

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

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STATE OF ILLINOIS,)	
)	
Plaintiff,)	Docket No. 17 C 6260
)	
vs.)	
)	
CITY OF CHICAGO,)	Chicago, Illinois
)	January 9, 2024
Defendant.)	1:07 p.m.

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

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Also Present:

Michael Dirden, Associate Monitor

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1 (The following proceedings were had via
2 videoconference:)

3 THE COURT: All right. Thank you all for joining
4 us this afternoon for another public hearing on our consent
5 decree issues.

6 We have an agenda that calls for a presentation
7 from the Independent Monitoring Team, then from OIG and PSIG.
8 We will also hear about disciplinary consistency across the
9 City and some further issues regarding (indiscernible) for
10 that.

11 What I would like to do, though, is begin by again
12 thanking you for being here and wishing everybody a happy new
13 year.

14 I will tell you that we have been working hard in
15 developing what I hope will be an effective mechanism for
16 moving forward and making progress -- a great deal of
17 progress this year -- this calendar year.

18 Why don't I ask, then, if we can hear first from
19 the monitor.

20 MS. HICKEY: Yes, your Honor. Thank you very much,
21 and thank you for convening us today.

22 Last year you began to hold monthly status hearings
23 regarding the City's progress with the requirements of the
24 consent decree. This is something that we are going to be
25 doing monthly moving forward.

1 In December, we heard from the City and the Office
2 of the Attorney General, the parties, regarding the Chicago
3 Police Department's in-service training.

4 Today we will focus on the accountability and
5 transparency section of the consent decree. The reach of
6 this section is vast, including several City entities.

7 Today you will hear about the City's Office of the
8 Inspector General and Public Safety Inspector General, or
9 commonly known as the PSIG.

10 There's also the CPD's Bureau of Internal Affairs,
11 known as BIA; the City's Civilian Office of Police
12 Accountability, known as COPA; and the City's Police Board.

13 And to note, since the consent decree was put into
14 place, there is also a new City entity, The Community
15 Commission For Public Safety and Accountability, the CCPSA,
16 which gives Chicagoans a meaningful new rule in oversight to
17 strengthen the police accountability system.

18 The City's accountability system is complex and
19 requires the five City entities to play different roles.

20 And as we are all aware, the system, including the
21 consent decree, need to continue to find ways to work in
22 better alignment so that the City can continue on its path
23 for accountability and transparency.

24 While each of the City entities -- the CPD, COPA,
25 PSIG, and the Police Board -- are working toward the common

1 goal of increased accountability and transparency under the
2 consent decree, they have made progress at different rates.

3 For example, the deputy PSIG achieved full
4 compliance with all the consent decree requirements
5 pertaining to its office in the fourth reporting period in
6 2021. They have maintained that full compliance since.

7 Therefore, the parties move to release the OIG and
8 PSIG from its consent decree requirements after successfully
9 completing that required two-year sustainment period. And
10 your Honor granted that motion last month.

11 Additionally, COPA and the Police Board have
12 developed and followed plans that have allowed them to
13 consistently gain compliance with various requirements of the
14 accountability and transparency sections through the past
15 reporting periods.

16 Both entities have developed sound policies and
17 training that have allowed them to make real progress in the
18 last several years.

19 Unfortunately, the CPD have not kept up at the same
20 rate of compliance with the consent decree requirements in
21 the eighth and ninth reporting periods. However, we have
22 seen considerable progress in CPD's BIA as they have focused
23 their efforts on specific BIA training courses after focusing
24 the first four years on developing and implementing policies
25 to address the consent decree requirements.

1 We are currently working on the ninth monitoring
2 report and expect to see CPD achieve secondary compliance for
3 numerous paragraphs due to the efforts of BIA in developing
4 and delivering in-service training to BIA personnel and
5 accountability sergeants.

6 While we appreciate this progress, the IMT
7 continues to have concerns in several areas, and we make note
8 of the following:

9 First, CPD has not enforced consent decree
10 requirements regarding two accountability sergeants be
11 assigned in each district, with their primary duties being
12 receiving, processing, and investigating complaints against
13 CPD members.

14 We have continuously heard that these sergeants are
15 tasked with other duties and are, therefore, unable to meet
16 the timeliness of the investigations that are required by the
17 consent decree and, consequently, their own policies, and
18 that also has led to lower morale.

19 Second, there has been a sharp decline in
20 collaboration with CPD and COPA with regard to report access,
21 data access, and regularly occurring collaborative
22 conversations that have been nearly obsolete in recent
23 months.

24 As we noted, the City's accountability system is
25 complex and requires consistent communication and appropriate

1 collaboration among all entities.

2 And finally, the CPD still has more work to have a
3 consent-decree-compliant officer-involved shooting and
4 officer-involved death incident policy, arguably one of the
5 most important requirements of the consent decree.

6 We hope to see more consistency from the CPD and
7 their approach to compliance in this section, as well as
8 continued consistency from COPA and the Police Board.

9 In the meantime, we congratulate the City and the
10 OIG and the PSIG's successful sustainment of compliance with
11 the consent decree.

12 At this point, I would like to turn it over to our
13 new associate monitor, Mike Dirden, so that he would have an
14 opportunity to introduce himself to the public.

15 Mike.

16 MR. DIRDEN: Thank you, Maggie.

17 And good afternoon, your Honor.

18 As Maggie said, I am Michael Dirden. I am
19 delighted and privileged to work with our partners to
20 continue the good work that has been ongoing within this
21 particular focus area.

22 I come to this role having been in law enforcement
23 since 1985 and also serving the Houston Police Department for
24 31 years.

25 In that 31 years, I worked in a variety of

1 capacities that I think gives me a good perspective on the
2 role of the parties and what we are trying to accomplish here
3 with the consent decree.

4 Previously I have worked in Internal Affairs. I've
5 worked from investigator all the way to chief of the Internal
6 Affairs Division.

7 I've also worked as a legal adviser to Internal
8 Affairs in the role that CPD uses and advocates to ensure
9 that an investigation is done thoroughly and completely in a
10 manner that is consistent with the mission of the
11 organization.

12 In Houston we have a unique perspective. The
13 in-house counsel for the police department prosecutes the
14 terminations, the ones that the chief determines that an
15 officer should be fired. So I've worked in that capacity as
16 well. And I've also worked as Inspector General in the city
17 of Houston for four years.

