# 2020 ANNUAL REPORT CHICAGO POLICE BOARD



# **MESSAGE FROM THE PRESIDENT**

The people of Chicago and across the nation were tested by an unprecedented series of crises in 2020, including a global pandemic, civil unrest, and spikes in murders and shootings. Many in our city are understandably frustrated and angry, and the public is right-fully demanding action from leaders at all levels of government and society. The members of the Police Board and I have worked diligently throughout the year on matters where we can make the most difference—strengthening police accountability and increasing opportunities for and responsiveness to community input on police-related issues. I am pleased to present this report of the Board's work in 2020.

As noted in last year's report, the Board began a search for a new Superintendent of Police in late 2019. From the beginning of the search, we reached out to Chicagoans to listen to their views on the qualifications and experience the next Superintendent should possess and accept any specific community recommendations of candidates to be considered. We held town hall meetings on the South, West, and North Sides of the City, and individual Board members met with approximately 25 community organizations. This community input was an invaluable part of the process by which we nominated the three candidates we deemed best-suited to lead the Chicago Police Department. A detailed report on the Superintendent search appears below.

The Board works to foster public trust by serving as an impartial decision maker in the most serious police disciplinary cases, striving to perform this duty with independence and openness. These cases range from highly visible charges of unjustified police-involved shootings to other less visible yet still significant allegations of misconduct. The role of the Board, like that of a court of law, is to undertake a thorough review of the evidence in each case and render a fair, unbiased decision. The Board has continued to hear cases during the COVID-19 pandemic; several hearings have been conducted via Zoom, and all hearings are open to the public. You will find in the following pages detailed information and statistics on the Board's decisions in 2020.

At each monthly Police Board meeting, members of the public are welcome to address questions or comments to the Board, the Superintendent of Police, and the Chief Administrator of the Civilian Office of Police Accountability. Nearly 100 community members spoke at these meetings in 2020, with comments ranging from individual concerns about police conduct to neighborhood-group solutions to crime for the Police Department to consider. The Board documents and tracks community input to ensure responsiveness to the community's issues and concerns.

The Board's monthly public meetings, which have been held via Zoom during the COVID-19 pandemic, are now broadcast and livestreamed by CAN-TV. The Board has used these meetings to help the community understand the way the police accountability system functions, including presentations about the steps in the disciplinary process, the purpose and content of the Consent Decree on police reform, and the Police Department's community-engagement plan.

The Board has continued to make significant progress in implementing requirements of the Consent Decree. We have established selection criteria for our hearing officers, incorporated Consent Decree requirements into the process for handling disciplinary cases, published additional case-specific and aggregate data about Police Board decisions, and met quarterly with the Civilian Office of Police Accountability and the Deputy Inspector General for Public Safety. Each of these initiatives is designed to increase community involvement or public education/transparency, emphasizing the responsibility shared between the community and the Board to advance the requirements of the decree. A detailed report of the status of all requirements pertaining to the Police Board is updated regularly and posted on the Board's website.

The members of the Police Board are a diverse group of Chicagoans who devote a significant amount of time and effort to their public responsibilities. We all live in the City and therefore have a stake in making sure that all Chicagoans receive the most constitutional, respectful, effective, and professional police protection and service possible. My colleagues on the Board, our staff, and I remain committed to performing our duties with independence, integrity, and fairness to all involved.

Sincerely Ghian Foreman

President Chicago Police Board

# **MEMBERS OF THE POLICE BOARD**

The members\* of the Police Board are private citizens appointed by the Mayor with the advice and consent of the City Council.



