

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.)	December 14, 2023 1:00 p.m.

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

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1 APPEARANCES (Continued:)

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3 Independent Monitor: ARENTFOX SCHIFF
4 BY: MS. MARGARET A. HICKEY
5 MR. ANTHONY-RAY SEPÚLVEDA
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9 Also Present: Commander Ralph Cruz

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

3 THE COURT: We are ready to get started then for
4 our monthly status update.

5 The agenda here is just the usual. We are going to
6 be hearing some opening remarks, and then we will get some
7 status reports on ongoing issues.

8 Let me begin by reviewing with you what I
9 understand we are going to be looking at today.

10 We will spend a few minutes hearing from the
11 Independent Monitoring Team with some opening remarks.

12 Then we are going to talk about in-service training
13 for about 30 minutes, from 1:15 to 1:45. Most of that
14 presentation will come from the City with questions and
15 potentially follow-up from the Attorney General and the
16 Court.

17 And then, in the final, say, 5 to 10 minutes we
18 will be talking about bringing a status update on our
19 previous hearing -- the investigatory stops, the search
20 warrant process, and ISRs.

21 And then, finally, the last five minutes would be
22 time for comments from the coalition if the coalition is with
23 us and has made requests to be heard.

24 So why don't we get started, then, with just
25 opening remarks from the Independent Monitoring Team, and

1 then we will turn to the issue of in-service training.

2 MS. HICKEY: Great. Thank you, your Honor. And
3 thank you for convening us here today.

4 Last month, the Court began what we intend to be
5 monthly status hearings regarding the ongoing process under
6 the consent decree.

7 While our independent monitoring reports naturally
8 look backwards at six-month snapshots of compliance efforts,
9 it's our hope that, through these public status hearings, the
10 Court and the public may receive updates regarding current
11 efforts and plans that are going on in realtime.

12 Last month, the CPD provided an update on current
13 achievements and challenges in CPD's Tactical Review and
14 Evaluation Division, and that is known as TRED.

15 The Independent Monitoring Team will report on,
16 among other things, those developments and compliance with
17 the consent decree in IMR 9, which will cover the compliance
18 efforts between July 1st, 2023, and December 31st, 2023. So
19 it's ending in just the next couple weeks. And we intend to
20 file that report in the first quarter of 2024.

21 Today we will be hearing from the CPD regarding
22 their in-service training for 2023 and their plan for
23 in-service training for 2024.

24 Many of the early efforts of the consent decree
25 focused on drafting and revising policies to align with the

1 consent decree, best practices, and the community feedback.
2 And as a result of these efforts, the CPD has reached a level
3 of preliminary compliance, the first of three levels of
4 compliance, with most of the original requirements.

5 The CPD must then continue to train officers and
6 personnel on these policies to ensure that officers are aware
7 of and equipped to meet the expectations of the CPD and the
8 Chicago communities.

9 I will now turn it over to my colleague,
10 Anthony-Ray Sepúlveda, who will address our recent report and
11 our ongoing efforts with the comprehensive assessment, and
12 Stella Oyalabu, who will describe our most recent assessments
13 about CPD's in-service training progress.

14 MR. SEPÚLVEDA: Thank you, Monitor Hickey.

15 The Independent Monitoring Team reports on the City
16 of Chicago's and the Chicago Police Department's progress
17 under the consent decree twice a year.

18 Most recently, the Independent Monitoring Team
19 filed Independent Monitoring Report 8 and Part 1 of the
20 comprehensive assessment in November. This report is
21 available on our website, cpdmonitoringteam.com, and includes
22 the compliance status for all original requirements.

23 As Monitor Hickey referenced, the Independent
24 Monitoring Team measures compliance with the consent decree
25 requirements in three benchmarks.

1 The first, preliminary compliance, often refers to
2 whether corresponding policies, procedures, or other written
3 materials are in effect.

4 The second, secondary compliance, which is most
5 relevant to today's discussion, often refers to whether the
6 responsible personnel have been appropriately trained on
7 those policies.

8 On June 20th, 2023, the City and the City entities
9 have achieved at least secondary compliance with about
10 35 percent of the original paragraphs with requirements.

11 We expect to file Part 2 of the comprehensive
12 assessment early next year, which will include the
13 Independent Monitoring Team's recommendations for changes to
14 the consent decree that we believe are necessary to
15 achieve -- to accelerate full and effective compliance with
16 the consent decree, including meaningful training and
17 measurable implementation. This will achieve -- the hope
18 will be to achieve and sustain the intended results -- the
19 intended outcomes of the consent decree.

20 The City of Chicago and the Office of the Illinois
21 Attorney General as the parties to the consent decree will
22 ultimately determine what modifications, if any, are made.

23 With that, I will turn it over to my colleague,
24 Stella Oyalabu.

25 MS. OYALABU: Thank you.

1 Today we expected to hear from the City of Chicago
2 and the Chicago Police Department regarding the progress with
3 in-service training.

4 Throughout the eighth reporting period, the Chicago
5 Police Department has made considerable efforts to provide
6 training to its officers.

7 In April of this year, for example, the City and
8 the CPD opened the new joint public safety training facility,
9 and the CPD launched the scenario-based training arena for
10 recruit and in-service training.

11 As with other divisions, the CPD's training support
12 group, which is the CPD group responsible for overseeing CPD
13 training, has been impacted by staffing challenges.

14 The CPD has taken steps, however, to bring in
15 outside instructors to teach specific courses, such as the
16 fair and impartial policing course.

17 We expect to hear today about the CPD's ongoing
18 efforts to meet consent decree requirements. The IMT will
19 continue to emphasize the importance of implementing a clear
20 and consistent instructive, selection, and training
21 evaluation process to ensure that the CPD is continuously
22 measuring and improving the effectiveness of its training,
23 addressing feedback from its officers, and providing
24 instruction that best prepares its officers to meet the needs
25 of the CPD and Chicago's communities.

1 We look forward to hearing more from the City and
2 the Chicago Police Department today regarding the in-service
3 training program.

4 Thank you, your Honor.

5 THE COURT: Thank you, Ms. Oyalabu.

6 Is that right?

7 MS. OYALABU: Yes, it is.

8 THE COURT: Okay. Great. Well, thank you.

9 I am interested in this issue. I think we are
10 going to be hearing from the City about the in-service
11 training efforts and progress that's being made. So why
12 don't we turn to that issue right now.

13 MR. SLAGEL: Sure. Good afternoon, your Honor.

14 Allan Slagel on behalf of the City of Chicago.

15 We have with us today Commander Ralph Cruz from the
16 training and support group.

17 The Commander and the training and support group
18 should be congratulated on having achieved the consent decree
19 monitoring requirements of 95 percent of the Department
20 having been trained on all of the four courses for in-service
21 training this year, as well as 95 percent of the Department
22 having received the 40 hours required by the consent decree.

23 So with that intro, I'm going to turn it over to
24 Commander Cruz, who has a detailed presentation for the Court
25 and the public today.

1 Whenever you are ready, sir.

2 MR. CRUZ: Can you guys hear me?

3 MR. SLAGEL: Yes, sir.

4 THE COURT: Yes. Good to see you.

5 MR. CRUZ: Hello.

6 Can you guys see my screen?

7 THE COURT: Yes, it looks like it.

8 MR. CRUZ: All right.

9 Good afternoon, your Honor. I'm Commander Ralph

10 Cruz from the Chicago Police Department's training and
11 support group. And we're here today to talk about training
12 updates for our 2023 and 2024 training years.

