

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

4	STATE OF ILLINOIS,	)	
5	Plaintiff,	)	Docket No. 17 C 6260
6	vs.	)	
7	CITY OF CHICAGO,	)	Chicago, Illinois
8	Defendant.	)	October 16, 2023 1:00 p.m.

TRANSCRIPT OF PROCEEDINGS - Hearing  
BEFORE THE HONORABLE CHIEF JUDGE REBECCA R. PALLMEYER

APPEARANCES:

HON. KWAME RAOUL  
ATTORNEY GENERAL OF ILLINOIS  
BY: MS. AMY MEEK  
      MS. MARY J. GRIEB  
      MS. KARYN L. BASS EHLER  
      MR. CHRISTOPHER WELLS  
      MS. KATHERINE PANNELLA  
100 West Randolph Street  
Chicago, Illinois 60601

MANDEL LEGAL AID CLINIC  
BY: MR. CRAIG B. FUTTERMAN  
UNIVERSITY OF CHICAGO LAW SCHOOL  
6020 South University Avenue  
Chicago, Illinois 60637

LOEVY & LOEVY  
BY: MR. JOHN T. HAZINSKI  
311 North Aberdeen Street, Third Floor  
Chicago, Illinois 60607

NORTHWESTERN PRITZKER SCHOOL OF LAW  
BY: MS. SHEILA A. BEDI  
375 East Chicago Avenue  
Chicago, Illinois 60611

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES (Continued:)

CITY OF CHICAGO  
DEPARTMENT OF LAW  
BY: MS. JENNIFER K. BAGBY  
MS. DANIELLE A. CLAYTON  
121 North LaSalle, 6th Floor  
Chicago, Illinois 60602

EQUIP FOR EQUALITY  
BY: MS. AMANDA ANTHOLT  
20 North Michigan Avenue, Suite 300  
Chicago, Illinois 60602

ROGER BALDWIN FOUNDATION OF ACLU, INC.  
BY: MS. MICHELLE T. GARCIA  
MR. JOSHUA M. LEVIN  
MS. ALEXANDRA K. BLOCK  
150 North Michigan Avenue, Suite 600  
Chicago, Illinois 60601

Independent Monitor:

ARENTFOX SCHIFF  
BY: MS. MARGARET A. HICKEY  
MR. ANTHONY-RAY SEPÚLVEDA  
MS. MEREDITH R.W. DeCARLO  
233 South Wacker Drive, Suite 7100  
Chicago, Illinois 60606

Also Present:

Mr. William Lowry, Jr.  
Mr. Joe Hoereth  
Ms. Norma Ramos  
Ms. Ana Reyes Sanchez

Court Reporter:

FRANCES WARD, CSR, RPR, RMR, FCRR  
Official Court Reporter  
219 S. Dearborn Street, Suite 2524A  
Chicago, Illinois 60604  
(312) 435-5561  
frances\_ward@ilnd.uscourts.gov

1 (The following proceedings were had in open court:)

2 THE CLERK: 17 CV 6260, State of Illinois versus  
3 City of Chicago.

4 THE COURT: Good afternoon, everyone.

5 I think we have all -- everybody represented here.

6 What I want to do is ask -- I know most of you by  
7 sight and name, but I'm going to ask you to introduce  
8 yourselves.

9 And we will begin with counsel for the State.

10 MS. MEEK: Good afternoon, your Honor.

11 Amy Meek on behalf of the State of Illinois.

12 THE COURT: Good afternoon, Ms. Meek.

13 MS. PANNELLA: Katherine Pannella, your Honor,  
14 Assistant Attorney General, on behalf of the State.

15 THE COURT: Okay.

16 MS. GRIEB: Good afternoon.

17 Mary Grieb.

18 MS. BASS EHLER: Good afternoon, your Honor.

19 Karyn Bass Ehler on behalf of the State.

20 MR. WELLS: Good afternoon, your Honor.

21 Christopher Wells also on behalf of the State.

22 MR. HAZINSKI: Good afternoon.

23 John Hazinski on behalf of the State.

24 MR. LOWRY: Good afternoon, your Honor.

25 Bill Lowry, Jr., on behalf of the State.

1 THE COURT: Okay. Good afternoon.

2 And lawyers -- well, lawyers for the City.

3 MS. BAGBY: Good afternoon.

4 Jennifer Bagby on behalf of the City of Chicago.

5 MS. CLAYTON: Danielle Clayton on behalf of the  
6 City of Chicago.

7 THE COURT: And I know we have the monitor and her  
8 team here. I wonder if you want to introduce yourselves.

9 MS. HICKEY: Yes, your Honor.

10 Maggie Hickey. I am the monitor. And I would like  
11 my team to go around and introduce themselves.

12 MR. HOERETH: Good afternoon.

13 Joe Hoereth with the monitoring team.

14 MS. RAMOS: Good afternoon.

15 Norma Ramos with the monitoring team.

16 MR. SEPÚLVEDA: Anthony-Ray Sepúlveda also with the  
17 monitoring team.

18 MS. DeCARLO: Meredith DeCarlo for the monitoring  
19 team, your Honor. Thank you.

20 MS. SANCHEZ: Ana Reyes Sanchez also with the  
21 monitoring team.

22 THE COURT: Okay. Good afternoon.

23 I know we have some lawyers with the coalition as  
24 well. I don't know whether you want to introduce yourselves.

25 MS. BEDI: Good afternoon, your Honor.

1 Sheila Bedi with the coalition.

2 MS. ANHOLT: Amanda Anholt with the coalition.

3 MR. FUTTERMAN: Good afternoon.

4 Craig Futterman also with the coalition.

5 THE COURT: Okay. Good afternoon, everyone.

6 MS. GARCIA: Good afternoon, your Honor.

7 Michelle Garcia with the coalition.

8 MR. LEVIN: Good afternoon, your Honor.

9 Joshua Levin with the coalition.

10 MS. BLOCK: Good afternoon, your Honor.

11 Alexandra Block on behalf of the coalition.

12 THE COURT: Okay. Good afternoon to all of you,  
13 and good afternoon to the members of the public who are with  
14 us and participating in this afternoon's hearing.

15 I have been asked to remind all of you something  
16 that I regularly need to be reminded of, and that is, please  
17 silence or actually turn off your cell phones. This would be  
18 a great time to actually power them down. And that's what I  
19 am doing, actually.

20 What we want to do this afternoon is hear from many  
21 of you. We do have an agenda that includes your names and  
22 kind of a general time frame.

23 Recall that we expect that your comments will be no  
24 longer than five minutes. And if people run over, we may  
25 have to kind of blow the whistle on you only for purposes of

1 fairness, to make sure that we finish in this afternoon's  
2 set-aside time, but also to make sure that everybody does get  
3 that chance to be heard.

4 I want to ask the monitoring team to begin by  
5 making some opening remarks.

6 Ms. Hickey.

7 MS. HICKEY: Yes, your Honor. Thank you.

8 Good afternoon and thank you.

9 My name is Maggie Hickey, and I'm the independent  
10 monitor of the consent decree. I'm here with a few members  
11 of my team that just introduced themselves.

12 And Anthony-Ray Sepúlveda is going to start us off  
13 this afternoon with a brief description of the consent decree  
14 process that brings us here to the court today, which is the  
15 Independent Monitoring Team's comprehensive assessment.

16 MR. SEPÚLVEDA: Good afternoon, your Honor.

17 We thank you for your time and attention to the  
18 consent decree this afternoon.

19 We also thank the members of Chicago's communities  
20 for attending and those listening in to today's important  
21 hearing.

22 Today we will hear from members of Chicago's  
23 communities to help inform our comprehensive assessment of  
24 the consent decree.

25 The consent decree requires the Independent

1 Monitoring Team to conduct this comprehensive assessment.

2 Originally this assessment was to begin after three  
3 years of the effective date. In March of 2022, however, the  
4 City of Chicago and the office of the Illinois Attorney  
5 General entered into a stipulation which, among other things,  
6 moved the start of the comprehensive assessment until after  
7 June 2023. Our assessment is ongoing.

8 In the coming weeks, we intend to file Independent  
9 Monitoring Report 8, which will include Part 1 of the  
10 comprehensive assessment.

11 Part 1 will have the compliance status for all  
12 original requirements, as well as the principal achievements  
13 and challenges facing the City's ability to reach full and  
14 effective compliance.

15 In the coming months, we will then provide a  
16 separate report, Part 2 of the comprehensive assessment,  
17 which will include whether the outcomes intended by the  
18 consent decree are being achieved.

19 In Part 2 we will consider whether any changes to  
20 the consent decree are necessary in light of changed  
21 circumstances or unanticipated impact or lack of impact of  
22 the consent decree requirements.

23 And finally, we will include our recommendations  
24 for any changes to the consent decree that we believe are  
25 necessary to accelerate full and effective compliance and

1 achieve and sustain the intended results.

2 After we file Part 1 and Part 2 of our  
3 comprehensive assessment, the City of Chicago and the office  
4 of the Illinois Attorney General, as the parties to the  
5 consent decree, will ultimately determine what modifications,  
6 if any, are made.

7 Thank you again, your Honor, and I will turn it  
8 back to Monitor Maggie Hickey for her opening remarks.

9 THE COURT: Before you step down, the comprehensive  
10 assessment that you are working on right now, you know, the  
11 next one --

12 MR. SEPÚLVEDA: Yes.

13 THE COURT: -- how will that compare in length to  
14 the ones that I have been reviewing?

15 MR. SEPÚLVEDA: This report, we are trying to keep  
16 the page number down, but it will likely be near 2,000 pages.

17 Our hope, however, is that one of the changes we  
18 make to the consent decree, if necessary, is a potential  
19 modification of the reporting process that makes those  
20 semiannual reports much more manageable and digestible for  
21 members of the community and the Court as well.

22 THE COURT: That's great. Thank you.

23 MR. SEPÚLVEDA: Thank you.

24 THE COURT: All right. Ms. Hickey.

25 MS. HICKEY: Thank you.



1           And the comprehensive assessment Part 2 will be  
2 much less than 2,000 pages.

3           THE COURT: Okay.

4           MS. HICKEY: I would like to take us a little bit  
5 back in history.

6           In August of 2017, the Office of the Attorney  
7 General alleged that the Chicago Police Department violated  
8 the constitution and the state and federal laws by engaging  
9 in a pattern of using excessive force, including deadly  
10 force, in a manner that disproportionately harmed Chicago's  
11 Black and Brown residents.

12           What resulted was the consent decree, which, as the  
13 Court has recognized, aims to ensure that the critically  
14 important job of policing in Chicago is done fairly,  
15 transparently, and without bias, affording dignity to those  
16 who are served and protected and proper guidance, training,  
17 and support for the women and the men who compromise the  
18 Chicago Police Department.

19           When Judge Dow entered the consent decree on  
20 January 31st, 2019, he acknowledged that the consent decree  
21 was not perfect and that at the time many public comments  
22 reflected sentiments that the consent decree did not go far  
23 enough, and some specific provisions of the consent decree  
24 have been criticized as either too strict or too lax.

25           Judge Dow also acknowledged that the consent decree

1 was a culmination of an enormous undertaking by the City of  
2 Chicago, the Chicago Police Department, many other city  
3 entities, the office of the Illinois Attorney General, the  
4 Court, and thousands of people who participated in the  
5 original fairness hearings and other community input.

6 In Judge Dow's words, the consent decree was an  
7 important first step toward needed reforms of the Chicago  
8 Police Department, including many provisions welcomed by the  
9 Chicago Police Department.

10 Since then, the parties to the consent decree, the  
11 City of Chicago, and the office of the Illinois Attorney  
12 General have entered several stipulations to the consent  
13 decree, clarifying and modifying dates, monitoring periods,  
14 and reforms.

15 This included, for example, the explicit addition  
16 of search warrants and most recently investigatory stops,  
17 protective pat downs, and enforcement of loitering  
18 ordinances.

19 The last time we were here before you, your Honor,  
20 we heard some community members that the latest stipulation  
21 perhaps did not go far enough and should have included  
22 traffic stops.

23 In fact, though, there have been many developments  
24 on that issue outside the consent decree. The consultant  
25 team for the Investigatory Stop, Protective Pat Down

1 Settlement Agreement between the City of Chicago and the ACLU  
2 reported that data regarding traffic stops and investigatory  
3 stop reports from 2014 to 2019 reflected that the rate of  
4 reported traffic stops rose as the rate of reported  
5 investigatory stops fell.

6 And, to be honest, your Honor, I actually was the  
7 head of the consultant team that did that report.

8 There has also recently been filed a lawsuit by the  
9 ACLU regarding traffic stops.

10 Likewise, this year, Impact For Equity, formerly  
11 BPI, and Free to Move released a report and several updates  
12 regarding the scope, impact, and inequities of traffic stops  
13 in Chicago.

14 For these reasons, we have asked community members  
15 to consider providing feedback on whether monitoring the  
16 CPD's traffic stop policies, trainings, and practices belong  
17 in the consent decree, or do they belong somewhere else?

18 If traffic stops were added to the consent decree,  
19 such requirements would be in addition to the many consent  
20 decree requirements that already impact all law enforcement  
21 decisions made by CPD and its officers.

22 For example, the consent decree requires the CPD to  
23 prohibit officers from improperly using race, ethnicity,  
24 color, or other protected classes when making any law  
25 enforcement decisions. That could be found in Paragraphs 55

1 and 56.

2           The CPD must also regularly improve the accuracy,  
3 reliability, and efficiency of its data collection, including  
4 the need to regularly review and revise its forms. That can  
5 be found in Paragraph 609.

6           The consent decree additionally requires the CPD to  
7 conduct random audits of body-worn and in-car camera  
8 recordings of incidents that involve civilian interactions to  
9 assess whether CPD officers are complying with CPD policy.  
10 That can be found in Paragraph 576.

11           And the Independent Monitoring Team may review and  
12 audit whether the CPD is enforcing the policies, procedures,  
13 orders, or directives required by or implemented by the  
14 consent decree found in Paragraph 643.

15           The Independent Monitoring Team does not take any  
16 recommended changes to the consent decree lightly. Chicago  
17 now has nearly five years -- or, to be exact, four years,  
18 eight months, and about 15 days -- of lessons learned within  
19 and outside the consent decree.

20           Since the start of the consent decree, Chicago has  
21 and is persevering through significant challenges, including  
22 a global pandemic, a worldwide spotlight on policing, and an  
23 ongoing migrant crisis, each of which has directly impacted  
24 the role the City of Chicago has asked the CPD officers to  
25 perform.

1 Chicago has also implemented new efforts that may  
2 redefine these roles, such as an ongoing CARE team  
3 initiative, which is the Crisis Assistance Response and  
4 Engagement teams, and the newly formed Community Commission  
5 for Public Safety and Accountability, neither of which  
6 existed in 2019 when the consent decree was first  
7 implemented.

