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## **Landmark Class Action Lawsuit Filed Against the City of Chicago Alleging Racially Discriminatory Policing and Violent Police Abuse**

### **Suit Calls for Federal Court Intervention and Community-Driven Oversight Over the Chicago Police Department**

Chicago – A class action lawsuit seeking federal court oversight of the Chicago Police Department’s (“CPD’s”) operations has been filed on behalf of thousands of individuals, predominately Blacks and Latinxs, who have been subjected to the CPD’s policy and practice of using force in racially discriminatory and often brutal ways. Also joining the lawsuit are a number of community-based organizations that are deeply-rooted in Chicago’s Black and Latinx communities, including Black Lives Matter-Chicago, Blocks Together, the Brighton Park Neighborhood Council, Justice for Families, Women’s All Point Bulletin, Network 49, and the 411 Movement for Pierre Loury.

This lawsuit was filed months after U.S. Attorney General Jefferson Sessions announced that he would not support litigation that would subject police departments to federal court oversight and on the heels of Mayor Rahm Emanuel’s announcement that the City hopes to execute an out-of-court settlement agreement with Sessions’ U.S. Department of Justice. Prior to Sessions’ appointment as the U.S. Attorney General, the Department of Justice had signed an “agreement in principle” with the City of Chicago to subject the CPD to federal court oversight. Now, the Plaintiffs seek a federal court order that would finally transform the CPD and end the Department’s racist and violent policing practices.

The lawsuit details the history of discriminatory policing in the City of Chicago and describes how the CPD – in the absence of federal court oversight – has proven time and time again that it is incapable of ending its own regime of terror, brutality, and racism. The complaint alleges that the CPD violates the Plaintiffs’ constitutional rights under the Fourth and Fourteenth Amendments to the U.S. Constitution, as well as under the Illinois Civil Rights Act.

Specific allegations include:

- The CPD uses force against young Black men 14 times more often than it does against young white men and uses force against members of the Latinx community twice as often as it does against whites. Since 1996, over 1,600 people have been shot by Chicago Police; more than 90 percent of those were Black men or children;
- Internal revisions to the CPD's accountability and operational structures have failed to protect communities from police abuse. Instead, there is a powerful and sustained culture, including a "code of silence," that promotes rampant brutality against people of color in Chicago;
- Instead of terminating racist, violent officers, the City has spent millions of taxpayer dollars paying for the costs of their brutality. Between 2004 and 2015, Chicago spent approximately \$642 million on lawsuit settlements, judgments, and legal fees for defenses related to police misconduct;
- The racism permeating CPD operations is well-documented and well-known and has been acknowledged by those at the highest levels of the CPD and the City. Black and Latinx communities have documented and complained about the CPD's racism for generations. More recently, from 2011 to March 2016, the CPD complaint database contained 980 police misconduct complaints coded as discriminatory verbal abuse on the basis of race or ethnicity, including 354 complaints for the use of the word "nigger."
- From 2005 to 2015, approximately 42,500 individuals, in addition to many more children and adolescents for whom the CPD has not made data available, were subjected to force by the CPD. Approximately 3,850 individuals (excluding children and teenagers) are subject to police force in a given year in Chicago;
- Officers use Tasers as "a tool of convenience" without considering the fact that they can inflict significant harm and pain, including death. They are regularly employed against people who are only passively resisting and against individuals suspected of minor, non-violent crimes;
- The CPD, as a matter of pattern and practice, relies upon overly aggressive tactics that unnecessarily escalate encounters with individuals, increase tensions, and lead to excessive force, and the CPD fails to de-escalate encounters when it would be reasonable to do so;
- The City has known for years about these abusive practices but has lacked the will to put an end to its pattern of brutality and discrimination.

"CPD's policies and practices perpetuating unnecessary and violent police interactions are systemic and pervasive. City leaders have proved incapable of ending them on their own. For this reason, an injunction that is informed by the experiences of those most impacted by police abuse, overseen by the federal court and subject to rigorous, independent monitoring, is required to transform the CPD's legacy of racist violence," said Craig Futterman, Clinical Professor of Law at the University of Chicago Law School, founder of the Civil Rights and Police Accountability Project at the Mandel Legal Aid Clinic, and one of the lead counsel for the Plaintiffs. "If the Mayor is committed to real change in Chicago, he must live up to his promise to enter a binding consent decree. We stand ready to do so."

