

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

STATE OF ILLINOIS,) Case No. 17 C 6260
)
Plaintiff,)
)
v.)
)
CITY OF CHICAGO,) Chicago, Illinois
) July 8, 2025
Defendant.) 1:06 p.m.

TRANSCRIPT OF PROCEEDINGS - PUBLIC HEARING
BEFORE THE HONORABLE REBECCA R. PALLMEYER

APPEARANCES:

For the State: OFFICE OF THE ATTORNEY GENERAL
BY: MICHAEL M. TRESNOWSKI
KATHERINE PANNELLA
115 S. LaSalle Street, 35th Floor
Chicago, Illinois 60603

For the City: TAFT STETTINIUS & HOLLISTER LLP
BY: ALLAN T. SLAGEL
111 East Wacker, Suite 2600
Chicago, Illinois 60601

For the Coalition: EQUIP FOR EQUALITY
BY: JESSICA GINGOLD
20 N. Michigan Avenue, Suite 300
Chicago, Illinois 60602

ROGER BALDWIN FOUNDATION OF ACLU, INC.
BY: ALEXANDRA KAY BLOCK
150 N. Michigan Avenue, Suite 600
Chicago, Illinois 60601

For the Monitor: ARENTFOX SCHIFF LLP
BY: MARGARET A. HICKEY
ANTHONY-RAY SEPULVEDA
233 South Wacker Drive, Suite 7100
Chicago, Illinois 60606

1 APPEARANCES CONTINUED:

2 Also Present: DEPUTY CHIEF RALPH CRUZ
3 LIEUTENANT MICHAEL KAPUSTIANYK
4 SUPERINTENDENT LARRY SNELLING
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

21 Court Reporter: HANNAH JAGLER, RMR, CRR, FCRR
22 Official Court Reporter
23 219 S. Dearborn Street, Room 2504
Chicago, Illinois 60604

24 * * * * *

25 PROCEEDINGS REPORTED BY STENOTYPE
TRANSCRIPT PRODUCED USING COMPUTER-AIDED TRANSCRIPTION

1 (Proceedings heard by video:)

2 THE COURT: Okay. Wonderful. Good afternoon,
3 everybody. Brief delay there while I had some technical
4 difficulties, but thanks to the Monitor's good suggestions, we
5 got it straightened out. You're seeing me now.

6 I know that we have an agenda set for today that I was
7 happy to look at already and I know that people are prepared to
8 make some statements.

9 Let me just take a look at that agenda right now and
10 I'll hear first -- I think I'll hear first from the Monitor
11 very briefly.

12 MS. HICKEY: Yes. Thank you, Your Honor. And thank
13 you for convening us today for this monthly status hearing.

14 For those of you joining for the first time, my name
15 is Maggie Hickey. I am the Independent Monitor for the Consent
16 Decree.

17 In April of this year, the Independent Monitoring Team
18 filed its 11th monitoring report. That report provided our
19 assessments of the City of Chicago and the Chicago Police
20 Department's compliance efforts through December 2024.

21 This report included details regarding today's topics,
22 first, the review of firearm pointing incidents through 2024
23 and the plans moving forward, and two, policy and training
24 updates regarding investigatory stops through the end of 2024.

25 Today, we will hear status updates from the CPD on

1 these topics and responses from the Office of the Attorney
2 General.

3 Before turning over to the parties, I would like to
4 provide a quick reminder of where the CPD left off on these
5 efforts in 2024. First as we reported, the City and the CPD
6 made positive strides with the use of force requirements of the
7 Consent Decree in 2024. This included CPD efforts to implement
8 a pilot program to move responsibility for reviewing firearm
9 pointing incidents to captains in five police districts.

10 The Independent Monitoring Team was hopeful that the
11 pilot program would help clear the existing review backlog
12 while also increasing compliance with the Consent Decree,
13 including effective accountability and policing that promotes
14 community and officer safety.

15 Second, regarding investigatory stops, the City of
16 Chicago, the CPD, and the Office of the Illinois Attorney
17 General added specific requirements related to investigatory
18 stops to the Consent Decree. And that was done by stipulation
19 in June of 2023.

20 Since then, the CPD has received significant levels of
21 compliance based on upcoming changes to its policies regarding
22 investigatory stops. While these policies are not yet in
23 effect, significant work has continued in 2025 to ensure that
24 the final policies and corresponding trainings meet the
25 expectations of the Consent Decree, the CPD, and Chicago.

1 Today we will hear more about those ongoing efforts.

2 Before concluding, I'd like to quickly raise a change
3 in this year's public hearing schedule, specifically the
4 September public hearing, which will include opportunities to
5 hear from the public. It has been rescheduled from a Saturday
6 to the normal Tuesday cadence. The hearing will take place on
7 Tuesday, September 9th, from 1 p.m. to 4:30 p.m. The Court
8 intends to host a Saturday public hearing in the first quarter
9 or winter of 2026.

10 Finally, the 12th reporting period ended on June 30th,
11 2025. We will provide our first draft of Independent
12 Monitoring Report 12 reflecting our assessments of compliance
13 efforts through June of 2025 to the parties at the end of this
14 month, with the goal of filing the report in October.

15 The updated schedule is available on our website,
16 CPDMonitoringTeam.com, along with all of our Independent
17 Monitoring Team reports.

18 With that, Your Honor, I'd like to turn it over to the
19 City and the CPD for their presentations.

20 THE COURT: Thank you? You can hear me?

21 MR. SLAGEL: Yes we can.

22 THE COURT: Okay. Good. I'd like to hear from the
23 City and I want to welcome all of you and I see the
24 superintendent's with us. I appreciate that. Let's hear from
25 the City on your current status.

1 MR. SLAGEL: Good afternoon, Your Honor. Allan Slagel
2 on behalf of the City.

3 The presentation will be made by Deputy Chief Cruz.
4 We just wanted to note that during the presentations today by
5 the City, there will be a number of times where QR codes will
6 appear. If people want to have their phones ready, that will
7 give them opportunities to go to websites or other places for
8 information that is being presented today.

9 Also at the start and at the end of our presentation,
10 we will show opportunities to provide comments for -- on
11 policies, as just popped up on the screen here, for the
12 community. So during our presentations, we will pause briefly
13 on those screens and this screen again will appear at the end
14 of the City's presentations today.

15 With that, I will turn it over to Deputy Chief Cruz.

16 THE COURT: Before we hear from you, Deputy Chief
17 Cruz, just a reminder, Mr. Slagel's comments reminded me, be
18 sure to recall that your recording or broadcasting of this
19 hearing is not permitted under the law, under the rules of the
20 Court. So as a reminder, if you're making a recording, it
21 should not happen and it should not be broadcast.

22 Okay. So we're going to hear from
23 Deputy Superintendent Cruz, Deputy Chief.

24 MR. CRUZ: Good afternoon, ma'am. Thank you so much
25 for the opportunity for us to discuss this today. I'm

1 Deputy Chief Ralph Cruz, the Chicago Police Department's Office
2 of Constitutional Policing and Reform. And today we're going
3 to talk about our firearms pointing incident process. Next
4 slide.

5 Quick history. In 2017, the Department of Justice,
6 DOJ, did an investigation into the Chicago Police Department
7 and a subsequent report came out, along with lawsuits and some
8 community concerns with Chicago Police Department pointing
9 firearms unreasonably. That eventually turned into the Consent
10 Decree, and then the Consent Decree, in there it states the
11 Chicago Police Department has to have a process in which we
12 have policy, training, documentation, and review process for
13 firearms pointing.

14 So see there to the left, there's kind of a little
15 brief thing for the months. That gives a little bit more
16 specificity. But the main screen you see, that's a picture of
17 our current policy. This was created in 2019 and we recently
18 updated it.

19 And just for the sake of time, just pulled out three
20 high level -- or four high level bullet points. The first
21 is -- in the policy, the department members may only point a
22 firearm at a person when it is objectively reasonable to do so
23 under the totality of the circumstances faced by the member on
24 the scene.

25 For example, if an officer gets a call of a person or

1 an armed robbery just occurred and they observe the vehicle,
2 it's reasonable for the officers to believe that somebody else
3 may be in jeopardy. So that gives an officers the
4 understanding of the policy of when they can.

5 Just recently, we updated this to have the second
6 bullet point that says department members will stop pointing
7 immediately upon recognizing that it is no longer objectively
8 reasonable to do so under the totality of the circumstances
9 faced by the member on the scene.

