

# **EXHIBIT 1**



ROGER BALDWIN FOUNDATION OF  
ACLU, INC.  
150 N. MICHIGAN AVENUE  
SUITE 600  
CHICAGO, ILLINOIS 60601-7570  
(312) 201-9740  
FAX (312) 201-9760  
WWW.ACLU-IL.ORG



THE EDWIN F. MANDEL LEGAL AID CLINIC  
OF THE UNIVERSITY OF CHICAGO LAW SCHOOL

Northwestern  
PRITZKER SCHOOL OF LAW

Bloom Legal Clinic  
375 East Chicago Avenue  
Chicago, Illinois 60611-3069  
legalclinic@law.northwestern.edu  
Office 312.503.8576  
Fax 312.503.8977  
www.law.northwestern.edu

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**Via Email**

Danielle Clayton  
Asst. Corporation Counsel III Supervisor  
City of Chicago Department of Law  
121 North LaSalle St., Room 600  
Chicago, IL 60602  
danielle.clayton@cityofchicago.org

Allan Slagel  
Counsel for the City of Chicago  
Taft Stettinius & Hollister LLP  
111 East Wacker, Suite 2800  
Chicago, IL 60601  
aslagel@taftlaw.com

Maggie Hickey  
Independent Monitor  
ArentFox Schiff  
233 South Wacker Drive, Suite 7100  
Chicago, IL 60606  
maggie.hickey@afslaw.com

Karyn L. Bass-Ehler  
Assistant Chief Deputy Attorney General  
Office of the Illinois Attorney General  
100 W. Randolph Street, 12<sup>th</sup> Floor  
Chicago, IL 60601  
karyn.bassehler@ilag.gov

Re: Coalition's Notice of Intended Enforcement: CPD's Violation of Consent Decree Provisions Regarding Use of Force, Impartial Policing, Youth Interactions, and Crisis Intervention

Dear Counsel and Monitor Hickey,

Pursuant to Consent Decree ¶¶ 695 and 709, the Coalition<sup>1</sup> provides notice that the City of Chicago is currently in violation of the portions of the Consent Decree regarding de-escalation and use of force, disproportionate use of force against Black and Latino Chicagoans, and increasing use of force against youth, people with disabilities, and people in crisis. This letter sets out the grounds for our anticipated motion to enforce the Consent Decree and the steps the Chicago Police Department ("CPD") should take immediately to reach compliance with these crucial portions of the Decree.

We request that the Monitor convene a conversation among all parties within 45 days, pursuant to ¶ 695, to discuss resolution of the Coalition's anticipated enforcement motion.

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<sup>1</sup> Organizations within the Coalition include the ACLU of Illinois; Community Renewal Society; Communities United; ONE Northside; Black Lives Matter Chicago; Blocks Together; Brighton Park Neighborhood Council; Westside Branch of the NAACP; Illinois State Conference of the NAACP; Network 49; Women's All Points Bulletin; the 411 Movement for Pierre Loury; and the Chicago Urban League.

As shown below, Chicago police have been using more force, more often, against community members, in violation of ¶¶ 153, 156(c)-(d) and 161 of the Consent Decree. These paragraphs require officers to de-escalate and avoid the use of force whenever safe and feasible. Data shows, however, that between 2022 and 2024, CPD has used deadly force such as firearms and chokeholds increasingly often. Total reported uses of force are up by about 75% over that period.

CPD has made notable improvements over the course of the Consent Decree, including improved use of force policies, more thorough and frequent trainings, and increased transparency. However, the central purpose of the Consent Decree is to reduce the violence and harm suffered by thousands of community members at the hands of police every year. On that point, the Department is moving in the wrong direction. For the Consent Decree to succeed, CPD must substantially decrease use of force. The fact that use of force levels were much lower just a few years ago indicates that CPD can achieve this outcome.

We also demonstrate below that Chicago police continue to use force disproportionately against Black and Latino Chicagoans in violation of ¶¶ 49-50 and 54-56 of the Consent Decree prohibiting racial and ethnic discrimination. As described further below, Black people make up less than 30% of Chicago's population but more than 72% of the victims of police force, and this racial disparity has not improved since the Consent Decree's entry in 2019. The police districts with the highest percentages of Black residents are also the districts where officers are most likely to use force. The Consent Decree requires immediate action to reduce the amount of force that police officers use against Black and Latino community members.

Chicago police are increasingly using force against young people in violation of ¶¶ 32-33 of the Consent Decree, which require age-appropriate treatment of youth and children. CPD's use of force against young children (aged 10-15) increased 98.9% between 2022 and 2024, and use of force against youth aged 16-20 increased 61% during the same period of time. Intersecting with the problem of biased policing addressed above, Black boys represented the largest share of youth victims of police force in recent years. CPD must take immediate steps to reduce the instances where police harm children and youth.

Finally, and relatedly, CPD is increasingly using force against people with disabilities, including people in crisis, in violation of Consent Decree ¶¶ 68, 85 and 88. These provisions require CPD to provide meaningful access to its services for individuals with disabilities and to de-escalate situations to reduce the need to use force against individuals in crisis. Between 2022 and 2024, however, CPD reported a 42% increase in the number of force incidents involving individuals with "observed mental illness/emotional disorders." Worse, recent reports indicate that even officers who have received CPD's crisis training are using force in crisis situations. CPD's crisis response program is not achieving its objectives of de-escalation and reduction in uses of force against people with disabilities and people in crisis.

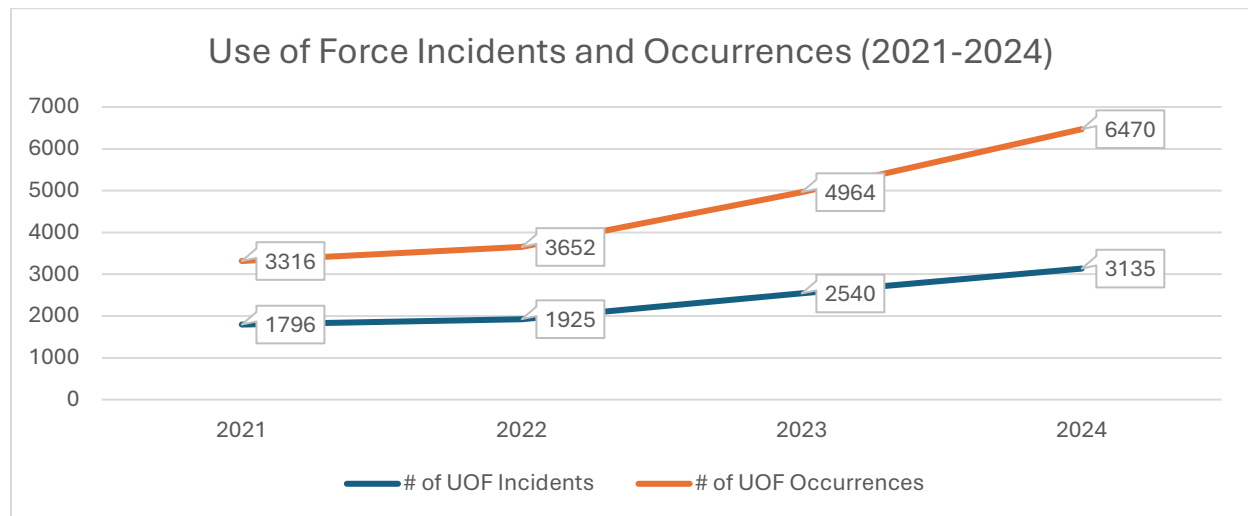
These serious violations should be addressed with urgency and with a view to achieving the outcomes intended by the Consent Decree – not with CPD's existing approach of drafting new policies or training materials. After seven years, CPD's policies on use of force, biased policing, interactions with youth and crisis intervention have not improved how CPD officers treat people in neighborhoods across the city. In fact, after recording reductions in use of force from 2019 through 2022, the amount of force CPD is using against community members has rebounded upwards. Calendar year 2024 saw the highest recorded number of force incidents in nine years—

since 2016 (three years before the Consent Decree was entered).<sup>2</sup> The Consent Decree needs a new approach focused on generating measurable outcomes, especially fewer instances where CPD officers harm community members.

**I. CPD is using more force more often, in violation of the Consent Decree’s requirements to de-escalate and reduce or eliminate the need for force.**

The Consent Decree’s key objectives include using “de-escalation techniques to prevent or reduce the need for force whenever safe and feasible” and using “sound tactics to eliminate the need to use force or reduce the amount of force that is needed.” ¶ 156(c)-(d); *see also* ¶ 153 (“CPD officers [must] apply de-escalation techniques to prevent or reduce the need for force whenever safe and feasible...”); ¶ 161 (“CPD officers are required to de-escalate potential and ongoing use of force incidents whenever safe and feasible...”). However, CPD’s data shows that officers are using more force, more often, and, after achieving reductions in the first few years of the Consent Decree, the trend is going in the wrong direction.

According to data provided in CPD’s Tactical Review and Evaluation Division (“TRED”) Year-End Reports and the CPD’s Annual Use of Force Reports, use of force incidents have increased nearly 75% between 2021 and 2024.<sup>3</sup> Use of force “occurrences,” defined as total Tactical Response Reports (“TRRs”) completed (multiple officers may complete reports about one incident) have increased 95% over the same time period<sup>5</sup>, as shown in the following figure:



<sup>2</sup> *See* Chicago Police Department, Annual Reports 2016-2024, <https://www.chicagopolice.org/statistics-data/statistical-reports/annual-reports>; *see also infra* §§ I-III.

<sup>3</sup> *See* Chicago Police Department, Tactical Review and Evaluation Division, “2024 Year-End Report” (June 27, 2025), at 32, <https://www.chicagopolice.org/wp-content/uploads/2024-YEAR-END.pdf> (hereafter “TRED 2024 Year-End Report”); Chicago Police Department, “2022 Annual Use of Force Report,” (undated), at 60, <https://www.chicagopolice.org/wp-content/uploads/legacy/2022-Annual-Use-of-Force-Report-For-Publication.pdf> (hereafter “CPD 2022 Annual Use of Force Report”).

<sup>4</sup> TRRs, or Tactical Response Reports, are forms that CPD officers fill out to report when they use force. TRED 2024 Year-End Report, 7.

<sup>5</sup> *Id.*

Another dangerous trend is that CPD is increasingly using types of force that are generally prohibited under the Consent Decree. Paragraph 177 generally bars using force against people who are handcuffed or restrained, but from 2021 to 2024, there was a 65.2% increase in TRRs documenting use of force against handcuffed individuals, with nearly 600 such incidents reported in 2024.<sup>6</sup> As significant as those numbers are, CPD reports suggest these incidents are likely underinclusive. Specifically, in 2023 and 2024, the most common debriefing points<sup>7</sup> regarding use of force against handcuffed individuals was that CPD members failed to truthfully answer whether there was any reportable force against the person while they were handcuffed. This means that TRED's numbers—which rely on officers truthfully reporting force—likely undercount such incidents.<sup>8</sup>

Consent Decree ¶ 178 prohibits chokeholds unless deadly force is authorized. Although this type of force should be rare or non-existent, there was a 550% increase in chokehold incidents, from 4 to 26 such incidents,<sup>9</sup> between 2022 and 2024.<sup>10</sup> It bears emphasizing that these are only the incidents where the reporting police officers themselves indicated using a chokehold. According to TRED's data, two separate instances in which police choked a person in 2024 resulted in the person being admitted to a hospital, indicating that these are indeed serious and potentially lethal uses of force.<sup>11</sup>

In public statements, CPD has claimed that the above-cited data reflects an increase in recordkeeping compliance because officers are filling out TRRs more reliably, not an overall increase in force.<sup>12</sup> The basis for this claim was not explained or verified by CPD.<sup>13</sup> Verification

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<sup>6</sup> See *id.* at 64. TRED reports the following numbers of TRRs involving force against handcuffed/restrained individuals: 362 (2021); 398 (2022); 468 (2023); 598 (2024).

<sup>7</sup> Debriefing points refer to TRED-issued recommendations or advisements following reviews of Use of Force, Foot Pursuits, and Firearm Pointing Incidents contained within Incident Debriefing Reports (IDRs). One IDR may include more than one debriefing point.

<sup>8</sup> TRED 2024 Year-End Report, 65; Chicago Police Department Tactical Review and Evaluation Division, “2023 Year-End Report,” (June 27, 2024), at 65, <https://www.chicagopolice.org/wp-content/uploads/Tactical-Review-and-Evaluation-Division-Year-End-Report-2023.pdf> (hereafter “TRED 2023 Year-End Report”).

