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Addressing Police Accountability & Community Safety

DePaul Panel

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ADDRESSING POLICE ACCOUNTABILITY & COMMUNITY SAFETY

Abstract: On April 11, 2019, the DePaul Journal for Social Justice presented a panel discussion featuring three civil rights attorneys, a DePaul law student who was a Cook County police officer prior to starting at DePaul, and an Investigator at the Civilian Office of Police Accountability, commonly referred to as COPA. The panel discussed the Consent Decree in conjunction with issues of holding both police officers and law enforcement agencies responsible for effectively delivering basic services of crime control. With the consent of the panel, the DePaul Journal for Social Justice Editorial Board had the ability to record and publish the panel conversation to add to and further the never-ending, critical conversation about police accountability and maintaining safety in Chicago communities.

I. PANELIST BIOGRAPHIES

Chastidy Burns, Moderator (CB)

Chastidy Burns has been an Assistant Public Defender in the Law Office of the Cook County Public Defender since July of 2013. She received her Juris Doctorate with a certificate in Public Interest Law from the DePaul University College of Law in 2012. Ms. Burns is the President of the Black Women Lawyers' Association of Greater Chicago (BWLGA), as well as a founding member and past President of the DePaul University College of Law Alumni Engagement Board.

Brian Orozco (BO)

Brian Orozco has been practicing law since November of 2012. During his first year of practice, he did primarily criminal defense and civil rights litigation. In August of 2013, Brian was hired by Gregory E. Kulis and Associates, where he has done primarily civil rights litigation, prosecuting misconduct among police departments, jails, and prisons. Brian's primary passion revolves around prisoner rights. He ran a non-profit book for prisoners' program while he was in college that was his primary motivation to go to law school. Since then, Brian has been involved with multiple prisoner rights organizations in Illinois and has worked tirelessly around multiple issues surrounding mass incarceration, such as the overuse of solitary confinement.

Kevin Turkman (KT)

Kevin Turkman received a Bachelor of Business Administration from the University of Notre Dame in 2009. He graduated from Loyola University of Chicago Law School in 2013. Since graduating from law school, Kevin has worked for a small civil rights firm downtown called the Hamilton Law Office, LLC. Hamilton Law Office primarily handles police misconduct cases in federal court, as well as employment discrimination and police whistleblower cases. Kevin has tried five cases to verdict, four in federal court and one in state court.

Adele Nicholas (AN)

Adele Nicholas is a civil rights attorney who litigates cases involving police misconduct and unconstitutional government policies in Chicago and the surrounding communities.

Sherod Craig (SC)

Sherod Craig is a current first-year law school student at DePaul University College of Law. He has over a decade of experience in law enforcement from years working as an officer at Cook County jail, a drill instructor at a boot camp for young men, and nearly five years working as a police officer. He also finds time to mentor urban youth through the Satio Foundation for Young Men, a non-profit he founded in 2015.

Tamer Abouzeid (TA)

Tamer is an Investigator at the Civilian Office of Police Accountability. He graduated from Georgetown Law in 2015. During law school, he worked for the U.S. Office of Special Counsel and represented indigent defendants and plaintiffs in housing cases as a Student Attorney. Prior to COPA, Tamer worked at Shearman & Sterling, where he practiced in the International Arbitration and Litigation practice groups. Currently, Tamer is running for Illinois State Senate in the 13th District.

II. PANEL CONVERSATION

- CB: I wanted to start the conversation with kind of talking about the current state of police accountability and relations in the city right now. I thought a good way to start talking about that would be to talk about the consent decree and the U.S. Department of Justice report that inspired that. Does anyone want to explain what the consent decree is and how it came about?
- TA: Sure. The consent decree is basically a set of rules, policies that have been codified into a court order. It came because everything really started with the Laquan McDonald video that spurred the investigation that was conducted by the Department of Justice. I think it was about two weeks between the release of the video and the start of the investigation by the DOJ. After that the Department of Justice sort of wrote a bit of a scathing report and recommended certain things and talked about what wasn't working. Then it brought the consent decree to be negotiated between the US DOJ sort of dropped the ball after the election, the Illinois Attorney General took it over, and then there was a lot of negotiations going on between CPD, Attorney General, COPA, and other parties to finally get the consent decree together. Then, it was finally entered by the judge maybe a couple months ago or so.
- CB: And the consent decree actually went into effect just about a month ago, right? On March 1st? You work in the Civilian Office of Police Accountability, what has that meant for you and has it changed things in your office?
- TA: It definitely has changed things a bit. It was obviously anticipated from before. A lot of the policies that were recommended in the consent decree have been things that were already being done by COPA, but there are also additional policies that are being done, and some of the consent decree are things that came into effect right away, some things have a 30-day period, some things like, for example, the mediation program that has to be created has to be finalized within a year. So there are different time frames for different requirements, but there are definitely some changes that have occurred.
- CB: So the consent decree was ordered I believe in January, so maybe some of the civil rights attorneys as well as Sherod can go into how you think that has had an effect thus far on police and civilian relations as well as in your positions.
- KT: Well, I think, to be perfectly frank, it has not had much of an effect just yet only because it's so new. The monitors that are in charge of implementing and helping the judge enforce the consent decree were only picked out March 1st. One is a former Assistant United States Attorney, named Maggie Hickey and the other one is David Coar, who is a formal federal judge. So, you know, I think Judge, that was the federal judge who entered the consent decree, and one of the things that he expressed in his opinion when he did it was that the consent decree is likely to be something that is with the city of Chicago Police Department for a very long time, and I agree. I think that's just the reality of it. Change within Chicago, particularly within the police department, happens very, very slowly in small increments – like two steps forward, two steps back sort of thing. And I think that's probably the way

