

**City of Chicago
Civilian Office of Police
Accountability**



CIVILIAN OFFICE OF POLICE ACCOUNTABILITY

INTEGRITY • TRANSPARENCY • INDEPENDENCE • TIMELINESS

**Report on the Chicago Police
Department's Response to COPA's
Recommendations Re: Use of Force
Training**

April 12, 2018

I. Introduction

Pursuant to the Municipal Code of Chicago Section 2-78-120(m), the Chief Administrator of the Civilian Office of Police Accountability (COPA) is empowered and has a duty to make recommendations to the Superintendent of the Chicago Police Department (the Department). To fulfill the mission, as outlined in Section 4.4.2 of COPA's Rules and Regulations (effective September 15, 2017), the Chief Administrator may make recommendations that are intended to promote best practices in policing, to address specific gaps in policy and training, or to improve the integrity and transparency of the Department's operations and performance.

On January 19, 2018, COPA sent a policy report concerning the Department's new Use of Force training.¹ The Department provided COPA with its response on March 20, 2018.² This report summarizes COPA's recommendations regarding the Department's Use of Force training, the Department's response to those recommendations, and the status of COPA's recommendations.

II. COPA's Recommendations

Over 30 COPA staff attended the Department's Use of Force training in October 2017, aimed to train Department members on the revised Use of Force policies.³ Throughout the training, COPA staff identified several concerns, including,

- a lack of a substantive discussion amongst participants regarding whether the uses of force scenarios presented during the training were within outside of Department policy and, perhaps most importantly, how COPA and the Department analyze use of force incidents;
 - certain rhetoric used by trainers during the course undermined the Department's public message of changing the culture around use of force incidents;
 - a potential lack of ongoing quality management of training content and delivery;
- and

¹ COPA's full report can be found on its website, at www.chicagocopa.org/news-publications/publications/policy-reports/.

² See Appendix A for a copy of the Department's Response Letter to COPA's policy report on the Department's Use of Force Training.

³ Note: The Department's training lasted four hours, and COPA staff attended four different training sessions.

- a method of training that appeared to inhibit robust discussion, including reasonable disagreement with the analysis and potential outcomes of use of force cases.

In its policy report to the Department, COPA noted that in light of the Department's increased hiring of new recruits and plan to require additional use of force in-service training for its existing members, it was making the following recommendations regarding future trainings on its use of force policy:

1. the Department should continually evaluate its training to determine if the Department's approach for training its members comports with its own policies and with how COPA conducts investigations and determines findings;
2. the Department should ensure that its trainers are adequately and substantively trained in adult learning and training techniques;
3. the Department should review and, if applicable, change how it assigns members to teach in the Academy;
4. the Department should continually train, monitor, review, and assess members that teach in the Academy to ensure that they deliver content in an effective, consistent, objective, and accurate manner; and
5. the Department should train on how a use of force incident is evaluated and investigated by its own Force Review Unit and COPA.

COPA believes that these recommendations will assist the Department in ensuring that its use of force training is effective, incorporates training best practices, establishes new norms and cultures for Department members, and reinforces the Department's commitment to the sanctity of life.

III. The Department's Response

In response to COPA's recommendations regarding its use of force training, the Department described its current practices for curriculum development, the work done by the Training Division's Instructional Development and Quality Control Unit in evaluating and updating training curriculum, how Department members are selected and assigned to the Training Academy, and the Training Division's ongoing work with the Department's Force Review Unit on incorporating information and standards on how

use of force incidents are investigated into its training. The Department's response also highlighted its planned work for developing a "Master Instructor and Training Development" program for its instructors and its commitment to continue the evaluation of COPA's recommendations in light of its ongoing discussions with the Illinois Office of Attorney General over its pending consent decree litigation.

IV. Recommendation Status

Based on the Department's response to COPA's Policy Report, COPA assessed the Department's response to the recommendations contained therein. COPA classifies the status of recommendations into three categories:

- **Agrees:** The Department agrees with COPA's policy recommendation and indicated that they have taken steps to implement or plan to implement such recommendation in full.
- **Agrees In Part:** The Department partially agrees with COPA's policy recommendation and may or may not have indicated that they have taken steps to implement such recommendation.
- **Does Not Agree:** The Department does not agree with COPA's policy recommendation and has not taken steps to implement such recommendation.

Recommendation 1: *Continually evaluate training to determine if the Department's approach to training its members comports with its policies and with how COPA conducts investigations and determines findings.*

Status: **Agrees In Part.** The Department's response letter conveys that it agrees with the importance of evaluating its training and that Office of Legal Affairs (OLA) and the Training Division's IDQC Unit are actively engaged in evaluating and updating content for the Training Academy. However, the Department's response did not detail whether OLA and/or the Training Division's IDQC Unit had or were currently evaluating the Department's new use of force training in light of COPA's

specific concerns and recommendations about the training or whether such evaluation was planned for the future.

Recommendation 2: *Ensure that trainers are adequately and substantively trained in adult learning and training.*

Status: **Agrees.** In its response, the Department described training requirements for Training Academy staff. Specifically, the Department noted that (a) all instructors undergo a forty-hour course certified by the Illinois Law Enforcement Training and Standards Board on how to deliver instruction, which includes adult learning principles, (b) trainers have the option of taking additional educational courses both in-house and externally to update their teaching skills and (c) the Department is in the process of developing a Master Instructor and Training Development program for all trainers. COPA applauds these measures by the Department to ensure its instructors are equipped with the best pedagogical training. Also, COPA hopes that the Department will share COPA's specific feedback with its instructors in an effort to address certain concerns with how this specific training was taught.

