



March 29<sup>th</sup>, 2023

Tina Skahill  
Executive Director  
Office of Constitutional Policing and Reform  
Chicago Police Department  
3510 South Michigan Avenue  
Chicago, Illinois 60653

Re: Training Plan Feedback for 2024

Dear Executive Director Skahill,

COPA thanks CPD for an opportunity to provide feedback about its training plan for 2024. COPA reviewed past recommendations, complaint data, existing research evidence, best practice documents and published guidance, but unfortunately did not receive the Department's latest "eLearning" modules by the time this feedback was due. We are open to providing a follow-up review of those eLearning modules after we receive them. COPA acknowledges the Department has continued to look for ways to evolve its training over time and supports its current effort to conduct a needs assessment soliciting input from all Chicagoans. Within that context, COPA provides the below recommendations for training to address topics of common complaints we receive, often related to civil rights violations and excessive force, as well as gaps in training that might contribute to complaints and related operational issues.

1. **Consider assessment, revision and enhancement to training structure and class instruction.** Ensure consistency in class instruction across instructors and class days/times to ensure fidelity in implementation of the training plan and note exceptions, diversions, and barriers so that they can be addressed later. This may require first establishing measures of consistency and quality for training instructors and course content that systematically incorporates input from attendees (i.e. recruits). Training completion rate is an important metric to highlight, but it is not the only aspect of training implementation that matters. A research institution, evaluation partner, internal research and development, or training staff should be able to further assist in this endeavor.
2. **Enhance training and general guidance on personal wellness for officers.** COPA acknowledges that the Department already engages in some activities designed to address officer wellness and understands that "Officer Wellness" is a planned course for 2023 in-service members. However, the 2022 basic recruit procedural manual speaks mostly to *physical* fitness and health. Cognitive functioning, and mental and emotional fitness and health are critical for officers to do their job as well and should be acknowledged as such in all aspects of recruit guidance and training. The International Association of Chiefs of Police finds that departments that proactively address

officer mental health issues are associated with healthier officers who are able to better promote community safety.<sup>1</sup> Some ways to achieve this might include:

- a. Proactively provide specific mental health resources to officers regarding important issues officers face such as trauma, PTSD, and suicide.<sup>2</sup>
  - b. Actively and regularly train on techniques for cognitive and emotional skill building to help officers manage stress and increase their resiliency.<sup>3</sup>
  - c. Improve training for CPD supervisors and trainers on their duties related to supporting officer wellness so they feel adequately prepared<sup>4</sup>, which could include how to consistently and effectively encourage and normalize mental health, cognitive functioning, and emotional wellbeing as a part of the definition of “fitness.” In addition, incorporate guidance to officers about using preventive measures, supportive services, and informational materials across trainings.
3. **Share the methods and results of the 2024 training needs assessment** with the public and demonstrate how the final 2024 training plan was responsive to it.
  4. **Ensure the “Monthly Department Directives” eLearning module highlights updates** to policies or procedures, explains how updates to directives should/will be incorporated into training, and establishes how members are to verify they have received, reviewed, and/or been trained (where applicable) on new monthly directives.
  5. **Ensure the eLearning module on BIA contextualizes its role and processes** within the broader scope of police accountability systems in the City of Chicago.
  6. **Work collaboratively with COPA to incorporate a new training module** (or a new section of an existing training) about COPA and its investigatory processes in a way that is responsive to the needs and concerns of new recruits and in-service members.
  7. **Ensure officer attention and engagement during in-person trainings** by:
    - a. Fostering an interactive learning environment with discussion between the instructor and class. This might include more scenario-based and hands-on instruction in the trainings, rather than videos alone, to ensure officer engagement. For example, Police Chief Magazine finds that hands-on instruction further develops officer muscle memory for tactical responses in comparison to video instruction<sup>5</sup>, so this has the potential to do the same for things like following fourth amendment procedures, de-escalation, etc.
    - b. Offering smaller class sizes and/or smaller group breakouts in large classes to encourage discussion.

