

Public Meeting
February 22, 2024

POLICE BOARD
CITY OF CHICAGO
PUBLIC MEETING

3510 South Michigan Avenue
Chicago, Illinois

Thursday, February 22, 2024
7:30 p.m.

APPEARANCES:

MEMBERS OF THE POLICE BOARD:

KYLE COOPER, President
PAULA WOLFF, Vice President
STEVEN BLOCK
AJA CARR-FAVORS
MAREILÉ CUSACK
NANETTE DOORLEY
ANDREAS SAFAKAS

ALSO PRESENT:

LARRY SNELLING, Superintendent of the Chicago Police
Department;
ANDREA KERSTEN, Chief Administrator of the Civilian
Office of Police Accountability;
TOBARA RICHARDSON, Deputy Inspector General for
Public Safety;
YOLANDA TALLEY, Chief of the Chicago Police
Department's Bureau of Internal Affairs;
SCOTT SPEARS, Acting General Counsel to the
Superintendent;
MAX CAPRONI, Executive Director of the Chicago
Police Board;
JAZMYNE ROLLINS, Executive Administrative Assistant
Chicago Police Board;
MEMBERS OF THE PUBLIC.

1 PRESIDENT COOPER: If everyone is ready, we
2 will go ahead and get started with the meeting.

3 Good evening, everyone. I'm Kyle
4 Cooper, president of the Police Board, and I am
5 calling the Board's February 22nd public meeting to
6 order.

7 Tonight we have the following Board
8 members attending in person this evening: Vice
9 President Paula Wolff, Steven Block, Aja
10 Carr-Favors, Mareilé Cusack, Nanette Doorley,
11 Andreas Safakas.

12 We also have in addition to the
13 Police Board members, we have other officials from
14 the City with us: Superintendent of Police, Mr.
15 Larry Snelling; the Chief Administrator of the
16 Civilian Office of Police Accountability, Andrea
17 Kersten; Deputy Inspector General for Public Safety,
18 Tobara Richardson; Chief of Chicago Police
19 Department Bureau of Internal Affairs, Ms. Yolanda
20 Talley; the Acting General Counsel to the
21 Superintendent, Scott Spears, and we have Police
22 Board Executive Director, as always, Max Caproni.

23 We will now proceed to the items on
24 the meeting agenda, and at the end, it looks like we

1 have two speakers who have signed up to speak today.

2 The first item on the agenda is the
3 minutes. Is there a motion to approve the draft of
4 the minutes from the Board's public and closed
5 meetings held on January 18th?

6 VICE PRESIDENT WOLFF: So moved. Paula Wolff.

7 BOARD MEMBER CUSACK: Second. Mareilé Cusack.

8 PRESIDENT COOPER: All in favor, please raise
9 your hands and say aye.

10 (CHORUS OF AYES.)

11 PRESIDENT COOPER: Any opposed?

12 (NO RESPONSE.)

13 PRESIDENT COOPER: Seeing none, the motion
14 passes.

15 Just for everybody's edification, our
16 next public meeting is scheduled to take place on
17 Thursday, March 21st, at 7:30 p.m. right here at the
18 Chicago Public Safety Headquarters.

19 The Police Board meets in executive
20 session to consider various matters. Those
21 discussions are closed to the public as authorized
22 by Sections 2(c)(1), (4), (11), and (21) of the
23 Illinois Open Meetings Act. Information on matters
24 discussed in the executive sessions is included in

1 the minutes of the meetings posted on our website.

2 Is there a motion to close a series of
3 future executive sessions as authorized by these
4 sections of the Open Meetings Act?

5 VICE PRESIDENT WOLFF: So moved. Paula Wolff.

6 BOARD MEMBER CUSACK: Second. Mareilé Cusack.

7 PRESIDENT COOPER: All in favor, please raise
8 your hand and say aye.

9 (CHORUS OF AYES.)

10 PRESIDENT COOPER: Any opposed?

11 (NO RESPONSE.)

12 PRESIDENT COOPER: Seeing none, the motion
13 passes.

14 The next update we have on the agenda
15 is a report on the status of the arbitrator's recent
16 ruling regarding police disciplinary cases,
17 including an update on the status of cases currently
18 before the Board.

19 And with that, I'd like to read into
20 the record and for the audience and public listening
21 a statement on this update.

22 The purpose of these public meetings
23 is to guarantee that the work our Board does is open
24 and available to public scrutiny. We've used these

1 meetings to provide all Chicago residents with
2 important information about our specific work and
3 also information about the police accountability
4 system as a whole. That is why we have the
5 Superintendent of Police, the Chief Administrator of
6 the Civilian Office of Police Accountability, and
7 the Deputy Inspector General for Public Safety here,
8 so there is a balanced and full view of the entire
9 accountability system.

10 We have also had outside experts on
11 police conduct and the Independent Monitor of the
12 police Consent Decree present at this meeting to
13 give a broad picture of what constitutes good
14 policing in the City of Chicago.

15 The work we do here is all about
16 making decisions which balance public safety, the
17 rights of the residents of Chicago, the rights of
18 the brave police officers of the Chicago Police
19 Department.

20 When we write a decision, it is
21 designed to be fair to the person filing a complaint
22 and to the officer accused of the misconduct.

23 It is also intended to help everyone,
24 especially officers, stay informed of what behavior

1 conforms with the rules of appropriate police
2 conduct and what behavior does not.

3 There are thousands of officers every
4 day making split-second decisions about what is the
5 right action to take in a particular moment. And we
6 hope our decisions can help inform and guide their
7 actions.

8 We are currently in a situation where
9 the authority of the Police Board is being
10 challenged, so I want to use this opportunity to do
11 what the Board has always done, which is to keep the
12 public informed about the City's accountability
13 system.

14 With that being said, as I reported
15 last month and early January, Arbitrator Edwin Benn
16 issued a supplemental opinion reaffirming his ruling
17 that allows Chicago police officers to choose to
18 have the most serious cases of police misconduct
19 heard by an arbitrator, rather than the Police
20 Board.

