

Leadership, Partnership, and Trust: A Community Plan for a Safer Chicago

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GAPA

Grassroots Alliance for Police Accountability

March 2018

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In 2016, a broad coalition of community organizations came together and formed the **Grassroots Alliance for Police Accountability (GAPA)** for the purpose of responding to the recommendation of the Police Accountability Task Force to develop a “community safety oversight board.”

The oversight board was one of three major structural reforms the Task Force proposed. Following the creation of the Civilian Office of Police Accountability (COPA) and the position of Deputy Inspector General for Public Safety, it is the final piece of accountability infrastructure that needs to be put in place.

For almost two years, GAPA members have engaged with communities across Chicago to develop a comprehensive proposal for both a citywide community oversight board and a neighborhood-level body that will work on safety initiatives within each police district. An ordinance embodying the proposal will be introduced in the Chicago City Council. This report describes the elements of the proposal and the reasoning behind it.

We undertook this process with the conviction that Chicago has an historic opportunity to institute fundamental and enduring public safety reforms. That conviction has only deepened as we have worked with our fellow citizens across the city to develop this proposal.

The moment is now at hand.

The Police Accountability Task Force recommended creation of a “community safety oversight board” to oversee the Chicago Police Department, the Civilian Office of Police Accountability (COPA), and all other police oversight mechanisms. The board would “would ensure that... all components of the police oversight system are held fully accountable, operate with maximum transparency and perform their roles in a manner that is informed by community needs.”

The Task Force further stated that the community oversight board should be created with broad public input. GAPA established a robust structure and process that made it possible for thousands of Chicago residents in neighborhoods throughout the city to contribute their ideas, and for more than 100 community leaders to engage even more intensively in the process.

GAPA met well over 100 times. Participants studied police accountability systems in Chicago and around the country, consulted extensively with national experts, and with this input developed a proposal that builds on the national experience and addresses local concerns and context.

This proposal seeks to increase public safety; foster and create trust and improve interactions between and among police officers and Chicago residents; ensure that police policies and reform plans reflect community values and are informed by residents’ experience; and establish an accountability system that operates independently and without bias.

The GAPA proposal recommends both a citywide community oversight board and a related community-level body that will work on community safety initiatives within each police district.

Recommendation 1

Establish a Community Commission for Public Safety and Accountability

The Commission will have seven members, each of whom will serve a term of four years. Commission members will be selected through a process that supports the Commission’s independence and ensures that members have experience in fields directly related to the work the Commission undertakes.

The Commission will oversee the Chicago Police Department, the Civilian Office of Police Accountability (COPA), and the Police Board. To fulfill its oversight responsibilities, the primary roles of the Commission include the following:

- Ensuring effective leadership is in place by participating in the selection and termination of the Police Superintendent, COPA Chief Administrator, and Police Board President and members

- Establishing strategic goals and priorities for the entities it oversees
- Holding leaders accountable by conducting annual reviews to determine the extent to which these entities have advanced those strategic goals and priorities
- Working with the Police Department and COPA to set policy, with final policymaking authority vested in the Commission
- Holding regular meetings and forums throughout the city, and working closely with community residents to hear local concerns and develop solutions
- Requiring the Police Superintendent and other key officials to provide data and reports and to appear in public forums to address questions and concerns.

Recommendation 2

Establish District Councils

District Councils will be composed of three community members elected from each of the city's 22 police district. District Councils will both provide a platform to improve community policing and serve as the eyes and ears of the Commission in each district, ensuring that that the Commission is connected to the day-to-day realities on the ground. The District Councils will create a platform for dramatically improving Chicago's community policing program.

The District Councils will:

- Build connections between the police and the community
- Work with the Police District Commander and community members to help develop and implement community policing initiatives, and to discuss policing priorities for the district
- Ensure regular community input to the Commission
- Ensure the independence and increase the legitimacy of the Commission by selecting Commissioners.

Staffing and Budget

The total cost associated with this proposal is \$2.8 million per year. Of that total, \$2.3 million will support the Commission's full-time staff of 15 people, including an Executive Director, policy analysts, a community engagement staff, and staff to support the work of the District Councils.

The remainder will provide limited compensation to Commissioners and District Council members—\$6,000 per year for District Council members; \$12,000 per year for Commissioners; and \$15,000 per year for the Commission President.

Grassroots Alliance for Police Accountability (GAPA)

The Grassroots Alliance for Police Accountability (GAPA) is a citywide, broad-based coalition of community organizations committed to improving public safety, police practices, and police accountability, and transforming the relationship between the Chicago Police Department and the people it serves. GAPA consists of organizations that work in more than 30 wards and together reflect the city's diversity. GAPA members have deep roots in the communities where they work. GAPA has worked to ensure extensive and meaningful community participation in police reform efforts, especially in marginalized communities that are most affected by crime, violence, and police misconduct.

