

Use of Force

Compliance Assessments by Paragraph

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¶171	¶195	¶219	¶243
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Use of Force: ¶153

153. CPD's use of force policies, as well as its training, supervision, and accountability systems, must ensure that: CPD officers use force in accordance with federal law, state law, and the requirements of this Agreement; CPD officers apply de-escalation techniques to prevent or reduce the need for force whenever safe and feasible; when using force, CPD officers only use force that is objectively reasonable, necessary, and proportional under the totality of the circumstances; and any use of unreasonable or unnecessary force is promptly identified and responded to appropriately.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *Under Assessment*
Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD maintained Preliminary compliance with ¶153 and remained under assessment for Secondary compliance.

To assess Preliminary compliance with ¶153, the IMT reviewed the CPD's Use of Force policies to ensure they are in accordance with law and the Consent Decree and appropriately address use of de-escalation. The IMT also assessed the CPD's efforts to actively engage the community and obtain feedback on its Use of Force policies.

To assess Secondary compliance with ¶153, the IMT is reviewing the CPD's use of force training materials and records for completion of training as it relates to the requirements of the Consent Decree.

To assess Full compliance with ¶153, the IMT will assess the implementation and supervision of Use of Force policies by department personnel, to include supervisors, and accountability measures. For this assessment, the IMT is reviewing supervision at a district level, by the Tactical Review and Evaluation Division (TRED),¹ CPD command staff, and COPA to determine if supervision and accountability systems are effective.

In the fifth reporting period, the IMT continued to assess Secondary compliance with ¶153 by reviewing and observing the CPD's 2021 in-service training and Supervisory Refresher Training related to use of force, paying particular attention to accountability and supervision. We reviewed TRED's quarterly reports, CPD's Use of Force Dashboard, and COPA's allegations and findings on excessive force. We

¹ The Tactical Review and Evaluation Division (TRED) was formerly called the Force Review Division (FRD).

also monitored the CPD's progress with the TRED dashboard for supervisors—which was launched March 11, 2022—and looked forward to the CPD training supervisors on its utility and providing guidance or policies on expectations for its use.

In the sixth reporting period, on March 11, 2022, the CPD launched its Supervisory Debriefing dashboard. This dashboard provides an important tool for accountability and supervision of use of force incidents. TRED's *2022 Q2 Report* states the goal of “publishing the dashboard is to assist the Department in identifying current or developing trends and patterns, allowing for early intervention by supervisors.”²

During the sixth reporting period, the CPD shared that it intends to integrate the supervisory dashboard into its CompStat meetings, where supervisors will be required to review and report on data and resulting actions at the district-level. The IMT observed CompStat meetings in the seventh reporting period, in fall of 2022, and there was no indication that the supervisory dashboard was being used.

In the seventh reporting period, the IMT continued to assess Secondary compliance. In the seventh reporting period, CPD provided records to demonstrate that as of December 5, 2022, more than 95% of supervisors received the 2022 In-Service Supervisor Training. The IMT also reviewed CPD's *Recruit Force Options Suite Training* and its *2022 De-Escalation, Response to Resistance and Use of Force Training*. The CPD also produced a copy of its *TRR Supervisory Debriefing Dashboard Training Bulletin*, ETB# 22-03. The IMT provided feedback on the bulletin on November 12, noting that the bulletin provides detailed instruction on how to access and use the dashboard. However, the IMT recommended the bulletin better explain how use of the dashboard relates to supervisors' responsibilities as outlined in G01-09, *Supervisory Responsibilities*, including the specific duties outlined in Section IV.D, “Use of Force Incidents.”

TRED's continued attention to de-escalation in its reviews has played an important role. Proper articulation of de-escalation/force mitigation is one of the biggest review points identified by TRED. TRED provided this feedback to CPD's Training Division in 2021, which resulted in additional focus on the quality of TRRs in the 2021 in-service training. While the CPD cannot point to specific improvements tied to the impact of training, TRED noted they had seen a steady decrease in debriefing points on this matter during the seventh reporting period.

² See *Tactical Review and Evaluation Division 2022 Q2 Report*, CHICAGO POLICE DEPARTMENT (November 22, 2023), <https://home.chicagopolice.org/wp-content/uploads/Q2-2022-22Nov22.pdf>

In the eighth reporting period, the CPD provided evidence that 95% of officers completed its *2022 De-Escalation, Response to Resistance and Use of Force Training*.

The IMT continues to stress the importance of front-line supervisors playing a greater role in addressing deficiencies when reviewing TRRs. The *Supervisory Debriefing Dashboard* provides them with a useful tool to do so, and the CPD took steps this reporting period to improve the use of the dashboard.

At the end of the eighth reporting period, the CPD issued revised versions of its Use of Force Policy Suite on June 28, 2023. G03-02-08, *Department Review of Use of Force*, now states, “When determining any recommended after-action support for Department members or supervisors, the investigating supervisor will access the ‘TRR Debriefing Point Dashboard’ to identify and review any previous use-of-force-related debriefing points for the involved members” (III.C.1). We appreciate this change.

In addition, during IMT interviews this reporting period—as in the seventh reporting period—district supervisors continued to show little to no understanding of the supervisory dashboard. One supervisor shared that he does not require a dashboard in order to monitor his personnel. Some supervisors stated they were aware of the dashboard from the initial release notification or eLearning, but do not use it because they found it difficult to navigate or access. We learned that as of May 2022, there had only been 390 total views of the dashboard since its inception. The CPD is working to improve the dashboard user experience.

Relatedly, it was not clear to the IMT by the end of the eighth reporting period whether supervisors are accessing another of the CPD’s dashboards dedicated to de-escalation efforts. The benefit of making de-escalation data available is only realized if supervisors access it.

While the IMT commends CPD for creating the supervisory dashboard and amending its policy to enhance supervisor review and tracking of use of force, further training on the expectations of supervisors and the dashboard is critical to CPD achieving Secondary compliance.

Regarding training on the *Supervisory Debriefing Dashboard*, during the eighth reporting period, the CPD submitted a revised draft of the *TRR Supervisory Debriefing Dashboard Training Bulletin*, ETB# 22-03, on February 23, 2023, for which the IMT and the OAG issued no-objection notices on March 23 and March 22, respectively. In addition, on March 16, 2023, the City and the CPD provided a *TRR Supervisory Debriefing Dashboard eLearning* for which the IMT and the OAG issued no-objection notices on April 15 and April 11, respectively. Both trainings focused primarily on the mechanics of using the dashboard, though both also describe the benefits to supervisors. Because both trainings preceded a change to the CPD’s

policy to require Watch Operation Lieutenants (WOLs) to review the dashboard, neither training noted the new requirement. We await evidence to support that a sufficient percentage of supervisors have completed these trainings. The CPD also provided the results of an audit of the effectiveness of TRED debriefings during the eighth reporting period. While participation in the audit was low, it did highlight need for front line supervisors to take immediate action rather than addressing the deficiencies weeks later.

During a June meeting with the CPD, the IMT expressed concerns about the ability to review use of force incidents when no body-worn camera footage was available 12% of the time according to TRED's *2022 Year-End Report*.³ The IMT requested that CPD come up with a game plan to address the continuing problems of late activation and no activation.

The IMT also reviewed COPA data to assess whether officers are complying with ¶153. According to COPA's 2022 Annual Report, it received 468 allegations of excessive force, down from the 496 allegations COPA reported in 2021 report.⁴ According to COPA's first quarter report for 2023 (January 1, 2023, to March 31, 2023),⁵ COPA recorded 81 excessive force allegations, and 1,068 excessive force cases pending. During this period, excessive force case outcomes included 14 sustained, 9 not sustained, 6 unfounded, and 9 exonerated.

In conclusion, the CPD remains in Preliminary compliance for ¶153. The CPD is making positive steps related to this paragraph. TRED is doing a solid job identifying use of force and de-escalation issues; however, they have little value if deficiencies are not being addressed with officers until weeks later. Supervision and accountability systems are not in place and need to be at the district level. Moving forward, the IMT will monitor the CPD's efforts to train all supervisors on their responsibilities for Secondary compliance and demonstrate proper supervision and accountability.

³ TRED's *2022 Year-End Report*, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 47, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

⁴ *Compare Civilian Office of Police Accountability Annual Report 2022*, COPA (February 15, 2023) at 22, https://www.chicagocopa.org/wp-content/uploads/2023/04/2022-Annual-Report_.pdf with *Civilian Office of Police Accountability Annual Report 2021*, COPA (February 15, 2022) at 22, <https://www.chicagocopa.org/wp-content/uploads/2022/02/2021-Annual-Report-Final.pdf>.

⁵ *See Civilian Office of Police Accountability 2023 First Quarter Report (January 1, 2023 – March 31, 2023)*, COPA (April 15, 2023), <https://www.chicagocopa.org/wp-content/uploads/2023/04/COPA-2023-Q1-Report.pdf>.

Paragraph 153 Compliance Progress History

FIRST REPORTING PERIOD
SEPTEMBER 1, 2019 – AUGUST 31, 2019

COMPLIANCE PROGRESS:
Not Applicable

SECOND REPORTING PERIOD
SEPTEMBER 1, 2019 – FEBRUARY 29, 2020

COMPLIANCE PROGRESS:
Not Applicable

THIRD REPORTING PERIOD
MARCH 1, 2020 – DECEMBER 31, 2020

COMPLIANCE PROGRESS:
Under Assessment

FOURTH REPORTING PERIOD
JANUARY 1, 2021 – JUNE 30, 2021

COMPLIANCE PROGRESS:
Preliminary

FIFTH REPORTING PERIOD
JULY 1, 2021 – DECEMBER 31, 2021

COMPLIANCE PROGRESS:
Preliminary

SIXTH REPORTING PERIOD
JANUARY 1, 2022 – JUNE 30, 2022

COMPLIANCE PROGRESS:
Preliminary

SEVENTH REPORTING PERIOD
JULY 1, 2022 – DECEMBER 31, 2022

COMPLIANCE PROGRESS:
Preliminary

EIGHTH REPORTING PERIOD
JANUARY 1, 2023 – JUNE 30, 2023

COMPLIANCE PROGRESS:
Preliminary

Use of Force: ¶154

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (FOURTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶154.

To assess Preliminary compliance with ¶154, the IMT reviewed the CPD’s Use of Force policies and *Foot Pursuits* policy to ensure they reflect best practices and delineate who is responsible for identifying best practices, and for maintaining Advanced Law Enforcement Accreditation from the Commission on Accreditation for Law Enforcement Agencies (CALEA) standards. Foot pursuits account for a significant portion of use of force incidents and, thus, relate to ¶154. The IMT also reviewed information from the CPD on policies it reviewed from other jurisdictions and assessed the CPD’s efforts to actively engage the community and obtain feedback on its Use of Force policies and Foot Pursuit policy.

To assess Secondary compliance with ¶154, the IMT reviewed the CPD’s Use of Force and Foot Pursuit training materials for updates related to improvements to maintain best practices, as well as and records reflecting completion of required training.

To assess Full compliance with ¶154, the IMT is assessing ongoing efforts by the CPD to identify best practices (including person responsible and internal processes to adhere to best practices, and to make necessary updates per CALEA certification requirements).

The CPD achieved both Preliminary and Second compliance in the fourth reporting period. For Preliminary compliance, the CPD issued its most recent Use of Force policies on December 31, 2020, which became effective April 15, 2021. In addition, the CPD attained and maintained CALEA accreditation, indicating compliance with national policy standards, including for use of force. The CPD also issued a temporary foot pursuit policy on May 26, 2021. To evaluate Secondary compliance, the

IMT reviewed records indicating that 96% of CPD officers completed the 2020 Use of Force training.

During the seventh reporting period, the CPD made notable progress with policies relevant to ¶154. CPD issued G03-06, *Foot Pursuits*, on August 8, 2022, and G02-02, *First Amendment Rights*, on December 19, 2022.

On June 28, 2023, at the end of the eighth reporting period, the CPD issued revised versions of its Use of Force Policy Suite that reflect community feedback from the Coalition (see ¶669) on its Taser and OC Spray policies. In the eighth reporting period, the CPD provided evidence that 95% of officers completed its *2022 De-Escalation, Response to Resistance and Use of Force Training*. The CPD also finalized, but has not yet completed delivery of, its *2023 Use of Force Policy Update Training*.

For Full compliance, the IMT continues to monitor TRED findings of patterns and trends for the CPD’s application of best practices and identification of areas for additional improvement. The IMT also notes that the CPD finalized D22-08, *Community Engagement in Policy Development – Pilot Program*, on December 31, 2022. This policy outlines the CPD’s guidelines, procedures, and responsibilities for engaging people in the development of CPD policy (see the assessment of ¶160 for more details). In the next reporting period, the IMT looks forward to reviewing the CPD’s efforts to seek community input and the CPD’s activities relating to this pilot program.

Moving forward, we will regularly review Preliminary compliance and discuss the Use of Force policies with the CPD to ensure the CPD maintains best practices and makes additional policy improvements consistent with the Consent Decree, including required community engagement. We will also continue to review Secondary compliance yearly, requiring the CPD to meet the aforementioned criteria for ¶154.

Paragraph 154 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶155

155. CPD officers have the authority to use force, but that authority is limited by the law and Department policy. The provisions of this Agreement seek to facilitate compliance with the law and Department policy regarding the use of force to reduce the circumstances in which using force is necessary, and to ensure accountability when CPD officers use force that is not objectively reasonable, necessary, and proportional under the totality of the circumstances.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *Under Assessment*
Secondary: *Not in Compliance*
Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD remained under assessment for Preliminary compliance with ¶155.

To assess Preliminary compliance with ¶155, the IMT reviewed the CPD’s Use of Force policies and department protocols to ensure policies and systems meet the requirements of this paragraph.

The IMT began assessing compliance for ¶155 during the sixth reporting period.

On June 28, 2023, at the end of the eighth reporting period, the CPD issued revised versions of its Use of Force Policy Suite that reflect community feedback from the Coalition (see ¶669) on its Taser and OC Spray policies.

In the eighth reporting period, the CPD provided evidence that 95% of officers completed its *2022 De-Escalation, Response to Resistance and Use of Force Training*. The CPD also finalized its *2023 Use of Force Policy Update Training* materials, which it is still providing to officers.⁶

These policies and trainings address some of ¶155’s requirements, but the IMT remains concerned about accountability and frontline supervision.

During the eighth reporting period, the CPD’s public *Use of Force Dashboard*⁷ indicates that CPD members completed 970 TRRs between January 1 and March 31, 2023. By comparison, members completed 707 TRRs between January 1 and March 31, 2022, and 698 TRRs between January 1 and March 31, 2021. In the first half of 2023, 1892 TRRs were submitted. This suggests that the change observed

⁶ In its comments, the City notes that the CPD completed delivery of its 2022 in-service training. We agree, but the CPD has not completed delivery of its 2023 training.

⁷ <https://home.chicagopolice.org/statistics-data/data-dashboards/use-of-force-dashboard/>.

in 2022 from prior decreases in TRRs has continued. (see Use of Force Appendix Figure 1).

Use of Force Appendix Figure 1: TRRs reported by the CPD⁸

Reported TRRs	
2019	4,989
2020	4,259
2021	3,316
2022	3,652
Jan-Jun 2023	1892

The CPD continues to emphasize de-escalation in training and practice, to include creating a de-escalation dashboard that identifies the percentage of time used and under what type of circumstances warranted force. However, it was not clear to the IMT by the end of the eighth reporting period whether supervisors are accessing another of the CPD’s dashboards dedicated to de-escalation efforts. The benefit of making de-escalation data available is only realized if supervisors access it.

To assess compliance, the IMT looked at COPA reports to develop an understanding of complaints brought to COPA and the findings that have resulted related to ¶155. In the first quarter of 2023, COPA received 81 allegations of excessive force as compared to 96 in the 2022 COPA 1st Quarter Report.⁹ COPA recorded 81 excessive force allegations, and 1,068 excessive force cases pending. During the first quarter of 2023, excessive force case outcomes included 14 sustained, 9 not sustained, 6 unfounded, and 9 exonerated. In the same period, COPA made recommended disciplinary charges on 57 officers, with following outcomes: 12 separations, 4 suspensions of 30 days or more, 33 suspensions of up to 29 days, 2 reprimands, and 6 violations noted; COPA’s report does not specify the reason for each of these disciplinary recommendations.

COPA also provides data regarding officers with multiple allegations of excessive force over the prior 12 months: 11 members had 3 allegations of excessive force, 4 members had 4 allegations of excessive force, and 2 members had 5 allegations of excessive force.¹⁰ See ¶164, Use of Force Appendix Figure 4 for more data on COPA Recommended Discipline for Excessive Force from 2017–2021.

In conclusion, the City and the CPD remain under assessment for Preliminary compliance with ¶155. To assess Preliminary compliance, the IMT appreciates that the

⁸ *Use of Force Dashboard (2015–Present)*, CHICAGO POLICE DEPARTMENT, <https://home.chicagopolice.org/statistics-data/data-dashboards/use-of-force-dashboard/>.

⁹ *Civilian Office of Police Accountability 2023 First Quarter Report (January 1, 2023 – March 31, 2023)*, COPA (April 15, 2023), at 15, <https://www.chicagocopa.org/wp-content/uploads/2023/04/COPA-2023-Q1-Report.pdf>.

¹⁰ Findings are not exclusive to that year/period and may include findings on cases from prior periods.

CPD has issued revised Use of Force policies and will continue to monitor progress with ¶155’s requirement ensuring “accountability when CPD officers use force that is not objectively reasonable, necessary, and proportional under the totality of the circumstances.” Moving forward, IMT will continue to review COPA reports to develop an understanding of complaints brought to COPA and the findings that have resulted for further compliance with ¶155.

Paragraph 155 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020
COMPLIANCE PROGRESS: Not Applicable	COMPLIANCE PROGRESS: Not Applicable	COMPLIANCE PROGRESS: Not Applicable
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022
COMPLIANCE PROGRESS: Not Applicable	COMPLIANCE PROGRESS: Not Applicable	COMPLIANCE PROGRESS: Under Assessment
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023	
COMPLIANCE PROGRESS: Under Assessment	COMPLIANCE PROGRESS: Preliminary	

Use of Force: ¶156

156. CPD's use of force policies and training, supervision, and accountability systems will be designed, implemented, and maintained so that CPD members: a. act at all times in a manner consistent with the sanctity of human life; b. act at all times with a high degree of ethics, professionalism, and respect for the public; c. use de-escalation techniques to prevent or reduce the need for force whenever safe and feasible; d. use sound tactics to eliminate the need to use force or reduce the amount of force that is needed; e. only use force that is objectively reasonable, necessary, and proportional under the totality of the circumstances; f. only use force for a lawful purpose and not to punish or retaliate; g. continually assess the situation and modify the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary; h. truthfully and completely report all reportable instances of force used; i. promptly report any use of force that is excessive or otherwise in violation of policy; j. are held accountable, consistent with complaint and disciplinary policies, for use of force that is not objectively reasonable, necessary, and proportional under the totality of the circumstances, or that otherwise violates law or policy; and k. act in a manner that promotes trust between CPD and the communities it serves.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *Under Assessment*
Secondary: *Not in Compliance*
Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD remained under assessment for Preliminary compliance with ¶156.

To assess Preliminary compliance with ¶156, the IMT reviewed the CPD's Use of Force policies to ensure policies and systems meet the requirements of this paragraph. Paragraph 156 addresses many sections of the Consent Decree, including short- and long-term efforts. The IMT also assessed the CPD's efforts to actively engage the community and obtain feedback on its Use of Force policies and Foot Pursuit policy.

As in prior reporting periods, the CPD remained under assessment with ¶156. While the City and the CPD have made significant compliance efforts with Use of Force policies and training since the start of the Consent Decree, related policies—including those related to training, supervision, and accountability systems—remained works in progress.

At the close of the eighth reporting period, the CPD issued updated Use of Force policies, including revisions that the CPD made as a result of its discussions with the Coalition to its policies regarding Tasers and OC Spray. This followed the CPD's finalization and issuance in the seventh reporting period of two critical policies (on foot pursuits and First Amendment Rights).

In particular, we appreciate the change made in the June 28, 2023 version of G03-02-08, *Department Review of Use of Force*, which now states, "When determining any recommended after-action support for Department members or supervisors, the investigating supervisor will access the 'TRR Debriefing Point Dashboard' to identify and review any previous use-of-force-related debriefing points for the involved members" (III.C.1). However, we remain concerned about whether there are adequate systems in place to identify and address multiple or repeated instances or complaints of unreasonable use of force.

The CPD continues to make significant strides on its policies and trainings related to ¶156. However, we urge the CPD to pay additional attention to its Use of Force supervision and accountability requirements and systems, as noted in the last two reporting period. These are critical to Secondary compliance with this paragraph. The CPD's Supervisory Dashboard, launched on March 11, 2022, provides the system for supervision and accountability if initiated properly. But, as described in ¶153, during IMT interviews this reporting period with district supervisors, supervisors showed little to no understanding of the supervisory dashboard. While CPD has taken steps to address supervision and accountability systems, the current implementation of systems does not promote supervision and accountability. During the eighth reporting period, the CPD submitted a revised draft of the *TRR Supervisory Debriefing Dashboard Training Bulletin*, ETB# 22-03, on February 23, 2023, for which the IMT and the OAG issued no-objection notices on March 23 and March 22, respectively. In addition, on March 16, 2023, the City and the CPD provided a *TRR Supervisory Debriefing Dashboard eLearning* for which the IMT and the OAG issued no-objection notices on April 15 and April 11, respectively. Both trainings focused primarily on the mechanics of using the dashboard, though both also describe the benefits to supervisors. Because both trainings preceded a change to the CPD's policy to require Watch Operation Lieutenants (WOLs) to review the dashboard, neither training noted the new requirement. We await evidence to support that a sufficient percentage of supervisors have completed these trainings.

In addition to increasing utility of the supervisory dashboard, to ensure greater supervision and accountability, the IMT recommends that the CPD establish policies and organization that hold supervisors accountable for officers by having specific supervisors assigned to overseeing specific officers, not by sector or geography. The IMT has been working with the CPD on a pilot effort for unity of command in the 6th district, outlined in D20-02, *Unity of Command and Span of Control*

Schedule – Pilot Program. The IMT will continue to monitor this pilot as it relates to supervision and accountability of use of force incidents.

In conclusion, the City and the CPD remain under assessment for Preliminary compliance with ¶156. The IMT will continue to monitor progress with finalization of the CPD Use of Force policies and attention to Use of Force supervision and accountability requirements and systems.

Paragraph 156 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Under Assessment
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Under Assessment	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Under Assessment	

Use of Force: ¶157

157. CPD will collect and analyze information on the use of force by CPD members, including whether and to what extent CPD members use de-escalation techniques in connection with use of force incidents. CPD will use this information to assess whether its policies, training, tactics, and practices meet the goals of this Agreement, reflect best practices, and prevent or reduce the need to use force.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *Under Assessment*
Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD maintained Preliminary compliance with ¶157 and remained under assessment for Secondary compliance.

To assess Preliminary compliance with ¶157, the IMT reviewed the CPD’s Use of Force policies and revisions to the TRR, TRR-R, and TRR-I forms to see if they are designed to capture de-escalation and other data in an extractable format.

To assess Secondary compliance with ¶157, the IMT is reviewing the CPD’s Use of Force training materials and records, focusing on training specific to de-escalation and force-mitigation techniques, and related to reporting use of these techniques in TRRs.

The CPD achieved Preliminary compliance in the fourth reporting period, following the IMT’s review of data collected by the CPD, and specifically, TRED.

In the prior reporting periods, TRED showed a continued focus on de-escalation reporting. However, according to TRED reports, this was one of the top TRR reporting issues. Thus, the IMT expressed that the CPD must continue to focus on front-line supervisors taking the lead on enforcing de-escalation actions and reporting, in order to achieve Secondary compliance.

During the seventh reporting period, the IMT conducted interviews with district supervisors, and some indicated that TRED is responsible for identifying patterns and trends for TRR debriefings. The anticipated *2023 Use of Force Policy Update Training* includes the following requirement of the investigating supervisor, per G03-02-08, *Department Review of Use of Force*: “When determining any recommended after-action support for Department members or supervisors, the investigating supervisor will access the *TRR Debriefing Point Dashboard* to identify and review any previous use-of-force-related debriefing points for the involved members.” The IMT believes this updated policy training is a positive step to having

district supervisors taking the lead on enforcing de-escalation actions.¹¹ According to COPA's 2022 Annual Report, allegations of excessive force vary by district (See Use of Force Appendix Figure 2 for the districts with the highest totals).

Use of Force Appendix Figure 2:

Number of Excessive Force Allegations in Top Five Districts in 2022.¹²

District	Total Allegations of Excessive Force
11	48
2	31
3	29
6	29
1	28
18	27

In addition, the IMT reviewed CPD-collected data from the de-escalation dashboard and CPD reports this reporting period. Use of Force Appendix Figure 3 shows a fairly consistent use of various types of force mitigation efforts in 2021 and 2022.

Use of Force Appendix Figure 3:

Force Mitigation Efforts for TRRs, 2021 and 2022

	2021 Reported TRRs (% of Total)	2022 Reported TRRs (% of Total)
Verbal Commands	2,798 (84.4%)	3,078 (84.3%)
Additional Units	2,102 (63.4%)	2,457 (67.3%)
Tactical Position	1,579 (47.6%)	1,743 (47.7%)
Move to Avoid	728 (22.0%)	770 (21.1%)
Zone of Safety	727 (21.9%)	800 (21.9%)
Other	76 (2.3%)	79 (2.2%)
Specialized Units	64 (1.9%)	45 (1.2%)
None	28 (0.8%)	29 (0.8%)

According to the CPD's 2022 Annual Use of Force Report, there was a 10% increase in TRRs between 2021 and 2022 (3315 to 3652).¹³ There was also an 8% (3049) increase in the number of arrests (38,400 in 2021 to 41,449 in 2022).¹⁴

¹¹ We look forward to receiving evidence that the CPD has completed delivery of this training, which is one reason why the CPD has not yet achieved Secondary compliance with ¶157.

¹² Civilian Office of Police Accountability Annual Report 2022, COPA (February 15, 2023) at 23, https://www.chicagocopa.org/wp-content/uploads/2023/04/2022-Annual-Report___.pdf.

¹³ See Chicago Police Department 2022 Annual Use of Force Report, CHICAGO POLICE DEPARTMENT (APRIL 18, 2023), at 46, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>.

¹⁴ Compare Chicago Police Department 2022 Annual Use of Force Report, CHICAGO POLICE DEPARTMENT (APRIL 18, 2023), at 60, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>, with Chicago Police Department 2021 Annual

In the seventh reporting period, we noted that TRED's focus had been on ensuring proper documentation of de-escalation efforts, which has been emphasized in training, but that the IMT has not seen an emphasis on analysis of de-escalation data (e.g., for force mitigation, should certain mitigation efforts be used more or less). In the eighth reporting period, we were pleased to see the analysis included in the CPD's *2022 Annual Use of Force Report* and determinations as to how it could inform future training.¹⁵ The first three highlights listed in the report are as follows:

1. Over half of use of force occurrences in 2022 (53%) involved department members with one to five years of service, despite the fact that they make up only 24% of the work force. Officers with six to ten years accounted for 19% of use of force occurrences while making up 15% of the work force. This reinforces the importance of effective use of force training for recruits and newer officers.
2. Handcuffing is one of the most basic—yet important—skills an officer develops. It is involved in virtually every use of force incident and, if done improperly, can escalate an incident to the point higher levels of force are required. CPD is developing ways of enhancing these skills in future trainings.
3. Based on analysis of the encounters that occur during use of force incidents (including the person's actions and member's response), verbal direction is the most common and important de-escalation tactic for police officers. CPD is working on improving training on verbal direction as well as prioritizing it as an evaluation point during scenario-based training. This includes training role players to respond in a way that reinforces this training to officers during scenarios.

The CPD continues to provide sound analysis and data on patterns and trends at the citywide level and to provide data at the local/unit level, but the IMT would welcome information on how data translates into action at the local/unit/officer level.

The CPD also provided the results of an audit of the effectiveness of TRED debriefings during the eighth reporting period. While participation in the audit was low, it did highlight need for front line supervisors to take immediate action rather than addressing the deficiencies weeks later.

Use of Force Report, CHICAGO POLICE DEPARTMENT (AUGUST 31, 2022), at 34, https://home.chicagopolice.org/wp-content/uploads/2021-Annual-Use-of-Force-Report_FINAL-DRAFT_31Aug22.pdf.

¹⁵ See *Chicago Police Department 2022 Annual Use of Force Report* at 6–7.

Finally, the IMT also continued discussions with the CPD’s de-escalation certification roll-out plan. The CPD shared that this would be incorporated into the Department’s recruit training and annual qualifications. The IMT will continue to seek more details on this to assess whether CPD’s training, tactics, and practices meet the goals of ¶157.

In sum, the City and the CPD continue to make notable progress towards Secondary compliance by continuing to emphasize de-escalation in anticipated training. As noted, de-escalation needs to be a priority identified at the district and unit level by front-line supervisors. Moving forward, the IMT looks to assess Secondary and Full compliance with ¶157.

Paragraph 157 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Not Applicable
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

Use of Force: ¶158

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	<i>In Compliance (FOURTH REPORTING PERIOD)</i>
Secondary:	<i>Under Assessment</i>
Full:	<i>Not Yet Assessed</i>

In the eighth reporting period, the City and the CPD maintained Preliminary compliance and remained under assessment for Secondary compliance with ¶158.

To assess Preliminary compliance with ¶158, the IMT reviewed the CPD's Use of Force policies, related to community engagement, and plans and efforts by the CPD to address suggestions from the community.

To assess Secondary compliance with ¶158, the IMT is reviewing the CPD's Use of Force training materials and records, focusing on whether training complies with applicable law and the Consent Decree, promotes use of force behavior that promotes trust with the community, and how training reflects input/changes from community feedback.

The CPD achieved Preliminary compliance with ¶158 in the fourth reporting period following revisions to the Use of Force policing as a result of feedback and recommendations from the IMT and the OAG. As described in prior monitoring reports, the CPD has also sought community input in the Use of Force policies, Foot Pursuit policy, and First Amendment Rights policy in the prior reporting periods. To continuously monitor Preliminary compliance, the IMT observed engagements between the Coalition and CPD regarding these policies.

On June 28, 2023, at the end of the eighth reporting period, the CPD issued revised versions of its Use of Force Policy Suite that reflect community feedback from the Coalition (*see* ¶669) on its Taser and OC Spray policies. The CPD also finalized, but has not yet completed delivery of, its *2023 Use of Force Policy Update Training*, which contains the updates to the CPD's Use of Force policies.¹⁶

Building trust with the community is incremental and the IMT believes the CPD must have a plan and process regarding community engagement in its use of force policies that meets both the needs of the CPD and the community. The CPD has

¹⁶ We look forward to receiving evidence that the CPD has completed delivery of this training, which is one reason why the CPD has not yet achieved Secondary compliance with ¶158.

begun to make strides in establishing such processes to continue to promote community trust. In this reporting period, the IMT reviewed draft General Order G01-03-01, *Community Engagement in Policy Development*, and began supporting the CPD in developing a community engagement plan in response to its request for technical assistance. The CPD finalized this policy on December 31, 2022, renaming it D22-08 *Community Engagement in Policy Development – Pilot Program*. This policy outlines the Department’s guidelines, procedures, and responsibilities for engaging members of the community and Department members in the development of Department policy (see ¶160 for more details). In the next reporting period, the IMT will continue to consider the CPD’s efforts to seek community input in this new policy to achieve Preliminary compliance, and the CPD’s activities for launching this pilot program.

Further, the CPD has measured community views on trust and safety through a monthly citywide survey since 2017. The results of this survey are shared on the CPD’s *Sentiment Dashboard*.¹⁷ Trust in the police reached a high in June 2020 (score of 65.3), after which trust began to decline through June 2022 (score of 55.6). Since June 2022, the trust score has begun to rise and was last reported at 58.6 for May 2023. This survey provides the IMT a general sense of trust the community has with the police, but this measure is not specific to policy development. The goal of raising trust and security in each district is reinforced at each CPD CompStat meeting, where commanders are measured on community’s response.

On a regular basis, the IMT also surveys Chicagoans regarding overall police services, effectiveness, community engagement, responsiveness, trustworthiness and procedural justice, contact and interactions with the CPD, misconduct complaints and investigations, and confidence in reform. Our second *Community Survey Report (October 2021 – May 2022)* was filed on May 30, 2023, and indicated a combined decrease in ratings from the first Survey (November 2019 – February 2020).¹⁸

Moving forward, the IMT will continue to monitor the CPD’s efforts to build trust with the community it serves through its community engagement plan and community engagement policy, particularly regarding its Use of Force policies. Additionally, in the next reporting period, the IMT will continue to review Secondary and Full compliance with ¶158 to include reviewing examples of the new policy in practice.

¹⁷ See Elucd, *Chicago Police Sentiment Dashboard*, CHICAGO POLICE DEPARTMENT, <https://home.chicagopolice.org/statistics-data/data-dashboards/sentiment-dashboard/>.

¹⁸ See *Community Survey Report (October 2021 – May 2022)*, INDEPENDENT MONITORING TEAM, https://cpdmonitoringteam.com/wp-content/uploads/2023/05/2023.05.30-IMT-Community-Survey-Report-October-2021-May-2022-filed._-2.pdf.

Paragraph 158 Compliance Progress History

FIRST REPORTING PERIOD
SEPTEMBER 1, 2019 – AUGUST 31, 2019

COMPLIANCE PROGRESS:
Not Applicable

SECOND REPORTING PERIOD
SEPTEMBER 1, 2019 – FEBRUARY 29, 2020

COMPLIANCE PROGRESS:
Not Applicable

THIRD REPORTING PERIOD
MARCH 1, 2020 – DECEMBER 31, 2020

COMPLIANCE PROGRESS:
Under Assessment

FOURTH REPORTING PERIOD
JANUARY 1, 2021 – JUNE 30, 2021

COMPLIANCE PROGRESS:
Preliminary

FIFTH REPORTING PERIOD
JULY 1, 2021 – DECEMBER 31, 2021

COMPLIANCE PROGRESS:
Preliminary

SIXTH REPORTING PERIOD
JANUARY 1, 2022 – JUNE 30, 2022

COMPLIANCE PROGRESS:
Preliminary

SEVENTH REPORTING PERIOD
JULY 1, 2022 – DECEMBER 31, 2022

COMPLIANCE PROGRESS:
Preliminary

EIGHTH REPORTING PERIOD
JANUARY 1, 2023 – JUNE 30, 2023

COMPLIANCE PROGRESS:
Preliminary

Use of Force: ¶159

159. CPD will conduct an annual review of its use of force policies consistent with accreditation requirements of the Commission on Accreditation for Law Enforcement Agencies (“CALEA”). In addition, every two years, CPD will conduct a comprehensive review of its use of force policies to assess whether CPD’s use of force policies meet the requirements of this Agreement, incorporate best practices, address observed trends and practices, as necessary, and reflect developments in applicable law.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Recurring Schedule:	Annual	<input checked="" type="checkbox"/>	Not Yet Applicable
Recurring Schedule:	Every Two Years	<input checked="" type="checkbox"/>	Not Yet Applicable
Preliminary:	<i>In Compliance (FOURTH REPORTING PERIOD)</i>		
Secondary:	<i>Under Assessment</i>		
Full:	<i>Not in Compliance</i>		

In the eighth reporting period, the City and the CPD maintained Preliminary compliance and remained under assessment for Secondary compliance with ¶159.

To assess Preliminary compliance with ¶159, the IMT reviewed the CPD’s policies and standard operating procedures (SOPs) related to completion of CALEA accreditation. We also reviewed the data sources/elements that are to be assessed during the comprehensive Use of Force policy review.

To assess Secondary compliance with ¶159, the IMT is reviewing CALEA and CPD reports and training sources to assess whether training requirements are detailed, with attention to de-escalation efforts and the CPD’s training adjustments based on findings of use of force patterns and reviews. We also review the CPD’s annual *Use of Force Report*.

In the fourth reporting period, the CPD achieved Preliminary compliance with ¶159 through its annual review for maintaining its Advanced Law Enforcement Accreditation through the CALEA.

This reporting period, the CPD issued revised versions of its Use of Force Policy Suite that reflect community feedback from the Coalition (see ¶669) on its Taser and OC Spray policies.

In prior reporting periods, the IMT continued assessing Secondary compliance to determine whether training requirements related to ¶159 are detailed, with attention to de-escalation and adjustments in training based on the findings of CPD’s

biannual comprehensive review of its Use of Force policies. The CPD has yet to complete a comprehensive review of its use of force policies to assess whether they meet the requirements of the Consent Decree, incorporate best practices, address observed trends and practices, as necessary, and reflect developments in applicable law. The IMT continues to await the CPD’s completion of this review via its forthcoming *Use of Force Two Year Review Status Report*, which is necessary for Secondary compliance.

This reporting period, the CPD released its second annual use of force report.¹⁹ The report provides an overview of the use of force law and policy, training, documentation and review, accountability, and 2022 use of force data. The IMT found this report to be detailed and well-done, and that it incorporated some of the recommendations we made to the CPD to improve on its first annual report (e.g., including more details on patterns and trends in use of force and how they are being addressed).

Finally, per ¶159, the CPD needs to clearly demonstrate its compliance with CALEA standards annually, which it has yet to do for 2022.

In conclusion, the City and the CPD maintained Preliminary compliance with ¶159 this reporting period and are under assessment for Secondary compliance as it is developing its first annual comprehensive Use of Force review and demonstrates CALEA compliance for 2022.

Paragraph 159 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

¹⁹ See *Chicago Police Department 2022 Annual Use of Force Report*, CHICAGO POLICE DEPARTMENT (APRIL 18, 2023), <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>.

Use of Force: ¶160

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	<i>Under Assessment</i>
Secondary:	<i>Not in Compliance</i>
Full:	<i>Not in Compliance</i>

In the eighth reporting period, the City and the CPD made progress toward Preliminary compliance but remain under assessment for the requirements of ¶160.

To evaluate Preliminary compliance, we are reviewing the CPD’s community engagement efforts related to its Use of Force policies. In assessing community engagement, we examine (1) outreach; (2) meetings and interactions and problem-solving and decision making; (3) follow-up and sustainability of partnerships, trust, community policing, and problem-solving activities; and (4) general police-community interactions regardless of context.

Since the Consent Decree took effect, the CPD has been in continuous discussion with the IMT, the OAG, and the community about its Use of Force policies. As we detailed in our prior four reports, the CPD began consulting with the Use of Force Working Group in June 2020 and while the IMT thought the CPD’s community engagement efforts with the Use of Force Working Group in 2020 were inadequate, the processes and engagement improved in subsequent reporting periods. There were to be some substantive changes as a result of discussions between the CPD and Working Group, but it took some time for all of those changes to be reflected in policy and training materials.

On June 28, 2023, at the end of the eighth reporting period, the CPD issued revised versions of its Use of Force Policy Suite that reflect community feedback from the Coalition (see ¶669) on its Taser and OC Spray policies. The revised version of G03-02, *De-escalation, Response to Resistance, and Use of Force*, incorporates the language of ¶160 verbatim. Section IX Policy Review states as follows:

C. The Department will:

1. establish and maintain clear channels through which community members can provide input regarding the use of

force policies and propose revisions or additions to those policies.

2. regularly review the input received, including during the biennial review process.

D. When reviewing and revising this policy, the Department will:

1. provide a meaningful opportunity for review and comment by the public and Department members, and
2. seek input from members of the community and community based organizations with relevant knowledge and experience through community engagement efforts.

We appreciate the inclusion of this language in G02-03, but the policy does not detail how these goals will be accomplished.

In the eighth reporting period, the CPD provided evidence that 95% of officers completed its *2022 De-Escalation, Response to Resistance and Use of Force Training*. The CPD also took the time to meet and engage with members of the Use of Force Working Group following their release of a March 2023 report on the CPD's Use of Force training.²⁰ In addition, the CPD announced that it has "enlisted the help of a Training Community Advisory Committee to provide feedback on use of force training," explaining that "[t]his feedback from the community is an invaluable part of the department's new process of developing training to ensure community perspective is considered in both training content and teaching methodology."²¹ The CPD also finalized, but has not yet completed delivery of, its *2023 Use of Force Policy Update Training*.

Additionally, during the fifth reporting period, on December 31, 2021, the IMT and OAG received General Order G01-03-01, *Community Engagement in Policy Development*, for review. This policy outlines the Department's guidelines, procedures, and responsibilities for engaging member of the community and Department members in the development of Department policy. The policy is thoughtful and recognizes not only the need to engage the community up front in policy development, but to include consistent follow-up on the community's suggestions. It also recognizes that there is not one single way to approach engagement; it is a multi-

²⁰ *Chicago Police Training Teaches Officers that Their Lives Matter More than Community Lives*, REPRESENTATIVES OF CHICAGO'S USE OF FORCE WORKING GROUP, March 20, 2023, https://www.law.uchicago.edu/sites/default/files/2023-03/2023-03-20-UOFWG-Public_Report-CPD_Training.pdf.

²¹ *Chicago Police Department 2022 Annual Use of Force Report*, CHICAGO POLICE DEPARTMENT (APRIL 18, 2023), at 7, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>.

prong approach. The policy describes 10 different engagement methods, such as advisory committees, anonymous surveys, focus groups, public comment, working groups, and more. On December 31, 2022, the CPD issued and made effective this policy, renamed, D22-08, *Community Engagement in Policy Development – Pilot Program*. The CPD is in the process of eliciting public comments on this policy, with the response period ranging from January 9, 2023, through March 12, 2024. In the next reporting period, the IMT will continue to consider the CPD’s efforts to seek community input in this new policy to achieve Preliminary compliance, and the CPD’s activities with respect to this pilot program.

Further, the CPD has measured community views on trust and safety through a monthly citywide survey since 2017. The results of this survey are shared on the CPD’s *Sentiment Dashboard*.²² This survey asks individuals to rate their level of agreement (from 0-10) on statements, such as “The police in my neighborhood treat local residents with respect” or “The police in my neighborhood listen to and take into account the concerns of local residents.”

According to this survey, trust in the police reached a high in June 2020 (score of 65.3), after which trust began to decline through June 2022 (score of 55.6). Since June 2022, the trust score has begun to rise and was last reported at 58.6 for May 2023. This provides the IMT a general sense of trust the community has in the police but does not measure trust specific to use of force policies. The goal of raising trust and security in each district is reinforced at each CPD CompStat meeting, where commanders are measured on community’s response.

Finally, we continue to await evidence that the CPD is engaging the community in revising S03-14, *Body Worn Cameras*; the CPD states that it will provide such evidence in the ninth reporting period.

In conclusion, the City and the CPD remain under Preliminary assessment with ¶160. The IMT appreciates the CPD’s continued engagement and commitment to working with the community on its Use of Force policies and its policy on community engagement in policy development. However, the IMT awaits community feedback on D22-08 to determine whether the City and the CPD have achieved Preliminary compliance.

²² See Elucd, *Chicago Police Sentiment Dashboard*, CHICAGO POLICE DEPARTMENT, <https://home.chicagopolice.org/statistics-data/data-dashboards/sentiment-dashboard/>.

Paragraph 160 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: None
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: None	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Under Assessment
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Under Assessment	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Under Assessment	

Use of Force: ¶161

161. CPD recently adopted de-escalation as a core principle. CPD officers must use de-escalation techniques to prevent or reduce the need for force whenever safe and feasible. CPD officers are required to de-escalate potential and ongoing use of force incidents whenever safe and feasible through the use of techniques that may include, but are not limited to, the following: a. using time as a tactic by slowing down the pace of an incident; b. employing tactical positioning and re-positioning to isolate and contain a subject, to create distance between an officer and a potential threat, or to utilize barriers or cover; c. continual communication, including exercising persuasion and advice, and providing a warning prior to the use of force; d. requesting assistance from other officers, mental health personnel, or specialized units, as necessary and appropriate; and e. where appropriate, use trauma-informed communication techniques, including acknowledging confusion or mistrust, or using a respectful tone.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (SIXTH REPORTING PERIOD)*
Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶161.

To assess Preliminary compliance with ¶161, the IMT reviewed the CPD’s Use of Force policies and TRR forms to ensure they address de-escalation requirements and reporting. The IMT also assessed the CPD’s efforts to actively engage the community and obtain feedback on its Use of Force policies.

To assess Secondary compliance with ¶161, the IMT reviewed the CPD’s training materials and records specific to de-escalation/force mitigation techniques and related to reporting use of these techniques in TRRs and revisions/updates in policy.

To assess Full compliance with ¶161, the IMT will review TRED reports, TRRs, video footage, and CPD dashboards, as well as conducting interviews with CPD personnel, to determine whether the CPD has sufficiently implemented its policy and training related to de-escalation. The IMT is examining data and information on trends and patterns in de-escalation, and subsequent corrective actions taken by the CPD.

In the fourth reporting period, the CPD reached Preliminary compliance through its revision of its Use of Force policies, informed by community engagement efforts, related to ¶161's requirements. The CPD reached Secondary compliance in the sixth reporting period by providing evidence that more than 95% of officers received the two-day *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training.²³ The training included information on force mitigation principles and de-escalation principles, with an emphasis on documenting these actions in the TRR forms. Additionally for Secondary compliance, the CPD demonstrated that appropriate processes are in place to provide feedback to officers on de-escalation behavior through revisions in the TRR reporting forms and launch of the Supervisor's Use of Force and De-escalation dashboards (see ¶153 for more on these dashboards) to allow districts to identify patterns and trends in de-escalation at a local level.

In the seventh reporting period, the IMT continued to assess Secondary compliance. In the seventh reporting period, CPD provided records to demonstrate that as of December 5, 2022, more than 95% of supervisors received the 2022 In-Service Supervisor Training. The IMT also reviewed CPD's *Recruit Force Options Suite Training* and its *2022 De-Escalation, Response to Resistance and Use of Force Training*. The CPD also produced a copy of its *TRR Supervisory Debriefing Dashboard Training Bulletin*, ETB# 22-03. The IMT provided feedback on the bulletin on November 12, noting that the bulletin provides detailed instruction on how to access and use the dashboard. However, the IMT recommended the bulletin better explain how use of the dashboard relates to supervisors' responsibilities as outlined in G01-09, *Supervisory Responsibilities*, including the specific duties outlined in Section IV.D, "Use of Force Incidents."

At the end of the eighth reporting period, the CPD issued revised versions of its Use of Force Policy Suite on June 28, 2023. G03-02-08, *Department Review of Use of Force*, now states, "When determining any recommended after-action support for Department members or supervisors, the investigating supervisor will access the 'TRR Debriefing Point Dashboard' to identify and review any previous use-of-force-related debriefing points for the involved members" (III.C.1). We appreciate this change.

In the eighth reporting period, the CPD provided evidence that 95% of officers completed its *2022 De-Escalation, Response to Resistance and Use of Force Training*. The CPD also submitted a revised draft of the *TRR Supervisory Debriefing Dashboard Training Bulletin*, ETB# 22-03, on February 23, 2023, for which the IMT and the OAG issued no-objection notices on March 23 and March 22, respectively. In addition, on March 16, 2023, the City and the CPD provided a *TRR Supervisory*

²³ Because of the COVID-19 extension, the CPD had until March 5, 2022, to complete the delivery of its 2021 in-service training.

