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# A Strategy for Public Safety in Every Neighborhood

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Chicago city government has a fundamental obligation to ensure its residents are safe, do not live in fear and have uniform access to public safety services. People all over this city, however, do not feel safe. The straightjacket of fear that has gripped far too many communities on the South and West Sides now is enveloping other parts of the city.

People believe that Mayor Rahm Emanuel and the Chicago Police Department (“CPD”) lack a real, comprehensive plan to make a sustainable reduction in the violence and equitably distribute public safety resources throughout the city. This can and must change, and I have a roadmap to make it happen.

Real, widespread and lasting public safety is possible. To start with meaningful violence reductions today and lay a foundation for lasting change, I will institute a series of systemic reforms and innovations in how the city addresses public safety. We will restore peace so that our children do not grow up thinking violence is the norm, where seniors and others will not continue to feel like they are under “house arrest,” or where neighborhoods feel compelled to hire private security to keep them safe because they have lost confidence in the CPD. Public safety cannot be a commodity only available to the wealthy.

Simply put, the city is not meeting its public safety obligations, but under my leadership, we will.

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## 1. Addressing Violence as a Public Health Crisis

First, in order to tackle the violence, we must address it as a public health crisis. Framing the challenges in this way will compel the City to address the root causes of the violence and meet those challenges head on with a toolkit that extends beyond law enforcement. Violence is a symptom of communities in distress; communities that have been crying out for resources, where too many children and adults live in poverty, unemployment rates routinely exceed 25 percent, there are few jobs and not enough job training, and as a result, the percentage of residents receiving some form of government assistance is sky high. These same communities lack housing that is affordable, particularly for families. They suffer from food, medical, mental health, pharmacy and other deserts, and experience deep and widespread trauma on par with that experienced by veterans who have served multiple combat tours in Iraq or Afghanistan. In the face of this distress, and where the illegitimate economy is the largest employer, it is no wonder that violence flourishes.

Viewing what is happening across Chicago as a public health crisis provides the correct framework for “asking and answering the right questions.”<sup>1</sup> Currently, the approach to violence is almost exclusively centered on a reactive, law enforcement focused approach. This law enforcement-first approach is only making modest, incremental change, but not materially significant or sustainable progress. A public health focused approach, by contrast, of course will include law enforcement, but will fundamentally will compel a much more robust and comprehensive approach. It will involve grassroots and other public health, medical and mental health experts to assess the conditions on the ground, determine available assets and stakeholders and then supplement those existing resources with city, state, and federal resources as well as private and philanthropic dollars. In this framework, public health and related experts have a prominent role instead of being absent or only following law enforcement. Rebuilding the quality of life in neighborhoods all over the city must also be happening simultaneously.

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## 2. New Mayor’s Office for Public Safety

To ensure that the city has a comprehensive public health approach to addressing violence and overall public safety, I will create a Mayor’s Office of Public Safety (“MOPS”), a first of its kind in Chicago. Currently, Mayor Emanuel has only two full-time personnel on his personal staff devoted to the broad public safety needs of the city such as police, fire, homeland security, emergency management of natural and man-made disasters, and 911 and other emergency services.<sup>2</sup> This is woefully inadequate, particularly when compared with the resources devoted by the mayors of New York City and Los Angeles. Competent stewardship of the city’s public safety needs and infrastructure requires a real commitment of resources and expertise. And that is precisely what I will bring to the job.

The personnel for the MOPS will include experts drawn from local policing, fire, homeland security and emergency services personnel, as well as public health and social services experts. In order to facilitate the MOPS work, I will ensure that the office has a dedicated funding stream. A primary mission of the new MOPS will be to harness the resources of the city

to more comprehensively and efficiently identify and address the drivers of violence. The MOPS will also be responsible for making sure that public safety resources are equitably distributed throughout the city.

The office's portfolio of responsibilities will include:

- Police department and related resources and oversight.
- A *new* Public Safety Oversight Board with oversight authority over the CPD, the Civilian Office of Police Accountability ("COPA") and the Police Board.
- A *new* Gun Violence Prevention Task Force which will work with the CPD, as well as federal, state, and local law enforcement to proactively address gun violence and the import of illegal guns into Chicago from neighboring jurisdictions and aggressively disrupt gun trafficking activities that result in a high number of illegal guns on Chicago city streets. This task force will also take the lead on formulating and directing violence interruption efforts funded through city resources, as well as city-wide anti-violence public service campaigns.
- Fire Department resources and oversight, and oversight of the Office of Emergency Management and Communications ("OEMC").
- A *new* Working Committee on Individual and Community Wellness which will, among other efforts, focus on rebuilding a network of community-based public and private mental health and wellness assets to address mental health and trauma-related issues, as well as public education efforts to destigmatize mental illness.
- Victim and Witness Support – this initiative will work with community-based groups to more systematically address the needs of victims of all types of violence and those who witness violence in their communities or homes.
- Returning Citizens – this initiative will focus on reintegrating the thousands of individuals who return annually from state or county incarceration so that they have a meaningful chance to build a new life with the necessary support.

In addition to leading and managing these core responsibilities, members of the MOPS will lead coordination efforts with other city departments to respond to communities in need as a result of public safety and public health crises.

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### 3. The Role of Law Enforcement to Address Illegal Guns and Violence

Chicago has an illegal gun problem. Between 2013 and 2016, CPD seized nearly 7,000 illegal guns per year.<sup>3</sup> In 2017, the number jumped to almost 8,700.<sup>4</sup> Despite CPD's best efforts, illegal guns stream into Chicago through illegal gun trafficking from neighboring states with lax gun laws like Indiana and Wisconsin, and states as far away as Mississippi and Texas. Straw purchasers – individuals who purchase guns from retailers and private sellers on behalf of people who cannot legally buy firearms – remain a persistent problem.

We must solve the illegal gun problem if we are going to reduce the crime and violence that plague the city. And we will do that through a proactive, coordinated response led by federal law enforcement officials, strengthening state and federal gun laws, creating a centralized department within CPD responsible for tracking illegal guns throughout the city, and strategically deploying police cameras in neighborhoods.

