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Re: Mayor Emanuel's *Task Force on Police Accountability*

Dear Task Force on Police Accountability members:

I write on behalf of the American Civil Liberties Union of Illinois ("ACLU") and its 30,000 members and supporters throughout the state in an effort to assist Mayor Emanuel's Task Force on Police Accountability ("Task Force") in its review of the City of Chicago's system of accountability, oversight and training for police officers.

We hope to provide information to the Task Force about relevant CPD practices that impact police-community relations and create the full context in which your review will be conducted. These practices include the CPD's use of *Terry* stops; racial disparities in traffic stops and resulting searches; and the City's discriminatory method of deploying police officers. The ACLU

would welcome the opportunity to meet members of the Task Force to discuss these matters in further detail.

I. Chicago Police Department stop and frisk practices

The Chicago Police Department has had a persistent problem in its use of stop and frisk and similar law enforcement strategies for decades. As the United States Department of Justice ("DOJ") has recognized in other jurisdictions, the "experience of disproportionately being subjected to stops and arrests in violation of the Fourth Amendment shapes black residents' interactions with the [the police], to the detriment of community trust," and "makes the job of delivering police services … more dangerous and less effective."[1]The same is true in Chicago where, for decades, there has been inadequate training, supervision and monitoring of law enforcement in minority communities.

A. A history of abusive law enforcement strategies

In the early 1980s, the *Chicago Reporter* found that more than 100,000 citizens were arrested for "disorderly conduct" during sweeps of high-crime neighborhoods. These arrests were usually preceded by a stop and frisk. These cases almost never resulted in convictions because the police generally did not appear in court to defend the arrest. An ACLU lawsuit successfully challenged this practice and, as a result, disorderly conduct arrests and their accompanying stops and frisks plummeted.[2] However, these unnecessary stops and arrests created feelings of alienation in African American and Latino communities throughout Chicago.

In the 1990s, *Terry* stops reemerged under the guise of the so-called "gang loitering ordinance." That ordinance—later struck down by the U.S. Supreme Court in another ACLU lawsuit—resulted in more than 40,000 arrests over 18 months of enforcement.[3] The arrests and searches were ostensibly the result of refusals to follow dispersal orders, but the reality was that the ordinance was a vehicle for stopping and searching young men of color.

In the early 2000s, unwarranted stops and searches were still commonplace. In 2003, the ACLU filed a lawsuit on behalf of Olympic gold medalist Shani Davis and several others, challenging a series of humiliating stop and frisk searches by Chicago police.[4] Data collected in connection with that suit showed a pattern of unjustified stops and searches, resulting in the unnecessary detention of young people, mostly young people of color. As a result of the *Davis* lawsuit, the Chicago police made changes to their policy of stopping and searching on the streets, including a requirement to record why stops occur. However, the manner in which the City implemented the recordkeeping proved insufficient.

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[1] Investigation of the Newark Police Department, U.S. DOJ, Civil Rights Division, July 22, 2014 ("Newark DOJ Report"), at 2.
[2] *Michael Nelson v. City of Chicago*, 83-C-1168 (N.D. Ill.).
[3] *See City of Chicago v. Morales*, 527 U.S. 41 (1999).
[4] *See* Complaint for Plaintiffs, *Davis v. City of Chicago*, 219 F.R.D. 593 (N.D. Ill. 2004), (No. 03 C 2094), 2003 WL 23800673.

B. A 2015 ACLU report on stop and frisk

In March 2015, the ACLU of Illinois published a report on the Chicago Police Department's recent use of stop and frisk as a law enforcement practice. Ex. A, "ACLU Stop and Frisk Report." The report was based on data elicited by the ACLU through repeated Freedom of Information Act requests to the CPD.[5] The report found that:

- Although officers are required to write down the reason for stops, in nearly half of the stops we reviewed, officers either gave an unlawful reason for the stop or failed to provide enough information to justify it.

- Stop and frisk is disproportionately concentrated in the black community. Black Chicagoans were subjected to 72% of all stops, yet constitute just 32% of the city's population. And, even in majority white police districts, minorities were stopped disproportionately to the number of minority people living in those districts.

- CPD stops a shocking number of people. From May through August 2014, there were more than 250,000 stops that did not lead to an arrest. Comparing stops to population, Chicagoans were stopped more than four times as often as New Yorkers were at the height of New York City's stop and frisk practice.

Underlying these disturbing statistics was a lack of training, data collection and oversight of the CPD's use of stop and frisk. The CPD did not require officers to document stops that resulted in an arrest or ticket and did not require documentation of any frisks. Further, in response to a FOIA request, the CPD was not able to identify a single officer who received follow-up training (post-police academy) on how to lawfully conduct a stop and frisk since May 2011.

C. ACLU and CPD settlement and a new state law

Soon after the report was released, the ACLU approached the City, threatened a lawsuit and entered settlement negotiations. The ACLU also advocated for better data collection and training through a state bill that was enacted by the Illinois General Assembly in the spring of 2015. The state law, P.A. 99-0352, requires data collection of certain stops and the issuance of a receipt when the stop results in a frisk. It also requires additional training for officers and created statewide standards for body cameras.[6]

The ACLU and the City completed negotiations and entered into a settlement agreement, enforceable in state court, in August 2015. Ex. B. The parties agreed that former U.S. Magistrate Judge Arlander Keys would be designated to evaluate the City's practices and procedures regarding investigatory stops and to oversee implementation of the agreement. Judge Keys will

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[5] Information regarding narratives was from selected months in 2012 and 2013; data discussing total stops and racial disparities was from May through August 2014.

[6] This new state law also requires additional training for officers and creates statewide standards for body cameras. The law is several hundred pages long and is available at: http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=099-0352.

produce public reports twice each year on investigatory stops and pat downs by Chicago police. These reports will assess whether the CPD is complying with its legal requirements, including the Fourth Amendment requirement that there be reasonable suspicion of criminal conduct as a basis for a stop or search and that the stops do not have a racially-disparate impact, as prohibited by the Illinois Civil Rights Act of 2003, 740 ILCS 23/5. Judge Keys is also authorized to recommend changes to CPD policies.

The settlement agreement also requires the City and CPD to collect additional data about all investigatory stops, including data on stops that lead to an arrest or ticket and data on frisks and other searches. Judge Keys will use this data to determine if the City's practices are lawful. The data will include the name and badge number of the officer; the race/ethnicity of the person stopped; the gender of the person stopped; all reasons for the stop; the location, date and time of the stop; whether a pat down resulted from the stop (along with the reason for the pat down); whether contraband was discovered; and what happened as a result of the stop (including an arrest, warning, or no action at all).

The agreement also calls for additional training of officers, designed to ensure that investigatory stops are conducted only where there is reasonable suspicion of criminal activity and that all protective pat downs are legally justified. The training will be followed up by quarterly or semi-annual audits of data by CPD, which can lead to re-training, enhanced supervision, or discipline of officers who engage in unlawful stops and pat downs or who violate CPD procedures.

The implementation of this agreement is in its early stages, but we intend to require full compliance from the City and the CPD. To date, with the agreement of the City and the ACLU, Judge Keys has selected Merrick Bobb and Mathew Barge of the Police Assessment Resource Center to act as experts in police practices. Mr. Bobb is the appointed monitor in *United States v. City of Seattle*, 12-cv-01282, in DOJ's consent decree with the Seattle Police Department.

Judge Keys, with consent of the parties, has also selected Ralph Taylor, a professor of Criminal Justice at Temple University, to serve as an expert in data and statistics. In *Bailey v. Philadelphia*, Professor Taylor served as an expert witness for the City of Philadelphia. In that case, the ACLU and others challenged Philadelphia's stop and frisk program on both Fourth Amendment and Equal Protection grounds. That case has since been settled and Dr. Taylor continues to work for Philadelphia in the monitoring phase to provide a statistical assessment of the use of stop and frisk. In addition, he served as an expert for the plaintiffs in *Melendres, et al. v. Arpaio*, an ACLU challenge to racial profiling in Maricopa County, Arizona.

These experts and the ACLU have begun providing comments to CPD on its policies and training regarding stop and frisk.

II. Chicago Police Department traffic stop practices

In 2014, the ACLU published a report on the CPD's traffic stop figures, recorded under the Illinois Traffic Stop Study Act, an act originally sponsored by then-State Senator Barak Obama. ("ACLU Traffic Stop Report") Ex. C.

The ACLU Traffic Stop Report found that in 2013, the CPD conducted 100,676 traffic stops. There were significant racial disparities in these traffic stops, both City-wide and in the police districts that contain the fewest minority residents.

- ***City-wide***. The stop rate of black drivers (46%) is far higher than the rate of black residents in the city population (32%). White and Hispanic drivers are stopped at rates lower than their representation in the City's population.

- ***In majority-white police districts***. In the five police districts where whites are a majority of the resident population, minority motorists are significantly over-stopped. As expressed in ratios of stop rates to population rates, black motorists are over-stopped by ratios ranging from 1.7 to 7.5, and Hispanic motorists are over-stopped by ratios ranging from 1.1 to 2.3. For example, in District 18 (Near North), where the resident population is 76% white, black residents comprise just 9% of the population, but 19% of the traffic stops (yielding an over-stop ratio of 2.1).Hispanic residents comprise just 5% of the population, but 11% of the stops (yielding an over-stop ratio of 2.3).

The ACLU also found significant racial disparities in four kinds of searches conducted during these traffic stops.

- ***Searches of vehicles by consent***. CPD was over four times more likely to search the vehicles of black and Hispanic motorists, compared to white motorists (4.74 and 4.09 times respectively). CPD was about twice as likely to find contraband when they searched white motorists, compared to black and Hispanic motorists (2.1 and 1.86 times).

- ***Searches of vehicles by non-consent***. CPD was far more likely to search the vehicles of black and Hispanic motorists compared to white motorists (3.42 and 4.82 times). CPD was far more likely to find contraband when they searched white motorists, compared to black and Hispanic motorists (1.76 and 1.51 times).

- ***Searches of drivers by consent***. CPD was far more likely to search black and Hispanic drivers compared to white motorists (4.9 and 4.46 times). White motorists were slightly *less* likely than black motorists to be caught with contraband (0.94 times), but were more likely than Hispanic motorists to be caught with contraband (1.34 times).

- ***Searches of drivers by non-consent***. CPD was far more likely to search black and Hispanic motorists compared to white motorists (3.72 and 5.22 times). CPD was far more likely to find contraband when they searched white motorists, compared to black and Hispanic motorists (1.65 and 2.70 times).

To our knowledge, the CPD has not taken action to address these disparities. Like unwarranted or discriminatory pedestrian stops and frisks, unlawful traffic stops undermine the establishment of effective law enforcement and community safety.

III. Chicago Police Department's inequitable distribution of resources

In October 2011, the ACLU filed a lawsuit, *CANA v. City of Chicago*, 11 CH 37299, in Illinois State Court to challenge what had long been known across the City of Chicago: police are deployed not on the basis of legitimate law enforcement criteria, but on political clout. Ex. D. For decades, this unfair deployment has resulted in, among other things, delays in police responses to emergency calls in neighborhoods with higher minority populations. In the lawsuit, the ACLU represents the Central Austin Neighborhood Association, a community group that has advocated publicly for the redistribution of police resources. The ACLU is also a plaintiff in this lawsuit as there are ACLU members who live throughout Chicago.

Studies from as early as the 1990s show that the City did not deploy officers to districts in proportion to 911 calls and crime rates, resulting in delayed responses to emergencies in minority neighborhoods. Despite decades of promises by various superintendents to reconfigure beat lines and more fairly allocate resources to minority communities, the beats have remained unchanged largely because of the political clout of aldermen in predominately white districts.[7]

In 2009 and 2010, anonymous sources from Chicago's 911 center provided reporters with information about poor service in minority communities. For example, between January 2009 and October 2010, there were 885 instances when residents in Chicago Lawn, a minority district, had no officers available to respond to a priority 911 call; the same scenario occurred only 17 times in Town Hall, a predominately white district.[8] Despite demands for change from alderman and community members in minority districts, the beats remain the same. *Id.*

Despite the reshuffling of some officers from task forces and desk duties in 2011,[9] data released by the CPD in 2014 showed that disparities continued. For example, in July 2013, residents in Grand Crossing, a minority neighborhood, waited an average of 11 minutes (10:41) for an officer to be dispatched in response to a Priority 1 call; by contrast, residents in Jefferson Park, a predominantly white neighborhood, had an average wait time of less than 2.5 minutes (2:26). The dispatch time was nearly 4.5 times longer in this minority district. Across all districts, the average dispatch time in minority districts for the month was nearly twice as long for Priority 1 calls (1.8 times) as in predominately white districts.

Likewise, nearly all of the predominantly minority districts had more Priority 1 calls per officer when compared to white neighborhoods, which largely explains the continuing disparity in response times. Beat officers in minority districts have approximately 1.5 times more Priority 1 calls than beat officers in white districts. When special unit officers are included, the disparity is still 1.4 times greater. For example, the minority district of Grand Crossing had 2.6 times more Priority 1 calls per beat officer in September (23.7 calls) than officers in the white district of Lincoln/Foster (9.1 calls).

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[7] Ex. E, collection of articles addressing attempts to redraw beat lines.
[8] Ex. F, collection of articles addressing delayed 911 response and Aldermen seeking beat realignment.
[9] Ex. G, collection of articles addressing officer reassignments.

During the course of the lawsuit, the City has conceded that aside from a few districts that were consolidated in 2012 and 2013, it has not redrawn beat lines since the 1990s. Minority districts continue to face proportionally fewer resources than white districts.

The ACLU brought this lawsuit under the Illinois Civil Rights Act of 2003, which prohibits government practices that have a racially disparate impact. The suit was initially dismissed on political question grounds, but the Illinois Appellate Court reversed, *CANA v. City of Chicago*, 2013 IL App (1st) 123041, and the case is in discovery in the trial court. It is essential to community relations that police be deployed solely on the basis of legitimate law enforcement criteria.

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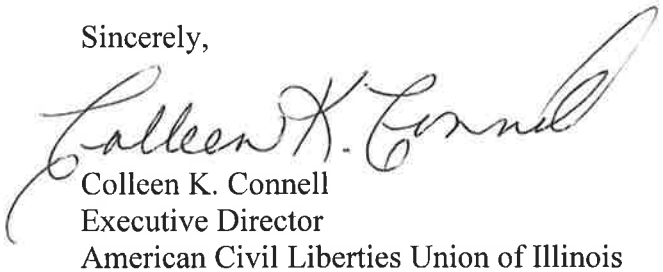
We would welcome the opportunity to meet with members of the Task Force to discuss these issues. If you have any questions, please do not hesitate to contact me at 312-201-9740 ext. 330, or at cconnell@aclu-il.org.

Sincerely,



Colleen K. Connell
Executive Director
American Civil Liberties Union of Illinois

cc: Stephen R. Patton, Corporation Counsel for City of Chicago *(via email)*

Exhibit A

STOP AND FRISK IN CHICAGO

ACLU of Illinois

March 2015

ACLU
AMERICAN CIVIL LIBERTIES UNION of ILLINOIS

I.

Executive Summary

In the past year, the nation's attention has turned to police practices because of high profile killings, including Michael Brown in Ferguson, Missouri, Tamir Rice in Cleveland, Ohio, and Eric Garner in New York. But concerns about policing extend beyond the use of force and into the everyday interactions of police with community members.

In black and Latino communities, these everyday interactions are often a "stop and frisk." Under the U.S. Supreme Court decision in *Terry v. Ohio,* 392 U.S. 1 (1968), officers are allowed to stop you if the officer has reasonable suspicion that you have been, are, or are about to be engaged in criminal activity. Once you are stopped, if an officer has reasonable suspicion that you are dangerous and have a weapon, the officer can frisk you, including ordering you to put your hands on a wall or car, and running his or her hands over your body. This experience is often invasive, humiliating and disturbing.

Chicago has failed to train, supervise and monitor law enforcement in minority communities for decades, resulting in a failure to ensure that officers' use of stop and frisk is lawful. This report contains troubling signs that the Chicago Police Department has a current practice of unlawfully using stop and frisk:

- Although officers are required to write down the reason for stops, in nearly half of the stops we reviewed, officers either gave an unlawful reason for the stop or failed to provide enough information to justify the stop.

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- Stop and frisk is disproportionately concentrated in the black community. Black Chicagoans were subjected to 72% of all stops, yet constitute just 32% of the city's population. And, even in majority white police districts, minorities were stopped disproportionately to the number of minority people living in those districts.

- Chicago stops a shocking number of people. Last summer, there were more than 250,000 stops that did not lead to an arrest. Comparing stops to population, Chicagoans were stopped more than four times as often as New Yorkers at the height of New York City's stop and frisk practice.

In the face of a systemic abuse of this law enforcement practice, Chicago refuses to keep adequate data about its officers' stops. Officers do not identify stops that result in an arrest or ordinance violation, and they do not keep any data on when they frisk someone. This failure to record data makes it impossible for police supervisors, or the public, to identify bad practices and make policy changes to address them.

The abuse of stop and frisk is a violation of individual rights, but it also poisons police and community relations. As recognized by the Department of Justice, the "experience of disproportionately being subjected to stops and arrests in violation of the Fourth Amendment shapes black residents' interactions with the [the police], to the detriment of community trust," and "makes the job of delivering police services ... more dangerous and less effective." See the Appendix, for summaries of DOJ reports.

In order to restore community trust, the City should make the following policy changes:

- **COLLECT DATA ON FRISKS AND MAKE IT PUBLIC.** Currently, officers are not required to record when they frisk someone. If there is no arrest, these searches are never subject to judicial review. Absent a record,

Chicagoans were stopped more than

4x

as often as New Yorkers at the height of New York City's stop and frisk practice.

supervisors and the public have no means to determine whether officers' searches are lawful. Officers should record frisks, the reason for the frisk (which must be separate from the reason for the stop), and the results of the search (i.e., whether there was a weapon or other contraband and if so, what type). This should be accomplished by expanding and making permanent the Illinois Traffic Stop Statistical Study Act, which currently requires police departments to collect and publicly report data about traffic stops.

- **COLLECT DATA ON ALL STOPS AND MAKE IT PUBLIC.** Officers only record stops on contact cards when the stops do not lead to an arrest or ticket for an ordinance violation. Officers should record all stops, including those that lead to an arrest or ticket, and that data should be merged with the stops/contact card database or otherwise made identifiable and available to the public. In New York, this data proved to be a valuable benchmark to assess the legitimacy of the practice. Supervisors and the public should be able to compare how often officers' stops lead to an arrest.