GHIAN FOREMAN PRESIDENT President and CEO, Emerald South Economic Development Collaborative Joined Board on June 30, 2010 Current Term Expires on August 10, 2023



**REV. MICHAEL EADDY** Pastor, People's Church of the Harvest Joined Board on February 5, 2014 Current Term Expires on August 10, 2023



JOHN P. O'MALLEY JR. Director of Corporate Security, William Blair & Co. Joined Board on January 25, 2017 Current Term Expires on August 10, 2024



PAULA WOLFF VICE PRESIDENT Director, Illinois Justice Project Joined Board on June 27, 2018 Current Term Expires on August 10, 2024



STEVE FLORES Partner, Winston & Strawn LLP Joined Board on November 1, 2016 Current Term Expires on August 10, 2022



RHODA D. SWEENEY Retired Judge of the Circuit Court of Cook County Joined Board on February 5, 2014 Current Term Expires on August 10, 2023



MATTHEW C. CROWL Partner, Riley Safer Holmes & Cancila LLP Joined Board on September 18, 2019 Current Term Expires on August 10, 2024



JORGE MONTES. Principal, Montes & Associates PC Joined Board on January 15, 2020 Current Term Expires on August 10, 2022



ANDREA L. ZOPP Managing Partner, Cleveland Avenue LLC Joined Board on November 21, 2017 Current Term Expires on August 10, 2022

\*The Police Board members serve in their individual capacities and not as representatives of any entity by which they are employed.

# **POWERS AND RESPONSIBILITIES**

The Police Board derives its authority from city ordinance and state law. The Board's primary powers and responsibilities during 2020 are listed below.

### The Police Board:

- Decides disciplinary cases when the Superintendent of Police files charges to discharge a sworn officer from the Chicago Police Department.
- Rules on matters when the Chief Administrator of the Civilian Office of Police Accountability and the Superintendent of Police do not agree regarding discipline of an officer.

- Considers applications, conducts interviews, and submits to the Mayor a list of three candidates for the position of Superintendent of Police when there is a vacancy in that position.
- Adopts the rules and regulations governing the Police Department.
- Holds monthly meetings that provide an opportunity for all members of the public to present questions and comments directly to the Board. The Superintendent of Police (or his designee) and the Chief Administrator of the Civilian Office of Police Accountability (or her designee) also attend these meetings.



# SUPERINTENDENT SELECTION

The Board participates in the selection of the Superintendent of Police by reviewing applications, conducting interviews, and nominating three candidates for consideration by the Mayor.

As noted in last year's annual report, the Board began a search for a new Superintendent of Police in late 2019. An essential part of the search process was a series of listening sessions the Board held across the City to provide Chicagoans opportunities to express their views on the qualifications and experience the Board should be looking for in the next Superintendent. The Board hosted three town hall meetings in December on the South, West, and North Sides of the City. In addition, President Foreman and other Board members met individually with approximately 25 organizations.

The Board set an application deadline of January 13, 2020, and received 25 applications. The Board members each reviewed all applications, in which each candidate addressed a series of questions about what they had done in respect to the skills and experiences the Board had determined—in part based on community input—that are essential to being a successful leader of the Chicago Police Department. These included building strong community relations, reducing crime and violence, and developing strategies to build the competence of the police force through

training and exposure to the most effective policing practices.

The Board members then met in executive session to discuss the 25 applicants and identify the most-qualified candidates. The Board conducted in-depth interviews with nine candidates over several days in late January. The Board then undertook a thorough review of the candidates' professional accomplishments and reputations.

On April 1, 2020, the Board announced its three nominees for Superintendent of Police:

- David Brown, Chief of Police of Dallas, Texas, from 2010 to 2016;
- Ernest Cato III, Deputy Chief of Patrol for the Chicago Police Department; and
- Kristen Ziman, Chief of Police of Aurora, the second-largest city in Illinois.

Mayor Lori Lightfoot appointed David Brown to the position on April 2. The City Council confirmed the appointment on April 22, 2020.



### **DISCIPLINARY MATTERS** Summary of the Disciplinary Process

The process for addressing allegations of misconduct by sworn officers of the Chicago Police Department (CPD) is carried out by several independent City agencies, each of which has a different role. This section summarizes how complaints of misconduct are received and investigated, and then describes the role of the Police Board.