### A. Coordinated Response Led by the Federal Government

As mayor, I will call upon our federal partners to step up their collective and individual efforts to keep Chicago safe from illegal guns and the resulting violence. I will place significant personal focus and emphasis on this effort. As a former Assistant U.S. Attorney, I know firsthand the importance of this work and more critically, how to get it done.

We must start by examining the sources of illegal guns that wind up on our streets. Sixty percent of illegal guns enter Chicago from outside of Illinois, with approximately 25% coming from Indiana and Wisconsin, combined.<sup>5</sup> Stopping the flow of illegal guns from other states requires a proactive, coordinated response from law enforcement that must be led by the U.S. Attorney for the Northern District of Illinois, in coordination with the ATF, FBI, DEA, and of course the CPD, the Cook County State's Attorney, Cook County Sheriff and the State Police. It is not enough simply to react to the illegal gun problem and arrest and prosecute individuals who possess illegal guns; law enforcement must actively target the sources of these guns. This means developing relationships and working with their respective counterparts in Indiana, Wisconsin, Mississippi, and other states, to identify where guns are being purchased, who is purchasing them, and how illegal guns enter Chicago. Only then will we be able to reduce the number of illegal guns.

In addition to leading a coordinated law enforcement effort, I will push the U.S. attorney's office to increase the number of gun cases it prosecutes. Federal prosecutors in Chicago have consistently lagged behind their counterparts in other jurisdictions in this regard. For example, Chicago's U.S. attorney prosecuted approximately 330 gun cases from 2014 through 2016.<sup>6</sup> During that same period federal prosecutors in Baltimore brought more than 550 gun cases.<sup>7</sup> This trend continued in 2017, when federal prosecutors in Manhattan and Detroit filed twice as many gun cases than in Chicago, and federal prosecutors in St. Louis filed nearly three times the number.<sup>8</sup> While the number of federal gun cases filed in Chicago has increased recently, the number of prosecutions for more serious gun-related crimes like trafficking and selling guns has remained very small.<sup>9</sup> The U.S. attorney and its federal partners must be part of the solution, and that requires them to be far more proactive than they have been

### B. Strengthen Existing State Gun Laws and Pass Legislation Regulating Gun Dealers

In an effort to help law enforcement and local prosecutors, I will work with Illinois legislators to strengthen existing gun laws to discourage straw purchasers and punish traffickers, as well as address problems arising from those who fail to report lost or stolen guns, and those who do not properly document private gun sales. I also will push the governor to sign Senate Bill 337, the Firearm Dealer License Certification Act.

Under existing Illinois law, prosecutors must show that a straw purchaser "knowingly" purchased or attempted to purchase a gun with the intent of delivering it to someone who is barred by state or federal law from owning a firearm.<sup>10</sup> I will work to amend the law to create a rebuttable presumption of knowledge standard, which will make it easier to prosecute and convict straw purchasers.

Illinois law also applies a "knowing" standard on individuals who fail to report a firearm lost or stolen within 72 hours after obtaining knowledge of the loss or theft.<sup>11</sup> This "knowing" standard makes it easy for people to avoid liability under the law for illegal transfer of firearms by simply

saying they first learned of the loss or theft of a firearm when they were notified by the police. I will work to change the law to create a rebuttable presumption of knowledge standard after a reasonable period of time has elapsed – 30 days – after the actual loss or theft of a firearm. I will also push to amend the law to include stiffer sanctions. As presently written, the first violation for failure to report is considered a “petty offense” punishable by a fine.<sup>12</sup> Any subsequent violation is a Class A misdemeanor. By increasing sanctions, we will incentivize individuals to timely report lost or stolen firearms.

Finally, I will continue to push the governor to sign Senate Bill 337, a bipartisan bill that would require gun dealers to certify their federal license with the Illinois State Police. The bill would require gun dealers to take steps to protect against straw purchases and would impose penalties on gun dealers that do not keep adequate records of gun sales. This bill provides another tool in the fight to keep illegal guns from our streets.

### C. Support Federal Law Prohibiting Gun Trafficking

After Democrats take control of the U.S. House of Representatives in November 2018, I will personally lobby members of the Illinois congressional delegation to co-sponsor and pass Representative Robin Kelly’s Gun Trafficking Prevention Act, which would make firearms trafficking a federal crime and would impose increased penalties for straw purchasers. Representative Kelly has introduced this legislation in each of the last two congressional sessions, only to see the bill held up by Republicans and the NRA. When passed, this bill will make our neighborhoods safer by providing federal law enforcement a valuable tool for intercepting illegal guns and prosecuting gun traffickers.

### D. Give CPD a 360-degree View of Illegal Guns

As mayor, I will create an office within CPD that will have a 360-degree view of gun-related violence in the city and be responsible for identifying from where and through whom illegal guns move around the city. The investigation of gun crimes and gun trafficking by the CPD is too diffuse. At present, CPD is divided into three detective areas – North, Central and South – which means that information about illegal gun activity, on-going investigations and crime suppression activities does not move easily through the department. The lack of information flow unnecessarily complicates CPD’s work. By placing this responsibility in a single office, which will hold weekly “GunStat” meetings to track all gun arrests, cases and suppression strategies, CPD can increase information flow and provide detectives an additional tool for investigating and solving gun-related crimes.

To aid in this effort, my administration will devote resources to increase the number of hours CPD’s crime lab is open, the number of firearms examiners, and the number of shifts examiners are available to process gun crime evidence. In addition, we will provide resources necessary to purchase a dedicated mobile laboratory to process ballistics evidence. The mobile lab costs approximately \$300,000, which is less than the average amount CPD spent per day on police overtime between 2013 and 2017. The van can be dispatched immediately to shooting scenes and is capable of processing ballistics information in two to four hours, instead of days. Providing beat police and detectives with ballistics results in the critical hours following a shooting can provide valuable leads and improve the chances of solving these crimes.