- **REQUIRE TRAINING.** Officers should receive regular training on the legal requirements for stops and frisks and how to record them properly. In a response to a recent FOIA request to Chicago, the City was not able to identify a single officer who received follow-up training (post-police academy) on how to lawfully conduct a stop and frisk since May 2011. Given that half of the reviewed stops did not contain a legal justification, this training is necessary.

- **REQUIRE OFFICERS TO ISSUE A RECEIPT.** Officers should provide civilians with a receipt at the end of pedestrian stops, traffic stops, and consensual encounters. This receipt should state the officer's name, the time and place of the encounter, and the reason for the encounter. Receipts will ensure a record of the event and facilitate any civilian complaints regarding the encounter.

Supervisors and the public should be able to compare how often officers' stops lead to an arrest.

II.

Chicago's History of Stop and Frisk

A review of how *Terry* stops have been used in Chicago demonstrates a persistent problem – inadequate training, supervision and monitoring of law enforcement in minority communities.

In the early 1980s, the *Chicago Reporter* found that more than 100,000 citizens were arrested for "disorderly conduct" during sweeps of high-crime neighborhoods. These arrests were usually preceded by a stop and frisk. These cases almost never resulted in convictions because the police generally did not show up in court to defend the arrest. An ACLU lawsuit successfully challenged this practice and, as a result, disorderly conduct arrests and their accompanying stops and frisks plummeted.[1] However, these unnecessary stops and arrests created feelings of alienation in African American and Latino communities in Chicago.

In the 1990s, *Terry* stops re-emerged under the guise of the so-called "gang loitering ordinance." That ordinance – later struck down by the U.S. Supreme Court in another ACLU lawsuit – resulted in more than 40,000 arrests over 18 months of enforcement.[2] These massive numbers of people were arrested and searched ostensibly for refusing to follow dispersal orders, but the reality was that the ordinance was a vehicle for stopping and searching young men of color.

In the early 2000s, unwarranted stops and searches were still commonplace. In 2003, the ACLU filed a lawsuit on behalf of Olympic Gold medalist Shani Davis and several others, challenging

A review of how *Terry* stops have been used in Chicago demonstrates a persistent problem – inadequate training, supervision and monitoring of law enforcement in minority communities.

[1] *Michael Nelson v. City of Chicago*, 83-C-1168 (N.D. Ill.).
[2] *See City of Chicago v. Morales*, 527 U.S. 41 (1999).

a series of humiliating stop and frisk searches by Chicago police.[3] Data collected in connection with that suit showed a pattern of unjustified stops and searches, resulting in the unnecessary detention of young people, mostly young people of color. As a result of the *Davis* lawsuit, the Chicago police made changes to their policy of stopping and searching on the streets, including a requirement to record why stops occur. However, the manner in which the City implemented the recordkeeping has proved insufficient.

Today, Chicago's reliance on stop and frisk has increased dramatically and legitimate doubts about the constitutionality of the City's method of executing these stops have only increased.

The CPD does not record stops that lead to arrests or tickets and makes no record of frisks.

III.

Stop and Frisk in Chicago – What the Data Shows

Chicago police officers are required to record and justify their stops on "contact cards." However, as discussed in detail in Part IV, the Chicago Police Department's data collection presents problems with analyzing stops. For example, the CPD does not record stops that lead to arrests or tickets and makes no record of frisks. And prior to April 2014, officers used contact cards to record voluntary interactions with civilians, making it difficult to isolate stops and frisks.[4] This report analyzes a sample of 250 written justifications for stops that occurred in 2012 and 2013. It also analyzes four months of contact card data from 2014, after a CPD policy change limited the use of contact cards to stops and the enforcement of loitering ordinances.

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[3] *See* Complaint for Plaintiffs, *Davis v. City of Chicago*, 219 F.R.D. 593 (N.D. Ill. 2004), (No. 03 C 2094), 2003 WL 23800673.
[4] *Compare* Special Order S04-13-09, effective date Feb. 23, 2012, *available* at http://www.chicagopolice.org/2013MayDirectives/data/a7a57be2-12a864e6-91c12-a864-e985efd125ff521f.html, *and* Special Order, 04-13-09, I(C), April 3, 2014, *available* at directives.chicagopolice.org/lt2014/data/a7a57be2-12a864e6-91c12-a864-e985efd125ff521f.html (discontinuing the routine documentation of "Citizen Encounters."). The ACLU of Illinois had repeatedly advocated with the City for this change, which was positive, but did not go far enough.

A. A SIGNIFICANT NUMBER OF STOPS ARE NOT JUSTIFIED BY REASONABLE SUSPICION.

According to the landmark Supreme Court case, *Terry v. Ohio*, 392 U.S. 1 (1968), police officers may only conduct stops when they have a reasonable suspicion that a person has committed or will commit a crime. They may only do a frisk if they have a reasonable suspicion that the person they stop is armed and dangerous. The basis for reasonable suspicion must go beyond an officer's vague "hunch" or personal biases, and the officer "must be able to point to specific and articulable facts" that justify such an intrusion.

We reviewed 250 randomly selected narrative fields from the contact card database.[5] Even though the department requires that officers record the reasons for the stop, for *half* of the stops we reviewed, the officer did not record legally sufficient reasons to establish reasonable suspicion. Stops made without sufficient cause violate the Fourth Amendment guarantee against unreasonable searches and seizures.

In some narrative fields, the officers stated that they stopped people for reasons unrelated to a suspicion of a crime. For example, officers stopped people for associating with others who were suspicious[6] or because they walked away from officers,[7] neither of which would justify a *Terry* stop. In other narrative fields, officers failed to provide enough information for anyone, including their supervisors, to determine whether the stops were justified. For example, officers stopped many people who "matched a description," which would only be legitimate if there was a sufficient explanation of how they matched the description.[8] In other cases, officers provided so little

For half of the stops we reviewed, the officer did not record legally sufficient reasons to establish reasonable suspicion.

[5] The Chicago Police Department's Freedom of Information Act office would agree only to produce the narrative sections of 300 contact cards, asserting there was a burden due to the need to redact personally identifying information from the narratives. The narrative section is the field where officers are to record the reasons for a stop. The ACLU randomly selected 300 entries from 18,943 contacts in the contact card database. These contacts were from June 1, 2012 through August 31, 2012 and March 1, 2013 through May 31, 2013. During this time period, the CPD included records of various kinds of police interactions in this database – not just stops. The CPD ran a word search of terms selected by the ACLU to identify stop and frisks in that broader database. It is possible that some records of stops did not contain the search terms. This resulted in the 18,943 cards from which the 300 entries were randomly selected. We identified 252 of the 300 narratives as describing stops.

[6] *People v. Lee,* 214 Ill. 2d 476, 486, 828 N.E.2d 237, 245 (2005) (finding probable cause "to arrest a particular individual does not arise merely from the existence of probable cause to arrest another person in the company of that individual"); *People v. Surles,* 2011 IL App (1st) 100068, ¶ 34, 963 N.E.2d 957, 965 (2011) (applying *Lee* and finding that association with someone engaged in criminal activity not sufficient for reasonable suspicion under *Terry*).

[7] *In re Rafeal E.,* 2014 IL App (1st) 133027, ¶ 29, *reh'g denied* (Aug. 19, 2014), *appeal denied,* No. 118281, 2014 WL 5619892 (Ill. Oct. 30, 2014) (refusing to expand *Wardlow* to circumstances where the individual is "walking" rather than engaging in a "headlong flight").

information that it was impossible to determine if the stop could be justified, such as merely labeling a person as "suspicious" without additional facts.[9]

The following are examples of officers' narrative explanations that do not justify a stop:

> suspicious person. name check clear
>
> field interview conducted with the subject regarding a recent home invasion in the area. protective pat down conducted. name check clear.
>
> Subject observed loitering on the corner of Augusta/ Monticello. As R/Os approached for F/I subject looked in R/ Os direction and began walking southbound on Monticello.
>
> SUSPECT NARCOTIC ACTIVITY
>
> ABOVE MATCHED DESCRIPTION OF SUSPICIOUS PERSON CALL FI NC CLR.
>
> suspicious person loitering in high narcotics area.
>
> IN SUMMARY: SUBJECT WAS DETAINED FOR PICKPOCKETING ON A PREVIOUS OCCASSION. NAME CHECK CLEAR AND RELEASED.
>
> ABOVE WAS PART OF A GROUP WALKING THROUGH THE ALLEY AT THE ABOVE LOCATION. ABOVE WAS DETAINED AFTER AN UNKNOWN INDIVIDUAL FLED WITH POSSIBLE NARCOTICS. NAME CHECK CLEAR.
>
> ABOVE STOPPED AFTER R/O'S OBSERVED A BULGE PROTRUDING FROM HIS RIGHT SIDE.[10] R/O'S PROFROMED [sic] A PROTECTIVE PAT DOWN AND LEARNED THAT THE BULGE WAS A LARGE CELL PHONE. NAME CHECK CLR LBT.

All of the narratives are available on the ACLU of Illinois' website.

Supervisors are required to review the facts and circumstances of each individual stop, correct the officer, and if necessary, recommend training or discipline to officers who have failed to provide a legal justification for a stop.[11] Based on our review of

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[8] *People v. Washington,* 269 Ill. App. 3d 862, 867, 646 N.E.2d 1268, 1272 (1995) ("Because no evidence of the offender's appearance had been introduced, the trial court had no opportunity to determine whether the description of the offender and the physical characteristics of the defendant were similar enough to justify the detention of the defendant.").

[9] *People v. Croft,* 346 Ill. App. 3d 669, 676, 805 N.E.2d 1233, 1240 (2004) ("stopping an individual because he looks 'suspicious' ... without more, is insufficient to establish reasonable suspicion"). *See also Terry v. Ohio,* 392 U.S. 1, 21 (1968) ("And in justifying the particular intrusion the police officer must be able to point to specific and articulable facts which, taken together with rational inferences from those facts, reasonably warrant that intrusion.").

[10] *People v. Slaymaker,* 2015 IL App (2d) 130528, ¶ 20 (finding no reasonable suspicion for a stop and search because of "bulging").

[11] Special Order, 04-13-09, V(C)(1)(c), effective Jan. 7, 2015.

these stops, both police officers and supervisors need additional training on when a stop is legally justified and more resources should be dedicated to officer supervision.

In a response to a recent FOIA request to Chicago, the City was not able to identify a single officer who received follow-up training (post-police academy) on how to lawfully conduct a stop and frisk since May 2011.

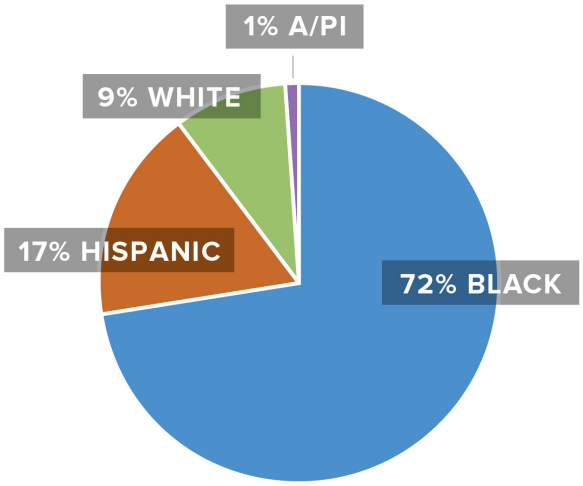
B. AFRICAN AMERICANS ARE PROPORTIONALLY STOPPED AT A HIGHER RATE.

A review of the contact card database for the four-month period of May through August 2014 indicates that African Americans are disproportionately subjected to stops when compared to their white counterparts.[12] Black Chicagoans were subjected to 72% of all stops, yet constitute just 32% of the city's population.[13]

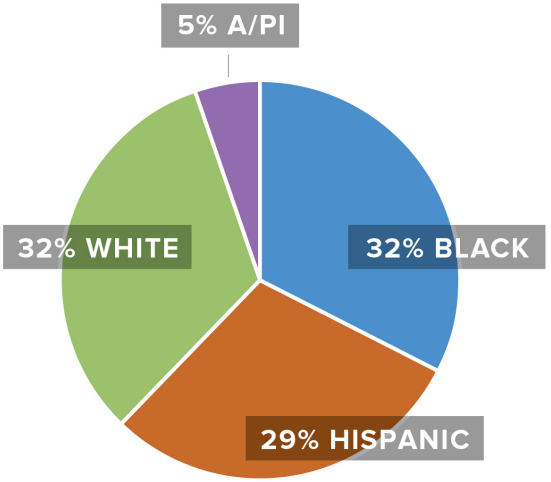
Also, there are more stops per capita in minority neighborhoods. For example, in the minority district Englewood there were 266 stops per 1000 people, while in the predominately white district Lincoln/Foster there were 43. While this may be the result of a plan to address crime in those neighborhoods, we strongly question the legitimacy of this enforcement approach. We defer an empirical analysis of this practice to our next report on Chicago Police Department practices.

In any event, the difference in stop rates among different races also occurs outside minority communities. In Chicago's predominantly white police districts—Near North, Town Hall, and Jefferson Park—the disparity between black population and percentage of stops is even starker than city-wide data. For example, as seen in the charts below, although Jefferson Park's African American population is just 1%, African Americans make up almost 15% of all stops.

Stops by Race

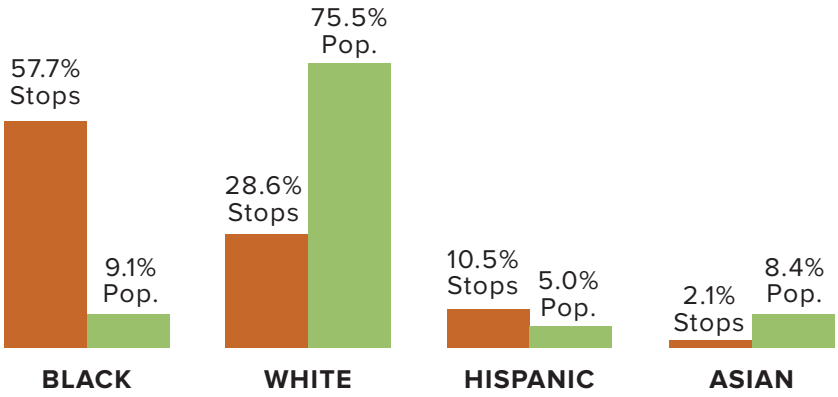


Chicago Population by Race

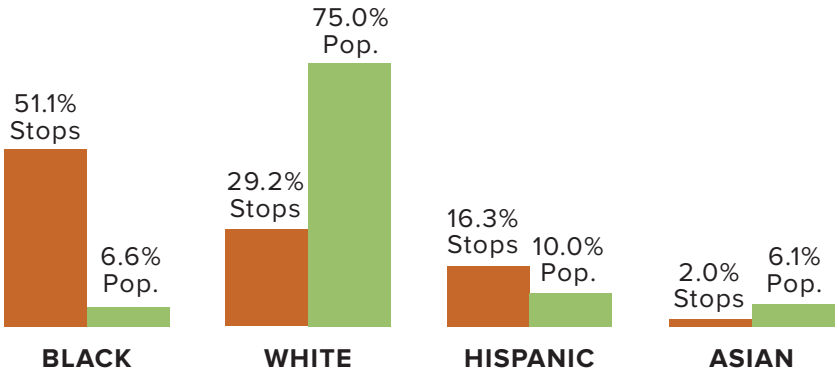


[12] This dataset does not include cards categorized as "dispersals." Similar patterns are found in the truncated 2012-2013 data described in footnote 5.
[13] Chicago population of 2,684,481 and race percentages come from 2011 census data of police beat populations as analyzed and made available by Professor Wesley Skogan of Northwestern University. It does not include populations at Cook County Jail, Metropolitan Correctional Center of Chicago, or the Cook County Juvenile Center. Unrounded percentages equal less than 100 due to a small number of individuals with "unknown" race.

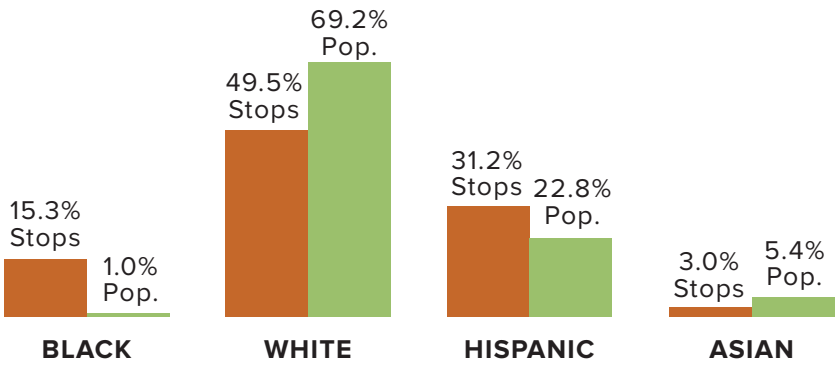
District 18: Near North



District 19: Town Hall



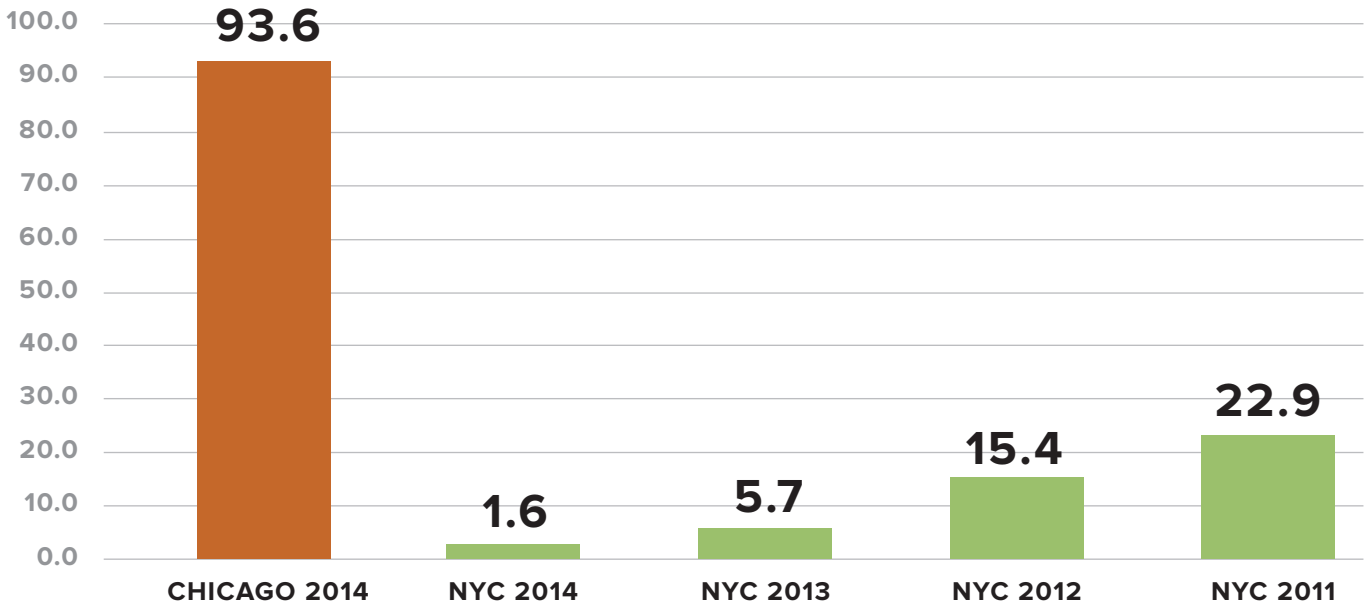
District 16: Jefferson Park



C. CHICAGO OUTPACES NEW YORK IN RATE OF STOPS

There were more than 250,000 stops that did not lead to an arrest in Chicago for the time period of May 1, 2014 through August 31, 2014. Comparing stops to population, Chicagoans were stopped at a far higher rate than New Yorkers at the height of New York City's stop and frisk practice in 2011.[14]

Stops Per 1000 People May-Aug



[14] *NYPD Stop, Question and Frisk Report Database, NYC.GOV, available at* http://www.nyc.gov/html/nypd/html/analysis_and_planning/stop_question_and_frisk_report.shtml. We have removed the stops that resulted in summons or arrest from the New York database so we are comparing similar datasets. New York City population of 8,405,837 is the 2013 estimate from www.quickfacts.census.gov, accessed on January 30, 2015.

