



## **FACT SHEET: CHICAGO POLICE DEPARTMENT CONSENT DECREE**

The Illinois Attorney General's Office and the City of Chicago (City) have reached agreement on a draft consent decree to reform the Chicago Police Department (CPD). The consent decree calls for substantial and wide-reaching reform of CPD's policies, practices, training, and accountability mechanisms to address discriminatory policing and use of force, improve public safety, and build trust between CPD and Chicago's residents.

As part of the process of drafting the consent decree, the Attorney General's Office engaged community members and police officers for input and recommendations on police reform. The Attorney General's Office held 14 community roundtables in neighborhoods across the city and reviewed feedback from residents received through emails, paper and online feedback forms, and voice messages. The Attorney General's Office also held 13 focus groups with CPD commanders, captains, lieutenants, sergeants, and patrol officers.

Once the consent decree is entered in court, CPD's reform efforts will be measured by an independent monitor, who will be appointed by a federal judge. The independent monitor will evaluate and report on CPD's implementation of the reforms required under the consent decree until the City achieves full and effective compliance.

The full consent decree can be viewed at [www.chicagopoliceconsentdecree.org](http://www.chicagopoliceconsentdecree.org). Members of the public have an opportunity to review the consent decree and provide their input during a 21-day period that will end on August 17, 2018.

### **Key provisions of the consent decree include:**

**USE OF FORCE & FORCE REPORTING** – Requires the use of de-escalation tactics to reduce use of force incidents and ensures accountability when officers use force that is not objectively reasonable, necessary, and proportional.

- **Enhances CPD's de-escalation tactics** – Require officers to issue verbal warnings prior to any use of physical force, and as appropriate, use trauma-informed communication techniques, including acknowledging confusion or mistrust.
- **Requires officers to provide life-saving aid** – Provide all officers with Law Enforcement Medical and Rescue Training, equip all patrol officers with first aid kits, and require officers to provide life-saving aid consistent with their training.
- **Improves oversight and training regarding foot pursuits** – Track and analyze all foot pursuits and, if recommended by the independent monitor, adopt a new foot pursuit policy.
- **Further restricts officers from shooting at moving vehicles** – Prohibit CPD officers from firing at moving vehicles, except as a last resort to preserve human life or prevent great bodily harm in extreme circumstances (such as terrorist attacks).

- **Limits CPD's use of Tasers** – Requires a policy prohibiting the use of Tasers for flight alone and prohibiting the use of Tasers on non-violent, unarmed individuals who are suspected of only minor offenses. Requires CPD strongly discourage the use of Tasers in schools and on students.
- **Requires ongoing publication of use of force data** – On a monthly basis, publish use of force data in a format that allows community members to see how frequently and where officers use force throughout the city.

**COMMUNITY POLICING & IMPARTIAL POLICING** – Ensures strong community partnerships and ensures that CPD provides police services without bias in order to increase public confidence in CPD and enhance public safety.

- **Integrates community policing principles in all CPD operations** – Conduct ongoing review of department-wide and district-level strategies for reducing crime, building community partnerships, and improving quality of life for all Chicagoans.
- **Requires structure and oversight for CPD officers in Chicago schools** – In order to foster safe and positive learning environments, adopt a policy regarding school resource officers that identifies appropriate roles of CPD officers in schools and prohibits CPD officers from administering school discipline.
- **Improves CPD interactions with diverse communities** – Adopt or revise policies relating to providing service to Chicago's diverse communities, including: i) interactions with members of religious communities; ii) interactions with transgender, intersex, and gender non-conforming individuals; iii) developmentally appropriate interactions with children and youth; and iv) ensuring language access for all Chicagoans.
- **Ensures access for individuals with disabilities** – Develop or revise policies and practices related to ensuring access for individuals with physical, mental, or developmental disabilities, and ensure proper collection and use of medical and mental health information.
- **Requires CPD to incorporate community input into key CPD operations** – Provide opportunities for active community participation in a variety of areas, including: i) ongoing review of CPD's use of force policies; ii) development and delivery of training on impartial policing and crisis intervention; iii) development or revision of policies relating to impartial policing and community mediation of misconduct complaints; iv) assessment of CPD's recruitment and hiring efforts; and v) various topics relating to the consent decree, including monitor selection and annual community surveys relating to implementation of the consent decree.