21 On February 15th, the City Council
22 again voted to reject the arbitrator's decision.
23 That matter is now pending in the Circuit Court of
24 Cook County where the police officers union, the

1 Fraternal Order of Police, has filed two motions.
2 One motion asks the Court to continue the stay or to
3 put a hold on all the cases currently pending before
4 the Police Board. The other motion is a motion for
5 summary judgment, which is a legal mechanism that
6 allows a court to decide a case without having a
7 trial if the court finds there is no reasonable
8 dispute over the facts.

9 The FOP's motion for summary judgment
10 asks the court to enforce the arbitrator's decision.
11 The City of Chicago, represented by the Corporation
12 Counsel's office, opposes both motions and is
13 planning to file its own motion for summary
14 judgment, asking the court to reject the
15 arbitrator's award.

16 Regarding the request for a stay, you
17 should know that on January 31st, the court ordered
18 all Police Board cases against police officers to be
19 put on hold. This stay expires this Sunday,
20 February 25th.

21 The FOP in its motion, however, is
22 asking the court to indefinitely extend the stay.

23 The court will likely rule on this
24 request this coming Monday, February 26th, at

1 another hearing.

2 The court's ruling on these -- this
3 important issue, as there are currently 20 cases
4 against police officers before the Chicago Police
5 Board.

6 The hearings for three of these cases
7 have concluded and been taken under advisement by
8 the Board. And hearings for five of these cases are
9 currently scheduled to take place from the last week
10 of March through June.

11 Hearings for the remaining 12 cases
12 need to be scheduled, as hearings for two of these
13 cases were set to take place in February but had to
14 be postponed because of the court's order.

15 Continuing the hold and moving forward
16 with these 20 cases will prevent the Board from
17 exercising its duty under the Municipal Code to
18 decide them and will delay an open and fair
19 resolution of these serious cases.

20 Regarding the motion for summary
21 judgment, the Court set a March 14th deadline for
22 any responsive filings and scheduled oral argument
23 on the motion for summary judgment on the afternoon
24 of March 20th.

1 The Police Board website will do as it
2 always has and will keep the Board informed of these
3 new developments, and I encourage the members of the
4 public to continue to check the Board's website in
5 the news section for any new developments.

6 In the meantime, you should note that
7 the judge handling the court cases recognizes the
8 important of the case to the community and the Board
9 agrees.

10 The members of the Police Board and I
11 believe that it's important for the public to
12 understand that if the arbitrator's decision is
13 allowed to take effect, it will erode public trust
14 in the police and reduce accountability for officers
15 involved in serious instances of police misconduct.
16 Not only will the arbitrator's decision drive these
17 cases behind close doors, but it will also allow
18 them to be decided by individuals like Arbitrator
19 Benn who don't even live in the City of Chicago.

20 In fact, of the five arbitrators
21 chosen to decide FOP suspension grievances in 2023,
22 at least three of them appeared to live in the
23 suburbs or out of state.

24 As I said before, if the arbitrator's

1 decision is allowed to take effect, police
2 accountability will suffer and the people of Chicago
3 will bear its consequences.

4 With that said, we will now move to
5 the next segment on the agenda, which is to take up
6 appeals by disqualified applicants to become police
7 officers.

8 When a person who applies to become a
9 Chicago police officer is disqualified and removed
10 from the eligibility list due to results of the
11 background examination, that person has a right to
12 appeal that decision to the Police Board.

13 The Board, as authorized by The Open
14 Meetings Act, has discussed in a closed meeting
15 several appeals. We will now take -- several
16 appeals. We will now take final actions on these
17 appeals.

18 Is there a motion to affirm the
19 disqualification decision for the following appeals:
20 23-AA-29 and 23-42 through 44 and reverse the
21 disqualification decision for the following appeals,
22 23-AA-40?

23 VICE PRESIDENT WOLFF: So moved. Paula Wolff.

24 BOARD MEMBER CUSACK: Second. Mareilé Cusack.

1 PRESIDENT COOPER: I will now call on members
2 of the Board for their votes. Board Member Wolff.

3 VICE PRESIDENT WOLFF: Aye.

4 PRESIDENT COOPER: Board Member Block.

5 BOARD MEMBER BLOCK: Aye.

6 PRESIDENT COOPER: Board Member Carr-Favors.

7 BOARD MEMBER CARR-FAVORS: Aye.

8 PRESIDENT COOPER: Board Member Cusack.

9 BOARD MEMBER CUSACK: Aye.

10 PRESIDENT COOPER: Board Member Doorley.

11 BOARD MEMBER DOORLEY: Aye.

12 PRESIDENT COOPER: Board Member Safakas.

13 BOARD MEMBER SAFAKAS: Aye.

14 PRESIDENT COOPER: I also vote in favor of the
15 motion. Voting in favor are Board Members Wolff,
16 Block, Carr-Favors, Cusack, Doorley, Safakas, and
17 myself. The motion passes.

18 The written decisions of these appeals
19 will now be entered as of today's date, sent to the
20 parties and posted on the Board's website.

21 At this time, I would ask the
22 Superintendent of Police to give his report.

23 SUPERINTENDENT SNELLING: Good evening,
24 President Cooper, members of the Board, and members

1 of the community. Thank you for being here.

2 I normally start off these meetings
3 with a statement, usually to talk about the great
4 work that the men and women of the Chicago Police
5 Department are performing to keep our City safe.
6 But what I'd like to do today is go a little bit in
7 a different direction. What I'd like to talk about
8 is transparency, accountability, and officer
9 wellness. And what I'd like to talk about is the
10 process that is affecting officer wellness. It's
11 also affecting officers' performance, but it's also
12 affecting the safety of members of the community.
13 This has to do with CPD's relationship with COPA.
14 It has to do with penalties. It has to do with the
15 way that these penalties are determined.

16 In the effort of transparency, what
17 I'd like to do is talk about this relationship so
18 that we can get the ball rolling in a way that's
19 going to be more effective for our police officers,
20 for our department, and for this Board. If we
21 really want to talk -- and thank you, President
22 Cooper, for what you just said. It's important to
23 understand why officers weigh on the side of
24 arbitration. I am a strong believer in

1 transparency. I don't believe anything needs to be
2 done behind closed doors. I believe that the facts
3 of the case should be spoken -- should be spoken
4 about openly, so that the public can hear the facts
5 of the case and that the public is educated on what
6 happened in that case.

