

POLICE BOARD PRESIDENT'S PROPOSED GOALS AND EXPECTATIONS FOR 2023
January 24, 2023

Provided to the Community Commission for Public Safety and Accountability as
Required by Section 2-80-100 of the Municipal Code of Chicago

Consent Decree Goals

Context for Goal #1: On January 31, 2019, the U.S. District Court approved a Consent Decree between the State of Illinois and the City of Chicago. The goals of the Consent Decree include ensuring lawful and constitutional policing, building trust between police officers and the communities they serve, promoting community and officer safety, and providing CPD members with the resources and support they need. To achieve these goals, the Consent Decree “requires changes in the areas of 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.” (Consent Decree, page 1.)

The Police Board is committed to supporting the goals of the Decree and has made significant progress in implementing reforms in the areas of police accountability and transparency. The Board has developed and continues to implement a curriculum for the training of Board members and hearing officers, as required by Consent Decree Paragraph Nos. 540 – 542. (Attached are the paragraphs of the Consent Decree pertaining to the Police Board.)

Goal #1: Conclude implementation of the training curriculum and training policy required by Paragraph Nos. 540 – 542 of the Consent Decree and have all Board members and hearing officers complete required training.

Context for Goal #2: The Independent Monitor released its sixth semi-annual report on the City’s compliance with the Consent Decree on December 15, 2022. Of the 14 paragraphs the Police Board is responsible for implementing (on topics such as disciplinary hearings, public meetings, and training), the Monitor found the Board to be in full compliance with the requirements of 10 paragraphs, in secondary compliance with 1 paragraph, and in preliminary compliance with 3 paragraphs. (See the Monitor’s report, available on the Board’s website, for information on the specific requirements of each paragraph and how the Monitor assesses compliance.)

Goal #2: Achieve full compliance with Paragraph Nos. 540 – 543 of the Consent Decree and maintain full compliance with all other paragraphs for which the Police Board is responsible (*i.e.*, Paragraph Nos. 531, 533 – 539, 555, and 565).

Context for Goal #3: Consent Decree Paragraph No. 565 requires the Civilian Office of Police Accountability (COPA), the Deputy Public Safety Inspector General (PSIG), and the President of the Police Board to meet at least quarterly to confer and share information regarding trends and analyses of data relating to CPD; the paragraph states that they will jointly or separately provide any resulting recommendations for changes in CPD policy or rules, in writing, to the Superintendent.

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Goal #3: Discuss at the quarterly meetings policy problems and possible solutions, based on issues that arise in Police Board disciplinary cases (*e.g.*, 4th amendment issues), and develop strategies to implement solutions. Also, propose to the meeting participants producing an annual summary of items discussed and any actions recommended and/or taken as a result of these meetings.

Policy-Related Goal

Context for Goal #4: In November 2021 the City Council passed an ordinance granting the Police Board the power to consider appeals by persons seeking removal of status identification from the Chicago Police Department's Criminal Enterprise Information System ("CEIS"). The ordinance also grants the Board the authority to make rules for handling these appeals.

Goal #4: Using a process that includes public notice and community engagement, adopt rules of procedure for considering appeals by persons seeking removal from the Chicago Police Department's Criminal Enterprise Information System within six months of the launch of the CEIS. (Attached is information on the process that the Board made public in November 2021.)

Efficiency, Effectiveness, and Timeliness Goals

Context for Goals #5 – 8: The members of the Police Board are committed to performing their duties efficiently and effectively, and with independence, integrity, and fairness to all involved. The following goals reflect this commitment.

Goal #5. To improve the efficiency of the accountability process: (a) Communicate and work with the other agencies in the police accountability system (CCPSA, COPA, CPD, Corporation Counsel's Office, and OIG) to emphasize the importance of an efficient disposition of each complaint of police misconduct and keeping delays to a minimum; and (b) Communicate to the attorneys representing parties in Police Board disciplinary cases the importance of an efficient disposition of each case and keeping delays to a minimum, with the goal of reducing the average amount of time from the filing of charges with the Board to the first day of hearing and to a final decision. One measurement of the success of this goal is the amount of time it takes to investigate alleged misconduct, bring charges, and decide cases (the Board tracks and publishes on its website case-specific and aggregate data about the substance and the effectiveness and efficiency of the process used to resolve Police Board cases). If the Board finds that delay materially impacted the Board's efforts to decide a case, the Board will document this impact in its written findings and decision of the case.

Goal #6: With the goal of making the deliberations and resolution of cases more equitable, communicate to the attorneys representing parties in Police Board disciplinary cases the importance of the Board receiving all relevant information allowed by law on Respondents' prior work history, increasing information made part

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of the record and available to the Board for consideration. Measurements of the success of this goal are the amount of information made available to the Board for it to consider when deciding cases and whether the information is documented in the Board's written decisions.