it's going to be. One thing, that I think will hopefully impact very soon, and I think it's kind of already started because, as Tamer said, COPA, which is the City's oversight agency, was sort of working on implementing some of the changes that are a part of the consent decree in advance of the consent decree. One of the things that COPA has been working on doing since it was created...3 years ago? 4 years ago?

TA: September 2017.

KT: 2017. COPA is increasing the speed at which investigations of allegations of police misconduct are completed. So, one of the issues with COPA's predecessor, which is called the Independent Police Review Authority, IPRA, was that investigations took a very, very long time to complete. We're talking years and years and years, sometimes they would sit dormant, and as a civil rights attorney one of the main pieces of evidences that you want to get, in any civil rights case, is the IPRA file or now the COPA file because it's sort of a comprehensive collection of the most important evidence in the case – police reports, witness statements, medical records, videos, audio – it is sort of everything nice placed in one big bundle. Back in the day with IPRA, it was kind of like pulling teeth trying to get IPRA files if the investigation was still pending, and the city would leave them pending so that they were hard to get. So, I think that probably one of the first changes we're going to see, and we're already starting to see a little bit, is COPA moving at a faster pace, which makes it easier for us to get COPA files and civil rights lawsuits. When you can get those early in a civil rights lawsuit, it helps you size up very quickly the main strengths and weaknesses of your case. Sometimes that helps you decide whether your case is something you should settle, or something you should take to trial, or this is a case that we need to do more discovery on.

SC: I just wanted to say for transparency, I'm not a Chicago Police Officer. I'm a County Police Officer, and I'm not directly affected by the Consent Decree for the Chicago Police Department. On the front lines, I haven't seen any demonstrable effect of the Consent Decree just yet, but one of the other panelists is probably better to speak on the effects of the Consent Decree.

CB: Well, Sherod, can you talk a little bit about the differences between being a police officer for the County versus being a police officer for the Chicago Police Department?

SC: Well, being a Chicago police officer is different as the city of Chicago is a lot more dense. They have a lot more police to person interaction. In the county, we cover a large ground. The patrol division is mostly one-man cars. We're also more customer service based, and that's why you don't really hear much from citizens about county officers. We handle many calls where people have a history of mental illness, we go a wide range of calls including domestic violence related calls. We are allowed to come into the city and do initiatives in the city and help out Chicago Police officers and sometimes you might see us out here. Similar to state police, who come into the city and do initiatives and are allowed to interact with the general public – we can effectuate arrests, you can be arrested by County police officers, but that's not our goal. Most of the time our goal is just to help out other police departments or just serve the public. Because of that, we don't tend to have the same issues

that Chicago Police have while in the city. While there's bad neighborhoods--like I tend to work out towards the south side suburbs, and there is similar crime--the way we address things are slightly different. Maybe that's due to training, maybe it's due to the fact that we tend to have older officers. We're probably a little more diverse, that could play a role as well. There's a lot of other factors, but we do not tend to have those exact same issues, so it's hard to speak on Chicago police issues from a County police perspective.

