

Advocacy In Action: The State of the SAFE-T Act

Assessing the Promise of Body-Worn Cameras

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The Safety, Accountability, Fairness and Equity-Today Act (SAFE-T Act) is an omnibus piece of legislation passed in 2021 that reforms multiple laws, including laws governing policing practices. Using research, analysis, and investigation, Impact for Equity is evaluating the impact of the SAFE-T Act's reforms related to policing behavior and public safety. Impact for Equity will report its findings in a series of issue briefs. This report is the first in the series, focusing on law enforcement body-worn cameras.

Introduction

With the 2021 passage of SAFE-T Act, Illinois joined a handful of states in requiring all law enforcement departments to implement body-worn cameras.¹ The use of body-worn cameras (BWCs) has grown in recent years, with hopes that they would shine a light on police-civilian encounters, promote accountability, prevent police from engaging in misconduct,² and improve evidence collection.³ Historically, when stories conflicted between witness and police accounts, police power and authority coupled with a culture of silence among police meant officers' accounts often prevailed during prosecutions and misconduct investigations.⁴ With the advent of BWCs, external observers have a clearer, more objective vantage point.

Illinois lawmakers hoped that by making BWCs mandatory, the state could grow a culture of accountability and transparency in policing and improve community relationships with law enforcement.⁵ Yet, statewide reforms like those requiring BWCs are just the first step in a police reform effort. As the use of BWCs proliferates, it is important to assess whether they are being implemented in a way that achieves their original purpose: increasing police accountability and transparency.

This issue brief examines this question in the context of the Chicago Police Department (CPD or the Department). CPD was selected for focus because it is the largest municipal police department in the state of Illinois and has fully



implemented the use of BWCs among its members. The City of Chicago and CPD have robust accountability structures, some of which have been lauded for their rare ability to retrieve and release BWC footage after serious incidents.⁶ Despite the extensive reforms that Chicago has adopted, however, CPD has yet to consistently translate them into action. Further, the hard-won accountability measures have not been enough to compel CPD to properly implement reforms. **Specifically, CPD has failed to consistently adhere to BWC requirements and to properly label and store footage. Additionally, the accountability structures both within and outside the department have proven unable to address these failures, meaning that the desired culture of transparency which BWCs are intended to create, has not yet been achieved.** Finally, the state reporting mechanism created to promote BWC transparency is not equipped to address local failures with BWCs like those seen in Chicago.

Background

Focused advocacy for the use of BWCs emerged around 2014 after several tragic police killings, including the killing of Michael Brown in Ferguson, Missouri.⁷ Ferguson Police Department officer Darren Wilson shot and killed Michael Brown after confronting the unarmed 18-year-old on the street. There was no video footage of the 90-second encounter and Wilson's account differed significantly from witness accounts, embroiling Brown's family and the Ferguson community in a battle to hold Wilson accountable. Wilson was never indicted for the killing, and Brown's family turned to advocating for the widespread adoption of body-worn cameras to prevent future accountability failures.⁸

As demands for police reform echoed in Chicago and across the country, in 2015 Illinois passed the Law Enforcement Officer-Worn Body Camera Act, which set guidelines for any department that used BWCs.⁹ **However, it was not until the passage of the SAFE-T Act in 2021 that the use of BWCs throughout Illinois became mandatory, with a phased implementation schedule ending January 1, 2025.**¹⁰

Under the Law Enforcement Officer-Worn Body Camera Act, BWCs in Illinois must be capable of recording 30 seconds prior to an event and must be able to record at least ten hours of footage.¹¹ Officers must turn on their cameras when in uniform and responding to a call for service or interacting with the public during encounters like traffic stops, pedestrian stops, arrests, searches, interrogations, investigations, and pursuits. Agencies are required to retain footage for only 90



days unless it has been “flagged” as related to a use of force incident, an arrest, a complaint against an officer, or another similar event. Although body camera footage generally is exempt from the Freedom of Information Act, footage that has been flagged largely must be disclosed to those who make a request.