Debriefing Dashboard eLearning for which the IMT and the OAG issued no-objection notices on April 15 and April 11, respectively. Both trainings focused primarily on the mechanics of using the dashboard, though both also describe the benefits to supervisors. Because both trainings preceded a change to the CPD’s policy to require Watch Operation Lieutenants (WOLs) to review the dashboard, neither training noted the new requirement. We await evidence to support that a sufficient percentage of supervisors have completed these trainings.

The CPD also finalized, but has not yet completed delivery of, its *2023 Use of Force Policy Update Training*. The IMT appreciates that this training instructs that the investigating supervisor will access the TRR Debriefing Point Dashboard before making a recommendation on a TRR. This is important for shifting accountability for addressing use of force patterns and trends to district supervisors.

Similarly, the CPD is in the process of delivering *Integrating Communication, Assessment, and Tactics (ICAT) Training*, which the CPD states is “designed to fill a critical gap in training officers on how to respond to volatile situations in which the subjects are behaving erratically, and often dangerously, but do not possess a firearm,” and includes a focus on de-escalation.²⁴

For Full compliance with ¶161, the IMT has regularly monitored de-escalation in action, examining how updated policies and training in this paragraph are impacting the actions of Department members. While TRED continues to place emphasis on members fully articulating de-escalation tactics in the narrative of the TRR, the IMT believes that debriefings are most effective when conducted shortly after the incident and by district/unit supervisors. This is critical for achieving Full compliance. In our assessment, the IMT has found few examples where TRR deficiencies are identified at the district/unit level. Supervisors need policies to hold them accountable for this.

We also note that, according to the IMT’s *Community Survey Report (October 2021 – May 2022)*, public perception of the CPD’s de-escalation skills is heading in the wrong direction.²⁵ In response to the question, “Over the past 12 months, how good of a job do you think the Chicago Police in your neighborhood are doing on . . . de-escalating tense situations,” a higher percentage of respondents in 2022 as compared to 2020 answered “very poor” or “poor” (21.8% to 18.9%) and a lower percentage answered “good” or “very good” (39.9% to 49%).

²⁴ *Chicago Police Department 2022 Annual Use of Force Report*, CHICAGO POLICE DEPARTMENT (APRIL 18, 2023), at 16, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>.

²⁵ See *Community Survey Report (October 2021 – May 2022)*, INDEPENDENT MONITORING TEAM, at 24, https://cpdmonitoringteam.com/wp-content/uploads/2023/05/2023.05.30-IMT-Community-Survey-Report-October-2021-May-2022-filed._-2.pdf.

In conclusion, the CPD and the City maintained Preliminary and Secondary compliance with ¶161. Looking forward, the IMT will continue to assess Full compliance, which will depend on the CPD demonstrating whether the processes currently in place have the desired impact and if the CPD has made it clear to their supervisors the expectations for de-escalation behaviors of their staff.

Paragraph 161 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶162

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶162.

To assess Preliminary compliance with ¶162, the IMT reviewed the CPD’s Use of Force policies and community engagement efforts related to Consent Decree requirements.

To assess Secondary compliance with ¶162, the IMT is reviewing training sources and records to determine whether the CPD has sufficiently trained on its Use of Force and First Amendment Rights policies, to include prior and current training related to handling protests and civil unrest.

In prior monitoring reports, the IMT reviewed CPD Use of Force policies which describe the requirements of ¶162, including requiring de-escalation when safe and feasible. We also noted concerns about CPD actions during the protests of 2020 related to officers allowing individuals to voluntarily comply with lawful orders. The CPD addressed related reporting requirements in its updated Department Notice D20-08, *Reporting the Response to Crowds, Protests, and Civil Disturbances* (effective November 20, 2020). Additionally, the CPD developed forms to document force and all efforts to encourage protestors to voluntarily comply with directives to ensure proper documentation of the same. The CPD achieved Preliminary compliance due to these policies and forms in the fourth reporting period. During 2021, the CPD worked with the IMT, OAG, Coalition, and the Court to draft and revise General Order G02-02, *First Amendment Rights*. The CPD also sought public comment on the policy from April 28, 2022, to May 13, 2022. The CPD finalized G02-02 on June 30, 2022, incorporating input from public comments, but delayed issuing the policy until it had provided eLearning instruction on the changes. During the seventh reporting period, on December 19, 2022, the CPD issued and made effective the revised G02-02, *First Amendment Rights*.

For Secondary compliance, the CPD provided training related to ¶162 in its *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training. The CPD provided records during the sixth reporting period to show that more than 95% of officers received the two-day *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training.²⁶

Specific to the application of ¶162 to response to protest, the CPD delivered eLearning training on its *First Amendment Rights* policy. The IMT and OAG reviewed and provided comment on the eLearning training materials. Following revisions and “no objection” notices from the IMT and OAG on October 24, 2022, and October 4, 2022, respectively, the CPD delivered this training. As of December 20, 2022, 95.25% of officers completed the training. Due to these efforts, the IMT found the CPD in Secondary compliance with ¶162 in the seventh reporting period.

In the eighth reporting period, the CPD provided evidence that 95% of officers completed its *2022 De-Escalation, Response to Resistance and Use of Force Training*. The CPD also finalized, but has not yet completed delivery of, its *Integrating Communication, Assessment, and Tactics (ICAT) Training*.

The IMT continues to monitor how updated policies and training related to this paragraph are impacting the actions of CPD officers, in an effort to assess Full compliance with ¶162. According to the CPD’s de-escalation dashboard, from January 1, 2022, through June 28, 2023, officers used verbal commands 90.8% of the time (4,890 out of 5,385 TRRs).

In the eighth reporting period, we were pleased to see the analysis included in the CPD’s *2022 Annual Use of Force Report* and determinations as to how it could inform future training. In particular, the report states that “verbal direction is the most common and important de-escalation tactic for police officers. CPD is working on improving training on verbal direction as well as prioritizing it as an evaluation point during scenario-based training. This includes training role players to respond in a way that reinforces this training to officers during scenarios.”²⁷

In conclusion, the City and the CPD maintained Preliminary compliance and achieved Secondary compliance with ¶162 this reporting period. Moving forward, the IMT will continue to assess the CPD’s progress with Full compliance.

²⁶ Because of the COVID-19 extension, the CPD had until March 5, 2022, to complete the delivery of its 2021 in-service training.

²⁷ *Chicago Police Department 2022 Annual Use of Force Report*, CHICAGO POLICE DEPARTMENT (APRIL 18, 2023), at 6–7, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>.

Paragraph 162 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶163

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	In Compliance (SEVENTH REPORTING PERIOD)
Secondary:	In Compliance (SEVENTH REPORTING PERIOD)
Full:	Not in Compliance

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶163.

To assess Preliminary compliance with ¶163, the IMT reviewed the CPD policies and procedures related to handling demonstrations. Related policies include the CPD's Use of Force policies, First Amendment policy, and *Foot Pursuits* policy. The IMT also assessed the CPD's efforts to actively engage the community and obtain feedback on these policies.

In prior reporting periods, the IMT determined that G03-02, *De-escalation, Response to Resistance, and Use of Force*, issued on December 31, 2020, addresses ¶163 in Section III.B.5, which prohibits using force as punishment, retaliation, or in response to the lawful exercise of First Amendment rights. The CPD also issued forms and directives to assist in the proper documentation of various aspects of the Consent Decree, including the Use of Force section.

The IMT also discussed criticism of the CPD using force for retaliation and, more specifically, in response to the lawful exercise of First Amendment rights during protests in 2020. We noted the shortcomings in prior CPD policies related to retaliation during protests, which the CPD has addressed in its Use of Force policies, effective April 15, 2021, and Department Notice D20-08, *Reporting the Response to Crowds, Protests, and Civil Disturbances*, effective November 2, 2020. During 2021 and 2022, the CPD worked with the IMT, OAG, Coalition, and the Court to draft and revise General Order G02-02, *First Amendment Rights*. The CPD also sought public comment on the policy from April 28, 2022, to May 13, 2022. The CPD finalized internally G02-02 on June 30, 2022, incorporating input from public comments, but delayed issuing the policy until it had provided eLearning instruction on the changes. During the seventh reporting period, on December 19, 2022, the CPD issued and made effective the revised G02-02, *First Amendment Rights*.

On May 26, 2021, the CPD issued a temporary policy G03-07, *Foot Pursuits*, which became effective June 11, 2021. In the fourth reporting period, the CPD engaged in dialogue with the IMT, OAG, Court, community, and other stakeholders to revise the foot pursuit policy. On June 30, 2022, the CPD advised all Department members that its revised Foot Pursuit policy would become effective on August 29, 2022, and replace the interim policy. See ¶172 for more detail on the development of the foot pursuit policy.

For Secondary compliance, during the seventh reporting period, the IMT reviewed records demonstrating that 95.25% of CPD officers completed the *First Amendment Rights eLearning* by December 20, 2022. The CPD also delivered its *Foot Pursuits Policy eLearning* training and *Foot Pursuits Training for Lieutenants*. As of October 10, 2022, 98.67% of officers completed the *Foot Pursuits eLearning* and 98.1% of Lieutenants completed the Lieutenants' duties course.

Further for Secondary compliance, as described in *Independent Monitoring Report 6*, the IMT reviewed the 2021 in-service training and the 2022 In-service Supervisory Training curriculum, which provides good instruction regarding retaliation. The CPD provided records to show that as of February 18, 2022, more than 95% of officers received the two-day *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training.²⁸ The CPD also reported in its Annual Training Report for 2021 that 3,728 officers received an 8-hour Crowd Control and Behavior Refresher/Field Force Operations course.

In the eighth reporting period, the CPD provided evidence that 95% of officers completed its *2022 De-Escalation, Response to Resistance and Use of Force Training*. The CPD also finalized, but has not yet completed delivery of, its *Constitutional Policing Course*, which addresses issues regarding the First Amendment and foot pursuits.

In the next reporting period, we expect the CPD to prepare additional training relevant to ¶163 as it prepares for the 2024 Democratic National Convention.

In conclusion, due to the CPD's efforts to issue policies and complete training relevant to ¶163, the IMT finds the CPD in Preliminary and Secondary compliance with ¶163. Moving forward, the IMT will monitor continued Secondary compliance, looking for attendance records for CPD's 2023 in-service training which will provide more in-depth training, including scenarios, on the updated policies and requirements relevant to ¶163. For Full compliance, the IMT will continue to review data and information related to disciplinary outcomes as they relate to First Amendment responses or foot pursuits.

²⁸ Because of the COVID-19 extension, the CPD had until March 5, 2022, to complete the delivery of its 2021 in-service training.

Paragraph 163 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Under Assessment
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶164

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	<i>In Compliance (FOURTH REPORTING PERIOD)</i>
Secondary:	<i>In Compliance (FOURTH REPORTING PERIOD)</i>
Full:	<i>Not in Compliance</i>

In the eighth reporting period, the City and the CPD remained in Preliminary and Secondary compliance with ¶164.

To assess Preliminary compliance with ¶164, the IMT reviewed the CPD’s Use of Force policies and community engagement efforts related to Consent Decree requirements. To assess Secondary compliance with ¶164, the IMT reviewed the CPD’s in-service 2021 and 2022 *De-Escalation, Response to Resistance, and Use of Force* in-service training materials and records to determine whether the CPD has sufficiently trained its officers on its use-of-force policies.

To assess Full compliance, the IMT is reviewing CPD reports, the CPD’s use of force dashboard, COPA findings, and legal settlements and judgments, as well as conducting interviews with CPD officers to determine whether the CPD has sufficiently implemented its policy and training related to ¶164.

In prior reporting periods, the CPD achieved Preliminary compliance with ¶164, following the CPD’s continued discussions with the Use of Force Working Group and issuance of revised Use of Force policies on December 31, 2020, which went into effect on April 15, 2021. Additionally, the 2020 in-service training covered the conditions when force may be utilized, and as a result, the CPD reached Secondary compliance. The IMT noted at the close of the prior two reporting periods that to maintain Preliminary compliance, the City and the CPD must continue to review and revise its Use of Force policies, including establishing and maintaining clear channels for community input. To maintain Secondary compliance, the City and the CPD must, as appropriate, develop, revise, and provide corresponding training.

During this reporting period, the IMT continued to monitor Preliminary and Secondary compliance with ¶164. On June 28, 2023, at the end of the eighth reporting period, the CPD issued revised versions of its Use of Force Policy Suite that reflect community feedback from the Coalition (*see* ¶669) on its Taser and OC Spray policies. The CPD also provided evidence that 95% of officers completed its 2022 *De-Escalation, Response to Resistance and Use of Force Training*.

To assess Full compliance, the IMT is reviewing whether the CPD has sufficiently implemented its policy and training related to ¶164. During this reporting period, the IMT continued to review TRED reports and the CPD’s Use of Force Dashboard, paying attention to incidents where force was used and found not to be in compliance with CPD policy, and COPA’s data regarding complaints of excessive force.

In 2022, the CPD saw a departure from the downward trend for TRRs, with a slight increase in TRRs compared to 2021 (2.96% increase with 3,413 in 2022 and 3,324 in 2021).

The IMT also reviewed the number of allegations and findings on excessive force by COPA (see Use of Force Appendix Figure 4), which shows a decrease of total excessive force cases reviewed by COPA from 2020 to 2022, with a similar downward trend for the first quarter of 2023.

Use of Force Appendix Figure 4:
COPA Recommended Discipline for Excessive Force, 2017–2023

	2020	2021	2022	2023 (first quarter)
Total	876	496	317	38
Sustained	105	64	101	14
Not Sustained	65	76	93	9
Unfounded	34	41	71	6
Exonerated	73	84	52	9

Finally, the IMT reviewed COPA recommended discipline for the past few years below (See Use of Force Appendix Figure 5).²⁹ COPA’s report does not distinguish the specific reason for the outcomes, and it is unclear to the IMT how many cases may be excessive force, but there has been an increase in suspensions and separation recommendations from COPA in last 2 years.

Use of Force Appendix Figure 5:
COPA Recommended Discipline, 2017–2022

	2017	2018	2019	2020	2021	2022
1–29 day suspension	48	106	128	98	132	131
30+ day suspension	11	8	15	14	48	72
Separation	5	4	3	19	59	49

In conclusion, the City and the CPD remain in Preliminary and Secondary compliance with ¶164. Moving forward, to maintain Preliminary compliance, the City and

²⁹ *Civilian Office of Police Accountability Annual Report 2022*, COPA (February 15, 2023) at 28, https://www.chicagocopa.org/wp-content/uploads/2023/04/2022-Annual-Report___.pdf.

the CPD must continue to review and revise its Use of Force policies, including establishing and maintaining clear channels for community input. To maintain Secondary compliance, the City and the CPD must, as appropriate, develop, revise, and provide corresponding training, which is anticipated with CPD’s 2023 in-service training which includes education on constitutional policing and use of force. For Full compliance, the IMT will continue to review the CPD’s and COPA’s data and outcomes regarding use of force, as well as the Superintendent’s position on discipline.

Paragraph 164 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Preliminary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶165

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	<i>In Compliance (FOURTH REPORTING PERIOD)</i>
Secondary:	<i>In Compliance (FOURTH REPORTING PERIOD)</i>
Full:	<i>Not in Compliance</i>

In the eighth reporting period, the City and the CPD remained in Preliminary and Secondary compliance with ¶165.

To assess Preliminary compliance with ¶165, the IMT reviewed the CPD's Use of Force policies and community engagement efforts related to Consent Decree requirements. To assess Secondary compliance with ¶165, the IMT reviewed the CPD's in-service 2021 and 2022 *De-Escalation, Response to Resistance, and Use of Force* in-service training materials and records to determine whether the CPD has sufficiently trained on its use-of-force policies, specific to use of deadly force.

To assess Full compliance, the IMT is reviewing CPD reports, TRRs, video footage, the CPD's use of force dashboard, and COPA findings, Chicago Police Board findings, as well as conducting interviews with CPD officers and City personnel, to determine whether the CPD has sufficiently implemented its policy and training related to ¶165. This includes reviewing the number of deadly force incidents, process for submitting cases to COPA for determination of appropriateness, and COPA's findings.

In the fourth reporting period, the IMT found the CPD in Preliminary compliance with ¶165, following the CPD's continued discussions with the Use of Force Working Group and issuance of revised Use of Force policies on December 31, 2020, which went into effect on April 15, 2021. Additionally, the 2020 in-service training covered the conditions of deadly force, and as a result of required completion rates, the CPD reached Secondary compliance. The IMT noted at the close of the prior four reporting periods that to maintain Preliminary compliance, the City and the CPD must continue to review and revise its Use of Force policies, including establishing and maintaining clear channels for community input. To maintain Secondary compliance, the City and the CPD must, as appropriate, develop, revise, and provide corresponding training.

On June 28, 2023, at the end of the eighth reporting period, the CPD issued revised versions of its Use of Force Policy Suite that reflect community feedback from the Coalition (see ¶1669) on its Taser and OC Spray policies. The CPD also provided evidence that 95% of officers completed its *2022 De-Escalation, Response to Resistance and Use of Force Training*.

During this reporting period, the IMT continued to review data and reports on deadly force incidents. In 2022, officers discharged their firearm 48 times, according to the CPD’s *2022 Annual Use of Force Report*, and of those, there were two instances in which the firearm was “discharged solely in defense or protection of property.”³⁰

COPA and the Chicago Police Board have issued a number of decisions regarding the use of deadly force and firearm discharges. Use of Force Appendix Figure 6 shows COPA findings on officer involved shootings from 2017 to 2022 (findings do not necessary occur in the year of decision).³¹

Use of Force Appendix Figure 6:
COPA Findings for Officer-Involved Shootings, 2017–2022

	2017	2018	2019	2020	2021	2022
Sustained	6	2	2	6	4	10
Not Sustained	0	0	5	2	4	3
Unfounded	0	1	0	0	0	1
Exonerated	0	2	2	0	0	2
Admin Closed	12	2	2	0	0	6
Close Hold	0	1	0	1	1	2
Within Policy	30	17	17	17	13	16

Moving forward, the IMT continues to seek access to data and documents from all involved City entities to evaluate the investigation and conclusions/recommendations of each incident.³²

We note in addition that the CPD’s *2022 Annual Use of Force Report* includes data about the actions of the person against whom force is used, including whether the person was armed and if the person used their weapon; in 2022, for example, 45

³⁰ *Chicago Police Department 2022 Annual Use of Force Report*, CHICAGO POLICE DEPARTMENT (APRIL 18, 2023), at 113, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>.

³¹ *Civilian Office of Police Accountability Annual Report 2022*, COPA (February 15, 2023) at 24, https://www.chicagocopa.org/wp-content/uploads/2023/04/2022-Annual-Report__.pdf

³² Without this additional information, we disagree with the City’s comments that it should be under assessment for Full compliance with ¶165.

armed persons used their weapons during a use of force incident.³³ In addition, the CPD’s *2022 Annual Report* tracks the number of instances overall in which officers were shot at over the years.³⁴ The number of officers shot at increased dramatically from 2019 to 2020 (from 17 to 69), and has declined somewhat since but remains high (58 in 2021 and 48 in 2022).

In conclusion, the CPD remains in Preliminary and Secondary compliance with ¶165. The IMT continues to have reservations about the nature and thoroughness of deadly force investigations (see ¶492) and looks forward to conducting an operational review of investigations, including working with all the Parties to ensure that investigations are conducted in a timely and thorough manner.

Paragraph 165 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

³³ *Chicago Police Department 2022 Annual Use of Force Report*, CHICAGO POLICE DEPARTMENT (APRIL 18, 2023), at 85, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>.

³⁴ *Chicago Police Department 2022 Annual Report*, CHICAGO POLICE DEPARTMENT, at 167, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Report-FOR-PUBLICATION.pdf>.

Use of Force: ¶166

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (SIXTH REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the CPD maintained Preliminary compliance and Secondary compliance with ¶166.

To assess Preliminary compliance with ¶166, the IMT reviewed the CPD's Use of Force policies and foot pursuit policy, and community engagement efforts related to Consent Decree requirements in this paragraph. Paragraph 166 deals with use of deadly force, but the fleeing suspect aspect of this paragraph has been a primary focus. Thus, the IMT believes that G03-02 *De-escalation, Response to Resistance and Use of Force*, Section III.D.3 - Force used as punishment or retaliation (e.g., force used to punish or retaliate for fleeing, resisting arrest, or insulting a Department member) must be read in conjunction with the Foot Pursuit policy.

To assess Secondary compliance with ¶166, the IMT is reviewing the CPD's training materials and records to determine whether the CPD has sufficiently trained its officers on its use of force and foot pursuit policies.

In the prior reporting periods, the CPD engaged the Use of Force Working Group in discussions regarding non-lethal force on fleeing subjects and foot pursuits. The CPD moved language regarding these prohibitions into General Order G03-02, *De-escalation, Response to Resistance, and Use of Force*, which now indicates deadly force will not be used against a fleeing person unless the person poses an imminent threat (Section IV.D.1.a). The CPD issued revised Use of Force policies on December 31, 2020, which went into effect on April 15, 2021.

Further, during the fourth monitoring period, as required by ¶172, on March 5, 2021, the IMT recommended that the CPD adopt a foot pursuit policy based on our assessment of CPD data and information. On May 26, 2021, the CPD issued a temporary policy G03-07, *Foot Pursuits*, which became effective June 11, 2021. In the prior reporting period, the CPD engaged in dialogue with the IMT, OAG, Court, community, and other stakeholders to revise the foot pursuit policy.

The CPD's revised Foot Pursuit policy became effective in the seventh reporting period on August 29, 2022. See ¶172 for more detail on the development of the

foot pursuit policy. G03-07, *Foot Pursuits*, requires officers to report on foot pursuits they engage in. The expectation is that a new foot pursuit reporting form will result in more reliable data, as CPD previously had issues with the accuracy of foot pursuit data (see *Independent Monitoring Report* ¶168 for more detail). As described in ¶163, the CPD sufficiently trained more than 95% of officers on the foot pursuit policy via eLearning. As a result, the IMT found the City and CPD in Secondary compliance with ¶166.

To assess Full compliance, the IMT is reviewing data related to use of force against a fleeing subject. According to the CPD’s *2022 Annual Use of Force Report*, there were three instances in which an officer used a Level 3 use of force because of a fleeing subject (6% of Level 3 uses of force).³⁵ In comparison, “fleeing subject” was provided as a reason for using force in 873, or 24%, of use of force occurrences over all in 2022.³⁶ Officers listed “pursuing/arresting subject” as an activity leading to the use of force in 9 (19%) of Level 3 incidents, and “traffic stop/pursuit” 8 (17%) of Level 3 incidents.³⁷

The IMT continues to monitor the outcomes of firearm discharges referred to COPA and subsequent outcomes. See ¶184 for more detail. We look forward to continued discussion with the CPD and OAG of appropriate metrics for full compliance, and to reviewing body-worn camera footage and other reports.

In conclusion, the City and CPD maintained Secondary compliance with ¶166 in this reporting period. In the next reporting period, the IMT will continue to assess Full compliance by reviewing data related to use a force against a fleeing subject.

Paragraph 166 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

³⁵ *Chicago Police Department 2022 Annual Use of Force Report*, CHICAGO POLICE DEPARTMENT (APRIL 18, 2023), at 126, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>.

³⁶ *Id.* at 88.

³⁷ *Id.* at 125.

Use of Force: ¶167

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (SECOND REPORTING PERIOD)*
Secondary: *Under Assessment*
Full: *Not Yet Assessed*

The CPD maintained Preliminary compliance with ¶167 in the eighth reporting period but did not reach Secondary compliance.

To assess Preliminary compliance with ¶167, the IMT reviewed the CPD’s Use of Force policies and vehicle pursuit policy to ensure they address requirements specific to this paragraph. The CPD achieved Preliminary compliance in the second reporting period with G03-03-01, *Emergency Vehicle Operations – Eluding and Pursuing*.

To assess Secondary compliance with ¶167, the IMT is reviewing the CPD’s process and policies to identify drivers in need of remedial training and whether such training has occurred, as well as training that was provided to all officers. Furthermore, to achieve Secondary compliance, the CPD must periodically include traffic safety in its training and demonstrate how officers are identified and receive remedial training when not following policy.

In the prior reporting periods, the IMT reviewed the CPD’s 2021 in-service training curriculum which includes instruction (module 4) on how to conduct a motor vehicle stop and a portion on vehicular eluding and pursuit. The IMT also reviewed the CPD’s 2022 in-service training plan, which includes *In-Service Peak Performance Driving training* which “provides a review of basic driving skills and traffic pursuit policy and reinforces skills related to proper emergency driving techniques.”

Additionally, on May 19, 2022, the CPD submitted to the IMT course materials for its *Emergency Vehicle Operations Course In-Service 4-hour training*. The IMT reviewed the course and had minimal comments, finding it appropriate to the requirements of the Consent Decree. The CPD planned to begin offering this training in the seventh reporting period. On September 15, 2022, the CPD provided revised

training materials for which the OAG and IMT provided no-objection to on September 28, 2022, and November 12, 2022, respectively.

This training reviews general data and statistics to contextualize and emphasize content, including the importance of safety. This includes data from 2018 to 2021 on traffic accidents and officer deaths, as well as data, per recommendation of the IMT, on fatalities and life changing events as a result of police accidents (see Use of Force Appendix Figure 7). In the eighth reporting period, we understand that the CPD has not completed delivery of this training. Upon 95% completion of this training, the IMT will find the City and the CPD in Secondary compliance with ¶167.

Use of Force Appendix Figure 7: COPA Findings for Vehicle Pursuits, 2017–2021

	2018	2019	2020	2021
Total Pursuits in Compliance	244	196	205	252
Total Pursuits Not in Compliance	32	57	40	60
Total Pursuits Terminated	115	113	96	157
Total Pursuits Resulting in Accidents	166	180	91	129
Total Pursuits Resulting in Fatalities	4	9	5	3

The IMT has also been reviewing activities, data, and actions regarding motor vehicle operations. For the vehicular data provided above from the emergency vehicle in-service training, the CPD has seen an increase in number of pursuits terminated over time. The training also states \$65,860,996 settlement costs resulted from 2016 through 2021. In the news this reporting period, on May 17, 2023, the Chicago Sun-Times reported a \$10 million judgment against the CPD for a chase resulting in the death of mother of 6.³⁸

COPA reported six fatal accidents under investigation in 2021, 37 pending as of the second quarter of 2022, and one motor vehicle fatality under investigation for the third quarter of 2022. The IMT is reviewing the outcomes of these cases. COPA findings related to vehicle incidents in recent years include a CPD officer being suspended for 180 days for violating policy, and recommendation for termination of a CPD responding officer who crashed into another police vehicle and subsequently civilian vehicles which resulted in the death of a woman.

On December 31, 2021, the IMT submitted a written request for monthly Traffic Review Board reports to include number of officers sent to remedial training, to conduct a deeper review of the nature of the board’s findings, recommendations for training, and any corrective action that emanates from the Board. The CPD shared traffic pursuits data from July 1, 2020, to December 31, 2021, in response to the IMT request on November 3, 2022. This data includes pursuits reviewed by the Traffic Review Board (TRB) and those handled at the district level. During this

³⁸ <https://chicago.suntimes.com/2023/5/17/23727290/jury-awards-10-million-woman-killed-chicago-police-chase-crash-englewood-2017-stacy-vaughn-harrell>.

18-month period, 458 pursuits occurred with 439 reviewed by the TRB or Districts. For these pursuits, progressive discipline and training actions included: 82 officers received 1- or 2-day suspensions, 151 with reprimands, and 57 required to complete driving school/policy review.

On May 18, 2023, the CPD responded to an IMT request for records and information about motor vehicle incidents.³⁹ We gleaned the following from the records:

- In 2021, 9 cases were sent to COPA; of those, 7 remain open and 2 were referred to BIA. In that same period, 9 cases were sent to BIA for review; 2 were closed for having “no complaint” and 1 resulted in exoneration.
- In 2022, 4 cases were sent to COPA; of those, 3 remain open and 1 was administratively closed. In that same period, 5 cases were sent to BIA, and all remain open.
- The CPD supplied disciplinary and training data from the second quarter of 2021 through the second quarter of 2022; during that time, there were 134 reprimands, 76 one-day suspensions, 9 two-day suspensions, 6 three-day suspensions, 1 four-day suspension, and 27 officers identified for retraining.

The CPD’s *2022 Annual Use of Force Report* contains the following information on traffic-related issues:⁴⁰

In 2022 there were 304 total traffic Pursuits, reviewed by the following entities:

- Traffic Review Board or District: 287 (94%)
- BIA: 12 (4%)
- COPA: 5 (2%), including 4 fatalities.

According to TRED’s analysis, the Districts with the most vehicle pursuits are the 11th, 18th, and 19th.

The various oversight bodies found that 29% of the pursuits in 2022 were in violation of at least one provision of the policy. Examples of policy violations include the following:

- 48 instances where the pursuit was not allowed by policy
- 34 instances where the pursuing member did not apply the balancing test

³⁹ The first draft of our report, dated June 30, 2023, stated that we had not yet received these records, which we have corrected.

⁴⁰ See *Chicago Police Department 2022 Annual Use of Force Report*, CHICAGO POLICE DEPARTMENT (APRIL 18, 2023), at 135–36, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>.

- 28 instances where the pursuing member did not notify the dispatcher as required
- 18 instances where the pursuing member did not follow an order to terminate the pursuit

In addition, the report notes that 73% of pursuits were terminated, 42% were associated with an accident, 1% were associated with a fatality, 4% resulted in an injury to an officer, 8% resulted in an injury to the person pursued, and 2% resulted in an injury to pedestrians. Eluding incidents totaled 1,723, and both traffic pursuits and eluding incidents were up 6% from 2021. Finally, the report points out that compliance with policy was 10% less than 2021 but pursuit terminations were up 23%.

Based on the forgoing, the CPD has in place a system for monitoring officer’s driving behavior, and the number of pursuit terminations show that supervisors play an active role in pursuits. The approximate 230 days of suspensions show that there are consequences when officers fail to follow policy.

In conclusion, the City and the CPD remain under Assessment for Secondary compliance with ¶167. Moving forward, the IMT will continue to assess Secondary compliance pending requisite attendance at the Emergency Vehicle Operations in-service four-hour course.

Paragraph 167 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Preliminary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶168

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	<i>In Compliance (SEVENTH REPORTING PERIOD)</i>
Secondary:	<i>In Compliance (SEVENTH REPORTING PERIOD)</i>
Full:	<i>Not Yet Assessed</i>

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶168.

To assess Preliminary compliance with ¶168, the IMT assesses policies and practices to enable the CPD to capture and analyze appropriate data related to foot pursuits, as required by this paragraph.

In the fourth through sixth reporting periods, the City and the CPD did not maintain Preliminary or Secondary compliance due to the failure to properly capture and analyze foot pursuit data. Before that, the City and the CPD had achieved Preliminary and Secondary compliance for this paragraph's requirements based on the fact that the OEMC has processes in place that capture foot pursuits; the CPD's TRED reviews all TRRs that are foot pursuit-related and result in the use of force; and the TRED's tracking, and analysis of pursuits was sound. However, in the fourth reporting period, the IMT was alerted to the fact that there were serious issues of data quality regarding foot pursuits. Specifically, the way in which foot pursuit data were captured was not correct. This raised several concerns for the IMT.

In the seventh reporting period, the CPD made important strides to fix the foot pursuit data issues. First, it worked extensively to develop and update its *Foot Pursuits* policy. On August 29, 2022, the revised G03-07 became effective. See ¶172 for more detail on the development of the foot pursuit policy. As such, the IMT found the CPD back in Preliminary compliance with ¶168.

The new policy requires officers to report on foot pursuits they engage in. During the seventh reporting period, the CPD created new Foot Pursuit Report forms for officers and supervisors to complete in Clearnet. On November 17, 2022, the CPD demonstrated the forms (officer initial report and WOL review of the report) for the IMT and OAG. The CPD expects that this new reporting form will result in more

reliable data. During this meeting, the IMT and OAG expressed questions and concerns for the CPD's plan for the WOL to review foot pursuits based on individual reports, as opposed to reviewing reports applicable to the incident as a whole. The IMT will continue to follow up on this issue, which remains unresolved, in the next reporting period.

Related to Secondary compliance, during the seventh reporting period, the IMT and OAG reviewed the CPD's Foot Pursuits Policy eLearning training, providing "no-objection" notices on June 16, 2022, and June 8, 2022, respectively. The IMT and OAG also reviewed the CPD's Foot Pursuits Training for Lieutenants, providing "no-objection" notices on August 5, 2022. Upon receipt of the "no-objections," CPD began delivery of these trainings. As of October 10, 2022, 98.67% of officers completed the Foot Pursuits eLearning and 98.1% of Lieutenants completed the Lieutenants' duties course, resulting in Secondary compliance.

The new Foot Pursuit Report forms have been in use for a short time, and the corresponding policy to ensure review and analysis, G03-07-01, *Department Review of Foot Pursuits*, did not become effective until January 1, 2023.

During the IMT's April 2023 site visit, TRED provided the following numbers regarding foot pursuits: in January 2023, the first month of review, there were 302-foot pursuits. In February, there were 322, and in March, there were 399.

On average, each foot pursuit incident generates two reports, and in June 2023, the CPD shared that from January 1, 2023, through mid-June 2023, a total of 4,319 reports for foot pursuits were received by TRED. Again, each incident may have multiple officers engaging in the pursuit, so the number of reports averages double the number of incidents. In January 2023, the first month of review, there were 704 reports; in February, 708; in March, 893; in April, 812; in May, 994; and there were 208 for the partial month of June 2023.

More time is needed for the CPD to analyze the foot pursuit data it is collecting and reviewing for patterns and trends. In conclusion, the City and the CPD achieved Preliminary and Secondary compliance for ¶168. Moving forward, the IMT will continue to evaluate data collection and analysis related to foot pursuits with more long-term implementation of the new foot pursuit policy and forms.

Paragraph 168 Compliance Progress History

FIRST REPORTING PERIOD
SEPTEMBER 1, 2019 – AUGUST 31, 2019

COMPLIANCE PROGRESS:
Preliminary

SECOND REPORTING PERIOD
SEPTEMBER 1, 2019 – FEBRUARY 29, 2020

COMPLIANCE PROGRESS:
Preliminary

THIRD REPORTING PERIOD
MARCH 1, 2020 – DECEMBER 31, 2020

COMPLIANCE PROGRESS:
Secondary

FOURTH REPORTING PERIOD
JANUARY 1, 2021 – JUNE 30, 2021

COMPLIANCE PROGRESS:
None

FIFTH REPORTING PERIOD
JULY 1, 2021 – DECEMBER 31, 2021

COMPLIANCE PROGRESS:
None

SIXTH REPORTING PERIOD
JANUARY 1, 2022 – JUNE 30, 2022

COMPLIANCE PROGRESS:
Under Assessment

SEVENTH REPORTING PERIOD
JULY 1, 2022 – DECEMBER 31, 2022

COMPLIANCE PROGRESS:
Secondary

EIGHTH REPORTING PERIOD
JANUARY 1, 2023 – JUNE 30, 2023

COMPLIANCE PROGRESS:
Secondary

Use of Force: ¶169

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (THIRD REPORTING PERIOD)*

Secondary: *In Compliance (THIRD REPORTING PERIOD)*

Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶169 and are under assessment for Full compliance.

To assess Preliminary compliance with ¶169, the IMT reviewed the CPD's Use of Force policies and TRED SOP to ensure they address the requirements for a headquarters-level entity to review foot pursuits with associated reported use of force incidents. The IMT also assessed the CPD's efforts to actively engage the community and obtain feedback on its Use of Force policies.

To assess Secondary compliance with ¶169, the IMT reviewed training sources and records related to reviews of foot pursuits, including reviewing the nature of debriefings and supplemental training following the identification of patterns and trends. Specifically, the IMT reviewed the TRED's processes regarding debriefings, which are similar to brief remedial training sessions.

To assess Full compliance, the IMT is reviewing whether the CPD has sufficiently implemented its foot pursuit review policy, protocols, and training and if the TRED and the CPD are appropriately recommending and acting on tactical, equipment, and training concerns.

During the fourth reporting period, per ¶172, on March 5, 2021, the IMT recommended that the CPD adopt a foot pursuit policy. The CPD was required to adopt a foot pursuit policy by September 3, 2021. On May 26, 2021, the CPD issued a temporary policy G03-07, *Foot Pursuits*, which became effective June 11, 2021. The CPD further revised the policy, which became effective on August 29, 2022.

In the last reporting periods, the IMT continued to assess Full compliance with ¶169 by monitoring efforts by the TRED to review foot pursuits. The data issues encountered in ¶168 do not impact this paragraph, as the data TRED pulls and analyzes comes from TRRs.

The IMT continues to review the semi-annual reports developed by TRED, paying specific attention to debriefing points emanating from reviews of pursuits with

TRRs. The new policy significantly increases the review of foot pursuits, as *all* foot pursuits, not just force-related ones, will now be reviewed by TRED. TRED continues to issue debriefing points on issues, such as partner separation, communication, and weapons handling. See Use of Force Appendix Figure 8 for data reported by TRED.

Use of Force Appendix Figure 8: Foot Pursuit Data in 2020–2022

	2020	2021	2022
Foot Pursuits with a TRR	425	516 ²	511
Pursuits with no debriefing point	394	473	483
Debriefing for partner separation	7	20	24
Debriefing for radio communication	9	18	18
Debriefing for other	2	5	3

The CPD has done an admirable job addressing debriefing points related to foot pursuits in training. As of October 10, 2022, 98.67% of officers completed Foot Pursuits eLearning and 98.1% of Lieutenants completed Foot Pursuits Training for Lieutenants, which reviewed the provision of the updated policy.

The new Foot Pursuit Report forms have been in use for a short time, and the corresponding policy to ensure review and analysis, G03-07-01, *Department Review of Foot Pursuits*, did not become effective until January 1, 2023. The CPD has not yet provided an analysis of its 2023 foot-pursuits data.

TRED also introduced the new Incident Debrief Report (IDR) during the eighth reporting period, which includes reviews of TRRs, foot pursuits, and FPIRs. The IMT commends the CPD’s efforts on this system. Full compliance will depend on success of IDR; in addition to TRED and the Research and Development group’s ability to identify citywide trends, however, we continue to encourage the CPD to identify and take actions at the district and individual officer level as issues may arise. As we have discussed elsewhere, we hope that the *Supervisory Dashboard* can be used to enhance district-level analysis and accountability.

In conclusion, the City and the CPD maintained Preliminary and Secondary compliance with ¶169. With the updated foot pursuit policy and TRED’s increased responsibility to review all foot pursuits, the CPD will have additional data to analyze on foot pursuits. Moving forward, the IMT will review such data and analysis for Full compliance.

Paragraph 169 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Secondary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶170

170. CPD recently issued a foot pursuit training bulletin. By July 1, 2019, CPD will develop and issue a supplemental foot pursuit training bulletin that reflects best practices from foot pursuit policies in other jurisdictions. The supplemental training bulletin will be subject to review and approval by the Monitor and OAG. The supplemental training bulletin will: a. identify risks and tactical factors of-ficers should consider prior to initiating and during the course of a foot pursuit; b. provide guidance to officers regarding radio com-munications during a foot pursuit; c. instruct officers to avoid, to the extent practical, separating from other officers in the course of a foot pursuit; d. provide guidance on circumstances when alterna-tives to a foot pursuit may be appropriate; and e. inform officers that they must follow supervisors' instructions in the course of a foot pursuit, including instructions to alter tactics or discontinue the pursuit.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	<i>In Compliance</i> (FOURTH REPORTING PERIOD)
Secondary:	<i>In Compliance</i> (FOURTH REPORTING PERIOD)
Full:	<i>In Compliance</i> (FOURTH REPORTING PERIOD)
Sustainment Period Ends	<i>June 30, 2023</i>

In the eighth reporting period, the City and the CPD maintained Preliminary, Sec-ondary, and Full compliance with ¶170.

To assess Preliminary compliance with ¶170, the IMT determined whether the CPD developed and issued a foot pursuit bulletin.

To assess Secondary compliance with ¶170, the IMT and OAG reviewed the train-ing bulletin and underlying sources to determine whether it reflects best practices from foot pursuit policies in other jurisdictions and compiles with the require-ments in this paragraph of the Consent Decree.

To assess Full compliance with ¶170, the IMT reviewed training sources and rec-ords to assess comprehension of the foot pursuit actions by officers and supervi-sors (including separation from and responsibility to one's partner). We also re-viewed TRED reports, TRRs, video footage, and COPA cases involving foot pursuits to assess the extent to which officers follow the training bulletin, such as officer separation or firearm retention issues, and the extent that district supervisors ad-dress noncompliance with the foot pursuit training bulletin.

In the fourth reporting period, the City, the CPD, the OAG, and the IMT had many discussions regarding the on-going compliance efforts regarding CPD foot pursuits. The 2019 Training Bulletin was not sufficient for these ongoing efforts—particularly as the City and the CPD continued to develop the Foot Pursuit policy and corresponding training, which differ from the Training Bulletin. As a result, this paragraph was considered a one-time requirement—although ¶170 will continue to inform how the CPD should instruct officers regarding foot pursuits.

In conclusion, the City and the CPD achieved Full compliance with ¶170 in the fourth reporting period and maintained it through the eighth reporting period. It has therefore maintained Full compliance through the sustainment period. The IMT will continue to measure the CPD’s ongoing policy, training, and implementation efforts under other paragraphs.

Paragraph 170 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Secondary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Secondary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Full	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Full	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Full
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Full	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Full	

Use of Force: ¶171

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (SIXTH REPORTING PERIOD)*
Secondary: *Under Assessment*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD achieved Preliminary compliance with ¶171.

To assess Preliminary compliance with ¶171, the IMT reviewed the CPD’s annual Use of Force training to determine whether it has incorporated scenario-based training regarding foot pursuits and assessed whether the CPD looked at examples of how other jurisdictions may have done so. Additionally, to evaluate Preliminary compliance, the CPD’s annual *De-Escalation, Response to Resistance, and Use of Force* in-service training needs to re-enforce new requirements or restrictions for foot pursuits through scenario-based training.

In the fourth reporting period, the City and CPD achieved Preliminary compliance with ¶171 with the issuance of the temporary foot pursuit policy and remains in compliance due to the revised policy going into effect on August 29, 2022. Section XVIII (Additional Responsibilities) of the revised policy addresses the requirements of ¶171, stating “the Training Division will provide Department members with training including scenario based on the policy.”

To assess Secondary compliance, the IMT reviewed the *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training and the training proposed for 2022.

During the seventh reporting period, the CPD completed eLearning training on the new foot pursuit policy. This trained include audio-based scenarios.

In the eighth reporting period, the CPD finalized and began delivering its *Constitutional Policing* course, Module 6 of which includes three scenarios involving foot pursuits. We look forward to receiving attendance records to support Secondary compliance. This reporting period, we also received a tour of the Chicago’s new Joint Public Safety Training Campus, which was nearing completion, and which will provide an enhanced space for scenario-based training.

In conclusion, the City and the CPD maintained Preliminary compliance with ¶171 in this reporting period. The IMT will continue to assess Secondary compliance as

the CPD completes delivery of its *Constitutional Policing* course and provides attendance records.

Paragraph 171 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

Use of Force: ¶172

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (SIXTH REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶172.

To assess Preliminary compliance with ¶172, the IMT reviewed the CPD’s *Foot Pursuits* policy and its efforts to garner appropriate community input on the policy. The IMT is also assessing how the CPD and OEMC establish appropriate foot pursuit data reporting systems.

In the fourth reporting period, on March 5, 2021, the IMT recommended that the CPD adopt a foot pursuit policy based on our assessment of CPD data and information. Because of our recommendation, the CPD was required to adopt a foot pursuit policy by September 3, 2021, and “[a]ny foot pursuit policy adopted by CPD will be subject to review and approval by the Monitor and OAG.”

On June 11, 2021, the CPD issued a temporary policy, though the IMT and OAG had previously noted multiple concerns to the City and CPD regarding a draft of the temporary policy. The draft did not provide clear expectations for CPD officers or supervisors, allow the CPD to enforce such expectations, or provide the public with notice on the CPD’s expected practices and procedures. Furthermore, the City and the CPD did not receive community input on the policy, which is necessary to receive compliance under the Consent Decree. See ¶160.

Since then, the CPD worked with the IMT and the OAG to revise its interim policy and engaged the department and the community for input on this policy. On June 2, 2021, the CPD conducted a public webinar on its new temporary foot pursuit policy. In addition, in June 2021, the CPD conducted “deliberative dialogues” with community organizations on the policy. On December 23, 2021, the CPD, the OAG, and the IMT reached an agreement on a permanent policy, General Order G03-07, *Foot Pursuits*.

In the sixth reporting period, the CPD continued efforts to refine and finalize the policy. On February 10, 2022, the CPD posted the draft policy for a 15-day public comment period. Following continued dialogue with the community, Coalition, and Court, the OAG provided a no objection letter on May 16, 2022, and the IMT provided a no objection letter on May 20, 2022, to the revised G03-07, *Foot Pursuits* policy, G03-07-01, *Foot Pursuits Review* policy, and accompanying forms. To support our review of the CPD's draft policies, the IMT reviewed best practices and policies from other departments across the nation and foot pursuit related data in TRED reports (e.g., number of injuries, weapons recovered, weapons pointed, and arrests). The IMT also reviewed comments from community members and CPD personnel provided via the public-comment website portal, e-mail, webinars, and deliberative dialogues. We also participated in numerous discussions with the CPD, the OAG, the Coalition, and the Court regarding foot pursuit best practices from various jurisdictions, including some jurisdictions under consent decrees.

The IMT's no objection notice to the policy was, in part, a recognition of the CPD's need to complete a policy and training as soon as possible. However, the IMT continued to have concerns about the accuracy and reliability of foot-pursuit data (see ¶168 in Independent Monitoring Report 6).

On June 30, 2022, the CPD announced via AMC message to Department members that the revised foot pursuit policy would go into effective in August.

The City and the CPD maintained Preliminary compliance with ¶172 because the CPD issued the revised G03-07, *Foot Pursuits* on August 26, 2022, which became effective on August 29, 2022. For Secondary compliance, during the sixth reporting period, the IMT and OAG reviewed the CPD's Foot Pursuits Policy eLearning training, providing "no-objection" notices on June 16, 2022, and June 8, 2022, respectively. In the seventh reporting period, the IMT and OAG also reviewed the CPD's Foot Pursuits Training for Lieutenants, providing "no-objection" notices on August 5, 2022. Upon receipt of the "no-objections," CPD began delivery of these trainings. As of October 10, 2022, 98.67% of CPD officers completed the Foot Pursuits eLearning and 98.1% of Lieutenants completed the Lieutenants' duties course. Due to the CPD completing training of more than 95% of officers on the revised policy and demonstrating the ability to produce reliable data on foot pursuits (see ¶168), the CPD achieved Secondary compliance with ¶172.