GAPA formed in May 2016 in response to recommendations of the Police Accountability Task Force, which was created by Mayor Rahm Emanuel following public outrage over the killing of 17-year-old Laquan McDonald by a Chicago police officer. One of the cornerstone recommendations of the Task Force was that Chicago expand its police accountability system by creating a "Community Safety Oversight Board." The Task Force proposed that the oversight board:

"have power to oversee CPD, the new CPIA [now the Civilian Office of Police Accountability or "COPA"] and all police oversight mechanisms. The Community Board would ensure that CPIA [COPA] and all components of the police oversight system are held fully accountable, operate with maximum transparency, and perform their roles in a manner that is informed by community needs."

The Task Force report further stated, "Substantial community involvement is an absolute necessity to build trust in the police accountability system," and emphasized "if the Community Board is to earn the legitimacy it requires and deserves, its precise powers and makeup should not be set by the Task Force, but should be developed with broad public input."

As the Chicago City Council weighed legislative options based on Task Force recommendations, GAPA organizations met with City officials and advocated that the Council withhold action to establish a Community Safety Oversight Board until a process for broad community input was completed, as the Task Force had recommended. The Mayor's Office agreed not to act on a Community Board until GAPA completed an extensive community engagement process and made detailed recommendations to create a community oversight body.

To answer the Task Force's call for broad public input, GAPA established a robust structure and process that made it possible for thousands of Chicago residents in neighborhoods throughout the city to contribute their ideas, and for more than 100 community leaders to engage even more intensively in the process. This commitment to deep community engagement is a core value for all GAPA member organizations and central to how they operate.

Beginning in May 2016, leaders of the GAPA member organizations met every one to two weeks to learn about police oversight and develop recommendations. Each GAPA group also created a local Steering Committee, consisting of 10-25 volunteer leaders with broad networks within their communities, such as school leaders, clergy, block club presidents and local business owners. Steering Committees met frequently, and members regularly took ideas out into the community and discussed them with people in their networks.

Local Steering Committees reported regularly to a Citywide Steering Committee, consisting of five members from each of the local Steering Committees. Citywide Steering Committee meetings enabled participants from across the city to learn together, share ideas, develop and refine solutions, and ultimately reach a citywide consensus about priorities and specific recommendations for an oversight board.

GAPA members also organized 19 large-scale events for residents in the communities where they are based. Participants generated almost 300 suggestions to improve policing, police accountability, and community-police relations. In March 2017, GAPA released a report highlighting the most significant themes that emerged in these conversations.

Throughout a 22-month process, GAPA held more than 100 meetings, engaging thousands of people. GAPA participants spent months learning about the existing police accountability structures in Chicago, how they are intended to operate, and how well they have operated in fact. Participants also studied police accountability models in other jurisdictions around the country to see how they have operated, what challenges they have faced, and what lessons they offer for effective police reform in Chicago.

Throughout the process, GAPA participants consulted extensively with national experts, including both practitioners and academics. For example, GAPA hosted a symposium that included both leaders from police oversight entities in Los Angeles and Seattle and nationally recognized researchers. The resulting proposal builds on the national experience and addresses local concerns and context.

Early on, GAPA participants adopted the following guiding principles:

1. SAFETY

The ultimate measure of an effective accountability system is increased public safety. Every element of the GAPA proposal must work to advance this overarching goal.

2. TRUST

An effective accountability system must foster and create trust and improve interactions between and among police officers and Chicago residents.

The more trust people have in the Police Department, the more residents and communities will work with the police to fight crime and violence.

3. ENGAGEMENT

Just as Chicago residents have a say in how other local government bodies establish policies, they should have a say in the establishment of Police Department policies. Police policies and reform plans should reflect community values and be informed by residents' experiences. As in other aspects of our democracy, this will produce better government decision-making and give more legitimacy to the rules and policies that are enacted.

4. INDEPENDENCE

The community board must operate independently and without bias. If the community board is to effectively carry out its oversight function and work to build trust in the system, it must be properly regarded by both civilians and police officers as independent and impartial.

Concerns about trust and safety were paramount. Trust and safety go hand-in-hand. Many GAPA participants were deeply concerned that both police misconduct and overly aggressive police behavior, such as overuse of “stop and frisk” tactics, destroy trust in the Police Department, and without trust, people are less likely to cooperate with the police. This situation makes it much harder for police to fight crime and keep the peace.

Widespread mistrust is likely a significant factor in the low percentage of homicides that are solved in Chicago. In 2017, just 17.5 percent of murders were solved, almost 50 points below the city's murder clearance rates in the early 1990s, and far below national averages. As the U. S. Department of Justice noted in its 2017 report on the Chicago Police Department, “Identifying suspects in homicides is recognized as an important factor in preventing future homicides. And there is broad consensus, including throughout Chicago, that increasing community trust and confidence in CPD is necessary for CPD to be able to clear more homicides.”

Recommendation 1

Establish a
Community Commission
For Public Safety
and Accountability

To increase public safety and police accountability, GAPA proposes creation of a Community Commission for Public Safety and Accountability (“Commission”).