- TA: And I think, just to add one of the biggest things that came out of the DOJ report and the Consent Decree is that apart from impeaching the whole accountability system and spurring the creation of something like COPA, is that it really validated a lot of people's complaints. Especially a lot of people in black and brown communities that were complaining that the laws were being implemented against them differently than they were against other people. They had been saying that for decades, and finally, they had this Department of Justice report saying oh yeah, we see this stuff, such as this is what is happening, here is what is wrong, and here are problems that we have in that system. And I think that was a really important result of it, because it gave it a little more credence and you couldn't ignore the issues anymore.
- BO: I would agree with that one-hundred percent, and actually I think one way that is affecting at least my practice is in jury trials. In Federal court, typically, this is getting better because the Court is working on it, but it's been a problem for a long time that in Federal Court it's very common to get a jury pool that is almost entirely white and almost entirely suburban because jurors are pulled from 100 miles around the courthouse. Like I said, Chief Judge Castillo put a lot of effort and time into working on this. I think it's getting better, but it still happens. I think just because the experience of someone who has grown up in, say, North West suburbs is going to have an experience with the police that is something completely different than a black person who grew up on the south side of Chicago – totally different. It can be very hard to convince a mostly white, mostly suburban jury that police officers lie, for example, because their whole experience throughout their entire lives have been that police help you, and they respond to your calls, and they are there to help you out when you need help. So I agree one-hundred percent with what Tamer is saying, is that I think that the DOJ kind of putting their official seal on the idea that police do treat black and brown people different and police do lie sometimes has really open people's eyes and changed people's minds and made them more receptive of the idea that those things actually happen. Even though you may not see it every day in your own life.
- CB: I'm going to go back to something that Sherod mentioned and Tamer kind of elaborated on, this idea of law enforcement being kind of customer service based. I'm just wondering what everyone else thinks about that, and I want to bring out some of the other points from the consent decree that kind of go in that direction and whether or not you think that is helpful or if there are other customer service type models that might be helpful for law enforcement. For example, the Consent Decree requires that officers undergo annual use of forcing training and that they establish a website where police can anonymously report police misconduct. Also, not just customer service to the public, but customer service to fellow officers. For example, there's one point in the Consent Decree where they state that the department needs to expand the officer's support system by providing services that seek

to minimize the risk of harm from stress, trauma, alcohol and substance abuse, and mental illness. So what do we think about that kind of customer service minded model to be more transparent and address the public's concerns as well as address the concerns within the department as far as those officers' mental state and stress levels. Do you think that is important? That it makes a difference?

BO: I think a big issue, at least in my practice and I'm sure others have experience this same thing, but a big issue we have is this Code of Silence, Blue Wall – where officers help their own. It's definitely a huge issue because at the end of the day, at least it's been my personal opinion, if I'm a police officer, I don't want my other police officers to do misconduct that I'm seeing. Obviously, it's wrong, but it also perpetuates this idea of we cover for you by sweeping this under the rug and letting it go away. I didn't know that was a part of the Consent Decree, where there is this anonymous reporting website, but I think that's a step in the right direction to help get rid of the Code of Silence issue.

AN: I'm a bit pessimistic about the ability of this Consent Decree to actually change the culture. I think that these are laudable goals and important points to be made, but I think that real change and things like the Code of Silence and just the general idea that police and prosecutors will close ranks, stand up for each other, you know it's an us versus them mentality – I don't think that's going to change unless there is a change in leadership and a real change that comes from within the department. I'm a little pessimistic of the ability of the Consent Decree to actually create that change. For example, a part of the Consent Decree are these District meetings. Each District has to have two public meetings where they create a strategic plan for the District for the year, and I went to both of them in the District that I live in. I tried to raise some of the issues that I've witnessed in my own community or that my clients have witnessed, and the officers that were there were kind of glazing over as I talked. They were taking notes, but really feel like they don't have to listen to me. At least, that was the impression that I got, and it kind of hurt my heart a little because I kind of realized that it's all a nice goal and the officers are forced to be here to listen, but I am a little skeptical that it is going to have any real impact.

TA: I think that something like the Consent Decree takes a lot of time to reach the goals that it sets out to reach. I can think of the Shackman Consent Decree, which basically dealt with hiring practices in Chicago. I think it stayed in the Courts for a couple of decades at least. So change does happen slowly. I don't think we can look at the Consent Decree like this is it, this is over, our work here is done now. There are other avenues by which to effect change. There is a City Council, there is a Mayor, there is a state legislature, so there are other avenues as well that can be effective in bringing out change. As far as the other question about customer service, especially for the police officers, I think that's great. I think it's great because in the last six months we have seen multiple police officer suicides that show that officers do need a lot more help than they get. By the same token, in terms of customer service to the public, I think that something like the Crisis Intervention training, for example, is essential because most of the time police will be the first responders to someone who is having a mental breakdown or something similar. That could result in a very tense interaction if that officer does not have that type of training to deal

with someone who is dealing with that situation. So, I think those trainings are very important and obviously things are going to take time.