The Civilian Office of Police Accountability (COPA), CPD, and the Police Board have different powers and duties. The responsibility to receive complaints of alleged misconduct by sworn officers rests with COPA (any member of the public who has a complaint about the conduct of a Chicago police officer should file it with COPA—go to ChicagoCOPA.org for more information). Depending on the nature of the allegations, either COPA or CPD investigates the complaint; in certain instances, the complaint is referred for investigation to the City's Office of Inspector General (OIG).

At the conclusion of an investigation, and once the Superintendent files charges, the Police Board's role is to decide those disciplinary matters that are filed with the Board. The Board cannot on its own reach out and investigate or hold a disciplinary hearing against a police officer suspected of misconduct; rather, the Board can take action only after the Superintendent of Police files charges against an officer. The Board understands the concerns and frustrations that people may have about police misconduct, but is legally obligated to remain neutral and fair, just as is expected of a judge in court.

#### 1. A Complaint is Received and Investigated

As noted above, COPA is responsible for receiving all complaints of alleged misconduct made against an officer. In addition to a member of the public filing a complaint, CPD personnel, including supervisors, may file a complaint against an officer.

Once a complaint is received, an investigation is initiated. COPA is responsible for conducting investigations into allegations of the following types of misconduct:

- excessive force,
- domestic violence,
- coercion,
- · bias-based verbal abuse,
- improper search or seizure, and
- unlawful denial of access to counsel.

COPA also investigates certain incidents even if no allegation of misconduct has been made, including all incidents where: (a) a CPD member discharges a firearm in a manner that could potentially strike someone, or discharges a stun gun or taser in a manner that results in death or serious bodily injury; and (b) a person dies or sustains a serious bodily injury while detained or in police custody, or as a result of police actions.

All complaints concerning types of alleged misconduct other than those within COPA's jurisdiction are referred to CPD's Bureau of Internal Affairs (BIA) for investigation. Allegations investigated by BIA include but are not limited to criminal misconduct, operational violations, theft of money or property, planting of drugs, substance abuse, residency violations, and medical-roll abuse.

#### 2. Decision Regarding Disciplinary Action

If the head of COPA or BIA (depending on which agency conducted the investigation) recommends that one or more allegations be sustained—that is, the allegation is supported by substantial evidence— a recommendation for discipline is submitted to the Superintendent of Police.

The Superintendent must respond to a disciplinary recommendation from COPA within 60 days (this deadline may be extended by an additional 30 days). If the Superintendent proposes no discipline or less discipline than COPA, the Superintendent and the Chief Administrator of COPA must meet to discuss the matter. If the Chief Administrator does not concur with the Superintendent's reasons for the differing disciplinary action, the Chief Administrator shall refer the matter to one member of the Police Board.

The reviewing Police Board member shall then rule on the disagreement between the Chief Administrator and the Superintendent. If, in the opinion of the reviewing member, the Superintendent's response does not meet its burden of overcoming the Chief Administrator's recommendation for discipline, the recommendation shall be deemed to be accepted by the Superintendent. The reviewing member must recuse her/himself from any future involvement with such case by the full Police Board.

#### 3. The Police Board's Role

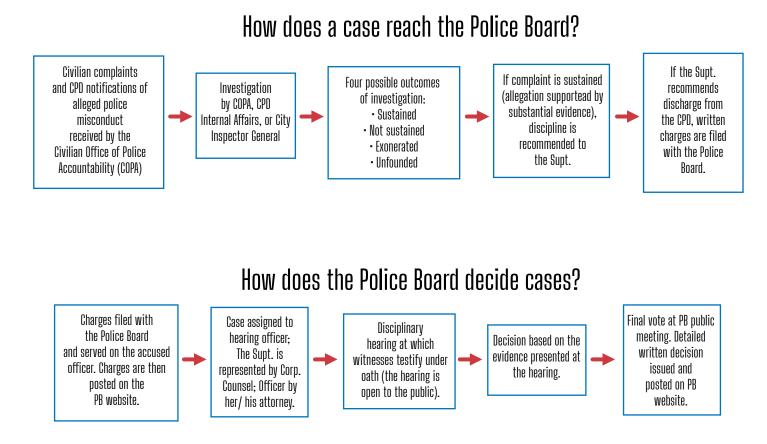
Think of the Police Board like a court. The Police Board's role in the disciplinary process is to decide whether the charges brought against an officer are proved by a preponderance of the evidence, and if so, to determine the severity of the discipline that will be imposed against an officer. Whether a case comes to the Police Board depends on the seriousness of the potential discipline recommended.

