



A COMMITMENT TO REAL REFORM OF CHICAGO POLICE

On July 27, 2018, the Illinois Attorney General (AG) and the City of Chicago unveiled a draft [consent decree](#) to guide reform of the Chicago Police Department (CPD). The decree is a set of promises that the City makes to change the department. If the City does not follow through on its promises, the Attorney General or a coalition of the organizations listed above, along with plaintiffs in the *Campbell* lawsuit, can go to court to enforce the decree.

The draft decree is **not** complete and lacks essential reforms. The public has until August 17 to comment. For police reform to be successful, **this plan must go further in these 12 critical areas:**

1. **Guarantee enforceability and transparency of reform.** The draft decree is missing key language to guarantee the Monitor does not operate as a rubber-stamp for proposals CPD develops in private. Revisions must ensure the AG and public can comment on, and the Monitor will review, proposed CPD plans and trainings; require CPD to implement plans—not just draft them; ensure the Monitor will review the City’s compliance with the entire decree; empower the Monitor, not CPD, to decide if there is discrimination; and ensure public access to key plans, trainings, and assessments.
2. **Require the City to share and use information related to potential officer misconduct.** The draft decree is missing common-sense fixes to require local agencies to share information with each other to identify, and mitigate the harm of, officer misconduct. Revisions must require the City to share disciplinary findings about officer misconduct with prosecutors and defense counsel, and require Civilian Office of Police Accountability (COPA) to investigate incidents that lead to a civil or criminal proceeding.
3. **Create checks on the code of silence.** The draft decree does not allow COPA to investigate enough complaints against officers, and the draft allows officers to stop reporting on each other’s use of force. While the draft decree has new provisions designed to help erode the code of silence, those have not been tested and we should not remove existing checks. Revisions must require that officers report all uses of force by fellow officers that they witness, and authorize COPA to investigate complaints of sexual abuse and First Amendment violations.
4. **Divert individuals in crisis away from the criminal justice system.** A primary purpose of a crisis intervention (CIT) program is to reduce criminal justice involvement. To do that, the draft must go beyond training officers to de-escalate to also provide alternative response options. Revisions must ensure 911 operators have alternatives for calls that do not require a police response, and that officers who respond to people in crisis have options other than arrest and hospitalization.
5. **Transform CIT from a training add-on to an operational program.** The CIT unit should not just train some officers, it also should assess officers’ suitability for CIT work and be guided by clear

benchmarks to move towards having enough CIT-trained officers to meet the City's needs. Revisions must require the CIT program to assess whether officers are capable of responding to CIT calls and to stop sending officers to those calls when they are not, and set clear benchmarks for CPD to have enough CIT officers to respond to calls involving individuals in crisis.

6. **Use data to assess de-escalation, diversion, and CIT, while protecting private information.** The draft must be revised to ensure better data collection, assessment, and privacy. Revisions must require OEMC to collect data on all calls requiring CIT dispatch for later analysis, regardless of whether an officer is available; CPD officers to record when de-escalation and diversion is used in order to assess improvements and reward officers who get it right; and ensure data is aggregated so the collection of medical information will not be disclosed or used against individuals.
7. **Provide guidance on how to engage with people with disabilities, and regularly train officers on disability and individuals in crisis.** There are many kinds of disabilities and people with disabilities will continue to interact with officers frequently outside of a crisis (or CIT) context. Officers must understand how to consider disability in interactions. Revisions must ensure policies are improved, and ensure adequate annual training of officers on disabilities and individuals in crisis.
8. **Include sign language in reforms, and require officers to use nonverbal communication before force whenever safe to do so.** Officers should be required to attempt to communicate with people who are deaf, hard of hearing, or with language barriers before resorting to force. The draft decree includes policy and training reforms to overcome language barriers in other settings, but ties them only to those with limited English proficiency. Revisions must incorporate modes of communication deaf and hard of hearing people use into language access reform, ensure CPD has qualified interpreters, and ensure nonverbal communication is attempted before force is used.
9. **Commit to providing police services to people with disabilities.** CPD does not, but should, have a designated employee to ensure CPD's compliance with the Americans with Disabilities Act (ADA).
10. **Limit use of force and arrests in schools, and get input from outside of CPD.** Excessive discretion for school-based officers has driven racial disparities in school arrests, especially for Black youth with disabilities. Revisions must allow input from outside of CPD in creation of policies and selection criteria for school-based officers, and to set limits on use of force and arrests in schools.
11. **Require a foot pursuit policy.** Officers need a policy to guide them on how to safely pursue on foot. The Department of Justice unequivocally found CPD needs one; people have died during foot pursuits in the months since. The draft proposes to *consider* whether to create one, 3 years from now. Revisions must ensure CPD immediately starts working on creating and implementing a foot pursuit policy that addresses unsafe foot pursuit tactics and sets forth guidelines for foot pursuits that balance the objective of apprehending suspects with the risk of potential injury.
12. **Recognize that pointing a gun at someone is a use of force, and should be documented.** Without knowing whether officers are pointing weapons at people, we won't know whether de-escalation is happening. Revisions must recognize that unholstering or pointing a firearm is a 'use of force,' and to require officers report it as such.

Send your comments by this Friday, August 17 to the Attorney General and City by emailing policereform@atg.state.il.us, calling 833.243.1498, or going online to aclu-il.org/cpdreformnow.