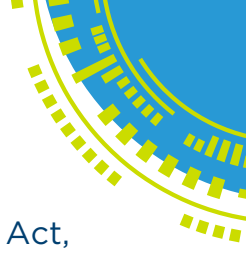
To monitor compliance, the Illinois Law Enforcement Officer-Worn Body Camera Act established a reporting requirement whereby Illinois police departments must annually report an overview of their use of body-worn cameras, including the number of cameras, technical issues faced, a description of the review process, and other relevant information to the Illinois Law Enforcement Training and Standards Board (ILETSB). Each year ILETSB publishes that information on its website.¹²

History and Legal Framework of Chicago BWCs

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Chicago has a grave history with issues of law enforcement transparency, cameras, and police violence. On October 20, 2014, 17-year-old Laquan McDonald was shot and killed by CPD officer Jason Van Dyke.¹³ Initial police reports painted McDonald’s behavior before the shooting as dangerous and erratic, claiming he lunged at police officers.¹⁴ After more than a year of demands for footage from the press, community members, and advocates, the City released the dashcam footage of the killing. The video showed that, contrary to officers’ accounts, McDonald was walking away from officers when Van Dyke exited his police vehicle and shot him sixteen times.¹⁵

After the video’s release, outrage spread through Chicago and protestors demanded transformational change from CPD and accountability for Van Dyke. Under significant public pressure, the City of Chicago announced that it would be launching a body camera pilot program to be rolled out to all patrol officers starting December 2015.¹⁶ By December 10, 2017, all patrol officers in the City were equipped with body-worn cameras.¹⁷



In addition to the Illinois Law Enforcement Officer-Worn Body Camera Act, CPD's BWC usage and supervision is also governed by a Consent Decree between the State of Illinois and the City of Chicago, an agreement reached in 2019 after the State sued Chicago for patterns of excessive and discriminatory force.¹⁸ With respect to BWCs, the Consent Decree requires that the Department create and comply with a BWC policy which requires camera usage, creates measures to preserve context for when officers fail to record interactions, institutes supervisory review, and prescribes a disciplinary procedure.¹⁹

While the Law Enforcement Officer-Worn Body Camera Act and the Consent Decree set general requirements for camera usage, retention, and disclosure, CPD policy elaborates further on BWC operation and accountability.²⁰ It prescribes supervisor obligations to review body camera policy compliance, including reviewing reports of use of force and their corresponding BWC footage. The policy also describes requirements for footage retention and sets up procedures for Department supervisors to routinely review body-worn camera activity.

Yet, even with these accountability measures in place, CPD's failure to consistently comply with policy and to hold officers accountable for failing to do so has kept the ultimate goals of a BWC system out of reach.

CPD is Not Complying with BWC Requirements

Since implementing BWCs, Chicago's police accountability entities have raised repeated alarms about CPD's compliance with its own policies on camera usage.

In 2021, the Civilian Office of Police Accountability (COPA), which relies on regular access to BWC footage to review claims of police misconduct, reported that a substantial percentage of Chicago police officers were not operating BWCs as directed.²¹ COPA initiated an investigation into the extent of and reasons for non-compliance with body-worn camera policy. **The agency investigated 186 allegations of BWC non-compliance between January 1, 2018, and August 31, 2020, and found 68 (37%) of them to be sustained.**²² The remaining allegations were either unfounded or were still pending as of August 31, 2020.²³ In nearly 60% of the sustained allegations, officers claimed that their violation resulted from insufficient training, equipment unfamiliarity, or unclear expectations for usage. Thirty-five percent of those same officers had been employed with the Department for over six years when the violation occurred.²⁴