**Discharge Cases.** In order to discharge a sworn officer from the Chicago Police Department, the Superintendent must file with the Board charges against the officer. The case is assigned to a

hearing officer, who presides over an evidentiary hearing that is similar to a trial in court. Attorneys for the Superintendent and the accused officer have an opportunity to present evidence and cross-examine witnesses, and the hearings are open to the public. The typical case begins with opening statements. The Superintendent's case against the officer is presented first. The officer, usually represented by an attorney, may then present evidence in defense and mitigation. Each party may call and examine witnesses under oath (the Board has its own subpoena power to ensure the presence of witnesses). Hearsay evidence is not admissible. Following the officer's case, the Superintendent's attorney has an opportunity to offer rebuttal evidence. The hearing concludes with closing arguments.

Once the hearing is completed, the members of the Board thoroughly review the evidence and then decide, by majority vote, whether the officer is guilty of one or more of the charges. The Superintendent has the burden to prove the charges by a preponderance of the evidence (a less rigorous standard than the beyond-a-reasonable-doubt standard used in criminal cases). If the Board finds the officer guilty of one or more charges, it determines the penalty after considering the officer's complimentary and disciplinary histories and any evidence presented in mitigation or aggravation. The penalty may be discharge or a lesser penalty (in certain types of cases the Board may attach conditions to a suspension, such as treatment for alcohol abuse). If the Board finds the officer not guilty of all charges, the officer is restored to duty and awarded back-pay for the time served under suspension (the officer is ordinarily suspended without pay when the charges are filed). The Board publicly votes on the case at one of its monthly meetings. The written decision is posted on the Board's website.

**Suspension Cases.** Under the current union contracts, the Police Board has jurisdiction over suspension cases only if a police officer requests Police Board review of a suspension.



### Reviews of Disciplinary Recommendations Under the COPA Ordinance

As noted above, when the Chief Administrator of COPA and the Superintendent of Police do not concur regarding discipline of a Department member, the Chief Administrator shall refer the matter to one member of the Police Board.\* The reviewing Board member shall then rule on the disagreement between the Chief Administrator and the Superintendent, as follows:

• If, in the opinion of the reviewing Board member, the Superintendent's response does not meet its burden of overcoming the Chief Administrator's recommendation for discipline, the Chief Administrator's recommendation shall be deemed to be accepted by the Superintendent.

• If, in the opinion of the reviewing Board member, the Superintendent met the burden to overcome the Chief Administrator's recommendation for discipline, the Superintendent's response shall be implemented.

The tables below show the outcomes of reviews referred in 2020 and over the past five years.

| Referred for Review in 2020                              |                                      |                                 |  |  |  |
|--|--------------------------------------|---------------------------------|--|--|--|
| Chief Administrator's Reviewing Member Reviewing Member  |                                      |                                 |  |  |  |
| <b>Recommendation for Discipline</b>                     | <u>Ruled for Chief Administrator</u> | <u>Ruled for Superintendent</u> |  |  |  |
| Discharge from CPD                                       | 6                                    | 0                               |  |  |  |
| Suspension > 30 days                                     | 0                                    | 0                               |  |  |  |
| Suspension 11 - 30 days                                  | 1                                    | 0                               |  |  |  |
| Suspension 1 - 10 days, Reprimand, or<br>Violation Noted | 0                                    | 0                               |  |  |  |