IV.

Unconstitutional Stops and Frisks Damage the Relationship Between Police and the Community

Black Chicagoans disproportionately bear the highest numbers of stop and frisks, and half of stops are not justified by the officers. The United States Department of Justice ("DOJ") has recognized that when stop and frisk programs do not comply with constitutional principles and minorities are disproportionately stopped, there is a grave impact on the relationship between police and the community. The DOJ recently wrote a report on Newark, New Jersey, finding that the stop and frisk program failed to comply with constitutional principles and disproportionately stopped African Americans.[15] The DOJ found that the "experience of disproportionately being subjected to stops and arrests in violation of the Fourth Amendment shapes black residents' interactions with the NPD, to the detriment of community trust, and makes the job of delivering police services in Newark more dangerous and less effective."[16] The same can be said for Chicago.

[15] *Investigation of the Newark Police Department,* UNITED STATES DEPARTMENT OF JUSTICE, CIVIL RIGHTS DIVISION, at 2 (July 22, 2014) http://www.justice.gov/usao/nj/Press/files/pdffiles/2014/NPD%20Findings%20Report.pdf [hereinafter *Newark DOJ Report*].

[16] *Newark DOJ Report supra* note 25, at 2; *see also* Statement of Interest of the United States, at 10, *Floyd v. City of New York,* 959 F. Supp. 2d 540 (S.D.N.Y. 2013) (No. 08 CV 1034), 2013 WL 8017535 ("Officers can only police safely and effectively if they maintain the trust and cooperation of the communities within which they work, but the public's trust and willingness to cooperate with the police are damaged when officers routinely fail to respect the rule of law.").

These disparities might be explained by racial profiling, or by officers' implicit bias. The Chicago Police Department has a written policy that "expressly prohibits 'racial profiling' and 'other bias based policing.'"[17] But often, especially when decisions are subjective, people can be unknowingly influenced by implicit bias and not realize their decisions are influenced by race.[18] In assessing the Seattle Police Department, the DOJ recognized that sometimes "biased policing is not primarily about the ill-intentioned officer but rather the officer who engages in discriminatory practices subconsciously. … Understanding this phenomenon is the first step toward safe and effective policing."[19] Federal law and Illinois law prohibit not just intentional discrimination, but also policies that result in discrimination – even when a person does not make a conscious decision to discriminate.[20]

Despite its legal obligation to refrain from policies that cause a racially disparate impact, the Chicago Police Department's recordkeeping is a barrier to determining whether officers are engaged in biased policing. Neither police supervisors nor members of the public can do comprehensive analysis. Under existing CPD policy, there is no way to identify all stops – including stops which lead to arrests. Further, officers do not record or justify frisks. Therefore, unlike in other cities, we cannot assess how often the stops lead to an arrest, who is frisked and why, or how often frisks result in contraband.

Consistently, when faced with similar constitutional violations and disparities in other cities like Newark, Seattle, and LA, the DOJ has required better data collection to provide transparency and to ensure better practices.[21]

Unlike in other cities, we cannot assess how often the stops lead to an arrest, who is frisked and why, or how often frisks result in contraband.

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[17] *See* CPD General Order G02-04, effective date Feb. 22, 2012.
[18] *See e.g.,* Linda Hamilton Krieger & Susan T. Fiske, *Behavioral Realism in Employment Discrimination Law: Implicit Bias and Disparate Treatment,* 94 Cal. L. Rev. 997, 1030-31 (2006).
[19] *Investigation of the Seattle Police Department,* UNITED STATES DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION, at 34 (Dec. 16, 2011) http://www.justice.gov/crt/about/spl/documents/spd_findletter_12-16-11.pdf [hereinafter *Seattle DOJ Report*].
[20] *See* 42 U.S.C. § 2000d; 42 U.S.C. § 3789d(c)(1); 740 ILCS 23/5(a)(2) (creating a cause of action for disparate impact discrimination).
[21] *See e.g. Newark DOJ Report supra* note 25, at 4 ("The NPD further must collect and analyze data related to stops, searches, and arrests, so that it can minimize the disparate impact of its enforcement efforts and avoid bias in policing."); *Seattle DOJ Report supra* note 29, at 8; Consent Decree, *United States v. City of Los Angeles,* LAPDONLINE.ORG, http://assets.lapdonline.org/assets/pdf/final_consent_decree.pdf; *see also* Third Report to Court and Monitor on Stop and Frisk Practices for *Plaintiff, Bailey v. City of Philadelphia* (2013) (C.A No 10-5952), available at http://www.aclupa.org/download_file/view_inline/1015/198/ (report on data recorded as part of settlement with a lawsuit brought by the ACLU of PA).

V.

Chicago's Data Collection and Oversight of Stop and Frisks Is Insufficient

Even though there are troubling signs that the Chicago Police Department's use of stop and frisk is unlawful, the Chicago Police Department does not record stop and frisks in a way that reflects the full picture of what is happening on the streets of Chicago. Chicago does not have a single database of all stops available to the public and officers make no records of frisks.

The City is well aware of the problems associated with the lack of a comprehensive stops database. The ACLU has repeatedly asked the City to set up such a database and to conform to best practices as outlined by the United States Department of Justice. WBEZ has also reported on how the City's poor data practices have kept the practice hidden from appropriate scrutiny.[22]

Chicago's recordkeeping practices place our city increasingly out of step with other major cities across the country. New York City and Newark, New Jersey have made their stop and frisk data publicly available online.[23] Other cities like Philadelphia, New Orleans, and Los Angeles have collected this data for review by the Department of Justice.[24] See Appendix for a review DOJ investigations and remedies. Chicago too should have a public, comprehensive database of stops and frisks to aid police supervisors in their review of officers and to make this practice more transparent to the public.

Chicago's recordkeeping practices place our city increasingly out of step with other major cities across the country.

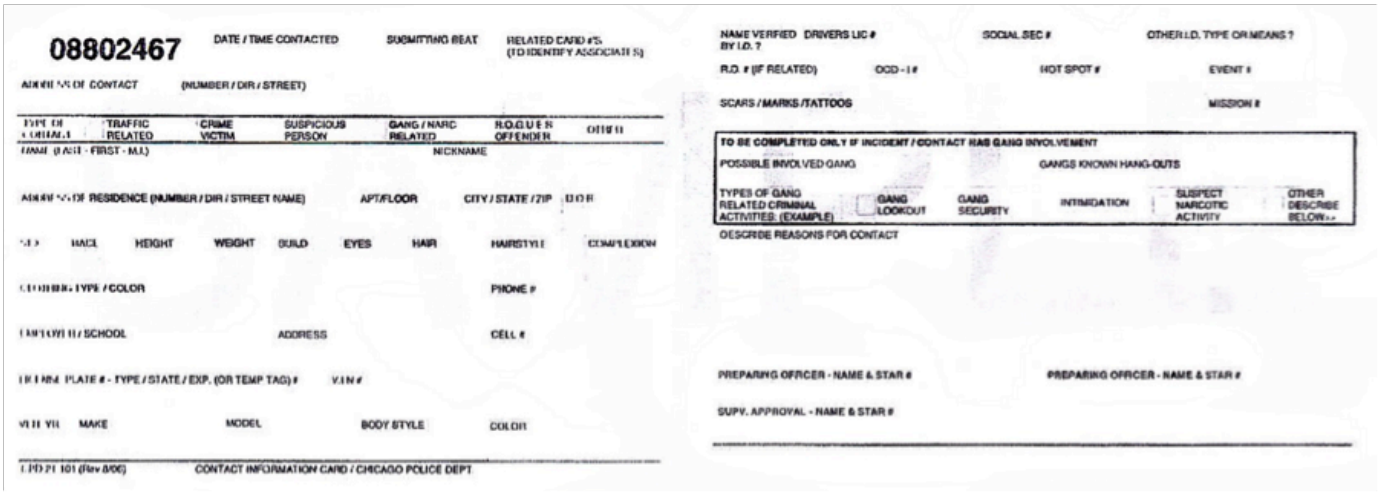
[22] *See* Elliott Ramos, *Poor data keeps Chicago's stop and frisk hidden from scrutiny,* WBEZ, (Sept. 12, 2013), *available at* http://www.wbez.org/news/poor-data-keeps-chicagos-stop-and-frisk-hidden-scrutiny-108670.

[23] *See* Newark Police Department General Order, Transparency Policy, 2013-03, S-3 (July 8, 2013), *available at* https://archive.org/stream/725268-newark-police-dept-general-order/725268-newark-police-dept-general-order_djvu.txt; see also N.Y. Code § 14-150.

[24] *See also* Investigation of the New Orleans Police Department, UNITED STATES DEPARTMENT OF JUSTICE, CIVIL RIGHTS DIVISION, (Mar.16, 2011) available at www.justice.gov/crt/about/spl/nopd.php.

A. THERE IS NO SINGLE DATABASE CONTAINING ALL STOP AND FRISKS.

In Chicago, police officers are required to record *Terry* stops on "contact cards."[25] However, they are only required to use a contact card to record when and why they stop someone if it does not lead to an arrest.[26] For arrest reports, there is no instruction for officers to identify arrests that were based on a *Terry* stop.[27] As a result, not all *Terry* stops are recorded in the contact card database or otherwise identified as stops.



This recordkeeping deficiency makes it impossible to calculate an important measure of the abusiveness of the stops – the rate of innocent people stopped compared to all stops. In New York City, where such data is available to the public, it was possible to compare the number of stops of innocent people to the number of all stops, including those that led to arrest. Studies showed that 88% of people stopped between January 2004 and June 2012 were never arrested or issued a summons.[28] In Chicago, it is impossible for the public – or the police department itself – to determine how often people who are stopped are charged with a crime.

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[25] Special Order, S04-13-09, Part III (B), effective Jan. 7, 2015. Chicago Police Department Special Orders, General Orders, and the forms cited in this report are available at http://directives.chicagopolice.org/directives/.

[26] *Id.*

[27] *See* CPD-11.420, Form Preparation Instructions, available at http://directives.chicagopolice.org/lt2014/forms/CPD-11.420-A.pdf.

[28] *Floyd v. City of New York*, 959 F. Supp. 2d 540, 558-9 n. 16 (S.D.N.Y. 2013), *appeal dismissed* (Sept. 25, 2013).

B. THE CHICAGO POLICE DEPARTMENT DOES NOT MONITOR WHEN AND WHY PEOPLE ARE FRISKED.

The Chicago Police Department's order on contact cards does not require officers to record when they frisk or pat down a civilian. Also, officers are not required to record all facts establishing reasonable suspicion that the subject is armed and dangerous. If a stop and frisk does not lead to criminal charges, no judge will ever review whether it was lawful. And since stops and frisks occur on the street, without proper documentation, supervisors cannot assess whether they are lawful. Supervisors thus have no opportunity to review the constitutionality of these frisks, and there is no disclosure of this information to the public.

Officers are also not required to separately identify when a frisk is associated with an arrest. Therefore, there is no record of the total number of frisks or how often weapons or other contraband are found as a result. The frequency of how often weapons or other contraband is found is one benchmark of the propriety of a stop and frisk program. For example, in New York City, fewer than 2% of frisked people were found with weapons.[29]

If a stop and frisk does not lead to criminal charges, no judge will ever review whether it was lawful.

VI.

Other Illinois Cities

We have begun the process of sending FOIA requests to other Illinois cities about their use of stop and frisk and about data collection by their police departments. This will be the subject of a future report.

To date, we have learned that while some cities do not collect any information when an officer conducts a stop and frisk, several other Illinois cities use forms similar to Chicago's contact cards to record

[29] *Id.* at 559 n. 16.

this data. We have not identified any city in Illinois that records comprehensive stop and frisk data and regularly makes its data public as a means to promote transparency in policing. This indicates that the data collection problems are not just a Chicago issue, but need to be addressed statewide.

VII.

Recommendations

This report is one of many recent reports showing ongoing racial disparities in encounters between police and members of the general public in Illinois. The lack of data collection is a major impediment to understanding how stop and frisk policy is actually carried out on the streets. Several improvements need to be made to provide greater transparency and make it possible for supervisors to fully review stops and frisks.

a. **Expand the Illinois Traffic Stop Statistical Study Act to cover sidewalk stops and frisks.** The Study Act requires police departments to collect and publicly report data about traffic stops.[30] This critical law, which was sponsored in 2003 by then-State Senator Barack Obama, should be expanded to collect data on pedestrian stops and frisks and make the data public. Expanding the Study Act would solve several problems: (1) Chicago and other cities across Illinois currently do not maintain a comprehensive public record of *Terry* stops; (2) Chicago and other Illinois cities have no record of frisks—including the basis for the frisk or whether contraband was obtained; and (3) Chicago, unlike several other major cities, does not make regular public disclosures about stops and frisks. Data collection is a critical supervisory tool and necessary for the transparency needed to build public trust.

The Study Act should be expanded to collect data on pedestrian stops and frisks and make the data public.

[30] Illinois Public Act 98-0686 (Ill. 2014). The ACLU of Illinois recently published a report about the CPD's traffic stops, based on Study Act data, which showed racial disparities similar to those documented in this report on CPD sidewalk stops. *See* CPD Traffic Stops and Resulting Searches in 2013, ACLU OF ILLINOIS (Dec. 26 2014), http://www.aclu-il.org/cpd-traffic-stops-and-resulting-searches-in-2013/.

b. **Require all police to issue a receipt (or other documentation) to all civilians they interact with, including during traffic stops, sidewalk stops, and consensual encounters.** This receipt should state the officer's name, the time and place of the encounter, and the reason for the encounter. Such receipts will facilitate any civilian complaints regarding the encounter.

c. **Require training on the legal requirements for a stop and frisk and how to properly document them.** In a response to a recent FOIA request to Chicago, the City was not able to identify a single officer who received follow-up training (post-police academy) on how to lawfully conduct a stop and frisk since May 2011. FOIAs on this issue to other cities in Illinois are pending.

Appendix A:

Stop and Frisk in Other Cities

NEWARK, NJ

In 2011, the U.S. Department of Justice launched an investigation into the stop and frisk practices of New Jersey's largest city, Newark. Much of the data reviewed was collected under the leadership of Garry McCarthy, who now heads the Chicago Police Department.[31]

The DOJ reviewed thousands of officers' "field inquiry reports" and found that officers did not write down any reason at all for 16% of all stops.[32] Of the reports that did contain the rationale for the stop, officers failed to articulate reasonable suspicion 75% of the time.[33] The DOJ found that "black people in Newark have been stopped and arrested at a significantly higher rate than their white and Hispanic counterparts [and] [t]his disparity is stark and unremitting."[34] Between January 2009 and June 2012, 80% of stops were of black individuals, yet Newark's population was just 54% black.[35]

In February 2014, the ACLU of New Jersey released a report that showed that there continues to be an unreasonably high number of stop and frisks in Newark, especially of black citizens, and that only 25% of all stops result in an arrest or summons.[36]

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[31] *Newark DOJ Report supra* note 25, at 10 n. 9 (explaining time period of the data); Robert Wildeboer, *Interview: Gary McCarthy on the future of the Chicago Police Department,* WBEC.ORG,(Aug. 15, 2011) http://www.wbez.org/story/interview-garry-mccarthy-future-chicago-police-department-90445.
[32] *Newark DOJ Report supra* note 25, at 8.
[33] *Newark DOJ Report supra* note 25, at 9 n.7.
[34] *Newark DOJ Report supra* note 25, at 16.
[35] *Newark DOJ Report supra* note 25, at 16.
[36] *Stop and Frisk: A First Look, Six Months of Data on Stop-and-Frisk Practices in Newark,* at 10 (Feb. 2014) https://www.aclu-nj.org/files/8113/9333/6064/2014_02_25_nwksnf.pdf.