8 We will continue to consider all input we receive  
9 regarding ways to best achieve full and effective compliance  
10 and the outcomes intended by the consent decree.

11 Ultimately our recommendations will reflect  
12 feedback from a host of sources, including the parties to the  
13 consent decree, the personnel responsible for the  
14 implementations, as well as Chicago's communities most  
15 impacted by the pace of reform.

16 Our recommendations will also be informed by the  
17 two citywide surveys and representative surveys that we have  
18 done to date, our meetings with community stakeholders, and  
19 today's public hearing.

20 The parties to the consent decree, the City of  
21 Chicago, and the office of the Illinois Attorney General,  
22 will then determine what modifications are made to the  
23 consent decree after reviewing our comprehensive assessment.

24 While the consent decree may not be perfect, we  
25 have the opportunity to make it better to best serve

1 Chicago's communities.

2 We look forward to hearing from the public speakers  
3 today. We also look forward to reviewing any written  
4 community feedback which the Court will be accepting through  
5 next Monday, October 23rd.

6 For those who have not yet submitted comments and  
7 would like to do so, there are instructions to submit  
8 comments in the Court's order setting this hearing as well as  
9 on our website. A shameful self-promotion, it is  
10 [www.cpdmonitoringteam.com](http://www.cpdmonitoringteam.com).

11 For those who are unable to speak today and who  
12 would be unable to provide written comments this week, we  
13 note that the consent decree requires additional channels for  
14 community input, including channels directly with the Chicago  
15 Police Department. And we, as the Monitoring Team, will  
16 continue to monitor and to report on the City and the CPD's  
17 efforts and ability to create, maintain, and utilize those  
18 opportunities for community input and engagement.

19 And as always, our website contains information on  
20 how community members may contact the Independent Monitoring  
21 Team with any ideas, feedback, or questions at the time. And  
22 we thank those community members and the stakeholders who  
23 have already reached out and met with them -- met with us.

24 And, again, I thank the parties, the Court, and the  
25 community members here today for their time and their

1 attention to the well-being of Chicago's communities.

2 Thank you, your Honor.

3 THE COURT: Thank you, Ms. Hickey.

4 I think the agenda calls now for a word from the  
5 Illinois Attorney General.

6 Ms. Meek.

7 MS. MEEK: Good afternoon, your Honor, Ms. Hickey,  
8 counsel, and members of the community.

9 My name is Amy Meek. I'm the chief of the Civil  
10 Rights Bureau at the Illinois Attorney General's office, and  
11 I represent the State of Illinois.

12 I'm joined by a number of attorneys on our team,  
13 two of whom will also give brief remarks.

14 Before I begin, I want to acknowledge that Chicago  
15 has a new police superintendent, Larry Snelling, who has  
16 pledged to bring about a significant increase in consent  
17 decree compliance over the next year.

18 We look forward to working with  
19 Superintendent Snelling to ensure that CPD takes the  
20 necessary steps to fulfill this commitment.

21 Accordingly, our remarks today will provide some  
22 updates on where things stand and offer a look forward and  
23 some recommendations for the future.

24 First, Kate Pannella will provide updates on some  
25 key issues in consent decree compliance.

1           Next, Bill Lowry will discuss some of the concerns  
2 that we have seen and heard from community members and  
3 stakeholders about CPD traffic stop enforcement.

4           And finally, I'll come back and offer some thoughts  
5 on possible improvements to the consent decree as part of the  
6 comprehensive assessment process.

7           THE COURT: Okay. Ms. Pannella.

8           MS. PANNELLA: Thank you, your Honor.

9           Good afternoon.

10          I'm Kate Pannella, an Assistant Attorney General in  
11 the Civil Rights Bureau.

12          I'm here today to provide an update on the status  
13 of consent decree implementation since our June hearing.

14          I will briefly comment on two matters: The status  
15 of important CPD policies that we have previously addressed  
16 with the Court and the Department's staffing allocation  
17 priorities.

18          First I want to acknowledge that we have seen  
19 progress from CPD in completing policies required by the  
20 consent decree.

21          Of the policies that we have previously highlighted  
22 for your Honor, I am pleased to share that the Department has  
23 finalized and implemented its policy prohibiting sexual  
24 misconduct.

25          In addition, the Department has been engaged in



1 collaborative processes to develop its policy mandating the  
2 use of body-worn cameras, its policies governing the  
3 execution of search warrants, and its policy governing  
4 interactions with youth.

5 In the development of these policies, CPD has shown  
6 willingness to engage with stakeholders and consider and  
7 accept constructive feedback. These are positive  
8 developments.

9 There are, however, key policies required by the  
10 consent decree that CPD still needs to get over the finish  
11 line.

12 In the coming months, CPD should prioritize  
13 completing its policies in these three essential areas:

14 One, ensuring meaningful access to police services  
15 for individuals with limited English proficiency.

16 Two, interacting with individuals with  
17 disabilities.

18 And, three, investigating officer-involved  
19 shootings and deaths.

20 All of these policies are foundational to the  
21 consent decree. Finalizing these policies is critical so  
22 that CPD can train officers on them and start incorporating  
23 the policies into actual practice. We look forward to  
24 working with the monitor and CPD in the coming months to get  
25 these foundational policies done.

1           In addition, it's important to recognize that the  
2 principal achievements of consent decree implementation to  
3 date have been in the form of revised written policies, the  
4 first of three levels of compliance. For many Chicagoans,  
5 these written policies have not translated into improved  
6 experiences with CPD officers in their neighborhoods and  
7 communities. Policies are essential, but CPD must not allow  
8 itself to define reform that way.

9           Everyone's eyes must remain on the ultimate goal,  
10 which is a police department that walks the walk; a  
11 department that embodies its core values of procedural  
12 justice, deescalation, impartial policing, and community  
13 policing, not just in word but in deed.

14           Secondly, our office continues to be alarmed at the  
15 City's and CPD's yearslong failure to prioritize police  
16 reform in their staffing allocation decisions.

17           In meeting after meeting, week after week across  
18 the divisions of CPD that are tasked with the nuts and bolts  
19 of consent decree implementation, our team and the Monitoring  
20 Team hear about staffing shortages.

21           The Office of Community Policing; the Crisis  
22 Intervention Unit; the Tactical Review and Evaluation --  
23 excuse me -- and education division, or TRED; the training  
24 support group; and reform management are all critically  
25 understaffed.

1           Furthermore, among the staff who remain in these  
2 divisions, officers are frequently deployed to other tasks.  
3 As a result, critical reforms have gone unfulfilled for  
4 months or even years.

5           For example, at the public hearing in November of  
6 last year, we informed your Honor of our concerns about the  
7 ongoing TRED backlog due to inadequate staffing.

8           TRED is tasked with reviewing incidents where an  
9 officer uses force or points a firearm at a person. This  
10 work is as close to the core focus of the consent decree as  
11 it gets.

12           TRED provides feedback to officers and supervisors  
13 about their tactics, analyzes use-of-force data, and  
14 identifies trends and concerns to be addressed through policy  
15 change or training.

16           In other words, TRED is supposed to be an engine  
17 that pushes the policies on paper out into actual practice.  
18 But TRED has long had insufficient staffing to complete its  
19 critical work, leading to ongoing backlogs that hamstring its  
20 ability to identify and respond to trends.

21           Unfortunately, over the last year, this has not  
22 changed. TRED staffing has stagnated, CPD continues to  
23 deploy TRED officers out to other tasks, and the backlog of  
24 reviews is as large as ever.

25           As we have noted in the past, this is an issue of

1 resource allocation and prioritization, not overall funding  
2 or staffing levels.

3           While the Department is smaller now than it used to  
4 be, CPD still has a much higher ratio of sworn officers to  
5 civilian employees than typical among U.S. law enforcement  
6 agencies and a higher number of police officers per capita.

7           The City and CPD must finally undertake their long  
8 overdue staffing study to examine and make recommendations  
9 regarding the use of its personnel.

10           Here, too, the City and CPD must walk the walk by  
11 demonstrating to the community through their staffing  
12 allocation decisions that their priorities actually lie where  
13 they say they do.

14           The State is hopeful that, with new leadership, the  
15 City and the police department are poised to make critical  
16 decisions that can make reform a reality for the people of  
17 this city. This must include prioritizing critical and  
18 long-awaited policies and prioritizing the allocation of  
19 resources to reform.

20           The comprehensive assessment presents an  
21 opportunity to prioritize department work oriented to public  
22 safety and community trust while improving officer workloads  
23 by identifying alternative responses to issues such as mental  
24 health crises and low-level traffic violations.

25           On the issue of traffic stops, Bill Lowry will now

1 offer some remarks for our office.

2 Thank you.

3 THE COURT: Thank you, Ms. Pannella.

4 Mr. Lowry.

5 MR. LOWRY: Thank you, your Honor.

6 Your Honor, good afternoon. And good afternoon to  
7 all the members of the community who have taken their time  
8 today to be here and take part in this hearing.

9 My name again, your Honor, is Bill A. Lowry, Jr.

10 I'm an Assistant Attorney General with the Civil Rights  
11 Bureau of the Office of the Attorney General and also a proud  
12 lifelong Chicago South Sider.

13 And with that, I want to say it's a privilege to be  
14 here speaking with you and to all the members of the  
15 community.

16 As we seek community input, your Honor, on this  
17 comprehensive assessment and on the specific issue of how to  
18 address the use of traffic stops, we want to also look at  
19 whether that includes the monitor recommending specific  
20 consent decree provisions to govern traffic stops. I'm here  
21 to give a little bit more information on that history and on  
22 traffic stops in Chicago.

23 First a little background.

24 Since 2016, data shows that there has been a  
25 dramatic increase in the number of traffic stops conducted by

1 CPD while at the same time the use of pedestrian stops or  
2 investigatory stops, your Honor, has declined.

3 The majority of CPD's traffic stops since 2016,  
4 your Honor, have been for licensing, registration, equipment  
5 violations, or minor type of things, but not for moving  
6 violations, things like speeding, things typically associated  
7 with roadway safety directly.

8 Now, the huge growth in traffic stops by CPD has  
9 not produced a comparable improvement in public safety.

10 The data shows that only a small fraction of CPD's  
11 traffic stops now result in a citation and a far smaller  
12 share, your Honor, than in our cities where we see a higher  
13 percentage of citations leading from traffic stops. And that  
14 share has continued to fall in the subsequent years since  
15 2016.

16 Now, while the benefits of the overreliance on  
17 traffic stops have been difficult at times to see, the costs  
18 of this approach have become clear based on the data.

19 After several years of data, it is indisputable  
20 that the ballooning use of traffic stops has caused a couple  
21 of real harms.

22 First, your Honor, traffic stops disproportionately  
23 impact Black and Latino drivers in the city of Chicago. This  
24 disproportionality is not explained, however, by demographics  
25 of high-crime areas.

1           So essentially, the data shows that there is a  
2 higher concentration of traffic stops in majority Black and  
3 Latino districts and neighborhoods than there is actually in  
4 high-crime districts and neighborhoods.

5           Secondly, your Honor, Black and Latino drivers are  
6 more likely than White drivers to be searched or asked by an  
7 officer for consent to search even though the data has shown  
8 that there is a higher chance and probability of contraband  
9 being recovered when searching White drivers.

10           And then, third, use-of-force incidents, your  
11 Honor, happen most often during traffic stops compared to any  
12 other type of policing activity. And, thus, since Black and  
13 Latino drivers are more likely to be stopped via traffic  
14 stop, they are also more likely to be subject to use of force  
15 than non-White drivers and any other demographic.

16           The use of traffic stops has come at a high cost  
17 for both Black and Latino drivers in Chicago. Over the last  
18 year, we have heard repeatedly from community members at  
19 hearings like this, as well as the IMT's community survey  
20 about the trauma, the pain, the mistrust caused by the  
21 repeated traffic stops happening in Chicago.

22           We have heard testimony about how it feels to be  
23 stopped, to be disrespected, or treated a certain way over  
24 and over again just while driving in your own city.

25           We have heard that even so-called routine traffic

1 stops can, at times, feel like an assault of various natures  
2 when you are patted down and searched for contraband without  
3 reason to do so or proper reason to do so.

4 Now, with that said, there is clearly plenty of  
5 work to do -- to be done to address this issue, your Honor.  
6 We look forward to hearing from the community members about  
7 whether and how the consent decree can contribute to these  
8 important efforts of reform for CPD's use of traffic stops.  
9 This work does not happen and cannot happen without hearing  
10 from those most affected.

11 We appreciate the community members being here, and  
12 we look forward to hearing their thoughts, which will help  
13 guide our next steps.

14 With that, your Honor, I will turn it back over to  
15 Ms. Amy Meek, who will conclude with some more thoughts on  
16 the comprehensive assessment.

17 THE COURT: Thank you.

18 Ms. Meek.

19 MS. MEEK: Thanks, Bill.

20 Your Honor, traffic stops are just one of the  
21 categories of issues that we anticipate may be addressed in  
22 the monitor's comprehensive assessment.

23 Under Paragraphs 657 through 659 of the consent  
24 decree, which lay out the terms of the comprehensive  
25 assessment, the monitor's recommendations should address



1 whether modifications to the consent decree are necessary  
2 either in light of changed circumstances or the unanticipated  
3 impact or lack of impact of the requirement since the consent  
4 decree began.

5           Recommendations should cover the areas of greatest  
6 concern as well as progress and lay out strategies for  
7 accelerating full and effective compliance.

8           Now, we all know that progress on the consent  
9 decree has been far too slow, and the comprehensive  
10 assessment offers an opportunity to make the necessary  
11 changes to help speed this process along.

12           We look forward to hearing more from community  
13 members today and in the coming months about what changes  
14 they think should be made to the consent decree and how they  
15 see those issues as being prioritized.

16           Drawing on our experience over the last four years,  
17 our team has also provided some initial suggestions to the  
18 monitor. They include three broad categories:

19           One is process changes to improve efficiency.

20           Two is strategies to set priorities and move away  
21 from a check-the-box approach.

22           And three are substantive suggestions to address  
23 changed circumstances and changes in best practices.

24           And I will touch on each of these very briefly in  
25 turn.

1           First of all, we agree with the monitor that there  
2 are changes to the process that would help make the reports  
3 and assessments from the monitor simpler, shorter, and more  
4 accessible to the public now that all paragraphs are under  
5 assessment.

6           THE COURT: I'm smiling because Ms. Hickey is  
7 nodding.

8           (Laughter.)

9           MS. MEEK: As you heard, the monitor's reports are  
10 typically well over 1500 pages long, and that's an unintended  
11 consequence of the requirement to include a description of  
12 compliance for each of the hundreds of paragraphs that are  
13 assessed during the monitoring period.

14           So we think that a clarification allowing the  
15 monitor to use a table perhaps that summarizes compliance  
16 with these hundreds of requirements instead of a narrative  
17 description for each one would help streamline the reports.

