



# Consultant Report: Community Engagement Results

**Investigatory Stop and Protective Pat Down  
Settlement Agreement  
Between the City of Chicago and  
the American Civil Liberties Union of Illinois**

**Report Date: October 3, 2023**

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# Introduction

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In August 2015, the City of Chicago (City), the Chicago Police Department (CPD), and the American Civil Liberties Union of Illinois (ACLU)—collectively, “the parties”—entered into the Investigatory Stop and Protective Pat Down Settlement Agreement (Agreement), pledging “to work together to ensure and validate that CPD’s policies and practices relating to investigatory stops and protective pat downs fully comply with applicable law.”<sup>1</sup> These laws include the Fourth and Fourteenth Amendments to the U.S. Constitution and the Illinois Civil Rights Act of 2003.

In the summer of 2020, the parties agreed the Consultant work required by the Agreement should be transitioned to Maggie Hickey, a partner at ArentFox Schiff LLP, and her team (the Consultant Team).<sup>2</sup> The parties recognized the significant overlap between the City’s responsibilities under the Agreement and those under the March 1, 2019 consent decree regarding Chicago policing (Consent Decree), for which Maggie Hickey is the Independent Monitor.<sup>3</sup>

The Consultant Team recommended and the parties agreed to a robust, multi-tier community engagement effort to better inform improvements to the CPD’s policies and procedures related to investigatory stops and protective pat downs.

This introduction summarizes those efforts and describes expected next steps. A report detailing the community engagement and the resulting recommendations is attached as [Attachment A](#). The CPD’s response to the recommendations is attached as [Attachment B](#).

On March 28, 2022, after extensive deliberation, the parties approved the *Independent Consultant Team’s Request for Proposal: Co-Design Community Engagement for the CPD-ACLU Investigatory Stop Agreement*, allowing the community engagement process to move forward. The Request for Proposal (RFP) was posted on May 10, 2022, and was re-posted on July 12, 2022.<sup>4</sup>

RFP applications were reviewed, and interviews were conducted, by a selection committee comprised of the Consultant Team, the CPD, the ACLU of Illinois, and two non-profit organizations selected by the Consultant Team (to engage the community at the selection stage): Impact for

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<sup>1</sup> See Appendix A to the *Consultant Report: Progress Update and Data Analysis of Chicago Police Department Stops between 2018 and 2020*, CONSULTANT TEAM (June 14, 2023), available at <https://cpdmonitoringteam.com/wp-content/uploads/2023/06/2023.06.14-Consultant-Report.pdf>. On September 26, 2019, the parties agreed to a Temporary Stay of certain provisions of the Agreement and agreed to take additional steps to move forward with accomplishing the goals of the Agreement. See *id.* at Appendix B.

<sup>2</sup> For more information about the Consultant Team, see *id.* at Appendix C.

<sup>3</sup> See, e.g., Consent Decree ¶¶49–51, 53, and 79–82. The City and the Office of the Illinois Attorney General entered into the Consent Decree a result of various federal, state, and local community efforts; for more discussion on the Consent Decree’s development, see the *March 19, 2021 Consultant Status Report*, pages 2–3, available at [https://cpdmonitoringteam.com/wp-content/uploads/2023/06/2021\\_03\\_19\\_consultant\\_status\\_report.pdf](https://cpdmonitoringteam.com/wp-content/uploads/2023/06/2021_03_19_consultant_status_report.pdf). Extensive information regarding the Consent Decree is available at <https://chicagopoliceconsentdecree.org>.

<sup>4</sup> See e.g., *Request for Proposal*, available at <https://cpdmonitoringteam.com/wp-content/uploads/2022/07/2022-07-11-Community-Groups-RFP.pdf>.

Equity (formerly known as BPI) and the Invisible Institute.

The selection committee chose three community organizations to co-design a citywide, community-led process to engage a wide variety of stakeholders to develop a set of recommendations regarding the CPD's stop and protective pat down practices. Each of the three organizations—Lawndale Christian Legal Center, Center on Halsted, and Equiticity—received a \$25,000 stipend (raised from private donors) to cover the costs of their participation in and work on the project. The organizations also received support from the Institute for Policy and Civic Engagement (IPCE) at University of Illinois Chicago (UIC).

As described in greater detail in the attached report, the organizations hosted a series of events in early 2023 and synthesized the input received from the community into a set of recommendations. More than 400 community members participated. See [Attachment A](#).

On July 14, 2023, the organizations met with CPD leadership, including Interim Superintendent Fred Waller, to share their findings and recommendations. Representatives of the Consultant Team and the ACLU of Illinois also attended the meeting. The organizations provided their report to the parties on August 7, 2023.

As agreed by the parties, the CPD responded in writing to the recommendations approximately 60 days later, on September 21, 2023. The CPD's response, which is also attached, was required to include (1) a plan to follow the recommendations in the development and revision of the Stop Report and related policies and training, and (2) for any recommendations the CPD will not follow, an explanation of its reasoning. See [Attachment B](#).

While these community engagement efforts were progressing, the City and the Office of the Illinois Attorney General, who are parties to the Consent Decree, filed a stipulation with the court to add provisions regarding investigatory stops and pat downs to the Consent Decree. The stipulation was subsequently amended and entered by the court on June 27, 2023.<sup>5</sup> As a result of the stipulation, the Agreement between the City, the CPD, and the ACLU has ended and the progress made under the Agreement toward reform will continue under the Consent Decree. Therefore, with the publication of this report, the work of the Consultant Team is now concluded.

Going forward, the Independent Monitoring Team (IMT)<sup>6</sup> will continue to assist the City and the CPD in their pursuit of improved policies, reporting mechanisms, and training on investigatory stops and pat downs, and will publicly report on their progress. Requirements specific to community engagement are contained within ¶¶862–65 of the stipulation, which refer to the efforts made under the Agreement as “a promising model for thoughtful community engagement.” The IMT looks forward to a follow-up meeting regarding the community organizations' recommendations and the CPD's response with the newly confirmed CPD Superintendent, Larry Snelling.

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<sup>5</sup> The stipulation is available at <https://cpdmonitoringteam.com/wp-content/uploads/2023/08/2023.06.27-Amended-Stipulation-regarding-Investigation-Stops-Protective-Pat-Downs-and-Enforcement-of-Loitering-Ordinances.pdf>. The court held a public hearing regarding the stipulation on August 9, 2023.

<sup>6</sup> Information about the IMT is available at <https://cpdmonitoringteam.com/about-us/>.

# Attachment A. Report and Recommendations: Community Engagement Sessions for the CPD- ACLU Investigatory Stop Agreement

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# Community Engagement Sessions for the CPD- ACLU Investigatory Stop Agreement August 2023

Summary of findings prepared by the Institute for Policy and Civic Engagement for  
Policy and Civic Engagement, University of Illinois Chicago, Center on Halsted,  
Equiticity and Lawndale Christian Legal Center

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Presented to the American Civil Liberties Union (ACLU) of Illinois, the City of Chicago,  
and the Chicago Police Department

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## Executive Summary

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In 2015, the American Civil Liberties Union (ACLU) of Illinois, the City of Chicago, and the Chicago Police Department—collectively, “the parties”—reached an agreement to work together to ensure that CPD’s policies and practices relating to investigatory stops and protective pat downs fully comply with applicable law, including the Fourth Amendment and the Illinois Civil Rights Act. The Fourth Amendment protects against unreasonable searches and seizures and the Illinois Civil Rights Act requires that government policies do not have a racially disparate impact. Pat downs are sometimes called “frisks,” as in “stop and frisk.”

The ACLU of Illinois, the City, and CPD are working with an Independent Consultant, Maggie Hickey, to help CPD improve its policies, training, and practices for stops and pat downs. Together, the parties selected three community organizations—Lawndale Christian Legal Center, Equiticity, and Center on Halsted—through a Request for Proposal (RFP) process to co-design a citywide community-led process to engage community members’ perspectives on how and when officers should conduct stops, protective pat downs, and searches of people through community dialogue sessions. The RFP applications were reviewed, and interviews were conducted, by a selection committee comprised of the Consultant, the CPD, the ACLU of Illinois, and two non-profit organizations selected by the Consultant (in order to engage the community at the selection stage): Impact for Equity (formerly known as BPI) and the Invisible Institute.