| Referred for Review in 2016 - 2020                       |                               |                          |  |  |
|--|-------------------------------|--------------------------|--|--|
| Chief Administrator's                                    | <b>Reviewing Member</b>       | <b>Reviewing Member</b>  |  |  |
| Recommendation for Discipline                            | Ruled for Chief Administrator | Ruled for Superintendent |  |  |
| Discharge from CPD                                       | 17                            | 1                        |  |  |
| Suspension > 30 days                                     | 5                             | 0                        |  |  |
| Suspension 11 - 30 days                                  | 4                             | 3                        |  |  |
| Suspension 1 - 10 days, Reprimand, or<br>Violation Noted | 4                             | 12                       |  |  |

\* Prior to 2017, these matters were reviewed by a panel of three members of the Police Board.

## **Discharge Cases**

#### **Cases Filed by the Superintendent**

In 2020, the Superintendent filed charges against 15 sworn officers recommending they be discharged from the Chicago Police Department. The table below shows the data on charges filed over the past five years, broken out by the agency that conducted the investigation.

| Discharge Cases Filed, 2016-2020 |   |    |   |    |  |  |  |
|----------------------------------|---|----|---|----|--|--|--|
|                                  | # of officers charged by the Superintendent |    |   |    |  |  |  |
| Year                             | Year IPRA/COPA BIA OIG Total                |    |   |    |  |  |  |
| 2016                             | 7   | 11 | 6 | 24 |  |  |  |
| 2017                             | 8   | 8  | 0 | 16 |  |  |  |
| 2018                             | 8   | 5  | 0 | 13 |  |  |  |
| 2019                             | 8   | 9  | 0 | 17 |  |  |  |
| 2020                             | 10  | 5  | 0 | 15 |  |  |  |
| Total                            | 41  | 38 | 6 | 85 |  |  |  |



#### **Cases Decided by the Police Board**

In 2020, the Police Board decided or otherwise disposed of cases involving 14 officers that the Superintendent recommended be discharged from the Chicago Police Department, as shown in the table below.

| January 1 - December 31, 2020  | Number of Officers:    |                       |            |           |  |  |
|--|------------------------|-----------------------|------------|-----------|--|--|
| Primary Charges (Investigation)  | Guilty &<br>Discharged | Guilty &<br>Suspended | Not Guilty | Resigned* |  |  |
| Excessive Force-On Duty (COPA)   | 2                      | 0                     | 0          | 1         |  |  |
| Other On-Duty Misconduct (COPA)  | 1                      | 0                     | 0          | 1         |  |  |
| Domestic Alertcation-Off Duty (COPA)   | 0                      | 0                     | 0          | 0         |  |  |
| Other Off-Duty Misconduct (COPA)   | 2                      | 2                     | 0          | 0         |  |  |
| Drug/Alcohol Abuse (BIA)   | 0                      | 0                     | 0          | 0         |  |  |
| Bribery/Official Corruption (BIA)  | 0                      | 0                     | 0          | 1         |  |  |
| Commission of a Crime (BIA)  | 0                      | 0                     | 0          | 1         |  |  |
| Operation/Personnel Violations (for example, false reports, medicial roll,<br>insubordination, residency) (BIA)        | 2                      | 1                     | 0          | 0         |  |  |
| Other (BIA)  | 0                      | 0                     | 0          | 0         |  |  |
| Total  | 7                      | 3                     | 0          | 4         |  |  |
| *The respondent resigned prior to a hearing rather than contest the charges, and the charges were therefore withdrawn. |                        |                       |            |           |  |  |

Over the past five years, the Police Board has decided or otherwise disposed of discharge cases involving 81 officers. See the table below for the outcomes of these cases.

