



March 4, 2022

Robert Boik  
Executive Director  
Office of Constitutional Policing & Reform  
Chicago Police Department  
3510 S. Michigan Avenue  
Chicago, Illinois 60653

**RE: Needs Assessment for Chicago Police Department 2023 Training Plan**

Dear Executive Director Boik:

Thank you for your letter of February 15, 2022. We were pleased to read about the Department's continuing interest in receiving feedback from COPA and other community stakeholders as part of its annual training needs assessment. We share the Department's commitment to identifying and correcting deficits in both recruit and in-service training programs.

We also recognize the Department's efforts to address issues COPA has highlighted in earlier feedback. For example, we were delighted to learn during a recent meeting that the Department is exploring training option related to peer bystander intervention. As we have observed, the importance of peer-to-peer accountability in the current era cannot be overstated: recent cases inside and outside our city speak to an emerging consensus among the public that members will intervene in colleagues' misconduct. The Department's attention to this issue is encouraging, and we look forward to seeing how it improves training on this critical issue.

At the same time, COPA continues to encounter several issues that suggest shortcomings in the Department's training programs. We outline our feedback below.

**Substantive Questions of Criminal Law**

This year, COPA staff voiced concerns about Department members' knowledge of key areas of criminal law. For instance, some members have adopted overly broad constructions of laws. Staff cited concern in application of laws governing the possession of firearms and noted circumstances in which members took enforcement action and later determined the individual involved to be in compliance with the law. Additionally, there are recurring problems with the application of the Illinois Controlled Substance Act.<sup>1</sup> As you are aware, in 2019, the state of Illinois legalized the

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<sup>1</sup> 720 ILCS 570/100, *et seq.*

possession of cannabis in many circumstances for individuals over the age of 21.<sup>2</sup> Yet, our staff tell us many members continue to treat the possession of cannabis as a criminal offense even where it is permissible under the law. Our staff noted that, despite legalization, misconduct complaints stemming from cannabis-related arrests remain a concern. The Department must do better to ensure members maintain a strong grounding in those parts of criminal law that they will regularly apply in the field.

### **De-Escalation and Alternative Tactics**

COPA staff tell us Department members are too quick to pursue aggressive tactical options when less intrusive measures may be more effective in achieving law enforcement objectives. This echoes our frequent concerns over the quality of Departmental training on de-escalation.<sup>3</sup> However, it also speaks to the need for better training on the use of alternative tactics, such as technological apprehension. Major reforms of longstanding police practices—such as last year’s introduction of a directive governing the initiation and continuation of foot pursuits<sup>4</sup>—will require Department members to rely less on physical enforcement and more on creative communication and technological strategies to attain the public’s compliance with orders or apprehend offenders. The Department’s training programs should reflect this change.

### **Report Writing**

Errors and omissions in Investigatory Stop Reports and other important Departmental records are a persistent problem. We have called attention to this issue before.<sup>5</sup> Departmental training must emphasize: “The accuracy and completeness of an officer’s written report are fundamental to the efficacy of our criminal justice system, as well as a bedrock of public trust.”<sup>6</sup> And members must learn it is essential to report police actions in the most accurate light—not the most favorable light. Furthermore, errors in report writing, intentional or inadvertent, often lead to serious disciplinary recommendations in many of COPA’s concluded investigations.

### **Training Methods**

Finally, the Department must foster a culture that promotes self-assessment and critical feedback. To this end—as we have previously suggested—the Department should incorporate its own body-worn camera footage in its modules, and where possible, the Department should encourage members to habituate the practice of self-review outside formal training programs.

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<sup>2</sup> See The Cannabis Regulation and Tax Act, 410 ILCS 705/1-5, *et seq.*

<sup>3</sup> See, e.g., COPA’s 6/25/21 letter to the Chicago Police Department addressing use of force in-service training.

<sup>4</sup> See General Order G03-07.

<sup>5</sup> See, e.g., COPA’s 5/13/20 letter to the Chicago Police Department addressing 2021 training initiatives.

<sup>6</sup> *Id.*

Thank you for the opportunity to create a dialogue regarding these important topics. We look forward to further conversations as we continue to work towards the shared goal of improving training outcomes for the Department. Should you have any questions, or require any additional information, please do not hesitate to contact me.

Respectfully,



Jay Westensee  
Deputy Chief Administrator

cc: Antoinette Ursitti, Deputy Chief, Training and Support Group, Chicago Police Department  
John O'Malley, Deputy Mayor – Public Safety, Office of the Mayor  
Andrea Kersten, Chief Administrator, COPA  
Robin Murphy, Acting General Counsel, COPA  
Joshua Hock, Research Associate, COPA