

# OCTOBER 2020 UPDATE

## **CPD Reform Outcomes** *(July through December 2020)*

### Background

In August 2020, the Chicago Police Department (“CPD”, or “the Department”) publicly released a [summary of its reform priorities for the second half of 2020](#).<sup>1</sup> This document was the product of a thorough planning and prioritization effort as the Department continues to work toward resuming normal operations following COVID-19 deployments in the spring. Through this planning process, CPD identified:

- *Key reform outcomes, based on requirements in the federal [Consent Decree](#) (“CD”);*
- *The deliverables that the Department would be submitting to the Independent Monitoring Team (IMT) to demonstrate progress; and*
- *The consent decree paragraphs that would be addressed through that work.*

### Document Overview

This Update builds on the previously-released reform priorities by providing additional narrative and context, as well as more specificity regarding the timelines upon which the reform priority deliverables will be created.

Below are a few important points to note regarding the contents of this document:

- CPD remains committed to achieving consent decree compliance; accordingly, items not listed will continue to be worked on in 2020 and thereafter. Thus, this document reflects priority outcomes and is not exhaustive of all activities that CPD will undertake.
- All references to consent decree paragraphs reflect CPD’s own assessment of the paragraphs that would be satisfied, in whole or in part, if it satisfactorily advances this work projected for the current reporting period.
- **Referenced dates reflect only CPD’s intended date of completion of its work on the next version of the stated deliverable. All deliverables are provided to the IMT and the Office of the Attorney General (OAG), who are able to review and comment on these deliverables, and in many cases must pre-approve them.** CPD cannot guarantee that the

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<sup>1</sup> Available at: <https://home.chicagopolice.org/wp-content/uploads/2020/08/Consent-Decree-Priority-Plan.pdf>.

submission of these deliverables will result in a finding of compliance within the current reporting period.

- The highest priority projects pertaining to the Data Collection, Analysis, and Management section of the consent decree are addressed into Use of Force (dashboards and reporting) and Officer Wellness (Officer Support System pilot).

### How to Read this Document

- **ASTERISK**: An asterisk (\*) next to a consent decree paragraph number indicates that the paragraph has a deadline in the first (March 2020 – August 2019), second (September 2019 – February 2020), or third (March 2020 – December 2020) monitoring period.
- **RED TEXT**: A paragraph that is listed in red text is one for which additional tasks to attain compliance remained outstanding as of the end of the second reporting period.
- **BOLDED TEXT**: A deliverable that is **bolded** has been submitted to the IMT and OAG as of the release date of this report; as stated above, a submission to the IMT and OAG does not guarantee compliance and additional review and revisions may be required based upon any feedback received.

### More Information

For more information about the Consent Decree, including updates on implementation and opportunities to give input, visit:

[City of Chicago's Public Safety Reform Portal](#)

[Chicago Police Department's Reform Webpage](#)

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COMMUNITY POLICING

Desired Outcome:

**Best Practices School Resource Officer (“SRO”) Program**

- Current State:
  - o CPD wrote a new policy outlining the roles and responsibilities of SROs, who now work only in high schools (not middle schools). To write the policy, CPD and CPS hosted more than a dozen focus groups with students and principals and hosted open meetings to gather additional public feedback.
  - o The decision about whether to have SROs in a particular school is made by the elected Local School Councils, giving each community the final say as to whether officers are in their schools.
  - o CPD engaged the National Association of School Resource Officers (NASRO), the industry leader in SRO best practice, to develop and teach a 40-hour training course to all SROs before the start of the 2019-2020 school year. SROs were given priority to enroll in a CIT Youth advanced training course.
  - o CPD and CPS entered into a formal contract (Memorandum of Understanding) clearly delineating the roles and responsibilities of SROs in 2019. The School Board approved the MOU.
- By End of 2020:
  - o Gather additional community input through a working group and reopening the policy for round of public comment
  - o Develop a refresher course so that SROs are getting consistent training on a regular basis
  - o Finalize the 2020-2021 school year MOU with CPS
- Key deliverables by end of 2020:
  - o **Documented opportunities for CPS principals to provide feedback to CPD regarding their assigned SRO (August)**
  - o **Development of a refresher course so that SROs are getting consistent training on a regular basis (submitted September)**
  - o Solicitation of community input on School Resource Officers (SROs) policies (October)
  - o Finalized CPD/Chicago Public Schools (CPS) intergovernmental agreement (November)

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*Aligns with CD Paragraphs 39-44*

\*39. Before the 2019-2020 school year begins, in consultation with CPS and considering input from CPD members, including officers assigned to work in CPS schools, school personnel, families, students, and community stakeholders, CPD will develop and implement screening criteria to ensure that all officers assigned to work in CPS schools have the qualifications, skills, and abilities necessary to work safely and effectively with students, parents and guardians, and school personnel. Only CPD officers who satisfy the screening criteria will be assigned to work in CPS schools.

\*40. Before the 2019-2020 school year begins, in consultation with CPS and considering input from CPD members, including officers assigned to work in CPS schools, school personnel, families, students, and community stakeholders, CPD will develop a policy that clearly defines the role of officers assigned to work in CPS schools. This policy will be reviewed by the Monitor by the end of 2019. Any suggested revisions by the Monitor that are adopted by CPD will be implemented by CPD before the 2020-2021 school year. The policy will reflect best practices and will include, but not be limited to:

- a. the duties, responsibilities, and appropriate actions of officers assigned to work in CPS schools and school personnel, including an express prohibition on the administration of school discipline by CPD officers;
- b. selection criteria for officers assigned to work in CPS schools;
- c. the requirement that officers assigned to work in CPS school receive initial and refresher training; and
- d. the collection, analysis, and use of data regarding CPD activities in CPS schools.

\*41. CPD will, within 60 days of the completion of the 2019-2020 school year, and on an annual basis thereafter, review and, to the extent necessary, revise its policies and practices regarding officers assigned to work in CPS schools to ensure they are responsive to the needs of the Department, CPS, and its students. This evaluation will include input from CPD members, including officers assigned to work in CPS schools, school personnel, families, students, and community stakeholders. Any revisions to CPD's policies and procedures regarding officers assigned to schools will be submitted to the Monitor and OAG in accordance with the requirements of Part C of the Implementation, Enforcement, and Monitoring section of this Agreement.

\*42. CPD officers assigned to work in CPS schools will receive specialized initial and annual refresher training that is adequate in quality, quantity, scope, and type, and that addresses subjects including, but not limited to:

- a. school-based legal topics;
- b. cultural competency;
- c. problem-solving;

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d. the use of de-escalation techniques, use of restorative approaches, and available community resources and alternative response options;  
e. youth development;  
f. crisis intervention;  
g. disability and special education issues; and  
h. methods and strategies that create positive interactions with specific student groups such as those with limited English proficiency, who are LGBTQI, or are experiencing homelessness.  
The training will be developed and delivered in accordance with the requirements of the Training section of this Agreement.

\*43. The curricula, lesson plans, and course materials used in initial training provided before the 2019-2020 school year will be reviewed by the Monitor by the end of 2019. Any suggested revisions by the Monitor that are adopted by CPD will be implemented by CPD before the 2020-2021 school year.

\*44. Before the 2019-2020 school year begins, CPD will undertake best efforts to enter into a memorandum of understanding with CPS, to clearly delineate authority and specify procedures for CPD officer interactions with students while on school grounds, consistent with the law, best practices, and this Agreement.

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**Desired Outcome:**

**Train on Community Policing**

- **By End of 2020:**
  - o Develop an in-service training course for all officers on community policing, which will give officers with an overview of the philosophy and principles of community policing, as well as to develop Department member’s skills in problem solving and community engagement
- **Key deliverables by end of 2020:**
  - o Draft lesson plan and curriculum for brand new 8-hour in-service training on problem solving and relationship building (October)
  - o Train the trainer lesson plans and identification of external instructors (November)
  - o Beta testing of the course (December)

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*Aligns with CD Paragraph 37*

37. Consistent with the requirements set forth in the Training section of this Agreement, CPD will incorporate the philosophy of community policing into its annual in-service training for all officers, including supervisors and command staff, by providing training on the following topics:

- a. an overview of the philosophy and principles of community policing, consistent with this Agreement;
- b. methods and strategies for establishing and strengthening community partnerships that enable officers to work with communities to set public safety and crime prevention priorities and to create opportunities for positive interactions with all members of the community, including, but not limited to, youth, people of color, women, LGBTQI individuals, religious minorities, immigrants, individuals with limited English proficiency, homeless individuals, and individuals with disabilities;
- c. problem-solving tactics and techniques;
- d. information about adolescent development and techniques for positive interactions with youth; and
- e. effective communication and interpersonal skills.

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**Desired Outcome:**

**Increase Officers’ Knowledge of the Communities They Serve**

- **By End of 2020:**
  - o Pilot the Community Training Academy, developed in partnership with Metropolitan Family Services (MFS) and other community organizations, as a three-day curriculum to introduce officers who are new to a District to the community. This will be tested with the next class of District Coordination Officers (“DCOs”) as part of the expansion of the Neighborhood Policing Initiative (“NPI”)
  - o The Neighborhood Policing Initiative is already rolled out in the 015<sup>th</sup> and 025<sup>th</sup> districts. By the end of 2020 CPD will expand NPI into the 009<sup>th</sup>, 010<sup>th</sup> and 011<sup>th</sup> districts.
- **Key Deliverables by end of 2020:**
  - o **Finalized Community Training Academy curriculum and pilot with next class of District Coordination Officers (submitted October)**
  - o Report on Probationary Police Officer (“PPO”) immersion, including implementation and expansion plans (October)
  - o Report on and expansion plan for youth-led tours (December)

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*Aligns with CD Paragraph 19, 22*

19.CPD will ensure that officers are provided with information regarding the communities they serve, including their assets and challenges, community groups and leaders, and business, residential, and demographic profiles.

22.CPD will encourage and create opportunities for CPD members to participate in community activities and have positive interactions with the community, including those that extend beyond the context of law enforcement duties.

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#### **Desired Outcome:**

#### **Establish District-Specific Policing Strategies**

- **Current State:**
  - CPD developed a new, standardized framework to give consistent guidance to the districts and relevant bureaus on how to incorporate community policing into their policing strategies.
  - Each district and several headquarters-level bureaus developed their first individual annual *Community Policing Strategic Plan* specific to the district or bureau. The annual plans provide a mechanism to involve community members in collaborative problem-solving and strategy development, including crime-reduction strategies.
  - As part of the annual planning process, each district held multiple community meetings to get district-specific public feedback on the needs of their communities.
  - CPD’s plans are publicly posted, and progress against the plan is reported quarterly to CPD leadership and at beat meetings in the community.
- **By End of 2020:**
  - Refine the plan review process so that all stakeholders, including relevant levels of CPD leadership, review and collaborate on the plans
  - Adapt approach to gathering community input in light of COVID-related restrictions
  - Facilitate collaboration with other City departments and identify resources needed to connect members of traditionally marginalized groups with access to police and City services
- **Key Deliverables by end of 2020:**
  - **Updated annual strategic plan form for 2021 to reflect improvements recommended by the Independent Monitor (submitted September)**
  - District quarterly updates on 2020 strategic plan progress for Q2 and Q3, along with evidence of Office of Community Policing (“OCP”) review of quarterly reports (October)
  - Draft 2021 district strategic plans (December)
  - Community input on 2021 plans (December)

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*Aligns with CD Paragraphs 15, 45-47*

\*15. With the assistance of the Office of the Community Policing, CPD will ensure its command staff develops crime reduction and problem-solving strategies that are consistent with the principles of community policing. To achieve this outcome, CPD will:

- a. within 180 days of the Effective Date, provide CPD's command staff methods and guidance, in writing, for ensuring that department-wide and district-level crime reduction strategies are consistent with the principles of community policing;
- b. require CPD's command staff to review department-wide and district-level crime reduction strategies implemented under their command, as appropriate, in order to ensure they incorporate problem-solving techniques and are consistent with the principles of community policing; and
- c. designate the Deputy Chief of the Office of Community Policing to review and provide written feedback on implemented department-wide and district-level crime reduction strategies, excluding operational strategies that are determined on a day-to-day or short term basis, to ensure they are community-oriented and consistent with the principles of community policing.

\*45. By January 1, 2020, and annually thereafter, District Commanders will review their district's policing strategies, with input from the District Advisory Committees and the Office of Community Policing, to ensure the strategies are consistent with the principles of community policing. This review will include, but not be limited to:

- a. reviewing available district resources and personnel assignments;
- b. identifying methods to support their district's ability to effectively problem-solve, including collaborating with City departments, services, and sister agencies; and
- c. identifying district-level CPD members, as needed, to assist members of the community with access to police and City services, including community members who have experienced previous challenges, such as LGBTQI individuals, religious minorities, immigrants, individuals with disabilities, individuals in crisis, homeless individuals, and survivors of sexual assault and domestic violence.

\*46. Within 180 days of the Effective Date, and as appropriate thereafter, CPD will solicit, consider, and respond to input, feedback, and recommendations from the community in each district about its policing efforts and strategies. Such practices may include, but are not limited to, direct surveys, community meetings, beat community meetings, and engagement through social media. CPD will identify strategies for soliciting input from individuals that reflect a broad cross section of the community each district serves.

\*47. Within 180 days of the Effective Date, CPD will develop procedures to annually evaluate the effectiveness of the Department's efforts and strategies for building community partnerships and using problem-solving techniques aimed at reducing crime and improving quality of life. CPD will determine any necessary adjustments based on its annual evaluation.

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**Desired Outcome:**

**Improve Youth Interactions**

- Current State:
  - o Started collecting feedback and doing assessment of JISC reforms needed
- By End of 2020:
  - o Get community input on policies reflecting developmentally-appropriate responses to youth
  - o Revised policies reflecting developmentally-appropriate responses to youth
  - o Training reflecting developmentally-appropriate responses to youth
  - o Host regular meetings with the youth in the community to discuss youth issues
- Key Deliverables by end of 2020:
  - o Continued development of Youth District Advisory Councils in every District (October)
  - o Project plan and initial progress on JISC reforms with support from the Civic Consulting Alliance (October)
  - o **Internal audit of juvenile processing (October)**
  - o Community input and revised policies on interactions with youth (November)
  - o Train-the-trainer for Advancing Youth Development or similar training (December)

\*\*\*\*\*

*Aligns with CD Paragraphs 27, 32, 33, 36*

27.CPD will facilitate relationships with youth by establishing regular meetings to serve as opportunities to provide input to CPD about the issues affecting their lives and their communities. CPD will partner with community-based organizations to identify strategies to include participants that represent a racially, geographically, and socio-economically diverse cross section of Chicago youth, including, but not limited to, at-risk youth and youth who have been arrested, incarcerated, or otherwise involved in the criminal or juvenile legal systems.

**\*32. Within 180 days of the Effective Date, CPD will review and revise its current policies relating to youth and children and, within 365 days, will revise its training, as necessary, to ensure that CPD provides officers with guidance on developmentally appropriate responses to, and interactions with, youth and children, consistent with the provisions of this Agreement and as permitted by law.**

33.When interacting with youth and children, CPD will, as appropriate and permitted by law, encourage officers to exercise discretion to use alternatives to arrest and alternatives to referral to juvenile court, including, but not limited to: issuing warnings and providing guidance; referral to community services and resources such as mental health, drug treatment, mentoring, and counseling organizations, educational services, and other agencies; station adjustments; and civil citations.

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36. When determining whether or not to apply handcuffs or other physical restraints on a juvenile, CPD officers will consider the totality of the circumstances, including, but not limited to, the nature of the incident and the juvenile's age, physical size, actions, and conduct, when known or objectively apparent to a reasonable officer, and whether such restraints are necessary to provide for the safety of the juvenile, the officer, or others.

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**Desired Outcome:**

**Inform Public about Their Rights**

- Current State:
  - o Engaged the Chicago Sun-Times to develop a video public awareness campaign to inform the public of their rights related to police interactions
- By End of 2020:
  - o Complete 2020 video public awareness campaign
  - o Revise policies to clarify rights related to recording officer actions and rights and access to services while detained
- Key Deliverables by end of 2020:
  - o Launch public awareness campaign and measure demographic reach (October)
  - o Update policies related to public’s rights / recording of officers (October)

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*Aligns with CD Paragraphs 28, 30, 31, 35, 58*

28.CPD will, with the assistance of the Office of Community Policing, institute a public awareness campaign to inform the public, at least once a year, about: (a) CPD policies most relevant to police interactions with the public, including, but not limited to: use of force, body worn cameras, and Tasers; (b) steps for filing a complaint against CPD or a CPD member; and (c) the public’s rights when stopped, arrested, or interrogated by police. CPD’s public awareness campaign may include presentations, trainings, written guides, or web-accessible videos.

30. CPD will prominently display signs both in rooms of police stations or other CPD locations that hold arrestees or suspects and near telephones which arrestees or suspects have access to. These signs will state:

- a. that arrestees and suspects have the right to an attorney;
- b. that if an arrestee cannot afford an attorney, one may be appointed by the court for free; and
- c. the telephone numbers for the Cook County Public Defender, and any other organization appointed by the Cook County Circuit Court to represent arrestees.

31. CPD will provide arrestees access to a phone and the ability to make a phone call as soon as practicable upon being taken into custody.

34.CPD will clarify in policy that juveniles in CPD custody have the right to an attorney visitation, regardless of parent or legal guardian permission, even if the juvenile is not going to be interviewed.

35. If a juvenile has been arrested CPD will notify the juvenile's parent or guardian as soon as possible. The notification may either be in person or by telephone and will be documented in any relevant reports, along with the identity of the parent or guardian who was notified. Officers will

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document in the arrest or incident report attempts to notify a parent or guardian. If a juvenile is subsequently interrogated, CPD policy will comply with state law and require, at a minimum, that:

- a. Juvenile Miranda Warning will be given to juveniles prior to any custodial interrogation;
- b. the public defender's office may represent and have access to a juvenile during a custodial interrogation, regardless of parent or legal guardian permission;
- c. CPD officers will make reasonable efforts to ensure a parent or legal guardian is present for a custodial interrogation of a juvenile arrestee under 15 years of age in custody for any felony offense; and
- d. juveniles in custody for felony offenses and misdemeanor sex offenses under Article 11 of the Illinois Criminal Code will have their custodial interrogation electronically recorded.

**\*58. Within 90 days of the Effective Date, CPD will clarify in policy that CPD officers will permit members of the public to photograph and record CPD officers in the performance of their law enforcement duties in a public place, or in circumstances in which the officer has no reasonable expectation of privacy. The policy will also provide that officers may take reasonable action to maintain safety and control, secure crime scenes and accident sites, protect the integrity and confidentiality of investigations, and protect the safety of officers or others.**

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**IMPARTIAL POLICING**

**Desired Outcome:**

**Design Community Input Approach for Policies**

- Current State: CPD has piloted several approaches to obtaining community input on its policies, including:
  - Large-scale Community Conversations (four such engagements were hosted in various parts of Chicago in February 2020)
  - City-Convened Committee approach (Crisis Intervention Advisory Committee formed in Fall 2019)
  - Community-Organized, City-Hosted Working Group (TIGN working group convened in September 2019)
  - Co-Produced Working Group (Use of Force community working group formed in June 2020)
- By End of 2020:
  - Develop a short-term and long-term plan to obtain robust community input on a variety of CPD policy areas
  - Begin execution of the short term plan
- Key Deliverables by end of 2020:
  - Documentation from certain focus groups and community surveys on various policies covered under CPD’s engagement plan (December)

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*Aligns with CD Paragraphs 52*

52. In developing or revising policies and training referenced in this section, CPD will seek input from members of the community and community-based organizations with relevant knowledge and experience through community engagement efforts.