| Discharge Cases Decided, 2016-2020 |                |                            |                   |  |
|------------------------------------|----------------|----------------------------|-------------------|--|
|                                    | #Offi-<br>cers | % of Cases<br>to a Hearing | % of All<br>Cases |  |
| Cases to a Hearing                 |                |                            |                   |  |
| Guilty, Discharged                 | 37             | 69.8%                      | 45.7%             |  |
| Guilty, Suspended                  | 10             | 18.9%                      | 12.3%             |  |
| Not Guilty                         | 5              | 9.4%                       | 6.2%              |  |
| Charges Dismissed                  | 1              | 1.9%                       | 1.2%              |  |
| Total                              | 53             | 100.0%                     | 65.4%             |  |
|                                    |                |                            |                   |  |
| Resolved Prior to Hearing          |                |                            |                   |  |
| Resigned from CPD                  | 23             |                            | 28.4%             |  |
| Settlement                         | 0              |                            | 0.0%              |  |
| Other                              | 5              |                            | 6.2%              |  |
| Total                              | 28             |                            | 34.6%             |  |
| Grand Total                        | 81             |                            | 100.0%            |  |



### **Suspension Cases**

#### **Cases Filed with the Police Board**

In 2020, new contracts with unions representing CPD supervisors took effect that changed the Board's jurisdiction to hear suspension cases. The Board now has jurisdiction over a suspension case only if an officer below the rank of sergeant requests Police



#### **Cases Decided by the Police Board**

In 2020, the Police Board decided 1 case involving an officer recommended for suspension of more than thirty days. In this case (which was investigated by COPA and filed in 2019), the Board found the police officer guilty of engaging in an unjustified altercation and displaying a weapon while intoxicated and off duty,

Board review of a suspension. No such requests were filed in 2020. The table below shows the data on cases filed over the past five years, broken out by the agency that conducted the investigation.

| Suspension Cases Filed (=30 days) 2016-2020 |   |   |   |   |  |  |  |
|---|---|---|---|---|--|--|--|
| \$  | # of officers charged by the Superintendent |   |   |   |  |  |  |
| Year  | ar IPRA/COPA BIA OIG TOTAL                  |   |   |   |  |  |  |
| 2016  | 1   | 0 | 1 | 2 |  |  |  |
| 2017  | 1   | 0 | 0 | 1 |  |  |  |
| 2018  | 0   | 0 | 0 | 0 |  |  |  |
| 2019  | 2   | 0 | 0 | 2 |  |  |  |
| 2020  | 0   | 0 | 0 | 0 |  |  |  |
| Total                                       | 4   | 0 | 1 | 5 |  |  |  |

and ordered a 180-day suspension (COPA and the Superintendent recommended a 120-day suspension).

Over the past five years, the Police Board has decided or otherwise disposed of cases involving 6 officers whom the Superintendent recommended be suspended for more than 30 days, as detailed in the table below.

| Suspension Cases (>30 Days), Decided, 2016-2020 |           |                            |                   |
|---|-----------|----------------------------|-------------------|
|   | #Officers | % of Cases<br>to a Hearing | % of All<br>Cases |
| Cases to a Hearing                              |           |                            |                   |
| Guilty, Recommended Penalty                     | 2         | 50.0%                      | 33.3%             |
| Guilty, Penalty Increased                       | 1         | 25.0%                      | 16.7%             |
| Guilty, Penalty Reduced                         | 1         | 25.0%                      | 16.7%             |
| Not Guilty                                      | 0         | 0.0%                       | 0.0%              |
| Total   | 4         | 100.0%                     | 66.7%             |
|   |           |                            |                   |
| Resolved Prior to Hearing                       |           |                            |                   |
| Resigned from CPD                               | 1         |                            | 16.7%             |
| Settlement/Stipulation                          | 1         |                            | 16.7%             |
| Other   | 0         |                            | 0.0%              |
| Total   | 2         |                            | 33.3%             |
| Grand Total                                     | 6         |                            | 100.0%            |