18 So that doesn't give me any knowledge at all about
19 the city of Chicago, but it does help me -- put me in a frame
20 of mind that I can understand the perspective of the roles of
21 the parties in this case. So I'm grateful for the
22 opportunity to work with them.

23 Thank you.

24 MS. HICKEY: Thank you very much, Mike. We are
25 glad to have you on the team.

1 We look forward today to hearing more from the
2 City, the CPD, and the Office of the Attorney General
3 regarding accountability and transparency in the consent
4 decree.

5 Thank you, your Honor.

6 THE COURT: Thank you, Maggie.

7 And thank you, Mr. Dirden. Welcome aboard. I am
8 happy that you are able to join us this afternoon, and I am
9 happy that you are joining the team.

10 Let's turn, then -- our next 20 minutes we had
11 designated for hearing from OIG and PSIG -- first from the
12 City for 15 minutes, and then we will get questions from the
13 Office of Attorney General for about five minutes after that.

14 So a presentation first from the City on OIG, PSIG.
15 We will begin there.

16 MS. WITZBURG: Hello. Thank you, your Honor.

17 My name is Deborah Witzburg. I'm Inspector General
18 for the City of Chicago. I appreciate the invitation to be
19 here this afternoon.

20 I'm going to talk a bit about our office's work
21 toward consent decree compliance, where we have come from and
22 what we have done.

23 I'm going to share my screen to show slides.

24 Can everyone see those?

25 THE COURT: Yes.

1 MS. HICKEY: Deborah, you may want to put them in
2 presentation format, if you can.

3 MS. WITZBURG: Oh.

4 MR. SEPÚLVEDA: If you have multiple screens, it
5 may just be sharing the off screen.

6 MS. WITZBURG: All right. Let me see if I can do
7 that differently.

8 How is this?

9 THE COURT: Good.

10 MS. HICKEY: Yes. That's perfect.

11 MS. WITZBURG: Sorry about that. Thank you.

12 I will start very briefly with an introduction of
13 the Office of Inspector General and a little bit about what
14 we do.

15 We are an independent and nonpartisan agency of
16 City government with the goal to promote economy,
17 effectiveness, efficiency, and integrity by identifying
18 corruption, waste, and mismanagement in City government.

19 We have, by ordinance, jurisdiction over many
20 entities related to the City, many City actors, including
21 elected and appointed City officials, City employees, as well
22 as contractors, vendors, licensees, and lobbyists of the
23 City.

24 We do our work -- we achieve our oversight mission
25 through three channels of work.

1 We do confidential, administrative, and criminal
2 investigations into allegations of misconduct. We do audits,
3 evaluations, and reviews of City programs, operations, and
4 policies. And we do public-facing transparency initiatives.

5 Our public safety section, PSIG, is a section of
6 the Office of Inspector General. And the mission of that
7 section is to initiate policy work looking at the police
8 department, COPA, and the Police Board with the goal, as
9 written in the municipal code, of enhancing the effectiveness
10 of each of those agencies, increasing public safety,
11 protecting civil liberties and civil rights, and ensuring the
12 accountability of the police force, thus building stronger
13 police community relations.

14 The public safety section came about in 2016 by
15 amendment to the municipal code and has a number of
16 enumerated powers and duties. Those include, although are
17 not limited to, analysis of trends in police disciplinary
18 investigations; evaluations of the operations of those
19 entities, COPA, the police department, and the Police Board;
20 the analysis of civil judgments and settlements of claims
21 against CPD and its members; and the review of individual
22 closed police disciplinary investigations conducted by the
23 Bureau of Internal Affairs and COPA.

24 The Office of Inspector General and specifically
25 its public safety section was obligated to do a number of

1 things -- a number of things under the consent decree,
2 touching a range of OIG's operations.

3 Some of the areas of our obligations included our
4 ongoing and ordinance-mandated work in the public safety
5 section, including with specific topics for inquiry, which I
6 will talk a bit more about in just a moment; our procedures
7 for processing complaints of misconduct; our public reporting
8 on our project, work, and data analysis; staffing needs and
9 training for OIG employees.

10 The duties of our Director of Diversity, Equity,
11 and Inclusion are implicated in the consent decree, as well
12 as our engagement with other City entities, as Monitor Hickey
13 described, other players in the field on the City's
14 accountability work.

15 Our consent decree compliance and sustainment
16 timeline at a high level is here.

17 In April of 2021, we were first found in compliance
18 with some of our obligations in the third independent
19 monitoring report.

20 In the fourth report in 2021, the Monitoring Team
21 found that we had complied fully with all of our obligations.

22 From that date -- from October 8th through December
23 of last year, we maintained that compliance and continued to
24 demonstrate our compliance.

25 Then on December 21st of 2023, this Court entered

1 an order finding that we had achieved and maintained that
2 full and effective compliance for the required two-year
3 period, and our obligations were, therefore, terminated on
4 that date.

5 I have information here about each of the
6 paragraphs under which we were obligated and how we reached
7 preliminary, secondary, and full compliance, although in the
8 interest of time, your Honor, my inclination is to focus on
9 one of these, although I'm happy to go back to any of them
10 that are of particular interest, if that's okay.

11 THE COURT: Sure. Fine for you to focus on one.
12 If we do have time, we will go back.

13 MS. WITZBURG: Okay. Thank you.

14 The one that I will focus on, then, is
15 Paragraph 558, which is a little bit unusual among the
16 paragraphs that contain our obligations in that this
17 paragraph speaks to a broad range of our public safety
18 section's work in ways that both overlap with our existing
19 and ongoing statutory responsibilities as well as posed
20 specific topics for inquiry and study on reporting by our
21 public safety section.

22 So the language of Paragraph 558 is here. It
23 required that, within 60 days of the effective date of the
24 consent decree, we develop policies for annual data-driven
25 reviews and audits to measure the effectiveness of the City

1 and the police department's accountability practices.

2 The subparagraphs here lay out a number of those
3 specific topics, areas of inquiry and of reporting. And
4 those requirements include data analysis and reporting, which
5 we do in our annual report around misconduct investigations,
6 trend analysis, a look at the thoroughness of administrative
7 investigations, which overlaps broadly with our statutory
8 responsibilities.

9 And then these are the specific topics that I
10 mentioned which were assigned for inquiry by this paragraph.
11 Those were an analysis of CPD's enforcement of its Rules 14,
12 21, and 22. Rule 14 is CPD's rule prohibiting false reports.
13 Rules 21 and 22 mandate the reporting of misconduct by CPD
14 members.