7 If we have officers who are guilty of
8 willful wrongdoing and they're acting negatively
9 and egregiously with misconduct, they should be held
10 accountable all the way up to separation.

11 But when we have officers who make
12 mistakes, we should consider that it's a mistake, as
13 opposed to willful wrongdoing.

14 Mistakes are usually corrected
15 through training. A lot of times mistakes are made
16 because someone is uneducated, uninformed, or
17 undertrained.

18 Willful wrongdoing, those officers
19 have no place on this Department or wearing a
20 uniform. It's that simple.

21 We will hold our own accountable;
22 however, we've seen penalties from 30 days up to
23 separation.

24 After reviewing the investigation

1 that was provided by COPA, we've seen personal
2 opinions and speculation in making these decisions
3 on sustaining a case of misconduct against an
4 officer.

5 Personal opinions and speculation
6 should not be a part of the investigation.

7 There are three things that we should
8 consider when we're looking at misconduct for an
9 officer. The first thing is the law. The second
10 thing are our policies -- Department policies, and
11 the third thing is the training.

12 If we find that our officers have
13 violated any of these things, those are the
14 considerations for making a judgment to sustain
15 allegations of wrongdoing.

16 When we speculate, when we add our
17 personal opinions, then those penalties become
18 punitive and unfair and unfair to the officers.

19 Now, I sit here and say this
20 because -- President Cooper, you said it in the
21 beginning, and you couldn't have said it better.
22 Officers oftentimes are faced with making
23 split-second decisions. And anyone who would find
24 themselves sitting in this room right now with a gun

1 pointed at you, with someone coming at you with a
2 knife, I ask you to ask yourselves a question, what
3 would you do in that moment? Do you know how you
4 would respond in that moment? These are things that
5 we have to consider. So what we're seeing are
6 egregious penalties for extremely minor infractions.

7 Now, oftentimes when I go through
8 these reports, I agree that the infraction should
9 have been sustained, but a 30-day, 90-day suspension
10 is egregious. And what you do to that officer is
11 you take him out of the rotation, because when that
12 officer sees a suspension that large for such a
13 minor infraction, that officer stops working. This
14 puts everyone in this City in danger. It puts our
15 officers in danger, because now those officers are
16 afraid to respond, because they're worried about
17 being judged unfairly. I think it's important that
18 we understand right now that transparency has to be
19 the key. When we as individuals walk in, and they
20 make their statements, great. When we talk about
21 certain cases, we just state that the Superintendent
22 did not meet his burden of proof or COPA did not
23 meet their burden of proof, but we don't talk about
24 the facts of that case, so people are left to wonder

1 why that decision was made without any context.

2 So what I ask of the Board is to
3 consider this; that when we are transparent, and we
4 want that transparency, it still should be rooted in
5 fairness. It should be rooted in a full
6 investigation -- a full open investigation.

7 The Chicago Police Department is
8 always being held accountable. I hear it all the
9 time, police accountability, police accountability.
10 But who is overseeing the overseer? How do we
11 determine how these investigations are going and how
12 it's affecting our officer and our officer's
13 wellness?

14 What I want to do is create a
15 relationship with our community and our community
16 members that is healthy. That is hard to do if
17 there's a negative picture painted of our officers
18 all the time no matter what they do, because we keep
19 the narrative going that our officers cannot
20 interact with our community members in a respectful
21 manner, in a manner in which our community members
22 would appreciate.

23 If we have officers who are doing
24 that, they don't have to worry about COPA. They

1 have to worry about me. They have to worry about
2 our Department.

3 I want to build the relationship. I
4 want to re-image this Department. I want our
5 officers to go out to the community and interact in
6 a way that's going to make each and every person in
7 this room and in this City feel safe and comfortable
8 walking to their cars. That becomes an
9 impossibility when our officers are constantly
10 painted with a broad brush in a negative light.

11 These are human beings. Men and
12 women who error at times. They make mistakes. They
13 go home to their families. They deal with stress.
14 They deal with the same problems that every single
15 person in this room deals with on a daily basis, but
16 because they wear a uniform, there are times where
17 they walk to places and their very uniform, the
18 uniform that they wear, is offensive to people.

19 We have got to break that narrative.
20 It's got to break down. We have got to get beyond
21 this. If we do not get beyond this, we will not
22 grow.

23 We're spinning our wheels right now.
24 I'm looking at the Consent Decree. I appreciate it.

1 This is an opportunity to make this Department
2 better, and I want to move it forward. This is an
3 opportunity to do something great. This is not
4 about political gain.

5 I stayed and took this job because I
6 want to increase a positive relationship between the
7 Police Department and our community members. It is
8 that important to me. Those people that you see
9 sitting out there right now -- these people in the
10 front row are out there in the grind. They're in
11 the thick of things. They are putting their lives
12 on the line every single day, trying to keep their
13 community safe, and we want to walk with them. That
14 becomes hard to do when our officers are being
15 discriminated against. And trust me, it is a level
16 of discrimination. I feel it when I walk up and
17 someone says, "I don't talk to the police." I've
18 had someone say that to me because I'm a black
19 person. It feels the same. Discrimination is
20 discrimination. And much like we shouldn't judge an
21 entire community because of what a small percentage
22 of people in that community do, we shouldn't judge
23 an entire police department because of the behavior
24 of a small number of police officers, those who

1 should not be on this job. And as a police
2 department, we have failed in the past, and we have
3 failed by not removing those people who should not
4 be here who have brought shame upon our Department.

5 So we are going to continue to move
6 forward, but what I would ask -- all I ask is that
7 our officers are judged fairly; that we take our
8 personal feelings out and take the judgment out when
9 we are making decisions on police misconduct. It is
10 that important.

11 We have officers right now who have
12 been called murderers, who were simply trying to
13 protect themselves or protect someone else. Unless
14 we know the facts of that case, people will continue
15 to call them murderers. We cannot allow that. We
16 can't, because those people become suicidal. We
17 talked to them.