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**Desired Outcome:**

**Impartial Policing Training**

- Current State:
  - o CPD developed and began delivering several years ago a 3-part Procedural Justice course required for all officers.
- By End of 2020:
  - o Complete Procedural Justice Training for all members
  - o Develop plan for how impartial policing (all topics addressed in Consent Decree) will be covered in annual in-service training starting in 2021
- Key Deliverables by end of 2020:
  - o 2021 Training Plan (October)
  - o Training records on Procedural Justice (November)

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*Aligns with CD Paragraphs 72-74*

72.The Parties recognize that training is a necessary component of impartial policing. CPD will integrate the concept of impartial policing into related CPD training courses when appropriate, including, but not limited to, use of force courses, weapons training courses, and Fourth Amendment subjects courses.

\*73.The Parties acknowledge that CPD has developed, with the aid of subject-matter experts, a three-part course called Procedural Justice, which covers certain impartial policing subjects including the principles of procedural justice, the importance of police legitimacy, and the existence of and methods for minimizing the impact of implicit bias. By the end of the year 2020, all officers, including supervisors, will complete the Procedural Justice course.

74. Consistent with the requirements set forth in the Training section of this Agreement, CPD will incorporate the concept of impartial policing into its annual in-service training for all officers, including supervisors and command staff, by providing training on the following topics:

- a. CPD's anti-bias and impartial policing policies, including, but not limited to, the policies referenced in this section unless otherwise required;
- b. refreshers of topics covered in Procedural Justice;
- c. appropriate use of social media;
- d. cultural competency training that prepares officers to interact effectively with people from diverse communities including, but not limited to, people of color, LGBTQI individuals, religious minorities, and immigrants;
- e. recognizing when a person has a physical, intellectual, developmental or mental disability, including protocols for providing timely and meaningful access to police services for individuals with disabilities; and
- f. the specific history and racial challenges in the City of Chicago.

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**Desired Outcome:**

**Establish a Language Access Program**

- Current State:
  - Hires a Language Access Coordinator (LAC) in July.
  - CPD translated its current language access policy into multiple languages.
- By End of 2020:
  - The coordinator will do a full review of policies, practices, and training related to language access.
  - Get community input on policy
- Key Deliverables by end of 2020:
  - **Hired Language Access Coordinator (completed July)**
  - LAC’s review and recommendations on CPD’s policies and training materials (November)
  - Community input and recommendations on policy (December)

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*Aligns with CD Paragraphs 52, 64-65, 67, 74*

52. In developing or revising policies and training referenced in this section, CPD will seek input from members of the community and community-based organizations with relevant knowledge and experience through community engagement efforts.

**\*64. Within 180 days of the Effective Date, CPD will review and, to the extent necessary, revise its language access policy to provide meaningful access to CPD programs and services for individuals who have a limited ability to speak, read, write, or understand English. CPD will ensure that its language access policy provides timely and meaningful access to police services for individuals with limited English proficiency (“LEP”). CPD will also require that qualified and Department-authorized interpreters are used in accordance with CPD policy, including for the provision of Miranda warnings. CPD will publish its language access policy on its website and, consistent with the requirements of Paragraph 28 of the Community Policing section of this Agreement, make the policy available to community-based groups serving LEP communities in Chicago.**

\*65. Within 180 days of the Effective Date, the City will designate a language access coordinator who will coordinate with CPD and review CPD’s compliance with its language access policy and Section 2-40 of the Municipal Code of Chicago. The City’s language access coordinator will assess the effectiveness and efficiency of CPD’s policies on an ongoing basis and will report to the Superintendent or his or her designee any recommendations to revise policy, if necessary.

\*67. Within 180 days of the Effective Date, and as necessary thereafter, CPD will translate its language access policy into any non-English language spoken by a limited or non-English

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proficient population that constitutes 5% or 10,000 individuals, whichever is less, in Chicago, as outlined in Section 2-40-020 of the Chicago Municipal Code. CPD will publish translated versions of its language access policy on its website.

74. Consistent with the requirements set forth in the Training section of this Agreement, CPD will incorporate the concept of impartial policing into its annual in-service training for all officers, including supervisors and command staff, by providing training on the following topics:

- a. CPD's anti-bias and impartial policing policies, including, but not limited to, the policies referenced in this section unless otherwise required;
- b. refreshers of topics covered in Procedural Justice;
- c. appropriate use of social media;
- d. cultural competency training that prepares officers to interact effectively with people from diverse communities including, but not limited to, people of color, LGBTQI individuals, religious minorities, and immigrants;
- e. recognizing when a person has a physical, intellectual, developmental or mental disability, including protocols for providing timely and meaningful access to police services for individuals with disabilities; and
- f. the specific history and racial challenges in the City of Chicago.

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**Desired Outcome:**

**Establish an ADA Program**

- Current State:
  - Hired and onboarded ADA Coordinator
- By End of 2020:
  - The coordinator will do a full review of policies, practices, and training related to the ADA and other needs for interacting with people with disabilities.
  - Get community input on policy
  - Develop a training bulletin that provides members guidance on interactions with people with disabilities
- Key Deliverables by end of 2020:
  - **Hired Americans with Disabilities Act (ADA) Coordinator (completed August)**
  - ADA training bulletin (October)
  - ADA Coordinator’s review of policies and training materials (November)
  - Community input and recommendations on policy (December)

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*Aligns with CD Paragraphs 52, 68-70, 74*

52. In developing or revising policies and training referenced in this section, CPD will seek input from members of the community and community-based organizations with relevant knowledge and experience through community engagement efforts.

\*68. Before January 1, 2020, CPD will review and, to the extent necessary, revise its policies and practices for ensuring effective communication and meaningful access to CPD programs, services, and activities for individuals with physical, mental, or developmental disabilities. These policies will identify specific procedures and responsibilities applicable to circumstances in which CPD officers encounter persons with intellectual or developmental disabilities, autism, dementia, blindness, deafness, hearing loss, and mobility disabilities, including, but not limited to:

- a. properly defining terms related to individuals with disabilities and the disability community;
- b. providing reasonable accommodations, to the extent safe and feasible, in order to facilitate CPD officer encounters with individuals with a disability;
- c. the arrest and transport of individuals with disabilities or who require the assistance of ambulatory devices; and
- d. using qualified and Department-authorized interpreters, consistent with CPD policy, to communicate with people who are deaf, hard of hearing, or who have a speech impairment, including for the provision of Miranda warnings.

\*69. Before January 1, 2020, CPD will develop a training bulletin that provides CPD members guidance on interactions with people with disabilities, including:

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- a. recognizing and responding to conduct or behavior that is related to an individual's disability, including qualifying medical conditions such as Alzheimer's disease and diabetes;
- b. providing effective communication and minimizing barriers to communication, including by incorporating sign language and other modes of communication used by people who are deaf, hard of hearing, or who have a speech impairment during police-community interactions;
- c. attending to the specific needs of individuals with disabilities, such as mobility devices, prosthetics, and service animals; and
- d. recognizing and responding to identified abuse, neglect, or exploitation of individuals with disabilities, including making any notifications required by CPD policy or the law.

\*70. Within 180 days of the Effective Date, CPD will designate at least one member as an Americans with Disabilities Act ("ADA") liaison who will coordinate CPD's efforts to comply with the ADA and:

- a. regularly review the effectiveness and efficiency of CPD's policies and training as they relate to individuals with disabilities and report to the Superintendent, or his or her designee, any recommended revisions, if necessary, to ensure compliance with the law and this Agreement;
- b. serve as a resource to assist CPD members in providing meaningful access to police services for individuals with disabilities; and
- c. act as a liaison between CPD and individuals with disabilities.

74. Consistent with the requirements set forth in the Training section of this Agreement, CPD will incorporate the concept of impartial policing into its annual in-service training for all officers, including supervisors and command staff, by providing training on the following topics:

- a. CPD's anti-bias and impartial policing policies, including, but not limited to, the policies referenced in this section unless otherwise required;
- b. refreshers of topics covered in Procedural Justice;
- c. appropriate use of social media;
- d. cultural competency training that prepares officers to interact effectively with people from diverse communities including, but not limited to, people of color, LGBTQI individuals, religious minorities, and immigrants;
- e. recognizing when a person has a physical, intellectual, developmental or mental disability, including protocols for providing timely and meaningful access to police services for individuals with disabilities; and
- f. the specific history and racial challenges in the City of Chicago.

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**Desired Outcome:**

**Improve Interactions with TIGN Communities**

- Current State:
  - o CPD’s policies that address interactions with Chicago’s transgender, intersex, and gender nonconforming communities to be reviewed for potential revisions.
  - o CPD and the Mayor’s Office hosted a working group with community members to review CPD’s policies.
  - o CPD partnered with Center on Halsted to deliver an e-learning.
- By End of 2020:
  - o Complete policy revisions
- Key Deliverables by end of 2020:
  - o **Community input and recommendations on policy (October)**
  - o Updated policies (November)

\*\*\*\*\*

*Aligns with CD Paragraphs 52, 61, 74*

52. In developing or revising policies and training referenced in this section, CPD will seek input from members of the community and community-based organizations with relevant knowledge and experience through community engagement efforts.

\*61. Within 180 days of the Effective Date, CPD will review and, as necessary, revise its policies guiding CPD members' interactions with transgender, intersex, and gender non-conforming individuals, including protocols for arrests, pat downs and searches, transportation, and detention, in order to ensure that, at a minimum:

- a. terms are properly defined;
- b. CPD members address individuals, using the names, pronouns, and titles of respect appropriate to the individual's gender identity as expressed or clarified by the individual;
- c. CPD members refer to individuals in documentation by the name and gender identity as expressed or clarified by the individual, in addition to the information provided on the individual's government-issued identification;
- d. where same-sex pat downs or searches are required by law or CPD policy, CPD members will respect the gender identity as expressed or clarified by the individual and not rely on proof of the individual's gender identity, such as an identification card, except when a pat down is immediately necessary and waiting for an officer of the same gender would compromise officer or public safety;
- e. absent exigent circumstances, a transgender, intersex, or gender non-conforming individual is not transported or detained with individuals of a different gender, and that when determining the gender of that individual, CPD members will respect the gender identity as expressed or clarified by the individual and not rely on proof of the individual's gender identity, such as an identification card; and

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**f. CPD members are prohibited from inquiring about intimate details of an individual's anatomy, or medical history, except as necessary to serve a valid law enforcement purpose.**

74. Consistent with the requirements set forth in the Training section of this Agreement, CPD will incorporate the concept of impartial policing into its annual in-service training for all officers, including supervisors and command staff, by providing training on the following topics:

- a. CPD's anti-bias and impartial policing policies, including, but not limited to, the policies referenced in this section unless otherwise required;
- b. refreshers of topics covered in Procedural Justice;
- c. appropriate use of social media;
- d. cultural competency training that prepares officers to interact effectively with people from diverse communities including, but not limited to, people of color, LGBTQI individuals, religious minorities, and immigrants;
- e. recognizing when a person has a physical, intellectual, developmental or mental disability, including protocols for providing timely and meaningful access to police services for individuals with disabilities; and
- f. the specific history and racial challenges in the City of Chicago.

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**Desired Outcome:**

**Assess Demographic Frequency of Police Interactions**

- **Current State:**
  - o CPD has begun assessing the relative frequency of Administrative Notices of Violation (ANOVs) and misdemeanors by race and gender.
  - o CPD published a use of force dashboard that assesses the relative frequency and type of force used by CPD members on persons in delineated demographic categories.
- **By End of 2020:**
  - o Complete the ANOV/misdemeanor analysis and publish the report
  - o Revise the use of force dashboard to make sure it complies with all the Consent Decree requirements
- **Key Deliverables by end of 2020:**
  - o **Report on misdemeanor arrests and ANOVs (October)**
  - o Updated Use of Force Dashboard (October)

\*\*\*\*\*  
*Aligns with CD Paragraphs 79, 81, 82, 572, 573, 581:*

79. By April 1, 2020, and every year thereafter, CPD will conduct an assessment of the relative frequency of all misdemeanor arrests and administrative notices of violation (“ANOVs”) effectuated by CPD members of persons in specific demographic categories, including race and gender.

81. If at any point, the City’s obligations under the August 6, 2015 Investigatory Stop and Protective Pat Down Settlement Agreement (“ACLU Agreement”) terminate, CPD will include all stops effectuated by CPD members that were subject to the ACLU Agreement in the assessment required by this Part.

82. Nothing in this Part will be interpreted to require CPD to analyze statistical data beyond that currently collected and maintained in electronic databases unless otherwise required under this Agreement. In instances in which race or gender data is not maintained in an electronic database, CPD may use geographic data in its assessment. For purposes of this paragraph, information contained solely in a scanned PDF document or other image of a document, and not otherwise collected and maintained in an electronic database, is not considered data maintained in an electronic database.

572. CPD will regularly review citywide and district-level data regarding reportable uses of force to:

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- a. assess the relative frequency and type of force used by CPD members against persons in specific demographic categories, including race or ethnicity, gender, age, or perceived or known disability status; and
- b. identify and address any trends that warrant changes to policy, training, tactics, equipment, or Department practice.

573. Prior to conducting the initial assessment required by Paragraph 572, CPD will share its proposed methodology, including any proposed factors to be considered as part of the assessment, with the Monitor for review and approval. The Monitor will approve CPD's proposed methodology provided that the Monitor determines that CPD's methodology comports with published, peer-reviewed methodologies and this Agreement.

581. Beginning within 180 days of the Effective Date, CPD will publish on at least a monthly basis aggregated and incident-level data, excluding personal identifying information (e.g., name, address, contact information), regarding reportable use of force incidents via a publicly accessible, web-based data platform.

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**CRISIS INTERVENTION**

**Desired Outcome:**

**Plan for CIT Training for All Officers**

- **Current State:**
  - o CPD currently provides a 40-hour training course to gain CIT certification; participation is voluntary, with the exception of newly assigned FTOs and promoted Sergeants and Lieutenants (para. 102), so not all officers receive the 40 hours.
  - o At the end of 2018, all sworn CPD Officers completed 2-day Force Mitigation Training, the first day of which was 8 hours of Mental Health Awareness. Continuing in 2019 and 2020, additional mental health training was built into mandatory in-service training for all sworn CPD Officers through Use of Force and Custodial Escort Training.
  - o At the beginning of June 2020, the CPD CIT Program maintained 3,147 sworn Certified CIT Officers, representative of 24% of CPD.
  - o CPD training was suspended in March 2020 in response to COVID-19, resulting in the creation of an alternative CIT Training plan for certification, which is projected to be in effect until June 30, 2021.
- **By End of 2020:**
  - o CPD training materials (Use of Force, Force Mitigation, Custodial Escort) submitted to International Association of Chiefs of Police for review and, upon approval, recognition of CPD being 100% trained and certified in mental health awareness under the One Mind Campaign
  - o Continue Use of Force and Custodial Escort Training of all CPD sworn members
  - o Continue certification of CIT Officers under COVID alternative CIT training plan
- **Key Deliverables by end of 2020:**
  - o **Continue Use of Force and Custodial Escort Training of all CPD sworn members, which contains crisis intervention training components (September)**
  - o **Develop a plan to require that all officers receive 40 hours of crisis intervention training (October)**

\*\*\*\*\*

*Aligns with CD Paragraphs 126, 127*

126. Consistent with the requirements set forth in the Training section of this Agreement, all officers will receive in-service training, every three years, regarding responding to individuals in crisis that is adequate in quality, quantity, and scope for officers to demonstrate competence in the subject matter. This in-service training will include, but not be limited to, the following topics:  
a. a history of the mental health system;

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- b. how to recognize and respond to individuals in crisis, including, but not limited to, identifying types of mental health conditions, signs and symptoms of mental health conditions, common treatments and medications, and common characteristics, behaviors, or conduct associated with individuals in crisis;
- c. the potential interactions officers may have on a regular basis with individuals in crisis, their families, and service providers, including steps to ensure effective communication and avoid escalating an interaction with an individual in crisis;
- d. techniques to safely de-escalate a potential crisis situation;
- e. the circumstances in which a Certified CIT Officer should be dispatched or consulted; and
- f. local resources that are available to provide treatment, services, or support for individuals in crisis, including available pre- and post-arrest diversion programs, and when and how to draw upon those resources.

127. All new recruits will receive training that is adequate in quantity, quality, and scope regarding responding to individuals in crisis. It will include, but not be limited to, training on the subjects identified above.

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**Desired Outcome:**

**Improve CIT Data Collection and Analysis**

- **Current State:**
  - o CPD developed and provided resources for a Crisis Intervention Unit (CIU) led by a CIT Coordinator.
  - o Recognizing the importance of this unit, CPD recently promoted the unit’s commanding officer to a Commander.
  - o CPD’s ability to come into compliance with CIT-related requirements in the Consent Decree are driven by both the demand for CIT services and the supply of CIT Certified Officers in the Department; both supply and demand must be addressed to ensure response ratios can be maintained
- **By End of 2020:**
  - o Detail, and later permanently hire, data analyst to work in CIU
  - o Conduct data review that meets goals and needs of the current CIT program and the Consent Decree requirements
- **Key Deliverables by end of 2020:**
  - o **CIT Officer Response Rate Dashboard (submitted October)**
  - o Revised CIT Officer Implementation Plan (December)

\*\*\*\*\*

*Aligns with CD Paragraphs 120, 121*

120.CPD will collect, analyze, and report data regarding the number and types of incidents involving individuals in crisis and responses of CPD officers to such events to assess staffing and deployment of Certified CIT Officers and department-wide responses to individuals in crisis. The CIT Program will review the data contained within the submitted CIT Reports, or any similar form of documentation CPD may implement, to evaluate the overall response and effectiveness by CPD officers and identify any district-level and department-wide trends regarding responses to incidents identified as involving individuals in crisis.

121.CPD will identify and assign a sufficient number of data analysts to collect and analyze data related to the CIT Program and CPD’s response to incidents involving individuals in crisis.