During the seventh reporting period, the CPD created new Foot Pursuit Report forms for officers and supervisors to complete in Clearnet. The CPD also developed and finalized a corresponding policy to ensure review and analysis, G03-07-01, *Department Review of Foot Pursuits*. That policy did not become effective until January 1, 2023, in the eighth reporting period. We look forward to monitoring the CPD's analysis of the newly collected data in order to assess Full compliance and

will pay particular attention to the reliability and accuracy of the data given past issues (as described in our assessment of ¶168).⁴¹

In conclusion, the City and the CPD maintained Preliminary and Secondary compliance with ¶172 this reporting period. Moving forward, the IMT will assess Full compliance, looking for evidence of sustained resolution to data issues related to foot pursuits to evaluate the effective operationalization of the foot pursuit policy.

Paragraph 172 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Not Applicable
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

⁴¹ We disagree with the City’s position that any future assessment of the new policies should proceed only under ¶¶168 and 169.

Use of Force: ¶173

173. Following a use of force, once the scene is safe and as soon as practicable, CPD officers must immediately request appropriate medical aid for injured persons or persons who claim they are injured.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (SECOND REPORTING PERIOD)*
Secondary: *In Compliance (FOURTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶173.

To assess Preliminary compliance with ¶173, the IMT reviewed the CPD’s Use of Force policies to ensure they address requirements specified in this paragraph regarding requesting medical aid following a use of force. The IMT also assessed the CPD’s efforts to actively engage the community and obtain feedback on its Use of Force policies. To assess Secondary compliance with ¶173, the IMT reviewed the CPD’s Use of Force and LEMART training sources and records to determine whether the CPD has sufficiently trained on its latest policies.

In the fourth reporting period, the CPD achieved Secondary compliance through completion of the 2020 Use of Force in-service training for more than 95% of CPD officers. This training addresses requirements of ¶173 related to requesting medical aid for injured persons following a Use of Force incident.

In the prior reporting period, the IMT began assessing Full compliance with ¶173 by reviewing TRR forms, TRED reports, COPA reports and videos, and recent changes to Illinois law. The CPD’s TRR form directs officers to indicate provision of medical aid. The CPD’s TRR-I form requires the Watch Operations Lieutenant to examine people for injuries. The number of occasions in which injuries are detected by the Lieutenant and not by the officers may offer some indication of compliance with ¶173. To further improve reporting and review of ¶173, the CPD revised its TRR-R form to add a debriefing point box entitled “Officer did not request medical aid in a timely way.”

The CPD remains under assessment for Full compliance, pending IMT review of additional TRED data relevant to officers requesting or failing to request medical aid. The CPD reported in its 2022 Annual Use of Force Report that in every instance of OC discharge—except for 7 when subjects fled the scene—the person was given medical aid by CFD EMS and/or taken to the hospital for decontamination and in all but five of the 98 Taser discharges medical aid was requested or provided. In

the first half of 2022, the TRED report indicates the responding street deputy reported medical aid was supplied in 25 of the 28 Level 3 incidents (no information was provided for two cases and in a single case medical aid was refused).

Moreover, in IMT review of video of several use of force incidents during this reporting period; in almost every case, officers requested ambulance immediately. For instance, the IMT reviewed 10 TRRs from October 3 to December 15, 2023, in which officers used multiple Taser applications. In each instance, medical aid was provided, or the individual was transported to the hospital. There was only one instance where a Taser was deployed on a dog; animal control was summoned, and the dog was transported to an animal care facility.

In conclusion, the City and the CPD remain in Preliminary and Secondary compliance with ¶173. The IMT looks to assess this paragraph for Full compliance in future reporting periods, and has requested information from TRED, BIA, COPA, and the City’s Law Department that will aid in our review. The IMT will also review additional data from TRRs and TRED reports and body-worn camera video.

Paragraph 173 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Preliminary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶174

174. Before January 1, 2021, CPD will ensure that all CPD officers receive Law Enforcement Medical and Rescue Training (“LEMART”). The LEMART training provided to CPD officers will incorporate scenario-based elements. Before January 1, 2021, CPD will equip all CPD officers engaged in patrol activities who have completed LEMART training with an individual first aid kit (“IFAK”) (as defined in current CPD policy, U06-02-23).

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	<i>In Compliance</i> (FOURTH REPORTING PERIOD)
Secondary:	<i>Under Assessment</i>
Full:	<i>Not in Compliance</i>

In the eighth reporting period, the City and the CPD maintained Preliminary compliance with ¶174.

To assess Preliminary compliance, the IMT considers the CPD’s policies and whether they contain ¶174’s requirements. To assess Secondary compliance, we review the CPD’s training materials for consistency with ¶174; we also review attendance records and records of IFAK distribution. To assess Full compliance, we assess whether the CPD has sufficiently implemented its policies and training regarding ¶174.

In the fourth reporting period, the City and the CPD reached Preliminary compliance with ¶174 via its training efforts, which the IMT initially considered in support of Preliminary compliance.⁴²

In the fifth reporting period, the CPD revised U06-02-23, *Individual First Aid Kit (IFAK) and Mini First Aid Kit (MFAK)*, to note that only Department members who have successfully completed the “required Chicago Police Department’s LEMART course” are authorized to carry the IFAK and MFAK pouch (emphasis added). The policy also stated the type, color, make and model of equipment that officers must wear or must be available to LEMART trained officers. Further, the policy described how officers will carry the IFAK or MFAK and how/when to replace used, damaged,

⁴² The IMT began assessing compliance with ¶174 in the fourth reporting period. By the end of the fourth reporting period, the CPD had already begun its significant training on LEMART but did not provide evidence that its policies contained ¶174’s requirements. Therefore, the IMT initially assessed this paragraph to be in Preliminary compliance by adjusting our methodologies to consider training as evidence of Preliminary compliance and policy as evidence of Secondary compliance. In the fifth reporting period, we reverted to considering policy as evidence of Preliminary compliance and training as evidence of Secondary compliance.

or expired equipment. To assess training, the IMT reviewed LEMART course materials, observed a live training session, and reviewed training attendance and equipment records to determine whether the CPD has sufficiently provided LEMART training and the number and percentage of officers who have under-gone training and received individual first aid kits (IFAKs). The training appropriately covered the requirements of ¶174 regarding instruction to officers on requesting medical aid and using IFAKs. During the training, all officers electronically verified their attendance and confirmed they received their IFAKs at the end of the course.

During the sixth reporting period, on May 26, 2022, the CPD provided the IMT with documentation of 2021 LEMART training and IFAK distribution. Between September 2019 and April 2022, 2,341 officers received LEMART training, and of those officers 2,339 were issued IFAKs.

This reporting period, the CPD issued and made effective of U04-04, *Issuance and Replacement of First Aid Kits*, which states that officers who “have successfully completed the required LEMART eight-hour training will be issued one IFAK or MFAK for use during field duties at the conclusion of the training.” The CPD also updated and renumbered U06-02-23, *Individual First Aid Kit (IFAK) and Mini First Aid Kit (MFAK)*, to U06-02-15.

The 2022 Annual Use of Force reports that 594 recruits completed the initial LEMART course, 1722 current officers received training in 2022, and 70 tourniquets were applied. Life-saving efforts, whether as a result of use of force or otherwise, are recognized and acknowledged through the department’s award program, enhancing the value the department places on the sanctity of life. The IMT appreciates this emphasis.

We still have not, however, received verification of training and distribution of IFAK to all officers. In a recent conversation with the IMT, the CPD announced its intention to provide all officers LEMART training in preparation for the upcoming Democratic National Convention by 2024. In the same conversation, the CPD indicated it would establish a centralized database for tracking and auditing of distribution and replenishments of IFAK devices and proof of training is forthcoming. Additionally, the CPD indicated they have a way to go to distribute and replenish first aid kits.

In conclusion, the City and the CPD are not in Secondary compliance with ¶174. We await further data from the CPD to assess compliance.

Paragraph 174 Compliance Progress History

FIRST REPORTING PERIOD
SEPTEMBER 1, 2019 – AUGUST 31, 2019

COMPLIANCE PROGRESS:
Not Applicable

SECOND REPORTING PERIOD
SEPTEMBER 1, 2019 – FEBRUARY 29, 2020

COMPLIANCE PROGRESS:
Not Applicable

THIRD REPORTING PERIOD
MARCH 1, 2020 – DECEMBER 31, 2020

COMPLIANCE PROGRESS:
Not Applicable

FOURTH REPORTING PERIOD
JANUARY 1, 2021 – JUNE 30, 2021

COMPLIANCE PROGRESS:
Preliminary

FIFTH REPORTING PERIOD
JULY 1, 2021 – DECEMBER 31, 2021

COMPLIANCE PROGRESS:
Preliminary

SIXTH REPORTING PERIOD
JANUARY 1, 2022 – JUNE 30, 2022

COMPLIANCE PROGRESS:
Preliminary

SEVENTH REPORTING PERIOD
JULY 1, 2022 – DECEMBER 31, 2022

COMPLIANCE PROGRESS:
Preliminary

EIGHTH REPORTING PERIOD
JANUARY 1, 2023 – JUNE 30, 2023

COMPLIANCE PROGRESS:
Preliminary

Use of Force: ¶175

175. Starting January 1, 2021, in use of force incidents involving CPD officers, CPD will require CPD officers to provide life-saving aid consistent with their LEMART training to injured persons as soon as it is safe and feasible to do so until medical professionals arrive on scene. CPD will replenish IFAKs, and the contents thereof, used by CPD officers as necessary to ensure officers have the equipment necessary to render aid consistent with their LEMART training. Subsequent to January 1, 2021, CPD will ensure that any officer regularly engaged in patrol activities who has no prior LEMART training receives LEMART training within one year of beginning his or her regular patrol activities.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Recurring Schedule: Ongoing **Met** **Missed**

Preliminary: *In Compliance* (FOURTH REPORTING PERIOD)

Secondary: *In Compliance* (FOURTH REPORTING PERIOD)

Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶175.

To assess Preliminary compliance with ¶175, the IMT reviewed CPD’s policy requiring officers to provide life-saving aid consistent with LEMART training, regarding replenishing IFAKs, and ensuring that any officer regularly engaged in patrol activities receive LEMART training within one year of beginning patrol activities.

To assess Secondary compliance with ¶175, the IMT reviewed LEMART course materials, and reviewed training attendance and equipment records to determine whether officers are appropriately trained on the requirements of ¶175.

To assess Full compliance with ¶175, the IMT will determine whether the CPD has sufficiently implemented its policy and training, specifically regarding the provision of life saving aid during incidents and if there is a process for distributing and replenishing IFAKs.

In the fourth reporting period, the CPD achieved Preliminary compliance, through General Order G03-02, *De-Escalation, Response to Resistance, and Use of Force* and G03-06, *Firearm Discharge and Officer-Involved Death Incident Response and Investigation*. Following the IMT’s review of LEMART course materials, live training, and training attendance and equipment records, the CPD also achieved Secondary compliance in the fourth reporting period.

However, the requirements regarding replenishing IFAKs and receiving LEMART training within one year of beginning patrol duties were not documented in CPD policy. During this reporting period, the CPD issued policies U04-04 *Issuance and Replacement of First Aid Kits* and U06-02-15 Individual First Aid Kit (IFAK) and Mini First Aid Kit (MFAK), but neither address the requirements of this paragraph regarding the one-year requirement.

To achieve Full compliance, the CPD needs to demonstrate that all CPD officers have received LEMART training and received IFAKs, as well as provide documentation demonstrating processes replenishing IFAKs. Furthermore, the IMT will assess whether officers are complying with policy and training for provisions regarding providing life-saving aid. Per recommendation of the IMT, the CPD revised its TRR-R form to add a debriefing point box entitled “Officer did not request medical aid in a timely way.” Data resulting from this debriefing point will assist the IMT in assessing Full compliance, but sufficient data is not yet available due to the recent change.

In conclusion, the City and the CPD remain in Preliminary and Secondary compliance and under assessment for Full compliance with ¶175. Moving forward, the IMT will continue to assess Full compliance, to include reviewing body-worn camera footage of use of force incidents to evaluate the degree of operational compliance. The IMT also needs data from the CPD on the distribution of IFAKs to all Department members.

Paragraph 175 Compliance Progress History

<p>FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019</p> <p>COMPLIANCE PROGRESS: Not Applicable</p>	<p>SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020</p> <p>COMPLIANCE PROGRESS: Not Applicable</p>	<p>THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020</p> <p>COMPLIANCE PROGRESS: Not Applicable</p>
<p>FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021</p> <p>COMPLIANCE PROGRESS: Secondary</p>	<p>FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021</p> <p>COMPLIANCE PROGRESS: Secondary</p>	<p>SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022</p> <p>COMPLIANCE PROGRESS: Secondary</p>
<p>SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022</p> <p>COMPLIANCE PROGRESS: Secondary</p>	<p>EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023</p> <p>COMPLIANCE PROGRESS: Secondary</p>	

Use of Force: ¶176

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (SECOND REPORTING PERIOD)*
Secondary: *In Compliance (FOURTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance and is under assessment for Full compliance with ¶176.

To assess Preliminary compliance with ¶176, the IMT reviewed the CPD's *Use of Force* policies to ensure they address requirements specified in this paragraph regarding the duty to intervene. The IMT also assessed the CPD's efforts to actively engage the community and obtain feedback on its Use of Force policies.

To assess Secondary compliance with ¶176, the IMT reviewed the CPD's *Use of Force* training sources and records to determine whether the CPD has sufficiently trained on its latest policies.

To assess Full compliance with ¶176, the IMT is reviewing various community and data sources to determine whether the CPD has sufficiently implemented its policy and training.

In the second reporting period, the CPD achieved Preliminary compliance with ¶176. The CPD engaged the Use of Force Working Group on the requirements of this paragraph, which resulted in a change in G03-02 *De-Escalation, Response to Resistance, and Use of Force*.

In the fourth reporting period, the CPD achieved Secondary compliance with ¶176. The IMT reviewed the development, implementation, and evaluation of the 2020 Use of Force in-service training specific to the duty to intervene, and determined this requirement is covered within training.

In this reporting period, the IMT continued to monitor ongoing Preliminary and Secondary compliance with ¶176. Related to Preliminary compliance, the CPD issued an updated version of G03-03 *De-Escalation, Response to Resistance, and Use of Force* (effective June 28, 2023) which includes section VII.B. "Written Reporting Obligation," requiring that "Department members who have knowledge of the use of force against a person in violation of this directive or who intervened with excessive force or force otherwise in violation of this directive will prepare a To-From-Subject Report to the member's commanding officer and submit it to a supervisor

before reporting off duty on the day the member becomes aware of the misconduct or intervened,” which addresses the requirements of this paragraph clearly.

Related to Secondary compliance, the IMT reviewed the Active Bystander for Law Enforcement (ABLE) Training, which was included in the CPD’s 2022 In-Service training. The CPD also produced data to demonstrate that 95% of members completed the training, for which they maintain Secondary compliance.

To assess Full compliance with ¶176, the IMT is unaware of any reported cases for violating the duty to intervene from officers in the field. There have been cases identified by units in an oversight role (TRED and COPA). To achieve Full compliance, the IMT believes that excessive force cases where there is an opportunity to intervene should be identified and reported at the district level.

In conclusion, the City and the CPD remain in Preliminary and Secondary compliance and under assessment for Full compliance with ¶176. The CPD policy updates and training in this area is appreciated, but the IMT has not received the data to determine Full compliance.

Paragraph 176 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Preliminary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶177

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (SIXTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance and are under assessment for Full compliance with ¶177.

To assess Preliminary compliance with ¶177, the IMT reviewed the CPD's *Use of Force* policies to ensure they address requirements specified in this paragraph regarding use of force against a person who is handcuffed or otherwise restrained. The IMT also assessed the CPD's efforts to actively engage the community and obtain feedback on its Use of Force policies.

To assess Secondary compliance with ¶177, the IMT reviewed the CPD's *Use of Force* training sources and records to determine whether the CPD has sufficiently trained on its latest policies.

To assess Full compliance with ¶177, the IMT is reviewing various community and data sources to determine whether the CPD has sufficiently implemented its policy and training. This includes reviewing the number of incidents in which force was used against a person who was handcuffed or otherwise restrained; whether the CPD has a process that differentiates force against a person who was handcuffed or otherwise restrained and identifies and forwards those cases to COPA; as well as reviewing a random sampling of such incidents, including review of reviewing supervisors' and TRED's findings on each case as to whether it was in compliance with policy.

The CPD achieved Preliminary compliance with ¶177 in the fourth reporting period. The IMT found that the CPD received the requisite community input for G03-02-01, *Response to Resistance and Force Options*, and finalized the policy. Based on feedback from the community, the CPD's December 31, 2020, revised G03-02-01 policy clarified the "necessary" aspect of use of force by clarifying the "minimum amount force."

In the sixth reporting period, the CPD achieved Secondary compliance with ¶177 by completing training on policy revisions in its annual *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training. The CPD provided records to show that as of February 18, 2022, more than 95% of officers received the training.

For Full compliance, in the fifth reporting period IMT began reviewing incidents where force was used against a person who was handcuffed or otherwise restrained. Use of force against a person who is handcuffed or otherwise restrained is a Level 2 force and as such must be responded to by a supervisor and reviewed by TRED. If there is a complaint log, COPA will review the use of force. COPA's 2021 Annual Report has no specific allegation entitled force against handcuffed prisoners, and if it exists it may fall under the general category of excessive force.

According to TRED's 2022 report, 397 TRRs indicate that officers used force against an individual handcuffed or restrained, which represented 11% of TRRs. In 35 (8.8%) of the 2022 cases, the investigating supervisor determined the members' actions were not in compliance with department policy. In the first half of 2023, TRED reports 178 uses of force against individuals handcuffed or restrained.

Compared with 2021 TRED data, 2022 saw an increase of 37 incidents in which officers used force against an individual handcuffed or restrained and an increase of 19 cases in which the investigating supervisor determined that the officers' actions were not in compliance with department policy. The IMT is concerned about these increases. The CPD's Annual Use of Force Report indicates that it shares our concern, stating "Based on these clear and consistent trends, the Research and Development Division began discussions with the Training Division on how to incorporate refresher training on some of these skills into the training curriculum."⁴³

In conclusion, the City and the CPD remained in Preliminary and Secondary and under assessment for Full compliance with ¶177. Moving forward, the IMT will continue to seek data on the number of events, cases referred to COPA, and complaints from outside sources in order to assess Full compliance with ¶177.

⁴³ Based on these clear and consistent trends, the Research and Development Division began discussions with the Training Division on how to incorporate refresher training on some of these skills into the training curriculum." At 13.

Paragraph 177 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶178

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (SIXTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance and are under assessment for Full compliance with ¶178.

To assess Preliminary compliance with ¶178, the IMT reviewed the CPD's *Use of Force* policies to ensure they address requirements specified in this paragraph regarding use of carotid artery restraints or chokeholds. The IMT also assessed the CPD's efforts to actively engage the community and obtain feedback on its *Use of Force* policies.

To assess Secondary compliance with ¶178, the IMT reviewed the CPD's *Use of Force* training sources and records to determine whether the CPD has sufficiently trained on its latest policies.

To assess Full compliance with ¶178, the IMT is reviewing various community and data sources to determine whether the CPD has sufficiently implemented its policy and training. This includes the TRED's review of such incidents in quarterly and annual reports (all deadly force incidents, shootings, head strikes, and chokeholds).

In the fourth period, the CPD achieved Preliminary compliance with ¶178 with revisions to G03-02, *De-Escalation, Response to Resistance, and Use of Force*, effective April 15, 2021. The CPD achieved Secondary compliance with ¶178 by completing training on policy revisions in its annual *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training. The CPD provided records to show that as of February 18, 2022, more than 95% of officers received the training.

During the fifth reporting period, the IMT began assessing Full compliance with ¶178 by reviewing TRED quarterly reports. Chokeholds are considered a Level 3 use of force requiring the response of a Street Deputy. Since April 1, 2021, the CPD

established a process for capturing all Level 3 use of force incidents, including carotid artery restraints. From April 22, 2021, through December 31, 2021, TRED’s 2021 Annual report provides that there were no incidents reported to OEMC that required a Street Deputy to respond for a chokehold.

During this reporting period, the CPD’s *2022 Annual Use of Force Report* identifies four incidents in which officers used chokeholds but does not provide further details about the incidents or indicate whether they were in compliance with CPD policy. The IMT must access data to review these cases in more depth moving forward, as well as seek sources outside of CPD to explore if there are unreported cases of chokeholds.

In conclusion, the City and the CPD maintained Preliminary and Secondary compliance with ¶178 this reporting period. The CPD remains Under Assessment for Full compliance with these requirements. The IMT will continue to monitor these incidents for Full compliance moving forward and looks to determine if other entities (e.g., BIA, COPA, or the City’s Law Department) have received complaints.

Paragraph 178 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶179

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FIFTH REPORTING PERIOD)*
Secondary: *In Compliance (SIXTH REPORTING PERIOD)*
Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶179.

To evaluate Preliminary compliance, the IMT reviewed the CPD's *Use of Force* policies and community engagement efforts related to ¶179's requirements for guidance to officers on all force techniques, technologies, and weapons that officers are authorized to use.

For Secondary compliance, in prior reporting periods we reviewed the 2020 annual *Use of Force* in-service training, and the 2021 *De-Escalation, Response to Resistance, and Use of Force* in-service training. The CPD provided records to demonstrate that more than 95% of officers received the training.

In 2020 and through the prior reporting period, the CPD continued to engage the community on its *Use of Force* policies. The Use of Force Working Group raised concerns with the use and prohibitions of Tasers and OC Spray. In this reporting period, the CPD published an updated version of G03-02 *De-Escalation, Response to Resistance, and Use of Force* (effective June 28, 2023).

In conclusion, the City and the CPD maintained Secondary compliance with ¶179 this reporting period. Moving forward, the IMT will continue to assess CPD's community engagement efforts related to the force options requirements of ¶179.

Paragraph 179 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶180

180. CPD will maintain policies for each of the following weapons, using the following guidelines.

Compliance Progress (Reporting Period: January 1, 2022, through June 30, 2022)

Preliminary:	<i>In Compliance (SIXTH REPORTING PERIOD)</i>
Secondary:	<i>In Compliance (SIXTH REPORTING PERIOD)</i>
Full:	<i>In Compliance (NEW)</i>
Sustainment Period Ends	<i>June 30, 2025</i>

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶180. (The weapons listed in the Consent Decree following ¶180 include subheadings as follows: “a. firearms,” “b. Electronic Control Weapons (‘Tasers’),” “c. Oleoresin Capsicum Devices (‘OC Devices’),” and “d. Impact Weapons.”)

To assess Preliminary compliance with ¶180, the IMT reviewed the CPD’s policies to ensure they address requirements specified in this paragraph for maintaining weapons-specific policies. The IMT also assessed the CPD’s efforts to actively engage the community and obtain feedback on its Use of Force policies.

CPD achieved Preliminary compliance with ¶180 with revisions to its use of force policy suite, effective April 15, 2021, and continued community engagement in policy into 2022. The CPD achieved Secondary compliance with ¶180, by completing training on policy revisions in its annual *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training. The CPD provided records to show that as of February 18, 2022, more than 95% of officers received the training.

Additional revisions to the Baton and Taser policies, as well as other use of force policies, were provided to the IMT in the eighth reporting period. The updated policies went into effect on June 28, 2023, and incorporate changes to Illinois law. The policy changes also contained community feedback and were approved by the IMT and OAG. We appreciate that the City incorporated Illinois law changes into the 2023 training and issued updated use of force policies to reflect the changes.

In conclusion, the City and the CPD attained Full compliance with ¶180 in this reporting period. Moving forward, the IMT will continue to monitor compliance with the requirements of this paragraph, the maintenance of which will require the CPD to issue updated use-of-force policy suite and train on the changes.

Paragraph 180 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Not Applicable
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Not Applicable	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Not Applicable	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Full	

Use of Force: ¶181

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (SECOND REPORTING PERIOD)*
Secondary: *In Compliance (THIRD REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶181.

To assess Preliminary compliance with ¶181, the IMT reviewed the CPD’s policies to ensure they address requirements specified in this paragraph regarding issuance, carry, and use of firearms. The IMT also assessed the CPD’s efforts to actively engage the community and obtain feedback on its Use of Force policies.

To assess Secondary compliance with ¶181, the IMT reviewed the CPD’s training sources and records to determine whether the CPD has sufficiently trained officers on firearm use. We also reviewed records showing the percentage of officers who qualified at the range and possessed the requisite FOID card.

To assess Full compliance with ¶181, the IMT will review various community and data sources to determine whether the CPD has sufficiently implemented its policy and training and ensures that officers are certified to issue, carry, and use firearms (including active FOID cards and CPD qualifications).

Beginning in the fourth reporting period, to assess Full compliance, the IMT attempted to audit firearms certification records for all officers and review the results of those records. In the fifth reporting period, the IMT reviewed the CPD’s *2020 Annual Training Report*, which indicated 11,921 officers (97%) took an eLearning course prior to firearms qualification.

During the seventh reporting period on September 22, 2022, the CPD shared its Annual Prescribed Weapon Qualification, TASER Re-Certification and VirTra Simulation Exercise Training materials for review. CPD requires officers to receive qualification training on firearms annually. This mandatory training includes eLearning modules, Live Fire Firearm and TASER Qualification and VirTra Simulation Exercise. Specific to ¶181, the training notes it is the member’s responsibility to qualify with their prescribed duty weapon by the end of the seventh period of the current year. The CPD submitted an updated version of this training on November 22, 2022. Per comment of the IMT, the revisions include stronger language regarding the need

for CPD officers to produce a valid FOID card for qualification, specifically stating that officers failing to produce a FOID card will not be allowed to qualify.

In the eighth reporting period, The IMT also reviewed CPD’s Primary Firearm Certification records that indicated 95.78% (10,588) of CPD members qualified in 2022. However, records showed that 466 officers did not qualify. The IMT had held preliminary conversations regarding whether these officers are allowed to carry firearms. We look forward to continued discussions in the next reporting period.

Furthermore, an officer-involved shooting investigation by COPA resulted in a 30-day recommended suspension for an expired FOID card. As such, the IMT recommends the CPD create a process that ensures officers have necessary licenses.

In order for the IMT to properly assess Full compliance, we continue to seek data or records indicating that only officers who are qualified and possess necessary licenses carry a firearm. The CPD informed the IMT that this data is forthcoming in the next reporting period.

In conclusion, the City and the CPD maintained Preliminary and Secondary compliance with ¶181. Moving forward, the IMT looks forward to assessing Full compliance upon receipt of firearm qualification and certification records for all officers.

Paragraph 181 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Preliminary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Secondary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶182

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (FIFTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶182.

To assess Preliminary compliance with ¶182, the IMT reviewed the CPD’s Use of Force policies to ensure they address requirements specified in this paragraph regarding officer precautions before discharging a firearm. The IMT also assessed the CPD’s efforts to actively engage the community and obtain feedback on its Use of Force policies.

To assess Secondary compliance with ¶182, the IMT reviewed the CPD’s training sources and records to determine whether the CPD has sufficiently trained officers on firearm use. We also reviewed records showing the percentage of officers who qualified at the range and possessed the requisite FOID card.

To assess Full compliance with ¶182, the IMT is reviewing various community and data sources to determine whether the CPD has sufficiently implemented its policy and training. This includes a review of data on firearm discharges, nature of the incident, and whether this paragraph’s requirements were an issue.

In the fourth reporting period, the CPD achieved Preliminary compliance with ¶182, after receiving requisite community input on General Order G03-02-03, *Firearm Discharge Incidents – Authorized Use and Post-Discharge Administrative Procedures*. Additionally, the CPD demonstrated it has a process in place to capture data related to the conditions under which an officer discharges his/her firearm via the TRR-I form, which is completed by the Street Deputy.

In the fifth reporting period, the CPD achieved Secondary compliance with ¶182, following IMT review of training on de-escalation. Specifically, de-escalation training applied to all uses of force and firearms, including the responsibility to issue a warning if safe and feasible.

In the eighth reporting period, the CPD issued and made effective a revised G03-02-01. The CPD also provided training materials for the *De-Escalation, Response to Resistance, and Use of Force* training for policy updates, as well as materials for

the *Recruit Force Options* training. Additionally, the CPD provided records on demonstrating that more than 95% of officers completed the *2022 De-Escalation, Response to Resistance and Use of Force Training*, with 97.87% completion.

The IMT began assessing Full compliance in the fifth reporting period by reviewing TRED quarterly reports and COPA’s dashboard for firearm discharges and continued that review during the eighth reporting period.

Beginning April 2021, TRED began capturing and reporting data on all Level 3 incidents, and Street Deputies assessed whether the discharge involved the possibility of nearby people being at risk. TRED reported in its first two quarterly reports for 2022 that there were no instances where officers fired into crowds or buildings. Additionally, the annual use of force report also there were no instances where officers fired into crowds in 2022; however, there was one instance reported where an officer fired into a building.⁴⁴

The IMT also examined COPA’s 2021 Use of Force Annual report which provides COPA findings on 22 firearm discharges, where 3 were sustained, 4 were not sustained, 13 were consistent with policy, and 1 was in close hold. Three officers were recommended for separation. For one case a foot pursuit resulted in a fatal shooting. COPA recommended termination but the CPD Superintendent did not agree. The case awaits decision by the Police Board.

In this reporting period, we also reviewed CPD’s use of force dashboard. The following indicates the number of discharges by year:

YEAR	REPORTED FIREARM DISCHARGES
2018	77
2019	61
2020	82
2021	61 ⁴⁵
2022	48
2023	20 ⁴⁶

In conclusion, the City and the CPD maintained Preliminary and Secondary compliance with ¶182. Moving forward, to assess Full compliance the IMT continues to require access to investigative data from all concerned entities (COPA, Police Board, IRT, and FRB) for discharge cases to make an informed determination.

⁴⁴ 2022 Annual Use of Force Report, Chicago Police Department (June 28, 2023) at 23, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>.

⁴⁵ The IMT notes that the data for 2021 are not consistent in the annual report and CPD’s use of force dashboard.

⁴⁶ 2023 data as of July 2, 2023.

Paragraph 182 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶183

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (FOURTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶183.

To assess Preliminary compliance with ¶183, the IMT reviewed the CPD’s Use of Force policies to ensure they address requirements specified in this paragraph regarding verbal warning prior to use of any reportable force. The IMT also assessed the CPD’s efforts to actively engage the community and obtain feedback on its Use of Force policies.

To assess Secondary compliance with ¶183, the IMT reviewed the CPD’s training sources and records to determine whether the CPD has sufficiently trained officers, specifically with an emphasis on the importance of verbal warnings if safe and feasible.

To assess Full compliance with ¶183, the IMT is reviewing various community and data sources to determine whether the CPD has sufficiently implemented its policy and training, to include reviewing CPD data and findings on how many times verbal warnings were given.

In the fourth reporting period, the CPD achieved Preliminary compliance due to its continued community engagement regarding the Use of Force policies.

The CPD also achieved Secondary compliance in the fourth reporting period. More than 95% of CPD officers had completed the 2020 Use of Force in-service training, which appropriately addressed ¶183’s requirements related to issuing verbal warnings. The CPD maintained Secondary compliance in the last reporting period due to ongoing *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training that included instruction on ¶183.

In the eighth reporting period, the CPD issued and made effective a revised G03-02-01. The CPD also provided training materials for the *De-Escalation, Response to Resistance, and Use of Force* training for policy updates, as well as materials for the *Recruit Force Options* training. Additionally, the CPD provided records on

demonstrating that more than 95% of officers completed the *2022 De-Escalation, Response to Resistance and Use of Force Training*, with 97.87% completion.

Related to Full compliance, the CPD has focused on de-escalation and TRED has issued many debriefing points on this matter. Specifically, TRED reports have identified debriefing points regarding when officers have failed to issue a verbal warning.

To assist in the review of compliance with ¶183, the IMT recommended that TRED revise the TRR-R form to include failure to give warning prior using force as a debriefing point, which the CPD did in 2022. In the eighth reporting period, TRED began to use the Incident Debrief Report (IDR) and it also includes the debriefing point on the failure to give a verbal warning prior to a use of force.

The CPD’s de-escalation dashboard indicates for 2022, there were 3,651 TRRs, 84.3% of which verbal commands were used as a force mitigation effort. This is fairly consistent with 2021 where 84.4% of TRRs included verbal commands. Additionally, in 2022, there were 48 firearm discharges, 50% of which verbal commands were used as a force mitigation effort. This is a slight decrease from 2021 where 52.9% of TRRs included verbal commands.

In conclusion, the City and the CPD maintained Preliminary and Secondary compliance with ¶183. Moving forward, the IMT will continue to explore whether warnings before uses of firearms are routinely addressed in COPA investigations and if such information is accessible.

Paragraph 183 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶184

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (FOURTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶184.

To assess Preliminary compliance with ¶184, the IMT reviewed the CPD’s Use of Force policies to ensure they address requirements specified in this paragraph regarding discharge of a firearm. The IMT also assessed the CPD’s efforts to actively engage the community and obtain feedback on its Use of Force policies.

To assess Secondary compliance with ¶184, the IMT reviewed the CPD’s training sources and records to determine whether the CPD has sufficiently trained officers, specifically with an emphasis on the importance of constant assessment when using deadly force with a firearm.

To assess Full compliance with ¶184, the IMT is reviewing various community and data sources to determine whether the CPD has sufficiently implemented its policy and training. This includes reviewing data on firearm discharges, nature of the incident and whether this section was an issue (e.g., any instance where an officer may have discharged more than 3 rounds in one incident), and disciplinary actions to reinforce the policy.

In the fourth reporting period, the CPD achieved Preliminary compliance after receiving requisite community input for its Use of Force policies. Section II.E-F of G03-02-01, *Response to Resistance and Force Options*, details policy requirements for officers to continually assess situations and modify force. The CPD also achieved Secondary compliance in the fourth reporting period. More than 95% of CPD officers had completed the 2020 Use of Force in-service training, which appropriately addressed ¶184 requirements. In the fifth and sixth reporting periods, the CPD maintained Secondary compliance due to delivery of the *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training that includes instruction on ¶184.

In the eighth reporting period, the CPD issued and made effective a revised G03-02-01. The CPD also provided training materials for the *De-Escalation, Response to Resistance, and Use of Force* training for policy updates, as well as materials for the *Recruit Force Options* training. Additionally, the CPD provided records on demonstrating that more than 95% of officers completed the *2022 De-Escalation, Response to Resistance and Use of Force Training*, with 97.87% completion.

To begin assessing Full compliance, in the fifth reporting period the IMT reviewed the CPD’s Use of Force Dashboard, TRED quarterly reports, COPA’s dashboard and reports, and media reports (for general accounts of officer discharges), and efforts of the Force Review Board, which we continued to review in this reporting period.

In the seventh reporting period, TRED reported that CPD Street Deputies responded to all Level 3 incidents and found no instances where officers could have modified their actions or ceased firing.

In conclusion, the City and the CPD maintained Preliminary and Secondary compliance with ¶184. Moving forward, the IMT will require access to more documentation from the CPD and COPA to make an informed decision regarding firearm discharges.

Paragraph 184 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶185

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	<i>In Compliance (SECOND REPORTING PERIOD)</i>
Secondary:	<i>In Compliance (FOURTH REPORTING PERIOD)</i>
Full:	<i>Under Assessment</i>

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶185.

To assess Preliminary compliance with ¶185, the IMT reviewed the CPD’s Use of Force policies to ensure they prohibit officers from firing warning shots. The IMT also assessed the CPD’s efforts to actively engage the community and obtain feedback on its Use of Force policies.

To assess Secondary compliance with ¶185, the IMT reviewed the CPD’s training sources and records to determine whether the CPD has sufficiently trained officers, specifically with an emphasis that firing warning shots is prohibited.

To assess Full compliance with ¶185, the IMT is reviewing various community and data sources to determine whether the CPD has sufficiently implemented its policy and training. This includes reviewing CPD data on how many times officers fired warning shots.

The CPD achieved Preliminary compliance with this paragraph in the second reporting period with its Use of Force policies. In the fourth reporting period, the CPD achieved Secondary compliance. We reviewed the development, implementation, and evaluation of the 2020 Use of Force in-service training, eLearning materials, and recruit force options training specific to firearms and deadly force. These trainings cover instruction on the requirements of ¶185. As of March 4, 2021, 96% of CPD officers completed the 2020 Use of Force in-service training. Finally, during the fourth reporting period, because of feedback from the IMT to develop a process to track data related to Level 3 reportable use of force incidents, the CPD also established a process to track and examine the nature of firearm discharge incidents and determine the nature of the event via the TRR-I form.

In the fifth reporting period, the IMT began assessing Full compliance by examining data from the CPD’s Use of Force Dashboard, video, and reports from COPA’s website, and TRED quarterly reports, which we continued to do this reporting period.

Beginning April 2021, the TRED began reporting data on all Level 3 reportable uses of force. In 2021, the TRED reported 45 Level 3 incidents. The responding Street

Deputies determined no firearm discharges to be warning shots. Likewise, in 2022, there were 48 level 3 incidents. The CPD annual use of force reports notes that officers did not fire any warning shots.⁴⁷

In conclusion, the City and the CPD maintained Secondary compliance with ¶185. Moving forward, the IMT looks to review as much investigatory information as possible to assess Full compliance, to include written information from the Incident Response Team and the Force Review Board. The IMT is engaged in monthly conversations with the City, CPD, and OAG on criteria for Full compliance, and ¶¶185-87 are still in discussion. However, we seek to understand any changes to outcomes in firearm discharges, the resulting reviews, and the CPD’s position on relevant policies in cases that have been previously adjudicated. The IMT requires access to more documentation from the CPD and COPA to make an informed determination regarding whether officers fire warning shots.

Paragraph 185 Compliance Progress History

<p>FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019</p> <p>COMPLIANCE PROGRESS: Not Applicable</p>	<p>SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020</p> <p>COMPLIANCE PROGRESS: Preliminary</p>	<p>THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020</p> <p>COMPLIANCE PROGRESS: Preliminary</p>
<p>FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021</p> <p>COMPLIANCE PROGRESS: Secondary</p>	<p>FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021</p> <p>COMPLIANCE PROGRESS: Secondary</p>	<p>SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022</p> <p>COMPLIANCE PROGRESS: Secondary</p>
<p>SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022</p> <p>COMPLIANCE PROGRESS: Secondary</p>	<p>EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023</p> <p>COMPLIANCE PROGRESS: Secondary</p>	

⁴⁷ 2022 Annual Use of Force Report, Chicago Police Department (June 28, 2023) at 113, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>.

Use of Force: ¶186

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*

Secondary: *In Compliance (FOURTH REPORTING PERIOD)*

Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶186.

To assess Preliminary compliance with ¶186, the IMT reviewed the CPD's Use of Force policies to ensure they address requirements specified in this paragraph. The IMT also assessed the CPD's efforts to actively engage the community and obtain feedback on its Use of Force policies.

To assess Secondary compliance with ¶186, the IMT reviewed the CPD's training sources and records to determine whether the CPD has sufficiently trained officers, specifically with an emphasis on use of force and moving vehicles.

To assess Full compliance with ¶186, the IMT is reviewing various community and data sources to determine whether the CPD has sufficiently implemented its policy and training. This includes reviewing CPD data regarding how many times officers fired at moving vehicles.

In the fourth reporting period, the CPD achieved Preliminary compliance following review of the CPD's Use of Force policies by the IMT, OAG, and community. Section II.D.6 of G03-02-03, *Firearm Discharge Incidents – Authorized Use and Post-Discharge Administrative Procedures*, prohibits firing at or into a moving vehicle.

The CPD also achieved Secondary compliance in the fourth reporting period through 95% completion of its 2020 Use of Force in-service training and recruit force options training specific to firearms and deadly force.

In the fifth reporting period, the IMT began assessing Full compliance by reviewing TRED quarterly and year-end reports to determine whether officers were sufficiently trained on prohibitions from firing at a moving vehicle, which we continued to assess in this reporting period. The 2022 annual report indicates that there were three instances where officers discharged their firearms at moving vehicles.⁴⁸ In order to determine Full compliance, the IMT will review any changes in cases and resulting CPD action. For instance, case reviews will require IMT access to investigative reports from the Incident Response Team, available body-worn camera footage, Force Review Board results, and a history of past case outcomes as well as CPD’s position on those cases when they are adjudicated. However, the IMT is engaged in monthly conversations with the City, CPD, and OAG on criteria for Full compliance, and ¶¶185–87 are still in discussion for materials that should be under review.

In conclusion, the City and the CPD maintained Preliminary and Secondary compliance with ¶186. Moving forward, the IMT requests thorough information on all incidents involving officers shooting at moving vehicles to determine the outcomes and rationale for decisions made by both CPD and COPA, to include documentation of the Superintendent’s position.

Paragraph 186 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

⁴⁸ 2022 Annual Use of Force Report, Chicago Police Department (June 28, 2023) at 113, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>.

Use of Force: ¶187

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (FOURTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶187 and continued to make progress toward Full compliance.

The City and the CPD achieved Preliminary and Secondary compliance with ¶187 in the fourth reporting period. To assess Preliminary compliance, the IMT reviewed the CPD’s policies to determine whether they sufficiently address ¶187’s requirements—specifically, Section II.D.7 of G03-02-03, *Firearm Discharge Incidents – Authorized Use and Post-Discharge Administrative Procedures*. In addition, the CPD demonstrated its commitment to actively engage the Working Group and community in dialogue regarding the Use of Force policies and their recommendations.

To assess Secondary compliance, the IMT reviewed data to determine whether the CPD had provided sufficient training to its officers on the requirements of ¶187 via the 2021 Use of Force in-service training, and by putting into place a process to track firearm discharges via a supplement to the TRR-I form. We also reviewed the number of officers who have completed Use of Force in-service training.

To assess Full compliance, the IMT will continue to evaluate whether the CPD has sufficiently implemented its policy and training, including by reviewing data on firearm discharges. Sources of that data may include, but are not limited to, completed TRRs, TRED reports, Use of Force data dashboards, COPA investigatory reports, supervisory audits, video footage, and interviews with CPD officers.

In the fourth, fifth, and sixth reporting periods, the IMT reviewed data regarding firearm discharge cases from the CPD, COPA, and the Police Board.

Data from the TRR-I supplement, which the CPD implemented on April 1, 2021, was first reflected in TRED’s Quarterly Reports for Q2 and Q3 2021.⁴⁹ According to

⁴⁹ See *Chicago Police Department Force Review Division 2021 Q2 Report*, CHICAGO POLICE DEPARTMENT (OCTOBER 13, 2021), <https://home.chicagopolice.org/wp-content/uploads/Force-Review->

the TRED reports, among the firearm discharge incidents examined by the Force Review Board during Q2 and Q3 of 2021, Street Deputies reported no instances of officers firing shots from a moving motor vehicle. TRED's *2021 Year-End Report* indicates that for one incident occurring November 2, 2021, TRR No. 2021-03135, it was unknown whether a firearm was discharged "at or into a moving motor vehicle" or "from a moving motor vehicle."⁵⁰

The City's Police Board held an evidentiary hearing in November 2021 for a patrol officer charged with violating the CPD's prohibition against shooting at a moving vehicle during an incident on October 4, 2018.⁵¹ The officer was inside a police SUV when the officer fired four times at the other vehicle. On January 20, 2022, the City's Police Board found the officer guilty and ordered that he be suspended for two years.⁵² The officer had previously been stripped of police powers in October 2018 and placed in a no-pay status in February 2021. COPA and the Police Superintendent had recommended in 2020 that the officer be fired. In addition to the suspension, the Police Board ordered the officer to complete full re-training on the use of deadly force, including scenario-based elements and interactive exercises. The IMT considers the City, the CPD, and the City's other entities' responses to individual incidents—including disciplinary actions—as part of the broader picture in evaluating whether the CPD has sufficiently implemented its policy and training.

The IMT was unable to determine the exact nature of the violations that COPA sustained for its shooting cases because COPA publicly reports only the "primary category" of concluded investigations on its dashboard.⁵³

During the seventh reporting period, the IMT continued to review data regarding firearm discharge cases from the CPD and other sources. TRED's *2022 Q1 Report* and *2022 Q2 Report*, both published during the seventh reporting period, indicate there were no incidents during which a firearm was discharged from a moving motor vehicle.

[Division-2021-Q2-Report.pdf](#); *Chicago Police Department Force Review Division 2021 Q3 Report*, CHICAGO POLICE DEPARTMENT (DECEMBER 13, 2021), <https://home.chicagopolice.org/wp-content/uploads/Q3-2021-13-Dec-21.pdf>.

⁵⁰ TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 65, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

⁵¹ See, *Police Discipline*, CHICAGO POLICE BOARD, https://www.chicago.gov/city/en/depts/cpb/provdrs/police_discipline.html.

⁵² See, e.g., Chip Mitchell, *A Chicago panel is letting a cop keep his job after a 'clearly unreasonable and unnecessary' shooting*, WBEZ CHICAGO (January 21, 2022), <https://www.wbez.org/stories/chicago-cop-to-keep-his-job-after-clearly-unreasonable-and-unnecessary-shooting/5c5b4dd8-c23d-4d89-a130-abbad061079d>.

⁵³ See *Closed Cases*, CIVILIAN OFFICE OF POLICE ACCOUNTABILITY, <https://www.chicagocopa.org/data-cases/data-dashboard/>.

In the eighth reporting period, however, the 2022 annual report indicates that there was one instance where an officer discharged their firearm from a moving vehicle.⁵⁴ In order to determine Full compliance, the IMT will review these cases and resulting CPD action, among other documentation. For instance, case reviews will require IMT access to investigative reports from the Incident Response Team, available body-worn camera footage, Force Review Board results, any changes in discharges and resulting CPD response, and history of past case outcomes as well as CPD's position on those cases when they are adjudicated.

To support ongoing Secondary compliance during the seventh reporting period, the CPD provided course materials for its *Annual Prescribed Weapon Qualification TASER Re-Certification and VirTra Simulation Exercise Training*, which covers prohibitions on the use of firearms, including firing from moving vehicles as prohibited by ¶187. The training materials received no-objection notices from the IMT and the OAG during this reporting period. The CPD also provided course materials for its *Recruit Use of Force Training* and *2023 Policy Updates Use of Force In-Service Training* in connection with ¶187, but the training materials remained in the review process at the end of the reporting period. During this reporting period, the CPD provided records on demonstrating that more than 95% of officers completed the *2022 De-Escalation, Response to Resistance and Use of Force Training*, with 97.87% completion.

The City and the CPD maintained Preliminary and Secondary compliance with ¶187 in the eighth reporting period. The supplemental TRR-I data continues to represent an important step toward Full compliance, but additional data—including data from COPA on cases involving firearms discharges and motor vehicles—is needed. The IMT is engaged in monthly conversations with the City, CPD, and OAG on criteria for Full compliance, and ¶¶185-87 are still in discussion. We look forward to examining more data and information regarding firearm discharges in the next reporting period, including additional TRED quarterly reports.

⁵⁴ 2022 Annual Use of Force Report, Chicago Police Department (June 28, 2023) at 113, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>.