18 Fairness, that's all we ask. That's
19 all we ask.

20 When we look at a person who has
21 committed murder, he gets a trial, he gets an
22 attorney. All we ask is the same thing. We
23 shouldn't be considered guilty, and we have to prove
24 ourselves innocent. If we've done something wrong,

1 trust me, most officers know, and they know that
2 that punishment is coming, and they're accepting of
3 it, as long as it's fair.

4 With that, I will get off my soap box.
5 I just would like Chief Talley just to report out on
6 a couple of things that we're doing, and I will have
7 Scott Spears do the same, and it will only take a
8 few minutes. Thank you.

9 CHIEF TALLEY: Good evening, Board. How do I
10 follow that, Superintendent? I sit before you today
11 as Chief of the Bureau of Internal Affairs,
12 representing the Superintendent of Police, to
13 address a matter of critical importance, the
14 integrity and effectiveness of our internal
15 investigation process within the Chicago Police
16 Department.

17 As custodians of public trust and
18 safety, we must maintain the highest standards of
19 accountability and transparency in our operations.

20 First and foremost, we would like to
21 commend the dedicated efforts of our investigators
22 within the Bureau of Internal Affairs.

23 In 2023, our team was assigned to
24 investigate 4,724 cases involving alleged misconduct

1 and violations of Department policies, of which
2 1,738 were administratively closed.

3 It should be noted, BIA closed 1,579
4 cases by investigation.

5 In January of 2024, we received 320
6 cases assigned to BIA. Through the investigators'
7 unwavering commitment to thoroughness and fairness, we
8 have upheld the principles of accountability within
9 our ranks; however, alongside these commendable
10 efforts, we must also confront the challenges of
11 conducting misconduct investigations.

12 One of the key issues BIA and COPA
13 face is finding common ground. Both entities are
14 tasked with overseeing police conduct. Yet, there
15 have been instances where we don't see eye to eye.
16 And we acknowledge these challenges and strive
17 towards collaborative solutions that enhance the
18 efficiency and transparency of our investigative
19 processes and foster a culture of effective
20 communication.

21 We must work towards ensuring that
22 information is shared promptly and accurately, to
23 facilitate thorough and impartial investigations.

24 Furthermore, we recognize the

1 importance of fostering trust and cooperation
2 between law enforcement agencies and our community
3 members.

4 As we navigate these complex issues,
5 we remain steadfast in our commitment to engaging
6 with community stakeholders and soliciting their
7 input on improving our internal affairs practices.

8 In conclusion, the Chicago Police
9 Department is fully committed to upholding the
10 highest standards of accountability and integrity in
11 our operations.

12 While we had made significant strides
13 in addressing misconduct within our ranks, we
14 acknowledge that there is still work to be done.

15 By confronting these challenges head
16 on and working collaboratively with all
17 stakeholders, we will continue to strengthen public
18 trust and ensure the safety and well-being of all
19 Chicagoans. Thank you all for your attention.

20 ACTING GENERAL COUNSEL SPEARS: Good evening,
21 President Cooper, members of the Police Board. My
22 name is Scott Spears, Acting General Counsel to the
23 Superintendent.

24 In 2024, the Department has seen a

1 substantial increase in the number of separation
2 cases sent to the Superintendent by COPA for review.

3 Under the COPA ordinance, the
4 Superintendent has a review period of up to 90 days
5 to respond to the COPA Chief Administrator's
6 recommendation for discipline. If the
7 Superintendent does not respond within this review
8 period, then the COPA Chief Administrator's
9 recommendation is being accepted.

10 Because of the serious consequences of
11 a recommendation for separation, the Office of Legal
12 Affairs assigns a legal officer to conduct a review
13 of each COPA recommendation for separation. A legal
14 officer is a sergeant who is also a licensed
15 attorney. A legal officer is best suited to conduct
16 this review because of the legal officer's training
17 and experience, both as an attorney and as a sworn
18 member of the Department.

19 The Office of Legal Affairs currently
20 has five legal officers.

21 A COPA separation case usually
22 includes 50 or more attachments with the most
23 complex cases having well over 100 attachments, all
24 of which require review. These attachments usually

1 include written reports, audio-recorded interviews,
2 surveillance video, and body-worn camera video. It
3 is reasonable to expect that reviewing a separation
4 case will take a legal officer 40 hours, in addition
5 to the other duties that legal officers attend to as
6 a regular part of their jobs.

7 In all of 2023, the Superintendent
8 received a total of 32 COPA separation cases.

9 Through today, February 22nd, the
10 Superintendent has received 28 COPA separation
11 cases, only four less than was received in all of
12 2023. 26 of these cases are over 18 months old.

13 On January 27th alone, the
14 Superintendent received 19 separation cases.

15 For comparison, by this time in 2023,
16 the Superintendent had received only six separation
17 cases from COPA.

18 In order to handle this high volume of
19 separation cases and meet the strict deadlines in
20 the COPA ordinance, the Office of Legal Affairs has
21 been forced to undertake an overtime initiative.
22 This initiative involves both the five legal
23 officers in legal affairs, as well as three former
24 legal officers who have been promoted to the rank of

1 lieutenant. The lieutenants who are part of the
2 overtime initiative are undertaking these reviews,
3 in addition to their normal full-time workload and
4 duties.

5 Receiving 19 separation cases in one
6 day is unprecedented and represents a substantial
7 strain on Department resources; however, the Office
8 of Legal Affairs will conduct a thorough review of
9 each case.

10 With the overtime initiative and use
11 of additional resources, the Office of Legal Affairs
12 fully anticipates completing review of these cases
13 within the time frame required by the ordinance.

14 Thank you.

15 PRESIDENT COOPER: Thank you, Mr. Spears. I
16 will now ask the Chief Administrator of COPA, Andrea
17 Kersten, to give a report.

18 CHIEF ADMINISTRATOR KERSTEN: I'll go off the
19 script as well this evening, and I think that will
20 serve the public the best that I can in light of the
21 remarks made by Superintendent Snelling, Acting
22 General Counsel Spears, and Chief Yolanda Talley.

23 I am going to start with the most
24 recent comments relating to the uptick of separation

1 recommendations received by COPA -- or from COPA by
2 CPD in January, culminating on January 27th. That's
3 not a mistake. That was by design in the sense that
4 we were given, as was the Bureau of Internal
5 Affairs, a 45-day window after the Collective
6 Bargaining Agreement governing the Fraternal Order
7 of Police was signed in December to conclude every
8 investigation that's over 18 months old; otherwise,
9 perhaps, forfeit the entirety of that case.