10 And then that third bullet point just talks about when
11 the member does point their firearm, they have to notify OEMC,
12 and then when the member does point their firearm, that's
13 considered a seizure and it will be documented. So next slide,
14 please.

15 So here is just kind of a high level, again, view of
16 what that policy looks like. That top picture there shows what
17 a firearm pointing is. So see the officer has their weapon out
18 of the holster, they have their weapon drawn, and the muzzle is
19 pointed at somebody. So that's when notification is necessary.

20 And then those three pictures on the bottom is when a
21 notification is not necessary. So it's when the officers have
22 their weapon merely unholstered but not pointing at anybody.
23 That's not a notification. Or if the weapon is unholstered and
24 pointed on the floor in that middle picture, that's the low
25 ready. And then that last picture to the right, that's the SUL

1 position or chest press, where the officer has their weapon out
2 but pointed at the floor. That's when a notification would not
3 be necessary.

4 So with that, we take a look at that big picture, when
5 the notification is necessary. To the left, we'll kind of walk
6 through what that means in our policy. So if we see that
7 picture to the left, that a firearm pointing has occurred, the
8 member will now have to notify OEMC, which is our Office of
9 Emergency Management and Communication, or that's our dispatch
10 center. So our dispatch center will get that notification and
11 they will create an event number in their computer system. And
12 their computer system talks to the Chicago Police Department's
13 computer system. And I'll get to that in Number 5 or 6.

14 So once OEMC creates that event number in their
15 computer system, then the OEMC dispatcher will then notify a
16 beat supervisor that a pointing has occurred.

17 So once OEMC creates that event number in their
18 computer system, like we said, that computer system talks to
19 the Chicago Police Department's computer system, and they will
20 create what's called an IDR or an incident debriefing report
21 and firearms pointing incident report.

22 So our TRED unit, which is our Tactical Review and
23 Evaluation Division, every morning they come to work, they'll
24 have a queue, and they'll see that a firearm pointing has
25 occurred, and then the TRED reviewer will assign that incident

1 to a TRED review -- I'm sorry. Supervisor will assign that to
2 a TRED reviewer who will look at the body-worn camera, all the
3 paperwork, and they'll make a determination. If it's in
4 policy, they'll close out the IDR. Or if there's an issue,
5 they can do a recommendation or something like that to -- if
6 there's an issue, to get them training or something like that,
7 sit down with a supervisor, and then they'll close out the IDR.

8 Is there anything questions on this slide?

9 THE COURT: Not so far from me.

10 MR. CRUZ: Okay. Next slide.

11 So with the implementation of the policy, Chicago
12 Police Department wanted to be very thoughtful in their
13 training. So we did a department wide training. Not only did
14 we give every department member a copy of the policy, the
15 education and training division created a bulletin. It's kind
16 of a high level sheet, cheat sheet that kind of talks about
17 just the high level points of that policy.

18 We also created an e-learning. In 2019, we enrolled
19 all the members of the Chicago Police Department in the
20 e-learning and we just reenrolled them last year in 2024. That
21 e-learning is complete with a test. The officers have to
22 complete the e-learning and pass the test. We also created a
23 streaming video that we put into the e-learning system where
24 officers have to log on, watch the video to complete it.

25 And we also instituted the firearms training policy

1 into our recruit and our inservice trainings, and there are
2 some supervisory things in the new policy. So in our
3 pre-service, any time a member of the Chicago Police Department
4 is promoted to sergeant, lieutenant, or captain, that's also in
5 those trainings. So that's all the training that we did to
6 ensure that our members were properly trained on the policy.

7 Any questions with training, ma'am?

8 THE COURT: No questions from me.

9 MR. CRUZ: Next slide.

10 So the TRED unit, which is our Tactical Review and
11 Evaluation Division, has -- they produced a midyear, end-year
12 report. On the screen there, we just published the end-year
13 report for 2024. That's the QR code if anybody's interested in
14 looking at that.

15 So we're pleased to announce that there's been no
16 reported instances of unjustified or unreasonable pointing
17 incidents. So the TRED unit does not just look at anything
18 that comes their way. One of those IDRs, those incident
19 debriefing reports, they don't look at just for firearms
20 pointing. They look at it for anything.

21 So an example of some of the issues that were seen
22 during a firearms pointing would be these two on the bottom
23 there. Firearms pointing incidents reported in error, like we
24 talked about in that picture, those three that were on the
25 bottom, police officers were reporting or notifying a pointing

1 occurred when they just had their weapon just unholstered. So
2 the TRED unit would find that out, they'll debrief an officer,
3 and make sure they understand when they should or shouldn't
4 make a notification.

5 And that second bullet point is an OEMC dispatcher
6 notification. The dispatcher did not notify a sergeant that it
7 occurred, so our TRED unit would get ahold of OEMC dispatch or
8 a supervisor. That supervisor would get ahold of the
9 dispatcher and they would make sure that that dispatcher
10 understood the policy so that it wouldn't happen again.

11 So any questions on the TRED report? Okay. Next
12 slide.

13 So here's an example, just last year, you see that
14 blue number, that is the total number of firearms pointing.
15 And just because there was a firearm pointing incident, if
16 there's multiple beat numbers, each beat number will get their
17 own IDR or incident debriefing report. So to the right, you
18 see that's why that number is higher.

19 So just before, there's 4,209 firearms pointing
20 incidents, there was actually almost 5,000 IDRs created. So
21 with that, the TRED unit has to go through all those 5,000.
22 And with the fact that we had no instances of unreasonable
23 justifications of firearms pointing, we worked with the IMT,
24 the Independent Monitoring Team, and the OAG, the Office of
25 Attorney General, and we decided to create a pilot program so

1 that we could defer or push the firearms pointing incidents
2 that did not involve a use of force or a foot pursuit to the
3 district level captain.

4 So if you go to the next slide. Next slide.

5 So what we did was we found five districts with their
6 captains and we created a policy that was reviewed and approved
7 by the IMT and OAG, creating this pilot program. And then we
8 created 16 hours of training for the captains by our TRED unit.
9 And in that training, 80 percent of that training is practical
10 application, where they're working with the TRED reviewer, and
11 20 percent of that training was technology, how to use the
12 actual system. So the captains were highly trained. We
13 ensured that they had their mentors with them. And if you go
14 to the next slide.

15 So this is what it looks like, just that first slide
16 that we talked about, that kind of went through the whole
17 thing. It's the exact same way, except when the TRED division
18 gets there in the morning, they see those IDRs, they assign
19 them to the district captains. The district captains would go
20 through all the information, and if they saw something that
21 they wanted to address, they would address it in-house right
22 there on scene. So otherwise, everything else is the exact
23 same. Next slide.

24 So early this year, we had the IMT/OAG site visits and
25 during that site visit, we had a focus group with the captains

1 who were part of this pilot group. And as we're talking, here
2 are some highlights to the left that we wanted to just discuss
3 here, was that what they liked the most was the immediate
4 feedback. So the average time that it takes a captain to go
5 through these firearm pointing incidents is about two weeks,
6 from the time they get assigned the incident. So the captains
7 really like the fact that when they get it, if there's an
8 issue, they're able to get on that quickly and address it
9 before it's a bigger issue.

10 The fast turnarounds with the debriefs was also one of
11 the highlights. And then there's also -- you know, TRED is a
12 nondisciplinary entity. We're looking at things that we can do
13 better with training and tactics and things like that, but
14 we're also looking for what officers are doing well. So the
15 captains like that they were able to talk to their members and
16 they can see what they're doing well and what they needed to
17 get help with.

18 And I think that helped with leadership, mentoring
19 capabilities, and also wellness. Because now the captains
20 know, they know what's going on in their districts, they're
21 talking to their subordinates more, and they're able to discuss
22 patterns with the entire district.

23 So those were some of the high level positives that we
24 saw with this program. And then to the right there, the goal
25 was to decentralize the review to the captains, again, for the

1 firearms pointings that did not involve a use of force or a
2 foot pursuit. That increases the district accountability and
3 now we are actually incorporating this training into all
4 captains pre-service. So any time a lieutenant is promoted to
5 captain, this training is part of that. So we think that this
6 is going to really help with the backlog in TRED. It's going
7 to help with accountability, supervision, wellness, and
8 leadership at the district level. Next slide.

9 So we like to go from pilot to program. So that top
10 picture there, the orange in the fourth quarter of 2024, the
11 first quarter this year, that's when we first started the
12 pilot. It went well, discussing it, you know, and
13 collaborating with OAG and IMT.