18           Now, when it comes to the monitoring and assessment  
19 process, we think that improvements could be made to  
20 incentivize focusing on priority issues rather than a  
21 check-the-box approach.

22           Instead of summarizing the City and CPD's progress  
23 based on the percentage of all paragraphs and preliminary,  
24 secondary, or full compliance, which can inadvertently  
25 reinforce this check-the-box approach with the percentages,

1 we suggest that the monitoring plan be used to identify a set  
2 of priority groups of requirements for assessments as a focus  
3 for each upcoming monitoring period.

4 For those priority groups of requirements, we  
5 suggest allowing for compliance assessments to be expedited  
6 if the Chicago and CPD meet the requirements and potentially  
7 allowing for expedited enforcement if they do not.

8 Public hearings and the City's status report could  
9 also be used to report out on progress with these specific  
10 identified priority groups of requirements.

11 Now, on the topic of substantive changes to the  
12 consent decree, we have identified several areas in which  
13 circumstances have evolved since the consent decree was first  
14 entered. Of course, as you have heard, CPD's increased use  
15 of traffic stops is one such area.

16 Other changing strategies include the evolving use  
17 of specialized units, such as gang and narcotics teams and  
18 roving citywide units.

19 And then, as you have heard, when it comes to  
20 crisis calls, the City's increasingly prioritizing nonpolice  
21 responses through programs like CARE, suggesting that a  
22 similar shift in focus may be necessary for the consent  
23 decree.

24 Similarly, we think recommendations could address  
25 evolving best practices around diversion, deflection, and

1 reducing unnecessary police contact for youth and for  
2 low-level offenses.

3 And last of all, the comprehensive assessment  
4 should recognize that, in the four years since the consent  
5 decree was entered, there has been substantial progress in  
6 establishing independent City entities that can begin to play  
7 a larger role in oversight responsibilities for the CPD.

8 As the Office of the Inspector General reaches the  
9 end of its two-year period of full and effective compliance,  
10 it can begin to take on more CPD audits and compliance  
11 reviews in coordination with the monitor.

12 Similarly, we look forward to closer coordination  
13 with a new Community Commission for Public Safety and  
14 Accountability, or CCPSA, which did not exist when the  
15 consent decree was first entered.

16 Coordination with CCPSA on its policymaking and  
17 goal-setting powers will allow that entity to fulfill its  
18 purpose of helping to bring the City into compliance with the  
19 consent decree as soon as is practicable.

20 So to close, your Honor, we look forward to hearing  
21 more from community members about their concerns and their  
22 recommendations today.

23 And at our next hearing we plan to provide updates  
24 about how we've considered this input and where we stand with  
25 progress on the consent decree and police reform in Chicago.

1 THE COURT: Thank you.

2 All right. We are almost exactly on time.

3 Hearing next from Ms. Bagby on behalf of the City.

4 (Brief pause.)

5 THE COURT: Ms. Bagby, I'm sorry. Go ahead.

6 MS. BAGBY: Good afternoon.

7 My name is Jennifer Bagby, and I am the Deputy  
8 Corporation Counsel for the Public Safety Reform Division of  
9 the City's Department of Law. I am one of the attorneys  
10 representing the City in the consent decree litigation.

11 I'm joined today by Chief Angel Novalez, who is the  
12 chief of the Chicago Police Department's Office of  
13 Constitutional Policing and Reform.

14 And I'm also joined by Assistant Corporation  
15 Counsel Danielle Clayton, who's also one of the attorneys  
16 representing the City in this matter.

17 We have many other members of CPD and the City  
18 listening in today to hear what the community has to say in  
19 terms of their lived experience with the consent decree.

20 And, as always, the City and CPD appreciate the  
21 opportunity to update the Court on their work, on our work  
22 and progress and to hear concerns from community members.

23 Since our last public hearing, the City and CPD  
24 have continued the work of reform, including collaboration  
25 with the mayor's office and CPD on community engagement

1 events related to CPD's search warrant policies,  
2 implementation of CPD's use of force policy suite,  
3 implementation of CPD's prohibition of sexual misconduct  
4 policy.

5 CPD is currently involved in its mandatory 40-hour  
6 annual in-service training for 2023, which includes the  
7 following in-person courses in constitutional policing:  
8 Deescalation and use of force, officer wellness, and fair and  
9 impartial policing.

10 CPD continues to work on pedestrian investigatory  
11 stops that were added to the consent decree by producing the  
12 suite of policies and forms as required by Paragraph 868 and  
13 by working through the review of preexisting investigatory  
14 stop reports as required by Paragraph 854.

15 And the City and CPD continue to work on youth  
16 diversion opportunities collaboratively across multiple city  
17 entities and continue to work on youth engagement and  
18 interaction opportunities.

19 As noted, the Office of Inspector General nears the  
20 completion of its sustainment period under the consent  
21 decree, and the City will soon move to terminate them from  
22 the consent decree.

23 And the Police Board is also nearing the completion  
24 of its reporting obligations under the consent decree.

25 This represents just some of the efforts ongoing

1 across numerous City entities, including CPD, OEMC, COPA, the  
2 Police Board, the Office of Inspector General, and the  
3 mayor's office.

4 All of these efforts are being carried out by  
5 hardworking and dedicated City employees who are doing the  
6 work of reform while continuing to meet the needs of Chicago  
7 residents, including addressing the needs of migrants and  
8 asylum seekers, all while planning and preparing for the 2024  
9 Democratic National Convention.

10 And to address some of the specific issues raised  
11 by the Attorney General's office in terms of TRED and its  
12 staffing, since we last appeared before your Honor in June,  
13 there has nearly been a tripling of the staffing in TRED. So  
14 their numbers have increased. And their deployments over the  
15 summer were limited only to very large-scale city events,  
16 such as NASCAR.

17 Additionally, in terms of the language -- I'm  
18 sorry -- the Limited English Proficiency policy and the  
19 disability policies, the City and CPD recognize the  
20 importance of these policies and have been working behind the  
21 scenes to both ensure the policies and meet the requirements  
22 of the consent decree but also the needs of the public and  
23 the Department.

24 And specifically, as to the monitor's required  
25 comprehensive assessment, the City has focused many of its

1 recommendations on ways to improve the consent decree process  
2 so that the ongoing work of reform and the progress being  
3 made by CPD and all City entities can be seen sooner and felt  
4 by the community sooner.

5 We thank you for this opportunity to provide this  
6 update to the Court and the community, and we thank the  
7 community for taking the time to come here and to share their  
8 feedback with us.

9 Thank you.

10 THE COURT: Thank you, Ms. Bagby.

11 I think we are just a little ahead of the game, but  
12 I am happy to hear now from the coalition.

13 MS. ANHOLT: Good afternoon, your Honor. Thank you  
14 for allowing us here today.

15 I'm going to split the coalition's time this  
16 afternoon with my colleague, Sheila Bedi.

17 This consent decree was entered because of the  
18 urgent need to stop well-established patterns and practices  
19 of police violence in Chicago.

20 We are five years into the process, millions of  
21 dollars spent, but still only have full compliance with a  
22 very small percentage of the terms.

23 At the public hearing back in June, the Court heard  
24 from the City's former Inspector General that the consent  
25 decree's performance was faltering to such a degree that an



1 absence of a hard methodological and operational reset, it is  
2 likely to fail.

3 That faltering has been demonstrated time and again  
4 at these hearings from the testimony of community members,  
5 who have shared their experience with the hope that it will  
6 impact the work that comes out of this decree.

7 The comprehensive assessment process is a crucial  
8 opportunity to do this resetting that's needed.

9 And first, we need to start with how we measure  
10 progress under the decree. It needs to be based on what's  
11 happening in police interactions in our communities, not  
12 based on the number of policies that have been revised.

13 Has there been a decrease in police violence? Have  
14 racist and biased police practices that brought us here been  
15 impacted by the decree? We're still not talking about those  
16 central questions.

17 The consent decree should be modified to require  
18 numeral targets to show whether and how racial disparities in  
19 policing are being addressed.

20 It should include quantifiable outcome-based  
21 measures to be added throughout the decree, including as to  
22 use of force, gun pointing, home raids, and other areas.

23 Where barriers to compliance have been identified,  
24 we need to either find different approaches or make more  
25 specific requirements to compel progress.

1           For example, we have heard here today from the  
2 Attorney General's office about the insufficient staffing  
3 really impairing progress. And, of course, we have heard  
4 that time and time again in each of the monitor's reports,  
5 that insufficient staffing of units, like constitutional  
6 policing and crisis intervention that are crucial for consent  
7 decree performance, are stopping meeting the objectives.

8           So a change needs to be made. That change could be  
9 made by adjusting the terms to force CPD to prioritize these  
10 staffing needs that it has not prioritized or to take a new  
11 approach.

12           If we can't have an operational and appropriate  
13 crisis intervention strategy, then maybe we need to take new  
14 approaches to decrease police involvement in those, for  
15 example.

16           We also need to operationalize the consent decree  
17 terms that we have. We need accountability to those terms.  
18 And continued noncompliance cannot be tolerated any longer  
19 under this decree.

20           If the City does not meet timelines and benchmarks  
21 for performance, then the IMT and the Court need to be able  
22 to hold them accountable and enforce the consent decree to  
23 move us towards progress.

24           Another operational change that is needed is that  
25 impacted communities must be at the table in this consent

1 decree work, not relegated to giving input into a process  
2 that occurs behind closed doors.

3           Too often the community coalition has been  
4 sidelined in the consent decree work despite offering  
5 extensive expertise and lifetimes of experience in Chicago's  
6 most impacted communities.

7           The consent decree should be modified to require  
8 transparency and require meaningful community engagement.  
9 With that, the decree can gain legitimacy and become more  
10 effective, as its work must be tethered to the realities in  
11 impacted communities.

12           The ongoing problems with police responses to  
13 people with disabilities, including on calls for mental and  
14 behavioral health issues, illustrate the importance of  
15 resetting how the consent decree is working.

16           As your Honor is aware, people with disabilities,  
17 particularly people of color with disabilities, are  
18 disproportionately impacted by police violence. And today,  
19 they are still being met with aggression by police officers.  
20 Force is used too quickly without consideration for other  
21 options, and disability is not considered.

22           Just the other day, we had a client with mental  
23 illness -- a young client with mental illness who had the  
24 police respond to a call for help only to wind up tasered,  
25 arrested, and criminally charged.

1           The consent decree is not getting the job done. We  
2 don't have accurate data from the Department on disability,  
3 much less the data analysis that the consent decree requires.

4           In fact, as you have heard, we still don't even  
5 have a policy on disability, which was due approximately four  
6 years ago.

7           Even in the area of the Crisis Intervention  
8 Program, while the policies have been revised there multiple  
9 times over, they still don't reflect or require adherence to  
10 the purposes of that program. The purpose of crisis  
11 intervention is not to simply train officers. It's to get  
12 different outcomes to reduce criminalization of people with  
13 mental illness.

14           But instead, we are simply counting the forms that  
15 get completed or whether the officer went to the training.  
16 But did the training get a better result, a different  
17 outcome? That's what we need to be looking at.

18           There must be modifications to the degree to find a  
19 methodology that works and requirements that the Department  
20 can be held accountable to.

21           Before I turn it over to Shelia Bedi, I just want  
22 to note that we are also asked to address here today whether  
23 the scope of this consent decree should be expanded to  
24 include the very significant problems with traffic stops in  
25 Chicago. The Court will hear today about some of the many

1 diverse and differing views of community members on that  
2 issue.

3           There is no question that something needs to be  
4 done about traffic stops, but there are really significant  
5 questions about whether this consent decree at this time is  
6 the appropriate place and how that would be done.

7           We appreciate the IMT's leadership in this area and  
8 the work of the Attorney General's office and the City to  
9 consider these issues.

10           Ms. Bedi is now going to complete the coalition's  
11 remarks.

12           Thank you.

13           THE COURT: Thank you.

14           MS. BEDI: Thank you, your Honor.

15           My name is Shelia Bedi. I am one of the attorneys  
16 that represent the coalition in this matter. I represent the  
17 Campbell plaintiffs in the coalition.

18           As this Court has heard in every public hearing  
19 that we have held, despite the millions of taxpayer dollars  
20 invested in this process; despite the thousands of hours that  
21 CPD officials, City officials, attorneys, and, most  
22 importantly, Black and Brown people most affected by police  
23 violence have spent trying to make this consent decree real,  
24 it has still failed to actualize in real significant change.

25           We saw proof of that during the summer of 2020 when

1 thousands of people took to the streets to protest racist  
2 police violence, and CPD responded with unlawful racist  
3 police violence.

4           Hundreds of officers were caught on tape violating  
5 CPD policy. To this day, less than a dozen have faced any  
6 disciplinary consequences.

7           We saw more proof of that when people came before  
8 this Court and told heartbreaking stories of home invasions  
9 conducted by CPD, raids that have imposed a lifetime of  
10 trauma and harm.

11           And again more recently we saw proof of the consent  
12 decree's failures when people came before this Court and  
13 talked about the harm CPD inflicts on them during police  
14 encounters, stops, and frisks.

15           People are feeling under siege in their own  
16 neighborhoods and homes, experiencing assaults, humiliations,  
17 and targeted racism because the City of Chicago has failed to  
18 make the promises of this consent decree real.

19           As Ms. Anholt mentioned, the consent decree must be  
20 amended to contain clear, objective, measurable goals and  
21 outcomes.

22           I'm going to briefly summarize four changes that  
23 need to be made to accomplish this goal. This isn't an  
24 exhaustive list, but these are some of the most important  
25 provisions.

1           With regards to use of force, CPD's own data shows  
2 that use of force is on an upward trajectory. The decree  
3 must be amended to clearly require that CPD engage in  
4 policing practices that will markedly reduce the use of  
5 violence against community members.

6           The consent decree already contains a provision  
7 that requires the use of deescalation whenever safe and  
8 feasible, but there's no way to measure compliance with this  
9 objective given the current terms of the consent decree.

10          That's why the decree should be modified to  
11 incorporate terms from the New Orleans police consent decree  
12 that require officers to deescalate force at the very  
13 earliest possible moment, require officers to use  
14 disengagement, waiting out a subject, or calling in  
15 specialized units to avoid force whenever possible, and also  
16 recognize that unholstering and pointing a gun at an  
17 individual is a reporter use of force.

18          The consent decree should also be modified to  
19 require officers to report on their efforts to deescalate in  
20 any use of force reporting.

21          As Ms. Meek mentioned, unnecessary police  
22 interactions underscore so much of the violence the community  
23 members experience at the hands of CPD. And the consent  
24 decree fails to address that harm and also fails to connect  
25 the dots between these unnecessary interactions and

1 unnecessary use of force. This is a problem that has been  
2 well-documented by the Department of Justice, the Police  
3 Accountability Task Force, and more recent COPA complaints.

4           What all of these documents do is demonstrate that  
5 CPD officers will enter into routine situations with  
6 aggressive, hostile demeanors, often using racially charged  
7 language, and they are making tactical errors that escalate  
8 the situation and result in uses of force.

