Bridging the Divide:
Law Enforcement and Community Relations

David J. MacMain
The MacMain Law Group LLC
101 Lindenwood Dr Ste 160
Malvern, PA 19355

Anthony L. Schumann
Quintairos Prieto Wood & Boyer PA
233 South Wacker Dr 70th Fl
Chicago, IL 60606
David J. MacMain is the Managing Partner of The MacMain Law Group, LLC located in Malvern, Pennsylvania. David is a member of the Defense Research Institute and the Federation of Defense and Corporate Counsel, has been named a “Pennsylvania Super Lawyer” multiple times in the field of Civil Rights, is rated “AV” Preeminent by Martindale-Hubbell, and has been selected for inclusion in the Best Attorneys of America. After college, David served as a Pennsylvania State Trooper stationed at the Avondale, Chester County Barracks where he engaged in all aspects of police work in the twenty-seven (27) municipalities that the Avondale station covered, before attending Temple University School of Law where he graduated cum laude.

Anthony L. Schumann is a Martindale AV-rated partner in the Chicago office of Quintairos, Prieto, Wood & Boyer, P.A. He focuses his practice in the areas of governmental liability, employment law, commercial litigation and white collar criminal defense. Mr. Schumann routinely represents the City of Chicago and its employees, including police officers. He is a frequent lecturer and speaker at local and national conferences and has served as a moderator and panelist on topics addressing diversity in the legal profession.
Bridging the Divide:  
*Law Enforcement and Community Relations*

**Table of Contents**

I. Introduction ...................................................................................................................................................5

II. Big City Law Enforcement and Legal Defense Challenges with Policing...................................................5
Bridging the Divide:
Law Enforcement and Community Relations

I. Introduction

Recent high-profile events, involving violence by and against police, have deepened the strain between law enforcement and minority communities. Yet, a recent study by the International Association of Chiefs of Police reported that, generally, respect for law enforcement has never been higher. This session will involve a frank and interactive discussion addressing this seeming contradiction, as well as the future of policing, what is being done and what can be done to increase mutual understanding and respect between law enforcement and all communities, and how we can better balance the need for order and crime prevention with the respect for individual rights and freedoms for all.

II. Big City Law Enforcement and Legal Defense Challenges with Policing
BIG CITY LAW ENFORCEMENT AND LEGAL DEFENSE CHALLENGES WITH POLICING
CITY OF CHICAGO LAW DEPARTMENT

- 270 Lawyers
- Federal Civil Rights Litigation Group – 38 Lawyers
- 270 to 280 new cases per year – approximately 1 each business day
- Average – 425 to 450 pending civil rights cases
- In 2015, 30 cases went to trial – won 22 – 73%
CITY OF CHICAGO POPULATION DIVERSITY

- As of July 1, 2014, Chicago has an approximate population of 2.7 million residents.

- 48.8% male – 51.2% female.
CITY OF CHICAGO POPULATION DIVERSITY

- Population by race:
  - White alone – 32%
  - African American alone – 31.4%
  - Latino – 28.8%
  - Asian alone – 6%
  - 2 or more races – 1.5%
  - Other race alone – 0.2%
  - American Indian alone – 0.1%
  - Native Hawaiian/Other Pacific Islander alone – 0.02%
CITY OF CHICAGO POPULATION DIVERSITY

- Chicago has a foreign born population of approximately 588,000.
- Top 10 Countries of Origin:
  - Mexico  Ecuador
  - Poland  Guatemala
  - China   Ukraine
  - Philippines  Korea
  - India   Iraq
CHICAGO POLICE DEPARTMENT DIVERSITY

- Total Civilian and Sworn Members – 12,664
  - Total Sworn Members – 12,007
  - Total Civilian Member – 657

- Total Civilian and Sworn Members’ Percentage
  - Total male – approximately 76%
  - Total female – approximately 24%
  - Caucasian – approximately 49.35%
  - African American – approximately 24.8%
  - Hispanic – approximately 21.65%
  - Asian/Other – approximately 3.46%
CHICAGO POLICE DEPARTMENT GEOGRAPHICAL BREAKDOWN

- The City of Chicago Police Department is geographically divided into:

  - Three (3) Police Areas and 22 Police Districts.
  - Each Police District is divided into Sectors.
  - Each Sector within a Police District is divided into Beats.
  - Patrol Officers are typically assigned to Beats within a Police District.
  - Specialized teams i.e. Tactical, Gang Enforcement, and Saturation may be assigned to Police Areas or multiple Police Districts.
CITY OF CHICAGO OTHER BUREAUS, DIVISIONS AND UNITS

- Superintendent’s Office
- Bureau of Patrol
- Bureau of Detectives
- Bureau of Support Services
- Bureau of Organized Crime
- Bureau of Internal Affairs
- Education and Training Division
- Specialized Units
INDEPENDENT POLICE REVIEW AUTHORITY (IPRA)

- Allegations of misconduct made by public or Department personnel

- Excessive force, verbal abuse, domestic violence, coercion through violence

- Also – All officers involved shootings, extraordinary occurrences in lock up, uses of Tasers
IPRA COMPLAINT PROCESS

- Investigation: Investigators are not CPD personnel
- Findings and recommendations for discipline
- Command Channel Review – Final Decision by Superintendent
- Final Decision can be appealed to the Police Board
CHICAGO ALTERNATIVE POLICING STRATEGY (CAPS)

- Community Policing Initiative
  - Bringing together Chicago Police, communities and other city agencies to identify and solve chronic neighborhood crime problems.
- Police District Level
PROCEDURAL JUSTICE AND POLICE LEGITIMACY TRAINING

- Core Principles: Based on the “Golden Rule”
  - Giving others a voice
  - Neutrality in decision making
  - Respectful treatment
  - Trustworthiness
INVESTIGATIVE STOP AND PROTECTIVE PAT DOWN SETTLEMENT AGREEMENT

- Settlement Agreement provides for more categories of reporting than required by recently enacted Illinois State Law.

- Provides for review by Consultant – Retired Federal Magistrate Keyes
PARTICULAR CHALLENGES IN LEGAL REPRESENTATION

- Increased use of body cameras and Tasers
- Monell claims – “Code of Silence”
- Discovery Cooperation, Consistency, Proportionality and Coordination

- City, Police Unions, Office of Legal Affairs (OLA), Office of Emergency Management and Communication (OEMC) and District Court re:
  - Disclosure of Radio Transmissions and reports
  - Disclosure of Disciplinary Files
  - Disclosure of Personnel Files
  - Police officer photos for identification purposes