To assist with this effort, Independent Consultant Maggie Hickey invited the Institute for Policy and Civic Engagement (IPCE) at the University of Illinois Chicago to lead and facilitate the co-design plan and present a summary report of key findings and themes from those conversations. This report summarizes the ideas, concerns, and experiences community members shared through 17 community dialogue sessions. It also includes partner recommendations regarding CPD’s stop and protective pat down practices.

### Community Engagement Dialogue Sessions and Themes

Over 400 community members attended community engagement sessions in February, March, and April 2023. The Center on Halsted, Equiticity, Lawndale Christian Legal Center, and IPCE chose a structure for the roundtables that involved small group discussions in which facilitators began leading each table through one of three discussion topics: How do you feel about “stop and frisk” police practices? Please share an experience you had or witnessed being stopped, frisked, or searched. What should CPD do to ensure that stops, frisks, and searches respect your rights and treat



everyone the same? Participants arrived at a new table after each round to discuss a new topic question. Participants generated 603 total comments. The following themes—organized by discussion topic—emerged from comments made by participants at the majority of the 17 sessions.

Q1 How do you feel about “stop and frisk” police practices?

- Power imbalance and fear
- Missing or poor community-police relationships
- References to various types of discrimination such as racial profiling, LGBTQ discrimination, and targeting youth

Q2 Please share any experiences you have had or witnessed being stopped, frisked, or searched.

- Police officers use excessive force and high presence
- Responsibility placed on residents to know what is happening and their rights
- Officers focus on searches for guns and drugs

Q3: What should CPD do to ensure that stops, frisks, and searches respect your rights and treat everyone the same?

- Training: cultural and LGBTQ competency, emotional intelligence, mental health, trauma-informed, and de-escalation skills
- Engagement: police officers should get to know the community through services (mandatory community service hours), programs, events, and dialogue
- More accountability for officers
- Police should have cameras on at all times
- Civilian *and* community policing
- Community centers and resources that provide opportunities for youth and residents
- More diverse hiring process for CPD
- Mandatory health evaluations for CPD officers
- CPD officer term limits

## Consensus Final Recommendations

The partners considered the themes and the ideas that emerged from the dialogues, and ultimately came to a consensus agreement on the following recommendations to present to the parties.

- 1. CPD should establish new or additional training/education for all officers with regard to the following topics:**
  - a. Training on the constitution and the law with regard to stop and frisk, and vehicle searches

- b. De-escalation tactics, such as acting in a respectful, reasonable manner and speaking in a tone that serves to de-escalate, reduce tension and precipitate a calm interaction
  - c. Anti-bias/anti-racist educational awareness modules
  - d. Interacting with persons with mental health challenges
  - e. Interacting with the LGBTQ+ community
  - f. Perspective taking/empathy, such as in workshops on engagement methods like Inter-Group Dialogue and conflict resolution
  - g. Community service hours (as a cohort model) during their initial training in the academy
2. **CPD should clarify its policies with regard to what officers are required to do when they interact with community members during a stop of any kind, including:**
- a. Requiring officers to immediately identify themselves and explain reasons, including the specific “factor of suspicion” (see Recommendation 6a), for which a community member is being stopped.
  - b. Requiring officers to explain what community members’ rights are during a stop in a respectful, reasonable manner and tone that serves to de-escalate, reduce tension and precipitate a calm interaction. The explanation must include their rights related to consenting to a search, and being temporarily detained (i.e. stopped).
3. **CPD and ACLU should designate third party organizations to provide constitutional rights education with regard to stops, searches, and seizures to community institutions such as, schools, churches, community centers, etc.** These education efforts should be focused in communities with the highest rates of police stops/interactions. CPD should regularly survey residents in these communities to gauge awareness and understanding of their rights with the goal of achieving 50% awareness of basic constitutional rights.
4. **CPD should mandate one annual visit with a mental health professional for all police officers.**
5. **CPD should institute activities that generate more opportunities for positive police-community interactions in a non-enforcement context.** In addition, officers should be required to do a minimum number of community service hours (during which they are not also doing enforcement work) in their district each year.
6. **CPD should update its policing strategies to ensure that individuals in different communities are treated similarly during interactions by doing the following:**
- a. Specify a limited number of “factors of ‘suspicion’” that officers may only use as a reason for a stop. (This factor must also be explained to the person being stopped as per Recommendation 2.a.)

- b. Develop a method for documenting stops and police interactions that generates data that can be shared with the public.
  - c. Reduce the amount of turnover or shifting around of officer assignments so that officers spend more time getting to know the communities they are policing, by making its workforce allocation strategies more efficient and consistent with industry standards.
  - d. Support better supervision of officers by reducing the “span of control”: the ratio of officers to their supervisors within their districts.
7. **CPD should conduct regular performance reviews with regard to stops and generate more disciplinary options (including removal/firing) for officers who behave unethically, repeatedly violate community members’ rights, behave aggressively, and generate repeated complaints.** As a way to hold officers to a high standard of ethics, behavior, and impartiality, CPD should consider revising its oath to include language similar to what the Illinois State Police (ISP) requires, specifically the phrase in the ISP oath<sup>1</sup>:
- “I pledge to be honest in thought, word, and deed; to maintain unimpeachable integrity; to be just, fair, and impartial; to be steadfast against evil and its temptations; and to give my utmost to protect the rights, property, and lives of our citizens.”*
8. **If current CPD practices already exist or provide for anything included in these recommendations, then CPD should review current practices for effectiveness to revise and update current practices accordingly.**

The recommendations enumerated here are a compilation of feedback received during community dialogue sessions held by Center on Halsted, Equiticity, Lawndale Christian Legal Center, and the Institute for Policy and Civic Engagement (IPCE) at University of Illinois Chicago (UIC). Further, they reflect the experiences, sentiments, and values of community members’ input in the reform process, as well as the opinions of the partner organizations themselves. We believe this report will serve as an important resource to establish best practices for conducting stops and protective pat downs. We hope the recommendations provided will serve the efforts to treat and respect the rights of all Chicagoans.

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<sup>1</sup> Source: <https://isp.illinois.gov/#:~:text=Welcome%20to%20the%20Illinois%20State%20Police&text=!%20pledge%20to%20be%20honest.and%20lives%20of%20our%20citizens> .

## Background

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Police can temporarily detain and question a person (stop), and pat down (frisk) the outside of their clothing to search for weapons during an investigatory stop and protective pat down. This practice is commonly known as “stop and frisk” and a “*Terry* stop.” In *Terry v. Ohio* (1968), the U.S. Supreme Court held that investigatory stops and protective pat downs must comply with the Fourth Amendment of the Constitution, which means that neither the stop nor the pat down can be unreasonable.

In 2015, ACLU of Illinois, the City of Chicago, and the Chicago Police Department—collectively, “the parties”—reached an agreement to work together to ensure that CPD’s policies and practices relating to investigatory stops and protective pat downs fully comply with applicable law, including the Fourth Amendment and the Illinois Civil Rights Act. The Fourth Amendment protects against unreasonable searches and seizures and the Illinois Civil Rights Act requires that government policies do not have a racially disparate impact.

The ACLU of Illinois, the City, and CPD are working with an Independent Consultant, Maggie Hickey, to help CPD improve its policies, training, and practices for stops and pat downs. Together, the parties selected community organizations to co-design a citywide community-led process to engage community members’ perspectives on how and when officers should conduct stops, protective pat downs, and searches of people in Chicago.

The community organizations, or “partners,” were tasked with co-designing and implementing a process to engage a wide variety of stakeholders to develop a set of 5-10 recommendations regarding CPD’s stop and protective pat down practices. These organizations each held community dialogue sessions for community members to share their experiences with and ideas regarding how and when officers should conduct stops, protective pat downs, and searches of people in Chicago in a way that treats everyone fairly and respects their rights.

