



Office of the City Clerk

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Legislation Details (With Text)

File #: R2020-451
Type: Resolution **Status:** Failed to Pass
File created: 6/17/2020 **In control:** City Council
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Title: Call for Superintendent of Police to report on department progress toward compliance with State of Illinois and City of Chicago federal consent decree and plans to ensure all officers engage in constitutional and effective policing

Sponsors: Mitts, Emma

Indexes: Committee on Public Safety, Police

Attachments: 1. R2020-451.pdf

Date	Ver.	Action By	Action	Result
5/24/2023	1	Committee on Committees, Rules and Ethics	Failed to Pass	
6/17/2020	1	City Council	Referred	

RESOLUTION

WHEREAS; The Chicago Police Department has a history of using deadly force in a manner that disproportionately harms Chicago's African American and Latino residents; and

WHEREAS, Even in non-fatal cases, this use of deadly force has the effect of causing permanent psychological and physical harm to its victims, and when employed in an unconstitutional manner, has cost the City of Chicago millions of dollars in judgments and court settlements; and

WHEREAS, In January of 2019, the State of Illinois and City, of Chicago entered into a federal consent decree in which the Chicago Police Department agreed and committed to constitutional and effective law enforcement; and

WHEREAS, The Consent Decree provides that officers may only use force for a lawful purpose, that officers will allow individuals to voluntarily comply with orders before force is used, and that force will not be used as punishment or retaliation against a person for fleeing, resisting arrest, insulting an officer, or engaging in protected First Amendment activity; and

WHEREAS, The Consent Decree requires that officers use force only when it is objectively reasonable, necessary, and proportional under the totality of the circumstances; and

WHEREAS, The Consent Decree further provides that officers are prohibited from using deadly force except in circumstances where there is an imminent threat of death or great bodily harm to an officer or another person, and in such cases deadly force can only be used as a last resort; and

WHEREAS, Under the Consent Decree, deadly force may never be used against a person who is a threat only to himself or herself, or to property, and officers are prohibited from using deadly force against fleeing subjects who do not pose an imminent threat of death or great bodily harm; and

WHEREAS, the Consent Decree prohibits the use of carotid artery restraints, chokeholds, or any other

technique that intentionally puts pressure on a person's airway or carotid artery as a means to take down a suspect unless the use of deadly force is authorized; and

WHEREAS, The events of the last several weeks have shined a spotlight on the actions of police departments across the country as a result of the killing of George Floyd in Minneapolis, including the Chicago Police Department's response to protests resulting from this crime; and

WHEREAS, News outlets and social media have reported many instances of protesters, and even journalists, being beaten and pepper sprayed by Chicago Police officers at protests, and of Chicago Police officers not turning on body cameras, concealing their identities, and otherwise engaging in unprofessional conduct; and

WHEREAS, Since George Floyd's death, the Civilian Office of Police Accountability has received over 250 complaints against the Chicago Police Department alleging excessive force, improper search and seizure, and verbal abuse, and most of these complaints have been related to these recent protests; and

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WHEREAS, While the vast majority of Chicago Police officers perform their duties in a constitutional, fair, and effective manner under exceptionally stressful circumstances, the number of reports of police misconduct indicate that the Chicago Police Department has not fully lived up to the promises it made in the Consent Decree; and

WHEREAS, It is imperative that the Mayor and City Council, as the elected representatives of those whom the Chicago Police Department serves, become informed about the Chicago Police Department's progress toward compliance with the Consent Decree, and its plans to ensure that all of its officers engage in constitutional and effective policing; now, therefore,

BE It RESOLVED, That we, the Members of the City Council of the City of Chicago, assembled this seventeenth day of June, 2020, hereby call upon the Superintendent of the Chicago Police Department, or a knowledgeable designee, to appear before the City Council Committee on Public Safety to report on the Department's progress toward compliance with the Consent Decree, and the Department's plans to ensure that all officers engage in constitutional and effective policing.

Emma Mitts Alderman, 37th
Ward