10 We had to also undertake an overtime
11 initiative for my staff in order to go through those
12 30 odd cases. And, in fact, the list we started
13 with was 200 and some cases that were over 18 months
14 old in order to make sure that those investigations
15 were concluded by that time.

16 You know, just earlier before this
17 meeting started, I went over to the CPD side to
18 start talking a little bit about some of these
19 issues, not realizing that you were planning to
20 speak about this publicly, but I'm certainly glad
21 that you have.

22 You know, the way that the contract
23 negotiation happened and what COPA was apprised of
24 in advance is something we could discuss, but we

1 didn't have a lot of time to prepare for the 45 days
2 that we were given to conclude all of our older
3 investigations.

4 Thankfully, because of the work that
5 we've been doing this entire last year in 2023 --
6 and I come here every month and bang on and on about
7 our timeliness initiative and what we're doing to
8 make sure that our backlog of cases is rightsize in
9 ways that meets the needs of Department members and
10 complainants. Because we had put that work in,
11 we're in a better position now where we don't have
12 hundreds of cases over 18 months old in our agency,
13 and where we can meet that deadline of 18 months
14 going forward from here on out.

15 You'll never again have a day in
16 January where you receive a whole bunch of
17 separation recommendations on our oldest, most
18 difficult cases, but that was the situation that
19 COPA was placed in by the nature of that Collective
20 Bargaining Agreement, which is an important tool.

21 Don't mistake my comments for any
22 sort of displeasure or dissatisfaction for the fact
23 there is a sensible timeline set out in the FOP
24 contract. That's good. That's important for

1 accountability. It mirrors what happens in the
2 other contracts, and it's something that we know and
3 will be able to meet going forward.

4 But the level of preparation and time
5 we had to put in place a system that wouldn't have
6 stressed CPD the way that it stressed COPA, just
7 simply wasn't available to us based on the way the
8 contract went into effect.

9 We had 45 days to finish, and it took
10 everything we could to get you what we did.

11 Having said that, I will also turn a
12 little bit to your comments, Chief Talley. I've
13 been in COPA -- not in this role, but in the
14 department since 2016 and worked with a number of
15 chiefs with the Bureau of Internal Affairs. And I
16 would really welcome the opportunity for us to speak
17 more regularly about some of the things that are
18 challenging; the things that your department doesn't
19 agree with or doesn't understand when things are
20 coming from COPA.

21 We just had a meeting earlier this
22 week where some of that was starting to come to
23 light.

24 So I think we have some common ground

1 to build on and to move forward from, and I look
2 forward to the opportunity to do that in 2024 with
3 you, truly.

4 And, Superintendent Snelling, I want
5 to ground us not just in feelings about officer
6 wellness or feelings about prejudices you think are
7 being applied in our cases, but I want to talk very
8 specifically about numbers and facts.

9 First of all, like many agencies, our
10 annual report just got published this year, and I
11 would invite everyone to go and look at it.

12 In 2023, COPA concluded 1,814
13 investigations. Many of them -- the vast majority
14 of them were administratively closed, because the
15 complaint made by a citizen, a member of the public,
16 does not necessarily mean there is an allegation of
17 misconduct that needs to be sustained. There are
18 often misunderstandings about what is lawful and
19 proper police conduct and how a citizen or a member
20 of the public perceives that interaction.

21 A big part of COPA's job is really
22 trying to educate the public about what the
23 authorities are that the Department is vested and
24 has.

1 And so that's where we spend a
2 significant amount of our work.

3 Of those 1,814 investigations that we
4 concluded, only 329 of them had recommendations for
5 any form of discipline.

6 And of those, CPD and the
7 Superintendent and Command Channel Review agreed
8 with us far more than you disagreed with us. There
9 were 71 times that we disagreed in what's called a
10 non-concurrence process. So 71 times in 2023, out
11 of the over 1800 cases that we concluded, CPD didn't
12 agree.

13 The majority of those disagreements,
14 as you expressed, Superintendent Snelling, were not,
15 in fact, about findings. You typically agreed on
16 the findings, meaning that the allegation was
17 sustained, but perhaps on the discipline. Of those,
18 more than half of those disagreements we've just
19 sided with you. Whatever you wanted for the
20 recommended discipline we said, Okay, that makes
21 sense. You are the Superintendent of this
22 department. We understand that. These are your
23 direct employees. We make a recommendation. We
24 don't discipline officers. We start a conversation,

1 and that's what the nonconcurrency process allows us
2 to do. And I think we do it quite effectively.

3 When it comes down to it, we only sent a handful of
4 cases to the Police Board because we couldn't come
5 to agreement.

6 Then let's talk about when they get to
7 the Police Board. There is a lot of conversation in
8 your remarks about transparency around that process.
9 And I think, yes, the Police Board has a role to
10 play. They read out and make public their
11 independent reviews of our non-concurrences, but you
12 were calling for something more. You were calling
13 for a full report to be published. Go to our
14 website. All of our reports for -- all of our
15 summary reports, plus your non-concurrence letter,
16 plus our response, plus the Police Board's ultimate
17 decision, all of that goes up on our website. We
18 are being as transparent as we know and are able to
19 be under our ordinance that dictates what I am and
20 am not allowed to do as an agency with respect to
21 these records.

22 So there is a full accounting
23 available for all of these as soon as possible. And
24 it's available on your our website.

1 I want to also go a little bit into
2 comments about willful wrongdoing versus mistakes.
3 I wholeheartedly agree. I think willful wrongdoing
4 is sort of one set of potential misconduct. But
5 mistakes are also misconduct at times. I have to
6 run an agency. I have to discipline people, and
7 sometimes I have to discipline people for things
8 that were honest mistakes, but they were still
9 mistakes. And in the business of policing, to your
10 point, it's a life or death situation sometimes, and
11 mistakes can have fatal consequences for members of
12 the public and for members of the Police Department.
13 So I think we have to be careful about only wanting
14 to look at accountability through a lens where
15 willful wrongdoing is the only kind of
16 accountability or the only kind of wrongdoing that
17 merits accountability.