9           The consent decree should be modified to address  
10 this problem by, one, developing diversion programs for minor  
11 quality-of-life-related offenses and community disputes; and,  
12 two, eliminating the financial incentives that police have to  
13 unnecessarily escalate encounters.

14           The Ferguson Police Department consent decree  
15 provides a really good model for us to follow here. That  
16 decree requires the development of mediation programs that  
17 will promote lasting resolutions of appropriately selected  
18 disputes among community members while reducing the need for  
19 involvement with the criminal legal system.

20           Similarly, the Baltimore consent decree requires  
21 that officers apply a least intrusive test prior to  
22 interacting with community members. Officers are required to  
23 use the least intrusive response appropriate under the  
24 circumstances. And the consent decree provides very explicit  
25 language, direction to these police officers, informing them



1 that a verbal warning is going to be -- and counseling is  
2 preferable to a citation, and a citation is preferable to a  
3 custodial arrest.

4           These are the types of interventions that could be  
5 used when community members are thought to have engaged in  
6 offenses like disorderly conduct, vandalism, simple assault  
7 in some cases, and could significantly reduce the harmful  
8 police interaction that often results when police officers  
9 suspect those offenses.

10           With regard to the financial incentives, in 2017,  
11 the Chicago Inspector General found that CPD officers engage  
12 in the practice of trolling. And that occurs when officers  
13 actively seek traffic, disorderly conduct, or other  
14 violations at the end of their shift, or they make an arrest  
15 at the end of their shift, escalating a situation that they  
16 would otherwise have the discretion to just walk away from.

17           When this happens, officers are making one and a  
18 half times their regular hourly rate, when they are  
19 accumulating these trolling-related overtimes. This is a  
20 perverse incentive that does little to improve  
21 police-community relationships and serves to escalate  
22 situations where excessive force can happen. Since 2017,  
23 CPD's failed to put in place appropriate checks and balances  
24 to address this harm.

25           Next I'm going to talk about survivors of police

1 violence.

2 This Court has heard significant testimony about  
3 the harm CPD has imposed on our communities since the consent  
4 decree has been in place.

5 In short, people are hurting deeply, and they are  
6 hurting because of CPD's refusal to vigorously implement the  
7 letter and the spirit of this decree.

8 But the decree is silent on CPD's obligations  
9 toward those it harms. Instead, we have heard stories of CPD  
10 officers, we have seen video of CPD officers covering up  
11 their badges and mocking those who they have mistreated.

12 To redress this harm, the consent decree should be  
13 modified to require that the City of Chicago put in place  
14 obligations that police officers are respectful towards  
15 survivors and their family members, provide trauma-informed  
16 services to survivors of police harm, and provide survivors  
17 with information relative to the investigation of any police  
18 misconduct.

19 Finally, with regard to community engagement, CPD's  
20 continuing, ongoing refusal to engage with the Black and  
21 Brown communities most affected by police violence and  
22 misconduct as required by the consent decree is one of the  
23 reasons why this decree is failing to make the change that's  
24 necessary.

25 In the words of the independent monitor in her

1 sixth report, CPD's struggle with community engagement and  
2 community involvement in policy processes prevents community  
3 members from effectively and meaningfully participating at  
4 all.

5           And what's most frustrating about this is that  
6 there are successful models for community engagement. It  
7 appears that CPD is refusing to engage in those successful  
8 models because they are legitimate, because they actually do  
9 produce meaningful engagement.

10           An example of this is the Use of Force Working  
11 Group. In that Use of Force Working Group, CPD members,  
12 family members of those who were murdered by CPD, attorneys  
13 for the City, attorneys for the coalition, and other  
14 interested and affected community members got together and  
15 worked on the use of force policy suite.

16           This process was difficult and challenging, but  
17 everyone in that space was in there because of their  
18 commitment to ending CPD harm.

19           The consent decree community engagement provisions  
20 must be amended to require the development of working groups  
21 that will bring together people who have differing views and  
22 life experiences along with an urgent timetable and  
23 compensation for community members who are volunteering their  
24 time for this process.

25           Community engagement provisions are going to

1 continue to fail for so long as CPD refuses to engage with  
2 its critics.

3 We have to make the most of this moment to  
4 strengthen the consent decree, to make it the first consent  
5 decree in the U.S. where people who are most impacted by  
6 police violence are full and equal participants, and that has  
7 to be priority number one as we enter this next phase  
8 together.

9 The fact that in this most recent quarterly report  
10 Monitor Hickey wrote -- and I'm quoting here -- that, "There  
11 is significant concerns regarding the CPD's commitment to  
12 have constitutional policing and reform efforts lead its  
13 crime-fighting strategies demonstrates that this entire  
14 process needs a significant overhaul, and that overhaul needs  
15 to begin with modifying these consent decree provisions."

16 Progress cannot be measured by how many sheets of  
17 paper CPD passes long to the monitor but by urgent and  
18 meaningful reductions in CPD's harmful interactions with  
19 members of our community.

20 Thank you, your Honor, for the opportunity to share  
21 these recommendations with you. We will be submitting more  
22 detail in our brief.

23 THE COURT: That's great.

24 All right. We are just a couple of minutes before  
25 2:00 o'clock, but I think we can go ahead and get started

1 with hearing from community members who have signed up to be  
2 heard this afternoon.

3           What I think we will do is call them in the order  
4 they appear in this agenda that I have, recognizing that if  
5 somebody is not here or isn't quite ready, we may have to  
6 shift people around.

7           The first speaker who's scheduled to be heard this  
8 afternoon is Nancy Rodriguez. Is Ms. Rodriguez here?

9           Great. If you want to step up to the podium, that  
10 would be great. It's helpful to everyone if you repeat your  
11 names. I'll be saying it, but it's helpful for my court  
12 reporter if you repeat your name when you step up.

13           MS. RODRIGUEZ: Thank you for having me.

14           My name is Nancy Rodriguez, and I have a master's  
15 in social work. I have been living in the same place for 34  
16 years. And I've seen the repeated pattern over and over in  
17 crimes, and I've done research on a lot of stuff.

18           So the first thing I want to say is, to live in a  
19 poor neighborhood means it is likely that residents will  
20 often witness multiple law violations on a daily basis or  
21 often due to organized crime out of governmental adequate  
22 control.

23           Police have even less control of violators when  
24 they have before them many completed agreements or consent  
25 decrees authored or supported by advocates, organizations,

1 legislators, the mayor, state attorney, Chief Judge,  
2 et cetera. Lack of police and judge attention also  
3 influences negative outcomes.

4 Government cannot jail a DCFS worker, for example,  
5 for lack of investigation when the government doesn't have  
6 adequate funding for investigators, including the Chicago  
7 Police Department.

8 So we have a lot of cases that go uninvestigated,  
9 and people get victimized in a long list of ways, but yet  
10 they are targeting a DCFS worker for a lack of investigative  
11 duties. We don't even have investigations at all from any  
12 Chicago police cases.

13 And then one thing that I have mentioned to the  
14 Chicago police is, we have a felony habitual offender's book.  
15 We don't have a habitual misdemeanor offenders.

16 I have seen many criminal backgrounds where people  
17 have, like, 30 arrests. And it makes me wonder, what kind of  
18 system do we have when we don't even hold accountable those  
19 people that have so many arrests, and they have -- they are  
20 that habitual misdemeanor offenders?

21 How do they get away with these kind of crimes?  
22 It's because there's no investigations. And I know myself  
23 from so many police reports that I have taken over the  
24 30-plus years -- and I still have those police reports --  
25 that there really is no investigations for most crimes.

1           And organizations like Wirepoints does document  
2 those things, that we have people -- out of the thousands of  
3 crimes that occur every year, only 5 percent of people get  
4 arrested. And of that 5 percent, God knows what percentage  
5 is actually convicted. It could be 1 percent. It could be 2  
6 percent.

7           So really anywhere from 95 to 99 percent -- a lot  
8 of people won't get convicted for all of the things that  
9 happen in Chicago.

10          And a lot of advocates that are advocating for --

11          (Brief pause.)

12          MS. RODRIGUEZ: A lot of advocates don't live in  
13 these poor neighborhoods, so they don't really know what goes  
14 on. It's easy for them to say, let's protect these  
15 offenders.

16          And it's very easy to say, there's high crimes in  
17 this -- high traffic stops in this area and lower in this  
18 area, but you can't compare the two because they don't offer  
19 any facts that that one with the lower rates of stops has the  
20 equal amount of crimes as the one with the high crimes.

21          Show the facts. Show the videotapes of police that  
22 they do every day. Show the proof that they are actually  
23 doing the same amount of crimes. And unless you live in my  
24 type of neighborhood, which is poor, you won't know.

25          And everyone knows that the police response is very

1 late, including for high-priority cases. We don't really  
2 have a police response. By the time they get there, the  
3 perpetrator is long gone.

4 A lot of cases don't have their names. They don't  
5 know. They have to actually catch them to know who to  
6 arrest.

7 And then you get sent to the warrants department  
8 because the police department don't have the staff to  
9 actually go looking for the offenders, even if you give them  
10 an address or whatever. So it's a lot of inadequacies.

11 Maybe in the next meeting I'll be able to say more,  
12 but I do have writing that I will tender.

13 THE COURT: That's great. You and everyone are  
14 permitted to make your written submissions as well.

15 MS. RODRIGUEZ: Thank you.

16 THE COURT: So thank you, Ms. Rodriguez.

17 Our next speaker scheduled is Arewa Karen Winters.

18 Ms. Winters, I see you are here. If you could step  
19 forward. And, again, if you don't mind repeating your name,  
20 because I'm not sure I pronounced everybody's name correctly  
21 either.

22 MS. WINTERS: Good morning, your Honor. Thank you,  
23 Judge Pallmeyer.

24 It's Arewa Karen Winters, founder of The 411  
25 Movement for Pierre Loury, Campbell plaintiff, Chicago



1 consent decree coalition member.

2           So I just want to talk about a few things. I  
3 don't -- this is just me brainstorming, so I don't know  
4 absolutely how this should tie in. But I just want to  
5 reiterate the work around the working groups and how they are  
6 so important.

7           In the consent decree, there are 13 -- should be 14  
8 areas where we should have had working groups. These working  
9 groups really allow for authentic community engagement.

10           So we should have had a working group for community  
11 policing, impartial policing, crisis intervention, which we  
12 did have one for use of force. It should have been one on  
13 recruitment, hiring and promotions, promotion supervision,  
14 training, officer wellness and support, accountability,  
15 transparency, data collection, analysis, and management.

16           And now is a really great time to get back to the  
17 working groups because we have the district councils. And  
18 one of the things that the City and CPD was saying, that  
19 there was not enough diversity, which was just absolutely not  
20 true. The Use of Force Working Group, where I cochaired with  
21 former Chief Cato, was an extremely diverse group.

22           But now having the district councils, we have  
23 representatives in each of the 22 police districts. This  
24 could get down to that community level in each district where  
25 we can inform community members about the working groups.

1 And I definitely think we would get a groundswell of  
2 community support around each one of these areas to form  
3 these working groups, and then to also -- if there are  
4 trainings relative to each one of these groups, that this  
5 working group body of community members are allowed in to see  
6 the trainings, because we did that as the Use of Force  
7 Working Group, and we were able to make some substantial  
8 recommendations to the training, which we are still kind of  
9 going back and forth about.

10 But I just wanted to kind of bring that back about,  
11 we really need to bring back the working groups.

12 We definitely need to get back to our regularly  
13 scheduled meetings and to make sure that CPD has the staff  
14 that is needed to be present in these meetings.

15 And also, I think that this time around, with our  
16 new superintendent, that he should be involved in these  
17 meetings if no more than on a quarterly basis, because our  
18 last superintendent was absolutely absent throughout the  
19 engagement process with us.

20 The other thing I want to lift up is about  
21 plaintiff enforcement. Say, for instance -- like I said, I'm  
22 the founder for The 411 Movement for Pierre Loury. So I was  
23 kind of concerned with this pilot program that the City and  
24 the Civilian Office of Police Accountability did around a  
25 mediation program.

1 I was asking for, like, data and information.  
2 Like, they did a six-month pilot program. And during that  
3 six-month pilot they only did six cases. And I was just  
4 trying to get some information about the cases. How did  
5 those cases go?

6 But my concern was that, for these cases to have to  
7 be elevated to COPA, that there are so many, like, in  
8 communities smaller infractions that happen where there won't  
9 be an opportunity for mediation.

10 But when we're talking about building trust between  
11 police and community, that it is important for an everyday  
12 citizen, no matter how small the complaint is, to be able to  
13 have an opportunity, if they want, to have mediation.

14 So kind of got backtracked with the work I was  
15 doing around the district council. But I'm still in these  
16 conversations because now the City has hired the Center For  
17 Conflict Resolution to continue to do these mediations with  
18 COPA. But I think, because I'm a plaintiff and it's me, that  
19 I'm not getting the responses that I should get or having the  
20 meetings that should be held.

21 So, yeah, plaintiffs should be able to have some  
22 enforcement powers and not have to rely solely on our  
23 attorneys to bring these things.

24 Also, I don't know where this fits in, but I think  
25 we need to start imposing sanctions and fines in terms of

1 accountability. This definitely should not come from  
2 taxpayers' dollars. Some way or another this should come out  
3 of CPD's budget. And maybe that will put a little fire under  
4 them to make sure that everyone that should be staffed is  
5 staffed, and they are responding to us as they should,  
6 because this is the first time in the country that community  
7 members have this, and this engagement needs to happen.

8 Let me see. What else did I have?

9 And the last thing I had -- and this is just to the  
10 Independent Monitoring Team -- I hope that they make their  
11 reports more community friendly. I am not an attorney. I am  
12 not reading a 1700-page document, but this doesn't mean that  
13 I don't want the data and the information that is in the  
14 document. And I think it should be community friendly.

15 And, also, maybe they should do, like, a virtual  
16 presentation to community members as so many are wanting to  
17 become more aware of what is happening around the consent  
18 decree.

19 And the last thing I want to say about the stop and  
20 searches -- and I'm going to send you a report, because I am  
21 a part of EMLER, which is the Expert Mechanism For Law  
22 Enforcement Reform. And it's a part of the United Nations  
23 Anti-Racism Coalition.

24 And in terms of stop and frisk, they are saying  
25 that maybe this should not be a functionality of the police

1 department, that they should be non-armed responses, because  
2 a lot of times people get hurt during traffic stops.

3 So I will make sure to send that report to you so  
4 you could read it. So maybe that should be one of the  
5 considerations for the City of Chicago as well.

6 And I think that's all I have for right now.

7 THE COURT: Thank you, Ms. Winters.

8 MS. WINTERS: Thank you.

9 THE COURT: I believe Loren Taylor is next on our  
10 agenda for the afternoon.

11 Sir, you are welcome to step forward. And repeat  
12 your name, of course. Thank you.

13 MR. TAYLOR: Thank you, your Honor.

14 My name is Loren Taylor. I consider myself an  
15 independent civic journalist, probably one of the few people  
16 that's here today that's not affiliated with an organization  
17 or a group.