- KT: For the customer service model, I think that anything that is trying to normalize relationships between the Chicago Police Department and Chicago civilians is a good thing. Anything that is getting away from us versus them, military style attitudes is a good thing, and I think that's an attitude that I see personally a lot in taking depositions of police officers. But I agree, one hundred percent, that a judge can't order someone to change the way that they think. You can order people to go to training. You can order people to be disciplined. You can order people to be fired. But you can't really order someone to change the way that they view or that they think about people that they interact with. So I agree that part of it is at least a nice aspiration of the Consent Decree, but that's something that police department leadership has to make a priority on a day-to-day basis, on roll call, while they are supervising officers, when they are disciplining officers, for that to actually have any impact.
- BO: Just to piggyback on that real quick, I totally agree, but I think it's most important that they acknowledge that this is an issue. Because that shapes how they structure their leadership or controlling the police department.
- TA: And it's not just about instant change, we're talking about things like hiring. The Consent Decree covers issues like hiring practices, recruitment, you know, trying to get a more diverse police force or the crisis intervention training. Things like that are things that, hopefully, although they may take a little bit of time, are things that might end up inching us towards the right direction.
- CB: So you mentioned two things that I wanted to point out. It is important that police officers are the first responders and the first ones on the scene. One thing I really like from the Consent Decree, by 2021, police officers will actually have to provide first aid to people who were hurt by officers use of force, so they will also be getting first aid training, which I think is nice.
- TA: And I believe that's a requirement now, but they are also adding additional requirements. I think now, one of the General Orders I believe, if I'm not mistaken, says that if someone gets hurt you have to provide training but it wasn't always the case that General Orders did not provide that, but yes, I agree, that is an important part of the Consent Decree.
- CB: Several of you mentioned the importance of who is in leadership within this law enforcement agencies. You mentioned diversity in police force. Sherod, do you want to talk about why that's important and what your thoughts are?
- SC: I grew up on the south side of Chicago. Clearly, I'm black. I've had bad police interactions and when I first started my law enforcement career, I started off in the jail. I spent about three years working in the jail. Then after working in the jail, I moved over to a boot camp we used to have, well we still kind of do. At the boot camp, I was a drill instructor, and the boot camp was mainly for non-violent offenders and people who were sentenced or plead

guilty and had the option of entering the boot camp to get a second chance, rehabilitate, keep certain things off their record, or get certain charges downgraded. It was a wonderful program, but you really see what is going on in the front lines when you're a police officer and how diversity really matters. Whether you're talking about women--I work with a lot of women--the perspective that a woman brings to a particular call is going to be different than the perspective that a male brings. The same way that a person who called the police, the victim or the offender, is going to treat that woman differently and have a different response to that woman than a male. Same thing with race. If I were to approach a black male and I'm talking to him, he's going to give me a different response and respond to me differently than he would with one of my white colleagues or somebody whom is not of similar race to them. That's just how that works, and I think diversity matters because when you're talking about that background, whether that is race, gender, or socioeconomic the different responses and perspective that the other person brings and the responses they give back can be totally different. It allows for the opportunity to de-escalate situations just by presence, mere presence of that diverse person than you could by just having a police department that is just strictly white males.

CB: Any other thoughts on the importance of diversity? We all agree?

All: Yup, absolutely. It's very important!

CB: Okay, and speaking of perception. I also want to talk about this requirement that all police officers are going to have to wear body cameras. So, body cameras. Brian?

BO: I just deposed the head guy at CPD who is in charge of body cameras. We have a case where an officer responded to a guy with a gun, and forgot to turn on his body camera even though he had forty five seconds to do so on the car ride there, which would have captured the shooting. If you look at the General Orders, it shows something along the lines of body cameras have to be turned on when reasonably necessary, and it's open to interpretation as to when that is or how that is. Right now, the Chicago Police Department has what is called the Acts on Body Cameras 2, which is really interesting because it's constantly recording. It's kind of hard to explain, but when a police officer turns on the body camera, which is really easy it is just a little button on the side, but it turns on audio and video. However, it will record thirty seconds prior to you turning on that body camera with no audio. If you recorded and incident like a shooting, it will actually record thirty seconds prior to you pressing that button if that makes sense.

KT: Because it's passively recording all the time, and it has a buffer beforehand.

BO: Right, exactly. At the end of the day, body cameras are useless if officers don't turn them on. That sounds like common sense, but I don't see too much on behalf of the Chicago Police Department for officers who forget to turn on their body cameras. I have at least three shootings that I'm litigating right now where the officers forgot to turn on their body cameras, and the excuse they give is, you know, we weren't trained to turn them on in high stress areas or high stress situations and my response is always wait a minute. Because they

are trained to respond to high stress situations, that's the reason why they took this job, and if the public demands transparency then they should turn on their body cameras.