The Commission will oversee the Police Department (CPD), the Civilian Office of Police Accountability (COPA), and the Police Board. The proposal leaves the entire existing police accountability system in place, but creates new community-driven checks and balances for CPD, COPA, and the Police Board.

Background

The Community Commission for Public Safety and Accountability will have seven members. Members will be selected based on qualifications established by City of Chicago ordinance to ensure Commissioners have the knowledge and experience necessary to effectively carry out their responsibilities.

As the Police Accountability Task Force envisioned, the new Commission for Public Safety and Accountability will “ensure that... all components of the police oversight system are held fully accountable, operate with maximum transparency and perform their roles in a manner that is informed by community needs.”

GAPA participants believe more accountability can be created by making and meeting commitments; by setting standards to improve performance and outcomes and ensuring that they are met. To put that vision of accountability into practice, GAPA proposes that the Commission be empowered to: ensure effective leadership is in place at the Police Department, COPA, and the Police Board; establish clear goals for each entity; and hold these leaders accountable for advancing these goals.

Similar bodies with similar powers exist in other large cities, most notably Los Angeles (which has had a civilian board since 1925), as well as Milwaukee and San Francisco.

In developing its proposal, GAPA participants focused closely on the police oversight model in Los Angeles. Since 1925, the Los Angeles Police Department has been under the control and oversight of the five-member, citizen-led Board of Police Commissioners. The Commission was significantly overhauled in the early 1990s, which made the Los Angeles model especially relevant to GAPA participants.

The Los Angeles Police Department in the early 1990s faced many of the same challenges highlighted in Chicago by the U.S. Department of Justice and the Mayor’s Police Accountability Task Force—including serious concerns about excessive use of force, failure to control or discipline officers with repeated complaints of excessive use of force, significant impediments to filing complaints against police officers, and concerns about the quality of investigation and adjudication of allegations of police misconduct. In 1992, the brutal beating of motorist Rodney King by uniformed Los Angeles police officers sparked public outrage, and when the officers who were charged in the case were acquitted, portions of the city erupted in rioting, which lasted for six days and left 63 people dead and more than 2,300 wounded.

Soon after the riots, Los Angeles enacted an overhaul of the Police Commission. From the time the Commission was created in 1925, it had the power to hire and fire the Chief of Police, but civil service protections for the Chief of Police severely limited the Commission's ability to perform its oversight function and hold the Chief accountable. In 1992, one month after the riots, Los Angeles eliminated those protections and gave the Police Commission effective oversight power over the Chief of Police. At the same time, the Commission's staff was significantly expanded, which gave the Commission some of the support it needed to carry out its responsibilities.

In the 26 years since the Rodney King incident and the Police Commission reforms, it is widely acknowledged that the LAPD has undergone a dramatic transformation. By many measures, relations between community and the police have improved significantly and crime has dropped substantially. In addition, LA's homicide clearance rate in 2017 was 73.4%. That same year, Chicago's rate was 17.5%. Changes to the police oversight system have been a critical part of that transformation.

The Los Angeles experience, and similar experiences with similar structures in Milwaukee and San Francisco, provide compelling support for the ordinance GAPA proposes.

The goals of the Community Commission for Public Safety and Accountability are:

- Increase public safety
- Build trust between the Chicago Police Department and the people it serves
- Increase public support for Chicago Police Department policies and activities
- Improve interactions between Chicago Police Department officers and Chicago residents
- Increase transparency and public input into the operation, policies, and performance of the Police Department
- Increase public accountability of the Police Department, COPA, and the Police Board.

Commission Roles

To fulfill its oversight responsibilities, the primary roles of the Commission include the following:

- Selection and termination of the Police Superintendent, COPA Chief Administrator, and Police Board
- Priority-setting and annual reviews
- Policymaking for the Police Department and COPA
- Community outreach and engagement
- Information gathering and sharing

Composition

GAPA proposes the Community Commission for Public Safety and Accountability have seven members, each of whom will serve a term of four years. To ensure that Commission members have the expertise to carry out their challenging work, the ordinance will require that they have extensive experience in fields directly related to the work the Commission will undertake. For example, similar bodies in Los Angeles, Milwaukee and San Francisco have emphasized that legal experience is critically important. Thus, the ordinance specifies that at least two Commissioners must have a minimum of ten years of experience practicing law, with significant experience in civil rights, civil liberties, law enforcement, or criminal defense. Other Commissioners must have substantial experience in fields such as mental health, law enforcement, community organizing, or advocacy on behalf of people with disabilities, or immigrant and undocumented people. Commissioners will be selected through an open process that supports the Commission's independence and is described in detail on pp. 26–29. Members of the Commission can be removed by a two-thirds vote of the City Council.

Commission Role in Selecting Leadership

As the Police Accountability Task Force and Department of Justice have made clear, many of the problems plaguing the Chicago Police Department are, at their core, breakdowns in leadership and management. These are the result of inadequate training and supervision, as well as the lack of early detection systems to identify problems, and the failure to hold ranking officers accountable for those under their command.

