

February 6, 2023

To Mayor Lightfoot and Superintendent Brown:

The undersigned organizations are committed to the health, safety, and vibrancy of our communities. We recognize that the City of Chicago Consent Decree is one valuable tool that can effect meaningful change in Chicago policing and public safety. As such, we are dedicated to supporting the City's implementation of the agreement. Many of us participate in community engagement opportunities, including those stemming from the Consent Decree, and some of our organizations regularly provide the public with critical information regarding the Consent Decree process. As a whole, we are deeply troubled by the City's lack of Consent Decree progress.

To ensure the CPD respects the rights of Chicagoans and engages in constitutional policing, Consent Decree reforms seek to transform the CPD's practices that disproportionately harm our Black, Latinx, LGBTQ+ neighbors, and our neighbors with disabilities. However, three years since taking effect, the latest Independent Monitoring Report (IMR6)¹ and residents' accounts of policing suggest that the City's and the CPD's implementation efforts are at significant risk of shifting course in the wrong direction toward more harm, mistrust, delayed justice, and violence. While the Consent Decree alone will not solve all our problems, the principles embedded within it, such as community-involved problem-solving and data transparency, must shape how our City works to achieve safety for all. To steer our City in the right direction, we call on you to act on some overdue Consent Decree elements that will help provide the public with transparent staffing insights, opportunities for public safety ownership, and access to critical data.

The issues on which we require immediate action focus on problems that are not new to the City and the CPD. IMR6 raises many of the same concerns identified in the very first report three years ago.

According to IMR6, the CPD continues to struggle in many areas, including:

- allocating its abundant resources to meet community and reform needs adequately,
- engaging the community thoroughly, and
- addressing its fundamental data operations issues.

Therefore, without further delay, the City and the CPD must address these concerns by:

1. completing and releasing the CPD's staff allocation reports, including related assessments made by external partners,
2. partnering with community-centered groups to devise meaningful approaches to community-involved problem-solving, and
3. completing and releasing the CPD's comprehensive data systems analysis.

We will not quietly accept anything less than robust action going forward. Chicago residents have raised their concerns, offered support, and waited tirelessly for meaningful change. If you are genuine about creating a safer Chicago, you must truly commit to implementing the entirety of the Consent Decree, integrating reform principles into everyday interactions with the community, and not settling for unconstitutional policing or half-hearted box-checking. Without changing course in the short term, Chicago stands to continue its practice of long consent decrees (*e.g.*, Shakman) and ongoing civil rights litigation, costing Chicagoans time, money, and, most importantly, their lives. Our demands are only a few steps you can take immediately to signal to our neighbors and us that you can usher in profound and sustainable progress toward constitutional policing.

¹ The Independent Monitor released the sixth Monitoring Report, covering January 1, 2022, through June 30, 2022, on December 15, 2022.

Conduct and Release Staff Allocation Reports

The CPD has failed to allocate staffing resources to areas within the Department critical to reform. The obstructive demarcation between the Office of Operations and the Office of Constitutional Policing and Reform exacerbates the problems resulting from these allocation issues. We see these issues arising from the CPD's ineffective use of its abundant resources rather than a need for more funding. In recent years, Chicago has had one of the highest police-to-resident ratios in the country,² but that has not translated to effective management and meaningful reform progress.

To meet Consent Decree requirements and to dispel the misinformation that safety and constitutional policing are tradeoffs in a zero-sum game, the CPD must assess staffing needs holistically and develop a comprehensive and transparent strategy for ensuring constitutional policing. Furthermore, the CPD should publicize current and future workforce allocation reports, findings, and data, including the University of Chicago Crime Lab's report assessing the CPD's patrol staffing.

The CPD's unwillingness to meaningfully assess staff allocation has made it difficult for the CPD to effectively review the impact of its practices and officers' behavior. IMR6 notes that CPD departments central to evaluating officer behavior and reforms, including the Strategic Initiatives Division, Tactical Review and Evaluation Division (TRED), Education and Training Division, and Reform Management Group, to name a few, are operating below capacity and cannot meet Consent Decree commitments. For example, the Strategic Initiatives Division's lack of resources has made it difficult for the CPD to overhaul its data mechanisms, collection practices, and analyses. And TRED is behind in reviewing 400 force incidents and nearly 1,000 firearm-pointing incidents. No one expects police practices to change if the CPD does not allocate staff to assess reform efforts and officer conduct.

Moreover, officers are routinely re-deployed into the field, out of the Office of Constitutional Policing and Reform, leaving essential functions understaffed. The CPD treats the Operations and Constitutional Policing offices as two separate entities with two different missions rather than two connected halves critical to the functioning of the whole. IMR6 reports that the Office of Operations does not support the Office of Constitutional Policing and Reform's efforts to implement Consent Decree requirements. The principles underpinning constitutional policing and reform should infuse the entire Department.

Such lack of support and coordination leads to stagnation and backsliding. The CPD has not yet developed some of the crucial Impartial Policing and Community Policing policies, a search warrant policy, and quality data. Notably, the CPD has significantly lower compliance progress with accountability provisions compared to other structures like COPA and the Police Board, which have made consistent progress over the past three years. Relying on a staff allocation assessment to appropriately distribute resources that support Consent Decree implementation and facilitate coordination should help improve the CPD's compliance pace.