13 So for the sake of time -- I can talk about each
14 one of these for a half-hour. I'm going to speak to certain
15 things, but if you have any questions at any time, I will
16 stop and answer any questions that you need.

17 So for our 2023 training program, as Allan said, we
18 do have a consent decree mandate that we have to have
19 95 percent of our members trained in each individual course,
20 and collectively 95 percent of our department has to be
21 trained in 40 hours, which I'm happy to report that we
22 reached that benchmark, and we are currently sunsetting these
23 programs.

24 So what we want to do here in the training academy
25 is we want to build training that's foundational, training

1 that we can build off. So we don't want ephemeral,
2 short-lived training. So the training I'm going to highlight
3 is going to be the ones that you are going to see a common
4 theme, trainings that are going to be carried off, and you're
5 going to see it in next year's training also.

6 So annually we have to have eight hours of
7 deescalation, response resistance, and use-of-force training.

8 So this year, the first course we are going to talk
9 about is going to be that class. And we teamed up with PERF,
10 which is the Police Executive Research Forum. It is an
11 independent entity that's been around for about 50 years.
12 And they focus on decreasing the use of force for law
13 enforcement and increasing community policing and things like
14 that.

15 THE COURT: Wait. Say the name of that
16 organization again.

17 MR. CRUZ: PERF, the Police Executive Research
18 Forum, P-E-R-F.

19 THE COURT: Okay. Thanks.

20 MR. CRUZ: So we meet with them. They have a
21 12-hour class that they researched.

22 They went to Scotland because the Scotland police
23 department is unarmed. So they went over there, and they
24 learned how they deal with people who may be in crisis and
25 are either unarmed or armed with anything other than a

1 firearm. And they were seeing how they were able to
2 encounter these situations and mitigate them without the use
3 of deadly force.

4 So they went over there, and they learned these
5 tactics and techniques. And then they worked nationally with
6 SWAT teams to figure out how they deescalate. And they
7 combined to make -- it's called ICAT, Integrating
8 Communications, Assessment, and Tactics, where they are using
9 these techniques to teach law enforcement nationally.

10 So what they did was, the first eight hours of this
11 class, they actually went across the country, and they got
12 body-worn camera footage of officers who actually use these
13 techniques, and they mitigated them without the use of deadly
14 force.

15 So the officers were able to learn these techniques
16 and actually see them in realtime on these body-worn cameras,
17 letting officers know that this isn't just theory. This is
18 actually practice. This is a very good way to do things.

19 So a foundational part of the ICAT training is the
20 CDM or the Critical Decision-Making Model.

21 So the Critical Decision-Making Model talks about,
22 you know that officers have a very difficult job. They are
23 going into unpredictability. So under that unpredictability,
24 they are going to have to make quick decisions under stress.

25 And in those moments, they have to take into

1 account collecting information. They have to make sure that
2 the information that they have -- things like: Do I have the
3 legal right to be here? Do I have the proper training and
4 equipment at this moment? If I don't, should I call somebody
5 that does? Should I get the SWAT team here? Maybe a CIT
6 officer? Things like that.

7 Once you understand and collect information, you
8 make sure that the decision that you make -- do you have the
9 legal right to be there? Do you have -- are laws and
10 policies in conjunction with your actions you are about to
11 take? And then take that action.

12 And then you assess. If that action isn't
13 working -- if what you thought was going to happen or was
14 going to work isn't, you can't keep doing that. That's not
15 good practice. So they want you to reevaluate what you are
16 actually doing, and then they want you to reassess and go
17 through the whole process again if it's not working.

18 But important with this, the center of the Critical
19 Decision-Making Model is ethics, morals, proportionality, and
20 sanctity of life.

21 So, in essence, it's saying, just because you can
22 do something, doesn't mean you should. Like if you see a
23 situation where somebody is armed but they are in a
24 wheelchair, you know, just because you can use force, it
25 doesn't mean you should. It's not proportional, or it's not

1 ethical at this point.

2 So that was a very good foundational piece of the
3 class.

4 So once the officers go through the eight hours of
5 classroom with that -- the ICAT training was a total of 12.
6 So the next day, it's four hours of actual hands-on, high
7 fidelity, stress-induced training.

8 I forget who just said that we have a brand-new
9 facility. We have an indoor scenario village, and officers
10 actually get to practice this with role players. And then
11 once the officers finish that, that's the completion of that
12 ICAT course.

13 So before I go on, is there any questions about the
14 ICAT training?

15 THE COURT: No.

16 You said it's four hours?

17 MR. CRUZ: It's a total of 12. The first eight is
18 scenario -- I mean, classroom with facilitation with watching
19 those videos. And then the last four hours is hands-on
20 scenario training.

21 THE COURT: Got it.

22 MR. CRUZ: And then to make this a 16-hour class,
23 we added two hours of what we call ABLE, Active Bystander For
24 Law Enforcement. That's a Georgetown University program.
25 It's pretty much to do with intervene. So if you think about

1 the George Floyd, those officers that were standing and
2 watching it happen, it's training officers that we have a
3 duty to stop those bad actions.

4 So last year, the City of Chicago -- the police
5 department went into a contract with Georgetown. In order to
6 be an organization that adheres to those practices, you have
7 to -- they say you got to be taught from the top down, bottom
8 up. So everybody in our department has to be trained in an
9 eight-hour class of this.

10 And then, in order to maintain in good status, you
11 have to have two hours of ABLE refresher every year. So this
12 year it was two hours of ABLE, and the ABLE refresher was
13 focused on officer wellness, which is important because
14 officers do a lot of things that are good.

15 So ABLE is saying, yes, stop bad actions, but they
16 are also saying this year they are focusing on officer
17 wellness. So if you're working with an officer every day,
18 and today he seems a little bit off or she seems like she's
19 coming in late, they seem a little bit more agitated than
20 usual, intervene now. Stop them before they have to go out
21 to the street and encounter that person in the ICAT
22 situation.

23 So officers really took and I think they
24 appreciated the wellness portion of that ABLE. I think -- in
25 my opinion, I think ABLE is trying to make the Department a

1 self-regulating organization where you are trying to stop
2 things before it happens.

3 Any questions on the ABLE portion, ma'am?

4 THE COURT: No. Thank you.

5 MR. CRUZ: And then, we ended that with just
6 updates on our use of force policy suite.

7 The next -- so that made it a total of 16 hours.

8 The next class that we had was -- like, I know,
9 like the lady said earlier -- was our fair and impartial
10 policing.

11 We worked with Lorie Fridell. She's a national
12 expert in implicit bias. So that was a four-hour class
13 taught by the company Fair and Impartial Policing. And then,
14 to make that class an eight-hour class, we added our
15 Emergency Vehicle Operations Course -- it's called EVOC --
16 and CPR refresher.

17 Any questions on that course?

18 THE COURT: No. That's all good. Thanks.

19 MR. CRUZ: And then the third class -- I want to
20 highlight this one -- is our officer wellness.

21 We have a great sergeant, Sergeant Elizabeth
22 Schultz. She has been doing our officer wellness training
23 for a couple years.

24 This year she worked with John Jay University to
25 teach emotional resilience, which is pretty much emotional

1 intelligence, like how to deal with what you are feeling, how
2 to listen to what the other person is feeling, and how
3 maybe -- how understanding your actions can impact the person
4 that you are dealing with.