18 SUPERINTENDENT SNELLING: I do not believe that
19 was my comment.

20 CHIEF ADMINISTRATOR KERSTEN: If I
21 misunderstood that. I just want to be clear. I
22 think mistakes can need accountability and there are
23 some mistakes that people don't get second chances
24 from. But I think the majority of our

1 recommendations, when you look at the numbers,
2 aren't about separating officers. In fact, the
3 majority of our conclusions aren't even about
4 disciplining officers. The majority of our
5 recommendations are, to your point, about trying to
6 make officers whole again, make them better officers
7 and not make the same mistakes that led them to
8 being subject to one of our investigations.

9 I'll also go into sort of the
10 split-second decision-making. In an OIS, is what I
11 assume predominantly you're dealing with, an
12 officer-involved shooting. The split-second
13 decision-making, while that is clearly how
14 constitutional law weighs this issue and how many
15 criminal statutes weigh this issue, the policies
16 that this Department has enacted, the reform-minded
17 policies that are on the books in this department
18 are more restrictive than simply the split-second
19 decision-making in *Graham V Connor* or in
20 constitutional law. Having requirements of
21 de-escalation, having foot pursuit policies in
22 place, all of the things that the Consent Decree is
23 asking for officers to do is trying to slow down
24 those interactions so they don't have to make

1 split-second decisions when possible.

2 There are many situations where
3 there's no amount of de-escalation in the world that
4 would make a difference or a foot pursuit policy
5 inapplicable. There are all sorts of
6 justifications. This is where sometimes I think CPD
7 and COPA disagree. I want to have more
8 conversations about that. I want to make sure that
9 my staff is auditing trainings where your officers
10 are learning about how those policies are applied,
11 so that we are on the same page or closer to a same
12 page than where we sometimes find ourselves in
13 response to officer-involved shootings.

14 But I make no apology for the fact
15 that we have a job to play in this system. No one
16 came to COPA because they don't want to support
17 police or because they want to impart their personal
18 prejudices on these investigations. It's quite the
19 opposite. And the body of our work would
20 demonstrate that. The vast majority of these
21 complaints simply aren't recommendations for even
22 discipline, yet alone separation. And where we have
23 disagreements, they're few. They are statistically
24 extremely minor, but they're big cases. They are

1 the things that the media wants to talk about. They
2 are the things that sometimes have life or death
3 decision-making involved in them. And I want to
4 continue to grow in our ability to do that in a
5 productive way that serves your officers and serves
6 the public, because just like you walk with
7 officers, and you want to be out in the community
8 repairing harms, we walk with complainants who had a
9 very different experience. We're not siding with
10 them, but we have to receive their version of the
11 events, and whether they're right or wrong and it's
12 misconduct or not, their feelings are very real as
13 well. And our investigators have to sit with your
14 officers. And don't think for one moment that a
15 COPA investigator doesn't sit in an interview room
16 across from an officer who's just lived through a
17 police shooting and not have empathy for that
18 situation, not have real feelings around how
19 difficult this job is that they are asked to do.
20 But we also have a job to do here, too, and it is to
21 take the policies, to take the training and to apply
22 them as best we see fit.

23 But I will leave it with this. We
24 are one voice in this conversation. We make a

1 recommendation, and it hopefully starts that
2 conversation, that dialogue. You are the leader of
3 this Department. COPA recognizes that.

4 When we met back in August, I said
5 the things I want to really work on this year, and I
6 hope we have partnership to do it, are getting a
7 better understanding on disciplinary recommendations
8 and where your head is at on what is or isn't
9 appropriate and also use of deadly force in
10 particular. So those are two areas, and they're in
11 part of my commission on public safety and
12 accountability goals for improving in 2024 in those
13 areas. But we need your partnership to do it, and I
14 really look forward to having more in-depth
15 conversations about that in the future. So thank
16 you.

17 SUPERINTENDENT SNELLING: Well, Chief asked
18 what this was about, and I will tell you,
19 de-escalation, you don't have to explain it to me.
20 I wrote it.

21 After the Laquan McDonald shooting, I
22 designed force mitigation training for officers.
23 And in that training, if you look at the numbers and
24 the decrease in police-involved shootings and

1 officers applying and rendering aid afterwards, the
2 training took effect.

3 So when I say when an officer makes a
4 mistake, I am not saying an officer should not be
5 disciplined for that. It's the type of discipline
6 and the type of mistake.

7 There are some mistakes that are made
8 that we don't come back from. There is. But when
9 we talk about willful wrongdoing, as opposed to
10 someone who made a mistake, that's why we have
11 training, and training has proven to be effective in
12 developing a better, more educated police
13 department.

14 I think it's important that we
15 understand that just because policies are written --
16 and I do know that our policies are more restrictive
17 than state law. When we are taking in consideration
18 split-second decision-making, we're talking about a
19 life or death situation. That can't be written into
20 policy.

21 We can't write a scenario for every
22 single situation that a human being can find
23 themselves in. All I'm asking is that we look at
24 everything. We look at the facts, and we take

1 everything into consideration.

2 I don't believe that this body
3 shouldn't exist. I don't believe that we shouldn't
4 have oversight. I just believe in that oversight,
5 there should be a level of education that helps us
6 clearly understand what the officer's dealing with
7 at the time and make a fair decision in judgment on
8 how that officer responded. It's that simple.

9 So my point of bringing this up is
10 that I don't want to have an adversarial
11 relationship with anybody. I would love to work
12 with everybody, because if we're working together,
13 we can come to a decent conclusion as to what it is
14 that we're trying to do.

15 If we're going to be effective in
16 making this a better, stronger, smarter department,
17 more effective -- and more effective for our
18 community members, we actually have to work
19 together. But when we're siloed, we argue. And
20 when we argue, we never come to a positive
21 conclusion.

22 So thank you for that. And I'm
23 looking forward to moving forward. And I did hear
24 that you reached out to our academy to get some

1 training for some of your people in use of force,
2 and we're looking forward to that.