Partner with Community-Centered Groups to Devise Meaningful Approaches to Community-Involved Problem Solving

The Consent Decree clearly articulates this principle: community members are vital to shaping how we achieve safety in Chicago. Minimally, the Consent Decree requires that the CPD works with community members to develop policies and training. It also requires that community members have a role in developing strategies that keep their neighborhoods safe. Furthermore, the Consent Decree acknowledges

² Vera Justice Institute. 2020. What Policing Costs: Chicago, IL. Accessed January 05, 2023. <https://www.vera.org/publications/what-policing-costs-in-americas-biggest-cities>.

a role for the Coalition, a broad group of community organizations committed to the Consent Decree's enforcement and monitoring.³ Despite these requirements and years of attempts, the CPD has yet to establish a consistent and meaningful practice of engaging community members early, often, responsively, and respectfully. The CPD's community engagement approach for its foot pursuit policy provides a prime example of how the CPD's slow response and lack of transparency around the process undermined community ownership of the policy. Effective leaders respond to their community, yet Chicagoans hear nearly nothing in reply to their input on policing policies.

The CPD's approach to developing a community partnership and engagement plan is insufficient. The CPD's community engagement efforts must support robust involvement by our neighbors who are most likely to experience police harm and violence, specifically those who are Black, Latinx, LGBTQ+, and/or living with disabilities. The CPD has access to a number of groups that are committed to partnering with them to solve community problems. The Coalition, for example, likely has suggestions for how the CPD can improve its community engagement. Community engagement efforts may benefit if the City and the CPD work to repair and strengthen relationships with the Coalition and seek their partnership on CPD's approach to community engagement more broadly.

In addition to the Coalition, we see the newly seated Community Commission for Public Safety and Accountability (CCPSA) as a potentially helpful resource to help address, in part, this ongoing deficiency. The CCPSA's charge of ensuring CPD policies and practices respond to community needs and input squarely aligns with the Consent Decree's community engagement principles, including community co-ownership of public safety measures. CCPSA can inform the CPD on meaningful ways to build effective long-term relationships with community members and community organizations. Moreover, the CPD should ensure that command staff work with District Council members, once in office, to develop and implement district-level public safety strategies. Again, several community-centered groups can inform the CPD on community ownership of community safety policies, the Coalition, CCPSA, and District Councils are only a few examples.

Complete the CPD's Comprehensive Data Systems Analysis

In addition to proper staff allocation and meaningful community involvement, transparent data analysis is essential to moving Chicago toward safety. However, in the most fundamental rejection of genuine accountability, CPD maintains a veil of secrecy that inhibits trust and prevents the City, the administration, and community members from learning what the Department is doing and whether it is promoting safety. As explained in IMR6, the CPD managed to create just one example of its methodology for assessing one of its many data systems, the "Officer Support System." As a preliminary step, the CPD must immediately and comprehensively assess all of its information collection mechanisms and data management technology. The CPD is already two years past the deadline for completing this assessment.

Historically, we receive police data from one perspective, crime statistics. This limited scope of data restricts our understanding of policing practices and our communities' needs. Chicagoans deserve the whole picture, which requires that the City and the Department collect all relevant data points, analyze how the Department functions, and publicly share that data.

The City and the CPD have had years to move from improved policies to reformed operations. Chicagoans have fought, bargained, and waited long enough for public safety grounded in people's

³ A community coalition (i) established to provide meaningful community participation in Consent Decree enforcement and (ii) committed to monitoring, enforcing, and educating the community about the Consent Decree. See Memorandum of Agreement Between the Office of the Illinois Attorney General and the City of Chicago and Campbell v. City of Chicago Plaintiffs and Communities United v. City of Chicago Plaintiffs (March 20, 2018).

inherent value and humanity. Chicago cannot suffer any more delays. Within the next sixth months of Consent Decree evaluation, we ask that you immediately act on our concerns, including by:

1. assessing and publicizing current and future workforce allocation reports, findings, and data, including the University of Chicago Crime Lab's report assessing CPD patrol staffing,
2. partnering with community-centered groups to develop meaningful community engagement opportunities that empower community ownership over community safety, and
3. completing and releasing the CPD's comprehensive data systems analysis, assessing effectiveness.

Sincerely,

The 411 Movement for Pierre Loury
ACLU of Illinois
Access Living
Better Government Association – BGA Policy
BlackRoots Alliance
Black Lives Matter Chicago
BPI
Cabrini Green Legal Aid
Chicago Alliance Against Racist and Political Repression
Chicago Appleseed Center for Fair Courts
Chicago Council of Lawyers
Chicago CRED
Council on American Islamic Relations – Chicago
El Hogar Del Niño
Equality Illinois
The Equiticity Racial Equity Movement
Hispanic Lawyers Association of Illinois
Illinois Latino Agenda
Jewish Council on Urban Affairs
Law Office of the Cook County Public Defender
League of Women Voters of Chicago
Metropolitan Family Services
Mikva Challenge – Safety and Justice Council
Network 49
ONE Northside
Southwest Organizing Project

cc: Maggie Hickey, Independent Monitor, City of Chicago Consent Decree
Christopher G. Wells, Public Interest Division Chief, Illinois Attorney General's Office
Anthony Driver, President, Community Commission for Public Safety and Accountability