

CPD Consent Decree Fifth Independent Monitoring Report Summary

On April 11, 2022, the Independent Monitoring Team (“IMT”) filed its Fifth Semi-annual Monitoring Report (“Report”) assessing the City of Chicago (“City”) and the Chicago Police Department’s (“CPD”) compliance with the consent decree from July 1, 2021, through December 31, 2021. This summary highlights areas where the City and CPD have made progress and areas where significant challenges to compliance need to be addressed and prioritized moving forward.

Progress with Consent Decree Compliance

- ✓ **Preliminary Compliance¹ with Over 70% of the Consent Decree Paragraphs**
- ✓ **Improved Compliance from non-CPD Police Accountability Entities**
 - The Police Board demonstrated full compliance with most of its corresponding paragraphs and the Office of the Inspector General and Deputy Public Safety Inspector General maintained full compliance with all corresponding paragraphs.
 - COPA has been working with its Community Policy Review Working Group that consists of volunteers from across Chicago who review COPA policies. COPA meaningfully involves the group throughout the policy development of policies, not just at the end of the revision process.
- ✓ **Permanent Foot Pursuit Policy**
 - After the release of the Report, CPD released a revised and final foot pursuit policy.
 - The policy places important limitations on foot pursuits, including by prohibiting foot pursuits for suspected low-level offenses (like traffic offenses that don't endanger the physical safety of others, Class B and C misdemeanors, and ordinance or parking violations) or in situations where an officer is injured or loses communication with OEMC or other officers.
 - Concerns remain that the policy still will allow officers to engage in some dangerous and unnecessary foot pursuits and that CPD lacks effective foot pursuit data collection, review, and reporting mechanisms to detect systemic flaws in policy implementation.
- ✓ **Stipulation Regarding Search Warrants**
 - The parties agreed that the Consent Decree applies to CPD search warrants. The City and CPD must demonstrate that search-warrant practices are not unlawfully discriminatory or retaliatory and occur in an unbiased, fair, and respectful manner.
 - The City agreed to achieve full and effective compliance by June 30, 2027.

Concerns with Consent Decree Compliance

- ⊗ **Widespread Data Issues**
 - CPD needs to overhaul their data systems to increase their data collection, management, and analytical capabilities to document their operational successes.

¹ Preliminary compliance refers to the development of policies and procedures that conform to best practices and consent decree requirements. To reach full compliance, the City or its relevant entities must show that it has also adequately trained personnel on the policy or procedure (i.e., secondary compliance) and implemented the requirement in practice (“full compliance”).

- Flaws with CPDs data collection and/or analysis has hindered its ability to track data related to foot pursuits, uses of force, and responses to Crisis Intervention calls.
 - Lack of a comprehensive assessment of data systems has and will continue to delay CPD's compliance efforts.
 - CPD has failed to assess the frequency of CPD misdemeanor arrests, administrative notices of violation, and uses of force against people in certain demographic categories.
- ⊗ **Community Engagement Activities that may Undermine Community Trust**
- The IMT raised several concerns with CPD's goal of 1.5 million Positive Community Interactions (PCIs) in 2022 including:
 - Lack of a clear definition for a PCI;
 - Lack of community input before announcing the initiative;
 - No system for recording, tracking, and supervising PCIs; and
 - No way to ensure that PCIs are quality or effective ways to build trust between law enforcement and the communities they work in.
 - On June 7, 2022, CPD posted a draft of its Positive Community Interaction Policy² that gave a clearer explanation of what interactions could be considered a PCI.
 - Community members were invited to provide comments on the proposed policy.
 - The draft policy fails to address the concerns of the IMT that the program risks increasing negative interactions, further damaging public trust, undermining CPD's ability to ensure constitutional and effective policing, and expending significant resources on a fruitless initiative.
- ⊗ **Insufficient Community Input & Progress on Policies about Interactions with Vulnerable Populations**
- Community input occurs too late in the policy development process for many policies and usually only happen during public comment phases which often prevents meaningful participation from the community.
 - CPD has failed to state how they will use community input on an ongoing basis to better inform their policies.
 - CPD has failed to draft policies regarding officer interactions with specific populations, including: youth and children, people with limited English proficiency, people with physical, mental or developmental disabilities, and people in particular religious communities.

² See the draft policy here: <https://home.chicagopolice.org/reform/policy-review/positive-community-interactions-policy-draft/>.