



HUMAN RIGHTS AND HUMAN RESOURCES



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INDEX CATEGORY:	Human Rights and Community Partnerships		

I. PURPOSE

This directive:

- A. sets forth Department policy, procedures and guidelines governing the human rights of all individuals;
- B. defines the responsibilities of Department members concerning applicable laws; and
- C. provides information on City, State and Federal resources.
- D. identifies select Federal and State law relative to human rights.
- E. satisfies CALEA Law Enforcement Standards in Chapters 1 and 61.

Department members will refer to the Special Order titled "**Human Rights and Human Resources**" for procedures and guidelines governing the human rights of all individuals.

II. GENERAL INFORMATION

- A. As one of the world's largest cities, Chicago encompasses a variety of communities, each with its own distinctive cultures, lifestyles, customs and problems. The cosmopolitan nature of the City is further manifested by the diverse ethnic and sociological background of its people. However, all persons in each area of the City share the common need for protection and service through objective and impartial law enforcement.
- B. The recognition of individual dignity is vital in a free society. Since all persons are subject to the law, all persons have the right to dignified treatment under the law. The protection of this right is a fundamental responsibility of the Department and its members. Every Department member is responsible for treating each person with respect, mindful that the person possesses human emotions and needs.
- C. The daily interaction of Department members with citizens presents a unique opportunity to strengthen police-community relations. In all contacts with the public, members must inspire respect for themselves as individuals and as representatives of the Department by respecting the human rights of the members of the community.

III. POLICY

- A. The Chicago Police Department is committed to observing, upholding and enforcing all laws relating to individual rights. Department members will respect and protect each person's human rights and comply with all laws relating to human rights.
- B. In addition to respect for those human rights prescribed by law, Department members will treat all persons with the courtesy and dignity which is inherently due every person as a human being. Department members will act, speak and conduct themselves in a professional manner, recognizing their obligation to safeguard life and property, and maintain a courteous, professional attitude in all contacts with the public.
- C. The Chicago Police Department will not tolerate abuse of law enforcement authority. While the Department does recognize the concept of discretion, that discretion must be reasonable, defensible and may not be for an improper purpose.
- D. Members will not exhibit any [Racial Profiling or Other Bias Based Policing](#) against an individual or group because of race, ethnicity, color, national origin, ancestry, religion, disability, gender, gender

identity, sexual orientation, marital status, parental status, military discharge status, financial status, or lawful source of income. All members will follow the provisions outlined in the Department directive titled "**Prohibition Regarding Racial Profiling and Other Bias Based Policing**." Members will not exhibit a condescending attitude or direct any derogatory terms toward any person in any manner.

- E. The Chicago Police Department is committed to working with the communities of the City to serve and protect; to safeguard lives and property; to guarantee all persons fair and equal treatment under the law; and to ensure that all persons may enjoy their fundamental rights as human beings.

IV. INDIVIDUAL RIGHTS AND THE LAW

- A. The Fourth Amendment to the Constitution of the United States guarantees protection from unlawful arrest and unreasonable search and seizure to all persons in this country.
- B. Under the United States Code, it is unlawful for any person who is acting under color of any law, statute, ordinance, regulation or custom to willfully subject any inhabitant of any state, territory or district to the deprivation of any rights, privileges or immunities secured or protected by the Constitution or laws of the United States to different punishments, pains or penalties on account of such inhabitant being an alien or by reasons of his color or race. Violators can be subjected to a fine and/or imprisoned for a term of years or for life (Title 18, United States Code Annotated, Section 242).
- C. Along with the criminal sanctions mentioned in Item II-B, violators can be liable to the party injured in civil proceedings (Title 42, United States Code Annotated, Section 1983).
- D. The Americans with Disabilities Act provides a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities, and provides enforceable standards addressing discrimination against individuals with disabilities. (Public Law 101 - 336, Section 2 (b)).
- E. The Illinois Human Rights Act secures for all individuals within Illinois the freedom from discrimination because of his or her race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation, pregnancy, or unfavorable discharge from military service in connection with employment, real estate transactions, access to financial credit, and the availability of public accommodations; and prevents unlawful discrimination or sexual harassment in employment, elementary, secondary and higher education, discrimination based on citizenship status-employment, and discrimination in connection with real estate transaction based upon familial status. (Illinois Compiled Statutes, Chapter 775 ILCS 5/1-102).

V. RELEVANT ORDINANCES

- A. "Declaration of city policy" (Municipal Code of Chicago, Section [2-160-010](#)).
- B. "Definitions" (Municipal Code of Chicago, Section [2-160-020](#)).
- C. "Unlawful discriminatory activities designated" (Municipal Code of Chicago, Section [2-160-030](#)).
- D. "Sexual harassment" (Municipal Code of Chicago, Section [2-160-040](#)).
- E. "Religious beliefs and practices" (Municipal Code of Chicago, Section [2-160-050](#)).
- F. "Discriminatory practices-Credit transactions" (Municipal Code of Chicago, Section [2-160-060](#)).
- G. "Discriminatory practices-Public accommodations" (Municipal Code of Chicago, Section [2-160-070](#)).
- H. "Exemptions for certain religious organizations" (Municipal Code of Chicago, Section [2-160-080](#)).
- I. "Violation-Investigation by Commission on Human Relations-Prosecution" (Municipal Code of Chicago, Section [2-160-090](#)).
- J. "Retaliation prohibited" (Municipal Code of Chicago, Section [2-160-100](#)).
- K. "Construction of chapter provisions" (Municipal Code of Chicago, Section [2-160-110](#)).
- L. "Violation-Penalty" (Municipal Code of Chicago, Section [2-160-120](#)).

VI. LIMITED ENGLISH PROFICIENCY POLICY

- A. The Chicago Police Department will provide professional and courteous police service to all persons, equally and without prejudice and will take reasonable steps to provide service to all individuals encountered regardless of their ability to speak, read, write, or understand English.
- B. Individuals with [Limited English Proficiency](#) (LEP) requiring a Department/police service will be provided [interpretation](#) services by the Department free of charge to ensure proper communication exists throughout the duration of the incident. Department members will refer to the Special Order entitled "**Limited English Proficiency**" for information regarding specific procedures.

(Items indicated by *italics/double underline* have been added or revised.)

Kevin B. Navarro
Acting Superintendent of Police

17-021 KT/KC/JK

GLOSSARY TERMS:

1. **Racial Profiling or Other Bias-Based Policing**

In making routine or spontaneous law enforcement decisions, such as investigatory stops, traffic stops and arrests, Chicago Police Department officers may not use race, ethnicity, color, national origin, ancestry, religion, disability, gender, gender identity, sexual orientation, marital status, parental status, military discharge status, financial status, or lawful source of income to any degree, except that officers may rely on the listed characteristics in a specific suspect description.

2. **Limited English Proficiency (LEP)**

Designates an individual whose primary language is not English and who may have a limited ability to read, write, speak, or understand English. LEP designations are context specific and individuals may have sufficient English proficiency to function in certain types of communication (e.g., speaking, understanding) but lack the skills to function in other situations (e.g., reading, writing).

3. **Interpretation**

The act of listening to or reading a communication in one language and orally converting it to another language while retaining the same meaning.

ADDENDA:

1. G02-01-01 - Criminal Investigations of Drug or Alcohol Abuse Patients
2. G02-01-02 - Testing for HIV Status, Disclosure of HIV Status, Discrimination Against Individuals Based on HIV Status
3. G02-01-03 - Interactions with Transgender, Intersex, and Gender Nonconforming (TIGN) Individuals
4. G02-01-04 - Homeless Bill of Rights