18 I appreciate this opportunity to speak to you and  
19 share some of my thoughts and also some of the things that I  
20 have been researching and publishing.

21 Early on in this process, I had the privilege of  
22 being able to be a part of the very early stages of what the  
23 Justice Department was doing.

24 I have a family -- I had a family member, since  
25 deceased by natural causes, but a CPD officer, Chicago Police

1 Department officer, who was interviewed by the Justice  
2 Department.

3 I also helped to organize some community members  
4 who had family members who had died in police custody, and I  
5 attended some of those interviews and some of those hearings.

6 I think that there is already enough information  
7 and very good insights that have been given to you regarding  
8 this idea of adding traffic stops to the consent decree. I  
9 won't add too much more with that other than to say that,  
10 yes, as a member of the community, this is something that's  
11 very disconcerting.

12 I'm also struck by, in a sense, you know, how  
13 people from my community -- people like us, you can say -- we  
14 experience these kind of things so often, they sometimes just  
15 roll off of us.

16 You know, it wasn't until this hearing that I  
17 realized that I, around 20 years ago, was stopped by a  
18 Chicago Police Department officer and had a gun unholstered  
19 and pointed at me. I totally just forgot about that.  
20 Totally forgot that that incident had ever happened to me.  
21 This is how commonplace things like this are.

22 What I did want to speak to you about today,  
23 though -- this is actually touched on by the independent  
24 monitors, by, I guess, people from the coalition. They talk  
25 about, in Paragraph 55 and 56 of the consent decree, this

1 idea of not using race as a consideration in law enforcement  
2 activities.

3 One of the things I have written about and wanted  
4 to share with you, a concern of mine for quite some number of  
5 years, is the influence of, participation in, and sympathy  
6 for extremist organizations within the Chicago Police  
7 Department, particularly white supremacist, groups that  
8 advocate white supremacy or white nationalism, and especially  
9 those groups who have been identified to have participated in  
10 the January 6th, 2001 [sic], Capitol riot. Very concerned  
11 about the influence of these type of organizations within the  
12 police department.

13 The coalition -- a person from the coalition spoke  
14 about some incidents or, I guess, some rallies and stuff like  
15 that in June of 2020, where it was noted that Chicago Police  
16 Department officers had made a number of violations or  
17 misconducts.

18 I actually wrote and published an article around  
19 that time, in June of 2020, where I outlined a number of  
20 reports in Chicago media about Chicago Police Department  
21 officers openly wearing and displaying insignias and symbols  
22 in support of some of these extremist white supremacist  
23 organizations, particularly Proud Boys and the  
24 Three Percenters. Okay.

25 I also wrote in that article about personally

1 disconcerting it is as a citizen to see this. If you're  
2 attending a rally or some type of event and you see a police  
3 officer wearing one of these symbols or even encountering  
4 them even on the street when they are on patrol, this is very  
5 disconcerting.

6 I also wrote in this article about very active  
7 efforts on the part of these organizations to recruit and  
8 elicit or build sympathy and support within law enforcement.

9 Now, it would be tempting for me to speculate at  
10 this stage what level of that is actually occurring inside  
11 the Chicago Police Department.

12 But we can fast-forward to October of 2022. We  
13 have a Chicago Police Department officer who was suspended  
14 for three months for lying to the FBI about attending a Proud  
15 Boys event and also participating in some of the online chat  
16 rooms.

17 Now, quite honestly, I don't have as much problem  
18 with that particular officer. The investigation showed that  
19 he was not actually a member of the Proud Boys. And he did  
20 express some remorse for, at the very least, bringing  
21 embarrassment to the Chicago Police Department.

22 The concern I have is, how did he wind up at a  
23 Proud Boys event in the first place? Whether he wound up  
24 there on his own or if, as I mentioned in this article I  
25 wrote, there is very active efforts on the part of these



1 groups to recruit people within the Chicago Police Department  
2 to become members and to participate in the organization.

3 I think that this consent decree is a very  
4 appropriate place to talk about this because, quite frankly,  
5 you know, police officers have just as much right as any  
6 other person to have their own political views and even to  
7 express these views if they want to, but there is a bit of a  
8 fine line here that I think definitely affects this process.

9 For one, these groups openly and vociferously  
10 oppose any type of oversight from civilians and, most  
11 particularly, from groups like the federal government.

12 So I can well imagine that they are, as I say, very  
13 actively trying to encourage people to resist or to not  
14 cooperate with the process of this consent decree. We can  
15 definitely see that these groups have a questionable or  
16 sketchy relationship with how they view the law -- okay? --  
17 and, of course, notwithstanding that they show open hostility  
18 to anyone who is not White, male, and Christian. Okay?

19 So, as I said, I think that the consent decree  
20 would be an appropriate forum to talk about this to where, as  
21 I said, we can talk about having some type of standards or  
22 some consideration as to whether or not there is actual  
23 influence of these groups within the Chicago Police  
24 Department and just what type of policies or what should be  
25 done about that. Would, in fact, it be a question of First

1 Amendment rights, perhaps some sort of restrictions on  
2 officers wearing these symbols while on duty?

3 THE COURT: Thank you very much, Mr. Taylor. I  
4 appreciate your time.

5 MR. TAYLOR: Thank you.

6 THE COURT: I believe our next speaker is David  
7 Melton.

8 Mr. Melton, good afternoon to you, sir.

9 MR. MELTON: Good afternoon, and thank you, your  
10 Honor.

11 My name is David Melton. I am a retired attorney  
12 and cochair of the Civil Liberties Committee of the Chicago  
13 Council of Lawyers and Chicago Appleseed. Our committee has  
14 been working on improving oversight of police officers' uses  
15 of force for over 15 years.

16 We testified in favor of the adoption of the  
17 consent decree and very much want to see it succeed for the  
18 benefit of both public and the police officers.

19 We have been disappointed with the slow progress  
20 under the decree to date.

21 I'm going to make three -- one large point and then  
22 just touch very briefly on three other less significant  
23 points.

24 I begin from the proposition that all the members  
25 of our committee have the greatest respect and admiration for

1 Independent Monitor Maggie Hickey and for the members of her  
2 team, as well as for the various individuals at the Attorney  
3 General's office and the various private parties and  
4 attorneys involved in the consent decree litigation.

5 But progress under the decree has been far too  
6 slow, a fact that I believe even the monitor has essentially  
7 acknowledged in her most recent report.

8 It has been too slow in many critical areas, in our  
9 view, including too slow on improving, training, and  
10 supervision of officers on use of force policies; too slow on  
11 adopting and implementing an effective foot chase policy; too  
12 slow on actually implementing an early warning system for  
13 problematic officers with high numbers of complaints; too  
14 slow on failure to adopt -- to address CPD's change from an  
15 unconstitutional stop and frisk policy for pedestrians to an  
16 unconstitutional stop and frisk policy for motorists in  
17 various neighborhoods; and, finally, it's been too slow in  
18 its failures to address the need for improving officers'  
19 mental health, treatments, and issues.

20 Now, we recognize that the changes called for in  
21 the consent decree are a massive and difficult project, and  
22 it's easy to be a critic.

23 But we also recognize that the consent decree has  
24 been complicated by the pandemic, by personal changes at CPD,  
25 and by the active resistance from the FOP.

1           But we believe that speeding up the required  
2 reforms requires a change in philosophy and approach by the  
3 independent monitor and her team from one of being a neutral  
4 monitor to one of being a more aggressive and active advocate  
5 for the reforms called for under the decree.

6           We understand how the monitor could see her role as  
7 being more than independent, neutral, and intermediary; but,  
8 in our view, we already have an independent, neutral, and  
9 intermediary in the form of this Court. We do not need a  
10 second one.

11           What we do need is, we need a monitor to be more  
12 active and aggressive in holding both the City's and CPD's  
13 feet to the fire if this project is to succeed.

14           If that change in philosophy and approach by the  
15 monitor requires changes in the consent decree, then we are  
16 all in favor of such changes, but we do not believe that such  
17 changes are actually necessary in the consent decree, only a  
18 change in the monitor's philosophy and approach. That is our  
19 main point.

20           Let me just touch very briefly on three additional  
21 points.

22           First, with respect to the question of traffic  
23 stops, we certainly agree that that should be incorporated in  
24 the consent decree.

25           Second, we agree with all the comments that have

1 been made about the importance of setting priorities for  
2 implementing the more critical provisions in the consent  
3 decree rather than an across-the-board treatment of all the  
4 provisions in the consent decree as though they were equally  
5 important. Some places are much more important than others.

6 And finally, on a third and wholly separate issue,  
7 we do not know if it's possible to deal with under the  
8 consent decree, but we urge the Court to explore with the  
9 monitor and the parties whether the consent decree could and  
10 should address the proper procedure for an appeal in the case  
11 of the imposition of serious disciplinary measures upon  
12 officers, including dismissals, for use of excessive force.

13 An arbitrator has recently ruled at the end of June  
14 that such cases must be submitted to arbitration rather than  
15 being adjudicated by the Police Board, as they have been for  
16 the past 60 years, and as they were at the time the consent  
17 decree was originally entered.

18 This change threatens to undermine much progress  
19 that has been made in handling of such cases by COPA and the  
20 Police Board over the past few years. So we would also  
21 respectfully request that the Court and the parties look into  
22 the possibility of addressing that issue under the consent  
23 decree.

24 Thank you very much, your Honor, for the  
25 opportunity to appear and to share our views, and we

1 appreciate the Court's, monitor's, and the parties'  
2 continuing work on these important issues.

3 THE COURT: We appreciate your time, Mr. Melton.  
4 Thank you.

5 MR. MELTON: Thank you.

6 THE COURT: Next on the agenda is Dr. Vince Davis.  
7 Is Dr. Davis with us this afternoon?

8 (No response.)

9 THE COURT: He may be on his way.

10 I am skipping over Dr. Davis just for the moment,  
11 but if he shows up and wants to be heard, we will certainly  
12 call on him.

13 What about Earl Hopewell?

14 (No response.)

15 THE COURT: I realize we are just a few minutes  
16 early, so it's possible that some of these people are on  
17 their way.

18 Anthony Driver, Jr.

19 MS. HICKEY: Your Honor, we have received word  
20 through our website that Mr. Driver will be submitting  
21 written comments because he was unable to attend today.

22 THE COURT: Okay. So he won't be heard from in  
23 person, but you will be getting written comments from him.

24 All right. To back up for a second, Dr. Davis or  
25 Earl Hopewell, either of you here?

1 (No response.)

2 THE COURT: Okay. Let me move on then to Rebecca  
3 Cook. Okay. Ms. Cook, good first name.

4 (Laughter.)

5 THE COURT: I see you are setting your alarm. Good  
6 for you.

7 MS. COOK: Yeah. I heard that smart people do  
8 this.

9 (Laughter.)

10 MS. COOK: Arewa did it, so I'll do it, too.

11 My name is Rebecca Cook.

12 I come here from the Chicago West Side branch of  
13 the NAACP.

14 And my main point of contention today in regards to  
15 the consent decree is the fact that the monitoring report is  
16 1,775 pages long.

17 A few months ago, I went into the last report to  
18 try to pull some numbers together for a presentation I was  
19 asked to do on the consent decree, and I wanted to be able to  
20 to have some facts ready to go about the progress the police  
21 department has made. I couldn't do it.

22 I have a master's degree. I think I'm pretty smart  
23 as people generally come, and I do do a considerable amount  
24 of reading. And that document was not something that I could  
25 go through.

1 I work with a lot of people who have a lot of  
2 interactions with police as part of my community, and they  
3 don't read emails. And so I look at that report, and I think  
4 about my abilities, and I think about the abilities of most  
5 of the people that I deal with, and I say, this is not  
6 something we can use.

7 So I don't know if you, Judge, were able to read  
8 the 1,775 pages. I don't know if the Monitoring Team after  
9 they wrote it went through the whole document. It's just too  
10 big.

11 And I did hear, I believe, the Attorney General's  
12 office or someone saying that they have rules that make them  
13 have to put that much language into the report, and so that's  
14 why it is that long. But if the report is not something that  
15 people can use to actually monitor the progress from the  
16 monitor, then it's useless. It's a useless document. It  
17 serves no one any purposes.

18 So we have to have that document in a way -- even  
19 if the rules say that it has to exist at that length -- and I  
20 believe I heard that the next report is going to be just  
21 under 2,000 pages -- that if it has to exist at that length,  
22 there has to be a second document that is an executive  
23 summary, an actual executive summary that's, like, 10 pages  
24 or less that says, this is what they have done, and this is  
25 what they haven't done.



1           I believe that it's being tracked for progress.  
2 From what I did read from the document, it seemed very  
3 sympathetic to the police plight -- fight, that they don't  
4 have enough people. They don't have enough resources. They  
5 don't have enough of all these things and able to do what  
6 they have been federally commanded to do.

7           So, in the meantime, the world is going crazy.  
8 Chicago, I should say, is going crazy, because I live on the  
9 West Side of Chicago, and it's becoming a Wild, Wild West.

10           We have pressures from the criminal element putting  
11 things on us. And now we have pressures from the police that  
12 we don't know what they are going to do. They are not there  
13 half the time doing their job. Not really sure why.

14           They seem to be in different places watching crime  
15 happen. And they have reasons and logic about why they just  
16 are there to witness it versus to stop it. And, in the  
17 meantime, there's just chaos going on in the streets.

18           And I believe that a proper amount of reform -- the  
19 things that we put forth together in this consent decree five  
20 years ago, six years ago, maybe, at this point -- would be  
21 able to start to remedy some of those effects.

22           The other point that I wanted to bring up is that,  
23 as we are in this room, we have the corporate counsel or the  
24 assistant corporate counsel of the City here, but we don't  
25 have an actual representative from the City.

1           We don't have someone whose job it is to represent  
2 people who are elected or put into place as an authorized  
3 representative to say, we heard what was going on, and this  
4 is how we are going to respond, because even though it's  
5 against Chicago Police Department, it is the City of Chicago  
6 that is ultimately responsible for making sure that this  
7 consent decree goes through. And we have not seen a  
8 representative, someone that we can go through on the City  
9 side that is not an attorney, that we can say, hey, these are  
10 our issues and troubles with this document or the lack of  
11 enforcement on this document. Can you address it?

12           And so we want to see a representative there able  
13 to give us a point of view about, even if there are measures  
14 that are not being met, why those measures are not being met.

15           The conversations that we have directly with the  
16 police department, they are very resistant to giving any  
17 logic about why something is done. They are very  
18 incooperative. They don't seem like a group of people who  
19 really want reform, even though it helps everybody involved.