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<sup>1</sup> International Association of Chiefs of Police. (2020). *Officer safety and wellness*. <https://www.theiacp.org/resources/document/officer-safety-and-wellness>

<sup>2</sup> Community Oriented Policing Services. (2021). Promising strategies for strengthening police department wellness programs: Findings and recommendations from the Officer Safety and Wellness Technical Assistance Project. *U.S. Department of Justice*. <https://cops.usdoj.gov/ric/Publications/cops-w0964-pub.pdf>

<sup>3</sup> Edwards, K. L., Eaton-Stull, Y. M., & Kuehn, S. (2021). Police officer stress and coping in a stress-awareness era. *Police Quarterly*, 24(3), 325-356. <https://doi.org/10.1177/1098611120984162>

<sup>4</sup> City of Chicago Office of Inspector General. (2022). *The Chicago Police Department’s peer and supervisory wellness support strategies*. <https://igchicago.org/wp-content/uploads/2022/10/The-Chicago-Police-Departments-Peer-and-Supervisory-Wellness-Support-Strategies.pdf>

<sup>5</sup> Beary, R. (2018). *Strengthening the foundation: How new trends in training can improve officers’ safety and effectiveness*. *Police Chief Magazine*. <https://www.policechiefmagazine.org/strengthening-the-foundation-new-trends-training/>

- c. Scheduling trainings for officers at times that promote engagement and effective learning (e.g. do not schedule training for an officer after a night shift).<sup>6</sup>
8. **Consider common complaint categories when prioritizing training topics for improvement.** Civil rights violations are the most common misconduct allegations COPA brings against officers, specifically, on the topic of what constitutes a proper stop/seizure, search, and arrest.<sup>7</sup> These are followed by excessive force complaint allegations. Consider emphasizing scenarios and real-life example situations that raise complex civil rights issues, demonstrate actual civilian resistance and successful de-escalation in trainings to encourage adequate analysis and discussion about these topics. Ensure the analysis and discussion also covers community perspectives<sup>8</sup> and how officer actions will be evaluated in public.
  - a. Live scenario-based instruction could be prioritized for the following topics:
    - i. Fourth Amendment violations;
    - ii. traffic stop procedures;
    - iii. use of force;
    - iv. body worn camera activation;<sup>9</sup> and
    - v. cultural competency and implicit bias.<sup>10</sup>
9. **Incorporate professional skill building** into course materials, including:
  - a. Highlight critical thinking skills including how officers can better assess on-the-job situations, gather facts, and identify risks.
  - b. Outline problem-solving skills so officers can proactively identify and analyze issues and develop solutions.
  - c. Emphasize the importance of inter-personal skills, such as effective communication and interaction with others.<sup>11</sup>
10. **Educate officers about existing alternatives to justice system** involvement by highlighting active diversion programs in the community. This might include:

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<sup>6</sup> Community Representatives of Chicago's Use of Force Working Group. (2023). *Chicago police training teaches officers that their lives matter more than community lives*. [https://www.law.uchicago.edu/sites/default/files/2023-03/2023-03-20-UOFWG-Public\\_Report-CPD\\_Training.pdf](https://www.law.uchicago.edu/sites/default/files/2023-03/2023-03-20-UOFWG-Public_Report-CPD_Training.pdf)

<sup>7</sup> Civilian Office of Police Accountability. (2023) Data Dashboard. <https://www.chicagocopa.org/data-cases/data-dashboard/>; 2023 analysis of civil rights related Final Summary Reports

<sup>8</sup> Community Representatives of Chicago's Use of Force Working Group. (2023). *Chicago police training teaches officers that their lives matter more than community lives*. [https://www.law.uchicago.edu/sites/default/files/2023-03/2023-03-20-UOFWG-Public\\_Report-CPD\\_Training.pdf](https://www.law.uchicago.edu/sites/default/files/2023-03/2023-03-20-UOFWG-Public_Report-CPD_Training.pdf)