15 Subparagraph (e) here required an inquiry into
16 disciplinary grievance procedures and outcomes; and
17 Subparagraph (f), an analysis of complainant-involved
18 mediations.

19 I want to talk quickly about a few of those 558
20 mandated projects and what we found, where we landed with
21 that work mandated by the consent decree.

22 The first that I will talk briefly about is the
23 enforcement of our project -- our report on the enforcement
24 of CPD's rule against false reports.

25 Pursuant to Paragraph 558, we studied how and

1 whether and the extent to which CPD's Rule 14 is effectively
2 enforced. Our findings in that inquiry are here on the
3 slide. We found structural failures in the accountability
4 system, allowing CPD members who had been found to have
5 violated Rule 14, had been found to have made false reports,
6 to remain in positions in the police department with duties
7 that depend on their truthfulness and credibility.

8 We found that the police department's processes for
9 identifying members with Rule 14 violations in their history
10 and for sharing that information with other entities in the
11 criminal justice ecosystem lacked rigor and lacked controls,
12 posing risks to the department and to the legal and
13 constitutional rights of criminal defendants and litigants.

14 Finally, we found that gaps in practices and
15 policies of the Bureau of Internal Affairs and COPA
16 contributed to the underenforcement of Rule 14.

17 Similarly, we will talk briefly about our projects,
18 looking at the enforcement of Rules 21 and 22. Those are
19 CPD's rules requiring members to report misconduct.

20 Here we found that CPD does in fact inform its
21 members of their duty to report misconduct during their
22 initial training in the academy, but that there is a lack of
23 formal reinforcement of those requirements during in-service
24 training and over the lifecycle, over the career span of the
25 CPD member.

1 We found that provisions of the consent decree,
2 specifically Paragraph 429 of the consent decree and its
3 interplay with CPD directives, inhibit effective enforcement
4 of the rules requiring the CPD members to report misconduct
5 and, in fact, go against best practices in the field by
6 establishing, as Paragraph 429 does, that certain methods of
7 reporting do not satisfy the duty to report misconduct.

8 So the rules -- the consent decree provisions as
9 they stand both require the existence of an anonymous
10 reporting mechanism and state that an anonymous report does
11 not satisfy a member's duty to report misconduct.

12 Finally, we found that COPA and the Bureau of
13 Internal Affairs do not consistently pursue potential
14 violations of Rule 21 and 22, compromising the effective
15 enforcement of those rules and inhibiting any thorough
16 analysis of failures to report, either on an individual
17 member level or agency wide.

18 Finally, I want to talk briefly about the 558
19 mandated project we did on the grievance procedure. I
20 mention this in part because I think this is of renewed
21 relevance given ongoing legal proceedings around disciplinary
22 grievances and how and where and by whom those will be heard.

23 This project looked at the disciplinary grievance
24 procedure and found -- we made a number of findings having to
25 do with the rates at which discipline for CPD members is

1 reduced via the grievance process. We looked at the
2 settlement process for grievances and how those work and
3 limitations on the pool of available arbitrators.

4 In summary here -- there's more to this report, but
5 of, I think, particular timeliness is that we found that the
6 disciplinary grievance procedure, the process by which
7 disciplinary grievances are resolved by arbitration, lacks
8 transparency.

9 And we recommended that the City take a number of
10 measures, which it could take independently unilaterally, to
11 improve the transparency of the grievance process. Those
12 included the -- we recommended publication of information on
13 grievances and their outcomes as appropriate given relevant
14 privacy constraints, including anonymized decisions and data
15 on the number of cases grieved and their resolution.

16 The City declined to adopt those
17 transparency-focused recommendations here in the grievance
18 project.

19 Again, I'm happy to go back to any of these that
20 are of interest, but I want to talk about two other general
21 things quickly, if I may?

22 The first is that we have engaged -- we have
23 regular and very robust community engagement efforts in the
24 public safety section work, both in the service of our
25 statutory mandate and in the service of our consent decree

1 compliance.

2 Those community engagement efforts are how we
3 inform both our selection of project topics outside those
4 which are mandated specifically and how we ensure that the
5 areas of focus in our inquiries are as closely as possible
6 aligned with those areas of most concern to Chicago and then
7 to members of the Chicago Police Department.

8 So we have here sort of a sampling of our community
9 engagement efforts around our consent decree obligations,
10 including roundtables, listening sessions, discussions with
11 community groups and with groups within the police department
12 and other City agencies.

13 And finally, I want to sort of look ahead to what
14 OIG's future path looks like alongside the consent decree,
15 having now satisfied our own specific obligations. I think
16 that the path ahead is really chartered by these three
17 paragraphs of the consent decree.

18 Paragraph 560 requires that our public safety
19 section have timely and full access to all information in the
20 possession of the other relevant City agencies. We will
21 continue to provide information about whether we have that
22 timely and full access so that the monitor and the parties
23 can assess compliance by those other City agencies.

24 Paragraph 564 requires that we -- that our public
25 safety section exercise its discretion and oversight

1 responsibilities without interference.

2 Similarly, we will continue to provide information
3 on any signs of interference or any challenges we see in
4 meeting our own obligations so that the obligations of the
5 other City entities under this paragraph may be assessed.

6 And finally, Paragraph 667 provides that the
7 monitor may coordinate and confer with the Office of
8 Inspector General for the City to avoid duplication of
9 efforts.

10 I think this provides tremendous opportunity for us
11 to work with the Court and the parties and the monitor to
12 provide whatever support and assistance we can in the City's
13 larger ongoing efforts to move toward consent decree
14 compliance.

15 With that, your Honor, I am happy to answer any
16 questions or to go back to anything that's of particular
17 interest to the Court.

18 THE COURT: One question, I guess, I do have. You
19 mentioned the difficulty of Paragraph 429 and apparently in
20 position of inconsistent obligations or obligations that are
21 inconsistent with other legal obligations.

22 Is it your recommendation that we look at an
23 amendment to that paragraph?

24 MS. WITZBURG: Yes, in short. I think that the
25 language of 429 contains this sort of internal tension with

1 the need in that the consent decree, as I mentioned, imposes
2 both an obligation to maintain an anonymous reporting
3 mechanism, but then says that no report made via that
4 mechanism would satisfy the duty to report misconduct.

5 I think that that tension can be resolved by
6 clarifying certain safeguards and control mechanisms around
7 an anonymous reporting system so that we can have anonymous
8 reports which are trackable and verifiable as made by members
9 of the police department.