## Community Engagement Developments

On March 28, 2022, following multiple rounds of revisions, the parties approved the “Independent Consultant Team’s Request for Proposal: Co-Design Community Engagement for the CPD-ACLU Investigatory Stop Agreement,” allowing the community

engagement process to move forward. The Request for Proposal (RFP) was originally posted on May 10, 2022, and was re-posted on July 12, 2022.<sup>2</sup>

RFP applications were reviewed, and interviews were conducted, by a selection committee comprised of the Consultant, the CPD, the ACLU of Illinois, and two non-profit organizations selected by the Consultant (in order to engage the community at the selection stage): Impact for Equity (formerly known as BPI) and the Invisible Institute.

Three community organizations were selected to co-design a citywide, community-led process to engage a wide variety of stakeholders and develop a set of recommendations regarding the CPD's stop and protective pat down practices. Each of the three organizations—Lawndale Christian Legal Center, Center on Halsted, and Equiticity— received a \$25,000 stipend (raised from private donors) to cover the costs of their participation in and work on the project.

The co-design process was completed and the organizations hosted a series of events in early 2023. The organizations synthesized the input received from the community into a set of recommendations which was presented to the CPD on July 14, 2023. The CPD, with assistance from the ACLU and the Consultant, will respond to the recommendations within approximately 60 days, by Tuesday, September 12, 2023.

The CPD's response will include (1) a plan to follow the recommendations in the development and revision of the Stop Report and related policies and training, and (2) for any recommendations the CPD will not follow, an explanation of its reasoning. The CPD's response will be shared with the organizations and individuals who participated in the community engagement process.

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<sup>2</sup> See e.g., Request for Proposal, available at <https://cpdmonitoringteam.com/wpcontent/uploads/2022/07/2022-07-11-Community-Groups-RFP.pdf>.

# Community Engagement Plan

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To help CPD with improving its policies, training, and practices regarding stops and pat downs in Chicago, the ACLU of Illinois, the City, and CPD sought input from community members. Center on Halsted, Equiticity, and Lawndale Christian Legal Center were selected to co-design a community-led process to engage community members' perspectives on how and when officers should conduct stops, protective pat downs, and searches of people in Chicago.

The community organizations solicited input by holding community engagement sessions in neighborhoods most affected by stops and searches. The community organizations also partnered with local and community partners to promote and ask community members to participate in these engagement sessions.

To assist the community organizations in co-designing the community-led process, the Independent Consultant, Maggie Hickey invited the Institute for Policy and Civic Engagement (IPCE) at the University of Illinois Chicago to facilitate and lead the co-design engagement process and to synthesize ideas surfaced at community meetings into approximately 5-10 recommendations.

The Center on Halsted, Equiticity, Lawndale Christian Legal Center led a total of 17 community engagement sessions in February, March, and April 2023 (Appendix A). These community engagement sessions were publicized throughout their networks, email campaigns, and were shared with community organizations, the faith community, and local media. The topics of discussions included community members' perceptions of "stop and frisk" police practices, their own experiences, and ideas about how to ensure these policies were fair and unbiased. Participants provided 603 comments in total.

The Center on Halsted, Equiticity, Lawndale Christian Legal Center, and IPCE chose a structure for the roundtables that involved small group discussions with a full group report out (or "group harvest") at the end. This approach enabled groups of people to simultaneously participate together in revolving rounds of dialogue in small groups while remaining part of a single, larger, connected conversation. The "group harvest" afforded table participants the opportunity to hear at least some of what was discussed at other tables and was a powerful way to capture what was accomplished in the conversations, as the collective scale.

A neutral facilitator was assigned to lead the small group discussions. Facilitators asked participants to direct their comments to the group, rather than to the facilitator. This helped to foster a more natural dialogue. Facilitators also shared with the participants a

common set of ground rules, or “group agreements.” Asking participants to commit to group agreements helped to create an open and respectful environment for dialogue. All 17 community sessions followed the same agenda and format. The community host organization(s) provided an introduction and welcome that included the following: a brief background on the ACLU, City, and CPD settlement agreement to change CPD’s practice of investigatory stops and pat downs (“stop and frisk”) to comply with the Fourth Amendment and the Illinois Civil Rights Act, the structure of the conversation, and the role of the facilitator and the group agreements. They explained the purpose of the dialogue to help CPD improve its policies, trainings, and the forms used to track these stops and searches. The parties (which included the ACLU of Illinois, City, and CPD) are working with an Independent Consultant, Maggie Hickey, and wanted to hear from the community about their experiences with these interactions and ideas for how and when officers should conduct these interactions to inform recommendations to improve CPD policies and training.

After making introductions and reviewing the group agreements, the facilitators began leading each table through one of three discussion topics:

Discussion question #1	Discussion question #2	Discussion question #3
How do you feel about “stop and frisk” police practices?	Please share an experience you had or witnessed being stopped, frisked, or searched	What should CPD do to ensure that stops, frisks, and searches respect your rights and treat everyone the same?

Community engagement sessions were held as an interactive communication process to share information between community members with the goal of understanding stop and protective pat down best practices. Each community organization held multiple community dialogue sessions to engage their community members to arrive at a set of recommendations. Recruitment was managed through social media and organizational marketing, and participation was voluntary.

Dialogues were held in public spaces and had a duration of one to two hours. Names of speakers and any other demographic information were not collected to preserve anonymity. A wide range of community members attended these dialogue sessions to share their views and experiences with being or witnessing being stopped, patted down, and searched. In total, 17 sessions were held with 430 participants total across all sessions.

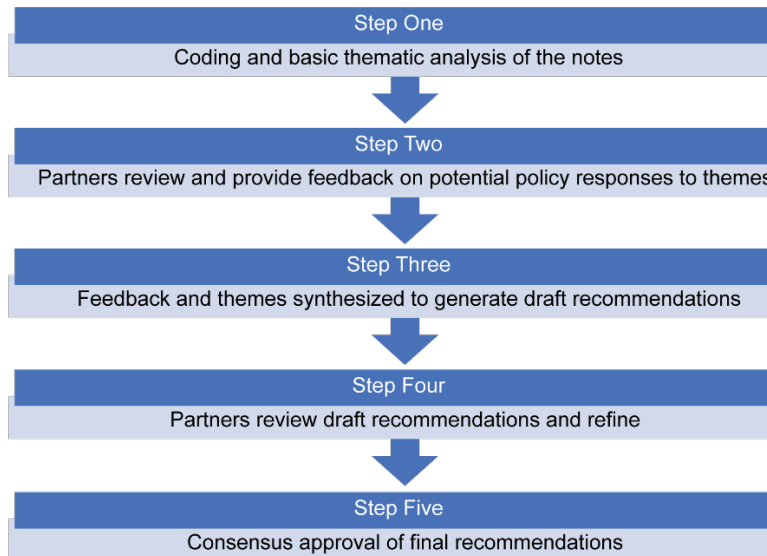
# Summary of Feedback

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This section describes the process used to analyze the comments from the dialogues and identify themes from those comments. It also explains how recommendations were both informed by those themes, generated by, and ultimately agreed upon by the partners.

## Overview of the Process

The feedback gathered from the dialogues was analyzed through an iterative process that generated recommendations. After the notes were compiled, the process included the following steps to generate final recommendations:



The process began by compiling the notes from all 17 dialogues. IPCE staff conducted a first iteration of manual coding to the comments, manually tagging 50% of the comments. A few emerging themes were identified and shared with the partners for commentary and ideas regarding general types of recommendations. This feedback was used to further refine the analysis.<sup>3</sup> A first draft of recommendations were directly generated from the most prevalent themes identified which was again shared with the partners for review. The draft recommendations were then deliberated and revised, eventually becoming final following a consensus approval by the partners.

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<sup>3</sup> Data and thematic analysis was done utilizing QDA Miner, a qualitative data analysis software tool that can be trained to code large amounts qualitative data.



## Themes

The main themes of the conversations are evident in both the notes directly from the dialogues and ultimately in the recommendations themselves. The themes identified from the analysis included:<sup>4</sup>

Q1: How do you feel about “stop and frisk” police practices?

