

# ACLU & CITY OF CHICAGO AGREEMENT ON STOP AND FRISK

In March 2015, the ACLU issued a report that identified problems in the City of Chicago's oversight of the practice of stop and frisk. The City and the Chicago Police Department ("CPD") have agreed to several reforms that have been documented in an enforceable settlement agreement.

## CITY OF CHICAGO AND CPD AGREE TO COMPLY WITH THE LAW

- The City and CPD have agreed that their stop and frisk practice will comply with the United States and Illinois Constitutions, including the Fourth Amendment protections from unreasonable searches and seizures.
- The City and CPD have also agreed that their stop and frisk practice will comply with the Illinois Civil Rights Act (ICRA), which requires that policies do not have a disparate impact on the basis of race.

## DATA COLLECTION

- The CPD will document all investigatory stops and protective pat downs, including those that lead to arrest, citation, or other enforcement action. Previously, data was only collected on stops that did not result in enforcement action, making it difficult to assess the practice and its impact on people of color.
- The CPD will collect information about the officer who conducted the stop; the race and gender of the person stopped; all reasons for the stop; the location, date and time of the stop; whether a pat down or other search was conducted; whether contraband was found; and the outcome of the stop.
- These reforms are important because stops and frisks occur on the street, away from supervisors. Police supervisors need records of stops and frisks so they can assess whether their officers are abiding by the Constitution. The data will also help show whether minorities are improperly singled out for stops.

## TRAINING AND SUPERVISION

- CPD will provide officers with training directed at ensuring that stops are lawful.
- District level supervisors will review all stop reports to determine if there are legal grounds for them.
- CPD headquarters staff will regularly audit samples of the narratives, records of corrections and rejections of stop reports, and civilian complaints related to stops.
- Officers who engage in unlawful stops will receive retraining, enhanced supervision, and/or discipline.

## INDEPENDENT REVIEW BY FORMER FEDERAL JUDGE

- Former federal Magistrate Judge Arlander Keys will independently review the CPD's use of stop and frisk.
- Judge Keys will recommend changes to CPD's policies, practices and orders to ensure compliance with the U.S. and Illinois Constitutions and ICRA.
- Judge Keys will review any documents he determines are necessary to assess the CPD's program of stop and frisk, including civilian complaints and disciplinary files.
- Semiannually, Judge Keys will review a sample of the narratives of stops to assess whether they establish reasonable suspicion. He will also review data to determine whether there is a disparate impact.
- Twice a year, Judge Keys will publish public reports assessing whether the CPD is in compliance with the agreement. He may hire experts to assist him in the analysis.
- Judge Keys will continue to review the police department until he determines that the CPD is in substantial compliance with the Fourth Amendment and with the Illinois Civil Rights Act, which prohibits policies that have a disparate impact on the basis of race.

## RELEASE OF DATA AND DOCUMENTS TO ACLU AND THE JUDGE

- CPD will provide the ACLU and the judge with all information in its stops database on a monthly basis.
- CPD will also provide the ACLU and the judge with all audits, training materials, and any other documents necessary to conduct an independent analysis and review of the CPD's stop and frisk policy.



