

ILLINOIS ATTORNEY GENERAL LISA MADIGAN

PRESS



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**ATTORNEY GENERAL MADIGAN, MAYOR EMANUEL & CHICAGO POLICE
SUPERINTENDENT JOHNSON FILE CONSENT DECREE ON POLICE REFORM IN
FEDERAL COURT**

Chicago – Attorney General Lisa Madigan, Mayor Rahm Emanuel and Police Superintendent Eddie Johnson today announced they filed a proposed consent decree in federal court to reform the Chicago Police Department (CPD).

The consent decree was negotiated by the Attorney General's office, the City of Chicago and CPD and informed by concerns and recommendations from Chicago community members and police officers. The proposed consent decree will resolve the complaint Madigan filed August 29, 2017 in the U.S. District Court for the Northern District of Illinois against the city seeking numerous reforms outlined by the U.S. Department of Justice (DOJ) in its investigation of CPD. Madigan took this action after DOJ chose not to pursue Chicago police reform through a consent decree, despite its own recommendation to do so.

The proposed consent decree mandates comprehensive reform of CPD's policies, practices, training and accountability mechanisms to address the use of force, ensure police accountability, improve public and officer safety and, ultimately, build trust between CPD and Chicago's residents.

"Today is an historic day for the city of Chicago," Madigan said. "The consent decree is a unique opportunity to achieve real and lasting reform of the Chicago Police Department. The consent decree will support Chicago's people and police with the goal of promoting safe and effective policing that builds respect and trust between residents and the police."

"This agreement, reflecting the voices and values of Chicago, will help create lasting reform at the Chicago Police Department and safer communities across the city," said Mayor Emanuel. "I want to commend everyone who stepped forward, worked diligently and shared their experiences and expertise to help us reach this inflection point for Chicago police reform."

"Today's consent decree announcement represents our permanent roadmap to improving the quality of service of the Chicago Police Department and implementing systemic improvements for our officers to effectively safeguard our city," Police Superintendent Eddie Johnson said.

The proposed consent decree includes hundreds of requirements that touch on virtually every aspect of CPD's operations. It contains detailed provisions that address the DOJ-recommended reforms. It also mandates changes that go beyond the DOJ recommendations and break new ground, such as a requirement for unprecedented transparency in how CPD publishes data regarding use of force incidents and a significant expansion of support services provided to CPD

officers. The proposed consent decree also includes numerous reforms intended to ensure accountability for police misconduct by strengthening the roles of the agencies charged with police oversight, including the Civilian Office of Police Accountability and the Police Board, that were created to address a long history of police misconduct directed toward African American communities. The proposed consent decree is more extensive than any other police reform consent decree in the country.

Madigan, Emanuel and Johnson released a draft consent decree in July, and members of the public submitted over 1,000 comments on the proposal. Madigan's office and the city carefully reviewed the comments and made revisions to the proposed consent decree.

Following the release of the draft consent decree, Madigan and the city also reached an agreement on requiring Chicago police to report every time they point a firearm. Under that agreement, beginning in July 2019, 1) Chicago police officers must report when they point their firearm at a person, 2) an officer's immediate supervisor must be notified each time the pointing of a firearm is reported, 3) once notified, CPD supervisors must then review the incident to ensure that the officer followed CPD policy and any misconduct is addressed, 4) CPD headquarters also must review and audit all incidents involving an officer pointing a firearm at a person, including documentation and information collected during the stop, within 30 days of the incident, and 5) beginning in January 2020, the independent monitor will assess instances in which an officer points a firearm at a person to determine whether changes to CPD policy, training, practice or supervision are necessary. The independent monitor will also recommend any changes to the process of documenting, reviewing, and analyzing these occurrences.

Other key additions to the proposed consent decree filed in federal court include requiring CPD to provide increased transparency and obtain additional community input. CPD must 1) publish underlying data included in its annual impartial policing assessment, 2) make the independent monitor's plans public, 3) publish its implementation plans for crisis intervention, recruitment and hiring, training, officer support systems, equipment and technology, and staffing and equipment, 4) solicit and include the input of students, parents, and community stakeholders in the initial development of and future revisions to its policy governing officers assigned to CPS schools, and 5) announce upcoming opportunities for community input, involvement, or engagement that relate to the material requirements of the consent decree.

In addition, the proposed consent decree includes enhanced crisis intervention requirements. Under the proposed consent decree, the city's crisis intervention response advisory committee must 1) include individuals who have personally experienced a behavioral or mental health crisis, and 2) review opportunities to increase resources and alternative response options, including mobile crisis teams, a central non-emergency crisis line, and strategies for children and youth. Also, the Crisis Intervention Training report required under the proposed consent decree must track whether a person involved in a crisis response is experiencing symptoms of a mental illness, intellectual or developmental disability or other crisis.

The proposed consent decree also now includes provisions designed to expand COPA's authority to conduct administrative investigations of officer-involved sexual misconduct. The proposed consent decree mandates that the city must make best efforts to ensure COPA conducts administrative investigations into allegations of any sexual misconduct by officers, including sexual assault and sexual abuse.

The proposed consent decree also includes additional protections for individuals with disabilities. Specifically, through its policies and practices, CPD must 1) ensure access for individuals with

physical, mental or developmental disabilities, 2) use qualified and CPD-authorized interpreters to communicate with people with disabilities, 3) provide specific training to all officers to recognize and respond to conduct or behavior related to an individual's disability, and 4) designate an ADA liaison to coordinate its compliance with the ADA, review the effectiveness of CPD's policies and training for individuals with disabilities, recommend any revisions, and serve as a resource for CPD members and as a liaison between CPD and individuals with disabilities.

Finally, the proposed consent decree now requires the city to obtain information from county and federal law enforcement and public defender's offices as part of its ongoing effort to supervise officers and hold them accountable for misconduct. Under this requirement, in addition to working with the Cook County State's Attorney's Office, the city must coordinate with the Cook County Public Defender's Office, the U.S. Attorney's Office, and the Federal Defender's Office to obtain information regarding any judicial findings made during the course of criminal proceedings that a CPD member was untruthful.

The federal judge overseeing the case will now review the proposed consent decree and provide additional opportunities for the public to comment to the federal court. Once final, an independent monitor appointed by the federal judge will evaluate and report to the court on CPD's progress in implementing the reforms required under the consent decree. The assessments by the independent monitor of CPD's progress and the oversight of CPD by the federal court will continue until the federal judge finds that the city has achieved full and effective compliance with the consent decree's requirements. To read the filed consent decree and review applications from independent monitor candidates, visit www.chicagopoliceconsentdecree.org.