3 CHIEF ADMINISTRATOR KERSTEN: I appreciate
4 that. And there's just no part of how I approach
5 this job ever that hasn't wanted to have that level
6 of dialogue.

7 And I've reached out to your office
8 as well about trying to get those conversations sort
9 revived. It's when we met in the summer when I was
10 hoping to see more. But I also understand it takes
11 time to develop some of these relationships, and I
12 look forward to being able to do that with you.

13 I do want to note one thing though.
14 It's important that the public understands, and that
15 you are reminded of the fact, that COPA does have
16 oversight. She sits right next to me here, as well
17 as the Community Commission for Public Safety and
18 Accountability.

19 So the working that we're doing, the
20 level of preparation that my civilian
21 investigators -- who are not supposed to be sworn
22 law enforcement officers, supposed to be civilians,
23 and we've talked about that. The level of
24 preparation they have to do this work and whether

1 our investigations are unbiased and are appropriate
2 and thorough, that is judged by a host of people,
3 including the Chicago Police Department, but not
4 limited to.

5 So I just want to make it really
6 clear that it's a complicated system. There is a
7 lot of moving parts. And from our very first
8 conversation, I still remain hopeful, that like we
9 have a path forward where we can better understand
10 one another's positions on all of these issues.

11 So thank you very much.

12 SUPERINTENDENT SNELLING: Thank you.

13 PRESIDENT COOPER: You know before we get to
14 public comments, which is the next item on our
15 agenda, I do really want to thank you,
16 Superintendent Snelling. I want to thank Chief
17 Talley. I want to thank you, Chief Administrator
18 Kersten, because these are the exact conversations
19 we should be having in the public forum that we're
20 having them in. All of our jobs up here are to
21 serve the citizens of Chicago, and only by having
22 these frank and honest and hard real conversations
23 can we do that effectively. So I really do want to
24 commend you both for the dialogue tonight. I think

1 it was educational for the public. It was certainly
2 educational for the other members of the Board. And
3 I think what we were talking about today is the same
4 thing. It's about accountability. It's about
5 respect, and it's about transparency. And I think
6 all of our departments are trying to have those
7 goals be at the forefront of what we do. And so I
8 just think it was an important conversation. I
9 think it was a productive one, and I'm glad that we
10 were able to have it today.

11 So with that being said, we will now
12 go to the public comment period. There are two
13 speakers who have signed up, and the first person I
14 would like to call is Rita Pritchett.

15 MS. PRITCHETT: Good evening, everyone, to this
16 honorable Board, to the police brass and to my
17 sisters and brothers and public. I'm here, because
18 I heard the Superintendent speak about wellness and
19 the rights of the public and the rights of officers.
20 Are not police officers required to live in the City
21 of Chicago? Does that not make them citizens as
22 well? Do they not have rights? When an officer --
23 and by the way, I was a police officer for 32 years.
24 When a police officer has to undergo stressful

1 situations, such as 30 days pending or you're
2 stripped, that sets off a chain of stress factors.
3 Some of them you automatically get three your days
4 to process and all of that. But we are aware of the
5 fact that trauma does happen. But there is a need
6 for the trauma to be addressed. Sometimes it builds
7 and builds, and then you have that avenue of there's
8 no place else to go but to exit. That exit comes in
9 the form of suicide.

10 For the last three years, I have
11 individually and personally worked towards having
12 classes for suicide prevention for police officers,
13 because of my great love for my brothers and sisters
14 on both sides. I was a civilian 13 years, police
15 officer for 32 years. Those stress factors are
16 awaiting the decision of this Honorable Board. And
17 while you're waiting and you're stripped is that
18 stigma of not knowing what's going to happen.

19 And in closing, all of you aware --
20 I'm sure you have seen photos of the giant volcanic
21 mushroom. When the mushroom effects of the volcanic
22 comes, but you never see the fallout. You never see
23 the fallout.

24 And so as a retired police officer

1 and a concerned citizen of the City of Chicago, I'm
2 a strong proponent of officer wellness.

3 The Superintendent has said some are
4 willful violations of the Department rules,
5 regulations, some are mistakes. And what I say to
6 you is that's why they put erasures on the end of
7 pencils. Thank you.

8 PRESIDENT COOPER: Thank you. And thank you
9 for your service to the City of Chicago, Ms.
10 Pritchett.

11 I'd next like to call Vincent and
12 Marquis.

13 MR. BROWN: Good evening, Board,
14 Superintendent. This is our first time ever
15 attending a meeting. We were at the Chicago
16 construction summit today. My name is Vincent
17 Brown. I was born and raised in Chicago. Went to
18 Dunbar High School, grew up in Morgan Park.

19 But we are here because we were at
20 the Construction Summit today, and there were a
21 couple of people that had something to do with the
22 Chicago Police Department, and they suggested that
23 we come here.

24 I have Mr. Marquis McClure with

1 me from Alarm.com. We are the company that has
2 designed a shooter detection system. The Department
3 of Homeland Security ranked it number one in the
4 world for dealing with shots that are fired in
5 public places.

6 So what I am going to do is introduce
7 Mr. Marquis McClure and tell you more about it. But
8 he deals directly with the CEO of Alarm.com in
9 Washington, DC. Thank you.

10 MR. McCLURE: Hello, everybody. Thank you for
11 having us here. Thank you, Board. Thank you,
12 Chicago Police Department. Thank you to the
13 citizens of Chicago.

14 Mr. Vincent describes what we do
15 fairly well. We have a shot detection system that
16 detects gunshots. It detects gunshots in
17 facilities, and it is accurate. It's already
18 implemented in airports and facilities throughout
19 the country. And I came here from Washington, DC,
20 because I understand that Chicago may be looking for
21 some other types of shot detection systems. But
22 with that being said, our system is certified, and
23 the only shot detection system that's certified by
24 The Department of Homeland Security. It has two

1 forms of authentication; detects a gunshot
2 acoustically and looks for the infrared muzzle flash
3 of the gunshot.

4 With that being said, it can send out
5 mass notification to people in a facility, telling
6 them exactly where the gunshot is located. So, for
7 example, we're here in this building. If there was
8 a gunshot out in the lobby, we wouldn't hear it, but
9 if we were all signed up to that system, we would
10 get text messages, emails saying, Hey, there's a
11 gunshot right outside in the lobby, and it would
12 give us the opportunity to exit out of the nearest
13 exit, so we don't walk into the shooter.