The Department's Tactical Review and Evaluation Division (TRED) published similar concerns with CPD's compliance. TRED is a division within CPD that reviews incidents of use of force, firearm pointing, foot pursuits, and Fourth Amendment stops²⁵ to provide recommendations to prevent similar incidents from occurring in the future.²⁶ TRED can make individual and department-wide recommendations related to training, equipment, and policies. Whenever problems are detected, TRED will "debrief" an issue with an officer by making a recommendation or advisement for steps to take to improve on the issue.²⁷ **In 2022, TRED debriefed BWC compliance in 20% of all use of force reviews.²⁸ That year BWC compliance accounted for almost 90% of firearm pointing recommendations.²⁹ As of midyear 2023, BWC compliance continued to be the top debriefed issue for TRED.** Problems included late camera activation, no activation, early deactivation, and other BWC issues.³⁰ TRED classified these as "most concerning" because the footage is "crucial for the review of a use of force incident."³¹

Unfortunately, TRED's debriefings do not lead to any real consequences for officers who violate BWC requirements during use of force incidents. Instead, TRED's response to an officer's repeated incorrect BWC usage during a use of force incident is reviewing trainings or policies with a supervisor.³² Only after five BWC violations during an officer's use of force or a firearm pointing incident are additional measures recommended.

The Independent Monitoring Team responsible for overseeing CPD's compliance with the Consent Decree also raised concerns about CPD's compliance with BWC protocol after protests ignited throughout Chicago in response to the tragic police killings of Breonna Taylor in Kentucky and George Floyd in Minnesota.³³ Many CPD officers violated the law by patrolling subsequent protests without BWCs, one of many concerns raised in a dedicated report from the Independent Monitoring Team.³⁴ The report underscores the profound repercussions of the lack of BWC footage, during a period when there were widespread reports of excessive force and officer misconduct,³⁵ and emphasizes that assessing the full damage done by CPD's uses of force without the BWC footage may not be possible.³⁶

Amid ongoing compliance issues, the parties involved in the Consent Decree have been in a prolonged dispute over a new CPD BWC policy. Despite numerous reviews by the Office of the Attorney General (OAG) and the Independent Monitoring Team, CPD's proposed policies have consistently fallen short. In



December 2023, CPD published a policy over the OAG’s objections to a provision allowing officers to turn off their BWCs after an officer-involved shooting while a supervisor questions the officer about victims, witnesses, other suspects, and injuries, which the OAG argued creates the opportunity for collusion among officers.³⁷ The OAG is now seeking review from the federal court overseeing the Consent Decree, arguing the provision violates state law and the Consent Decree. If retained, this provision could undermine transparency and accountability in critical moments following officer-involved shootings.

Inadequacies in Current Accountability Measures

Despite reports from COPA, TRED, and the Independent Monitoring team, the Department has failed to take the corrective actions necessary to prevent future policy violations. Lapses include inadequate supervisor review of officers’ BWC compliance and footage storage practices that impede review.

Lapses in Supervisory Review of BWC Failures

Officer supervisors can detect when an officer fails to properly use their BWC when they review that officer’s use of force incidents. Yet, the most common issue TRED debriefed with investigating supervisors in the first half of 2023 was their failure to find and address BWC issues that TRED later documented.³⁸ In its most recent November 2023 report, the Consent Decree Independent Monitor noted that “noncompliance with the CPD’s body-worn camera policy continues to persist, with front line supervisors rarely taking initiative to identify these failings and address them.”³⁹

“**...noncompliance with the CPD’s body-worn camera policy continues to persist, with front line supervisors rarely taking initiative to identify these failings and address them.**
- November 2023
Independent Monitor Report”

Per CPD policy and the Consent Decree, CPD supervisors are also required to perform random audits of BWC recordings involving civilian interactions to ensure officers’ adherence to CPD policy. However, the Consent Decree Independent Monitor’s November 2023 progress report, measuring progress through July 2023, revealed that CPD had failed to achieve any level of compliance with this requirement because they had not yet developed a policy that fully complied with the Consent Decree’s requirements nor had they developed a random review protocol that would allow CPD to select and review videos in a systematic way.⁴⁰ It is yet unclear whether CPD’s newly-published