5 Then we also -- she also worked with Washington
6 State University for sleep hygiene, how to get better sleep.

7 And then we worked with Cordico on nutrition, how
8 to make sure officers are eating well. Especially in the job
9 that we're in -- sometimes you work in food deserts -- how to
10 get the best nutrition you can.

11 And then the Cordico company also built us an app.
12 So if you can see my cursor here, this is actually from my
13 phone. Every department member, either sworn civilian and
14 their families, now has access to this app. And in this app
15 has the last couple of years of our wellness training. So if
16 an officer wants to know about peer support, find a
17 therapist, learn more about nutrition, exercise, things like
18 that, officers now have this at their disposal.

19 So in that class they actually walk the officers
20 through this course to make sure they download it and make
21 sure that they know how to use it.

22 Any questions on that one, ma'am?

23 THE COURT: Just to be -- so I'm clear, these
24 various training organizations come from -- how do you find
25 them, or how do you locate them?

1 MR. CRUZ: So internally we have a whole system.
2 We have -- our lieutenant is Jack Benigno. He's our
3 instructor of design and quality control commanding officer.
4 And then we give our sergeants the programs.

5 So, like, Liz is very self-directed. She's very
6 research-oriented. So she goes out and finds the best
7 practices in law enforcement. And then she will submit her
8 recommendation, and then our IDPC will filter it through, and
9 then we will package it up, and we'll send it off to get
10 approved by the Monitoring Team.

11 THE COURT: Got it. Okay. Thank you.

12 MR. CRUZ: And then, we also have buildup of first
13 responders is also part of that.

14 Any questions -- any other questions, ma'am?

15 THE COURT: No. That's it. Thanks.

16 MR. CRUZ: And then the final course to complete
17 the 40 hours of in-person training is our constitutional
18 policing class. That took almost three years to get approved
19 and through. We finally got it in. And it just teaches
20 Fourth Amendment, First Amendment, search and seizure, things
21 like that.

22 So that is going to be the completion of our 2023
23 in-service class.

24 And then we also had a little over seven hours of
25 e-learning.

1 THE COURT: Okay. And again, each of these
2 programs is reviewed by the monitor; is that right?

3 MR. CRUZ: Yes. We submit it, and then they give
4 us feedback comments, and then we go back and forth. And
5 then, once they approve it, then we start training.

6 THE COURT: All right. Thank you.

7 I don't have any other questions about this.

8 Any additional comments from the monitor?

9 MS. HICKEY: No, your Honor.

10 THE COURT: Okay. Great.

11 I think we are ready then to move on, at least
12 briefly.

13 Well, let me just -- good. Go ahead.

14 MR. CRUZ: Okay. And so far, our 2024 training,
15 what we do every year is we get a needs assessment together,
16 and we see what the Department needs internally. We work
17 with an organization to get public feedback on what the
18 public thinks that we need. Then we take into consideration
19 major events. And then once we get the training plan
20 together -- once we get the needs assessment done, we create
21 a training plan, and then we start the training.

22 So being that we are going to host the 2024 DNC
23 next year, that had a lot of weight on how we were going to
24 do our training this year.

25 And then, once we have our needs assessment and

1 training plan, we do a literature review. And on that
2 literature review, this year we did a lot of the
3 after-reactions for the 2020 civil unrest. So that kind of
4 helped us produce our themes and topics for 2024.

5 If we have time, ma'am, would you like me to go
6 through them right now, the courses for 2024?

7 THE COURT: Sure, quickly. That would be great.
8 Let's do that.

9 MR. CRUZ: So for the DNC, right now our department
10 is going to be split up into two tiers. Tier one is going to
11 be officers that are assigned operational responsibilities
12 during the DNC, and tier two is everybody else.

13 So we worked with FEMA, the Federal Emergency
14 Management Agency, and Center for Domestic Preparedness, CDP,
15 and we got the three-day field course operations course,
16 which is a national best practice course for anything that
17 has to do with field course. This is like the best industry
18 standard training.

19 So this is going to be a three-day class, and it
20 teaches basic crowd management and advanced tactics. So like
21 those after-reactions reviews, they are saying -- for
22 instance, an issue was, during a First Amendment rally, you
23 may have a few bad actors, and sometimes police officers were
24 maybe responding to more people than just those bad actors.

25 In this type of training, officers are trained how

1 to extract bad actors while allowing everybody else to
2 exercise their First Amendment rights.

3 So this is kind of an advanced course. It's three
4 days. Per the superintendent, any (unintelligible) that's
5 going to be assigned DNC responsibilities will also be going
6 to this course.

7 And then we were working with the Monitoring Team,
8 the OAG. And internally, as soon as we found out that we
9 were going to host the DNC, the Department sent -- our
10 training division, our policy writers, our legal division,
11 SWAT team all went down there to the FEMA in Anniston,
12 Alabama. And we all went to this training together so we can
13 build it collaboratively. So everybody was on the same page.
14 I can't thank everybody enough for all the help. And this
15 class actually started November 5th. We are currently
16 teaching the tier one officers as we speak.

17 Any questions on this course?

18 THE COURT: In connection with training for --
19 preparing for DNC, I assume that you are also in contact with
20 state law enforcement and the federal law enforcement
21 agencies as well?

22 MR. CRUZ: Yes. Chief Duane DeVries is the
23 incident commander for this. So they are having meetings
24 with them. And we are just doing the training part of it.

25 THE COURT: Right. Okay.

1 MR. CRUZ: The next class is -- everybody out of
2 the Department, that tier two, they are getting this two-day
3 public order, public safety class. Same two entities. This
4 is a brand-new course. It just came out. Chicago is going
5 to be the first agency to actually get it.

6 We went to the beta course in November, and we were
7 very impressed. It's very contemporary. It's very new.
8 Just like in our 2023 training, they are talking about
9 consent decrees in this class. They are talking about having
10 guiding principles at a national level. It's preservation of
11 human life. Locally it's sanctity of human life for us. So
12 it's very in line with what we are doing. It's reinforcing
13 how we want to police here.

14 And they also talk about ABLE in that. Duty to
15 intervene, they are talking about it in a public order sense.
16 They are saying, hey, listen. If you start seeing an officer
17 who looks like he's in a heated issue with a protestor --
18 he's getting agitated; he's clenching his teeth; he's
19 starting to tense up -- they want us to intervene. Hey, call
20 your sergeant. The person next to you, everybody kind of
21 intervene. So we are really happy to see that.

22 They also talk about ICAT and the Critical
23 Decision-Making Model.

24 For instance, if you are in a protest and things
25 start to get a little bit out of hand, you got to take into

1 account you can't -- you know, if there's people there with
2 disabilities, people who can't hear, wheelchairs, things like
3 that -- they are talking about all this.

4 So we're very impressed with it. Working with the
5 monitors and OAG, we are set to start this, it looks like
6 mid-January.

7 THE COURT: Okay.

8 MR. CRUZ: And then the next classes -- if you can
9 think nationally, the classes that we are teaching in public
10 order, that's from a national scale. It's like, okay, so
11 how -- if this is what they want nationally, how do we ensure
12 that what we are doing locally is consistent with their
13 policy laws, consent decree training, things like that?

14 So here is where we really started to work with the
15 Monitoring Team and the OAG. And for us to get something
16 approved, initially it was, you get the policy submitted --
17 create it. Submit it. That could take months and years.