PHILADELPHIA

In 2010, the ACLU of Pennsylvania filed a lawsuit against the city of Philadelphia alleging that the city's police were illegally stopping and frisking thousands of civilians without reason and based on their race.[37] The lawsuit was settled in 2011 when the police department agreed to collect data on their stop and frisk practices and make the information available in an electronic database.[38] The settlement agreement also mandated that police officers not stop civilians based only on vague rationale like "loitering" or "acting suspiciously," and that they limit investigative stops to when there is reasonable suspicion.[39] After the police officers were retrained on these issues and new protocols were adopted regarding stop and frisks, plaintiffs continued monitoring the electronic data for thousands of stops. As of February 2015, plaintiffs and the police agreed that over 30% of stops lacked a sufficient rationale and that the significant racial disparities in stops and frisks could not be explained by other factors such as localized crime rates.[40]

NEW YORK CITY

New York City may prove to be the best lesson in the inefficacy of stop and frisks. NYPD has conducted more than 5 million stops since 2002. Almost nine out of ten times, the person was not arrested, and fewer than 2% of frisked people were found with weapons.[41]

This rampant misconduct was challenged in a five-year-long lawsuit that concluded in 2013 when NYPD's stop and frisk policy was found to violate Fourth Amendment rights and constitute a "policy of indirect racial profiling." The judge stated that the NYPD "deliberately maintained and even escalated policies and practices that predictably resulted in even more widespread Fourth Amendment violations. ...The NYPD has repeatedly turned a blind eye to clear evidence of unconstitutional stops and frisks."[42]

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[37] *See* Complaint for Plaintiffs, *Bailey v. City of Philadelphia*, 2010 WL 4662865 (E.D.Pa.) (No. 210CV05952) *available at* http://www.aclupa.org/download_file/view_inline/669/198/.
[38] Settlement Agreement, Class Certification and Consent Decree at 3, *Bailey v. City of Philadelphia* (2011) (C.A. No. 10-5952) *available* http://www.aclupa.org/download_file/view_inline/744/198/.
[39] *Id.* at 4.
[40] Plaintiffs' Fifth Report to Court and Monitor on Stop and Frisk Practices, at 3, 21, *Bailey v. City of Philadelphia* (2013) (C.A. No. 10-5952), *available at* http://www.aclupa.org/download_file/view_inline/2230/198.
[41] *Floyd v. City of New York*, 959 F. Supp. 2d 540, 558 (S.D.N.Y. 2013), *appeal dismissed (*Sept. 25, 2013). *See also* Stop-and-Frisk During the Bloomberg Administration (August 2014), *available at* http://www.nyclu.org/files/publications/08182014_Stop-and-Frisk_Briefer_2002-2013_final.pdf.
[42] *Id.* at 658-659.

The New York Police, under the Bloomberg administration, had often raised the specter of an exponential surge in violent crime if the practice of stop and frisk was put to rest. However, the numbers of violent crime and robberies fell in the year following this court ruling.[43] In fact, New York saw just 332 murders in 2014—the lowest recorded number in the city's history—even as the number of stop and frisks plummeted.[44]

SEATTLE

Highly-publicized instances of excessive force and discriminatory policing in Seattle drew the attention of the DOJ, which began investigating the Seattle Police Department in 2011.[45] The DOJ found "a pattern or practice of unnecessary or excessive force in violation of the Fourth Amendment,"[46] which led to serious concerns that "some SPD policies and practices, particularly those related to pedestrian encounters, could result in discriminatory policing."[47] Regarding street stops, the DOJ stated that "some data and citizen input suggest that inappropriate pedestrian encounters may disproportionately involve youth of color."[48] It was noted that the police department failed to collect or analyze data about pedestrian encounters, which made it impossible to conclusively find that they were engaging in biased policing. Consequently, the DOJ brought a lawsuit against the City of Seattle, which resulted in a consent decree in 2012.[49] One requirement of that agreement was the collection of data to enable the analysis of trends.[50] However, the most recent monitor's report stated that such a system of data collection has only recently begun to be developed.[51] According to the report, the police department should develop and "robustly use a high-quality system and defined process for systematically analyzing data on stop activity,

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[43] J. David Goodman, *New York Crime Keeps Falling, Mayor de Blasio Says; Cites years of 'Momentum',* N.Y. TIMES, (Dec. 2, 2014),http://www.nytimes.com/2014/12/03/nyregion/violent-crime-in-new-york-has-dropped-to-historic-low-mayor-de-blasio-says.html.
[44] City of New York Police Department, CompStat Volume 22, No. 9, *available at* http://www.nyc.gov/html/nypd/downloads/pdf/crime_statistics/cscity.pdf.
[45] *See Seattle DOJ Report, supra* note 29.
[46] *Seattle DOJ Report, supra* note 29, at 4.
[47] *Seattle DOJ Report, supra* note 29, at 3.
[48] *Seattle DOJ Report,* at 6.
[49] *See* Order Provisionally Approving Settlement Agreement, *United State v. City of Seattle* (2012), (NO. C12-1282JLR) *available at* http://www.justice.gov/crt/about/spl/documents/spd_docket8_8-30-12.pdf.
[50] *Id.*
[51] *Fourth Semiannual Report,* SEATTLE POLICE MONITOR, at 4 (Dec. 14, 2014) *available at* http://www.justice.gov/crt/about/spl/documents/spd_fourthrpt_12-14.pdf [hereinafter Fourth Seattle Monitor Report].

as well as other law enforcement activity, to determine if any groups or classes of individuals are being subject to disparate impact."[52] SPD is now in the process of seeking bids for such a system. One highlight of the report, however, was that all SPD officers were on track to receive intensive training on stops, detentions and bias-free policing by the end of 2014, with more training to come in 2015.[53]

BOSTON

The Boston Police Department provided independent researchers with over 204,000 reports of civilian encounters, including stop and frisks, that took place from 2007 to 2010.[54] These researchers looked into how race impacted stops and searches and how encounters were documented. Preliminary findings showed that 63.3% of these civilian encounter reports involved black residents, although Boston's population is just 24.4% black.[55] The researchers also determined that, even controlling for factors like neighborhood crime rates or gang affiliation, officers were more likely to initiate encounters with black people, and they were also more likely to subject black Bostonians to repeated encounters and to frisks and searches.[56] Furthermore, anecdotal evidence suggests that police officers do not always fill out reports after stopping and/or frisking civilians.[57] And, as in Chicago, the data for arrests is kept separate from that for civilian encounters, making it impossible to determine how often a stop and frisk leads to arrest.

LOS ANGELES

In 2000, the City of Los Angeles entered into a consent decree after the Department of Justice accused the city's police department of "engaging in a pattern or practice of excessive force, false arrests, and unreasonable searches and seizures

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[52] *Fourth Seattle Monitor Report supra* note 55, at 10.
[53] *Fourth Seattle Monitor Report supra* note 55, at 3, 87.
[54] *Black, Brown and Targeted: A report on Boston Police Department Street Encounters from 2007-2010*, at 10 (Oct. 2014) https://www.aclum.org/sites/all/files/images/education/stopandfrisk/black_brown_and_targeted_online.pdf [hereinafter Boston Report].
[55] *Boston Report supra* note 8, at 5.
[56] *Boston Report supra* note 8, at 1.
[57] *Boston Report supra* note 8, at 10.

in violation of the Fourth and Fourteenth Amendments..."[58] Among other things, the consent decree required that the police department expand their data collection practices, including of both stop and frisks and traffic stops, which enabled researchers to investigate whether there were trends of racially biased policing.[59] A study prepared for the ACLU of Southern California found that during a one-year period from 2003 to 2004, black and Hispanic residents were far more likely to be stopped, frisked, searched and arrested than white residents, and that black and Hispanic residents who were searched were less likely to have contraband than white residents.[60]

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[58] Consent Decree at 1, *United States v. City of Los Angeles*, LAPDONLINE.ORG http://assets.lapdonline.org/assets/pdf/final_consent_decree.pdf.
[59] *See generally* Consent Decree, *United States v. City of Los Angeles*, LAPDONLINE.ORG http://assets.lapdonline.org/assets/pdf/final_consent_decree.pdf.
[60] *See* Ian Ayers and Jonathan Borowsky, *A Study of Racially Disparate Outcomes in the Los Angeles Police Department*, (Oct. 2008) LAW.YALE.EDU, http://islandia.law.yale.edu/ayers/Ayres%20LAPD%20Report.pdf.

ACLU
AMERICAN CIVIL LIBERTIES UNION of ILLINOIS

Exhibit B

INVESTIGATORY STOP AND PROTECTIVE PAT DOWN SETTLEMENT AGREEMENT

WHEREAS, in April 2014, the Chicago Police Department ("CPD") issued revised General Orders and directives to ensure that its policies and practices relating to investigatory stops and protective pat downs comply with applicable law, including the United States and Illinois Constitutions and the Illinois Civil Rights Act ("ICRA"). In connection with that effort, and prior to finalizing the revised General Orders and directives, CPD provided such orders and directives to the American Civil Liberties Union of Illinois ("ACLU") for their review and comment.

WHEREAS, in early 2015, CPD commenced a further review of its policies and practices relating to investigatory stops and protective pat downs. In March 2015, while CPD's review was pending, the ACLU issued a report entitled "Stop and Frisk in Chicago" that raised concerns about CPD's policies and practices. On May 30, 2015, Senate Bill 1304 passed both houses of the Illinois General Assembly. If signed by the Governor, Senate Bill 1304 will impose new documentation requirements relating to investigatory stops and/or protective pat downs.

WHEREAS, pursuant to CPD's continuing evaluation of its policies and practices relating to investigatory stops and protective pat downs, and in response to the ACLU report and Senate Bill 1304, CPD is in the process of further revising its policies and practices. CPD intends to have the revised policies and practices finalized and implemented on or before December 31, 2015, and to complete its training of its officers and supervisors with respect to the revised policies and practices on or before March 1, 2016.

WHEREAS, CPD believes that its policies and practices relating to investigatory stops and protective pat downs have been and will continue to be fully compliant with all applicable laws. Nevertheless, the ACLU has raised concerns about CPD's policies and practices and has informed the City of Chicago of its intention to file a lawsuit challenging them.

WHEREAS, to avoid the burden, inconvenience, and expense of litigation, the City of

Chicago, CPD, and the ACLU ("the parties") have agreed to work together to ensure and validate that CPD's policies and practices relating to investigatory stops and protective pat downs fully comply with applicable law.

Accordingly, the parties agree as follows:

I. Data Collection

1. CPD will document all investigatory stops and all protective pat downs, including those that lead to an arrest, an Administrative Notice of Violation ("ANOV"), or other enforcement action, into an electronic digitized database. CPD's current database documents all investigatory stops and protective pat downs that do not lead to either an arrest or an ANOV. As soon as reasonably possible thereafter, the database will be modified to also include investigatory stops and protective pat downs that lead to an arrest or an ANOV. For each investigatory stop and/or protective pat down, the electronic digitized database shall include:

a) the name and badge number of the officers who conducted the investigatory stop and/or protective pat down;

b) the race/ethnicity of the person stopped, selected from the following list: American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, Native Hawaiian or Other Pacific Islander, or White;

c) the gender of the person stopped;

d) all of the reasons for the stop;

e) the location of the stop, including the address, beat, and district;

f) the date and time of the stop;

g) whether or not a protective pat down was conducted of the person, and if so, all of the reasons that led to the protective pat down and whether it was with consent or by other means;

h) whether or not contraband was found during the protective pat down, and if so,

the type and amount of contraband seized;

i) whether or not a search beyond a protective pat down was conducted of the person or his or her effects, and if so, all the reasons that led to the search, and whether it was with consent or by other means;

j) whether or not contraband was found during any search beyond a protective pat down, and if so, the type and amount of the contraband seized;

k) the disposition of the stop, such as a warning, an ANOV, or an arrest; and

l) if an enforcement action was taken (i.e., an arrest or ANOV), a record of the violations, offenses, or crimes alleged or charged.

II. Training and Supervision

1. CPD will provide training for officers and supervisors directed at ensuring that investigatory stops are conducted only where there is reasonable suspicion of criminal conduct and that protective pat downs are performed only where there is reasonable suspicion that the person stopped is armed and dangerous. Further, CPD shall train officers with respect to the electronic digitized database and their responsibilities to record all the relevant information for each investigatory stop and protective pat down. Where appropriate, new or revised General Orders and/or other directives will be issued by the CPD. CPD expects to issue such new or revised General Orders and/or other directives by December 31, 2015, and to complete the training of its officers and supervisors with respect to such General Orders and/or other directives, by March 1, 2016.

2. CPD will implement training policies and practices to ensure that investigatory stops and protective pat downs are conducted consistent with the following guidance provided by the U.S. Department of Justice:

> In making routine or spontaneous law enforcement decisions, such as ordinary sidewalk and traffic stops, Chicago Police Department officers may not use race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, marital status, parental status, or military discharge status, except that officers may rely on the listed characteristics in a specific suspect description.

3. By January 1, 2016, CPD shall establish and enforce policies providing for continuous district-level supervisory review and quarterly or semi-annual department-level audits of CPD's investigatory stop and protective pat down practices. The CPD shall provide these policies and procedures to the Consultant (identified in Section V.1, below) and the ACLU for their review and comment, prior to their finalization. These policies and procedures shall include:

a) Continuous review by police district supervisors of all individual Investigatory Stop Reports to determine whether they state legal grounds for the investigatory stop and/or any protective pat down.

b) Quarterly or semi-annual audits by CPD headquarters staff of CPD investigatory stop and protective pat down practices. These audits shall include examination of: (i) the narrative sections of a statistically representative sample of individual Investigatory Stop Reports to determine whether they state legal grounds for the investigatory stop and/or protective pat down; (ii) records of supervisory corrections or rejections of Investigatory Stop Reports to identify officers who repeatedly fail to document investigatory stops and/or protective pat downs, or who conduct investigatory stops and/or protective pat downs without the requisite reasonable suspicion; and (iii) CPD documentation of civilian and internal complaints relating to investigatory stops and/or protective pat downs.

c) The establishment of re-training, enhanced supervision, or discipline of officers who engage in unlawful investigatory stops and/or protective pat downs or who violate CPD policies or procedures governing these practices. There shall be written documentation of all such re-training, enhanced supervision, or discipline.

III. Release of Data and Documents

1. Within 10 days of the execution of this agreement, all of the digitized information in CPD's electronic digitized database, including but not limited to the enumerated fields in Section I.1, shall be provided to the Consultant and the ACLU. Thereafter, the data shall be provided to the Consultant and the ACLU on a monthly basis on the first of the month. This information, and the information described in paragraphs 4 through 6 below, shall be kept confidential by the Consultant, the ACLU, and the persons identified in Section III.3 on an "attorneys eyes only" basis and shall not be disclosed by the Consultant, the ACLU, or the persons identified in Section III.3 for any purpose whatsoever other than to the extent the information is included in the Consultant's Reports and Recommendations described in Section V.2(f) below.

2. This agreement does not in any way limit the ACLU's rights under the Illinois Freedom of Information Act (FOIA). Moreover, if the ACLU receives information under this agreement that the ACLU believes it would be entitled to obtain under FOIA, the parties will work in good faith to seek agreement about whether that information would in fact be subject to release under FOIA. If the parties reach agreement, the confidentiality provision set forth in III.1 shall not apply. Any dispute about whether information disclosed pursuant to this agreement would be subject to release under FOIA shall be resolved by the Consultant.

3. Under the "attorneys eyes only" restrictions, the Consultant and ACLU may only allow the following categories of people to review the information: (1) counsel for the ACLU and employees of counsel who have responsibility for the execution of this agreement; (2) contractors specifically engaged for the limited purpose of making copies of documents or organizing or processing documents, including outside vendors hired to process electronically stored documents; (3) consultants or experts provided for in Section V.3 (the Consultant's experts); (4) consultants or experts employed by the ACLU to assist in the execution of this agreement, and (5) other persons only by written consent of the City. Prior to sharing the information with any outside consultants, experts, or others, the ACLU and/or the Consultant will obtain from that individual a signed agreement to abide by the confidentiality provisions set forth herein. The

ACLU and/or the Consultant will promptly provide the City with a copy of all such agreements.

4. CPD shall provide the Consultant and the ACLU all current and future training, policy materials, and supervisory materials described in Section II.

5. CPD shall provide the Consultant and the ACLU the quarterly or semi-annual audits conducted by CPD headquarters staff of CPD's investigatory stop and protective pat down practices described in Section II.

6. CPD shall provide the Consultant and the ACLU with all additional documents necessary to conduct an independent analysis and review of CPD's investigatory stop and protective pat down practices.

7. Absent the permission of the subject of the stop, the Consultant will redact all personal identifying information about the subject of stops from the Consultant's Reports and Recommendations. The redacted information shall be kept confidential consistent with Section III.1, above.

IV. Compliance with the United States and Illinois Constitutions and ICRA

1. CPD shall conduct investigatory stops and protective pat downs in compliance with the United States Constitution, the Illinois Constitution, and ICRA.

2. CPD shall be in substantial compliance with this agreement if any violations of its requirements are neither systemic nor serious. If a serious violation occurs, CPD shall be in substantial compliance if it promptly identifies the violation and develops and implements a timely and appropriate remedy that results in compliance.

3. After reviewing the data for the six-month period commencing January 1, 2016 and ending June 30, 2016, the ACLU and the City will work together to seek agreement on standards for substantial compliance with ICRA. If the ACLU and the City cannot agree, the Consultant will review the data and determine such standards after considering the respective views and submissions of the parties.

V. The Consultant

1. The Parties have jointly selected retired Judge Arlander Keys to serve as the Consultant of this agreement.

2. The duties of the Consultant are to:

a) Review and validate CPD's policies, practices, and orders regarding investigatory stops and protective pat downs, including but not limited to, CPD's training regarding investigatory stops and protective pat downs, CPD's method of supervisory review of investigatory stops and protective pat downs, and CPD's method of auditing investigatory stops and protective pat downs.

b) Recommend to the parties changes to CPD's policies, practices, and orders regarding investigatory stops and protective pat downs that are reasonable and necessary to comply with the law, including the United States Constitution, the Illinois Constitution, and ICRA. The Consultant shall consult with the parties before making such recommendations.

c) Review any other documents the Consultant determines are necessary to assess CPD's investigatory stops and protective pat downs, including but not limited to civilian complaints and disciplinary files regarding investigatory stops and protective pat downs (subject to any limitations contained in federal and state law and collective bargaining agreements).

d) On a semi-annual basis, commencing with the six month period starting January 1, 2016 and ending June 30, 2016, identify to the parties and review a statistically representative sample of Investigatory Stop Reports and assess whether the narratives state sufficient facts to establish the requisite reasonable suspicion for the investigatory stop and for any protective pat down.

e) On a semi-annual basis, commencing with the six month period starting January 1, 2016 and ending June 30, 2016, review aggregate Investigatory Stop Report data to determine whether the standards for substantial compliance set forth in Section IV.2 have been met.

f) On a semi-annual basis, commencing with the six month period starting January 1, 2016 and ending June 30, 2016, provide to the parties a written Report and Recommendations based on his or her review of the above materials. These Reports and Recommendations will include an assessment

of whether the CPD is in substantial compliance with this agreement. The Reports and Recommendations will also identify any further practices, policies and other measures that the Consultant recommends are needed to ensure that CPD investigatory stop and protective pat down practices and policies are in compliance with the United States Constitution, the Illinois Constitution, ICRA, and this agreement. The parties will have 30 days to serve each other and the Consultant with objections to each Report and Recommendations. The Consultant will then have 30 days to make any revisions to the Report and Recommendations before making it public.

