

CHICAGO POLICE BOARD  
 Consent Decree Entered in Illinois v. Chicago  
 Requirements Pertaining to the Police Board  
 Status of Implementation as of June 20, 2019

¶ No.	Consent Decree Requirement	Status of Implementation	Deadline Date
532	<p><b>Board Member Selection Criteria.</b> Within 180 days of the Effective Date, the City will draft selection criteria for Police Board members with the objective of identifying individuals who possess sufficient experience, judgment, and impartiality to perform the duties of members of the Police Board. Selection criteria may include prior work in law or law enforcement, and service with Chicago based community and non-profit organizations. The draft selection criteria will be published on the Police Board's website for a period of 30 days for public review and comment. Following the 30-day public review and comment period, the City will provide the draft criteria to OAG for review and comment. The final selection criteria will be published and maintained on the Police Board's website. The City will ensure that the selection criteria are the basis for future selection of Police Board members.</p>	<p><b>In Progress.</b></p>	<p>August 28, 2019</p>
533	<p><b>Hearing Officer Selection Criteria.</b> Within 180 days of the Effective Date, the Police Board will submit selection criteria for Police Board hearing officers to the Monitor and OAG for review and comment. The criteria will be drafted to help identify individuals who possess sufficient competence, impartiality, and legal expertise to serve as hearing officers. The selection criteria will be published on the Police Board's website. The City and the Police Board will ensure that the selection criteria are the basis for future selection of Police Board hearing officers.</p>	<p><b>In Progress.</b> The Police Board has drafted selection criteria, which will be posted on the Board's website for public review and comment.</p>	<p>August 28, 2019</p>
534	<p><b>Disciplinary Proceedings: H.O. Presiding and Video Recording.</b> In any disciplinary action requiring the vote of the Police Board, the City will ensure: (a) a hearing officer will preside over the disciplinary proceedings; and (b) disciplinary hearings will be videotaped in their entirety.</p>	<p><b>Implemented.</b> These practices were in place prior to the entry of the Consent Decree.</p>	
535 a & b	<p><b>Disciplinary Proceedings: Review of Record.</b> Prior to any vote by the Police Board following any disciplinary hearing, the City will ensure: (a) all Police Board members are required to watch and certify that they have watched the videotape of the entire evidentiary hearing; (b) all Police Board members are provided copies of the complete record, including demonstrative exhibits.</p>	<p><b>Implemented.</b> Effective May 30, 2019, the Police Board's written decisions will document that the Board members who participated in the decision certify that they have reviewed the complete record and viewed the video recording of the entire evidentiary hearing.</p>	

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535 c - f	<p><b>Disciplinary Proceedings: Hearing Officer Report.</b> Prior to any vote by the Police Board following any disciplinary hearing, the City will ensure: (c) hearing officers will prepare a written report that sets forth evidence presented at the hearing (i) in support of the charges filed, (ii) in defense or mitigation, and (iii) in rebuttal, including evidence and aggravation, if any, and the hearing officer's report will also include information relating to witness credibility; (d) the Police Board may, at its discretion, ask a hearing officer to additionally prepare a written report and recommendation that sets forth findings of fact and conclusions of law, including any findings relating to witness credibility; (e) the parties before the Police Board will have 14 days to review the hearing officer's report, and recommendation, and file any written objections; and (f) all Police Board members will review de novo the hearing officer's report and any recommendation, and the parties' written objections to the same.</p>	<p><b>In progress.</b> The Police Board has drafted proposed amendments to its Rules of Procedure that will incorporate these requirements into the Board's process for handling disciplinary cases. The Board posted drafts on its website for public review and comment. The Board plans to vote on the proposed amendments at an upcoming public meeting.</p>	
536	<p><b>Disciplinary Proceedings: Accused Officer's Disciplinary File.</b> As part of the Police Board proceedings, the parties to the Police Board case (the Superintendent and the involved CPD member) will be given access to the CPD member's complete disciplinary file and will have the opportunity to move for entry into the record of proceedings any relevant aspect of the CPD member's disciplinary file, as permitted by law and any applicable collective bargaining agreements.</p>	<p><b>In progress.</b> The Police Board has drafted proposed amendments to its Rules of Procedure that will incorporate these requirements into the Board's process for handling disciplinary cases. The Board posted drafts on its website for public review and comment. The Board plans to vote on the proposed amendments at an upcoming public meeting.</p>	
537	<p><b>Attendance at Public Meetings.</b> All regular meetings convened by the Police Board that are open to the public will be attended by the CPD Superintendent or his or her designee; the Chief Administrator of COPA or his or her designee; the Deputy PSIG or his or her designee; and the Chief of BIA or his or her designee.</p>	<p><b>Implemented.</b> These officials (or designees) currently attend the Police Board's public meetings.</p>	
538	<p><b>Community Input at Public Meetings.</b> Within 90 days of the Effective Date, the City will create a policy for collecting, documenting, classifying, tracking, and responding to community input received during the Police Board's regular community meetings. The policy will outline the methods for: (a) directing community input to the appropriate responding entity, agency, or office; and (b) documenting and making public, all responses to community input.</p>	<p><b>Implimented.</b> The Police Board created a policy, which will take effect beginning with the June 20, 2019, public meeting. The policy will be posted on the Board's website.</p>	May 30, 2019