14 And the second quarter, we just did eight additional
15 districts. Now we have a total of 13. The fall of this year,
16 we're going to add additional nine districts. And by the first
17 quarter of next year, we're hoping January, we're going to go
18 from pilot to program.

19 That's the end of the presentation, ma'am, if there's
20 any questions...

21 THE COURT: No questions from me. Do others have
22 questions? I don't want to cut anybody else off.

23 MS. HICKEY: Your Honor, I do want to acknowledge that
24 the only people that can ask questions are the panelists. I
25 noted that --

1 THE COURT: Right.

2 MS. HICKEY: -- in the audience, there was a raised
3 hand. Unfortunately, that's not the way the webinar is set up.
4 So when DC Cruz asks if there's questions, it's if the Court
5 has questions or the Attorney General. And I apologize to the
6 audience. But on CPDMonitoringTeam.com, you can send us any
7 questions you have and we'll try to get your questions
8 answered. But the way this forum is set up, we're not able to
9 take questions from the audience.

10 MR. CRUZ: Thank you.

11 THE COURT: If the panelists do not have questions,
12 then I think we're ready to turn to the OAG for a few minutes;
13 correct? And their remarks about the firearms pointing policy.

14 MR. TRESNOWSKI: Thank you, Your Honor. Mike
15 Tresnowski on behalf of the Office of the Attorney General.

16 We appreciate Deputy Chief Cruz's background context
17 of how we got to where we are with the firearm pointing
18 incidents. But briefly, I'd like to start with where in the
19 Consent Decree does it address the review of firearm pointing
20 incidents and how does that relate to where we are.

21 So the Consent Decree at Paragraph 189 recognizes that
22 when a CPD officer points a firearm at a person, to detain a
23 person, an investigatory stop or an arrest has occurred. And
24 officers may only point a firearm at a person when it is
25 objectively reasonable to do so under the totality of the

1 circumstances.

2 To ensure that those principles become a sustainable
3 practice, the Consent Decree requires the regular review of
4 instances when a CPD officer pointed a firearm at a person, to
5 identify whether the pointing was within policy. That's
6 Consent Decree Paragraph 192.

7 So the idea here is that through systemic review, CPD
8 will cease any unreasonable firearm pointings. As CPD has
9 implemented these requirements over time, a challenge arose.
10 The review and audit of obligations have been substantial. The
11 unit that reviews firearm pointings, as you heard earlier,
12 TRED, is also responsible for reviewing other uses of force by
13 CPD officers, as well as officer foot pursuits.

14 And so as the Court is aware, there is a substantial
15 backlog. Our office notes that one way to reduce a backlog,
16 reviewing the number of firearm pointing incidents and uses of
17 force is to reduce overall generally the number of uses of
18 force and firearm pointings by officers.

19 Now obviously, raw numbers don't tell us anything
20 about whether any individual use of force or firearm pointing
21 incident was reasonable, but our office continues to monitor
22 those numbers closely.

23 But CPD discussed just now an additional solution to
24 reduce the TRED backlog, and that is moving firearm pointing
25 reviews to the district level. CPD noted the successes of the

1 pilot program and we agree that the program has shown promise.
2 The number of unreviewed incidents in TRED is coming down, and
3 we agree that officers have been receptive to prompt feedback
4 from direct supervisors rather than the waiting for feedback
5 from TRED.

6 The Attorney General's concern with the plan as we
7 will monitor as it goes from pilot to a program is that with
8 decentralization, there is a risk that quality control could
9 become an issue. Some districts may review firearm pointing
10 incidents quickly, some slowly. Some officers may receive
11 detailed or lengthy feedback, some may receive less. Different
12 supervisors may be more likely to identify certain policy
13 violations.

14 We also understand that district level supervisors are
15 already extremely busy. And so there's a risk that with
16 additional administrative tasks, there's a risk that some
17 reviews could be done hastily. So the entire purpose of this
18 process is to ensure that not a single Chicago resident is
19 subject to an unreasonable firearm pointing.

20 So as we've shared from the beginning and we will
21 monitor as this pilot becomes a program, we'd like to see
22 systems in place for quality control. CPD has already
23 developed specific training for all the district level firearm
24 pointing reviewers, and we reviewed and approved this training.
25 And we recognize the department is putting in efforts to make

1 this new system work.

2 But we believe that as it goes to a program, quality
3 controls are necessary to ensure that the nature of the reviews
4 done at a district level by a supervisor are of the similar
5 quality as the reviews that would have been done at TRED.

6 And we look forward to working with CPD in developing
7 such quality control systems as the pilot is rolled out into a
8 citywide program. Thanks.

9 THE COURT: Thank you, Mr. Tresnowski.

10 Any further comments from the City? I know that
11 Mr. Slagel's with us, and I'm expecting some comments from
12 Sergeant Tom Stoyias.

13 MR. SLAGEL: Yes, Your Honor. We're going to move now
14 on to our presentation on --

15 THE COURT: Good.

16 MR. SLAGEL: -- ISRs. And it's actually going to be
17 Lieutenant Michael Kapustianyk who will do that presentation.

18 THE COURT: Great.

19 MR. SLAGEL: Again, there will be opportunities for
20 people to scan QR codes and we will try to pause on those
21 slides to provide the audience with the opportunity to do so.

22 With that, Mike, turn it over to you.

23 MR. KAPUSTIANYK: Sure. Thank you.

24 Good afternoon, everyone. Thank you, Judge Pallmeyer,
25 and everyone attending today's webinar.

1 My name is Michael Kapustianyk. I'm the lieutenant
2 commanding officer here at the research and development
3 division of the Chicago Police Department.

4 We're going to go over a brief history of the
5 investigatory stop policy. This policy's been a long time
6 coming. It's based on a deliberative iterative process that
7 was shaped by a number of factors. It was shaped by the past
8 policies and agreements CPD had in place in terms of their
9 investigatory stops. It comes from internal auditing and
10 internal controls and identification of concerns by our
11 internal subject matter experts and the auditing team. It
12 includes significant comments from community stakeholders
13 through a community engagement process. And obviously it
14 includes information and comments from our oversight partners,
15 including the Independent Monitoring Team and the Office of the
16 Attorney General. Next slide.

17 CPD's investigatory stop policy dates back to 2016.
18 It was the creation of the investigatory stops policy, a new
19 reporting application, and a new investigatory stop report, and
20 a receipt. This was pursuant to the implementation of new
21 state statutes, as well as the investigatory stop and
22 protective pat-down settlement agreement between CPD and the
23 ACLU.

24 It also created the integrity section that created
25 random audits of the investigatory stop system on a continual

1 basis, and that's the foundation of what we're building these
2 policies on. Next slide, please.

3 And then CPD continued to work through the process
4 through the agreement with the ACLU of Illinois. Retired Judge
5 Keys was appointed the consultant and issued reports in 2017,
6 2018, and 2019. Those reports identified concerns with the
7 data collection and the supervisory review of those stops and
8 those pat-downs.

9 So what CPD did with those reports is we conducted an
10 internal audit, which provided recommendations in 2022 that
11 identified there was a series of concerns with supervisory
12 reviews of the investigatory stops. So CPD took this as an
13 opportunity to not only look at the reporting of the
14 supervisory reviews, but to re-envision what CPD was doing in
15 terms of investigatory stops.

16 We wanted to make sure that the report was fully and
17 accurately reflecting the actions during the investigatory
18 stops, and to make sure the processes and systems in place,
19 including supervisory reviews, ensured accountability and
20 ensuring that stops were being conducted constitutionally.

21 So we further reviewed the policies and practices that
22 we envisioned in investigatory stop report. We included work
23 with our internal subject matter experts, former members of
24 that integrity unit that was overseeing CPD's investigatory
25 stops, and the process of overseeing and guided by the newly

1 appointed consultant, which was Maggie Hickey at the time.

2 During that process, the consultant worked with
3 community groups and there was press for a proposal to
4 co-design community engagement with the ACLU on the
5 investigatory stop agreement. This community engagement
6 process was co-designed and it was community led. These
7 community partners solicited community impact through a series
8 of community engagement sessions, hosted within the
9 communities, to make recommendations and to identify concerns
10 with CPD's practices and policies surrounding investigatory
11 stops.

12 That process resulted in eight final recommendations
13 which were presented to CPD leadership. And the community
14 organizers and the community groups actually met with CPD
15 leadership to discuss those implementation options and those
16 concerns and those eight recommendations were then folded into
17 the policy development process.