Goal #7: Engage in individual conversations with the CPD Superintendent and the COPA Chief Administrator to prepare for the monthly public and televised Police Board meeting and discuss other police-related matters. One measurement of the success of this goal is agency leaders' responsiveness to issues of concern raised by the public at the meetings (the Board publishes on its website reports of responses to community input at each meeting).

Goal #8: Ensure compliance with the Municipal Code's requirements regarding Board members' attendance at Board meetings, including notifying the Mayor if a Board member misses more than two meetings.

Transparency Goals

Context for Goals #9 – 11: Transparency is essential for accountability, and the Board is committed to making a variety of information available so that all members of the public as well as members of the CCPSA have an opportunity to make an informed judgment of the Board's work.

Goal #9: Ensure timely responses to all requests for information and records by the Inspector General, Consent Decree Monitor, and members of the public via the Freedom of Information Act.

Goal #10: Maintain transparency of the Board's operations by timely posting on the Board's website of police disciplinary case information (such as decisions, charges, schedule of hearings, and reports).

Goal #11: Update the Board's website and other materials as appropriate with a clearly identified statement of how the Board carries out its mission as defined by the powers and duties granted to the Board by the Municipal Code of Chicago.

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

STATE OF ILLINOIS,

Plaintiff,

v

.

CITY OF CHICAGO,

Defendant.

Case No. 17-cv-6260

Judge Robert M. Dow, Jr.

CONSENT DECREE

[Police Board Sections]

[Attachment re Goals 1 - 3]

I. Police Board

531. In order to function effectively, CPD's accountability system must protect the due process rights of involved CPD members. In order to build public trust and credibility, CPD must provide opportunities for meaningful community engagement that extends beyond the complaint process. The Police Board strives to play the important dual roles of protecting CPD members' due process rights and providing a platform for regular community feedback. The City will ensure that the Police Board has adequate resources, training, and institutional support to fulfill its important duties.

532. Within 180 days of the Effective Date, the City will draft selection criteria for Police Board members with the objective of identifying individuals who possess sufficient experience, judgment, and impartiality to perform the duties of members of the Police Board. Selection criteria may include prior work in law or law enforcement, and service with Chicago-

based community and non-profit organizations. The draft selection criteria will be published on the Police Board's website for a period of 30 days for public review and comment. Following the 30-day public review and comment period, the City will provide the draft criteria to OAG for review and comment. The final selection criteria will be published and maintained on the Police Board's website. The City will ensure that the selection criteria are the basis for future selection of Police Board members.

533. Within 180 days of the Effective Date, the Police Board will submit selection criteria for Police Board hearing officers to the Monitor and OAG for review and comment. The criteria will be drafted to help identify individuals who possess sufficient competence, impartiality, and legal expertise to serve as hearing officers. The selection criteria will be published on the Police Board's website. The City and the Police Board will ensure that the selection criteria are the basis for future selection of Police Board hearing officers.

534. In any disciplinary action requiring the vote of the Police Board, the City will ensure:

- a. a hearing officer will preside over the disciplinary proceedings; and
- b. disciplinary hearings will be videotaped in their entirety.

535. Prior to any vote by the Police Board following any disciplinary hearing, the City will ensure:

- a. all Police Board members are required to watch and certify that they have watched the videotape of the entire evidentiary hearing;
- b. all Police Board members are provided copies of the complete record, including demonstrative exhibits;

- c. hearing officers will prepare a written report that sets forth evidence presented at the hearing: (i) in support of the charges filed; (ii) in defense or mitigation; and (iii) in rebuttal, including evidence and aggravation, if any; the hearing officer's report will also include information relating to witness credibility;
- d. the Police Board may, at its discretion, ask a hearing officer to additionally prepare a written report and recommendation that sets forth findings of fact and conclusions of law, including any findings relating to witness credibility;
- e. the parties before the Police Board will have 14 days to review the hearing officer's report, and recommendation, and file any written objections; and
- f. all Police Board members will review *de novo* the hearing officer's report and any recommendation, and the parties' written objections to the same.

536. As part of the Police Board proceedings, the parties to the Police Board case (the Superintendent and the involved CPD member) will be given access to the CPD member's complete disciplinary file and will have the opportunity to move for entry into the record of proceedings any relevant aspect of the CPD member's disciplinary file, as permitted by law and any applicable collective bargaining agreements.

537. All regular meetings convened by the Police Board that are open to the public will be attended by the CPD Superintendent or his or her designee; the Chief Administrator of COPA or his or her designee; the Deputy PSIG or his or her designee; and the Chief of BIA or his or her designee.

