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Via Email

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Dear Counsel and Monitor Hickey:

As we prepare our Coalition letter on the Chicago Police Department’s eight new Bureau of Internal Affairs policies (“BIA policies”), we urge the Department to address its failure to engage the community about these policies. CPD must act now because “[m]eaningful community involvement is imperative to CPD accountability and transparency.” Consent Decree ¶ 422.

On April 29, 2022, CPD replaced a March draft of a BIA policy with eight new BIA policies, all with a public comment deadline of Sunday, May 15. The Department also released a draft First Amendment policy and a draft policy on religious interactions, both of which have the same May 15 comment deadline. In short, CPD gave Chicagoans 10 business days to comment on 10 new policies. This was after CPD closed the comment portal for the March BIA policy a day early, with no public explanation, apology, or corrective measures.

While we appreciate Mr. Milstein’s comment in his April 29 transmittal that the eight new BIA policies “address comments received by the IMT and OAG,” CPD has not explained whether and how it incorporated feedback from the Coalition and the public regarding the March BIA policy. Community members who commented on the March version of the BIA policy probably wonder why they bothered.

CPD’s latest community engagement failures are part of a frustrating pattern. In 2021, the Department posted more than a dozen policies with tight deadlines for public feedback during the

holiday season. Additionally, after failing to revise three BIA policies in a timely manner, it burdened the Illinois Attorney General and the Independent Monitor with requests for expedited review. In her April 11, 2022 report, the Monitor warned that she “will not continue to allow the CPD’s procrastination to force such expedited reviews that, if occurring too often, can reduce the quality of revisions and suggestions for improvement.” Independent Monitoring Report 5 at pdf p. 110, *Illinois v. City of Chicago*, No. 17-cv-6260, ECF No. 1020 (N.D. Ill. Apr. 11, 2022), <https://cpdmonitoringteam.com/wp-content/uploads/2022/04/2022.04.11-Independent-Monitoring-Report-5-filed.pdf>. The Monitor also noted that “[c]ommunity stake-holders . . . generally expressed dissatisfaction with engagement efforts[,] asking [for] more opportunities to provide meaningful input” on policies. *Id.* at 201. CPD disregarded these admonitions with remarkable speed.

Unlike members of the Independent Monitoring Team and the Coalition, most Chicagoans do not review CPD policies as part of their jobs. Most do not have policy or legal training. To get meaningful public input, the Department must overhaul its community engagement efforts, seek public feedback early in the policy drafting process, and make its policies more accessible.

As first steps, we urge CPD to:

1. Extend the comment deadline to June 15, 2022 for the eight BIA policies and the religious interactions policy, which were released on April 29;¹
2. Provide plain-language explainers for every draft policy released for public comment; and
3. Publish reports with each version of a policy explaining how CPD used community feedback in developing that version. These reports should explain what suggestions CPD accepted, what suggestions it rejected, and why.

Sincerely,

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On behalf of the Coalition

¹ We do not request an extended comment deadline for the First Amendment policy because that policy has been negotiated extensively.