18 And then building upon that, in June of 2023, the
19 amended stipulation regarding investigatory stops was entered,
20 thus putting investigatory stops into the Consent Decree. CPD
21 worked, again, with the Monitoring Team and the Attorney
22 General to finalize those policies, posting them for additional
23 community feedback in August of 2024, in which turn we
24 finalized those policies in December of 2024, posted them on
25 our directive site, to allow us finalized policies as we look

1 towards implementation, as we look towards training, and as we
2 look towards application development.

3 There were still a number of discussions, beginning of
4 this year, with some community groups, with the Attorney
5 General, with the Monitoring Team, as those processes were
6 being developed, and we posted revisions to those finalized
7 policies just recently in June to address some -- address some
8 concerns and some needed clarity within our policies. Next
9 slide, please.

10 So those policies consist of a suite of policies.
11 Currently CPD's investigatory stop policy is one policy, very
12 mechanical, about the reporting and the application process.
13 This policy gets more in depth. It's actually created a suite
14 of policies that will drive and guide CPD's investigatory
15 stops.

16 The first one is the police encounters and the Fourth
17 Amendment. It provides an overview of the rights guaranteed by
18 the Constitution and the law during all police encounters,
19 including investigatory stops.

20 And then we have very specific addenda to that parent
21 policy that provides overall guidance. The first one is
22 specific to investigatory stops, which is providing guidance
23 for conducting those investigatory stops and pat-downs as
24 represented in the amended stipulation. There's an addenda
25 specifically to the reporting application, how we want to

1 report those temporary detentions, those investigatory stops,
2 and the use of that new application.

3 And then the third addendum is the department's review
4 of those temporary detentions, department review of stops,
5 which includes district level supervisory reviews. And as is
6 consistent with what we talked about in the firearms pointing,
7 there is a unit within the Tactical Review and Evaluation
8 Division called the Fourth Amendment stop review unit that does
9 currently review those investigatory stops, consistent with the
10 current policy. They will continue to do that with this new
11 reporting application and the guidance is provided in that
12 addendum. Next slide, please.

13 Like I mentioned before, these policies are now
14 currently available. They're not yet implemented, but they're
15 currently available in our preimplementation tab on our
16 department directives system.

17 The QR code on the left and that web address takes you
18 to the site where you can not only see the policy suite in its
19 entirety, but also a document that summarizes the previous
20 community engagements and responses to that.

21 And then the QR code on the right is our department
22 directive system, our general department directive system. If
23 anyone wants to access once these policies go live, they will
24 be included in the department directives system. Next slide.

25 Now I want to briefly go over the highlights of this

1 new policy to identify where we've made some changes and
2 strengthened this policy.

3 The first one and foremost, it's protection of the
4 constitutional rights, protection of the Fourth Amendment
5 rights provided to those that we encounter. All of our
6 encounters, including investigatory stops, are to be conducted
7 in an unbiased, fair, respectful manner, and obviously in
8 accordance with the Constitution and the laws of the state and
9 the Federal Government.

10 We also want to focus on these interactions being the
11 pillars of our procedural justice and legitimacy. We want to
12 make sure we're giving people a voice, presenting neutrality,
13 respect and trustworthiness in all these interactions. We want
14 to make sure that these stops are consistent with our other
15 policies. We will not racially profile or use other bias-based
16 policing, not only in stops but protective pat-downs, meaning
17 we will not conduct an investigatory stop or protective
18 pat-down solely based on geographic location, a person's
19 response to the presence of a police officer, or being in the
20 presence of others involved in criminal activity.

21 We're also not going to base an investigatory stop or
22 a pat-down on any protected class or characteristic such as
23 race, ethnicity, color, national origin, or others.

24 CPD will also not implement any form of quota or
25 consider the number of investigatory stops as part of

1 promotion, incentive, or bonus. Next slide.

2 We also want to emphasize professionalism in
3 conducting these stops. We want to make sure officers are
4 clearly identifiable so that community members understand it's
5 a Chicago police officer that's conducting this stop, whether
6 it be in uniform or if not in uniform, displaying the
7 appropriate credentials. And make sure our communication is
8 really rooted in that procedural justice and legitimacy
9 principles. We'll identify ourselves by name and rank, state
10 the reason for the stop, notify them that they're being
11 lawfully detained, and they'll be free to leave at the
12 conclusion of the stop, unless there's enforcement action or
13 continuing investigation. Next slide.

14 We also want to make sure that not only the stops are
15 lawful and professional, but also any searches that we conduct
16 in conjunction with those stops are lawful and constitutional.
17 So we will not conduct a protective pat-down unless we have
18 reasonable articulable suspicion, based on specific articulable
19 facts, that a person is armed and dangerous. We cannot conduct
20 a pat-down simply for officer safety.

21 When we're conducting a search by consent, we want to
22 make sure that's a professional encounter. We will
23 specifically ask that person for consent, communicate the
24 scope, communicate the individual's right to revoke that
25 consent, make sure that it's being recorded with our body-worn

1 cameras. And with all of our stops, pat-downs, and searches,
2 we ought to make sure we're documenting those interactions
3 correctly. So we will document that incident in the stop
4 report in our new stop application, and also provide a receipt
5 to the community member that was stopped or searched.

6 Our policy also prohibits conducting an investigatory
7 stop or search of a person based solely on the officer smelling
8 cannabis without other specific articulable facts. And
9 pat-downs and searches consistent with our other policies will
10 be conducted respectful of a person's gender as expressed,
11 clarified, or requested. Next slide.

12 We talked a little bit about the revised investigatory
13 stop report and the stop application that's being built as we
14 speak. It incorporates the revised stop report, that the goal
15 is to ensure stops are recorded and documented consistently,
16 regardless of the type of stop.

17 So what this application, what this report does, is it
18 takes a number of different reporting applications, a number of
19 different reports in CPD, and consolidates into one stop
20 application. All the stops are going to have the same
21 information in terms of the nature of the stop for all stops.
22 And as that stop progresses or if that stop progresses to other
23 actions, we will make sure those are specifically identified,
24 captured, and documented in different aspects of that report,
25 including whether that stop has turned into an investigatory

1 stop, whether a pat-down was conducted, whether a search was
2 conducted. All those require independent documentation, and
3 then all the stops will capture the disposition of the stop,
4 what was the conclusion, and a receipt will be provided to the
5 individual stopped. Next slide.

6 The previous slide showed kind of a graphical
7 interpretation of the information we're collecting, but
8 obviously we don't want to collect in a paper format if we can.
9 So we're building what we're calling the electronic temporary
10 detention or stop reporting application. It will be a one stop
11 shop to document all this information of the stop. Not only
12 does it document the officers' interactions with the community
13 member during the stop, but also the supervisory review, any
14 corrective action taken with that stop, and the Fourth
15 Amendment Stop Review Unit's actions and reviews of the stop.
16 It will be one repository for the evaluation, analysis,
17 documentation of investigatory stop and stop data for CPD.
18 Next slide.

19 We also wanted to make sure that our supervisory
20 reviews, as identified in the internal audit that was conducted
21 with the recommendations in 2022, we wanted to make sure that
22 the supervisory reviews were strengthened. So CPD supervisors
23 will review all investigatory stop reports and the stop report
24 is based on investigatory stops to ensure they're properly
25 completed. They'll do it during that tour of duty.

1 And then that stop report can only be rejected one
2 time or referred back to the original officer one time for
3 corrections or modifications. And then that same supervisor's
4 going to review it that second time. It's a lot of what we
5 identified in our internal audit, making sure there's
6 consistency in that supervisory review, there's some historical
7 knowledge about why that original report was referred back to
8 the officer, so there's accountability mechanisms in place to
9 ensure that's done.

10 And after that second review, if that report still
11 cannot be approved by that supervisor, it will automatically go
12 to that Fourth Amendment Street Stop Review Unit for review.

13 When a supervisor does refer that report back to the
14 officer for corrections, they will personally notify that
15 member, make sure there's a conversation on why that was
16 referred back, and then identify any afteraction support or
17 resources or corrective actions that might happen. And that
18 might be conversation, it might be training, it might be
19 reviewing body-worn camera footage. It could lead to
20 progressive discipline. But we want to make sure that if our
21 officers are completing these reports incorrectly, that there's
22 accountability mechanisms in place to make sure officers grow
23 and learn to ensure that these reports are done correctly.
24 Next slide, please.