## E. Make Better Strategic Use of Police Cameras in Our Most Violent Neighborhoods

CPD must be more strategic in the deployment of about placing police cameras in neighborhoods so it can deter violence and improve its clearance rates. We know that most shootings occur outside. In fact, over the weekend of August 3-5, 2018, there were approximately 70 shootings resulting in 12 homicides – most of which occurred outside. Yet, to date, only one person has been arrested in connection with these mass casualty shootings. In the absence of the strategic deployment of police cameras, violent crime will continue to flourish. Violent individuals, who use guns as weapons, must be on notice that a network of camera exists to aid in their apprehension. This kind of deterrence is essential.

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## 4. Rebuild Community Relations and Reform Police Practices

### A. Rebuild Community Relations

If Chicago is to succeed, then CPD must succeed. And for far too long, and despite the efforts of the vast number of current and former officers who are dedicated public servants committed to lawful policing, CPD has not succeeded at bridging the gap between it and the communities it serves.

For decades the CPD has had a fraught relationship with minority communities, stemming from historical racism, decades of mistreatment, and unconstitutional and questionable policing practices. Examples include the 1969 killing of Fred Hampton, CPD's discriminatory hiring practices, the torture and abuse inflicted by Jon Burge and his "Midnight Crew," Chicago's unconstitutional gang loitering ordinance, and, more recently, the widespread use of stop and frisk policing and the use of excessive force.

CPD's stop and frisk policing and use of excessive force disproportionately impact our minority communities and delegitimize the police. According to the Police Accountability Task Force ("PATF"), "in the summer of 2014, the CPD stopped more than 250,000 people in encounters not leading to arrest." Of those stopped, 72%, or approximately 180,000 people, were black, and 17%, or approximately 42,500, were Hispanic.<sup>13</sup> Statistics regarding CPD's use of force are equally alarming. The PATF reported that of the 404 people shot by CPD officers between 2008 and 2015, 74% were black and 14% were Hispanic.<sup>14</sup> And of those tasered between 2012 and 2015, 76% were black and 13% were Hispanic.<sup>15</sup> It is no wonder then that deep divisions exist between CPD and communities of color.

Communities will not be safe and the police will not be successful in their core mission to serve and protect, if there is no trust between the two. People must genuinely believe that the police are legitimate and a force for good, and the police must believe that respectful, constitutional engagement with the community is their most powerful tool. While the reasons are many, currently, there is a persistent, deep divide between city government and the CPD on one side and Chicago's residents on the other. I am committed to continuing work to bridge this divide. Both the PATF, which I chaired, and the Obama Department of Justice ("DOJ") have laid out specific roadmaps to help address this problem. I support and embrace those efforts, including:

- i. **Creating a new Chief Diversity Officer for the CPD.** This is a PATF recommendation that was never seriously discussed or implemented. However, it is critically important that someone within CPD be responsible for focusing on diversity within CPD and making sure that CPD reflects the diversity of Chicago at every rank, and that policies and strategies implemented do not discriminate against any group.
- ii. **Designing a real community policing strategy that rebuilds what was lost when the disinvestment in CAPS began.** From adding more staff, to focusing on ensuring officers have an opportunity to get out of their cars and spend time in the communities they serve, I will prioritize building relationships as much as making arrests. This means shifting officers from specialized units and putting them back in their districts where they will reduce violence in partnership with Chicago's communities.
- iii. **Peace and reconciliation efforts.** The city needs to establish a city-wide race and reconciliation process to bridge the divide. To do this, we will look to organizations like the National Initiative for Building Community Trust and Justice, which have successfully helped cities develop healing and reconciliation processes to address the divide between police and communities.
- iv. **Community and government summits.** The CPD needs to regularly engage with its community partners all over the city to hear from community members about the challenges they face and opportunities to advance community-police relations. In addition, CPD needs to engage with Cook County officials, including the state's attorney and sheriff, to coordinate law enforcement efforts and implement programs aimed at helping ex-offenders.
- v. **Community involvement in officer training.** Beyond the nascent efforts on community academies, the training curriculum for both recruit and promotion classes should regularly include segments in which community leaders teach classes from the community perspective. These classes must be scenario-based.
- vi. **Increasing core competencies about neighborhoods.** Training for recruit and promotion classes must include information about all 77 neighborhoods in Chicago which includes history, demographics and analyses, beyond mere crime statistics. In addition, the CPD must insure that officers learn about the various community and social service organizations within the district and services provided. Any officer who serves in a community must be provided neighborhood specific training.
- vii. **Recruits' orientation in first districts of assignment.** Borrowing from the NYPD, before a recruit starts his service in a neighborhood, he must spend two weeks in that district, during the daylight hours, meeting with community leaders so that he can get a better understanding of the neighborhood from the resident perspective and start to build relationships with community members.

## B. Reform Police Practices

In an effort to reduce violence, my administration will continue and accelerate the pace of reform in the CPD. Aside from ensuring full and swift compliance with any consent decree, we will also go beyond the four corners of the document to include other reforms recommended by the PATF and the roadmap provided by the Obama DOJ. These reforms include providing civilian oversight of the CPD, building trust between CPD and the communities it serves,

addressing racial divides, restoring beat integrity, improving CPD training to deal with youth, creating programs where mental health professionals help police respond to calls, and resuming publication of CPD's Annual Report. In addition, given this focus, we will work to implement the change in a cost-effective way because with this focus the CPD will exit the consent decree as quickly as possible.

i. Civilian oversight and improved police training

If we are to ensure Chicago's success, we must:

- **Implement civilian oversight of CPD.** PATF recommended the creation of a community oversight board, but it did not recommend particular powers and processes, choosing instead to defer those decisions until after the mayor and city council held "full and robust" public meetings and fully vetted the "design and implementation of this critical body." The mayor and city council have not followed this recommendation.

However, the Grassroots Alliance for Police Accountability ("GAPA") has, and I support many of GAPA's recommendations, which include establishing a seven-person oversight commission with four-year terms. The city council would establish the professional qualifications required to serve, and commissioners could be removed by a two-thirds vote of the city council.

The oversight commission would have the power to hire and fire the police superintendent, the Civilian Office of Police Accountability ("COPA") chief administrator, and the Police Board. The commission also would conduct annual reviews of CPD, policymaking for CPD and COPA, and community outreach and engagement. In addition, GAPA's plan calls for establishing three-person district councils in each of Chicago's 22 police districts to, among other things, build connections between the police and the communities they serve, develop community policing initiatives tailored to those specific districts, and act as conduits between communities and the oversight commission.