10 OIG, in fact, before the entry of the consent
11 decree built an anonymous reporting mechanism that satisfies
12 those needs, that does have those features providing for
13 well-controlled, traceable, anonymous reports. And I think
14 that the language of 429 could be clarified to state that
15 anonymous reports made via that anonymous but verified
16 reporting mechanism would in fact satisfy members'
17 obligations under Rules 21 and 22.

18 THE COURT: That's great. Thanks.

19 Then that's something we will definitely want to
20 consider.

21 I know that we had set aside some time as well for
22 questions from the Office of the Attorney General. So I want
23 to give those lawyers an opportunity to speak up.

24 MR. HAZINSKI: Thank you, your Honor. My name is
25 John Hazinski. I'm an attorney with the Illinois Attorney

1 General's office.

2 I just have a few brief remarks in connection with
3 Ms. Witzburg's presentation.

4 First, we want to acknowledge the commitment of the
5 Office of the Inspector General that they demonstrated in
6 achieving and maintaining full compliance with their consent
7 decree obligations.

8 The Office of the Inspector General and the Deputy
9 Inspector General of Public Safety serve as a model for other
10 City and CPD units in getting compliance and implementing
11 reforms.

12 We also commend OIG and PSIG for providing valuable
13 audits and reports and issues that affect the range of CPD
14 operations as well as the consent decree in particular.

15 Ms. Witzburg mentioned some of these audits and
16 reports. One that I will mention is PSIG's report entitled
17 "Fairness and Consistency in the Disciplinary Process For
18 Chicago Police Department Members." This report, which was
19 issued in 2022, identifies ways in which existing policies
20 across the City lack sufficient guidance to ensure consistent
21 discipline and determination and across misconduct cases.

22 Other reports have examined issues equally
23 important to reform, including, as Ms. Witzburg mentioned,
24 the report regarding barriers to officer reporting misconduct
25 as well as more recent reports following up on the practices

1 of releasing videos of use-of-force incidents. So we commend
2 OIG and PSIG for this important work.

3 And now that the Office of the Inspector General is
4 no longer under the oversight of the consent decree, we urge
5 the City to use the expertise of OIG to advance CPD's data
6 collection and analysis efforts. Ms. Witzburg mentioned
7 Paragraph 667 as a vehicle to create this kind of
8 cooperation.

9 For example, COPA approaches full compliance with
10 many of its consent decree obligations. The OAG, the IMT,
11 and the City are in the process of developing strategies to
12 assess full compliance, which will include audits of
13 investigative files, for example. The expertise and
14 resources of the Office of Inspector General should be part
15 of that process.

16 This will also be a necessary step toward approving
17 full compliance with the consent decree requirements and
18 institutionalizing reforms that the City and CPD are working
19 toward.

20 We look forward to collaborating further with the
21 Office of Inspector General on their reform efforts.

22 Thank you.

23 THE COURT: All right. Thank you very much.

24 Any other questions from OAG or comments that the
25 Attorney General would like to make before we move on to the

1 next issue?

2 MR. HAZINSKI: Nothing at this time, your Honor.

3 THE COURT: Okay. Well, we are just about right on
4 time.

5 We are going to move now to a discussion of
6 disciplinary consistency across the City accountability
7 structures.

8 First hearing from the Office of Attorney General
9 and then briefly again from the City -- a discussion from the
10 City.

11 So let's begin with OAG.

12 MR. HAZINSKI: Thank you, your Honor.

13 So the focus of today's hearing is the
14 accountability systems for CPD officers, which is an issue at
15 the heart of the consent decree. That's because CPD officers
16 have been entrusted with extraordinary power. When officers
17 misuse that power, they violate public trust, and there
18 should be consequences. In other words, those who enforce
19 the law must also follow the law.

20 THE COURT: Right.

21 MR. HAZINSKI: In 2017, the Department of Justice
22 found CPD's accountability systems were broken in four major
23 ways.

24 First, there were significant barriers to
25 initiating a complaint, and many were dismissed without any

1 investigation, either because of the sworn affidavit
2 requirement or through a process known as administrative
3 closure.

4 Second, even complaints that made it past the door
5 were not adequately investigated. Investigators routinely
6 failed to gather relevant evidence and interview witnesses.

7 Third, the Police Board's procedures for hearing
8 the most serious misconduct cases were flawed.

9 And fourth, even when a complaint resulted in
10 discipline, the discipline imposed was inconsistent and
11 unpredictable.

12 In the consent decree, the City made a commitment
13 to address these failures of accountability, and in certain
14 areas the City has made substantial progress.

15 For example, as we have just heard, the Office of
16 the Inspector General serves as a model for achieving consent
17 decree compliance, but in other key areas, the City and CPD
18 have not meaningfully addressed four issues of
19 accountability.

20 In particular, as I will discuss today, the City
21 and CPD have not ensured that their accountability systems
22 coordinate and share information to ensure that allegations
23 are thoroughly investigated and the discipline is fair and
24 consistent.

25 The complex system of CPD accountability depends on

1 the coordination of multiple City entities. When officers
2 are accused of misconduct, these entities need to share
3 information and, in some cases, work in tandem.

4 The absence of cooperation among these entities
5 creates barriers to consent decree compliance,
6 accountability, and reform.

7 Before discussing these obstacles, I would very
8 briefly like to explain the role of each of these entities in
9 the accountability system.

10 Administrative investigations into officer
11 misconduct are conducted either by the department itself or
12 by the Civilian Office of Police Accountability called COPA.

13 First, COPA has jurisdiction over the most serious
14 allegations against officers, such as uses of force, sexual
15 violence, coercion, illegal searches, and biased policing.
16 COPA's City agency external to the police.

17 Second, if a complaint doesn't fall within COPA's
18 jurisdiction, it's investigated by the department itself.
19 And this can include allegations such operational violations,
20 conduct unbecoming, and verbal abuse.

21 The part of the department that investigates these
22 complaints is called the Bureau of Internal Affairs, or BIA.
23 BIA also conducts criminal investigations of officers.

24 And third is, lower-level complaints can be
25 referred by BIA to be investigated at a district level within

1 the department. And this can include complaints like traffic
2 violations or neglect of duty. The officers assigned to the
3 districts who handle these complaints are called
4 accountability sergeants.

5 Once an investigation is concluded, the Police
6 Board may also play a role. If an allegation is sustained,
7 the Police Board will review the case if the police
8 superintendent recommends that an officer should be fired or
9 if COPA and the superintendent cannot agree on what the
10 discipline should be.