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**Desired Outcome:**

**Update Crisis Intervention Team (CIT) Program**

- **Current State:**
  - o CPD developed and provided resources for a Crisis Intervention Unit led by a CIT Coordinator.
  - o Recognizing the importance of this unit, CPD recently promoted the unit's commanding officer to a Commander.
  - o CPD's ability to come into compliance with CIT-related requirements in the Consent Decree are driven by both demand for CIT services and the supply of CIT Certified Officers in the Department; both supply and demand must be addressed to ensure response ratios can be maintained.
- **By End of 2020:**
  - o Review and where necessary revise policies to meet goals and needs of the current CIT program and the Consent Decree requirements
  - o Develop unit-level standard operating procedures
  - o Ensure supervisors, police officers, and civilians are in place in the Crisis Intervention Unit to perform CIT objectives and demonstrate dedicated district-level support is being provided
- **Key Deliverables by end of 2020:**
  - o CIT Org Chart and standard operating procedures (October)
  - o Crisis Intervention Unit Standard Operating Procedures (SOPs) (October)

\*\*\*\*\*  
*Aligns with CD Paragraphs 87-91, 107, 117-119, 125, 135-137*

87. The Crisis Intervention Team ("CIT") Program will continue to be responsible for CPD's crisis intervention response functions, including, but not limited to:

- a. developing CIT strategy and initiatives;
- b. supporting officers in the districts who respond to incidents involving individuals in crisis;
- c. engaging the community and community stakeholders to raise awareness of the CIT Program and issues involving individuals in crisis;
- d. coordinating among City agencies that respond to individuals in crisis;
- e. recruiting officers to apply for CIT training;
- f. developing and delivering CPD's Basic CIT Training and other CIT training, including Advanced CIT (e.g., youth, veterans) and refresher trainings, in accordance with the requirements of the Training section of this Agreement;
- g. delivering roll call trainings and mental health awareness initiatives;
- h. compiling and retaining the reports identified in Part F of this section and collecting and maintaining the appropriate CPD data related to incidents involving individuals in crisis to support and evaluate the effectiveness of the CIT Program and CPD's response to incidents identified as involving individuals in crisis, including identifying any district-level and department-wide trends;

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- i. coordinating data and information sharing with OEMC; and
- j. communicating with and soliciting feedback from crisis intervention-related community stakeholders, Certified CIT Officers, and OEMC call-takers and dispatchers regarding the effectiveness of CPD's CIT Program.

88. The CIT Program will serve to meet the objectives of:

- a. improving CPD's competency and capacity to effectively respond to individuals in crisis;
- b. de-escalating crises to reduce the need to use force against individuals in crisis;
- c. improving the safety of officers, individuals in crisis, family members, and community members;
- d. promoting community-oriented solutions to assist individuals in crisis;
- e. reducing the need for individuals in crisis to have further involvement with the criminal justice system; and
- f. developing, evaluating, and improving CPD's crisis intervention-related policies and trainings to better identify and respond to individuals in crisis.

89. The CIT Program, through the CIT Coordinator, will annually review and, if necessary, revise its policies and practices to ensure the program's compliance with the objectives and functions of the CIT Program.

90. The City and CPD will ensure that the CIT Program is provided with:

- a. the resources and access to data and information necessary to fulfill the objectives and functions of the CIT Program; and
- b. a qualified, centralized staff, including supervisors, officers, and civilian employees, that is necessary to oversee the department-wide operation of the CIT Program, carry out the overall mission of the CIT Program, and perform the objectives and functions of the CIT Program.

91. Additionally, the City and CPD will ensure that the CIT Program has sufficient, dedicated district-level resources, consistent with the needs of each district identified by the District Commander and the CIT Coordinator, and approved by the Chief of the Bureau of Patrol, as needed to carry out the overall objectives and functions of the CIT Program at the district-level, which include, but are not limited to:

- a. supporting officers in the district with incidents involving individuals in crisis;
- b. delivering CIT Program-approved roll call trainings and mental health awareness initiatives;
- c. establishing relationships between the district and local service providers and healthcare agencies;
- d. referring and, when appropriate, connecting individuals in crisis with local service providers;
- e. engaging with the community to raise awareness of the CIT Program and issues involving individuals in crisis; and
- f. providing administrative support to the coordinator of the CIT Program.

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\*107. Within 180 days of the Effective Date, and quarterly thereafter, CPD will collect and analyze the number of calls for service identified as involving individuals in crisis for every watch in each district to evaluate the number of Certified CIT Officers needed to timely respond to incidents and to assess the Department's progress towards achieving the response ratio targets. The number of Certified CIT Officers on each watch in every district will be driven by the demand for crisis intervention services for the particular watch and district.

117. The responsibilities of the CIT Coordinator will include, at a minimum:

- a. developing and managing a uniform CIT Program strategy;
- b. researching and identifying best practices to incorporate into CPD response to individuals in crisis;
- c. reviewing and, when necessary to meet the requirements of this Agreement, enhancing the CIT training curricula;
- d. selecting and removing Certified CIT Officers from the CIT Program consistent with the requirements of this Agreement;
- e. overseeing crisis intervention-related data collection, analysis, and reporting;
- f. developing and implementing CPD's portion of any Crisis Intervention Plan;
- g. supervising CIT Program staff;
- h. participating in the Advisory Committee;
- i. encouraging the public recognition of the efforts and successes of the CIT Program and individual Certified CIT Officers; and
- j. regularly communicating and interacting with relevant CPD command staff to recommend improvements to Department crisis intervention-related strategies, staffing and deployment, policies, procedures, and training.

\*118. By January 1, 2020, CPD will require that, after responding to an incident involving an individual in crisis, the assigned CPD officer completes a CIT Report, or any similar form of documentation CPD may implement. The CIT Report, or similar documentation, at a minimum, will include:

- a. the nature of the incident;
- b. the date, time, and location of the incident;
- c. the subject's age, gender, and race/ethnicity;
- d. whether the subject is or claims to be a military veteran, if known;
- e. the relationship to the subject, if any and if known, of the individual calling for service;
- f. whether the subject has had previous interactions with CPD, if known;
- g. whether the subject is observed or reported to be experiencing symptoms of a mental illness, intellectual or developmental disability, co-occurring condition such as a substance use disorder, or other crisis;
- h. the behaviors observed during the incident, including whether the subject used or displayed a weapon;
- i. the name(s) and star (i.e., badge) number(s) of the assigned CPD officer(s) and whether any of the assigned officers are Certified CIT Officers;

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- j. the name(s) and star (i.e., badge) number(s) of any supervisor responding to the scene;
- k. the skills, techniques, or equipment used by the responding CPD officers;
- 1. whether a reportable use of force was documented on a Tactical Response Reports ("TRR"), or whatever similar form of documentation CPD may implement, for the incident ;
- m. a narrative describing the CPD officer's interaction with the subject, when no other CPD report captures a narrative account of the incident; and
- n. the disposition of the incident, including whether the individual was transported to municipal or community services, transported to a hospital, subject to a voluntary or involuntary commitment, or arrested.

119.CPD will require that a supervisory member reviews and approves completed CIT Reports, or any similar form of documentation CPD may implement to document incidents involving an individual in crisis, before submitting them to the CIT Program.

\*125.The CIT Coordinator will have CPD's portion of the Crisis Intervention Plan reviewed and approved by the Chief of the Bureau of Patrol within 60 days of the plan's completion.

135.CPD will ensure that the language used in policies, procedures, forms, databases, and trainings to communicate about incidents involving individuals in crisis is appropriate, respectful, and consistent with industry recognized terminology. CPD will seek input from community stakeholders, including the Advisory Committee, for recommendations to identify appropriate and respectful terminology.

136.CPD will develop and implement policies, procedures, and protocols regarding the collection, maintenance, and use of information related to an individual's medical and mental health to facilitate necessary and appropriate communication while adequately protecting an individual's confidentiality. To develop these policies, procedures, and protocols, CPD will seek input from community stakeholders, including the Advisory Committee.

\*137.Within 180 days of the Effective Date, CPD will review and revise its crisis intervention-related policies as necessary to comply with the terms of this Agreement. CPD will consider any recommendations or feedback provided by the Advisory Committee when revising its policies.

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**Desired Outcome:**

**Increase CIT Response Capacity**

- **Current State:**
  - o CPD developed and provided resources for a Crisis Intervention Unit led by a CIT Coordinator.
  - o Recognizing the importance of this unit, CPD recently promoted the unit’s commanding officer to a Commander.
  - o CPD’s ability to come into compliance with CIT-related requirements in the Consent Decree are driven by both demand for CIT services and the supply of CIT Certified Officers in the Department; both supply and demand must be addressed to ensure response ratios can be maintained.
  - o CPD wrote a CIT Implementation Plan but it did not get Monitor approval because of issues with the data collection and analysis.
- **By End of 2020:**
  - o Determine the method by which CPD wants to maintain CIT officer response ratios (e.g., recruiting plan; diversion strategies; incentives to increase participation)
  - o Obtain accurate data to enable data analysis for CIT Officer Implementation Plan
  - o Submit revised CIT Officer Implementation Plan
  - o CIT Officer Implementation Plan identifies diversion options/strategies available to CPD
- **Key Deliverables by end of 2020:**
  - o Determine the method by which CPD wants to maintain CIT officer response ratios (October)
  - o **CIT Officer Response Rate Dashboard (submitted October)**
  - o Finalize CIT Officer Implementation Plan (December)

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*Aligns with CD Paragraphs 106, 108-113, 133, 134*

106.CPD will require that, when available, at least one Certified CIT Officer will respond to any incident identified as involving an individual in crisis. Certified CIT Officers will continue to be prioritized for dispatch to incidents identified as involving individuals in crisis, as assigned. CPD will review and revise the appropriate policies to ensure that, in situations in which a Certified CIT Officer is not available to respond to a call or incident identified as involving an individual in crisis, the responding officer engages in crisis intervention response techniques, as appropriate and consistent with CPD policy and their training, throughout the incident. Responding officers will document all incidents involving an individual in crisis in a manner consistent with this Agreement.

**\*108. Within 180 days of the Effective Date, CPD will develop an implementation plan ("CIT Officer Implementation Plan") based on, at a minimum, its analysis of the demand for crisis**

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intervention services for each watch in each district. The CIT Officer Implementation Plan will identify the number of Certified CIT Officers necessary, absent extraordinary circumstances, to meet the following response ratio targets:

- a. a sufficient number of Certified CIT Officers to ensure that Certified CIT Officers are available on every watch in each district to timely respond to at least 50% of the calls for service identified as involving individuals in crisis, absent extraordinary circumstances ("initial response ratio target"); and
- b. a sufficient number of Certified CIT Officers to ensure that Certified CIT Officers are available on every watch in each district to timely respond to at least 75% of the calls for service identified as involving individuals in crisis, absent extraordinary circumstances ("second response ratio target").

\*109. The CIT Officer Implementation Plan will further identify the steps that are necessary to meet and maintain the initial response ratio target by January 1, 2020, and the second response ratio target by January 1, 2022 and the strategies, methods, and actions CPD will implement to make progress to timely achieve and maintain these response ratio targets.

\*110. Within 180 days of completing the CIT Officer Implementation Plan, and annually thereafter, CPD will submit a report to the Monitor and the Office of the Attorney General ("OAG") regarding the progress the Department has made to meet: (a) the response ratio targets ("Implementation Plan Goals") identified in the Implementation Plan and (b) the number of Certified CIT Officers identified as necessary to achieve the response ratio targets. The Monitor and OAG will have 30 days to respond in writing to CPD's progress report. The Monitor and CPD will publish CPD's report and the Monitor's and OAG's response, if any, within 45 days of the date CPD submitted the progress report to the Monitor and OAG.

111. Through the execution of the CIT Officer Implementation Plan, CPD will ensure that it maintains a sufficient number of Certified CIT Officers on duty on every watch of each district to help ensure that a Certified CIT Officer is available to timely respond to each incident identified as involving individuals in crisis, absent extraordinary circumstances.

112. If the Monitor determines that CPD has not made material progress toward achieving the CIT Officer Implementation Plan Goals during any given reporting period, CPD will review and revise the CIT Officer Implementation Plan as necessary to enable CPD to make material progress to achieve the Implementation Plan Goals.

113. CPD will require that responding Certified CIT Officers will take the lead in interacting with individuals in crisis, once on scene, when appropriate and with supervisory approval, if required by CPD policy. If an officer who is not a CIT-Certified Officer has assumed responsibility for the scene, the officer will seek input from the on-scene Certified CIT Officer on strategies for resolving the crisis, when it is safe and practical to do so.

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133.CPD policy will provide that a crisis intervention response may be necessary even in situations where there has been an apparent violation of law.

134.CPD policy will encourage officers to redirect individuals in crisis to the healthcare system, available community resources, and available alternative response options, where feasible and appropriate.

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**USE OF FORCE**

**Desired Outcome:**

**Implement Use of Force Best Practices**

- **Current State:**
  - o CPD significantly revised its use of force policies early in 2020 to comply with numerous Consent Decree requirements.
  - o CPD started but did not complete the required community engagement for the policies.
  - o CPD continues to deliver in-service use of force training for all officers.
- **By End of 2020:**
  - o Complete community input on the policies
  - o Revise the polices as needed
  - o Draft the 2021 use of force training, which will incorporate these policies
  - o Ensure Force Review Division (“FRD”) is adequately staffed and trained to conduct reviews of use of force
  - o Develop a system to ensure districts are implementing recommendations from FRD.
- **Key Deliverables by end of 2020:**
  - o **Help Guide for Districts/Units completing Force Review Division (FRD) recommendations (submitted September)**
  - o Documentation from Use of Force Working Group, including meeting minutes and formal recommendations for policy revisions (October)
  - o Revised Use of Force policy suite (November)
  - o Draft 2021 use of force training curriculum (December)

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*Aligns with CD Par. 154, 158-166, 176-179, 181-187, 197-204, 206-210, 212-215, 243-247, 413*

154.CPD adopted revised use of force policies on October 16, 2017 (“October 2017 Policies”). The October 2017 Policies incorporated multiple best practices that were not reflected in CPD’s prior use of force policies. Building on these improvements, CPD will maintain the best practices reflected in the October 2017 Policies and make additional improvements to its policies consistent with the terms of this Agreement.

158.CPD’s use of force policies must comply with applicable law and this Agreement, reflect the objectives described above, and promote trust between CPD and the communities that it serves.

159.CPD will conduct an annual review of its use of force policies consistent with accreditation requirements of the Commission on Accreditation for Law Enforcement Agencies (“CALEA”). In addition, every two years, CPD will conduct a comprehensive review of its use of force policies to

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assess whether CPD's use of force policies meet the requirements of this Agreement, incorporate best practices, address observed trends and practices, as necessary, and reflect developments in applicable law.

160.CPD will establish and maintain clear channels through which community members can provide input regarding CPD's use of force policies and propose revisions or additions to those policies. CPD will regularly review the input received, including during the biennial review process.

161. CPD recently adopted de-escalation as a core principle. CPD officers must use de-escalation techniques to prevent or reduce the need for force whenever safe and feasible. CPD officers are required to de-escalate potential and ongoing use of force incidents whenever safe and feasible through the use of techniques that may include, but are not limited to, the following:

- a. using time as a tactic by slowing down the pace of an incident;
- b. employing tactical positioning and re-positioning to isolate and contain a subject, to create distance between an officer and a potential threat, or to utilize barriers or cover;
- c. continual communication, including exercising persuasion and advice, and providing a warning prior to the use of force;
- d. requesting assistance from other officers, mental health personnel, or specialized units, as necessary and appropriate; and
- e. where appropriate, use trauma-informed communication techniques, including acknowledging confusion or mistrust, or using a respectful tone.

162.Consistent with CPD's commitment to preventing and reducing the need for force, CPD officers will allow individuals to voluntarily comply with lawful orders whenever safe and feasible (e.g., allowing individuals the opportunity to submit to arrest before force is used).

163.CPD officers may only use force for a lawful purpose. CPD officers are prohibited from using force as punishment or retaliation, such as using force to punish or retaliate against a person for fleeing, resisting arrest, insulting an officer, or engaging in protected First Amendment activity (e.g., lawful demonstrations, protected speech, observing or filming police activity, or criticizing an officer or the officer's conduct).

164.CPD officers must only use force when it is objectively reasonable, necessary, and proportional under the totality of the circumstances.

165.CPD officers are prohibited from using deadly force except in circumstances where there is an imminent threat of death or great bodily harm to an officer or another person. CPD officers are not permitted to use deadly force against a person who is a threat only to himself or herself or to property. CPD officers may only use deadly force as a last resort.

166.CPD officers are prohibited from using deadly force against fleeing subjects who do not pose an imminent threat of death or great bodily harm to an officer or another person.

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176. CPD officers must recognize and act upon the duty to intervene on the subject's behalf when another officer is using excessive force.

177. Consistent with CPD policy that force must be objectively reasonable, necessary, and proportional, CPD officers must generally not use force against a person who is handcuffed or otherwise restrained absent circumstances such as when the person's actions must be immediately stopped to prevent injury or escape or when compelled by other law enforcement objectives.

178. CPD officers are prohibited from using carotid artery restraints or chokeholds (or other maneuvers for applying direct pressure on a windpipe or airway, i.e., the front of the neck, with the intention of reducing the intake of air) unless deadly force is authorized. CPD officers must not use chokeholds or other maneuvers for intentionally putting pressure on a person's airway or carotid artery restraints as take-down techniques.

179. CPD's use of force policies must guide officers on all force techniques, technologies, and weapons that CPD officers are authorized to use. CPD's use of force policies must clearly define and describe each force option and the circumstances under which use of such force is appropriate to address potential types of resistance.

181. CPD will continue to require that only officers who are currently certified may be issued, carry, and use firearms.

182. CPD will require officers to consider their surroundings before discharging their firearms and take reasonable precautions to ensure that people other than the target will not be struck.

183. CPD will require officers to issue a verbal warning prior to the use of any reportable force, including the use of firearms, when it is safe and feasible to do so.

184. When CPD officers discharge firearms, they must continually assess the circumstances that necessitated the discharge and modify their use of force accordingly, including ceasing to use their firearm when the circumstances no longer require it (e.g., when a subject is no longer a threat).

185. CPD will continue to prohibit officers from firing warning shots.

186. CPD officers must not fire at moving vehicles when the vehicle is the only force used against the officer or another person, except in extreme circumstances when it is a last resort to preserve human life or prevent great bodily harm to a person, such as when a vehicle is intentionally being used to attack a person or group of people. CPD will continue to instruct officers to avoid positioning themselves or remaining in the path of a moving vehicle, and will provide officers with adequate training to ensure compliance with this instruction.

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187.CPD will prohibit officers from firing from a moving vehicle unless such force is necessary to protect against an imminent threat to life or to prevent great bodily harm to the officer or another person.

197.CPD will continue to require that only officers who are currently certified may be issued, carry, and use Tasers.

198.CPD will instruct officers that Tasers can cause serious injury or death and, as a result, officers should use Tasers only after balancing relevant factors including the threat presented by the subject, the risk of injury if a Taser is used, and the seriousness of the suspected offense. Consistent with this standard, CPD officers should not use Tasers against persons who are reasonably perceived to be non-violent, unarmed, and suspected of low-level offenses, such as property-related misdemeanors, quality of life offenses, moving or traffic violations, or municipal code violations.

199.CPD will clarify in policy that flight alone, without any other basis for reasonable articulable suspicion or probable cause, does not justify use of a Taser against a subject.

200.When safe and feasible to do so, CPD officers must give verbal commands and warnings prior to, during, and after deployment of a Taser. When safe and feasible to do so, CPD officers will allow a subject a reasonable amount of time to comply with a warning prior to using or continuing to use a Taser, unless doing so would compromise the safety of an officer or another person.

201.CPD will strongly discourage the use of Tasers in schools and on students. CPD will require officers to consider the totality of the circumstances, including a subject's apparent age, size, and the threat presented, in assessing the reasonableness and necessity of using a Taser in a school.

202.CPD officers will treat each application or standard cycle (five seconds) of a Taser as a separate use of force that officers must separately justify as objectively reasonable, necessary, and proportional. CPD will continue to require officers to, when possible, use only one five-second energy cycle and reassess the situation before any additional cycles are given or cartridges are discharged. In determining whether any additional application is necessary, CPD officers will consider whether the individual has the ability and has been given a reasonable opportunity to comply prior to applying another cycle.