20           At the very end of that thing we talk about  
21 enforcement that we are supposed to be able to have as  
22 plaintiffs in this measure. We can't figure out what our  
23 enforcement power is. It says that we have enforcement, but  
24 what does that mean? There's no sanctions. There's no  
25 fines. There's nothing coming against the police when they

1 don't do what they are supposed to do.

2 I know that I have a progress -- an annual progress  
3 report at my job. And if I can't submit what I'm supposed to  
4 do, I take a strike, and eventually that strike gets me  
5 terminated.

6 So why do we have this big department that can't  
7 seem to do any other measures that they have been called to  
8 do?

9 And my final point is, a few -- about a year ago, I  
10 spoke with the previous judge, and I said, "Why don't we have  
11 some sanctions and fines? Isn't that your job, Judge, to put  
12 those things on?"

13 And he seemed like he kind of made a joke and said,  
14 "Well, the police don't have enough resources to get  
15 sanctions and fines about when they don't actually meet those  
16 measures." And so he said, "We need to give them more  
17 resources so that they can pay the fine."

18 But if I wanted to put my child on cell phone  
19 punishment, and I said, "Wait. Before I put you on cell  
20 phone punishment and I take away your phone, here is a second  
21 phone. I'm going to take the phone that you have, but here  
22 is another one that you can play with while you are on  
23 punishment." Is that a punishment? Are we giving them  
24 anything?

25 So how can we give them more and say, "Oh, well, if

1 we give them more, now we can sanction and fine them for what  
2 they are not doing."

3           Something has to make sense, and what we are doing  
4 right now doesn't.

5           Thank you, Judge.

6           THE COURT: Thank you very much, Ms. Cook.

7           Do I have Robert Douglas, Sr., with us this  
8 afternoon?

9           (No response.)

10          THE COURT: Karl Brinson.

11          Mr. Brinson, if you could step forward. Thank you,  
12 sir.

13          MR. BRINSON: Good afternoon, your Honor. And  
14 thank you.

15          Where do we start? I guess we start from last year  
16 when we came before you, your Honor, and Judge Dow going  
17 through the transitional phase.

18          I remember one of the things that came from both of  
19 you at that time when you spoke about this reform, this  
20 transition, this consent decree, about how it's going to take  
21 time. That's all that kept echoing with me from last year  
22 all the way up to now and every day I'm walking the streets  
23 and every day that I interact with people in my community,  
24 being the president (unintelligible) on the West Side of  
25 Chicago as we get our complaints that come in, as people come

1 in and ask us for some kind of help. And all that keep  
2 echoing is hearing those words from you guys that this takes  
3 time.

4 And I remember last year's statement when I got a  
5 chance to testify and make a statement that the Black  
6 community does not have that kind of time.

7 We are always asked to be patient. Always  
8 instructed or told to be patient.

9 There is never a crisis to impose remedies or  
10 solutions or reforms or corrective remedies when it comes to  
11 the Black community. There is never a crisis, never urgency.  
12 There is never urgency for that. We are always asked to be  
13 patient and told it takes time.

14 And as time goes by, we still are not heard.  
15 Change does not come. Things are not enacted. It seems like  
16 it just falls on deaf ears.

17 We sit here today in this room, people who have so  
18 much power. Everybody has all this power in this room, but  
19 no one has the will -- no one has the will, the will to bring  
20 remedies and true reform to the Black community in Chicago.  
21 There's never an urgency. There's never a crisis. There's  
22 never that level of desperate to say that these things need  
23 to be corrected or things have to happen for us. We always  
24 are asked to be patient. Told that it takes time.

25 And it's so disheartening as we go through year

1 after year and decades after decades protesting, rioting,  
2 whatever you take to just express our frustration, our  
3 disdain, our hurt, our anger, our lack of all these things.

4 And it takes time. But we have the power. We sit  
5 with power. Some sit with concerns. Some sit with  
6 employment because they have to do they jobs.

7 But where is the will? Where is the will to do  
8 what is right by marginalized people, people who have been  
9 victimized, left out, ignored, invisible? Where is the will?

10 When do we get the will to do the things that we  
11 know that needs to get done, who we say that we are charged  
12 to get done, who are responsible, that we pledge to get done?  
13 Where is the will, your Honor?

14 We have a couple of things -- I just need to state  
15 that the Chicago Police Department needs to adequately engage  
16 Chicago residents on developing and drafting the plan  
17 required under the consent decree and actually incorporating  
18 feedback from Chicago residents into a final draft and  
19 invitation of a plan, a real serious plan.

20 We sit at a table sometimes. We start some things,  
21 and it never get to completion, or we're not invited to be  
22 totally involved. We just check a box saying that we did  
23 talk to some community people or we got some community  
24 involvement or community engagement. We do check that box on  
25 that, but we need to be intentionally at those tables.

1           But most importantly, your Honor, we need you and  
2 the Independent Monitoring Team to explicitly state and  
3 impose sanctions, fines, and/or accountability mechanisms  
4 onto the City of Chicago, CPD, the OIG, and COPA when any of  
5 them are in noncompliance with the consent decree provisions.  
6 We need to have the will to be able to enforce them and show  
7 that these things are not going to be acceptable. We can't  
8 afford time.

9           Last thing I would like to say, your Honor, the  
10 City administration, the mayor's office should be directly  
11 engaged in any and all meetings related to the Chicago  
12 consent decree by taking advantage of the opportunities to  
13 provide at least one representative from his administration  
14 to participate in these meetings, which is the case under --  
15 which is the case in other cities under consent decrees, like  
16 Ferguson and Baltimore.

17           We understand that they have corporate counsel that  
18 comes in representing the other attorneys for the City,  
19 whatever that is. But we need to have the administration --  
20 the mayor office needs to sit in on all these meetings so  
21 they get a feel and get an understanding and get clarity, and  
22 there is a voice, and they can recognize and hear what's  
23 taking place in these meetings.

24           The mayor administration needs to have someone  
25 physically present besides corporate counsel to attend and be

1 engaged in all these sessions. That's what we need.

2 THE COURT: Thank you, Mr. Brinson.

3 MR. BRINSON: Thank you.

4 And to close it all up, your Honor, we need to have  
5 you and the powers that be in this room to have the will to  
6 make these changes needed. We don't have time. We don't  
7 have the luxury of time.

8 Thank you.

9 THE COURT: Thank you.

10 All right. Again, we are slightly ahead of  
11 schedule. I want to back up and see whether some of the  
12 people who were called on earlier might be here now.

13 Dr. Vince Davis, Earl Hopewell, or Robert Douglas,  
14 Sr.?

15 (No response.)

16 THE COURT: Okay. Next on the list is Loren Jones.

17 And, again, Ms. Jones, if you can step forward to  
18 the microphone and then repeat your name for us. Thanks.

19 MS. JONES: Good afternoon, Chief Judge Pallmeyer.  
20 Good afternoon, everyone.

21 My name is Loren Jones. I'm the director of  
22 Criminal Legal Systems at Impact For Equity, a law and policy  
23 center, formerly known as BPI.

24 I'm also a resident of the South Side of Chicago  
25 and a member of the Free to Move coalition.



1           The Free to Move coalition is an alliance of  
2 community organizations seeking to create a more racially  
3 equitable system of traffic safety in Chicago.

4           The coalition brings together a wide variety of  
5 impacted people and advocates who are deeply invested in  
6 transportation equity, mobility, and public safety systems  
7 that work for Black, Brown, disabled, and other marginalized  
8 people.

9           Since early 2021, this coalition has been working  
10 to research the scope of pretextual stops and generate  
11 community-driven solutions to that issue.

12           Earlier this year we published the report mentioned  
13 by the independent monitor in their opening remarks. And we  
14 understand that, due in part to this report, the Independent  
15 Monitoring Team is considering including traffic stops as a  
16 possible modification to the consent decree and the  
17 comprehensive assessment.

18           Although we appreciate and share the concern about  
19 CPD's use of traffic stops, which results in racially  
20 disparate treatment, overpolicing, and a waste of resources,  
21 we question whether the consent decree is the most  
22 comprehensive or expeditious way to address this urgent and  
23 ongoing harm.

24           The Free to Move coalition would like to see a  
25 robust transformative policy that is developed in partnership

1 with communities most impacted by traffic stops. We are  
2 advocating for a lasting change that will bring an end to  
3 pretextual stops, an end to concert searches, as well as a  
4 ban on the use of traffic stops for minor driving and biking  
5 violations.

6           These are changes that have been implemented all  
7 over the country in recent years, successfully curbed the use  
8 of pretextual stops, and reduced racial profiling and  
9 disparities in policing.

10           Historically provisions of the consent decree have  
11 not required the kind of transformational and specified  
12 policy change from CPD that the Free to Move coalition is  
13 calling for.

14           Chicago is uniquely posed at this moment to  
15 implement these changes. Not only is there drive from  
16 community members who have been vocal about discriminatory  
17 traffic stops for years, there is also an interest from local  
18 government stakeholders who are eager to do something about  
19 it.

20           We feel a sense of urgency to change CPD's traffic  
21 stop policy as soon as possible and fear that if we wait to  
22 address the problem or leave it in the hands of CPD to  
23 address, stops will continue to increase and, with that  
24 increase, the mental, physical, and financial strain of  
25 traffic stops on communities, particularly on the West and

1 South Sides of Chicago.

2 As we set out to achieve that goal, we have called  
3 on our community oversight body, the Community Commission for  
4 Public Safety and Accountability, or the CCPSA, who have also  
5 expressed serious concerns about traffic stops, to institute  
6 policy that reflects the goals of the coalition and the  
7 community.

8 In 2021, the Community Commission was granted novel  
9 power to create police policy and review any changes to  
10 department policy that's made.

11 However, according to the local ordinance that  
12 created the body, the CCPSA is not permitted to create policy  
13 that falls under the purvey of the consent decree.

14 Therefore, if traffic stops are included in the  
15 consent decree, the Community Commission may in effect be  
16 prohibited from using their new power to implement any  
17 traffic enforcement reforms.

18 And even aside from the CCPSA, local actors, like  
19 the City Council, have in the past been resistant to  
20 addressing an issue that is subsumed under the consent decree  
21 even if there is no formal legal restriction on their action.

22 The consent decree is a valuable tool in Chicago's  
23 pursuit of police accountability and meaningful public safety  
24 for all. We also recognize that there are multiple tools to  
25 effect change in our policing system here in Chicago. And we

1 urge the consent decree team to focus on issues that only it  
2 can comprehensively address, like community policing and  
3 data.

4 THE COURT: To interrupt for a second.

5 So your concern is that if traffic stops get added  
6 to the decree, that that will just slow down the process of  
7 reform with respect to traffic stops.

8 MS. JONES: Yes, your Honor.

9 THE COURT: I'm sorry to interrupt. Go ahead.

10 MS. JONES: No problem.

11 Chicago is at a moment where we see the opportunity  
12 for greater alignment behind transformational reform on this  
13 issue than ever before. And we are concerned about the  
14 possibility of being limited in meeting that moment by tying  
15 the change to a mechanism that may result in less robust  
16 solutions.

17 We believe that by working together and leveraging  
18 each of our strengths, we can achieve what we know is a  
19 shared goal: a safer and more racially equitable city.

20 Thank you for your time.

21 THE COURT: Thank you very much, Ms. Jones.

22 All right. Do I have Roxanne Smith with us this  
23 afternoon?

24 MS. SMITH: Yes.

25 THE COURT: Okay. Good.

1 MS. SMITH: I'm back.

2 THE COURT: You're back.

3 MS. SMITH: I told you I was coming back.

4 I'm Roxanne Smith.

5 Good afternoon, your Honor.

6 I'm a community leader, the board president of  
7 Communities United, which is part of the community coalition.

8 You may recall that I testified before. I have  
9 testified at every one of the hearings since you took over  
10 the consent decree. And as I told you at the June hearing, I  
11 will not stop showing up, I will not stop testifying until we  
12 see real change in our community.

13 I told you I'd be back, and here I am because we  
14 have yet to see change. And as I reiterate what someone else  
15 said, it's just too slow.

16 And pardon me if I get a little bit emotional,  
17 because you can ask any Black Chicagoan whether police are  
18 any different today than they were in 2019, and they will  
19 tell you it's the same old culture of brutality and  
20 injustice.

21 I've been walking this long journey with many  
22 people here today to bring justice to our Black and Brown  
23 communities and to stop injustices from happening at the  
24 hands of the powerful Chicago Police Department.

25 My son, Seneca Smith, was shot six times by the

1 police in 2004. He miraculously lived. He still survived.  
2 He's here, but he's still in prison. And I'm fighting on  
3 that. He constantly reminds me, "Mama, don't give up."

4 My other son, who was born with fragile X  
5 syndrome -- his name is Roget Smith -- he just passed away --  
6 hallelujah; God help me -- March the 21st. I buried him on  
7 April the 8th of this year. But I can also hear my son  
8 saying, "Don't give up, mama."

9 We called him "the champ" because he participated  
10 in Special Olympics for disabled clients who's in the  
11 workshop. And I've always been fighting for that.

12 Now that he's in Heaven with his grandma, I just  
13 wanted to testify, as I did before, of the anxiety attack  
14 that he went through before he passed. But this was in,  
15 like, 2008.

16 I called the police and the ambulance for them to  
17 come to help him. They used unnecessary and unjust  
18 aggressive bodily force by pushing my champ -- and that's  
19 what I call him -- on the concrete floor in the church while  
20 he was having this panic attack. He needed care, and what he  
21 got was violence.

22 They handcuffed him. I told them, "He has fragile  
23 X syndrome. He has a developmental disability. This is not  
24 necessary. I just asked you all to come to give me some help  
25 so we could take him to the hospital."

1           This is not what justice look like. Is this what  
2 serving and protecting looks like? No, it doesn't.

3           Please tell me why the consent decree was  
4 implemented over four years ago, and the City has only  
5 reached 5 percent of full compliance? That's unacceptable.

6           How many years will it take for the City to listen  
7 to and respect the demands of the people, especially those  
8 with lived experiences?

9           We have only four more years to go, and our people  
10 cannot continue to endure injustice at the hands of the  
11 Chicago Police Department. That includes lying under oath,  
12 if I could just put that in there real quick.

13           Believe me. I'm tired, but I will not give up. I  
14 can't give up. I know this is not what my champ would want  
15 nor my son Seneca, who's still here.

16           We have a crucial opportunity to make changes to  
17 the consent decree itself in order to ensure that the consent  
18 decree's life or death reforms to use of force, crisis  
19 response, biased policing, and so much more actually get  
20 implemented on the ground as mandated.

21           As the board president of Communities United and  
22 someone who has endured violent policing by CPD my whole  
23 life, I ask you, do not just listen to the changes that the  
24 lawyers at the City and AG's office want. We cannot let  
25 those without lived experience make choices for people like

1 me, who know police brutality all too well, who have been  
2 shot by Chicago police, groped by the police department,  
3 handcuffed for no reason by the Chicago police.