11 This complex web of accountable structures requires
12 coordination and cooperation to be effective. The City and
13 CPD have not adopted some key policy reforms needed to make
14 this coordination occur. One example is the issue of
15 disciplinary decisions.

16 In 2017, the DOJ highlighted inconsistent
17 discipline as a major problem, but the City and CPD have made
18 little progress in addressing it. This is reflected in the
19 Inspector General's report mentioned earlier, which found
20 that policies governing CPD, COPA, and the Police Board
21 created inconsistency and unfairness in discipline.

22 For example, these entities don't have a uniform
23 set of aggravating and mitigating factors that investigators
24 must consider when making disciplinary recommendations.

25 COPA has a list of aggravating and mitigating

1 factors in its policies that BIA does not. Instead, BIA has
2 sought to train its investigators using a different set of
3 factors that are drawn from criminal sentencing guidelines.

4 The City thus far has not accepted the Inspector
5 General's recommendation to develop uniform standards that
6 would address these inconsistencies.

7 The City's failure to remedy these problems reflect
8 the larger challenge of implementing cohesive reform
9 strategies across all of the various accountability entities.
10 It manifests in other important ways, including
11 investigations of shootings by officers. CPD has repeatedly
12 failed to ensure that COPA has access to the information it
13 needs to investigate these shootings.

14 With respect to COPA, since the start of the
15 consent decree, COPA has achieved remarkable progress in
16 developing data-driven, transparent, and community-focused
17 approaches to its investigations. But for it to adequately
18 investigate, including in serious cases of officer-involved
19 shootings, it needs access to information and evidence, and
20 CPD's suite of policies regarding these investigations fall
21 short.

22 The department's most recent version of their
23 policies doesn't ensure that COPA has immediate access to the
24 scene and can fully participate in the investigation.
25 Instead, these policies have repeatedly allowed COPA

1 personnel to be excluded or prevented from accessing key
2 evidence.

3 We also understand that, more generally, data
4 sharing between BIA and COPA continues to face serious
5 obstacles, particularly in recent months.

6 These are just a few examples of the ways in which
7 failing to ensure a coordinated approach to accountability
8 precludes the reforms needed to remedy CPD's investigation
9 processes, as well as inconsistent and unpredictable
10 discipline. The City should make every effort to address
11 these needed policy changes and ensure cooperation and
12 collaboration by COPA, BIA, the Police Board, and all
13 entities responsible for police accountability in Chicago.

14 Thank you.

15 THE COURT: Thank you, Mr. Hazinski.

16 Response from the City or a discussion from the
17 City.

18 MR. SLAGEL: Yes, your Honor. Allan Slagel on
19 behalf of the City.

20 The description by Mr. (audio interruption)
21 regarding the -- excuse me. The complex nature of the City's
22 disciplinary process, by its definition, explains how
23 complicated things are and the difficulty of coordination.

24 I would like to first address a couple of points
25 that John raised with regard to access to information and

1 officer-involved shootings and death investigations.

2 If he is correct, those policies are not done, but
3 those policies have also been extensively revised. The City
4 hired an outside expert to look at those policies and provide
5 guidance on them. They were produced to the monitor and the
6 AG in early November of this past year, and we are waiting
7 for them to provide us comments back on those policies. So
8 it is not as though the City has neglected to work with those
9 on those issues.

10 With regard to COPA's access to investigatory
11 scenes involving officer-involved shootings and
12 officer-involved death investigations, yes, there were
13 challenges early on in the consent decree, but since then, we
14 are not aware of COPA being denied access to the scenes of
15 investigations.

16 There have been issues from COPA's investigations
17 at scenes involving the Illinois State Police on expressways,
18 but CPD has made a dramatic effort to provide COPA access.

19 I think the issue that COPA raised recently was not
20 access to scenes but some data systems that they didn't have
21 access to, in particular a new system that was created by the
22 TRED unit, and that was just because they changed the
23 methodologies that they were using.

24 In sum, your Honor, we can go into lots of details
25 on these issues. There is lots of work to be done. We are

1 not denying that that isn't the case. We are just saying
2 that we are making progress, and we can look forward to
3 continue to work with the monitor, the AG, and others in
4 continuing to make that progress toward improved
5 accountability systems.

6 THE COURT: Okay. Thank you.

7 You know, I've been struck all along by the number
8 of organizations and bodies that are involved and engaged in
9 investigation of misconduct or complaints or just complaints
10 from the community and wonder whether the sheer number of
11 these organizations or potential reporting groups is
12 inconsistent with the goal.

13 Even when I -- you know, I joke now that I'm really
14 much more familiar with all the acronyms than I once was, but
15 the reality is that the public would not be. And they hear
16 these words like "COPA" or "OIG" or whatever, and they don't
17 know exactly what the relationship or overlap, if any, is.

18 I wonder, in the same way that we have -- you know,
19 there has been concern about records of complaints not being
20 shared with various organizations or overlapping or being
21 inconsistent, whether there is a way that we can think about
22 streamlining these processes so it's really clear who
23 investigates what. I know it's clear to all of you. So it's
24 clear to the public.

25 MR. SLAGEL: Your Honor, you put your finger on the

1 head of the problem. I mean, part of this is just the
2 history of how these accountabilities -- organizations were
3 created over times in response to issues that arose at those
4 times.

5 Ms. Witzburg provided the history on PSIG's
6 creation after the DOJ started their investigation on
7 McDonald. There was a change at that time from what was
8 called IPRA, which was the predecessor of COPA, which changed
9 its responsibilities.

10 It's an acronym soup of organizations that oversee
11 this.

12 THE COURT: Yes.

13 MR. SLAGEL: The City is stuck with that as the
14 process that has been created. I think we have all said that
15 if we went back, no one would have created this process from
16 the start, but I think we have to work the best we can with
17 the process that we have, and we are making efforts to do so.

18 THE COURT: Well, the City is stuck with it only
19 insofar as it's statutory, right? I mean, other than that,
20 it would not be.

21 Let me just point out something that I kind of
22 learned in my long history here, and that is, if you want to
23 explain or understand why something is, you never look at
24 logic. You look at history. And I think this is a perfect
25 example. You know, a logical system might not be set up this

1 way, but it is -- as you point out, Mr. Slagel, each one of
2 these organizations popped up or became salient in a
3 particular historic context. We can't necessarily go back
4 and rewrite it.