18 Once the policy is done, then the training gets
19 created based off that. That gets submitted. It goes back
20 and forth months and years. And then finally we can start
21 that training.

22 We knew that we only have that time. So we worked
23 with the monitor and OAG, and we asked for tactical
24 assistance. And we collaborated, and we simultaneously are
25 creating the policy and training together.

1 So part of that tactical assistance -- if you look
2 at the picture here to the left, the tactical assistance --
3 the monitor said, hey, listen. When you guys are getting
4 your policy together, don't just think about it and put it in
5 writing. We want you guys to actually walk through it.

6 So that's a picture of everyone in CPD, all the
7 stakeholders, legal -- I mean, law, policy writers, training.
8 Duane DeVries, commander, was there.

9 So we wrote it up, and we actually walked through
10 it. That's our field force operations training captain, and
11 those are the officers.

12 So once we walked through that on these two
13 pictures, we actually sat down with everybody and had a
14 meaningful discussion. And in that discussion we figured,
15 man, what a difference. We had all these thoughts we thought
16 the policies should look like, but as you walked through it,
17 there was a lot of gaps. And we were able to bridge those
18 gaps. We were able to submit a very meaningful policy to the
19 Monitoring Team.

20 And then once they got that information, they
21 actually came in for a couple days. So you see the picture
22 here (indicating). That's Chief Monroe and Matlock
23 (phonetic). And we're all discussing, like, what the initial
24 product was, figuring out what they wanted, figuring out what
25 we wanted.

1 And then they actually came with us to McCormick
2 Place. And that's the Monitoring Team and CPD actually
3 walking through everything that we talked about. It was -- I
4 think it's going to change the way we deal with the
5 Monitoring Team and vice versa because, again, it was very,
6 very fruitful.

7 But based off of all of that with our use of force
8 and mass arrest, this is going to be an eight-hour class.
9 It's going to have scenario-based training, updates to our
10 policies, and lessons learned from the civil unrest.

11 Any questions on that, ma'am?

12 THE COURT: No, not right now. Thank you.

13 MR. CRUZ: And then the next class is going to be
14 our LEMART and Wellness course.

15 Our LEMART class is our Law Enforcement Medical and
16 Rescue Training class. It's a self-aid, buddy-aid first aid
17 course. If officers are injured or somebody else in that
18 time where it's not safe for the fire department to actually
19 come on scene, then officers are trained to treat people.

20 So the LEMART course is based off of preventible
21 death injuries. So based off the research, there's three
22 reasons why someone would die when they didn't have to if
23 they were trained and equipped with some basic stuff.

24 So the first reason why people die when they don't
25 have to is extremity (unintelligible). So if you're bleeding

1 out from the arm or a leg, a simple tourniquet -- you could
2 bleed out and die in two to four minutes. A tourniquet you
3 could put on in 30 seconds, and you can save someone's life.
4 So officers are equipped with tourniquets.

5 In addition to tourniquets, they also have what's
6 called QuikClot. So if you are injured in, like, the neck --
7 in the artery in the neck, you can't put a tourniquet there.
8 So you'd put this clotting agent in there, and it promotes
9 clotting. It makes you stop bleeding quicker.

10 The next reason why you die; we don't need to is
11 tension pneumothorax. At the first responder level law
12 enforcement, what we can do -- it's excess air in your chest
13 cavity. So we have what's called a chest seal. You put it
14 over the hole in the chest, and it prevents air from getting
15 in and letting excess air in the chest out.

16 And then the final reason why you die and we don't
17 need to is your airway is obstructed. So we just teach
18 officers to put people in the position where their airway is
19 not blocked.

20 So these medical interventions are all in what's
21 called an individual first aid kit or IFAK. So what we're
22 doing for next year is -- we started doing this years back,
23 but we started keeping track because we worked with the fire
24 department on being interoperable and having the same
25 equipment.

1 So since 2018, there's been 938 tourniquets applied
2 in the city of Chicago. 381 of those have been applied by
3 Chicago Police Department. So there's a 40 percent chance
4 that if someone needs a tourniquet, a Chicago police officer
5 is going to put it on them.

6 So we wanted to highlight that training. We wanted
7 to recognize the sanctity of life and grow that behavior and
8 thank officers.

9 So next year we are going to have this class. We
10 are going to get everybody brand-new IFAK kits.

11 And a lot of the uses of LEMART were caught on
12 body-worn camera. So in this class, officers are actually
13 seeing the LEMART being done. And you can see deescalation.
14 The crowd really calms down when they see officers going
15 hands-on. It's community policing. It's procedural justice.
16 So we are reinforcing all that training.

17 And then we're also adding a bit of wellness to
18 this, which is stress tolerance, which is teaching officers
19 how to breathe and bring down their heart rate and their
20 breathing because, under a high-stress situation, you have
21 the effects of stress, which would be tunnel vision. You
22 can't see as much because you are so focused in. Auditory
23 exclusion. You're not listening because you're so focused
24 in. And you lose your sense of fine motors skills.

25 But if you teach officers to breathe and bring

1 their heart rate and respirations down, that tunnel vision
2 opens and you can see more, you can hear more. That means
3 you can react better. And then you get your fine motor
4 skills back, and you can do more. So we are going to be
5 teaching that in this course.

6 Any questions on that?

7 THE COURT: No. Thank you.

8 I'm just thinking that once I have been the consent
9 decree judge for another year, I might know all the acronyms.

10 MR. CRUZ: Is there anything you want me to say
11 specifically?

12 THE COURT: That's all right. You are going to
13 fine.

14 MR. CRUZ: I'm sorry about that.

15 And then -- so what we're trying to do is find
16 common themes and make sure that these trainings are not
17 siloed. We want to make sure that everyone understands the
18 complexity of this and how it's all connected.

19 Our 2024 in-service training course will be those
20 topics but at the supervisor level. So we're going to make
21 officers -- our supervisors know about officer wellness;
22 specifically in this course, alcoholism; making sure our
23 supervisors understand the responsibilities in crowd control
24 and mass arrests and reporting of uses of force; and then,
25 especially, based on those after-actions reports, how to

1 manage protests and make sure we are giving those disbursements,
2 verbal warnings, and we're ensuring that people understand
3 that when they do get disbursed, they actually know which way
4 they are going and things like that.

5 And I have one more slide if you have time, ma'am.

6 THE COURT: Sure. Absolutely.

7 MR. CRUZ: Okay. And then the last thing that we
8 have is, we have -- our Taser system is -- we have the Axon
9 Taser system. They are now getting -- they stopped making
10 the X2, which we carry now. So we are going to go to the T10
11 platform. So that's going to be another course that we are
12 going to have next year. And we're going to add that
13 two-hour ABLE refresher to this.

14 Just some really quick highlights of the Taser
15 system.

16 The X2, the one here that we currently have that we
17 are not going to have anymore starting in 2025, it took
18 50,000 volts of energy to be effective. The T10 is 1,000.
19 The effective range from the X2 was 15 feet. This T10 is now
20 40 feet. So we are able to do a lot more from a distance.
21 That means we could deescalate. We can make better
22 decisions, things like that.

23 And then the X2, we were able to call what -- do
24 what's called a dry stun where you can actually use the Taser
25 handle without deploying the probes and just put pain

1 compliance on the subject. We can no longer do that with the
2 T10.