203.CPD will require that if the subject has been exposed to three, five-second energy cycles (or has been exposed to a cumulative 15 total seconds of energy) and the officer has not gained control, officers switch to other force options unless the officer can reasonably justify that continued Taser use was necessary to ensure the safety of the officer or another person, recognizing that prolonged Taser exposure may increase the risk of death or serious injury.

204. CPD officers must:

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- a. determine the necessity, objective reasonableness, and proportionality of Taser use based on the totality of the circumstances, including the subject's apparent age, size, physical and mental condition, disability, and impairment;
- b. not use Tasers in drive-stun mode unless the subject is an assailant and other force options are not readily available or would otherwise be ineffective;
- c. when practicable, avoid the use of Tasers when it is reasonably evident that a deployment may cause serious physical injury, including if the subject is elevated above the ground, if the subject is operating or riding any mode of transportation, or if the subject may be less able to catch or protect themselves in a fall;
- d. not use Tasers in any environment that contains potentially flammable, volatile, or explosive material;
- e. not use Tasers on a subject who is at a greater risk of serious injury or death from Taser use, including, but not limited to, children, pregnant individuals, and the elderly, unless the subject is an assailant and other force options are not readily available or would otherwise be ineffective;
- f. target the Taser in probe mode at the lower center mass and avoid the head, neck, and genitalia;
- g. not activate more than one Taser at a time against a subject, unless an officer already attempted to use a Taser against the subject but the probes did not make contact with the subject; and
- h. keep Tasers in a weak-side holster.

206.CPD will conduct Taser inspections on a periodic basis to perform information downloads, ensure Tasers are operable, and perform necessary maintenance or repairs.

207.CPD officers may use OC devices only when such force is objectively reasonable, necessary, and proportional under the totality of the circumstances, and consistent with the objectives above.

208.CPD officers may only use OC devices for crowd dispersal when such force is necessary, objectively reasonable, and proportional to the threat presented to public safety. CPD will continue to require that the Superintendent or his or her designee provides authorization before OC devices are used for noncompliant groups, crowds, or an individual taking part in a group or crowd.

209.When safe and feasible to do so, CPD officers must issue verbal commands and warnings to the subject prior to, during, and after the discharge of an OC device. When safe and feasible to do so, CPD will require officers to allow a subject a reasonable amount of time to comply with a warning prior to using or continuing to use an OC device, unless doing so would compromise the safety of an officer or another person.

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210. Each individual application of an OC device (e.g., each spray of an officer's personal OC device) by a CPD officer must be objectively reasonable, necessary, and proportional under the totality of the circumstances, and consistent with the objectives above.

212. CPD officers may only use department-issued or approved OC devices.

213. CPD officers must not use impact weapons (e.g., baton, asp, improvised impact weapons) to intentionally strike a subject in the head or neck, except when deadly force is justified.

214. When safe and feasible to do so, CPD officers must give verbal commands and warnings prior to, during, and after using an impact weapon.

215. CPD officers must receive training on proper use of an impact weapon before being permitted to carry such weapon.

243. CPD's pre-service and in-service training must provide officers with knowledge of policies and laws regulating the use of force; equip officers with tactics and skills, including de-escalation techniques, to prevent or reduce the need to use force or, when force must be used, to use force that is objectively reasonable, necessary, and proportional under the totality of the circumstances; and ensure appropriate supervision and accountability.

244. CPD's training regarding the use of firearms, Tasers, OC devices, impact weapons, and other force options that CPD currently authorizes or may authorize in the future will be consistent with its commitment to de-escalation as a core principle. Any initial training, qualification, or requalification regarding these force options will incorporate scenario-based elements, including scenarios in which officers achieve resolution without employing force. CPD's training regarding these force options will also provide specific guidance to officers regarding required procedures and techniques after each of these force options are used, including procedures and techniques for limiting a subject's injuries.

245. CPD will provide all current CPD officers with in-service use of force training on at least an annual basis, and more frequently when necessitated by developments in applicable law and CPD policy. CPD will coordinate and review all use of force training to ensure quality, consistency, and compliance with federal and state law, CPD policy, and this Agreement.

246. The annual use of force training will include the following topics:

- a. CPD policies and Fourth Amendment law governing the use of force;
- b. proper use of force decision-making that utilizes a critical thinking framework in which officers gather relevant facts; assess the situation, threats, and risks; consider CPD policy; identify options and determine the best course of action; and act, review, and reassess the situation;
- c. role-playing scenarios and interactive exercises that illustrate proper use of force decision-making;

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- d. ethical decision-making and peer intervention, principles of procedural justice, the role of implicit bias, and strategies for interacting with individuals in crisis;
- e. de-escalation techniques and tactics to prevent or reduce the need for force, including exercising persuasion and advice, and providing a warning; stabilizing the situation through the use of time, distance, or positioning to isolate and contain a subject; and requesting additional personnel to respond or make use of specialized units or equipment; the proper deployment of CPD-issued or -approved weapons or technologies, including firearms and Tasers;
- f. use of force reporting, investigation, and review requirements, including documenting reportable use of force incidents; and
- g. other topics as determined based on the training needs assessment required by this Agreement.

247. CPD will also provide initial training on all of the topics identified above, as well as others, to all recruits as part of its recruit training curriculum.

413. CPD will involve experts, such as psychologists and cognitive and behavioral scientists, in developing training on use of force where their expertise would enhance the effectiveness of the training. The training topics that may benefit from such expertise could include:

- a. peer intervention by fellow officers to stop the use of excessive force;
- b. the interaction of human perception and threat assessment; and
- c. de-escalation and defusing techniques, including psychological methods of situation control, verbal control and communication, conflict resolution, and anger management.

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**Desired Outcome:**

**Continue Headquarters-Level Review of Uses of Force**

- **Current State:**
  - CPD has a Force Review Division that conducts headquarters-level review of uses of force.
  - CPD recently promoted the commanding officer of the unit to a Commander and increased staffing to address a backlog of force reviews.
  - CPD also created a Force Review Board to review level 3 uses of force.
- **By End of 2020:**
  - Conduct staffing and needs assessment to determine the unit’s staffing and resource needs to prevent further backlogs
  - Assess whether additional training is needed for FRD reviewers
  - Conduct assessment of FRD staff expertise to determine whether changes need to be made to the screening criteria
  - Determine a method for conducting random audits of body-worn and in-car camera recordings of incidents that involved civilian interactions to assess whether CPD officers are complying with CPD policy Complete SOP for Force Review Board
- **Key Deliverables by end of 2020:**
  - **Force Review Division and Force Review Board Standard Operating Procedures (submitted September)**
  - **FRD Staffing and Equipment Needs Assessment (October)**
  - **Body-worn camera/in-car camera audit plan (October)**

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*Aligns with CD Paragraphs 193, 574-577, 580*

193. CPD will ensure that the designated unit at the CPD headquarters level responsible for performing the duties required by this Part has sufficient resources to perform them, including staff with sufficient experience, rank, knowledge, and expertise.

574. A designated unit at the CPD headquarters level will routinely review and audit documentation and information collected regarding each level 2 reportable use of force incident, a representative sample of level 1 reportable use of force, and incidents involving accidental firearms discharges and animal destructions with no human injuries to ensure:

- a. CPD members completely and thoroughly reported the reason for the initial stop, arrest, or other enforcement action, the type and amount of force used, the subject's actions or other circumstances necessitating the level of force used, and all efforts to de-escalate the situation;
- b. the district-level supervisory review, investigation, and policy compliance determinations regarding the incident were thorough, complete, objective, and consistent with CPD policy;

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- c. any tactical, equipment, or policy concerns are identified and, to the extent necessary, addressed; and
- d. any patterns related to use of force incidents are identified and, to the extent necessary, addressed.

575. CPD recently established a Force Review Unit ("FRU") and tasked the FRU with certain responsibilities described in the preceding paragraph. CPD will ensure that the FRU or any other unit tasked with these responsibilities has sufficient resources to perform them. CPD will ensure that the FRU or any other unit tasked with these responsibilities is staffed with CPD members, whether sworn or civilian, with sufficient experience, rank, knowledge, and expertise to: effectively analyze and assess CPD's use of force practices and related reporting and review procedures; conduct trend analysis based on use of force data; identify tactical, equipment, training, or policy concerns based on analysis of use of force incidents and data; and develop recommendations regarding modifications to tactics, equipment, training, or policy as necessary to address identified practices or trends relating to the use of force.

576. CPD will conduct random audits of body-worn and in-car camera recordings of incidents that involved civilian interactions to assess whether CPD officers are complying with CPD policy. CPD will take corrective action to address identified instances where CPD officers have not complied with CPD policy as permitted by law, and will identify any trends that warrant changes to policy, training, tactics, equipment, or Department practice.

577. CPD will create a Force Review Board ("FRB") to review, from a Department improvement perspective: (a) any level 3 reportable use of force incident, except for accidental firearms discharges and animal destructions with no human injuries, and (b) any reportable uses of force by a CPD command staff member.

"578. For any reportable use of force incident subject to an ongoing investigation by COPA, COPA will be exclusively responsible for recommending disciplinary action relating to the incident. The purpose of FRB's review will be to:

- a. evaluate if actions by CPD members during the incident were tactically sound and consistent with CPD training; and
- b. if applicable, identify specific modifications to existing policy, training, tactics, or equipment that could minimize the risk of deadly force incidents occurring and the risk of harm to officers and the public."

579. The FRB will be chaired by the Superintendent, or his or her designee, and will include, at a minimum, the Chief of the Bureau of Patrol, or his or her designee, and CPD members at the rank of Deputy Chief, or above, who are responsible for overseeing policy development, policy implementation, training, and misconduct investigations. CPD's General Counsel, or his or her designee, will also serve on the FRB.

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580. The FRB will review each incident within its purview promptly, which will in no event be more than 96 hours after the incident occurs. Within 30 days after its review of an incident, the FRB will issue recommendations, if appropriate, to the Superintendent regarding any need for additional training or modifications to policies, tactics, equipment, or Department practices. Upon review and approval by the Superintendent, or his or her designee, the FRB will assign each approved recommendation to a specific CPD command staff member for implementation. CPD will promptly implement each approved recommendation.

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**Desired Outcome:**

**Strengthen Use of Force Reporting Structure**

- **Current State:**
  - o CPD significantly revised its use of force policies early in 2020 to comply with numerous Consent Decree requirements.
  - o CPD started but did not complete the required community engagement for the policies.
  - o CPD continues to deliver in-service use of force training for all officers.
- **By End of 2020:**
  - o Get community input on use of force policies
  - o Revise use of force polices as needed
  - o Complete drafting the 2021 use of force training, which will incorporate these policies
  - o Continue to emphasize Tactical Response Report (“TRR”) narrative writing and other report writing improvement during annual in-service Use of Force training and Basic Recruit Training
  - o Ensure FRD is adequately staffed and trained to conduct reviews
  - o Finalize FRD Standard Operating Procedures and other Use of Force Policies to include systems and processes which hold districts responsible for implementing recommendations from FRD.
  - o Enforce the preservation of relevant documentation related to a use of force incident in accordance with the published retention schedule
  - o Ensure system is in place so Civilian Office of Police Accountability (COPA) receives appropriate use of force documentation electronically through the Case Management System
- **Key Deliverables by end of 2020:**
  - o **Audit of supervisory review of use of force incidents (submitted August)**
  - o Improved Tactical Response Report and use of force reporting requirements (October)
  - o Collection and maintenance of all documents related to use of force (October)
  - o Updated dashboard that electronically tracks all use of force data (October)

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*Aligns with CD Paragraphs 218-221, 227, 547 569-571*

**\*218. CPD members must report and document any reportable use of force. Beginning January 1, 2019, a reportable use of force will be defined as any use of force by a CPD member included in any of the following three levels:**

**a. A level 1 reportable use of force is the use of any force by a CPD member to overcome the active resistance of a subject that does not rise to a level 2 or level 3 reportable use of force. This**

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would include force that is reasonably expected to cause pain or an injury, but does not result in injury or complaint of injury. The following techniques are level 1 reportable uses of force when applied in response to active resistance: pressure point compliance techniques; joint manipulation techniques; wristlocks; armbars; and any leg sweep, weaponless defense techniques, or takedown that does not result in injury or complaint of injury. It is not a reportable use of force for a CPD member to escort, touch, or handcuff a person with no or minimal resistance.

b. A level 2 reportable use of force is the use of any force by a CPD member that includes use of a less-lethal weapon or that causes an injury or results in a complaint of an injury, but that does not rise to a level 3 reportable use of force. Force options in this level include: discharge of an OC device; discharge of a Taser; impact weapon strikes to any part of the body other than the head or neck; use of impact munitions; any physical apprehension by a canine; any reportable use of force against a handcuffed subject; and any leg sweep, weaponless defense technique, or takedown resulting in an injury or complaint of injury.

c. A level 3 reportable use of force is when a CPD member does any of the following: uses any force that constitutes deadly force, such as discharging a firearm or using an impact weapon to strike a person's head or neck; uses a chokehold or other maneuver for intentionally putting pressure on a person's airway or carotid artery; uses any force that causes the death of any person; or uses any force that causes injury to any person resulting in admission to a hospital.

219. Whenever a CPD member engages in a reportable use of force, the member must complete a TRR, or any similar form of documentation CPD may implement, prior to the end of his or her tour of duty. In addition to completing the TRR, officers must also document the reason for the initial stop, arrest, or other enforcement action per CPD policy. CPD may allow members requiring medical attention a reasonable amount of additional time to complete the required documentation. CPD may allow supervisors to complete the TRR for members who are unable to complete the report due to injury or in other extraordinary circumstances.

220. In completing the TRR, or whatever similar documentation CPD may implement, CPD members must include a narrative that describes with specificity the use of force incident, the subject's actions, or other circumstances necessitating the level of force used; and the involved member's response, including de-escalation efforts attempted and the specific types and amounts of force used. The narrative requirement does not apply to CPD members who discharged a firearm in the performance of duty or participated in an officer-involved death in the performance of duty. Any CPD member who observes or is present when another CPD member discharges a firearm or uses other deadly force must complete a written witness statement prior to the end of his or her tour of duty. CPD members will note in their TRRs the existence of any body-worn camera or in-car camera audio or video footage, and whether any such footage was viewed in advance of completing the TRR or any other incident reports. CPD members must complete TRRs, or whatever similar documentation CPD may implement, and other reports related to the incident, truthfully and thoroughly.

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221. Any CPD member who engages in a reportable use of force must immediately report the incident to OEMC. OEMC is required to notify the involved member's immediate supervisor and the Watch Operations Lieutenant of the district of occurrence.

227. Any CPD member who becomes aware of information indicating that a reportable use of force occurred but was not reported must immediately notify his or her supervisor.

547. CPD will regularly analyze the information it collects regarding reportable uses of force to identify significant trends. CPD will include information about any such trends in the CPD Annual Report.

569. CPD must collect, track, and maintain all available documents related to use of force incidents, including:

- a. TRRs, or any other similar form of documentation CPD may implement for initial reporting of reportable use of force incidents;
- b. TRR-Is, or any other similar form of documentation CPD may implement to document supervisory investigation of reportable use of force incidents;
- c. Tactical Response Reports — Review ("TRR-Rs"), or any other similar form of documentation CPD may implement to document review or auditing of reportable use of force incidents;
- d. arrest reports, original case incident reports, and investigatory stop reports associated with a reportable use of force incident;
- e. administrative investigative files, including investigative materials generated, collected, or received by BIA, or COPA, or any similar form of documentation CPD may implement for misconduct allegations or civilian complaints; and
- f. all reasonably available documentation and materials relating to any reportable use of force, in-custody injury or death, or misconduct allegation, including body-worn, in-car, or known third-party camera recordings, and statements, notes, or recordings from witness and officer interviews.

\*570. The City will ensure that reasonably available documents related to reportable uses of force that are or become subject to misconduct complaints or investigations are promptly provided to the appropriate investigative entity (e.g., COPA, BIA). The City will ensure that any reasonably available documents related to reportable uses of force subject to misconduct complaints or investigations, except for open confidential investigations, are accessible in the CMS the City is working to create, or in any similar electronic system, by June 30, 2020. Within seven days of the receipt of a misconduct complaint or the initiation of an administrative investigation, whichever occurs first, the City will identify any available reportable use of force documentation associated with the incident and ensure such documentation is accessible via the CMS or similar system. By June 30, 2020, whenever a reportable use of force incident becomes the subject of a misconduct investigation, COPA will notify CPD via the CMS within three days of the initiation of the investigation.

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571. CPD must have an electronic system that accurately and reliably tracks all data derived from reportable use of force incidents, including:

- a. the response by CPD members during the incident, including the type(s) of force used;
- b. the date, time, location, and district of the incident;
- c. whether a foot or vehicle pursuit occurred that is associated with the incident;
- d. the actual or, if unavailable, perceived race, ethnicity, age, and gender of the subject;
- e. the name, watch, employee number, and unit and beat of assignment of any CPD member(s) who used force;
- f. CPD units identified in the incident report as being on the scene of the use of force incident;
- g. whether the incident occurred during an officer-initiated contact or a call for service;
- h. the subject's mental health or medical condition, use of drugs or alcohol, ability to understand verbal commands, or disability, as perceived by the CPD member(s) at the time force was used;
- i. the subject's actions that led to the CPD member's use of force;
- j. whether the CPD member perceived that the subject possessed a weapon and, if so, what type(s);
- k. whether the subject possessed a weapon and, if so, what type(s);
- l. whether reportable force was used against a subject that was handcuffed or otherwise in physical restraints;
- m. any injuries sustained by CPD members;
- n. any injuries sustained or alleged by the subject(s) and any medical treatment that was offered or performed on the scene of the incident;
- o. for each weapon discharged by an officer, including firearms, Tasers, and OC devices, the number of discharges per weapon; and
- p. whether the subject was charged with an offense and, if so, which offense(s).

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**Desired Outcome:**

**Improve Vehicle Use Practices**

- Current State: CPD is currently in the process of revising its vehicle pursuits policy.
- By End of 2020:
  - o Complete revisions to vehicle pursuits policy
  - o Revise pursuits training
  - o Determine longer-term mechanism for assessing data and risk related to vehicle pursuits
- Key Deliverables by end of 2020:
  - o **Audit and risk management assessment of the Traffic Review Board (submitted August)**
  - o **Updated vehicle pursuits policy (submitted August)**
  - o **Vehicle pursuits training plan (submitted September)**

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*Aligns with CD Paragraph 167*

167.CPD officers will operate their vehicles in a manner that is consistent with CPD policy and training and with the foremost regard for the safety of all persons involved. CPD will periodically include instruction regarding sound vehicle maneuvers in its in-service training regarding use of force. As appropriate, CPD will provide supplemental training guidance regarding dangerous vehicle maneuvers that should be avoided.