14 PRESIDENT COOPER: Thank you, Marquis.

15 MR. McCLURE: Thank you very much.

16 PRESIDENT COOPER: We also have one additional
17 speaker who has signed up today, Ms. Jennifer
18 Edwards.

19 MS. EDWARDS: I just wanted to mention a couple
20 of things, because we are very active in the
21 community with the police. Okay. We are -- some of
22 the things that were mentioned tonight were
23 arbitration. Okay. We have background -- union
24 background sitting on negotiating teams with

1 arbitrators. Okay. So we know a little bit about
2 that. Federal mediators are very hard to get. That
3 comes into play. The other Police Board cases, all
4 of this, you know, comes in together. I don't know
5 how these are going to be decided. The diversity of
6 COPA. I don't want to get on Ms. Andrea, but I did
7 take the COPA class. Now -- and she knows that I
8 was very, very critical of each one of her modules.
9 I don't mean diversity black and white. I mean
10 community diversity. So I had lots of problems with
11 COPA being able to come up with the burden of proof,
12 which is something I learned is a statement that you
13 guys look for for all of the cases that you look at,
14 but I had issues with the police officers that were
15 listening to the cases, where those officers and the
16 rank of the officers, from what I can remember. And
17 so I did bring this up, and I think those things
18 need to be looked at. Okay. I think COPA needs to
19 be a little bit -- look a little bit more like the
20 communities of Chicago.

21 We did see a video -- if you remember
22 the video of the three officers that were in the
23 car, and I had lots of problems with that, because
24 that particular officer I believe lost his job

1 because he made a mistake or something like that. I
2 can't remember exactly what happened. But it was
3 also with the cameras that were available, what
4 cameras did they have in the neighborhood? Did they
5 have cameras in the -- that they looked at, were
6 there ShotSpotter cameras there? A lot of those --
7 we can talk about it later. I just wanted to bring
8 that up.

9 PRESIDENT COOPER: Thank you for your comments,
10 Ms. Edwards.

11 Is there any other member of the
12 public who would like to make a comment.

13 MR. BRANDON: Can I make a brief comment? Can
14 I do it from here?

15 PRESIDENT COOPER: Your voice seems loud
16 enough.

17 MR. BRANDON: I just want to talk briefly about
18 the conversation between the Superintendent and the
19 Chief Administrator. And one of the things that I
20 want to make sure that people understand is that
21 citizens have duties and responsibilities, too. The
22 police officers are charged with going out, doing
23 their job, following a set of rules and regulations
24 and policy. And normally, and I would say most of

1 the time, when an encounter occurs, it doesn't occur
2 because a police officer did something wrong; it
3 occurs because the citizen is either a victim of
4 wrongdoing or there's a perpetrator on the scene.

5 So when you sit down and you begin to
6 determine what that evidence is, make sure that you
7 hold the citizens accountable for them being
8 responsible to do what it is that that they're
9 supposed to do as good citizens, as well as holding
10 the police officer accountable. That's all.

11 CHIEF ADMINISTRATOR KERSTEN: May I say one
12 thing?

13 PRESIDENT COOPER: Absolutely.

14 CHIEF ADMINISTRATOR KERSTEN: I want to say one
15 thing, because if I don't address it, this is how
16 perceptions become facts, you know, feelings become
17 facts. Briefly, the case that you are talking about
18 at COPA Academy, the officer did not lose his job,
19 and the Superintendent of the Chicago Police
20 Department agreed with COPA and wanted him fired,
21 but the Police Board only gave him a two-year
22 suspension.

23 The system is complicated. And COPA
24 didn't strip him of his police officers, then

1 Superintendent Johnson did.

2 So, you know, we all have feelings
3 about a lot of these things. And if we're not
4 careful about what the facts are, and we talk
5 specifically on those facts, it is easy for things
6 to get misconstrued.

7 But I certainly appreciate Mr.
8 Brandon's point about citizens, and we obviously
9 don't have jurisdiction over citizens, but their
10 behavior and how they act decides what officers are
11 and aren't allowed to do, whether they're -- you
12 know, whether they're being aggressive or anything
13 is a factor that has to be -- whether they're
14 complying or not, are they an active resister, are
15 they a passive resister. All of that dictates how
16 an officer's use of force can be used in accordance
17 with policy and law and the constitution. So
18 certainly those are things we have to address.

19 Lastly, we didn't make up the burden
20 of proof. The preponderance of the evidence is what
21 the standard is set under the Consent Decree, in
22 collective bargaining agreements. It's what an
23 administrative standard is in all of these cases,
24 whether it's BIA or COPA, and it is a legal

1 standard. So we look to case law to help us
2 determine when that is or is not met.

3 As I said before, in the vast
4 majority of all COPA investigations, there isn't a
5 sustained allegation of misconduct. Only about 18
6 percent of the total investigations we conclude even
7 have sustained findings. So I want to ground us in
8 that as we move forward hopefully together on this
9 issue.

10 PRESIDENT COOPER: So thank you, Chief
11 Administrator Kirsten. That's a great way I think
12 to end the meeting. With that, is there a motion to
13 adjourn?

14 VICE PRESIDENT WOLFF: I certainly move to
15 adjourn. Paula Wolff.

16 PRESIDENT COOPER: All in favor, raise your
17 hand and say aye.

18 (CHORUS OF AYES.)

19 PRESIDENT COOPER: The motion passes.

20 (WHEREUPON, the meeting was
21 adjourned at 8:31 p.m.)
22
23
24

1 STATE OF ILLINOIS)
) SS:
2 COUNTY OF C O O K)
3

4 MAUREEN A. WOODMAN, C.S.R., being first duly
5 sworn, says that she is a court reporter doing
6 business in the City of Chicago; that she reported
7 in shorthand the proceedings had at the hearing of
8 said cause; that the foregoing is a true and correct
9 transcript of her shorthand notes, so taken as
10 aforesaid, and contains all the proceedings of said
11 hearing.

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16 MAUREEN A. WOODMAN, CSR
17 License No. 084.002740
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