<sup>9</sup> Blumberg, D. M., Schlosser, M. D., Papazoglou, K., Creighton, S., & Kaye, C. C. (2019). New directions in police academy training: A call to action. *International Journal of Environmental Research and Public Health*, 16(24), 4941. <https://www.mdpi.com/1660-4601/16/24/4941>

<sup>10</sup> National Alliance on Mental Illness. (2022). *Help not handcuffs: Mental health emergencies and police response* [Webinar]. <https://www.nami.org/Advocacy/Crisis-Intervention/Webinars/Help-Not-Handcuffs-Mental-Health-Emergencies-and-Police-Response>

<sup>11</sup> Blumberg, D. M., Schlosser, M. D., Papazoglou, K., Creighton, S., & Kaye, C. C. (2019). New directions in police academy training: A call to action. *International Journal of Environmental Research and Public Health*, 16(24), 4941. <https://www.mdpi.com/1660-4601/16/24/4941>

- a. Provide officers with mental health treatment and service information for individuals in crisis.<sup>12</sup>
  - b. Inform officers of the services available through the 988 Suicide & Crisis Lifeline when assisting people in the community.<sup>13</sup>
  - c. Incorporate training on how to work with individuals who are experiencing homelessness to better address their needs (e.g. housing, mental health, and substance use) and to connect these individuals with the proper social service agencies. For example, the Police Executive Research Forum suggests training officers on issues surrounding homelessness during officer CIT training.<sup>14</sup>
  - d. Offer officers resources for non-arrest, substance use programs when encountering individuals in need of substance use intervention.<sup>15</sup>
  - e. Review Department training and policy on officer interactions with juveniles and educate officers on the resources available to juvenile victims at the Chicago Children’s Advocacy Center<sup>16</sup> and diversion programming for arrested juveniles at the Juvenile Intervention and Support Center.<sup>17</sup>
11. **Collaborate with COPA and other oversight entities** to allow opportunities to directly observe actual recruit training, training materials, and speak to recruits about what they do or don’t feel prepared for after training so that more specific and practical feedback can be provided to the Department about its training plan from the perspective of civilian (and other) oversight bodies.

COPA has also included below (Attachment A) a selection of past recommendations the Department may want to revisit if they have not been addressed yet. Thank you for the opportunity to provide feedback about the Department’s training plan. COPA is open to additional follow up on this topic in order to assist in operationalizing the above recommendations. We look forward to future opportunities to provide feedback to CPD about training and policy.

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<sup>12</sup> CIT International. (2019). *Crisis Intervention Team (CIT) programs: A best practice guide for transforming community responses to mental health crises*. <https://www.citinternational.org/resources/Best%20Practice%20Guide/CIT%20Guide%20Interactive%20Web%20Version%20Final.pdf>

<sup>13</sup> Substance Abuse and Mental Health Services Administration. (2023). *988 Suicide & Crisis Lifeline*. <https://www.samhsa.gov/find-help/988>

<sup>14</sup> Police Executive Research Forum. (2018). *The police response to homelessness: Problem-solving, innovation, and partnerships*. <https://www.policeforum.org/assets/PoliceResponsetoHomelessness.pdf>

<sup>15</sup> Barberi, D., & Taxman, F. S. (2019). Diversion and alternatives to arrest: A qualitative understanding of police and substance users’ perspective. *Journal of Drug Issues*, 49(4), 703–717. <https://doi.org/10.1177/0022042619861273>

<sup>16</sup> Chicago Police Department Special Order S04-03-02.

<sup>17</sup> Chicago Police Department Special Order S06-04-06.