Paragraph 187 Compliance Progress History

FIRST REPORTING PERIOD
SEPTEMBER 1, 2019 – AUGUST 31, 2019

COMPLIANCE PROGRESS:
Not Applicable

SECOND REPORTING PERIOD
SEPTEMBER 1, 2019 – FEBRUARY 29, 2020

COMPLIANCE PROGRESS:
None

THIRD REPORTING PERIOD
MARCH 1, 2020 – DECEMBER 31, 2020

COMPLIANCE PROGRESS:
Under Assessment

FOURTH REPORTING PERIOD
JANUARY 1, 2021 – JUNE 30, 2021

COMPLIANCE PROGRESS:
Secondary

FIFTH REPORTING PERIOD
JULY 1, 2021 – DECEMBER 31, 2021

COMPLIANCE PROGRESS:
Secondary

SIXTH REPORTING PERIOD
JANUARY 1, 2022 – JUNE 30, 2022

COMPLIANCE PROGRESS:
Secondary

SEVENTH REPORTING PERIOD
JULY 1, 2022 – DECEMBER 31, 2022

COMPLIANCE PROGRESS:
Secondary

EIGHTH REPORTING PERIOD
JANUARY 1, 2023 – JUNE 30, 2023

COMPLIANCE PROGRESS:
Secondary

Use of Force: ¶188

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance* (SECOND REPORTING PERIOD)

Secondary: *In Compliance* (SECOND REPORTING PERIOD)

Full: *In Compliance* (SIXTH REPORTING PERIOD)

Sustainment Period Ends *June 30, 2024*

In the eighth reporting period, the City and the CPD maintained Preliminary, Secondary, and Full compliance with ¶188.

To assess Preliminary compliance with ¶188, the IMT determined whether the CPD developed and issued the requisite training bulletin. To assess Secondary compliance, the IMT determined whether the training bulletin complied with ¶188's requirements and whether the IMT and the OAG approved the bulletin.

To assess Full compliance, the IMT reviewed the CPD's training attendance records and data, as well as progress made by the CPD to educate and operationalize the Weapons Discipline Training Bulletin (such as whether the annual Use of Force training sufficiently addresses TRED's recommendations regarding pointing incidents).

In prior reporting periods, we indicated that to attain Full compliance, the CPD would need to demonstrate an ability to sufficiently analyze all pointing incidents, including those not documented in ISRs or arrest reports. While we still believe that the CPD's firearm pointing training should be data-driven, in the sixth reporting period we revised our methodology for Full compliance with this paragraph to reflect the Parties' agreement that the CPD's analysis of pointing incidents is covered by ¶¶189 and 190.

The City and the CPD achieved Preliminary and Secondary compliance in the second reporting period and have since maintained that status based on the CPD's subsequent Use of Force in-service training.

The CPD has also demonstrated ongoing training on firearm pointing and weapon discipline, which is necessary to maintain Full compliance. During the sixth reporting period, the CPD provided records to show that more than 95% of officers received the two-day *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training, with 96.71% of participants completing the *Communications*

eight-hour course and 96.86% completing the *Procedures* eight-hour course.⁵⁵ The IMT reviewed and provided a no-objection notice for training materials for the CPD’s 2022 *De-Escalation, Response to Resistance, and Use of Force* in-service training. We also observed a session of the CPD’s 2022 *De-Escalation, Response to Resistance, and Use of Force* in-service training, as well as a session of the CPD’s *Supervisor’s in-service training*. The City and the CPD therefore achieved Full compliance with ¶188 in the sixth reporting period.

During this reporting period, the CPD provided records on demonstrating that more than 95% of officers completed the *2022 De-Escalation, Response to Resistance and Use of Force Training*, with 97.87% completion. The IMT also reviewed firearm qualifications records that showed 95.78% of CPD members qualified in 2022.

The City and the CPD maintained Full compliance with ¶188 in the eighth reporting period. The IMT looks forward to continuing to monitor the CPD’s ongoing training on firearm pointing and weapon discipline.

Paragraph 188 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Secondary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Secondary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Full
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Full	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Full	

⁵⁵ Because of the COVID-19 extension, the CPD had until March 5, 2022, to complete the delivery of its 2021 in-service training.

Use of Force: ¶189

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FIRST REPORTING PERIOD)*
Secondary: *In Compliance (FOURTH REPORTING PERIOD)*
Full: *Under Assessment (NEW)*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶189.

To assess Preliminary compliance, the IMT reviewed the CPD’s relevant policies, including the CPD’s Use of Force policies to ensure they address the requirements specified in ¶189. We also evaluated the CPD’s efforts to obtain and address community engagement and input on the policy that addresses ¶189’s requirements.

To assess Secondary compliance, we reviewed data and documentation to determine whether the CPD has sufficiently trained on its Use of Force policies. We also reviewed the number of officers who have completed Use of Force in-service training.

To assess Full compliance, the IMT evaluates whether officers understand the firearm-pointing policy, particularly with respect to the requirements of ¶189. Along with other sources of information, the IMT reviews TRED reports for its findings on patterns and trends, recommendations for follow-up training, and referrals to COPA.

The City and the CPD have maintained Preliminary compliance with ¶189 since reaching it in the first reporting period. The current version of the CPD’s Department Notice D19-01, *Firearm Pointing Incidents*, has been in effect since November 1, 2019.

In the fourth reporting period, the City and the CPD achieved Secondary compliance because a sufficient number of CPD personnel received appropriate training as part of the 2020 Use of Force in-service training. In the fifth reporting period, TRED began reviewing all firearm pointing incident reports (FPIRs), including FPIRs that did not have an investigatory stop report (ISR) or arrest report associated with the incident, which had been a longstanding IMT recommendation. We appreciate TRED including these incidents in their review processes.

As in previous reporting periods, the IMT reviewed TRED's quarterly and year-end reports.

TRED made a recommendation for training in connection with 865 (31%) of the 3,005 individual firearm pointing incidents (FPIs) reported in 2021⁵⁶ and another five reports were referred to COPA. TRED also made three referrals to the district or unit of occurrence for corrective and/or disciplinary action because an officer "was observed in a related TRR or FPIR pointing their firearm at a person and there was no notification to OEMC of a FPI by that member." In 2022, TRED did not make any referral to COPA.

Additionally, the *2022 Year-End Report* indicates that of the 2,982 FPIRs reviewed, TRED made a training recommendation for 1,023 reviews (34%).⁵⁷ In contrast, supervisors indicated that they took corrective action at the time of the incident in 1% of debriefings. The majority of TRED's training recommendations in the eighth reporting period for firearm pointing incidents were for body-worn camera issues. In 2022, TRED made 851 recommendations for late body-worn camera usage, which is the most common debriefing point.⁵⁸ This is followed by 144 recommendations for no activation of body-worn cameras.

The IMT also reviewed CPD's *Firearm Pointing Summary* dashboard for additional documentation. The dashboard indicated that between January 1, 2022, and May 15, 2023, there have been 4,664 firearm pointing incidents. Of these incidents, 64.2% (3,222) were associated with an arrest. An additional 7.5% (377) FPIs were associated with a TRR, and 37.1% (1,860) were associated with an ISR. However, the totals for this dashboard result in 5,459 FPIs rather than the aforementioned 4,664. There seems to be an issue with the dashboard as the data appears to change. We look forward to clarification on this discrepancy in the next reporting period.

In the seventh reporting period, TRED added a debriefing point to the TRR-R for supervisors who did not address a body-worn camera deficiency at the time of occurrence.⁵⁹ Although the new debriefing point is currently available only for use-of-force incidents—not firearm pointing incidents—we hope the new debriefing point encourages supervisors to immediately correct body-worn camera issues.

⁵⁶ TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 85, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

⁵⁷ TRED's *2022 Year-End Report*, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 86, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

⁵⁸ TRED's *2022 Year-End Report*, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 87, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

⁵⁹ *Id.* at 24.

The IMT continues to appreciate the CPD's efforts to begin reviewing all firearm pointing incidents, including those not associated with an arrest or ISR. Because of how frequently they occur (508, or 17% of the total number of FPIRs in 2021), this review is critical to the credibility of the CPD's analysis of firearm pointing overall. In 2021, TRED referred 31 firearm pointing incidents that were not associated with an arrest or ISR (6%) to the Fourth Amendment Stop Review Unit for a final determination as to whether "there was a reporting deficiency."⁶⁰ TRED referred 10 (9%) and 20 (17%) firearm pointing incidents that were not associated with an arrest or ISR to the Fourth Amendment Stop Review Unit in the first and second quarters of 2022, respectively.⁶¹

During the seventh reporting period, the CPD indicated that it is in the process of reviewing D19-01; ¶636 requires the CPD to review each policy periodically (typically every two years) to "evaluate whether the policy provides effective guidance and direction to CPD members and is consistent with the requirements of this Agreement and current law."

The CPD should consider revising D19-01 to address the issues identified in its data; as described in greater detail above, ongoing issues with body-worn camera usage and potential failures to report investigative stops suggest the need for more effective supervision of pointing incidents. Additional issues regarding the policy were noted in the eighth reporting period during interviews with both TRED personnel and district supervisors. In particular, supervisors noted that they do not view body-worn camera footage; they only make a note of the pointing incidents in their supervisor log. This seems to be at odds with D19-01. Similarly, street supervisors indicated that they were too busy to view body-worn camera video.

With respect to ongoing training on firearm pointing, the CPD provided course materials for its *Carbine Operator Qualification and Annual Training* and *Annual Prescribed Weapon Qualification TASER Re-Certification and VirTra Simulation Exercise Training*, both of which cover the reasonableness standard described in ¶189. The training materials received no-objection notices from the IMT and the OAG during this reporting period. The CPD also provided course materials for its *Recruit Use of Force Training*, but the materials remained in the review process at the end of the seventh reporting period. None of the foregoing course materials cover the requirement to document an investigatory stop or an arrest when a firearm is pointed at a person to detain them. The *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training materials do, and in the eighth reporting period, the CPD provided attendance records demonstrating that 95.78% of officers attended the 2022 in-service training.

⁶⁰ TRED's 2021 Year-End Report at 80.

⁶¹ TRED's 2022 Q1 Report at 18 and 20 and TRED's 2022 Q2 Report at 19 and 21.

The CPD demonstrated its TRR Supervisory Dashboard for the IMT during the sixth reporting period. According to TRED's *2021 Year-End Report*, "The information included in this dashboard should allow for Department supervisors to correct the action of individual members and also recommend specific training for their districts/units based on documented need."⁶² To that end, the IMT hopes that the dashboard will be expanded in the future to include firearm pointing incidents. TRED's *2021* and *2022 Year-End Reports* contain extensive FPI data—detailed by beat and unit, weapons recovered, nature of the initial incident, foot pursuits, and FPIs reported in error, for example—that could be useful to supervisors in real time.

In the seventh reporting period, we began to examine COPA data regarding unnecessary displays of a weapon as a potential additional source of information regarding firearm pointing incidents. While the IMT has had preliminary conversations this reporting period, we will continue to seek clarity regarding COPA's data in the next reporting period.

The City and the CPD maintained Preliminary and Secondary compliance with ¶189 in the eighth reporting period and have continued to make progress toward Full compliance. TRED has done an excellent job of identifying patterns and trends at the citywide. The IMT looks forward to continuing to monitor TRED's review of firearm pointing incidents that are not associated with arrest reports or ISRs, as well as TRED's continued identification of patterns and trends associated with those and all firearm pointing incidents. In particular, we appreciate TRED's identification of other reports in which pointing incidents have been documented when there is no associated ISR or arrest report, such as the Traffic Stop Statistical Study Card (blue card) or the General Offense Case Report, and we look forward to learning more about the additional steps that the CPD will take to ensure that firearm pointing incidents are properly documented. We also look forward to learning more about how the Supervisory Dashboard is used, monitoring the results of the CPD's ¶636 review of D19-01, and to the results of the Audit Division's review of TRED's debriefing procedures.

⁶² TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 95, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

Paragraph 189 Compliance Progress History

FIRST REPORTING PERIOD
SEPTEMBER 1, 2019 – AUGUST 31, 2019

COMPLIANCE PROGRESS:
Preliminary

SECOND REPORTING PERIOD
SEPTEMBER 1, 2019 – FEBRUARY 29, 2020

COMPLIANCE PROGRESS:
Preliminary

THIRD REPORTING PERIOD
MARCH 1, 2020 – DECEMBER 31, 2020

COMPLIANCE PROGRESS:
Preliminary

FOURTH REPORTING PERIOD
JANUARY 1, 2021 – JUNE 30, 2021

COMPLIANCE PROGRESS:
Secondary

FIFTH REPORTING PERIOD
JULY 1, 2021 – DECEMBER 31, 2021

COMPLIANCE PROGRESS:
Secondary

SIXTH REPORTING PERIOD
JANUARY 1, 2022 – JUNE 30, 2022

COMPLIANCE PROGRESS:
Secondary

SEVENTH REPORTING PERIOD
JULY 1, 2022 – DECEMBER 31, 2022

COMPLIANCE PROGRESS:
Secondary

EIGHTH REPORTING PERIOD
JANUARY 1, 2023 – JUNE 30, 2023

COMPLIANCE PROGRESS:
Secondary

Use of Force: ¶190

190. *Beginning July 1, 2019, CPD officers will, at a minimum, promptly after the incident is concluded, notify OEMC of investigatory stop or arrest occurrences in which a CPD officer points a firearm at a person in the course of effecting the seizure. The notification will identify which CPD beat(s) pointed a firearm at a person in the course of effecting the seizure. The City will ensure that OEMC data recording each such notification is electronically linked with CPD reports and body-worn camera recordings associated with the incident, and all are retained and readily accessible to the supervisor of each CPD beat(s) identified in the notification.*

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance* (SECOND REPORTING PERIOD)
Secondary: *In Compliance* (FOURTH REPORTING PERIOD)
Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶190.

To assess Preliminary compliance, the IMT reviewed the CPD’s *Use of Force* policies—particularly Department Order D19-01, *Firearm Pointing Incidents*, effective November 1, 2019—and the OEMC’s policies to ensure they address the requirements of ¶190. We also evaluated the CPD’s efforts to obtain and address community engagement and input on the policy that addresses ¶190’s requirements.

To assess Secondary compliance, we determined whether the CPD and the OEMC have sufficiently trained on their relevant policies. We also reviewed the number of officers who have completed *Use of Force* in-service training.

To assess Full compliance, the IMT will evaluate whether the CPD and the OEMC have sufficiently implemented their policies and training and to ensure that OEMC records for firearm pointing notifications are properly linked to Police Computer Aided Dispatch (PCAD) reports and body-worn camera videos. One way to assess whether the notifications are occurring would be to sample incidents that are likely to involve a firearm pointing but for which no pointing was reported (such as reports of a person with a firearm or shots fired that result in an arrest); similarly, body-worn camera videos will be reviewed to determine whether required notifications occur, and video is properly linked. Other sources of information would include TRED’s various reported findings with respect to firearm pointing incidents (including policy violations, proportion of cases with associated body worn camera video, and the proportion of cases for which documentation is lacking (such as an arrest report or ISR). The IMT may also consider records from BIA, COPA, and the

City's Law Department concerning firearm pointing incidents that are not reported to the OEMC.

In the fifth reporting period, TRED began reviewing all FPIRs, including FPIRs that did not have an ISR or arrest report associated with the incident, which had been a longstanding IMT recommendation.

During the sixth and seventh reporting periods, the IMT reviewed TRED's quarterly and year-end reports.

TRED's *2021 Year-End Report* indicates that officers reported 3,005 individual firearm pointing incidents (FPIs) in 2021.⁶³ TRED reviewed 2,751 of those.⁶⁴ Because one incident may involve multiple beats reporting an FPI, these reports corresponded to 2,562 incidents.

In 2021, TRED made a recommendation for training in connection with 865 of the 3,005 reports (31%).⁶⁵ Another five reports were referred to COPA. TRED also made three referrals to the district or unit of occurrence for corrective and/or disciplinary action because an officer "was observed in a related TRR or FPIR pointing their firearm at a person and there was no notification to OEMC of a FPI by that member."

In the first quarter of 2022, TRED reviewed 734 FPIRs and made a recommendation for training in connection with 240 (32.7%).⁶⁶ In contrast, supervisors reported that they recognized a training opportunity and took corrective action at the time the incident occurred in only four instances.⁶⁷ In the second quarter of 2022, TRED reviewed 962 FPIRs and made a recommendation for training in connection with 280 (29.1%).⁶⁸ Supervisors did not report a single instance in which they recognized a training opportunity and took corrective action at the time the incident occurred.⁶⁹

In the eighth reporting period, TRED's year-end report notes that there were 2,925 firearm pointing incidents in 2022, with an average of 243.75 incidents a month.

⁶³ TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 70, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

⁶⁴ *Id.* at 85. Elsewhere, the report states that TRED reviewed 2,748 FPI reports, *id.* at 70.

⁶⁵ *Id.* at 85.

⁶⁶ TRED's *2022 Q1 Report*, CHICAGO POLICE DEPARTMENT (August 16, 2022) at 18, <https://home.chicagopolice.org/wp-content/uploads/Q1-2022-16Aug22-FINAL.pdf>.

⁶⁷ *Id.* at 21.

⁶⁸ TRED's *2022 Q2 Report*, CHICAGO POLICE DEPARTMENT (November 22, 2022) at 19, <https://home.chicagopolice.org/wp-content/uploads/Q2-2022-22Nov22.pdf>.

⁶⁹ *Id.* at 22.

In comparison, 2021 had 2,562 firearm pointing incidents for the year, with an average of 213.5 incidents per month. More recently, the first half of 2023 shows 2,048 firearm pointing, averaging 341.3 incidents a month.

Paragraph 190 requires the City to ensure that OEMC data is linked with CPD reports and body-worn camera recordings, “and all are retained and readily accessible to the supervisor of each CPD beat(s) identified in the notification.”

In 2021, body-worn camera video was available for 97% of reviews compared to 90% in 2020.⁷⁰ TRED reports that in the first and second quarters of 2022, body-worn camera video was available for 94.7%⁷¹ and 94.1%⁷² of reviews, respectively.

As in prior reporting periods, the majority of TRED’s training recommendations in the seventh reporting period for firearm pointing addressed body-worn camera issues. In 2022, TRED made 851 recommendations for late body-worn camera usage, which is the most common debriefing point.⁷³ This is followed by 144 recommendations for no activation of body-worn cameras.

The IMT continues to appreciate the CPD’s efforts to begin reviewing all firearm pointing incidents, including those not associated with an arrest or ISR. Because of how frequently they occur (508, or 17% of the total number of FPIRs in 2021), this review is critical to the credibility of the CPD’s analysis of firearm pointing overall. In 2021, TRED referred 31 firearm pointing incidents that were not associated with an arrest or ISR (6%) to the Fourth Amendment Stop Review Unit for a final determination as to whether “there was a reporting deficiency.”⁷⁴ TRED referred 10 (9%) and 20 (17%) firearm pointing incidents that were not associated with an arrest or ISR to the Fourth Amendment Stop Review Unit in the first and second quarters of 2022, respectively.⁷⁵

In the seventh reporting period, we began to examine COPA data regarding unnecessary displays of a weapon as a potential additional source of information regarding firearm pointing incidents. While the IMT has had preliminary conversations this reporting period, we will continue to seek clarity regarding COPA’s data in the next reporting period.

⁷⁰ TRED’s 2021 Year-End Report at 87.

⁷¹ TRED’s 2022 Q1 Report, CHICAGO POLICE DEPARTMENT (August 16, 2022) at 13, <https://home.chicagopolice.org/wp-content/uploads/Q1-2022-16Aug22-FINAL.pdf>.

⁷² TRED’s 2022 Q2 Report, CHICAGO POLICE DEPARTMENT (November 22, 2022) at 14, <https://home.chicagopolice.org/wp-content/uploads/Q2-2022-22Nov22.pdf>.

⁷³ TRED’s 2022 Year-End Report, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 87, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

⁷⁴ TRED’s 2021 Year-End Report at 80.

⁷⁵ TRED’s 2022 Q1 Report at 18 and 20 and TRED’s 2022 Q2 Report at 19 and 21.

With respect to ongoing training on firearm pointing, the CPD provided course materials for its *Carbine Operator Qualification and Annual Training* and *Annual Prescribed Weapon Qualification TASER Re-Certification and VirTra Simulation Exercise Training*, both of which cover the requirement to notify OEMC as required by D19-01 and ¶190. The training materials received no-objection notices from the IMT and the OAG during the seventh reporting period.

The CPD has been responsive to a number of comments on the Recruit Force Options Training. The IMT provided a no-objection to CPD's 2023 annual training plan. During this reporting period, the CPD provided records on March 30, 2023, demonstrating that more than 95% of officers completed the *2022 De-Escalation, Response to Resistance and Use of Force Training*, with 97.87% completion. The CPD also provided updates to the *De-Escalation, Response to Resistance and Use of Force Training* materials in May 2023.

The CPD demonstrated its TRR Supervisory Dashboard for the IMT during the sixth reporting period. According to TRED's *2021 Year-End Report*, "The information included in this dashboard should allow for Department supervisors to correct the action of individual members and also recommend specific training for their districts/units based on documented need."⁷⁶ To that end, the IMT hopes that the dashboard will be expanded in the future to include firearm pointing incidents. TRED's *2021 Year-End Report* contains extensive FPI data—about beat and unit, weapons recovered, the nature of the initial incident, foot pursuits, and FPIs reported in error, for example—that could be useful to supervisors in real time.

The City and the CPD maintained Preliminary compliance with ¶190 since reaching it in the second reporting period.

During the seventh reporting period, the CPD indicated that it is in the process of reviewing D19-01; ¶636 requires the CPD to review each policy periodically (typically every two years) to "evaluate whether the policy provides effective guidance and direction to CPD members and is consistent with the requirements of this Agreement and current law." The CPD should consider revising D19-01 to address the issues identified in its data; as described in greater detail above, ongoing issues with body-worn camera usage and potential failures to report investigative stops suggest the need for more effective supervision of pointing incidents.⁷⁷

In the fourth reporting period, the City and the CPD achieved Secondary compliance because a sufficient number of CPD personnel received appropriate training as part of the 2020 *Use of Force* in-service training. As we have previously noted,

⁷⁶ TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 95, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

⁷⁷ We disagree with the City's position that the provision of TRED's reports constitutes Full compliance with ¶190.

the CPD's ability to achieve Full compliance will depend on its ability to account for all firearm pointing incidents and achieve greater compliance with body-worn camera use.

The IMT looks forward to continuing to monitor TRED's review of firearm pointing incidents that are not associated with arrest reports or ISRs, as well as TRED's continued identification of patterns and trends associated with those and all firearm pointing incidents. In particular, we appreciate TRED's identification of other reports in which pointing incidents have been documented when there is no associated ISR or arrest report, such as the Traffic Stop Statistical Study Card (blue card) or the General Offense Case Report, and we look forward to learning more about the additional steps that the CPD will take to ensure that firearm pointing incidents are properly documented. We also look forward to monitoring the results of the CPD's ¶1636 review of D19-01 and learning more about how the Supervisory Dashboard is used and whether it can be expanded to include FPI data. Going forward, the City and the CPD should continue to encourage and support front-line supervisors' efforts to identify, address, and document late activation of body-worn cameras.

Paragraph 190 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Preliminary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶191

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	<i>In Compliance (SECOND REPORTING PERIOD)</i>
Secondary:	<i>Not in Compliance</i>
Full:	<i>Not Yet Assessed</i>

In the eighth reporting period, the City and the CPD maintained Preliminary compliance with ¶191.

To assess Preliminary compliance, the IMT reviewed the CPD’s *Use of Force* policies—particularly Department Order D19-01, *Firearm Pointing Incidents*, effective November 1, 2019—and the OEMC’s relevant policies to ensure they address the requirements specified in ¶191. We also evaluated the CPD’s efforts to obtain and address community engagement and input on the policy that addresses ¶191’s requirements.

To assess Secondary compliance, we reviewed data and documentation to determine whether the CPD has trained a sufficient number of officers and whether officers understand the firearm pointing policies and procedures. We also reviewed supervisor-specific training.

To assess Full compliance, the IMT will evaluate whether the OEMC is making the required notifications and whether the CPD has sufficiently implemented its policy and training. Along with other sources of information, we will review TRED data on supervisor advisements and recommendations, which provide insight into whether supervisors are identifying deficiencies and training opportunities. We will also review a sample of firearm pointing incidents to assess whether supervisors respond appropriately.

The City and the CPD have maintained Preliminary compliance with ¶191 since reaching it in the second reporting period. In the fourth reporting period, the City and the CPD also made progress toward Secondary compliance with ¶191 via its 2020 Use of Force in-service training. We noted, however, that training specific to supervisors was still needed because TRED had reported that supervisors were

proactively taking action in only 5 percent of pointing incidents warranting action. The IMT also communicated to the CPD that further training on body-worn camera use was necessary for compliance with ¶1191.

Additionally, in the fourth reporting period, we stated that the CPD should consider a process in which supervisors identify and record any issues with firearm pointing incidents shortly after review because the onus of enforcing the CPD's directives cannot and should not fall only on TRED.

We noted that during the fifth reporting period, TRED started to report how often supervisors indicated that they recognized a training opportunity and took corrective action at the time an incident occurs. TRED's *2021 Q4 Report* reported that there were zero instances of supervisors indicating that they recognized a training opportunity and took corrective action at the time an incident occurred (compared to eight and four in Q2 and Q3, respectively). In contrast, TRED made 225 recommendations regarding FPIRs in Q4.⁷⁸

During the seventh reporting period, in the first quarter of 2022, TRED reviewed 734 FPIRs and made a recommendation for training in connection with 240 (32.7%).⁷⁹ In contrast, supervisors reported that they recognized a training opportunity and took corrective action at the time the incident occurred in only four instances.⁸⁰ In the second quarter of 2022, TRED reviewed 962 FPIRs and made a recommendation for training in connection with 280 (29.1%).⁸¹ Supervisors did not report a single instance in which they recognized a training opportunity and took corrective action at the time the incident occurred.⁸²

In the eighth reporting period, TRED's year-end report notes that there were 2,925 firearm pointing incidents in 2022, with an average of 243.75 incidents a month. In comparison, 2021 had 2,562 firearm pointing incidents for the year, with an average of 213.5 incidents per month. More recently, the first half of 2023 shows 2,048 firearm pointing, averaging an increased 341.3 incidents a month.

⁷⁸ TRED's *2021 Q4 Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 21, <https://home.chicagopolice.org/wp-content/uploads/Q4-2021-FRD-Report.pdf>.

⁷⁹ TRED's *2022 Q1 Report*, CHICAGO POLICE DEPARTMENT (August 16, 2022) at 18, <https://home.chicagopolice.org/wp-content/uploads/Q1-2022-16Aug22-FINAL.pdf>.

⁸⁰ *Id.* at 21.

⁸¹ TRED's *2022 Q2 Report*, CHICAGO POLICE DEPARTMENT (November 22, 2022) at 19, <https://home.chicagopolice.org/wp-content/uploads/Q2-2022-22Nov22.pdf>.

⁸² *Id.* at 22.

Additionally, the *2022 Year-End Report* indicates that of the 2,982 FPIRs reviewed, TRED made a training recommendation for 1,023 reviews (34%).⁸³ In contrast, supervisors indicated that they took corrective action at the time of the incident in 1% of debriefings.

As in prior reporting periods, the majority of TRED's training recommendations in the eighth reporting period for firearm pointing incidents were for body-worn camera issues. In 2022, TRED made 851 recommendations for late body-worn camera usage, which is the most common debriefing point.⁸⁴ This is followed by 144 recommendations for no activation of body-worn cameras.

Significantly, the CPD revised the TRR-R to include a debriefing for supervisors who did not address a body-worn camera deficiency at the time of occurrence, and TRED began delivering this debriefing during the second quarter of 2022.⁸⁵ Additionally, TRED's 2022 year-end report indicates there were 88 incidents where investigating supervisors did not address BWC issues.⁸⁶ Although the new debriefing point is currently available only for use-of-force incidents—not firearm pointing incidents—we appreciate this effort to encourage supervisors to immediately correct body-worn camera issues and look forward to monitoring its progress.

The IMT continues to appreciate the CPD's efforts to begin reviewing all firearm pointing incidents, including those not associated with an arrest or ISR. Because of how frequently they occur (508, or 17% of the total number of FPIRs in 2021), this review is critical to the credibility of the CPD's analysis of firearm pointing overall. In 2021, TRED referred 31 firearm pointing incidents that were not associated with an arrest or ISR (6%) to the Fourth Amendment Stop Review Unit for a final determination as to whether "there was a reporting deficiency."⁸⁷ In its first and second quarterly reports for 2022, TRED reported that it referred 10 (9%) and 20 (17%) firearm pointing incidents that were not associated with an arrest or ISR to the Fourth Amendment Stop Review Unit in the first and second quarters of 2022, respectively.⁸⁸ In its 2022 year-end report, however, TRED explained that 602 firearm pointing incidents did not have an associated ISR or arrest report, and stated that

⁸³ TRED's *2022 Year-End Report*, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 86, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

⁸⁴ TRED's *2022 Year-End Report*, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 87, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

⁸⁵ TRED's *2022 Q2 Report* at 24.

⁸⁶ *Id.* at 59.

⁸⁷ TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 80, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

⁸⁸ TRED's *2022 Q1 Report* at p. 18 & 20 and TRED's *2022 Q2 Report* at 19 and 21.

TRED reviewers only referred 16 incidents (3%) to the Fourth Amendment Stop Review Unit.⁸⁹ We will continue to seek clarity from TRED about this discrepancy.

Furthermore, the IMT's second community survey report indicated that in 2022, slightly over a tenth of young Black male respondents experienced gun pointing by CPD compared to 19% in 2020. While this is a decrease, the rate is still much higher compared to the average Chicagoan by more than 6.5 times and the average Black Chicagoan by more than three times.

In the seventh reporting period, we began to examine COPA data regarding unnecessary displays of a weapon as a potential additional source of information regarding firearm pointing incidents. We will seek clarity regarding COPA's data in the next reporting period.

During the seventh reporting period, the CPD indicated that it is in the process of reviewing D19-01; ¶636 requires the CPD to review each policy periodically (typically every two years) to "evaluate whether the policy provides effective guidance and direction to CPD members and is consistent with the requirements of this Agreement and current law." The CPD should consider revising D19-01 to address the issues identified in its data; as described in greater detail above, ongoing issues with body-worn camera usage and potential failures to report investigative stops suggest the need for more effective supervision of pointing incidents.

With respect to ongoing training on firearm pointing, the CPD provided attendance records for its *2022 In-Service Supervisor Training*, showing that 97.55% of participants completed the course by December 5, 2022, but that training only covered the general principle that CPD supervisors effectively supervise the CPD members under their command. We have asked the CPD for evidence that firearm pointing incidents are covered in its pre-service training for supervisors.

The CPD demonstrated its TRR Supervisory Dashboard for the IMT during the sixth reporting period. According to TRED's *2021 Year-End Report*, "The information included in this dashboard should allow for Department supervisors to correct the action of individual members and also recommend specific training for their districts/units based on documented need."⁹⁰ To that end, the IMT hopes that the dashboard will be expanded in the future to include firearm pointing incidents. TRED's *2021* and *2022 Year-End Reports* contain extensive FPI data—about beat and unit, weapons recovered, the nature of the initial incident, foot pursuits, and

⁸⁹ TRED's *2022 Year-End Report*, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 79, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

⁹⁰ TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 95, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

FPIs reported in error, for example—that could be useful to supervisors in real time.

During the eighth reporting period, the IMT learned through interviews with supervisors that they do not review body-worn camera footage at the district level. The Consent Decree requires supervisors to “effectively supervise,” which may include reviewing footage before the end of their tour. The current oversight of firearm pointing incidents rely solely on TRED. On the other hand, the sole duty of district sergeants has been to collect reports. This, however, is not the intent of this paragraph as CPD officers do not receive feedback on pointing incidents until TRED’s feedback, which may take 30 days.

The City and the CPD achieved Secondary compliance with ¶191 in this reporting period. The CPD provided evidence that a sufficient number of supervisors completed the *2022 In-Service Supervisor Training*, but based on the data from TRED’s reports, the IMT has concerns on “effective supervision.” Further training is necessary to encourage front-line supervisors to take on a greater responsibility for identifying issues and training opportunities, and taking corrective action, at the time that a firearm pointing incident occurs. Additional recommendations are included in ¶196 to address our concerns.

The IMT looks forward to learning more about the training and instructions the CPD will provide in connection with the Supervisory Dashboard and how the dashboard is used. We also look forward to monitoring the results of the CPD’s ¶636 review of D19-01.

Paragraph 191 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Preliminary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶192

192. A designated unit at the CPD headquarters level will routinely review and audit documentation and information collected from all investigatory stop and arrest occurrences in which a CPD officer pointed a firearm at a person in the course of effecting a seizure. The review and audit will be completed within 30 days of each such occurrence. This review and audit will: a. identify whether the pointing of the firearm at a person allegedly violated CPD policy; b. identify any patterns in such occurrences and, to the extent necessary, ensure that any concerns are addressed; and c. identify any tactical, equipment, training, or policy concerns and, to the extent necessary, ensure that the concerns are addressed. The designated unit at the CPD headquarters level will, where applicable, make appropriate referrals for misconduct investigations or other corrective actions for alleged violations of CPD policy. At the completion of each review and audit, the designated unit at the CPD headquarters level will issue a written notification of its findings and, if applicable, any other appropriate actions taken or required to an immediate supervisor as described above.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Recurring Schedule: Ongoing Met Missed

Preliminary: *In Compliance* (SECOND REPORTING PERIOD)

Secondary: *In Compliance* (FOURTH REPORTING PERIOD)

Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶192. Due to deployments, staff attrition, and insufficient resources, however, TRED did not meet the 30-day review deadline during the seventh reporting period.

To assess Preliminary compliance, the IMT reviewed the CPD’s Use of Force policies—particularly Department Order D19-01, *Firearm Pointing Incidents*, effective November 1, 2019—to ensure they address the requirements specified in ¶192.

To assess Secondary compliance, we reviewed the CPD’s training regarding its firearm pointing incident policy and procedures for TRED and determined whether a sufficient number of officers have completed the training.

To assess Full compliance, the IMT evaluates training, community, and data sources, including footage from body-worn cameras, firearm-pointing data, and TRED review schedules and TRED review completion records to determine

whether the CPD has sufficiently implemented its policy and training. We also examine whether concerns are adequately identified (both detected and evaluated), and whether the processes in place “ensure that concerns are addressed” at both the organizational and individual level.

The City and the CPD have maintained Preliminary compliance with ¶192 since reaching it in the second reporting period.

During the seventh reporting period, the CPD indicated that it is in the process of reviewing D19-01; ¶636 requires the CPD to review each policy periodically (typically every two years) to “evaluate whether the policy provides effective guidance and direction to CPD members and is consistent with the requirements of this Agreement and current law.” The CPD should consider revising D19-01 to address the issues identified in TRED’s data. As described below, ongoing issues with body-worn camera usage and potential failures to report investigative stops suggest the need for more effective supervision of pointing incidents.

In the fourth reporting period, the City and the CPD achieved Secondary compliance with ¶192 via the CPD’s 2020 Use of Force in-service training and training that it delivered to TRED staff. We noted that the CPD also made progress toward Full compliance in the fourth and fifth reporting periods. In the fifth reporting period, however, we cautioned that TRED requires additional personnel in order to meet its 30-day deadline for firearm pointing incident reviews.

In the sixth and seventh reporting periods, the IMT reviewed TRED quarterly and year-end reports. The IMT also attended virtual site visits and monthly meetings with TRED’s leadership. The reports and visits reveal that TRED made the following progress in the required areas for ¶192:

1. *Complete the review and audit within 30 days of each occurrence.* Despite TRED’s best efforts, it is no longer able to meet the 30-day deadline for all firearm pointing incident reviews because of deployments, staff attrition, and insufficient resources.⁹¹
2. *Identify whether the pointing of the firearm at a person allegedly violated policy.* TRED reported just five referrals to COPA in all of 2021, and none so far in 2022. The most common recommendations for TRED Firearm Pointing Reviews continue to be related to body-worn camera use.
3. *Identify any patterns and ensure such concerns are addressed.* The IMT continues to appreciate the CPD’s efforts to review all firearm pointing incidents, including those not associated with an arrest or ISR. Because of how frequently

⁹¹ TRED’s 2022 Q2 Report, CHICAGO POLICE DEPARTMENT (November 22, 2022) at 13 (“TRED was not able to review all FPIRs within 30 days due to staffing shortages.”), <https://home.chicagopolice.org/wp-content/uploads/Q2-2022-22Nov22.pdf>.

they occur (508, or 17% of the total number of FPIRs in 2021), this review is critical to the credibility of the CPD's analysis of firearm pointing overall. In 2021, TRED referred 31 firearm pointing incidents that were not associated with an arrest or ISR (6%) to the Fourth Amendment Stop Review Unit for a final determination as to whether "there was a reporting deficiency."⁹² TRED referred 10 (9%) and 20 (17%) firearm pointing incidents that were not associated with an arrest or ISR to the Fourth Amendment Stop Review Unit in the first and second quarters of 2022, respectively.⁹³

4. *Identify tactical, equipment, training, or policy concerns and to the extent necessary ensure that the concerns are addressed.* As in prior reporting periods, the majority of TRED's training recommendations in the seventh reporting period for firearm pointing incidents were for body-worn camera issues. In the first quarter of 2022, of the 269 training recommendations TRED made in connection with the 240 FPIRs, 236 (87.7%) were for improper body-worn camera usage.⁹⁴ In the second quarter of 2022, of the 309 training recommendations TRED made in connection with the 280 FPIRs, 277 (89.6%) were for improper body-worn camera usage.⁹⁵ In its *2021 Q4 Report*, TRED stated that it requested and was granted access to re-enroll officers in a *Body Worn Camera E-Learning* module, which it intended to begin implementing during the second quarter of 2022. We look forward to learning more about this promising development. In addition, we note that there is a mechanism in place to track TRED's recommendations to individual beats. When TRED makes a recommendation on a FPIR, it is assigned to a supervisor to debrief the involved beat. TRED reports that 78.8% (189) of its recommendations for incidents in the first quarter of 2022 were debriefed and closed out by the unit of assignment, and that 21.3% (51) were "still pending the completion of recommended training, debriefing, or the approval thereof by the involved beat's unit of assignment."⁹⁶ For the second quarter of 2022, 58.2% (163) of TRED's recommendations were debriefed and closed out by the unit of assignment, with 41.8% (117) "still pending the completion of recommended training, debriefing, or the approval thereof by the involved beat's unit of assignment."⁹⁷

In addition, TRED's *2021 Q4 Report* reported that there were zero instances of supervisors indicating that they recognized a training opportunity and took corrective action at the time an incident occurred (compared to eight and four in Q2 and

⁹² TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 80, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

⁹³ TRED's *2022 Q1 Report*, CHICAGO POLICE DEPARTMENT (August 16, 2022) at 18 and 20, <https://home.chicagopolice.org/wp-content/uploads/Q1-2022-16Aug22-FINAL.pdf>, TRED's *2022 Q2 Report* at 19 and 21.

⁹⁴ TRED's *2022 Q1 Report* at 18.

⁹⁵ TRED's *2022 Q2 Report* at 19.

⁹⁶ TRED's *2022 Q1 Report* at 21.

⁹⁷ TRED's *2022 Q2 Report* at 22.

Q3, respectively). In contrast, TRED made 225 recommendations regarding FPIRs in Q4.⁹⁸ The IMT observed refresher training for supervisors during the sixth reporting period that emphasized the need for front-line supervisors to identify, address, and document body-worn camera issues, but TRED's statistics suggest that more can and should be done.

During the seventh reporting period, in the first quarter of 2022, TRED reviewed 734 FPIRs and made a recommendation for training in connection with 240 (32.7%).⁹⁹ In contrast, supervisors reported that they recognized a training opportunity and took corrective action at the time the incident occurred in only four instances.¹⁰⁰ In the second quarter of 2022, TRED reviewed 962 FPIRs and made a recommendation for training in connection with 280 (29.1%).¹⁰¹ Supervisors did not report a single instance in which they recognized a training opportunity and took corrective action at the time the incident occurred.¹⁰²

In the seventh reporting period, TRED added a debriefing point to the TRR-R for supervisors who did not address a body-worn camera deficiency at the time of occurrence.¹⁰³ Although the new debriefing point is currently available only for use-of-force incidents—not firearm pointing incidents—we hope the new debriefing point encourages supervisors to immediately correct body-worn camera issues.

TRED introduced the new Incident Debrief Report (IDR) during the eighth reporting period, which includes reviews of TRRs, foot pursuits, and FPIRs. The IMT commends the CPD's efforts on this system. We look forward to learning more about the system's capabilities and how the district notification works when a deficiency is identified in the next reporting period.

The CPD demonstrated its TRR Supervisory Dashboard for the IMT during the sixth reporting period. According to TRED's *2021 Year-End Report*, "The information included in this dashboard should allow for Department supervisors to correct the action of individual members and also recommend specific training for their districts/units based on documented need."¹⁰⁴ To that end, the IMT hopes that the dashboard will be expanded in the future to include firearm pointing incidents.

⁹⁸ TRED's *2021 Q4 Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 21, <https://home.chicagopolice.org/wp-content/uploads/Q4-2021-FRD-Report.pdf>.

⁹⁹ TRED's *2022 Q1 Report*, CHICAGO POLICE DEPARTMENT (August 16, 2022) at 18, <https://home.chicagopolice.org/wp-content/uploads/Q1-2022-16Aug22-FINAL.pdf>.

¹⁰⁰ *Id.* at 21.

¹⁰¹ TRED's *2022 Q2 Report*, CHICAGO POLICE DEPARTMENT (November 22, 2022) at 19, <https://home.chicagopolice.org/wp-content/uploads/Q2-2022-22Nov22.pdf>.

¹⁰² *Id.* at 22.

¹⁰³ *Id.* at 24.

¹⁰⁴ TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 95, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

TRED's *2021 Year-End Report* contains extensive FPI data—about beat and unit, weapons recovered, the nature of the initial incident, foot pursuits, and FPIs reported in error, for example—that could be useful to supervisors in real time.

In the seventh reporting period, we began to examine COPA data regarding unnecessary displays of a weapon as a potential additional source of information regarding firearm pointing incidents. We will seek clarity regarding COPA's data in the eighth reporting period.

The City and the CPD maintained Secondary compliance with ¶192 in the seventh reporting period.

We appreciate TRED's continued work addressing most of the requirements of ¶192, but it requires additional personnel in order to meet its 30-day deadline for firearm pointing incident reviews. We urge the City and the CPD to sufficiently staff TRED and to stop deploying its personnel.

We continue to monitor TRED's review of firearm pointing incidents that are not associated with arrest reports or ISRs, as well as TRED's continued identification of patterns and trends associated with those and all firearm pointing incidents.

In this reporting period, the IMT examined the CPD's firearm pointing dashboard. On May 17, 2023, the dashboard's data details indicated that there were single-digit views in the last 12 weeks. In a subsequent meeting, CPD noted that data refreshes do not include how many times the dashboard is viewed. The CPD also indicated that only the IMT has access to this dashboard and the de-escalation dashboard; we urge the CPD to consider sharing these dashboards with front-line supervisors for greater accountability and supervisory purposes. Additionally, we will look to obtain data that shows the percentage of deficiencies that were identified and handled by districts to determine whether officers were counseled or received training.

Furthermore, the firearm pointing dashboard indicates that since the inception of D19-01, 11 (0.1%) cases have been reported to COPA. CPD's dashboard also identifies 22 events and the number of times each event occurred and resulted in a firearm pointing incident; the event types "traffic stops" and "person with a gun" continue to have the highest number of incidents. The CPD also identifies the number of incidents where a weapon is recovered, whether it occurred during a pursuit, and incidents that result in arrests. Lastly, training recommendations are also included, and body-worn camera issues remain the most prevalent training concern with firearm pointing incidents.

In this reporting period, the CPD provided the latest data on IDRs. As of June 16, 2023, there were 2,296 IDRs pending review. With regard to firearm pointing, the

following data was provided for the number of cases that have been entered and reviewed so far in 2023:

Month	IDRs Entered	IDRs Reviewed
January	935	933
February	890	873
March	799	792
April	890	748
May	914	22
June	114	0

The CPD has made progress in achieving the 30-day turnaround goal for reviewing cases, but more needs to be done.

With the IDR now incorporating TRRs, foot pursuits, and firearm pointing, the IMT will need to determine how well the system works. We continue to have concerns about firearm pointing incidents at the unit, district, and officer levels, as well as where there may be inordinate numbers. The IMT will review how patterns and trends are addressed at the local level; we have yet to see any action points from current data. If CPD districts do not have access to the firearm pointing incident dashboard, then the responsibility falls on TRED to identify patterns, trends, and officers. For instance, TRED would identify officers who have an inordinate number of firearm pointing incidents during traffic stops.

The CPD must provide examples of patterns and trends that are addressed at the unit and district levels. As noted in detail in ¶196, the IMT has concerns regarding officer wellness. The number of times that officers are placed in situations that require firearms to be pointed and weapons seized are high, and these are immensely stressful situations that require additional attention and support towards officers.

In addition, as TRED's data continues to show, front-line supervisors are not yet identifying or addressing deficiencies in pointing incidents at an effective rate. The CPD provided evidence that a sufficient number of supervisors completed the *2022 In-Service Supervisor Training* but based on the data from TRED's reports further training is necessary to encourage front-line supervisors to take on a greater responsibility for identifying issues and training opportunities, and taking corrective action, at the time that a firearm pointing incident occurs. The IMT stresses that front line supervisors are crucial to this reform process. They must hold officers accountable and provide proper supervision, guidance, and correction consistently. In particular, the IMT looks to learn more about the Supervisory Dashboard and how the dashboard is used. We also look forward to monitoring the results of the CPD's ¶636 review of D19-01.

Paragraph 192 Compliance Progress History

FIRST REPORTING PERIOD
SEPTEMBER 1, 2019 – AUGUST 31, 2019

COMPLIANCE PROGRESS:
None

SECOND REPORTING PERIOD
SEPTEMBER 1, 2019 – FEBRUARY 29, 2020

COMPLIANCE PROGRESS:
Preliminary

THIRD REPORTING PERIOD
MARCH 1, 2020 – DECEMBER 31, 2020

COMPLIANCE PROGRESS:
Preliminary

FOURTH REPORTING PERIOD
JANUARY 1, 2021 – JUNE 30, 2021

COMPLIANCE PROGRESS:
Secondary

FIFTH REPORTING PERIOD
JULY 1, 2021 – DECEMBER 31, 2021

COMPLIANCE PROGRESS:
Secondary

SIXTH REPORTING PERIOD
JANUARY 1, 2022 – JUNE 30, 2022

COMPLIANCE PROGRESS:
Secondary

SEVENTH REPORTING PERIOD
JULY 1, 2022 – DECEMBER 31, 2022

COMPLIANCE PROGRESS:
Secondary

EIGHTH REPORTING PERIOD
JANUARY 1, 2023 – JUNE 30, 2023

COMPLIANCE PROGRESS:
Secondary

Use of Force: ¶193

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (SECOND REPORTING PERIOD)*

Secondary: *Under Assessment*

Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD maintained Preliminary compliance with ¶193.

To assess Preliminary compliance, the IMT reviewed the CPD’s Use of Force policies to ensure they address the requirements specified in ¶193.