**ACCOUNTABILITY & TRANSPARENCY** – Establishes an effective accountability system that promotes a culture of accountability within CPD and holds CPD officers to the highest standards of integrity.

- **Improves transparency at all stages of misconduct investigations** – Assign each complaint a unique tracking number that is linked with all phases of investigations, arbitrations, Police Board proceedings, and appeals. By 2020, allow members of the public to track the status of complaints online.

- **Improves timeliness and quality of investigations** – Require Civilian Office of Police Accountability (COPA) and CPD’s Bureau of Internal Affairs (BIA) to complete investigations within 180 days, and the districts to complete investigations within 90 days. Require notice to complainants if investigative timelines are not met. Require COPA, BIA, and the districts to conduct staffing needs plans, and provide investigators with initial and annual in-service training.
- **Addresses the code of silence and officer collusion** – Adopt policies and practices to encourage and protect CPD officers who report misconduct. Expressly prohibit retaliation against members of the public who report misconduct. Prohibit officers under investigation from reviewing investigative files and other evidence. Following officer-involved shootings, require that COPA is present for initial viewing and collection of audio and video evidence, and require that CPD monitor and separately transport witness officers and involved officers.
- **Improves independence and transparency of gender-based misconduct investigations** – Adopt a policy expressly prohibiting sexual misconduct by CPD officers. Use best efforts to change COPA’s ordinance so that COPA has administrative jurisdiction over officer-involved sexual misconduct allegations. Provide COPA with automatic notifications of every allegation of officer-involved domestic violence. The Deputy Inspector General for Public Safety will review each administrative investigation of officer-involved sexual assault or misconduct and annually publish a report regarding the quality of the investigations and recommendations for preventing misconduct and improving investigations.
- **Requires CPD and the City to renegotiate CBA provisions** – Use best efforts to renegotiate collective bargaining agreement provisions, including: the affidavit requirement, the bar on anonymous complaints, revealing the identities of complainants prior to administrative interviews, and the destruction of disciplinary records.
- **Establishes transparency into misconduct investigations and CPD-related lawsuits** – For all misconduct investigations (COPA, BIA, and the districts) the City and CPD must timely publish investigative summary reports and information relating to any grievances, Police Board proceedings, and appeals. The City must report annually on lawsuits relating to CPD, including settlements, jury verdicts, and attorney’s fees paid by the City. COPA and CPD are required to publish detailed annual reports.

**RECRUITMENT, HIRING, & PROMOTION** – Ensures that CPD attracts, hires, and promotes qualified candidates at all ranks that reflect a broad cross section of the Chicago community.

- **Improves recruitment and hiring diversity efforts** – Mandates that every three years CPD conduct assessments of recruitment and hiring efforts that specifically consider, among other things, methods for addressing discriminatory and biased hiring practices.
- **Assesses fairness and promotes transparency in supervisor promotions** – For Sergeant and Lieutenant promotions, engage an independent expert to assess CPD’s promotional practices. For Captain and Commander promotions, internally and externally publish eligibility criteria.

**TRAINING & SUPERVISION** – Ensures that recruit, field, in-service, and pre-promotional training is adequate in quality, quantity, type, and scope, and reflects CPD’s commitment to accountability, procedural justice, de-escalation, impartial policing, and community policing.