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**Desired Outcome:**

**Firearms Pointing Review**

- **Current State:**
  - o In the first half of 2020, CPD developed a system to track firearms pointings that allows the data to be analyzed.
  - o Officers are being trained throughout the year on how to track pointings accurately.
  - o The Force Review Division (FRD) developed a standardized protocol for reviewing the data and identifying trends and training opportunities; FRD began staffing up to take on this new workflow.
- **By End of 2020:**
  - o Continue to vet the data and report out on trends and analysis identified by FRD
  - o Continue to include discussion of the firearms pointing bulletin in annual in-service training
  - o Ensure FRD is adequately staffed and trained to conduct reviews
  - o Develop a system to ensure districts are implementing recommendations from FRD
- **Key Deliverables by end of 2020:**
  - o Audit design to determine whether FRD recommendations are being applied (October)
  - o **Increased number of trained reviewers (October)**
  - o Firearms pointing dashboard (November)

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*Aligns with CD Paragraphs 188-193, 194-196*

\*188.By January 1, 2019, CPD will develop a training bulletin that provides guidance on weapons discipline, including circumstances in which officers should and should not point a firearm at a person. CPD will incorporate training regarding pointing of a firearm in the annual use of force training required by this Agreement in 2019.

189.CPD will clarify in policy that when a CPD officer points a firearm at a person to detain the person, an investigatory stop or an arrest has occurred, which must be documented. CPD will also clarify in policy that officers will only point a firearm at a person when objectively reasonable under the totality of the circumstances.

\*190.Beginning July 1, 2019, CPD officers will, at a minimum, promptly after the incident is concluded, notify OEMC of investigatory stop or arrest occurrences in which a CPD officer points a firearm at a person in the course of effecting the seizure. The notification will identify which CPD beat(s) pointed a firearm at a person in the course of effecting the seizure. The City will ensure that OEMC data recording each such notification is electronically linked with CPD reports

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and body-worn camera recordings associated with the incident, and all are retained and readily accessible to the supervisor of each CPD beat(s) identified in the notification.

191. OEMC will notify an immediate supervisor of the identified beat(s) each time the pointing of a firearm is reported. Notified CPD supervisors will ensure that the investigatory stop or arrest documentation and the OEMC recordation of the pointing of a firearm are promptly reviewed in accordance with CPD policy. CPD supervisors will effectively supervise the CPD members under their command consistent with their obligations set forth in the Supervision section of this Agreement.

192. A designated unit at the CPD headquarters level will routinely review and audit documentation and information collected from all investigatory stop and arrest occurrences in which a CPD officer pointed a firearm at a person in the course of effecting a seizure. The review and audit will be completed within 30 days of each such occurrence. This review and audit will:

- a. identify whether the pointing of the firearm at a person allegedly violated CPD policy;
- b. identify any patterns in such occurrences and, to the extent necessary, ensure that any concerns are addressed; and
- c. identify any tactical, equipment, training, or policy concerns and, to the extent necessary, ensure that the concerns are addressed.

The designated unit at the CPD headquarters level will, where applicable, make appropriate referrals for misconduct investigations or other corrective actions for alleged violations of CPD policy. At the completion of each review and audit, the designated unit at the CPD headquarters level will issue a written notification of its findings and, if applicable, any other appropriate actions taken or required to an immediate supervisor as described above.

193. CPD will ensure that the designated unit at the CPD headquarters level responsible for performing the duties required by this Part has sufficient resources to perform them, including staff with sufficient experience, rank, knowledge, and expertise.

194. CPD officers will not be required to notify OEMC of the pointing of a firearm at a person when the CPD officer is a SWAT Team Officer responding to a designated SWAT incident, as defined in CPD Special Order S05-05, or an officer assigned to a federal task force during the execution of federal task force duties.

195. CPD officers will not be required to notify OEMC of any unholstering or display of a firearm or having a firearm in a “low ready” position during the course of an investigation, unless the firearm is pointed at a person.

196. The City will ensure that all documentation and recordation of investigatory stop or arrest occurrences in which a CPD member points a firearm at a person, including OEMC data, is maintained in a manner that allows the Monitor, CPD, and OAG to review and analyze such occurrences. Beginning January 1, 2020, the Monitor will analyze these occurrences on an annual

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basis to assess whether changes to CPD policy, training, practice, or supervision are necessary, and to recommend any changes to the process of documenting, reviewing, and analyzing these occurrences. CPD will either adopt the Monitor’s recommendations or respond in writing within 30 days. Any dispute regarding the whether the Monitor’s recommendations should be implemented will be resolved by the Court.

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**Desired Outcome:**

**Foot Pursuits Review**

- Current State:
  - o In the first half of 2020, CPD developed a more refined system to track foot pursuits.
  - o Officers are being trained throughout the year on how to track foot pursuits.
  - o The Force Review Division (FRD) developed a standardized protocol for reviewing the data and identifying trends and training opportunities; FRD began staffing up to take on this new workflow.
- By End of 2020:
  - o Continue to vet the data and report out on trends and analysis identified by FRD.
  - o Ensure FRD is adequately staffed and trained to conduct reviews.
  - o Develop a system to ensure districts are implementing recommendations from FRD.
- Key Deliverables by end of 2020:
  - o **Foot Pursuits Review SOP (submitted September)**
  - o **Audit of April-December 2019 foot pursuits (November)**
  - o **Increased number of trained reviewers (October)**

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*Aligns with CD Paragraphs 168-172*

\*168. Starting no later than January 1, 2019, CPD will track and analyze the frequency with which CPD officers engage in foot pursuits of persons attempting to evade arrest or detention by fleeing on foot, regardless of whether the foot pursuit is associated with a reportable use of force incident. CPD will track foot pursuits associated with reportable use of force incidents through TRRs or any similar form of documentation CPD may implement.

**\*169. For foot pursuits associated with reportable use of force incidents, by January 1, 2020, CPD will review all associated foot pursuits at the headquarters level to identify any tactical, equipment, or training concerns.**

\*170. CPD recently issued a foot pursuit training bulletin. By July 1, 2019, CPD will develop and issue a supplemental foot pursuit training bulletin that reflects best practices from foot pursuit policies in other jurisdictions. The supplemental training bulletin will be subject to review and approval by the Monitor and OAG. The supplemental training bulletin will:

- a. identify risks and tactical factors officers should consider prior to initiating and during the course of a foot pursuit;
- b. provide guidance to officers regarding radio communications during a foot pursuit;
- c. instruct officers to avoid, to the extent practical, separating from other officers in the course of a foot pursuit;

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- d. provide guidance on circumstances when alternatives to a foot pursuit may be appropriate; and
- e. inform officers that they must follow supervisors' instructions in the course of a foot pursuit, including instructions to alter tactics or discontinue the pursuit.

171.CPD will provide scenario-based training regarding foot pursuits and the supplemental foot pursuit training bulletin during the first annual use of force training required by this Agreement.

\*172.By no later than January 1, 2021, the Monitor will complete an assessment of CPD data and information to determine whether CPD should adopt a foot pursuit policy. If the Monitor recommends that CPD should adopt a foot pursuit policy, CPD will adopt a foot pursuit policy no later than July 1, 2021. Any foot pursuit policy adopted by CPD will be subject to review and approval by the Monitor and OAG.

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**RECRUITMENT, HIRING, PROMOTIONS**

**Desired Outcome:**

**Review Promotions Practices**

- **Current State:**
  - o CPD has conducted an assessment of Captain and Commander promotions and is in the process of revisiting criteria for those two ranks.
  - o CPD has suspended merit promotions until further notice.
- **By End of 2020:**
  - o Finalize any revisions to the Captain and Commander criteria
  - o Inform the department about any new promotions process for Captains and Commanders
  - o Inform all officers of the Office of the Inspector General (OIG) role in promotions process
  - o Engage an independent expert to do an independent assessment of promotions process for sergeants and lieutenants, including review of the exams
- **Key Deliverables by end of 2020:**
  - o Identification of any new or revised criteria, duties, knowledge, skills and abilities to inform selection process for Captains and Commanders (October)
  - o Publishing qualifications and selection process internally and externally (October)
  - o **Transparency Plan and publication of knowledge, skills, and abilities required for Captain/Commander (October)**
  - o **Selection of independent assessor for Sgt/Lt promotions (completed August)**
  - o Independent Expert Assessment (December)

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*Aligns with CD Paragraphs 253-257, 261-264*

253.The City and CPD will ensure that its recruitment, hiring, and promotion policies and practices are lawful, fair, and consistent with best practices, anti-discrimination laws, and the terms of this Agreement.

254.CPD will provide clear guidance on its policies and procedures for recruiting, hiring, and promoting police officers and will clearly allocate responsibilities for recruitment, hiring, and promotion efforts.

256.The City and CPD will continue to review any hiring and promotional exams to ensure they are fair, validated, and properly administered.

257.CPD will inform officers of the role of the Office of the Inspector General (“OIG”) in overseeing the hiring and promotions processes.

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\*261. Within 18 months of the Effective Date, and at least every three years thereafter, CPD will obtain an independent expert assessment of its promotions processes for the ranks of Sergeant and Lieutenant to ensure that its policies and practices comply with the law, are transparent, and are consistent with this Agreement. The independent expert will review the existing Hiring Plan, and any relevant collective bargaining agreements in order to conduct the assessment of the Sergeant and Lieutenant promotions processes. The Sergeant and Lieutenant promotions assessment, at a minimum, will identify:

- a. the processes by which CPD selects candidates for promotion to Sergeant and Lieutenant who possess a core set of competencies, characteristics, and capabilities and, when applicable, who are effective supervisors in compliance with CPD policy and this Agreement;
- b. methods for consideration of each candidate's disciplinary history in the selection process;
- c. Department strategies for promoting qualified applicants who reflect a broad cross section of the Chicago community;
- d. the frequency with which CPD should hold promotional exams;
- e. opportunities to increase transparency and officer awareness about the promotions process and promotions decisions, including, but not limited to, identifying criteria for promotions; and
- f. recommendations for any modifications to the current promotions processes, which would enable CPD to address the requirements of this section.

262. Within 60 days of the completion of the independent expert's promotions assessment, CPD will develop an implementation plan to respond to any recommendations identified in the assessment, including any recommended modifications to the promotions processes and a timeline for implementation. Upon completion, CPD will share the results of the assessment and its implementation plan with the Monitor for review and approval. Within 60 days of receiving the Monitor's approval, CPD will begin to implement the plan.

\*263. Within 365 days of the Effective Date, CPD will identify and publish, both internally and externally, for the ranks of Captain and Commander, the duties, eligibility criteria, knowledge, skills, and abilities considered to select qualified candidates who are effective supervisors in compliance with CPD policy and this Agreement.

**\*264. Within 365 days of the Effective Date, CPD will develop strategies to increase transparency and awareness about the promotions process for the ranks of Captain and Commander, including, but not limited to, criteria for promotions and promotion decisions.**

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**TRAINING**

**Desired Outcome:**

**Continue to Implement Training Oversight Committee**

- Current State: In late 2016, CPD established the Training Oversight Committee (“TOC”), which is responsible for overseeing the Department’s training program.
- By End of 2020:
  - Finalize and publish policies related to TOC
  - Continue to host monthly TOC meetings
- Key Deliverables by end of 2020:
  - **TOC meeting minutes and member list (submitted monthly)**
  - Training Division annual report to TOC (December)
  - Updated TOC policies (December)

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*Aligns with CD Paragraphs 270, 292*

270. The TOC, or other similarly-structured oversight entity, will continue to review and oversee the Department’s training program and will be chaired by the First Deputy Superintendent, or other high-ranking member of CPD’s command staff. The TOC will also include, in some capacity, personnel from various units of the Department that are responsible for overseeing patrol field operations; administering training; providing legal advice; coordinating and exercising supervision over disciplinary matters; managing data, technology, and information systems; overseeing and coordinating the community relations strategy; and reviewing reportable use of force incidents. It will meet at least once a month and continue to record meeting minutes.

\*292. The Education and Training Division will, on an annual basis, report on training to the TOC and the Superintendent. At a minimum, this report will:

- a. contain a description of each course, including a summary of the subject matter;
- b. state the duration, date, location, and number of persons by rank who completed the training;
- c. identify whether the training was part of the recruit, in-service, or pre-service promotional training program;
- d. state whether the training was centralized or decentralized, and delivered in person or through electronic means;
- e. list whether the training was mandatory, elective, or remedial; and
- f. document the members who did not complete required training and any remedial training actions taken.

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**Desired Outcome:**

**Electronically Track Training**

- Current State: CPD has begun developing two state-of-the-art electronic systems to electronically track training schedules, compliance, and documentation for the whole department
- By End of 2020:
  - Complete first phase of development of the two systems
  - Develop policies and SOPs as needed to address how to use the systems
- Key Deliverables by end of 2020:
  - Acadis / Learning Management System operational (November)

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*Aligns with CD Paragraphs 280, 290, 328*

280.CPD will develop, implement, and utilize a centralized electronic system for scheduling and tracking all CPD training to allow the Education and Training Division to effectively plan and manage training schedules and instructor assignments for all training.

290. CPD will develop, implement, and utilize a centralized electronic file system for assessing the content and delivery of all CPD training, including training provided by outside instructors or non-CPD entities. This system will allow the Education and Training Division to electronically track and maintain complete and accurate records of all training provided to CPD members, including curricula, lesson plans, training delivered, member feedback, assessments, and other training materials. This system will, at a minimum•

- a. maintain training records for each member of the Department;
- b. record the course description, duration, curriculum, date, location, and the members who completed the training; and
- c. identify members who did not complete required training and describe remedial training actions that were taken.

328.CPD will develop and implement a process for addressing non-compliance with training requirements to ensure that all officers who are active duty and available for assignment, including supervisors and command staff, successfully complete all required training programs within the time frames set out in this Agreement.

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**Desired Outcome:**

**Review Field Training Program**

- Current State:
  - o CPD has been able to maintain a 1-1 Field Training Officer (FTO) to Probationary Police Officer (PPO) ratio. However, maintaining this ratio is resource-intensive and requires a lot of tracking and collaboration with the budget office.
  - o CPD established a Field Training and Evaluation Review Board to review a PPO’s performance at the request of an assigned FTO or supervisor and have the power to recommend separation, re-training by the Academy, or additional field training
- By End of 2020:
  - o Conduct a review of the FTO program to see if changes need to be made to improve the program and meet Consent Decree requirements (e.g., training, incentives to apply, evaluations, etc.)
  - o Determine necessary staffing/budget needed to maintain 1-1 FTO-PPO ratio in 2021
- Key Deliverables by end of 2020:
  - o Annual TOC Review of FTEP (December)
  - o Field Training Review Board Minutes for 2020 meetings (December)

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*Aligns with CD Paragraphs 298-301, 304-316*

298.An effective field training program is necessary for reinforcing the policies, practices, and skills taught in recruit training and instilling in new police officers the principles of safe, effective, and lawful policing that will guide them throughout their careers. CPD will sufficiently staff, supervise, and manage its field training program (“Field Training and Evaluation Program”) to train and evaluate new officers in the necessary skills required to de-escalate or use force in accordance with the sanctity of life, the law, CPD policy, and this Agreement.

299.CPD will revise, as necessary and appropriate, the Field Training and Evaluation Program to comport with CPD’s Training Plan and this Agreement.

300.The Field Training and Evaluation Program will follow recruit training and be at least 12 weeks in duration and include at least three training cycles. The Field Training and Evaluation Program will not designate probationary police officers (“PPOs”) as “field qualified,” as defined by this Agreement, until they have successfully completed the entire program.

301.CPD will review and revise as necessary its FTO selection policies and procedures to establish and implement a program that effectively attracts and retains qualified FTOs.

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304.FTOs will be required to maintain and demonstrate their proficiency in managing and mentoring PPOs, as well as modeling and teaching, by their example, procedural justice, de-escalation, impartial policing, and community policing. The Education and Training Division will maintain documentation of the training of FTOs. The Bureau of Patrol will maintain documentation of the evaluations of FTOs.

305.CPD will revise the Field Training and Evaluation Program to ensure that no more than one PPO is assigned to an FTO during each training cycle. The City will provide CPD with the necessary support and resources to designate a sufficient number of FTOs to meet the requirements of this Agreement. Officers performing FTO duties in a temporary capacity are considered FTOs under this Agreement so long as they meet the requirements set forth for FTOs in this Agreement, except for the selection requirements.

306.CPD will ensure that PPOs in the Field Training and Evaluation Program train with different FTOs during each of their training cycles.

307.CPD will ensure that PPOs awaiting assignment to an FTO will not be placed on assignments in the field without adequate supervision. CPD will track and document all instances of PPOs placed in field assignments prior to starting the Field Training and Evaluation Program.

308.The Field Training and Evaluation Program will continue to require that FTOs document PPO progress and performance each day in the Daily Observation Report, at the end of each of the first two cycles in the Cycle Summary Report, at the end of the third cycle in the Final Summary Report and, if necessary, at the end of any additional cycles in the Remedial Summary Report. FTOs will identify and document in those reports areas for PPO improvement.

309.In each Cycle Summary Report, the FTO will assess whether the PPO should progress to the next cycle of training based on the PPO's performance and compliance with the Field Training and Evaluation Program standards.

310.A PPO must be deemed "field qualified" in order to complete the Field Training and Evaluation Program. For a PPO to be deemed "field qualified," all end-of-cycle reports must be completed by the FTO and reviewed and approved by the necessary supervisors.

311.FTOs may recommend specific remedial field or classroom training for a PPO. Any recommendation for remedial training will be provided as promptly as possible to the necessary supervisors and must be documented in the PPO's training record, including, but not limited to, the Final Summary Report or Remedial Summary Report. Recommendations for remedial training must be reviewed by the necessary supervisors and, if approved, recommended training must be completed by the PPO before the PPO completes the Field Training and Evaluation Program.

312.The Field Training and Evaluation Review Board, or other entity with similar responsibilities, will review a PPO's performance at the request of an assigned FTO or supervisor and have the

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power to recommend separation, re-training by the Academy, or additional field training. A request for review by the Board must be made, and the Board must convene, if a PPO is not deemed “field qualified” at the end of any remedial training cycle. The Field Training and Evaluation Review Board will provide all such referrals and recommendations for action to the Chief of the Bureau of Patrol.

313.CPD will create a mechanism for PPOs to provide confidential feedback regarding their field training, including the extent to which their field training was consistent with what they learned at the Academy; whether their FTOs did or did not provide effective guidance and instruction; and suggestions for changes to recruit training based upon their experience in the Field Training and Evaluation Program.

314.The Education and Training Division and Bureau of Patrol will review, consistent with their scope of responsibility within the Field Training and Evaluation Program, aggregate PPO feedback on a quarterly basis; document their responses, including the rationale behind any responsive action taken or decision to take no action; and share such feedback with the TOC and, as necessary, FTOs and FTO supervisors.

315.CPD will create a mechanism for FTOs to provide feedback regarding the quality of the Field Training and Evaluation Program, including suggestions for changes to FTO training, the PPO evaluation process, and recruit training. The Education and Training Division and Bureau of Patrol will review, consistent with their scope of responsibility within the Field Training and Evaluation Program, FTO feedback on a quarterly basis and, as necessary and appropriate, share such feedback with the TOC, FTOs, and FTO supervisors.

\*316.The TOC will annually review the Field Training and Evaluation Program and consider best practices in this area as well as feedback and recommendations from FTOs and PPOs. Additionally, the TOC will review referrals and recommendations by the Field Training and Evaluation Review Board to the Bureau of Patrol. Based on this information, the TOC will recommend to the Superintendent the implementation of any appropriate changes to policies or procedures related to the Field Training and Evaluation Program.