To assess Secondary compliance, we reviewed the CPD’s training regarding its fire-arm pointing incident policy and procedures for TRED and determined whether a sufficient number of officers have completed the training.

To assess Full compliance, the IMT evaluated whether the CPD has sufficiently implemented its policy and training, including a review of TRED quarterly and year-end reports and data on TRED staffing levels and expertise to assess the capacities and capabilities of the TRED. The IMT also monitors TRED training and whether the TRED’s firearm pointing review unit has sufficient personnel to address their workload and consistently meet the 30-day review deadline. The IMT also reviewed a sample of pointing incidents to determine whether policy has been complied with and accurately categorized.

The City and the CPD have maintained Preliminary compliance with ¶193 since reaching it in the second reporting period. The City and the CPD achieved Secondary compliance in the third reporting period and maintained it through the fifth reporting period before losing it in the sixth reporting period due to staff shortages.

In the fourth reporting period, TRED continued to demonstrate its commitment to ensuring its staff have sufficient knowledge and expertise through continued in-service training. With respect to Full compliance, we noted during our site visit in the fourth reporting period that TRED was understaffed by at least 13 officers.

In the fifth reporting period, the CPD indicated its intent to expand the responsibilities of TRED to include search warrants and committed to allowing the IMT to

review the changes and criteria for staffing the unit in light of the added responsibilities. We noted then that TRED was understaffed even for its current scope of responsibilities and had been missing its 30-day firearm pointing incident review deadline and accumulating a backlog for its review of TRRs.

During the seventh reporting period, TRED staff received 44 hours of training to perform their responsibilities over and above the 40 hours of annual in-service training that all officers receive (28 hours in Q1 and 16 hours in Q2 of 2022).¹⁰⁵ In the eighth reporting period, TRED personnel completed 40 hours of training as noted in the 2022 year-end report. TRED's training included topics, such as use of force, Taser, control tactics, tactical room entry, Fourth Amendment, vehicle stops and occupant control, foot pursuits, crisis intervention, and VirTra simulator training. It was also noted that new firearm pointing investigators received 7-10 hours of training and shadowed veteran officers for six hours.

The IMT continues to appreciate TRED's efforts to review all firearm pointing incidents, including those not associated with an arrest or ISR. Because of how frequently they occur (508, or 17% of the total number of FPIRs in 2021), this review is critical to the credibility of the CPD's analysis of firearm pointing overall. TRED continues to provide the CPD with an extremely valuable service, and given sufficient resources, could do even more.

In this reporting period, TRED began to review all foot pursuits and will soon begin reviewing search warrants. Even as the CPD continues to increase TRED's responsibilities, the CPD is failing to provide TRED with sufficient officers and supervisors to shoulder its existing workload. The CPD's continued practice of deploying TRED staff compounds this problem.

TRED's staffing levels continued to decline in the seventh reporting period; TRED maintained one lieutenant and six sergeants but went from 36 officers in the sixth reporting period to 34 by the second quarter of 2022.¹⁰⁶ By December 15, 2022, TRED had only 32 officers but had gained a commander and a sergeant. During that time, TRED was initially budgeted for 48 officers, which was reduced to 46 officers by October 20, 2022. More than a year after selecting five officers for assignment to TRED, TRED was still waiting for CPD leadership to permit the assignment of the officers.

As we noted in the fifth reporting period, TRED was using voluntary overtime to avoid a significant backlog. TRED's backlog began increasing at an accelerating

¹⁰⁵ TRED's 2022 Q1 Report, CHICAGO POLICE DEPARTMENT (August 16, 2022) at 1, <https://home.chicagopolice.org/wp-content/uploads/Q1-2022-16Aug22-FINAL.pdf>; TRED's 2022 Q2 Report, CHICAGO POLICE DEPARTMENT (November 22, 2022) at 1, <https://home.chicagopolice.org/wp-content/uploads/Q2-2022-22Nov22.pdf>.

¹⁰⁶ TRED's 2022 Q2 Report at 1.

pace during the sixth reporting period. CPD's practice of deploying TRED personnel would continue to disrupt TRED's operations, in part because overworked staff would be less likely to take on voluntary overtime. By the end of the sixth reporting period, TRED was no longer meeting its 30-day deadline for firearm pointing incident reviews, and its backlog continued to grow in the seventh reporting period.

We were told that the Superintendent gave verbal approval to stop "normal" deployments of TRED personnel in the fall of 2022, but we were also told that TRED could continue to be deployed as needed for big events (such as the Chicago marathon or for New Year's Eve).

In addition to the strain that deployments place on TRED's ability to meet its workload, deploying members of TRED to meet patrol needs risks undercutting TRED's credibility if it must review its own personnel's uses of force. We have repeatedly raised this serious concern with CPD leadership.

Because of the severity of TRED's lack of resources—and in spite of TRED's best efforts—we find that although TRED continues to train its staff, TRED no longer has enough trained staff to perform its duties. Therefore, the City and the CPD have not regained Secondary compliance in the seventh reporting period.

On monthly meetings, CPD routinely updated the IMT on the number of officers assigned to TRED and the status of their case backlog. The CPD also updated the IMT on efforts to hire 20 retired officers to help with the case backlog and perform investigator functions in the unit. In this reporting period, TRED also received 20 officers who were detailed to the unit for 90 days and had their detail extended.

The CPD is to be applauded for its efforts to increase officers in the TRED unit. At this time, however, TRED is seeing an increase in workload in two areas. Recent 2023 statistics indicate an average monthly increase of approximately 100 FPIs a month since 2021. TRED has also begun to review all foot pursuits and all officers engaged in those pursuits rather than only those with TRRs. The latest data TRED provided on June 16, 2023, shows a backlog of 2,296 IDRs. The CPD needs sufficient personnel to handle the required 30-day turnaround; an accurate assessment of workload and the number of officers required to handle such a workload needs to be done.

In conclusion, because the CPD has not sufficiently staffed TRED—even according to its budgeted positions—and the CPD continues to deploy TRED personnel, the City and the CPD are failing to provide TRED with sufficient resources to fulfill all of TRED's duties under the Consent Decree. On top of that, TRED is in the process of taking on additional responsibilities for the CPD. The professionalism and expertise of TRED personnel, along with the extensive training that they receive, simply cannot make up for the fact that TRED requires additional personnel in order to

meet its 30-day deadline for firearm pointing incident reviews and to take on its new duties.

Paragraph 193 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Preliminary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Secondary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

Use of Force: ¶194

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	<i>In Compliance</i> (THIRD REPORTING PERIOD)
Secondary:	<i>In Compliance</i> (FOURTH REPORTING PERIOD)
Full:	<i>In Compliance</i> (SEVENTH REPORTING PERIOD)
Sustainment Period Ends	<i>December 31, 2024</i>

In the eighth reporting period, the City and the CPD maintained Full compliance with ¶194.

To assess Preliminary compliance, the IMT reviewed the CPD’s *Use of Force* policies to ensure they address the requirements specified in ¶194.

To assess Secondary compliance, we reviewed the CPD’s training regarding its firearm pointing incident policy and procedures for TRED and determined whether a sufficient number of officers have completed the training.

To assess Full compliance, the IMT evaluated whether the CPD has sufficiently implemented its policy and training, including whether notifications that are not required are tracked and if ¶194’s exemptions to the general firearm pointing reporting requirements result in complaints or other issues. As we continue to monitor Full compliance, sources of information may include OEMC data, TRED reports, and news reports.

The City and the CPD have maintained Preliminary compliance with ¶194 since reaching it in the third reporting period. In the fourth reporting period, the City and the CPD achieved Secondary compliance with ¶194 via the CPD’s 2020 *Use of Force* in-service training.

In the fifth reporting period, the CPD’s TRED provided a letter to the IMT dated December 16, 2021, that stated that TRED “found no Firearm Pointing Incidents that were erroneously reported by Department Members assigned to SWAT team member assigned to a SWAT incident as defined in Department Special Order: S05-05-Special Weapons and Tactics (SWAT) Incidents.” TRED did not separately address whether any such exempted notifications were made by an officer assigned to a federal task force during the execution of federal task force duties.

The CPD indicated that beginning in 2022, TRED would begin documenting whether any exempted firearm pointing notifications occur in its quarterly reports.

In our fifth semi-annual report, the IMT recommended that the CPD consider whether to continue to exempt SWAT from its general firearm pointing reporting requirements.

TRED's *2021 Year-End Report* indicates that there was one instance in 2021 in which a SWAT team member reported an FPI during a SWAT incident despite the exception to the notification requirement.¹⁰⁷ The report also indicates that there were no instances of a member assigned to a federal task force reporting an FPI.

TRED's reports from the first and second quarters of 2022 do not state whether any exempted firearm pointing notifications occurred.

During the seventh reporting period, the CPD indicated that it is in the process of reviewing D19-01, *Firearm Pointing Incidents*; ¶636 requires the CPD to review each policy periodically (typically every two years) to "evaluate whether the policy provides effective guidance and direction to CPD members and is consistent with the requirements of this Agreement and current law."

The CPD also responded to record requests from the IMT regarding how many exempted firearm pointing notifications had occurred since the start of the Consent Decree. According to the CPD, since the effective date of D19-01 (November 1, 2019), there has been only one instance in which a SWAT team member erroneously reported an FPI through April 21, 2022, and there have been no instances of a member assigned to a federal task force reporting an FPI through April 21, 2021.

In the eighth reporting period, TRED reported 3,584 instances of firearm pointing and three incidents of misreporting. TRED's *2022 Year-End Report* identified three firearm pointing incidents that were mistakenly reported. These errors consisted of one pointing at an animal, one pointing that was a Taser, and one was announcing an incorrect beat. In 2022, there were no instances of a firearm pointing from a CPD federal taskforce member. The CPD is aware of the circumstances that require a firearm pointing and misreporting is minimal.

The City and the CPD maintained Full compliance with ¶194 in the eighth reporting period.

The IMT will continue to monitor information about whether exempted notifications are occurring in future reporting periods. In addition, the IMT will explore

¹⁰⁷ TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 78, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

further whether the exemptions will remain viable in light of the expansion of TRED’s role to cover review of search warrants.

Paragraph 194 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Full	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Full	

Use of Force: ¶195

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	<i>In Compliance</i> (THIRD REPORTING PERIOD)
Secondary:	<i>In Compliance</i> (FOURTH REPORTING PERIOD)
Full:	<i>In Compliance</i> (SIXTH REPORTING PERIOD)
Sustainment Period Ends	<i>June 30, 2024</i>

In the eighth reporting period, the City and the CPD maintained Full compliance with ¶195.

To assess Preliminary compliance, the IMT reviewed the CPD’s *Use of Force* policies—particularly Department Order D19-01, *Firearm Pointing Incidents*, effective November 1, 2019—to ensure they address the requirements specified in ¶195.

To assess Secondary compliance, we reviewed the CPD’s training regarding its firearm pointing incident policy and procedures for TRED and determined whether a sufficient number of officers have completed the training.

To assess Full compliance, the IMT evaluated whether the CPD has sufficiently implemented its policy and training, including whether notifications that are not required are tracked and if ¶195’s exemptions to the general firearm pointing reporting requirements result in complaints or other issues.

The City and the CPD have maintained Preliminary compliance with ¶195 since reaching it in the third reporting period. In the fourth reporting period, the City and the CPD achieved Secondary compliance with ¶195 via the CPD’s 2020 Use of Force in-service training.

In the fifth reporting period, the CPD indicated that beginning in 2022, TRED would begin documenting in its quarterly reports whether any “erroneous” firearm pointing notifications occur.

During the sixth reporting period, the IMT reviewed TRED’s quarterly and annual reports. TRED’s *2021 Year-End Report* indicates that officers reported 3,005 individual firearm pointing incidents (FPIs) in 2021.¹⁰⁸ TRED reviewed 2,751 of

¹⁰⁸ TRED’s *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 70, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

those.¹⁰⁹ TRED made no recommendations for training in connection with 1881 (68%) of those reports and made a recommendation for training in connection with 865 (31%).¹¹⁰ Another five reports were referred to COPA. TRED also made three referrals to the district or unit of occurrence for corrective and/or disciplinary action because an officer “was observed in a related TRR or FPIR pointing their firearm at a person and there was no notification to OEMC of a FPI by that member.”¹¹¹

In comparison, in 2021, there were five instances where an officer reported a firearm pointing incident when TRED only observed the firearm in a low-ready position.¹¹² In addition, there were three instances where an officer reported an FPI after pointing a Taser at a person.

During the seventh reporting period, the CPD also responded to a record request from the IMT regarding how times an officer made a firearm pointing notification when they were at the low-ready position since the start of the Consent Decree. According to the CPD, between November 1, 2019 (the effective date of D19-01) and April 21, 2021, there were only five instances such instances.

We appreciate that TRED began publicly reporting the number of “erroneous” firearm pointing incident reports in its *2021 Year-End Report* but note that TRED’s reports from the first and second quarters of 2022 do not state whether any exempted firearm pointing notifications occurred. Nevertheless, the infrequency with which such reports occur—coupled with TRED’s ability to address such incidents—demonstrates that officers and supervisors are well aware that CPD’s firearm pointing policy does not require a notification to OEMC of a mere “unholstering or display of a firearm or having a firearm in a ‘low ready’ position,” ¶195. Therefore, we found that City and the CPD met Full compliance with ¶195 in the sixth reporting period and maintained it in the seventh reporting period.

In the eighth reporting period, TRED reported 3,584 instances of firearm pointing and three incidents of misreporting. TRED’s *2022 Year-End Report* identified three firearm pointing incidents that were mistakenly reported. These errors consisted of one pointing at an animal, one pointing that was a Taser, and one was announcing an incorrect beat. In 2022, there were no instances of a firearm pointing from a CPD federal taskforce member. The CPD is aware of the circumstances that require a firearm pointing and misreporting is minimal.

¹⁰⁹ *Id.* at 85. Elsewhere, the report states that TRED reviewed 2,748 FPI reports. *See id.* at 70.

¹¹⁰ *Id.* at 85.

¹¹¹ *Id.* at 70.

¹¹² *Id.* at 78.

With respect to ongoing training on firearm pointing reporting, in the sixth reporting period, the IMT reviewed and provided a no-objection notice for training materials for the CPD’s *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training, and observed a session of that training. The CPD did not provide attendance records for the *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training by the end of the seventh reporting period.

The City and the CPD maintained Full compliance with ¶195 in the eighth reporting period.

The IMT will continue to review information in TRED’s reports about whether notifications are occurring that are not required by ¶195.

Paragraph 195 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Full
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Full	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Full	

Use of Force: ¶196

196. *The City will ensure that all documentation and recordation of investigatory stop or arrest occurrences in which a CPD member points a firearm at a person, including OEMC data, is maintained in a manner that allows the Monitor, CPD, and OAG to review and analyze such occurrences. Beginning January 1, 2020, the Monitor will analyze these occurrences on an annual basis to assess whether changes to CPD policy, training, practice, or supervision are necessary, and to recommend any changes to the process of documenting, reviewing, and analyzing these occurrences. CPD will either adopt the Monitor’s recommendations or respond in writing within 30 days. Any dispute regarding the whether the Monitor’s recommendations should be implemented will be resolved by the Court.*

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Recurring Schedule: Ongoing **Met** **Missed**

Preliminary: *In Compliance* (SECOND REPORTING PERIOD)

Secondary: *In Compliance* (THIRD REPORTING PERIOD)

Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶196.

Paragraph 196—along with a few other paragraphs in the Consent Decree—is written to highlight the IMT’s actions or reviews but ultimately relates to City responsibilities.

To assess Preliminary compliance, the IMT reviewed the CPD’s *Use of Force* policies—particularly Department Order D19-01, *Firearm Pointing Incidents*, effective November 1, 2019—to ensure they address the requirements specified in ¶196.

To assess Secondary compliance, we reviewed the CPD’s training regarding its firearm pointing incident policy and procedures for TRED and determined whether a sufficient number of officers have completed the training.

To assess Full compliance, the IMT evaluated whether the CPD has sufficiently implemented its policy and training, including following practices for maintaining and reviewing documentation, recordation, and data regarding firearm pointing incidents. We also evaluated whether the CPD produces data that allows the IMT to identify patterns and trends at the district, shift, and beat level in a timely fashion

for all current pointing incidents (including those not associated with an ISR or arrest report) and how the CPD responds to recommendations regarding trends and patterns.

The City and the CPD have maintained Preliminary and Secondary compliance with ¶196 since reaching those levels in the second and third reporting periods, respectively.

In the fourth reporting period, the IMT noted our longstanding recommendation for the CPD to review all firearm pointing incidents, including those that did not have an associated ISR or arrest report. We also discussed our recommended revisions to the dashboards to include detailed data at the beat level, allowing for identification of geographic areas with high levels of firearm pointing incidents. We explained that capturing and analyzing data at the beat level will enable the CPD to identify patterns and trends that may be rectified through, for example, training or increased supervisor engagement. We also noted that the CPD was planning to conduct an audit to assess the effectiveness of debriefings.

During the fifth reporting period, TRED began reviewing all FPIRs, including FPIRs that did not have an ISR or arrest report associated with the incident, which had been a longstanding IMT recommendation. We appreciate the effort. We noted, however, that TRED required additional personnel in order to meet its 30-day deadline for firearm pointing incident reviews.

We also noted that we looked forward to reviewing the CPD's ongoing efforts to address our recommendations, including the CPD's plan to introduce a Supervisory Dashboard to enable and encourage field supervisors to take on a greater responsibility for identifying issues and training opportunities, and taking corrective action, at the time that a firearm pointing incident occurs.

During the fifth reporting period, TRED started to report how often supervisors indicated that they recognized a training opportunity and took corrective action at the time an incident occurs. TRED's *2021 Q4 Report* reported that there were zero instances of supervisors indicating that they recognized a training opportunity and took corrective action at the time an incident occurred (compared to eight and four in Q2 and Q3, respectively). In contrast, TRED made 225 recommendations regarding FPIRs in Q4.¹¹³

During the seventh reporting period, in the first quarter of 2022, TRED reviewed 734 FPIRs and made a recommendation for training in connection with 240

¹¹³ TRED's *2021 Q4 Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 21, <https://home.chicagopolice.org/wp-content/uploads/Q4-2021-FRD-Report.pdf>.

(32.7%).¹¹⁴ In contrast, supervisors reported that they recognized a training opportunity and took corrective action at the time the incident occurred in only four instances.¹¹⁵ In the second quarter of 2022, TRED reviewed 962 FPIRs and made a recommendation for training in connection with 280 (29.1%).¹¹⁶ Supervisors did not report a single instance in which they recognized a training opportunity and took corrective action at the time the incident occurred.

During the seventh reporting period, the IMT learned through interviews with supervisors that they do not understand their duties to include reviewing body-worn camera footage of firearm pointing incidents.

During the sixth and seventh reporting periods, the IMT reviewed TRED's quarterly and year-end reports. TRED's *2021 Year-End Report* indicates that TRED made a recommendation for training in connection with 865 of the 3,005 firearm pointing incident reports made in 2021 (31%) and made no recommendations for training in connection with 1881 (68%).¹¹⁷

As in prior reporting periods, the majority of TRED's training recommendations in the seventh reporting period for firearm pointing incidents were for body-worn camera issues. In the first quarter of 2022, of the 269 training recommendations TRED made in connection with the 240 FPIRs, 236 (87.7%) were for improper body-worn camera usage.¹¹⁸ In the second quarter of 2022, of the 309 training recommendations TRED made in connection with the 280 FPIRs, 277 (89.6%) were for improper body-worn camera usage.¹¹⁹ In its *2021 Q4 Report*, TRED stated that it requested and was granted access to re-enroll officers in a *Body Worn Camera E-Learning* module, which it intended to begin implementing during the second quarter of 2022. We look forward to learning more about this promising development. The IMT also observed refresher training for supervisors during the sixth reporting period that emphasized the need for front-line supervisors to identify, address, and document body-worn camera issues, but TRED's statistics suggest that more can and should be done.

In the eighth reporting period, CPD's firearm pointing dashboard indicates that there have been 12,057 firearm pointing incidents as of May 31, 2023. During this time period, 11 (0.1%) cases have been referred to COPA and TRED has made 2,607 training recommendations. Furthermore, TRED's *2022 Year-End Report* shows that

¹¹⁴ TRED's *2022 Q1 Report*, CHICAGO POLICE DEPARTMENT (August 16, 2022) at 18, <https://home.chicagopolice.org/wp-content/uploads/Q1-2022-16Aug22-FINAL.pdf>.

¹¹⁵ *Id.* at 21.

¹¹⁶ TRED's *2022 Q2 Report*, CHICAGO POLICE DEPARTMENT (November 22, 2022) at 19, <https://home.chicagopolice.org/wp-content/uploads/Q2-2022-22Nov22.pdf>.

¹¹⁷ TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 85, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

¹¹⁸ TRED's *2022 Q1 Report* at 18.

¹¹⁹ TRED's *2022 Q2 Report* at 19.

there were 3,584 FPIRs that originated from 2,925 incidents last year. This is higher than 2021 when there were 3,005 firearm pointing from 2,562 cases¹²⁰. TRED indicates that there was a 19% increase from 2021 to 2022, and the trend continues in 2023. The CPD has seen an increase in firearm pointing incidents in the first half of 2023 (2,048 incidents) compared to 2022 (1,355 incidents) – averaging 341.3 incidents a month.

In the seventh reporting period, TRED added a debriefing point to the TRR-R for supervisors who did not address a body-worn camera deficiency at the time of occurrence.¹²¹ Although the new debriefing point is currently available only for use-of-force incidents—not firearm pointing incidents—we hope the new debriefing point encourages supervisors to immediately correct body-worn camera issues.

The IMT continues to appreciate the CPD’s efforts to begin reviewing all firearm pointing incidents, including those not associated with an arrest or ISR. Because of how frequently they occur (508, or 17% of the total number of FPIRs in 2021), this review is critical to the credibility of the CPD’s analysis of firearm pointing overall. In 2021, TRED referred 31 firearm pointing incidents that were not associated with an arrest or ISR (6%) to the Fourth Amendment Stop Review Unit for a final determination as to whether “there was a reporting deficiency.”¹²² TRED referred 10 (9%) and 20 (17%) firearm pointing incidents that were not associated with an arrest or ISR to the Fourth Amendment Stop Review Unit in the first and second quarters of 2022, respectively.¹²³

The CPD demonstrated its TRR Supervisory Dashboard for the IMT during the sixth reporting period. According to TRED’s *2021 Year-End Report*, “The information included in this dashboard should allow for Department supervisors to correct the action of individual members and also recommend specific training for their districts/units based on documented need.”¹²⁴ To that end, the IMT hopes that the dashboard will be expanded in the future to include firearm pointing incidents. TRED’s *2021 Year-End Report* contains extensive FPI data—about beat and unit, weapons recovered, the nature of the initial incident, foot pursuits, and FPIs reported in error, for example—that could be useful to supervisors in real time.

During the seventh reporting period, the CPD indicated that it is in the process of reviewing D19-01; ¶636 requires the CPD to review each policy periodically (typically every two years) to “evaluate whether the policy provides effective guidance

¹²⁰ TRED 2022 Year-End Report, p. 69.

¹²¹ *Id.* at 24.

¹²² *Id.* at 80.

¹²³ TRED’s *2022 Q1 Report* at 18 and 20 and TRED’s *2022 Q2 Report* at 19 and 21.

¹²⁴ TRED’s *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 95, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

and direction to CPD members and is consistent with the requirements of this Agreement and current law.” The CPD should consider revising D19-01 to address the issues identified in TRED’s data. As described above, ongoing issues with body-worn camera usage and potential failures to report investigative stops suggest the need for more effective supervision of pointing incidents.

The City and the CPD maintained Preliminary and Secondary compliance with ¶196 in the eighth reporting period. The IMT will continue to monitor TRED’s review of firearm pointing incidents that are not associated with arrest reports or ISRs, as well as TRED’s continued identification of patterns and trends associated with those and all firearm pointing incidents. We also look forward to learning more about how the Supervisory Dashboard is used, and whether it can be expanded to include FPI data.

TRED has done an admirable job in identifying and analyzing the circumstances of firearm pointing incidents with 22-type incidents, as well as the reasons for training recommendations. As has been noted in prior reporting periods, the IMT is pleased with TRED’s overview analysis of FPIs citywide, but we remain concerned on patterns and trends at the district, unit, and officer level. In the three and a half years since the policy was issued, the IMT is unaware of any pattern identifications of patterns and trends in the abovementioned levels, other than what has been used as steps towards corrective action. However, the newly adopted Incident Debrief report (IDR) now gives the CPD the ability to identify individual officers rather than being constrained by beat numbers.

Going forward, the City and the CPD should continue to encourage and support front-line supervisors’ efforts to identify, address, and document issues with FPIs. Currently, district supervisors are notified the results of TRED’s review of FPIs. The CPD provided attendance records for its *2022 In-Service Supervisor Training*, showing that 97.55% of participants completed the course by December 5, 2022. Based on the data from TRED’s reports, however, further training is necessary to encourage front-line supervisors to take on a greater responsibility for identifying issues and training opportunities, and taking corrective action, at the time that a firearm pointing incident occurs. For instance, we have asked the CPD for evidence that firearm pointing incidents are covered in its pre-service training for supervisors.

Paragraph 196 requires the analysis of “these occurrences on an annual basis to assess whether changes to CPD policy, training, practice or supervision are necessary, and to recommend any changes to the process of documenting, reviewing and analyzing these occurrences.” Thus, the IMT makes the following recommendations:

1. Front-line supervisors need to be more involved. They must be responsible for viewing body-worn camera footage of all FPIs before the end of their tour of duty and take necessary supervisory action when required. The IMT notes that

D19-01, *Firearm Pointing Incidents*, is reviewed every two years and is scheduled for review this year.

2. Expand the Supervisory TRR Dashboard to include all FPIs. The IMT recognizes that TRRs document levels of force. While firearm pointing incidents are considered seizures, providing supervisors a single repository for this information is critical for accountability. The new IDR allows this information to be readily accessible.
3. Firearm pointing incidents are extremely stressful events on department members. Officers being placed in situations where firearm pointings occur with some degree of regularity is concerning for officer wellness. The CPD needs to monitor instances of firearm pointing and provide necessary support and training where warranted.

TRED’s 2022 Year-End report points out that a weapon was recovered in 37% (1,092) of pointing incidents. This is a slight decrease from 2021 when 40% (1,038) of pointing incidents resulted in a seized weapon.

The City and the CPD will maintain Secondary compliance, but we strongly encourage them to consider the above recommendations to maintain compliance in the next reporting period. The CPD must also ensure greater accountability and analysis capabilities at the district and unit levels.

Paragraph 196 Compliance Progress History

<p>FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable</p>	<p>SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Preliminary</p>	<p>THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Secondary</p>
<p>FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary</p>	<p>FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary</p>	<p>SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary</p>
<p>SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary</p>	<p>EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary</p>	

Use of Force: ¶197

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (THIRD REPORTING PERIOD)*
Secondary: *In Compliance (FOURTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with and remained under assessment for Full compliance with ¶197.

To assess Preliminary compliance with ¶197, the IMT reviewed the CPD’s policies that reflect the requirements of the Consent Decree, including Uniform and Property U04-02-02, *Control Devices and Instruments*, General Order G03-02-04, *Taser Use Incidents*, and Special Order S11-03-01, *Annual Prescribed Weapon Qualification Program and Taser Recertification*.

During the sixth reporting period, the CPD continued to meet with the Coalition to revise G03-02-04, its *Taser Use Incidents* policy. On the final day of the reporting period, the CPD provided the IMT with a revised version of G03-02-04 reflecting revisions that the CPD made as a result of its discussions with the Coalition.

In the sixth reporting period, the CPD provided records to show that more than 95% of officers received the two-day *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training, with 96.71% of participants completing the *Communications* eight-hour course and 96.86% completing the *Procedures* eight-hour course.¹²⁵ In addition, the IMT reviewed and provided a no-objection notice for training materials for the CPD’s *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training, and observed a session of that training. The CPD did not provide attendance records for the *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training by the end of the seventh reporting period.

During the seventh reporting period, the CPD indicated that it is in the process of reviewing U04-02-02; ¶636 requires the CPD to review each policy periodically (typically every two years) to “evaluate whether the policy provides effective guidance and direction to CPD members and is consistent with the requirements of this Agreement and current law.”

¹²⁵ Because of the COVID-19 extension, the CPD had until March 5, 2022, to complete the delivery of its 2021 in-service training.

In this reporting period, the CPD produced documentation showing that as of January 23, 2023, 10,163 (95.28%) officers were certified to use Tasers out of 10,667 CPD officers. In June, the IMT questioned whether the CPD had documentation to show officers who are not Taser-certified, and if they are not certified, whether they are indeed not carrying Tasers.

As in previous reporting periods, the IMT continues to seek a data source with which to clearly assess the CPD’s Full compliance. The data base should include all officers who are certified Taser users, the date of their certification, length of their certification, and requirements of their certification, searchable by reporting period. Data on officers who are not certified users will similarly prove useful to IMT review. We also plan to review TRED records and TRRs regarding Taser use to cross check against the list of certified officers. We look forward to the CPD’s continued progress on the requirements of ¶197.

Paragraph 197 Compliance Progress History

<p>FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable</p>	<p>SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None</p>	<p>THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary</p>
<p>FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary</p>	<p>FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary</p>	<p>SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary</p>
<p>SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary</p>	<p>EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary</p>	

Use of Force: ¶198

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (NEW)*
Secondary: *Under Assessment (NEW)*
Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD regained Preliminary compliance and is under assessment for Secondary compliance with ¶198.

To evaluate Preliminary compliance with ¶198, we continued to focus our review on whether the City and the CPD received the requisite community input for General Order G03-02-04, *Taser Use Incidents*.

On the final day of the sixth reporting period, the CPD provided the IMT with a revised version of G03-02-04 reflecting revisions that the CPD made as a result of its discussions with the Coalition (see ¶1669). We stated in our report on the sixth reporting period that in order to maintain Preliminary compliance in the seventh reporting period, we expected the CPD to issue and make effective the changes agreed upon with the Coalition to G03-02-04.

During the seventh reporting period, the IMT and the OAG provided comments on the revised version during the seventh reporting period, but the CPD did not provide a further-revised version of G03-02-04, much less issue and make effective the revised policy.

In this reporting period, the CPD provided a revised version of G03-02-04. The CPD then issued and made effective this policy on June 28, 2023, regaining preliminary compliance.

With regard to Secondary compliance, we stated in our report on the sixth reporting period that in order to maintain Secondary compliance, the CPD needed to provide training on the revisions it agreed to with the Coalition that go beyond ¶198's requirements. The CPD did not do so in the seventh reporting period. On

December 15, 2022, the CPD produced to the IMT and OAG its *2023 Policy Updates Use of Force* training. Once the review process is complete, CPD intends the training to be a part of the 2023 40-hour in-service training program, and it was developed to inform staff of upcoming changes to the G03-02, *De-Escalation, Response to Resistance, and Use of Force* policy suite, including anticipated changes to G03-02-04. To gain secondary compliance, the CPD is required to train on the Taser policy changes that are in the 2023 in-service training.

As we noted in previous reporting periods, according to the CPD’s Use of Force Dashboard, Taser usage has seen a significant reduction in recent years.

Use of Force Appendix Figure 4.
 Data from CPD’s Use of Force Dashboard re: Taser Use¹²⁶

YEAR	REPORTED TASER INCIDENTS
2016	484
2017	391
2018	218
2019	224
2020	161
2021	115
2022	97
2023	51 ¹²⁷

TRED’s 2022 year-end report notes that there were 98 Taser discharge incidents, and 54 of those incidents received a training recommendation. Despite the reduction of Taser usage, the IMT continues to underscore the importance of training and reporting on uses of force regarding Tasers.

The IMT will continue to monitor training and data regarding Taser use in the next reporting period.

¹²⁶ The IMT’s review of TRR data reported by CPD revealed minor data discrepancies between CPD’s Public Use of Force Dashboard and TRED reports. For the purposes of this report, we are reporting data from the dashboard. The IMT plans to further examine and discuss these discrepancies with the CPD in the next reporting period.

¹²⁷ Number of Taser incidents reported from CPD Use of Force Dashboard, June 30, 2023.

Paragraph 198 Compliance Progress History

FIRST REPORTING PERIOD
SEPTEMBER 1, 2019 – AUGUST 31, 2019

COMPLIANCE PROGRESS:
Not Applicable

SECOND REPORTING PERIOD
SEPTEMBER 1, 2019 – FEBRUARY 29, 2020

COMPLIANCE PROGRESS:
None

THIRD REPORTING PERIOD
MARCH 1, 2020 – DECEMBER 31, 2020

COMPLIANCE PROGRESS:
Under Assessment

FOURTH REPORTING PERIOD
JANUARY 1, 2021 – JUNE 30, 2021

COMPLIANCE PROGRESS:
Under Assessment

FIFTH REPORTING PERIOD
JULY 1, 2021 – DECEMBER 31, 2021

COMPLIANCE PROGRESS:
Under Assessment

SIXTH REPORTING PERIOD
JANUARY 1, 2022 – JUNE 30, 2022

COMPLIANCE PROGRESS:
Secondary

SEVENTH REPORTING PERIOD
JULY 1, 2022 – DECEMBER 31, 2022

COMPLIANCE PROGRESS:
None

EIGHTH REPORTING PERIOD
JANUARY 1, 2023 – JUNE 30, 2023

COMPLIANCE PROGRESS:
Preliminary

Use of Force: ¶199

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (NEW)*
Secondary: *Under Assessment*
Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD regained Preliminary compliance and is under assessment for Secondary compliance with ¶199.

To evaluate Preliminary compliance with ¶199, we continued to focus our review on whether the City and the CPD received the requisite community input for General Order G03-02-04, *Taser Use Incidents*.

On the final day of the sixth reporting period, the CPD provided the IMT with a revised version of G03-02-04 reflecting revisions that the CPD made as a result of its discussions with the Coalition (see ¶1669). We stated in our report on the sixth reporting period that in order to maintain Preliminary compliance in the seventh reporting period, we expected the CPD to issue and make effective the changes agreed upon with the Coalition to G03-02-04.

During the seventh reporting period, the IMT and the OAG provided comments on the revised version during the seventh reporting period, but the CPD did not provide a further-revised version of G03-02-04, much less issue and make effective the revised policy.

In this reporting period, the CPD provided a revised version of G03-02-04. The CPD then issued and made effective this policy on June 28, 2023, regaining preliminary compliance.

With regard to Secondary compliance, we stated in our report on the sixth reporting period that in order to maintain Secondary compliance, the CPD needed to provide training on the revisions it agreed to with the Coalition that go beyond ¶199's requirements. The CPD did not do so in the seventh reporting period.

In the eighth reporting period, the CPD's 2023 In-Service training addressed the policy changes that were previously agreed to with the Coalition and the IMT issued a no-objection to training on this issue. The CPD will achieve secondary compliance upon completion of the 2023 in-service training which addresses the taser policy changes.

We are hopeful that the CPD will achieve Secondary compliance by training on the changes agreed upon with the Coalition to G03-02-04.

Paragraph 199 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: None	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

Use of Force: ¶200

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶200.

To evaluate Preliminary compliance with ¶200—which the City and the CPD achieved in the fourth reporting period—we reviewed General Order G03-02-04, *Taser Use Incidents*. The version of G03-02-04, *Taser Use Incidents*, which is currently in effect has an issue and effective date of June 28, 2023. That version contains the necessary language for Preliminary compliance with ¶200.

With regard to Secondary compliance, in the sixth reporting period, the CPD provided records to indicate that more than 95% of officers received the two-day *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training, with 96.71% of participants completing the *Communications* eight-hour course and 96.86% completing the *Procedures* eight-hour course.¹²⁸ In addition, the IMT reviewed and provided a no-objection notice for training materials for the CPD’s *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training, and observed a session of that training. The CPD did not provide attendance records for the *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training by the end of the reporting period.

We also reviewed TRED’s quarterly and year-end reports and the CPD’s Use of Force Dashboard and note (see data table in ¶198) that Taser use incidents have declined over the last six years, with 97 Taser discharges in 2022.

At the end of the fifth reporting period, we recommended to the CPD that TRED add a debriefing point to the TRR-R to track whether a verbal warning was issued

¹²⁸ Because of the COVID-19 extension, the CPD had until March 5, 2022, to complete the delivery of its 2021 in-service training.

prior to the use of any reportable force (as required by ¶183). We considered this an important step toward Secondary compliance.

By the end of the seventh reporting period, the CPD revised the TRR-R to track whether a verbal warning was issued prior to the use of any reportable force. In this reporting period, the verbal warning debriefing point was also added to the IDR.

In its *2021 Year-End Report*, TRED indicated that there was one debriefing for an officer failing to give a warning prior to Taser use.¹²⁹ TRED’s first and second quarterly reports for 2022 do not indicate whether there were any instances in which officers failed to give a warning prior to Taser use. The *2022 Year-End Report* noted one incident where an officer failed to give sufficient notice prior to deploying a taser; TRED issued a recommendation for the incident. In the past two years, CPD officers have discharged Tasers 195 times and have not provided sufficient warning in only two instances. In the next reporting period, the IMT seeks to review TRRs and body-worn camera video on these incidents.¹³⁰

The CPD maintained Secondary compliance with the requirements of ¶200 in the eighth reporting period. To further assess Full compliance, we look forward to continuing to review data regarding the issuance of verbal warnings.

Paragraph 200 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

¹²⁹ TRED’s *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 60, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

¹³⁰ We look forward to receiving additional compliance evidence but agree in the meantime with the City’s comment that the CPD is under assessment for Full compliance.

Use of Force: ¶201

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (NEW)*
Secondary: *Under Assessment*
Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD achieved Preliminary compliance and is under assessment for Secondary Compliance with ¶201.

To evaluate Preliminary compliance with ¶201, we considered the CPD's changes to their De-Escalation, Response to Resistance, and Use of Force Policy Suite that was issued and made effective on June 28, 2023 (the last day of the reporting period in the eighth reporting period).

We also continued to focus our review on whether the City and the CPD received the requisite community input for General Order G03-02-04, *Taser Use Incidents*.

On the final day of the sixth reporting period, the CPD provided the IMT with a revised version of G03-02-04 reflecting revisions that the CPD made as a result of its discussions with the Coalition (see ¶1669). We stated in our report on the sixth reporting period that in order to maintain Preliminary compliance in the seventh reporting period, we expected the CPD to issue and make effective the changes agreed upon with the Coalition to G03-02-04.

During the seventh reporting period, the IMT and the OAG provided comments on the revised version during the seventh reporting period, but the CPD did not provide a further-revised version of G03-02-04, much less issue and make effective the revised policy.

In this reporting period, the CPD provided the IMT a revised version of G03-02-04. The revised policy addresses the agreed upon changes with the Coalition and has gone into effect.

With regard to Secondary compliance, we stated in our report on the sixth reporting period that in order to maintain Secondary compliance, the CPD needed to provide training on the revisions it agreed to with the Coalition that go beyond ¶201's requirements. Once the CPD completes the 2023 In-Service training, Secondary compliance will be achieved.

We are hopeful that the CPD will regain Secondary compliance by training on the changes agreed upon with the Coalition to G03-02-04.

We recommended in the sixth reporting period that TRED begin reporting on Taser use in schools and on students in its regular reports. TRED's 2022 Q2 Report indicates there were no instances of Taser use in schools.¹³¹ TRED's 2022 Year-End Report makes no mention of instances indicating Taser use in schools. However, on a June 28, 2023, meeting, the Commander of TRED provided documentation that indicated no instances of Taser use in schools for 2022. Currently, there is no data available for 2023.

We look forward to continuing to monitor data, including TRED's reports, on Taser use in schools and on students.

Paragraph 201 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: None	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

¹³¹ TRED's 2022 Q2 Report, CHICAGO POLICE DEPARTMENT (November 22, 2022) at 9, <https://home.chicagopolice.org/wp-content/uploads/Q2-2022-22Nov22.pdf>.

Use of Force: ¶202

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (FIFTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the CPD maintained Preliminary and Secondary compliance with the requirements of ¶202.

To evaluate Preliminary compliance with ¶202, we reviewed the revised General Order G03-02-04, *Taser Use Incidents*, which became effective on June 28, 2023.

Section II.F of G03-02-04 clearly states that officers must “Justify Separate Uses of Force. An initial Taser application and each subsequent application of Taser energy (either re-energizing a discharged cartridge with the ARC switch or discharging a second cartridge) must be individually justified and documented on the Tactical Response Report (TRR) as a separate use of force.”

The Parties and the Coalition (see ¶669) continued to meet and discuss Taser issues throughout the sixth reporting period; we appreciate these community engagement efforts.

In *Independent Monitoring Report 4*, we noted that for Secondary compliance, the CPD would need to demonstrate its ability to identify TRRs with multiple applications. During the fifth reporting period, TRED’s reports indicated a vehicle to assess multiple cycle events.

During the sixth and seventh reporting periods, the IMT reviewed TRED’s quarterly and year-end reports. We also reviewed CPD’s Use of Force Dashboard and note (see data table in ¶198) that Taser use incidents have declined over the last six years, with 115 Taser discharges in 2021 and 97 in 2022.

In 2021, TRED made a training recommendation for 71 (61.2%) of the 116 TRRs involving Taser discharge.¹³² “Taser – Other” was the reason for 24 of the recommendations, and TRED indicated that eleven of those debriefings “were for the involved member incorrectly documenting the number of energy cycles.”¹³³ TRED’s 2021 Q3 report indicated 22 incidents of Taser discharges, 15 of which were a single energy cycle and 7 of which were multiple cycles. Of the 22 incidents, 7 resulted in an enrollment in the Taser Refresher Training course offered by CPD’s Training and Support Group. In contrast, in all 22 instances, the district-level Investigating Supervisor found the officer complied with policy.

In two instances in 2021, the officer did not switch to another force option after the initial three energy cycles were ineffective, and in two more instances, TRED observed the involved member use more than three energy cycles of the Taser device. The investigating supervisor for both of the latter instances found the use of force to be within Department policy. In one instance, the officer did not fully articulate each energy cycle.

CPD’s Taser use incidents continue to decline this reporting period. In May 2023, the CPD responded to the IMT’s requests for multiple Taser discharges. CPD responded that for the 2022 calendar year, there were 40 incidents with multiple Taser deployments, as well as the corresponding police report numbers. The CPD also identified six incidents where the number of energy cycles were incorrectly discharged. The CPD further provided 2023 data for multiple Taser applications. From January 1st to June 28th, 2023, the CPD recorded 13 multiple Taser applications.

With regard to training, during the sixth reporting period, the IMT reviewed and provided a no-objection notice for training materials for the CPD’s *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training, and observed a session of that training. The CPD provided attendance records for the *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training this reporting period, demonstrating that 95.78% of officers attended the in-service training.

By the end of the seventh reporting period, the CPD added the following debriefing points to the TRR-R that relate to ¶202:

- Multiple Applications of Taser - Not Articulated
- Taser - >3 Applications
- Taser - Over 5 Seconds

¹³² The IMT’s review of TRR data reported by CPD revealed minor data discrepancies between CPD’s Public Use of Force Dashboard and TRED reports. The IMT plans to further examine and discuss these discrepancies with the CPD in the next reporting period.

¹³³ *Id.*

The IMT has started to review TRRs that reflect multiple Taser applications to review the narrative justifications for multiple applications. During the seventh reporting period, the CPD responded to our initial request for copies of TRRs by providing a list of such TRRs (a total of 135) dated between March 1, 2019, and December 31, 2021. The IMT updated our request for TRRs on October 17, 2022, seeking all TRRs since January 1, 2022, that involved multiple Taser applications. On May 18, 2023, the CPD responded to our request for TRRs and provided another list of 40 TRRs. Thus far, the IMT reviewed 10 TRRs dated between October 3, 2022, and December 15, 2022, where officers deployed multiple energy cycles with a Taser. In each instance, officers gave justifications for each deployment, and most of the time, the multiple deployments were result of the prongs not making contact.

To continue to maintain Secondary compliance, the CPD must maintain its levels of appropriate training regarding Taser use. For Full compliance, the IMT will review and analyze a random sampling of TRRs involving multiple Taser applications and monitor data obtained from the new TRR-R debriefing points. In addition, given COPA’s role in reviewing Taser use and evaluating the use of excessive force and violations of policy, we expect to review COPA’s data, too; COPA’s Q3 2022 Report indicates that twelve of its pending investigations involve an allegation of “Taser Discharge-Injury or Death.” We look forward to the CPD’s continued progress on this paragraph.

Paragraph 202 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶203

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (FIFTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the CPD maintained Preliminary and Secondary compliance with and remained under assessment for Full compliance with the requirements of ¶203.

To evaluate Preliminary compliance with ¶203, we reviewed on General Order G03-02-04, *Taser Use Incidents*, which became effective on June 28, 2023.

CPD's policy G03-02-04, *Taser Use Incidents*, which became effective on April 15, 2021, and was revised on June 28, 2023, includes the requirements of ¶203. Specifically, Section III.B.7. of G03-02-04 clearly states that "if the subject has been exposed to three, five-second energy cycles (or has been exposed to a cumulative 15 total seconds of energy) and the member has not gained control of the subject, switch to other force options unless the member can reasonably justify that continued Taser use was necessary to ensure the safety of the member or another person," echoing the language and requirements of ¶203. The policy also includes a "NOTE," which states, "Prolonged Taser exposure under certain circumstances may increase the risk of serious injury or death."

The Parties and the Coalition (*see* ¶1669) continued to meet and discuss Taser issues throughout the sixth reporting period; we appreciate these community engagement efforts.

With regard to Secondary compliance, during the sixth period, the IMT reviewed and provided a no-objection notice for training materials for the CPD's *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training, and observed a session of that training. The CPD provided attendance records for the *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training this reporting period, demonstrating that 95.78% of officers attended the in-service training.

During the fifth reporting period, TRED's reports indicated a vehicle to assess multiple cycle events.

During the sixth and seventh reporting period, the IMT reviewed TRED's quarterly and year-end reports. We also reviewed CPD's Use of Force Dashboard and note (see data table in ¶198) that Taser use incidents have declined over the last six years, with 115 Taser discharges in 2021 and 97 in 2022. TRED's *2021 Year-End Report* indicates that 66 of the TRRs (56.9%) involved the discharge of multiple energy cycles.¹³⁴

In 2021, TRED made a training recommendation for 71 (61.2%) of the 116 TRRs involving Taser discharge.¹³⁵ "Taser – Other" was the reason for 24 of the recommendations, and TRED indicated that eleven of those debriefings "were for the involved member incorrectly documenting the number of energy cycles."¹³⁶

In the first two quarters of 2022, 19 (2.7%) and 28 (3.5%) of the TRRs TRED reviewed involved Taser use, respectively.¹³⁷ TRED made a training recommendation for 4 (21.1%) and 5 (17.9%) of those TRRs; in contrast, in all instances, the district-level Investigating Supervisor found the officer complied with policy. Of the 47 TRRs involving Taser use, 10 (21.3%) involved the discharge of multiple energy cycles.