- KT: I will say, I think, sometimes in the area of police department reform, body cameras are viewed as sort of a magic wand that fixes everything because then everything is going to be on video, right? And I agree one hundred percent with what Brian said is that they are not. If they are not used properly, if they are not turned on, if video is not retained – it's the same thing with dashboard cameras in police cars, which I deal with a lot, then what good are they? But, I will say that, in my own experience and in trial practice, I do think that when you get to a trial in a civil rights lawsuit where it appears that cameras were deliberately kept off or video was not stored properly or any situation where it looks like something hanky happened with the video, either dashboard or body camera, I think juries find that to be very powerful evidence. I think that juries, now-a-days, expect that everything should be on video just like everything everywhere else in the world is. They tend to see body cameras that were not turned on or dashboard cameras that obviously would have shown the incident that weren't recovered by evidence technicians or whatnot, and they see that as very suspicious. It will take some time, like all these things, but I think that over time, slowly, the police department is going to learn, the hard way probably, that when police officers aren't using body cameras or dashboard cameras properly that they are going to end up paying for it if something goes wrong.
- TA: I'm a big fan of body worn cameras because they make my job easier. But I definitely think we do see issues with turning body cameras on and off and when we get cases like that, those are allegations that we do bring. Part of the issue is that, that by itself is something that does not fall within COPA's jurisdiction. So, if the only alleged misconduct was not turning on the body camera, that case wouldn't come to us. That case would go to the Bureau of Internal Affairs. I'm not sure if everyone is aware as to how it's set up, but they sort of bifurcated jurisdiction. COPA has jurisdiction over some things and the Bureau of Internal Affairs has jurisdiction over others, so we get those cases as sort of an add on, so to speak. If a camera hasn't been turned on and we discovered that in the process of conducting an investigation it will be an add on, but it's not something that is heavily implemented by all the agencies.
- CB: I think that some people do have issues with COPA versus Internal Affairs, and whether or not they feel like their complaints are being handled – I know I have had clients that have. You mentioned that body cameras make your job easier, can you talk about other challenges that you experience working in COPA?
- TA: Sure. I think one of the main things to understand, apart from this jurisdiction thing, where COPA has jurisdiction over certain things, if you'd like to look at COPA Ordinances you will find a list of what COPA investigates. Police accountability is a protracted process. COPA is the first step. COPA is the clearing house for all the complaints. Some complaints, by law, have to be forwarded to the bureau of Internal Affairs, some complaints come to us. Some of the challenges, in addition to the regular challenges with any investigation, with trying to get evidence and things like that, some of the challenges are also things that are outside the control of COPA. That cannot be changed by COPA, it will have to be changed

through ordinances or collective bargaining agreements or things like that. So, the job of COPA is very important in terms of investigating these allegations, but that does not obviate the need for citizens, law makers, protestors, and everybody else to also do their part because COPA has to work within the system that is created for it. If anybody does not like that system, that change cannot come from COPA, it has to come from the outside.

- CB: Speaking of cameras, I kind of want to talk about the media. We kind of talked about the Laquan McDonald video coming out and how it was so widely publicized, and I want to talk about how the media has an effect on the relationships are between police and civilians. Do you think it has a positive or negative effect?
- AN: I mean, I think that we saw with the publicity that surrounded the video of the shooting how powerful video can be to galvanize public opinion or public response to an incident of police misconduct. Often times, I, frankly, have to tell clients who come to me with a story about something that happened to them that was wrong that if they are in a swearing contest with a police officer who is in uniform and is trained how to testify and has this appearance of credibility, that it is hard to win that contest. Especially if there is someone who has a felony background or doesn't have the same level of education, you know, all of those things. I think video can really tell the real story and also give a sense of what the, not just the event, but the tenor of the conversation of the event – how the police officer was talking to the people there or how they were being treated. Whereas before, the police have been able to say I was completely calm and professional, and then you see that they are screaming, swearing and the situation was chaotic. So, I think that it was important. But I think the other thing we saw from the Laquan McDonald video having been released is that it is not the panacea, it doesn't tell the whole story because you still had disputes during that case. You still had Jason Van Dyke's attorney bringing in expert witnesses to testify about how well the video doesn't really show things from his standpoint and how it looked different from where he was standing, so I think these things will still be litigated.
- TK: I sort of think that media coverage of things like the Laquan McDonald case influences the City's behavior and attitudes more than it influences individuals. From my own experience, I think that most people's views of the police are informed by their own personal experiences, which is why someone who grew up in Barrington is going to have a totally different view of the police than someone who grew up in Austin because they have had totally different experiences with that. But for the City though, the City government, the Mayor of City Council, so honored, are largely political creatures, and they respond to political pressure from the media. As Tamer said in the beginning, the DOJ report, the Consent Decree, and another report called the Mayor's Police Accountability Task Force Report were all products of the media firestorm around Laquan McDonald. I think that if that video had never come out, if it had been buried and there had been no media coverage of it, I'm pretty sure none of that would have ever happened. So, I think media is important in forcing the City to do things and to force change, however incremental that might be.
- BO: It's interesting because I agree with all that the panelists have talked about on this issue of media coverage, but I guess what I personally noticed in my trials when we do *voir dire* with jurors is that I've heard a lot of complaints from jurors, in the suburbs not in Cook

County, that they are tired hearing all these cases of police misconduct. I get this impression that they feel sorry for police officers, getting all this lime light on them, but I mean I obviously agree that media coverage is necessary for change, just like Kevin said, especially in the City of Chicago.