3. The Consultant may seek the advice and assistance of police practices and statistical experts in formulating the Reports and Recommendations. The City shall compensate the Consultant and any experts he or she shall retain for their professional services and reasonable expenses. Any experts utilized by the Consultant will be subject to the confidentiality provisions set forth in Section III.1.

VI. Other Terms

1. The parties acknowledge that this agreement is not an admission of liability on the part of the City and/or the City's future, current, or former officers, agents, and employees, and shall not serve as evidence of the validity or invalidity of any claims that have been or might be brought in litigation against the City and/or the City's future, current, or former officers, agents, and employees.

2. In consideration of this agreement, the ACLU agrees not to either file as a party or join as a party any lawsuit challenging CPD's policies or practices relating to investigatory stops and/or protective pat downs while this agreement remains in effect.

3. This Agreement shall remain in effect until June 30, 2017, upon a finding by the Consultant of substantial compliance as defined in Sections IV.2 and .3 for one year preceding that date. If the Consultant finds at that time that CPD has not been in substantial compliance, this agreement shall be extended until the Consultant finds that CPD has been in substantial compliance with this agreement for one year. Any party may terminate this agreement at any time.

4. Any dispute as to the meaning or interpretation of this agreement will be resolved first by the Consultant. If, after an interpretation by the Consultant, either party wishes, they also may seek interpretation in the Circuit Court of Cook County.

5. This agreement contains the entire agreement between the parties and the parties mutually agree that this agreement shall be binding upon and inure to the benefit of the parties, due consideration having been given and may be enforced like any other contract. The parties agree that in the event of a breach of this agreement, there will be no adequate remedy at law and that this agreement may be enforced through a suit for specific performance.

6. The person signing the agreement represents and warrants that he or she is authorized to sign on behalf of the party for which he or she is signing and that the agreement as signed is binding on that party.

Harvey Grossman
Legal Director
The American Civil Liberties Union of Illinois
180 North Michigan Avenue, Suite 2300
Chicago, Illinois 60601

8/6/15
Date

Garry F. McCarthy
Superintendent
Chicago Police Department
3510 South Michigan Avenue
Chicago, Illinois 60653

8/5/15
Date

Stephen R. Patton
Corporation Counsel
City of Chicago, Department of Law
121 North LaSalle Street, Suite 600
Chicago, Illinois 60602

8/5/15
Date

Exhibit C

CPD TRAFFIC STOPS AND RESULTING SEARCHES IN 2013

ACLU of Illinois
December 2014

In 2013, the CPD conducted 100,676 traffic stops. *See* Exh. 1. The American Civil Liberties Union of Illinois analyzed the underlying IDOT data regarding these stops. We found significant racial disparities in traffic stops, both City-wide and in the police districts that contain the fewest minority residents. We also found significant racial disparities in four kinds of searches conducted during these traffic stops. Specifically, we found:

1. Racial disparities in traffic stops.

- ***City-wide***. The rate of black drivers in the stops (46%) is far higher than the rate of black residents in the city population (32%). *See* Exh. 2. White and Hispanic drivers are stopped at rates lower than their population.

- ***In higher-white police districts.*** In the five police districts where whites are a majority of the resident population, minority motorists are significantly over-stopped. As expressed in ratios of stop rates to population rates, black motorists are over-stopped by ratios ranging from 1.7 to 7.5, and Hispanic motorists are over-stopped by ratios ranging from 1.1 to 2.3. For example, in District #18 (Near North), where the resident population is 76% white, blacks are 9% of the residents and 19% of the traffic stops (yielding an over-stop ratio of 2.1), and Hispanics are 5% of the population and 11% of the stops (yielding an over-stop ratio of 2.3). *See* Exh. 2.[1]

2. Racial disparities in four kinds of searches during traffic stops

- ***Searches of vehicles by consent*** (1,390 times). CPD was over four times more likely to search black and Hispanic motorists, compared to white motorists (4.74 and 4.09 times). *See* Exh. 3. CPD was about twice as likely to find contraband when they searched white motorists, compared to black and Hispanic motorists (2.1 and 1.86 times). *See* Exh. 4. (The points in this paragraph were part of the ACLU's August 2014 published report about consent searches of cars throughout Illinois.)

- ***Searches of vehicles by non-consent*** (2,421 times). CPD was far more likely to search black and Hispanic motorists compared to white motorists (3.42 and 4.82 times). *See*

[1] Please note that nearly 10% of all CPD traffic stops in 2013 (9,695 of 100,676) lack a reported district. *See* Exh. 2.

Exh. 6. CPD was far more likely to find contraband when they searched white motorists, compared to black and Hispanic motorists (1.76 and 1.51 times). *See* Exh. 7.

- ***Searches of drivers by consent*** (1,597 times). CPD was far more likely to search black and Hispanic drivers compared to white motorists (4.9 and 4.46 times). *See* Exh. 8. White motorists were slightly ***less*** likely than black motorists to be caught with contraband (0.94 times), and were more likely than Hispanic motorists to be caught with contraband (1.34). *See* Exh. 9.

- ***Searches of drivers by non-consent*** (2,668 times). CPD was far more likely to search black and Hispanic motorists compared to white motorists (3.72 and 5.22 times). *See* Exh. 10. CPD was far more likely to find contraband when they searched white motorists, compared to black and Hispanic motorists (1.65 and 2.70 times). *See* Exh. 11.

I. Racial disparity in traffic stops

For all analysis of traffic stop rates depending upon the race of the driver, city-wide and by district, *see* Exh. 2.

A. City-wide

On a City-wide basis, black drivers are over-stopped:

Race	% pop.	% stops	% stops/ % pop.
White	31.7%	27.1%	0.85
Black	32.4%	45.9%	1.42
Hispanic	28.9%	22.4%	0.78

B. The nine whitest districts

In all nine of the whitest districts (listed below in descending order of whiteness), black drivers are notably over-stopped. The column on the far right (% black stops / % black residents) states the degree of over-stopping, e.g., "2.06" for Near North means that the black stop rate is a little more than double the black population rate. Note that the rate of over-stopping black motorists in these whiter districts (1.52 to 7.46) is substantially higher than the already high rate of over-stopping black motorists on a city-wide basis (1.42). Specifically:

District #	District name	% white residents	% black stop	% black residents	% black stop/ % black res
18	Near North	75.5%	18.8%	9.1%	2.06
19	Town Hall	75.0%	17.0%	6.6%	2.58
16	Jefferson P.	69.2%	7.5%	1.0%	7.46
20	Lincoln/Fstr.	54.1%	18.6%	10.9%	1.71
1	Central	52.5%	38.8%	21.4%	1.81
24	Rogers Park	42.9%	27.4%	18.0%	1.52
14	Shakespeare	42.3%	14.3%	6.8%	2.10
12	Monroe	40.5%	31.8%	18.0%	1.77
17	Albany Park	38.7%	7.1%	3.3%	2.15

Likewise, Hispanics motorists are over-stopped in all five majority white districts, at rates ranging from 1.1 to 2.3.

District #	District name	% white residents	% Hisp stop	% Hisp residents	% Hisp stop/ % Hisp res
18	Near North	75.5%	11.4%	5.0%	2.29
19	Town Hall	75.0%	14.9%	10.0%	1.49
16	Jefferson P.	69.2%	31.2%	22.8%	1.37
20	Lincoln/Fstr.	54.1%	20.0%	18.1%	1.10
1	Central	52.5%	10.0%	6.0%	1.66

II. Racial disparity in four kinds of searches during traffic stops

A. Overview

In 2013, the CPD reported conducting 9,643 searches during traffic stops. For each search, the CPD data identify what was searched (the car, the driver, or the passenger), and the basis for the search (consent or some other basis). The following chart summarizes the number of searches, by type.

	By consent	By other basis	Total
Vehicle	1,390	2,421	3,811
Driver	1,597	2,668	4,265
Passenger	682	885	1,567
Total	3,669	5,974	9,643

In all four kinds of searches analyzed in this report, black and Hispanic motorists were significantly more likely to be searched, and white motorists were significantly more likely than Hispanic motorists to be caught with contraband. In three of four kinds of searches, white motorists were significantly more likely than black motorists to be caught with contraband. In the one exception to this pattern (consent searches of drivers), black motorists were only 6% more likely than white motorists to be caught with contraband. This hit-rate pattern generally holds when the different types and amounts of contraband are disaggregated.[2]

B. Searches of cars by consent

CPD conducted 1,390 consent searches of vehicles in 2013. *See* Exh. 3. Other than the ISP, the CPD conducted more vehicle consent searches than any other police agency in Illinois. *See* IDOT 2013 report at p. 11.

Minority motorists were far more likely to be searched. Specifically, black motorists were 4.74 times more likely than white motorists to be searched, and Hispanic motorists were 4.09 times more likely. The pattern for 2013 mirrors earlier years: from 2004 to 2012, minority motorists were three to seven times more likely than white motorists to be searched. *See* Exh. 3.

[2] Please note a few data and methodological points. The CPD data report very few searches in some districts; for example, District #1 (Central), with 3,875 traffic stops in 2013, reports only 12 searches. *See* Exh. 12. The CPD data do not identify passenger race, so this report does not analyze searches of passengers. The CPD data on contraband do not distinguish driver and passenger searches, so the driver search hit-rate analysis in this report does not include stops where both the driver and a passenger were searched.

White motorists were far more likely to be caught with contraband, taking all forms of contraband as a whole. Specifically, white motorists were 2.1 times more likely than black motorists, and 1.86 times more likely than Hispanic motorists, to be caught with contraband. The hit rates were 12% for black motorists, 13% for Hispanic motorists, and 24% for white motorists. From 2007 to 2012, white drivers also were more likely than minority drivers to be caught with contraband, with just one exception (in 2008 the white/black hit rate disparity was 0.98). *See* Exh. 4.

When the 179 busts are disaggregated by type and quantity of contraband, the higher white hit rate generally holds. For example, white motorists were more likely to be caught with drugs, including all specific quantities of drugs up to 100 grams. There are a few exceptions to this norm: the only drug bust larger than 100 grams (type and precise amount unreported) involved a black motorist; all seven weapon busts (types unreported) involved black or Hispanic motorists; the only stolen property bust involved a black motorist; and all but one of the 32 alcohol busts involved black or Hispanic motorists. *See* Exh. 5.

C. Searches of cars by non-consent

CPD conducted 2,421 non-consent searches of vehicles in 2013. Minority motorists were far more likely to be searched. Specifically, black motorists were 3.42 times more likely than white motorists to be searched, and Hispanic motorists were 4.82 times more likely. The search rates were 3.9% for Hispanic motorists, 2.8% for black motorists, and 0.8% for white motorists. *See* Exh. 6.

White motorists were far more likely to be caught with contraband, taking all forms of contraband as a whole. Specifically, white motorists were 1.76 times more likely than black motorists, and 1.51 times more likely than Hispanic motorists, to be caught with contraband. The hit rates were 17% for black motorists, 20% for Hispanic motorists, and 30% for white motorists. *See* Exh. 7.

When the 473 busts are disaggregated, the higher white hit rate generally holds. For example, white motorists were more likely than black and Hispanic motorists to be caught with drugs, more than 100 grams of drugs, and weapons. There are a few exceptions to this norm: all four of the drug busts of 51 to 100 grams involved black or Hispanic motorists; the only stolen property bust involved a black motorist; and Hispanic motorists were more likely than white motorists to be caught with alcohol. *Id.*.

D. Searches of drivers by consent

CPD searched 1,597 drivers by consent in 2013. CPD was far more likely to search black and Hispanic motorists compared to white motorists (4.9 and 4.46 times). *See* Exh. 8.

The hit rates were 4.61% for black motorists, 3.25% for Hispanic motorists, and 4.35% for white motorists. Thus, white motorists were slightly ***less*** likely than black motorists to be caught with contraband (0.94 times), and more likely than Hispanic motorists to be caught with contraband (1.34). *See* Exh. 9. For context, please note: whites were more likely that Hispanics to have

contraband in all four types of searches analyzed in this report; whites were more likely to then blacks to have contraband in three of the four types of searches; in consent searches of drivers, blacks were only 6% more likely than whites to have contraband; and when whites were more likely than minorities to have contraband, the differentials were much higher (respectively 34%, 51%, 65%, 76%, 86%, 210%, and 270%).

When the 39 busts are disaggregated, whites are more likely than blacks or Hispanics to have drugs. On the other hand, minorities but not whites were caught a very small number of times with 11 to 50 grams of drugs (3 times), 51 to 100 grams (2 times), paraphernalia (3 times), alcohol (1 time), weapons (1 time), stolen property (1 time), or other contraband (1 time). *See* Exh. 9.

E. Searches of drivers by non-consent

CPD searched 2,668 drivers by means other than consent in 2013. CPD was far more likely to search black and Hispanic motorists compared to white motorists (3.72 and 5.22 times). *See* Exh. 10.

White motorists were far more likely to be caught with contraband, taking all forms of contraband as a whole. Specifically, white motorists were 1.65 times more likely than black motorists, and 2.70 times more likely than Hispanic motorists, to be caught with contraband. The hit rates were 6% for black motorists, 4% for Hispanic motorists, and 10% for white motorists. *See* Exh. 11.

When the 95 busts are disaggregated, the higher white hit rate generally holds. There are a few exceptions: black and/or Hispanic motorists, but not white motorists, were caught a few times with alcohol (4 times), weapons (7 times), stolen property (1 time), or other contraband (4 times). *Id.*

III. Next steps

This report is only the most recent of many reports showing ongoing racial disparities in encounters between police and members of the general public in Illinois. To begin to remedy this serious problem, the ACLU of Illinois call for the following reforms:

a. Make permanent the Illinois Traffic Stop Statistical Study Act. All the traffic stop and search data in this report was collected pursuant to this critical law, which was sponsored in 2003 by then-State Senator Barack Obama. Unfortunately, this law is scheduled to expire in a few years.

b. Expand the Study Act to sidewalk stops. CPD sidewalk stop data indicates racial disparity in the use of that police tactic, too.

c. Abolish consent searches during routine traffic stops. They have a racially disparate impact, and in many cases are not truly consensual.

d. Require all police to wear and use body cameras during their encounters with civilians, subject to necessary privacy safeguards.

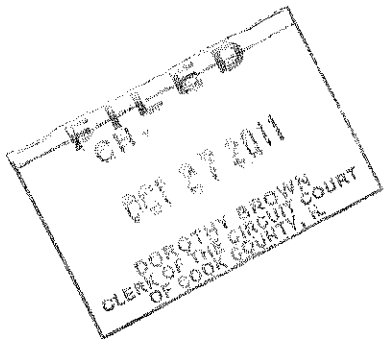
e. Require all police to issue a receipt (or other documentation) to all civilians they interact with, including during traffic stops, sidewalk stops, and consensual encounters. This receipt should state the officer's name, the time and place of the encounter, and the reason for the encounter. Such receipts will facilitate any civilian complaints regarding the encounter.

Exhibit D

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

THE CENTRAL AUSTIN NEIGHBORHOOD ASSOCIATION and THE AMERICAN CIVIL LIBERTIES UNION OF ILLINOIS,	)
Plaintiffs,	)
v.	)
THE CITY OF CHICAGO,	)
Defendant.	)

11CH37298



COMPLAINT

Plaintiffs, the Central Austin Neighborhood Association ("CANA") and the American Civil Liberties Union of Illinois ("ACLU"), on behalf of their respective members, by their attorneys, for their complaint against defendant the City of Chicago allege as follows:

NATURE OF THE ACTION

1. This is a civil rights suit brought pursuant to the Illinois Civil Rights Act of 2003, 740 ILCS 23/5, challenging the City of Chicago's method of deploying police services in the City of Chicago (or "the City"). This method utilizes criteria that result in a greater frequency of delays in dispatching police officers to respond to 911 calls for service in neighborhoods that are predominantly African American and Hispanic ("minority neighborhoods or districts"[1]) than in predominantly white neighborhoods ("white neighborhoods or districts"[2]). Delays in dispatching officers cause both longer response times and more denials of service to minority neighborhoods as compared to white neighborhoods. Thus, the City's deployment practices have a

[1] Minority neighborhoods and districts are neighborhoods and districts where African Americans and/or Hispanics comprise the majority of residents.
[2] White neighborhoods or districts are neighborhoods and districts where whites comprise a majority of residents.

disproportionally adverse effect on people who live in minority neighborhoods, including members of CANA and the ACLU. Despite this well-known, long standing disparity, the City has failed to deploy police officers to minority neighborhoods in a manner which ensures equal 911 services. Plaintiffs seek declaratory and injunctive relief.

2. The Illinois Civil Rights Act of 2003, 740 ILCS 23/5, prohibits local governments such as the City from "utiliz[ing] criteria or methods of administration that have the effect of subjecting [Plaintiffs] to discrimination because of their race, color, [or] national origin[.]"

3. The City violates this law through its method of police deployment.

THE PARTIES

4. CANA is a non-profit, community organization whose members are residents of the Austin neighborhood of Chicago. CANA focuses on improving Austin by promoting public safety, beautification and economic development.

5. The ACLU is a non-profit, non-partisan, statewide organization with more than 20,000 members and supporters, dedicated to protecting and expanding the civil rights and civil liberties enshrined in the United States and Illinois Constitutions. In particular, one of the ACLU's primary purposes is ensuring that all persons are treated fairly by our government and receive equal services and benefits. The ACLU has members throughout Chicago, including the minority neighborhoods of Austin, Chicago Lawn, Grand Central, and Englewood.