- Power imbalance and fear - Participants felt that police engage in stop and frisk as an opportunity to exert their power over others. This is connected to participants being fearful of police, and expressing a lack of trust.
- Missing community and police relationships - The lack of relationships between police and community members leads to more suspicion and stop and frisk activity. Participants feel this is because police officers are disconnected from the communities they serve. Participants also feel they cannot trust the police.
- References to various types of discrimination such as racial profiling, LGBTQ discrimination, and targeting youth - Participants felt that profiling is part of the stop and frisk process. Participants did not feel the reason for the stop and search was clearly conveyed. Participants felt that youth, men of color, and LGBTQ populations are particularly targeted.

Q2: Please share any experiences you have had or witnessed being stopped, frisked, or searched.

- Police officers use excessive force and high presence - Participants felt that police officers used force when not necessary, and had a large presence for intimidation. Experiencing and/or witnessing these incidents can cause trauma, as well as feelings of dehumanization and humiliation.
- Responsibility placed on participants - Participants felt that they had to take responsibility for interactions with police officers, even if they did not feel there was probable cause for the stop and search. They understand they have to act a certain way to get out of the situation well, and alive.
- Guns and drugs - Participants felt the reason they were stopped and searched was police’s efforts to search for guns and drugs.

Q3: What should CPD do to ensure that stops, frisks, and searches respect your right and treat everyone the same?

- Training: cultural and LGBTQ competency, emotional intelligence, mental health, trauma-informed, and de-escalation skills

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<sup>4</sup> An initial stage of this thematic analysis that first identified emerging themes and example quotes is included in Appendix B

- Engagement: police officers should get to know the community through services (mandatory community service hours), programs, events, and dialogue
- More accountability for officers
- Police should have cameras on at all times
- Civilian *and* community policing
- Community centers and resources that provide opportunities for youth and residents
- More diverse hiring process for CPD
- Mandatory health evaluations for CPD officers
- CPD officer term limits

IPCE and the partners met twice to discuss the emerging themes and the next round of thematic analysis, which led into the final stage: developing recommendations.

# Final Recommendations

The partners met twice to thoroughly review and discuss each recommendation and the detail elements associated with each recommendation. Following extensive deliberations, these recommendations were agreed upon with the full consensus of the partners. They reflect both a direct approach to addressing the themes identified in discussions from the perspective of community members, as well as a consideration of the safety of officers and the feasibility of the ideas being recommended.

1. **CPD should establish new or additional training/education for all officers with regard to the following topics:**
  - a. Training on the constitution and the law with regard to stop and frisk, and vehicle searches
  - b. De-escalation tactics, such as acting in a respectful, reasonable manner and speaking in a tone that serves to de-escalate, reduce tension and precipitate a calm interaction
  - c. Anti-bias/anti-racist educational awareness modules
  - d. Interacting with persons with mental health challenges
  - e. Interacting with the LGBTQ+ community
  - f. Perspective taking/empathy, such as in workshops on engagement methods like Inter-Group Dialogue and conflict resolution
  - g. Community service hours (as a cohort model) during their initial training in the academy
  
2. **CPD should clarify its policies with regard to what officers are required to do when they interact with community members during a stop of any kind, including:**
  - a. Requiring officers to immediately identify themselves and explain reasons, including the specific “factor of suspicion” (see Recommendation 6a), for which a community member is being stopped.
  - b. Requiring officers to explain what community members’ rights are during a stop in a respectful, reasonable manner and tone that serves to de-escalate, reduce tension and precipitate a calm interaction. The explanation must include their rights related to consenting to a search, and being temporarily detained (i.e. stopped).
  
3. **CPD and ACLU should designate third party organizations to provide constitutional rights education with regard to stops, searches, and seizures to community institutions such as, schools, churches, community centers, etc.** These education efforts should be focused in communities with the highest

rates of police stops/interactions. CPD should regularly survey residents in these communities to gauge awareness and understanding of their rights with the goal of achieving 50% awareness of basic constitutional rights.

4. **CPD should mandate one annual visit with a mental health professional for all police officers.**
5. **CPD should institute activities that generate more opportunities for positive police-community interactions in a non-enforcement context.** In addition, officers should be required to do a minimum number of community service hours (during which they are not also doing enforcement work) in their district each year.
6. **CPD should update its policing strategies to ensure that individuals in different communities are treated similarly during interactions by doing the following:**
  - a. Specify a limited number of “factors of ‘suspicion’” that officers may only use as a reason for a stop (This factor must also be explained to the person being stopped as per Recommendation 2.a.)
  - b. Develop a method for documenting stops and police interactions that generates data that can be shared with the public.
  - c. Reduce the amount of turnover or shifting around of officer assignments so that officers spend more time getting to know the communities they are policing, by making its workforce allocation strategies more efficient and consistent with industry standards.
  - d. Support better supervision of officers by reducing the span of control - the ratio of officers to their supervisors within their districts.
7. **CPD should conduct regular performance reviews with regard to stops and generate more disciplinary options, (including removal/firing) for officers who behave unethically, repeatedly violate community members’ rights, behave aggressively, and generate repeated complaints.** As a way to hold officers to a high standard of ethics, behavior, and impartiality, CPD should consider revising its oath to include language similar to what the Illinois State Police (ISP) requires, specifically the phrase in the ISP oath<sup>5</sup>:

*“I pledge to be honest in thought, word, and deed; to maintain unimpeachable integrity; to be just, fair, and impartial; to be*

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<sup>5</sup> Source: <https://isp.illinois.gov/#:~:text=Welcome%20to%20the%20Illinois%20State%20Police&text=I%20pledge%20to%20be%20honest.and%20lives%20of%20our%20citizens> .

*steadfast against evil and its temptations; and to give my utmost to protect the rights, property, and lives of our citizens.*"

8. **If current CPD practices already exist or provide for anything included in these recommendations, then CPD should review current practices for effectiveness to revise and update current practices accordingly.**

## Conclusion

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This report details recommendations for the Chicago Police Department to implement and engage with to improve stop and protective pat down practices. The recommendations enumerated here are a compilation from feedback received during community dialogue sessions held by Center on Halsted, Equiticity, Lawndale Christian Legal Center, and the Institute for Policy and Civic Engagement (IPCE) at University of Illinois Chicago (UIC). Further, they reflect the experiences, sentiments, and values of community members' input in the reform process, as well as the opinions of the partner organizations themselves. We believe this report will serve as an important resource to establish best practices for conducting stops and protective pat downs. We hope the recommendations provided will serve the efforts to treat and respect the rights of all Chicagoans.

## **Community Engagement Project Team**

### **Institute for Policy and Civic Engagement (IPCE)**

Joseph K. Hoereth, PhD, Director  
Norma E. Ramos, Associate Director  
Jackie Carrillo, Research Associate II  
Sam Theno, Research Associate I  
Jessica Cortez, Administrative Assistant

### **Center on Halsted**

Betty Akins, Manager of Getting to Zero  
Brittany Terry, Senior Director DEI

### **Equiticity**

Olatunji Oboi Reed, President & CEO  
Jose Manuel Almanza, Director of Advocacy & Movement Building

### **Lawndale Christian Legal Center**

Cliff Nellis, Executive Director  
Amy Campanelli, Vice President of Restorative Justice  
Nathaniel “Jimmy” Gaither, Restorative Justice Hub Director

*As well as experienced facilitators from the Chicagoland region including The Morton Group*