December 2023 BWC policy, which includes changes to the random review requirement, and any corresponding developments to the random review protocol will bring CPD in compliance with the Consent Decree on this issue.⁴¹

Failure to Label and Store Body Camera Footage

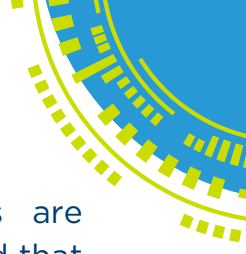
CPD officers routinely fail to accurately label and store BWC footage, which impedes accountability after an incident. In early 2023, the Chicago Office of the Inspector General notified the Department of numerous instances involving mislabeled and improperly stored body-worn camera footage.⁴² The letter dated February 28, 2023, stated "OIG investigators and analysts cannot consistently verify that [the OIG has] identified all BWC footage related to an event."⁴³ **The OIG found that the mislabeling of BWC video compromises CPD's and COPA's ability to conduct inquiries and investigations, and stated, "this poses a disservice to accused CPD members, complainants, and victims, and undermines the overall integrity of the City's police accountability system."**⁴⁴

Deficiencies in the State Reporting System

Where local police departments fall short, a state regulatory infrastructure that promotes transparency and accountability can help surface patterns of noncompliance and address those failures. Unfortunately, the reporting system created by the Law Enforcement Officer-Worn Body Camera Act fails to fill that gap.

The Law Enforcement Officer-Worn Body Camera Act requires agencies to report information regarding their BWC usage annually. Those reports go to ILETSB, which is the Illinois agency charged with providing officer training, setting certain law enforcement standards, dispensing law enforcement grants, and administering the State's decertification system. ILETSB compiles local agencies' BWC usage reports and publishes its annual report summarizing that information.

However, the repeated failures with BWC usage in Chicago are absent from ILETSB's annual BWC reporting on CPD, demonstrating how this state reporting requirement is not set up to uncover and address when local departments' BWC usage is deficient. The ILETSB reports provide surface-level policy descriptions and, despite this being a self-reporting system, there is no follow-up auditing by the state agency to determine whether the law enforcement agencies are accurately reporting or in compliance with the BWC requirements in the Act.⁴⁵ For instance, ILETSB's 2022 report describes CPD's BWC review process by stating supervisors ensure "Department members use body-worn cameras consistent



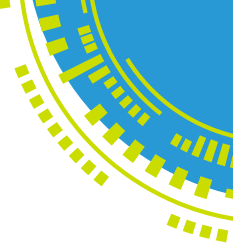
with Chicago Police Department directives.”⁴⁶ Yet, these conclusions are inconsistent with TRED reports over the same period. In 2022 TRED reported that it found either no BWC activation or late BWC activation in nearly 1,000 firearm pointing incidents and 470 use of force incidents,⁴⁷ and that reviewing supervisors often failed to detect issues with missing or incomplete BWC footage.⁴⁸ This raises broader questions about the purpose of state reporting requirements when there is no auditing to ensure accurate reporting, no requirement to report officer or supervisor compliance failures, and no mechanism for the state oversight agency to hold the local department accountable for their failures.

Conclusion

The SAFE-T Act and Chicago’s police accountability institutions have set up an infrastructure that, if adhered to, could proactively detect officer misconduct, prevent wrongdoing from happening in the future, and build trust between CPD and the public. But there are still major barriers to fulfilling the promise of BWCs as a reform tool that can promote a culture of accountability and transparency in policing. In Chicago, the lack of officer compliance with BWC requirements and the ineffectiveness of accountability measures have contributed to a fractured accountability system.