538. Within 90 days of the Effective Date, the City will create a policy for collecting, documenting, classifying, tracking, and responding to community input received during the

Police Board's regular community meetings. The policy will outline the methods for: (a) directing community input to the appropriate responding entity, agency, or office; and (b) documenting and making public, all responses to community input.

539. The Police Board will make best efforts to streamline discovery efforts in all pending proceedings.

540. Within 180 days of the Effective Date, Police Board members and hearing officers will receive initial and annual training that is adequate in quality, quantity, scope, and type and will cover, at minimum, the following topics:

- a. constitutional and other relevant law on police-community encounters, including law on the use of force and stops, searches, and arrests;
- b. police tactics;
- c. investigations of police conduct;
- d. impartial policing;
- e. policing individuals in crisis;
- f. CPD policies, procedures, and disciplinary rules;
- g. procedural justice; and
- h. community outreach.

541. The trainings will be provided by sources both inside and outside of CPD, as needed, to provide high quality training on investigative techniques, and CPD policies, procedures, and disciplinary rules.

542. Within 90 days of the Effective Date, the City will create a training policy for Police Board members and hearing officers.

543. With regard to the promulgation or adoption of CPD rules and regulations, the Police Board's authority will be limited to issuing policy recommendations in the manner set forth in this Agreement.

3. Police Board

555. On an annual basis, the Police Board will track and publish case-specific and aggregate data about Police Board decisions. Such publications will contain and include, at minimum, the following:

- a. the date on which the investigating agency (COPA, BIA, district, or OIG) received the complaint or notification for investigation;
- b. the date of the Police Board hearing over which the hearing officer presided;
- c. the disciplinary recommendations and/or decisions (where applicable) made by COPA, BIA, the Superintendent, and the Police Board;
- d. the average time between the filing of disciplinary charges with the Police Board and the first day of hearing;
- e. the average time between the filing of disciplinary charges with the Police Board and the Police Board's decision;
- f. the average time between the date on which the investigating agency (COPA, BIA, district, or OIG) received the complaint for investigation and the Police Board's decision;
- g. the date of the alleged misconduct;
- h. the average time between the date of the alleged misconduct giving rise to the complaint or notification and the Police Board's decision; and
- i. whether any Police Board decision has been appealed to any state court and, if so, the court's final judgment.

K. CPD Policy Recommendations

565. At least quarterly, COPA, the Deputy PSIG, and the President of the Police Board, or his or her designee, will meet to confer and share information regarding trends and analyses of data relating to CPD. They will jointly or separately provide any resulting recommendations for changes in CPD policy or rules, in writing, to the Superintendent.

Thereafter:

- a. the Superintendent will respond to any such recommendation within 60 days of receipt;
- b. the Superintendent's response will include a description of the actions that the Superintendent has taken or plans to take with respect to the issues raised in the recommendations; and
- c. all policy recommendations and responses to the same will be published on a City website.



CITY OF CHICAGO



CHICAGO POLICE BOARD

[Attachment re Goal #4]

November 9, 2021

**INFORMATION ON PROMULGATION OF RULES FOR
APPEALS BY PERSONS INCLUDED IN THE CHICAGO POLICE DEPARTMENT'S
CRIMINAL ENTERPRISE INFORMATION SYSTEM**

The ordinance before the City Council grants the Police Board the power to consider appeals by persons seeking removal of status identification from the Chicago Police Department's Criminal Enterprise Information System ("CEIS"). The ordinance also grants the Board the authority to promulgate rules for handling these appeals.

The Police Board plans to use the following process for promulgating rules for these appeals.

1. **Initial Community Engagement.** The Board will provide public notice, including notifying all City Council members, of the following opportunities for members of the public and community organizations to ask questions about and comment on the design and implementation of an appeals process:
 - a. **Monthly Police Board Public Meeting.** At one of its monthly public meetings, which are carried live by CAN-TV, the Board will present key components of a draft appeals process the Board is considering. Members of the public will have an opportunity at the meeting to address questions and comments to the full Board.
 - b. **Meetings with Individual Board Members.** Individual Board members will be available to meet with members of the public and community organizations to discuss the appeal process. The Board will contact organizations and individuals who have expressed interest to the Board in this or similar topics to ascertain if they would like to meet with a Board member.
 - c. **Written Comments.** The Board will consider written comments on the appeals process that are submitted to the Board's office. These comments will be posted on the Board's website.
2. **Draft Rules for Public Comment.** After considering community input and stakeholders' views on the appeal process, the Board will draft rules for handling appeals and post the draft for public comment.

- 3. Vote on Rules at a Monthly Public Meeting** Following consideration of all public comments, the Board will post a final draft of the rules and vote on it at a subsequent monthly Police Board public meeting that takes place no sooner than three weeks after the posting.