

Transforming the Chicago Police Department through a Community-Based Class Action Lawsuit

For generations, the Chicago Police Department has targeted communities of color with lawless, racist and violent policies and practices. Most recently, the U.S. Department of Justice documented widespread constitutional violations related to the racist use of force, the failure to train, supervise and hold accountable police officers who brutalize people, and the widespread code of silence that encourages officers to lie and destroy evidence to cover up their unlawful acts.

Transformation of the Chicago Police Department requires (in part): 1) that the people who have experienced and who are most likely to experience police abuse craft the remedies required to transform the department; 2) rigorous, independent external oversight; and 3) aggressive advocacy that will hold CPD accountable. A community-based class action lawsuit is one way to make this happen. A community-based class action cannot alone transform the CPD—but when aligned with organizing and political action, a community-based class action lawsuit can be a powerful tool to increase accountability, transparency and to implement transformative change.

What is a class action? A class action is procedure that allows a group of people who have experienced similar rights violations to join together to ask the court to hear their claims together. The community class action against the CPD would request that the court issue an order requiring that the CPD transform its policies and practices.

Who can participate in the community class action? This lawsuit was filed on behalf of individuals and organizations, including Black Lives Matter, Blocs Together, Brighton Park Neighborhood Council, the NAACP and the Urban League. Supporting Organizations (other than the Plaintiff organizations) have a critically important role in this process—which could include efforts to amplify the need for a court order governing CPD operations and efforts to identify individuals, especially African-American and Latinx people who have experienced excessive force at the hands of the CPD during the past year (June 2016-present date).

What relief is the class action seeking? This class action seeks remedies to CPD violence and racism that are grounded in the experiences of the communities most affected by police abuse. When developing proposed remedies Plaintiffs' counsel is committed to soliciting and incorporating feedback from a diverse array of individuals and institutions that have experience and expertise related to CPD interactions with our communities. Some examples of proposed remedies, include but are not limited to: 1) The development and implementation of a policy that ensures that the Chicago Police Department will conduct policing practices in a manner that is unbiased, fair and impartial and that all officers are responsible for understanding this policy, intervening to stop instances of discriminatory policing and for reporting such instances to their direct supervisor; 2) Require the development of an impartial, transparent, effective and timely community-based system of police accountability that ensure that the people and communities most vulnerable to police abuse are involved in providing oversight and guidance to the CPD and the various oversight entities; 3) Require the development of a data-driven pre-arrest diversion program with the aims of reducing excessive uses of force and racial disparities in the use of force by empowering officers with the discretion to divert people from the formal justice system; 4) Development and implement policies and practices that measure, evaluate and reward individual, supervisory and agency performance on community-engagement and crime prevention; 5) A complete overhaul of the use of force policy that would incorporate the following principles: resolving incidents without force whenever possible; de-escalation requirements; prohibitions against escalation.

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