Effective oversight and accountability require ensuring that the right leaders are in place to manage the Police Department and other oversight bodies, establishing clear goals for them, and holding these leaders accountable for advancing those goals. Because the Police Department and the police oversight entities have such a direct impact on individual lives, and because the success of these bodies depends so heavily on building and maintaining trust with civilians, the Police Department and the oversight bodies must be accountable for performance not only to the Mayor, but also to the civilian-led Commission.

Police Superintendent

The Mayor currently selects the Police Superintendent from a list of finalists provided by the Police Board, which the Mayor appoints. GAPA proposes the Commission assume the role now played by the Police Board. The Superintendent should be fully accountable to the Mayor, so it is appropriate that the Mayor make the final decision in selecting the Police Superintendent. GAPA believes the legitimacy of the Police Superintendent will be strengthened when an independent Commission with broad public support plays an important role vetting applicants and selecting finalists for the position of Police Superintendent. To further increase the legitimacy of the selection process, the Commission will hold a series of public meetings in which finalists will interact with and answer questions from members of the community. The Mayor will continue to select the finalist for the position and the City Council will vote whether to confirm the Mayor's selection.

“Effective oversight and accountability require ensuring that the right leaders are in place to manage the Police Department and other oversight bodies, establishing clear goals for them, and holding these leaders accountable for advancing those goals.”

The Mayor now appoints the Chief Administrator of COPA, but the ordinance that created COPA acknowledges that this is a temporary arrangement, “until a permanent method of selecting the Office’s Chief Administrator shall be enacted by the City Council and become effective.” (Municipal Code 2-78-115.)

The Police Accountability Task Force noted a history of collaboration between mayoral administrations and the Independent Police Review Authority (IPRA) leadership that called into question IPRA’s independence. To ensure COPA’s independence and enhance its legitimacy, the Task Force concluded that the selection of the Chief Administrator “should be insulated from politics,” by vesting authority to make the selection in the civilian oversight board.

GAPA adopts the Task Force recommendation and proposes the Commission choose the COPA Chief Administrator. To earn the public trust it needs, COPA must conduct investigations and make recommendations based on the facts and the law, unaffected by politics and public sentiment. GAPA participants believe that if COPA’s Chief Administrator is selected by and accountable to an independent Commission, it will reduce the potential for political interference in its work and increase the legitimacy of the institution and its recommendations.

The existing COPA ordinance establishes qualifications for the Chief Administrator, and the Commission would be required to use those qualifications in the selection process.

The existing COPA ordinance does not establish a process for the selection of the Chief Administrator, other than to require City Council confirmation of the Chief Administrator. GAPA proposes the Commission be required to engage a nationally recognized search firm with expertise in government oversight to identify a pool of at least ten qualified candidates. The Commission would then recommend the most qualified candidate for approval by a majority of the City Council. Should the City Council reject a candidate, the Commission would nominate another, repeating the process until they identified a candidate that met with City Council approval.

Police Board

As with COPA, at times when the Police Board has decided not to fire police officers charged with the most serious forms of misconduct, there have been widespread concerns that the Police Board’s decisions were politically motivated. It is critical that the Police Board operate absent political considerations, based just on the facts and applicable Police Department policies. Thus, GAPA recommends that Police Board members and its President be selected by the independent Commission and approved by the City Council.

Currently, the Police Board ordinance does not specify qualifications for Police Board members. GAPA has proposed selection criteria the Commission would be required to apply when nominating Police Board members. The Commission’s nominees for the Police Board would be subject to approval by a majority of the City Council.

Commission Role in Establishing Priorities and Conducting Annual Reviews

A critical component of the Commission's oversight obligations is establishing strategic goals and priorities for the entities it oversees, and conducting reviews to determine the extent to which these entities have advanced those strategic goals and priorities. GAPA recognizes the Chicago Police Department plays the central role in establishing goals and priorities and identifying performance metrics. The Commission would collaborate with CPD in establishing those goals and priorities, and provide an independent view on progress.

At the beginning of each calendar year, the Commission will establish strategic goals for the Superintendent and the Police Department, the Chief Administrator and COPA, and the Police Board President and the Police Board. The Commission and its professional staff will work closely with CPD, COPA, and the Police Board to identify priorities, while also seeking input from stakeholders, including Chicago residents, rank and file police officers, and local and national experts. The Superintendent, the Chief Administrator, and the Police Board President will each have an opportunity to review the goals and to propose changes, before the Commission finalizes the goals.

At the end of each year, the Commission and its staff will formally review the performance of the Police Superintendent, the COPA Chief Administrator, and the Police Board President. This review will focus on the extent to which each body has met the goals set out at the beginning of the year. As part of the process, the Superintendent, Chief Administrator, and President will each submit written self-evaluations. Each will also be given the opportunity to review a draft of the Commission's performance review, and propose changes. Once finalized, the Commission will make its reviews public.

This process for priority-setting and annual review provides an additional opportunity for increased public input into the operation of the Police Department, COPA and the Police Board, thus enhancing transparency, and public accountability.