- **Improves training for probationary officers in the field training program** – Limit the ratio of field training to probationary officers to 1:1 and provide probationary officers with at least 12 weeks of field training. Create processes for probationary officers to submit feedback anonymously regarding the field training program.
- **Requires 40 hours of annual, in-service training** – Provide all officers with 40 hours of comprehensive, mandatory in-service training by 2021.
- **Expands supervisor training** – Provide supervisors with ongoing, in-service training on topics including management and leadership skills.
- **Lowers the number of officers per supervisor, and ensures that officers have one consistent supervisor** – Fully implement and maintain a staffing model that achieves a unity of command and span of control ratio of not more than one sergeant to 10 officers by January 31, 2022.

**OFFICER WELLNESS** – Provides CPD officers with adequate support systems to treat mental health, substance abuse, and other job-related stressors in order to achieve a healthy, effective, and constitutionally compliant department.

- **Improves efforts to destigmatize officer wellness programs** – Develop and implement an officer-wellness-related communications program, and provide all officers with in-service training relating to officer wellness and support services.
- **Addresses high CPD suicide rates** – Develop and implement a comprehensive suicide prevention initiative.
- **Improves access to mental health services** – Increase CPD licensed mental health professional staff from three to at least 10.

**CRISIS INTERVENTION** – Promotes the use of crisis intervention techniques when dealing with individuals in crisis in order to reduce the need to use force, facilitate access to the healthcare system, and decrease unnecessary criminal justice involvement.

- **Enhances training requirements** – Continue providing certified crisis intervention officers with 40 hours of specialized initial training, and, begin providing at least eight hours of ongoing training every three years.
- **Ensures adequacy of resources** – Document and track all calls for service involving individuals in crisis, and adopt a demand-driven model for staffing crisis intervention certified officers.
- **Requires crisis intervention training for all CPD officers** – Every three years, provide crisis intervention training on topics including how to recognize and respond to individuals in crisis and resources available to treat and support individuals in crisis.

**DATA MANAGEMENT** – Mandates CPD collect and analyze data, audit data for accuracy, and develop officer support and intervention systems.

- **Requires CPD to create an electronic case management system** – Create and implement an electronic case management system by 2020 that maintains accurate data regarding the volume, classification, and status of all misconduct investigations; maintains investigative case files; and electronically preserves relevant evidence.

## INDEPENDENT MONITOR

- **Requires continuous evaluation by an independent monitor** – Overseen by an independent monitor appointed by a federal court judge. The monitor will publicly report on the City’s progress in implementing the agreement and assist the federal judge with enforcement of the consent decree.
- **Independent monitor selection process** – A Request for Proposals (RFP) was issued on July 27, 2018, for submissions. Responses to the RFP are due on Sept. 4, 2018, and will be posted at [chicagopoliceconsentdecree.org](http://chicagopoliceconsentdecree.org) for public comment after the submission deadline. The Attorney General’s Office and the City will also hold a public forum with the independent monitor finalists for public input on the selection process.
- **Selecting an independent monitor** – The Attorney General’s Office and the City will review and consider all information gathered during the monitor selection process and make recommendations to the federal court judge overseeing the case for consideration and approval.

## IMPLEMENTATION & ENFORCEMENT

- **Operates as a federal court order** – Once filed in federal court and approved by the federal judge overseeing the case, the consent decree will operate as a federal court order.
- **Terminates upon full and effective compliance** – Terminates only when the City and CPD have demonstrated to the Court full and effective compliance.

## YOUR FEEDBACK

The full consent decree can be viewed at Madigan’s police reform website, [www.chicagopoliceconsentdecree.org](http://www.chicagopoliceconsentdecree.org).

Chicago residents have an opportunity to comment on the consent decree until Aug. 17.

There are a number of ways to share your feedback:

- **Email** your comments to: [policereform@atg.state.il.us](mailto:policereform@atg.state.il.us).
- **Call** 1 (833) 243-1498 and leave a message with your comments.
- **Mail** your comments to:
  - Illinois Attorney General  
Attn: Civil Rights Bureau  
100 W. Randolph St., 12th Floor  
Chicago, IL 60601
- **Fax** your comments to Attorney General Madigan’s office at (312) 814-3212.