

OFFICE OF THE ATTORNEY GENERAL STATE OF ILLINOIS

KWAME RAOUL

ATTORNEY GENERAL

August 5, 2022

SENT VIA EMAIL

Margaret A. Hickey Independent Monitor ArentFox Schiff LLP 233 S. Wacker Drive, Suite 7100 Chicago, IL 60606 (Maggie.Hickey@afslaw.com)

Re: Comments on "Chicago Community Focus Groups" Special Report Consent Decree, *Illinois v. Chicago*, 17-cv-6260 (N.D. Ill.)

Dear Ms. Hickey:

The Office of the Illinois Attorney General (OAG) appreciates the Independent Monitoring Team's (IMT) efforts in conducting focus groups and compiling its thorough Chicago Community Focus Groups Report (Report). The Report's findings echo what many Chicagoans have long known and felt: the Chicago Police Department's (CPD) ongoing failure to change how it treats Black and Latino residents has led to deep community distrust. As Chicago endures another summer of horrific gun violence, the consequences of this failure show up daily in unsolved shootings and fearful witnesses. Stemming this tide of violence—not just temporarily, but sustainably—will require CPD to fundamentally reset its relationship with Black and Latino residents.

Key Observations from the Report

The Report paints a "bleak picture of the relationship between the CPD and young Black and Latino men." Among the many troubling findings highlighted in the Report are the following²:

² Report, at 44-45.

¹ Report, at 7.

- Most interactions are a negative experience for participants, even when they end without any enforcement action.
- The cumulative effect of repeated negative personal experiences with officers significantly hinders trust-building.
- Certain participants had repeated, frequent involuntary contacts with police.
- Participants perceived that officers treat individuals of different ethnicities and in neighborhoods differently.
- Traffic stops for minor, non-moving violations lead to more serious interactions.
- Officers point guns frequently.
- Mutual fear between police officers and young Black and Latino males has dangerous consequences for involuntary interactions and impedes mutual trust building.

Challenges to Building Community Trust

The findings of this Report make clear that the City and CPD still face many challenges to building community trust. Changing written policies is only the first step towards reform, yet CPD still has not implemented revised policies requiring officers to interact with youth in a developmentally appropriate manner, nor has it ensured that its policies and *practices* prohibit discrimination based on race and age. Even where CPD has made commendable progress on policy development, the Department has not done enough to include the voices of community members with lived experience and expertise into its policies. The City and CPD must allocate resources and time to meaningful community engagement, including with hard-to-reach and distrustful community members.

The City and CPD must also devote sufficient resources to community policing. CPD's prior progress in implementing a community policing philosophy has stalled this summer. This is due in part to CPD's decision to pull officers from community policing positions and other reform-focused units for redeployment in unfamiliar neighborhoods with unclear objectives.

One of the major themes the IMT identified in the Report was participants' feeling that CPD officers often fear ordinary community residents, which then leads to excessive police responses. Notably, OAG's interviews with CPD officers in recent months mirror this finding: many officers expressed fear about working in neighborhoods and districts they did not know, at the cost of the opportunity to engage with community members, build relationships, or solve the problems brought to them by the residents they had grown to know in their home districts. Mandatory redeployments of critical community policing personnel threaten to undermine the continued success of community policing programs that grow trust through relationship-building—including, for example, the new and promising Neighborhood Policing Initiative. Not only that, continued redeployments also lead to frustrated, exhausted, and distrustful officers.

The Consent Decree requires CPD to integrate a community policing philosophy into all of its police services and to ensure that every CPD officer is responsible for employing the principles of community policing. In response to this Report, CPD must renew its commitment to those principles.

CPD Must Address Community Members' Concerns

OAG acknowledges that the City and CPD face incredible challenges every day combatting gun violence in Chicago. At the same time, community trust is key to ensuring community members feel comfortable cooperating in police investigations and violence reduction efforts. OAG urges the City and CPD to learn from the focus group participants. They relayed disturbing experiences with CPD officers, including calling an interaction with CPD "a minstrel show," describing a "big divide between officers and the community," and expressing concern about even contacting police for help ("I'm afraid to call them, even when witnessing a crime"). One participant put it plainly: "They don't trust me, so I don't trust them."

Community engagement, policy development, and community policing are integral not just to Consent Decree compliance, but also to CPD's efforts to protect public safety in Chicago. The IMT urged the City and CPD to consider the serious issues and concerns raised by the focus group participants. We agree. The City and CPD cannot continue to treat young Black and Latino men the same way it always has and expect different results.

To build trust, CPD must listen to the voices of marginalized communities and approach community policing, reform, and public safety holistically. OAG looks forward to continuing to work with the City, CPD, the IMT, the Coalition, and all community members to address the deep-seated distrust identified in the Report.

Respectfully,

KWAME RAOUL Attorney General of the State of Illinois

By: s/Mary J. Grieb
Mary J. Grieb
Deputy Bureau Chief, Civil Rights Bureau
Office of the Illinois Attorney General
100 W. Randolph St., 11th Flr.
Chicago, Illinois 60601
Phone: 312-814-1100

Email: Mary.Grieb@ilag.gov

cc: Jennifer Bagby and Allan Slagel, Counsel for the City of Chicago; Dana O'Malley, General Counsel for the Chicago Police Department (via email)