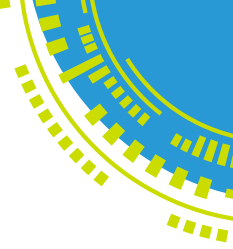
The SAFE-T Act BWC requirements took a necessary step toward police accountability for Illinois, but without a meaningful investment in implementation, Chicagoans will not fully feel the impact of those changes. Statewide reforms like those requiring BWCs have promise in spirit, but there is still a long way to go here in Chicago. The struggles with CPD serve as a reminder that passage of policy alone is not enough, and that the use of BWCs is just one of many tools intended to create and drive a culture of transparency and accountability in public safety that Illinoisans deserve.

“**In Chicago, the lack of officer compliance with BWC requirements and the ineffectiveness of accountability measures have contributed to a fractured accountability system.**”



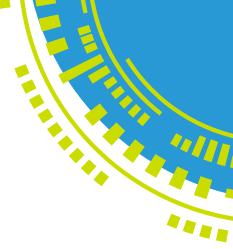
Notes

1. Safety, Accountability, Fairness and Equity-Today (SAFE-T) Act, Ill. Pub. Act 101-0652.
2. Some hope that recording police encounters will deter officers from engaging in excessive force and lead to safer interactions between civilians and law enforcement. However, studies investigating this causal relationship show mixed results. See, e.g., Morgan C. Williams Jr., et al., *Body-Worn Cameras in Policing: Benefits and Costs* (Mar. 25, 2021), https://www.documentcloud.org/documents/20533586-cl_bwc-study (finding adoption of BWCs led to a reduction in use of force in the departments studied); Cynthia Lum, et al., *Body-worn cameras' effects on police officers and citizen behavior: A systematic review*, Campbell Systematic Reviews Vol. 16 No. 3 (2020), <https://onlinelibrary.wiley.com/doi/10.1002/cl2.1112> (finding BWCs do not have clear or consistent effects on most officer or citizen behaviors, but that further evaluation is needed). See also Lindsay Whitehurst, *Police body camera ramp up started a decade ago. How well have they worked?*, AP News (June 29, 2023), <https://apnews.com/article/police-body-cameras-shooting-914729c87b65c102acc766e713031f63>.
3. Lily Robin and Susan Nembhard, *What Can Policymakers Expect of Body-Worn Cameras in Law Enforcement after a Decade of Use?*, Urban Institute Urban Wire (July 14, 2022), <https://www.urban.org/urban-wire/what-can-policymakers-expect-body-worn-cameras-law-enforcement-after-decade-use>.
4. See, e.g., Max Blaisdell, *Judges challenge police credibility in court*, Chicago Reader (Oct. 10, 2023), <https://chicagoreader.com/news-politics/judges-challenge-police-credibility-in-court/#:~:text=not%20isolated%20incidents.-,Between%202008%20and%202022%2C%20judges%20found%20the%20testimony%20of%2040,Few%20faced%20significant%20repercussions> (describing the tendency of judges, juries, and prosecutors to trust their testimony and the minimal consequences to those who are found to be untruthful); Barry Friedman, *Why Do Courts Defer to Cops?*, 130 Harv. L. Rev. F. 323 (2017) (discussing the history of and explanation for judicial deference to police testimony); Police Accountability Task Force, *Recommendations for Reform Report*, pgs. 69-73 (April 2016), https://chicagopatf.org/wp-content/uploads/2016/04/PATF_Final_Report_4_13_16-1.pdf (describing CPD's "code of silence" wherein cultural norms and institutional rules and policies compel officers to protect one another to avoid misconduct charges).
5. Illinois Law Enforcement Officer-Worn Body Camera Act, 50 ILCS 706/10 (2021).
6. See Eric Umansky, *How Chicago Became an Unlikely Leader in Body-Camera Transparency*, ProPublica (Jan. 23, 2024, 5:00 AM), <https://www.propublica.org/article/how-chicago-became-leader-body-camera-transparency-police>.
7. Josh Sanburn, *The One Battle Michael Brown's Family Will Win*, Time (Nov. 25, 2014), <https://time.com/3606376/police-cameras-ferguson-evidence/>.
8. *Id.*
9. Ill. Pub. Act 099-0352, <https://www.ilga.gov/legislation/publicacts/99/PDF/099-0352.pdf>.
10. Karen Suhaka, *The SAFE-T Act: A Step Forward in Enhancing Police Accountability and Citizen Safety - Guest Post*, Bill Track (Mar. 8, 2023), <https://www.billtrack50.com/blog/safe-t-act/#:~:text=A%20new%20Illinois%20law%2C%20HB,law%20enforcement%20and%20the%20public>.
11. Illinois Law Enforcement Officer-Worn Body Camera Act, 50 ILCS 706/10 (2021).
12. Illinois Law Enforcement Training and Standards Board, *Reports*, <https://www.ptb.illinois.gov/resources/reports/> (last visited Jan. 19, 2023).



