

Community Engagement in Policy Creation - Chicago Police Department

PROHIBITION OF SEXUAL MISCONDUCT

The Chicago Police Department (CPD) recognizes the need for a comprehensive community engagement process that offers the community a meaningful opportunity to provide input into CPD policies. Please use the following information to guide your feedback and discussions on the CPD policy related to the Prohibition of Sexual Misconduct.

BACKGROUND

The City of Chicago Consent Decree requires that CPD will “develop and implement a policy that prohibits sexual misconduct by CPD members. The policy will be consistent with best practices and applicable law and will provide definitions of various types of sexual offenses, including those that are not criminal in nature” (§63). In development of the policy on the Prohibition of Sexual Misconduct, CPD has researched applicable laws, operational practices from other agencies, and other published research and analyses, including recommendations from the International Association of Chiefs of Police (IACP).

Current CPD Policy (available publicly at <http://directives.chicagopolice.org>)

- G08-01 “Complaint and Disciplinary Procedures”

CPD Rules of Conduct. Prohibited acts include:

- Rule 4: Any conduct or action taken to use the official position for personal gain or influence.
- Rule 8: Disrespect to or maltreatment of any person, while on or off duty.

All members will comply with the Rules and Regulations of the Chicago Police Department, directives, and orders. Members that fail to comply hinder the effective performance of the Department’s functions. Sworn members will be held strictly accountable for properly exercising the authority they have been given to protect the rights, lives, and property of all individuals. At the same time, Department members must be protected against false allegations of misconduct. Prompt, thorough investigations will be conducted into allegations of misconduct to establish facts that can absolve the innocent and identify the guilty.

Sexual Misconduct by Law Enforcement - any behavior by a Department member that takes advantage of the member’s position in law enforcement to misuse authority and power (including force) in order to commit a sexual act, initiate sexual contact with another person, or respond to a perceived sexually motivated cue (from a subtle suggestion to an overt action) from another person. It also includes any sexual communication or behavior by a Department member that would likely be construed as lewd, lascivious, inappropriate, or conduct unbecoming an officer. Any attempted or completed act by a Department member of non-consensual sexual conduct or non-consensual sexual penetration, and violates general principles of acceptable conduct common to law enforcement.

POLICY ENGAGEMENT TOPICS

- Prohibited acts and officers engaging in prohibited activities.
- Officer responsibilities to report and identify sexual misconduct.
- Victim assistance, services, and support from CPD.
- Supervisory responsibilities and investigation of sexual misconduct, including ensuring accountability.

CPD anticipates gathering and utilizing the feedback provided via the community engagement process to develop a comprehensive policy that is inclusive of and reflects the needs and expectations of both the community and CPD. CPD’s policy development process will also include the public posting of proposed policies for comments on CPD’s website prior to implementation.