<sup>9</sup> See Chicago Police Department, “2024 Annual Use of Force Report” (July 30, 2025), at 118, [https://www.chicagopolice.org/wp-content/uploads/UseOfForce\\_finalforpublication30July25b.pdf](https://www.chicagopolice.org/wp-content/uploads/UseOfForce_finalforpublication30July25b.pdf) (hereafter “CPD 2024 Annual Use of Force Report”); Chicago Police Department, “2023 Annual Use of Force Report” (undated), at 114, <https://www.chicagopolice.org/wp-content/uploads/2023-Annual-Use-of-Force-Report.pdf> (hereafter “CPD 2023 Annual Use of Force Report”); CPD 2022 Annual Use of Force Report, 112.

<sup>10</sup> TRED did not report the number of TRRs involving a chokehold in 2021.

<sup>11</sup> TRED 2024 Year-End Report, 35-36.

<sup>12</sup> Sam Charles, “CPD officers reporting use of force more often, as video becomes important training tool,” *Chicago Tribune* (July 15, 2025), <https://www.chicagotribune.com/2025/07/15/cpd-officers-reporting-use-of-force-more-often/>.

<sup>13</sup> See Independent Monitoring Team, “Independent Monitoring Report 11 (Apr. 11, 2025), at pdf p. 38, <https://cpdmonitoringteam.com/wp-content/uploads/2025/04/2025.04.11-Independent-Monitoring-Report-11-filed.pdf> (“The IMT is concerned about the increase of TRRs reflected in TRED’s 2024 *Mid-Year Report*. The TRED 2024 mid-year report identifies a 47% increase in TRRs compared to the first half of 2023 and that trend continued into the last half of 2024. The CPD has agreed to conduct a detailed analysis of the potential cause or cases of the increase in TRRs. For example, the IMT has requested data

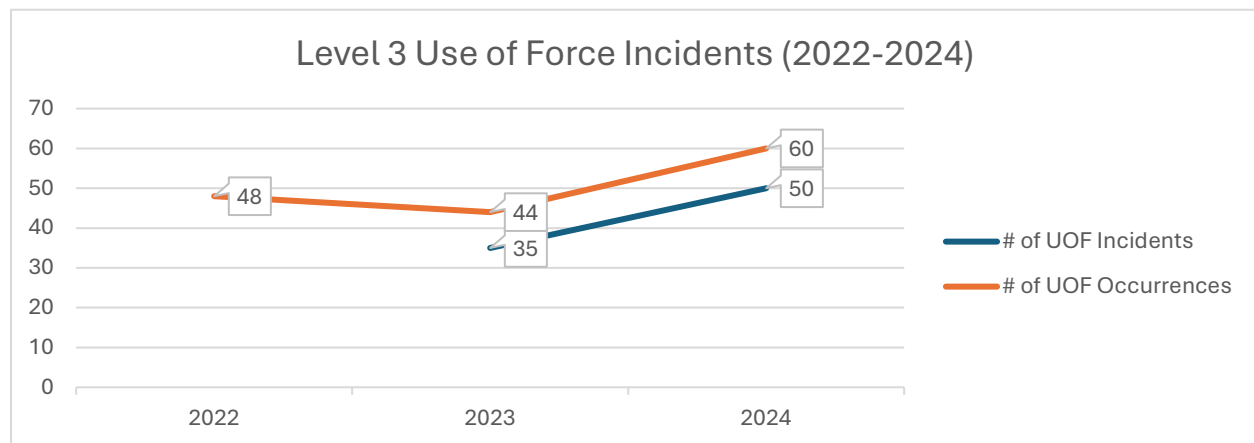
is essential to understanding whether a change in recordkeeping habits is, indeed, responsible for the significant increase in TRRs. An audit of officer body-worn camera footage could determine whether officers are more likely today to fill out a TRR after they use force than they were in prior years. Accordingly, we request that a neutral party, such as the Monitor and her consultants or another expert approved by the IMT, undertake an audit of a statistically significant sample of officer body-worn camera footage, using a sampling method to be agreed, to determine the percentage of force incidents that CPD officers report and whether that percentage has changed over time.

While we believe that a comprehensive audit is necessary, our preliminary evaluation of CPD's data and other information indicates that increased recordkeeping is not solely responsible for the increase in reported force. As shown further below, incidents of deadly force – such as shootings, chokeholds, and baton strikes to the head or neck – as well as usage of Tasers are increasing, and there is no reason to believe these types of incidents were previously under-reported. Separately, as also discussed further below, the Coalition's data analysis indicates that uses of force *per officer* and *per arrest* are also increasing, suggesting that the documented increase in uses of force is not solely attributable to increased staffing or to increased activity by officers.

Our clients' experiences and public reporting of high-profile incidents of police violence additionally establish that CPD has failed to rein in its culture of brutality and abuse. Taken together, this evidence shows a concerning pattern of CPD officers violating the Consent Decree's de-escalation requirements and over-using force against community members in Chicago.

#### A. Officer use of deadly force has risen.

According to TRED's 2024 year-end report, police uses of deadly force<sup>14</sup> increased by 42.9% from 2023 to 2024, after decreasing from 2022 to 2023.<sup>15</sup>

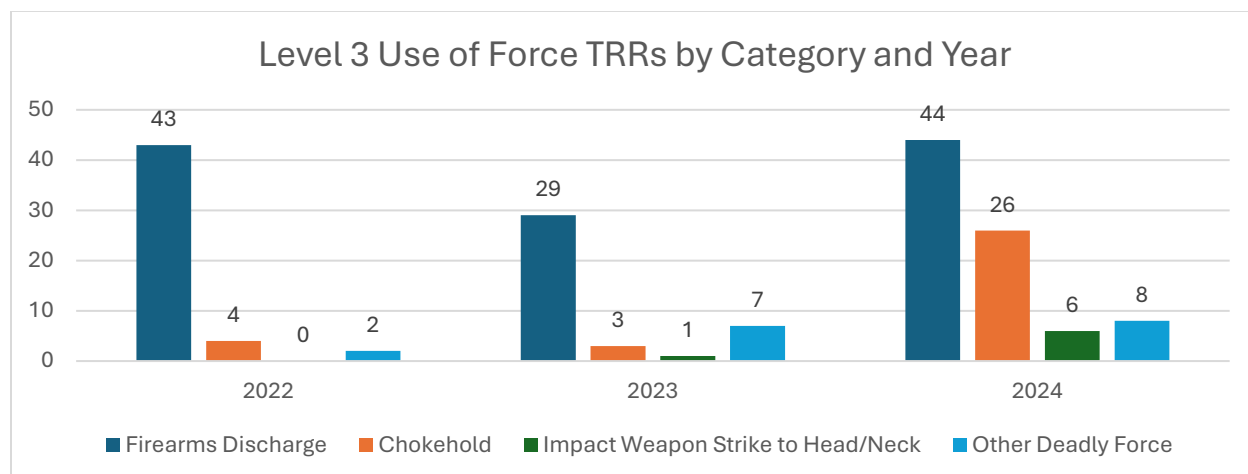


indicating whether the increase is attributable to rising numbers of arrests or increases in reporting.”). If CPD conducts the analysis that it promised to the Monitoring Team, that analysis should be made public.

<sup>14</sup> TRED 2024 Year-End Report, 34.

<sup>15</sup> TRED 2023 Year-End Report, 35; CPD 2022 Annual Use of Force Report, 112. CPD did not separately report use of force incidents in 2022.

Data further shows that CPD's increase in lethal force spans most categories of deadly force limited by the Consent Decree.<sup>16</sup>



The increase in all types of deadly force, depicted above, shows that CPD's use of lethal force is increasing, and that CPD is in violation of the Consent Decree's de-escalation provisions (§§ 153, 156, 161). This data strongly suggests that CPD officers are not simply getting better at filling out TRRs. It is highly improbable that officers fail to report firearms discharges or force incidents resulting in death. Rather, officers are using more force, and more deadly force, against community members. This is precisely the type of violent and deadly policing that the Consent Decree is intended to limit by requiring de-escalation, force mitigation, and consideration of other force options at all points during a police encounter.

Publicly-reported examples are illustrative. CPD officers killed 19-year-old Nate Fejerang of West Humboldt Park in June 2025, after attempting to stop and detain him. As COPA investigates, it remains unclear why he was considered a "suspect."<sup>17</sup> In April 2024, four officers fired 96 shots toward Dexter Reed, killing him during a traffic stop that was supported with dubious justification.<sup>18</sup> Although Reed also fired at the officers, COPA preliminarily concluded that the officers had no basis to stop Reed in the first place, and no justification for shooting at

<sup>16</sup> See *id.*; TRED 2024 Year-End Report, 34. The Consent Decree prohibits CPD members from using deadly force unless there is an imminent threat of death or great bodily harm to an officer or another person (§ 165). CPD members are further prohibited from using deadly force against fleeing subjects who do not pose an imminent threat of death or great bodily harm to an officer or another person (§ 166). The Consent Decree generally bans the use of deadly force such as carotid artery restraints, chokeholds, or other maneuvers for applying direct pressure on a windpipe or airway (§ 178). And the Consent Decree bans the use of impact weapons like batons to the head/neck unless deadly force is justified (§ 213).

<sup>17</sup> Ariel Parrella-Aureli, "Family of West Humboldt Park Man Killed by Police Asks for Justice, Help with Funeral Costs," *Block Club Chicago* (Jun. 4, 2025), <https://blockclubchicago.org/2025/06/04/family-of-west-humboldt-park-man-killed-by-police-ask-for-justice-help-with-funeral-costs/>.

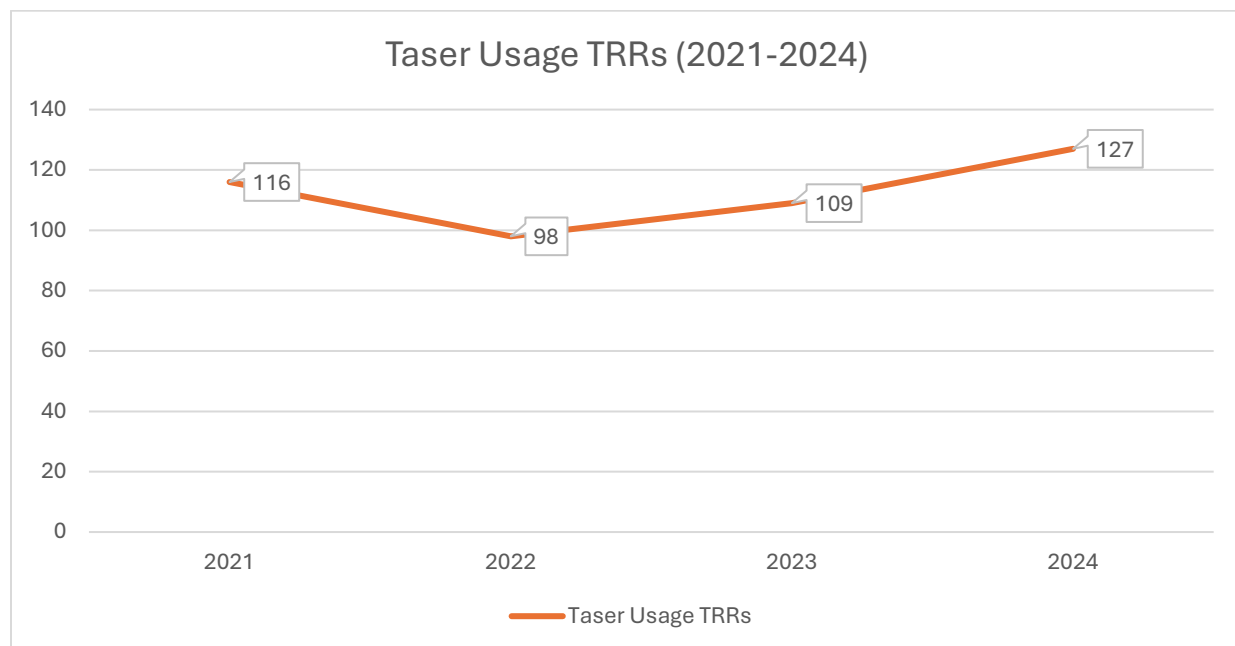
<sup>18</sup> Sophia Tareen, "Deadly Chicago traffic stop where police fired 96 shots raises serious questions about use of force," *AP* Apr. 10, 2024, <https://apnews.com/article/police-shooting-chicago-officers-investigation-ca147a5ea386e70190f23bd6912445f0>.

