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FOR IMMEDIATE RELEASE: Dec. 8, 2015

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Civil Rights Coalition Urges Federal Investigation Include Focus on Chicago Police Oversight Agency’s “Whitewashing” of Misconduct

***RECOMMENDATION: Investigate the Independent Police
Review Authority, abolish it and replace it with a truly
independent oversight authority.***

CHICAGO – A coalition of civil rights advocates and community groups Tuesday called on the U.S. Department of Justice to focus its investigation of the Chicago Police Department (CPD) on the Independent Police Review Authority (IPRA), which the coalition recommended be abolished and replaced with an effective and truly independent police oversight agency.

“There is a direct correlation between IPRA’s dysfunction outlined in this complaint and the brutality that is and has been endemic in the CPD,” states the complaint signed by the Chicago Aldermanic Black Caucus, the Rainbow Push Coalition, the Chicago Urban League and several other prominent activists and civil liberties attorneys.

“IPRA’s failings are not negligent or misguided but instead are in place to serve a specific purpose – to clear CPD officers of wrongdoing and ensure official impunity,” according to the complaint. “IPRA’s policies, procedures and practices foment a culture of silence, in which police officers abuse Chicagoans, and particularly Chicagoans of color, without consequence.”

The complaint seeking an investigation was prepared by the Roderick and Solange MacArthur Justice Center at Northwestern University School of Law and the University of Chicago Law School’s Civil Rights and Police Accountability Clinic.

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According to the complaint, IPRA “systematically whitewashes police misconduct and allows a small percentage of officers to harm the most vulnerable with impunity. The result has been the creation of a climate of deep distrust of the CPD by Chicago residents, and in particular the City’s black community.”

“We’re encouraged that DOJ has opened a civil rights investigation of CPD, but it’s not clear that DOJ’s investigation will dig deeply into IPRA, which has long been biased in favor of officers accused – often repeatedly – of misconduct,” said Alexa Van Brunt, Clinical Assistant Professor of Law and attorney with the MacArthur Justice Center. “We must be clear: IPRA has enabled officer abuses, and the agency’s failed oversight has encouraged the code of silence among officers who refuse to help police their own ranks.”

The petition follows the release of a police dashcam video of the shooting death of Laquan McDonald and the disclosure of IPRA’s repeated failure to discipline CPD Officer Jason Van Dyke, now accused of McDonald’s murder. Not limited to the McDonald murder, the complaint details the history of misconduct and cover-up within CPD.

“IPRA protects Chicago police officers who have shot and brutalized black Chicagoans like Laquan McDonald,” said Craig Futterman, University of Chicago Law School Clinical Professor of Law and Director of the Law School’s Civil Rights and Police Accountability Clinic. “The public has no trust in IPRA, because it has become an agency that protects police officers engaged in patterns of abuse.

“It should not have taken 20 complaints, three shootings, a half-million dollar police brutality verdict, a \$5 million settlement, and a court order to release the video of Officer Van Dyke’s execution of a 17-year-old kid for Van Dyke to be held accountable,” Futterman said. “If IPRA did not cover up Van Dyke’s repeated abuse, Laquan may still be alive. We have the urgent need for federal intervention to prevent more people from being killed.”

“The recent removals of Police Superintendent Garry McCarthy and Scott Ando, the head of IPRA, do not lessen the need for a wide ranging investigation,” said Sheila A. Bedi, Clinical Associate Professor of Law and attorney with the MacArthur Justice Center. “Police corruption and violence preceded McCarthy and Ando, and this investigation presents an opportunity for the Civil Rights Division to work hand in hand with local communities to create a full accounting of the depth of police wrongdoing in Chicago.”

Signers of the complaint are Cabrini Green Legal Aid; Chicago Aldermanic Black Caucus; Chicago Urban League; Chicago Westside Branch NAACP; Craig B. Futterman, University of Chicago Law School, Civil Rights and Police Accountability Project; Jesús Chuy Garcia, Cook County Commissioner; Rev. Jesse Louis Jackson, Rainbow PUSH Coalition; Jamie Kalven, Invisible Institute; Alan Mills, Uptown People’s Law Center; People’s Law Office; Mary Powers, Citizens Alert; Alexa A. Van Brunt, Sheila A. Bedi, and Locke E. Bowman, Roderick and Solange MacArthur Justice Center, Northwestern University School of Law; and Vicki Casanova Willis and Standish Willis, National Conference of Black Lawyers.

Some of the key elements of the petition include:

- **CPD officers systemically kill and brutalize citizens.** In addition to shootings, CPD engages in a host of other physical abuses—inflicting brutality on Chicago’s communities and costing taxpayers \$521 million between 2004 and 2014, but the lawsuit settlements fail to account for the full scope of Chicago’s police problem.
- **IPRA’s findings against officers are highly influenced by the race of the complainant and allow a code of violence to flourish among CPD ranks** “Over the past five years, whites in Chicago were almost seven times more likely to have their police misconduct complaints sustained than African-Americans, even though blacks filed three times more complaints against police officers and are 10 times more likely to be shot by Chicago police than whites,” the petition states. “IPRA’s failure to impose discipline sends a strong message about the value of black lives to both police officers and the community. The culture of impunity in both IPRA and CPD not only threatens in particular the safety and constitutional rights of Chicago’s black community but breeds cynicism and distrust within that community.”
- **IPRA almost never disciplines offending police officers.** Between 2007 and early 2015, IPRA investigated over 400 police shootings (both fatal and non-fatal), and with two exceptions for off-duty officers, in each case IPRA cleared the officer of wrongdoing.
- **IPRA abdicates its responsibility to conduct meaningful oversight and ignores serious complaints.** IPRA has refused to consider an accused officer’s prior misconduct as part of its investigations, despite the fact best policing practices mandate the use of officer tracking systems to promote accountability and public trust. “Instead, the agency allows dangerous officers to remain on the streets, with often deadly consequences; Laquan McDonald might be alive today had IPRA looked at Jason Van Dyke’s pattern of complaints in its earlier investigations of Van Dyke’s misconduct,” according to the petition.
- **IPRA’s operations are secretive and not transparent.** IPRA publishes few of its investigations into officer shootings, refuses to publicize the names of officers investigated for misconduct, and evidence suggests that IPRA and CPD have underreported the number of fatalities by police.

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About the Roderick and Solange MacArthur Justice Center

The Roderick and Solange MacArthur Justice Center advocates for human rights and social justice through litigation. As one of the nation's premier civil rights organizations, the MacArthur Justice Center has played a prominent role in bringing Chicago police misconduct and torture to the public's attention and has helped wrongfully convicted men and women win multi-million dollar verdicts and settlements as compensation for the time they spent in prison.

For additional information, visit <http://www.law.northwestern.edu/legalclinic/macarthur/>