In the eighth reporting period, the IMT reviewed TRED's year-end and CPD's annual use of force reports. TRED's *2022 Year-End Report* indicated two instances of a Taser discharge over five seconds. The CPD further provided 2023 data for multiple Taser applications. From January 1st to June 28th, 2023, TRED indicated that of 38 TRRs, 13 contained instances of multiple Taser energy cycles.

By the end of the seventh reporting period, the CPD added the following debriefing points to the TRR-R that relate to ¶202:

- Multiple Applications of Taser - Not Articulated
- Taser - >3 Applications
- Taser - Over 5 Seconds

¹³⁴ TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 60, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

¹³⁵ The IMT's review of TRR data reported by CPD revealed minor data discrepancies between CPD's Public Use of Force Dashboard and TRED reports. The IMT plans to further examine and discuss these discrepancies with the CPD in the next reporting period.

¹³⁶ *Id.*

¹³⁷ TRED's *2022 Q1 Report*, CHICAGO POLICE DEPARTMENT (August 16, 2022) at 9, <https://home.chicagopolice.org/wp-content/uploads/Q1-2022-16Aug22-FINAL.pdf>; TRED's *2022 Q2 Report*, CHICAGO POLICE DEPARTMENT (November 22, 2022) at 9, <https://home.chicagopolice.org/wp-content/uploads/Q2-2022-22Nov22.pdf>.

The IMT has started to review TRRs that reflect multiple Taser applications in order to review the narrative justifications for multiple applications. During the seventh reporting period, the CPD responded to our initial request for copies of TRRs by providing a list of such TRRs (a total of 135) dated between March 1, 2019, and December 31, 2021. The IMT updated our request for TRRs on October 17, 2022, seeking all TRRs since January 1, 2022, that involved multiple Taser applications. On May 18, 2023, the CPD responded to our request for TRRs and provided another list of 40 TRRs. Thus far, the IMT reviewed 10 TRRs dated between October 3, 2022, and December 15, 2022, where officers deployed multiple energy cycles with a Taser. In each instance, officers gave justifications for each deployment, and most of the time, the multiple deployments were result of the prongs not making contact.

For Full compliance, the IMT will review and analyze a sampling of TRRs involving multiple Taser applications and monitor data obtained from the new TRR-R debriefing points. Furthermore, the IMT will need to assess whether the CPD has information identifying Taser discharges with more than three arc cycles. We look forward to the CPD’s continued progress on this paragraph.

Paragraph 203 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶204

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (NEW)*
Secondary: *Under Assessment*
Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD regained Preliminary compliance with ¶204.

To evaluate Preliminary compliance with ¶204, we continued to focus our review on whether the City and the CPD received the requisite community input for General Order G03-02-04, *Taser Use Incidents*. On the final day of the sixth reporting period, the CPD provided the IMT with a revised version of G03-02-04 reflecting revisions that the CPD made as a result of its discussions with the Coalition (see ¶1669). We stated in our report on the sixth reporting period that in order to maintain Preliminary compliance in the seventh reporting period, we expected the CPD to issue and make effective the changes agreed upon with the Coalition to G03-02-04.

During the seventh reporting period, the IMT and the OAG provided comments on the revised version, but the CPD did not provide a further-revised version of G03-02-04, much less issue and make effective the revised policy.

In this reporting period, the CPD provided a revised policy on March 30, 2023, to which the IMT sent a no-objection. Before the end of the reporting period, the revised G03-02-04 went into effect on June 28, 2023, regaining preliminary compliance.

With regard to Secondary compliance, we stated in our report on the sixth reporting period that in order to maintain Secondary compliance, the CPD needed to provide training on the revisions it agreed to with the Coalition that go beyond ¶204’s requirements.

In the eighth reporting period, the CPD’s 2023 In-Service training addressed the policy changes that were previously agreed to with the Coalition and the IMT issued a no-objection to training on this issue. The CPD will achieve secondary compliance upon completion of the 2023 in-service training which addresses the taser policy changes.

Going forward, our assessment of ¶204 for Full compliance will involve review of COPA’s cases involving Taser use, among other data.

Paragraph 204 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: None	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

Use of Force: ¶205

205. CPD officers must request medical aid for a person subjected to a Taser application. CPD officers must place any person subjected to a Taser application in a position that does not impair respiration, as soon as it is safe and feasible to do so. CPD officers must render life-saving aid to injured persons consistent with their training until medical professionals arrive on scene. Only trained medical personnel may remove Taser probes from a subject.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (NEW)*
Secondary: *In Compliance (NEW)*
Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD regained Preliminary and Secondary compliance with ¶205.

To evaluate Preliminary compliance with ¶205, we continued to focus our review on whether the City and the CPD received the requisite community input for General Order G03-02-04, *Taser Use Incidents*. On the final day of the sixth reporting period, the CPD provided the IMT with a revised version of G03-02-04 reflecting revisions that the CPD made as a result of its discussions with the Coalition (see ¶1669). The revised policy became effective June 28, 2023.

We note that Section V.B of the current version of the CPD's primary use of force policy, G03-02, *De-Escalation, Response to Resistance, and Use of Force*, states that Department members *will* render life-saving medical aid:

[A]s soon as it is safe and feasible to do so, members will provide life saving aid consistent with their Department training, including the Law Enforcement Medical and Rescue Training (LEMART) training, to injured persons until medical professionals arrive on the scene.

However, as we noted in our past three reports, this required language was not present in G03-02-04, *Taser Use Incidents*. The revised version of G03-02-04 that we received during the sixth reporting period does include this language, prompting us to find that the City and the CPD achieved Preliminary compliance last reporting period. We stated in our report, however, that in order to maintain Preliminary compliance in the seventh reporting period, we expected the CPD to issue and make effective that change to G03-02-04.

During the seventh reporting period, the IMT and the OAG provided comments on the revised version during the seventh reporting period, but the CPD did not provide a further-revised version of G03-02-04, much less issue and make effective the revised policy.

In this reporting period, the IMT and OAG continued to provide comments to the revised policy. On June 28, 2023, the revised G03-02-04 policy went into effect.

With regard to Secondary compliance, we stated in our report on the sixth reporting period that in order to maintain Secondary compliance, the CPD needed to train on the revision to G03-02-04 that reflects ¶205’s requirements. In the eighth reporting period, the CPD did so in its *2023 Use of Force Policy Update Training*. While the CPD did not yet complete delivery of the latest training, it has previously provided evidence of training on the duty to render lifesaving aid, including, for example, in the *2021 De-Escalation, Response to Resistance, and Use of Force* in-service courses.

Furthermore, TRED’s *2022 Year-End Report* indicates the following regarding CPD’s rendering of medical aid.¹³⁸ In 2022, medical aid was rendered in all but five instances by CPD. The CPD provided additional data covering January 1st to June 21st, 2023, indicating that there were 38 TRRs with Taser discharges, 5 incidents in which no medical aid was provided, two incidents with fleeing suspects, and one with an animal, one where aid was refused, and one incident that resulted in a use of force.

2022 TRED Annual Report: Medical Aid	
Taken to Hospital	79
Performed by CFD EMS	44
Offered/EMS Requested	53
Refused Medical Aid	10
None	5
Other	3

We look forward to assessing the CPD’s continued progress with ¶205 in the next reporting period. Our assessment of ¶205 for Full compliance will involve review of COPA’s cases involving Taser use, among other data.

¹³⁸ TRED 2022 Year-End Report at 62.

Paragraph 205 Compliance Progress History

FIRST REPORTING PERIOD
SEPTEMBER 1, 2019 – AUGUST 31, 2019

COMPLIANCE PROGRESS:
Not Applicable

SECOND REPORTING PERIOD
SEPTEMBER 1, 2019 – FEBRUARY 29, 2020

COMPLIANCE PROGRESS:
None

THIRD REPORTING PERIOD
MARCH 1, 2020 – DECEMBER 31, 2020

COMPLIANCE PROGRESS:
Under Assessment

FOURTH REPORTING PERIOD
JANUARY 1, 2021 – JUNE 30, 2021

COMPLIANCE PROGRESS:
None

FIFTH REPORTING PERIOD
JULY 1, 2021 – DECEMBER 31, 2021

COMPLIANCE PROGRESS:
None

SIXTH REPORTING PERIOD
JANUARY 1, 2022 – JUNE 30, 2022

COMPLIANCE PROGRESS:
Secondary

SEVENTH REPORTING PERIOD
JULY 1, 2022 – DECEMBER 31, 2022

COMPLIANCE PROGRESS:
None

EIGHTH REPORTING PERIOD
JANUARY 1, 2023 – JUNE 30, 2023

COMPLIANCE PROGRESS:
Secondary

Use of Force: ¶206

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (THIRD REPORTING PERIOD)*
Secondary: *Under Assessment*
Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD maintained Preliminary compliance and was under assessment for Secondary compliance with the requirements of ¶206.

To assess Preliminary compliance, the IMT reviewed the CPD’s relevant policy and notes that Uniform and Property U04-02-02, *Control Devices and Instruments* (effective February 29, 2020) clearly states:

District commanders/unit commanding officers will ensure that Taser inspections are conducted on a quarterly basis. During inspections, district commanders/unit commanding officers will ensure: a. a Taser discharge data report is downloaded for each Taser assigned to the unit. b. a Taser Data Reconciliation Report (CPD-21.969) is completed. c. Tasers assigned to the unit are operational and any Tasers requiring maintenance or repairs are hand-carried during 2nd watch by a sworn member to the Taser Repair Center,

It also contains a “NOTE,” which states, “If necessary, Taser inspections can be conducted more often.”

During the fourth reporting period, the IMT reviewed training materials relating to the above provision in U04-02-02, but the CPD did not provide corresponding attendance records. Similarly, the CPD provided a copy of the Taser Data Reconciliation Report form (CPD-21.969), but we have not received data about or gleaned from those reports.

During the seventh reporting period, the CPD indicated that it is in the process of reviewing U04-02-02; ¶636 requires the CPD to review each policy periodically (typically every two years) to “evaluate whether the policy provides effective guidance and direction to CPD members and is consistent with the requirements of this Agreement and current law.”

In this reporting period, the IMT has not received data on training or documentation indicating that Taser inspections occur. We requested information regarding this paragraph on June 2023. The CPD’s response on June 28th stated the following:

The Department conducts quarterly Taser inspections at the District level as required by U04-02-02, Control Devices and Instruments. During the inspection process a Taser discharge data report is downloaded for each Taser, a Taser Data Reconciliation Report (CPD Form 21.969) is completed, and tasers are taken to the Taser Repair Center if maintenance or repairs are required. CPD intends to produce documents to show the end to end process of Taser inspections during IMR-9.

The IMT continues to seek further information about the CPD’s Taser inspections, related training, and documentation. We look forward to assessing the CPD’s continued progress with ¶206 in the next reporting period, including monitoring the results of the CPD’s ¶636 review of U04-02-02.

Paragraph 206 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

Use of Force: ¶207

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance* (FOURTH REPORTING PERIOD)

Secondary: *In Compliance* (NEW)

Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD maintained Preliminary compliance and achieved Secondary compliance with ¶207.

To evaluate Preliminary compliance with ¶207, we reviewed a revised G03-02-05, *Oleoresin Capsicum (OC) Devices and Other Chemical Agent Use Incidents*, which became effective on June 28, 2023; the policy addresses all the requirements of ¶207.

On the final day of the sixth reporting period, the CPD provided the IMT with a revised version of G03-02-05 reflecting revisions that the CPD made as a result of its discussions with the Coalition (see ¶669). During the seventh reporting period, the IMT and the OAG provided comments on the revised version during the seventh reporting period, but the CPD did not provide a further-revised version of G03-02-05 by the end of the reporting period. In this reporting period, the CPD provided a revised G03-02-05, which went into effect prior to the end of the reporting period as part of the *De-Escalation, Response to Resistance, and Use of Force* policy suite.

In the sixth reporting period, the CPD also continued discussions with the Coalition about General Order G02-02, *First Amendment Rights*, which affects OC spray usage. The CPD sought public comment on the policy from April 28, 2022, to May 13, 2022. The CPD delayed issuing the policy, however, until it had provided eLearning instruction on the changes. The CPD issued and made effective the revised G02-02 during the seventh reporting period, on December 19, 2022.

During the sixth reporting period, the IMT reviewed and provided a no-objection notice for training materials for the CPD's 2022 *De-Escalation, Response to Resistance, and Use of Force* in-service training, and observed a session of that training. The CPD did not provide attendance records for the 2022 *De-Escalation, Response to Resistance, and Use of Force* in-service training by the end of the seventh or eighth reporting periods. However, during the seventh reporting period, the IMT reviewed records demonstrating that 95.25% of CPD officers completed the *First Amendment Rights eLearning* by December 20, 2022. In this reporting period,

the CPD submitted evidence of 95% attendance for the 2022 in-service training, gaining Secondary compliance.

During the sixth and seventh reporting periods, the IMT reviewed TRED’s quarterly and year-end reports. We also reviewed CPD’s Use of Force Dashboard and note that OC spray use incidents declined in 2021 but rose again in 2022. TRED’s *2021 Year-End Report* indicates that only 15 TRRs involved an OC discharge, or 0.4% of all TRRs.¹³⁹ TRED reports that it did not make any training recommendations based on an officer’s discharge of OC in all of 2021.

In the first two quarters of 2022, 3 (0.4%) and 4 (0.5%) of the TRRs TRED reviewed involved OC use, respectively.¹⁴⁰ TRED made a training recommendation for one of the second quarter TRRs for not properly documenting multiple applications of OC spray.

In the eighth reporting period, TRED’s *2022 Year-End Report* indicated that there were 25 TRRs for OC use.¹⁴¹ Of the 25 reported, TRED made a training recommendation for 13. Additionally, the investigating supervisor determined that a member’s actions were not in compliance with department policy in four instances. Furthermore, CPD’s Use of Force Dashboard notes that as of June 19, 2023, there have been nine OC spray incidents for the current year.

[Use of Force Appendix Figure 5.](#)
[Data from CPD’s Use of Force Dashboard re: OC Spray Use](#)¹⁴²

YEAR	REPORTED OC SPRAY INCIDENTS
2017	36
2018	18
2019	38
2020	45
2021	15
2022	26
2023	9

¹³⁹ TRED’s *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 58, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

¹⁴⁰ TRED’s *2022 Q1 Report*, CHICAGO POLICE DEPARTMENT (August 16, 2022) at 10, <https://home.chicagopolice.org/wp-content/uploads/Q1-2022-16Aug22-FINAL.pdf> TRED’s *2022 Q2 Report*, CHICAGO POLICE DEPARTMENT (November 22, 2022) at 10, <https://home.chicagopolice.org/wp-content/uploads/Q2-2022-22Nov22.pdf>.

¹⁴¹ TRED’s *2022 Year-End Report*, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 60, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

¹⁴² The IMT’s review of TRR data reported by CPD revealed minor data discrepancies between CPD’s Public Use of Force Dashboard and TRED reports. For the purposes of this report, we are reporting data from the dashboard. The IMT plans to further examine and discuss these discrepancies with the CPD in the next reporting period.

The IMT will continue to monitor data regarding OC Spray use in the next reporting period. Our assessment of ¶207 for Full compliance will involve review of COPA's cases involving OC use, among other data.

Paragraph 207 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶208

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (SEVENTH REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶208.

To evaluate Preliminary compliance with ¶208, we focused our review on G03-02-05, *Oleoresin Capsicum (OC) Devices and Other Chemical Agent Use Incidents* and G02-02, *First Amendment Rights*.

On April 15, 2021, the CPD's revised G03-02-05, *Oleoresin Capsicum (OC) Devices and Other Chemical Agent Use Incidents*, became effective. Sections II.C.3 and 4 state:

3. *A Personal OC device is an authorized force option against passive resisters only under the following conditions: a. Occupants of a motor vehicle who are passively resisting arrest only after obtaining authorization from an on-scene supervisor the rank of sergeant or above. b. Noncompliant groups, crowds, or an individual taking part in a group or crowd and only after obtaining authorization from the Superintendent or his or her designee.*

4. *Special weapons that dispense the Capsaicin II powder agent or larger volumes of chemical agents are authorized force options against active and passive resisters that are part of a noncompliant groups, crowds, or an individual taking part in a group or crowd only under the following conditions: a. when the chemical agent is used only for area saturation, and b. only after obtaining authorization from the Superintendent or his or her designee.*

On April 13, 2021, the CPD issued an updated version of G02-02, *First Amendment Rights*, but it did not mention the use of OC spray in that context.

During the sixth reporting period, the CPD continued discussions with the Coalition about G02-02, *First Amendment Rights*, which affects OC spray usage. The CPD sought public comment on the policy from April 28, 2022, to May 13, 2022. The CPD delayed issuing the policy, however, until it had provided eLearning instruction on the changes. The CPD issued and made effective the revised G02-02 during the seventh reporting period, on December 19, 2022.

During the seventh reporting period, the IMT reviewed records demonstrating that 95.25% of CPD officers completed the *First Amendment Rights eLearning* by December 20, 2022. The CPD also provided course materials for its 2023 *Constitutional Policing* training, and we requested that the CPD provide course materials for its *Basic Field Force Operations*, *Advanced Field Force Operations*, and *Field Force Operations for Leaders* courses.

During this reporting period, the IMT reviewed COPA's *2022 Annual Report*. COPA reported three complaints categorized as First Amendment violation allegations.¹⁴³ Regarding outcomes, COPA's report indicates that one allegation was sustained, two were not sustained, and another four were exonerated. Moreover, thus far there have been no such First Amendment violation allegation for 2023.¹⁴⁴

In this reporting period, the CPD has been called to respond to large-scale disturbances by youth in the downtown area. These gatherings occurred without prior warning and required significant resources to control. Although the disturbances caused widespread concern and challenges, allegations of police misconduct in responding were not widely reported. Incidents of this nature continue to be causes of concern and will require leadership and training. In particular, to prepare for the Democratic National Convention, the CPD will need extensive training for all personnel at all levels.

By issuing and making effective the revised *First Amendment Rights* policy, the CPD reached Preliminary compliance with ¶208 in the seventh reporting period. The CPD also achieved Secondary compliance by providing its *First Amendment eLearning* course. The CPD is currently training on the *Constitutional Policing* course and maintained Secondary compliance this reporting period. We look forward to the CPD's provision of additional training in order to continue to maintain Secondary compliance.

¹⁴³ *2022 Annual Report*, Civilian Office of Police Accountability (February 15, 2023) at 22, https://www.chicagocopa.org/wp-content/uploads/2023/04/2022-Annual-Report__.pdf.

¹⁴⁴ *2023 First Quarter Report*, Civilian Office of Police Accountability (April 15, 2023), <https://www.chicagocopa.org/wp-content/uploads/2023/04/COPA-2023-Q1-Report.pdf>.

Paragraph 208 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Under Assessment
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶209

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Not Yet Assessed*

In the eighth reporting period, the CPD maintained Secondary compliance with ¶209.

To assess Preliminary compliance, the IMT reviewed a revised G03-02-05, *Oleoresin Capsicum (OC) Devices and Other Chemical Agent Use Incidents*, which became effective on June 28, 2023. Section III.A. 1 and 2 articulate the requirements of ¶209:

III. CONDITIONS ON THE USE OF PERSONAL OC DEVICES OR OTHER CHEMICAL AGENTS

A. Authorized Manner of Use. *When it is safe and feasible to do so, a member who is discharging a Personal OC device or other chemical agent will:*

- 1. give verbal commands and warnings prior to, during, and after discharge, including informing other Department members on the scene of the discharge.*
- 2. allow a subject a reasonable amount of time to comply with a warning prior to using or continuing to use a Personal OC device or other chemical agent, unless doing so would compromise the safety of a Department member or another person.*

During the sixth reporting period, the CPD continued discussions with the Coalition about G02-02, *First Amendment Rights*, which affects OC spray usage. The CPD sought public comment on the policy from April 28, 2022, to May 13, 2022. The CPD delayed issuing the policy, however, until it had provided eLearning instruction on the changes. The CPD issued and made effective the revised G02-02 during the seventh reporting period, on December 19, 2022.

During the seventh reporting period, the IMT reviewed records demonstrating that 95.25% of CPD officers completed the *First Amendment Rights eLearning* by December 20, 2022.

During the sixth and seventh reporting periods, the IMT also reviewed TRED's quarterly and year-end reports. And as we note in ¶207 above, CPD data indicate that OC spray usage was trending downward in 2021 but rose again in 2022. TRED's *2021 Year-End Report* indicates that only 15 TRRs involved an OC discharge, or 0.4% of all TRRs.¹⁴⁵ In 2021, TRED conducted debriefings with officers for "failure to warn," but not related to OC spray. In fact, TRED reports that it did not make any training recommendations based on an officer's discharge of OC in all of 2021.

In the first two quarters of 2022, 3 (0.4%) and 4 (0.5%) of the TRRs TRED reviewed involved OC use, respectively.¹⁴⁶ TRED made a training recommendation for one of the second quarter TRRs for not properly documenting multiple applications of OC spray.

In the eighth reporting period, TRED's *2022 Year-End Report* indicated that there were 25 TRRs for OC use.¹⁴⁷ Of the 25 reported, TRED made a training recommendation for 13. Additionally, the investigating supervisor determined that a member's actions were not in compliance with department policy in four instances. Furthermore, CPD's Use of Force Dashboard notes that as of June 19, 2023, there have been nine OC spray incidents for the current year. While TRED's past reports have provided data on warnings, the IMT will need to review data specific to OC spray. We look forward to reviewing data for 2023.

By the end of the seventh reporting period, the CPD revised the TRR-R to track whether a verbal warning was issued prior to the use of any reportable force. In this reporting period, however, the CPD provided the IMT a list of deficiency debriefing points in the new Incident Debriefing Report (IDR). Though a warning responsibility is present in the report, the IDR has no information that indicates a failure to warn.

During the sixth reporting period, the IMT reviewed and provided a no-objection notice for training materials for the CPD's *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training, and observed a session of that train-

¹⁴⁵ TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 58, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

¹⁴⁶ TRED's *2022 Q1 Report*, CHICAGO POLICE DEPARTMENT (August 16, 2022) at 10, <https://home.chicagopolice.org/wp-content/uploads/Q1-2022-16Aug22-FINAL.pdf>; TRED's *2022 Q2 Report*, CHICAGO POLICE DEPARTMENT (November 22, 2022) at 10, <https://home.chicagopolice.org/wp-content/uploads/Q2-2022-22Nov22.pdf>.

¹⁴⁷ TRED's *2022 Year-End Report*, CHICAGO POLICE DEPARTMENT (JUNE 21, 2023), <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>, p. 60.

ing. The CPD did not provide attendance records for the *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training by the end of the seventh or eighth reporting periods.

As we have explained in prior reporting periods, however, we continue to stress the need for training for all officers on OC spray in the context of protests, unrest, and crowd control.¹⁴⁸ CPD’s *Constitutional Policing* training instructs all officers that they cannot “use chemical agents for crowd control unless an order to disperse has been given, heard, repeated and given sufficient time to respond has been allowed.” Maintenance of secondary compliance will depend on the CPD to provide records to demonstrate that more than 95% of officers received such training.

In order to maintain Preliminary and Secondary compliance with ¶1209 in the eighth reporting period, we expect the CPD to train on anticipated changes to G03-02-05 and continue to provide training on OC spray in the context of protests, unrest, and crowd control. We look forward to continued progress on ¶1209 in the next reporting period.

Paragraph 209 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

¹⁴⁸ The requirements of ¶1209 are not limited to the CPD’s annual Use of Force in-service training.

Use of Force: ¶210

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Not Yet Assessed*

In the seventh reporting period, the CPD maintained Preliminary compliance and achieved Secondary compliance with ¶210.

To assess compliance, the IMT reviews relevant CPD policy, TRED's quarterly and year-end reports, the CPD's Use of Force Dashboard, and relevant CPD training.

We note that CPD's policy G03-02-05, *Oleoresin Capsicum (OC) Devices and Other Chemical Agent Use Incidents*, which became effective on April 15, 2021, includes the requirements of this paragraph in II.C: "When Use is Authorized. Department members' use of Personal OC devices or other chemical agents must be objectively reasonable, necessary, and proportional to the threat, actions, and level of resistance offered by a subject, under the totality of the circumstances" and II.E.: "Justify Separate Uses of Force. An initial application of a Personal OC device or other chemical agent and each subsequent application must be individually justified and documented on the Tactical Response Report (TRR) as a separate use of force." The policy was revised and went into effect June 28, 2023.

In the sixth reporting period, the CPD continued discussions with the Coalition about General Order G02-02, *First Amendment Rights*, which affects OC spray usage. The CPD sought public comment on the policy from April 28, 2022, to May 13, 2022. The CPD delayed issuing the policy, however, until it had provided eLearning instruction on the changes. The CPD issued and made effective the revised G02-02 during the seventh reporting period, on December 19, 2022.

In the sixth and seventh reporting periods, the IMT reviewed TRED's quarterly and year-end reports and the data presented therein. TRED's *2021 Year-End Report* indicates that only 15 TRRs involved an OC discharge, or 0.4% of all TRRs.¹⁴⁹ TRED's *2021 Year-End Report* does not indicate whether any of the 15 TRRs involved multiple applications of OC spray. TRED reports that it did not make any training recommendations based on an officer's discharge of OC in all of 2021. TRED's 1st

¹⁴⁹ TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 58, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

Quarterly 2022 report indicates three OC spray discharges: two instances were a single discharge, and one instance was two discharges. TRED's 2nd quarterly 2022 report indicates four instances of OC spray discharges: three instances were a single discharge, and one instance was two discharges. TRED made a training recommendation for one of the second quarter TRRs for not properly documenting multiple applications of OC spray. All of the OC spray discharges in the first half of 2022 were determined to be within policy by reviewing supervisors.

In the eighth reporting period, TRED's *2022 Year-End Report* indicated that there were 25 TRRs for OC use.¹⁵⁰ Of the 25 reported, TRED made a training recommendation for 13 instances. Additionally, the investigating supervisor determined that a member's actions were not in compliance with department policy in four instances. Furthermore, CPD's Use of Force Dashboard notes that as of June 19, 2023, there have been nine OC spray incidents for the current year. However, on June 28, 2023, TRED reported on four TRRs with OC spray incidents and three TRRs with multiple applications of OC spray. The IMT will need to review data specific to OC spray. We look forward to reviewing additional data for 2023.

The IMT recognizes that the CPD's current TRR can capture the number of times OC spray may have been discharged, similar to how it captures multiple applications of Tasers. In the fifth and sixth reporting periods, the IMT requested to review TRRs that reflect multiple applications in order to review the narrative justifications for multiple applications. During the seventh reporting period, the CPD responded to our initial request for copies of TRRs by providing a list of such TRRs (a total of 23) dated between March 1, 2019, and April 21, 2022.

The IMT updated our request for TRRs on October 17, 2022, seeking all TRRs since January 1, 2022, in which multiple applications of OC Spray were discharged. On March 28, 2023, the CPD provided the IMT a list of three TRRs from 2022 where a member applied OC spray more than once. In each case, the investigating lieutenant found it to be within policy. The IMT reviewed two of the three TRRs in order to review the narrative justifications for multiple applications. In one instance, the officer provided a reason for all three discharges. In the other, however, the officer provided a reason for one discharge but did not mention or support the second discharge in the narrative. The IMT does not have sufficient information at this time to evaluate Full compliance and will need to review additional examples.

During the sixth reporting period, the IMT reviewed records to demonstrate that more than 95% of officers received the two-day *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training, with 96.71% of participants com-

¹⁵⁰ TRED's *2022 Year-End Report*, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 60, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

pleting the *Communications* eight-hour course and 96.86% completing the *Procedures* eight-hour course.¹⁵¹ In addition, the IMT reviewed and provided a no-objection notice for training materials for the CPD’s *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training, and observed a session of that training.

The CPD provided attendance records for the *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training this reporting period, demonstrating that 95.78% of officers attended the in-service training. During the seventh reporting period, the IMT reviewed records demonstrating that 95.25% of CPD officers completed the *First Amendment Rights eLearning* by December 20, 2022. The CPD also provided course materials for its *2023 Constitutional Policing* training, and we requested that the CPD provide course materials for its *Basic Field Force Operations, Advanced Field Force Operations, and Field Force Operations for Leaders* courses. Maintenance of secondary compliance will depend on the CPD to provide records to demonstrate that more than 95% of officers received such training.

As we have explained in prior reporting periods, we continue to stress the need for training for all officers on OC spray in the context of protests, unrest, and crowd control.¹⁵² In particular, to prepare for the Democratic National Convention (DNC), the CPD will need extensive training for all personnel at all levels. In order to maintain Secondary compliance with ¶210 in the eighth reporting period, we expect the CPD to continue to provide training on OC spray in the context of protests, unrest, and crowd control. To achieve Full compliance, the CPD will need several incidents prior to the DNC, such as whether OC spray was utilized in the youth disturbance in the Loop.

Paragraph 210 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

¹⁵¹ Because of the COVID-19 extension, the CPD had until March 5, 2022, to complete the delivery of its 2021 in-service training.

¹⁵² The requirements of ¶209 are not limited to the CPD’s annual Use of Force in-service training.

Use of Force: ¶211

211. CPD officers must assist subjects exposed to application of an OC device with decontamination and flushing when it is safe and feasible to do so. CPD officers must request the appropriate medical aid for a subject after the discharge of an OC device if the subject appears to be in any physical distress, or complains of injury or aggravation of a pre-existing medical condition (e.g., asthma, emphysema, bronchitis, or a heart ailment).

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *In Compliance (SIXTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the CPD maintained Preliminary and Secondary compliance with ¶211.

To assess compliance, the IMT reviewed relevant CPD policy, TRED’s quarterly and year-end reports, the CPD’s Use of Force Dashboard, and the CPD’s training.

We note that CPD’s policy G03-02-05, *Oleoresin Capsicum (OC) Devices and Other Chemical Agent Use Incidents*, which became effective on April 15, 2021, states the requirements of this paragraph in IV.B.2., which states that an officer discharging OC spray will “request the appropriate medical aid, including contacting emergency medical services (EMS) from the Chicago Fire Department, if the subject appears to be in any physical distress or complains of injury or aggravation of a known pre-existing medical condition (e.g., asthma, emphysema, bronchitis, or a heart ailment).” The policy was revised this reporting period and went into effect June 28, 2023.

During the sixth reporting period, the IMT reviewed records demonstrating that more than 95% of officers received the two-day *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training, with 96.71% of participants completing the *Communications* eight-hour course and 96.86% completing the *Procedures* eight-hour course.¹⁵³ As a result, the City and the CPD achieved Secondary compliance with ¶211. In addition, the IMT reviewed and provided a no-objection notice for training materials for the CPD’s *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training, and observed a session of that training.

¹⁵³ Because of the COVID-19 extension, the CPD had until March 5, 2022, to complete the delivery of its 2021 in-service training.

The CPD provided attendance records for the 2022 De-Escalation, Response to Resistance, and Use of Force in-service training this reporting period, demonstrating that 95.78% of officers attended the in-service training.

In the seventh reporting period, the IMT reviewed TRED's first and second quarterly reports. TRED made a training recommendation for one of the second quarter TRRs for not properly documenting multiple applications of OC spray. All of the OC spray discharges in the first half of 2022 were determined to be within policy by reviewing supervisors. TRED also reports the following about aid rendered after deploying OC spray in the first two quarters of 2022:

- TRED's 2022 Q1 report notes three instances of OC spray discharge; in two of those, the subjects were transported to local hospitals by CFD and in the other incident, aid was provided by the officer and the person was also transported to the hospital.
- TRED's 2022 Q2 report notes a total of four instances of OC spray discharges. In two instances, the officers involved rendered aid and additional aid was provided by the Chicago Fire Department's (CFD) Emergency Medical Service (EMS) and subjects were transported to hospitals; in two other instances the officers did not render aid, but CFD provided medical aid and transported to hospitals.

During the eighth reporting period, we reviewed TRED's 2022 Year-End Report. TRED reports that in seven instances, the subject fled the scene and officers were unable to provide aid; however, the subject was given medical aid by CFD or taken to the hospital in every other instance of OC discharge. Additionally, on June 28, 2023, the TRED Commander provided the IMT OC spray data for 2023. As of June 28th, there have been four TRRs with OC spray discharge. Two TRRs indicated that aid was provided, and the subjects escaped in the remaining two.

The CPD will remain under assessment for operational as the IMT does not have enough data to determine whether aid being provided is ingrained in the organization. We look forward to assessing continued progress on ¶211 in future reporting periods.

Paragraph 211 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶212

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (SECOND REPORTING PERIOD)*
Secondary: *In Compliance (SIXTH REPORTING PERIOD)*
Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶212.

CPD policy U04-02-02 *Control Devices and Instruments* states: “Department members are not approved to carry or use any type of personal OC device different from that which is prescribed” in Section IV.C.

To assess Secondary compliance, we reviewed the following training materials provided to us by the CPD during the last reporting period:

- *November 2020 Training Bulletin on Personal Oleoresin Capsicum (OC) Devices*
- *Recruit Training on Control Tactics: Chemical Weapons Exposure (Oleoresin Capsicum)*
- *Recruit Force Options Suite Training*
- *Recruit Inspection Report*

During the seventh reporting period, the CPD indicated that it is in the process of reviewing U04-02-02; ¶636 requires the CPD to review each policy periodically (typically every two years) to “evaluate whether the policy provides effective guidance and direction to CPD members and is consistent with the requirements of this Agreement and current law.”

Moving forward, the IMT seeks to review the CPD’s measures to ensure officers are carrying authorized OC devices (*e.g.*, training records and periodic inspections at roll call). We are unaware of whether such inspections regularly occur and have seen no relevant records. Furthermore, U04-02-02 was last updated in February 2020, at which time the following provision was added in Section IV, subsection E:

During the initial personal OC device training and certification, a certified weapons instructor will inspect the personal OC device to ensure that it is an approved equipment item.

Additionally, as part of the revised policy G03-02 *De-Escalation, Response to Resistance, and Use of Force*, Section X, Subsection B3 makes mention that members will:

Receive refresher training on impact weapons and OC Devices biennially.

NOTE: During the refresher training, the instructor will observe and verify that the Department member's impact weapon and personal OC device are Department-approved.

Though recertification occurs biannually, there is no indication of documentation for any follow-up inspections other than the initial recruit inspection. Currently, the biannual inspection will take time for CPD to achieve. Until the policy is in place and documented inspections are occurring, Full compliance is unlikely to occur. We hope to understand and see documentation of the CPD's processes for ensuring compliance with this paragraph in the next reporting period.

Paragraph 212 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Preliminary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶213

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *Under Assessment*
Full: *Not Yet Assessed*

In the eighth reporting period, the CPD maintained Preliminary compliance and remained under assessment for Secondary compliance with the requirements of ¶213.

To assess Preliminary and Secondary compliance, the IMT reviews relevant policy, the CPD’s Use of Force Dashboard, TRED’s quarterly and year-end reports, and the CPD’s training.

The updated G03-02-07, *Baton Use Incidents* policy went into effect on June 28, 2023, and Section II.E.1 clearly states the requirements of this paragraph: “Head and Neck Strikes. Members will not use batons to intentionally strike a person in the head or neck except when deadly force is justified.”

The CPD’s 2020 Use of Force in-service training covered ¶213’s requirements, and the CPD has continued to train its officers annually on use of force. In the sixth reporting period, the IMT reviewed and provided a no-objection notice for training materials for the CPD’s *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training, and observed a session of that training. The CPD provided attendance records for the *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training this reporting period, demonstrating that 95.78% of officers attended the in-service training.

We have recommended in previous reports, including our Special Report on the City and the CPD’s responses to the 2020 protests and unrest, that the CPD provide “adequate training for all officers on new or revised policies, including use of force, de-escalation, batons, and personal OC spray.”

During the seventh reporting period, the IMT reviewed records demonstrating that 95.25% of CPD officers completed the *First Amendment Rights eLearning* by December 20, 2022. The CPD also provided course materials for its 2023 *Constitutional Policing* training, and we requested that the CPD provide course materials for its *Basic Field Force Operations, Advanced Field Force Operations, and Field*

Force Operations for Leaders courses. We look forward to the CPD’s continued training on this important subject.

All strikes to the head or neck are Level 3 uses of force and require a COPA response. In the first two quarters of 2022, TRED reported no intentional baton strikes to the head or neck of a person. TRED’s *2022 Year-End Report* does not cover this subject; however, the *2022 Annual Use of Force Report* indicates that there were no Level 3 baton strikes in 2022.¹⁵⁴

We look forward to continuing to assess the CPD’s progress with ¶213.

Paragraph 213 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

¹⁵⁴ 2022 Annual Use of Force Report, Chicago Police Department (June 28, 2023) at 113, <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>.

Use of Force: ¶214

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *Under Assessment*
Full: *Not Yet Assessed*

In the eighth reporting period, the CPD maintained Preliminary compliance with the requirements of ¶214.

To assess compliance, the IMT reviews CPD’s relevant policies, TRED’s quarterly and year-end reports and the CPD’s Use of Force Dashboard, and related training.

During the sixth reporting period, the IMT reviewed data and records demonstrating that more than 95% of officers received the two-day *2021 De-Escalation, Response to Resistance, and Use of Force*, which covered the need to warn prior to use of force, including batons. In addition, the IMT reviewed and provided a no-objection notice for training materials for the CPD’s *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training, and observed a session of that training. The CPD did not provide attendance records for the *2022 De-Escalation, Response to Resistance, and Use of Force* in-service training by the end of the eighth reporting period. The IMT looks forward to reviewing those records in the next reporting period.

As we have noted in previous reports, however, CPD officers’ baton use significantly increased in the summer protests of 2020 (see chart below¹⁵⁵), so the CPD must focus on protocols to document when officers issue warnings to disperse. As CPD data indicates, baton use averaged 39 instances for the last few of years, with the exception of 2020, when the summer protests drove reported baton use up to 180. The CPD needs to focus on training on baton use specific to protest and crowd control contexts that emphasize the CPD’s changes to its First Amendment policy.

During the seventh reporting period, the CPD provided course materials for its *2023 Constitutional Policing* training, and in particular course module seven consists of protests and warnings. We requested that the CPD provide course materials for its *Basic Field Force Operations, Advanced Field Force Operations, and Field*

¹⁵⁵ *Use of Force Dashboard (2015–Present)*, CHICAGO POLICE DEPARTMENT, <https://home.chicagopolice.org/statistics-data/data-dashboards/use-of-force-dashboard/>.

Force Operations for Leaders courses. We look forward to continuing our review of relevant course materials and the CPD’s training on this important subject.

Use of Force Appendix Figure 6.

YEAR	REPORTED INSTANCES OF BATON USE
2016	37
2017	39
2018	41
2019	39
2020	180
2021	30
2022	28
2023	25 ¹⁵⁶

We also note that TRED has been responsive to IMT suggestions regarding data collection with regard to uses of force. The May 2022 version of the TRR-R includes a section for “verbal warning issued prior to the use of force”. Beginning April 2023, TRED began using the Incident Debrief Report (IDR), replacing the TRR-R. The IDR also contains debriefing points for verbal warnings, allowing for the continue to produce data for the IMT to review for trends related to this paragraph’s requirements.

While the CPD remains in Preliminary compliance with the requirements of ¶214, we look forward to the CPD training all of its officers on proper baton use in protest situations in the near future.

Paragraph 214 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

¹⁵⁶ 2023 baton use is from January 1 to June 30, 2023.

Use of Force: ¶215

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	<i>In Compliance (FOURTH REPORTING PERIOD)</i>
Secondary:	<i>Under Assessment</i>
Full:	<i>Not Yet Assessed</i>

In the eighth reporting period, the CPD maintained Preliminary compliance with the requirements of ¶215 but remained under assessment for Secondary compliance.

To assess Preliminary compliance, the IMT reviews relevant policies. We also reviewed TRED's quarterly and year-end reports and the CPD's Use of Force Dashboard noting baton use (see ¶214 for data on baton use).

In the sixth reporting period, we attended a session of CPD recruit training regarding impact weapons in person (in March 2022). The 8-hour course featured the basics of handling batons, including holstering and unholstering and different types of uses in the field, such as strikes. The instructors made mention of de-escalation principles only a few times throughout and the training included some limited scenarios but focused mostly on drills. In response to our feedback, the CPD revised its impact weapon test to include de-escalation as a component. We have not yet received records demonstrating the administration of the revised training.

We also look forward to evidence of training on proper baton use in protest situations. As we have noted in previous reports and throughout this one, CPD officers' baton use significantly increased in the summer protests of 2020 (see ¶214 above), so the CPD must focus on training on baton use specific to protest and crowd control contexts that emphasize the CPD's changes to its *First Amendment Rights* policy. Baton use training is provided to officers prior to carrying. Furthermore, the CPD annual use of force report indicates that recruits receive one hour of training on crowd behavior and disorder. These trainings must take place in preparation for the Democratic National Convention. The IMT notes that training has taken place with select units to be deployed in the event of protests; given the current capacity for large crowds to form instantly due to social media, however, more needs to be done to prepare.

During the seventh reporting period, the CPD provided course materials for its 2023 *Constitutional Policing* training, and we requested that the CPD provide

course materials for its *Basic Field Force Operations*, *Advanced Field Force Operations*, and *Field Force Operations for Leaders* courses. We look forward to continuing our review of relevant course materials and the CPD’s training on this important subject.

While the CPD remains in Preliminary compliance with the requirements of ¶215, we look forward to the CPD training all of its recruits and all officers on proper use of batons in protest situations in the near future.

Paragraph 215 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Preliminary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

Use of Force: ¶216

216. *CPD officers must request appropriate medical aid for a subject who experiences an impact weapon strike when the subject appears to be in any physical distress or complains of injury, or when the subject sustained a strike to the head from an impact weapon or a hard, fixed object. CPD officers must render life-saving aid to the subject consistent with the officers' training until medical professionals arrive on scene.*

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (NEW)*
Secondary: *In Compliance (NEW)*
Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD regained both Preliminary and Secondary compliance with ¶216.

To evaluate Preliminary compliance with ¶216, we reviewed the CPD's relevant force policies, including G03-02-07, *Baton Use Incidents*.

As we have noted in prior reporting periods, Section V.B of the current version of the CPD's primary use of force policy, G03-02, *De-Escalation, Response to Resistance, and Use of Force*, states that Department members *will* render life-saving medical aid:

[A]s soon as it is safe and feasible to do so, members will provide life saving aid consistent with their Department training, including the Law Enforcement Medical and Rescue Training (LEMART) training, to injured persons until medical professionals arrive on the scene.

However, this required language is not present in the previously effective version of G03-02-07, *Baton Use Incidents*. On the final day of the sixth reporting period, the CPD provided the IMT with a revised version of G03-02-07 that includes the required language. During the seventh reporting period, the IMT and the OAG provided comments on the revised version during the seventh reporting period, but the CPD did not provide a further-revised version of G03-02-07 by the end of the reporting period. Additional revisions to the policy were provided to the IMT in the eighth reporting period, and the updated G03-02-07, made effective on June 28, 2023, contains the requisite language for preliminary compliance.

With regard to Secondary compliance, we stated in our report on the sixth reporting period that in order to maintain Secondary compliance, the CPD needed to

train on the revision to G03-02-07 that reflects ¶216’s requirements. In the eighth reporting period, the CPD did so in its *2023 Use of Force Policy Update Training*. While the CPD did not yet complete delivery of the latest training, it has previously provided evidence of training on the duty to render lifesaving aid, including, for example, in the *2021 De-Escalation, Response to Resistance, and Use of Force* in-service courses.

We look forward to continuing to assess the CPD’s progress with ¶216.

Paragraph 216 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: None	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: None	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: None	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶217

217. To be effective, the foundation of CPD’s accountability system must be CPD members. When CPD members use force, they must be able to demonstrate that the force used complies with the law and CPD policy. When a member’s use of force does not comply with the law and CPD policy, the member’s supervisors must be able to identify the non-compliance and take appropriate action to address it. To facilitate evaluation of how CPD members use force, CPD will ensure that members report incidents when they use force and that supervisors collect and review available information about the incidents.

Compliance Progress

(Reporting Period: January 1, 2022, through June 30, 2022)

Preliminary: *In Compliance (SIXTH REPORTING PERIOD)*
Secondary: *Not in Compliance*
Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD maintained Preliminary compliance with ¶217.

To assess Preliminary compliance, the IMT reviews the CPD’s *Use of Force* policies to ensure they address the requirements specified in ¶217. We also evaluate the CPD’s efforts to obtain and address community engagement and input on the policies that address ¶217’s requirements.

To assess Secondary compliance, we determine whether the CPD has sufficiently trained on its *Use of Force* policies, including supervisors’ responsibilities. We also review the number of officers who have completed *Use of Force* in-service training.

To assess Full compliance, the IMT evaluates the extent to which the policies and trainings that reflect ¶217’s requirements are operationalized. Along with other sources of information, the IMT may review (1) TRED reports for its findings on patterns and trends, recommendations for follow-up training, and referrals to COPA; (2) the CPD’s *Use of Force* Dashboard and other data sources; and (3) relevant work conducted by the CPD’s Audit Division. The IMT also regularly interviews supervisors, as we did again in this reporting period.

The IMT has consistently emphasized that officer accountability – and public transparency about accountability processes – must be a shared responsibility among all leaders in the CPD, from sergeants to the Superintendent.

During the sixth reporting period, we reviewed and determined that the CPD’s policies—in particular, the Use of Force policy suite—sufficiently address ¶217’s requirements. In addition, the CPD demonstrated its commitment to actively engage the Coalition (see ¶669) and community in dialogue regarding the Use of Force policies and their recommendations. We also considered the CPD’s process for addressing TRED’s recommendations and individual debriefing points.

The CPD demonstrated its TRR Supervisory Dashboard for the IMT during the sixth reporting period. According to TRED’s *2021 Year-End Report*, “The information included in this dashboard should allow for Department supervisors to correct the action of individual members and also recommend specific training for their districts/units based on documented need.”¹⁵⁷ Similarly, in TRED’s *2021 Q4 Report*, TRED stated, “The central goal in building this dashboard is to provide a tool for supervisors and [TRED] to better understand patterns and trends within each unit and to allow supervisors and command staff to better understand how those patterns and trends within their own unit compare to other units throughout the city.”¹⁵⁸

While we appreciate the effort that went into building the *TRR Supervisory Dashboard*, we continue to see no evidence that supervisors are using it regularly to identify and address issues with the officers for which they are responsible. With the revised policy implemented June 28, 2023, requiring Watch Operations Lieutenants to review officers’ TRR history in the supervisory dashboard is a step towards the right direction.

TRED also states, “The best practice is for a supervisor to recognize a training opportunity and take corrective action at the time an incident occurs.”¹⁵⁹ TRED’s 2022 statistics for the year suggest that more can and must be done. According to TRED’s *Year-End Report*, 233 (9%) of TRRs were flagged for review with a complaint log by supervisors.¹⁶⁰ This is a decrease from 2021, wherein 256 (12.4%) of TRRs were flagged for review by supervisors. TRED also examined how often front-line supervisors document the corrective actions they took at the time of the incident. In 2022, supervisors documented that they took corrective action 199 times (7.7%).¹⁶¹ These small numbers in which front line supervisors identify and address officer deficiencies are not showing improvement over time, and we recommend more training on this issue.