Reed so many times.<sup>19</sup> In April 2023, a CPD officer shot and killed a man who was running away from officers in Lawndale. The department attempted to justify the shooting by referencing a gun that the man was carrying; the man was licensed to own this gun. COPA found that the officers' failure to de-escalate led to this deadly use of force.<sup>20</sup> In August 2022, an officer shot Raymond Comer blindly through a car door, paralyzing him. COPA recommended firing the officer, but CPD pushed back on that recommendation and opted for a one-day suspension; shortly after this shooting, the officer shot and killed another person, Reginald Clay Jr.<sup>21</sup>

These horrific incidents, as well as the data above, show that CPD has not appreciably improved its ability to de-escalate and avoid deadly force in the years since the Consent Decree was implemented.

### B. Officer use of Tasers is rising.

Similarly, CPD's data shows a 29.6% increase in CPD's use of Tasers against community members in Chicago between 2022 and 2024..



CPD's 2024 Annual Use of Force Report claims that the documented increase in Taser usage is due to improved reporting because CPD members have "especially improved their understanding of when to report lower levels of force" and that "historically, there had been some

<sup>19</sup> Matt Masterson, "COPA Chief Raises Concerns About Why Police Pulled Over Dexter Reed Before Deadly Shooting," *WTTW* (Apr. 9, 2024), <https://news.wttw.com/2024/04/09/copa-chief-raises-concerns-about-why-police-pulled-over-dexter-reed-deadly-shooting>.

<sup>20</sup> Liz Nagy, "CPD board agrees with COPA recommendation that cop who fatally shot man in Lawndale be discharged," *ABC 7 Eyewitness News* (Oct. 18, 2024), <https://abc7chicago.com/post/police-board-agrees-copa-recommendation-cop-fatally-shot-reginald-clay-jr-lawndale-discharged/15439809/>.

<sup>21</sup> Tom Schuba and Anna Savchenko, "New Chicago Police Oversight Boss Has Been Wiping out Recommendations to Fire Cops," *Chicago Sun-Times* (Aug. 22, 2025), <https://chicago.suntimes.com/the-watchdogs/2025/08/22/lakenya-white-civilian-office-police-accountability-chicago-police-department-kersten-snelling>.

confusion over when to report lower levels of force.”<sup>22</sup> However, the nearly 30% increase is not result of increased reporting, as CPD claims. CPD has possessed reliable information about Taser use throughout this period. The manufacturer, Axon, states that Tasers automatically generate reports that are securely uploaded each time a Chicago police officer fires or otherwise uses a Taser, and CPD policy requires a supervisor to attach this report to the TRR.<sup>23</sup> In addition, CPD policy recognizes that Tasers can cause serious injury or death and requires that trained medical personnel remove Taser probes, generating further documentation.<sup>24</sup> And CPD policy requires a notification to COPA every time a Taser is discharged, generating a log number.<sup>25</sup> Given the extensive documentation that has existed from 2022 forward whenever a CPD officer used a Taser, it is not credible to attribute the 30% increase in Taser use over that period to better documentation.

Additionally, TRED’s Taser-related debriefing points indicate that some CPD officers are failing to de-escalate encounters involving Taser use. In 2024, TRED issued 17 debriefing points related to CPD members’ failures to issue verbal commands and warnings before, during, and after deployment of a taser (*see* Consent Decree ¶ 200).<sup>26</sup> Of the 127 TRRs indicating Taser usage by CPD members, 37 (28%) of those TRRs involved the deployment of multiple energy cycles. TRED determined that 26 of those TRRs involved first cartridge discharges that failed to contact or probe contacts that were ineffective.<sup>27</sup> But 11 of the Taser discharges did not involve a failure of the first discharge, implicating Consent Decree ¶ 203, which directs CPD members to switch to other force options when the officer has failed to gain control. Finally, 16 TRRs in 2024 were referred to COPA, indicative of misconduct related to Taser discharges.<sup>28</sup>

In a Taser incident on May 6, 2024, that was referred to COPA, a CPD sergeant deployed his Taser on a handcuffed person, failed to activate his body-worn camera in a timely fashion, and failed to utilize de-escalation tactics. COPA sustained all three of these allegations, finding that the Sergeant’s actions were not objectively reasonable, necessary, or proportional under the circumstances. Of note and concern is that when the Sergeant deployed his Taser, the handcuffed individual was surrounded by at least a dozen other CPD members and therefore posed no threat of escape or harm to anyone.<sup>29</sup> Further, given that sergeants’ essential duties include providing supervision to officers, enforcing and utilizing de-escalation strategies, and performing various

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<sup>22</sup> CPD 2024 Annual Use of Force Report, at 12.

<sup>23</sup> *See* Axon TASER 7 (stating that devices provide “enhanced integration to the Axon network for ... evidence management”), <https://www.axon.com/products/taser-7> (last visited Sept. 16, 2025); *see also* CPD General Order G03-02-04, “Taser Use Incidents,” § IV.D(3) (requiring the “assigned investigating supervisor” to “download the discharge data from the Taser and print a copy of the discharge information” and “ensure a copy of the Taser discharge data sheet is attached to the TRR.”).

<sup>24</sup> CPD General Order G03-02-04, “Taser Use Incidents,” § II.F(3) (“Tasers can cause serious injury or death. ... Only trained medical personnel may remove Taser probes from a person’s flesh.”).

<sup>25</sup> *Id.* § IV.B.3.

<sup>26</sup> TRED 2024 Year-End Report, at 60.

<sup>27</sup> *Id.* at 62.

<sup>28</sup> *Id.*

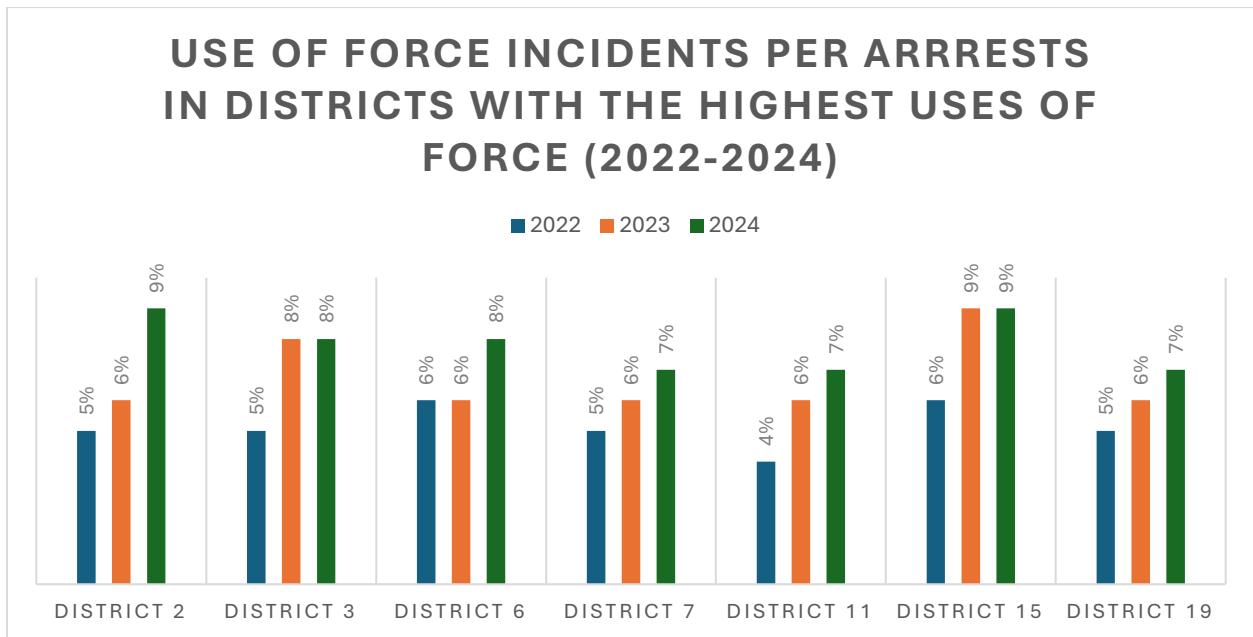
<sup>29</sup> Civilian Office of Police Accountability, “Final Summary Report” (Mar. 31, 2025) at 3, [https://www.chicagocopa.org/wp-content/uploads/2025/07/2024-0003902\\_FSR.pdf](https://www.chicagocopa.org/wp-content/uploads/2025/07/2024-0003902_FSR.pdf)

leadership and mentoring duties, this incident raises concerns as to the model set for officers’ use of Tasers, de-escalation, and body-worn cameras.<sup>30</sup>

**C. Use of force incidents per arrest and per officer are increasing.**

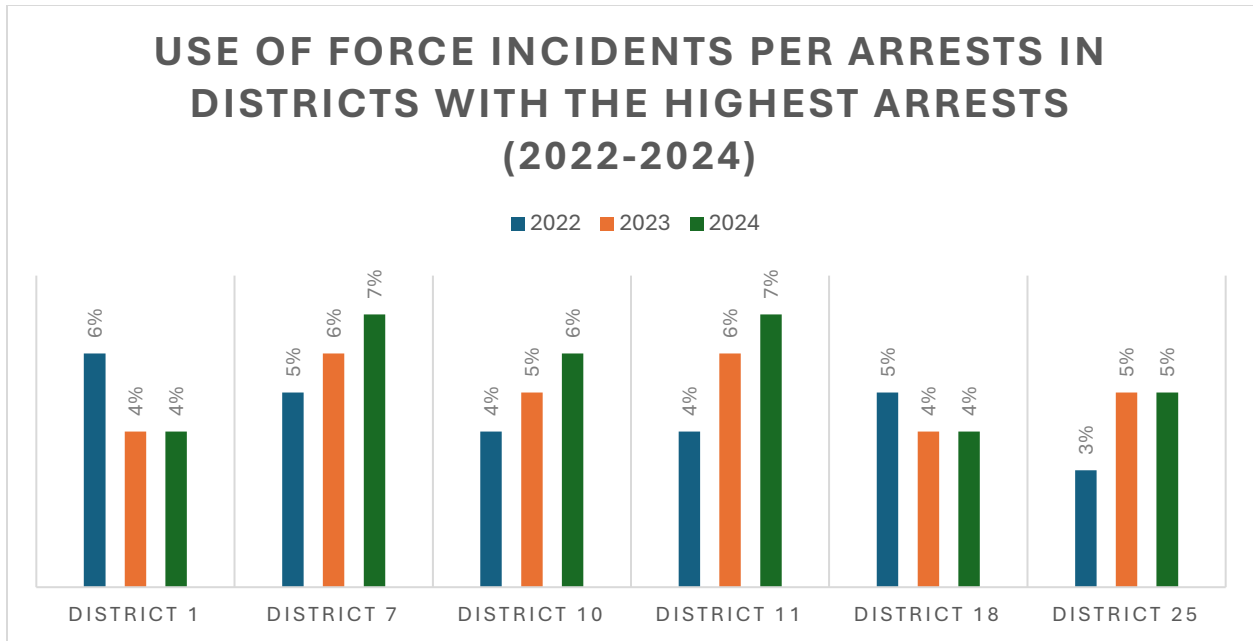
The Coalition’s analysis shows that the upward trend of force incidents holds true even accounting for the increase in arrests made by CPD officers over the period 2022-2024, as demonstrated in the following graphs.

The figure immediately below shows that in the police districts that had the highest numbers of use of force incidents in 2024 (Districts 2, 3, 6, 7, 11, 15 and 19), the percentage of arrests that involved a reported use of force (i.e., a TRR was filed) has increased in every district between 2022 and 2024. Put differently, a higher percentage of arrests involved a use of force in each of these districts in 2024 compared to 2022.



Similarly, as shown immediately below, in the six police districts with the highest numbers of arrests in 2024, the percentage of arrests involving a TRR increased in Districts 7, 10, 11, and 25 between 2022 and 2024. Only District 18 reported a slight decrease of one percentage point and District 1 reported a decrease of two percentage points in arrests utilizing force during the same period.

<sup>30</sup>City of Chicago, “Class Title – Sergeant” (Sept. 2021) at 1, [https://www.chicago.gov/content/dam/city/depts/dhr/supp\\_info/JobSpecifications/Police/9171%20SERGEANT%20Sept2021.pdf](https://www.chicago.gov/content/dam/city/depts/dhr/supp_info/JobSpecifications/Police/9171%20SERGEANT%20Sept2021.pdf).