- **Restoring Beat Integrity.** We must renew the commitment to beat-based policing and expand community patrols so that officers have an opportunity to get to know the communities in which they serve which, if done right, will strengthen communities.

- **Training on Interacting with Youth.** Improve the quality and depth of training that officers receive with respect to youth. Such training must be trauma-informed, and based on restorative justice principles.

- **Mental Health Professionals as Co-Responders.** Due in part to cutbacks to social services arising from city and state budgetary decisions, we ask the police to take on responsibility for matters outside their expertise, including being the lead responders on calls regarding mental health issues. While every officer should be trained in crisis intervention tactics, we cannot expect police to be lead mental health responders in addition to the other roles they serve.

Under my leadership, the city will create multi-layer, co-responder systems in which mental health professions work with OEMC and CPD to link individuals to community-based treatment options. Following the model used in other cities such as Oakland, California, mental health experts will respond to calls for service with the CPD, and as appropriate, take the lead. Additionally, CPD will provide every sworn officer with crisis intervention training so they can better respond to calls with individuals experiencing mental health-related issues.

## ii. Build a Constitutionally Conscripted, Legitimate and Effective 21st Century Police Force

Chicago must do more to ensure that it has a constitutional, legitimate and effective police force. CPD can do this by taking several steps.

- **Eliminate Intentional Lying.** Reforming the CPD must start with eliminating a culture of lying. CPD can no longer tolerate police officers who intentionally lie in the discharge of their duties, either by commission or omission. Lying is wholly inconsistent with an officer's sworn duty to serve and protect. Lying is a cancer and will destroy the integrity and legitimacy of policing.<sup>16</sup> This is manifest in the extraordinary lawsuits filed against the CPD and the significant number of settlements due to "inconsistencies" in officer testimony that is at odds with forensic and other evidence. Tolerance of lying must end. Also, the consequences for violating the CPD Rule 14 which bans lying must be swift and severe. Police officers who are not truthful and place their personal interests over the city's must be removed from the force.

- **Changes in the Selection, Support and Accountability of CPD Supervisors.** We cannot meaningfully address CPD's culture without changing the way it selects and trains supervisors, particularly sergeants. On a daily basis, sergeants touch and have more influence on the lives of line police officers than any other supervisor. Thus, in order to change the culture, it is essential that the sergeants' corps reflect the values of a reformed department.

A first, and necessary step is to *redesign the sergeant selection criteria*. The current selection test is approximately 12 years old. The age of that test underscores the need to have current job description and selection criteria that reflects the current realities of a sergeant's new responsibilities. Those responsibilities must go beyond managing crime suppression and investigation efforts. Sergeants must be the eyes and ears of a department when officers need help or, worse, have gone astray. They must be trained to not just spot problems with their supervisees, but to use appropriate intervention techniques. Sergeants need to be supported with training and professional development.

There must also be a culture of accountability among all supervisors.

Overall, the CPD must create a fairer and more transparent promotion system. The selection of supervisors must be premised on merit and ability to do the whole job, not just part of it. Promotions premised on clout must be eliminated. The goal should be to create a cadre of effective and respected leaders who are representative of the communities they serve.

- **Expansion of Efforts to Diversity CPD.** The CPD must place more emphasis and attention on not just recruiting minorities to take the police entrance test, but it must do more to ensure that minority candidates are admitted into the police academy, which is an area where CPD continues to lag behind other police departments.

- **Additional Efforts to Create Legitimacy and Accountability.** The CPD must continue to do more to increase internal and external legitimacy and accountability. Aside from the extensive recommendations by the PATF and Obama DOJ on these issues, the CPD can do this by creating a hotline for members to anonymously report actual or suspected police misconduct. CPD must also expedite the completion and implementation of an early intervention system to identify officers with problems at the earliest possible stage. Supervisors must be trained in a range of interventions and be held accountable for implementing an intervention strategy with problem officers.

### iii. Replace CPD's "gang database" and stop sharing information with ICE

As mayor, I will replace CPD's "gang database" and impose strict guidelines for operating and maintaining any replacement database so it only includes intelligence collected from real, credible police investigations and is regularly audited to make sure that the information remains relevant and credible. Additionally, I will prohibit CPD from sharing information from the databases with U.S. Immigration and Customs Enforcement ("ICE").

CPD's current gang database is actually a collection of multiple police databases containing information on more than 128,000 individuals, including 163 who are in their 70s or 80s, and 15 individuals who are supposedly at least 118 years old.<sup>17</sup> Seventy percent of the people listed in the database are black and 25% are Hispanic.<sup>18</sup> As has been widely reported, the databases are full of errors and discrepancies, yet CPD and other law enforcement offices use the database in criminal investigations and court proceedings, including immigration proceedings.<sup>19</sup>

The most blatant and pressing problem that CPD has not addressed, despite a lawsuit and public pressure, is that CPD lacks clear guidelines for classifying an individual as a gang member and including him or her in a database. Officers can, at their discretion, classify an individual as a gang member, which means the decision can be based solely on a person's address or from what officers hear from credible sources.<sup>20</sup> Teachers are considered credible sources, so if a teacher files a report to remove a problem student from his or her classroom, CPD will, without the teacher's knowledge or understanding, enter that student's name in one a database. And once a name is entered into the database it is nearly impossible to remove.<sup>21</sup> This is problematic because being on the list can prevent a person from getting a job or housing, and it can lead to immigrants being deported since CPD shares information from the database with ICE.<sup>22</sup>

The first step in overhauling the database is to audit the existing databases and focus on developing detailed criteria for including new names. After determining those criteria, which will be determined with public input, CPD will implement a system of regular audits to ensure existing names meet the criteria. If a name does not meet the criteria, then it will be removed. Most critically, individuals will have the ability to petition to be removed from the database.