5 What we may be able to do at some point is be
6 thoughtful about how and whether we can reorganize these
7 organizations so that it's clear who does what and that it's
8 not only to us but also to the public. Anyway, that might be
9 kind of a long-term goal at this point.

10 Any further comments with respect to the
11 disciplinary consistency issue?

12 (No response.)

13 THE COURT: Then let's turn to the next item on our
14 agenda, which is BIA. We are going to be hearing first from
15 the Attorney General for five minutes on that issue, followed
16 by a response or comments and questions from the City.

17 So we will go ahead there.

18 MS. STEINES: Good afternoon, your Honor.

19 My name is Stevi Steines, and I'm with the Illinois
20 Attorney General's office.

21 As we've already heard today, many allegations of
22 officer misconduct are investigated by BIA and district
23 accountability sergeants, which are CPD's internal
24 accountability systems, but BIA and the district have
25 struggled to implement reform. Nearly five years into the

1 consent decree, CPD's accountability systems lag behind in
2 compliance and suffer from serious operational challenges.

3 Crucial accountability policies have not been
4 finalized, and progress on trainings has been inconsistent.

5 Most importantly, BIA and the accountability
6 sergeants do not have the staffing or the resources needed to
7 complete their investigations. This has led to significant
8 delays despite the consent decree's requirement that BIA
9 complete investigations in 180 days and the district, in
10 90 days.

11 Lengthy delays also increase the likelihood that
12 officers with substantiated allegations of misconduct will
13 not face any discipline at all.

14 With respect to written policies, although the
15 department has managed to develop policies addressing most of
16 its accountability obligations, some accountability
17 paragraphs are still not at preliminary compliance. This
18 includes requirements relating to the consideration of
19 evidence from parallel criminal and civil investigations.

20 In 2017, the U.S. Department of Justice found that
21 when criminal investigations or civil lawsuits turned up
22 evidence relevant to an administrative investigation of
23 officer misconduct, the investigators often failed to obtain
24 that evidence.

25 CPD still, to this day, does not have a policy in

1 place implementing sufficient procedures for obtaining and
2 reviewing this type of evidence.

3 With respect to trainings, the department is now
4 moving towards secondary compliance with many of the
5 accountability paragraphs, but progress on these trainings
6 has not been steady or consistent.

7 As a result, the department is hoping to develop
8 dozens of training modules on a compressed timeline in the
9 next few months in order to deliver these trainings sometime
10 this year.

11 But most importantly from the perspective of
12 officers and community members, CPD has not provided BIA and
13 district accountability sergeants with the staffing or
14 resources they need to complete their investigations in a
15 timely manner.

16 The first issue I will talk about is staffing.

17 BIA and the district have each struggled with
18 staffing limitations. BIA has consistently fallen short of
19 its number of budgeted investigating sergeants and often has
20 been short of lieutenants and civilian employees.

21 According to BIA's recent staffing needs plan,
22 BIA's optimal recommended staffing requires 163 sworn members
23 and four civilians, but it currently has only 89 sworn
24 members and just one civilian.

25 The general investigation section, which has the

1 broadest jurisdiction, is operating at 55 -- excuse me -- at
2 56 percent of its optimal staffing level and is short 18
3 investigating sergeants. And its special investigation
4 section, which investigates more sensitive allegations, is
5 operating at only 33 percent of its optimal staffing level
6 and is short ten investigating sergeants.

7 BIA has been approved to hire 30 civilian
8 investigators this year, which is a promising step after
9 years of deficient staffing. But staffing issues also affect
10 units outside BIA, like research and development, showing --
11 slowing the process of drafting and revising policies.

12 At a district level, staffing problems have
13 rendered investigations by accountability sergeants
14 essentially nonexistent in many districts.

15 As Ms. Hickey noted earlier, the consent decree
16 requires each of CPD's 22 districts to have at least two
17 accountability sergeants, and most districts have met or
18 exceeded this requirement.

19 However, accountability sergeants have consistently
20 shared that they have little or no time to tend to their
21 investigation responsibilities because department-wide
22 staffing shortages have required them to perform other
23 duties.

24 Accountability sergeants also reported that they
25 don't have access to basic resources they need to complete an

1 adequate investigation, such as computers and private spaces
2 to conduct interviews.

3 The next issue I will discuss is delays.

4 These inadequacies in staffing and resources have
5 caused tremendous delays. The consent decree requires BIA to
6 complete its investigations in 180 days, and it requires the
7 districts to complete their investigations in 90 days. But
8 according to a November 2023 report issued by CPD's audit
9 division, which reviewed data from the second half of 2022,
10 BIA closed only 44 percent of its cases within 180 days, and
11 the district accountability sergeants closed only 10 percent
12 of their cases within 90 days.

13 These delays represent an ongoing and serious
14 concern regarding accountability. They threaten the morale
15 of department members, who are subjected to the uncertainty
16 of lengthy unresolved investigations. They also undermine
17 discipline, which may not be imposed until many years after
18 the incident, making the sanction less effective at
19 correcting behavior. Often delays mean that officers will
20 experience no consequences at all.

21 According to COPA, officers appealing their
22 decisions in arbitration almost always succeed when the case
23 has been outstanding for a long period of time.

24 Delaying investigations for months or years signals
25 to community members that the department does not take their

1 complaint seriously. This erodes community trust, undermines
2 procedural justice, and makes the department as a whole less
3 transparent and accountable to the public.

4 Unfortunately, the data suggests that these
5 problems are getting worse. CPD cannot meet its
6 accountability obligations until it provides sufficient
7 staffing and resources to achieve the timeliness benchmarks
8 required by both the consent decree and CPD policy.

9 We recognize that improving the City's
10 accountability systems, including staffing shortages, is not
11 easy. Many department members are working every day to meet
12 these challenges. But the City and department leadership
13 must demonstrate the same commitment to accountability if
14 they hope to reform CPD's accountability systems.

15 THE COURT: Thank you, Ms. Steines.

16 We will hear, then, from -- a response from the
17 City.

18 MR. SLAGEL: Good afternoon, your Honor. Again,
19 Allan Slagel.

20 As Stevi pointed out, we are in the process of
21 hiring this year -- I have slightly different numbers than
22 her -- 31 civilian investigators and two civilian supervisors
23 for the BIA section to help support the personnel that are
24 there.

