



ROGER BALDWIN FOUNDATION
OF ACLU, INC.

Illinois

ROGER BALDWIN FOUNDATION OF
ACLU, INC.
150 N. MICHIGAN AVENUE
SUITE 600
CHICAGO, ILLINOIS 60601-7570
(312) 201-9740
FAX (312) 201-9760
WWW.ACLU-IL.ORG

January 17, 2022

Tyeesha Dixon
Deputy Corporation Counsel
City of Chicago Department of Law
121 North LaSalle St., Room 600
Chicago, IL 60602
Tyeesha.Dixon@cityofchicago.org

Maggie Hickey
Independent Monitor
Schiff Hardin LLP
233 South Wacker Drive, Suite 7100
Chicago, IL 60606
MHickey@schiffhardin.com

Allan Slagel
Counsel for the City of Chicago
Taft Stettinius & Hollister LLP
111 East Wacker, Suite 2800
Chicago, IL 60601
aslagel@taftlaw.com

Christopher G. Wells
Chief, Public Interest Division
Office of the Illinois Attorney General
100 W. Randolph Street, 12th Floor
Chicago, IL 60601
Christopher.Wells@illinois.gov
CWells@atg.state.il.us

Dear Counsel and Monitor Hickey:

The revised Chicago Police Department (CPD) General Orders on Human Rights and Biased Policing (G02-01 and G02-04) fail to provide Chicago's communities with sufficient protection from biased and racist police practices. Further, the CPD developed these policies without meaningful community engagement—and particularly without sufficient input from those communities most affected by police violence and bias. The CPD should rescind these drafts and launch a focused community engagement process similar to the one used for the Use of Force Policy Suite.

As the Fourth Independent Monitoring Report said, the CPD must turn around its community engagement efforts or else “community members may become discouraged from continuing to provide feedback.”¹ Improving community engagement will require that the CPD stop relying on Community Conversations and Deliberative Dialogues because they do not allow meaningful community input.

Given the need for deep and meaningful community engagement, the feedback below is preliminary and includes only initial recommendations and concerns about the CPD's Human Rights and Biased Policing policies. These policies must:

- Stop Chicago police from targeting for policing any particular communities, events, and/or places based on the race or ethnicity of the people in that community, event, or place.

¹ Independent Monitoring Report 4 at 140, *Illinois v. City of Chicago*, No. 17-cv-6260, ECF No. 978 (N.D. Ill. Oct. 8, 2021), https://cpdmonitoringteam.com/wp-content/uploads/2021/10/2021_10_08-Independent-Monitoring-Report-4-filed.pdf.

- Make sure that Chicago police supervisors and officers are trained to know that even if an officer has “probable cause” or “reasonable suspicion,” it does not mean the officer’s action is free of bias.
- Remove the reference to “observed behaviors” in the Biased Policing Policy’s definition of “Reasonable Articulate Suspicion.” It wrongly suggests that officers may stop a person because of a physical characteristic in combination with some other undefined behavior.
- Add protections specific to gender bias, sexual assault, and LGBTQ+ bias.
- Stop biased policing based on any protected characteristic listed in the Consent Decree governing the Chicago Police, including age.
- Stop Chicago police officers from “dumping” people in neighborhoods or areas where they may have enemies or face other threats the officers know about.
- Require officers to give people visual aids and cards explaining their rights and other relevant information in multiple languages as needed to help with language comprehension.
- Describe in detail the requirement for free interpretation services, including interpretation when officers issue *Miranda* warnings.
- Require Chicago police to provide reasonable accommodations to people with disabilities, who may need different approaches to interaction and communication.
- Stop officers from retaliating against people who come forward after experiencing or witnessing biased policing.
- Require any abuse of human rights or biased policing by a CPD officer to be immediately reported.
- Require that any Chicago police supervisor or officer who engages in biased policing will be punished, up to and including firing.
- Make sure that reviews of the Human Rights and Biased Policing policies and related procedures and trainings happen every year and are shared with the public.

Sincerely,

Amanda Antholt
 Sheila Bedi
 Craig Futterman
 James Mooney
 Vanessa del Valle

Attorneys for the Coalition