Notes

13. Nausheen Husain, *Laquan McDonald timeline: The shooting, the video, the verdict and the sentencing*, Chi. Tribune (Jan 18, 2019), <https://www.chicagotribune.com/news/laquan-mcdonald/ct-graphics-laquan-mcdonald-officers-fired-timeline-htmlstory.html>.
14. Mark Berman, *Why did authorities say Laquan McDonald lunged at Chicago police officers?*, Wash. Post (Nov. 25, 2015), <https://www.washingtonpost.com/news/post-nation/wp/2015/11/25/why-did-authorities-say-laquan-mcdonald-lunged-at-chicago-police-officers/>.
15. *Id.*
16. *Chicago police to launch body camera pilot program soon*, Austin Weekly News (January 29, 2015), <https://www.austinweeklynews.com/2015/01/29/chicago-police-to-launch-body-camera-pilot-program-soon/>.
17. Press Release, Office of the Mayor City of Chi., *Body Worn Cameras Expansion Completed – One year Ahead of Schedule* (Dec. 10, 2017), <https://www.chicago.gov/content/dam/city/depts/mayor/Press%20Room/Press%20Releases/2017/December/20171210.pdf>.
18. The formation of the CPD Consent Decree was the result of years of investigation and negotiation across federal and state actors. After observing events surrounding the killing of Laquan McDonald in Chicago, the Obama Administration’s Justice Department launched an investigation into CPD, resulting in a January 2017 report that characterized Chicago’s police force as poorly trained, lacking accountability, and engaging in unnecessary violence, particularly against people of color. The findings prompted the State of Illinois to sue the City of Chicago and ultimately reach an agreement for a consent decree. Since 2019, the Chicago Police Department has been under federal scrutiny, with mandated reforms spanning community policing; impartial policing; crisis intervention; use of force; recruitment, hiring, and promotions; training; supervision; officer wellness and support; accountability and transparency; and data collection, analysis, and management. See United States Department of Justice Civil Rights Division and United States Attorney’s Office of the Northern District of Illinois, *Investigation of the Chicago Police Department* (Jan. 13, 2017); *Consent Decree, State of Illinois v. City of Chicago*, No. 17-cv-6260 (N.D. Ill. Jan. 31, 2019) <https://www.chicago.gov/content/dam/city/sites/police-reform/docs/Consent%20Decree.pdf> [hereinafter, Chicago Police Consent Decree].
19. Chicago Police Consent Decree, ¶¶ 236-42; 576; 587, <https://www.chicago.gov/content/dam/city/sites/police-reform/docs/Consent%20Decree.pdf> (describing the Consent Decree’s requirements for CPD BWC policy, review, and operation).
20. Chicago Police Department, *Special Order S03-14 – Body Worn Cameras* (Iss. Dec. 29, 2023).
21. Civilian Office of Police Accountability, *Report on Non-Compliance with Body-Worn Camera Regulations*, pg. 2 (2021), <https://www.chicagocopa.org/wp-content/uploads/2021/07/2021-07-26-BWC-Report-Package.pdf> [hereinafter COPA Report].
22. COPA Report, pg. 2.
23. In 2023 COPA announced the closure of approximately 800 cases that were over two years old without conducting investigations to address their case backlog. In the process of deciding which cases to close, COPA gave priority to those featuring operational violations, particularly incidents involving BWC failures. Unfortunately, the inherent challenge with these “failures” lies in the uncertainty surrounding the gravity of the incidents; we are left in the dark about the true severity of these events due to the nature of BWC malfunctions. See PBS, *COPA Set to Close Hundreds of Police Misconduct Cases* (June 28, 2023), <https://www.pbs.org/video/copa-set-to-close-hundreds-of-police-misconduct-cases-qm0fc4/>.