25 We also want to foster accountability from the

1 district -- from a department level, excuse me, of
2 investigatory stops I talked about the Fourth Amendment Stop
3 Review Unit is tasked with doing. Those department level
4 reviews, they will make sure officers are completely and
5 thoroughly reporting the facts of that stop on the stop
6 application and that stop report, make sure there's reasonable,
7 articulable suspicion to justify the stop, to justify the
8 search, to justify the pat-down, are separately documented and
9 justifiable, make sure that the report is complete by the
10 officer. They'll also be looking at supervisory reviews to
11 make sure the supervisors are doing their job based on the
12 slide before to make sure the reviews are timely, complete, and
13 objective. Next slide, please.

14 There's also a part of the policy that talks about
15 transparency, in particular, data transparency. CPD will
16 continue to post the identified investigatory stop data on its
17 website.

18 The QR code there at the top is where the current
19 investigatory stop data is published. We will continue to do
20 that on an ongoing basis, on an annual basis, to make sure that
21 our investigatory stop data is on our website.

22 And then as Deputy Chief Cruz mentioned, the midyear
23 and the annual report from the Tactical Review and Evaluation
24 Division, as the Fourth Amendment Stop Review Unit is part of
25 TRED, they will be part of that annual and that midyear review,

1 and their reviews of investigatory stops will be imported out
2 there.

3 That second QR code is the most recent page for
4 statistical reports, and you can find that report with the
5 current Fourth Amendment Stop Review Unit's assessments from
6 last year currently on their website. Next slide.

7 As we've talked about a lot, the circumstances,
8 policies, and especially CPD policies are very dynamic. CPD is
9 committed to periodically reviewing these policies to ensure
10 that they're still consistent with the law, still consistent
11 with best practices, and obviously still consistent with
12 community feedback we get from engagement opportunities. And
13 we'll continue to do that, providing the community meaningful
14 opportunity to provide feedback during those policy reviews.

15 That QR code will take you to the policy review page,
16 as we discussed at the beginning of this presentation. There
17 are some policies that are open for review. And when the
18 investigatory stop policy is up for review, it will be on that
19 page as well. Next slide, please.

20 And finally, a big component of the new investigatory
21 stop policy, because of the revisions that were made and the
22 new investigatory stop suite, training is crucial in ensuring
23 these policies are implemented correctly.

24 Currently officers and -- including supervisors are
25 trained on the Fourth Amendment. We're going to continue that

1 training. We're going to ensure that they're properly trained
2 not only on investigatory stops, but protective pat-downs, to
3 make sure that we're remaining consistent with our commitment
4 to procedural justice, deescalation, impartial policing, and
5 community policing.

6 Currently Fourth Amendment concepts are engrained
7 within the CPD's trainings. It's in the inservice supervisory
8 training where supervisors are trained on how to review
9 multiple Fourth Amendment reviews, in conducting the reviews of
10 those stops. Fourth Amendment concepts are also covered in our
11 use of force, firearms qualifications, Taser recertification,
12 where we talk about constitutionality of seizures, so that's on
13 a continuing basis that those concepts and topics are
14 addressed.

15 In 2023, CPD had a specific inservice training program
16 that included eight hours of in-person training on
17 constitutional policing, on investigatory stops, and ensuring
18 that reasonable, articulable suspicion is documented correctly
19 in those stops. Next slide.

20 Additionally this year, we're building upon that
21 foundation we built. In 2025, part of the 40 hours' worth of
22 training that CPD members received is an eight-hour in-person
23 constitutional policing foundations course, which was developed
24 in conjunction with outside experts that were involved in the
25 Los Angeles Consent Decree, and it really drives an

1 understanding of the Fourth Amendment and how it interacts and
2 relates to police encounters.

3 But also about decisionmaking and making sure that the
4 decisions made are not only constitutional, but they're rooted
5 in procedural justice and legitimacy, that they serve a law
6 enforcement or public safety purpose, and that there's a proper
7 use of officer discretion that's rooted in the Fourth
8 Amendment, but takes more into consideration during those
9 times. That training is currently going on now as an in-person
10 training with our members.

11 And then building upon that, on the next slide,
12 there's going to be training specific to this new policy and
13 the new application. There's going to be two e-learnings or
14 electronic learning curriculum that our officers will take once
15 approved by the Independent Monitoring Team and the Office of
16 the Attorney General. We're working through that process now.

17 One will be focused on the policy, making sure our
18 officers understand the new policy, the requirements, the
19 prohibitions, and the actions in the new policy. And one will
20 be specific to the new report and the new reporting
21 application, to ensure officers are comfortable in the
22 documentation and the application process, and to make sure
23 supervisors are comfortable in conducting their reviews and the
24 data collection through the new reporting application.

25 And again, as mentioned before, we currently have two

1 policies up for public comment. The QR code is there. This is
2 the same information that was provided at the beginning of the
3 seminar.

4 And that's it for me. Any questions, any comments on
5 the investigatory stop presentation?

6 THE COURT: No questions from me. Any panel members
7 want to make any comments or questions for Officer Kapustianyk?

8 Well, thank you, Officer. As always, I love to get a
9 copy of the slides and I know you've always been good enough to
10 provide those for me later. So that would be great.

11 I know that the -- I think Ms. Pannella from OAG will
12 be making some comments right now regarding ISRs.

13 MS. PANNELLA: Yes, Your Honor. Thank you.

14 Good afternoon, Your Honor. My name is Kate Pannella.
15 I'm appearing on behalf of the State of Illinois today.

16 As Your Honor is well aware, the investigatory stops
17 is the newest section of the Consent Decree and been a part of
18 the decree for just over two years now.

19 Paragraph 804 of the investigatory stop section
20 requires CPD to revise its policies related to investigatory
21 stops and protective pat-downs to be consistent with the law
22 and the requirements of the Consent Decree. And the department
23 is now very close to implementing those revised policies.

24 Our office and the Independent Monitoring Team have
25 reviewed several drafts of the revised Fourth Amendment policy

1 suite, and on multiple occasions, we requested revisions to
2 that policy suite, which CPD did implement.

3 After several rounds of revisions, we are confident
4 that CPD's revised Fourth Amendment policy suite complies with
5 the law and the requirements of the Consent Decree. And we
6 agree that CPD may proceed with implementing the policies.

7 CPD also met with the Coalition on multiple occasions
8 to talk through additional concerns that the Coalition had with
9 the policy suite and made further revisions to the policies
10 based on the Coalition's concerns. I'll come back later to
11 discuss one of those specific concerns raised by the Coalition
12 in greater detail.

13 CPD's revised Fourth Amendment policies will form the
14 foundation for how officers are trained to conduct and document
15 investigatory stops and protective pat-downs and how
16 supervisors are trained to review the stops and pat-downs
17 conducted by the officers they supervise.

18 We are hopeful that these revised policies as well as
19 regular training based on the revised policies will lead to
20 more lawful, professional, and procedurally just policing and
21 improve the experiences of community members who are stopped by
22 CPD officers.

23 CPD's revised policy suite is not yet in effect
24 because the policies were developed in tandem with a new
25 electronic application that officers will use to document the

1 stops they conduct. The new application will simplify and
2 streamline the reporting process for officers by providing one
3 place for officers to document all stops, rather than the
4 current process that requires different reports to be filled
5 out for investigatory stops and traffic stops.

6 The hope is that the new application will save
7 officers time and improve compliance with reporting
8 requirements. It will also ensure the data for all stops is
9 maintained in one unified system, improving data collection and
10 increasing data analysis opportunities going forward.

11 Because the policy suite and the reporting system, the
12 new electronic reporting system are interconnected, CPD does
13 need to train its officers on both the policies and the new
14 application before either can be implemented.

15 As Lieutenant Kapustianyk just mentioned, CPD is in
16 the process of developing and the Attorney General and
17 Independent Monitoring Team are in the process of reviewing
18 those two online e-learning.

19 Once the Attorney General and the Monitoring Team sign
20 off on the policy -- on the trainings, rather, the department
21 will enroll CPD officers in them and can then implement the new
22 policy suite and the new universal stops application.

23 While the online e-learning are a good way to train
24 officers quickly in order to facilitate an early rollout or,
25 you know, a timely rollout of the new Fourth Amendment policies

1 and the new reporting application, reading words on a computer
2 screen is not an ideal way for officers to be trained on
3 conducting stops and searches.