# Appendix A

## **Community Dialogue Sessions**

**January 18, 2023**

**Fourtunehouse Art Center**  
4410 S. Cottage Grove Ave.  
Chicago, IL 60653

**January 19, 2023**

**The Perkins Center**  
3837 W. Ogden Ave.  
Chicago, IL 60623

**January 25, 2023**

**Enlace Chicago - El Corazon**  
2311 S. Washtenaw Ave.  
Chicago, IL 60608

**January 28, 2023**

**Virtual Community Dialogue Session**  
Hosted by Equiticity

**January 30, 2023**

**Dorchester Arts Center**  
1456 E. 70th Street  
Chicago, IL 60637

**February 1, 2023**

**Center on Cottage Grove (hybrid session)**  
6323 S. Cottage Grove Ave.  
Chicago, IL 60637

**February 1, 2023**

**Virtual Community Dialogue Session**  
Hosted by Lawndale Christian Legal Center

**February 3, 2023**

**Firehouse Art Studio**  
1123 Roosevelt Rd.  
Chicago, IL 60608

**February 5, 2023**

**Lawndale Christian Community Church**  
3827 W. Ogden Ave.  
Chicago, IL 60623

**February 8, 2023**

**Center on Cottage Grove**  
6323 S. Cottage Grove Ave.  
Chicago, IL 60637

**February 21, 2023**

**The Firehouse Community Arts Center of Chicago**  
2111 S. Hamlin Ave.  
Chicago, IL 60623

**February 21, 2023**

**University of Illinois Chicago**  
750 S. Halsted Street  
Chicago, IL 60607

**March 4, 2023**

**The Firehouse Community Arts Center of Chicago**  
2111 S. Hamlin Ave.  
Chicago, IL 60623

**March 16, 2023**

**Theater Y**  
3611 W. Cermak Rd.  
Chicago, IL 60623

**March 17, 2023**

**The Firehouse Community Arts Center of Chicago**  
2111 S. Hamlin Ave.  
Chicago, IL 60623

**March 19, 2023**

**Lawndale Christian Community Church**  
3827 W. Ogden Ave.  
Chicago, IL 60623

**March 19, 2023**

**Powerhouse Church of Chicago**  
1522 S. Wabash Ave.  
Chicago, IL 6060



# Appendix B

ACLU Partners Dialogue Session Emerging Themes - working draft

Q1: How do you feel about “stop and frisk” police practices?

Themes:

1. Power imbalance and fear - participants felt that police engage in stop and frisk as an opportunity to exert their power over others. This is connected to participants being fearful of police, and a lack of trust.

Examples of Common Responses
Police think they are above the law
[Stop and frisk] is dangerous, and is a form of oppression
When you're stopped by police, you are expected to fill a subservient role. It is a reminder of who is in control.
Stop and frisk is rooted in fear and power structures
Feel like they have to bow down to the police in order to de-escalate a situation.
Construct of authority is connected to class, and normal people do not have access to authority.
Can only use limited agency with the police

2. Missing community and police relationships - the lack of relationships leads to more suspicion and stop and frisk activity. Participants feel this is because police officers are disconnected from the communities they serve. Participants also feel they cannot trust the police.

Examples of Common Responses
[Stop and frisk] perpetuates an environment of distrust between the community and police.
Growing up, police lived in the community, and this lead to more positive interactions.
Fearful [of stop and frisk], and stop and frisk is unsuccessful because there is no relationship with the police
Disconnect between community and the police. There is a lack of care about community voices and the impact of stop and frisk.
Police do not catch criminals or prevent crime, they just harass community members.
Police do not build relationships with the community

3. Racial profiling, LGBTQ discrimination, and targeting youth - participants felt that profiling is part of the stop and frisk process. Participants did not feel the reason for the stop and search was clearly conveyed. Participants felt that youth, men of color, and LGBTQ populations are particularly targeted. (This is also voiced in response to Q2: experiences with stop and frisk.)

Examples of Common Responses
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Stop and frisk is linked to profiling. The complexity of Black and Brown lives is not recognized.
Racial profiling is prevalent, an excuse that people "fit the description."
A Black male driving a nice car is not a reason for a stop.
Profiling happens, not being treated fairly. No good experience with CPD. Everyone fits the description.
Profile youth because they do not know their rights
Pull over people because of what they are wearing and where they are.
The stereotyping is problematic, and there is aggression against certain people. And this is why people fear the police.

Q2: Please share any experiences you have had or witnessed being stopped, frisked, or searched.

Themes:

1. Police officers use excessive force and high presence - Participants felt that police officers used force when not necessary and had a large presence for intimidation. Experiencing and/or witnessing these incidents can cause trauma, as well as feelings of dehumanization and humiliation.

Examples of Common Responses
Was caught spray painting when 16. It was just one cop car, but they called for more and soon it was 8 patrol cars total. Was the only white person in the group, and did not get handcuffed, maybe because a minor. Got a warning, but 8 cop cars, pulling in and surrounding them was insane.
A member of the community was arrested and battered during a demonstration. Once in custody, the police outnumbered the demonstrator 8 to 9, and they used that to intimidate him. He experienced a lot of trauma as a result.
[Participant] recalls an experience where they saw guys getting pulled over. They were thrown to the ground, kicked badly, and tased in the face. It brought his mother to tears. Was 9 years old, and brothers were 8 and 7, and at that age it was normal for them to get searched walking down the street.
As a former police officer, should have been written up. Stopped frisking folks because of potential trauma.
Police make you take off your shoes and pull your pants down.
They approach you as if they are trying to harm you.
Officers use excessive force when they feel outnumbered
Pulled over with some friends at white castle. Police did not give probable cause, and they demanded they exit the car and threw them against it.

2. Responsibility placed on participants - Participants felt that they had to take responsibility for interactions with police officers, even if they did not feel there was probable cause for the stop and search. They understand they have to act a certain way to get out of the situation well, and alive.

Examples of Common Responses
Responsibility for harmful incidents is shifted to citizens: "learn how to talk to the police" and "be calm, and don't talk back."
Feels guilty when someone is stopped and they can't help.
Stopped by university police who called CPD. Was going home from teaching and wearing a suit. Was with cousin who is also an educator, in a volkswagen. Cop reached into the car and was pulled out. Attempted to protest, but cousin gave a look that said "you can't do anything, so you have to stop." Got out of the situation because they were subservient.
Have tried to diffuse situations, because there is a lot of harassment. Police do not protect people, they protect property. So they're responsible for protecting each other, and help those being brutalized.
Dad taught them to be submissive because they could die otherwise. Police is just looking for a reason to stop you. Trans friend was stopped basically for walking while trans.

3. Weapons and drugs - participants felt the reason they were stopped and searched was police's efforts to search for guns and drugs.

Examples of Common Responses
The reason for the stop was an excuse to ask if they had a gun or drugs, they were held for a while and then let go.
Getting pulled over for a broken tail light, but they ask for guns. Something that has nothing to do with a broken tail light.
Sometimes you have to lift your shirt and show them you don't have a gun, and they'll keep driving.
Was taking off shoes at a park, when police asked if they were selling drugs.
Was sitting in a car with three other people in a public parking lot. Unmarked police car pulled up, searching for drugs. They were put in handcuffs while they searched their car. Became suspicious of police after this, as they were seen as a threat, as persons prone to committing crimes while they were just sitting there enjoying themselves.

Q3: What should CPD do to ensure that stops, frisks, and searches respect your right and treat everyone the same?

Examples of Common Responses
Training: cultural and LGBTQ competency, emotional intelligence, mental health, trauma-informed, and de-escalation skills
Engagement: police officers getting to know the community through services (mandatory community service hours), programs, events, and dialogue
More accountability
Cameras on at all times
Civilian and community policing
Community centers and resources that provide opportunities for youth and residents

More diverse hiring process for CPD
Mandatory health evaluations for CPD officers
CPD officer term limits

# Attachment B. Chicago Police Department Response to Community Recommendations on Investigatory Stops and Protective Patdown Practices

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**Brandon Johnson**  
Mayor

**Department of Police · City of Chicago**  
3510 S. Michigan Avenue · Chicago, Illinois 60653

**Fred L. Waller**  
Interim Superintendent of Police

September 12, 2023

Center on Halsted  
3656 N. Halsted Street  
Chicago, Illinois 60613

Equiticity  
1956 S. Hamlin Avenue #3  
Chicago, Illinois 60623

Lawndale Christian Legal Center  
1530 S. Hamlin Avenue  
Chicago, Illinois 60623

**Re: Chicago Police Department Response to Community Recommendations on Investigatory Stops and Protective Pat Down Practices**