- TA: I think that the sort of climate we live in, we live in sort of a sound byte society right, and a lot of people make instant judgments. When they hear something, they make up their mind just like that. There are also differences between different agencies and the type of exposure or megaphones that they have to sort of creative the narrative around something that happened. You know, one agency might decide that they aren't going to talk about an active investigation, and other agency might be out there tweeting about this is what happened, and this is how it happened. But I think a bigger problem to me with media coverage is that the media coverage tends to center certain cases, such as officer involved shootings, officer involved deaths, or really, really abhorrent behavior that is captured on camera. That I think makes the public focus on those cases, those, what I like to call the, sadly so, "sexy" cases, but so many of, for example the cases we deal with at COPA, don't involve those things. They are sort of the day in, day out, potential Fourth Amendment violations: stopping someone without cause or keeping someone detained for too long, things like that. Fourth Amendment cases are a plurality of the cases that we deal with. Those cases don't necessarily get the covered that other big cases get, but those cases, I think, affect people's attitudes towards the police more than an officer involved shooting or an officer involved death because if I was stopped today, and my uncle was stopped yesterday, and I know three cousins who got stopped in the last month, that will have more an effect on my trust with the police, I think, than one big case of an officer involved shooting or death. So, I think sometimes, obviously those cases are the ones that make the news, and I think that causes us to forget sometimes the other types of cases that don't make the news.
- CB: I had a specific question for you, but you look like you had a comment.
- SC: Haha, yeah. The media is necessary. It's absolutely necessary. Police are public figures, and because they are public figures, I believe that they should be held to the same amount of public accountability. I believe that the media does do that. Unfortunately, a lot of what Brian said is probably accurate, and mainly because there is probably close to a million police officers nationwide. As my co-panelists basically said, the media focuses on specific instances of police interaction, and when that happens, you now have a situation where the public now has more of a negative view of police, and it's currently because of that climate. Similar to what happened with Laquan McDonald, there was a lot of officers that look at that and immediately were like that's wrong. That happens with officers, we're people too. We see that and we're like you know what, that's wrong. There were a lot of officers on that scene that got there before Laquan McDonald did who absolutely did the absolutely right thing, but we do need to center on Van Dyke's actions because reviewing his actions is warranted. His actions were wrong and so we needed to focus on that. So, unfortunately, that was not the time to look at what good the other officers did, but day after day, hour after hour, focusing on no matter where it's at in the nation, focusing on a particular negative encounter with police has now heightened people to have a negative view of

police. I just had a conversation with a small group of people the other day, and someone said “90% of police are bad.” They are a law school students. So, what ends up happening is that now you have people who don’t want to work with police, police like me who are trying to help and can’t help because of people’s view of the police is negative. And unfortunately, that has a lot to do with the public opinion shaped by the media, in my opinion.

CB: How do we separate the one bad apple, or the Van Dyke, from the rest of the force?

SC: I believe that social media does a good job. For the most part, and I don’t have an echo chamber of social media, but they do a good job as a whole of sometimes showing officers doing good things. People are able to see that depending on what your settings are and what you like. You know, you got some officers giving back, you got a good officer interaction that is videoed that people are putting forward, and then you also have negative interaction that is put forward. So, there is both on social media, but currently on mainstream media, you have mostly negative stories about police officers. Like I said, no matter where it happens, whether that’s New York, Saint Louis, Florida, Chicago, or California, that negative encounter is going to run on that twenty-four hours news cycle, and it’s going to generate a negative view of police with no positive police encounters spread by the media to balance that out sometimes. But when police do wrong, I believe that media does have an obligation to share that and bring that to light. That’s their job, but there are very few positive stories that’s out there about police good interaction, and there should be.

KT: To just answer your question about how you separate the bad apple, so to speak, from the good apples, I think that’s a function of police oversight, like what Tamer does at COPA, to a certain extent, and other organizations like Internal Affairs and the Police Board. I think the City already has the data to do that, and they have had the data for a very long time but haven’t used it. For example, I may not have the numbers exactly right, but I think that this is generally correct, and you can correct me if I’m wrong, but there’s about 13,000 Chicago Police officers. Not all of them are on the streets, but most of them are. If you look at how many complaints each police officer has from civilians, they are called Complaint Registered Files, or CRs, like 98% percent, the vast, vast majority of Chicago Police officers have less than four complaints in their entire career. Then, there’s this really tiny, small minority of maybe one hundred or two hundred officers that have a huge amount of complaints. We’re talking upper thirties, forties, fifties, and there’s very little in between. There’s some, but not much. That, I think, is that a perfect way to tell who is a good police officer and who is a bad police officer? No, but I think that’s a pretty good starting point and I think that one thing that the City has really struggled with over time is repeat offenders, so to speak, police officers that are racking up thirty-five, forty-five, fifty-five CR files over the course of their career and nothing really happens to them. They are almost never fired, and they are rarely ever disciplined. I think the City has the tools to do that, and I’m hopeful that things will change in that respect, but that information is there, and the City just has to make a decision that they want to do something with it.