### iv. Reduce the Number of Police Misconduct Claims

The delegitimization of CPD is further reflected in the enormous amounts Chicago pays to defend and resolve police misconduct claims. These claims result from the actions of a subset of the city's more than 12,000 sworn officers. Between 2004 and 2016, more than 95% of officers *never* discharged their weapons.<sup>23</sup> However, during that time, 130 officers discharged their weapons more than once, 24 officers did so three or more times and one officer fired his weapon six times.<sup>24</sup> Outside of police-involved shootings, recent research looked at almost 23,000 civilian complaints filed against CPD officers between 2000 and 2018, and identified networks of problem officers with unusually large numbers of civilian complaints against them who were connected to police misconduct claims.<sup>25</sup> According to the research, the officers at the center of these networks were more than five times as likely to be involved in an incident resulting in a payment by the city to resolve a police misconduct claim.<sup>26</sup>

Chicago cannot continue to pay for the actions of officer who are bad actors. Indeed, every year 200 plus new federal lawsuits are filed against the city and individual officers. At any given time, hundreds of these lawsuits are pending which makes Chicago a national outlier in the sheer volume of excessive force and misconduct cases filed.

The costs of these lawsuits are soaking taxpayers. From 2011 through 2016, the city paid more than \$370 million in settlements, judgments and attorneys' fees for police misconduct claims, or \$51.4 million annually.<sup>27</sup> In 2017, the city borrowed another \$225 million to cover future settlements and judgments,<sup>28</sup> and in the first seven months of 2018 police misconduct claims have already cost the city \$45 million.<sup>29</sup> This amount of money cannot be brushed off as merely the work of opportunistic plaintiffs' lawyers. The outrageous amounts spent have not created a sense of urgency in the Emanuel administration, but it will in mine.

The nearly half a billion dollars spent in the last seven years, is not sustainable and we, as a city, must demand more. We can reduce the number of misconduct claims and the resulting settlements through refusing to treat this gross waste of taxpayer dollars as a cost of doing business. Currently the CPD, like all city departments, fails to conduct any risk management over any of its operations, including allegations of misconduct. That will change in a Lightfoot administration. By instituting risk management procedures, the CPD will be compelled to ask basic questions such as:

- Are there patterns in the kinds and number of citizen complaints and lawsuits?
- Are there training deficiencies underlying these voluminous allegations?
- Are there problems arising from the failure of supervision?
- Are the issues centered on a particular unit, group or division?

By asking these and other basic questions, instead of silently ignoring this avalanche of red flags, CPD can begin to get its house in order. The city's Law Department also has a role to play since its lawyers and outside counsel have an intimate knowledge of these cases and the nature of systemic problems. In my administration, the Law Department will also have a risk management unit that will work hand in hand with a city-wide risk manager to flag and mitigate these kinds of risks to the city and taxpayers.

We must also institute tougher accountability measures, as well as better training and increased supervision and early interventions, as outlined above. Better training for all officers will make them less likely to engage in misconduct, and through better supervision and early interventions we can identify officers who are likely to engage in misconduct and get them additional training. If the training is not successful, then these officers will be removed from the force. This will drive down the staggering annual costs incurred to defend and settle misconduct claims and help restore legitimacy to the police department.

#### v. Increase Chicago's Homicide Clearance Rate to Meet or Exceed the National Average

Homicide clearance rates are important for several reasons. First, they can act as a deterrent to crime; a high clearance rate conveys to criminals the likelihood of being arrested. Second, solving crimes provides victims with a measure of justice and sometimes closure. Also, clearance rates inform the public's sense of safety and signal law enforcement's commitment to public safety. Right now, Chicago's clearance rates are sending the wrong signals to criminals and the general public.

From 1978 to 2016, Chicago's homicide clearance rate, defined as the number of homicides cleared in the year in which they were committed, fell from 82% to 26%.<sup>30</sup> And between 2016 and 2017, Chicago's clearance rate plummeted to 17.5%.<sup>31</sup> That means a murderer in Chicago has an 82.5% chance of avoiding arrest. The clearance rate for victims of non-fatal shootings is in the single digits. This is unacceptable.

My administration will make improving the homicide clearance rate a top priority. Success will require better leadership, focus, training and accountability. This means supervisors doing a better job of communicating, monitoring cases and offering help to clear cases. It also means proactively identifying detectives who need increased training or some other intervention, including demotion.

More importantly, success will require:

- Beat officers to continue diligently forming relationships in the community through the beat integrity measures identified above. Beat officers and detectives must forge better relationships between themselves.
- Better on-scene evidence collection – From better hiring and training for evidence technicians, to better training for patrol officers on evidence collection (regardless of their status as an evidence technician), CPD must better protect and process scenes in order to build better cases.
- Detectives to get out from behind their desks and actively engage with, and develop relationships in, the communities they serve.
- Data analysts for the Detective unit. Analysts will serve two functions: (1) helping detectives search through mountains of data to determine case trends and find supporting evidence; and (2) track and improve understanding of case processing and management.
- Moving more detectives to the districts to work hand-in-hand with patrol officers. While the majority of detectives should stay in the detective areas for alignment with their teams, some homicide detectives must be embedded in the districts, meeting with and building relations with frontline officers. From attending meetings, to better integrating with CPD's innovative Strategic Decision Support Centers, detectives need to be on the ground and in the districts building relationships. These detectives must also be trained to understand and utilize analysis from all crime-fighting technology, including NIBIN and ShotSpotter.
- Providing attention and support for victims and their families, and witnesses.
- Better alignment with the Cook County State's Attorney – Bringing prosecutors into the fold early and often with CPD investigations is a critical to improving clearance rates.

Gang and drug-related homicides can be more difficult to clear because witnesses may be less willing to cooperate, either because they do not know and trust the police, or because they fear retribution. Detectives, therefore, cannot engage with individuals and communities for the first time in the wake of a shooting. This work must be done on the front-end, long before police need to canvass a neighborhood or interview potential witnesses.

We cannot expect the police to shoulder full responsibility for engaging with communities and building lasting, meaningful relationships. When the police reach out to communities to bridge divides and build relationships, the communities must respond in kind. And when the police do not initiate the outreach, the community must.