4 So ask yourself, what do they know about real  
5 change if they have not been a victim of police brutality?

6 I have been stopped by the police because of not  
7 having any identification on me, assuming I was somebody off  
8 the street.

9 What legitimacy will there be when City and State  
10 officials are the only ones in the room -- how does that  
11 work? -- when they have never experimented the problems in  
12 the first place? It is us, the Black and Brown Chicagoans,  
13 who have suffered under violent and racist policing for  
14 decades.

15 We demand a system that has the ideas and the tools  
16 necessary to build a police department that serves our needs,  
17 that regains our trust, and prioritizes the community.

18 We need directly impacted people in the early  
19 review of draft CPD policies. People with lived experience  
20 have so much expertise on what we experience in our  
21 communities. Policies that are developed look very different  
22 in the community.

23 We are solution-oriented and will find common  
24 ground in the early stages of the review draft of CPD  
25 policies. We also need to be part of the negotiations table



1 in the early stages of CPD's draft policies.

2 Under the consent decree, we need to have clear  
3 numeral benchmarks of success to make sure CPD has reached  
4 full compliance, not half compliance, in a timely manner.  
5 The pace they are moving at this moment is not working.

6 So I ask you to consider creating a clear numerical  
7 group of benchmarks.

8 And I thank you, your Honor, for listening to me.

9 THE COURT: Thank you, Ms. Smith. Thank you for  
10 being here.

11 Elijah Hudson, are you here?

12 (No response.)

13 THE COURT: Lilly Brown?

14 Good afternoon, Ms. Brown.

15 MS. BROWN: Good afternoon, your Honor.

16 Are you ready for me?

17 THE COURT: We are ready.

18 MS. BROWN: Okay. As a third-generation Black  
19 Chicagoan entrusted by my family to ensure a better future  
20 for the fourth and fifth generation of Chicagoans in my  
21 family, I deliver this testimony with urgency and optimism.

22 My name is Lilly Brown. And I also serve as the  
23 police accountability organizer for ONE Northside, a member  
24 of the coalition.

25 My family has ties to West Side, North Side,

1 East Side, and South Side Chicago, specifically Altgeld  
2 Gardens over near 130th. Chicago is in my bloodline.

3 In my decade-long career as a police accountability  
4 organizer, I have witnessed an unfortunate pattern between  
5 the community and law enforcement. That pattern is this:  
6 City officials shutting out Black and Brown communities,  
7 shutting them out from the process of bringing change to  
8 policing after our communities have experienced tragedy and  
9 outrage at the hands of police violence.

10 The cycle repeats itself time and time again,  
11 tragedy after tragedy. This lack of direct communication and  
12 lack of mediation between directly impacted individuals and  
13 local law enforcement agency plagues our entire country.  
14 However, I am only here today to speak on the community  
15 engagement needs for the City of Chicago regarding this  
16 consent decree.

17 Generations of violent, degrading, and  
18 unconstitutional treatment by CPD towards Black and Brown  
19 communities have left our communities with no trust in the  
20 police officers who are supposed to serve and protect us.

21 Many people in communities of color in Chicago see  
22 CPD as an occupying force in our communities.

23 The only way we can restore trust is to have  
24 impacted communities play a central role, play a central role  
25 in the consent decree process to change CPD policies,

1 training, and practices.

2 It is directly impacted people who have the  
3 solutions to end harmful, racist policing. Policing will  
4 only be legitimate in the eyes of the community if we have  
5 real power in decisions about our own safety.

6 It is clear that the existing provisions of the  
7 consent decree on community engagement are not working.

8 The approach of CPD posting an already fully baked  
9 policy for public comment with only 15 days to provide  
10 comments is not a real opportunity for impacted communities  
11 to shape CPD policy and practice.

12 As the monitor has consistently pointed out, CPD's  
13 community engagement has been a consistent failure. After  
14 four and a half years, we cannot expect CPD to improve unless  
15 the consent decree requires it.

16 That means we need major changes to the decree's  
17 requirements for community engagement, and here are some of  
18 those key changes that the community wants to see:

19 We need a sustained long-term community engagement  
20 framework, such as working groups, as has been mentioned  
21 earlier, to ensure that impacted communities' input is  
22 incorporated into CPD policies, training, and practices.

23 We need to give community input early on in the  
24 development of important CPD policies, CPD trainings, and the  
25 methodologies for determining whether CPD is in compliance

1 with the consent decree.

2 We need a feedback loop from CPD. After the  
3 community gives feedback to CPD, it needs to tell us, the  
4 people it serves, whether it is accepting or rejecting our  
5 feedback and why. Real community engagement means a two-way  
6 dialogue.

7 So I simply ask: When will those who are most  
8 directly affected by the harmful behaviors of Chicago police  
9 officers, both past and present, be offered a fair seat at  
10 the table -- at the consent decree table?

11 Thank you.

12 THE COURT: Thank you very much, Ms. Brown.

13 Backing up one more time.

14 Dr. Davis, Earl Hopewell, Robert Douglas, Sr.,  
15 Elijah Hudson, any of you with us?

16 Sir, are you -- what is your name?

17 MR. HUDSON: Elijah Hudson.

18 THE COURT: Step forward, sir. If I missed you  
19 before, I apologize, but you are welcome to step up and make  
20 your statement.

21 MR. HUDSON: I'm sorry. I was a little late today.  
22 I wanted to get here promptly, but --

23 THE COURT: Actually, you are not at all late. I  
24 think you were scheduled to start. You are not even  
25 scheduled to start yet, but we are going to hear from you

1 right now.

2 MR. HUDSON: Okay. Sounds good.

3 I am going to have my phone out. I have some notes  
4 on my phone. That's fine?

5 THE COURT: That's fine.

6 MR. HUDSON: All right. Sounds good.

7 THE COURT: As long as your remarks don't exceed  
8 the five minutes, you are welcome to use whatever notes you  
9 have.

10 MR. HUDSON: Okay.

11 All right. Good afternoon, everyone.

12 My name is Elijah Hudson.

13 I am a -- I was born in Chicago, but I currently  
14 live in the suburbs. So I definitely am familiar with  
15 Chicago from birth all the way to my current age.

16 I'm a father of one, and I come here to pretty much  
17 speak on behalf of myself, not one organization, with my  
18 experience with the Chicago Police Department.

19 THE COURT: Back up a little bit.

20 MR. HUDSON: Okay.

21 THE COURT: You are booming a little bit. Okay.  
22 Good.

23 MR. HUDSON: All right.

24 So I just came to speak on behalf of others who  
25 went through certain situations and who have been -- felt

1 marginalized in their own communities and just throughout  
2 Chicagoland areas.

3 First, I want to just give my story. Then I just  
4 want to give some facts that I found after the situation  
5 happened to me. And then I want to just give some solutions  
6 that I think may be beneficial for the communities that  
7 Chicago Police Department serves.

8 So October 2022, I used to work as a waste water  
9 engineer with Metropolitan Water Reclamation District. I  
10 commuted daily to work.

11 I was driving one day leaving the office, and I was  
12 pulled over by an unmarked Ford Explorer. Two officers  
13 hopped out of the vehicle. They told me why they pulled me  
14 over, which was an expired -- it was an expired  
15 registrations, you know, the sticker that goes on the back of  
16 your license plates.

17 And then, you know, a conversation ensued where,  
18 you know, they began to question me about other things  
19 unrelated to the stop.

20 It got down to asking me if I was having any  
21 weapons or if I was a CCL owner. I am legally able to  
22 possess a firearm because I am a CCL holder. So that shows  
23 up whenever a cop gets behind you, and they run your license  
24 plates. That's something that I found out after this,  
25 though.

1           So they asked me about that, and then they ordered  
2 me out of my vehicle. I asked for a supervisor because I  
3 felt scared in the moment. I wasn't sure what was going on  
4 because I haven't committed any crime. I was just leaving  
5 work to pick up my toddler, and all these things was  
6 explained to the officers.

7           I was shortly surrounded by at least 15 police  
8 officers. Once again, there was no call. There was no crime  
9 committed. It was just a basic traffic infraction, and I  
10 felt as I was being criminalized just for existing.

11           I mean, it's greatly traumatized me. We all know  
12 how a traffic stop can pretty much escalate into an arrest or  
13 death.

14           Long story short. I was arrested even though I  
15 legally was able to possess that. My property was taken. I  
16 was -- I didn't get out of the holding cell until the next  
17 day, and then I was searched. All my property was searched.  
18 I didn't consent to a search either.

19           And then when I was locked up, I was locked to a  
20 bench in a cell alone for, like, maybe four hours. And then  
21 I was moved to another cell for another five hours. The  
22 whole time I was not able to get in contact directly with my  
23 family, so they were really worried. They weren't sure what  
24 was going on.

25           I was neglected. I wasn't tended to. It was

1 almost like I was made fun of. And it's -- like, it's this  
2 divide between officers and the public where we should be  
3 working together, not against each other.

4 I understand that the City is plagued with gun  
5 violence, but victimizing citizens who choose to exercise  
6 their Second Amendment right does not give them the right to  
7 victimize me.

8 I don't want to go over my time here. I want to  
9 make sure I hit some good points.

10 I think the tactics have shifted from stop and  
11 frisk, and it's now shifted to minor traffic infractions.  
12 And this translates to an arrest and them fishing for  
13 something to arrest you over.

14 I was arrested for refusing -- I'm sorry -- for --  
15 I was arrested for the traffic infraction, and I was also  
16 arrested for refusing an officer's command. It's a certain  
17 statute. It's kind of -- it's a little arbitrary. It can go  
18 either way.

19 But it was thrown out. The cops didn't show up to  
20 court because I guess they felt as though it was trivial,  
21 which I felt that way as well. But I had to go through a  
22 long process of contacting different department members to  
23 try to get my property back.

24 Overall, I lost my position because I couldn't make  
25 it in to work the following day. I had to spend lots of



1 amount of money just coming back and forth to Chicago trying  
2 to get my property. And it was just a traumatic experience  
3 overall.

4 Just the things I've been finding out about these  
5 tactics, I see it as a way to bolster individual officers'  
6 rank within their respective departments versus actually  
7 stopping crime.

8 So I guess one of the biggest solutions is just  
9 possibly a probe into how they retrieve certain firearms,  
10 when do they retrieve them, and just a further probe into  
11 which ones are actually linked with illegal crimes versus  
12 everyday citizens of Chicago.

13 I would also like to see some form of maybe  
14 civilian outreach, maybe some form of civilian -- I guess  
15 somewhat of a task force, but not really a force, just an  
16 office where -- kind of like COPA, but they take more of an  
17 in-depth approach in dealing with what goes on versus kind of  
18 a response.

19 Because I reached out to COPA. They took it  
20 serious, but I felt as though I was glazed over, and I was --  
21 my case was referred to internal affairs. And I don't think  
22 it was taken very seriously because I wasn't physically  
23 beaten. But being locked up -- you know, my son wondering --  
24 my toddler wondering where I'm at, these things are all very  
25 traumatic, and it doesn't always have to be physical. So I

1 think a lot of people don't take it that serious.

2 In closing, I would just like to just raise  
3 awareness for this type of thing. It has changed the way I  
4 interact and changed my comfortability level. Whenever I  
5 come to the city, it's like I'm not really looking out for  
6 criminals. I'm looking out, am I going to get victimized by  
7 the people who are supposed to protect us, you know, the  
8 people that we pay our taxes to? And it's just unacceptable  
9 at this point.

10 And I would just like to also thank Women's All  
11 Points Bulletin. They helped me throughout this transition.  
12 I would like to thank the NAACP. I would also like to thank  
13 COPA for all of their help.

14 THE COURT: Thank you very much, Mr. Hudson. I  
15 appreciate that testimony.

16 MR. HUDSON: Thank you.

17 THE COURT: Chariza Palacios, I believe, is next.

18 MS. PALACIOS: Good afternoon, your Honor.

19 My name is Chariza Palacios. I am 24 years old.  
20 I'm currently a student at Loyola University and a community  
21 leader at ONE Northside, which is a member of the coalition.  
22 I am speaking on behalf of myself, not ONE Northside.

23 The reason why I'm here today is to share two  
24 experiences I encountered in the hands of Chicago police  
25 officers that caused trauma as early as 15 years of age.

1 Both these traumas involved biased policing that I  
2 experienced by CPD against my ethnicity as a Latina.

3 Allow me to compose myself.

4 (Brief pause.)

5 MS. PALACIOS: The first was during a home raid and  
6 the second, during a traffic stop.

7 The first trauma was when I was 15 years old. I  
8 was staying at my grandparents' house in the Humboldt Park  
9 area when all of a sudden I heard a loud knocking at the  
10 door. To my surprise, it was four to five police officers  
11 and many more surrounding the building.

12 We were told to allow the officers to enter the  
13 premises.

14 I asked the officer, "Do you have a warrant?"

15 The officer said if we refuse to allow them in,  
16 they will charge us for harboring a fugitive.

17 My grandparents did not have a fugitive in their  
18 home and were not involved in any criminal activities.

19 My grandparents were extremely confused, as was I.  
20 They did not speak English and only speak Spanish. And they  
21 don't know how to read or write in English or Spanish.

22 When I informed the police officers that my  
23 grandparents couldn't understand because they don't speak  
24 English, I was left with no other choice but to attempt to  
25 translate on my own. I tried my best, but I myself didn't

1 know how to say certain words in Spanish, which left my  
2 grandparents even more confused.

3 The police officers entered our home, searched all  
4 over the building. They flipped over our furniture and  
5 vandalized my grandparents' home. I felt violated. And my  
6 grandparents were scared of their aggressive intrusion.

7 The officers took my grandfather's lawfully  
8 registered weapons, which, to this day, he hasn't got them  
9 back.

10 The officers also took my grandmother's \$800 from  
11 her safety box, which was located under her mattress. To  
12 this day, it was never returned.

13 The police officers told my grandfather to sign  
14 documents, which were provided only in English. And because  
15 he was confused and scared of being arrested or worse, he was  
16 left with no other choice but to sign.

17 The aftermath of the wrong raid on my grandparents'  
18 home was horrendous. My grandparents received death threats  
19 from people that assumed that they were involved in harboring  
20 fugitives.

21 I felt invaded, vulnerable, and feared not only for  
22 my life but for the lives of my grandparents. I couldn't  
23 sleep for the recurrent nightmares that it might happen  
24 again.

25 I felt voiceless and blamed myself because I

1 couldn't do justice for my grandparents.

2 Now I'm utilizing my voice in this space in front  
3 of you, your Honor. Directly impacted people, like myself,  
4 need to be engaged in the early stages of developing impact  
5 on the CPD policies and any important changes to the consent  
6 decree in order to prevent the kind of trauma my grandparents  
7 and I went through.

8 In particular, we need to make sure that CPD  
9 provides language interpretation for each person who needs  
10 it. CPD must have trained, certified in-person interpreters.  
11 This is especially true during home raids, which are  
12 especially traumatic and confusing experiences.