6. The City is responsible for deploying police officers throughout the City. It is a "local government" subject to the Illinois Civil Rights Act of 2003. 740 ILCS 23/5.

FACTS

A. Historical Disparities in Police 911 Services

7. For over two decades, the City has deployed police across the City's districts in a manner that provides fewer resources to minority neighborhoods than white neighborhoods as measured by responsiveness to 911 calls.

8. For example, in 1992, a report by the consulting firm Booz, Allen, Hamilton, hired by the City to conduct a study of Chicago Police Department (the "CPD") operations, including officer deployment, concluded that the CPD did not deploy officers to districts in proportion to 911 calls and crime rates. As a result, the report found that officers in busier districts took longer to respond to both emergency and non-emergency calls for service. The districts with higher crime, proportionately fewer officers and longer response times were minority districts.

9. A 1992 study by University of Illinois, authored by professors Barry Rundquist and Jungho Rhee, showed that African-American districts had fewer patrols per 1,000 violent crimes than white districts.

10. In 1993, the Chicago Reporter published an article showing that police officers had to respond to more crimes and more 911 calls in African-American districts as compared to officers assigned to white police districts.

11. In 1993, the Illinois Advisory Committee to the U.S. Commission on Civil Rights produced a report showing that neither the number of a district's 911 calls nor the number of violent crimes in that district were related to a significant degree to the number of police officers the CPD allocated to the district. As a result, African-American districts, which tended to have more violent crimes, suffered because the CPD assigned them fewer police resources than white

districts. African-American districts were assigned fewer police officers per 1,000 violent crimes than white districts.

B. Current Police Deployment Results in Disparate Delays and Denials of 911 Services

12. The Office of Emergency Management and Communications ("OEMC") answers 911 calls and dispatches emergency personnel, including Chicago police officers, to respond to calls.

13. When a 911 call requires police response, beat officers are the first officers dispatched to respond to the call for service.

14. When a district receives a high number of 911 calls, OEMC dispatchers cannot dispatch or assign a call if no officers in the district are available.

15. OEMC dispatchers are authorized only to dispatch officers in response to a call from the police district where that call originates.

16. When there are no officers available to dispatch to a 911 call, the district is in a "radio assignments pending" situation, or "RAP."

17. While a district is in RAP, OEMC dispatchers continue to answer 911 calls from that district, but dispatching officers in response to these incoming calls, no matter their nature, is delayed. A district remains in RAP until officers are dispatched to all of the backlogged 911 calls.

911 Calls and Delayed Responses

18. The City has refused to provide information in response to the ACLU's Freedom of Information Act ("FOIA") requests for information about police deployment, including the redeployment of officers to beat duty under the current administration ("redeployment"), and 911 responses, including RAPs, for all of the City's twenty-five police districts.

19. However, responsible media have published relevant information obtained from sources.

20. Two districts, Town Hall and Chicago Lawn, were featured in a Chicago Sun-Times article on police response to 911 calls for service. *See* Frank Main and Fran Spielman, "Fewer Cops on North Side?" Chicago Sun-Times (Nov. 22, 2010).

21. District 23, Town Hall, which includes parts of the neighborhoods of Lincoln Park and East Lakeview in northeastern Chicago, is a white district.

22. District 8, Chicago Lawn, which is on the southwest side of Chicago, near Midway Airport, is a minority district.

23. According to an unnamed source cited in the article, between January 2009 and October 2010, residents in Town Hall called 911 for service 64,000 times and residents in Chicago Lawn called 911 for service 130,000 times. Frank Main and Fran Spielman, "Fewer Cops on North Side?" Chicago Sun-Times (Nov. 22, 2010).

24. According to the article, Town Hall went into RAP 17 times while Chicago Lawn went into RAP 885 times during that same time period. Therefore, Chicago Lawn residents calling 911 faced a situation where there were no police cars to respond to their aid at least 52 times more often than residents of Town Hall.

25. According to the Chicago Sun-Times article, other minority districts, such as South Chicago (District 4), Englewood (District 7), Harrison (District 11), and Grand Central (District 25), had a higher number of 911 calls and RAPs than white districts.

26. The white districts of Jefferson Park (District 16) and Foster (District 20) had a lower number of 911 calls and RAP situations as compared to the minority districts.

27. The delays in dispatching police to 911 calls in minority districts continue to the present based on current data showing higher numbers of 911 calls, higher incidents of serious violent crime, and proportionately lower numbers of police officers in minority districts as compared to white districts. Furthermore, the City refuses to provide any data to show that it has corrected the inequity.

Data on 911 Calls

28. As recognized by the historical reports referenced in paragraphs 7 through 11 and the data in paragraphs 20 through 26, the number of RAPs is directly related to the number of 911 calls.

29. In response to a FOIA request by the ACLU, the OEMC provided data showing the total number of 911 calls by district for April 2010 through March 2011. While the OEMC refused to provide data on Priority 1 calls for all districts, it did so for six districts. These Priority 1 calls involve an immediate threat to a person's life or property.

30. The data for the districts are attached to and incorporated in this complaint as Exhibit 1.

31. According to this data, minority districts continue to have the highest number of 911 calls. For example, the following districts, which also were identified as having a large number of RAPs, had more 911 calls than white districts:

a. Chicago Lawn had 357,360 calls (59,473 Priority 1).

b. South Chicago had 279,646 calls.

c. Englewood had 325,185 calls (65,272 Priority 1).

d. Harrison had 302,530 calls.

e. Grand Central had 349,466 calls (48,444 Priority 1).

32. In contrast, the white districts identified as having a low number of RAPs continued to have fewer 911 calls per district:

a. Town Hall had 153,627 calls (18,125 Priority 1).

b. Jefferson Park had 191,462 calls.

c. Foster had 147,672 calls.

33. Minority districts continue to have higher numbers of 911 calls as compared to white districts.

34. The recent redeployment of police officers does not equalize the number of police officers proportional to the number of 911 calls per district.

35. A recent article cited an anonymous police source for the total number of police officers deployed to each district after the redeployment. *See* Dan Mihalopoulos and Hunter Clauss, "In High-Crime Areas, Still Too Few Police," Chicago News Cooperative (Oct. 21, 2011).

36. The data for every district, including data on rates of crime, are attached to and incorporated in this complaint as Exhibit 2.

37. A comparison of the data on the number of 911 calls provided by the OEMC with the number of officers per district published by the Chicago News Cooperative shows a vast disparity between districts in the number of 911 calls per officer.

38. Minority districts are the districts with the most 911 calls per officer. The following districts are examples:

a. The minority district of Chicago Lawn has 995 calls per beat officer.

b. The minority district of Grand Central has 1,106 calls per beat officer.

c. In contrast, the white district of Near North has 752 calls per beat officer.

d. The white district of Foster has 753 calls per beat officer.

39. Based on the data provided by the OEMC, minority districts also have more Priority 1 calls per beat officer.

a. The minority district of Austin had 131 Priority 1 calls per beat officer.

b. The minority district of Englewood had 169 Priority 1 calls per beat officer.

c. The minority district of Chicago Lawn had 166 Priority 1 calls per beat officer.

d. The minority district of Grand Central had 153 Priority 1 calls per beat officer.

e. In contrast, the white district of Town Hall had 95 Priority 1 calls per beat officer.

40. Because there are more 911 calls per beat officer in minority districts, there continue to be more delays in dispatching police officers in response to 911 calls in those districts than in white districts.

C. Data on Crime

41. As recognized by the historical reports referenced in paragraphs 7 through 11 and the data in paragraphs 20 through 26, the rate of crime in a district is directly related to the number of 911 calls and delays in responses to 911 calls.

42. The CPD tracks index and non-index crimes in the districts. Index crimes are the most serious crimes and include murder, criminal sexual assault, robbery, aggravated assault, aggravated battery, burglary, larceny/theft, motor vehicle theft, and arson.

43. Non-index crimes include simple assault, simple battery, forgery, counterfeiting, fraud, embezzlement, stolen property offenses, vandalism, weapons charges, prostitution, sexual offense and criminal sexual abuse, drug violations, gambling, offenses against the family, liquor violations, and disorderly conduct.

44. The minority districts, which had a higher number of 911 calls and RAPs, also suffered from higher numbers of crimes in 2010 than the other predominantly white districts which had fewer 911 calls and RAPs. The following minority districts are examples:

a. Chicago Lawn had 10,814 index crimes and 15,382 total non-index crimes.

b. South Chicago had 8,442 total index crimes and 12,531 non-index crimes.

c. Englewood had 8,490 index crimes and 13,952 non-index crimes.

d. Harrison had 6,732 index crimes and 15,441 non-index crimes.

e. Grand Central had 9,600 index crimes and 13,135 non-index crimes.

45. The white districts, which had fewer 911 calls and RAPs, also had fewer crimes in 2010 than the minority districts. The following white districts are examples:

a. Town Hall had 3,326 total index crimes and 3,743 non-index crimes.

b. Jefferson Park had 4,452 index crimes and 7,274 non-index crimes.

c. Foster had 2,473 index crimes and 3,552 non-index crimes.

46. Although the City has refused to make the RAP data for the Austin District available, it is a minority district and had a high number of crimes in 2010: 4,482 total index crimes and 12,052 non-index crimes.

47. According to data published with the recent article by The Chicago News Cooperative referred to in paragraph 35 above, the redeployment of patrol officers does not equalize the distribution of officers proportional to the rate of violent crime in districts and, in many minority districts, particularly on the South and West sides of Chicago, there were fewer officers per incidents of crime and higher rates of crime compared to white districts on the North side of Chicago.

48. These disparities hold true for the same districts that were the subject of the Chicago Sun-Times article on disparities in responses to 911 calls.

49. The minority districts of Chicago Lawn, South Chicago, Englewood, Harrison, and Grand Central, all of which have a high incidence of RAPs, also have a higher number of violent crimes per beat officer than the city average of 2.76.

a. Chicago Lawn (District 8) has 3.61 violent crimes per beat officer.

b. South Chicago (District 4) has 4.05 violent crimes per beat officer.

c. Englewood (District 7) has 3.97 violent crimes per beat officer.

d. Harrison (District 11) has 4.03 violent crimes per beat officer.

e. Grand Central (District 25) has 3.60 violent crimes per beat officer.

50. Austin, a minority district, also has a higher than average incidence of violent crimes per beat officer: 3.07.

51. In comparison, the white districts of Town Hall, Jefferson Park, and Foster, all of which have a low incidence of RAP, have lower numbers of violent crime per beat officer, as compared to the City average of 2.76.

a. Town Hall (District 23) has 1.63 violent crimes per beat officer.

b. Jefferson Park (District 16) has 1.39 violent crimes per beat officer.

c. Foster (District 20) has 1.33 violent crimes per beat officer.

52. Redeployment has not ameliorated the disparity between minority and white districts in the proportion of officers assigned to the districts as measured by the number of violent crimes.

D. The City's Liability for Inequitable 911 Services

53. As a direct and proximate result of the City's current method of deploying police, there are longer response times to 911 calls for service and more denials of service in minority neighborhoods, in comparison to responses in white neighborhoods.

54. Until the City is enjoined from deploying officers based on its current method, the plaintiffs will continue to be harmed by receiving a lower level of police responsiveness than residents of white districts.

CLAIM FOR RELIEF UNDER THE ILLINOIS CIVIL RIGHTS ACT OF 2003

55. For Paragraph 55, Plaintiffs incorporate the allegations set forth in paragraphs 1 through 54 as if fully set forth herein.

56. The City's method for police deployment, alleged in paragraphs 1 through 55, violates the Illinois Civil Rights Act of 2003 by "utiliz[ing] criteria or methods of administration that have the effect of subjecting [Plaintiffs] to discrimination because of their race, color, [or] national origin[.]"

57. Under the Illinois Civil Rights Act of 2003, the court has authority to "grant as relief any permanent or preliminary negative or mandatory injunction, temporary restraining order, or other order." 740 ILCS 23/5.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiffs respectfully request the following relief:

A. A declaratory judgment that the City's method of deploying police officers violates the Illinois Civil Rights Act.

B. A permanent injunction enjoining the City from employing its present method of deploying police officers and requiring the City to submit a plan detailing how it will deploy police officers in a manner which will provide equal services in response to 911 calls to minority neighborhoods.

C. Award Plaintiffs their attorneys' fees, costs and expenses in prosecuting this action.

D. Award Plaintiffs any other appropriate relief.

October 27, 2011

Respectfully submitted,

THE CENTRAL AUSTIN NEIGHBORHOOD ASSOCIATION and AMERICAN CIVIL LIBERTIES UNION OF ILLINOIS

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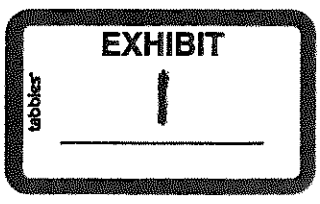
Data from OEMC Response to ACLU FOIA Request

No.	District	Total 911 calls 4/2010 - 3/2011	Total Priority 1 calls 4/2010 - 3/2011
1	Central	252,030.00	
2	Wentworth	180,338.00	
3	Grand Crossing	288,144.00	
4	South Chicago	279,646.00	
5	Calumet	222,999.00	
6	Gresham	283,507.00	
7	Englewood	325,185.00	65,242.00
8	Chicago Lawn	357,360.00	59,473.00
9	Deering	283,462.00	
10	Ogden	268,173.00	
11	Harrison	302,530.00	
12	Monroe	253,088.00	
13	Wood	152,838.00	
14	Shakespeare	223,265.00	
15	Austin	210,203.00	37,003.00
16	Jefferson Park	191,462.00	
17	Albany Park	195,232.00	
18	Near North	273,831.00	26,613.00
19	Belmont	152,172.00	
20	Lincoln/Foster	147,672.00	
21	Prairie	184,461.00	
22	Morgan Park	189,013.00	
23	Town Hall	153,627.00	18,125.00
24	Rogers Park	200,937.00	
25	Grand Central	349,466.00	48,444.00



Number of Police Officers, Violent Crimes and Property Crimes, by Police District

1st District

Police Officers	296
Violent Crimes (Jan.-Aug. 2011)	313
Violent Crimes Per Officer	1.06
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	3,759
Property Crimes Per Officer	12.70
Citywide Average	11.34

2nd District

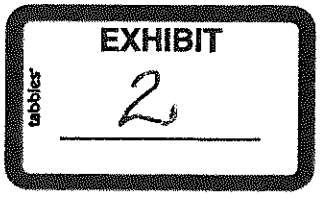
Police Officers	265
Violent Crimes (Jan.-Aug. 2011)	394
Violent Crimes Per Officer	1.91
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	1,911
Property Crimes Per Officer	9.28
Citywide Average	11.34

3rd District

Police Officers	320
Violent Crimes (Jan.-Aug. 2011)	1,278
Violent Crimes Per Officer	3.99
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	3,562
Property Crimes Per Officer	11.13
Citywide Average	11.34

4th District

Police Officers	338
Violent Crimes (Jan.-Aug. 2011)	1,368
Violent Crimes Per Officer	4.05
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	4,4667
Property Crimes Per Officer	13.22
Citywide Average	11.34



5th District

Police Officers	266
Violent Crimes (Jan.-Aug. 2011)	1,049
Violent Crimes Per Officer	3.94
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	2,959
Property Crimes Per Officer	11.12
Citywide Average	11.34

6th District

Police Officers	345
Violent Crimes (Jan.-Aug. 2011)	1,387
Violent Crimes Per Officer	4.02
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	4,102
Property Crimes Per Officer	11.89
Citywide Average	11.34

7th District

Police Officers	386
Violent Crimes (Jan.-Aug. 2011)	1,531
Violent Crimes Per Officer	3.97
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	3,722
Property Crimes Per Officer	9.64
Citywide Average	2.76

8th District

Police Officers	359
Violent Crimes (Jan.-Aug. 2011)	1,295
Violent Crimes Per Officer	3.61
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	5,803
Property Crimes Per Officer	16.16
Citywide Average	11.34

9th District

Police Officers	325
Violent Crimes (Jan.-Aug. 2011)	990
Violent Crimes Per Officer	3.05
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	3,564
Property Crimes Per Officer	10.97
Citywide Average	11.34

10th District

Police Officers	305
Violent Crimes (Jan.-Aug. 2011)	984
Violent Crimes Per Officer	3.23
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	2,701
Property Crimes Per Officer	8.86
Citywide Average	11.34

11th District

Police Officers	361
Violent Crimes (Jan.-Aug. 2011)	1,454
Violent Crimes Per Officer	4.03
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	3,009
Property Crimes Per Officer	8.34
Citywide Average	11.34

12th District

Police Officers	270
Violent Crimes (Jan.-Aug. 2011)	341
Violent Crimes Per Officer	1.26
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	2,347
Property Crimes Per Officer	8.69
Citywide Average	11.34

13th District

Police Officers	192
Violent Crimes (Jan.-Aug. 2011)	362
Violent Crimes Per Officer	1.89
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	2,393
Property Crimes Per Officer	12.46
Citywide Average	11.34

14th District

Police Officers	233
Violent Crimes (Jan.-Aug. 2011)	592
Violent Crimes Per Officer	2.54
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	4,116
Property Crimes Per Officer	17.67
Citywide Average	11.34

15th District

Police Officers	283
Violent Crimes (Jan.-Aug. 2011)	869
Violent Crimes Per Officer	3.07
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	1,986
Property Crimes Per Officer	7.02
Citywide Average	11.34

16th District

Police Officers	202
Violent Crimes (Jan.-Aug. 2011)	281
Violent Crimes Per Officer	1.39
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	2,663
Property Crimes Per Officer	13.18
Citywide Average	11.34

17th District

Police Officers	202
Violent Crimes (Jan.-Aug. 2011)	422
Violent Crimes Per Officer	2.09
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	2,698
Property Crimes Per Officer	13.36
Citywide Average	11.34

18th District

Police Officers	364
Violent Crimes (Jan.-Aug. 2011)	491
Violent Crimes Per Officer	1.35
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	4,879
Property Crimes Per Officer	13.40
Citywide Average	11.34

19th District

Police Officers	217
Violent Crimes (Jan.-Aug. 2011)	230
Violent Crimes Per Officer	1.06
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	2,984
Property Crimes Per Officer	13.75
Citywide Average	11.34

20th District

Police Officers	196
Violent Crimes (Jan.-Aug. 2011)	261
Violent Crimes Per Officer	1.33
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	1,390
Property Crimes Per Officer	7.09
Citywide Average	11.34

21st District

Police Officers	206
Violent Crimes (Jan.-Aug. 2011)	394
Violent Crimes Per Officer	1.91
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	1,911
Property Crimes Per Officer	9.28
Citywide Average	11.34

22nd District

Police Officers	223
Violent Crimes (Jan.-Aug. 2011)	579
Violent Crimes Per Officer	2.60
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	2,600
Property Crimes Per Officer	11.66
Citywide Average	11.34

23rd District

Police Officers	191
Violent Crimes (Jan.-Aug. 2011)	311
Violent Crimes Per Officer	1.63
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	1,879
Property Crimes Per Officer	9.84
Citywide Average	11.34

24th District

Police Officers	261
Violent Crimes (Jan.-Aug. 2011)	544
Violent Crimes Per Officer	2.08
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	2,391
Property Crimes Per Officer	9.16
Citywide Average	11.34

25th District

Police Officers	316
Violent Crimes (Jan.-Aug. 2011)	1,137
Violent Crimes Per Officer	3.60
Citywide Average	2.76
Property Crimes (Jan-Aug. 2011)	4,784
Property Crimes Per Officer	15.14
Citywide Average	11.34

Source: http://www.chicagonewscoop.org/chicago-police-staffing-crime-rates-by-district/

Viewed 10-24-11

Exhibit E

Cops seek to realign districts

Turf battle seen over city plan

January 24, 2003 | By David Heinzmann, Tribune staff reporter.