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539	<b>Disciplinary Proceedings: Discovery.</b> The Police Board will make best efforts to streamline discovery efforts in all pending proceedings.	<b>In progress.</b> The Police Board has drafted proposed amendments to its Rules of Procedure that will incorporate streamlined discovery into the Board's process for handling disciplinary cases. The Board posted drafts on its website for public review and comment. The Board plans to vote on the proposed amendments at an upcoming public meeting.	
540 & 541	<b>Board Member and Hearing Officer Training: Topics.</b> Within 180 days of the Effective Date, Police Board members and hearing officers will receive initial and annual training that is adequate in quality, quantity, scope, and type and will cover, at minimum, the following topics: (a) constitutional and other relevant law on police-community encounters, including law on the use of force and stops, searches, and arrests; (b) police tactics; (c) investigations of police conduct; (d) impartial policing; (e) policing individuals in crisis; (f) CPD policies, procedures, and disciplinary rules; (g) procedural justice; and (h) community outreach. The trainings will be provided by sources both inside and outside of CPD, as needed, to provide high quality training on investigative techniques, and CPD policies, procedures, and disciplinary rules.	<b>In progress.</b> The Board is currently developing a training curriculum.	August 28, 2019
542	<b>Board Member and Hearing Officer Training: Policy.</b> Within 90 days of the Effective Date, the City will create a training policy for Police Board members and hearing officers.	<b>In Progress.</b> The Police Board drafted a policy by May 30, which will be posted on the Board's website for public review and comment.	May 30, 2019
555	<b>Data on Police Board Decisions.</b> On an annual basis, the Police Board will track and publish case-specific and aggregate data about Police Board decisions. Such publications will contain and include, at minimum, the following: (a) the date on which the investigating agency (COPA, BIA, district, or OIG) received the complaint or notification for investigation; (b) the date of the Police Board hearing over which the hearing officer presided; (c) the disciplinary recommendations and/or decisions (where applicable) made by COPA, BIA, the Superintendent, and the Police Board; (d) the average time between the filing of disciplinary charges with the Police Board and the first day of hearing; (e) the average time between the filing of disciplinary charges with the Police Board and the Police Board's decision; (f) the average time between the date on which the investigating agency (COPA, BIA, district, or OIG) received the complaint for investigation and the Police Board's decision; (g) the date of the alleged misconduct; (h) the average time between the date of the alleged misconduct giving rise to the complaint or notification and the Police Board's decision; and (i) whether any Police Board decision has been appealed to any state court and, if so, the court's final judgment.	<b>Implemented.</b> A spread-sheet of case-specific data is published on the Police Board website and is updated each month. Aggregate data are published in the Board's quarterly and annual reports, which are available on the Board's website.	

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565	<p><b>CPD Policy Recommendations.</b> At least quarterly, COPA, the Deputy PSIG, and the President of the Police Board, or his or her designee, will meet to confer and share information regarding trends and analyses of data relating to CPD. They will jointly or separately provide any resulting recommendations for changes in CPD policy or rules, in writing, to the Superintendent. Thereafter: (a) the Superintendent will respond to any such recommendation within 60 days of receipt; (b) the Superintendent s response will include a description of the actions that the Superintendent has taken or plans to take with respect to the issues raised in the recommendations; and (c) all policy recommendations and responses to the same will be published on a City website.</p>	<p><b>Implemented.</b> Two meetings (on March 8 and April 26) have been held to date.</p>	