As part of its oversight function, the Commission must be able to hold accountable those officials it plays a role in appointing by having the authority to remove them from office if necessary. Because of the severity of this remedy, however, there will be strong checks on the Commission's removal power.

Police Superintendent

Because the Superintendent is accountable to the Mayor, the Mayor must retain the power to fire the Superintendent. However, since the Commission is responsible for establishing Police Department policy and annual priorities, the Superintendent should also be accountable to the Commission. Thus, GAPA proposes that the Commission have independent authority to remove the Superintendent.

GAPA proposes that the Commission's power to remove the Superintendent be narrowly proscribed. Its authority to fire the Superintendent will be for cause only. That is defined to include reasons like incompetence, neglect of duty, or misconduct that could impair or undermine public confidence in the Superintendent. Additional provisions require that the Commission give the Superintendent advance warning of potential removal, including a written account of the issues that are cause for potential termination, and at least 30 days to address the issues before the Commission may vote to remove the Superintendent. If the Commission votes to remove the Superintendent, the Superintendent may appeal that decision to the City Council, which may overturn the decision with a vote of two-thirds of the full Council.

The Commission may never exercise the removal power, but it will help to ensure that the Superintendent is accountable to the policies and priorities set by the Commission. Similar bodies in Los Angeles, Milwaukee, and San Francisco have never exercised their power to remove the head of the Police Department, but they believe that having the power helps ensure that police leadership is responsive and accountable.

COPA Chief Administrator

The process for the Commission to remove the Chief Administrator will be the same as the process for removing the Police Superintendent, with the same checks on its authority, including a "for cause" requirement, a requirement to provide notice and time to address problems, and an opportunity to appeal the decision to the full City Council.

Police Board

The Commission would have the power to remove members of the Police Board, including the President, by majority vote. Police Board members could only be removed for cause. Before removal, the Commission would be required to give the member written notice and an opportunity for a hearing before the Commission.

Considerations

In its review of police accountability systems in Chicago and across the country, GAPA observed that most programs focus almost exclusively on individual allegations of police misconduct and punish police officers for bad acts after they have occurred. They do not work to change the systems that consistently produce bad outcomes.

GAPA participants concluded Chicago needs an accountability system that punishes misconduct after it happens, but also works to prevent it before it happens. As the Police Accountability Task Force and the U.S. Department of Justice found, this requires addressing key questions such as: How do we hire police officers? How do we train new recruits? How do we train officers throughout their careers? How do we provide effective district-level supervision? Do we have the use of force policies we need? How can police officers engage most effectively with people suffering from mental illness? Do we have an effective system to identify patterns of troubling police officer behavior when they begin to emerge? What are we doing to ensure that police officers receive the support they need to do their incredibly difficult and stressful jobs?

GAPA participants concluded that the most meaningful way to address these issues is to give the Commission authority to address them directly. That is how accountability works elsewhere in democratic systems. In most institutions of government, from Congress to city councils, to school boards, zoning boards and federal administrative agencies, government entities establish written rules before officials act, and those rules are made with input from the people. That results in better government decision-making and gives more legitimacy to the rules and policies that are enacted. Police Departments are unique in that they generally set their own rules with little or no public input. This is true even though Police Departments exercise awesome power. Because Police Department policy has profound implications for every aspect of our lives, GAPA participants concluded that the public has a right to play a central role in establishing policing policies.

“...Chicago needs an accountability system that punishes misconduct after it happens, but also works to prevent it before it happens.”

“When people are involved in developing police policy and in determining broadly what tactics are appropriate, they are much more likely to accept the actions of the Police Department and to view the department as legitimate.”

Day-to-day decisions about Police Department operational and investigative tactics will still be made by the Police Superintendent and command staff, but be guided by broad policies in which the public has a voice. GAPA recognizes and respects that police policy should be rooted in expert knowledge about best practices, but it must also be grounded in the needs and values of the community.

The goal is a system that recognizes both the expertise that exists within the Police Department and the power of individuals in a democratic society to set the rules by which government bodies operate. When people are involved in developing police policy and in determining broadly what tactics are appropriate, they are much more likely to accept the actions of the Police Department and to view the department as legitimate.

The goal is joint ownership of what the police do. GAPA participants believe that a system designed to respect these shared roles and responsibilities will produce better policies, build trust in the department, and ultimately make the city safer.

Placing policymaking power in a citizen commission is not novel. In Los Angeles, the citizen-led Board of Police Commissioners has had primary responsibility for setting department policy for almost 100 years. Similar bodies in Milwaukee and San Francisco have also successfully exercised such power.

Policymaking Process

Although the Commission will have ultimate authority for setting Police Department and COPA policy, proposed policies may be developed by the Commission, the Department, or COPA. Proposed policy changes would then be presented to the public at one of the Commission's monthly public meetings, with an opportunity for public comment. Finally, the Commission will vote whether to approve the policy.