3 So those are just some key differences with those
4 two Taser systems.

5 That's all I have. Thank you so much for your
6 time.

7 THE COURT: Well, thank you.

8 Before you go, can you go back to the last slide
9 for just one second.

10 Okay. What is -- tell me what "dry stun capable"
11 means.

12 MR. CRUZ: So for pain compliance, you could have
13 the handle of the actual Taser -- so for the Taser to work,
14 you have to pull the trigger, and it will be two darts that
15 go out. The two darts hit the person. And that calls --
16 it's what's called neuromuscular incapacitation where the
17 person is now incapacitated for us to be able to handcuff
18 them.

19 In addition to that, the old system, you were able
20 to not deploy the probes but just use the handle as a pain
21 compliance and, like, put it on the person's skin, and that
22 would cause pain, like pain compliance. So with the new
23 Taser system, you can no longer do that.

24 THE COURT: Got it. Got it. All right.

25 MR. CRUZ: That's all I have. Thank you.

1 THE COURT: All right. I think we are more or less
2 on time. I think the next item on the agenda would be for us
3 to hear questions not only from me but also from the Attorney
4 General.

5 So why don't I find out what questions the Attorney
6 General might have about these training modules that you have
7 identified.

8 MR. WELLS: Your Honor, this is Chris Wells from
9 the Attorney's General's office. I'm going to hand it over
10 to colleagues Kate Pannella and Mary Grieb here in just a
11 minute.

12 But before we get too far away from it, I want to
13 highlight one thing from Commander Cruz's presentation, which
14 is specifically the LEMART training. Again, sorry for the
15 acronyms, but I promise, your Honor, that you will get used
16 to them eventually.

17 THE COURT: I'm getting there. I'm getting there.

18 MR. WELLS: I just want to highlight it in
19 particular, because I think it is truly a success story.

20 It is a type of training that, when we proposed it
21 in the course of negotiating the consent decree, I know there
22 was some initial pushback and hesitation and questions
23 about -- you know, understandable questions about officers
24 not feeling like they had the capability to perform some of
25 the techniques that are expected in terms of applying gauze

1 to wounds and really kind of combat medical-type techniques.

2 But to the City's credit and the Department's
3 credit, they agreed to undertake this training as part of the
4 commitments under the consent decree. And they have abided
5 by those obligations, and now officers are trained in this
6 technique and have this capability.

7 As Commander Cruz indicated, it is actually saving
8 lives in the city of Chicago in a way that I think is truly a
9 really positive development. It's a technique that applies
10 not just when officers actually are involved in a shooting
11 but also when officers come upon members of the public who
12 have been involved in shootings between members of the
13 public. And that life-saving capability is truly something I
14 think that should be celebrated. I just wanted to
15 specifically note the Department's embrace of this particular
16 training and the positive benefits that I think it has for
17 the City of Chicago writ large.

18 So with that, I will hand it over to my colleagues
19 Kate Pannella and Mary Grieb.

20 MS. PANNELLA: Your Honor, I am our -- my name is
21 Kate Pannella, and I am our team's lead for the training
22 section of the consent decree.

23 So I just would like to make a few comments in
24 response to the presentation we heard today.

25 THE COURT: Yes.

1 MS. PANNELLA: At the outset, I want to acknowledge
2 that training is an area in which the Chicago Police
3 Department has made significant progress and today scarcely
4 resembles the Department that was the subject of the
5 Department of Justice's report in 2017. The Department has
6 come a very long way. At the same time, important work
7 remains to be done.

8 So I would like to briefly discuss some of the
9 improvements CPD has made with respect to training and also
10 two areas in which the Attorney General's office would like
11 to see continued progress.

12 THE COURT: Okay.

13 MS. PANNELLA: First, more systemic evaluation of
14 CPD's training; and, second, the inclusion of community
15 perspectives in training, development, and delivery.

16 In the 2017 Department of Justice's report
17 describing DOJ's findings after its investigation of the
18 Chicago Police Department, the DOJ described the Department
19 without any regular mandatory in-service training.

20 Rather, the Department's in-service training was
21 *ad hoc* and reactive, offered primarily in response to crises,
22 and consisted almost entirely of e-learnings and videos
23 played at roll call.

24 By contrast, in each of the last several years, the
25 Department has provided 40 hours of in-service training to

1 over 95 percent of its sworn members.

2 In addition, the Department has begun conducting,
3 as we heard from Commander Cruz earlier, an annual training
4 needs assessment, consulting with various stakeholders
5 regarding officers' training needs, and has used the results
6 of that needs assessment to inform its annual training plan.

7 All of this means that the Department is beginning
8 to deliver training in a much more thoughtful,
9 forward-looking way with adult learning principles in mind
10 rather than merely responding to the most recent crisis with
11 e-learnings.

12 The Attorney General's office is pleased with these
13 changes, and the Department should be congratulated on the
14 immense investment of resources, effort, and sheer strength
15 of will that was required to make these changes so far.

16 Reform of CPD's training systems, however, is far
17 from complete. I would like to focus on two specific areas
18 in which there is clear need for CPD to improve.

19 The first is the lack of a meaningful evaluation
20 process regarding the effectiveness of CPD's training.

21 To first provide some context for the Court, I want
22 to briefly explain the process under the consent decree by
23 which trainings are developed, reviewed, and revised.

24 Paragraph 641 of the consent decree requires CPD to
25 submit all curricula, lesson plans, and course materials

1 related to trainings required by the consent decree to the
2 Independent Monitoring Team and the Office of the Attorney
3 General.

4 When CPD produces training materials to the monitor
5 and Attorney General, both teams review the materials and
6 provide written comments to CPD regarding ways that the
7 materials might fall short of consent decree requirements or
8 could better align with best practices for adult learning.

9 CPD reviews our comments, revises the materials,
10 and resubmits them for another round of review. Sometimes
11 trainings undergo multiple rounds of review and comment.

12 Once the monitor or Attorney General team is
13 satisfied with the materials, we issue a notice of no
14 objection. And CPD begins implementing a training after it
15 receives "no objection" notices from both the monitor and
16 Attorney General teams.

17 It's important to recognize, however, that while
18 trainings implemented by CPD have generally been reviewed and
19 agreed to by both the monitor and Attorney General, the way a
20 training appears on paper and how it is delivered by live
21 instructors may differ in significant ways.

22 Members of the monitor and Attorney General teams
23 make an effort to observe live CPD trainings when we can, but
24 our observations can necessarily only capture a small sliver
25 of the CPD trainings being held day in and day out at

1 multiple training academy locations.

2 More fundamentally, a central goal of the consent
3 decree is for CPD to become a department capable of
4 self-monitoring and self-improvement, a department that
5 recognizes problems on its own and is able to self-correct.

6 To that end, the training section of the consent
7 decree contains multiple paragraphs, including
8 Paragraphs 286, 287, 288, and 290 that broadly requires CPD
9 to develop and implement systems to allow it to access the
10 quality of its training and specifically the extent to which
11 its training is reflected and how officers perform on the
12 job.

13 Through the eighth monitoring period, CPD is not in
14 compliance with any of these paragraphs.

15 In many cases, CPD does offer surveys to officers
16 to fill out at the end of training courses, asking them to
17 evaluate the quality of the training and the instructor.
18 However, CPD lacks a system by which the result of these
19 post-training surveys are collected, analyzed, and used to
20 inform changes to trainings or instructors.

21 Even more importantly, CPD does not have a system
22 in place to analyze the extent to which training is reflected
23 in officer's on-the-job performance.