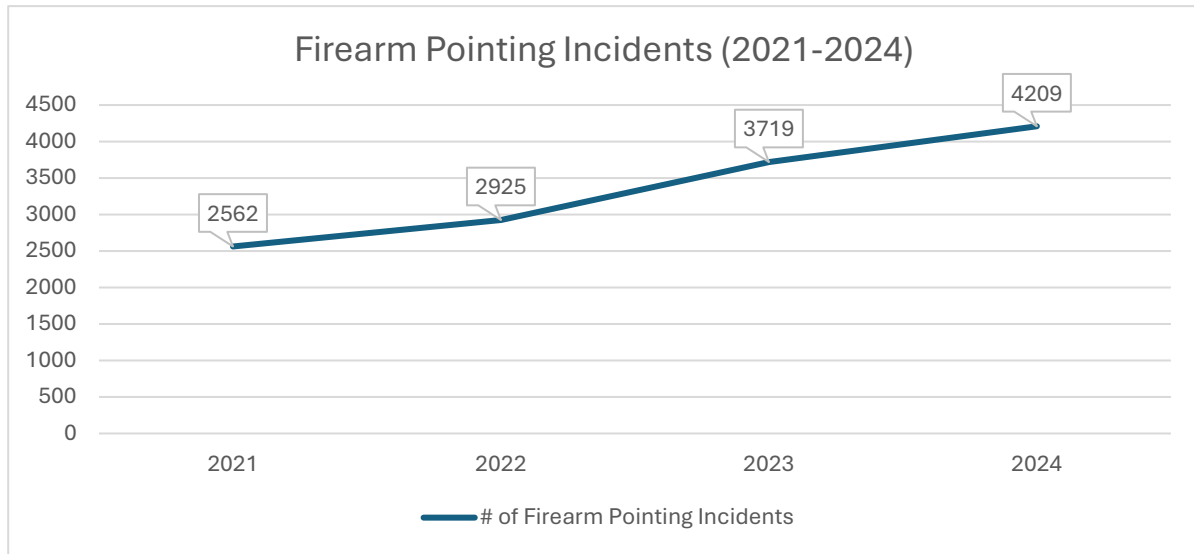
This analysis shows that, for nearly all of the districts with the highest numbers of arrests and uses of force—and for every district where the residential population is mostly non-white people—the percentage of arrests involving force is increasing.

Further, the documented increase in CPD’s use of force incidents is not explained by an increase in patrol personnel over the past few years. CPD’s patrol staffing has remained essentially constant in the period 2022-2024, with approximately 11,600 patrol staff members on average throughout that period, according to data supplied by the City of Chicago’s Office of Inspector General.<sup>31</sup> But, according to the Coalition’s analysis, average force incidents per patrol officer have increased over the 2022-2024 time period. In other words, the same number of officers is on the streets, but they are using force more often.

<sup>31</sup> Office of Inspector General, “Sworn CPD Member Demographics and Staffing Dashboard,” <https://igchicago.org/information-portal/data-dashboards/sworn-cpd-member-demographics-and-staffing/>.

**D. CPD is pointing guns at people more often.**

Despite the Consent Decree’s de-escalation requirements, CPD not only fails to recognize firearm pointing as use of force, but—as with other forms of serious force— incidents in which members have pointed their guns at people have increased steadily over time. From 2022 to 2024, there was a 43.9% increase in the number of incidents in which CPD members pointed their firearms.<sup>32</sup> Such incidents, which place their victims in apprehension of imminent physical harm, often escalate interactions, cause trauma to victims, and result in the pointing of firearms towards unarmed persons. Ultimately, increases in firearm pointing incidents violate the Consent Decree’s de-escalatory principles and increase the risk of harm to all Chicagoans.



On March 31, 2025, the Coalition provided detailed comments (attached again here), with empirical and legal support, on several ways in which CPD’s current Firearm Pointing Incidents Policy (Special Order S03-22) fails to meet best practices.<sup>33</sup> The comments suggested seven changes:

- 1) Replace CPD’s current “reasonableness” standard with a policy that prohibits pointing guns at people except in situations where deadly force is authorized;
- 2) Require CPD members to fill out a TRR after pointing a gun at a person, as with other uses of force;
- 3) Prohibit pointing guns at children unless the child is armed and presents an imminent deadly threat;

<sup>32</sup> TRED 2024 Year-End Report, 41; TRED 2023 Year-End Report, 38; Chicago Police Department Tactical Review and Evaluation Division 2022 Year-End Report (June 21, 2023), 67, <https://www.chicagopolice.org/wp-content/uploads/legacy/2022-YEAR-END-REPORT-21-JUNE-23.pdf> (hereafter “TRED 2022 Year-End Report”).

<sup>33</sup> *Coalition Comment on Firearm Pointing Special Order S03-22* (Mar. 31, 2025), [https://www.aclu-il.org/sites/default/files/2025-03-31\\_coalition\\_comment\\_on\\_firearm\\_pointing\\_special\\_order\\_s03-22.pdf](https://www.aclu-il.org/sites/default/files/2025-03-31_coalition_comment_on_firearm_pointing_special_order_s03-22.pdf).

- 4) Prohibit pointing guns at people who are handcuffed and compliant.
- 5) Require more supervisory review of firearm-pointing incidents;
- 6) Classify unholstering a gun near a person as a reportable use of force;
- 7) Prohibit officers from drawing their guns unless they have an objectively reasonable belief that deadly force may become necessary.

The Coalition also raised these concerns during the Court's July 8, 2025, status hearing.<sup>34</sup> But CPD has not adopted the Coalition's suggestions nor responded to the Coalition's concerns.

CPD's failure to do so places it in violation of the Consent Decree's de-escalation requirements and outside of nationwide best practices.<sup>35</sup> Police departments in many other major U.S. cities, such as New Orleans, Philadelphia, Baltimore, and Los Angeles, consider firearm pointing by officers to be a use of force.<sup>36</sup> Doing so discourages firearm pointing and encourages de-escalation. Peer-reviewed research demonstrates that wielding a gun has a cognitive effect on one's aggression, causing the person holding the gun to have a more biased perception that others are holding guns. In other words, if Officer A is wielding a gun, she is more likely to perceive Person D to be holding a gun regardless of whether this perception is true.<sup>37</sup> Therefore, the increase in firearm pointing is a critical way in which CPD officers escalate encounters with civilians.

CPD's current policy increases trauma to community members.<sup>38</sup> For example, in an excessive force claim against CPD that involved CPD members pointing their weapons at a 3-year old child and her grandmother, the expert report found that the 3-year-old victim experienced posttraumatic stress disorder (PTSD) after the incident.<sup>39</sup> The City ultimately settled this claim for

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<sup>34</sup> See Tr. of July 8, 2025, status hearing at 40:6-44:25, <https://cpdmonitoringteam.com/wp-content/uploads/2025/07/2024.07.08-17-cv-6260-Consent-Decree-Status-Hearing-Transcript.pdf>; see also Heather Cherone, "The Number of Times CPD Officers Pointed Their Guns at People Increased 44% from 2022 to 2024: Data," *WTTW* (Sept. 10, 2025), <https://news.wttw.com/2025/09/10/number-times-cpd-officers-pointed-their-guns-people-increased-44-2022-2024-data>.

<sup>35</sup> See Consent Decree ¶ 730 (defining best practices as "any guidelines, standards, policies, procedure, or methods that are consistent with the requirements and goals of this Agreement[] and are either supported by research or empirical evidence or are accepted by industry-recognized professionals, agencies, or organizations in the relevant subject area;" see also Dkt. 1166 (defining "best practices" as those "either supported by research, empirical evidence, or accepted by industry-recognized professionals, agencies, or organizations in the relevant subject matter.")).

<sup>36</sup> *Coalition public comment on Special Order S03-22, Firearm Pointing Incidents* (March 31, 2025) at 3 (collecting citations to other cities' firearm pointing policies). [https://www.aclu-il.org/sites/default/files/2025-03-31\\_coalition\\_comment\\_on\\_firearm\\_pointing\\_special\\_order\\_s03-22.pdf](https://www.aclu-il.org/sites/default/files/2025-03-31_coalition_comment_on_firearm_pointing_special_order_s03-22.pdf).

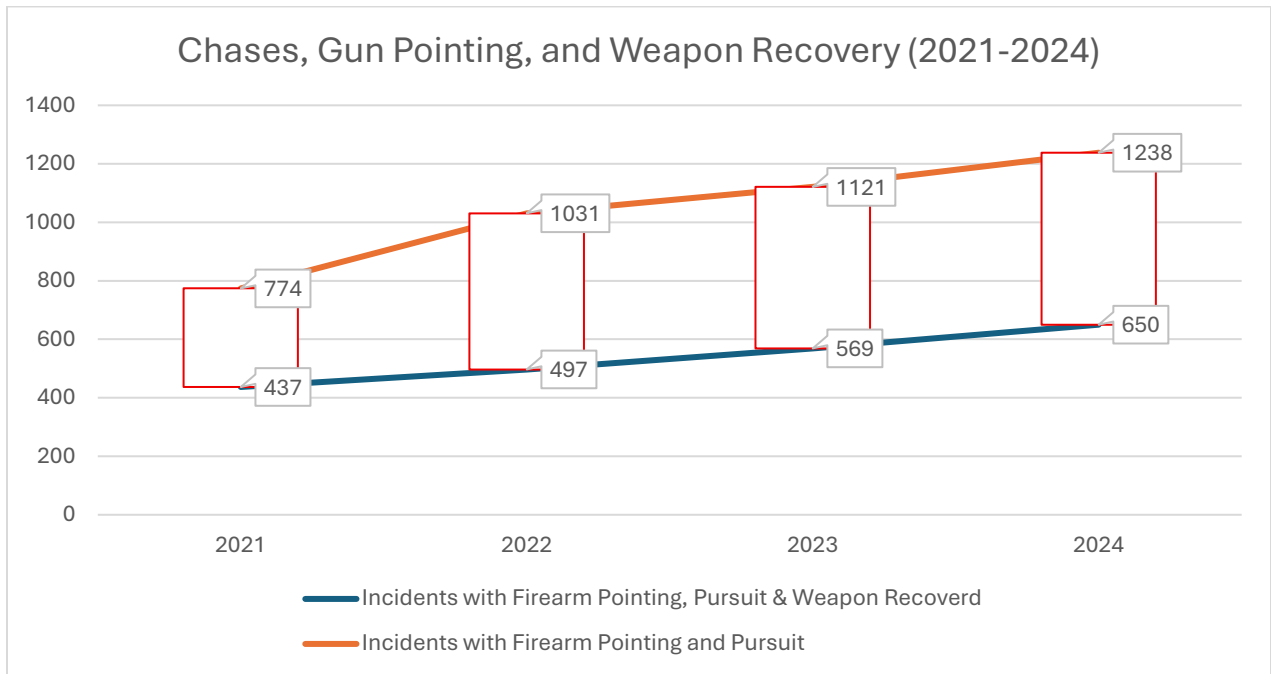
<sup>37</sup> Jessica K. Witt, et al., "Wielding a gun increases judgments of others as holding guns: a randomized controlled trial," *Cognitive Research: Principles and Implications*, Nov. 16, 2020, <https://pmc.ncbi.nlm.nih.gov/articles/PMC7669937/>.

<sup>38</sup> Bernard J. Farber, "Excessive Force Claims Concerning Pointing Firearms," *AELE Monthly Law Journal, Civil Liability Law Section* (Nov. 2010), <https://www.aele.org/law/2010all11/2010-11MLJ101.pdf>, 106 ("...even if accidental discharge or escalation does not occur, a premature drawing or display of weapons often creates unnecessary apprehension an anxiety on the part of the public.")

<sup>39</sup> See *Simmons v. The City of Chicago*, 2016 WL 10653884 (N.D. Ill. 2016), Report or Affidavit of Niranjana S. Karnik, M.D., Ph.D.

\$2.5 million.<sup>40</sup> In August 2024, a CPD member held a gun point-blank to the head of Lorenzo Williams, a Black man, while he was subdued and pinned to the ground in River North.<sup>41</sup> In that same month, a CPD officer waved her gun out of her car window and aimed at teens, who were present for a “street takeover.”<sup>42</sup> These types of incidents are wholly unacceptable and undermine the Consent Decree’s goals. Traumatizing community members by unnecessarily pointing guns at them further erodes the relationship between the public and CPD.<sup>43</sup>

And it is clear that firearm pointing by CPD is often unnecessary and not an effective law enforcement tactic. The 2024 Annual Use of Force Report indicates that CPD recovered 1,728 weapons after chasing and pointing guns at 5,208 individuals.<sup>44</sup> In other words, in approximately 67% of instances, CPD members chased and pointed guns at unarmed individuals, as depicted below.



<sup>40</sup> Associated Press, “Chicago City Council approves \$2.5M payout for 3-year-old girl traumatized by police” (June 28, 2018), <https://wgntv.com/news/chicago-city-council-approves-2-5m-payout-for-3-year-old-girl-traumatized-by-police/>.

