

CPCA

Coalition for Police Contracts Accountability

CPCA's Statement on the Proposed Chicago Police Department Consent Decree

The Coalition for Police Contracts Accountability (CPCA) is a coalition composed of community, policy, and civil rights organizations taking action to ensure police accountability in Chicago. We propose fourteen critical changes¹ to the police union collective bargaining agreements (CBAs) and mobilize communities to demand that new contracts between the City and police unions don't stand in the way of holding officers accountable. We have reviewed the draft consent decree unveiled by the Illinois Attorney General (AG) and the City of Chicago on July 27, 2018. We support having a consent decree and oppose the FOP's position that the decree should not be entered. However, we believe there should be additional commitments from the City.

We have outlined our specific concerns below. What is included are only our most pressing concerns, as the short period provided for public comment did not allow for thorough community discussion and debate.

In general, the coalition members were disappointed to find that the majority of our fourteen recommendations were not adequately addressed in the agreement. While the consent decree does, in part, secure a commitment from the City to undertake "best efforts" to address four of our fourteen recommendations in contract negotiations,² the decree is lacking such a

¹ <https://www.cpcachicago.org/the-recommendations/>

²

| CPCA Recommendation | Consent Decree Provision |
|---|---|
| #1 – Eliminate the contract requirement of a sworn affidavit for investigating civilian complaints of misconduct. | <i>The City and CPD will undertake best efforts to ensure that the absence of a signed complainant affidavit alone will not preclude an administrative investigation. ¶411</i> |
| #2 – Allow for the filing and investigation of anonymous complaints. | <i>The City and CPD will undertake best efforts to ensure that all complaints, including anonymous complaints, can be the subject of a misconduct investigation ¶456</i> |
| #3 – Prevent the disclosure of a complainant's name prior to the interrogation of an accused officer. | <i>The City and CPD will undertake best efforts to ensure that the identities of complainants are not revealed to the involved CPD member prior to the CPD member's interrogation. ¶454</i> |
| #8 – Eliminate the provision requiring the destruction of police misconduct records. | <i>The City and CPD will undertake best efforts to ensure that all administrative investigation files, disciplinary history card entries, COPA and BIA disciplinary records, and any other disciplinary record or summary of such record, are retained electronically, and indefinitely, for purposes of historical trend analysis, non-disciplinary EIS, and public transparency. ¶485</i> |

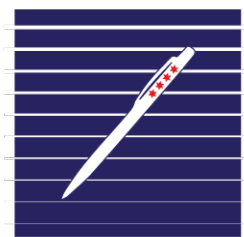
commitment for the remaining ten points. Our recommendations were developed based on the work of the Department of Justice and the Police Accountability Task Force as well as other academic works, community experience, and best practices in policing and police accountability nationally. While it is clear that our coalition and the public generally will need to maintain pressure on the City to fight for all of our recommended changes to the union contracts, we seek a commitment from the City that it will use best efforts to change all fourteen of the provisions we have identified.

Finally, while we appreciate that the Attorney General has extracted a promise from the City to make best efforts in some cases, we have serious concerns about how the City will be held accountable to negotiate for such changes. Negotiations between the City and CPD are closed, as is the arbitration process currently. The City should *prove* that it has made best efforts to reform its police contract and make public its efforts to do so.

CPCA Steering Committee

ACLU of Illinois • Action Now Institute • A Just Harvest • Better Government Association • BPI • Chicago Council of Lawyers • Chicago Lawyers' Committee for Civil Rights • Community Renewal Society • Jewish Council on Urban Affairs (JCUA) • ONE Northside • Showing Up for Racial Justice (SURJ) • Southsiders Organized for Unity & Liberation (SOUL)

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Recommendations of the Coalition for Police Contracts Accountability

The current police contracts with the City of Chicago harm accountability by making it hard to complain about police misconduct, easy for officers to lie, and hard to investigate claims of misconduct. These contracts must be reformed. We call on the Mayor's office to negotiate a contract with our recommended fourteen changes, and on aldermen to refuse a contract without these changes:

1. Eliminate the requirement of a sworn affidavit for investigating civilian complaints of misconduct.
2. Allow for the filing and investigation of anonymous complaints.
3. Prevent the disclosure of a complainant's name prior to the interrogation of an accused officer.
4. Remove the ban on offering rewards to officers that cooperate or provide information on ongoing investigations.
5. Eliminate the 24-hour delay on officer statements in shooting cases and create a clearly outlined process to receive statements from all officers involved in a timely manner.
6. Eliminate officer's right to review and amend statements previously made to investigators.
7. Allow past disciplinary records to be used in investigating and resolving present complaints.
8. Eliminate the provision requiring the destruction of police misconduct records.
9. Eliminate the need for the Superintendent's authorization to investigate complaints that are five years old or older.
10. Remove constraints on how interrogators can ask questions.
11. Specify that information provided to officers prior to interrogations should be a general recitation of allegations.
12. Allow for the disclosure of the identities of officers who are the subject of civilian complaints.
13. Require officers to disclose secondary employment and any other pertinent information that may cause a conflict of interest in performing their duties as a sworn officer.
14. Reduce years of seniority for officers who have been repeatedly recommended for suspension because of findings of complaints filed against them.