

Summary and Response to Public Input on Firearm Pointing Notification Policy

The Chicago Police Department appreciates the time spent by members of the general public who provided feedback and observations to the Department's pointing notification policy required in Paragraph 189 of the Consent Decree. The Department received 260 comments from the public, which expressed that the new policy be implemented quickly and correctly.

It is important to note the Department's commitment to engage the community in our endeavor to improve the Department and implement the changes encompassed by the Consent Decree. To that end, this directive was posted for comment both internally and externally for a 15-day period, during and after which the senior members of the Department reviewed and discussed these comments to determine what, if any, changes to the directive or training were necessary or appropriate.

As a general point, the exact terms of the pointing notification requirement were the results of months of negotiations between the City of Chicago and the Office of the Attorney General. This includes the very limited exceptions to the notification requirement. The Consent Decree, including the pointing notification provisions, also went through public comment and fairness proceedings before the Consent Decree was approved. The negotiated terms formed the basis of the directive posted for comment.

The comments can generally be placed into a few summary categories. The Department responds to each below.

DOES POINTING EQUATE TO USE OF FORCE?

The Department does not consider the pointing of a firearm to detain a resident a use of force but rather a seizure, and, as such, no additional associated report is required under the Department pointing directive. Moreover, the negotiated provisions of the Consent Decree reflect the Parties agreement on the form and nature of the "reporting" of a pointing of a firearm, i.e., the notification to OEMC. Please note that under existing policy, Department members are still required to complete the appropriate forms when an investigatory stop or arrest has occurred.

TRAINING AND COMMUNICATION

The Force Review Unit (FRU) is tasked with reviewing pointing notifications that involve an arrest or investigatory stop report (ISR) and through this review is required to identify patterns and trends. This Unit will continually consider whether trends are forming throughout their reviews and on a quarterly basis will issue a report to the Chief of the Bureau of Organizational Development noting any patterns or trends and include recommendations for additional training to respond to such patterns or trends. In addition, the FRU is responsible for making training recommendations for each instance of pointing as described above. It is anticipated that these individual training recommendations will address any trends identified through the quarterly

review process. If any patterns or trends are observed by the FRU requiring a more significant Department review the FRU will provide the appropriate notification.

Finally, many of the comments noted questions the officer may have in executing this notification requirement and to that end the Department has made additions to its communications and training plans for this directive, including the Training Bulletin required by Consent Decree Par. 188, which has been revised in accordance with comments from both the IMT and the OAG. In addition, the Department has created a training video and infographic, has sent a member of the Command Staff to roll calls across the City to discuss this directive. Additionally, there was a Supervisors' briefing on this topic which afforded Supervisors an opportunity to ask questions about this new policy.

Thank you again for your continued partnership in building a safer Chicago.