Notes

24. COPA Report, pg. 8.

25. In 2023, CPD established the Fourth Amendment Street Stop Review Unit within the Tactical Review and Evaluation Division. The Unit was created in response to a stipulation entered by the parties to the CPD Consent Decree that sets requirements on how CPD conducts and reviews investigatory stops, pat downs, and enforcement of the City's loitering ordinance. The Unit will review a representative sample of Investigatory Stop Reports, which are generated after an officer stops a person based on reasonable suspicion that the person is engaging in criminal activity. See Stipulation, *State of Illinois v. City of Chicago*, No. 17-cv-6260 (N.D. Ill. June 27, 2023) <https://www.chicagopoliceconsentdecree.org/Page-Attachments/CPCD/Resources/Court/1096-Amended-Stip-re-investigatory-stops-protective-pat-downs.pdf>.

26. Chi. Police Dep't, Tactical Review and Evaluation Division, 2023 Midyear Report, pg. 9 (Dec. 28, 2023) <https://home.chicagopolice.org/wp-content/uploads/Tactical-Review-and-Evaluation-Division-Midyear-Report-2023.pdf> [hereinafter TRED 2023 Midyear Report].

27. When TRED finds an issue with the officer's actions after reviewing all materials and reports from an incident, TRED will issue a "debriefing point" in the form of a recommendation or advisement to that officer. Those can include recommendations or advisements for things like undergoing additional training, reviewing department policy or training bulletins, or engaging in e-learning modules.

28. Chi. Police Dep't, Tactical Review and Evaluation Division, 2022 Year-End Report, pgs. 10, 11 (June 21, 2023) <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf> [hereinafter TRED 2022 Year-End Report].

29. *Id.*

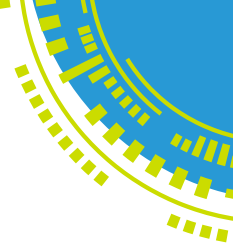
30. TRED 2023 Midyear Report, pg. 7.

31. TRED 2022 Year-End Report, pg. 48.

32. TRED 2023 Midyear Report, pg. 6. After years of debriefing officers on BWC failures, in 2023 the Tactical Review and Evaluation Division (TRED) began using a "debriefing matrix to ensure accountability and consistency" with the cases it reviews that implicate BWC concerns. Much of what TRED reviews is the most serious law enforcement incidents that involve use of force, pointing firearms, and/or foot pursuits. Yet even with this serious subset of law enforcement interactions, an officer can be found to have failed to follow BWC policy four different times before anything beyond reviewing policy or trainings is recommended. On the fifth instance, TRED still only forwards a communication to the officer's Commander and Captain that the "incident requires further corrective action to be determined by the affected member's unit/district[.]"

33. Independent Monitoring Team, Chicago Police Department Consent Decree, Special Report - The City of Chicago's and The Chicago Police Department's Responses to Protests and Unrest under the Consent Decree (2023) https://cpdmonitoringteam.com/wp-content/uploads/2021/07/2021_07_20-Independent-Monitoring-Team-Special-Report-filed.pdf [hereinafter IMT Special Report].