#### vi. Increasing Transparency at CPD

CPD can help restore legitimacy and trust by being far more transparent. Every day, the CPD collects voluminous amounts of data regarding calls for service, crimes committed, crimes solved, trends and more. Yet, very little of the data is available in real time, i.e. without filing a Freedom of Information Act (“FOIA”) request. Also, the Bureau of Internal Affairs (“BIA”) remains a black hole. Like COPA, the BIA must come out of the darkness and provide data regarding its handling of non-confidential cases. The BIA publicly promised such transparency several years ago, and to date, has failed to deliver.

CPD must be more transparent. It should create a user-friendly data portal so that residents can readily access information about what is happening in their neighborhoods. Such transparency would provide an important measure of accountability.

CPD must also resume publishing annual reports that provide comprehensive data about violent crime, arrests by neighborhood, case clearance rates, crime trends, CPD policing strategies, allegations of misconduct and information about CPD’s size, structure and budget. Mayor Emanuel and former Superintendent Garry McCarthy discontinued publishing annual reports after the document covering 2010.<sup>32</sup> And while CPD said it would resume publishing annual reports in 2017, it has not delivered on its promise.<sup>33</sup>

The annual reports provide needed transparency and insight into CPD’s priorities, practices and procedures. Annual reports allow the public to assess new policing strategies shortly after they are implemented, ensure the strategies comply with best practices, and help CPD determine whether they should be deployed on a larger scale. Similarly, the public can see from the reports where CPD is struggling, like with declining homicide clearance rates. If the public can easily track declining clearance rates, then they can call attention to the problem earlier and work with CPD on reversing the trend, whether by advocating for improved police practices and training or through greater community involvement and interaction with CPD.

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## 5. Other Efforts to Address Violence and Help Ex-Offenders Reintegrate into Society

We cannot rely exclusively on “hard powers,” like arrests, prosecutions and imprisonment, to reduce crime and violence. This “hard” power only strategy has not worked and it has led to the mass incarceration of minorities. As a result, the city and its partners must also use “soft powers” to address the root causes of violence. There must also be an emphasis on revitalizing economically depressed neighborhoods, ensuring access to quality schools in every neighborhood, and eliminating the food, health care, mental health and other deserts which deprive individuals and families of the resources they need to thrive. We must also increase resources devoted to interrupting violence, and services to ex-offenders to ease their transition back into society.

### A. Placing a True Focus on Revitalizing Our Neighborhoods.

Revitalizing neighborhoods will no doubt drive down violence. Between 2012 and 2017, the four neighborhoods with the highest average annual homicides rates were Austin (55.1), Englewood (51.6), North Lawndale (24.6) and Roseland (22.8).<sup>34</sup> Between 2011 and 2015, the most recent years for which data are available, the five-year unemployment rates in those neighborhoods were, 19.5%, 36%, 23.4% and 22.4%, respectively.<sup>35</sup> It is no secret that lack of economic opportunity drives violence; people who cannot find work in the legitimate economy seek out other, illegitimate means to make money.

The city must make neighborhood revitalization a key priority. City funds must be repurposed for this critical investment. The city can lead on this front by:

- Conducting a neighborhood by neighborhood asset survey to determine strengths and opportunities for investment of resources.
- A renewed emphasis on building up small businesses, in the neighborhoods, starting with working with banks and other sources of financing to lower barriers to capital.
- Eliminating food, medical, mental health and pharmacy deserts.
- Comprehensive neighborhood-based wrap around job training services to build a pipeline to jobs which pay at least a living wage.
- Relocating certain city departments from downtown into our neighborhoods. By relocating to neighborhoods, city agencies can act as anchor tenants, provide a core pool of customers for local businesses, and help draw into these neighborhoods individuals and businesses who would not otherwise visit or locate there.
- Creating strong neighborhood schools. To ensure that businesses can thrive in these communities and draw from a qualified talent pool, Chicago Public Schools must provide children access to a quality education in the neighborhoods where they live. Strong neighborhood schools create a sense of community, act as anchors for neighborhoods, provide a better educated workforce, and help reduce violence.<sup>36</sup>

### B. Use Violence Intervention Techniques to Reduce Violence and Incarceration

Chicago cannot continue to trail police departments in other cities that partner with the public, community organizations and social service agencies to actively reduce violence and incarceration. CPD uses predictive analytics to help identify individuals who are most likely to commit, or become victims of, violence,<sup>37</sup> but it does not take full advantage of community-police relationships to conduct interventions with those individuals and their families to stop violence.

Boston, Oakland and other cities have used these violence intervention techniques with great success. Using social networking tools, police departments can identify which individuals are most likely to commit or become victims of violence. These police departments then mobilize with community service and public health organizations to meet with individuals and their families in an attempt to deter violence. These “call-ins” and “custom notifications,” which can include trained interventionists, mediators, public health providers and former gang members, inform individuals of the legal risks of committing violent acts, and provide vital counseling, trauma-related services and advice. Doing this work on the front end, or shortly after a violent crime has been committed, reduces the likelihood of further violence and helps build ties between the police and communities they serve. In addition, these techniques lead to lower incarceration rates.

Oakland, California started Oakland Ceasefire in 2013, and its police department reported in August 2018 that the program was “the driving factor in a roughly 50 percent drop in gun-related killings and injuries” over a seven-year period.<sup>38</sup> Chicago used a similar strategy at the peak of its violence reduction success in 2013, but has gradually moved away from this strategy over the last five years. Chicago must recommit to using proven violence intervention techniques and expand its use of the significant community, social and public health resources available to it to tackle the violence problem.

### **C. Fight Recidivism and Help Ex-offenders Re-enter Society**

The city must do more to help ex-offenders re-enter society and stay there. Far too many people who are released from prison or sentenced to probation recidivate. The Illinois Sentencing Policy Advisory Council (“SPAC”) estimates that 59,000 people in Illinois will be released from prison or sentenced to probation each year for the next five years.<sup>39</sup> For people released from prison, 17% recidivate within one year and 43% recidivate within three years.<sup>40</sup> For those sentenced to probation for a felony offense, 17% recidivate within the first year and 35% recidivate within three years.<sup>41</sup> And these numbers increase with time.

This has real costs, both financially and socially. SPAC estimates the total financial cost for each recidivism event at \$151,662, with one-third of the costs, or \$50,835, paid by taxpayers for law enforcement, court proceedings, sentencing and incarceration. Recidivism has social costs, too, as young men and women cycle through our neighborhoods. This can lead to constantly fluctuating populations, stress on social service agencies and further victimization of residents.