Dear Center on Halsted, Equiticity, and Lawndale Christian Legal Center,

**INTRODUCTION**

On August 5, 2015, the City entered into an agreement with the ACLU related to the Chicago Police Department's Investigatory Stop and Protective Pat Down practices. Among the requirements of the agreement were the following: that CPD conduct investigatory stops and protective pat downs in compliance with the US Constitution, the Illinois Constitution, and other applicable laws; the collection and reporting of data by CPD related to investigatory stops; changes to training and supervision of officers to ensure that officers properly documented the reasonable articulable suspicion to warrant a stop and pat down; supervisory review of stops and pat downs; and the appointment of a consultant to review and validate CPD's policies, practices, and trainings related to stops and pat downs and to issue reports making recommendations to CPD. The consultant engaged community groups to conduct community engagement sessions on the topic of investigatory stop practices (Center on Halsted, Equiticity, and Lawndale Christian Legal Center). On July 14, 2023, the community groups presented their recommendations to the City and CPD at a meeting with Interim Superintendent Fred Waller and other members of CPD leadership. A copy of those recommendations is attached to this response. Per the agreement of the City and ACLU, the City and CPD committed to responding to the written recommendations within 60 days. The Community groups subsequently published their report on August 7, 2023. CPD's responses to the community recommendations are detailed below. Additionally, on June 27, 2023, a stipulation was entered adding pedestrian investigatory stops, protective pat downs, and enforcement of the City's Loitering Ordinances to the existing Consent Decree.

**RECOMMENDATIONS AND RESPONSES**

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Emergency and TTY: 9-1-1 · Non Emergency and TTY: (within city limits) 3-1-1 · Non Emergency and TTY: (outside city limits) (312) 746-6000

E-mail: [police@cityofchicago.org](mailto:police@cityofchicago.org) · Website: [www.cityofchicago.org/police](http://www.cityofchicago.org/police)

1. **CPD should establish new or additional training/education for all officers with regard to the following topics:**
  - a. **Training on the constitution and the law with regard to stop and frisk, and vehicle searches**
  - b. **De-escalation tactics, such as acting in a respectful, reasonable manner and speaking in a tone that serves to de-escalate, reduce tension and precipitate a calm interaction**
  - c. **Anti-bias/anti-racist educational awareness modules**
  - d. **Interacting with persons with mental health challenges**
  - e. **Interacting with the LGBTQ+ community**
  - f. **Perspective taking/empathy, such as in workshops on engagement methods like Inter-Group Dialogue and conflict resolution**
  - g. **Community service hours (as a cohort model) during their initial training in the academy**

**Response:**

Per the Consent Decree and Agreed Amended Stipulation, the Chicago Police Department has created new and additional trainings for all officers; thus CPD has no objection to training all sworn Department members on the constitution and the law regarding stop and frisk, vehicle searches, de-escalation tactics, anti-bias/anti-racist awareness, interacting with persons with mental health challenges, interacting with the LGBTQ+ community, engagement methods and conflict resolution. Currently, every recruitment class participates in a service project, in addition to training hours.

Specifically, all sworn department members complete a new and updated eight-hour, in person, Constitutional Policing training. Additionally, as required by paragraph 246 of the Consent Decree, all sworn department members complete an updated annual, in person, de-escalation training. Consent Decree paragraphs 74 and 246 require CPD to conduct trainings on implicit bias, anti-bias, impartial policing policies, how to recognize when a person has a physical, intellectual, developmental, or mental disability, including protocols for providing timely and meaningful access to police services for individuals with disabilities, and training on strategies for interacting with individuals in crisis. Further, in compliance with paragraphs 37 and 74 of the Consent Decree, CPD is required to train department members on interacting with the LGBTQ+ community. In response to the Consent Decree requirements CPD has established new and additional trainings.

Additionally, per the Amended Stipulation agreement entered in *State of Illinois v. City of Chicago*, 2017CV06260, which adds pedestrian investigatory stops and enforcement of the Loitering Ordinances to the existing Consent Decree, “CPD will review and, to the extent necessary, revise its training specific to investigatory stops, protective pat downs, and enforcement of the Loitering Ordinances so that they are sufficient in quantity, quality, type, and scope to prepare officers to comply with CPD directives consistently, effectively, and in accordance with the law, CPD policy, best practices, and the Consent Decree.” Specifically, in Section XIV, Investigatory Stops, Protective Pat Downs, and the Enforcement Loitering Ordinances, subsection (c) Training, paragraphs 822-827 of the *Amended Stipulation*:

824. CPD will provide training for officers and supervisors instructing that:

- a) Officers should consider reasonable alternatives to the enforcement of the Loitering Ordinances based on the circumstances, including lesser actions such as a repeated dispersal;
- b) Investigatory stops are conducted only where there is reasonable articulable suspicion that a crime has been, is being, or is about to be committed;

- c) If it is safe, reasonable, and practical to do so, Officers will notify the person(s) encountered that they are being lawfully detained temporarily, indicate that they will be free to leave at the conclusion of the investigatory stop, and if asking the individual questions, inform the individual that they are not required to answer;
  - d) Protective pat downs are performed only where there is reasonable articulable suspicion that the person stopped is armed and dangerous;
  - e) An individual subject to an investigatory stop conducted by a CPD officer is not required to answer any questions asked by the CPD officer; and
  - f) Consent to conduct a search of an individual must be voluntarily given based on the totality of the circumstances, including that consent cannot be obtained by using force, threats of force, promises, misrepresentation, intimidation, or exertion of authority, and the individual may revoke consent at any time.
825. CPD will train all officers with respect to ISRs, Stop Reports, Stop Receipts, and LDRs, the electronic applications for documenting of ISRs/Stop Reports, and their responsibilities to record the specific and articulable facts for each investigatory stop and protective pat down.
826. CPD will train supervisors on how to review ISRs, Stop Reports, and LDRs and how to discuss the results of the supervisory review of these reports and officers' practices with officers

These required trainings expand on existing trainings as well as create additional trainings for all department members.

- 2. CPD should clarify its policies with regard to what officers are required to do when they interact with residents during a stop of any kind including:**
- a. Requiring officers to immediately identify themselves and explain reasons, including the specific "factor of suspicion" (see Recommendation 6a), for which a resident is being stopped**
  - b. Requiring officers to explain what residents rights are during a stop in a respectful, reasonable manner and tone that serves to de-escalate, reduce tension and precipitate a calm interaction to residents. The explanation must include their rights related to consenting to a search, and being temporarily detained (ie stopped).**

**Response:**

The Amended Stipulation entered in *State of Illinois v. City of Chicago*, 2017CV06260, which adds pedestrian investigatory stops and enforcement of the Loitering Ordinances to the existing Consent Decree, forms CPD's response to this community recommendation. The Amended Stipulation requires the Chicago Police Department to adopt and incorporate into policy agreed upon principles and language related specifically to pedestrian investigatory stops, protective pat downs, and enforcement of the City's Loitering Ordinances. In response to this community recommendation, CPD relies on the agreed upon Amended Stipulation, drawing attention to the following sections.



As required in Section XIV, Investigatory Stops, Protective Pat Downs, and the Enforcement Loitering Ordinances, paragraph 805 of the *Amended Stipulation*:

CPD will require officers to:

- a. Conduct investigatory stops and protective pat downs, and undertake enforcement action under the Loitering Ordinances in a manner consistent with the Constitution and laws of the United States and the State of Illinois, the Consent Decree, this Stipulation, and best practices;
- b. Communicate with individuals regarding the specific basis for an investigatory stop, consistent with principles of procedural justice, by:<sup>1</sup>
  - i. Identifying themselves by name and rank as soon as it is safe, reasonable, and practical to do so;
  - ii. Stating the reason for the investigatory stop as soon as it is safe, reasonable, and practicable to do so;
  - iii. If it is safe, reasonable, and practical to do so, notifying the person(s) encountered that they will be free to leave at the conclusion of the investigatory stop, and if asking the individual questions, informing the individual they are not required to answer; and
  - iv. When an officer is equipped with a properly functioning body-worn camera ("BWC") activated to record the incident, informing the person that the encounter is being recorded on BWC.
- c. Ensure the duration of the investigatory stop is no longer than reasonably necessary to confirm or dispel reasonable articulable suspicion and to take the appropriate enforcement action, if any; and
- d. Act with professionalism and courtesy throughout the duration of the investigatory stop interaction.

