

ILLINOIS ATTORNEY GENERAL LISA MADIGAN

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For Immediate Release
September 6, 2018

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**ATTORNEY GENERAL MADIGAN & MAYOR EMANUEL REACH AGREEMENT
REQUIRING CHICAGO POLICE TO REPORT WHEN POINTING A FIREARM**

Chicago – Attorney General Lisa Madigan today announced her office and the City of Chicago agreed to a draft provision in the draft consent decree for reform of the Chicago Police Department (CPD) that requires Chicago police officers to report when they point a firearm at a person.

Under the 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, and (4) beginning in January 2020, the independent monitor will review any instances in which an officer points a firearm and recommend any changes to the way the incidents are documented.

In addition to review by the officer's supervisor, the agreement requires CPD headquarters to review and audit all incidents involving an officer pointing a firearm at a person, including documentation and information collected during the stop. Headquarters' reviews of pointing incidents must be completed within 30 days and must:

- identify whether the pointing of the firearm at a person allegedly violated CPD policy;
- identify any patterns in such occurrences and, to the extent necessary, ensure that any concerns are addressed; and
- identify any tactical, equipment, training, or policy concerns and, to the extent necessary, ensure that the concerns are addressed.

At the conclusion of the review, CPD must make appropriate referrals for misconduct investigations or other corrective actions for alleged violations of CPD policy. CPD headquarters must also issue a written notification to the supervisor of its findings and include whether any further actions were taken or required.

Under the agreement, after each incident when an officer has pointed a firearm, officers must radio the information about pointing their firearms to the city's Office of Emergency Management and Communications (OEMC). The information will be electronically linked with corresponding police department reports and body-worn camera recordings from the same incident, all of which must be retained and accessible to the officer's supervisor, be reviewed by the Department, and available to the independent monitor.

The agreement also requires that by January 1, 2019, CPD must instruct officers on weapons discipline and when officers should and should not point a firearm at a person. New training on when an officer points a firearm must be incorporated in the annual use of force training required under the draft consent decree in 2019. Also under the agreement, CPD will clarify in its policy that officers will only point a firearm at a person when it is objectively reasonable to do so.

Beginning in 2020, the independent monitor annually 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 and to recommend any changes to the process of documenting, reviewing, and analyzing these occurrences.

“Knowing when police officers point their guns at someone will allow CPD to improve officer and community safety,” Madigan said. “I believe this is critical in achieving true reform of the Chicago Police Department.”

In late July, Madigan, Mayor Rahm Emanuel and Chicago Police Superintendent Eddie Johnson released a draft consent decree for CPD that will require enforceable police reform. The draft consent decree is the result of months of negotiations by Madigan’s office, the City of Chicago and CPD, and engagement with Chicago communities, organizations and police officers. Madigan’s office and the city are negotiating revisions to the draft consent decree based on the feedback they received from the public comment period that ended last month.

Under the draft consent decree, Madigan is seeking sustainable reforms of CPD’s policies, practices, training and accountability mechanisms to address discriminatory policing, improve public safety and build trust between CPD and Chicago’s residents. The draft consent decree will ultimately be a court order enforced by a federal judge. The judge will be assisted by an independent monitor, who will continually evaluate CPD’s progress to implement reforms required by the consent decree until the City and CPD achieve full and effective compliance.

The full draft consent decree, as well as the draft provision on documenting when police officers point a firearm at someone, can be viewed at Madigan’s police reform website, www.chicagopoliceconsentdecree.org.