It is imperative that we reduce recidivism. I will do this by implementing an initiative that brings local, state and federal law enforcement, community organizations, social service agencies and employers together to promote strategies aimed at preparing ex-offenders to become productive members of our communities.

Under this program, which will be modeled after the successful Project Safe Neighborhood program, ex-offenders who are recently released from prison or placed on probation will attend offender notification meetings that will include: (1) presentations from local, state and federal law enforcement officials on state and federal laws and the consequences repeat offenders face for violating those laws; (2) presentations from ex-offenders and gang members who have turned their lives around, survivors of gun violence, and family members of those affected by crime and violence; (3) presentations from community organizations and social service agencies focused on education, job counseling, job training, substance abuse counseling and mental health counseling; and (4) the opportunity to interview for jobs and apprenticeships with businesses and trade unions in the communities to which ex-offenders will return. Through this program we can reduce recidivism and violence, and ease the often-difficult transition into society.

### **D. Proactively Address and Resolve Post-Conviction Appeals**

The city must do more to resolve wrongful conviction claims before they result in multi-million dollar, taxpayer-funded settlements. Post-conviction appeals can take years to make their way through the legal system, and when convictions are overturned the wrongfully convicted often sue the city and recover significant damages. The city has every incentive to get involved in these cases at an early stage, yet it currently chooses not to. When I am mayor, the city will sign a memorandum of understanding with the Cook County State’s Attorney that allows the city to identify and, as appropriate, resolve these cases early on in the post-conviction process.

By getting involved at an early stage and reviewing the case files, the city can better evaluate if the cases involve either police misconduct or other deprivations of civil rights. By identifying any such issues early on, CPD can take remedial measures to stop the misconduct. And if cases involve the same officer or officers, CPD can either steer the officer(s) into an intervention program or manage them out of the department. This will lead to a better trained, more professional police department, as well as save taxpayers' money.

The city's early involvement also benefits the wrongfully convicted, and the city. The sooner we resolve these cases, the sooner a wrongfully convicted person can leave prison and begin rebuilding his or her life. To help this effort my administration will offer exonerated individuals job counseling and training, mental health and drug counseling, and, as appropriate, free GED training or tuition covering 60 credit hours (enough to earn an associate degree) at any City College of Chicago.

And while the city cannot prevent the wrongfully convicted from suing, the city can, by taking the steps described above, reduce its exposure to large judgments and settlements that continue to add to the city's debt.

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## 6. Develop Relevant Educational Programming for CPS Students

In 2016, approximately 19% of Chicago's homicide victims were between the ages of 10 and 19.<sup>42</sup> Chicago cannot continue to lose children and teens to senseless gun violence if it wants to be a vibrant, inclusive city that provides opportunity for everyone. Nor can Chicago afford for large numbers of its youth and communities to continue to be traumatized by gun violence and crime.

Therefore, as mayor I will ask Chicago Public Schools to begin developing a K-12 curriculum that teaches children about the dangers of guns and gun violence, and how they can work within their communities to end violence and the scourge of illegal guns. The curriculum will also include sections devoted to conflict resolution, social justice and identifying and treating trauma associated with guns and violence.

This initiative will provide real opportunities for children and young people to learn and practice alternative dispute resolution, and connect them with productive and meaningful outside-of-school activities that will enhance their abilities to seek, obtain, and retain gainful employment year-round. A key focus will be on expanding our notions of learning beyond the set school day.

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### A final note:

I hope that this initial plan can be an important part of moving our city in the right direction and also that it can spark an ongoing conversation on public safety. Please send your thoughts and ideas to [info@lightfootforchicago.com](mailto:info@lightfootforchicago.com) and we will build on this plan together.