<sup>41</sup> Leah Hope and Maher Kawash, “Chicago police conducting internal investigation after video shows man being hit during arrest,” *ABC 7 Eyewitness News* (Aug. 1, 2024), <https://abc7chicago.com/post/chicago-police-conducting-internal-investigation-after-video-shows-lorenzo-williams-being-hit-officers-during-north-side-arrest/15134196/>.

<sup>42</sup> Sabrina Franza, “Video appears to show Chicago Police officer pointing gun during street takeover,” *CBS News* (Aug. 7, 2024), <https://www.cbsnews.com/chicago/news/video-chicago-police-officer-pointing-gun-street-takeover/>.

<sup>43</sup> Mina Bloom, “Mom, 3 Children ‘Traumatized’ After Police Point Gun at Their Car in Humboldt Park,” *Block Club Chicago* (May 8, 2020), <https://blockclubchicago.org/2020/05/08/mom-3-children-traumatized-after-police-point-gun-at-their-car-in-humboldt-park/>.

<sup>44</sup> CPD 2024 Annual Use of Force Report, 44.

<sup>44</sup> TRED 2024 Year-End Report, 67.

The Coalition urges CPD to adopt the changes set forth in its comments to S03-22. Further, the parties should agree on enforceable, numerical benchmarks that require an absolute reduction in the number of times that officers point guns at people.

Unless the parties can agree on these changes, the Coalition intends to file an enforcement motion establishing that the City is violating the provisions of the Decree requiring de-escalation (§§ 153, 155, 161). The data overwhelmingly demonstrates that CPD is increasingly using force and failing to de-escalate situations where force could be avoided.

**II. CPD’s use of force violates the Consent Decree’s impartial policing requirements.**

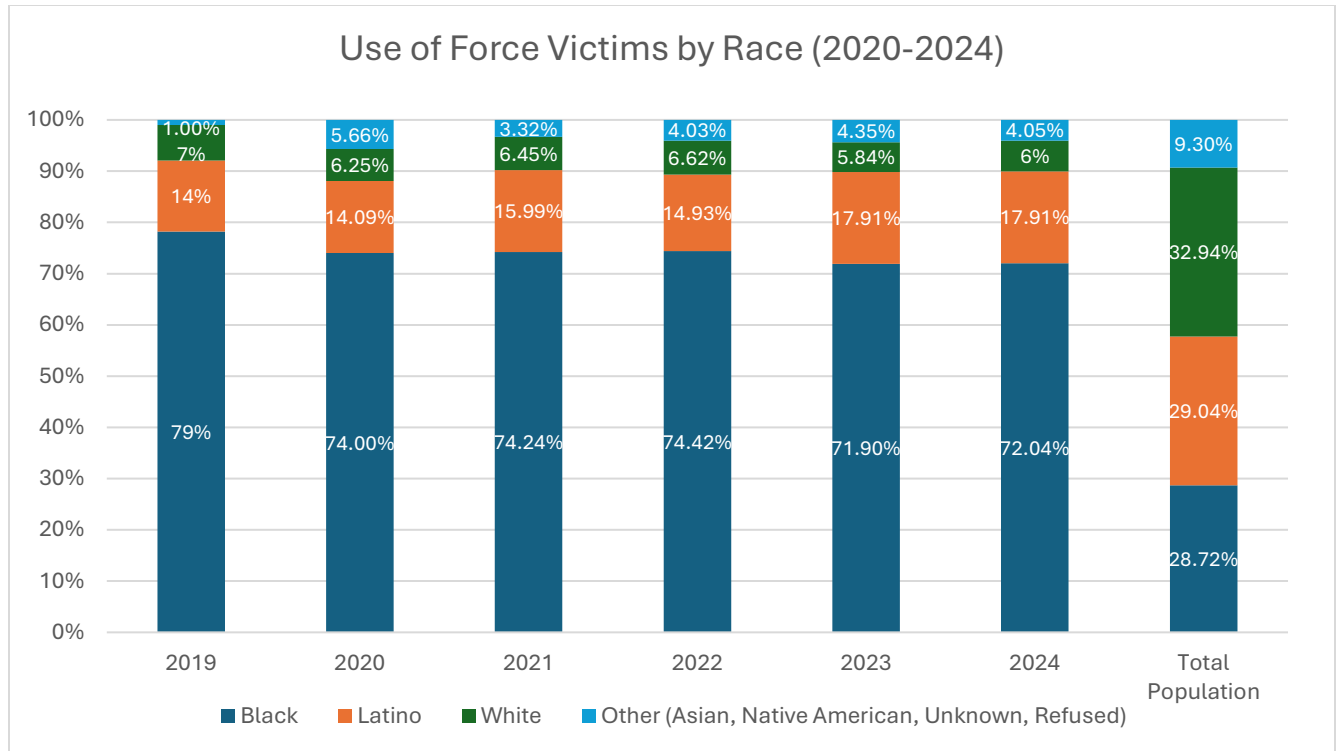
CPD also is in violation of the Consent Decree’s provisions prohibiting racial and ethnic discrimination (§§ 49, 55, 56) because CPD continues to use force against Black people in numbers far exceeding their share of Chicago’s population, and force incidents against both Black and Latino individuals are on the rise. Immediate and significant action is needed to change these entrenched patterns of police discrimination. CPD must reduce the number of instances where officers use force against Black and Latino people.

The Consent Decree prohibits CPD members from engaging in biased policing. Paragraph 49 specifies that “policing fairly, with courtesy and dignity, and without bias is central to promoting community engagement, fostering public confidence in CPD, and building partnerships between law enforcement and members of the Chicago community...” The Consent Decree also mandates that CPD members must refrain from using race, ethnicity, color, sex, gender identity, age, disability, national origin, ancestry and other legally protected characteristics when making routine or spontaneous law enforcement decisions (§ 55), and they cannot base law enforcement decisions on substitutes or stereotypes for protected characteristics (§ 56).

CPD’s policies and training on its impartial policing policies have not reduced the significant racial disparities in the use of force against Black and Latino individuals, according to CPD’s Use of Force Dashboard data and as visualized below.<sup>45</sup>

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<sup>45</sup> Chicago Police Department, Use of Force Dashboard, <https://www.chicagopolice.org/statistics-data/data-dashboards/use-of-force-dashboard/> (last visited Aug. 2, 2025).



In 2019, before the Consent Decree was implemented, Black and Latino individuals comprised 93% of victims of police force in Chicago. Despite the Consent Decree’s implementation and CPD’s resulting policy changes, that figure remains essentially unchanged. Black and Latino individuals collectively still made up 90% of the victims of police force in Chicago in 2024, as shown above, despite the fact that they represent less than 58% of Chicago’s residential population.<sup>46</sup>

Black people in particular are significantly over-represented as victims of police force. Black people make up about 29% of Chicago’s population but 72% or more of the victims of police force in every year from 2019 to 2024.<sup>47</sup>

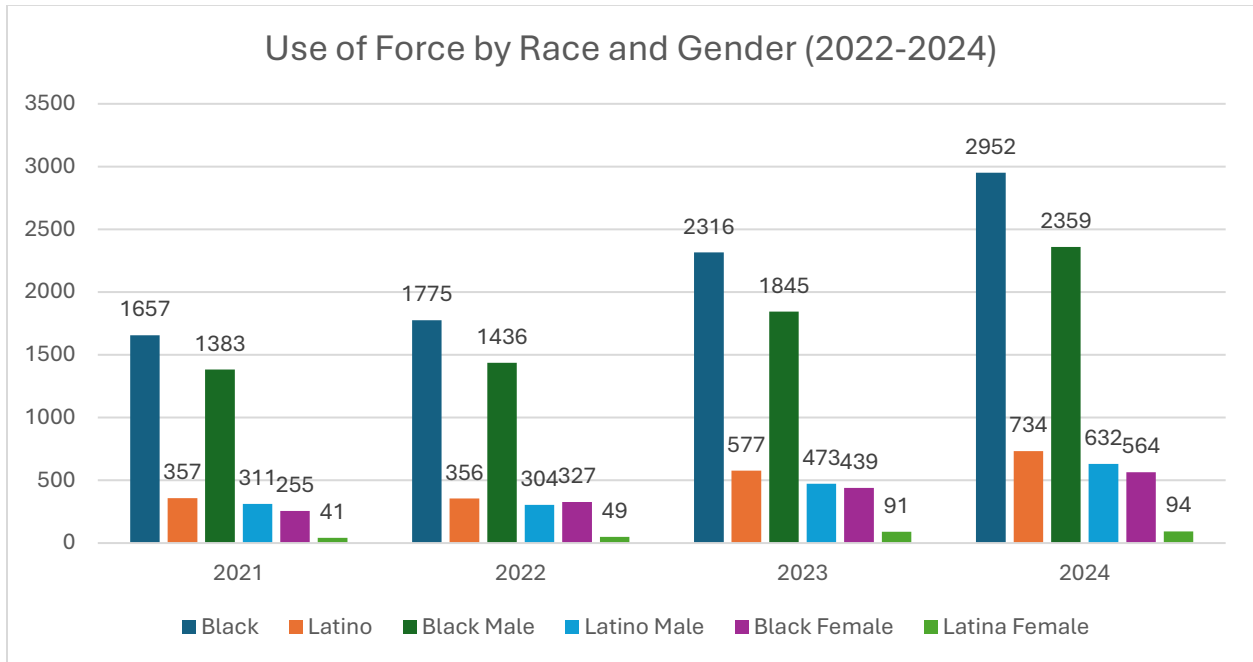
Worse, as shown in the graph below, the number of TRRs reported by CPD involving force against Black individuals increased by 66.3% between 2022 and 2024, according to CPD’s use of force data dashboard. CPD uses force against Black men more than any other demographic and such reports have increased by 64.3% since 2022.<sup>48</sup> CPD’s use of force against Black women also has increased at an alarming rate of 74.5% in the same period. Additionally, there has been an even larger increase of 106.2% in CPD’s use of force against Latino individuals; and specifically, a

<sup>46</sup> *Id.*

<sup>47</sup> Office of Inspector General, Socioeconomic and City Data Comparison Dashboard, <https://igchicago.org/information-portal/data-dashboards/socioeconomic-and-city-data-comparison-dashboard/> (last visited Aug. 1, 2025) (“These metrics can be found in the United States Census Bureau American Community Survey (ACS) 2017-2021 <https://www.census.gov/programs-surveys/acs/news/data-releases/2021/release.html>.”).

<sup>48</sup> CPD, Use of Force Dashboard, <https://www.chicagopolice.org/statistics-data/data-dashboards/use-of-force-dashboard/> (last visited Aug. 2, 2025).

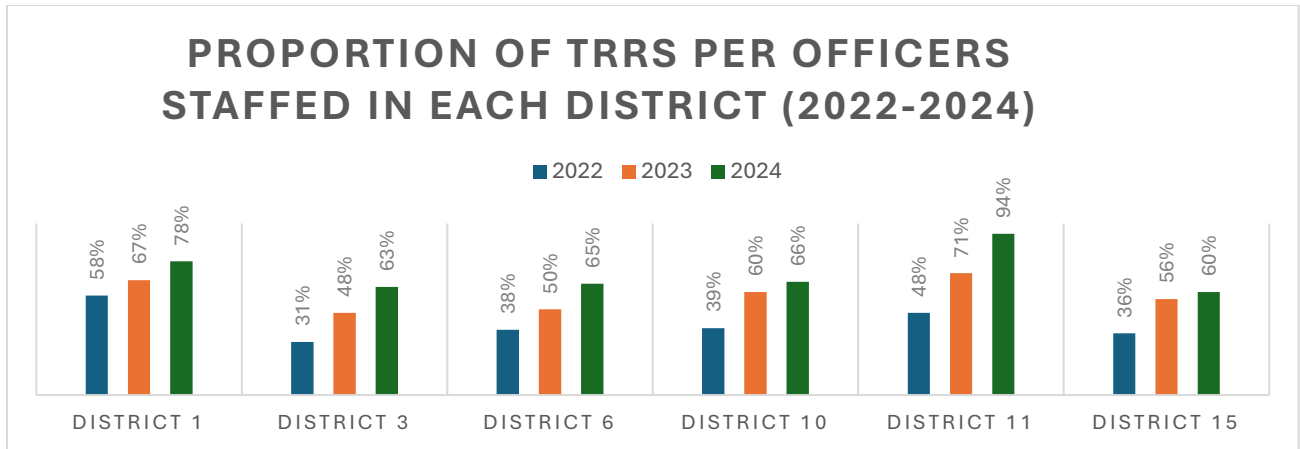
107.9% increase of uses of force against Latino men and a 91.8% increase of uses of force against Latina women.



