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Re: *General Order G08-06 Prohibitions of Sexual Misconduct*

Dear Counsel:

The Chicago Police Department’s proposed general order regarding “sexual misconduct” was released for public comment, once again, without sufficient community input. The Coalition has long demanded that the CPD develop this policy in collaboration with the Women and Gender Working Group and expects that it will rescind this draft general order and execute a Memorandum of Agreement with the Women and Gender Working Group in order to ensure that this critically important policy is developed with the expertise of survivors. The current proposed general order is rife with problematic provisions, including, but not limited to, those listed below:

- The CPD intends to allow BIA (instead of an external, independent entity) investigate the most serious allegations of sexual violence—this will perpetuate cover-ups and allow the code of silence to persist.
- The policy uses a definition of sexual misconduct that is far too limited—for example the definition fails to include offensive and provocative language.
- The policy’s definition of sexual contact centers on officers’ intent to gratify themselves—not on the community member’s experience of invasive and/or humiliating contact. This will permit officers to escape accountability for sexual misconduct by simply alleging a law enforcement related purpose for unwanted contact.
- The policy fails to provide that if any supervisor has a reasonable basis to believe an officer engaged in sexual violence, domestic violence, intimate partner violence,

sexual harassment and/or gender bias, that officer shall be relieved of police powers and placed on desk duty pending investigation.

- The Policy also fail to provide sufficient preventative provisions. Such provisions include, but are not limited to: :
 - Establishing a lock up auditor as required by the Prison Rape Elimination Act;
 - Requiring that CPD officers contact OEMC during transport (and instructing officers that this communication must happen in accordance with the policy on sexual misconduct)
 - Regularly reviewing officers for a) contacts involving women and femmes; b) language used in reports to describe women and LGBTQI and gender nonconforming individuals; c). complaints received from members of the public and fellow officers regarding sexually inappropriate language, conduct, and behavior.

Please advise when we can meet to discuss the Women and Gender Working Group MOA and begin the process of re-drafting a policy that will provide our communities with meaningful protection against sexual violence and harassment at the hands of CPD officers.

Sincerely,

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