Enforcement Request policy shall govern how we will respond to law enforcement requests for User information.

What type of legal process does Lyft require before producing user information?

What form of request does Lyft require? How are requests processed?

How does Lyft handle emergency requests?

Does Lyft notify individuals of a law enforcement request for information relating to them?

Additional questions
What type of legal process does Lyft require before producing user information?

We require valid and sufficient legal process before we can disclose business records regarding Users or trips in response to law enforcement requests. We won’t be able to provide any information without a valid subpoena, court order, or search warrant. We will require a warrant for requests for content of communications between Users or for prospective location data.

We may produce information in the absence of a subpoena or warrant where an emergency situation exists involving an immediate threat of death or serious bodily harm to a person, as discussed in the emergency request section below. In these events, we require that valid and sufficient legal process be produced within three days of production of the information.

We accept law enforcement requests via email to LER@lyft.com. Our acceptance of legal process does not waive any legal objections Lyft may have and may raise in response to the request.

We require valid and sufficient legal process before we can disclose business records regarding Users or trips in response to law enforcement requests. We won’t be able to provide any information without a valid subpoena, court order, or search warrant. We will require a warrant for requests for content of communications between Users or for prospective location data.

We may produce information in the absence of a subpoena or warrant where an emergency situation exists involving an immediate threat of death or serious bodily harm to a person, as discussed in the emergency request section below. In these events, we require that valid and sufficient legal process be produced within three days of production of the information.

We accept law enforcement requests via email to LER@lyft.com. Our acceptance of legal process does not waive any legal objections Lyft may have and may raise in response to the request.

What is Lyft and what records do we have?

What type of legal process does Lyft require before producing user information?

What form of requests does Lyft require? How are requests processed?

How does Lyft handle emergency requests?

Does Lyft notify individuals of a law enforcement request for information relating to them?

Additional questions
What form of requests does Lyft require? How are requests processed?
Lyft is unable to process overly broad, vague, or unduly burdensome requests. Please ensure that your request is narrowly tailored to a legitimate law enforcement need. We will only consider law enforcement requests that satisfy the applicable process above and adhere to the following guidelines:

- Typed;
- Duly signed and stamped by the appropriate law enforcement officer who is empowered by local law to implement the law enforcement unit that is making the request;
- In compliance with local and United States law;
- Addressed to Lyft, Inc. directly.

Requests must contain the following detailed information:
- All known email addresses, names, and aliases of data subject or all known physical addresses and telephone numbers of the data subject;
- Your name, department, title, street address, telephone number and official government domain email address;
- Clearly identify the investigation or specific event that took place that is the underlying basis for the request;
- Specify date/time/location(s);
- Exactly what information you're requesting, why you're requesting it, and how it pertains to your investigation;
- The applicable act or law under which the law enforcement agency is requesting the data.

We disclose data to law enforcement when we determine that we are required to do so by law. In those instances, we will search for and disclose data that we are reasonably able to locate and retrieve. Lyft will challenge any National Security Letter it receives, and will require the government to obtain an order from a court requiring its compliance.

What is Lyft and what records do we have?
What type of legal process does Lyft require before producing user information?
What form of requests does Lyft require? How are requests processed?
How does Lyft handle emergency requests?
Does Lyft notify individuals of a law enforcement request for information relating to them?
Additional questions

How does Lyft handle emergency requests?
We have a process for evaluating requests on an emergency basis where an emergency situation exists involving an immediate threat of death or serious bodily harm to a person. Requestors must email LER@lyft.com with the subject line 'Emergency Disclosure Request' and describe in detail the nature of the emergency. We review these requests on a case-by-case basis. Please note that we will only review and respond to emergency requests from law enforcement, and will not respond to emergency requests sent to this address by non-law enforcement officials. Non-law enforcement officials aware of an emergency situation should immediately and directly contact local law enforcement officials.
What is Lyft and what records do we have?

What type of legal process does Lyft require before producing user information?