4 And as Lieutenant Kapustianyk shared a moment ago,
5 there are a number of other ways that officers are trained on
6 Fourth Amendment principles and on constitutional policing.

7 But the department must ensure that training officers
8 specifically on investigatory stops and protective pat-downs
9 does not end with these initial online trainings. The
10 department should conduct a more fulsome in-person training on
11 investigatory stops and protective pat-downs in the near
12 future, and should ensure that it continues to conduct
13 in-person trainings at regular intervals.

14 Consistent training of officers on CPD's improved
15 policies is one way to change department culture over time.

16 Finally, I noted earlier that I would come back to
17 address in more detail one of the concerns the Coalition has
18 raised with CPD's Fourth Amendment policy suite. In April, the
19 Coalition filed a motion to enforce Paragraph 806(i) of the
20 Consent Decree, which prohibits CPD officers from, quote,
21 conducting an investigatory stop or search of an individual
22 based solely on an officer smelling cannabis/marijuana, end
23 quote.

24 CPD's investigatory stops policy does contain this
25 prohibition. But at an earlier point in time, the policy also

1 included a reference to a recent Illinois Supreme Court
2 decision called *People v. Molina*, which held that while police
3 officers may not legally search a vehicle based on the smell of
4 burnt cannabis alone, officers may legally search a vehicle
5 based on the smell of raw cannabis alone, if the officer is
6 trained to distinguish between the smells of burnt and raw
7 cannabis.

8 CPD's investigatory stops policy referred to the
9 holding in *People v. Molina* in order to clarify that CPD
10 officers are permitted to search a vehicle based on the smell
11 of raw cannabis. And the Coalition objected to this policy
12 provision.

13 To CPD's credit, after the Coalition filed its motion,
14 the department agreed to remove the reference to the *Molina*
15 case in the investigatory stops policy, an important change,
16 because the Consent Decree explicitly prohibits officers from
17 conducting investigatory stops which, by CPD's own admission,
18 could be of a pedestrian or of a vehicle, based on the smell of
19 cannabis alone. And of course, a search is only permissible if
20 the stop itself is permissible.

21 So the circumstances when CPD officers may search a
22 vehicle based on the smell of raw cannabis and nothing more
23 should be exceedingly rare. If officers have stopped a vehicle
24 for a run-of-the-mill traffic violation, the law and CPD policy
25 permit that traffic stop to last no longer than necessary to

1 complete the activities normally associated with a traffic
2 stop, running a check of the driver's license and the vehicle
3 registration, and issuing a traffic citation or a warning.

4 Conducting a search of the vehicle because the officer
5 has smelled raw marijuana would require extending the stop as
6 an investigatory stop, which the Consent Decree does not permit
7 officers to do, based on the smell of marijuana alone.

8 CPD is currently developing a training to train its
9 officers to distinguish between the smells of raw and burnt
10 cannabis. We urge CPD to clarify in training the limited
11 circumstances under which officers are permitted to search a
12 vehicle based on the smell of raw cannabis, and to emphasize
13 that officers may not conduct an investigatory stop, which
14 includes extending a routine traffic stop, based on the smell
15 of cannabis alone.

16 In conclusion, the Attorney General's Office is
17 heartened by the progress CPD has made toward developing and
18 implementing a revised Fourth Amendment policy suite and the
19 new universal stop application, and we look forward to
20 continuing to work with the department as these improved
21 policies and reporting procedures are operationalized.

22 Thank you for the opportunity to be heard today, Your
23 Honor.

24 THE COURT: Thank you very much, Ms. Pannella.

25 I think those comments are helpful and I think we're

1 ready now to hear from the Coalition, either Ms. Gingold or
2 Ms. Block, maybe both of you.

3 MS. GINGOLD: Thank you, Your Honor. Good afternoon.
4 I'm going to go first for the Coalition.

5 THE COURT: Okay.

6 MS. GINGOLD: My name is Jessica Gingold. I'm one of
7 the attorneys for the Coalition. Thank you for the opportunity
8 to address the Court today. I'm going to be speaking about the
9 topic of firearm pointing.

10 Pointing a gun at a person is a forceful and
11 threatening action that causes long lasting trauma and terror.
12 It makes the victim fear for their life. And those victims are
13 forever impacted, especially those individuals with
14 disabilities and children, some who have been as young as 3 and
15 4 years old.

16 This is the context that must be front and center when
17 considering policies and practices governing when Chicago
18 police officers point their firearms at community members.

19 When an ordinary person points a gun at someone, it's
20 chargeable as aggravated assault under Illinois law, but the
21 Chicago Police Department does not even consider pointing a gun
22 at a person to be a use of force.

23 Unlike other types of force, CPD officers do not need
24 to report firearm pointing incidents on a tactical response
25 report. Now the Coalition has long advocated that Chicago

1 Police Department should consider pointing a gun at a person to
2 be a use of deadly force, consistent with Seventh Circuit case
3 law and directives of other major police departments, such as
4 Philadelphia, Baltimore, and Los Angeles.

5 Plainly stated, officers should be discouraged from
6 pointing their guns at people, and the goal should be to
7 decrease the use of it, of pointing guns overall, and it should
8 be recorded as a serious use of force when they do point guns.
9 Officers need to understand and know that it is a grave action
10 with potentially life ending consequences.

11 However, instead of being discouraged, Chicago Police
12 Department officers are pointing guns at people increasingly
13 often. Now we saw the data from TRED's 2024 year-end report
14 from the Chicago Police Department which was released last week
15 and it shows that CPD officers pointed their guns at people
16 4,209 times last year. This is actually an increase of almost
17 500 firearm pointing incidents compared to 2023. And it
18 averages some 350 times per month, more than 11 times per day,
19 that officers are pointing their guns at Chicagoans.

20 Just as concerning as the increase in volume is the
21 fact that 54 percent of these firearms pointing incidents last
22 year, 2,275 out of the 4,209 did not result in the police
23 recovering any weapon, meaning that officers pointed their guns
24 at unarmed civilians more often than they pointed guns at
25 people who were armed.

1 In light of this very concerning increase in CPD
2 officers pointing their guns at people, especially unarmed
3 people, the Coalition is a little apprehensive about CPD's
4 pilot program to shift review of firearm pointing incidents
5 away from TRED and to captains within the department. The data
6 from the recent report shows that firearm pointing is an issue
7 that cries out for more accountability, not less.

8 Now we appreciate CPD sharing the data that they
9 shared today, and we appreciate that they state that there are
10 no reported instances of unjustified or unreasonable pointing
11 incidents, yet it begs the question why these incidents are
12 increasing right now.

13 We also appreciate that this pilot program shows some
14 positive results, shows that it allows for immediate feedback,
15 and we certainly agree that more immediate feedback for
16 officers is a good thing. And fast turnaround, that there's
17 more opportunities for mentorship and leadership, all of those
18 things are things that the Coalition certainly can get behind.

19 However, what is still missing from what we heard
20 today is whether the results of the captain reviews will
21 actually get rolled up into TRED's semiannual and annual
22 reports. So will we still get the data that we're getting in
23 the TRED reports when this is moved over to the captains, or
24 will those reviews now just be decentralized and that data no
25 longer be public?

1 How do we know that the captain pilot program is a
2 success as stated today? Were the reviews by captains compared
3 to reviews done by TRED to ensure that they really are
4 accurately reviewing the incidents as TRED was?

5 Will there be any check for consistency in oversight
6 of the program as it rolls out further, as the Attorney General
7 stated was a concern that they held?

8 And to answer these questions, we need not only the
9 conclusion that has been reached, that the firearm pointing
10 incident was deemed reasonable or unreasonable, we also need
11 the data around these incidences. We need transparency about
12 what criteria is being used to make that determination that a
13 firearm pointing incident was objectively reasonable.

14 What happened in those incidents? What are the
15 criteria that are being considered by captains? We need race,
16 age, disability, and other demographic data to ensure there
17 aren't disparities in the firearm pointing incidents.

18 We heard that captains are stating that they are glad
19 they have the ability to provide more immediate feedback, which
20 suggests that there are incidences that are being corrected.
21 We need that data made public so we know what is being
22 corrected in officers who are pointing firearms.

23 We request that CPD release all of the data on its
24 justification supporting any continuation of the captain
25 firearm pointing review pilot program. The public deserves to

1 know that firearm pointing incidents will be taken seriously
2 and officers will be held equally accountable if captains and
3 not TRED members are those reviewing the incidents, but that in
4 fact, this is an effort to increase accountability.