25 I think, as you are well aware, as well as

1 everybody is, CPD is short-staffed. There has been a
2 continued problem with staffing of sworn officers and let
3 alone civilians. But the department and the City this year
4 has allocated 400 individuals to be hired department-wide in
5 civilian positions and these 33 people in the BIA section.
6 So that should hopefully provide relief to the department.
7 It's not as though the department and the City haven't
8 recognized its obligations under the consent decree or the
9 issue with regard to staffing and is working on that as
10 promptly as possible in 2024.

11 Thank you.

12 THE COURT: Thank you, Mr. Slagel.

13 Any further comments about that issue?

14 (No response.)

15 THE COURT: Let me ask this question, Mr. Slagel.
16 You may or may not be able to answer. Are these delays in
17 staffing issues related to the number of organizations that
18 are involved?

19 I mean, would we be -- I don't know. Would it
20 help -- go ahead.

21 MR. SLAGEL: This issue is an issue of not having
22 enough personnel. Okay? This is having too much work to do.
23 I mean, if sergeants -- if there are calls for service, do
24 you want the sergeants to go to the calls for service, or do
25 you want the accountability sergeants to be working on

1 accountability issues?

2 Based upon levels of crime and levels of staffing,
3 decisions were made in balancing that that created a backlog
4 here of work.

5 We can quibble over some of the stats and the time.
6 There has been some -- there has been substantial improvement
7 in 2023, and there hopefully will be substantial improvement
8 in 2024.

9 But the issues that we are talking about on BIA are
10 number of personnel and staffing. And that's why, hopefully,
11 you know, going outside of just having sworn members and
12 having investigators, which is a break from past practice, is
13 a definite step forward.

14 THE COURT: This is central to the concerns that
15 animate the consent decree, so I really do think it's
16 critical. I'm focusing on getting bodies there that can do
17 this work and do it in a credible way. It's critical to the
18 respect that the community has and to the function of the
19 consent decree as a whole.

20 Okay. Comments -- any comments from the coalition?

21 Ms. Meek, you turned your camera on. Was there
22 something you wanted to say?

23 MS. MEEK: To briefly note that, while we certainly
24 appreciate and acknowledge the staffing challenges that the
25 department has overall, we do believe that this is also a

1 matter of prioritization. Particularly, as Ms. Steines
2 noted, when it comes to things like access to basic
3 resources, like laptops or private space to interview people,
4 those are not staffing shortage issues.

5 And, again, I think we have talked before about
6 issues of staffing prioritization and want to continue to
7 highlight this issue as well as the real impact that these
8 lengthy backlogs have, as we have noted, on the effectiveness
9 of the accountability system.

10 THE COURT: Well, thank you.

11 I keep forgetting I'm muted.

12 Thank you, Ms. Meek. Those issues are important to
13 me, too. We do -- I recognize this is a priority. I think
14 the City must do so as well, and I think they will and
15 should.

16 The last item on our agenda was a few minutes for
17 any comments from the coalition, if there are coalition
18 representatives or people here that would like to be heard.

19 MS. BLOCK: Thank you, your Honor. This is
20 Alexandra Block on behalf of the coalition.

21 The coalition would like to raise with the Court
22 two important points affecting transparency and
23 accountability at CPD. They are slightly different than the
24 points the parties raised.

25 But I will start by addressing some shortcomings in

1 CPD's recently finalized policy regarding body-worn cameras,
2 and then I will turn it over to my cocounsel, Sheila Bedi,
3 who's going to address the coalition's concerns with the
4 manner in which the City negotiated the recent extension of
5 the contract between the City and the Fraternal Order of the
6 Police.

7 So first turning to the body-worn camera policy.
8 During last month's status hearing the coalition apprised the
9 Court that CPD had at that time released a new version of
10 this policy that was essentially unchanged from a 2022
11 version of the policy. And since then, CPD has released a
12 final version of the body-worn camera policy, again
13 essentially unchanged, as of December 29th of 2023.

14 The coalition -- all of our concerns about this
15 policy that we raised for the last two years still remain.
16 We are concerned that this is really an important opportunity
17 missed for CPD to use body-worn cameras as a tool to promote
18 transparency and accountability.

19 I will cover just a couple of the issues that we
20 have previously raised with CPD in our letters that we sent
21 them in 2022 and 2023.

22 First, CPD's policy allows officers who are
23 involved in significant uses of force to shut off their
24 cameras as soon as a (unintelligible) supervisor determines
25 that the scene is secure, which might be only a few minutes

1 after an officer has shot a person. This allows officers to
2 potentially collude off camera, perpetuating CPD's engrained
3 code of silence.

4 The coalition strongly recommends that officers
5 involved in use-of-force incidents or other incidents that
6 COPA investigates should be prohibited from deactivating
7 their body-worn cameras until the end of their shift or until
8 they submit to a COPA interview, whichever is earlier.

9 The other issue that we raised significant concerns
10 about is how CPD is missing the opportunity to use body-worn
11 cameras as a tool for training and supervisory mentoring of
12 officers.

13 If CPD conducted robust audits of a significant
14 sample of body-worn camera footage, this really could be a
15 useful tool to provide corrective feedback, catch small
16 issues with policy noncompliance before they become big
17 issues. But there's a real problem that CPD supervisors
18 actually review very little body-worn camera footage on a
19 routine basis -- only one incident per lieutenant per shift.

20 The policy doesn't require supervisors to review
21 body-worn camera footage even when investigating complaints
22 against officers or when approving arrests.

23 And finally, CPD's requirements for audit -- for
24 their own audit division to review body-worn camera footage
25 are really toothless and nontransparent because the audit

1 division doesn't publicly release its reports, and also, CPD
2 doesn't require implementation of any changes that the audit
3 division might recommend based on its review of body-worn
4 camera footage.

5 So, again, this is really a missed opportunity to
6 enhance transparency and accountability of officers.

7 Our second really large category of concerns with
8 how CPD has recently addressed body-worn camera footage is
9 that language in the newly adopted contracts between the City
10 and the Fraternal Order of Police, the union that represents
11 most police officers, is inconsistent.

12 So there are a number of versions of state statute,
13 of consent decree, of the body-worn camera footage policy
14 that CPD has finalized that appear to be different from
15 provisions that the City negotiated with the FOP. And at the
16 very least, this is likely to create confusion, if not
17 outright disobeying the policy by CPD officers.

18 We have urged CPD to immediately clarify in its own
19 policies that, in the event of a conflict between policy and
20 the FOP contract, officers are required to obey CPD policies
21 about when they can turn on or turn off their cameras, for
22 example.