What form of requests does Lyft require? How are requests processed?

How does Lyft handle emergency requests?

Does Lyft notify individuals of a law enforcement request for information relating to them?

Additional questions

Does Lyft notify individuals of a law enforcement request for information relating to them?

It is our policy to provide notice to Users before producing their information in response to a criminal investigation by law enforcement unless (i) we are prohibited by law from doing so, (ii) we have reason to believe the subject’s Lyft account has been compromised such that the notice would go to the wrong person, or notice would otherwise be counterproductive or would create a risk to safety, or (iii) it is an emergency request and prior notice would be impractical (in which case we may provide notice after the fact). Law enforcement officials who do not want their request disclosed should provide an appropriate court order or process establishing that notice is prohibited, or provide sufficient detail for Lyft to determine whether a request falls into one of the exceptions above. Regulatory or other non-criminal requests for information are not within the scope of this policy. In the event that information is provided subject to a gag order or disclosed pursuant to an emergency request, Lyft will provide notice to its users of those government demands if Lyft is thereafter notified that the gag order or the emergency has expired.
Additional questions?
Law enforcement officials with questions about these guidelines should email LER@lyft.com. Please note that we will not respond to non-law enforcement inquiries received at this email address.
WHAT IS IT?
WHAT IS AVAILABLE?
HOW DO I GET IT?

UBER LAW ENFORCEMENT LIASION LEAD
BILLY KEWELL
NOW THAT I HAVE MY RIDE SHARE DOCUMENTS, WHAT DO I DO NEXT?

START PUTTING TOGETHER YOUR PUZZLE!

FOLLOW THE TRAIL...

- CANVASS PICK UP AND DROP OFF AREAS FOR WITNESSES
- INTERVIEW ANY PEOPLE THE VICTIM WAS WITH BEFORE AND AFTER THE CRIME
- SEARCH FOR SURVILLANCE VIDEO ALONG THE ROUTE

FIND THE RECORDS...

- PHONE RECORDS AND CELL SITE INFORMATION
- MOTOR VEHICLE RECORDS
Adnan Nafasat, former Uber driver, charged in attempted sex assault in Lakeview.

ABC7 Chicago | January 15, 2015

People of the State of Illinois v. Adnan Nafasat
THE FACTS

- July 31, 2014 at 1:00 AM

- The victim
  - 21 year old, 110 pound, 5’8”, male used his Uber app to get a ride home after a night of dinner and drinks with a friend.

- The defendant
  - A 47 year old, 240 pound, 5’10”, married father of two with no criminal history
  - UBER Driver

THE FACTS

- The defendant was driving a red dodge caravan

- The defendant told the victim to get in the front passenger seat claiming the back seat was broken

- The victim got in the car and the defendant begins the drive from the Lakeview neighborhood of Chicago to the West loop where he lived.

THE FACTS

- The defendant was driving fast and erratically on a busy, highway like route.

- The defendant began threatening the victim, grabbing him by the throat and groping his penis over his clothing

- The defendant pulled his own pants down to his ankles and tried to force the victim’s head to his penis
**THE FACTS**

- Approximately 2 miles from the victim’s home the defendant turned off the Uber app and drove to an isolated area.
- The defendant tried to pull the victim into the backseat of the car and strangled him to near unconsciousness.
- The victim was able to beg the defendant to stop and drive him home.
- The victim immediately outcried to the doorman of his building and called the police the next morning.