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**Desired Outcome:**

**Ensure Training is Current**

- Current State: The Education and Training Division has curriculum writers who incorporate outside expertise and subject matter expertise into training development. The Training Oversight Committee also reviews training materials to ensure consistency with law and department policy.
- By End of 2020:
  - Identify where additional outside or civilian expertise would be helpful (e.g., writing training)
- Key Deliverables by end of 2020:
  - **Audit of all Department training, which is a precursor to ensuring that all training materials reflect current policy (submitted October)**
  - 2021 Training Plan (October)

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*Aligns with CD Paragraphs 277-279, 283, 412*

277. Where it would add to the quality or effectiveness of the training program, the Education and Training Division will seek the assistance of outside expertise, as feasible, practical, and appropriate, either in developing or reviewing CPD curricula and lesson plans, or reviewing pilot versions of CPD courses.

278. The TOC will continue to oversee a process that effectively incorporates material changes in relevant case law, statutes, and CPD policy into recruit, field, in-service, and pre-service promotional training in a timely and effective manner.

279. All training materials disseminated to CPD members and displayed at CPD facilities will reflect current CPD policy.

283. As appropriate to accomplish the requirements and goals of this Agreement, CPD will incorporate experts and guest speakers to participate in the development and instruction of relevant courses, as feasible, practical, and appropriate, including, but not limited to:

- a. CPD members of all ranks;
- b. members of the community;
- c. legal and law enforcement professionals, such as judges, prosecutors, and public defenders;
- d. crime victims; and
- e. subject matter experts.

412. Where it would add to the quality or effectiveness of the training, CPD will involve mental health professionals, as feasible, practical, and appropriate, in developing and reviewing recruit and in-service training on stress management, alcohol and substance abuse, officer wellness, and the support services available to CPD members.

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**SUPERVISION**

**Desired Outcome:**

**Expansion of Unity of Command / Span of Control Pilot**

- Current State:
  - o CPD recently reorganized to give more resources and prominence to reform and constitutional policing.
  - o CPD also rolled out a pilot program for unity of command/span of control, with plans to expand the pilot.
- By End of 2020:
  - o Evaluate the unity of command/span of control pilot to determine whether adjustments are needed prior to further expansion
  - o Expand pilot in determined districts
- Key Deliverables by end of 2020:
  - o Report on 006<sup>th</sup> District unity of command / span of control pilot and expansion plans (December)

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*Aligns with CD Paragraphs 356-368*

356. As otherwise set out in this Agreement, CPD will ensure that it makes staffing and allocation decisions that provide for:

- a. the number of patrol field supervisors to ensure span of control and unity of command as required in this Part;
- b. the number of well-trained, qualified FTOs, as required in Part H of the Training section of this Agreement;
- c. the number of well-trained, qualified staff to train recruits and officers, as required in Part D of the Training section of this Agreement;
- d. the number of well-trained, qualified staff to conduct timely misconduct investigations, as required in the Accountability and Transparency section of this Agreement;
- e. the number of certified CIT Officers, as required in Part D of the Crisis Intervention section of this Agreement; and
- f. the number of officer assistance and wellness staff as required in the Officer Wellness and Support section of this Agreement.

357. The City and CPD will deploy a sufficient amount of qualified supervisors to provide effective supervision, as outlined in this section.

359. CPD will ensure that the principles of unity of command and span of control are realized for watch personnel assigned to field units within district law enforcement.

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\*360. By January 1, 2020, CPD will develop a staffing model to achieve the principles of unity of command and span of control. CPD's staffing model will identify methods to implement unity of command and a span of control ratio of no more than ten officers to one Sergeant for all field units on each watch in each of CPD's patrol districts. To achieve this objective, CPD will maintain, at a minimum, one Sergeant for each sector.

361. In order to achieve unity of command and a span of control of no more than ten officers to one Sergeant in the field units on each watch in each patrol district, the staffing model may consider:

- a. staffing requirements for watch operations, including, but not limited to, watch personnel assigned to field duties and watch administration functions;
- b. staffing requirements for all other district law enforcement functions, including, but not limited to, district administration, community policing, and tactical teams;
- c. data-driven resource allocation methods incorporating district-specific factors, including, but not limited to, calls for service, public violence, and property crime; and
- d. any other considerations CPD deems relevant to achieving unity of command and a span of control ratio of no more than ten officers to one Sergeant in all field units on each watch of the City's patrol districts.

**\*362. By January 1, 2020, CPD will develop a system and protocols to allow the Department to assess, both long-term and on a day-to-day basis, whether field units on each watch in each patrol district meet the requirements for unity of command and span of control.**

363. When calculating the span of control ratios for field units, CPD may not use department-wide averages or factor in span of control ratios for Bureau of Patrol units or functions that are not included in the definition of field units above.

\*364. Beginning no later than January 31, 2020, CPD will begin to implement a staffing model to achieve unity of command and a span of control ratio of no more than ten officers to one Sergeant assigned to field units on each watch in each patrol district.

365. By January 31, 2022, CPD will fully implement and maintain a staffing model that achieves unity of command and a span of control ratio of no more than ten officers to one Sergeant for all field units on each watch in each of CPD's patrol districts. To achieve this objective, CPD will maintain, at a minimum, one Sergeant for each sector.

366. CPD will continue to maintain unity of command and a span of control ratio of no more than ten officers to one Sergeant for district tactical teams and area saturation teams.

367. CPD may review and revise its staffing model as necessary to ensure that all field units on each watch in each patrol district achieve unity of command and a span of control ratio of no more than ten officers to one Sergeant.

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368. Beginning 365 days after the Effective Date, and annually thereafter, the Monitor will review and assess CPD’s progress toward achieving unity of command and a span of control ratio of no more than ten officers to one Sergeant.

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**Desired Outcome:**

**Revamp Performance Evaluations**

- Current State:
  - o CPD has been working with a consultant to develop recommendations for a new performance evaluations pilot program.
- By End of 2020:
  - o Roll out the pilot in 006 district (where unity of command/span of control pilot currently is)
- Key Deliverables by end of 2020:
  - o Performance Evaluations Handbook as a guide for the revised Performance Evaluation framework (October)

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*Aligns with CD Paragraphs 369-376*

369.A performance evaluation process will enable CPD to identify, support, and recognize members who perform their duties lawfully, safely, and effectively, as well as to identify and respond to members who perform poorly, demonstrate adverse behaviors, or engage in inappropriate conduct or conduct that otherwise undermines member or public safety and community trust.

\*370.CPD’s performance evaluation process will identify, support, and recognize members’ activity, performance, and conduct through an assessment of specific quantitative and qualitative performance dimensions, which will address, among other things, constitutional policing, community policing, problem-solving, and the effective use of de-escalation or specialized training. Although CPD may use quantitative measures in evaluating members to ensure that members are performing their required duties, CPD will not require members to achieve specific numerical thresholds, such as the number of arrests, investigatory stops, or citations. CPD will ensure that its performance evaluation process is consistent with the law and best practices. Within 18 months of the Effective Date, CPD will revise its performance evaluation policies and practices as necessary to meet the requirements of this Agreement.

371. Annual performance evaluations for members of all ranks, excluding the Superintendent, will be based upon work performance completed during a specific rating period and will include a written description of performance dimension expectations; the member’s proficiency in fulfilling the specific duties and responsibilities of the assigned position, unit, or team; any areas of particular growth and achievement; and areas where the member requires further support and/or supervision. The evaluation process will provide for support, feedback, communication of expectations, and, when appropriate, corrective actions.

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372.CPD will require supervisors of all ranks to conduct timely, accurate, and complete performance evaluations.

373.Supervisors may only conduct a performance evaluation of members they have directly supervised and observed during the specific rating period.

374.In addition to the formal annual performance evaluation, supervisors will meet with members under their direct command on an ongoing basis as necessary to provide guidance, mentoring, direction, and support to the members regarding their performance and to identify opportunities for improvement.

375.Supervisors will recognize, when appropriate, formally (e.g., recommendation for commendation) and/or informally (e.g., public and private praise) subordinate members who demonstrate a commitment to procedural justice, de-escalation, impartial policing, and/or community policing.

376.CPD will maintain records of performance evaluations in the appropriate electronic data tracking system.

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**OFFICER WELLNESS**

**Desired Outcome:**

**Launch Pilot of Officer Support System (OSS)**

- **Current State:**
  - CPD partnered with a university research partner to build an Officer Support System (“OSS”), an automated electronic system that will facilitate early identification of officers at elevated risk of being involved in certain types of events so the officers can get tailored interventions intended to reduce risk of harm. The pilot is scheduled to launch by the fall.
- **By End of 2020:**
  - Launch the OSS Pilot
- **Key Deliverables by end of 2020:**
  - **OSS development, testing, policy creation, and pilot launch (submitted September)**

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*Aligns with CD Paragraphs 389, 583-597, 600-605:*

**\*389. At least annually, the Director of the Professional Counseling Division will provide a written report to the Superintendent, through his or her chain of command, that includes anonymized data regarding support services provided to CPD members, how long it takes CPD members requesting counseling services to receive them, and other metrics related to the quality and availability of these services. This report will also contain resource, training, and policy recommendations necessary to ensure that the support services available to CPD members reasonably address their identified needs and comply with the Officer Support Systems Plan.**

583. CPD must collect and provide information to supervisors that enables them to proactively identify at-risk behavior by officers under their command, and to provide individualized interventions and support to address the at-risk behavior. CPD must provide supervisors with an automated electronic system that provides this information and equips supervisors to perform these duties.

584. The automated electronic system must be:

- a. data-driven and developed with statistical methods and analytic techniques;
- b. customizable to CPD's particular needs;
- c. adaptive as new information becomes available;
- d. capable of being audited and evaluated to improve accuracy; and
- e. able to generate sufficient data that enables assessment of the effects, if any, of support provided and interventions undertaken."

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585. The automated electronic system must perform these primary functions:

- a. using statistical methods to identify officers who are at elevated risk of engaging in conduct leading to at-risk behavior;
- b. identifying and facilitating support and interventions that prevent or reduce the occurrence of the identified at-risk behavior;
- c. providing supervisors with a dashboard of relevant information about members under their direct command to facilitate appropriate supervisory intervention and support; and
- d. performing peer group analysis with comparative data to account for differences in job assignments, and to identify group- and unit-level patterns of activity.

586. A primary goal of the automated electronic system will be to facilitate early identification of officers at elevated risk of being involved in certain types of events so that the officers can receive tailored interventions intended to reduce such risk. The types of events sought to be avoided could include, depending upon the feasibility of identifying these events using statistical methods and analytic techniques, examples such as any instance in which a CPD member is: directly involved in an excessive force incident; subject to a sustained finding in a misconduct investigation; a defendant in a civil lawsuit resulting in an adverse judgment or settlement; suspended more than five days; the subject of a recommendation of employment termination by COPA, BIA, or the Superintendent; a direct participant in an officer-involved shooting or death determined to be unjustified or out of policy by COPA, BIA, the Superintendent, the Police Board, or a court of law; convicted of a crime; or subject to an increased risk of suicide or alcohol and/or substance abuse.

587. The automated electronic system must include a computerized relational database that will be used to collect, maintain, integrate, analyze, visualize, and retrieve data for each CPD officer. The information collected and maintained must include but is not limited to:

- a. all reportable uses of force;
- b. all arrests by CPD personnel;
- c. all injuries to and deaths of persons in CPD custody;
- d. all injuries and deaths resulting from conduct by CPD personnel;
- e. all vehicle pursuits and traffic collisions involving CPD equipment or personnel;
- f. all misconduct complaints and investigations involving CPD officers, including the disposition of each allegation;
- g. all civil or administrative claims initiated against the City or CPD, or CPD officers for job-related conduct;
- h. all criminal proceedings initiated against a CPD officer, which CPD will require officers to report;
- i. all instances in which CPD is notified that a court has made a negative credibility determination regarding a CPD officer;
- j. instances in which CPD learns through the Cook County State's Attorney's Office that an affirmative finding was made during the course of a criminal proceeding that a CPD member was untruthful, including any findings made at suppression hearings;

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- k. all instances in which CPD learns through the Cook County State's Attorney Office, the United States Attorney's Office for the Northern District of Illinois, or other prosecutorial authority that prosecution was declined based in whole or in part on concerns about a CPD officer's credibility;
- 1. judicial proceedings where an officer is the subject of a restraining or protective order, which CPD will require officers to report;
- m. disciplinary history for all CPD members;
- n. all non-disciplinary corrective action retained electronically;
- o. all violations of CPD's body-worn and in-car camera policies;
- p. all awards and commendations received by CPD officers;
- q. officer sick leave usage;
- r. missed court appearances;
- s. training history; and
- t. rank, assignment, and transfer history."

588. CPD will collect and maintain all information reasonably necessary to identify patterns of behavior that are indicative of a future instance of at-risk behavior. The automated electronic system must employ specific criteria to identify officers who will be subject to an intervention or targeted support. The criteria may be based on a single indicator, such as the number of misconduct complaints against an officer, a combination of multiple indicators, or an algorithmic scoring model. CPD will adjust the criteria as necessary based on data and experience to ensure interventions and support are optimally targeted.

589. CPD will ensure that all required information is entered into the automated electronic system in a timely, accurate, and complete manner. All information captured within the automated electronic system will be accessible in an organized manner that facilitates identification of at-risk officer conduct.

590. CPD will require unit commanding officers to review the automated electronic system data regarding all officers who are transferred to their command within 14 days of the transfer. CPD will require supervisors to conduct monthly reviews of the automated electronic system data regarding officers under their direct command. The purpose of these reviews will be for supervisors to identify and address patterns of behavior by officers under their direct command that are indicative of a future instance of at-risk behavior. CPD will also require supervisors to review the automated electronic system data together with officers under their direct command during the annual performance evaluation process.

591. The automated electronic system will employ push notifications and similar mechanisms to alert supervisors when patterns of conduct indicative of a future instance of at-risk behavior are identified. CPD will provide appropriate interventions and support in a timely manner.

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592. CPD will ensure that any CPD member required to receive counseling after being identified through the automated electronic system has the opportunity to participate in an initial counseling session within 14 days of the member being notified of the requirement.

593. CPD will ensure that command staff regularly use the automated electronic system data to effectively manage CPD officers and supervisors across all ranks, watches, beats, and districts.

594. CPD will provide training to all officers, supervisors, and command staff regarding the automated electronic system to ensure proper understanding and use of the system.

595. CPD will train all supervisors to use the automated electronic system as designed, to interpret the outputs, to perform appropriate interventions and support, to address underlying stressors to promote officer well-being, and to improve the performance of officers under their direct command.

596. CPD will conduct annual audits of the automated electronic system. The audits will:

- a. assess the overall effectiveness of the automated electronic system and the support and interventions prompted by the system;
- b. assess whether and to what extent supervisors are completing monthly reviews of the automated electronic system information regarding officers under their direct command;
- c. assess whether and to what extent CPD is providing interventions and support in a timely manner;
- d. assess whether the interventions and support provided are appropriate and effective; and
- e. identify any recommended changes to improve the effectiveness of the automated electronic system.

597. CPD will provide timely and appropriate interventions and support to officers identified through the automated electronic system. Interventions and support will be designed to assist officers in avoiding and correcting at-risk behavior. All interventions and support will be documented in the automated electronic system. CPD will review, evaluate, and document in the automated electronic system the progress and effectiveness of the intervention or support strategy for each officer.

600. CPD will maintain its partnership with the Crime Lab or another similarly qualified service provider until such time as an EIS consistent with the requirements of this Agreement has been implemented department-wide, and CPD has developed sufficient technical competency to maintain and improve the EIS as necessary.

601. CPD will continue to solicit input and feedback from representatives of its collective bargaining units during the development and implementation of the EIS.

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602. Prior to beginning the phased implementation of the EIS, CPD will develop and implement new or revised policies and procedures for using the EIS and, if applicable, the updated PRS and information obtained from them. The policies and procedures will address data storage, data retrieval, data analysis, reporting, pattern identification, supervisory use, intervention and support options and procedures, documentation and audits, access to the system, and confidentiality of personally identifiable information.

603. After the completion of the development of the EIS, CPD will implement the EIS through a phased rollout that incorporates pilot testing to identify and address any technical or design issues. CPD will begin phased implementation of the EIS within 18 months of the Effective Date, and will complete full implementation of the EIS by no later than 24 months after the Effective Date.

604. Prior to full implementation of the EIS, CPD will continue to use the PRS as well as other existing tools and resources to identify patterns of conduct by officers that warrant support and intervention. Following the development and implementation of the EIS, the functions required of the automated electronic system described above may be performed by a combination of the EIS and the PRS as long as all required functions are performed and supervisors are using the system(s) as required by CPD policy. To the extent CPD continues utilizing PRS to perform any of the functions required by this Agreement, CPD will update the PRS to enhance the system's effectiveness, usability, and accuracy by no later than January 1, 2020.

605. The City will ensure CPD has adequate funding to develop, implement, and maintain the EIS and, if necessary, the updated PRS, including ongoing hardware and support requirements and officer support services.

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**CPD – Reform Outcomes**

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**Desired Outcome:**

**Increased Wellness Services**

- **Current State:**
  - o CPD tripled the number of clinicians providing mental health services for officers.
  - o CPD partnered with a university to host a Mental Health Summit where more than 100 mental health and law enforcement professional from around the country met to talk about ways to support officers and their mental health needs and offer recommendations to the City.
- **By End of 2020:**
  - o Assess what additional resources are needed and write a comprehensive Officer Wellness Support Plan to address the needs of the department
  - o Work with a university partner to help identify ways/funding to expand mental health resources
  - o Re-evaluate Peer Support Program (volunteer peer counselors) and whether improvements are needed to supplement the clinician support being provided
  - o Look into additional technology options to supplement/make more efficient the current support offerings
- **Key Deliverables by end of 2020:**
  - o **Officer Wellness Support Plan (submitted September)**
  - o **Peer Support Program (volunteer peer counselors) manual (submitted August)**
  - o Expanded clinical services by hiring additional clinicians (December)

\*\*\*\*\*

*Aligns with CD Paragraphs 382-384, 388-392, 394-401, 403-404:*

**\*382.CPD currently offers clinical counseling services, programs regarding alcoholism and other addictions, and a peer support program to help CPD members cope with the psychological and personal toll their jobs can impose. By September 1, 2019, CPD will complete a needs assessment to determine what additional resources are necessary to ensure the support services available to CPD members comport with best practices and mental health professional standards.**

\*383. The needs assessment should analyze, at a minimum:

- a. staffing levels in CPD's Professional Counseling Division;
- b. the current workload of the licensed mental health professionals and drug and alcohol counselors employed by CPD;
- c. how long it takes CPD members requesting counseling services to be seen by a licensed mental health professional or drug and alcohol counselor;
- d. the professional specialties of CPD's licensed mental health professionals;
- e. the frequency and reasons for referrals of CPD members to clinical service providers external to CPD and the quality of those services;

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- f. CPD member feedback, through statistically valid surveys that ensure anonymity to participants consistent with established Professional Counseling Division guidelines, regarding the scope and nature of the support services needs of CPD members and the quality and availability of services and programs currently provided through the Employee Assistance Program;
- g. similar mental health services offered in other large departments, including the ratio of licensed mental health professionals to sworn officers and the number of counseling hours provided per counselor per week;
- h. guidance available from law enforcement professional associations;
- i. the frequency and adequacy of CPD's communications to CPD members regarding the support services available to them;
- j. the frequency, quality, and demand for in-service trainings related to stress management, officer wellness, and related topics; and
- k. the quality of recruit training related to stress management, officer wellness, and related topics.