5 The public and the Coalition would also like to know
6 how CPD will continue to adhere to Paragraph 192 of the Consent
7 Decree under this new program, which requires, quote, a
8 designated unit at the CPD headquarters level to routinely
9 review and audit documentation and information collected from
10 all investigatory stop and arrest occurrences in which a CPD
11 officer pointed a firearm at a person in the course of
12 affecting a seizure.

13 This review is required to be conducted within 30 days
14 of each such occurrence. It is not clear to us how CPD's
15 current pilot program comports with this paragraph. And agree
16 with the AAG's concern that decentralization could erode
17 quality oversight, and we implore CPD to ensure a centralized
18 overview quality control program is still part of the new
19 program as is required by the Consent Decree.

20 We look forward to seeing additional data from this
21 pilot program and we urge CPD to both refine its existing
22 policy on firearm pointing and to publish a full written report
23 evaluating the pilot program's results that shares the data
24 points that I just raised.

25 Thank you, Your Honor, for the time.

1 THE COURT: Thank you very much, and thanks for your
2 continued attention and concern about these issues and your
3 observations are very helpful.

4 Do we have another spokesperson for the Coalition
5 today?

6 MS. BLOCK: Yes, thank you, Your Honor. Good
7 afternoon. My name is Alexandra Block. And I'm one of the
8 other attorneys representing the Coalition. Thank you for the
9 opportunity to address the Court and the parties and members of
10 the public today.

11 I will be addressing the topic of CPD's investigatory
12 stop policies, training, and stop application.

13 We appreciate the summary of the Fourth Amendment
14 policy that Lieutenant Kapustianyk provided and the additional
15 information about the upcoming trainings and the progress in
16 finalizing the stop application. As Lieutenant Kapustianyk
17 explained, these have been underway for many years, dating back
18 to the ACLU of Illinois's stop-and-frisk agreement with CPD,
19 and it's gratifying to see that some progress is going to, you
20 know, finally be implemented.

21 But we do want to point out that the Coalition had
22 recommended a number of changes to the Fourth Amendment policy
23 that CPD did not adopt, and that some of these changes are
24 really crucial to explaining to officers the boundaries of how
25 they should be treating members of the community during

1 investigatory stops and how they should be using their
2 discretion on deciding whether to stop people in the community.

3 A primary Coalition request that was not adopted by
4 the policy was that CPD should expressly prohibit pretextual
5 stops. A pretextual stop is one where an officer uses an
6 alleged very minor violation, something like jaywalking or
7 having an open container of alcohol or a vehicle equipment
8 issue, and the officer stops the person for that minor issue as
9 an excuse to fish for evidence of any other crime or possession
10 of contraband like weapons, like guns.

11 These pretextual stops are incredibly damaging to the
12 trust of the community and police. They are predominantly
13 directed at black and brown community members. And it is a
14 very significant issue of procedural justice, which I know from
15 Lieutenant Kapustianyk's presentation, that CPD is concerned
16 about the community's perception of procedural justice.

17 And the idea of a pretextual stop where the person
18 who's stopped knows that the officer is really fishing for
19 something else and the reason that they're being given for the
20 stop is not the true reason, that in and of itself is
21 incredibly damaging to trust between community members and
22 police. And we had urged CPD to address that issue in their
23 Fourth Amendment policy. And we encourage CPD when the policy
24 is revised to come back to that issue and ban pretext stops in
25 its Fourth Amendment policy suite.

1 Some other issues, among many, that the Coalition had
2 requested to be changed were, for example, prohibiting officers
3 from ordering drivers and passengers out of a car for no
4 reason. Unless there was an immediate safety need, people
5 shouldn't be told that they have to get out of the car on a
6 routine basis.

7 We had asked for the policy to prohibit routine
8 handcuffing of people during investigatory stops, whether those
9 stops are on the street or in a car. Far too often, officers
10 put a person in handcuffs just to detain them during the course
11 of the stop and for no legitimate safety reason whatsoever.
12 And it's an issue that we hear repeatedly from community
13 members as being very traumatizing and offensive.

14 Another change we had asked for was to prohibit
15 officers from asking for so-called consent to conduct a
16 protective pat-down, because the legal standard requires
17 reasonable, articulable suspicion that a person is armed and
18 dangerous to conduct a protective pat-down. And we know that
19 community members, especially community members of color, don't
20 feel free to refuse consent. And so the -- what CPD
21 determines -- or denominates as a sort of consent frisk should
22 not be occurring.

23 And finally, the Coalition had strongly recommended
24 that CPD audit its investigatory stop data, specifically for
25 racial and ethnic disparities. We know from the data that the

1 Fourth Amendment stop unit publishes in the TRED report that
2 others have put on the screen earlier today that almost all
3 investigatory stops are stops of black or Latino people. The
4 numbers of stops of white people are in the single digits. And
5 this is in a city that is over one-third white. And so we are
6 concerned that this pattern of racial and ethnic disparities
7 has persisted for decades, without CPD really digging into this
8 data and asking why and what they can do about it.

9 This needs to change. And it should be written in
10 CPD's policy that they will do a disparate impact analysis and
11 create solutions for the disparities, where some 90 to
12 95 percent of people subjected to investigatory stops by CPD
13 are people of color.

14 One last recommendation that we had made was that the
15 policies should explain how officers should exercise discretion
16 during investigatory stops, meaning discretion about who to
17 stop and why and whether to take enforcement action as a
18 result. And in particular, we had suggested incorporating some
19 specific examples of scenarios into the policies that include
20 officers deescalating situations, deciding not to stop someone,
21 deciding not to do a search, deciding to check their implicit
22 biases on the basis of race or ethnicity or gender or religion
23 or age before they take an enforcement action, and simply
24 declining to take actions where appropriate.

25 Now CPD didn't incorporate those scenarios into the

1 policy, but we strongly agree with Ms. Pannella's
2 recommendation that if the scenarios aren't incorporated into
3 the policy, they must be incorporated into the training that
4 CPD is going to develop. We agree with the Attorney General's
5 Office that those trainings should be in-person, should be
6 scenario based, should be example based, and expressly should
7 include scenarios where officers use deescalation tactics, and
8 use their discretion to not take enforcement action against
9 community members.

10 And this is particularly important, because as
11 Lieutenant Kapustianyk described, the community engagement
12 process that occurred within the context of the ACLU's
13 stop-and-frisk agreement with CPD, the community engagement
14 organizations developed eight recommendations. A lot of them
15 were focused around training, training about deescalation,
16 training about bias, training about racial disparities that are
17 evident in CPD's data, training to deal with people who have
18 mental health and other disabilities. And CPD's response to
19 those recommendations was, "We're already doing it."

20 But what they're not listening to is that the
21 community is telling them that their training is not working,
22 because community members are not experiencing the effects of
23 that training. What they are experiencing is officers who are
24 hostile, aggressive, appear to be acting on racially biased
25 motives on some occasions, and so the training needs to be

1 rethought in accordance with this community feedback to improve
2 officers' ability to deescalate, to utilize discretion
3 appropriately, and especially to improve their decisionmaking
4 when it comes to implicit bias.

5 Last point, about the odor of cannabis. And I
6 appreciate Ms. Pannella's explanation for the changes that CPD
7 made to the policy to deal with that issue. I don't have a lot
8 to add, other than to say that the training on this issue
9 especially will be key.

10 We fully agree that CPD needs to train its officers to
11 distinguish between the odor of burnt and raw cannabis, needs
12 to train its officers that extending a stop solely for a search
13 of a car is a separate action, separate temperate attention
14 that needs to be justified and cannot be justified solely on
15 the basis of burnt cannabis. So officers need to be able to
16 make that distinction.

17 And we hope that all of those topics are clearly laid
18 out in the training because it is an issue of significant
19 concern to the community that the Illinois Supreme Court's
20 decisions in *Redmond* and *Molina* seem to leave them vulnerable
21 to using the odor of raw cannabis as an excuse to search a car,
22 and again, that kind of pretextual using of other factors to
23 support a search decision is detrimental and undermining to
24 community trust in the police.

25 So we do appreciate CPD providing the information

1 about its upcoming trainings. The Coalition has requested to
2 review a copy of the training module, the 2025 training module,
3 for our comments. We hope that CPD will provide that and will
4 engage productively with the Coalition, the Attorney General's
5 Office, the Monitor's office, on any revisions to the training.

