

FACT SHEET: THE DEPARTMENT OF JUSTICE PATTERN OR PRACTICE INVESTIGATION OF THE CHICAGO POLICE DEPARTMENT

Following a thorough investigation that began on Dec. 7, 2015, the Justice Department's Civil Rights Division and the U.S. Attorney's Office for the Northern District of Illinois have determined that the Chicago Police Department (CPD) has engaged in a pattern or practice of unreasonable force – including deadly force – in violation of the Fourth Amendment of the Constitution. The investigation was conducted under the Violent Crime Control and Law Enforcement Act of 1994. This pattern is largely attributable to systemic deficiencies in training and accountability, including a historical failure to train officers in de-escalation and failure to conduct meaningful investigations of uses of force.

THE INVESTIGATION

The Justice Department's team:

- Addressed and observed roll call at all 22 CPD districts and went on over 60 ride-alongs;
- Heard from over 340 CPD members and 23 members of the Independent Police Review Authority's (IPRA) staff;
- Met with the CPD's officers, sergeants, lieutenants and captains unions;
- Heard from over 1,000 community members and more than 90 community organizations;
- Reviewed thousands of CPD documents, including relevant policies, procedures, training materials, investigative and disciplinary files, and internal and external reports;
- Analyzed a randomized, representative sample of force reports and the investigative files for force incidents occurring between January 2011 and April 2016, including over 170 officer-involved shooting investigations and over 400 additional force incidents; and
- Enlisted the support of 11 independent subject-matter experts, most of whom are current or former law enforcement officials from across the country.

THE FINDINGS

The Justice Department investigation found that CPD officers have engaged in a pattern or practice of using force, including deadly force, that is unreasonable, in violation of the Fourth Amendment. This pattern or practice includes:

- Shooting at fleeing suspects who presented no immediate threat;
- Shooting at vehicles without justification;
- Using less-lethal force, including tasers, against people who pose no threat;
- Using force to retaliate against and punish individuals;
- Using excessive force against juveniles;

In addition, the following practices contribute to the pattern or practice of excessive force:

- Failing to effectively de-escalate situations or to use crisis intervention techniques to reduce the need for force;
- Employing tactics that unnecessarily endanger officers and result in avoidable shootings and other uses of force; and
- Failing to accurately document and meaningfully review officers' use of force.

With regard to accountability, the investigation found:

- The city fails to investigate the majority of cases it is required to investigate by law.
- When it does investigate, the questioning of officers is aimed at eliciting information favorable to the officer, and investigators do not confront officers with inconsistent physical evidence.
- The city does not take sufficient steps to secure accurate and complete witness statements, including by preventing officers from concealing misconduct.
- Discipline is haphazard, unpredictable and does not deter misconduct.

The Justice Department identified a number of other systemic deficiencies, including:

- Inadequate training and supervision;
- Insufficient support for officer wellness and safety;
- Data collection systems that impede transparency;
- A promotions system seen as political and unfair by officers; and
- Failure to adequately address racially discriminatory conduct by officers—which in some respects is caused by deficiencies in CPD’s systems of training, supervision and accountability—and the corrosive effect on police legitimacy of excessive force, which falls most heavily on Chicago’s communities of color.

The investigation also made clear that the city and CPD are committed to reform. The city has already taken several promising steps, including:

- Creating the Civilian Office of Police Accountability to replace IPRA;
- Issuing a new transparency policy mandating the release of videos and other materials related to certain officer misconduct investigations;
- Beginning a pilot program for body-worn cameras, to be expanded CPD-wide; and
- Committing to establish an anonymous hotline for employees to report misconduct.

The Justice Department has already been working with CPD to address its challenges:

- The department helped CPD develop an important force mitigation and de-escalation training course for officers and offered technical assistance with respect to CPD’s force policies.
- The department has been working with the city of Chicago as part of the Violence Reduction Network, a data-driven, evidence-based initiative that delivers strategic, intensive training and technical assistance.

In addition, the city, CPD and the Justice Department have signed an Agreement in Principle, memorializing their commitment to negotiate a settlement agreement to resolve the department’s findings:

- The parties will seek to have the agreement entered as an order (consent decree) of the federal district court.
- Compliance with the consent decree will be overseen by an independent monitor.

If the parties cannot reach agreement, the department may file a federal lawsuit to secure injunctive remedies for the constitutional violations and contributing causes it identified.