TA: I think that’s true. I think the data has to be used a lot more in terms of making the right analysis. I think it was Northwestern University, they came up with a study and they wrote

a paper about predicting police misconduct by looking at past complaints whether they were sustained or not. It found pretty strong correlations and very good predictors whether misconduct was going to happen or not. I don't want to push back a little bit on the concept of the bad apple because I think if anything, if we learned anything from the DOJ report, is that the problems are systemic. That saying about a bad apple is that a bad apple spoils the bunch, right? I think that's the continuation of the saying, so sure you might start with one bad apple, but then the system becomes impeachable at the very least, and so it becomes a systemic issue that has to be dealt with systemically. I don't think it's an issue of going after individual officers, I think it's a matter of collecting data, using that data, and finding out how to fix the system in its entirety, not just isolate officers of misconduct.

- AN: I agree with that completely, but I think that, in terms of the public perception, if the police department had a real interest in setting apart an officer who engages in shocking misconduct, like Jason Van Dyke did, what could go a long way is seeing the leadership of the department, whether that's the superintendent or other top brass, coming forward right away after seeing that video and repudiating that conduct. To call that conduct what it was, which was an egregious misuse of police authority and a murder. I think that would have gone a long way towards fixing this public perception, but instead it was just reinforced by seeing the FOP stridently defending the conduct of Jason Van Dyke and the officers involved.
- BO: Just to piggyback on that, at least how I viewed the shooting there were two issues with that: one was Van Dyke's actions, but the second was the response that the police officers on scene and the public. No one knew about this for an entire year. The only reason why the public knew about this was because some brave reporter smelled something fishy, saw the autopsy report, saw that this guy was shot sixteen times, and in a Freedom of Information Act request asked for that video. A year later, a judge ruled for that video to be released and then within twenty-four hours, Van Dyke is charged, the Superintendent with the Mayor are saying we condemn this conduct, but where were you a year ago? The issue that I see there is going back to what, I think I said previously at the beginning, Code of Silence. All those officers wrote reports defending Van Dyke's conduct. They said that the guy lunged at with him a knife, which we saw in the video didn't happen. I think that when other officers will step up to call out another officer, in my opinion, we'll see a big change.
- TK: I agree with what everybody said one hundred percent. I think that Laquan McDonald was a classic case of the City not doing the right thing and, from a total cynical perspective, making their PR problem much, much worse than it had to be.
- CB: So, we talked a little bit about social media and, I know Brian posted something that made me think of this, but we obviously think it's important to humanize police officers, I know Sherod you do, but have we seen some police departments that are making Bruno Mars videos? Or they are taking funny photo shoots? Or doing things that humanize them. Do we think that's helpful or do we find that annoying? I personally like it. Sherod, will you be making a video anytime soon?

- SC: Actually, I'm not even on social media that much. I have a page for my nonprofit and a couple of other things, but because I am a police officer--even my participation in an event like this--your actions, writings, anything you portray is heavily scrutinized. So, if you're on social media, one small "like" can end up being negatively portrayed as "oh he's a police officer and he liked X, Y, Z." So, social media is kind of a double-edged sword. I do like the videos that humanize police officers; I absolutely do. I get that by other forms of social media like Reddit or YouTube where I don't need to comment or fully engage, but I definitely like things like that. I think that it's necessary because as I said earlier there are not as many avenues where police officers are humanized. I know that the Chicago Police Department actually does a lot of community outreach and projects like that. Unfortunately, there's sometimes other more pressing stories that the media needs to focus on. You know, it's kind of hard bringing forth those positive stories while you're still having these deep-rooted issues that you have to deal with, but they have to co-exist. You have to have some type of balance, so that people can understand that something is being worked on, that change is occurring, or that we're working to change. So, I think that balance is important and I think social media is important for that.
- TA: I think the us versus them mentality that we spoke about earlier, I think it works both ways. I think sometimes officers have an us versus them mentality and sometimes we, civilians, have an us versus them mentality. Where we sort of automatically assign bad intentions, or whatever the case may be, to a police officer. I don't know what videos you are talking about but it is important to appreciate sort of the work-environment of police officers. We all hear this, you never know what will happen on the job, you don't know whether you will come home, and that's all true. This is their job, they signed up for it, they took on the responsibility, and we should hold them to a higher standard. That is all correct, but we also need to understand – for example, use of force. Use of force, no matter how justified, will never look pretty. You could be one hundred percent justified in tackling someone to the ground, and after that the person ends up with a broken nose and a bloody face, and that's not going to look good. Even if the officer was one hundred percent in the right. That's the important part of having civilian accountability offices like COPA. We have to sort of put everything out of our heard, like what the FOP is saying, what citizens are saying, from taking in their complaints right, what the community wants to see, and just try to focus on the facts. It's a hard job. It's the reason one of my deputy chiefs told me at the very beginning of signing up to work with COPA. She said, "If you want to be liked, this is not the job for you because a lot of what you say at the end, a lot of people are going to be angry about it."
- CB: I'll end off with just one more question. Just going down the line, what do you think is the one most important thing we can do to improve police and civilian relations that we're not doing or that maybe we have been trying to do but hasn't really happened.
- TA: I'll go first, but I'll put a disclaimer that I'm not speaking for COPA. We have a couple of people from the Public Affairs team that can speak for COPA, but I think the biggest thing we can do is take a strong serious look at our municipal violations and our criminal laws and take a ton of those so-called crimes and take them off the books. Turn them into civilian