It is expected that the Commission will give substantial deference to the Police Department and to COPA in setting policy. In Los Angeles, Milwaukee, and San Francisco, where similar bodies outside the Police Department have the power to set police department policy, in practice the vast majority of policy is first drafted by the department and then presented to the body for approval.

The Commission would work collaboratively with the Police Department and COPA toward the goal of reaching agreement about all policy changes. However, should the Commission and the Police Department or COPA be unable to agree, final decision-making authority would rest with the Commission.

Ongoing communication with Chicago communities is essential to building trust and enhancing public safety. To fulfill its oversight role and to advance its mission increasing transparency and public input, the Commission will devote considerable effort and resources to improved community engagement and outreach. The Commission will hold regular community meetings to hear concerns about existing problems and emerging issues, to communicate with the community, to address problems and develop solutions.

Commission Role in Gathering and Sharing Information

In order to fulfill its oversight role and to assess the work of the Police Department, COPA, and the Police Board, the Commission will have broad access to information, documents, and records from CPD, COPA, and the Police Board. Subject to any existing legal limitations, these entities will be obligated to fulfill Commission requests or explain in writing why they are not.

In this role, the Commission may also request that the Police Superintendent, the COPA Chief Administrator, the Police Board President, or the Deputy Inspector General for Public Safety appear before regular or special meetings of the Commission to provide public updates on their work and answer questions.

All City employees, contractors, and agents will have a legal obligation to cooperate with the Commission as it seeks to do its work. The Commission will be authorized to issue subpoenas in order to compel testimony and receive documents, and the Commission will have the authority to retain its own lawyer to enforce subpoenas.

Every year, the Commission will be required to publish an annual report. The report must include a detailed summary of the Commission's activities during the year, as well as all policy, rule, and procedure changes enacted or recommended by the Commission. The report must also disclose all Commission requests for reviews, audits, and investigations, along with the status of those audits, analyses, and investigations. At any time, the Commission may prepare and publish reports on any matter the Commission considers to be of public importance.

Recommendation 2

Establish District Councils

GAPA participants also concluded it is essential to create a structure that connects community members with the Police Department at the district level. GAPA proposes the creation of elected District Councils within each of the city's police districts. The District Councils will provide a platform to improve community policing and ensure that the Commission is connected to the realities on the ground. As discussed above, many GAPA participants believe that indiscriminate, overly-aggressive police behavior makes it even more difficult for police to address real problems and solve crime. Many participants said they will not call or cooperate with the police because they fear that any interaction with police could be harmful. And the harm can be toxic, corrosive, and long-term.

GAPA participants believe overwhelmingly that in order for police to work more effectively to keep communities safe, they need to spend substantially more time deliberately building relationships and trust with local residents. Many participants cited the need to create frequent opportunities for communication between community members and police officers that are not focused on responding to a problem or a crisis, but simply on dialogue and relationship-building. Many emphasized it is especially important for police to begin building stronger bonds with youth. A majority believe when residents and police have built trust and relationships, they will cooperate and collaborate to make neighborhoods much safer than they are today.

To build relationships and trust, and to provide opportunities for collaboration, GAPA recommends the creation of elected District Councils within each of the city's 22 police districts.

District Councils will be representative bodies made up of three community members elected from each police district. District Councils will both provide a platform to improve community policing and serve as the eyes and ears of the Commission in each district, ensuring that that the Commission is always connected to the realities on the ground.

Goals

The goals of the District Councils are to:

- Build connections between the police and the community
- Collaborate in the development and implementation of community policing initiatives
- Ensure regular community input for Commission efforts
- Ensure the independence and increase the legitimacy of the Commission by selecting its members.

Responsibilities

The District Councils will be responsible for holding and/or attending regularly scheduled community meetings to discuss policing issues and ways to improve policing and community-police relations. Each Council will work with both the CPD District Commander and community members to help develop and implement community policing initiatives, as well as to discuss policing priorities for the district. Each Council will also work to develop and expand restorative justice programs and similar initiatives within the district.

To ensure that the Commission is well-informed about progress and challenges on the ground, and is able to set its priorities based on those realities, all 66 District Council members will gather at least four times a year in citywide meetings in order to identify trends and share common concerns. Based on their analysis of trends and common concerns, District Council members will agree on a short list of priorities to propose to the Commission.

Selection

Public election to select three District Council members for each district will be held every two years. Elections will take place at the same time and in the same location as Local School Council elections. Any resident of a police district who is 16 years old or older will be eligible to vote for representatives to serve on that District Council. Members of each District Council must live in the district or work there at least 20 hours per week. They must be at least 18 years old by the time their service on the District Council begins. Anyone previously convicted of a corruption-related crime (such as bribery) is ineligible to serve on a District Council.

The District Councils will create a platform for dramatically improving Chicago's community policing program. Too often, community policing has involved the Police Department calling in community residents to talk about a problem or issue, and then developing a plan after the residents leave. Community policing needs to be a sustained partnership in which community members and police officers come together as equals, and work together to establish priorities, identify strategies and tactics that will solve problems, and review progress and priorities over a period of months or years. The District Council election process will elevate people who are widely recognized by their neighbors to be leaders. This approach is more likely to produce the equal-partner relationships that effective community policing requires.