\*384. Within 60 days of the completion of the needs assessment, CPD will develop a plan, including a timeline for implementation, to prioritize and address the needs identified through the needs assessment required by the immediately preceding paragraph (“Officer Support Systems Plan”). CPD will implement the Officer Support Systems Plan in accordance with the specified timeline for implementation.

**\*388. As a component of the Officer Support Systems Plan, by January 1, 2020, CPD will develop and implement a comprehensive suicide prevention initiative (“Suicide Prevention Initiative”). In designing the Suicide Prevention Initiative, CPD will examine similar initiatives implemented in other large departments and incorporate guidance available from law enforcement professional associations. The Suicide Prevention Initiative will be overseen by a licensed mental health professional working in conjunction with a command staff member.**

390. CPD currently employs three licensed mental health professionals and a supervising psychologist who serves as the Director of CPD’s Professional Counseling Division. CPD offers free counseling services to CPD members through the Professional Counseling Division and through external referrals in certain circumstances. CPD will expand its capacity to provide the counseling services to CPD members as set forth in this Agreement.

391. CPD will initially increase the staffing level in its Professional Counseling Division to at least ten full-time licensed mental health professionals (or a combination of full- and part-time licensed mental health professionals capable of providing an equivalent amount of weekly clinical therapy hours) by January 1, 2020. CPD may contract with licensed mental health professionals external to CPD on an interim basis while CPD completes the process for creating these new positions and hiring individuals to fill them. Additional changes to staffing levels will be made consistent with the results of the needs assessment and Officer Support Systems Plan.

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392. CPD will ensure that its staff of licensed mental health professionals includes individuals with specialized training in one or more of each of the following subjects: post-traumatic stress disorder, domestic violence, alcohol and substance abuse, anger management, depression, and anxiety.

394. CPD will offer members referrals for counseling services by external clinical service providers, including, but not limited to, private therapists, specialists, outside agencies, or hospitals, when a member requires specialized counseling that is beyond the training and expertise of CPD's licensed mental health professionals or certified counselors.

395. CPD will ensure that CPD members have access to:

- a. non-emergency, generalized counseling sessions with CPD's licensed mental health professionals within two weeks of a member's request; and
- b. generalized emergency counseling by CPD's licensed mental health professionals within 24 hours of a member's request.

396. CPD will continue to ensure that any mental health counseling services provided to CPD members remain confidential in accordance with state law, federal law, and current CPD policy.

397. CPD will continue to ensure that licensed mental health professionals employed by the Professional Counseling Division do not participate in fitness for duty evaluations, which will be conducted exclusively by third-party licensed mental health professionals.

398. CPD currently employs five drug and alcohol counselors, all of whom are sworn CPD officers operating under the supervision of the Director of the Professional Counseling Division. These counselors provide free counseling for alcohol and substance abuse. CPD will continue to offer counseling services to CPD members for alcohol and substance abuse.

399. CPD will ensure the number of drug and alcohol counselors available, either on staff or through referrals, meets the needs of CPD members consistent with the needs assessment and the Officer Support System Plan.

400. CPD will ensure that its drug and alcohol counselors are certified in Illinois as Certified Alcohol and Other Drug Abuse Counselors.

401. CPD currently offers anonymous support groups and programs for alcoholism and other addictions. CPD will ensure that a licensed mental health professional assigned to the Professional Counseling Division oversees any such programs offered by CPD, that the programs adhere to generally accepted practices in the field of addiction treatment (e.g., 12-step addiction treatment program), and that each program is reviewed at least annually by the Director of the Professional Counseling Division.

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403. CPD currently has a peer support program consisting of specially trained volunteer officers (“Peer Support Officers”). A well-run peer support program can provide an important access point for CPD members encountering challenging emotional or personal circumstances.

404. CPD will maintain a peer support program, ensuring that:

- a. a licensed mental health professional assigned to the Professional Counseling Division oversees and adequately manages the program;
- b. Peer Support Officers receive initial training in stress management, grief management, officer wellness, obligations and limitations regarding confidentiality and privacy, communication skills, common psychological symptoms and conditions, suicide assessment and prevention, dependency and abuse, and support services available to CPD members;
- c. Peer Support Officers are trained to recommend the services offered by the Professional Counseling Division in situations that are beyond the scope of their training;
- d. CPD offers Peer Support Officers the opportunity to meet at least annually to share successful strategies and identify ways to enhance the program;
- e. Peer Support Officers receive and comply with a written procedures manual approved by a licensed mental health professional assigned to the Professional Counseling Division;
- f. Peer Support Officers are offered sufficient non-monetary incentives and recognition to ensure broad recruitment of volunteers and widespread access to peer support services; and
- g. the scope and quantity of peer support services provided to CPD members are identified in a manner that facilitates effective management of the program and that preserves the anonymity and confidentiality of members receiving peer support services."

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**Desired Outcome:**

**Defined Chaplains Services**

- **Current State:** CPD has developed a standard operating procedure outlining the roles and responsibilities of the Chaplains Unit.
- **By End of 2020:**
  - Conduct training or necessary communications for the guidance provided in the SOP
- **Key Deliverables by end of 2020:**
  - **Training for Chaplains Unit members on SOP (submitted August)**

\*\*\*\*\*

*Aligns with CD Paragraph 406:*

\*406. By January 1, 2020, CPD will develop and adopt a standard operating procedure ("SOP") outlining the roles and responsibilities of the Chaplains Unit. The Chaplains Unit SOP will identify that:

- a. the purpose of the Chaplains Unit is to:
  - i. support the wellness of CPD members who voluntarily seek consultation with representatives of the Chaplains Unit;
  - ii. make referrals to licensed mental health professionals and other service providers, when appropriate;
  - iii. provide pastoral care to CPD members who voluntarily seek such services;
  - iv. offer voluntary preventive programs for the purposes of supporting, encouraging, and affirming CPD members in their professional and family lives; and
  - v. provide support in moments of crisis as requested by CPD members.
- b. when acting in the official capacity of a CPD Chaplain, representatives of the Chaplains Unit will refrain from actions or statements that are inconsistent with CPD policy.
- c. representatives of the Chaplains Unit, including CPD members and non-CPD members, will receive training regarding the roles and responsibilities of the Chaplains Unit.

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**CPD – Reform Outcomes**

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**Desired Outcome:**

**Increased Awareness of Services**

- **Current State:** CPD currently has posters, flyers, and other literature letting officers know about wellness services available to them. CPD has developed an e-learning regarding effects on FOID card eligibility when seeking services.
- **By End of 2020:**
  - o Develop communications strategy to further inform CPD members of the support services available to them
  - o Ensure that all members have gone through the e-learning regarding effects on FOID card eligibility when seeking services
  - o Determine what next steps are needed to determine that the FOID e-learning is effective and officers understand the training
- **Key Deliverables by end of 2020:**
  - o **Documentation that all members have completed FOID card training (submitted September)**
  - o **Documentation and training curriculum related to EAP in-service and recruit training courses on EAP (submitted September)**

\*\*\*\*\*

*Aligns with CD Paragraphs 385-387:*

385. As a component of CPD's Officer Support Systems Plan, CPD will develop and implement a communications strategy. The objectives of this communications strategy will be:

- a. to inform CPD members of the support services available to them;
- b. to address stigmas, misinformation, or other potential barriers to members using these services; and
- c. to emphasize that supporting officer wellness is an integral part of CPD's operations.

386. As part of this communications strategy, CPD will, at a minimum•

- a. make information about the support services available, on a continuing basis, to members on its internal websites;
- b. post information, including pamphlets and posters, in each CPD facility in areas frequented by officers;
- c. issue wallet-sized cards to every CPD member with contact information for the CPD support services available;
- d. inform and remind members about the CPD support services offered, including providing handouts with contact information, at the annual use of force training required by this Agreement, during Academy training of new recruits, and at in-service trainings relating to stress management and officer wellness;

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- e. provide training to supervisory personnel regarding available CPD officer support services and strategies for communicating with officers about these services in a manner that minimizes any perceived stigma; and
- f. seek to identify and correct misperceptions among CPD members about receiving counseling services.

\*387. Within 180 days of the Effective Date, CPD will develop and implement a roll call training to explain and address the effects on Firearm Owners Identification (“FOID”) card eligibility, if any, when a CPD member seeks or receives CPD support services, including, but not limited to, counseling and mental health treatment.

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ACCOUNTABILITY & TRANSPARENCY

**Desired Outcome:**

**Increased Accessibility for Making Complaints**

- Current State:
  - o To streamline the intake process, all complaints filed with CPD or COPA are now provided to COPA to make the determination about whether COPA or BIA should investigate the complaint.
  - o COPA and BIA collaborated to improve their websites and make them more aligned to make it easier to complainants to access information about the complaint process.
  - o BIA developed a draft brochure to better inform the public about the complaint process.
  - o BIA and COPA conducted working group sessions to collaborate on improved and streamlined communications to the public about the complaint process.
- By End of 2020:
  - o Publish the brochure and post information on website
  - o Develop a poster for distribution in the districts
  - o Developed an SOP with COPA establishing aligned procedures for phone and in-person complaints
  - o Develop policy establishing that individuals may submit allegations of misconduct, regardless of whether the individual is a member or perceived member of an identifiable group
  - o Develop policy clarifying that complaints can be made without officer identifying information
- Key Deliverables by end of 2020:
  - o **BIA Brochure and plan for translation (submitted October)**
  - o **Joint protocols with Civilian Office of Police Accountability (COPA) regarding intake procedures (December)**
  - o Bureau of Internal Affairs (BIA) SOPs and department directives (December)

\*\*\*\*\*

*Aligns with CD Paragraphs 425, 432, 433:*

\*425. The City, CPD, and COPA will ensure individuals are allowed to submit complaints in multiple ways, including: in person to COPA or at a CPD district station, by telephone, online, anonymously, and through third party representatives. To ensure broad and easy access to its complaint system, within 90 days of the Effective Date:

- a. the City, CPD, and COPA will make the process for filing a complaint widely available to the public, including in-person, by telephone, and online;
- b. the City, CPD, and COPA will make the process for filing a complaint available electronically;

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c. the City, CPD, and COPA will make information on filing a complaint and accompanying instructions accessible to people who speak languages other than English and will provide telephonic language interpretation services consistent with the City's and CPD's existing limited English proficiency policies and this Agreement;

d. the City, CPD, and COPA will ensure individuals may submit allegations of misconduct, regardless of whether the individual is a member or perceived member of an identifiable group, based upon, but not limited to: race, ethnicity, color, national origin, ancestry, religion, disability status, gender, gender identity, sexual orientation, marital status, parental status, military discharge status, financial status, or lawful source of income;

e. the City, CPD, and COPA will continue to ensure that members of the public may make complaints via telephone using free 24-hour services, including by calling 311 and being given the option to leave a voicemail for COPA or speak to a CPD supervisor, and will clearly display this information on their respective websites and other appropriate City and CPD printed materials;

f. the City, CPD, and COPA will ensure that instructions for submitting complaints are available via telephone, on-line, and in-person; and

g. the City and CPD will ensure that complaint filing information is prominently displayed on CPD website's homepage, including by linking to COPA's online complaint form.

432.The City and CPD will require that complaints about any CPD member are accepted, documented, submitted to COPA, and investigated even if the complainant could not identify the CPD member's name or other employee-identifying number, including star or badge number.

433.CPD will require that officers provide their name and star number, or in the case of non-sworn members other employee-identifying number, to any member of the public, upon request.

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**Desired Outcome:**

**Improved Communication with Complainants**

- Current State: Complainants are now able to track the status of their complaints on the BIA and COPA websites.
- By End of 2020:
  - Develop policy or SOP clarifying expectations regarding communications with complainants.
- Key Deliverables by end of 2020:
  - **BIA SOP on communications with complainants (submitted October)**

\*\*\*\*\*

*Aligns with CD Paragraphs 447, 448, 449, 474:*

447.The City and CPD will require that all COPA and BIA personnel and Accountability Sergeants communicate with complainants and involved CPD members in a professional and respectful manner.

\*448.If COPA, BIA, or the district does not arrive at the investigative findings and recommendations within 180 days, COPA, BIA or an Accountability Sergeant will, thereafter, periodically, but not less than once every 60 days, attempt contact with the complainant or his or her representative to provide status updates until the investigative findings and recommendations are issued. Such contacts will be documented in the administrative investigative file. By 2020, this requirement will be satisfied by providing complainants and their representatives the ability to track the status of non-confidential unique tracking numbers from the intake process through final disposition online.

449.The City and CPD will notify the complainant in writing if an officer elects to file a labor grievance relating to any discipline imposed as a result of the complainant’s complaint. Upon reaching the final disposition, the City and CPD will advise the complainant in writing of the final disposition.

474.CPD will ensure that if BIA does not arrive at the investigative findings and recommendations within 180 days, or an Accountability Sergeant does not arrive at the investigative findings and recommendations within 90 days, BIA will notify, within five days of the end of the designated timeframe, the complainant or complainant representative, and the involved CPD member, or his or her counsel (unless such notification would compromise the integrity of the investigation). Such notification will include the reasons for the inability to complete the administrative investigation within the designated timeframe. BIA or the Accountability Sergeant will update such notice every 90 days until the administrative investigation is completed.

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**CPD – Reform Outcomes**

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**Desired Outcome:**

**Encourage and Protect Officers Who Report Misconduct**

- Current State:
  - o The Office of the Inspector General (OIG) hosts a website allowing officers to file anonymous complaints.
- By End of 2020:
  - o Revise policy further addressing reporting obligations to allow for anonymous reporting.
  - o Develop policy further addressing protocols when members report misconduct.
- Key Deliverables by end of 2020:
  - o **Completion of relevant CPD Department-wide directives (December)**

\*\*\*\*\*

*Aligns with CD Paragraphs 429, 436, 437*

429.The City will continue to ensure that a website is made available to CPD members to anonymously report officer misconduct (“anonymous reporting website”) and will internally disseminate information regarding the anonymous reporting website to all CPD members. Reports made on the anonymous reporting website will not relieve CPD members of their duties under CPD Rules of Conduct 21 and 22.

**\*436. Within 90 days of the Effective Date, CPD will ensure that there are adequate policies and practices in place to encourage and protect CPD members who report potential misconduct by other CPD members. Such policies will provide, at a minimum:**

- a. that CPD members promptly report any misconduct of which they are aware to a supervisor;
- b. that the supervisor document such alleged misconduct and promptly report it to COPA; and
- c. that all forms of retaliation, interference, intimidation, and coercion against a CPD member who reports misconduct or cooperates with an investigation of misconduct, are strictly prohibited.

437.CPD will expressly prohibit all forms of retaliation, intimidation, coercion, or adverse action against any person who reports misconduct or cooperates with an administrative investigation.

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**Desired Outcome:**

**Launch New Accountability Case Management System**

- **Current State:**
  - o BIA and COPA engaged a vendor to develop a new case management system (CMS) that rolled out Feb. 2020.
  - o BIA and COPA agreed to change the document storage vendor to improve CMS’s capabilities to improve operations.
- **By End of 2020:**
  - o Develop SOP with COPA establishing agreed-upon rules of use for CMS
  - o Train all necessary members on CMS use
- **Key Deliverables by end of 2020:**
  - o **Training for relevant members on CMS use (submitted September)**
  - o Protocols with COPA establishing agreed-upon rules of use for CMS (December)

\*\*\*\*\*

*Aligns with CD Paragraphs*

\*438.OAG acknowledges that the City, CPD, and COPA are working to create an electronic Case Management System (“CMS”). The City, CPD, and COPA will ensure that the CMS maintains accurate data regarding the number, classification, and status of all administrative investigations, from the intake process through the final disciplinary decision, if any, and through any grievance process, arbitration, Police Board proceeding, or appeal relating to the final disciplinary decision (the “final disposition”). CMS will be maintained by appropriate personnel from the City, CPD, and COPA. The CMS will be fully operational by June 30, 2020.

486. The City, CPD, and COPA will ensure that CPD and COPA maintain thorough and complete administrative investigative files. Such administrative investigative files will include:

- a. documentation of all evidence that was gathered, including names, phone numbers, and addresses of witnesses to the alleged misconduct. In situations in which there are no known witnesses, the file will specifically state this fact. In situations in which witnesses were present but circumstances prevented the investigator from collecting information from those witnesses, the investigative file will state the reasons why. The investigative file also will include all available identifying information for anyone who refuses to provide a statement;
- b. documentation of each interview conducted and the recording of those interviews, if available;
- c. the names of all CPD members who have been identified as witnesses to the alleged misconduct;
- d. COPA's, BIA's, or the district's narrative description and evaluation of the alleged misconduct, based on its review of the evidence gathered, including a determination of whether the CPD member's actions appear to be within CPD policy, procedure, regulations, orders, or other standards of conduct required of CPD members;

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- e. in cases where material inconsistencies exist between complainant, CPD member, and witness statements, explicit identification of the inconsistencies, including a description of the evidence reviewed and written credibility findings;
- f. if a CPD member deployed a weapon, documentation of whether the CPD member's certification and training for the weapon were current;
- g. all CPD member original statements, as well as any amendments or clarifications to the original statement, and any subsequent statements; and
- h. an explicit identification of each allegation and the recommended finding for each allegation of misconduct in an investigation.

505. The CMS will have the following capacities:

- a. maintain accurate and reliable data regarding the number, nature, and status of all complaints and administrative notifications, from the intake process to final disposition;
- b. identify the status of administrative investigations;
- c. identify caseloads for investigators; and
- d. maintain all documents and investigative materials—including audio and video—in a digital format, accessible via the CMS.

506. COPA, BIA, and the Accountability Sergeants will have access to the CMS as necessary to undertake their respective duties.

507. Administrative investigative files will be electronically preserved within the CMS.

509. For each complaint, the CMS will separately track, and have capacity to conduct searches and generate reports sufficient to identify and analyze trends relating to, at a minimum, the following:

- a. allegations of discriminatory policing based on an individual's membership or perceived membership in an identifiable group, based upon, but not limited to: race, physical or mental disability, gender, gender identity, sexual orientation, religion, and age;
- b. allegations of unlawful stop, search, citation, or arrest practices;
- c. allegations of excessive force;
- d. allegations of misconduct arising during an interaction with individuals in crisis;
- e. allegations of retaliation against non-CPD members;
- f. allegations of conduct alleged to have occurred in retaliation for engaging in First Amendment protected activities, such as lawful demonstrations, protected speech, observing or filming police activity, or criticizing an officer or the officer's conduct;
- g. allegations of officer-involved gender-based violence, domestic violence, or sexual misconduct;
- h. allegations of CPD member substance and/or alcohol abuse; and
- i. the self-reported demographic information of complainants, including race, physical or mental disability, gender, gender identity, sexual orientation, religion, and age.

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515. All disciplinary decisions and discipline imposed will be documented in writing, maintained in the administrative investigative file and the CPD member's disciplinary history, and reported within the CMS consistent with CPD policy and this Agreement.