Additionally, CPD policy requires officers to explain what residents' rights are during a stop in a respectful and reasonable manner, in a tone that serves to de-escalate, reduce tension, and precipitate a calm interaction with residents. The officer's explanation must include the community members' rights related to consenting to a search, and being temporarily detained (*i.e.*, stopped).

Further, consent searches are addressed in paragraphs 807 - 811 of the *Amended Stipulation*. CPD officers may conduct a search of a person upon consent if officers have reasonable articulable suspicion that the person is involved in a crime or possesses evidence of the crime. CPD offices will request consent to search a person during an investigatory stop; the officer will specifically ask the community member for consent to search and inform them they can revoke consent at any time. The officer will document the community members' response, the stop and search in an appropriate report, *i.e.*, Investigatory Stop Report ("ISR"), Stop Report, or similar forms of documentation in compliance with CPD policy. The community members will be given a receipt of the report completed, documenting the stop and their consent to the search conducted. CPD will ensure that when officers request consent to conduct a search during an investigatory stop, officers will record the entire interaction on BWC. A CPD officer must establish and communicate the scope of the consensual search and end the search upon the community member revoking consent.

Finally, CPD's has existing policies and procedures addressing general interactions with the community,

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<sup>1</sup> Section XIV, Investigatory Stops, Protective Pat Downs, and the Enforcement Loitering Ordinances, paragraph 805 (b) i-iii of the *Amended Stipulation* directly address the Community Report and align with the Community recommendations in 2 (a-b).

addressed in the G02-01 and 04-01, and similar directives. Such as, G03-02, *De-Escalation, Response to Resistance, and Use of Force*, which includes the following language (item II-A): **Sanctity of Human Life**. The Department's highest priority is the sanctity of human life. The concept of the sanctity of human life is the belief that all human beings are to be perceived and treated as persons of inherent worth and dignity, regardless of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, immigration status, homeless status, source of income, credit history, criminal record, criminal history, or incarceration status. Department members will act with the foremost regard for the preservation of human life and the safety of all persons involved.

All directives can be located here: <http://directives.chicagopolice.org>

- 3. CPD and ACLU should designate third party organizations to provide constitutional rights education with regard to stops, searches, and seizures to community institutions such as, schools, churches, community centers, etc. These education efforts should be focused in communities with the highest rates of police stops/interactions. CPD should regularly survey residents in these communities to gauge awareness and understanding of their rights with the goal of achieving 50% awareness of basic constitutional rights.**

**Response:**

The Chicago Police Department has no objection to this community recommendation and will incorporate into CPD's annual Know Your Rights campaign, which is required under paragraph 28 of the Consent Decree. Under paragraph 28, CPD must include the public's rights when stopped, arrested, or interrogated by the police.

- 4. CPD should mandate one annual visit with a mental health professional for all police officers.**

**Response:**

The Chicago Police Department appreciates the recommendation and the recognition of the importance of officer mental health. However, certain labor and contractual issues preclude CPD from mandating an annual visit with a mental health professional for all police officers. While CPD cannot mandate an annual visit, CPD provides other services and opportunities for officers to obtain the support and mental health services that they may need. The Chicago Police Department Professional Counseling Division/EAP provides some of the most comprehensive mental health programs in the nation. Officers in need, are provided clinical, trauma, drug and alcohol, peer support, and chaplain programs. All services are available to all officers at three different locations: a South Side office, Central Office, and Northwest Side of Chicago.

Mandatory annual wellness check-ins are designed for Law Enforcement agencies that are significantly smaller than CPD, and are meant to assure that mental health issues are addressed at a minimum when no other options exist. However, CPD offers comprehensive support to all officers in need. Furthermore, CPD encourages officers to care for their well-being and to participate in voluntary wellness check ins. The voluntary annual wellness check-in program, also referred to as directive E07-07 under employee resources, is available to all active department members. The program allows active department members to annually request a voluntary wellness session with a licensed clinician. As an incentive, CPD police officers who voluntarily participate in a wellness check-in receive a full tour of duty.

CPD's Professional Counseling Division (PCD) offers many services, including but not limited to, clinical therapy, support from the Police Chaplain's Ministry, substance-abuse counseling services, the Traumatic Incident

Stress Management Program, the Peer Support Program, and other suicide prevention initiatives. In 2022, PCD offered several optional officer wellness events, including two open houses, a "Blue Mass" for police officers, and a documentary viewing and discussion panel on Lift the Mask: First Responders Sound the Alarm. Finally, CPD began working to secure two new office locations for PCD in 2022, which would bring the total number of office locations to three. Most importantly, these new office locations will enable PCD to provide more accessible clinical services by reducing travel time for officers that live and work in those areas. CPD understands that healthy officers are better equipped to serve their communities effectively.

Additionally, all department members and their families (as of 2023) have access to the Cordico Wellness App. The Cordico Wellness App provides members and their family with 24/7 access to holistic wellness information and resources free of charge. In 2023, CPD launched an 8-hour wellness class as part of its mandatory 40-hour annual in-service training program. The 8-hour wellness class provides sworn members with information, resources, and evidenced-based tools and techniques to improve and protect physical, mental and emotional health and well-being so they can thrive in their personal and work life, increase officer and community safety, and improve work performance.

5. **CPD should institute activities that generate more opportunities for positive police-community interactions in a non-enforcement context. In addition, officers should be required to do a minimum number of community service hours (during which they are not also doing enforcement work) in their district each year.**

**Response:**

The Chicago Police Department appreciates this recommendation and agrees that officer involvement in community service activities in the districts to which they are assigned is essential in building and strengthening relationships. This fundamental principle is contained in paragraph 22 of the Consent Decree and the Department continues to develop plans and opportunities to achieve the goals of this paragraph. While certain labor and contractual issues limit what can be mandated of officers during their off-duty time, CPD will look to expanding existing programs and consider new programs to encourage officers to engage with the communities in which they work.

6. **CPD should update its policing strategies to ensure that individuals in different communities are treated similarly during interactions by doing the following:**
  - (a) **specifying a limited number of "factors of 'suspicion'" that officers may only use as a reason for a stop, which must be conveyed to the person being stopped, and**
  - (b) **developing a method for documenting stops and police interactions that generates data that can be shared with the public.**
  - c. **Reduce the amount of turnover or shifting around of officer assignments so that officers spend more time getting to know the communities they are policing, by making its workforce allocation strategies more efficient and consistent with industry standards.**
  - d. **Support better supervision of officers by reducing the span of control - the ratio of officers to their supervisors within their districts.**

**Response:**

The Chicago Police Department will uphold all legal standards for conducting an investigatory stop and is committed to treating individuals with dignity and respect when engaged in an investigatory stop and protective pat down. To conduct a lawful investigatory stop, an officer must have at least Reasonable Articulate Suspicion (RAS). CPD's proposed draft directive titled *The Fourth Amendment and Street Stops* (dated August 25, 2023) informs department members of the RAS standard which is required to conduct a stop and pat down, including the following:

- To have Reasonable Articulate Suspicion, an officer must possess specific and articulable facts which, combined with rational inferences from these facts, create a suspicion that the person is committing, is about to commit, or has committed a criminal offense. The totality of the circumstances establishes Reasonable Articulate Suspicion (Item IV-B-1-e).
- Reasonable Articulate Suspicion is an objective legal standard that is less than probable cause but more substantial than a hunch or general suspicion. Reasonable Articulate Suspicion depends on the totality of the circumstances that the officer observes and the rational inferences that are drawn based on the officer's training and experience. Reasonable Articulate Suspicion can result from a combination of particular facts, which may appear innocuous in and of themselves, but taken together amount to reasonable suspicion (Item IV-B-1-e).
- Reasonable Articulate Suspicion should be founded on specific and objective facts or observations about how a person behaves, what the person is seen or heard doing, and the circumstances or situation in regard to the person that is either witnessed or known by the officer. Accordingly, Reasonable Articulate Suspicion must be described with reference to facts or observations about a particular person's actions or the particular circumstances that an officer encounters. The physical characteristics of a person are never, by themselves, sufficient. Instead, those characteristics must be combined with other factors, including a specific, non-general description matching the person or the observed behaviors of the person relating to a specific crime (Item IV-B-1-g).