District Councils will complement the work CPD has begun to strengthen its community policing program. In October 2016, the Superintendent charged a new Community Policing Advisory Panel to "propos[e] ways the Department can engage and collaborate with communities to fight crime and restore trust." In October 2017, the Advisory Panel released a report recommending that the Department reinvigorate and further institutionalize community policing practices and philosophy in Chicago. The Superintendent accepted the Advisory Panel's recommendations.

GAPA's proposal to create District Councils is consistent with the Advisory Panel's recommendations. District Councils will provide a structure to help turn many of these recommendations into reality. For example, District Councils can play a central role building enduring relationships of trust—a need highlighted throughout the Advisory Panel's recommendations. Citing the first GAPA report, the Advisory Panel acknowledged the need for more positive interactions between police officers and community residents. Among other things, the Advisory Panel recommended "identifying a broad group of community stakeholders willing to act as community liaisons to introduce new police officers to their district of assignment." District Council members would be well-placed to lead this process.

Similarly, the Panel recommended the Office of Community Policing "develop a systematic process for community input to major policy changes that would impact the Department's implementation of community policing." The District Councils would create a formal structure for community input.

Under GAPA's recommended structure, community members will be partners in all aspects of policing going forward. By providing community members with substantive and formalized roles at both the district level as well as city-wide, District Councils and the Commission involve the public in policing in ways never before seen in Chicago.

Overall, GAPA's proposal aligns closely with the spirit of the Advisory Panel's report, often offering concrete solutions to fill the needs identified but not fully fleshed out by the Advisory Panel. While some individual recommendations differ slightly in the details, both the Advisory Panel and GAPA agree that CPD must commit to a community policing model that is meaningful, grassroots-driven, collaborative, and sustainable. Doing so will make policing more effective and our communities safer. GAPA looks forward to working with the Police Department and others around the city to explore further how District Councils can support and enhance CPD's community-oriented reforms.

Commission Selection, Staffing, and Budget

GAPA proposes that members of the Commission be selected in a way that both supports the Commission's independence and ensures that its members have the expertise and skills to carry out the Commission's challenging work.

Commissioner Qualifications

Candidates for the Commission will be evaluated using both objective and subjective criteria.

- Commissioners must live in Chicago and have resided here continuously for at least the five years before they are selected.
- They must also have substantial work experience in a field related to the work that the Commission will undertake.
- Four of the Commissioners must have at least five years of professional experience in law, public policy, social work, psychology, mental health, law enforcement, community organizing, advocacy on behalf of immigrant or undocumented people, advocacy on behalf of LGBTQ people, or advocacy on behalf of people with disabilities.
- At least two of the seven Commissioners must be lawyers with at least ten years of experience practicing law, with significant experience in civil rights, civil liberties, law enforcement, or criminal defense.
- At least one of the Commissioners must have at least ten years of experience in community organizing, working or volunteering with a community-based organization.
- The Selection Committee can waive the work experience requirement for no more than three people who have direct experience of police misconduct or have an immediate family member who has direct experience of police misconduct, if they have been active with a community, faith, or educational institution for the past three years and are nominated by that organization or institution.

The ordinance also specifies more objective qualifications for Commissioners, including a reputation for integrity, professionalism and sound judgment, and a documented history of working in groups in a collaborative manner that reflects sound judgment, independence, fairness, and objectivity. Candidates will be required to provide evidence that they possess these qualities and characteristics. Retired police officers, CPD employees, former IPRA or COPA employees, or Police Board members may serve on the Commission, but not within three years of having worked for any of those organizations.

“GAPA proposes that members of the Commission be selected in a way that both supports the Commission’s independence and ensures that its members have the expertise and skills to carry out the Commission’s challenging work.”

Selection and Removal Process

Commission members will be chosen by a Selection Committee made up of one District Council member from each of the City's 22 police districts. Every other year, the Selection Committee will release a public Request for Nominations for Commissioners. Any Chicago resident may submit a nomination. District Council members who are not on the Selection Committee may be nominated or nominate themselves for service on the Commission, but, if selected, must vacate their District Council seat before starting work as a Commissioner. The nomination period will last for at least 30 days.

After the nomination period has ended, the Selection Committee will screen the nominees and remove any nominee who does not meet the objective qualifications set out in the ordinance, such as the number of years of relevant work experience. Then, the Selection Committee will ask all nominees who meet the qualifications to submit a formal application that documents how they meet the qualifications. They will also be asked to submit at least three letters of recommendation.

After reviewing all of the applications received, the Selection Committee will create a list of at least three qualified candidates for each vacancy on the Commission. The Selection Committee will then interview each of these finalists. Once all finalists have been interviewed, the Committee will vote on who to select as commissioners.