CPD districts with the highest percentage of Black residents are also the districts where officers are most likely to use force. As shown below, force incidents occur most frequently in Districts 1, 3, 6, 10, 11, and 15, adjusted for each district’s patrol staffing.<sup>49</sup> With the exception of District 1, which includes the downtown area, all of these districts have a residential population that is predominantly Black people.<sup>50</sup> And in each of these districts, uses of force are increasing over time. Specifically, the figure below shows, in each district, the number of TRR reports divided by the average number of officers staffed in the district for each year 2022-2024. In each of Districts 1, 3, 6, 10, 11 and 15 (which are the districts within the 75th percentile of use of force per officer), that proportion has increased.

<sup>49</sup> See Office of Inspector General, Sworn CPD Member Overview, last updated August 1, 2025, <https://igchicago.org/information-portal/data-dashboards/sworn-cpd-member-overview-2/>; Chicago Police Department, Use of Force Dashboard, <https://www.chicagopolice.org/statistics-data/data-dashboards/use-of-force-dashboard/> (last visited Aug. 2, 2025)

<sup>50</sup> Office of Inspector General, Socioeconomic and City Data Comparison Dashboard, <https://igchicago.org/information-portal/data-dashboards/socioeconomic-and-city-data-comparison-dashboard/> (last visited Aug. 1, 2025).



This evidence clearly shows that CPD is in violation of the Consent Decree’s impartial policing requirements (§§49, 55, 56). Because CPD’s existing policies and training have not been effective at reducing the racial disparities in force victimization, it is time for a new approach. CPD must agree to measurable benchmarks that require reductions in the use of force against Black and Latino community members, and methodology for measuring compliance.

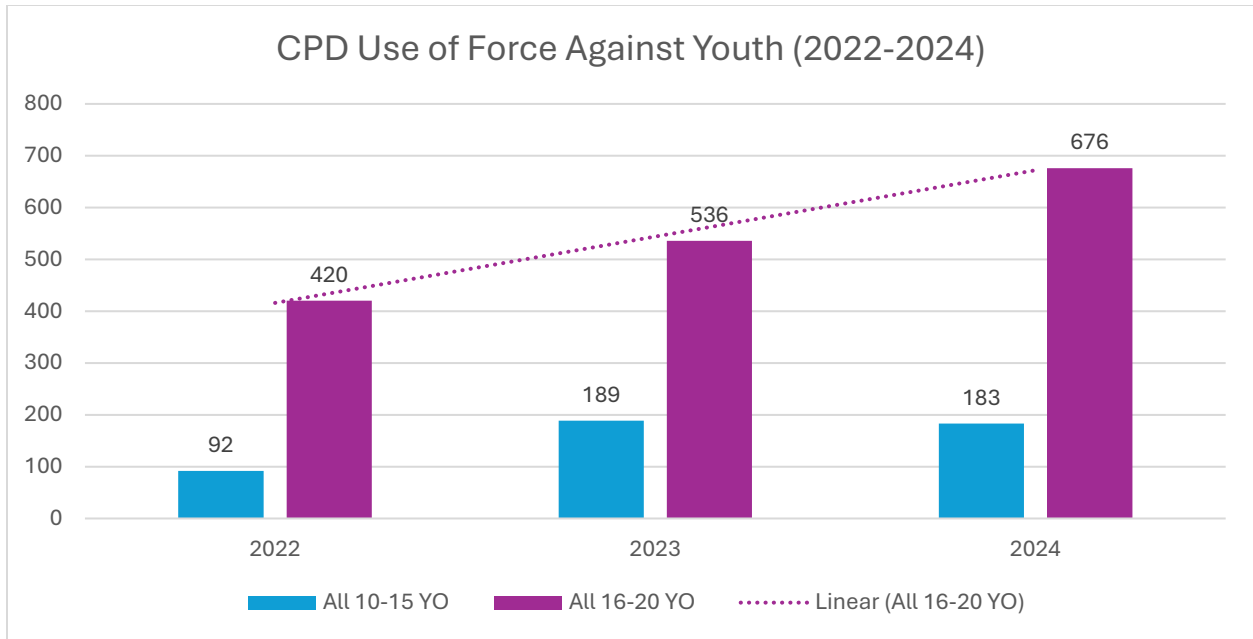
**III. The Consent Decree’s requirements designed to reduce force against vulnerable populations—youth and people with disabilities—are failing.**

A crucial goal of the Consent Decree is to protect vulnerable populations, including children, people with disabilities, and people in crisis, from violent, unnecessary and harmful police encounters. But data and recent high-profile incidents show that the Consent Decree is not accomplishing those aims. Thus, as further explained in this section, CPD is in violation of the Consent Decree provisions requiring de-escalation in police interactions with young people (§§ 32-33) and those with disabilities/in crisis (§§ 68, 85 and 88).

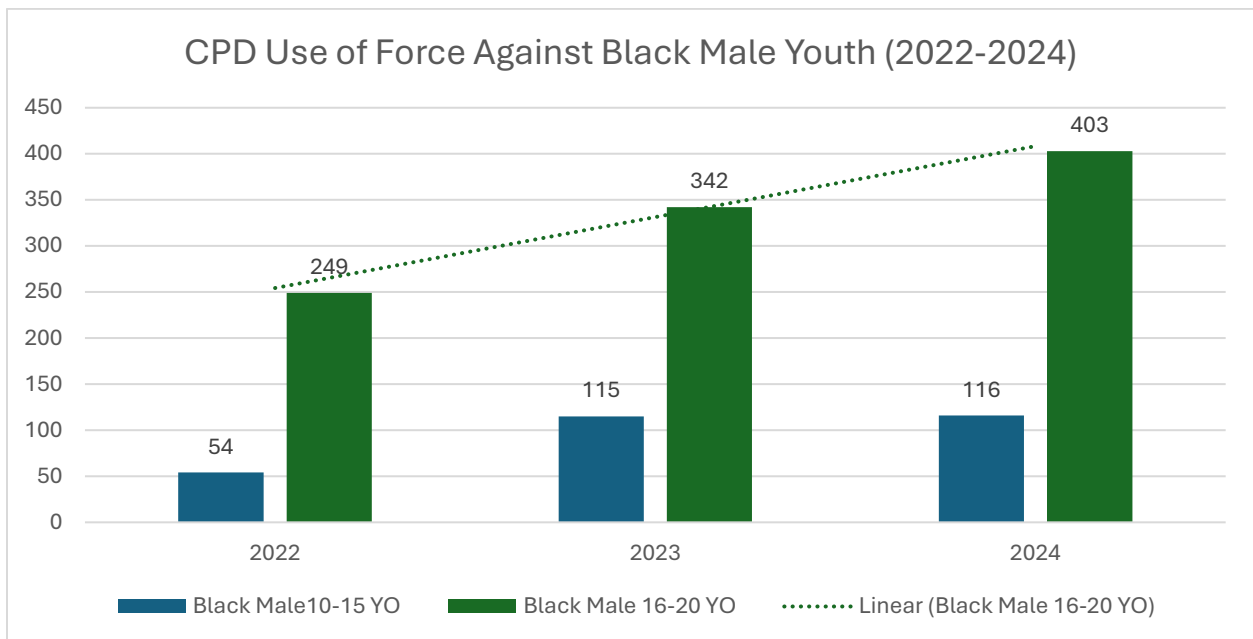
**A. CPD is increasingly using force against young people.**

The Consent Decree requires CPD to review and revise its policies and training to ensure that they provide guidance on how officers should respond and interact with children (§ 32). The Consent Decree also requires officers to take special care, and to even modify their usual approaches, and use discretion and alternatives to arrests, to decrease the historic problem of systemic use of force against Black and brown children (§ 33).

Despite these requirements, CPD data shows that officers are using force against young people more often since 2022, as shown in the graph below. Use of force against young children aged 10-15 of all races increased by 98.9% between 2022 and 2024 (despite a very slight decrease from 2023 and 2024). Total uses of force against youth aged 16-20 increased by 60.95% between 2022 and 2024.



Disparate use of force is especially pronounced against Black boys. Use of force against Black male children between the ages of 10 and 15 has increased by 114.8% and by 61.8% for Black male youth ages 16-20. Black youth between the ages of 16 and 20 also represented the largest share of use of force victims in 2023 and 2024.



Despite finalizing its policy regarding Interactions with Youth and Children (General Order G02-05) in December 2023, CPD has not changed its practices. Indeed, CPD’s data (depicted above) shows that brutality against young people increased in 2024, rather than decreasing.

The data reflects real harm to children in Chicago. As just a few of many examples: In May 2023, outside of Gresham Elementary School, an officer violently struck a 14-year-old student in

his throat. The officer provided no justification for the assault, and the officer was charged with aggravated battery.<sup>51</sup> In October 2024, a police officer approached a teen during an investigatory stop. After finding the teen had a gun in his waistband, the officer struggled with the 16-year-old until the gun went off and wounded both the officer and the teen. The father of the teen noted that none of this should have happened, but his son's injuries would not have happened if CPD appropriately de-escalated the situation.<sup>52</sup> According to one TRR that the Coalition received through a FOIA request, on February 2, 2025, a 45-year-old male officer, responding to a call of threatening suicide, "used a direct mechanical strike by kicking [a 12-year-old Black girl] in the leg to get [her] to comply with verbal commands."<sup>53</sup> The 12-year-old child was then taken down to the ground and restrained. At the time, the child was experiencing a mental health crisis and unarmed. Ultimately, her mother refused further aid from the police after her daughter was kicked by the officer. Even the reviewing Lieutenant checked the box that the officer's conduct was "not in compliance with department policy and directives," yet no actions were recommended for the involved officer.<sup>54</sup>

Accordingly, CPD is in violation of the youth policing paragraphs of the Consent Decree (¶¶ 32-33). As with the continuing racial disparities in CPD's use of force, it is time for a new approach. The City must agree to measurable benchmarks that require reductions in CPD's force against young people, including methodology for measuring compliance.

**B. CPD is increasingly using force against people with disabilities, including those in crisis.**

In 2024, CPD officers were dispatched to more than 100 mental health-related calls every day.<sup>55</sup> Such calls have resulted in traumatic, and even lethal, uses of force against people with disabilities, including those in crisis. In one particularly tragic incident in early 2025, CPD members fatally shot 58-year-old Timothy Glaze sixteen times. Mr. Glaze, battling cancer, was holding a knife and said to be in a mental health crisis at the time of the incident. CPD officers shot and killed Mr. Glaze within a minute of his appearance in the hallway of his apartment building.<sup>56</sup> The murder of Mr. Glaze highlights not only CPD's systemic failure to de-escalate, but also the lethal consequences faced by community members with mental health needs when CPD

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<sup>51</sup> Leah Hope, "Chicago police officer charged with battery, security video shows him shoving 8<sup>th</sup> grader," *ABC 7 Eyewitness News* (Nov. 9, 2023), <https://abc7chicago.com/post/cpd-officer-craig-lancaster-chicago-police-department-charged-with-battery-shoves-student/14036313/>.

<sup>52</sup> Stephanie Wade and John Garcia, "Father of teen wounded along with Chicago police officer in struggle with gun speaks out," *ABC 7 Eyewitness News* (Oct. 6, 2024) <https://abc7chicago.com/post/chicago-shooting-cpd-police-officer-suspect-recovering-after-both-shot-same-bullet-inglewood-officials-say/15391902/>.

<sup>53</sup> Tactical Response Report, 2025-00507 (Feb. 2, 2025).

<sup>54</sup> *Id.*

<sup>55</sup> Emma Sullivan, "Despite Crisis Training for Mental Health Emergencies, Many Chicago Police Officers Still Resort to Force," *MindSite News* (Aug. 29, 2025), <https://mindsitenews.org/2025/08/29/chicago-police-crisis-training/>.

<sup>56</sup> See Maggie Dougherty and Skye Garcia, "From the Elevator to the Floor in Eighteen Seconds," *South Side Weekly* (Aug. 28, 2025), <https://southsideweekly.com/from-the-elevator-to-the-floor-in-eighteen-seconds/>.

fails to do so.<sup>57</sup> During a June 2024 incident, a CPD member placed a handcuffed child in a chokehold while he was in the “throes of a mental health crisis.”<sup>58</sup> Despite the gravity of the incident, including the boy losing consciousness during the interaction, the officer failed to report that he had applied pressure to the boy’s throat. COPA characterized the incident as “disturbing” because the inflicting member was a field training officer who had been conducting a training during the incident. Although the officer was sidelined, he was not formally accused of any wrongdoing.<sup>59</sup> This incident reflects the intersectional impact of failures to de-escalate on young people in crisis.