Chicago police will present city officials with a plan in the next year to redeploy its 13,600 officers, shifting police to more dangerous neighborhoods from traditionally safer areas, a high-ranking department official said Thursday.

The redeployment, long-promised by Supt. Terry Hillard, would redraw the boundaries of the department's 25 police districts and 279 beats, which requires the approval of the City Council. The redeployment likely would set the stage for political challenges from aldermen and neighborhood leaders in areas where police presence would be reduced. Veteran officers for whom seniority traditionally has meant a modicum of control over assignments may also protest.

A spokeswoman for Mayor Richard Daley said Thursday he supports the proposal.

Redeployment is an essential part of the Police Department's efforts to further reduce crime--especially gang and gun violence--and make neighborhoods safer, said Deputy Supt. Barbara McDonald, who is head of the bureau of administrative services.

"We're working on an analysis and getting ready to move forward," McDonald said in an interview. She said the plan would be unveiled in less than a year.

Police officials said there probably would be "high hurdles" in getting the police districts redrawn. But McDonald said that if city leaders are serious about lowering crime, police presence must be proportionally higher in the riskiest neighborhoods.

"Hopefully it won't be a politicized process, because we're talking about putting police officers where the problems are," McDonald said.

Ald. Brian Doherty (41st), whose ward on the Far Northwest Side is an affluent residential neighborhood, said his area's police beats already are too large to guarantee prompt police responses.

"We get punished for being in a low-crime area. We do have crime, except it's a different type. It's mostly property crime," Doherty said. "The more you dilute police staff, the more opportunity you have for these types of crimes."

Fraternal Order of Police President Mark Donahue said the union that represents rank-and-file officers would wait to see the proposal before taking a position. The union would be less likely to oppose a plan that relied on rookies coming out of the Police Training Academy to increase staffing in troubled areas.

Daley spokeswoman Jacquelyn Heard said reaching an acceptable plan would require city

officials to listen to many different points of view.

"The mayor understands this is a complicated issue--complicated and delicate. And it will require input not only from city agencies but also from neighborhood residents to develop a plan that is good for the entire city," Heard said.

Police beats, always a prickly political issue, have not been realigned since 1985. Despite announcing four years ago that the realignment was necessary, Hillard repeatedly has backed off the issue. Last summer he said the department was not ready because further analysis of crime and the city's demographics was needed.

McDonald said improved technology and computerized recordkeeping has improved the department's ability to analyze information and brought the administration closer to a commitment on beat realignment.

Police officials confirmed the redeployment plan on the heels of Daley's decision to hire a top federal prosecutor to lead the city's efforts to combat gang violence. With 647 murders in 2002 and a nation-topping 665 in 2001, Chicago has had the highest murder rate among cities with populations of more than 1 million for the last several years.

Assistant U.S. Atty. Matthew Crowl will leave his job to join the Daley administration as top liaison to the Police Department, Fire Department and 911 Center on Feb. 3.

The post has not been high-profile in the past, but Crowl is a highly regarded prosecutor who leads Project Safe Neighborhoods, a federal task force working to reduce gun violence in the city. Crowl worked closely with Chicago detectives during federal task-force investigations of the Gangster Disciples. He also prosecuted many of the cases.

On Thursday, Supt. Hillard praised Crowl.

"Matt has worked very closely with us," Hillard said. "He'll be an add-on to what we're already doing. It will send a strong message to the gangbangers and drug dealers."

Hillard announced 2002 crime statistics Thursday. The figures show a continued gradual decline--2.9 percent overall--in the number of reported major crimes in the city. Crime fell in 17 of the city's 25 police districts, in most cases by less than 5 percent, according to the department. Reported crimes in all categories except robbery and arson declined. The number of robberies increased by 0.3 percent, and arsons were up 2.1 percent.

Although Chicago had the highest murder rate of any city with a population greater than 1 million, the number of murders was down slightly from 2001. Violent crime overall decreased 1.6 percent.

Brown vows cop overhaul to end Burge 'shadow'

Comments

February 16, 2007

BY FRAN SPIELMAN City Hall Reporter
Mayoral challenger Dorothy Brown vowed Thursday to overhaul the Police Board and Office of Professional Standards and seriously consider realigning police beats to remove what she called the "long shadow" over the Chicago Police Department cast by former Lt. Jon Burge.

In 2003, Daley turned his back on a campaign promise to realign Chicago's 279 police beats, arguing that it would undermine community policing and deprive middle-class neighborhoods of the officers they need to deter crime. Instead of picking a fight with aldermen from middle-class wards by enlarging police beats, Daley chose the path of least resistance.

He changed how the city's 400 gang officers are assigned and established an elite unit of officers deployed to crime "hot spots" based on crime reports funneled into a new deployment operations center.

On Thursday, Brown re-opened the issue of beat realignment. She said she would seriously consider it to permanently redeploy officers to high-crime neighborhoods and reverse a 3 percent uptick in Chicago's homicide rate.

"We don't have adequate policing in some communities. . . . There is a need to have the Chicago Police Department to be fairly and equitably placed throughout the city of Chicago. I have heard from many citizens . . . that beats [are not] being patrolled in some communities," she said.

Last fall, the director of the Police Department's Office of Professional Standards, which investigates police misconduct, was forced out in the wake of the cops-as-burglars scandal in the elite Special Operations Section to improve the image of an agency that's been a lightning rod for criticism in the black community.

To restore public confidence shaken by allegations against Burge -- accused of allowing widespread torture of suspects -- Brown said she would appoint a professional standards director recommended by civic and community groups and have that person report directly to the mayor, not the police superintendent.

Will spend night in Englewood

A similar system would be put in place for the selection of Police Board members, who discipline wayward officers.

Brown also promised to: install more cameras in squad cars; order "cultural sensitivity training" for police officers; breathe life into community policing, and intensify the recruitment of minority officers. She wants to bridge a "racial divide" of police mistrust.

During Thursday's news conference, Brown also revealed plans to spend the night at the home of an Englewood senior citizen to get a feel for the security concerns that area residents live with. Brown denied the sleepover was a publicity stunt akin to former Mayor Jane Byrne's infamous move to Cabrini-Green.

fspielman@suntimes.com

PoliceOne.com News

10/27/2008

Chicago police Supt. promises beat realignment

Related article:
Superintendent proposes Chicago PD makeover

By Fran Spielman
Chicago Sun-Times

CHICAGO — With police hiring slowing to a crawl and Chicago homicides outpacing New York and Los Angeles, Police Supt. Jody Weis vowed Friday to deliver on a promise made and broken by at least four of his predecessors: beat realignment.

"They haven't been moved around since 1978. That's three decades of people making empty promises. Nothing against my predecessors, but at some time, you've got to look at a problem and say, 'I know I can't make every one of the 50 aldermen happy, but we have to make sure we have the right resources in the right locations,' " Weis said.

"I'm 100 percent committed to that. ... I know we'll upset some people. But we have to have fair police service to every community."

Testifying at City Council budget hearings, Weis refused to commit to a deadline. He said he's more concerned that it's "done right" than fast.

It will be done based on a formula that weighs violent crime most heavily, along with property crime, poverty, unemployment, population density and high-threat targets. He acknowledged that some wards will see the police presence drop.

"If we move people into other districts and other wards, we've got to take from some other place," he said. "... I want it to be based on factors that ensure all citizens ... get equal police coverage based upon the threat that they're facing."

For 20 years, police superintendents have been promising to re-draw the boundaries of Chicago's 281 police beats to accommodate shifting crime patterns and population changes.

It never happened.

Instead of touching off a political war between black and Hispanic aldermen who believe their high-crime wards have been shortchanged and white aldermen who won't tolerate a reduction in police services, Mayor Daley chose the path of least resistance. He formed a Targeted Response Unit that temporarily redeployed officers to crime "hot spots."

That's apparently why aldermen reacted to Weis' promise by saying they're tired of waiting. They argued that beat realignment is more important than ever, now that Daley is planning to hire just 200 officers during all of 2009.

"Some of our communities can't wait for another ten months of analysis. We need help today," said Ald. Freddrenna Lyle (6th).

Said said Ald. Anthony Beale (9th): "A life is more important than a traffic violation. ... Our murder rate is up simply because we don't have enough resources in certain communities, mine being one of them. ... We've got to protect every community. And if it takes making some of my colleagues upset, I could care less."

The Chicago Sun-Times reported this week that Chicago, with 426 murders through Tuesday, is outpacing New York and L.A. in murders this year. New York recorded 417 murders, while L.A. had 302.

On Friday, Weis blamed the nearly 15 percent increase in homicides, in part, Chicago's 75 gangs and 75,000 gang members.

He highlighted his plans to create a "Mobile Strike Force" to replace the scandal-plagued Special Operations Section and his dramatic reorganization plan. It calls for eliminating the first deputy superintendent and the Bureau of Strategic Deployment and installing two assistant deputy superintendents who report directly to Weis.

"If you look back to the past 45 years, the average homicide rate is 723 murders. ... What we have to do is look forward and say, 'How can we address it?' It's through more intelligence-based policing and the use of specialized units that can actually go where the crime is," Weis said.

"We understand people are scared. We understand people are mad. We're mad. There should not be any crime in a perfect world. But, we don't live in a perfect world."

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Weis: Police shift overdue

Will 'reallocate' cops to high-crime areas, calls status quo 'inexcusable'

Comments

October 20, 2010
BY FRAN SPIELMAN City Hall Reporter

Without using the dreaded term "beat realignment," Chicago Police Supt. Jody Weis said Tuesday he would "reallocate" police resources by the end of this year from lower crime districts to those that need more officers.

Testifying at City Council budget hearings, Weis vowed to finally deliver on a promise made and broken by at least four of his predecessors.

He's not calling it beat or district realignment, which would entail a complete redrawing of the boundaries of the 281 police beats to coincide with crime and population changes.

That will have to wait until "Phase 2"-- after ward boundaries are redrawn, the superintendent said.

But two years into a hiring slowdown that has left the Chicago Police Department more than 2,300 officers a day short of authorized strength, Weis is prepared to take decisive action.

"We anticipate in the very near future of having a resource re-allocation that will better balance the workload of our officers throughout the entire city. We will re-allocate our resources to address where the crimes actually are," Weis said.

"I know I've talked about this for two years. We will deliver it in 2010. . . . We can't go three decades without adjusting resources again. That's inexcusable. . . . We're not talking about changing districts or beats right now. This is . . . a resource realignment to make sure we put those officers where they need to be based upon . . . a formula we would be able to adjust on a regular basis should crime shift, should communities change."

Weis did not say which police districts stand to lose officers and which districts stand to gain. He would only say that some districts "have an additional number of police officers above and beyond what analysis has proven they actually need. So we can move some of those officers to a district where analysis has shown they need some more."

Police Committee Chairman Anthony Beale (9th) applauded Weis for confronting an issue that his predecessors took pains to avoid.

"I've been fighting for resource reallocation, beat realignment . . . for 12 years now. And you are the first superintendent who has really taken the bull by the horns and said, 'This is the right thing to do to make the entire city safe -- not just certain communities,' " Beale said.

Northwest and Southwest Side aldermen are preparing to do battle to preserve what they have.

Ald. Tom Allen (38th) said Weis has "already drained police resources" in his ward by pulling gang and organized crime units out of police districts.

"The 16th District [Jefferson Park] has had a 400 percent increase in homicides this year. If he likes to use statistics, he should digest that statistic," Allen said.

"If he takes more resources out of Jefferson Park and Albany Park, he's doing a disservice to the people who pay a lot of taxes and expect police protection. You can't continue to buffalo the media and everyone else by telling them we don't have crime in our neighborhoods."

Retiring Ald. Ginger Rugai (19th), who represents the Far Southwest Side neighborhoods of Beverly, Morgan Park and Mount Greenwood, said she, too, is concerned.

"I'll fight to keep what we have, if not more people. . . . It's important for the entire city that everyone have the protection they need," Rugai said.

After a string of snatch-and-grab crimes involving iPods and cell phones in the downtown area, Ald. Brendan Reilly (42nd) warned Weis to maintain police resources in the Central Business District.

"God help the city if public perception is that this is not a safe place," Reilly said. "We need to make sure our major retail corridors have high-visibility police in key locations so people feel safe spending their money here and spending their weekends visiting Chicago."

Female district head officers
From Changwat, Amphoe, Tambon

The views expressed in these blog posts are those of the author and not of the Chicago Sun-Times.

Exhibit F

Alderman pushes beat realignment

Publication: Chicago Sun-Times (IL)
Date: April 17, 2009
Author: Fran **Spielman** and Cheryl V. Jackson The Chicago Sun-Times
Section: News

News
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More than 1,200 times last year, residents of the South Chicago and Gresham police districts called 911, and there was no car available to respond.In the Foster Avenue and Belmont districts on the North Side, the same thing happened only 10 times.

On Thursday, those disparate figures for "radio assignment pending" calls were introduced by disgruntled aldermen as "Exhibit A" in the case for beat realignment, something that hasn't been done in Chicago since 1985.

It happened during a City Council hearing on police deployment. "Radio assignment pending" means a car is not available when the call comes in, and the wait for a car could take hours.

"It should be equal across the city. The South Side of Chicago shouldn't have to suffer. . . . Something needs to be done to even that out," said Police Committee Chairman Isaac Carothers (29th).

Carothers said he's so tired of waiting for Police Supt. Jody Weis to deliver the police equivalent of reapportionment, he's threatening to push a Council "order" that it be done by a specific date.

Deputy Police Supt. Dan Dugan said Weis has a team researching what's been done in other cities. He argued that beat realignment is a tough job that "can't be rushed."

As for the geographic disparity in "radio assignment pending" calls, Dugan said "violence and life-and-limb" calls are always moved to the "top of the pile." It's the borderline calls that sometimes get short shrift -- and might need to be handled differently.

"We as a department dispatch approximately 68 percent of the calls we receive at the 911 center. Look at major cities throughout the United States. They're dispatching at about 30 percent," Dugan said.

"We might be a victim of our own success. We've asked people to call 911, and people call 911. Are they all the right calls? Or can we maybe [divert some calls] to a more appropriate venue that doesn't require a police officer actually showing up at the scene?"

For the last two decades, police superintendents have been promising to redraw the boundaries of the beats to accommodate shifting crime patterns and population changes, but it never happened.

Tamika Batups wasn't surprised to hear that some South Siders were more likely to wait for a police car to arrive.

She experienced it firsthand -- when she was shot in August.

Batups, 26, lives two blocks from the Gresham District station, but when she and two teens were shot as she left her home, they had to wait 20 minutes for police, she said.

Friends and relatives called police, but it took a friend flagging down officers for help to arrive, Batups said. "I wasn't worried about what took them so long. I just wanted to get to the hospital," said Batups, who was wounded in the hip. "I don't rely on the police."

David Smith, who also lives near the Gresham station, says he's called 911 when getting into fights with family members. By the time police arrive, though -- he estimates about 45 minutes on average -- arguments are settled.

"By the time they get there, whatever's happened, it's been over with," Smith, 26, said. "We sit down and talk about it, so by the time they come the situation has been solved already."
Map: (See microfilm for map).; Photo: Scott Stewart ,Sun-Times / Tamika Batups, 26, says she had to

wait 20 minutes for police when she was shot two blocks from a South Side police station.;

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Chicago crime: City panel renews push to realign police districts

Aldermen say highest crime areas getting slow response in call to put more cops in street

April 17, 2009 | By Angela Rozas, Tribune Reporter

Tweet

The Chicago City Council's Police and Fire Committee once again is pushing for a realignment of police beats, pointing to data that show that some of the city's highest crime districts had the most delayed responses to service calls in 2008.

On Thursday, Ald. Isaac Carothers (29th) presented a chart that showed that of the more than 3 million calls for service, 5,113 were put on hold, at least temporarily, because there were no beat cars available to respond. Police mark those calls as "radio assignment pending," or RAPs.

Those delayed responses ranged from just four in the Lincoln District to 613 in the South Chicago Districtlast year. Other districts with the most number of delayed responses included Gresham, Calumet, Chicago Lawn and Harrison, districts that also have some of the city's highest crime rates.

Chicago Police Supt. Jody Weis has said in the past he would consider beat realignment, but he has pointed to his creation of mobile units of officers who respond to high-crime areas as one way of addressing policing needs.

Ald. Freddrenna Lyle (6th), whose ward includes districts with some of the highest RAPs, said the statistics prove the need to realign beats and put more officers on the street.

"It seemed obvious to me ... that a district that had 600 or more unanswered calls needs more officers assigned," she said. "I understand it's all dollars and cents, but we're going to have to do a better job with what we have."

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suntimes

Aldermen lash out over 911 response times

BY FRAN SPIELMAN City Hall Reporter

Last Modified: Nov 4, 2010 02:16PM

Chicago aldermen unleashed their anger Wednesday about 30-minute response times to 911 calls and about calltakers hanging up on constituents who try the city's 311 non-emergency number.

