



CITY OF CHICAGO



COMMUNITY COMMISSION FOR
PUBLIC SAFETY AND ACCOUNTABILITY

VIA EMAIL

April 3, 2023

Tina Skahill
Executive Director
Office of Constitutional Policing and Reform
Chicago Police Department
tina.skahill@chicagopolice.org

RE: CCPSA Response to CPD's Comments and Suggestions on CCPSA Draft General Order G01-03

Dear Executive Director Skahill,

Pursuant to 2-80-110 of the Municipal Code of Chicago, the Community Commission for Public Safety and Accountability (Commission) is submitting its response to CPD's comments and suggestions on the Commission's draft amendments to General Order G01-03, "Department Directives System."

The Commission thanks CPD for sending its suggested alternative directives to the Commission's proposal. However, the Commission declines to incorporate the suggestions for the following reasons:

Commission's Reasons for Not Incorporating CPD's Suggestions

- 1. CPD's suggested revisions to G01-03 are not related to the purpose of the Commission's proposed amendments.**

The Commission recognizes the value of updating G01-03 to reflect the roles of the Commission and the Consent Decree in the development of directives. However, these changes do not address the issue raised in the Commission's proposal, which is the classification of orders related to criminal enterprise databases and data procedures. The Commission is prepared to consider CPD's suggested revisions separately, or in conjunction with the Commission's proposed revisions, but not in place of the Commission's revisions.

2. CPD's suggestion to divide its draft CEIS Special Order S10-02-01 into a Special Order and a General Order does not sufficiently address the Commission's aim to exercise oversight over the development of CEIS.

The Commission appreciates that CPD is now willing to make part of its CEIS proposal a General Order subject to Commission review and approval. However, the division of the November 2022 draft Special Order on CEIS still leaves a significant portion of CEIS, including the creation of CEIS itself, in a Special Order that would not be subject to Commission review. The Commission's aim is to ensure that all proposed directives related to the collection, storage, and usage of data on criminal enterprise membership are classified as General Orders. This issue is of significant interest to the public and reflects core functions and values of CPD.

3. CPD has not provided reasons for rejecting key elements of the Commission's proposal to require that CEIS and related policies be subject to Commission review and approval.

In response to the Commission's proposal, CPD proposed instead to amend an existing General Order, draft a new General Order, and amend its proposed Special Order. CPD has not shared with the Commission any reasons to not support the Commission's proposed policy on the classification of directives related to criminal enterprise membership data. The Commission introduced this draft policy to ensure heightened community oversight, input, and decision-making on this critically important issue, which has been a central topic of public debate, controversy, and litigation. Given the substantial impact of this policy issue on Chicagoans, the way CPD collects, stores, and uses data on criminal enterprise membership, including the creation of an information system, must be viewed as a core Department-wide function that needs to be categorized as a General Order. If CPD wishes to enter into a discussion about the merits of the Commission's proposal, CPD must describe with specificity its substantive concerns. The Commission would need such information to engage in productive discussion.

Requests for Format of Comments and Suggestions

CPD's submission of comments and suggestions came in the form of three proposed directives, without any explanation behind them. The Commission therefore asks that moving forward, CPD submit with any comments and suggestions a cover letter describing the changes and providing reasons for each one. These explanations would help the Commission interpret CPD's suggestions more clearly. As our agencies work

together on the draft amendments to G01-03, and as our agencies collaborate on future policymaking endeavors, the Commission asks CPD to share its reasoning and explanations for its proposed comments and suggestions.

The Commission looks forward to meeting with your team soon and working collaboratively with CPD for at least 30 days, pursuant to MCC 2-80-110, to reach resolutions related to the Commission's proposed order.

Sincerely,

Commissioner Anthony Driver, President
 Commissioner Oswaldo Gomez, Vice President
 Commissioner Yvette Loizon
 Commissioner Remel Terry

CC:

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