**THE INVESTIGATION**

**FIRST STEP: THE CELL PHONE OF THE VICTIM**
NEXT STOP: UBER RECORDS
THE ARREST – DECEMBER 22, 2014

THE DEFENDANT’S STATEMENT
DECEMBER 24, 2014 AT 2:15 AM

The defendant said that he picked up the from Cornelia and that the victim sat in the front seat and the defendant questioned the victim about his night. The defendant stated that he felt attracted to the victim and that he has never done anything with a man before. The defendant stated that he asked the victim if he could touch him and the victim said it was ok and that he liked to be touched by guys. The defendant said that he touched the victim’s shoulder and he was turned on by the victim singing and dancing in the car. The defendant stated that he touched the victim’s penis over his pants and that when they were at stop lights that they would kiss each other on the mouth. The defendant stated that he never put his fingers in the victim’s mouth. The defendant said that he pulled down his pants and had an erect penis but that the victim told him that he had a boyfriend who was waiting for him. The defendant stated that he never tried to force the victim’s head towards his penis. The defendant stated that everything he and the victim did was consensual. The defendant stated that he was embarrassed because he has a family and that Uber terminated his account the next day.
THE POLYGRAPH

THE DEFENDANT’S SECOND STATEMENT
JANUARY 13, 2015 AT 8:40 PM

The defendant stated that he came to the police station to talk about what happened in July. The defendant stated that he remembers the cab fare passenger was named _______. The defendant identified a photo of the victim. The defendant stated that the victim was drunk when he picked him up as a passenger. The defendant stated that the victim told him that he had just done sex acts with several men. The defendant stated that they touched each other on the arm and he kissed the victim on the lips. The defendant stated that nothing sexual happened between him and the victim. The defendant stated that he never took off his pants and showed the victim his penis. The defendant stated that he does remember unzipping his pants but he did not pull out his penis. The defendant stated that his pants was not hard because he has medical problems that make it difficult to have an erection. The defendant stated that he and his wife have sexual problems. The defendant stated that the things he told the detective last time he was at the police station in December were lies, that they were not true. The defendant stated that since he left, he has had time to really think about what happened in his car and reflect upon it and what he is saying today is the truth. The defendant stated that nothing sexual happened between him and the victim. The defendant stated that he was sorry he kissed the victim and he was sorry for unzipping his pants even though nothing could happen because of his medical and cholesterol problems. The defendant stated that he has prayed everyday for God to forgive him for kissing the victim and unzipping his pants. The defendant stated that he thinks the victim is making all of this up because he may have been in a fight with his boyfriend.

BOND HEARING
JANUARY 14, 2015

$150,000.00

SPECIAL CONDITION OF BOND
CHARGING PHASE

AGGRAVATED KIDNAPPING
ATTEMPT AGGRAVATED CRIMINAL SEXUAL ASSAULT
AGGRAVATED CRIMINAL SEXUAL ABUSE
AGGRAVATED BATTERY
UNLAWFUL RESTRANT

TIME TO TRACK DOWN THE DISCOVERY
22. The second factor, addressing the degree of factual similarity to the charged offense, is also satisfied. In [Grimy], the Court held that all prior crime scenarios must have "some threshold of similarity to the crime charged." The crimes against [Redacted] and the inappropriate sexual conduct with behavior shown [Redacted] are similar:

1. [Redacted] were all acts.
2. All of these acts were in physical nature.
3. [Redacted] had the hair and such apps.
4. [Redacted] were under the influence of the defendant's vehicle.
5. All of these acts were in [2013].
6. [Redacted] were at [Redacted] by the defendant in [Redacted] Street, within a cross of [Redacted] and [Redacted] Place, approximately 82 miles from the location of [Redacted] Street.
7. These incidents occurred in the late evening or early morning hours.
8. The defendant exhibited appropriate and inappropriate sexual behavior and conduct towards [Redacted] and [Redacted].
9. The defendant's opportunistic and inappropriate sexual behavior and conduct is consistent with a similar type.

23. Finally, the third factor, "other facts and circumstances," militates in favor of statutory punishment evidence. Allowing a jury to hear evidence of all the sexual acts and attempted sexual assaults would violate the principle of protecting the defendant's privacy. This is not the case. The defendant committed crimes over a period of time and on multiple occasions. The other crimes evidence is relevant to the issue of the intent, motive, and opportunity to commit analogous or similar sexual assault and attempted sexual assault.
ADMIT CERTAIN HEARSAY

STATEMENTS ADMITTED?

YES!!!