



Chicago Westside Branch NAACP Police Accountability Task Force Statement - February 2, 2016

The NAACP has a long standing history of fighting for equality and accountability for all people, especially people of color against institutions that have a history and pattern of violating civil liberties of the underrepresented.

Independent Police Review Authority (IPRA)

IPRA was born out of community discourse with the way the Office of Professional Standards (OPS) dealt with residents' complaints regarding police abuse, killings, and misconduct. An ordinance created, approved, and passed in 2007, by city council, was promoted as a civilian run entity separate from the Chicago Police Department (CPD) replacing the OPS. However, we have found that to be the furthest thing from the truth.

Currently, IPRA is required to only investigate CPD misconduct issues that deal with the following:

1. Allegations of the use of excessive force
2. Police shootings where an officer discharges his/her weapon and strikes someone
3. Deaths in custody
4. Domestic violence
5. Verbal abuse including bias and coercion.
6. Allegations of off-duty misconduct relating to excessive force and weapon discharge incidents

In 2015, IPRA registered approximately 5, 448 civilian complaints, only about 1661 stayed with IPRA, the remaining 3, 787 were sent to the Chicago Police Department - Internal Affairs Department IAD.

IPRA has no authority to actually enforce disciplinary action. IPRA can only make recommendations to CPD about what should happen to officers. The Police Board makes the final determination on shootings and any disputes. **(Refer to our IPRA complaint flowchart for more information)**

The following is a direct statement from the IPRA ordinance:

"Pursuant to the Municipal Code of Chicago, Chapter 2-57, the Independent Police Review Authority, through its Chief Administrator, recommends discipline in sustained cases to the Superintendent of the Chicago Police Department. It should be noted that IPRA disciplinary recommendations are subject to a non-concurrence by the Superintendent of Police, or a hearing by the Chicago Police Board, either of which may result in a final disposition different from the IPRA recommendation contained in the posted investigative abstract. The final determination of discipline is made by the Superintendent of Police or the Police Board."

Where's independence in that?



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What we need from the PATF, City Council, and the Mayor's office to make IPRA independent and the police accountable?

- Expand the authority of IPRA to determine if the officer committed a crime
 - Institute referral power for special prosecution
- Implement immediate toxicology testing for police involved shootings
- Remove the Chicago Police review process
- Expand the complaint intake to include **ALL** cases that include an officer and a civilian/officer's family member
- Restructure IPRA infrastructure

Chicago Police Department (CPD)

Institutional racism is the undercurrent of many of the problems in the department. If the CPD was more representative of the population, we believe some of these issues would alleviate themselves.

What are some anonymous complaints shared with us regarding the CPD?

- African Americans are underrepresented in the department. (However, African Americans make up 32.9% of the city's population
 - Latinos are also underrepresented (However, Latinos make up 28.9% of the city's population.)
- Officers rarely serve in their own neighborhoods, with some of the more violent officers choosing to be assigned in divested and underserved Black and Brown neighborhoods. (History has shown us that in our communities their actions are less likely to be penalized.)
- Minority officers are often pressured to use excessive force to prove that they are on the right side

What will we need from the PATF, City Council, and the Mayor's office to address issues of racism and the lack of police accountability within CPD?

- Remove sections of the FOP contract that hinder commanding officers and the Superintendent from properly firing or disciplining an officer
- Restrict the promotions of officer with documented complaints of misconduct or involved in excessive
- Institute an Ethics line
- Require IAD to review cases between officers
- Require IAD to review cases of internal violations



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Fraternal Order of Police (FOP) Contract

The FOP, like many unions, strives to protect its members from unjust labor practices. The FOP, unlike other unions, also strives to protect its members exhibiting vagrant criminal behavior. The FOP does this by doing everything in its power to ensure their criminal members never suffer any penalties that any other citizen accused of criminal behavior would experience. This is proven in the FOP contract that was approved by the city's Corporation counsel and City council.

How does the FOP contract exonerate the criminal activity of its members?

- Allows the accused to review his/her statements before any additional questioning in an effort to ensure he/she has the initial reported story straight
- Does **NOT** allow IPRA investigators to interview the shooting officer during the first 24 hours of a shooting. (The alleged reasoning is so that the shooting officer has an opportunity to deal with the trauma of his/her actions. Meanwhile, civilians must persevere through the traumatic situation.)
- Requires the destruction of police misconduct records five years after the occurrence. (Removing all accountability from the person who has a pattern of abusive behavior)

While there are other methods created to dismiss criminal behavior those stated above are the blatant misuses of police power.

What we need from the PATF, City Council, and the Mayor's office to end FOP's reign of protecting its criminal members?

The removal of the following sections from the FOP contract:

- Section 6.1 D - Police complaint limited to 5 years unless authorized by the Superintendent
- Section 6.1 M – Officers not allowed viewing of audio/ video can't be charged with **Rule 14**.
- Section 6.2 J (Exempting Officers from Rule 14)
 - **Rule 14: Making a false report, written or oral.**
- Section 8.3 – Information not available for Inspection by the Officers shall not be used in any adverse manner to the Officers (Limitation on Use of File Material)
- Section 8.4 (Use and Destruction of File Material)

(Please see attachment which includes the sections noted above.)

In closing, the best way to ensure that police are being held accountable is to remove all loopholes. This can be done by passing common sense legislation through amending the IPRA ordinance as previously outlined. As well as seeking to renegotiate the FOP contract seeking the removal of all policies that violate the law including those that hinder civilian justice as previously documented. Lastly, we challenge you to join us and other fighters for justice in Preserving the Records by advocating for passage of the "Futterman Amendment " to the Illinois Records Act (50 ILCS 205/s et. eq.).



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The NAACP is here as a resource and a partner. We look forward to working together to create a new Chicago where justice is sought after and handed down to anyone who chooses to violate the civil liberties of another.

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