¹⁵⁷ TRED’s *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 95, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

¹⁵⁸ TRED’s *2021 Q4 Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022), <https://home.chicagopolice.org/wp-content/uploads/Q4-2021-FRD-Report.pdf>.

¹⁵⁹ *Id.* at p. 21.

¹⁶⁰ TRED’s 2022 Year-End Report, CHICAGO POLICE DEPARTMENT (JUNE 11, 2023) at 55, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

¹⁶¹ *Id.* at 56.

Furthermore, noncompliance with the CPD's body-worn camera policy continues to persist, with front line supervisors rarely taking initiative to identify these failings and address them. In fact, our interviews with district field supervisors revealed that they do not consider it their responsibility to identify deficiencies or to address them. In the 2nd Quarter TRED Report, the CPD began issuing deficiencies to investigating supervisors for failing to address activation of a body-worn camera, which is an important step, if utilized.

Significantly, the CPD revised the TRR-R to include a debriefing for supervisors who did not address a body-worn camera deficiency at the time of occurrence, and TRED began delivering this debriefing during the second quarter of 2022 (in a total of seven instances).¹⁶² We appreciate this effort to encourage supervisors to immediately correct body-worn camera issues and look forward to monitoring its progress.

In regard to Secondary compliance, the CPD provided records in the seventh reporting period to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*, a course that emphasized the need for front-line supervisors to identify, address, and document body-worn camera issues. But based on the data from TRED's reports and our interviews, further training is necessary to encourage front-line supervisors to take on a greater responsibility for identifying issues and training opportunities, and take corrective action, at the time a use-of-force incident occurs.

The City and the CPD maintained Preliminary compliance with ¶217 in the seventh reporting period. We are disappointed that our reviews indicate that supervisors addressing deficiencies with TRRs or firearm pointing rarely occurs. We are concerned that problems with officers activating body worn cameras in compliance with CPD policy persist. We hope to see some improvement on these crucial supervisor issues in the next reporting period. The IMT acknowledges CPD's efforts to train on the importance of front-line supervisors' handling of training and operational deficiencies, but data suggest more needs to be done. We look forward to continued progress with ¶217.

¹⁶² TRED's 2022 Q2 Report at 24.

Paragraph 217 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Not Applicable
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Not Applicable	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Not Applicable	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

Use of Force: ¶218

218. CPD members must report and document any reportable use of force. Beginning January 1, 2019, a reportable use of force will be defined as any use of force by a CPD member included in any of the following three levels: a. A level 1 reportable use of force is the use of any force by a CPD member to overcome the active resistance of a subject that does not rise to a level 2 or level 3 reportable use of force. This would include force that is reasonably expected to cause pain or an injury, but does not result in injury or complaint of injury. The following techniques are level 1 reportable uses of force when applied in response to active resistance: pressure point compliance techniques; joint manipulation techniques; wristlocks; arm-bars; and any leg sweep, weaponless defense techniques, or takedown that does not result in injury or complaint of injury. It is not a reportable use of force for a CPD member to escort, touch, or handcuff a person with no or minimal resistance. b. A level 2 reportable use of force is the use of any force by a CPD member that includes use of a less-lethal weapon or that causes an injury or results in a complaint of an injury, but that does not rise to a level 3 reportable use of force. Force options in this level include: discharge of an OC device; discharge of a Taser; impact weapon strikes to any part of the body other than the head or neck; use of impact munitions; any physical apprehension by a canine; any reportable use of force against a handcuffed subject; and any leg sweep, weaponless defense technique, or takedown resulting in an injury or complaint of injury. c. A level 3 reportable use of force is when a CPD member does any of the following: uses any force that constitutes deadly force, such as discharging a firearm or using an impact weapon to strike a person's head or neck; uses a chokehold or other maneuver for intentionally putting pressure on a person's airway or carotid artery; uses any force that causes the death of any person; or uses any force that causes injury to any person resulting in admission to a hospital.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (THIRD REPORTING PERIOD)*
Secondary: *In Compliance (FIFTH REPORTING PERIOD)*
Full: *Not in Compliance*

During the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶218 but was not in Full compliance.

To assess Preliminary compliance, the IMT reviewed the applicable policy and notes that the levels of force outlined in this paragraph (i.e., the change from 4 levels of force to 3 levels of force) continue to be echoed in the CPD’s revised General Order G03-02-02, *Incidents Requiring the Completion of a Tactical Response Report* (effective date June 28, 2023).

To assess Secondary compliance, the IMT reviewed TRED’s Quarterly Reports and Year-End Report. We also reviewed the curriculum materials for the CPD’s 2022 in-service training for supervisors, which also addresses the requirements of this paragraph. During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*, a course that addresses the requirements of ¶218.

Furthermore, TRED’s *2022 Year-End Report* indicates that 33 (14.9%) TRR recommendations involving a second member are listed as “TRR not completed”.¹⁶³ Additionally, between January 1st to June 28th, 2023, TRED identified 75 instances where officers did not fill out a TRR when one should have been completed. In previous conversations with CPD, the IMT learned that when unreported force is identified in this manner, a TRR is not subsequently created.

To assess Full compliance, the IMT reviews potential sources of information to identify unreported uses of force, such as the City’s Law Department, COPA, and BIA. In discussions with COPA this reporting period, the IMT learned that although there are allegations if an officer fails to report, COPA is unable to provide data as the information is not categorized in that manner. Similar discussions must be held with BIA to determine whether CPD has data on unreported force; if data are not captured, CPD must identify processes to capture such information. We hope to review that data and CPD’s continued progress in the next reporting period.

Paragraph 218 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

¹⁶³ TRED’s 2022 Year-End Report, CHICAGO POLICE DEPARTMENT (JUNE 11, 2023), <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>, p. 53.

Use of Force: ¶219

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (THIRD REPORTING PERIOD)*
Secondary: *In Compliance (FIFTH REPORTING PERIOD)*
Full: *Not in Compliance*

During the eighth reporting period, the City and the CPD maintained Preliminary compliance and Secondary compliance but were not in Full compliance with ¶219.

To assess Preliminary compliance, the IMT reviewed the applicable policy including the CPD’s revised General Order G03-02-02, *Incidents Requiring the Completion of a Tactical Response Report*, (effective June 28, 2023) and analyzed other records and information provided during the reporting period, such as TRED’s Quarterly and Year-End Reports.

To assess Secondary compliance, the IMT reviews TRED’s Quarterly Reports and Year-End Report, which describe training activities. We also reviewed the curriculum and accompanying materials for the CPD’s 2022 in-service training for supervisors and the *2023 Constitutional Policing* training curriculum, all of which address some requirements of this paragraph. During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*.

The IMT closely tracks and reviews TRED’s Quarterly and Year-End Reports, which describe “narrative deficiencies” in some TRR forms filled out by CPD officers and the mandatory debriefings designed to address those narrative deficiencies. We continue to see hundreds of instances of debriefing points per quarter for “force mitigation – not articulated” and encourage TRED to continue its regular cadence of reviews and debriefings about this officer reporting failure. Specifically, TRED’s

year-end report notes 305 (12%) debriefings for “force mitigation – not articulated” in 2022, which is an 8% decrease from 2021¹⁶⁴ and reflects TRED and the Training and Support Group’s focus on this issue. Additionally, TRED identified an increase in the “narrative deficiency” from the involved member, noting 185 deficiencies (10.1%).¹⁶⁵ In comparing the previous year, 7.2% of TRRs in 2022 contained narrative deficiencies, an increase from 5.2% in 2021.

Maintaining Secondary compliance will depend upon the CPD continuing to feature TRRs in relevant training courses to reinforce their importance and to continue to reduce the narrative deficiencies in the TRR reports reviewed by TRED. Training will also need to continue to focus on the problems and issues identified in the OIG’s and the IMT’s reports regarding the City’s and the CPD’s responses to the protests of 2020, which documented the failure of officers to fulfill reporting responsibilities.

As we also noted in our assessment of ¶218, the IMT previously sought data from COPA regarding how many community complaints regarding uses of force that do not have a corresponding TRR. In discussions with COPA this reporting period, the IMT learned that although there are allegations if an officer fails to report, COPA is unable to provide data as the information is not categorized in that manner. The IMT has requested information on allegations of force that did not have a corresponding TRR in an effort to identify all possible sources of unreported force. We look forward to reviewing the information.

Similar discussions must be held with BIA to determine whether CPD has data on unreported force; if not, the information must be captured. Furthermore, TRED’s *2022 Year-End Report* indicates that 33 (14.9%) TRR recommendations involving a second member are listed as “TRR not completed”.¹⁶⁶ Additionally, between January 1st to June 28th, 2023, TRED identified 75 instances where officers did not fill out a TRR when one should have been completed. In previous conversations with CPD, the IMT learned that when unreported force is identified in this manner, a TRR is not subsequently created. The CPD is not in Full compliance for ¶219 as training has occurred but CPD lacks a system to measure unreported force and TRRs are not subsequently completed.

We look forward to assessing the CPD’s continued progress with ¶219 and as we continue to assess Full compliance, we will review a sample of TRRs with a focus

¹⁶⁴ TRED’s 2022 Year-End Report, CHICAGO POLICE DEPARTMENT (JUNE 11, 2023) AT 51, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

¹⁶⁵ *Id.* at 47.

¹⁶⁶ TRED’s 2022 Year-End Report, CHICAGO POLICE DEPARTMENT (June 11, 2023) at 53, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

on Constitutional policing and the CPD's efforts to address the concerns of the protests that occurred in 2022.

Paragraph 219 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶220

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (THIRD REPORTING PERIOD)*
Secondary: *In Compliance (FIFTH REPORTING PERIOD)*
Full: *Not Yet Assessed*

During the eighth reporting period, the City and the CPD maintained Preliminary compliance and Secondary compliance with ¶220.

To assess Preliminary compliance, the IMT reviews the CPD's applicable policies including the CPD's revised General Order G03-02-02, *Incidents Requiring the Completion of a Tactical Response Report*, (effective June 28, 2023), G03-02-03, *Firearm Discharge Incidents – Authorized Use and Post-Discharge Administrative Procedures*, (effective June 28, 2023), and G03-06, *Firearm Discharge and Officer-involved Death Incident Response and Investigation* (effective April 15, 2021), and analyze other records and information provided during the reporting period, such as TRED's quarterly and year-end reports and the CPD's Use of Force Dashboard.

To assess Secondary compliance during the seventh reporting period, the IMT reviewed records provided by the CPD to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*. Further, the IMT closely tracked and reviewed TRED's Quarterly and Year-End Reports,

which describe trends in TRRs as well as officer “debriefing points,” which are conversations in which TRED provides guidance to officers on how to better articulate force mitigation efforts on future reports, for example.

This reporting period, CPD finalized the new Incident Debriefing Report (IDR). Additionally, the TRR-R and TRR-I forms capture some information required in debriefing points. On June 22, 2023, CPD provided the IMT all the debriefing points that TRED reviews; among them include “de-escalation/force mitigation not articulated in the narrative”, “narrative deficiency- involved member,” “force options not articulated,” “BWC- no activation,” “verbal warning prior to use of force,” and “number of incidents where WOL captures responding units.”

Continuing from last reporting period, TRED focused on de-escalation and emphasizing the completeness of TRRs. Specifically, TRED reviews whether each box that was checked for a de-escalation technique has an accompanying narrative. We continue to see hundreds of instances of debriefing points per quarter for “force mitigation – not articulated” and encourage TRED to continue its regular cadence of reviews and debriefings about this officer reporting failure. Specifically, TRED’s year-end report notes 305 (12%) debriefings for “force mitigation – not articulated” in 2022, which is an 8% decrease from 2021¹⁶⁷ and reflects TRED and the Training and Support Group’s focus on this issue. Additionally, TRED identified an increase in the “narrative deficiency” from the involved member, noting 185 deficiencies (10.1%).¹⁶⁸ In comparing the previous year, 7.2% of TRRs in 2022 contained narrative deficiencies, an increase from 5.2% in 2021.

In the next reporting period, the IMT continues to seek to review documentation about whether officers submit their required reports prior to the conclusion of their shift.

We appreciate that the City incorporated Illinois law changes into the 2023 training and issued updated use of force policies to reflect the changes. Upon completion of such training, CPD will continue to remain in Secondary compliance.

The IMT continues to seek direct access to officer-involved shooting reports and documentation to continue our assessment of the requirements of this paragraph. We look forward to the CPD’s continued progress on this paragraph

¹⁶⁷ TRED’s 2022 Year-End Report, CHICAGO POLICE DEPARTMENT (June 11, 2023) at 51, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

¹⁶⁸ *Id.* at 47.

Paragraph 220 Compliance Progress History

FIRST REPORTING PERIOD
SEPTEMBER 1, 2019 – AUGUST 31, 2019

COMPLIANCE PROGRESS:
Not Applicable

SECOND REPORTING PERIOD
SEPTEMBER 1, 2019 – FEBRUARY 29, 2020

COMPLIANCE PROGRESS:
Not Applicable

THIRD REPORTING PERIOD
MARCH 1, 2020 – DECEMBER 31, 2020

COMPLIANCE PROGRESS:
Secondary

FOURTH REPORTING PERIOD
JANUARY 1, 2021 – JUNE 30, 2021

COMPLIANCE PROGRESS:
Preliminary

FIFTH REPORTING PERIOD
JULY 1, 2021 – DECEMBER 31, 2021

COMPLIANCE PROGRESS:
Secondary

SIXTH REPORTING PERIOD
JANUARY 1, 2022 – JUNE 30, 2022

COMPLIANCE PROGRESS:
Secondary

SEVENTH REPORTING PERIOD
JULY 1, 2022 – DECEMBER 31, 2022

COMPLIANCE PROGRESS:
Secondary

EIGHTH REPORTING PERIOD
JANUARY 1, 2023 – JUNE 30, 2023

COMPLIANCE PROGRESS:
Secondary

Use of Force: ¶221

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (THIRD REPORTING PERIOD)*

Secondary: *In Compliance (SIXTH REPORTING PERIOD)*

Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with ¶221.

To assess compliance, the IMT reviews relevant policy and training—such as the CPD’s G02-02 *First Amendment Rights* policy and 2022 *In-Service Supervisory Refresher* training—and TRED’s quarterly and year-end Reports. The IMT also held conversations with CPD supervisors and leadership on use of force issues throughout this monitoring period.

During the sixth reporting period, the CPD sought public comment on G02-02 from April 28, 2022, to May 13, 2022. The CPD delayed issuing the policy, however, until it had provided eLearning instruction on the changes.

The CPD issued and made effective the revised G02-02 during the seventh reporting period, on December 19, 2022.

During the seventh reporting period, the IMT reviewed records demonstrating that 95.25% of CPD officers completed the *First Amendment Rights eLearning* by December 20, 2022.

The CPD also provided revised draft course materials for its 2023 *Constitutional Policing* training, one hour of which addresses First Amendment Rights and public assemblies. The course also includes a participant guide, in which the following topics are addressed: prohibitions on officers’ behavior, crowd management, dispersal orders, specific forms for protests supervisors must complete, and procedures for mass arrests. The guide specifically states that any force during a protest is not an exception to reporting requirements – that if the force used requires a TRR (see ¶218), officers must submit the TRR.

However, TRED's 2022 Year-End Report indicates that 33 (14.9%) TRR recommendations involving a second member are listed as "TRR not completed."¹⁶⁹ As noted in previous paragraphs, in 2023 there were 75 incidents where officers did not complete a TRR. The IMT applauds TRED's identification of the second involved members using some level of unreported force as noted in the year-end report. We encourage the CPD to analyze the nature of these instances of unreported force and subsequently address the issue in training. However, it is currently unlikely that officers who fail to report an incident to OEMC will complete the TRR. Additionally, as OEMC must notify an officers' supervisor and Watch Operations Lieutenant. The IMT will review a random sample of TRRs and request documentation to confirm whether notification is sent to the Watch Operation Lieutenant.

We appreciate the CPD's efforts to address the force reporting failures of 2020 and encourage the CPD to continue to address them adequately and directly through training, reinforced through supervision.

To assess Full compliance, the IMT seeks information on use of force cases reported to COPA and BIA that do not have a corresponding TRR.

Paragraph 221 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Secondary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

¹⁶⁹ TRED's 2022 Year-End Report, CHICAGO POLICE DEPARTMENT (June 11, 2023) at 53, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

Use of Force: ¶222

222. A CPD supervisor will immediately respond to the scene when a level 2 or level 3 reportable use of force occurs (“responding supervisor”). CPD supervisors may, at their discretion, respond to the scene when a level 1 reportable use of force occurs, but they are not required to do so.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FIRST REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD maintained Secondary compliance with ¶222.¹⁷⁰

To assess compliance with this paragraph, the IMT reviews applicable CPD policy, data and information from the CPD’s TRED such as Quarterly and Year-End Reports, and the CPD’s training.

During the sixth reporting period, we reviewed the CPD’s *In-Service Supervisory Refresher Training*, including its lesson plan, PowerPoint slides, and the course materials distributed. Moreover, on April 12, 2022, IMT observed a Supervisory training session, and we noted that the requirements of this paragraph were included on slides 95 and 103. We noted that the CPD distributed a *Tactical Response Report Training Guide* on supervisory duties and responsibilities and guide for filling out TRRs, which we also reviewed.

During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*. Therefore, the CPD achieved Secondary compliance with ¶222.

We also reviewed TRED data during this reporting period.

TRED’s *2022 Q1 Report* indicates that there were 17 incidents of supervisors failing to respond to scenes when they were required to do so, and the *2022 Q2 Report* indicates 2 incidents of supervisors failing to respond to scenes when they were required to do so. The *2022 Year-End Report* notes an improvement in deficiencies

¹⁷⁰ We acknowledge that the OAG disagreed with our determination of Secondary compliance for this paragraph in *Independent Monitoring Report 7*, based on “the In-Service Supervisors’ training because CPD has not consistently identified these paragraphs in production materials regarding the training.” We acknowledge these concerns, and also acknowledge the CPD’s training efforts. The IMT will determine whether deficient supervision is an issue for Full compliance and understand that our inquiries might support the need for additional training.

for supervisory response in the last quarters of the year, which may be attributed to the Supervisory Training course.

We also conducted interviews with supervisors during this reporting period. Supervisors noted that responding to use of force incidents is “not an issue” in their district, which we found promising. We also heard from supervisors, however, that they have encountered problems with responding in the past in busier districts that may have multiple scenes or incidents to respond to simultaneously. Supervisors will respond as quickly as they can, but it is not always an immediate response. In additional interviews with CPD, it was explained that TRED measures a sergeant’s failure to respond when they are available. Thus, TRED provides data when a sergeant may be at fault for not responding but does not provide data for instances where a supervisor is not available.

During this reporting period, the IMT received data for all Level 2 use of force incidents in which supervisors are not available. In 2022, there was no supervisor response in 361 (27.6%) of 1,308 incidents. In comparison for 2023, as of June 30, 2023, there was no supervisor response in 250 (36.78%) of 678 incidents. A supervisor’s failure to respond results in a subsequent inability to adequately conduct investigations and identify witnesses. The lack of available supervisors is a staffing issue that must be addressed, and CPD’s inability to have supervisors responding to Level 2 use of force incidents will impact supervision overall.

The IMT underscores that it is imperative that supervisors respond to all Level 2 and Level 3 use of force incidents. Moreover, the IMT notes that it is difficult to properly assess with CPD’s existing data how quickly supervisors respond to various use of force incidents and when there are no responses. Currently, the rate at which there is no supervisory response is unacceptable; CPD has not achieved full compliance with the requirements of this paragraph. We encourage the CPD to consider how it may determine and track the rate at which supervisors respond when they are required to do so, as well as the degree to which there is no supervisory response.

Paragraph 222 Compliance Progress History

FIRST REPORTING PERIOD
SEPTEMBER 1, 2019 – AUGUST 31, 2019

COMPLIANCE PROGRESS:
Preliminary

SECOND REPORTING PERIOD
SEPTEMBER 1, 2019 – FEBRUARY 29, 2020

COMPLIANCE PROGRESS:
Preliminary

THIRD REPORTING PERIOD
MARCH 1, 2020 – DECEMBER 31, 2020

COMPLIANCE PROGRESS:
Preliminary

FOURTH REPORTING PERIOD
JANUARY 1, 2021 – JUNE 30, 2021

COMPLIANCE PROGRESS:
Preliminary

FIFTH REPORTING PERIOD
JULY 1, 2021 – DECEMBER 31, 2021

COMPLIANCE PROGRESS:
Preliminary

SIXTH REPORTING PERIOD
JANUARY 1, 2022 – JUNE 30, 2022

COMPLIANCE PROGRESS:
Preliminary

SEVENTH REPORTING PERIOD
JULY 1, 2022 – DECEMBER 31, 2022

COMPLIANCE PROGRESS:
Secondary

EIGHTH REPORTING PERIOD
JANUARY 1, 2023 – JUNE 30, 2023

COMPLIANCE PROGRESS:
Secondary

Use of Force: ¶223

223. For level 2 and level 3 reportable use of force incidents, the duties of the responding supervisor will include, at a minimum: a. identifying known available witnesses to the use of force to the extent reasonably possible and documenting their identities and statements in a written report, except in incidents for which the Civilian Office of Police Accountability (“COPA”) receives administrative notifications and responds to the scene; b. coordinating with COPA, as appropriate; c. gathering and preserving evidence related to the use of force; d. requesting the assignment of an evidence technician to photograph persons involved in the incident, including any injuries sustained; e. ensuring that members and subjects receive appropriate medical care; f. making notifications as required by CPD policy; and g. reviewing reports regarding the incident for legibility and completeness.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (THIRD REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with the requirements of ¶223.¹⁷¹

To assess compliance with this paragraph, the IMT reviews applicable CPD policy, data and information from the CPD’s TRED, such as Quarterly and Year-End Reports, and the CPD’s training.

During the sixth reporting period, we reviewed the CPD’s *In-Service Supervisor Training*, including its lesson plan, PowerPoint slides, and the course materials distributed. Moreover, on April 12, 2022, IMT observed a supervisor training session, and we note that the requirements of this paragraph were included on slides 103–106. We note that the CPD distributed a *Tactical Response Report Training Guide* on supervisory duties and responsibilities and guide for filling out TRRs, which we also reviewed.

¹⁷¹ We acknowledge that the OAG disagreed with our determination of Secondary compliance for this paragraph in *Independent Monitoring Report 7*, based on “the In-Service Supervisors’ training because CPD has not consistently identified these paragraphs in production materials regarding the training.” We acknowledge these concerns, and also acknowledge the CPD’s training efforts. The IMT will determine whether deficient supervision is an issue for Full compliance and understand that our inquiries might support the need for additional training.

During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*. Therefore, the CPD achieved Secondary compliance with ¶223.

Our review of TRED's first two quarterly reports indicates that failure to request an evidence technician (as required by ¶223(d)) when necessary—which includes any time a person is injured during a use of force incident—has become the most common debriefing point among reviewing supervisors with regard to the requirements of ¶223. Specifically, the *2022 Q1 Report* and *2022 Q2 Report* note that this failure happened 21 and 25 times, respectively. We hope to see improvement on this requirement in the next reporting period.

In this reporting period, the latest data on deficiencies for reviewing supervisors demonstrates that the failure to request an evidence technician continues to remain a concern. TRED's *2022 Year-End Report* indicates that this occurred in 110¹⁷² instances. TRED's investigation determined that supervisors did not notify evidence technicians when there was a visible injury or when an officer is injured rather than the individual involved in the use of force. TRED sent a department-wide message and requested in-service trainings to address this issue.

Additional deficiencies were also outlined, such as 40 times in which there were witness box issues – that includes instances where a supervisor fails to fully explain actions taken to identify and locate witnesses. Narrative deficiencies among reviewing supervisors were indicated 36 times, and 31 occurrences where injuries were not documented. Lastly, the reviewing officer used or ordered force 17 times.

Furthermore, in interviews with CPD, the IMT learned that TRED reports on when a sergeant may be at fault for not responding to a scene but does not provide data for instances where a supervisor is not available. The difference may be significant: as we note in our assessment of ¶224 below, a sergeant did not respond in a total of 250 of the 678 Level 2 TRRs (36.87 percent of the time) from January to June, 2023. Looking forward, the IMT will need total numbers of supervisory non-response to continue to examine compliance.¹⁷³ As notifying evidence technicians remains a concern and documenting subjects or officers' injuring remains an important responsibility, CPD failed to achieve Full compliance. We look forward to continued progress with the requirements of this paragraph.

¹⁷² TRED's *2022 Year-End Report*, CHICAGO POLICE DEPARTMENT (JUNE 21, 2023) at 57, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

¹⁷³ The CPD cannot achieve Full compliance without providing the totals.

Paragraph 223 Compliance Progress History

FIRST REPORTING PERIOD
SEPTEMBER 1, 2019 – AUGUST 31, 2019

COMPLIANCE PROGRESS:
None

SECOND REPORTING PERIOD
SEPTEMBER 1, 2019 – FEBRUARY 29, 2020

COMPLIANCE PROGRESS:
None

THIRD REPORTING PERIOD
MARCH 1, 2020 – DECEMBER 31, 2020

COMPLIANCE PROGRESS:
Preliminary

FOURTH REPORTING PERIOD
JANUARY 1, 2021 – JUNE 30, 2021

COMPLIANCE PROGRESS:
Preliminary

FIFTH REPORTING PERIOD
JULY 1, 2021 – DECEMBER 31, 2021

COMPLIANCE PROGRESS:
Preliminary

SIXTH REPORTING PERIOD
JANUARY 1, 2022 – JUNE 30, 2022

COMPLIANCE PROGRESS:
Preliminary

SEVENTH REPORTING PERIOD
JULY 1, 2022 – DECEMBER 31, 2022

COMPLIANCE PROGRESS:
Secondary

EIGHTH REPORTING PERIOD
JANUARY 1, 2023 – JUNE 30, 2023

COMPLIANCE PROGRESS:
Secondary

Use of Force: ¶224

224. *In addition, for level 2 and level 3 reportable use of force incidents involving an injury or complaint of injury for which COPA does not have jurisdiction, the responding supervisor will undertake reasonable efforts to identify and interview additional witnesses beyond those that are known and available.*

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (THIRD REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD maintained Secondary compliance with the requirements of ¶224.¹⁷⁴

To assess compliance for this paragraph the IMT reviews the CPD’s relevant policies, TRED’s Year-End and Quarterly Reports, the CPD’s use of force dashboard, and the CPD’s training.

During the sixth reporting period, we reviewed the CPD’s *In-Service Supervisor Training* and noted that it addressed this requirement. We also noted that the revised TRR form (issued December 2020) includes the requirement to identify witnesses and document those efforts. On April 12, 2022, the IMT observed the supervisor training, and the requirements of this paragraph were adequately addressed on slide 105 of the training PowerPoint deck. Additionally, the CPD distributed a *Tactical Response Report Training Guide* on supervisory duties and responsibilities and guide for filling out TRRs, which we also reviewed.

During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*. Therefore, the CPD achieved Secondary compliance with ¶224.

We continued to review TRED data during this reporting period.

As we noted in the prior reporting period, the extent of Reviewing Supervisors’ efforts to identify witnesses and to canvas neighborhoods is difficult to determine from the limited information in TRED reports. TRED’s first two quarterly reports

¹⁷⁴ We acknowledge that the OAG disagreed with our determination of Secondary compliance for this paragraph in *Independent Monitoring Report 7*, based on “the In-Service Supervisors’ training because CPD has not consistently identified these paragraphs in production materials regarding the training.” We acknowledge these concerns, and also acknowledge the CPD’s training efforts. The IMT will determine whether deficient supervision is an issue for Full compliance and understand that our inquiries might support the need for additional training.

identify 28 incidents of “narrative deficiency” for responding supervisors; whether these deficiencies relate to required witness identification cannot be determined. TRED’s year-end report indicates 36 narrative deficiencies for 2022. Another common debriefing point for responding supervisors is for “witness box issue,” with 22 occurrences in the first two quarters of 2022, and a total of 40 occurrences for the year.

Furthermore, the CPD provided data for 2022 and 2023 of supervisors’ response to Level 2 uses of force. The CPD indicated that, there were no supervisor responses in 27.6% of instances in 2022 and in 36.78% of instances as of June 30, 2023. The lack of adequate supervisory staffing levels undoubtedly impacts CPD’s ability to have a supervisor respond to scenes when a use of force occurs and identify and obtain witnesses.

In order for the CPD to move toward Full compliance, the CPD will need to significantly improve its supervisory response ratio. The IMT will continue to explore with TRED whether its existing debriefings suffice to monitor responding supervisor’s required witness identification efforts. We look forward to continued progress in the next reporting period.

Paragraph 224 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶225

225. A supervisor who used force or ordered force to be used during a reportable use of force incident will not perform the duties assigned to the responding supervisor for that incident.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (THIRD REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary Secondary compliance and are under assessment for Full compliance with the requirements of ¶225.¹⁷⁵

To determine compliance, the IMT reviews relevant CPD policies, TRED's Quarterly and Year-End Reports, the CPD's use of force dashboard, and the CPD's training.

During the sixth reporting period, we reviewed the CPD's *In-Service Supervisor Training*. In addition, the IMT observed a supervisor training session in April 2022 and reviewed the supervisor's *Tactical Response Report Training Guide* that was distributed along with that training; we note that the requirements of this paragraph are covered in the *Tactical Response Report Training Guide*.

During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*. Therefore, the CPD achieved Secondary compliance with ¶225.

We continued to review TRED data during this reporting period. TRED's *2021 Year-End Report* identifies 39 debriefing points for a supervisor either using or ordering the use of reportable force and conducting the investigation as the reviewing/responding supervisor.¹⁷⁶ TRED's *2022 Year-End Report* indicates an improvement

¹⁷⁵ We acknowledge that the OAG disagreed with our determination of Secondary compliance for this paragraph in *Independent Monitoring Report 7*, based on "the In-Service Supervisors' training because CPD has not consistently identified these paragraphs in production materials regarding the training." We acknowledge these concerns, and also acknowledge the CPD's training efforts. The IMT will determine whether deficient supervision is an issue for Full compliance and understand that our inquiries might support the need for additional training.

¹⁷⁶ TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (APRIL 29, 2022), <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

over the previous year with 17 debriefing points for the use or order of a use of force.¹⁷⁷

We understand that the CPD continues to face challenges around the numbers and availability of supervisors. TRED's 2022 Q1 Report identifies four instances in which supervisors were debriefed on this issue, while the 2022 Q2 Report does not report any. On June 28, 2023, TRED reported that there have been four instances in 2023 of a responding supervisor when they either ordered or used force, and all four supervisors had debriefings. As a response to this issue, General order G03-02-02, *Incidents Requiring the Completion of a Tactical Response Report* (effective June 28, 2023), states that a reviewing supervisor may be the same rank as the involved officer to conduct the investigation under the watch operations lieutenant's direction. However, the supervisor of the same rank cannot be the approving supervisor.

While this issue has been addressed in CPD's supervisory trainings and policies, CPD should consider reissuing a directive and emphasizing this issue even though the first half of 2023 is heading in the right direction.

The CPD remains in Preliminary and Secondary compliance with these requirements and is under assessment for Full compliance. We appreciate the CPD's efforts and look forward to continued progress with these requirements.

Paragraph 225 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

¹⁷⁷ TRED's 2022 Year-End Report, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 57, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

Use of Force: ¶226

226. CPD will continue to require the responding supervisor to document information collected and actions taken in performing his or her investigatory duties in the supervisor’s portion of the TRR, or in any other similar form of documentation CPD may implement.

Compliance Progress (Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FIRST REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Not in Compliance*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with the requirements of ¶226.¹⁷⁸

To determine compliance, the IMT reviews relevant CPD policy, CPD forms including the TRR, the TRR-I, and the TRR-R, IDR, TRED’s Quarterly and Year-End Reports, the CPD’s use-of-force dashboard, and the CPD’s training.

During the sixth reporting period, we reviewed the CPD’s *In-Service Supervisor Training*. On April 12, 2022, the IMT observed the supervisor training and note that a 2-hour block of that training focused on supervisory reporting responsibilities related to TRRs. Additionally, the CPD distributed a *Tactical Response Report Training Guide* on supervisory duties and responsibilities and guide for filling out TRRs, which we also reviewed.

During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*. Therefore, the CPD achieved Secondary compliance with ¶226.

We continued to review TRED data during this reporting period.

TRED’s *2021 Year-End Report* identifies a number of recurring issues regarding these requirements, including supervisors failing to request an evidence technician (114 times in 2021), failing to articulate their efforts to identify relevant witnesses to a use of force incident (56 times in 2021), narrative deficiencies (37 times in 2021), and “TRR Entry – Other” (56 times in 2021).¹⁷⁹ TRED’s *2022 Q1 Report*

¹⁷⁸ We acknowledge that the OAG disagreed with our determination of Secondary compliance for this paragraph in *Independent Monitoring Report 7*, based on “the In-Service Supervisors’ training because CPD has not consistently identified these paragraphs in production materials regarding the training.” We acknowledge these concerns, and also acknowledge the CPD’s training efforts. The IMT will determine whether deficient supervision is an issue for Full compliance and understand that our inquiries might support the need for additional training.

¹⁷⁹ TRED’s *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (APRIL 29, 2022), <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

and 2022 Q2 Report identify 28 incidents of “narrative deficiency” for responding supervisors. However, the year-end report also demonstrates an improvement on responding supervisors’ ability to perform their duties in the top deficiencies for 2021. This may be due to CPD’s supervisory trainings and the IMT commends their efforts.

TRED’s 2022 Year-End Report also indicates that failure to request an evidence technician has remained the most common debriefing point among reviewing supervisors; specifically, TRED reports 110 debriefing points for 2022. We remain concerned at the continued levels of supervisors failing to notify evidence technicians when required to do so. TRED’s investigation determined that supervisors did not notify evidence technicians when there was a visible injury or when an officer is injured rather than the individual involved in the use of force. TRED sent a department-wide message and requested in-service trainings to address this issue.

The CPD remains in Preliminary compliance with the requirements of ¶226 and has achieved Secondary compliance through its training efforts. As stated in ¶224, however, CPD has not achieved Full compliance as supervisors fail to response to scene with uses of force at unacceptable rates. It is clear that there are inadequate supervisory staffing levels.

Paragraph 226 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Preliminary	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Preliminary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶227

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (THIRD REPORTING PERIOD)*
Secondary: *In Compliance (FIFTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance and remain under assessment for Full compliance with the requirements of ¶227.

To determine compliance, the IMT reviews relevant CPD policies, TRED’s Year-End and Quarterly Reports, documentation on COPA’s website, and the CPD’s training.

During the sixth reporting period, we reviewed the CPD’s *In-Service Supervisor Training*. On April 12, 2022, the IMT observed the supervisor training.

During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*.

We have explored requesting additional relevant data from COPA regarding this issue, but they do not have such data readily available at this time. Moreover, we note that during TRED’s reviews of officers who use force, they routinely review all body-worn camera of the officer involved and the officers present, so TRED is in a position to identify unreported force. TRED’s review of TRRs now includes the identification of cases where an “involved member 2” uses force but is not reported. This is a new debriefing point that was added and was not reviewed for in 2021. The *2022 Year-End Report* identifies 33 instances where a TRR was not completed of the 2,575 TRR reviews conducted.¹⁸⁰ Between January 1 and June 28, 2023, TRED identified 75 instances where officers did not fill out a TRR when one should have been completed.

In our interviews with supervisors during this reporting period, they were unaware of any instance in which an officer reported a previously unreported use of force incident. The CPD’s revised G03-02, *De-Escalation, Response to Resistance, and Use of Force* (effective June 28, 2023), sets out the reporting requirements and

¹⁸⁰ TRED’s *2022 Year-End Report*, CHICAGO POLICE DEPARTMENT (JUNE 21, 2023) at 53, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

procedures for officers who witness instances of unreported or excessive force in section VII, subsection B.

The CPD must capture information where officers point out instances of unreported force at the district level rather than with the unit that conducts oversight. TRED’s role is to identify deficiency for training purposes and may occasionally forward cases to COPA.

We remain concerned about the possibility of future failures to report force because both the IMT’s Special Report and the OIG’s report on the 2020 protests indicate that unreported use of force was a significant issue. TRED’s current data also indicate that the trend is not heading in the right direction. We appreciate the emphasis on this issue in training through which the CPD maintains Secondary compliance and look forward to continued emphasis. For the CPD to move toward Full compliance, the IMT will be reviewing documentation from other sources including BIA, COPA, and the City’s Law Department and will look for evidence of procedures to capture such information and to identify the agency or unit that would be the repository of such reports.

Paragraph 227 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶228

228. Supervisors play a critical role in ensuring that force is used legally, consistent with CPD policy, and in a manner that will promote community confidence in the Department. Supervisor reviews and investigations of uses of force are essential to identify necessary individual and departmental corrective action.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FOURTH REPORTING PERIOD)*
Secondary: *Not in Compliance*
Full: *Not Yet Assessed*

In the eighth reporting period, the CPD remained in Preliminary compliance with the requirements of ¶228.

To assess compliance, the IMT reviews relevant CPD policies, TRED's Year-End and Quarterly Reports, the CPD's Use of Force Dashboard and supervisory dashboard, and the CPD's training. We also meet each month with members of CPD leadership.

During the sixth reporting period, we reviewed the CPD's *In-Service Supervisor Training*. On April 12, 2022, the IMT observed the supervisor training. The training focused on the need for front-line supervisors to point out training needs and deficiencies when they investigate use of force incidents and emphasizes the CPD's processes for supervisors to do so.

During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*.

In this reporting period, the IMT was informed that the policy compliance dashboard is unavailable. Past data routinely indicated that compliance rate was around 97%. However, the personnel who originally compiled the dashboard are no longer available.

We remain concerned that while front-line supervisors and members of TRED have access to the same reports and body-worn camera videos, the results of their observations differ greatly. For instance, TRED's 2022 Q2 Report identified 127 times where late activation of body-worn cameras occurred (15.9% of TRRs). TRED reports continue to identify front-line supervisors' failure to take action when there are clear officer deficiencies. It appears that when determining compliance, supervisors only review the use of force and no other issues, such as body-worn cameras. The failure to activate body-worn cameras is a policy violation that must be

addressed by district supervisors but is not. TRED identifies deficiencies for training opportunities and any policy violations are sent to COPA. Furthermore, the IMT determines that body-worn camera training to date has not addressed this issue and requires further training. This also requires a resolution to the labor issue concerning district supervisors issuing Summary Punishment Action Reports.

This is troubling, since the *In-Service Supervisory Refresher* training that was delivered during this reporting period specifically directs supervisor to (1) identify; (2) address; and (3) document officer deficiencies regarding use of force and reporting requirements. Training and direction around the Supervisory Dashboard must clearly articulate supervisor expectations to immediately address officer issues and not wait for TRED to review then and take action. Again, the IMT stresses the criticality of front-line supervisors embracing their roles in accountability to move reform forward.

Our interviews with TRED and BIA this reporting period, and subsequent discussions, have yielded mixed results. TRED's position is that the Watch Operations Lieutenant only examines the use of force when determining compliance issues. However, BIA has taken the position that the lieutenant examines the entire even for policy compliance.

The CPD issued its *TRR Supervisory Debriefing Dashboard Training Bulletin*, ETB# 22-03, on May 25, 2023. The bulletin provides detailed instruction on how to access and use the dashboard but could have better explained how use of the dashboard relates to supervisors' responsibilities as outlined in G01-09, *Supervisory Responsibilities*, including the specific duties outlined in Section IV.D, "Use of Force Incidents." The *2023 Use of Force Policy Update Training* includes the following requirement of the investigating supervisor, per G03-02-08, *Department Review of Use of Force* (effective June 28, 2023): "When determining any recommended after-action support for Department members or supervisors, the investigating supervisor will access the 'TRR Debriefing Point Dashboard' to identify and review any previous use-of-force-related debriefing points for the involved members." The IMT hopes the training will continue to encourage district supervisors to address deficiencies as they arise.

The failure of frontline supervisors to take immediate corrective action continues. TRED's *2021 Year-End Report* indicates that supervisors documented corrective action 128 times in 2021, which accounts for 5.4% of reviewed TRRs.¹⁸¹ The *2022 Year-End Report* indicates that supervisors documented corrective action 199

¹⁸¹ TRED's *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (APRIL 29, 2022), <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

(7.7%) times in 2022 at the time of the incident.¹⁸² However, the fact that CPD supervisors were unavailable to respond to Level 2 use of force instances 27.6% of the time (361 of 1,308) in 2022 and 36.78% (250 of 678) as of June 30, 2023, casts serious doubt on the nature of investigations in a significant number of force cases. This issue is indicative of CPD’s structural problem of supervisors not being responsible for specific officers at the district level.

In conclusion, the IMT stresses that although training has taken place, staffing issues result in a lack of available supervisors to respond to scenes with uses of force. The CPD remains in Preliminary compliance as a result of this system-wide issue. The IMT looks forward to the CPD’s additional efforts to address these continuing issues in the next reporting period.

Paragraph 228 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Status Update
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

¹⁸² TRED’s 2022 Year-End Report, CHICAGO POLICE DEPARTMENT (JUNE 21, 2023) at 56, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

Use of Force: ¶229

229. All reportable uses of force by CPD members must be reviewed by CPD supervisors.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FIRST REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Not in Compliance*

During the eighth reporting period, the CPD maintained Preliminary and Secondary compliance with the requirements of ¶229.¹⁸³

To assess compliance with this paragraph, the IMT relied on several data sources, such as the CPD’s relevant policies, including G02-02 *First Amendment Rights* policy, TRED’s Year-End and Quarterly Reports, the CPD’s Use of Force Dashboard, the CPD’s processes regarding its First Amendment policy, and the CPD’s training.

During the sixth reporting period, we reviewed the CPD’s *In-Service Supervisory Refresher Training* and on April 12, 2022, the IMT observed the Supervisory refresher training. Additionally, the CPD distributed a *Tactical Response Report Training Guide* on supervisory duties and responsibilities and guide for filling out TRRs, which we also reviewed.

During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*. The IMT also reviewed records demonstrating that 95.25% of CPD officers completed the *First Amendment Rights eLearning* by December 20, 2022. Therefore, the CPD achieved Secondary compliance with ¶229.

The CPD’s in-service annual training addresses the expectations and requirements for officers to report uses of force in their day-to-day policing and the CPD’s *First Amendment Rights* policy and accompanying forms address problems associated with the CPD’s failures to report force used during the 2020 protests. Moreover, the CPD’s *Constitutional Policing* course in 2023, addresses protests and reporting issues.

¹⁸³ We acknowledge that the OAG disagreed with our determination of Secondary compliance for this paragraph in *Independent Monitoring Reports 7*, based on “the In-Service Supervisors’ training because CPD has not consistently identified these paragraphs in production materials regarding the training.” We acknowledge these concerns, and also acknowledge the CPD’s training efforts. The IMT will determine whether deficient supervision is an issue for Full compliance and understand that our inquiries might support the need for additional training.

As we noted in our analysis of ¶227, we remain concerned about the possibility of officers failing to report use of force incidents. We note that TRED’s 2021 Year-End Report does not note any debriefings for failing to report force, as those cases would be sent to COPA. TRED’s review of TRRs now includes the identification of cases where an “involved member 2” uses force but is not reported. This is a new debriefing point that was added and was not reviewed for in 2021. The 2022 Year-End Report identifies 33 instances where a TRR was not completed of the 2,575 TRR reviews conducted.¹⁸⁴ Between January 1st to June 28th, 2023, TRED identified 75 instances where officers did not fill out a TRR when one should have been completed. In discussions with CPD, the IMT was made aware that even when officers fail to complete a TRR and it is discovered, there is no requirement to subsequently complete one.

In our interviews with supervisors during this reporting period, they were unaware of any instance in which an officer reported a previously unreported use of force incident. Supervisors indicated that they are aware of and fulfill their responsibilities when a TRR is made, and they reported remaining hours after the end of their tour to complete their responsibilities. Additionally, they were unaware of any instances where TRED identified a supervisor failing to perform their duties.

We appreciate the CPD’s training efforts on this issue to date, but the CPD fails to reach Full compliance due to the number of unreported instances of force in the past year and half as TRED has identified. We look forward to the CPD’s continued efforts to ensure that all reportable uses of force are indeed reported and are appropriately reviewed by CPD supervisors.

Paragraph 229 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Preliminary	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Preliminary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Secondary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

¹⁸⁴ TRED’s 2022 Year-End Report, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 53, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

Use of Force: ¶230

230. After a reportable use of force has occurred, required TRRs have been completed, and, in the case of level 2 and level 3 incidents, a responding supervisor has documented any investigatory information collected, the incident will be reviewed and evaluated by a CPD supervisor at least the rank of Lieutenant, and in all instances at least one rank level above that of the highest-ranking member who engaged in the reportable use of force, or by a command staff member, when designated (“reviewing supervisor”).

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance* (THIRD REPORTING PERIOD)
Secondary: *In Compliance* (SEVENTH REPORTING PERIOD)
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Secondary compliance with the requirements of ¶230.¹⁸⁵

To assess compliance, the IMT reviewed relevant CPD policies, the TRR, TRR-I, TRR-R forms, TRED Year-End and Quarterly Reports, and the CPD’s training.

During the sixth reporting period, we reviewed the CPD’s *In-Service Supervisory Refresher Training* and on April 12, 2022, the IMT observed the Supervisory training. Our observation in April of the 2022 in service Supervisor Refresher Training indicates that the curriculum addresses the requirements of this paragraph, and we note that TRED’s *2021 Year-End Report* indicates that a CPD sergeant has never approved a TRR for another sergeant.¹⁸⁶ Additionally, the CPD distributed a *Tactical Response Report Training Guide* on supervisory duties and responsibilities and guide for filling out TRRs, which we also reviewed.

During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*.

¹⁸⁵ We acknowledge that the OAG disagreed with our determination of Secondary compliance for this paragraph in *Independent Monitoring Report 7*, based on “the In-Service Supervisors’ training because CPD has not consistently identified these paragraphs in production materials regarding the training.” We acknowledge these concerns, and also acknowledge the CPD’s training efforts. The IMT will determine whether deficient supervision is an issue for Full compliance and understand that our inquiries might support the need for additional training.

¹⁸⁶ TRED’s *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (APRIL 29, 2022), <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

Additionally, TRED’s 2022 Year-End Report continues to emphasize that there have not been any instances in which a sergeant has approved the TRR of another sergeant.¹⁸⁷ However, TRED has identified deficiencies and advisements for lieutenants who have approved TRRs that were completed by another lieutenant.

In our interviews with TRED and district personnel during this reporting period, they both continue to emphasize that the reviewing supervisor must be one rank higher. They also noted that in some instances, the reviewer can be a deputy chief. Additionally, TRED has pointed out that as of June 28, 2023, there have been two instances of reviewing supervisors being the same rank: One debrief was issued for a deputy chief reviewing another’s TRR and one debrief was for a lieutenant.

In conclusion, the CPD remains in Secondary compliance with the requirements of ¶230. We continue to stress the importance of these processes and encourage continued training and supervision of these requirements as we assess Full compliance.

