

POLICE BOARD
CITY OF CHICAGO

STATEMENT BEFORE THE CITY COUNCIL
COMMITTEE ON THE BUDGET AND GOVERNMENT OPERATIONS

October 17, 2023

Good afternoon, Chairman Ervin and members of the City Council. I am Ghian Foreman, President of the Police Board.

The Police Board continues to be fully committed to the goals of the Consent Decree, which include ensuring lawful and constitutional policing and building trust between police officers and the communities they serve. Of the 14 Consent Decree paragraphs the Police Board is responsible for implementing, the Independent Monitor's most recent report found the Board to be in full compliance with 11 paragraphs and in preliminary compliance with 3 paragraphs.

Chicago has the most extensive civilian oversight of police of any major U.S. city, with each of the four civilian agencies playing a vital role in the City's police-accountability system. We speak to you today as one part of a complex and rigorous accountability system.

One of the primary duties of the Police Board is to build public confidence in the accountability system by serving as an impartial decision maker of the most serious police disciplinary cases. These cases range from charges of unjustified police-involved shootings to other significant allegations of misconduct, such as use of excessive force, illegal searches, and sexual misconduct.

For more than 60 years (since 1961), the Police Board has had the sole responsibility for deciding cases in which the Superintendent of Police recommends that a sworn officer be discharged from the Chicago Police Department. The Board has performed this duty with independence and openness.

The public can stay informed throughout the Police Board's process for considering these cases because the Board places a high value on transparency and makes a great deal of information available to the public. The arbitration process, on the other hand, takes place behind closed doors.

Comparison between the Police Board and Arbitration

	Police Board	Arbitration
Allegations of misconduct	Posted on PB website	Not made public
Scheduling/status of case	Posted on PB website	Not made public
Hearing	Open to the public	Not open to the public
Decision	Vote at public meeting	Made in private
Written Opinion	Posted on PB website	Not posted on City website

- Charges brought against officers are available on the Board's website. They are not made public in arbitration.

- All of the Board’s disciplinary hearings are open to the public. The arbitration hearings are closed to the public.
- The Board takes final action on all cases in public at its monthly meeting, where each Board member’s vote is announced and recorded. Arbitrators make their decisions in private.
- The Board posts on its website its written decisions, which include detailed explanations of the reasons for the Board’s findings. Arbitrators’ decisions are not posted on a City website.

In addition, the Board publishes monthly, quarterly, and annual reports of cumulative data on its decisions, which enables the public to evaluate the Board’s overall work.

The 9 members of the Police Board are a diverse group of Chicagoans and we are committed to performing our duties with independence, integrity, and fairness to all involved. Each Board member is required by Council ordinance to read the full transcript and watch the complete video of each hearing and then attest to having done that. Cases typically include up to 12-15 hours of video and the Board often considers more than one case a month. We all live in the City and come to the Board from different backgrounds and professions. I believe we represent the people of Chicago very well. The Community Commission for Public Safety and Accountability, the Mayor, and the City Council are all involved in selecting Police Board members.

Arbitrators, on the other hand, are not required to live in Chicago and are a much less diverse group. They are selected by mutual agreement between FOP and City attorneys. According to an Inspector General report, 90% of recent cases were decided by just 3 arbitrators.

The role of the Board is to be an impartial decision-maker that makes decisions based on the evidence made part of the record at the disciplinary hearing, which is open to the public. Both the Superintendent and the accused Officer have a right to due process—they each have a right at the hearing to present evidence and to cross-examine witnesses. Impartiality, due process, and transparency are essential values of any police disciplinary system—guided by these values, the Police Board strives to promote accountability and increase the public’s confidence in the process for handling allegations of police misconduct.

Police accountability and, ultimately, the people of Chicago will suffer if the most serious police disciplinary cases are removed from the Police Board’s jurisdiction, which is what will happen if arbitrator’s decision is allowed to stand.

Thank you very much for your consideration of my comments and the Board’s budget. I am happy to respond to any questions you have.