24 Thus, while the Attorney General's office commends
25 CPD on the 40 hours of in-service training it now offers to

1 its officers, CPD must take the next steps, collecting the
2 right data to show that its training is high quality and
3 results in officers who police in accordance with Department
4 policy and the law.

5 The number of officers trained in 2023 and the
6 courses planned for 2024 are evidence of the success the
7 Department can achieve when it devotes resources to reform.
8 We hope to see CPD devote the same effort and resources to
9 evaluating the effectiveness of its training.

10 Secondly, CPD needs to include more community
11 members' perspectives in training, development, and delivery.

12 Many of the consent decree's training requirements
13 are topics that deeply implicate community experience.

14 For example, Paragraph 37 requires CPD to train
15 annually on community policing principles, including building
16 and strengthening community partnerships; Paragraph 72
17 requires CPD to integrate impartial policing concepts into
18 training; and Paragraph 246 requires annual training on
19 deescalation techniques, to name just a few.

20 All of these are topics that bear on the way that
21 Chicagoans and the police interact every day, and CPD
22 officers would benefit to hear and learn from community
23 members about their experiences.

24 CPD has taken some steps in this direction,
25 including by convening the Training Community Advisory

1 Committee and inviting community representatives from the Use
2 of Force Working Group to observe CPD training.

3 Still community members' perspectives are largely
4 absent from CPD's training courses. CPD can do more to
5 incorporate community perspectives into training, including
6 by inviting community members to lead or colead training
7 segments, asking community representatives to provide
8 firsthand accounts during training courses regarding the
9 impact of police uses of force, and encouraging officers to
10 consider the perspective of community members during
11 training, such as by asking officers to play the roles of
12 community members in simulations.

13 To continue to work towards sustained culture
14 change at CPD and to increase community trust in the
15 Department, it is critical for CPD to prioritize the
16 inclusion of community perspectives in the development and
17 delivery of Department training.

18 In conclusion, I want to emphasize that the Chicago
19 Police Department has come a long way in both increasing and
20 improving the training it offers to its members.

21 We look forward to hearing about the success of
22 CPD's 2024 in-service training program and observing some of
23 those courses ourselves.

24 And in 2024, our office is confident that the
25 Department is motivated to continue to improve. The Attorney

1 General's office stresses the importance of developing and
2 implementing systems to evaluate the effectiveness of CPD's
3 training, as well as the importance of including community
4 perspectives in CPD training courses.

5 Thank you for the opportunity to offer remarks
6 today.

7 THE COURT: Thank you, Ms. Pannella.

8 Just a couple of responses from me on all that.

9 I think it's really helpful to recognize, as you
10 have -- as the AG has, when progress has been made. I think
11 we really do spend a lot of time talking about things that
12 are going wrong, and it would be great if we can communicate
13 that progress may not be as rapid as anybody would want, but
14 there is progress being made.

15 With respect to the other issues that you
16 mentioned, I agree with you that there ought to be some
17 meaningful evaluation mechanism, some way of determining
18 whether the training is effective and whether it sticks. So
19 I think that is something that should be examined.

20 With respect to community involvement, I recognize
21 the value of community involvement. I assume that CPD
22 officers role play as community members in connection with
23 their training, but I don't know. I haven't been in on it.
24 I would like to at some point observe some of the training.

25 I would just simply comment that, with respect to

1 community involvement, as important as it is, it would, I
2 think, be most valuable in connection with training if the
3 community spokespersons were limited in their accounts to
4 what has happened recently. Otherwise, we really do convey
5 the notion that nothing has changed since the initiation of
6 the consent decree. That, I think, generates a lot of
7 frustration and cynicism.

8 I would like to emphasize -- I would like us to
9 make progress and push forward in an aggressive way but also
10 recognize where things have improved so that we don't falsely
11 or inadvertently communicate to the public that nothing has
12 happened and it's all a waste of time.

13 Are there other comments about the in-service
14 training presentation that we just heard?

15 MR. SLAGEL: Your Honor, Allan Slagel on behalf of
16 the City. Just a couple quick comments there.

17 We appreciate the issues that have been raised by
18 the Attorney General's office. And those are things that the
19 City and CPD are focusing on.

20 For example, the evaluation program we have in
21 coordination with Chief Monroe and Chief Bowman (phonetic)
22 asked for technical assistance to review those programs and
23 get their input on them. And that's a priority for 2024.

24 And then with regard to community input, we
25 recognize we could always get more community input. We have

1 to balance that. We are taking a look at what we call the
2 TCAC, another acronym for the group that has been providing
3 input on us. We have meetings internally set to talk about
4 how that group works and getting more community input on
5 there.

6 So we recognize these issues, and they are not
7 going unaddressed. But as you also identified, there has
8 been substantial progress.

9 I can't under -- stress -- the ability this year
10 for CPD, on a calendar year, to have trained 40 hours on each
11 of the courses is something that we have all been striving
12 for since the consent decree has been in place, and it has
13 finally come to fruition this year. Obviously we have to
14 prove that and validate that, and the monitor will check
15 that. But the numbers internally indicate that we made that
16 earlier this week, and we continue to train people throughout
17 the rest of the year.

18 Commander Cruz, I know your camera is off. Is
19 there anything else you wanted to add?

20 MR. CRUZ: No, sir. Thank you.

21 THE COURT: Okay. Great.

22 Well, we really are almost exactly on time. Time
23 to hear about a brief status update on what we talked about
24 the last time we were together: the ISRs, the investigative
25 stop, and the search warrant process.

1 I think we will hear from the City briefly and then
2 from OAG.

3 MR. SLAGEL: I think actually the OAG was going to
4 go first.

5 THE COURT: Okay. Good. That's good.

6 MS. GRIEB: Thank you.

7 Good afternoon, your Honor. I'm Mary Grieb. I'm
8 the deputy chief of the Civil Rights Bureau at the Illinois
9 Attorney General's office. And I want to provide these three
10 brief updates.

11 Our office continues to be concerned about the
12 critical understaffing of TRED, the Tactical Review and
13 Evaluation Division.

14 TRED reviews all foot pursuits and firearm pointing
15 incidents and certain uses of force. TRED does these reviews
16 from a department improvement perspective, and it's not
17 disciplinary.

18 The backlog, which we have raised before -- last
19 month, when we were before you, was about 1500 incidents that
20 were in backlog. I'm sorry. This month is approximately
21 1500 incidents. 5200 incidents in backlog, which is slightly
22 higher than the reports we received last month of about 5100
23 incidents that have not been reviewed.

24 On average, TRED takes about three and a half
25 months to provide feedback to officers.

1 TRED performs a critical function. As my colleague
2 Ms. Pannella said, one of the goals of the consent decree is
3 for the Department to become an organization which
4 self-corrects. TRED provides feedback and recommendations to
5 individual officers about their conduct, makes
6 recommendations about policy and training changes to
7 department leadership, and analyzes potential trends in the
8 data it reviews.

9 We were pleased to learn recently that TRED is soon
10 bringing on eight new officers and one new sergeant in
11 addition to four nonsworn department members to increase its
12 staffing levels. And we are hopeful that this increase in
13 staffing helps decrease the backlog and speed up the time it
14 takes to provide feedback to officers.

15 We continue to meet with the City and CPD to
16 receive updates about TRED and have appreciated CPD's candor
17 both with us, the monitor, and in court about these
18 challenges.