13 Now to my second experience. Fast-forward to  
14 September of this year. It was the night of my 24th  
15 birthday. I was in the town celebrating my birthday at a  
16 birthday dinner. We decided to leave downtown because many  
17 of the streets were being closed off as part of the city's  
18 response to Mexican Independence Day celebrations.

19 My boyfriend was driving. My cousin was in the  
20 back seat, and I was in the passenger seat, us all being  
21 Latinos.

22 We were about to turn onto the exit ramp when a  
23 Chicago police officer approached the driver's side window  
24 where my boyfriend was. He leaned into the car and said,  
25 "You guys can't exit this way. You guys are going to have to

1 go left, back into downtown."

2 I asked him, "Why?"

3 And the officer proceeds by saying, "Because you  
4 guys are part of the problem. You guys are the flag people."

5 By calling us "the flag people," the officer was  
6 using a racist term for Latinos celebrating Mexican  
7 Independence Day.

8 Just to be clear, we didn't have flags inside our  
9 car or outside the car.

10 I proceeded to say under my breath, "That is  
11 low-key racist."

12 The officer asked me, "What did you say?"

13 I said, "I feel like you're low-key being racist."

14 Then he proceeded to say, "Can't you take a joke?"

15 I tell him, "Not when you are violating my  
16 Fourteenth Amendment."

17 My boyfriend being a man of color and fearing for  
18 his safety, he decided not to say anything.

19 The officer proceeded to say with a smug smile,  
20 "What do you even know about your Fourteenth Amendment?"

21 I proceeded to say that, "Thou shall not  
22 discriminate against race, gender, age."

23 He backed off immediately from the car and told us  
24 that we can go.

25 And just as we are about to leave, he says, "You

1 know how you spicy Latinas are." "You spicy Latinas."

2 I decided not to say anything. We just exited.  
3 That doesn't mean I wasn't left astonished, mad about that  
4 racist slur. I didn't say anything at the moment because I  
5 didn't want to escalate the situation any further. The  
6 people in the car being people of color and in that moment,  
7 we understood the power dynamic. The officer had all the  
8 power. We had none. So, once again, I was left voiceless.

9 My harmful experience with the police is the reason  
10 I decided to learn my rights, but this doesn't prevent people  
11 like myself from being victims and survivors of police  
12 misconduct.

13 I'm fed up with injustices that continue to occur  
14 in my Black and Brown communities, the constant harassment  
15 and (unintelligible) tales of violence by police against my  
16 community. It just demonstrates, not only to me but to every  
17 person of color, that they are not valued as a person.

18 The dehumanization of my community is the reason  
19 why I want to pursue law and the reason why I'm here today.

20 I do not know whether the consent decree is the  
21 right way to fix the problems with CPD's racist tactics in  
22 traffic stops.

23 I'm here today because I want to tell everyone  
24 here, we have a voice, and our voices need to be heard. It  
25 is directly impacted people who have the solutions to end

1 harmful and racist policing.

2 CPD should involve us in developing policies and  
3 training officers in impartial policing. And CPD should  
4 measure whether their incidents of biased policing are  
5 decreasing. That's how we will know whether the consent  
6 decree is working.

7 Thank you for your time, your Honor.

8 THE COURT: Thank you very much, Ms. Palacios.

9 Next on our list is Alexandra Block.

10 MS. BLOCK: Good morning. Excuse me. Good  
11 afternoon, your Honor.

12 THE COURT: Good afternoon, Ms. Block.

13 MS. BLOCK: And counsel and members of the  
14 community.

15 My name is Alexandra Block. I'm the director of  
16 the Criminal Legal System and Policing Project at the ACLU of  
17 Illinois, and I'm here today to speak about the Chicago  
18 Police Department's discriminatory traffic stop practices.

19 The ACLU of Illinois has three roles in this  
20 conversation.

21 First, ACLU of Illinois is a member of the  
22 coalition.

23 Second, we are counsel to the Communities United  
24 parties of the coalition.

25 And third, we are counsel to the plaintiffs in a



1 putative class action lawsuit, *Wilkins v. The City of*  
2 *Chicago*, which is currently pending before Judge Rowland.

3 The ACLU of Illinois is profoundly concerned that  
4 CPD stops some 600,000 drivers per year, a truly staggering  
5 number of people.

6 About 85 percent of the people stopped are Black  
7 and Latino, which is astonishingly disproportionate to their  
8 share of the driving population.

9 The stops are heavily concentrated in Black and  
10 Latino neighborhoods on the South and West Sides of the city.

11 And, as you have heard from a number of other  
12 people here today already, the vast majority of these stops  
13 are for low-level nonmoving violations, not for dangerous  
14 driving.

15 Often these discriminatory traffic stops lead to  
16 humiliating, traumatizing, and physically violent  
17 interactions between officers and Black and Brown people.

18 You heard from Mr. Hudson today. You just heard  
19 from Chariza, their experiences.

20 As the Court has heard repeatedly over several  
21 public hearings, CPD's traffic stop tactics leave people of  
22 color feeling targeted, angry, mistrustful of the police.  
23 And ultimately these degrading tactics harm public safety  
24 much more than they help.

25 99.95 percent of CPD's traffic stops do not lead to

1 the recovery of a weapon, which is the justification that we  
2 have heard city leaders claim.

3 The sheer number and relentlessness of these  
4 unnecessary traffic stops significantly increases tensions  
5 between CPD and communities of color. This is a very serious  
6 problem that must be addressed with CPD.

7 However, the consent decree is not the best  
8 solution. The ACLU of Illinois does not support adding  
9 traffic stops to the consent decree because there are other  
10 more community-driven reform efforts that are already  
11 underway.

12 As Ms. Hickey mentioned, earlier in 2021, Chicago  
13 took the bold step of significantly expanding its civilian  
14 police oversight mechanisms. We now have a community-elected  
15 commission, the CCPSA, as well as elected district councils  
16 in every police district. This is an entire civilian  
17 oversight mechanism that didn't exist in 2019 when the  
18 consent decree was entered.

19 Unfortunately, it sounds like Mr. Driver, the  
20 president of the Community Commission, wasn't able to testify  
21 here today, but we understand that he will be submitting his  
22 written statement to the Court. And ACLU believes that the  
23 Community Commission is the long-term future of civilian  
24 oversight of the police in Chicago.

25 Court-enforced consent decrees are sometimes

1 necessary, but they are temporary. The Community Commission  
2 is a permanent elected body specifically designed to  
3 represent the community's views on public safety issues.

4 And we understand that the Community Commission has  
5 heard a groundswell of support from the Free to Move  
6 coalition, from Impact For Equity, from a number of community  
7 organizations and activists, encouraging them to take up the  
8 issue of CPD's traffic stop policies. And we expect that  
9 this process will be inclusive and community-driven, and that  
10 it will focus on a broad view of the possible solutions.

11 The other ongoing avenue to address CPD's  
12 discriminatory traffic stop practices is our pending class  
13 action lawsuit, *Wilkins v. Chicago*.

14 ACLU and Arnold & Porter represent five Black and  
15 Latino Chicagoans, including Mr. Wilkins, who is sitting in  
16 the back of the courtroom today. Our clients collectively  
17 were subjected to dozens of racially discriminatory traffic  
18 stops by the Chicago Police Department over a period of  
19 years.

20 We are seeking to certify a class of all Black and  
21 Latino drivers stopped by CPD within the past two years or  
22 who will be subjected to the defendant's mass traffic stop  
23 program in the future.

24 Our brave clients allege violations of the Equal  
25 Protection Clause, Title VI of the Civil Rights Act, and the

1 Illinois Civil Rights Act.

2 THE COURT: And you told me, but I can't recall.  
3 That's before which judge?

4 MS. BLOCK: Judge Rowland, your Honor.

5 THE COURT: Judge Rowland. All right. Thank you.

6 MS. BLOCK: And that lawsuit seeks broad-ranging  
7 and comprehensive injunctive relief, much broader than the  
8 type of relief that's available under the current consent  
9 decree as it is currently framed.

10 Before filing this lawsuit on behalf of our  
11 clients, the ACLU engaged in a year of community outreach,  
12 including scores of community meetings with directly impacted  
13 people, to frame the type of relief that we are seeking and  
14 align with the other individuals and organizations who are  
15 active in this area.

16 One of our lawsuit's demands is that the City and  
17 CPD create a process of robust ongoing community engagement  
18 and public feedback on traffic stops.

19 Importantly, any litigated or negotiated resolution  
20 of our *Wilkins* case will not affect the Community  
21 Commission's policymaking jurisdiction based on the language  
22 of the Commission's Enabling Ordinance.

23 I think you heard from Ms. Jones earlier that  
24 that's a significant concern for the community because the  
25 CCPSA's Enabling Ordinance specifically carves out from

1 CCPSA's policymaking jurisdiction issues that are under the  
2 purview of the current consent decree. It doesn't carve out  
3 issues that may be under the jurisdiction of any other court.

4 It's also important for this Court to know that the  
5 case before Judge Rowland is likely to continue regardless of  
6 any stipulation that the parties might negotiate under this  
7 consent decree.

8 The ACLU also has significant concerns about the  
9 State's and the City's proposal to potentially negotiate a  
10 consent decree stipulation, as we have heard today, because,  
11 while we have heard today a lot of openness to hearing  
12 community feedback, we don't actually know what substantive  
13 goals or solutions might be the outcome of any potential  
14 negotiations.

15 We only know that, from what we have heard in our  
16 discussions with the parties so far, they have already  
17 excluded everyone other than the State and the City from  
18 being at the negotiating table, and that's a serious problem.  
19 It undermines the legitimacy of the process before the  
20 negotiations even begin, and it indicates that the parties'  
21 negotiated solutions may not reflect the life-or-death  
22 concerns of directly impacted community members, like those  
23 you have heard today.

24 Because reform efforts that are community led,  
25 community engaged, open and transparent are already underway

1 in other avenues, we believe that those other avenues are  
2 superior and that a consent decree stipulation in this case  
3 is not the best way to fix CPD's traffic stop practices at  
4 this time.

5 Thank you, your Honor.

6 THE COURT: Thank you very much, Ms. Block.

7 La'rie Suttle is the last person whose name is on  
8 the list. Is La'rie Suttle with us today?

9 (No response.)

10 THE COURT: Well, let me back up then.

11 I'm still looking for Dr. Davis and Earl Hopewell.  
12 Either of them here?

13 (No response.)

14 THE COURT: Robert Douglas, Sr., is that person  
15 here?

16 (No response.)

17 THE COURT: All right. Well, as a reminder,  
18 everyone is free to make -- to continue to submit written  
19 statements. You are welcome to do that.

20 We do have what I think are going to be some  
21 closing remarks from -- well, first from the monitor, but  
22 then we will also hear from the lawyers both for the Attorney  
23 General and from the City.

24 So why don't we hear first from Ms. Hickey.

25 MS. HICKEY: The Independent Monitoring Team and I

1 would like to thank the community members who spoke today  
2 with such great courage. Your voices and your lived  
3 experience will assist the Court in reviewing the consent  
4 decree and assist the Independent Monitoring Team with  
5 monitoring the consent decree.

6 We also look forward to reviewing any written  
7 comments in addition. And, as always, we welcome meeting  
8 with any community groups that want input into the consent  
9 decree and the comprehensive assessment. Please feel free to  
10 reach out to my team.

11 Thank you, your Honor, for this time.

12 THE COURT: Thank you, Ms. Hickey.

13 Any closing remarks from the Illinois Attorney  
14 General?

15 Ms. Meek.

16 MS. MEEK: Thank you, your Honor. And thank you to  
17 all of the community members who gave their time to speak  
18 today.

19 Again, I think some of what we have heard is not  
20 surprising to us, you know, that the progress of the consent  
21 decree is too slow; that the reports need to be more short  
22 and more oriented towards community members being able to  
23 actually read and comprehend them; and, further, that there  
24 needs to be significant efforts to improve community  
25 engagement and to make sure that most impacted people are at

1 the table when it comes to making and negotiating policy  
2 change.

3 I think we've also heard a number of things that  
4 are newer developments since the beginning of the consent  
5 decree -- the development of police district councils and the  
6 Community Commission. And we continue to work with and look  
7 forward to trying to find ways to ensure that we are  
8 coordinating with those entities and continuing to address  
9 what needs to happen to move things forward.

10 We are looking forward to continuing to incorporate  
11 this input and continuing conversations with the monitor  
12 about how the comprehensive assessment can make sure that  
13 these needed changes are made to the consent decree.

14 Thank you, your Honor.

15 THE COURT: Thank you, Ms. Meek.

16 Anything from the City?

17 Ms. Bagby.

18 MS. BAGBY: Just to say thank you to the members of  
19 the community that came out today to share their lived  
20 experiences.

21 We did hear you. CPD heard you. The members of  
22 the City, including the mayor's office, who are listening in,  
23 they also heard you. They look forward to continuing this  
24 work with you.

25 THE COURT: And I will just finish by saying that



1 I, too, appreciate the time and the sensitive nature of what  
2 you had to come talk about here and how reliving some of  
3 these experiences is not exactly pleasant.

4 And it is a real service to the community for you  
5 to come and for your voices to be heard. Those of you who  
6 have been heard before and those of you who are here for the  
7 first time, I personally really appreciate it.

8 I share some of the concern about the delay.

9 Certainly I share the concern about the 1700 pages.  
10 I think we all do. It's hard to work our way through that.  
11 I know the monitor herself has told me it takes a long time  
12 for her to even review everything that they are submitting.

13 It is important to be comprehensive on the one  
14 hand. It's also very important for the document to be  
15 something that everybody can understand and get through in a  
16 reasonable amount of time on the other.

17 Reasonable amount of time is an issue for all of  
18 us. I hear from the witnesses who tell me, look, the  
19 community doesn't have time anymore.

20 I don't expect -- I expect to be in this job for a  
21 while but not forever. I want to bring this whole consent  
22 decree to a reasonable conclusion as well, knowing I'm not  
23 going to have perfect success, but I certainly want to have  
24 some good success. I want to have made, in the context of  
25 this decree and the other work that I do, some genuine

1 progress in improving the situation in a city that I think we  
2 all love and want to see succeed.

3 I want to thank you again. Thank you for your  
4 time. And remind you, those of you who have not had a chance  
5 to make a statement, if you wish to do so, you are welcome to  
6 do that in writing.

7 And we will be doing this again. You will have  
8 this opportunity on other occasions. I don't want you to  
9 think this is the last chance. This is an ongoing process.  
10 I expect to hear from more of you and from some of those of  
11 you who have already been heard.

12 So thank you.

13 (An adjournment was taken at 3:25 p.m.)

14 \* \* \* \* \*

15 I certify that the foregoing is a correct transcript from the  
16 record of proceedings in the above-entitled matter.

17 /s/ Frances Ward November 12, 2023.  
18 Official Court Reporter  
19 F  
20  
21  
22  
23  
24  
25