To be selected as a Commissioner, a finalist must receive the support of at least two-thirds of the Selection Committee—that is, 15 of the 22 Selection Committee members. Requiring a supermajority vote will ensure that only applicants with widespread support will be selected, and should eliminate applicants who do not clearly satisfy the more subjective selection criteria (e.g., integrity, professionalism, fairness, and sound judgment), and those who hold more extreme views. If there are not enough finalists who receive the necessary two-thirds vote, the Selection Committee will generate a new list of three finalists for each vacancy and repeat the interview process until a full slate of Commissioners is selected. Throughout the selection process, the Selection Committee will hold at least one public meeting per month to update the community on their progress.

Commissioners will serve 4-year terms, with the exception of the first cohort of commissioners, three of whom will serve 2-year terms in order to stagger the service and provide for a measure of continuity from Commission to Commission. As Commissioners' terms expire, the Selection Committee will initiate the above Selection Process in order to fill their spots. Commissioners can serve no more than a total of 12 years in their lifetime.

To ensure that the Commission itself is publicly accountable, Commissioners may be removed by the City Council. Removal will be for cause only. This is defined to include reasons like incompetence, neglect of duty, or misconduct that could impair or undermine public confidence in the Commission.

Any member of the City Council may propose to remove a member of the Commission by submitting to the City Council Public Safety Committee a document that describes with specificity the reasons for removal. If the stated reasons for removal meet the "for cause" removal criteria established in the ordinance, the Public Safety Committee must convene to discuss removal. Following discussion of the alleged causes

for removal, the Committee will vote whether to remove. If a majority of the Public Safety Committee votes to remove a Commissioner, then the full City Council must take up the issue. Removal of a Commissioner requires a two-thirds vote of the City Council.

Staffing

To help carry out its significant responsibilities, the Commission will require a full-time staff of 15 people. This conclusion is based on an analysis of the staffing structures in Los Angeles, Milwaukee, and San Francisco. The staff would be headed by an Executive Director, who would oversee the staff and be the primary point of contact between the Commission and the Police Department, COPA, the Police Board, and the Deputy Inspector General for Public Safety. The Executive Director would also train new Commissioners on their duties and manage the Commission's budget. The Executive Director would be supported by an Executive Assistant who would also prepare materials for Commission meetings and serve as secretary at those meetings. Chicago's Commission will also require the support of five policy analysts who will conduct research and prepare reports relevant to the Commission's work.

Commission staff would also have a robust community engagement function. This does not exist in most other cities and the lack of staff devoted to community engagement has been an impediment to success. The Commission should have a Director of Community Engagement supported by at least two Community Engagement Coordinators. The Community Engagement team would be responsible for overseeing the Commission's deep and consistent interaction with community members across Chicago.

The District Councils will also require staff to support their work. Four staff members will support the District Councils and ensure their smooth functioning. District Council staff will also include a dedicated Youth Coordinator.

Budget

The total cost associated with this proposal is \$2.8 million per year. The proposal's most significant expense is the Commission's full-time professional staff. The staff will be essential to help Commissioners carry out their work. The total annual cost of the 15 staff members on the Los Angeles Commission who have similar responsibilities is now \$2.3 million. The Chicago Commission would require a staff very similar to the one in Los Angeles. We think the Los Angeles budget of \$2.3 million is a reasonably accurate benchmark.

Members of the Commission would receive compensation identical to what members of the Police Board now receive — \$12,000 per year for Board members, and \$15,000 per year for the Board president. The total cost for Commission members and the Commission President would be \$87,000.

District Council members would receive \$6,000 per year. Such compensation acknowledges the significant commitment of time and energy that members would make. With 66 District Council members, the District Council cost would be \$396,000 per year.

We believe the GAPA proposals set forth in this report will improve public safety, police practices, and police accountability while transforming the relationship between the Chicago Police Department and the people it serves for generations to come.

In the weeks ahead, GAPA participants look forward to a robust public discussion concerning all aspects of these proposals and invite your active participation.

These 13 organizations helped lead the community engagement process and together developed the GAPA proposal.

Asian Americans Advancing Justice

Churches United

Communities United

Community Renewal Society

Inner City Muslim Action Network (IMAN)

Jewish Council on Urban Affairs (JCUA)

Lugenia Burns Hope Center

Mothers Opposed to Violence Everywhere (MOVE)

Organizing Neighborhoods for Equality: Northside (ONE Northside)

Southwest Organizing Project (SWOP)

TARGET Area Development Corporation

United Congress of Community and Religious Organizations (UCCRO)

Westside Health Authority

Business and Professional People for the Public Interest (BPI)
provided technical and legal support throughout the process.

GAPA gratefully acknowledges the following foundations for their generous support:

Alvin H. Baum Family Fund

Borealis Philanthropy

The Chicago Community Trust

The Field Foundation of Illinois

Irving Harris Foundation

John D. and Catherine T. MacArthur Foundation

The Joyce Foundation

Polk Bros. Foundation

Robert R. McCormick Foundation

Woods Fund Chicago

GAPA

Grassroots Alliance for Police Accountability