23 So here are some specific examples of some
24 conflicts that we have identified.

25 Paragraphs 236 and 464 of the consent decree

1 require that body-worn cameras should be designed to increase
2 officer accountability and that disciplinary issues, things
3 like COPA and BIA, should consider all relevant evidence,
4 including body-worn camera footage, when investigating
5 alleged misconduct. But a provision negotiated between the
6 City and the FOP purports to prohibit disciplinary action
7 based on footage that's taken that's beyond the minimum
8 requirements for when cameras should be activated.

9 Another example is that state law, the SAFE-T Act,
10 prohibits officers from reviewing body-worn camera footage
11 before completing incident reports in cases of serious uses
12 of force.

13 For example, when officers shoot people, they are
14 not allowed to review the body-worn camera footage before
15 they create their incident report. But the City negotiated
16 language with the FOP that says officers may review body-worn
17 camera footage before writing an incident report "unless
18 prohibited by law." But the contract doesn't clarify that
19 state law actually does prohibit officers from reviewing
20 their body-worn camera footage before writing the incident
21 report in the situations of serious incidents, uses of force.

22 There are a number of other inconsistencies. In
23 the interest of time, I won't go through all of them, but
24 we're significantly concerned that these potential
25 inconsistencies are going to confuse officers and will

1 certainly not help eliminate the post-incident code of
2 silence that CPD has struggled to deal with for decades.

3 And the coalition urges CPD to adopt their
4 recommended changes to the body-worn camera policy and
5 rewrite its policy in a way that will promote true
6 transparency and accountability.

7 Now I will turn it over to Ms. Bedi.

8 MS. BEDI: Thank you.

9 Thank you, your Honor, for the opportunity to
10 address the Court this afternoon.

11 As your Honor alluded to and as Mr. Slagel alluded
12 to, CPD is subject to this consent decree because of its
13 historic inability or refusal to right itself.

14 Its efforts to respond to numerous scandals over
15 the years have resulted in tinkers to the accountability
16 system, and those tinkers have failed to produce real change
17 over and over again.

18 Jon Burge and his underlings tortured confessions
19 out of Black and Brown people for decades.

20 We have this consent decree because CPD
21 Officer Jason Van Dyke murdered teenage Laquan McDonald, and
22 the accountability system entirely failed to hold him
23 accountable until that video was made public.

24 During the summer of 2020, hundreds of officers
25 were caught on tape brutalizing people who took to the

1 streets in protest. Only a dozen of those officers were ever
2 disciplined.

3 CPD engages in brutal home raids that terrorize
4 children, and there's no formalized process for reviewing
5 officers' conduct when they invade Chicagoans' homes.

6 These are all different types of misconduct. They
7 all implicate different substantive policies. But all of
8 these practices were able to persist because of complete and
9 utter failures of the accountability system.

10 Now, as this Court has heard from the coalition
11 repeatedly, progress on the consent decree overall has been
12 unacceptably slow. Any progress that has been made and the
13 future success of this decree related to accountability is
14 threatened by a number of issues related to the collective
15 bargaining agreement.

16 Paragraph 711 of the consent decree requires that
17 the City use best efforts to secure modifications to the CBA
18 consistent with the terms of this decree; best efforts to
19 secure modifications to the CBA consistent with the terms of
20 the decree. We are gravely concerned that a number of issues
21 with the current CBA suggest that the City is in violation of
22 this provision.

23 First and most foundationally, the City ratified
24 and agreed to this contract and agreed to a number of
25 fundamental barriers to accountability and transparency

1 without ever making the contract available to the community
2 or even to City Council. It wasn't available to City Council
3 until the morning City Council voted to ratify the contract.

4 This action cemented the barriers to accountability
5 and transparency for years to come and conflicts with the
6 transparency provisions of the consent decree.

7 Directly undermining COPA's efforts to conduct
8 careful, transparent disciplinary investigations, the new
9 contract gives officers the right to undo discipline in
10 informal, private hearings between FOP-approved friendly
11 arbiters. And per the Office of Inspector General, these
12 arbitrators have undone and reduced discipline in 80 percent
13 of cases.

14 In negotiating this contract, it is almost as if
15 the City completely disregarded some of the information that
16 the OIG made available to negotiators about what best
17 practices would be for accountability.

18 And then, contrary to the recommendations of the
19 very DOJ investigation that led to this consent decree, the
20 new contract prohibits post-incident conversations between
21 officers and with supervisors of being recorded. And
22 Ms. Block talked about that some.

23 And finally, there is the arbitration award.
24 Recently an arbitrator doubled down on an award that would
25 all but guarantee another decade of police impunity in

1 Chicago. It would allow officers who are accused of the most
2 serious misconduct the ability to have their fate decided in
3 secret by the same approved arbitrators who have overturned
4 CPD discipline in up to 80 percent of the cases.

5 This process would push the most serious
6 disciplinary cases back into secrecy. It would completely
7 undo any progress that has been done in terms of
8 accountability. Accountability is key to any type of real
9 culture change.

10 It's critical that the City continue to challenge
11 this award in court in order to meet its best efforts
12 obligation. Its failure to do so puts at risk Black and
13 Brown lives. It creates liability for the City under
14 Paragraph 711 of the consent decree and eviscerates the very
15 foundational principles of this decree.

16 Thank you again, your Honor.

17 THE COURT: Thank you, Ms. Bedi. I appreciate
18 those comments.

19 All right. Anything further this afternoon? I
20 think we have just a few minutes here for any closing
21 remarks.

22 I don't have anything to add to what I have already
23 said. If the monitor would like to make any closing
24 comments, you are welcome to do that.

25 MS. HICKEY: Thank you, your Honor.

1 I just wanted to inform the public that we are
2 continuing to work on the comprehensive assessment Part 2
3 with the parties and that we anticipate filing with the Court
4 in the second quarter of 2024. I just wanted to let, you
5 know, the public know that.

6 THE COURT: Great.

7 All right. Well, thank you. And I will be seeing
8 you again -- all of you again soon.

9 I know we are making progress. It's not
10 satisfactory to everybody, but we are going to continue to do
11 our best.

12 MS. HICKEY: Thank you, your Honor.

13 THE COURT: Thank you.

14 (An adjournment was taken at 2:09 p.m.)

15 * * * * *

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

18 /s/ Frances Ward January 26, 2024.
19 Official Court Reporter

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