19 But we remain concerned that these staffing
20 increases, while a positive sign, will not be sufficient.
21 Because TRED plays such an important role in the Department
22 becoming a learning organization and identifying concerns or
23 trends early, we will continue to report to the Court on our
24 concerns.

25 CPD's discussion and presentation of the successes

1 of the training academy this year and in past years show what
2 can happen when the City and CPD prioritize these critical
3 reform units.

4 Second, as this Court is aware, in the past month,
5 the CPD, the coalition, the independent monitor, our office,
6 and this Court have met twice to continue discussions about
7 CPD's search warrant policies and practices. These have been
8 ongoing discussions the past year, and we are hopeful that
9 CPD can finalize its search warrant policy in early 2024 and
10 begin training the relevant officers.

11 We expect that at the conclusion of the discussions
12 with the coalition and the written review process from the
13 independent monitor and the Illinois Attorney General's
14 office, the policy governing search warrant practices will
15 comport with the law and National Best Practices and have the
16 benefit of input from Chicagoans with lived experience.

17 Finally, your Honor, since our last status hearing,
18 the parties and independent monitor met to discuss CPD's
19 progress towards complying with the requirements of the
20 stipulation regarding investigatory stops.

21 THE COURT: Right.

22 MS. GRIEB: We understand that CPD is building up
23 staffing, which has more than doubled since July, and the
24 unit that reviews a representative sample of investigatory
25 stop reports, which is a form that officers complete when

1 they stop a person and take any further action.

2 As with TRED, it is very important that CPD reach
3 and maintain sufficient staffing levels to perform this
4 critical work.

5 We also understand that CPD is reviewing written
6 comments from our team and the independent monitor regarding
7 its Fourth Amendment stop policies and forms. And we hope to
8 receive a revised version of these policies and forms in
9 early 2024.

10 Although it will take time to see policy changes
11 reflected in practice, we are hopeful that CPD's commitment
12 at the top level to improving its practices translates to
13 changed behaviors between officers and community members and
14 everyday interactions, such as these investigatory stops.

15 Your Honor, thank you for the opportunity to
16 provide these updates today.

17 THE COURT: Thank you, Ms. Grieb.

18 Mr. Slagel or somebody else from the City -- I
19 don't know -- Ms. Bagby? Which one of you would like to
20 weigh in on this?

21 MR. SLAGEL: It's me today. Ms. Bagby is
22 voice-impaired, as many of us have been going through colds.

23 Just a couple of quick comments here.

24 We had a -- I would call a robust discussion on
25 Monday. We have monthly meetings with the superintendent and

1 the AG's office and the monitor, and we had one -- this past
2 Monday was our monthly meeting. And I'd say we had a robust
3 discussion with regard to TRED, the current status, current
4 ways of addressing its backlog and its staffing.

5 And while this number can fluctuate and it does
6 fluctuate day-to-day, but people like Chief Novalez and
7 myself and others get a daily report as to the backlog on
8 TRED. And today's backlog number is a little over 4600. It
9 doesn't mean tomorrow there won't be a lot more reports in,
10 but that's today. We acknowledge the issue, we are working
11 on it, and we have to see what the benefit is and what
12 happens to the backlog from the additional personnel.

13 I have nothing in addition to add on search
14 warrants. I think Ms. Grieb provided a very accurate and
15 up-to-date summary as to where the parties are, as you very
16 well know.

17 Thank you for your time the last few days with
18 regard to search warrants and the policies.

19 And with regard to ISRs, I'm pleased to report that
20 I anticipate we will be getting back to both the monitor and
21 the AG comments -- responses to their comments on the
22 investigatory stop policies.

23 THE COURT: Okay. Thank you.

24 I guess -- will there be any final -- any comments
25 from the coalition?

1 (No response.)

2 THE COURT: Okay. I'm not hearing anything right
3 now. So I'll just ask whether the monitor wants to make any
4 final comments on her end?

5 MS. HICKEY: Your Honor, yes.

6 I think that we have to move any coalition
7 attorneys from attendees to participant status. So we are
8 going to do that so that they can answer for themselves. And
9 I see Alexandra there. I was in the middle of doing
10 everything. So I will tender my time to Alexandra there.

11 MS. BLOCK: Thank you, Monitor Hickey.

12 Thank you, Chief Judge Pallmeyer.

13 Alexandra Block on behalf of the coalition.

14 First, I want to thank the Attorney General's
15 office and the City and CPD and the judge and the monitor for
16 holding these regular status hearings. The coalition finds
17 all of the information provided extremely informative and
18 helpful, as do our clients and members of the community.
19 They really appreciate sharing the information today and also
20 giving the coalition a few minutes to address two issues that
21 we would like to bring to your Honor's attention.

22 The first is really a follow-up question on all of
23 the training and planning that CPD presented today. We
24 appreciate hearing all of the detailed plans. We appreciate
25 that the IMT, the Attorney General's office, the City are

1 working to focus training next year on issues of rights of
2 protesters in demonstrations, mass crowd control issues. We
3 think that will be very important for the coming year.

4 As the Court might be aware, the coalition and the
5 parties and Judge Dow, the Monitoring Team heavily negotiated
6 a new policy on the First Amendment rights of protesters that
7 went into effect in December of 2022, in the wake of the
8 George Floyd uprising. The new policy made significant
9 improvements in how CPD should be treating First Amendment
10 protected speech.

11 For example, the policy restricts uses of batons
12 and pepper spray. It prohibits kettling of protesters
13 without a way to escape. It specifies new accountability and
14 transparency mechanisms. This was really significant
15 progress that we believe the parties and the coalition made
16 together.

17 We would like to emphasize the need for the
18 upcoming trainings in 2024 to train specifically on this very
19 heavily negotiated policy.

20 We would appreciate, either today or in the future,
21 if we could receive some information to confirm that those
22 issues will specifically be the focus of training in 2024.

23 The next issue that we wanted to raise on behalf of
24 the coalition is the need to overhaul how CPD engages with
25 the community in its policy development process.

1 We have heard that a lot of the policies are
2 completed and are moving into the training phase, which is
3 true, but there are still a number of really, really crucial
4 policies that are not completed.

5 Beyond search warrants and Fourth Amendment, as we
6 have heard today, the policies include how officers interact
7 with youth and usage of officer body-worn cameras are just
8 two recent policies that CPD has rereleased for public
9 comment this month.

10 Both of those policies -- interactions with youth
11 and body-worn camera policies were originally released nine
12 months and a year ago respectively. The coalition provided
13 extensive comments on the first drafts of those policies.

14 In December of 2022, a year ago, the coalition sent
15 the parties an eight-page letter recommending crucial changes
16 to how officers use body-worn cameras and how supervisors
17 review that footage.

18 In June of 2023, the coalition sent a 14-page
19 letter recommending numerous policy changes to the youth
20 interactions policy, changes based on our subject matter
21 experts, our clients' lived experiences, investigations that
22 we did with many youth-led organizations here in the city of
23 Chicago. And I'm very sorry and frustrated and disappointed
24 to have to report that the Chicago Police Department ignored
25 nearly all of the coalition's feedback on both of these

1 policies.

2 We recommended the policies based on best
3 practices, up-to-date recommendations from experts, and
4 spent, along with our clients, hours preparing these
5 recommendations, and only to see that nine months and a year
6 later CPD reissued these policies essentially unchanged.

7 CPD also, as it always does, failed to explain why
8 it did not recommend -- excuse me -- adopt the coalition's
9 recommendations for best practices on these policies.