### Amount of Time to Bring Charges and Decide Cases

As noted above, once a complaint of alleged misconduct is received, it is investigated by COPA, BIA, or OIG and then reviewed the Superintendent. If the recommended discipline falls within the jurisdiction of the Police Board, the Superintendent files charges with the Board. The Board will then hold an evidentiary hearing and decide the case. The table below presents data on the average amount of time it takes to bring charges and to decide cases. The information below is for the 9 cases that the Board decided in 2020 following an evidentiary hearing (6 of these cases were investigated by COPA and 3 by BIA; 2 of the 9 cases each involved charges against two officers).

| POLICE BOARD CASES DECIDED IN 2020  |                               |                             |  |  |
|---|-------------------------------|-----------------------------|--|--|
|   | Median # of Days (9<br>cases) | Mean # of Days (9<br>cases) |  |  |
| Investigation and Review  |                               |                             |  |  |
| From date of incident to filing of charges with Police Board  | 1453<br>(4.0 years)           | 1540<br>(4.2 years)         |  |  |
| From date complaint received by investigating agency (COPA, BIA, or OIG) to filing of charges with Police Board | 1338 (3.7 years)              | 1363 (3.7 years)            |  |  |
| Police Board  |                               |                             |  |  |
| From filing of charges with Police Board to 1st day of Police Board hearing                                     | 176 (5.8 months)              | 257 (8.4 months)            |  |  |
| From filing of charges with Police Board to Police Board decision   | 366 (12.0 months)             | 384 (12.6 months)           |  |  |
| Entire Process  |                               |                             |  |  |
| From date of incident to Police Board Decision  | 1798 (4.9 years)              | 1924 (5.3 years)            |  |  |
| From date complaint received to Police Board Decision   | 1615 (4.4 years)              | 1747 (4.8 years)            |  |  |

## Appeals of Police Board Decisions

Under Illinois law, the parties to a Police Board disciplinary case (the Superintendent and the accused officer) have the right to appeal the Board's decision by filing a petition for administrative review in the Circuit Court of Cook County. A party dissatisfied with the Circuit Court's review of a Police Board case may appeal to the Appellate Court of Illinois.

The sections below provide data on suits in administrative review during 2020, and historical data on appeals filed since 2016. As noted above, a particular case may be reviewed at several levels; in addition, court rulings may cause the Board to issue more than one decision in the same case. The data on court decisions in the sections below pertain to *final* court decisions regarding the

Board's *original* decision. (A court decision is considered final when the time limit for filing an appeal has expired and no appeal has been filed.)

In 2020, 2 Police Board decisions were appealed to the Circuit Court of Cook County (both by the accused officers), and 3 Circuit Court decisions were appealed to the Illinois Appellate Court (all by the accused officers).

Courts issued final decisions regarding 3 Police Board decisions in 2020. In each of these cases, the court affirmed the Board's decision.

|   | Appeals Filed Since January 1, 2016                   |   |      |   |    |  |
|---|---|---|------|---|----|--|
| PB Decisions<br>Upheld*% UpheldPB Decisions<br>Reversed% ReversedPB Cases Pending Final Court<br>Decision**Total PB Decisions<br>Appealed |   |   |      |   |    |  |
| 20  | 90.9%   | 2 | 9.1% | 9 | 31 |  |
| * Police Board decision   | * Police Board decision affirmed or appeal dismissed. |   |      |   |    |  |
| ** Cases (1) currently before a court, or (2) for which the time limit for appealing a court decision has not yet expired.                |   |   |      |   |    |  |
| Data as of December 31, 2020.   |   |   |      |   |    |  |



# **Consent Decree**



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.)

In the areas of police accountability and transparency, the Consent Decree requires various reforms pertaining to the Police Board. In response to these requirements, the City and the Board have taken the following actions. (A detailed report of the status of all requirements pertaining to the Police Board is updated regularly and posted on the Board's website.)