Sincerely,



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Morgan McGuirk  
Research Associate, COPA

cc:

Dana O'malley, General Counsel, Chicago Police Department  
Matthew Burke, Deputy Director of Litigation, Chicago Police Department  
Scott Spears, Assistant General Counsel, Chicago Police Department  
Andrea Kersten, Chief Administrator, Civilian Office of Police Accountability

## Attachment A

### **2021-03-24-COPA-Letter\_Revised-SW-Policy**

“COPA recognizes that policies alone are not sufficient and must be complimented by robust training in order to reform Department practices and member behavior. However, successfully engaging and meaningfully training Department members on the nuance of this directive across the entirety of the Department presents immense, potentially insurmountable, challenges. In order to create the greatest opportunity for consistent comprehension of Department expectations, COPA encourages the Department to consider training to a targeted and manageable group of members (rather than to the masses, Department-wide). Therefore, COPA recommends the Department ensure the directive:

- Establishes reasonable training thresholds which prioritize comprehensive coverage and in-depth treatment of the subject matter over efforts to maximize the number of members who receive the training; and
- Requires relevant training programs to prepare members for the actual experience of the field through the use of case studies and simulations instead of merely regurgitating key provisions within Departmental policies.” (pg. 3)

### **2021-03-24-CPD-2022-Training-Plan-Response**

“...To recap, regarding the Department’s 2021 Training Plan, COPA recommended the following:

- Additional unit-specific trainings on existing topics of foot pursuits, concealed carry stops, and search warrant execution;
- Revisions to Department-wide training and standards regarding report writing to increase accuracy and completeness of Department member reports; and
- Increased focus on development of tactical skill and capabilities of SWAT members to promote the sanctity of life principles espoused by the Department, to include implementation of less lethal force options.”

“...COPA encourages the Department to continue to fine tune their approach to Fourth Amendment training by incorporating concepts of problem-based learning, introducing metrics to measure Department member comprehension, and evaluating the appropriateness of class size and location in order to maximize opportunities for comprehension (i.e., determine feasibility of providing content to smaller, more targeted groups of Department members).” (p. 1)

“...COPA recommends the Department find opportunities through training to reinforce the principle that the credibility of off-duty members must be based on impartial assessments of objective evidence and not on their status as members of the law enforcement community.” (p. 2)

“...Consistent with COPA’s prior recommendations, COPA recommends that the Department clearly address limitations under the Fourth Amendment that relate to the justifications for conducting invasive searches, the appropriate surroundings for conducting such searches, the availability of appropriately gendered members to conduct the searches, and the necessity of advance approvals.” (p. 2)

“... the Department’s hands-on training modules, such as use-of-force training, should incorporate either actual or imitation Body-Worn Camera (BWC) equipment. Recurring qualification requirements for existing members, such as firearms and weapons qualification programs, also present opportunities to reinforce device usage expectations.” (p. 2)

“...COPA recommends that Department training programs clearly convey expectations for AARs and how the Department intends to leverage feedback from these reviews to enhance its future operations.” (p. 3)

### **2022-03-04-Training-Needs-Assessment-2023**

“...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.” (p. 1)

“...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. As you are aware, in 2019, the state of Illinois legalized the possession of cannabis in many circumstances for individuals over the age of 21.2 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.” (p. 1-2)

“...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. However, it also speaks to the need for better training on the use of alternative tactics, such as technological apprehension.” (p. 2)

“Errors and omissions in Investigatory Stop Reports and other important Departmental records are a persistent problem. We have called attention to this issue before... 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.” (p. 2)

“...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.” (p. 2)

### **CPD-4th-Amendment-2020-Training-Response\_Redacted**

#### **“...Structure**

- Time - As an overall matter, COPA notes that these materials are voluminous. We recommend the Department consider allotting more time to the subject matter presented.
- Objectives – Each module would benefit from having a separate title and set objectives to guide both the trainer and the class as they approach each new topic.

- Testing – Development of objective test questions could provide an effective metric for measuring pre and post training knowledge.