34. *Id.* at 64-67. While the report does not provide the number of officers who violated protocol, the report describes that "many" officers were deployed without equipment including BWCs or Department vehicles, without a comprehensive strategy or orders, and without information about who was in charge. The report also details that officers were ordered to conduct mass arrests even though not all officers had been trained on mass arrests and without mass arrest equipment. Finally, because of the disorganization, many officers conducted arrests without Tactical Response Reports, which are required paperwork for each use of force.



Notes

35. Matt Masterson, *City, Chicago Police Were 'Unprepared' for Protests, Unrest in Wake of George Floyd Killing Last Summer: Report*, WTTW News (July 20, 2021, 10:32 AM), <https://news.wttw.com/2021/07/20/city-chicago-police-were-unprepared-protests-unrest-wake-george-floyd-killing-last-summer>.
36. IMT Special Report, pg. 18 (“[T]here was a spike in firearm pointing circumstances that occurred between May 31 and June 2, 2020, and . . . there was often no body-worn camera footage to review. Likewise, given the many reporting and tracking challenges, the actual number of uses of force incidents may be unknowable, including how often personal [pepper] spray was used.”)
37. Plaintiff’s Motion for Judicial Resolution Under Paragraph 630 of the Consent Decree Regarding CPD’s Body-Worn Camera Policy, *State of Illinois v. City of Chicago*, No. 17-cv-6260 (N.D. Ill. Jan. 22, 2024).
38. TRED 2023 Midyear Report, pg. 42.
39. Independent Monitoring Team, Chicago Police Department Consent Decree, Independent Monitoring Report 8, Appendix 4 - Use of Force Assessments by Paragraph, pg. 189 (Nov. 1, 2023), <https://cpdmonitoringteam.com/wp-content/uploads/2023/11/IMR8-Appendix-4-Use-of-Force-2023.11.01.pdf>.
40. Independent Monitoring Team, Chicago Police Department Consent Decree, Independent Monitoring Report 8, Appendix 10 - Data Collection, Analysis & Management Assessments by Paragraph, pg. 23-25 (Nov. 1, 2023), <https://cpdmonitoringteam.com/wp-content/uploads/2023/11/IMR8-Appendix-10-Data-Collection-Analysis-and-Management-2023.11.01.pdf>.
41. *Id.* The Independent Monitoring Report 8 noted that in response to the Independent Monitor’s recommending clarifications to the then-current draft of the BWC policy, the City responded by saying CPD “is not seeking preliminary compliance” with that requirement at this time. Whether the newly published policy does push CPD into preliminary compliance with the Consent Decree will be discussed in the next Independent Monitor’s report, expected to be published in spring 2024.
42. City of Chicago Office of Inspector General, Recommendations to Inform and Improve Storage and Labeling of Body Worn Camera Footage, pg. 3-5 (May 12, 2023), <https://igchicago.org/wp-content/uploads/2023/08/OIG-Recommendations-for-Storage-and-Labeling-of-Body-Worn-Camera-Footage.pdf>.
43. *Id.* at 3.
44. *Id.*
45. See 50 ILCS 706/10-25.
46. Illinois Law Enforcement Training and Standards Board, Illinois 2022 Body Worn Camera Report, pgs. 27-28, <https://www.ptb.illinois.gov/media/1792/2022-body-worn-camera-report-final.pdf>.
47. TRED 2022 Year-End Report, pgs. 45, 51, 85.
48. TRED 2023 Midyear Report, pg. 42.

Impact for Equity (formerly BPI) is a public interest law and policy center that has been at the front lines of social justice in the Chicago region and Illinois for over 50 years. Known for its innovative and effective advocacy for racial and economic equity, today Impact for Equity is deeply engaged in advancing systemic change in housing, community building, and criminal legal system reform.