The community request to specify a "limited number of factors of suspicion" when conducting a stop is contrary to established case law and objective legal standards (articulable facts, rational inferences, officer training and experience, and the totality of the circumstances).

Additionally, to facilitate transparency and accountability regarding Pedestrian and Vehicular Stops, the Chicago Police Department has made available aggregated and incident-level data regarding Pedestrian and Vehicular Stops conducted by Department members via a publicly accessible, web-based data platform. The data is currently available at <https://home.chicagopolice.org/statistics-data/isr-data/>. Furthermore, Section XIV, Investigatory Stops, Protective Pat Downs, and the Enforcement Loitering Ordinances, subsection (E) Data Collection paragraph 840 of the *Amended Stipulation* requires CPD to "have an electronic reporting system that accurately and reliably maintains data and records related to investigatory stops, protective pat downs, the enforcement of the Loitering Ordinances, and unit-level supervisory and 4th Amendment Street Stop Review Unit reviews, including all electronic versions of any ISRs, Stop Reports, and LDRs submitted or resubmitted." As well as requires CPD to "continue to maintain all data, records, and reports relevant to and associated with investigatory stops and protective pat downs, including BWC footage, consistent with legal requirements and the requirements of the Consent Decree."

In response to 6 (c) and 6(d) CPD directs the community to the goals and objectives of the Consent Decree section VIII. Supervision, subsection (C)(2) Unity of Command and Span of Control, paragraphs 357-368. The Consent Decree specifically requires CPD to deploy a sufficient amount of qualified supervisors to provide

effective supervision as well as review and revise the staffing model as necessary to ensure span of control ratio. Additionally, under the Consent Decree, section VI. Recruitment and hiring, subsection (C) paragraphs 258-260, CPD is required to develop strategies for attracting and hiring qualified applicants that reflect the Chicago community. The Department is working hard to achieve these goals and has made progress.

**7. CPD should conduct regular performance reviews with regard to stops and generate more disciplinary options, (including removal/firing) for officers who behave unethically, repeatedly violate residents rights, behave aggressively, and generate repeated complaints. As a way to hold officers to a high standard of ethics, behavior, and impartiality, CPD should consider revising its oath to include language similar to what Illinois State Police (ISP) requires, specifically the phrase in the ISP oath.**

**“I pledge to be honest in thought, word, and deed; to maintain unimpeachable integrity; to be just, fair, and impartial; to be steadfast against evil and its temptations; and to give my utmost to protect the rights, property, and lives of our citizens.”**

**Response:**

The *Amended Stipulation* addresses the reviews required of investigatory stops and will be incorporated into policy:

828. All submitted ISRs, Stop Reports, LDRs, and related arrest reports must be reviewed by a CPD supervisor.
829. CPD supervisors will approve or reject all submitted ISRs, Stop Reports, and LDRs documenting investigatory stops, protective pat downs, or enforcement of the Loitering Ordinances by the end of their tours of duty.
830. CPD supervisors will review and ensure submitted ISRs, Stop Reports, and LDRs are properly completed and conform to CPD policy (e.g., ensuring that CPD officers document in the narrative sections of the ISR or Stop Report the reasonable articulable suspicion that justifies the investigatory stop and, if performed, protective pat down).
831. CPD supervisors will inform the preparing CPD officer of the reason for any rejection of a submitted ISR, Stop Report, or LDR and comply with CPD policy on Department review of such reports.
832. With respect to the supervisory review of ISRs, Stop Reports, and LDRs, CPD supervisors will take the appropriate action, such as after-action support recommendations, to address any rejected reports and deviations from CPD policy related to the report or the conduct described in the report. The after-action support recommendations may include, but are not limited to, individual debriefing with a supervisor, reviewing CPD policy with the CPD officer, reviewing BWC footage from the stop with the CPD officer, mandatory re-training, formal counseling, enhanced supervision, or initiating progressive discipline. The appropriate after-action support will be documented within the report rejection.
833. When directed by a 4th Amendment Street Stop Review Unit after-action support recommendation, CPD supervisors will review the BWC footage from the identified investigatory stop or protective pat down with the involved officer(s). CPD supervisors will document the viewing of the

BWC footage and the results of the after-action support in the appropriate supervisory reports.

Furthermore, paragraph 841 of the *Amended Stipulation* states, “CPD will also continue to develop, implement, and maintain an electronic system to track and document which CPD officers have repeated rejected ISRs or Stop Reports consistent with the review process performed by the 4th Amendment Street Stop Review Unit (or an equivalent internal CPD unit) described in Paragraph 857 of this Stipulation.”

Additional TRED responsibilities regarding the stop review process are described in the *Amended Stipulation* paragraphs 857-860, and will be incorporated into policy:

857. The 4th Amendment Street Stop Review Unit will perform regular Department-level reviews of a representative sample of ISRs and Stop Reports, including a representative sample of those completed for the enforcement of the Loitering Ordinances, submitted by CPD officers after the entry of this Stipulation, sufficient to reach relevant and reliable observations on:
  - a. Whether CPD officers completely and thoroughly reported all factors that established the reasonable articulable suspicion to justify the investigatory stop;
  - b. Whether CPD officers completely and thoroughly reported all factors that established the reasonable articulable suspicion to justify the protective pat down;
  - c. Whether CPD officers completely and thoroughly completed the report and complied with CPD policy; and
  - d. Whether supervisory review was timely, thorough, complete, objective, and consistent with CPD policies.
858. For the representative sample of ISRs and Stop Reports described in Paragraph 857 of this Stipulation, CPD must demonstrate that the subset of investigatory stops and protective pat-downs reviewed is demographically and geographically representative of community members stopped by CPD officers throughout Chicago.
859. CPD will recommend an involved officer(s) and their supervisor review the BWC footage for the identified investigatory stop or protective pat down conducted by the involved officer(s), after the involved officer has submitted five ISRs or Stop Reports within a 90-day period that have resulted in a recommendation for after-action support to resolve a lack of sufficient description of reasonable articulable suspicion.
860. On a semi-annual basis, the 4th Amendment Street Stop Review Unit will report on the ISRs and Stop Reports reviewed beginning with the time period ending with December 31, 2023, including those completed for the enforcement of the Loitering Ordinances, and identify:
  - a. The total number of ISRs and Stop Reports reviewed by the 4th Amendment Street Stop Review Unit;

- b. Any trends or patterns relating to investigatory stops, protective pat downs, and enforcement of the Loitering Ordinances identified through the 4th Amendment Street Stop Review Unit reviews;
- c. The number of reports rejected by supervisors and categories of reason for rejection;
- d. The number of officers who had multiple ISRs and Stop Reports rejected;
- e. The number of officers who had multiple ISRs and Stop Reports rejected for a lack of sufficient description of reasonable articulable suspicion; and
- f. Any equipment, training, or policy concerns, and to the extent necessary, recommendations regarding modifications to equipment, training, or policy as necessary to address those concerns.

CPD believes that this performance-review system, which provides immediate supervisory review, feedback, and mentoring at the unit level as well as department-level review by trained subject matter experts at a more holistic level, will result in investigatory stops that are consistent with constitutional principles and community expectations. Additionally, requiring the Chicago Police Department to share statistical reports and other data with the public will enhance department transparency and accountability with the communities it serves.

#### CONCLUSION

The City and CPD appreciate the work that was done by the community groups to conduct these engagement events, to examine the results, and to provide these recommendations to the City and CPD.

Sincerely,



Fred C. Waller  
Interim Superintendent of Police  
Chicago Police Department

CC Institute for Policy and Civic Engagement, University of Illinois Chicago  
American Civil Liberties Union