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- <sup>1</sup> Centers for Disease Control, National Center for Injury Prevention and Control, "The Public Health Approach to Violence Prevention," p.1, available at: [https://www.cdc.gov/violenceprevention/pdf/PH\\_App\\_Violence-a.pdf](https://www.cdc.gov/violenceprevention/pdf/PH_App_Violence-a.pdf).
- <sup>2</sup> While there are only two full-time personnel in the mayor's office managing the city's vast and complicated public safety policy and practices, there are approximately 10 people working in the mayor's personal press office.
- <sup>3</sup> City of Chicago, Gun Trace Report 2017 at p. 3, available at: <https://www.cityofchicago.org/content/dam/city/depts/mayor/Press%20Room/Press%20Releases/2017/October/GTR2017.pdf>.
- <sup>4</sup> Sun-Times Wire, CPD boasts 'significant' reduction in gun violence in 2017 (January 1, 2018) available at: <https://chicago.suntimes.com/crime/cpd-boasts-significant-reduction-in-gun-violence-in-2017/>.
- <sup>5</sup> City of Chicago, Gun Trace Report 2017 at p. 8.
- <sup>6</sup> Sam Hart, Federal gun prosecutions in Chicago region lag despite shooting epidemic (May 1, 2017) available at: <https://www.injusticewatch.org/interactives/2017/gun-crimes/>.
- <sup>7</sup> *Id.*
- <sup>8</sup> Mick Dumke, Jon Seidel and Frank Main, Watchdogs: More fed gun cases, but Chicago trails other cities (April 7, 2017) available at: <https://chicago.suntimes.com/news/watchdogs-more-fed-gun-cases-but-chicago-trails-other-cities/>.
- <sup>9</sup> *Id.*
- <sup>10</sup> 720 ILCS 5/24-3.5(b).
- <sup>11</sup> 720 ILCS 5/24-4.1(a).
- <sup>12</sup> 720 ILCS 5/24-4.1(d).
- <sup>13</sup> Police Accountability Task Force, Recommendations for Reform: Restoring Trust between the Chicago Police and the Communities they Serve, April 2016 at p. 9, available at: [https://chicagopatf.org/wp-content/uploads/2016/04/PATF\\_Final\\_Report\\_4\\_13\\_16-1.pdf](https://chicagopatf.org/wp-content/uploads/2016/04/PATF_Final_Report_4_13_16-1.pdf).
- <sup>14</sup> *Id.* at p. 7.
- <sup>15</sup> *Id.*
- <sup>16</sup> See Megan Crepeau, Dan Hinkel, Jason Meisner and Jeremy Gorner, Three Chicago cops indicted in alleged cover-up of Laquan McDonald shooting details (June 28, 2017) available at: <http://www.chicagotribune.com/news/laquanmcdonald/ct-laquan-mcdonald-shooting-charges-20170627-story.html>; Andy Grimm, Trial of cops charged with Laquan McDonald cover-up moved to November (June 19, 2018) available at: <https://chicago.suntimes.com/news/trial-of-cops-charged-laquan-mcdonald-cover-up-moved-november-joseph-walsh-david-march-thomas-gaffney/>.
- <sup>17</sup> See Mick Dumke, Chicago's gang database is full of errors – and records we have prove it (April 19, 2018) available at: <https://www.propublica.org/article/politic-il-insider-chicago-gang-database>.
- <sup>18</sup> *Id.*
- <sup>19</sup> *Id.*; see also Jacqueline Serrato, Lawsuit seeks mechanisms to contest individuals' inclusion in Chicago gang list (June 19, 2018) available at: <http://www.chicagotribune.com/voiceit/ct-lawsuit-seeks-mechanisms-to-contest-individuals-inclusion-in-chicago-gang-list-20180619-story.html>; Griselda Flores, Chicago police admission exposes loophole in the city's sanctuary protection (December 27, 2017) available at: <https://www.citylab.com/equity/2017/12/chicago-gang-database/549149/>.
- <sup>20</sup> See Mick Dumke, Chicago's gang database is full of errors – and records we have prove it (April 19, 2018) available at: <https://www.propublica.org/article/politic-il-insider-chicago-gang-database>.
- <sup>21</sup> *Id.*
- <sup>22</sup> See Chicago's gang database needs an overhaul for fairness and accuracy (July 30, 2018) available at: <https://chicago.suntimes.com/opinion/gang-database-chicago-police-alderman-munoz-due-process-editorial/>.
- <sup>23</sup> See Rob Arthur, 130 Chicago officers account for 29 percent of police shootings (August 16, 2018) available at: <https://theintercept.com/2018/08/16/chicago-police-department-officer-involved-shooting/>.
- <sup>24</sup> *Id.*
- <sup>25</sup> See Rob Arthur, Bad Chicago cops spread their misconduct like a disease (August 16, 2018) available at: <https://theintercept.com/2018/08/16/chicago-police-misconduct-social-network/>.
- <sup>26</sup> *Id.*
- <sup>27</sup> See Jonah Newman, Police misconduct payouts continue to break the bank in Chicago (June 8, 2017) available at: <https://www.chicagoreporter.com/police-misconduct-payouts-continue-to-break-the-bank-in-chicago/>.

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<sup>28</sup> See Steve Daniels, How Chicago's financing of police-misconduct payouts adds hundreds of millions to the tab (July 6, 2018) available at: <http://www.chicagobusiness.com/article/20180706/ISSUE01/180709939/chicago-police-misconduct-settlement-costs-inflated-by-debt>.

<sup>29</sup> See Chicago police misconduct settlements reach \$45 mln in 2018 (July 25, 2018) available at: <https://www.dailyherald.com/article/20180725/news/307259945>.

<sup>30</sup> <https://urbanlabs.uchicago.edu/attachmentsstore/2435a5d4658e2ca19f4f225b810ce0dbdb9231cbdb8d702e784087469ee3/UChicagoCrimeLab+Gun+Violence+in+Chicago+2016.pdf>.

<sup>31</sup> See Aamer Madhani, Why Chicago PD can't get more residents to identify gun violence victims (August 7, 2018) available at: <https://www.usatoday.com/story/news/2018/08/07/chicago-gun-violence-homicide-clearance/925630002/>.

<sup>32</sup> See Cecilia Reyes, After 5-year gap, CPD to bring back annual reports (October 20, 2016) available at: <http://www.chicagotribune.com/news/local/breaking/ct-annual-reports-cpd-10172016-20161017-story.html>.

<sup>33</sup> *Id.*

<sup>34</sup> See <https://heyjackass.com/>.

<sup>35</sup> Suniya Farooqui, Chicago Community Area Indicators, 2015 (February 2017) at pp. 22-23, available at: [https://www.heartlandalliance.org/povertyreport/wp-content/uploads/sites/26/2017/02/PR17\\_DATABOOK\\_CCA.pdf](https://www.heartlandalliance.org/povertyreport/wp-content/uploads/sites/26/2017/02/PR17_DATABOOK_CCA.pdf).

<sup>36</sup> As the campaign progresses, we will release specific, detailed policies addressing neighborhood economic development and education.

<sup>37</sup> See Andrew Papachristos, CPD's crucial choice: Treat its list as potential offenders or potential victims? (July 29, 2016) available at: <http://www.chicagotribune.com/news/opinion/commentary/ct-gun-violence-list-chicago-police-murder-perspec-0801-jm-20160729-story.html>.

<sup>38</sup> See Lauren Hernandez, With gun killings down in Oakland, police credit Ceasefire program (August 24, 2018) available at: <https://www.sfchronicle.com/crime/article/Gun-homicides-down-in-Oakland-police-credit-13173249.php>.

<sup>39</sup> SPAC defines recidivism "as a conviction following either a sentence to probation or release from prison." [http://www.icjia.state.il.us/spac/pdf/Illinois\\_Result\\_First-The\\_High\\_Cost\\_of\\_Recidivism\\_2018.pdf](http://www.icjia.state.il.us/spac/pdf/Illinois_Result_First-The_High_Cost_of_Recidivism_2018.pdf).

<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

<sup>42</sup> *Gun Violence in Chicago*, 2016, University of Chicago Crime Lab, Jan. 2017, p. 13, available at: <https://urbanlabs.uchicago.edu/attachments/store/2435a5d4658e2ca19f4f225b810ce0dbdb9231cbdb8d702e784087469ee3/UChicagoCrimeLab+Gun+Violence+in+Chicago+2016.pdf>.