The Consent Decree’s terms recognize that to overcome widespread practices of excessive force, CPD must take steps to address how police officers engage with people with disabilities.<sup>60</sup> It does this in several ways, including revisions to policies and procedures, but also the Crisis Intervention (“CIT”) program, which is supposed to result in reduction of harmful outcomes to calls involving people in crisis, which in turn is specifically defined to include people with mental health and developmental disabilities.<sup>61</sup>

Despite the Consent Decree’s mandates—to de-escalate,<sup>62</sup> utilize problem solving to avoid force,<sup>63</sup> and develop the CIT program serving the unique needs of people with mental illness and other disabilities<sup>64</sup>—what limited data CPD has collected continues to demonstrate that the problems with use of force against this population are ongoing.<sup>65</sup> As shown in the graph below,

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<sup>57</sup> See Mark Rivera, “Lawsuit alleges Chicago police pattern of excessive force in officer-involved shootings,” *ABC 7 Eyewitness News* (July 2, 2025), <https://abc7chicago.com/post/lawsuit-alleges-chicago-police-pattern-excessive-force-officer-involved-shootings-timothy-glaze-killed-little-village/16924170/>.

<sup>58</sup> See Tom Schuba, “Chicago police officer sidelined after choking handcuffed boy in mental health crisis,” *Chicago Sun-Times* (Aug 14, 2024), <https://chicago.suntimes.com/police-reform/2024/08/14/chicago-police-officer-choked-handcuffed-boy-mental-health-crisis-training-new-cop>.

<sup>59</sup> *Id.*

<sup>60</sup> See, e.g., ¶ 68 (requiring CPD to revise policies and practices to “ensure effective communication and meaningful access” for “individuals with physical, mental, or developmental disabilities”) and ¶ 155 (stating Consent Decree objective to “reduce the circumstances in which using force is necessary.”)

<sup>61</sup> By its definition, the crisis intervention provisions of the Decree to apply to people with disabilities as defined by federal law, including mental illness and developmental disabilities. 28 CFR § 35.108 (2024). See ¶¶ 83, 759 (definition).

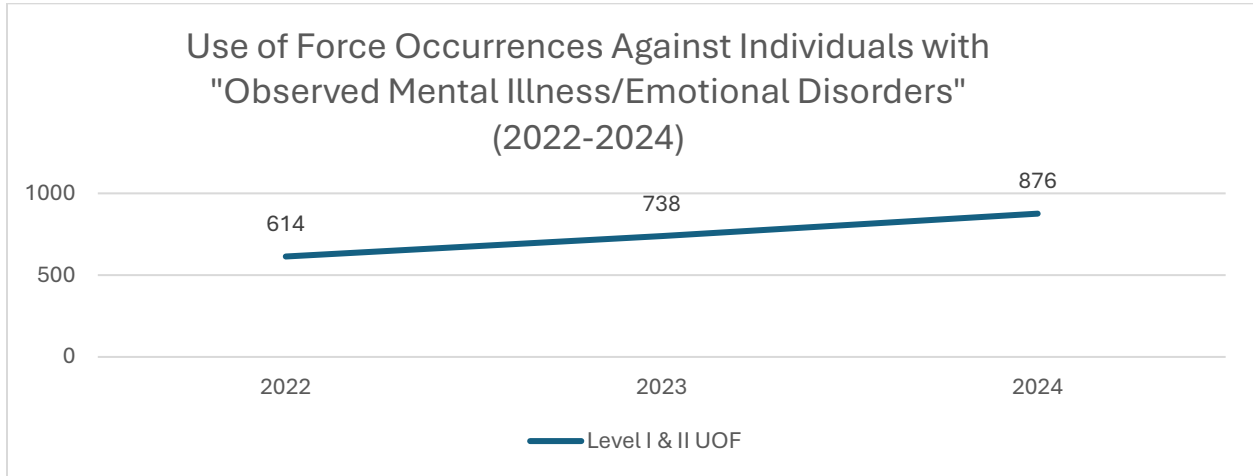
<sup>62</sup> Paragraph 153 requires CPD officer to apply de-escalation techniques to prevent or reduce the need for force whenever safe and feasible; Paragraph 85 requires CPD to use appropriate crisis intervention techniques, including de-escalation techniques, to respond to and resolve incidents involving individuals in crisis, through the development of the CIT. Paragraph 88 requires that the CIT program must serve the objective of “de-escalating crises to reduce the need to use force against individuals in crisis.”

<sup>63</sup> Paragraph 68 requires CPD to review and revise its policies and practices such that CPD members follow specific procedure and responsibilities when they encounter people with disabilities; Paragraph 69 requires CPD to develop a training bulletin that will provide guidance to CPD members for interacting with people with disabilities.

<sup>64</sup> Paragraph 88 requires the continued development of the Crisis Intervention Team (“CIT”) and its related training such that it meets the relevant objectives of improving CPD’s competency and capacity to effectively respond to individuals in crisis and de-escalate crises to reduce the need to use force against individuals in crisis.

<sup>65</sup> See also, Rachel Heimann Mercader, “Chicago promised a better way to handle mental health crisis calls, but CARE program is struggling,” *Chicago Sun-Times* (July 25, 2025), <https://chicago.suntimes.com/health/2025/07/25/mental-health-crisis-911-calls-care-programec-crisis->

from 2022 to 2024, CPD’s reported uses of force against persons with “observed mental illness or emotional disorders” increased by 42.7%.<sup>66</sup> This is particularly urgent because, nationwide, people with serious mental illness are more than 11 times as likely to be subjected to police use of force, and also about 11 times as likely to be injured by police, compared to persons without serious mental illness.<sup>67</sup>



A Medill and MindSite News analysis of 402 use of force incidents in 2024 found that 41% of the occasions in which police were deployed to a mental health crisis resulted in an arrest; of those arrests, over 85% of those individuals were unarmed.<sup>68</sup> Additionally, increases in uses of force against people with disabilities is an intersectional issue: more than 68% of mental health-related uses of force involved Black victims and 17% involved Latino victims in West and South Side neighborhoods.<sup>69</sup> Even officers who have received crisis training are using force. Mindsite News’ analysis found 169 officers who received CIT training used force at least once during a mental health-related incident.<sup>70</sup>

assistance-response-engagement-medill-investigative-lab-chicago-mindsite-news. The City’s Crisis Assistance Response and Engagement (CARE) program, which is a city program that seeks to ensure that individuals experiencing a mental health crisis are assisted by teams of behavioral health professionals, has suffered from a lack of investment and expansion. From 2022 to 2024, CARE team responses have fluctuated from 481 to 276. When CARE can respond to crises, the responders successfully de-escalate; during the more than 1,500 calls to which the CARE team has responded between September 2021 and September 2024, fewer than 0.1% resulted in use of force.

<sup>66</sup> The Coalition calculated these figures from raw TRR data for the period 2022-2024, available on CPD’s Use of Force Data Dashboard page, <https://www.chicagopolice.org/statistics-data/data-dashboards/use-of-force-dashboard/>.

<sup>67</sup> Ayobami Laniyonu and Phillip Atiba Goff, “Measuring disparities in police use of force and injury among persons with serious mental illness,” *BMC Psychiatry* (Oct. 12, 2021), <https://doi.org/10.1186/s12888-021-03510-w>.

<sup>68</sup> See Maggie Dougherty and Skye Garcia, “From the Elevator to the Floor in Eighteen Seconds,” *South Side Weekly* (Aug. 28, 2025), <https://southsideweekly.com/from-the-elevator-to-the-floor-in-eighteen-seconds/>.

<sup>69</sup> *Id.*

<sup>70</sup> *Id.*

This data shows that CPD's crisis program is failing to live up to its objectives, including to divert individuals in crisis from the criminal legal system and to reduce the use of force against individuals in crisis. As the Coalition has previously highlighted, legally required methods of de-escalation and reasonable accommodations may include, for example, use of time and space, accounting for sensitivities to bright lights or loud sounds, and support or service animal needs.<sup>71</sup> CPD's increase in uses of force shows that officers are failing to take these steps, as required by the Consent Decree, the Americans with Disabilities Act (ADA) (*see* ¶70), and the specific provisions of the Decree that require officers to work to resolve these interactions without force.

Further, CPD's failure to invest in the CIT program's reporting and data analysis requirements, as well as alternative response models to which CIT may be compared, leaves communities with no way of knowing if CIT works.<sup>72</sup>

What is clear is that CPD's use of force against people in crisis has increased. And this increase violates the Consent Decree's requirements to use de-escalation techniques when responding to crises (¶¶ 68, 85, 88).

#### **IV. Conclusion**

More than six years after its adoption, the Consent Decree's aspiration of policing that is de-escalatory, respectful, and unbiased has yet to be realized in Chicago's neighborhoods. The Consent Decree's current focus on written policies and training has not accomplished its intended goals: making police encounters safer, increasing CPD accountability, and decreasing discrimination and over-policing against Black and Latino people, young people, and people with disabilities.

The Coalition's proposed relief includes, but is not limited to:

- (a) The parties and the Coalition should agree on clear, enforceable, numerical benchmarks for decreasing CPD's total use of force incidents and use of force in specific categories, especially deadly force, Taser usage, and force against handcuffed/restrained individuals.
- (b) CPD must begin documenting gun pointing as a use of force and CPD's directive (Special Order S03-22) regarding Firearm Pointing Incidents should be amended to

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<sup>71</sup> See *Coalition Letter on CPD Disability Policy* (Jun. 27, 2025), [https://www.aclu-il.org/sites/default/files/2025.06.27\\_coalition\\_letter\\_on\\_cpd\\_disability\\_policy.pdf](https://www.aclu-il.org/sites/default/files/2025.06.27_coalition_letter_on_cpd_disability_policy.pdf).

<sup>72</sup> Several paragraphs of the Consent Decree are implicated by the City's failures to collect data on uses of force against disabled people. Paragraph 88 requires the development, evaluation, and improvement or CPD's crisis-intervention related policies and trainings to better identify and respond to individuals in crisis, which tasks require proper data collection and reporting. Paragraph 120 requires CPD to collect, analyze, and report data regarding the number and types of incidents involving individuals in crisis and responses of CPD officers, which also requires proper data collection within submitted CIT reports. Paragraph 122 requires the City to publish a written Crisis Intervention Plan, which relies on regular review of aggregate data and a sample of incidents. Paragraph 571(h) requires CPD to have and maintain an electronic system that accurately and reliably tracks the individual's mental health or medical condition, use of drugs or alcohol, ability to understand verbal commands, or disability, as perceived by the CPD member at the time force was used.

limit the circumstances in which officers may unholster and point guns at people to only situations where deadly force would be permitted.

- (c) The parties and the Coalition should agree on clear, enforceable, numerical benchmarks for decreasing CPD's use of force against Black and Latino community members and the demonstrated racial and ethnic disparities in who is subjected to use of force by CPD officers.
- (d) The parties and the Coalition should agree on clear, enforceable, numerical benchmarks for decreasing CPD's use of force against children and youth.
- (e) The parties and the Coalition should agree on clear, enforceable, numerical benchmarks for decreasing CPD's use of force against people with all types of disabilities—including people with physical disabilities and mental health/behavioral/intellectual disabilities.
- (f) CPD must begin collecting and making public accurate data on its officers' use of force against people with disabilities.
- (g) A neutral party, such as the Monitor and her consultants, should undertake an audit of a statistically significant sample of officer body-worn camera footage, using a sampling method to be agreed, to determine the percentage of force incidents that CPD officers report and whether that percentage has changed over time. The goal of this audit is to gain insight into the substantial increase in reported use of force by CPD officer, as reflected in use of force reports.

In requesting “clear, enforceable, numerical benchmarks,” the Coalition anticipates negotiating a binding implementation plan containing quantitative goals CPD must meet to come into compliance with the Consent Decree paragraphs discussed above. The Coalition anticipates that input from the City, CPD, the Attorney General's Office, and the Independent Monitoring Team will inform these benchmarks. But to be clear: no matter what specific benchmarks are agreed, CPD must *immediately* decrease the number of people harmed by police interactions on the streets of Chicago every day. While the Coalition and the parties are negotiating more permanent metrics, CPD should, as an interim benchmark, reduce total use of force incidents and total gun-pointing incidents to 2022 levels by the end of the next calendar year (2026).