6 The Coalition has also requested of CPD to have an
7 opportunity to attend CPD's full trainings on constitutional
8 policing, on traffic stops, on the Fourth Amendment training.
9 We know CPD offered a shortened public version of this training
10 in a training community observation day, which the Court
11 attended and the Monitor attended, I understand. But, you
12 know, that's not the full version of the trainings that CPD has
13 offered or will be offering to its officers, and we believe
14 it's really important for the Coalition and other members of
15 the community to have full insight into what these trainings
16 really look like and how officers are reacting and responding
17 and absorbing to the training. In other words, how effective
18 is the training.

19 Thank you very much. I appreciate the time and the
20 ability to speak on behalf of the Coalition this afternoon.
21 And I will yield my time.

22 THE COURT: Thank you.

23 Superintendent Snelling, I know that we have you on
24 our agenda and I'd love to hear from you as well before we
25 adjourn for the day.

1 SUPERINTENDENT SNELLING: Thank you, Judge. Thank you
2 to everybody on the call.

3 I know, you know, we're at time, so I'll try to keep
4 this as short as possible. But, you know, thank you, Judge, as
5 always, for holding these sessions.

6 I'd like to thank the Independent Monitor Maggie
7 Hickey and her team, the Office of the Attorney General. Just
8 the partnership has been great. And the comments from the
9 Coalition.

10 Lastly, I have to thank my CPD team for all of the
11 work that they've put into this.

12 I just want to address just a couple of things. One
13 of the things that came up with the pointing incidents and the
14 captains, there was some questions, I believe it was from
15 Ms. Jessica Gingold. I think that's it. I hope I said that
16 right. And one of them was, will the -- when the captains do
17 reviews, will that still be a part of TRED? Yes. None of
18 those numbers are coming out. The numbers will be the same.
19 So when you go in and you look at those numbers, they will be
20 the same.

21 There will be quality control of everything that's
22 done. So the work that the captains will be doing will
23 still -- there will still be oversight for that.

24 There's training. So none of these captains can do
25 this without being trained to do it. The key here is to not

1 only have an immediate approach to each officer when there's a
2 pointing incident, but a review of the same, and the captains
3 who are right there directly supervising these officers will
4 have the opportunity to make any corrections.

5 If there was something that was done wrong, the
6 supervisor can take immediate action. And when we see
7 increases or decreases, it's quite possible -- and this is why
8 we need to do the study and look at every single shooting.
9 It's quite possible that officers are reporting pointings
10 that's not an actual pointing because they removed their guns
11 from the holster. So we need to look through all of those
12 things.

13 There will be quality control. My focus is to reduce
14 the number of actual pointings at people, especially if we know
15 that that's an unnecessary thing. So we want to make sure that
16 we get to the bottom of that. That's why we want to expand
17 this citywide. And I just think it's a great idea. I think
18 it's moving in the right direction. And over time, as we
19 collect the data, I'm sure we'll see some results from that.

20 To go a little further, when we talk about training,
21 and I believe Ms. Alexandra Block -- when it comes to training
22 or banning particular things, we have to be careful, because we
23 have to do all of our research before we decide to ban anything
24 that we're doing. There's usually a purpose for something, but
25 we know that we can't have something, a tool out there, that's

1 being abused by police officers. So we want to make sure that
2 there's no abuse of it, number one.

3 Number two, training, when we say training, to not
4 enforce certain things. The issue that I have with that is, if
5 there's nothing to enforce, if there are no laws being broken,
6 officers shouldn't be enforcing things. Right? And that's the
7 training in and of itself.

8 So to have training to tell officers not to enforce,
9 that is built into the training, because that training says
10 that now you are violating the rights of human beings. So it's
11 kind of difficult. I'd love to have a deeper conversation as
12 to what the belief is that that training should be.

13 There was a mention of routine handcuffing. Not
14 really sure what routine handcuffing is or what was meant by
15 that. I'd like to get a little further information on that
16 also.

17 But officers need to articulate any time they're
18 cuffing someone the reason for it, and is it reasonable. Those
19 are things that we address through training. And I appreciate
20 the concern about all of it, because procedural justice is the
21 key here. We do want to make sure that we continue to build
22 that trust with our community members. And we don't want our
23 officers or anyone in our department violating anyone's rights.
24 And that's why we're being as transparent as we can with this,
25 and we'll continue to work.

1 Lastly, there was also a mention of the Coalition
2 attending training. We opened those community training days.
3 We're more than happy to have anyone from the Coalition come to
4 training.

5 We put it out there to make sure that, you know, that
6 it's open to you, and when those days come up, please make sure
7 that anyone who wants to go to the training signs up and then
8 actually shows up and attends the training.

9 Out of all the people who signed up in the last
10 several training sessions that we had, I believe we had about
11 50 percent of the people show up. The more people show up, the
12 more information we can put out there. Like I said, we've
13 opened up the academy for people to come in and see what we're
14 actually doing around training.

15 So training does take time. And I agree with a lot of
16 the points that are put out there. I just think we all need to
17 be on a similar page of understanding what it is that we're
18 approaching.

19 So here's our focus, and here's my focus as the leader
20 of the Chicago Police Department. As the leader of the Chicago
21 Police Department, my focus is to save lives. And what we have
22 to think about before we ban anything -- and we look at the
23 issues that are going on in our streets right now. The rate
24 that black and brown individuals in our city are dying is
25 astronomical. And I think that's -- that needs to be our

1 number one focus. How do we do things to save lives? While we
2 police constitutionally, we can do both. We can do both.

3 But it's going to be hard to do that when we're
4 constantly speaking of just banning things without there being
5 any research, serious research, done to figure out what we can
6 do, the best application to save lives, and that has to be our
7 focus.

8 I can just tell you right now in short, a 24-month
9 period, in the City of Chicago, where there were nearly 1,600
10 homicides in the City of Chicago, 46 of those people were white
11 people in the City of Chicago. Nearly 1,300 of those people
12 were black people. And over 200 were Latino people.

13 So when we talk about the disparities, the rate that
14 black people are dying in this city, the rate that brown people
15 are dying in this city, pales in comparison to the rate that
16 white people are dying in this city.

17 Now that's not -- that's not to bring down any
18 importance on any life. Every life is precious. And we want
19 to make sure that we -- if I could stop it all, we would do it.
20 Unfortunately, that's not our reality right now.

21 But we really need to focus on what we're going to do
22 to save lives in these communities. So I understand the
23 talking points, I understand where we're coming from when we --
24 when we're looking at complaints. But we need to look at the
25 bigger picture, the children who are dying at the hands of gun

1 violence in the City of Chicago, what's going to be our focus
2 as a whole, everyone on this call coming together, figuring out
3 how we can sit down, work out our problems, and work out our
4 complaints, while at the same time stopping our children and
5 our people in this city from dying in our streets at the hands
6 of violence.

7 So that's the focus. We're going to continue to move
8 in the right direction, to make sure that we're building
9 relationships with people in our community and rebuilding that
10 level of trust that I know that's been damaged and fractured
11 over the years. But we still have to focus on saving lives.
12 And that's our job as the Chicago Police Department. We're
13 going to do both at the same time.

14 So if it seems like there are times where we're a
15 little resistant to some things, it's because we're focused on
16 the human capital in this city, and we want to make sure that
17 we keep them safe.

18 So beyond that, I'll cut my time. Judge, I just want
19 to thank you for the opportunity to close this out. And thank
20 you to everyone on the call, for the collaboration, and I
21 appreciate everyone's feedback here.

22 THE COURT: I have very little to add to that. Thank
23 you, Officer -- Superintendent Snelling.

24 Anything from the Monitor?

25 MS. HICKEY: No, Your Honor. Just thank you to

1 everyone who took the opportunity to speak today. We greatly
2 appreciate it.

3 THE COURT: It's a team effort and we're all part of
4 this team, so thank you. And I will see you all in August.

5 MS. HICKEY: Thank you.

6 SUPERINTENDENT SNELLING: Thank you, Judge, have a
7 great day.

8 THE COURT: We're adjourned. Thank you. You too.

9 (Concluded at 2:28 p.m.)

10
11
12

13 I certify that the foregoing is a correct transcript,
14 to the extent possible, of the record of proceedings in the
15 above-entitled matter, given the limitations of conducting
16 proceedings remotely.

17 /s/ Hannah Jagler

July 26, 2025

18 Hannah Jagler, RMR, CRR, FCRR
19 Official Court Reporter
20
21
22
23
24
25