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**CPD – Reform Outcomes**

*July through December 2020*

**Desired Outcome:**

**Begin Internally Auditing Misconduct Discipline Process**

- Current State: The Auditing Unit has begun developing an audit.
- By End of 2020:
  - o Complete the audit SOP
  - o Complete the first audit
- Key Deliverables by end of 2020:
  - o BIA annual audit for 2020 (December)

\*\*\*\*\*

*Aligns with CD Paragraph 553:*

\*553.Beginning in 2020, CPD will audit, on at least an annual basis, the investigation and disciplinary process involving complaints investigated by BIA and the districts to ensure that the investigations are conducted in accordance with BIA policies and this Agreement. The audits will include completed investigations and the recommendations of discipline. CPD will make public any of the audit findings, ensuring that any personally identifiable information is redacted.

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**CPD – Reform Outcomes**

*July through December 2020*

**Desired Outcome:**

**Improved Complaint Tracking**

- Current State:
  - o BIA, COPA, and Police Board have established a mechanism to use a consistent tracking number.
- By End of 2020:
  - o Develop an SOP with all relevant City departments memorializing the tracking system.
- Key Deliverables by end of 2020:
  - o **Protocol with all relevant City departments memorializing the tracking system (October)**

\*\*\*\*\*

*Aligns with CD Paragraphs 426, 446, 552:*

426.As part of the COPA’s system for processing non-confidential complaints and administrative notifications (the “intake process”), each complaint and administrative notification will be assigned a unique tracking number. This unique tracking number will be linked with all phases of the investigation and disciplinary process, through the final disposition.

\*439.The City and CPD will ensure that complainants and their representatives are able to track non-confidential unique tracking numbers from the intake process through final disposition via telephone and in person. By June 30, 2020, the City will also ensure complainants and their representatives are able to track the status of non-confidential unique tracking numbers from the intake process through final disposition online.

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**CPD – Reform Outcomes**

*July through December 2020*

**Desired Outcome:**

**Improved Communication with Involved Officers in Misconduct Investigations**

- Current State:
  - o CPD’s directive governing the work of the Accountability Sergeants covers some of the Consent Decree requirements, but additional policies need to be developed to comply with Consent Decree requirements
- By End of 2020:
  - o Develop an Administrative Summary Report template in alignment with COPA’s
  - o Develop a policy establishing protocol for communicating with officers involved in misconduct investigations.
- Key Deliverables by end of 2020:
  - o BIA SOP on communications with officers involved in misconduct investigations (October)
  - o Administrative Summary Report to be created in CMS (November)

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*Aligns with CD Paragraphs 450, 504:*

450. CPD will develop and implement policies to ensure that a CPD member who is alleged to be involved in misconduct (the "involved member") receives notice that he or she is under administrative investigation. The policies will provide, at a minimum:

- a. CPD members under investigation will not receive such notice of confidential investigations, but will receive notice prior to being formally interviewed by COPA, BIA, or an Accountability Sergeant;
- b. such notice will comport with due process and the law, and will describe the nature of the complaint made against the involved member, and the involved member's rights, but will not contain any information that is part of a confidential investigation; and
- c. once a CPD member has been notified or otherwise becomes aware that he or she is the subject of an administrative investigation, the CPD member will not review the following documents and evidence related to an incident under administrative investigation, until notified by BIA that he or she is permitted to do so, or as may be required to testify as a witness in criminal or civil proceedings:
  - i. any investigative files;
  - ii. any reports (except for reports about the incident authored by the CPD member); or
  - iii. any other evidence, from any source, including body and dashboard camera footage (except as permitted for purposes of completing incident reports or other documentation).

**\*504. As soon as feasible, but by no later than January 2020, upon arriving at the final disciplinary decision, CPD and COPA will ensure that the Administrative Summary Report is provided to the involved CPD member and the Department. CPD will ensure that the Administrative Summary**

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Report is provided to the involved CPD member's District or Unit Commander and immediate supervisor.

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**Desired Outcome:**

**Publicly Report on Consent Decree Progress**

- Current State: R&D is currently working on CPD’s 2019 Annual Report, which will include these elements.
- By End of 2020:
  - Complete and publish the 2019 annual report
- Key Deliverables by end of 2020:
  - **2019 annual report (submitted August)**

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*Aligns with CD Paragraphs 546-547:*

\*546. Within 180 days following the expiration of each calendar year of the term of this Agreement, the City will produce and publish an annual report describing CPD activity during the previous calendar year ("CPD Annual Report"). The purpose of the CPD Annual Report will be to inform the public of the City's law enforcement achievements and challenges, as well as new programs and steps taken to address challenges and build on successes. The CPD Annual Report will further provide information regarding the City's implementation and status of this Agreement. The CPD Annual Report will not include any specific information or data by law that may not be disclosed. Subject to applicable law, the CPD Annual Report will provide data and program updates analyzing:

- a. community engagement and problem-solving policing efforts, identifying successes, challenges, and recommendations for future improvement;
- b. stop, search, and arrest data and any analysis of that data that was undertaken;
- c. use-of-force data and associated analyses;
- d. CPD responses to requests for service from individuals in crisis;
- e. initiatives that CPD has implemented for officer assistance and support;
- f. recruitment efforts, challenges, and successes; and
- g. in-service and supplemental recruit training.

547.CPD will regularly analyze the information it collects regarding reportable uses of force to identify significant trends. CPD will include information about any such trends in the CPD Annual Report.

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**Desired Outcome:**

**Improved Misconduct Investigation Procedures**

- **Current State:**
  - o BIA has developed a unit-level SOP establishing responsibilities of Accountability Sergeants.
- **By End of 2020:**
  - o Develop onboarding and annual refresher training for Accountability Sergeants
  - o Revise policies and SOPs to incorporate Consent Decree requirements regarding investigative procedures for BIA investigators and Accountability Sergeants
- **Key Deliverables by end of 2020:**
  - o Updated BIA SOPs (October)
  - o Lesson plans and training records for training of Accountability Sergeants (October)

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*Aligns with CD Paragraphs*

455. All investigative findings will be based on the appropriate standard of proof. This standard will be clearly delineated in COPA and BIA policies, training, and procedures.

460. Preliminary investigations will take all reasonable steps to discover any and all objective verifiable evidence relevant to the complaint or administrative notification through the identification, retention, review, and analysis of all available evidence, including, but not limited to: all time-sensitive evidence, audio and video evidence, physical evidence, arrest reports, photographic evidence, GPS records, computer data, and witness interviews. All reasonable steps will be taken to preserve relevant evidence identified during the preliminary investigation.

461. Allegations of misconduct based on verbal abuse will be preliminarily investigated to determine whether it is appropriate to continue the investigation. Anonymously submitted misconduct allegations will be preliminarily investigated to determine whether it is appropriate to continue the investigation, in accordance with the applicable collective bargaining agreements in effect at the time of the allegation is made.

464. In the course of conducting thorough and complete misconduct investigations, COPA, BIA, and the districts will:

- a. take all reasonable steps to promptly identify, collect, and consider all relevant circumstantial, direct, and physical evidence, including officer-recorded audio or video taken with body-worn cameras or other recording devices;
- b. take all reasonable steps to locate and interview all witnesses as soon as feasible, including non-CPD member witnesses, and attempt to interview any complainant or witness in-person at a time and place that is convenient and accessible for the complainant or witness, when feasible;

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- c. determine whether there are any other open administrative investigations involving the same involved member, and monitor or combine the investigation(s), as appropriate;
- d. audio record non-CPD member interviews subject to the interviewee's consent, or promptly prepare summaries of interviews when the interview is not recorded;
- e. take all reasonable steps to identify the involved and witness CPD member(s) if the complainant was unable do so;
- f. determine if there may have been additional misconduct beyond that initially alleged. COPA, BIA, or the district will take all reasonable steps to ensure that such identified misconduct is fully and fairly documented, classified, and investigated;
- g. as applicable, consider a CPD member's behavior based on the available training records and disciplinary history, including complaints in which allegations were not sustained, as permitted by law and any applicable collective bargaining agreement; and
- h. identify and take into account known relevant evidence gathered in parallel criminal investigation or criminal or civil litigation, if available.

465. When conducting an administrative interview of any CPD member, COPA, BIA, and the districts will:

- a. ask the identity of other persons with whom he or she has communicated regarding the incident in question, and the date, time, place, and content of such communication, subject to any evidentiary privilege recognized under Illinois or federal law;
- b. ask whether he or she has reviewed any audio or video footage of the incident in question, and, if so, the date, time, and place the video or audio was reviewed;
- c. ask whether he or she is aware of any media or social media coverage of the incident in question, and, if so, the content and source of such known media coverage;
- d. note on the record of the interview anytime the CPD member seeks or obtains information from his or her legal or union representative, as well as the length of any "off the record" discussion between the CPD member and his or her legal or union representative and ensure that the CPD member's counsel or representative does nothing to disrupt or interfere with the interview;
- e. document, and make part of the investigative file, all requests made on behalf of a CPD member to reschedule an interview; and
- f. audio record all CPD member in-person interviews.

466. When assessing credibility, COPA, BIA, and the districts will:

- a. make credibility determinations of statements made by complainants, involved CPD members, and witnesses based on independent, unbiased, and credible evidence, taking into account any known record or final determination of deception or untruthfulness in legal proceedings, administrative investigations, or other investigations; and
- b. critically evaluate all statements, like any other evidence, giving no automatic preference to, or discounting, any statement solely due to its source, including statements made by CPD members.

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467. For each allegation associated with a misconduct investigation, COPA, BIA, or the districts will explicitly identify and recommend one of the following findings:

- a. "Sustained," where it is determined the allegation is supported by a preponderance of the evidence;
- b. "Not Sustained," where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;
- c. "Unfounded," where it is determined, by clear and convincing evidence, that an allegation is false or not factual; or
- d. "Exonerated," where it is determined, by clear and convincing evidence, that the conduct described in the allegation occurred but is lawful and proper.

468. COPA, BIA, and the districts will ensure that investigators do not:

- a. ask leading questions that suggest legal justifications for the CPD member's conduct during interviews of witnesses, complainants, or the involved CPD member;
- b. make statements that could discourage a CPD member or non-CPD member witness from providing a full account of the specific allegations;
- c. close an administrative investigation solely because of findings in a related criminal proceedings;
- d. consider findings in a related criminal investigation to solely determine whether a CPD member engaged in misconduct;
- e. disregard a witness's statement solely because the witness has some connection to either the complainant or the CPD member or because the witness or complainant has a criminal history; or
- f. close an investigation solely because the complainant seeks to withdraw the complaint or is unavailable, unwilling, or unable to cooperate with an administrative investigation. If the complainant is unable or unwilling to provide information beyond the initial complaint, the administrative investigation will continue based on the available evidence in accordance with this Agreement, applicable law, and any applicable collective bargaining agreements.

**\*478. Within 120 days of the Effective Date, CPD and COPA will each review and revise its policies regarding preliminary investigations, including preliminary investigations of anonymous complaints, and the process for seeking an override affidavit in the absence of a signed complainant affidavit.**

**\*480. Within 120 days of the Effective Date, the City, CPD, and COPA will each develop a policy establishing procedures for COPA, BIA, and Accountability Sergeant's review and consideration of evidence from civil and criminal litigation.**

481. The City, CPD, and COPA will ensure that if CPD, COPA, or the OIG requests the Superintendent's authorization to open an investigation concerning incidents that allegedly occurred more than five years before the date that COPA, CPD, or the OIG became aware of the allegations, the Superintendent will respond within 30 days.

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484. If at any time during the intake or investigation of a complaint, COPA, BIA, or Accountability Sergeants find evidence indicating criminal conduct by any CPD member, the Chief Administrator of COPA or Chief of BIA will refer the investigation to the appropriate prosecuting agency.

487. Investigators will consider all original statements, and any subsequent statements, including amended or modified statements, for purposes of determining whether a CPD member willfully made a false statement about a fact material to the incident under investigation.

\*493. OAG acknowledges that, in many districts, CPD has designated Accountability Sergeants whose responsibilities include receiving, processing, and investigating complaints made against CPD members, which are referred to the districts by BIA. Within 120 days of the Effective Date, CPD will develop a policy outlining the responsibilities of Accountability Sergeants, their respective Commanders, and the BIA Lieutenants responsible for supervising the Accountability Sergeant's investigations ("BIA Lieutenants"). The policy will provide, among other things, a process by which:

- a. within 72 hours of receiving a complaint from BIA for investigation, an immediate supervisor will be provided a summary of the complaint allegations concerning the involved CPD member;
- b. within seven days of the final disciplinary decision, the Commander and an immediate supervisor will be provided with the investigative findings, recommended discipline or corrective action, if any; and
- c. an immediate supervisor of the involved CPD member and the Accountability Sergeant will meet with the involved CPD member regarding the investigative findings, recommended discipline or corrective action, if any, unless the CPD member declines to meet.

\*494. CPD will require that:

- a. investigations completed by Accountability Sergeants are held to the same investigative standards as those completed by BIA;
- b. beginning in 2020, and by January 31, 2022, each District Commander designates at least two Accountability Sergeants who will report to the District Commander, and whose primary responsibility is receiving, processing, and investigating complaints against CPD members;
- c. before a Sergeant is designated an Accountability Sergeant, his or her name will be provided by his or her District Commander to BIA for BIA's review;
- d. each Accountability Sergeant is provided with the name of and contact information for the BIA Lieutenant responsible for reviewing the Accountability Sergeant's work;
- e. BIA Lieutenants provide regular case-related and overall performance feedback to each of the Accountability Sergeants and his or her respective District Commander;
- f. BIA Lieutenants review and approve all of the Accountability Sergeant's proposed investigative findings and disciplinary recommendations;
- g. all Accountability Sergeants and BIA Lieutenants have access to the PRS or any system replacing the PRS;
- h. all Accountability Sergeants have access to BIA policies, directives, protocols, and training materials; and

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i. all Accountability Sergeants receive the initial and in-service training provided to BIA investigators as provided for in this Agreement."

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**Desired Outcome:**

**Strengthened Requirements for Misconduct Investigators**

- **Current State:** Investigators are trained, but additional work is needed to establish a formal training program for investigators.
- **By End of 2020:**
  - Further develop and document initial and in-service training program for investigators
  - Begin developing any revisions to screening/selection criteria for investigators
- **Key Deliverables by end of 2020:**
  - **Audits on disciplinary histories of members currently serving in specialized roles (submitted August)**
  - **Screening and selection criteria for new investigators (submitted September)**
  - **Training plan for BIA member onboarding and annual refresher training (submitted October)**

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*Aligns with CD Paragraphs 456, 526-528, 530:*

456.The City will ensure that the disciplinary histories of current and former CPD members are reviewed prior to employment with COPA, or assignment within BIA or as an Accountability Sergeant.

\*526.Within 180 days of being assigned to BIA or being hired by COPA, all new BIA personnel and COPA employees will receive initial on-boarding training that is adequate in quality, quantity, scope, and type. Within 120 days of the Effective Date, COPA and BIA will verify that all existing personnel received training that is consistent with this Agreement.

**\*527.Within 180 days of the Effective Date, COPA and BIA will begin providing all investigation staff members with at least eight hours of annual, comprehensive, in-service training.**

\*528. The initial and annual in-service training for COPA and BIA investigators will include instruction in:

- a. how to properly handle complaint intake, and the consequences for failing to take complaints;
- b. best practices in procedural justice, including techniques for communicating with complainants and members of the public;
- c. the collection of objective verifiable evidence;
- d. the process for seeking an override affidavit in the absence of a signed complainant affidavit;
- e. for COPA investigators, techniques for conducting impartial investigations of domestic violence and sexual misconduct;
- f. for BIA investigators, techniques for conducting impartial investigations of sexual misconduct;

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- g. investigative skills, including proper interrogation and interview techniques, gathering and objectively analyzing evidence, and data and case management;
- h. the challenges of law enforcement administrative investigations, including identifying alleged misconduct that is not clearly stated in the complaint or that becomes apparent during the investigation;
- i. properly weighing the credibility of witnesses against CPD members;
- j. using objective evidence to identify and resolve inconsistent statements;
- k. implicit bias;
- 1. the proper application of the relevant standards of proof;
- m. relevant COPA and CPD rules, policies, and protocols including the requirements of this Agreement;
- n. relevant state and federal law;
- o. relevant CPD Rules of Conduct, including Rules 14, 21, and 22;
- p. the CMS;
- q. the applicable collective bargaining agreements; and
- r. how to access and use the PRS or information available on the PRS.

\*530. Within 90 days of the Effective Date, COPA and BIA will create separate initial and in-service training plans.

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**Desired Outcome:**

**Improved OIS/OID Investigation Procedures**

- **Current State:**
  - o CPD developed a temporary policy addressing procedures following officer-involved shootings and deaths.
  - o The City started a feasibility study to determine possible long-term methods for improving the City’s response.
- **By End of 2020:**
  - o Develop SOP between BIA and COPA establishing protocols for on-scene investigations.
  - o Begin implementing on chosen changes.
- **Key Deliverables by end of 2020:**
  - o Protocols between CPD and COPA regarding on-scene investigations (December)

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*Aligns with CD Paragraphs 488, 492:*

488. In addition to the general investigative requirements established in this Agreement, with respect to the investigation of officer-involved shootings and deaths, the City and CPD will ensure that:

- a. COPA investigators be provided the opportunity to participate in the preliminary assessment during the immediate aftermath of an officer-involved shooting or death to the same extent as any CPD member or any other law enforcement agency investigating the incident;
- b. the Chief Administrator of COPA, or his or her designee, is present for the first viewing by CPD of available video or audio material related to the incident and when any audio or video material is collected and preserved at or near the scene from CPD or third-party surveillance systems.
  - i. the requirements of subparagraph (b), above, will not apply if:
    - (1) the Chief Administrator of COPA, or his or her designee, has been informed of the incident and is not available; and
    - (2) COPA is not on scene and there is a public safety need to review or listen to certain available audio or video prior to the COPA arrival on scene.
- c. there is written documentation identifying each CPD member who viewed video evidence or listened to audio evidence at the scene;
- d. within 30 days of the Effective Date, CPD issues a policy providing that:
  - i. involved and witness CPD members do not discuss the facts relating to the incident with any witness until interviewed by COPA, except to the extent necessary to ensure public safety, as instructed by counsel in relation to civil or criminal proceedings, or participating in CPD officer wellness programs;
  - ii. COPA may extend the prohibition on discussion to the extent necessary to preserve the integrity of the investigation; and
  - iii. in no event may this prohibition extend beyond the final disciplinary decision, if any.

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e. involved and witness CPD members will be separated, transported separately from the scene, and monitored to avoid contact or communications relating to the incident until released by the responding supervisor at or above the rank of Commander ;

f. administrative interviews of involved and witness CPD members will be audio recorded and, where possible, video recorded, with COPA investigators present, except that a member may speak with his or her attorney or union representative in private; and

g. investigators will not delay interviewing involved and witness CPD members, and will conduct such interviews as soon as feasible, consistent with any applicable collective bargaining agreement. Investigators will document, and make part of the administrative investigative file, all requests made on behalf of involved or witness CPD members to reschedule an interview.

492. Criminal investigations into the actions of any CPD member relating to any “officer-involved death” will comply with the Police and Community Relations Improvement Act, 50 ILCS 727/1-1 et seq. (“PCRIA”). The City will use best efforts to ensure that a “law enforcement agency,” as that term is defined under PCRIA, will conduct such investigations. The “law enforcement agency” conducting criminal investigations into the actions of any CPD member relating to any “officer-involved death” will have substantial experience and expertise in criminal homicide investigations.