

== POLICE ==
ACCOUNTABILITY
TASK FORCE

CONTACT:

Delores Robinson
PATF Media Relations
773-441-3411

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**Chicago Police Accountability Task Force Recommends Policy
for Publicly Releasing Video, Audio and other Evidence Relating
to Police-Involved Incidents**

CHICAGO - The Chicago Police Accountability Task Force today sent Mayor Rahm Emanuel recommendations for a new video and audio release policy as it relates to police-involved incidents within the Chicago Police Department. The Task Force recommends that recordings and reports be automatically released to the public no later than 60 calendar days from the date of the incident, or at an earlier date whenever possible. If adopted, the City would be the first in the nation to have a specific written policy that guarantees the public's timely access to information relating to sensitive police-involved incidents such as shootings and deaths in custody. The policy is intended to strike a balance among competing and sometimes conflicting interests of the public in timely access to video and audio recordings, individuals who are the subject of the police action and units of government involved in investigating or otherwise addressing the consequences of those incidents.

"This new policy is a direct response to the growing need to balance the public's right to information about police activity with the interest of law enforcement to conduct their investigations without risk of compromising important evidence," said Sergio Acosta, a Task Force member who leads the Video Release Policies Working Group of the Chicago Police Accountability Task Force. "We addressed this important policy recommendation now as we feel it is critical to have a clear path forward for those affected by police action and their families, the public and law enforcement as soon as possible. We also believe that greater transparency is essential in beginning to restore

trust between the police and the community.” Mr. Acosta thanked the members of the Working Group for their hard work and dedicated efforts.

In cases that are the subject of pending criminal and/or disciplinary investigations, the City’s current practice is to withhold the disclosure of any video evidence until the investigations are concluded. The City’s practice is consistent with some jurisdictions the Task Force surveyed, however, the absence of a clear, written policy leads to confusion, mistrust and increased litigation costs over FOIA disputes. This proposed policy also reflects the reality that advances in technology have caused the proliferation of available videos, which may bear on a police-related incident and underscore the need for a formal written policy.

“This policy is intended to set a clear and predictable standard by which the City of Chicago automatically produces to the public video, audio and certain initial police reports related to serious matters involving police action. It is our sincere hope that this policy will be an important step in bringing a greater degree of transparency to police-involved incidents that are of significant interest to the public,” said Lori E. Lightfoot, Chair of the Police Accountability Task Force.

The Task Force’s recommended policy to release video, audio and related information no later than 60 calendar days from the date of defined incidents accounts for the time it takes to identify, gather and review such information; obtain any analyses of forensic evidence; and interview key witnesses. The period may be extended for no more than 30 days and must be supported by a written request by a law enforcement or other investigative agency. Any such extension request must identify the specific Information sought to be temporarily withheld from release. All such requests will immediately be made public under the proposed policy. The Task Force expects that the initial 60-day period will be sufficient in the overwhelming majority of cases. The Task Force’s recommendation also provides that no extension of time beyond 30 days should be permitted.

The policy was developed with input from the Chicago Police Accountability Task Force Working Group members; members of the criminal defense bar; civil rights attorneys and

plaintiffs' counsel; law enforcement agencies; the Independent Police Review Authority and City officials. The Task Force also researched FOIA policies, laws, and general orders from other cities and police departments, and found no specific written policy in the other jurisdictions examined regarding the release of audio or videotape evidence in cases involving a police shooting or involving an in-custody death. The full policy recommendation is available on the Police Accountability Task Force website at: <https://chicagopatf.org/2016/02/16/video-release-policy/>.

About The Police Accountability Task Force

Mayor Rahm Emanuel appointed the Task Force in December 2015 to develop detailed, comprehensive findings with specific recommendations for change in the short, interim and long-term in five important areas of reform: Community-Police Relations, De-escalation, Early Intervention & Personnel, Video Release Policies, and Police Oversight & Accountability. The Police Accountability Task Force has formed five Working Groups made up of a broad and diverse range of professionals, including those in police training, and mental health, as well as elected officials, faith leaders, and community activists. Each Working Group is focused on one of the five areas of reform. They are meeting with organizations and individuals who are subject matter experts, have direct experience with police through one-on-one or group interactions, and others who have additional information and perspectives to share. The Task Force is also holding four Community Forums throughout the month of February so the public can provide direct input. Recommendations will be presented to the Mayor and City Council by March 31, 2016.

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