



Superintendent Eddie T. Johnson
Chicago Police Department
3510 S. Michigan Avenue
Chicago, Illinois 60653

May 12, 2016

Re: Advisory Letter Regarding Log #'s 1044664 and 1078329

Dear Superintendent Johnson:

Pursuant to the Municipal Code of Chicago Section 2-57-040, the Chief Administrator of the Independent Police Review Authority (IPRA) is empowered to and has a duty to make recommendations to the superintendent, the police board, and the chairman of the city council committee on public safety concerning revisions in policy and operating procedures to increase the efficiency of the department. To fulfill the mission, as outlined in Section 4.2.2 of the draft Rules of the Independent Police Review Authority (published April 15, 2016), at the conclusion of an investigation, IPRA may issue an Advisory Letter to the department if the investigation uncovered a problem that hinders the effectiveness of department operations and programs or if the investigation has identified a verifiable potential liability or risk that warrants attention by the department.

IPRA is nearing the conclusion of two investigations related to the way department members handle individuals with mental health concerns that are detained in lockup facilities. In both investigations, department members were found to have used excessive force against an individual whose behavior indicated the need for mental health evaluation or treatment. Moreover, in both investigations, the department members involved decided to “force” the individual to comply with a department process when there was no exigency requiring that the department process be accomplished immediately. Based on a review of department policies relevant to the conduct at issue in these investigations, it appears that there may be a gap in department policies on some important topics.¹

- 1) It appears that the Department has no policy that defines how to identify detainees in lockup facilities who are in mental health crisis and should be diverted for mental health

¹ This conclusion is based on a review only of the publicly available general orders and special orders, as IPRA may not currently have access to all the orders and directives that are promulgated by the various Department Bureaus.

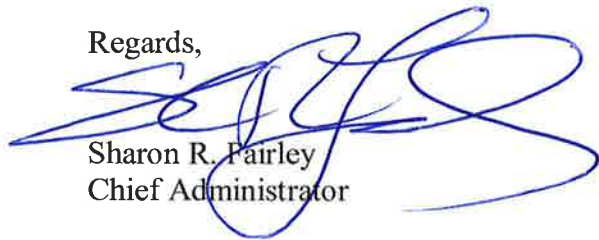


evaluation or treatment. IPRA recommends that the Department promulgate a policy or directive instructing department members on what duties they have when an individual in lockup is exhibiting behavior that indicates a need for mental health evaluation or treatment. More specifically, IPRA suggests that the Department consider including in this directive a requirement that lockup personnel request the assistance of a CIT certified department member when dealing with an uncooperative detainee with identifiable mental health needs.

- 2) It appears that the Department has no policy that defines protocols for handling uncooperative detainees who refuse to leave a lockup cell. Although the Department has directives that govern the treatment of individuals in lockup and the directives regarding the use of force, there should be a policy, protocol, or training regarding how to address situations in which a person refuses to leave a cell. Such policy or protocol should be informed by and consistent with the de-escalation practices such that reasonable force is only used when necessary to accomplish a specific department task (such as removal for a scheduled court appearance) that must be accomplished within a specific timeframe.

Superintendent Johnson, we appreciate your time and attention to these concerns and we respectfully request a response to these recommendations within 30 days. IPRA will publish this letter and the Department's response, if any, on the IPRA website after the 30-day response time has passed. Thank you for your time and consideration of these issues.

Regards,



Sharon R. Fairley
Chief Administrator