### **Content**

- Concealed Carry – COPA has previously informed the Department of the need to develop enhanced training surrounding issues pertaining to Terry stops in the context of Illinois concealed carry law. While the subject is broached in the materials, COPA would recommend expanded discussion and increased scenario-based instruction surrounding this issue.
- Search Warrants – COPA notes that the topic of search warrants is discussed but the content focuses only on execution of valid search warrants. COPA recommends adding materials to address the nature and sufficiency of evidence required to obtain a search warrant. COPA also notes that a considerable amount of misconduct investigations involving the improper execution of search warrants arise each year and expanded discussion on best practices for ensuring safety of civilians and officers is warranted. (i.e., training on how an officer asked to assist in a SW execution can evaluate the sufficiency of information contained in the affidavit and warrant, in order to ensure proper and safe execution)
- Seizures - The act of intentionally pointing a firearm at a civilian is a serious use of force which can constitute a “seizure.” COPA recommends that the issue be addressed in the context of the Department’s 4th Amendment Training to ensure that decisions to exercise this level of force are properly evaluated under the law.

### **Tone**

- General – The Department is directly responsible for projecting the message of reform to its officers and training is an integral building block in that effort. Trainers need to deliver all content, particularly content as seminal to reform as the 4th Amendment, with intentionality of message. These draft materials would be exponentially improved were the Department to overtly project that it welcomes and finds value in its obligations under the Consent Decree and embraces the need to continue to improve and evolve to better serve all Chicagoans. While this may seem inconsequential, it could not be more essential to achieving true reform.
- Discussion Topics – COPA recommends that the Department avoid using gendered questions/scenarios such as the questions regarding spouses/partners and why they are attractive. While the intent may be to encourage participation and dialogue, examples that touch on issues like this may be sensitive for participants and could create uncomfortable situations.
- Law Enforcement Objectives Under the 4th Amendment – The tone of these materials appears to be aimed at what an officer can do under the 4th Amendment, as opposed to focusing on just and equitable outcomes under the 4th Amendment.
- Practical Application – These materials are largely presented in an academic manner, with heavy emphasis on caselaw. COPA recommends utilizing a more practical framework that approaches this material from the perspective of both an officer and a citizen. The inclusion of closed COPA cases may be an effective way to further illustrate some of these concepts...” (p. 1-2)

### **Policy-Brief-re-Use-of-Force-Training (Jan. 19<sup>th</sup>, 2017)**

“...Subjective beliefs



The trainers' placed potentially misleading emphasis on a subjective standard for analyzing a use of force – namely, emphasizing that the officer's own belief regarding her or his safety was tantamount in determining whether the use of force was within policy. The concern with this emphasis is that the officer's subjective belief is considered only as one of the many factors included in the analysis of the totality of circumstances of the incident. Thus, even if an officer has a sincerely held subjective belief, but that subjective belief is objectively unreasonable given the totality of the circumstances, and thus fails to meet the legal and policy-based threshold for use of force, that force is still outside of policy... (p. 8)

"...the applied training COPA staff attended lacked a substantive discussion regarding whether certain uses of force were within policy or were outside of policy and, perhaps most importantly, how COPA and the Department analyze use of force incidents.

There may be many reasons for these differences, but one potential reason merits additional consideration: lack of ongoing quality management of training content and delivery. COPA staff attended the final week of Use of Force training. We understand that doing repetitive trainings can lead to burnout and fatigue. However, the significant differences noted between the "Train the Trainer" session and the applied training raise questions about the overarching quality management of the Department's training." (p. 5)

"...We commend the Department on training its members and its recruits prior to implementing such a significant policy change. Effective training not only assists members in implementing the Department's goals but also in establishing norms and culture. In this case, effective training could have aided in establishing a new culture, especially concerning sanctity of life and force mitigation.

However, certain rhetoric used by trainers during the Use of Force training worked to undermine the Department's message of changing the culture around use of force incidents. For instance, Department trainers made statements to the effect of, "the previous policy contained the same standard but it was less clearly defined" and that the new policy was "not a drastic overhaul." In addition, a trainer stated that members were not expected to memorize the new use of force policy. These types of comments from the trainers may give the impression that the course doesn't contain critical, new information and that the lessons aren't important. Minimizing the changes serves to undercut the stated purpose of the training in the first place..." (p. 6)