10 It also failed to explain why it took so much time
11 to reissue these two policies. Clearly it wasn't taking time
12 to incorporate community feedback because our recommendations
13 for best practices were not incorporated in these two
14 policies that were rereleased this month.

15 So, your Honor, bottom line, CPD's community
16 engagement cannot continue in this fashion. Our clients and
17 community partners spend hours evaluating, recommending,
18 commenting, submitting suggestions on policies that CPD puts
19 out for public comment with the goal of making policing
20 better, making our city safer, and making the CPD more
21 accountable to communities in the city, only to find
22 ourselves completely ignored.

23 We know the Monitoring Team has consistently raised
24 CPD's lack of effective community engagement in multiple
25 monitoring reports over the years. The Attorney General's

1 office has concurred. Our clients concur. CPD ignores the
2 coalition, ignores the community repeatedly, and this process
3 has to be improved.

4 We asked in our comments on the comprehensive
5 assessment process that there be working groups between the
6 coalition community members and CPD to effectively
7 incorporate community comments into CPD policies.

8 We would also accept policy negotiations similar to
9 the negotiations we are now holding on search warrants and
10 that have been held previously on the First Amendment policy.

11 Whatever the mechanism is, it's imperative that CPD
12 has to develop real community engagement that allows
13 community members' voices to be reflected in policies because
14 that process doesn't exist within the consent decree right
15 now. It doesn't exist within CPD's practice.

16 True community engagement really is crucial to
17 CPD's ability to regain trust (unintelligible) and the
18 community, which is the core purpose of the consent decree.

19 So thank you, your Honor, for allowing us the
20 opportunity to be heard this afternoon. We appreciate the
21 time.

22 THE COURT: Well, I appreciate hearing from you,
23 and I take those concerns seriously.

24 I recognize that there will be input from the
25 community that can't be adopted by the police or the City for

1 one reason or another, but I also agree that the public is
2 entitled to an explanation. The community is entitled to an
3 explanation about why their suggestions were not adopted.

4 So in that respect, although I certainly know that
5 we can't assure you that everything you want is going to
6 happen, it also does seem to me that, at a minimum, you ought
7 to be told why it is that the City has chosen, if it does so
8 choose, not to adopt certain recommendations that you are
9 making.

10 What other matters do we -- what other comments do
11 we have this afternoon?

12 MR. FUTTERMAN: Your Honor, could I -- this is
13 Craig Futterman also from the coalition.

14 THE COURT: Sure.

15 MR. FUTTERMAN: Can I follow-up just on one short
16 item?

17 THE COURT: Sure.

18 MR. FUTTERMAN: I just wanted to piggyback a little
19 bit on the Attorney General's comments, Mary's Grieb's
20 comments, with respect to community involvement in training
21 and just wanted to lift up one pending piece really for
22 everyone.

23 So I think, as everyone here knows, there was a Use
24 of Force Working Group that was formed as a result of the
25 consent decree that involves really a diverse group of people

1 from Chicago communities representative of those who have
2 been most impacted by police practices and particularly uses
3 of force in Chicago and deescalation.

4 And as a result of that working group, dramatic
5 success -- and this involved, I'll say -- and I know from
6 police department's time as well -- but hundreds of hours of
7 working group members' times represented to me that really
8 resulted in significant improvements to the police
9 department's deescalation and force policies that, as
10 Commander Cruz said, that at the center of the sanctity of
11 human life and policies, with appropriate training and
12 implementation and accountability on the ground, have the
13 potential to save lives, to make us all safer.

14 We -- or I should say the community or the
15 community members or representatives of that working group
16 shared a public report on CPD's force and deescalation
17 training after having been given the opportunity, not this
18 summer but the summer before, to attend and observe and saw a
19 lot of good things and also identified a number of serious
20 problems.

21 And what most wanted really to highlight, not
22 just -- I mean, we encourage the Court as well to take a hard
23 look at that report again, but this goes to just community
24 involvement.

25 One of the things -- when you have folks now who

1 have really spent these hundreds of hours and are still
2 committed -- deeply committed to working with the City to
3 improve training and to ensure that these policies will be
4 made real, we have made ongoing requests now for a matter of
5 months to have the opportunity to observe the changes that
6 CPD has made in this training and also to see the updated
7 curriculum and to give that kind of feedback and
8 perspective -- the community perspective or parts of the
9 community perspective that the OAG was speaking of.

10 And we just wanted to emphasize that, now
11 particularly in speaking about training, that there are
12 community members who are deeply committed and would like to
13 play this partnership role and process.

14 And I think CPD, in response to some of that
15 feedback, has voiced it's embracing that critical feedback.
16 And that's a way in which we all get better.

17 So I'm just hopeful that -- and would encourage
18 also the Court and the monitor also to push CPD to embrace
19 more of that feedback and including even when it's critical
20 and to allow folks -- and that's how you really gain
21 credibility and trust, by allowing folks of credibility also
22 in the community to observe and report back, and hopefully we
23 all wind up in a better place.

24 THE COURT: I appreciate those observations,
25 Mr. Futterman. That's helpful.

1 And I concur that we really do need the spirit of
2 cooperation here, and that will make all the difference in
3 whether or not this is going to work.

4 MR. SLAGEL: Your Honor, the last point --
5 (unintelligible) it's a longer one.

6 But for a short point, based upon recent events and
7 the protests that have occurred here in the Chicago area as
8 elsewhere, every member of the Chicago Police Department was
9 reenrolled in a First Amendment training. That was part of
10 the e-learnings that Commander Cruz referenced.

11 So the Department recognizes the priority of that
12 topic and that training, and everybody was reenrolled. There
13 are future trainings in 2024, as discussed by the commander.

14 THE COURT: Okay. Good. Thanks.

15 Any other final comments?

16 MS. HICKEY: No, your Honor.

17 THE COURT: I just want to point out for those of
18 you who are interested in following this, the monitor
19 reminded me this morning of an item in the paper that is
20 worth looking for in the *New York Times*, at least the online
21 version, reporting on problems that the New York Police
22 Department has had with body-worn cameras. Chicago gets
23 mentioned in a positive way as having at least avoided some
24 of those problems and relied on the footage from body-worn
25 cameras in an effective way.

1 The other thing that's been in the paper as
2 recently as last week was -- again, this is the *New York*
3 *Times* -- kind of a disturbing story about private police
4 training programs that are, at least in some respects, not
5 what appear to be models of good policing.

6 I'm cheered to know that the training that's been
7 developed in this context has largely been reviewed with the
8 monitor and the AG. Obviously, that's important.

9 We also want to make sure that the coalition's
10 voice is heard, as has been expressed here.

11 All right. We will be setting another status,
12 obviously, in about a month. We are good to go on that.

13 Any other issues that we ought to be addressing
14 right now?

15 MS. HICKEY: Not today, your Honor.

16 THE COURT: I want to thank you for your time, as
17 always. I know that setting aside time for these hearings is
18 difficult for everybody. It's important for accountability.
19 It's really important, mostly for me, to stay on top of it
20 and get a solid sense of what's happening.

21 So thank you for your time this afternoon and for
22 your hard work on this ongoing project.

23 MS. HICKEY: Thank you very much, your Honor.

24 THE COURT: Thanks.

25 MR. SLAGEL: Thank you, your Honor.

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MS. GRIEB: Thank you.

(An adjournment was taken at 2:10 p.m.)F

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

/s/ Frances Ward January 10, 2024.
Official Court Reporter
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