Paragraph 230 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

¹⁸⁷ TRED’s 2022 Year-End Report, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 59, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

Use of Force: ¶231

231. *The reviewing supervisor will conduct an investigation into the reportable use of force incident by reviewing all information reasonably available regarding the incident, including written reports, video or audio recordings, and, in the case of level 2 and level 3 reportable use of force incidents, witness statements, photographs (if available), and other evidence or information collected by the responding supervisor. After advising the subject of his or her right not to answer questions and other applicable rights, and only if the subject voluntarily consents to an interview, the reviewing supervisor will interview the subject solely about the reportable use of force. In addition, the reviewing supervisor will visually inspect the subject and document any injuries observed.*

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FIRST REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Not in Compliance*

In the eighth reporting period, the CPD maintained Preliminary and Secondary compliance with the requirements of ¶231.¹⁸⁸

To assess compliance, the IMT reviews relevant CPD policies, TRED Year-End and Quarterly Reports, the CPD’s use of force Dashboard, and the CPD’s training.

During the sixth reporting period, we reviewed the CPD’s *In-Service Supervisor Training* and on April 12, 2022, the IMT observed the supervisor training. Additionally, the CPD distributed a *Tactical Response Report Training Guide* on supervisory duties and responsibilities and guide for filling out TRRs, which we also reviewed. The supervisor training and accompanying materials emphasized the importance of the watch operations lieutenant inspecting subjects for injuries and responding to a hospital if required (it appears in the *Tactical Response Report Training Guide* at page 2, pages 12–13, and in notes 1–4).

¹⁸⁸ We acknowledge that the OAG disagreed with our determination of Secondary compliance for this paragraph in *Independent Monitoring Team 7*, based on “the In-Service Supervisors’ training because CPD has not consistently identified these paragraphs in production materials regarding the training.” We acknowledge these concerns, and also acknowledge the CPD’s training efforts. The IMT will determine whether deficient supervision is an issue for Full compliance and understand that our inquiries might support the need for additional training.

During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*.

In our interviews with lieutenants during this reporting period, they indicated that they routinely check for injuries and ensure transfers to hospitals as appropriate. They also noted that it is not uncommon for subjects to be willing to discuss their encounter with officers. AS the IMT notes in previous paragraphs, however, the lack of available supervisors to respond to the scenes of Level 2 uses of force casts doubt on the quality of subsequent investigations.

Data from TRED’s 2022 year-end report indicates the following debriefing points for reviewing supervisor performance on the requirements of this paragraph in 2022: reports not completed within 48 hours without documented approval (58 debriefings); TRR reviewed by supervisor who used or ordered force (16 debriefings). All of these deficiencies continue to cause the IMT some concern; we hope to see improvement during the next reporting period.

Paragraph 231 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Preliminary	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Preliminary	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶232

232. For all reportable uses of force, the reviewing supervisor will determine, based on the information reviewed, if the use of force requires a notification to COPA and will assess whether the use of force was in compliance with CPD policy (except for incidents involving deadly force or an officer-involved death). The reviewing supervisor will also review the TRR, or any similar form of documentation CPD may implement, for sufficiency and completeness.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	In Compliance (THIRD REPORTING PERIOD)
Secondary:	In Compliance (SEVENTH REPORTING PERIOD)
Full:	Not in Compliance

In the seventh reporting period, the City and the CPD maintained Preliminary and Secondary compliance with the requirements of ¶232.¹⁸⁹

To assess compliance with these requirements, the IMT reviews relevant CPD policies, TRED’s Year-End and Quarterly Reports, the CPD’s Use of Force Dashboard, and the CPD’s training.

During the sixth reporting period, we reviewed the CPD’s *In-Service Supervisor Training* and on April 12, 2022, the IMT observed the supervisor training. Additionally, the CPD distributed a *Tactical Response Report Training Guide* on supervisory duties and responsibilities and guide for filling out TRRs, which we also reviewed.

During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*.

Data reported by TRED during this reporting period—along with our interviews with supervisors during this reporting period—indicate that supervisors are referring cases to COPA with relative frequency. As we noted in our prior report, TRED’s *2021 Year-End Report* indicates that the number of cases tagged for COPA review by CPD district and unit personnel was 256, or 10.8% of all 2021 TRRs, a slight decrease from 2020 when 266 cases were tagged for COPA review. We note that this decrease is likely consistent with the lower numbers of TRRs and arrests being

¹⁸⁹ We acknowledge that the OAG disagreed with our determination of Secondary compliance for this paragraph in *Independent Monitoring Report 7*, based on “the In-Service Supervisors’ training because CPD has not consistently identified these paragraphs in production materials regarding the training.” We acknowledge these concerns, and also acknowledge the CPD’s training efforts. The IMT will determine whether deficient supervision is an issue for Full compliance and understand that our inquiries might support the need for additional training.

made by the CPD. Our review of TRED' 2022 Year-End Report indicates that 233 (9%) of TRRs were flagged for COPA review.

In addition, the IMT notes that the CPD's Use of Force Dashboard has not been updated to provide the numbers of 2022 TRRs, TRR-Is, and TRR-Rs as the sources of referrals to COPA.

As indicated in ¶228, body-worn cameras inactivation is a policy violation that needs to be addressed. It hinders the IMT's ability to accurately assess use of force TRRs. The violation must be dealt with at the local level and ongoing negotiations over SPARs should not negate frontline supervisors' responsibility to document such violations.

Interviews with TRED and BIA this reporting period, and subsequent discussions, have yielded mixed results. TRED's position is that the Watch Operations Lieutenant only examines the use of force when determining compliance issues. However, BIA has taken the position that the lieutenant examines the entire even for policy compliance.

We appreciate the CPD's efforts to maintain Secondary compliance during this reporting period.

Paragraph 232 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶233

233. For all reportable use of force incidents, the reviewing supervisor will: provide timely, constructive feedback, where appropriate, to the officer who engaged in the reportable use of force, the officer's supervisor, or both; recommend additional training and/or support as necessary based on the incident; take appropriate action, including referring uses of force that may violate law or CPD policy to COPA.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (THIRD REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance and were under assessment for Full compliance with the requirements of ¶233.¹⁹⁰

To assess compliance, the IMT reviews relevant CPD policies, TRED's Year-End and Quarterly Reports, the TRR, TRR-I, TRR-R forms, TRED's system for ensuring the documentation of debriefing points, and the CPD's related training.

In our review of CPD policy G03-02-02, *Incidents Requiring the Completion of Tactical Response Report* (effective date June 28, 2023), we note that section VI.B.2.g.(1)–(3) addresses the requirements of this paragraph.

We also note that the new IDR form requires the watch operations lieutenant to indicate via check boxes which (if any) actions they recommend for officer improvement; those actions address some of the requirements of this paragraph.

During the sixth reporting period, we reviewed the CPD's *In-Service Supervisor Training* and on April 12, 2022, the IMT observed the supervisor training. Additionally, the CPD distributed a *Tactical Response Report Training Guide*, which clearly advises watch operations lieutenants to identify issues, address issues, and document issues with officers and supervisors.

¹⁹⁰ We acknowledge that the OAG disagreed with our determination of Secondary compliance for this paragraph in *Independent Monitoring Team 7*, based on "the In-Service Supervisors' training because CPD has not consistently identified these paragraphs in production materials regarding the training." We acknowledge these concerns, and also acknowledge the CPD's training efforts. The IMT will determine whether deficient supervision is an issue for Full compliance and understand that our inquiries might support the need for additional training.

During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*.

In the second quarter of 2022, TRED began to address a new debriefing point for instances when an officer is debriefed for a body-worn camera issue, but the approving supervisor takes no corrective action.¹⁹¹ TRED’s *2022 Q2 Report* indicates that TRED issued seven of these new debriefing points in the second quarter of 2022. TRED’s year-end report shows an increase with this debriefing point, indicating 88 instances for the year.¹⁹²

The new IDR system allows for documented feedback and ensures that TRED’s recommendations are handled at the local level. Per conversations during this reporting period, TRED expects that any recommendations will be forwarded to districts that then have 14 days to take necessary action. The IMT has requested documentation of cases where a deficiency was identified and handled at the district level. We look forward to reviewing that information in the next reporting period.

Body-worn camera problems persist and holding district level supervisors accountable for failing to address them is an important step. We hope to see progress on supervisors fulfilling their requirements to act when they see officers’ deficiencies. We appreciate the progress on this paragraph during this reporting period and look forward to continued progress in the next reporting period.

Paragraph 233 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

¹⁹¹ TRED’s *2022 Q2 Report* at 6.

¹⁹² TRED’s *2022 Year-End Report*, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 59, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

Use of Force: ¶234

234. CPD will continue to require the reviewing supervisor to document in a Tactical Response Report – Investigation (“TRR-I”), or in any other similar form of documentation CPD may implement, his or her detailed assessment of compliance with CPD policy, any constructive feedback, and any required or recommended action. In addition, the reviewing supervisor will include in the TRR-I or in any other similar form of documentation CPD may implement, the identities of CPD members on scene during the incident who are reasonably believed to have relevant knowledge or information regarding the reportable use of force.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance* (THIRD REPORTING PERIOD)
Secondary: *In Compliance* (SEVENTH REPORTING PERIOD)
Full: *Not Yet Assessed*

In the eighth reporting period the City and the CPD maintained Preliminary and Secondary compliance with the requirements of ¶234.¹⁹³

To assess compliance, the IMT reviewed the CPD’s relevant policies, TRED’s Year-End and Quarterly Reports, the CPD’s Use of Force Dashboard data, the TRR, TRR-I, and TRR-R forms, and the CPD’s related training.

During the sixth reporting period, we reviewed the CPD’s *In-Service Supervisor Training* and on April 12, 2022, the IMT observed the supervisor training. Additionally, the CPD distributed a *Tactical Response Report Training Guide*.

During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*.

TRED’s reports point to issues with supervisors fulfilling their responsibilities regarding the “witness box” on the form, but do not detail failures of supervisors to document officers on scene. The TRR-R, which was revised in May 2022, lists a debriefing point for “CPD Witness Identified”; in the next reporting period, we will seek clarification from TRED about whether this debriefing point addresses the

¹⁹³ We acknowledge that the OAG disagreed with our determination of Secondary compliance for this paragraph in *Independent Monitoring Report 7*, based on “the In-Service Supervisors’ training because CPD has not consistently identified these paragraphs in production materials regarding the training.” We acknowledge these concerns, and also acknowledge the CPD’s training efforts. The IMT will determine whether deficient supervision is an issue for Full compliance and understand that our inquiries might support the need for additional training.

requirements of ¶234. It is our understanding that TRED reviews all body-worn camera footage of involved officers and uninvolved officers who respond to a use of force incident scene.

In the second quarter of 2022, TRED began to address a new debriefing point for instances when an officer is debriefed for a body-worn camera issue, but the approving supervisor takes no corrective action.¹⁹⁴ TRED’s *2022 Q2 Report* indicates that TRED issued seven of these new debriefing points in the second quarter of 2022. TRED’s year-end report shows an increase with this debriefing point, indicating 88 instances for the year.¹⁹⁵ Additionally, the recent TRED assessments of reviewing supervisors that are not identifying body-worn camera failures (79 times by April 2023) is indicative of their strict focus on the use of force rather than the entirety of the encounter.

Body-worn camera problems persist and holding district level supervisors accountable for failing to address them is an important step. We hope to see progress on supervisors fulfilling their requirements to act when they see officers’ deficiencies.

Lastly, the CPD has not updated the compliance dashboard, preventing the IMT from making an assessment of this paragraph. The dashboard was last updated September 2021 with a compliance rate of 97.4%, but at the same time, 15% of all TRRs contained body-worn camera issues that were considered policy violations.

We look forward to continued progress with these requirements.

Paragraph 234 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

¹⁹⁴ TRED’s *2022 Q2 Report* at 6.

¹⁹⁵ TRED’s *2022 Year-End Report*, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 59, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

Use of Force: ¶235

235. All district-level supervisory review documentation regarding a reportable use of force incident must be completed within 48 hours of the incident, unless an extension is approved by a command staff member.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (THIRD REPORTING PERIOD)*
Secondary: *In Compliance (SEVENTH REPORTING PERIOD)*
Full: *Under Assessment*

In the eighth reporting period, the City and the CPD maintained Preliminary and Secondary compliance with the requirements of ¶235.¹⁹⁶

To assess compliance, the IMT reviews relevant CPD policy, TRED’s Year-End and Quarterly Reports, the CPD’s use of force Dashboard, and the CPD’s related training. We also participate in numerous conversations with CPD personnel on regularly scheduled calls.

During the sixth reporting period, we reviewed the CPD’s *In-Service Supervisor Training* and on April 12, 2022, the IMT observed the supervisor training. Additionally, the CPD distributed a *Tactical Response Report Training Guide*.

During the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*.

TRED’s *2021 Year-End Report* indicates that there were 37 incidents in 2021 in which investigations exceeded 48 hours without documented approval and TRED conducted debriefings with those supervisors.¹⁹⁷ TRED’s *2022 Year-End Report* indicates that there were 58 incidents in 2022 in which investigations exceeded 48

¹⁹⁶ We acknowledge that the OAG disagreed with our determination of Secondary compliance for this paragraph in *Independent Monitoring Report 7*, based on “the In-Service Supervisors’ training because CPD has not consistently identified these paragraphs in production materials regarding the training.” We acknowledge these concerns, and also acknowledge the CPD’s training efforts. The IMT will determine whether deficient supervision is an issue for Full compliance and understand that our inquiries might support the need for additional training.

¹⁹⁷ TRED’s *2021 Year-End Report*, CHICAGO POLICE DEPARTMENT (April 29, 2022) at 57, <https://home.chicagopolice.org/wp-content/uploads/2021-YEAR-END-REPORT.pdf>.

hours without documented approval and TRED conducted debriefings with those supervisors.¹⁹⁸

In our interviews during this reporting period, supervisors in one district that they require sergeants to complete reports prior to the end of their shifts; another indicated that they sought and obtained permission and were granted a time extension to complete their TRR-I.

The IMT appreciates the delivery of the *In-Service Supervisory Refresher* during the seventh reporting period, which addressed the requirements of ¶235 in its curriculum but a reminder may be needed.¹⁹⁹ We look forward to continued progress in the next reporting period.

Paragraph 235 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

¹⁹⁸ TRED's 2022 Year-End Report, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 59, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

¹⁹⁹ We look forward to receiving additional evidence but agree in the meantime with the City's comment that the CPD is under assessment for Full compliance.

Use of Force: ¶236

236. CPD will continue to develop, implement, and maintain a system of video recording officers' encounters with the public with body-worn cameras. The use of body-worn cameras will be designed to increase officer accountability, improve trust and CPD legitimacy in the community, and augment CPD's records of law enforcement-related activities.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *Not in Compliance*
Secondary: *Not Yet Assessed*
Full: *Not Yet Assessed*

In the eighth reporting period the City and the CPD were not in compliance with the requirements of ¶236.

To assess compliance, the IMT reviewed the current version of the CPD's *Body Worn Cameras* Special Order (effective April 30, 2019), and, in May 2022, a revised draft of Special Order S03-14, *Body Worn Cameras*. We also reviewed TRED's Year-End and Quarterly Reports and held many conversations with CPD personnel during regularly scheduled meetings. As we noted in our last report, given the impact of body-worn cameras on community trust, the City and the CPD will not reach Preliminary compliance until they gather the community input required by ¶160.

In the seventh reporting period, the IMT provided feedback on the May 2022 production of S03-14, which also included review of revised draft forms CPD-21.130, *Body Worn Camera Video Review* and CPD-21.131, *Body Worn Camera Videos Viewed*. The CPD shared a revised version of S03-14 with the IMT on November 17, 2022, for review and comment. On December 31, 2022, the IMT shared its comments on the policy. A continued concern that we raised—and have included in prior review comments on the policy—is that the CPD had not engaged with Chicago's communities regarding the policy per ¶160 and the CPD's obligation to "establish and maintain clear channels through which community members can provide input" regarding this policy. In October 2022, the CPD had shared plans to engage the community in comment on this policy, working with its Office of Community-Oriented Policing. Community engagement was to include at least one web-based seminar on the content of the policy and a public comment period. The IMT has recommended previously that the CPD initiate community engagement earlier in their policy development process as opposed to in the final stages. Shortly after producing the revised policy to the IMT and OAG, on November 18, 2022, the CPD did post the policy on its website for public comment through December 15, 2022.

In our December comments, the IMT also emphasized again that S03-14 is critical to, among other things, the CPD's ability to comply with requirements across the Consent Decree—and not just the paragraphs cited by CPD in its productions for review of the revised policy (§§236–41).

In addition to IMT feedback, the OAG and Coalition have expressed concerns with the policy. In December 2022, the Coalition shared several faults regarding body-worn cameras, such as early deactivation of cameras, supervisors reviewing only one body-worn camera per shift, and supervisors' failures to review footage to ensure probable cause. Similarly, the OAG found fault with the deactivation of cameras during public safety questioning. The IMT looks forward to the CPD addressing these concerns.

In this reporting period, the CPD provided a revised draft of S03-14 on June 15, 2023, but they have yet to make the policy effective or provide documentation of community engagement. The IMT looks forward to CPD's further efforts in the next reporting period to engage the community in this policy.

Additionally, the IMT continues to seek more information to understand any discipline resulting from repeated body-worn-camera-related failures. COPA claims that around 400 violations are a result of failures in body-worn cameras. A review of the first two TRED quarterly reports of 2022 indicated issues with body-worn cameras that resulted in debriefings 269 times. The 2022 year-end report indicates that 95% of firearm pointing reports made in 2022 had associated body-worn camera, which is a decline from 97% in 2021.²⁰⁰ Similarly, 88% (2,258) of all TRRs had body-worn camera video.²⁰¹ Body-worn camera failures continue to be one of TRED's greatest deficiencies, and there have been attempts at retraining on the issue, though not to a great extent.

Finally, we continue to await the creation of an effective and efficient system in which front-line supervisors monitor and address deficiencies of all sorts, including body-worn camera deficiencies. However, the CPD continues to be mired in the bargaining agreement over progressive discipline for body-worn cameras. Once supervisors properly understand the functions and expectations for use of the Supervisory dashboard, we expect that supervisors will be reminded to pay close attention to their officers' body-worn camera usage. The IMT awaits the finalization of Special Order S03-14, *Body Worn Cameras*, after it appropriately incorporates community feedback, followed by clear training on the policy, which will move the CPD toward Secondary compliance.

²⁰⁰ TRED's *2022 Year-End Report*, CHICAGO POLICE DEPARTMENT (June 21, 2023) at 88, <https://home.chicagopolice.org/wp-content/uploads/2022-YEAR-END-REPORT-21-JUNE-23.pdf>.

²⁰¹ *Id.* at 49.

Paragraph 236 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Not Applicable
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Under Assessment
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Under Assessment	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: None	

Use of Force: ¶237

237. CPD will continue to require all officers assigned to patrol field duties to wear body-worn cameras and microphones with which to record law-enforcement related activities as outlined in the Illinois Law Enforcement Officer-Worn Body Camera Act (50 ILCS 706/10-1 et seq.), with limited exceptions, including, but not limited to, when requested by a victim or witness of a crime, or interacting with a confidential informant. CPD will develop and implement a written policy delineating the circumstances when officers will not be equipped with body-worn cameras.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *Not In Compliance*
Secondary: *Not Yet Assessed*
Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD are not in compliance with the requirements under ¶237. As we noted in our last three reports, given the impact of body-worn cameras on community trust, the City and the CPD will not reach Preliminary compliance until they gather community input and meaningfully consider it regarding the policy Special Order S03-14 *Body Worn Cameras*. We encourage the CPD to hear community concerns about cameras and privacy.

To assess compliance, we continue to review drafts of S03-14 *Body Worn Cameras* (see ¶236 for details on the development and review of S03-14 during this reporting period). In our previous assessments of the CPD’s progress on these requirements, we noted concerns with the CPD clearly articulating “when officers will not be equipped with body-worn cameras.” The current version of the policy that the IMT reviewed most recently addresses this issue and appears to address the criteria of this paragraph. We note that the current version of S03-14, *Body Worn Cameras*, addresses who should be equipped in Section IV subsection F6, which states, “Commanding officers of units identified above will ensure that all members under their command that are not equipped and required to use BWC are properly documented in the Clear Watch application.”

The IMT is concerned about the CPD giving direction to its officers as soon as possible through the finalization of this policy and the appropriate corresponding training. In an April 2023 meeting, CPD discussed current assignments and deployments on body-worn cameras. Using the three categories of “assigned,” “take-home,” and “flex locations - for field deployments,” the CPD noted that airports were the last location to be assigned. However, the distribution of body-worn cameras is included in the revised policy that has not gone into effect.

We look forward to the CPD’s continued progress toward finalizing the *Body Worn Cameras* policy and delivering the necessary training to its officers.

Paragraph 237 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Not Applicable
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Under Assessment
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Under Assessment	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: None	

Use of Force: ¶238

238. CPD will continue to maintain a policy regarding body-worn camera video and audio recording that will require officers to record their law-enforcement related activities, and that will ensure the recordings are retained in compliance with the Department’s Forms Retention Schedule (CPD-11.717) and the Illinois Law Enforcement Officer-Worn Body Camera Act. At a minimum, CPD’s body-worn camera policy will: a. clearly state which officers are required to use body-worn cameras and under which circumstances; b. require officers, subject to limited exceptions specified in writing, to activate their cameras when responding to calls for service and during all law enforcement-related activities that occur while on duty, and to continue recording until the conclusion of the incident(s); c. require officers to articulate in writing or on camera their reason(s) for failing to record an activity that CPD policy otherwise requires to be recorded; d. require officers to inform subjects that they are being recorded unless doing so would be unsafe, impractical, or impossible; e. address relevant privacy considerations, including restrictions on recording inside a home, and the need to protect witnesses, victims, and children; f. establish a download and retention protocol; g. require periodic random review of officers’ videos for compliance with CPD policy and training purposes; h. require that the reviewing supervisor review videos of incidents involving reportable uses of force by a subordinate; and i. specify that officers who knowingly fail to comply with the policy may be subject to progressive discipline, training, or other remedial action.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	Not In Compliance
Secondary:	Not Yet Assessed
Full:	Not Yet Assessed

In the eighth reporting period, the City and the CPD are not in compliance with the requirements under ¶238. As we noted in our last three reports, given the impact of body-worn cameras on community trust, the City and the CPD will not reach Preliminary compliance until they gather community input and meaningfully consider it regarding the policy Special Order S03-14 *Body Worn Cameras*. We encourage the CPD to hear community concerns about cameras and privacy.

To assess compliance for this paragraph, we continue to review drafts of S03-14 *Body Worn Cameras* (see ¶236 for details on the development and review of S03-14 during this reporting period). In our previous assessments of the CPD’s progress on these requirements, we noted concerns with the CPD clearly articulating “when

officers will not be equipped with body-worn cameras.” (See ¶237.) The current version of the policy that the IMT reviewed most recently addresses this issue and appears to address the criteria of ¶238 in subsections *a* through *i*.

CPD’s Constitutional Policing In-Service training and accompanying participant guide have provided law updates on body-worn cameras. In particular, they cover ILCS5/33-9, wherein it is considered a Class 3 Felony for an Illinois officer to conduct the following knowingly and intentionally: fail to activate body-worn cameras when required to do so; fail to provide notice of recording when required. Additionally, officers are now prohibited from reviewing their own or another officer’s body-worn camera footage before completing the initial report under the following conditions: the involvement or witness to an officer-involved shooting, incident with use of deadly force or great bodily harm or ordered to write a report on a misconduct complaint. It is imperative that the latest version of S03-14 incorporate these updates as well.

However, the community engagement process has not been completed to the extent that it needs to. Concerns have been raised that the CPD needs to have legitimate community engagement. The IMT has suggested in the past to initiate community input earlier in the policy process as opposed to the final stages. The revised June 15, 2023, S03-14 policy was submitted to the IMT for review and posted for community input by the first week of July. As the draft policy has not been made into effect, the CPD remains not in compliance with the requirements of this paragraph.

We look forward to the CPD’s continued progress toward finalizing the *Body Worn Cameras* policy and the necessary training.

Paragraph 238 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Not Applicable
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Under Assessment
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Under Assessment	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: None	

Use of Force: ¶239

239. CPD officers must comply with the body-worn camera policy. CPD will impose progressive discipline, training, or other remedial action on officers who do not comply with the body-worn camera policy, as permitted by applicable law.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *Not In Compliance*

Secondary: *Not Yet Assessed*

Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD are not in compliance with ¶239.

To assess compliance, the IMT reviewed Special Order S03-14, *Body Worn Cameras*, and TRED’s Year-End and Quarterly Reports, and participated in many conversations with CPD officials during regularly scheduled meetings.

We note that the CPD has not yet finalized Special Order S03-14, *Body Worn Cameras*; the CPD still needs to gather and consider the requisite community engagement on the body-worn camera policy. As we noted in our last several reports, given the impact of body-worn cameras on community trust, the City and the CPD will not reach Preliminary compliance until they gather community input.

We have also carefully observed the development of the Supervisory Dashboard, which is a tool that should be used by supervisors to observe operational deficiencies, such as failures in use of body-worn cameras. As noted in other paragraphs for this reporting period, the CPD must set clear and defined expectations for the use of this dashboard by supervisors.

The IMT is still awaiting the status of labor issues on body-worn camera failures; however, during a site visit this reporting period, TRED reported that approving supervisors received 79 recommendations for failing to address a body-worn-camera deficiency for the first time. The 2022 year-end report indicates that the most common debriefing point for approving supervisors was “BWC issue not addressed,” which was added in the second half of 2022. Additionally, COPA’s People’s Academy in April 2023 indicated that there have been about 400 sustained violations regarding body-worn cameras. TRED is also re-enrolling officers for late body-worn camera activation if they had one prior occurrence of failure to or late activation.

TRED’s 2022 year-end report summary on body-worn camera issues are as follows:

Use of Force Appendix Figure 7.

2022 TRED Year-End Report Summary	
BWC: TRR late activation	359
BWC: TRR early de-activation	58
BWC: no activation	37
BWC: no buffering	27
BWC: TRR other	18
BWC: issue not articulated	15
Total BWC issues	514

The use of body-worn cameras has improved but remains a significant issue as the above data indicates. The ability to identify repeat offenders and impose training and progressive discipline, where warranted, is necessary for the CPD to continue to improve.

The IMT has received inconsistent information regarding progressive discipline in prior reporting periods. During the seventh reporting period, the IMT saw some progress in this area. In August 2022, the CPD shared with the IMT that the CPD does not have a transgression code for body-worn camera failures, thus they are unable to provide SPAR data. It also indicated a recommendation to create a new transgression code for body-worn cameras. Additionally, in the fourth quarter of 2021, TRED began to re-enroll department members in the body-worn camera eLearning module if they had one prior deficiency. However, collective bargaining issues surrounding the issuance of SPARs must be resolved.

Furthermore, a Police Board decision settled a dispute between COPA and the CPD Superintendent regarding the appropriate punishment for failing to active a body-worn camera. COPA imposed a recommended 10-day suspension and the Superintendent countered with a recommended 1-day suspension. The Police Board found with COPA, imposing 10 days. The case highlighted the need for consistent punishment for BWC offenses, which does not currently exist.

Now that it has been developed, the IMT awaits the use of the Supervisory Dashboard by supervisors, which may help identify and rectify some of the persistent body-worn camera issues, as well as community input in the *Body Worn Cameras* policy. We look forward to clarifying in future reporting periods how and whether the CPD imposes progressive discipline as ¶1239 requires.

Paragraph 239 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Not Applicable
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Under Assessment
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Under Assessment	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: None	

Use of Force: ¶240

240. Any CPD officer required to wear a body-worn camera must: a. visually and physically inspect the body-worn camera and ensure that it is the member's assigned camera, fully charged, and operational at the beginning of each tour of duty; and b. notify a supervisor as soon as practical if, at any time, the member's assigned body-worn camera becomes inoperable (including when either or both of the audio or video recording functions is inoperable) or is damaged.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *Not In Compliance*
Secondary: *Not Yet Assessed*
Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD are not in compliance with the requirements of ¶240.

To assess compliance with these requirements, we continue to review drafts of S03-14 *Body Worn Cameras* (see ¶236 for details on the development and review of S03-14 during this reporting period). As noted in the sixth reporting period, the draft of Special Order S03-14 contains language responsive to this requirement, closely tracking the language of this paragraph and clearly articulating, for example, that damaged cameras will be replaced promptly in order to ensure that officers have properly functioning cameras.

The draft of S03-14 received this reporting period includes information on Illinois law that impacts officers' use of body-worn cameras. The CPD failed to achieve preliminary compliance because S03-14 was not finalized and issued during this reporting period. The CPD has not yet completed the requisite community engagement on this policy.

We look forward to reviewing the finalized policy in the next reporting period.

Paragraph 240 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Not Applicable
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Under Assessment
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Under Assessment	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: None	

Use of Force: ¶241

241. CPD will ensure that any CPD officer who reports an inoperable or damaged body-worn camera is promptly provided with a temporary or replacement body-worn camera, which will in no event be later than the beginning of the member’s next tour of duty.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *Not In Compliance*

Secondary: *Not Yet Assessed*

Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD were not in compliance for the requirements of ¶241, pending the requisite community engagement on the body-worn camera policy, Special Order S03-14, *Body Worn Cameras*. As we noted in our last four reports, given the impact of body-worn cameras on community trust, the City and the CPD will not reach Preliminary compliance until they gather community input.

To assess compliance, we continue to review drafts of S03-14 *Body Worn Cameras* (see ¶236 for details on the development and review of S03-14 during this reporting period). The current draft policy addresses the requirements of this paragraph, stating that Chicago’s Office of Public Safety Administration²⁰² is responsible for “promptly providing department members who have reported an inoperable or damaged BWC with a replacement (temporary or permanent) no later than the beginning of the reporting members next tour of duty.” We also reviewed applicable Illinois law.

We anticipate that the CPD will achieve Preliminary compliance with this paragraph after community input has been gathered and incorporated into the policy and the policy is finalized. We look forward to additional progress in the next reporting period.

²⁰² See *Office of Public Safety Administration*, CITY OF CHICAGO, <https://www.chicago.gov/city/en/depts/opsa.html>.

Paragraph 241 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Not Applicable
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Under Assessment	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Under Assessment
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Under Assessment	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: None	

Use of Force: ¶242

242. CPD will ensure that CPD officers assigned to Department vehicles that are equipped with in-car cameras check that the cameras are fully functional at the beginning of each watch and make appropriate notifications when they are not. CPD will ensure that any nonfunctioning or malfunctioning in-car camera is repaired or replaced within two weeks of a CPD officer reporting that the in-car camera is not functioning properly.

Compliance Progress

(Reporting Period: January 1, 2022, through June 30, 2022)

Preliminary:	<i>Under Assessment</i>
Secondary:	<i>Not Yet Assessed</i>
Full:	<i>Not Yet Assessed</i>

In the eighth reporting period, the City and the CPD are under assessment for compliance with the requirements of ¶242.

To assess compliance, the IMT reviewed the CPD’s Special Order S03-05, *In-Car Video Systems* (effective date November 27, 2018), which has not been updated since the consent decree began in 2019.

The current policy requires that officers determine whether in-car cameras are operational prior to beginning their shift and requires supervisors to monitor which cars have functioning in-car cameras and which do not, along with proper documentation.

The current policy does not provide for non-functioning in-car cameras to be repaired within two weeks, as this policy requires.

The CPD noted in the annual use of force report that both body-worn and in-car camera policies will be posted for public comment in 2023.²⁰³ The CPD provided the latest draft of the policy for the in-car video system on June 15, 2023, for community, IMT, and OAG input. As the CPD continues to update this policy, the IMT emphasizes the importance of seeking the requisite community feedback on this important policy. We look forward to the CPD’s progress on these requirements in the next reporting period.

²⁰³ 2022 Annual Use of Force Report, CHICAGO POLICE DEPARTMENT (JUNE 13, 2023), <https://home.chicagopolice.org/wp-content/uploads/2022-Annual-Use-of-Force-Report-For-Publication.pdf>, P. 36.

Paragraph 242 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Not Applicable
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Not Applicable	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Not Applicable	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: None
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: None	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Under Assessment	

Use of Force: ¶243

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary:	<i>In Compliance (FIFTH REPORTING PERIOD)</i>
Secondary:	<i>Under Assessment</i>
Full:	<i>Not Yet Assessed</i>

In the eighth reporting period, the City and the CPD maintained Preliminary compliance and remained under assessment for Secondary compliance with the requirements of ¶243.

To assess compliance, the IMT reviewed relevant CPD policy, TRED’s Year-End and Quarterly Reports, and in-service training curricula, including the *2022 In-Service Supervisor Training* and the *2022 2022 De-Escalation, Response to Resistance, and Use of Force* in-service training. We also observed demonstrations of both the Supervisory Dashboard and the De-escalation Dashboards and reviewed TRED’s debriefing points on de-escalation in its *2021 Year-End Report*.

Overall, CPD policy and training provides officers with the knowledge and skills regulating use of force and de-escalation. The CPD describes in policy the requirements of ¶243 in General Order G03-02, *De-escalation, Response to Resistance, and Use of Force*. Specifically, it states in Section X, Use of Force Training: “At a minimum, Department members will receive annual training on the laws and Department policies regulating the use of force, including, but not limited to, de-escalation, force options, and appropriate supervision and accountability.”

The IMT acknowledges the CPD’s efforts to equip officers with knowledge of policy and law related to using force, tactics, and skills, and particularly appreciates the focus on de-escalation during this reporting period. The IMT’s area of concern continues to be supervision and accountability. With the exception of pilot sites, the CPD is not equipped to ensure that the same supervisors oversee the same officer; more work must be done for CPD’s supervision and accountability systems. The CPD must emphasize the importance of front-line supervisors immediately pointing out deficiencies and must encourage its supervisors to use proper documentation.

The IMT believes ensuring appropriate supervision and accountability remains an area requiring further training.

The CPD shared its *Pre-Service Supervisor Use of Force Training* with the IMT and OAG on August 11, 2022, for which the IMT and OAG provided feedback on September 12, 2022, and September 10, 2022, respectively. On November 17, 2022, the CPD provided a revised version of the training, for which the IMT and OAG provided a no-objection notice on December 29, 2022, and December 2, 2022, respectively. This training emphasizes the front-line supervisory need for immediate reviews, de-escalation, and scenario-based training. Additionally, the Pre-Service training introduces the Supervisory Dashboard.

The IMT acknowledges that CPD’s Pre-Service and In-Service trainings have addressed training on laws and policies, as well as equipping officers with tactics and skills when force must be used as indicated in prior paragraphs.

Issues surrounding accountability and supervision must be further addressed and become the responsibility of front-line supervisors. We look forward to the CPD’s clear communications to supervisors regarding expectations for using the Supervisory and De-escalation Dashboards in the next reporting period.

Paragraph 243 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Status Update
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

Use of Force: ¶244

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FIFTH REPORTING PERIOD)*
Secondary: *Under Assessment*
Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD maintained Preliminary compliance for the requirements of ¶244 and remain under assessment for Secondary compliance.

To assess compliance, we reviewed the CPD’s use-of-force policy suite and community engagement efforts related to ¶244’s requirements, including CPD General Order G03-02, *De-escalation, Response to Resistance, and Use of Force*, which describes the requirements for Use of Force training. We note that policy provides clear guidance on what types of force are authorized depending on the situation and the nature of resistance. We also reviewed relevant policy and training regarding officers rendering aid after a force incident.

To assess Secondary compliance the IMT has reviewed various CPD trainings related to ¶244’s requirements.

For example, during the sixth reporting period, the IMT attended a session of CPD recruit training regarding impact weapons in March 2022. The 8-hour course featured the basics of handling batons, including holstering and unholstering and different types of uses in the field, such as strikes. The instructors made mention of de-escalation principles only a few times throughout and the training included some limited scenarios but focused mostly on baton-handling drills. The training did not include a scenario “in which officers achieve resolution without employing force” nor did it include “procedures and techniques for limiting a subject’s injuries” as required by this paragraph.

Throughout the sixth reporting period, the IMT also had conversations regarding scenario-based training during the qualification for firearms. The CPD continues to explore complying with this requirement alongside safety concerns.

In the last reporting period, on September 22, 2022, the CPD provided materials for its *Annual Prescribed Weapon Qualification, TASER Re-Certification, and VirTra Simulation Exercise Training*. The IMT provided comments on this training on October 22, 2022. Overall, we found the training to be comprehensive and thorough to include scenario-based elements related to Tasers, firearms, and force options. The IMT shared recommendations for a few policy additions and clarifications to improve training. The CPD revised the training materials and shared a revised version on November 22, 2022, for which the IMT provided a no-objection notice for on December 27, 2022.

During this reporting period, the IMT toured the new Chicago Joint Public Safety Training Center, a state-of-the-art training facility. It was designed so that officers may experience realistic scenario-based training that include elements of de-escalation and situation resolution without resorting to force.

The IMT continues to emphasize the need for more scenarios at all levels of force training for qualification, re-qualification, and resolving incidents without officers resorting to force. The CPD remains under assessment for Secondary compliance as the IMT saw the potential the new training facility can provide for scenario-based training, particularly firearms training. However, we await evidence that the training is occurring. We look forward to further progress on these requirements in the next reporting period.

Paragraph 244 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Under Assessment
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Under Assessment	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	

Use of Force: ¶245

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Recurring Schedule: Annual **Not Yet Applicable**

Preliminary: *In Compliance* (THIRD REPORTING PERIOD)

Secondary: *In Compliance* (NEW)

Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD maintained Preliminary compliance and regained Secondary compliance with ¶245.

To assess Preliminary compliance, the IMT reviewed relevant CPD policy. To assess Secondary compliance, the IMT reviewed and observed the 2022 in-service training, which included applicable legal updates, and we note that the PowerPoint slide presentation featured the latest revisions to relevant CPD policies.

During the sixth reporting period, the CPD provided records to demonstrate that as of February 18, 2022, more than 95% of officers received the two-day *2021 De-Escalation, Response to Resistance, and Use of Force* in-service training, with 96.71% of participants completing the *Communications* eight-hour course and 96.86% completing the *Procedures* eight-hour course.²⁰⁴ As a result, the City and the CPD achieved Secondary compliance with ¶245 in the sixth reporting period. However, in the seventh reporting period, the CPD did not demonstrate training completion of 95% of officers for its 2022 in-service training.

In this reporting period, CPD provided records demonstrating that as of February 21, 2023, more than 95% of officers completed the 2022 *De-Escalation, Response to Resistance, and Use of Force* in-service training, with 95.58% of officers completing the course, regaining secondary compliance. Paragraph 245 requires at least annual in-service training on use of force, thus the IMT will review this requirement for maintaining compliance annually.

²⁰⁴ Because of the COVID-19 extension, the CPD had until March 5, 2022, to complete the delivery of its 2021 in-service training.

The CPD’s training has consistently improved by addressing issues identified by TRED and providing officers with the most recent policy and law changes. The CPD is conducting the 2023 in-service training and we look forward to those training records in the next reporting period. We note that the CPD’s *Constitutional Policing* course addresses many recent critical issues, including G02-02 *First Amendment Rights* policy and G03-07 *Foot Pursuits* policy.

Moving forward, it is the IMT’s intent to review the 2023 in-service training to assess quality for Full compliance and we await attendance records for the 2023 in-service training for CPD to maintain Secondary compliance.

Paragraph 245 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶246

246. *The annual use of force training will include the following topics: a. CPD policies and Fourth Amendment law governing the use of force; b. proper use of force decision-making that utilizes a critical thinking framework in which officers gather relevant facts; assess the situation, threats, and risks; consider CPD policy; identify options and determine the best course of action; and act, review, and reassess the situation; c. role-playing scenarios and interactive exercises that illustrate proper use of force decision-making; d. ethical decision-making and peer intervention, principles of procedural justice, the role of implicit bias, and strategies for interacting with individuals in crisis; e. de-escalation techniques and tactics to prevent or reduce the need for force, including exercising persuasion and advice, and providing a warning; stabilizing the situation through the use of time, distance, or positioning to isolate and contain a subject; and requesting additional personnel to respond or make use of specialized units or equipment; the proper deployment of CPD-issued or -approved weapons or technologies, including firearms and Tasers; f. use of force reporting, investigation, and review requirements, including documenting reportable use of force incidents; and g. other topics as determined based on the training needs assessment required by this Agreement.*

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Recurring Schedule: March 5, 2022* **Met** **Missed**
*Extended from December 31, 2021, due to COVID-19

Preliminary: **In Compliance (THIRD REPORTING PERIOD)**

Secondary: **In Compliance (FOURTH REPORTING PERIOD)**

Full: **Under Assessment**

In the eighth reporting period, the CPD maintained Preliminary and Secondary compliance and remains under assessment for Full compliance with the requirements of ¶246.

To assess compliance, the IMT reviewed all applicable use-of-force policies and use of force training curricula, as well as observed use of force training both in person and online. Specifically, we reviewed and observed the 2022 in-service training focused on de-escalation, and the in-service supervisor training, including a review of the lesson plan and the participant’s handbook *Tactical Response Report Training Guide* which was provided to all participants. Those training curricula address in part the requirements of this paragraph and we appreciate the CPD’s efforts to meaningfully develop those lesson plans and materials.

The CPD’s 2022 in-service curriculum includes all aspects of this paragraph’s requirements, and for the first time, touches upon critical decision-making theory, which the IMT finds encouraging.

In the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*. However, the CPD did not provide attendance records for its 2022 training by the end of the reporting period.

During this reporting period, the CPD provided records on March 30, 2023, demonstrating that more than 95% of officers completed the *2022 De-Escalation, Response to Resistance and Use of Force Training*, with 97.87% completion. The CPD also provided updates to the *De-Escalation, Response to Resistance and Use of Force Training* materials in May 2023.

The IMT notes that recruit training and in-service use-of-force training curricula and lesson plans have improved over time. Again, we stress that along with training, supervision and accountability are paramount to achieving Full compliance. We look forward to continued progress on ¶246.

Paragraph 246 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Secondary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Secondary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Secondary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Secondary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	

Use of Force: ¶247

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

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Recurring Schedule: Ongoing **Met** **Missed**

Preliminary: *In Compliance (FIFTH REPORTING PERIOD)*

Secondary: *In Compliance (NEW)*

Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD maintained Preliminary compliance and achieved Secondary compliance with the requirements of ¶247.

To assess compliance, the IMT reviewed the updated Special Order S11-10-01, *Recruit Training* (effective February 28, 2022), which contains all required elements of ¶247. We reviewed the CPD’s relevant use of force and de-escalation policies, as well as the recruit training curriculum package provided to the IMT in May 2023, including lesson plans and slide presentations, which address all the elements required elements by ¶246. We also reviewed the CPD’s annual use of force report which lists the curriculum and highlights the fact that CPD recruits receive 940 hours of training – 400 more hours than what is required by ILETSB.

In the seventh reporting period, we also observed a session of CPD’s recruit training regarding impact weapons in person in March 2022. The 8-hour course featured the basics of handling batons, including holstering and unholstering and different types of uses in the field, such as strikes. The instructors made mention of de-escalation principles only a few times throughout and the training included some limited scenarios but focused mostly on baton-handling drills. The training did not include a scenario “in which officers achieve resolution without employing force” nor did it include “procedures and techniques for limiting a subject’s injuries” as required by ¶244.

The CPD has been responsive to a number of comments on the Recruit Force Options Training. The IMT provided a no-objection to CPD’s 2023 annual training plan. In light of our review and the subsequent no-objection, the CPD gained Secondary compliance.

We look forward to the CPD’s continued progress toward maintaining Secondary compliance in the next reporting period.

Paragraph 247 Compliance Progress History

FIRST REPORTING PERIOD
SEPTEMBER 1, 2019 – AUGUST 31, 2019

COMPLIANCE PROGRESS:
Not Applicable

SECOND REPORTING PERIOD
SEPTEMBER 1, 2019 – FEBRUARY 29, 2020

COMPLIANCE PROGRESS:
Not Applicable

THIRD REPORTING PERIOD
MARCH 1, 2020 – DECEMBER 31, 2020

COMPLIANCE PROGRESS:
Status Update

FOURTH REPORTING PERIOD
JANUARY 1, 2021 – JUNE 30, 2021

COMPLIANCE PROGRESS:
None

FIFTH REPORTING PERIOD
JULY 1, 2021 – DECEMBER 31, 2021

COMPLIANCE PROGRESS:
Preliminary

SIXTH REPORTING PERIOD
JANUARY 1, 2022 – JUNE 30, 2022

COMPLIANCE PROGRESS:
Preliminary

SEVENTH REPORTING PERIOD
JULY 1, 2022 – DECEMBER 31, 2022

COMPLIANCE PROGRESS:
Preliminary

EIGHTH REPORTING PERIOD
JANUARY 1, 2023 – JUNE 30, 2023

COMPLIANCE PROGRESS:
Secondary

Use of Force: ¶248

248. *Supervisors of all ranks, as part of their initial pre-service promotional training and other identified supervisory training, will receive training on the following: a. conducting use of force reviews or investigations appropriate to their rank; b. strategies for effectively directing officers in de-escalation principles and acting to intervene on the subject’s behalf when any use of force is observed that is excessive or otherwise in violation of policy; and c. supporting officers who report objectively unreasonable or unreported force, or who are retaliated against for attempting to prevent objectively unreasonable force.*

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance (FIFTH REPORTING PERIOD)*
Secondary: *In Compliance (NEW)*
Full: *Not Yet Assessed*

In the eighth reporting period, the City and the CPD maintained Preliminary compliance with and achieved Secondary compliance with the requirements of ¶248.

To assess compliance, the IMT reviewed relevant CPD policy regarding training, including CPD’s S11-10-02, *Pre-Service Training* (effective February 28, 2022), which contains all elements required by ¶248 in Section III(A)(5).

We also reviewed the Pre-Service Supervisor Training, particularly the session *De-escalation, Response to Resistance, Use of Force and Tactical Response Report*.

During the sixth reporting period, our review and observation of the *2022 In-service Supervisor Training* revealed that it features support for supervisors, emphasizes their responsibilities in use of force review, reporting, and investigations, and allocates time to address retaliation and assisting officers who report objectively unreasonable or unreported force. The CPD also provided a handout to participants entitled *Tactical Response Report Training Guide*.

In the seventh reporting period, the CPD provided records to show that as of December 5, 2022, more than 95% of supervisors received the *2022 In-Service Supervisor Training*. However, the CPD did not provide attendance records for its *2022 De-Escalation, Response to Resistance and Use of Force Training* by the end of the reporting period.

The CPD has provided records this reporting period demonstrating that more than 95% of officers completed the *2022 De-Escalation, Response to Resistance and Use of Force Training*, with 97.87% (10,026) completion.

In the last reporting period, the pre-service training addressed use of force reviews for both sergeants and lieutenants, de-escalation, core principles, and mitigation, and provides a focus on mentoring. The training also contained information on retaliation and the duty to report, as well as the duty to intervene. The IMT has raised some concerns with the training and has issued comments. The CPD has submitted revisions of the materials and with the IMT’s review, the CPD gained secondary compliance.

The IMT looks forward to further progress on these requirements in the next reporting period.

Paragraph 248 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Not Applicable
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: None	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Secondary	