Recommendation 3: *Review how it assigns members to the Academy for developing and implementing training.*

Status: **Does Not Agree.** In its response, the Department described its current process for assigning members to the Training Academy, specifically that all instructors are selected and assigned pursuant to the Department's hiring plan (including selection criteria based on educational background, experience and tenure with the Department). However, the Department did not specify if it agrees with COPA that a review of its hiring and assignment process is warranted, or whether the

Department has conducted or plans to conduct a review of such assignment practices in light of COPA's recommendations.

Recommendation 4: *Continually train, monitor, review, and assess members that teach in the Academy to ensure that they deliver content in an effective, consistent, objective, and accurate manner.*

Status: **Agrees In Part.** In its response, the Department described initial training requirements for Training Academy staff, planned "Master Instructor and Training Development" training for its staff, and the Instructional Design and Quality Control Unit's process for auditing classroom instruction. However, the Department did not provide additional information for whether staff receive ongoing scheduled in-service training, or how they are continually monitored and evaluated to ensure content is delivered in an effective, consistent, objective, and accurate manner.

Recommendation 5: *Train on how use of force incidents are evaluated and investigated by its own Force Review Unit and COPA.*

Status: **Agrees.** The Department describes planned steps to incorporate information and standards concerning how its own Force Review Unit investigates use of force incidents, but does not describe steps for training on how a use of force incident is evaluated by COPA. Given the Department's invitation to COPA to provide input on its curriculum review process, we look forward to providing information on how information and standards on how COPA investigates use of force incidents can be incorporated into the Department's use of force training.

Finally, COPA understands the importance of, and the impact that, the ongoing consent decree discussions between the Department, the City, the Illinois Office of Attorney General, and certain community groups will have on the recommendations provided

herein. We look forward to reviewing the terms of the consent decree and whether they incorporate or touch upon COPA's recommendations set forth herein.

Appendix A



Rahm Emanuel
Mayor

Department of Police · City of Chicago
3510 South Michigan Avenue · Chicago, Illinois 60653

Eddie T. Johnson
Superintendent of Police

March 20, 2018

Patricia Banks
Interim Chief Administrator
Civilian Office of Police Accountability (COPA)
1615 West Chicago Avenue, 4th Floor
Chicago, Illinois 60622

Re: Advisory Letter Regarding COPA Policy Brief: Use of Force Training

Dear Interim Chief Administrator,

The Chicago Police Department (CPD) received a Policy Brief entitled Use of Force Training in which COPA recommended changes to enhance the training of Department members in the use of force policy.

CPD recognizes that the thorough and proper training of a city's police department is one of the hallmarks of a professional and trusted police organization. To that end, the CPD, through the Education and Training Division (Training Division) staff, has worked tirelessly to provide the highest quality training and instruction to all members of CPD. As with many areas in CPD, the Training Division recognizes there is always room for improvement. As an organization, we constantly evaluate how we do things to attain the lofty goals we have set for ourselves both individually and organizationally.

The Training Division strives to provide the best in instruction to CPD members while creating a conducive learning environment. The Training Division's Instructional Development and Quality Control (IDQC) Unit is tasked with ensuring the level of instruction meets or exceeds standards in education. Regular class audits are conducted by Academy staff to ensure that curriculum topics are being thoroughly covered and that members receiving instruction truly understand the material. The IDQC Unit performs reviews of recruit and in-service curriculums on an ongoing basis to ensure consistency with law and policy. Substantive changes in curriculum are reviewed by the Office of Legal Affairs before being taught by instructors. Furthermore, when there is a disconnect or interruption discovered or observed in the training process, either through the audit functions or through regular course evaluations, those matters are dealt with swiftly and decidedly. While we are aware that other specific instances of what COPA observed in the training were raised in the letter, we prefer to discuss those matters in person and understand those were merely illustrative by COPA to emphasize the importance of quality control for training.

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The Training Division also works closely with the CPD's Human Resources Division to ensure that the most qualified and experienced instructors are assigned to training CPD members. The process by which members are selected and assigned to the Training Academy is governed by Appendix E of the City of Chicago Police Department Hiring Plan for Sworn Titles (Hiring Plan). Members are chosen based on their education, experience and tenure with CPD to ensure that only the highest quality, most competent and ethical instructors are selected. In addition, all trainers, including those in the "Train the Trainer" program, undergo a forty-hour course of instruction, certified by the Illinois Law Enforcement Training and Standards Board, on how to deliver instruction, which includes adult learning principles. The IDQC Unit continually monitors and evaluates all members of the training staff to ensure that superior instruction is given in an effective and consistent manner. The Training Division is in the process of developing a Master Instructor and Training Development program for all trainers. Trainers also have the option of availing themselves of additional education opportunities, either through seminars or similar education programs taught both in-house and through outside entities. CPD understands that a critical component of our use of force policy is the proper training of members of a full understanding of how to apply the policy and what standards they will be held to under the policy.

To that end, the Training Division has been working with CPD's Force Review Unit to incorporate information and standards as to how the unit investigates officer involved use of force incidents. This collaboration will ensure that each member has a better understanding of how the process works and the standards officers will be held to in such incidents. CPD welcomes any input that COPA can provide in the Training Division's continual curriculum review process and looks forward to working with COPA to ensure that CPD's use of force curriculum provides officers with a solid foundation of when to use force and to what standards they will be held to when a use of force incident occurs.

Thank you for your recommendations. CPD will continue to evaluate the recommendations further in light of the consent decree litigation involving the Office of the Attorney General. CPD remains committed to ongoing reform process and we look forward to your additional input on the above matters.



Eddie T. Johnson
Superintendent of Police
Chicago Police Department