CPD must enter an enforceable agreement to resolve these potential claims, and the Coalition will hold CPD accountable. The Coalition looks forward to meeting promptly with the City, CPD, Attorney General's Office and Monitor to discuss resolution of the potential claims discussed above.

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Respectfully Submitted,

/s/ Alexandra K. Block

Alexandra K. Block (ablock@aclu-il.org)  
Michelle T. Garcia (mgarcia@aclu-il.org)  
Joseph DiCola (jdicola@aclu-il.org)  
Roger Baldwin Foundation of ACLU, Inc.  
150 N. Michigan Ave., Suite 600  
Chicago, IL 60601  
(312) 201-9740

Amanda Antholt (amanda@equipforequality.org)  
Jessica Gingold (jessicag@equipforequality.org)  
Equip for Equality  
20 N. Michigan Ave., Suite 300  
Chicago, IL 60602  
(312) 341-0022

Wallace Hilke (wally.hilke@law.northwestern.edu)  
Community Justice and Civil Rights Clinic  
Northwestern Pritzker School of Law  
375 East Chicago Avenue  
Chicago, IL 60611-3609  
(312) 503-2224

Craig B. Futterman (futterman@uchicago.edu)  
Mandel Legal Aid Clinic  
University of Chicago Law School  
6020 S. University Ave.  
Chicago, IL 60637  
(773) 702-9611

*Counsel for the Coalition*

Enclosure

**Coalition Public Comment on  
Special Order S03-22, *Firearm Pointing Incidents***

**Submitted to CPD Portal on March 31, 2025**

The Consent Decree Coalition provides the following comments on the Chicago Police Department's draft Special Order S03-22, titled "Firearm Pointing Incidents" (10 March 2025). The Coalition strongly recommends that CPD revise its Firearm Pointing Incidents policy to further limit the circumstances in which officers may point guns at people, and to categorically prohibit officers from pointing guns at children and people who are handcuffed or restrained.

**CPD's Current "Reasonableness Standard" Allows Officers to Use Excessive Force**

- CPD's "reasonableness standard" (*see* S03-22, Sec. II.E), which allows officers to point guns at people "when it is objectively reasonable to do so under the totality of the circumstances," fails to provide CPD members with the guidance necessary to prevent unnecessary and unreasonable uses of force.
  - Since the reasonableness standard was codified in 2019 (Department Notice D19-01), CPD officers have pointed their guns at *more* people and the trend is going in the wrong direction.
    - Between 2021 and 2023, CPD's reported firearm pointing incidents increased over 30%, from 2,562 in 2021 to 3,719 in 2023.
    - In 2023, CPD's Tactical Review and Evaluation Division (TRED) reported that officers pointed guns at people in 3,719 incidents but recovered a weapon in only 1,246 of those incidents, suggesting that officers pointed guns at approximately 2,500 *unarmed* people.
  - Media reports of a CPD officer waving her gun at a crowd of bystanders in August 2024 raise serious concerns about the effectiveness of CPD's current policy and training to ensure that officers refrain from excessive and indiscriminate firearm pointing. *See* Emmanuel Camarillo, "Police oversight agency investigates video of CPD officer pointing gun at street takeover spectators," *Chicago Sun-Times* (Aug. 6, 2024).
  - Over the past several years, and since adopting the "reasonableness standard," CPD officers have repeatedly pointed guns at children and people who are handcuffed, subdued, or otherwise compliant, including:
    - Pointing guns at 13-year-old Lazerick James and 16-year-old Jaylin Stiger during a warrantless search of their home. *See* Dave Savini, Michele Youngerman, Samah Assad, Chris Hacker, "Disorganized Cops Handcuffed Innocent Black Teens At Gunpoint Multiple Times in Bizarre 2019 Incident, New Body Camera Video Shows," *CBS News Chicago* (November 10, 2021).

- Pointing guns at a 4-year-old girl during a home raid. *See* Sam Charles, “Cops pointed guns at 4-year-old, autistic man during improper raid of Back of the Yards apartment: suit,” *Chicago Sun-Times* (June 11, 2020).
- Pointing guns at a 4-year-old girl and her 70-year-old grandmother during a home raid. *See* Elvia Malagon, “Chicago police officers pointed guns at child, grandmother in raid on apartment: lawsuit,” *Chicago Sun-Times*, (August 27, 2020).
- Pointing guns at Jahaira Ruiz and her three daughters, ages 17, 8, and 7, while they drove to get food during the COVID-19 pandemic. *See* Mina Bloom, “Mom, 3 Children ‘Traumatized’ After Police Point Gun at Their Car in Humboldt Park,” *Block Club Chicago* (May 8, 2020).
- Pointing guns at 12-year-old Georgie and 3-year-old Kruzy during a home raid in Bridgeport. *See* Dave Savini, Michele Youngerman, Samah Assad, and Chris Hacker, “Chicago Police ‘Community Safety Team’ Accused Of Botched Raid After Officials Promised Reforms,” *CBS News Chicago* (May 26, 2021).
- Holding a gun point-blank to the head of Lorenzo Williams Jr., age 32, when he was subdued and pinned to the ground. *See* Leah Hope and Maher Kawash, “Chicago police conducting internal investigation after video shows man being hit during arrest,” *ABC 7 Chicago* (August 1, 2024).
- COPA sustained complaints against officers for accidental firearm discharges in five instances in 2024; twenty-five incidents in 2023; and 14 incidents in 2022. *See* COPA 2024 Annual Report p. 24; COPA 2023 Annual Report p. 29; COPA 2022 Annual Report p. 27. These numbers show that, despite current policy, some CPD officers are likely unholstering, pointing, and handling their guns improperly and need stricter policy guidance and training.
- According to the [Independent Monitor Team Special Report—Focus Groups with Young Black and Latino Men](#), officers disproportionately point guns at young Black and Latino men in Chicago. The IMT documented the following experiences reported by Focus Group Members:
  - “They would run up on us in front of my mom’s house with guns drawn. They knew who I was, and they used to pass by my house, lower the window and say, ‘What are you doing? You’re up to no good.’ There were some cool-ass officers, but from the 25 times, a good 17 or 18 times they had guns drawn. Once I had an officer point a rifle on me and I was just walking down the street.”
  - “For White people, it’s a use of force. But for Black people, it’s not. What’s written is always different than what happens. Pulling the gun is the first thing they do. Some people can’t help themselves, it’s hard to break a habit, so you still see them do it. Pulling the gun is the easiest way for them to cut corners. They pull their guns to put fear in people. They

think someone's going to run, they pull their guns. If they run, I'll shoot. Move your hands, I'll shoot. It's a defensive mechanism."

- In a [2022 survey](#) conducted by the Independent Monitoring Team, 11% of young Black men reported that they had had guns pointed at them by CPD officers within the past 12 months.

### **CPD's Policy Should Consider Gun Pointing a Use of Deadly Force**

- CPD therefore must do more to discourage officers from pointing guns at people – especially unarmed people and people who are not posing a threat of safety to the officer or another person.
- Specifically, CPD's policy should be changed to only allow officers to point their guns at people in situations where deadly force would be authorized, consistent with CPD's policy titled "De-escalation, Response to Resistance, and Use of Force," General Order G03-02, Sec. IV. C ("The use of deadly force is a last resort that is permissible only when necessary to protect against an imminent threat to life or to prevent great bodily harm to the member or another person.").
  - For a quarter of a century, the law has established that pointing a gun at a person and threatening to pull the trigger "is a use of deadly force." *Jacobs v. City of Chicago*, 215 F. 3d 758, 774 (7th Cir. 2000).
  - The Coalition's proposed rule limiting firearm pointing to circumstances where deadly force may be justified comports with the directives of other major police departments, such as Philadelphia, Baltimore, and Los Angeles.
    - Philadelphia Police Department's policy states: "[P]olice officers shall not draw their firearms unless they reasonably believe an *immediate threat for serious bodily injury or death to themselves or another person exists.*" PPD Directive 10.1 at Sec. 4.A, available at <https://www.phillypolice.com/wp-content/uploads/2024/11/D10.1-REV-5-13-21-REDACTED.pdf>
    - Baltimore Police Department's policy states: "Members shall not point a firearm at a person unless they reasonably believe that the person potentially poses a *present or imminent threat of death or serious physical injury* to the member or another person." BPD Policy 409 at p. 5, available at <https://www.baltimorepolice.org/transparency/bpd-policies/409-firearms-regulations>
    - Los Angeles Police Department's policy states: "An officer's decision to draw or exhibit a firearm should be based on the tactical situation and the officer's reasonable belief that there is a substantial risk that the situation may escalate to the point where *deadly force may be justified.*" LAPD Manual, Volume 1, Policy 556.80, available at <https://lapdonlinestrgeacc.blob.core.usgovcloudapi.net/lapdonlinemedia/2023/01/VOLUME-1-word-1.pdf>

- This rule also comports with widely-employed principles of firearms safety training that a person should never point a gun unless they are authorized and prepared to shoot.

### **CPD's Policy Should Categorically Prohibit Pointing Guns at Children**

- CPD's policy also must categorically prohibit pointing guns at children unless the child is armed and presents an imminent threat to life or bodily harm of an officer or another person.
  - *See McDonald by McDonald v. Haskins*, 966 F.2d 292, 295 (7th Cir. 1992) (holding it was “objectively unreasonable” for police to point a gun at the head of a 9-year-old child); *Brown v. City of Chicago*, 594 F.Supp.3d 1021, 1035 (N.D. Ill. 2022) (constitutional violation stated where officers pointed rifles at a two-year-old child); *Tate v. City of Chicago*, No. 19 C 7506, 2020 WL 6715660 at \*4 (constitutional violation stated where officers pointed guns at an 11-week-old infant).

### **CPD's Policy Should Expressly Prohibit Pointing Guns at People Who Are Handcuffed**

- CPD policy must expressly prohibit pointing guns at people who are handcuffed, subdued, or otherwise compliant. CPD's draft policy leaves too much discretion to officers to determine when a person is not, or is no longer, dangerous to others. Section II.E should add a note that it is never reasonable to point, or continue to point, a firearm at a person when they are in handcuffs or otherwise within the officer's control.
  - “Gun pointing when an individual presents no danger is unreasonable and violates the Fourth Amendment.” *Baird v. Renbarger*, 567 F.3d 340, 344 (7th Cir. 2009) (holding it was unconstitutional for police to round up a group of unarmed and compliant people at machine-gun point); *see also Jacobs*, 215 F.3d at 774 (holding it was unconstitutional for officers to hold a gun to the head of a person who was unarmed, not resisting, and not dangerous).

### **More Supervisory Review of Firearm-Pointing Incidents is Warranted**

- CPD should re-think the purpose of TRED's review of firearm pointing incidents. TRED's numbers show that the number of firearm pointing incidents, and the number of “de-briefings” (corrections for problematic officer behavior) are *increasing*. TRED should ensure that its reviews are effective in changing officer behavior and reducing the number of times officers point guns at people.
- CPD should require supervisors to review video footage of firearm-pointing incidents and correct officers when they violate CPD policy.
  - The Monitor repeatedly has recommended that, to effectively supervise patrol officers as required by the Consent Decree, supervisors must review video footage of all firearm-pointing incidents and that supervisors should take on this responsibility currently shouldered by TRED. *See IMR 8, Appendix 4, at 102*. The City and CPD have not yet implemented the Monitor's recommendations.
  - CPD has begun a pilot program for supervisors to review body-worn camera and in-car video recordings of officers pointing guns at people. Department Notice

D24-06. Data from that pilot program should be shared with the Coalition and the supervisor-review requirement should be extended across the Department.

**Unholstering a Gun Near a Person Should Be a Reportable Use of Force**

- CPD policy and Consent Decree paragraph 195 should be changed to require officers to report a use of force if they unholster, display, or place a firearm in “low ready” position. As shown in CPD’s instructional graphic depicted below (copied from TRED’s annual reports), holding a firearm in the “low ready” position certainly will cause the community member at the receiving end to feel the fear and trauma attendant to being threatened by a firearm. Further, unholstering and drawing a weapon should be considered a use of force because “[u]nnecessarily or prematurely drawing or exhibiting a firearm limits an officer’s alternatives in controlling a situation, creates unnecessary anxiety on the part of citizens, and may result in an unwarranted or accidental discharge of the firearm.” LAPD Manual, Volume 1, Policy 556.80, available at <https://lapdonlinestrgeacc.blob.core.usgovcloudapi.net/lapdonlinemedia/2023/01/VOLUME-1-word-1.pdf>; *see also* Seattle Police Department Manual, 8.300 Use of Force Tools 30, effective 9/1/24, available at <https://public.powerdms.com/Sea4550/tree/documents/2042945>.