**Selection Criteria.** Criteria for the selection of new Board members and hearing officers went into effect and were published on the Board's website in February 2020. No new Board members have been appointed since that time. The Board began a search for new hearing officers in November 2020 and used these criteria to select two new hearing officers.

**Disciplinary Cases.** The Board amended its Rules of Procedure to incorporate Consent Decree requirements into the process for handling disciplinary cases. The discovery process has been streamlined, hearings are video recorded in their entirety, and hearing officers prepare for the Board a written report on the evidence presented at the hearing. Board members review this report along with the complete hearing transcripts, video, and exhibits before deliberating and deciding each case.

**Public Meetings.** The following City officials (or their designees) attend the Board's monthly public meetings: the Superintendent of Police, Chief Administrator of the Civilian Office of Police Accountability, Chief of the Chicago Police Department's Bureau of Internal Affairs, and Deputy Inspector General for Public Safety. To ensure responsiveness to community input received at these meetings, the Board has created a policy for documenting, tracking, and responding to the public's questions and comments. Reports of responses to community input are posted on the Board's website each month.

**Training.** The Board has engaged a prominent Chicago law firm, *pro bono*, to work with subject matter experts on developing a policy and curriculum for Board members and hearing officers to receive high-quality training on a variety of topics: the law on police use of force and stops, searches, and arrests; police tactics; impartial policing; policing individuals in crisis; procedural justice; and community outreach. Board members attended two introductory training sessions in October 2020, and several sessions are planned for 2021.

**Transparency.** In addition to the data in this report, the Board publishes on its website a spreadsheet of case-specific data as well as monthly and quarterly reports of its decisions in disciplinary cases.

**Quarterly Meetings.** The Board's president and vice president meet quarterly with the Civilian Office of Police Accountability and the Deputy Inspector General for Public Safety to discuss important issues in the police accountability process and to consider recommendations to the Superintendent about how to improve the process. During 2020 the discussions focused on the amount of time it takes to investigate complaints of police misconduct and decide disciplinary matters, disagreements between COPA and CPD as to whether searches and seizures by police officers have violated the Fourth Amendment and Department policy, and the requirement that people who file a complaint of police misconduct sign an affidavit.

# **OUTREACH ACTIVITIES**

The Board holds a public meeting each month. The meetings have been held via Zoom during the COVID-19 pandemic, and since June 2020 have been broadcast and livestreamed by CAN-TV. Meetings take place in the evening, and all members of the public are invited to attend and are welcome to address questions or comments to the Board. City officials, including the Superintendent of Police and the Chief Administrator of the Civilian Office of Police Accountability, are in attendance. Nearly 100 community members spoke at these meetings in 2020, with comments ranging from individual concerns about police conduct to offering community or block club solutions to crime for the Police Department to consider. The Board documents and tracks community input to ensure it is responded to. In addition, the Board has used these meetings to help the community understand the way the police accountability system functions, including presentations about the steps in the disciplinary process, the purpose and content of the Consent Decree, and the Police Department's community-engagement plan.

The Board maintains a website at ChicagoPoliceBoard.org. The site provides the public with transcripts and videos of the public meetings, the Board's decisions in disciplinary cases, a schedule of cases currently before the Board, a guide to the disciplinary process, the rules and regulations governing the Police Department, and other material.

The president of the Board frequently meets with members of the community and is available to the media to provide information on the Board's operations and the disciplinary process.

# **PERSONNEL & BUDGET**

Executive Director Max A. Caproni serves as the Board's secretary and manages the day-to-day operations of the Board. Jazmyne Rollins serves as executive administrative assistant. The Board's hearing officers, experienced attorneys who preside over disciplinary hearings, serve the Board on an hourly basis.

The Police Board's budget is proposed by the Mayor and approved by the City Council as part of the annual appropriation ordinance. The appropriation was \$1,101,910 for 2020.



For further information please contact:

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