violations that could be dealt with in a civilian port. There is way too much interaction between police officers and civilians over things that are just petty. Over an air freshener that you have hanging in your rear-view mirror. There are a lot of things that do not to be labeled as crimes and do not need people like the Chicago Police Department to get involved in. Maybe from some other kind of civilian organization that is in charge of enforcing these laws, but there is no reason to have that number of crimes on our books. That is, I think, my suggestion.

KT: That is a great answer.

AN: I mean, I would building on that, I would say that the number one thing that is not getting enough attention are the street-level interactions that happen between police and citizens every day that don't make the news because they don't involve some type of serious use of force or even an arrest. It's often times what is happening when a police officer stops someone who is on the street corner. How that interaction happens. Whether the person feels they are treated fairly, and whether their ultimately detained for no reason. If they are left feeling that every time they go outside they are going to face some type of harassment, that just colors the entire relationship between the police and the citizens.

KT: I think one of the biggest things that we, the collective we, could do or that needs to be done is, and maybe this will happen under the Mayoral Administration, is the renegotiation of the FOP agreement. The FOP is the Fraternal Order of Police, it's the police officers' union, and their agreement with the City covers hiring and firing within the City among other stuff. To be perfectly frank, it's too difficult for the police department to separate problem officers or to discipline them, and I think that contributes to the public perception that police officers can act with impunity, it doesn't matter what they do, they're not going to be disciplined or fired. They aren't like the rest of us at our jobs, where if we break the law, lie, or cover somebody else's misconduct, we get disciplined or we get fired. I think that goes back to what I was saying earlier, a normalization of civilian police interactions where civilians do not view police officers as different, acting above the law, or immune from discipline.

BO: One thing I want to add, I touched on this earlier, but I get it. People make comments that all police officers are bad, obviously that is an incorrect statement. But, on the flip side, I think you'll see greater action when police departments actually acknowledge that there are these systemic issues, such as the MeToo movement. When guys say, well that's not me, I'm completely innocent, I don't mistreat women. That's all fine and dandy, but that's an issue that other people do. Just like the police department – yeah, not all your officers are bad people, bad apples, but you need to acknowledge that there are ones, there are systemic issues. I think that would go a long way in regulating our actions between police officers and civilians.

SC: Theories on policing is constantly influx. But there is a significant percentage of people, who everyday they wake up with the intent to victimize people. They are constantly looking for an opportunity and sometimes on the backs of good citizens. That is a real segment of the population. There is also a significant segment of the population that, whether through

drugs or mental illness--some through no real thought of their own--victimize people. How we deal with that needs more dialogue. We need to engage with certain citizens on how they would like to be policed and actually take that into account. But too often, we just overlook the fact that there are bad people and police are constantly trying to figure out how to capture or neutralize the bad people while not doing disservice to the good people – all in a couple split seconds. We don't often take that into account, and we need to. Like I said, there has to be accountability. We are given much power. We have a gun, badge, and a wide range of discretion, so there has to be some type of oversight. At the same time, there are people out there doing people harm, and when we follow up on calls, we are worried about our safety. Sometimes you have situations where people are like oh, that's what police signed up for, but nobody signs up to die. As a police officer, you understand that it could happen, but you're not trying to rush that day forward, you know? We need to figure out more of a way to engage the community because different communities have different needs. Some communities say, don't arrest the drug dealer, instead we need to do X, Y, Z, and provide different types of programs to help those people. We have bigger concerns. Meanwhile, I get calls every night asking why aren't you locking these drug dealers up. So, we need to have that actual dialogue out there so we can figure out different communities needs and different strategies to address those particular communities or groups of people's needs, so we can do better policing. That needs to happen. Citizens also need to be engaged. They need to be trained as citizens as well as the police to try to figure out, and articulate, what are those needs and how are those communities best served. I think that, once that happens, you'll find that the communities are more accepting of police because they are more accepting of that type of policing.

CB: Alright. Thank you so much everyone!