The individual plaintiffs – four Black men and two Black women – share the all too common experience of being subjected to unlawful policing in the City, including acts of police violence and false arrest. They also share an unfailing commitment to seek relief not only for themselves, but for the thousands of others who have experienced similar violations of their rights at the hands of the CPD.

Immanuel Campbell, one of the plaintiffs, was participating in a peaceful demonstration aimed at raising awareness about police misconduct when he was approached by several police officers, beaten, arrested, and falsely charged with obstruction of traffic and resisting arrest. While the charges were dropped, he was dismissed from his college football team as a result of the false arrest.

“The Chicago Police Department’s brutality ruins the lives it doesn’t end. I was beaten and falsely charged with crimes I did not commit for no other reason other than I’m Black and spoke out against police brutality. But I survived my encounter with CPD, unlike so many others. And I’m bringing this lawsuit to help stop police brutality in Chicago for once and for all,” stated Mr. Campbell.

Chante Linwood, another plaintiff, noted that “Chicago Police Department officers target women with violence and harassment. I’m pursuing this case to make sure that the girls, women, mothers, and grandmothers brutalized by CPD are not forgotten.”

Chicago police officers stopped Ms. Linwood, a mother of two and a popular deejay in the City, slammed her into the side of the building and the ground, and then arrested and charged her with resisting arrest. She was pregnant at the time of the attack.

“Transformation in the Chicago Police Department can only happen when those of us who live daily with the fear that the police will brutalize our loved ones are creating solutions to stop police violence,” said Carolina Gaete, co-Executive Director of Blocks Together, a community organizing group based in West Humboldt Park.

“The U.S. Department of Justice may have abdicated its responsibility to end violent, racist policing in our communities,” said Sheila Bedi of the MacArthur Justice Center at Northwestern Pritzker School of Law, another lead counsel for the Plaintiff class. “But Chicago’s communities have long demanded transformative change within CPD. This lawsuit is grounded in those demands and we will settle for nothing less than a federal court order that requires CPD to be truly accountable to the community.”

“The City has a decision to make – continue to defend the indefensible or come to the table to negotiate long overdue court-enforced transformation of a system that has brutalized communities for far generations,” said Alexa Van Brunt of the MacArthur Justice Center, counsel for the Plaintiff class.

“Now is the time for the City of Chicago to do the right thing by taking the steps it recognized only a few months ago were the only viable solution to the long and persistent

problem of violent and discriminatory policing in Chicago,” said Thomas Moloney of Cleary Gottlieb Steen & Hamilton LLP, counsel for the Plaintiff class.

Counsel for the Plaintiffs also include Randolph Stone, Clinical Professor of Law at the University of Chicago Law School, Vanessa del Valle of the MacArthur Justice Center at Northwestern Pritzker School of Law, Brendan Shiller of Shiller Preyar LLC, Jeanette S. Samuels, Samuels & Associates, Ltd., Cannon Lambert, Sr., Karchmar & Lambert, P.C Andrew Stroth of Action Injury, as well as the law firm Cleary Gottlieb Steen & Hamilton of New York.

A copy of the lawsuit is available on the MacArthur Justice Center’s website ([LINK](#)).

### ***About the Roderick and Solange MacArthur Justice Center***

Founded in 1985, the Roderick and Solange MacArthur Justice Center is one of the premier civil rights law firms in the United States. In addition to Chicago, the MacArthur Justice Center has offices in New Orleans, LA; St. Louis, MO, Oxford, MS; and Washington, DC.

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### ***About the Edwin F. Mandel Legal Aid Clinic***

The Mandel Legal Aid Clinic, established in 1957, is one of the nation’s oldest law clinics, which was established to teach students effective advocacy skills, professional ethics and the effect of legal institutions on the poor; to examine and apply legal theory while serving as advocates for people typically denied access to justice; and to reform legal education and the legal system to be more responsive to the interests of the poor.

### ***About Shiller Preyar Law Offices***

Shiller Preyar Law Offices is a seven-attorney firm focusing on civil rights, criminal defense and immigration. It is part of the larger West Side Justice Center, a collaboration of 3 firms, six solo practitioners, and three nonprofits that provide holistic and pro bono legal services; legal education; and criminal justice advocacy; on the West Side of Chicago.

### ***About Action Injury Law Group***

Action Injury Law Group is a Chicago-based civil rights law firm dedicated to social justice and reform. It files Section 1983 lawsuits on behalf of victims of police shootings and police misconduct. The firm is committed to serving the African American and Hispanic communities throughout the United States. [www.actioninjurylawgroup.com](http://www.actioninjurylawgroup.com)