With 911 Center chief Jose Santiago on the hot seat at City Council budget hearings, Ald. Leslie Hairston (5th) told a horror story about a home invasion that culminated in a car theft.

"There was an incident two consecutive days. Each time, the people called 911 four times while the burglars were in there burglarizing the property. It took OEMC to dispatch more than 30 minutes. A day later, they spotted the burglar in their car in the ward, called 911 again and it took another 30 minutes to respond," Hairston said.

"If there's a constituent who is chasing someone who has stolen their car, that should be a priority. There has got to be some better coordination. Otherwise, the city is gonna be looking at some lawsuits in a situation where the constituent is not so fortunate and they get injured as a result of you all not dispatching the call."

Santiago responded to the complaints, essentially by pointing the finger at the Chicago Police Department. He said the five million annual calls to the 911 center are answered in two rings, but that calls are prioritized into four categories, based on a protocol established by police.

"The Police Department sets those criteria. All we do is facilitate those orders that are given to us," he said.

"They set the priorities and we facilitate their rules. We follow the protocol that's given to us. However, the priorities are set by police and fire - whether they're the 1, 2, 3, 4 - that is their call."

The response didn't sit well with Ald. Freddrenna Lyle (6th), who's tired of playing the blame game.

"We have two different agencies that are both directly involved in providing safety for our citizens that stand up at CAPS meeting and community meetings all over the city and they point the finger at each other. It's intellectually dishonest," she said.

"Maybe people should stop lying to the citizens. They begin to understand that it's a lie - and nobody

wants to wear the jacket. But somebody is getting paid to wear the jacket. It's very frustrating for us."

As for the 311 hang-ups, Lyle said, "I just thought it was some mechanism that was built into the system. You got too many calls. You don't feel like being bothered. Just disconnect the people after they wait. I don't think that's what taxpayers expect to pay for."

Last year, aldermen held a hearing to complain about the geographic disparity in 911 calls when there is no police car available to respond.

At the time, then-Deputy Police Superintendent Dan Dugan told them that "violence and life-and-limb" calls are always moved to the "top of the pile." But he argued that it's the borderline calls that sometimes get short shrift - and might need to be handled differently.

"We as a department dispatch approximately 68 percent of the calls we receive at the 911 center. Look at major cities throughout the United States. They're dispatching at about 30 percent," Dugan said then.

"We might be a victim of our own success. We've asked people to call 911, and people call 911. Are they all the right calls- Or can we maybe [divert some calls] to a more appropriate venue that doesn't require a police officer actually showing up at the scene- "

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Ministers to Daley: Move cops to higher-crime districts

By FRAN SPIELMAN and FRANK MAIN

Staff Reporters / fmain@suntimes.com

Last Modified: Feb 19, 2011 10:15AM

A group of black ministers demanded Friday that Mayor Daley and Police Supt. Jody Weis deliver on their joint promise to reallocate police resources from lower-crime neighborhoods to others with higher crime.

Weis promised the reallocation during City Council budget hearings and said it would be delivered by Dec. 31.

On Friday, the ministers released an open letter to Daley and held a news conference outside his office at which they called on the lame-duck mayor to take advantage of the freedom his new status provides and deliver on a promise he made in 2003. They argued that Weis also has nothing to lose, since all four of the major mayoral candidates have vowed to dump him.

"The timing will never be as good as it is now," said the Rev. Marshall Hatch of New Mount Pilgrim Missionary Baptist Church. "This is something they are in a position to do without having to worry about political backlash."

Hatch added: "There's a qualitative difference between beat officers in the community as a part of the fabric of a community and tactical, SWAT strategies that tend to have the adverse effects of criminalizing large parts of communities of high crime and high risk."

Pastor Cy Fields of New Landmark Baptist Church urged the mayor, "Stop playing politics with the lives and safety of the neighborhoods and citizens of Chicago. Reallocation of police is smart policing, and it should be done."

Mayoral press secretary Jacquelyn Heard denied that Daley killed Weis' plan to shift hundreds of officers. He's never even seen it, she said.

"On no level has this plan been shared with City Hall," Heard said. "It exists only in the form of rumors and leaks to the media, presumably meant to exude the appearance of good intentions.

"We can all agree that a change of this significance requires much better handling than that."

Sources said Weis has had "any number of chances" to share his reallocation plan with the mayor but never has done so.

"Now, he's making it appear that the mayor won't let him do something he hasn't even asked for permission to do," one source familiar with the situation said. "It's all part of this big PR push" by the superintendent to save his job.

On Friday, a police source said the reallocation process was launched in January when some districts were "opened for bidding."

Officers can voluntarily move to other districts based on seniority. Most of the moves would be from low-crime to high-crime districts, the source said, without providing any specifics about which districts were opened for bidding or how many officers are expected to transfer.

The police source added that the mayor was briefed about the bidding process. Still, the Police Department has kept the public in the dark about the reallocation plan.

A two-year hiring slowdown has left the Police Department short more than 2,300 officers a day of its authorized strength.

Political pressure from aldermen who stand to lose police officers has kept the city from redrawing the boundaries of police beats or otherwise reallocating police resources since the late 1970s.

The Fraternal Order of Police has said it intends to strictly enforce a contract that, according to the union, could sharply limit Weis' ability to reallocate officers from one police district to another.

Former City Council Police Committee Chairman Anthony Beale (9th) — who was a driving force behind the reallocation before being rewarded with the bigger-budget Transportation Committee — has also been turning up the heat, demanding that Weis deliver on a promise made and broken by at least four of his predecessors.

"This is something that needs to happen before spring and summer kicks in," Beale told reporters last week. "It's about saving lives.

"This issue is not dead. It will never be dead until it is rolled out and we have ample resources in communities that need them the most."

Last month, mayoral front-runner Rahm Emanuel tried to halt any effort to shift police resources. Emanuel said he was determined to "find policies that unite" the city and argued that shifting officers from lower-crime districts in his North Side political base to higher-crime districts on the South Side and the West Side would only divide Chicago.

That prompted an angry reaction from Beale.

"If anybody who's running for mayor wants to have killing in one part of the city and have officers on the other side of the city not responding to any calls, that's a problem," Beale said.

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Exhibit G

Chicago sends 150 more cops to streets

By Jeremy Gorner | Tribune reporter
June 12, 2011

Chicago Mayor Rahm Emanuel today announced the redeployment of 150 more police officers to beat patrol positions as part of his campaign pledge to add more cops to the streets.

"These officers are going to be the backbone of our police department, working on the beat," Emanuel told several reporters and roughly 50 parkgoers huddled at the Illinois Centennial Monument in Logan Square. "Now remember, we have to have a comprehensive strategy: More police on the street and getting kids, guns and drugs off our street."

Emanuel noted the announcement today of the additional officers -- from administrative and clerical capacities -- comes less than a month after the mayor told reporters at a South Side police station that 400 officers would be redeployed to beat cop duties while another 100 work in various parts of the city to respond to flare-ups in crime.

Those 500 officers were redeployed primarily from two specialized units: the Mobile Strike Force and Targeted Response Unit. Those redeployed to beat duties were given 90-day assignments to the most dangerous districts on the South and West Sides: the Grand Crossing, South Chicago, Calumet, Gresham, Englewood, Chicago Lawn, Harrison and Austin police districts.

Emanuel today said that the 150 officers will be assigned to beat patrols across the city. The districts receiving those officers are the Wentworth, Deering, Ogden, Monroe, Wood, Shakespeare, Albany Park, Near North, Belmont, Lincoln, Prairie, Morgan Park, Town Hall, Rogers Park and Grand Central districts.

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Emanuel to add 150 more beat cops

Mayor working toward goal of adding 1,000 officers to Chicago's streets

June 12, 2011 | By Jeremy Gorner |Tribune reporter

Last month, Mayor Rahm Emanuel announced his plan to reshuffle 500 Chicago police officers primarily to beat-patrol duties to assign more officers to the city's police districts.

On Sunday, Emanuel told several reporters and dozens of patrons huddled at the Illinois Centennial Monument in Logan Square that he would continue to beef up the city's districts with the addition of 150 beat cops.

"These officers are going to be the backbone of our police department, working on the beat," Emanuel said.

The redeployment of the first 500 officers primarily from two specialized units, the Mobile Strike Force and Targeted Response Unit, represented a significant shift in policy for the department. Under former Superintendent Jody Weis, those units, which parachuted into parts of the city experiencing spikes in violent crime, were beefed up by officers pulled from district beat patrols.

But the redeployment strategy under Superintendent Garry McCarthy is doing the exact opposite. McCarthy's strategy stresses the need for resources to be in the hands of district commanders with the expectation that they will be able to use them as effective crime-fighting tools within the neighborhoods they oversee. That management style resembles the CompStat system McCarthy oversaw during his time with the New York City Police Department.

"I've publically stated that the single most important thing that we can do is get cops on the street, put them in the hands of the (district) commanders and hold the commanders accountable," McCarthy said at Sunday's news conference.

When the other 500 officers were redeployed last month, they were assigned mainly to three-month stints in the most dangerous districts on the South and West Sides: the Grand Crossing, South Chicago, Calumet, Gresham, Englewood, Chicago Lawn, Harrison and Austin police districts.

The 150 additional officers moving to the streets will come from administrative posts, including from within McCarthy's office. Emanuel's office said those officers will be assigned permanently to beat patrols at the following districts starting June 19: Wentworth, Deering, Ogden, Monroe, Wood, Albany Park, Near North, Belmont, Lincoln, Prairie, Morgan Park, Town Hall, Rogers Park, Grand Central and Shakespeare, which covers Logan Square.

"Every part of the city will be covered," Emanuel said.

The shifting of 650 officers this early into Emanuel's term is part his campaign to add 1,000 cops

to the beat by moving experienced personnel from desk jobs and hiring officers with money now earmarked for economic development in special tax districts. Emanuel couldn't say when more cops will be shifted to the beat, but he said he hasn't lost sight of his goal of 1,000.

"We have done 650 officers deployed in our neighborhoods," Emanuel said. "We are not done going through the rest of the department."

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Chicago police to disband 2 special units

Move expected after recent redeployments

July 28, 2011 | By William Lee | Tribune reporter

Chicago police will disband two of its rapid response units once heralded as key components of the city's lowering crime rate, police union officials said.

Effective Aug. 18, both the Mobile Strike Force and Targeted Response Unit will cease to exist, according to an announcement on Wednesday by the Fraternal Order of Police to its members. The FOP represents the city's rank-and-file officers.

The move was expected after Mayor Rahm Emanuel announced in May that about 500 officers would be transferred from the units for 90-day assignments to beat patrol duties in the city's highest crime districts. The redeployed officers will now have the opportunity to make bids into other districts as soon as Friday, officials said.

Both units were considered cornerstones in former Superintendent Jody Weis' crime-fighting strategy after he took over the department in early 2008.

Coupled with the department's predictive analytics initiative -- computer software that analyzes crime patterns to predict future shootings --the units were designed by Weis to saturate brewing trouble spots, while targeting gangs, guns and drugs.

Weis trumpted his plan as the reason behind a historic drop in homicides last year to 435, the city's lowest total in almost half a century.

But many cops complained that the units pulled much-needed manpower from overworked and undermanned police districts and posed a safety issue.

Newly-appointed Superintendent Garry McCarthy, who replaced Weis after his contract expired in March, has shifted away from the city-wide units, saying he wanted to restore resources at the district level.

The Mobile Strike Force replaced the scandal-plagued Special Operations Section, which was disbanded under Superintendent Phil Cline in 2007 after several SOS officers stole money from alleged drug dealers and other citizens after illegally making traffic stops or conducting unlawful searches of their homes.

The police department had no immediate comment.

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The New York Times

U.S. | CHICAGO NEWS COOPERATIVE | THE BOTTOM LINE

In High-Crime Areas, Still Too Few Police

By DAN MIHALOPOULOS and HUNTER CLAUSS OCT. 21, 2011

Despite Mayor Rahm Emanuel's highly promoted efforts at concentrating additional police patrols in the city's most dangerous neighborhoods, many crime-ridden police districts still have fewer officers patrolling their streets than far safer areas of the city have, according to recent data obtained by The Chicago News Cooperative.

The data included officer-assignment data for all 9,400 Chicago police officers, as well as almost 1,000 detectives — information that the city has steadfastly declined to make public.

The analysis found that the distribution of patrol officers among the city's 25 police districts does not correlate to the places where crime rates are highest.

The 5th police district, which includes the Roseland and Pullman neighborhoods on the Far South Side, has 266 patrol officers, four fewer than the 270 officers in the 12th district on the gentrified Near West Side, the data showed.

But the 5th district experienced 1,049 violent crimes in the first eight months of this year, while the 12th district recorded 341 violent incidents during the same period, according to police department records.

Many predominantly black districts on the South and West Sides had more than three or four murders, rapes, armed robberies or assaults for every beat officer

assigned to work within their boundaries during that period.

That contrasted drastically with 10 districts, mostly in more affluent sections on the North Side, where there were one or two such crimes for every officer.

Many City Council members and neighborhood activists have long campaigned for a police department reorganization that would put more officers in high-crime neighborhoods. Told of the deployment data analysis, they said the results vindicated their demands.

“It basically validates the need for redeployment and reallocation,” said Alderman Anthony Beale, whose 9th Ward is largely in the 5th district.

Mr. Beale said this week that he would call for Council hearings on staffing levels in police districts. He said he had unsuccessfully sought deployment statistics from the police for years.

“Putting the most police in the areas with the most crime — it’s just that simple,” said the Rev. Marshall Hatch, whose New Mount Pilgrim Missionary Baptist Church is in a West Side police district with the second-lowest proportion of police officers to violent crimes.

Lt. Maureen Biggane, a spokeswoman for the police department, said officials were in the process of “right-sizing the department” and had focused initial redeployment efforts on the highest-crime districts. The debate over how best to deploy police officers has raged for decades, with representatives of more tranquil corners of the city successfully blocking repeated attempts to shift greater resources away from their neighborhoods to the most violent districts.

The topic has become especially heated as City Hall’s budget problems have worsened in the past few years. Even after the planned closing of three district stations, the police department would remain by far the largest component of the budget.

Police spending is slated to drop by 4.4 percent in 2012, to about $1.26 billion out of the total city budget of $6.28 billion.

During economic boom times, former Mayor Richard M. Daley promised and

delivered expansion of the police ranks. When the city's budget deficits grew, the Daley administration allowed the police force to dwindle.

In 2008, officials reluctantly confirmed that they had been forced to renege on Mr. Daley's vow to hire new officers, and police academy classes ceased training cadets. Retirements and other attrition quickly drove down the count of sworn officers on the payroll.

Since his inauguration in May, Mayor Emanuel and his new police superintendent, Garry McCarthy, have faced reality. In presenting his 2012 budget proposal, Mr. Emanuel said he would delete more than 1,200 perennially unfilled officer positions from the books "to end the charade of carrying hundreds of police officer vacancies without actually hiring them."

While acknowledging that they will have a smaller force than the Daley administration once commanded, Mr. Emanuel and Mr. McCarthy are as leery as Mr. Daley was of moving officers from safe neighborhoods to higher-crime areas. Instead, City Hall's new leaders say they have shifted personnel from the specialized units that Mr. Daley built up and reassigned them as beat officers in districts across Chicago.

Mr. Emanuel said he had transferred more than 1,000 officers "to beat patrols in our neighborhoods," removing them from desk jobs and special units.

"Every police district across our city received additional officers," Mr. Emanuel told aldermen in his budget speech on Oct. 12. "Those districts with the most crime got the biggest increases, as it should be."

Ms. Biggane, the police spokeswoman, said eight high-crime districts had benefited from the first redeployment wave, involving 500 officers, and other parts of the city have since received additional patrols.

But the Emanuel administration has declined to provide documentation of those moves. The new administration has adhered to longstanding policies of the Daley administration, whose officials denied Freedom of Information Act requests by contending that public disclosure of documents detailing officer deployment levels would compromise security.

The Chicago News Cooperative recently obtained a list of the unit assignments for the 10,300 sworn Chicago police department employees from a police source who requested anonymity because the department leaders have declined to release it.

The records described the unit assignments as of early October and appeared to reflect the vast majority of the recent personnel moves ordered by the Emanuel administration.

Most of the detectives were assigned to one of the department's five area headquarters, while about 2,400 of the police officers were either assigned directly or detailed to specialized units, including the narcotics section and the internal affairs division.

It was impossible to deduce from the data exactly where the officers in specialized units were working. The list also did not include supervisors.

The other 7,000 police officers, representing a majority of the department's sworn members, were each assigned to patrol beats in one of the 25 districts. The number of officers in each district ranged from a low of 191 in the 23rd district to 386 in the 7th district.

A comparison of the beat deployment figures with department statistics for property crimes and violent crimes in each district this year shows:

¶Four districts — the 25th, 8th, 6th and 4th — had higher ratios of both property crimes and violent crimes per officer than the citywide average.

¶The highest ratios of property crimes to beat officer counts were in the 14th, 8th and 25th districts, each of which reported at least 15 property crimes per patrol officer in the year's first eight months.

¶The lowest proportion of violent crimes to officers was in the 1st district, which covers downtown Chicago, followed by the 19th district on the North Side.

¶The 4th district, in the city's southeast corner, had the largest gap between staffing level and violence, with 4.05 violent crimes per officer.

The 4th district covers most of the 7th Ward, whose alderman, Sandi Jackson,

praised Mr. Emanuel for adding officers to areas of greater need, despite tight budget constraints. But asked about the Chicago News Cooperative findings, Ms. Jackson replied: “There is absolutely a disparity. We are not where we would want to be ideally.”

Some experts say the reaction of aldermen in apparently underserved districts, though politically astute, would not lead to the wisest policies for fighting crime.

“It is reasonable and rational to expect that there should be more officers in areas with more crime,” said Arthur Lurigio, a professor of psychology and criminology at Loyola University. “But there is no evidence that would necessarily be the case.”

Mr. Lurigio said saturating areas with officers often merely pushed criminals to other places that then witnessed a spike in violence.

Still, the city should deploy its police officers based on a formula that would account not only for crime rates but also for average response times to service calls, said Wesley Skogan, professor of political science at Northwestern University’s Institute for Policy Research.

“This is Chicago, so everybody wants more and nobody wants to give up officers,” Mr. Skogan said. “Emanuel should use his crisis clout and allocate police resources based on workload.”

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