

**Village of Skokie Public Safety Commission  
Recommendation to the Village Board  
Skokie Police Department  
Use of Force Policy  
2021**

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## **Skokie Public Safety Commission Recommendation to the Village Board Skokie Police Department Use of Force Policy**

### **I. Introduction**

This recommendation report is presented to the Village Board as the culmination of the Community Review of the Skokie Police Department Use of Force Policy that began in September 2020. The project resulted from Mayor George Van Dusen taking the Obama Foundation's Reimagining Policing Pledge earlier in 2020 that committed the Village to four specific actions recommended by the My Brother's Keeper Alliance that is part of the Obama Foundation.

The pledge lists the following actions that are intended to examine public safety policies through an equity lens:

REVIEW your police use of force policies.

ENGAGE your communities by including a diverse range of input, experiences, and stories in your review.

REPORT the findings of your review to your community and seek feedback.

REFORM your community's police use of force policies.

All of the Skokie Police Department's policies and procedures are examined regularly through the professional accreditation process, which the Skokie Police Department first received in 1988. The most recent of these reviews occurred in late 2019. The rigorous reaccreditation process included an opportunity for citizen comments on the Skokie Police Department's practices, and also examined the Department's compliance with 67 professional standards. The external, professional accreditation team identified no deficiencies.

For a number of years, the Skokie Police Department command staff has mandated that all personnel participate in training on non-discriminatory policing practices and the appropriate use of force. Skokie Police Department personnel participate in this training on an annual basis. The Commission recognizes that systemic racism exists in society and manifests on many levels and intensities. While the societal systems that cause this racism will not change as quickly as the Commission would like, the Commission believes that these recommendations on the Skokie Police Department Use of Force Policy will effect positive change and contribute to addressing and correcting these societal failings. For example, as outlined later in this document, the Commission recommends that all Skokie Police Department personnel undergo accelerated anti-bias training that includes implicit bias training, with additional anti-bias and implicit bias training for supervisors, also on an accelerated schedule. The Commission is committed to addressing systemic racism and will continue to explore projects that promote an equitable community and society.

In June 2018, the Skokie Police Department adopted the Ten Shared Principles Resolution, developed in concert between the NAACP and the Illinois Association of Chiefs of Police to bridge the gap between the police and the community, an excerpt from which includes:

- We value the life of every person and consider life to be the highest value.

- All persons should be treated with dignity and respect. This is another foundational value.
- We reject discrimination toward any person that is based on race, ethnicity, religion, color, nationality, immigrant status, sexual orientation, gender, disability, or familial status.

The Skokie Police Department's Use of Force Policy is reviewed annually. At the request of Mayor Van Dusen, the Public Safety Commission conducted this year's review. Joining the Public Safety Commission in the review process were several members of the Village's Human Relations Commission, along with one or two representatives from the following community groups:

Assyrian National Council of Illinois  
 Insight Church  
 Lorel Park Action Network  
 Muslim Community Center  
 NAACP – Evanston/Northshore Branch  
 Niles Township Clergy Forum  
 Niles Township High Schools North and West – Student Government  
 Niles Township Schools English Language Learners Parent Center  
 Niles Township ELL Parent Center  
 SEED Alumni  
 Skokie School Districts 65, 68, 69, 72, 73 and 73.5 Parent-Teacher Organizations  
 Skokie United

An initial project discussion occurred at the September 16, 2020 Public Safety Commission meeting. Beginning in October 2020, several Human Relations Commission members began attending monthly Public Safety Commission meetings, along with members of the community groups involved in the Use of Force Policy review process. A public-facing project webpage was created to feature project details and a repository of all documents provided to the community groups.

October 21, 2020 – all groups were given presentations intended to help educate the community review members on the Skokie Police Department Use of Force Policy as well as crime prevention and community outreach initiatives presented by then Deputy Police Chief Brian Baker and Sergeant Denise Franklin, along with then Police Chief Anthony Scarpelli.

Three questions were developed as the basis for discussion at the November and December, 2020 and January and February, 2021 meetings:

1. What specific changes can be made to strengthen the Skokie Police Department use of force policy, and how do you believe those changes will impact the safety of the police, the public and the subject of the potential use of force?
2. What do you think police can do to reduce the likelihood of use of force?
3. What do you think the public can do to reduce the likelihood of use of force?

At each meeting, sub-sets of the community groups attended for discussion with the Public Safety and Human Relations Commissioners:

- November 18, 2020 – NAACP, School Districts 72 and 73.5 PTO organizations
- December 16, 2020 – Skokie United
- January 20, 2021 – Insight Church, Niles Township Clergy Forum, School Districts 65 and 73 PTO organizations
- February 17, 2021 – Lorel Park Action Network, Muslim Community Center, Niles Township Schools English Language Learners Parent Center, Niles Township High Schools North and West Student Government, SEED Alumni, School Districts 68 and 69 PTO organizations

The Commissioners invited staff from the Skokie Police Department to participate in a discussion at the March 17, 2021 meeting. At the April 21, 2021 meeting, the Commissioners discussed their thoughts on what they heard from community members at the project meetings and defined the major themes included in this recommendation.

This project was supported by Village staff who serve as liaisons to the Public Safety Commission, including Police Chief Brian Baker, Deputy Police Chief Paul Weinman, Sergeant Denise Franklin, Fire Chief Jeffery Hoeflich, Deputy Fire Chief Nicholas Eschner, Deputy Fire Chief Kathleen Furgala, Public Works Director Max Slankard, Transportation Engineer Samantha Maximillian and Director of Marketing and Communications Ann Tennes. Former Police Chief Anthony Scarpelli and former Engineering Director Erik Cook also supported the project during their tenures.

## **II. Use of Force Policy Recommendations**

The Commission is pleased to acknowledge that the Skokie Police Department's policies already includes many of the tenets recommended by the 8 Can't Wait initiative and conveyed through the Skokie United report presented to the Commission. After reviewing both the recommended 8 Can't Wait policies, the report submitted by Skokie United and comments from community members, the Commission offers the following that includes both affirmations of support on language and practices currently included in the Skokie Police Department's Use of Force Policy and recommendations on modifications to the policy:

1. In response to the community's recommendation to require a warning before shooting, the Commission understands and agrees with the requirement to issue a verbal warning before shooting in every circumstance in which it is feasible and practical to do so, and recommends adding this language to the Use of Force Policy.
2. In response to the community's recommendation to ban shooting at or from moving vehicles, the Commission understands that shooting at or from moving vehicles is extremely dangerous and should only be done in extreme circumstances. The Commission supports the current Skokie Police Department Use of Force Policy that restricts shooting at or from moving vehicles to only when deadly use of force is warranted. The Commission recommends inserting additional mitigation and regulation to this section of the Use of Force Policy. For example, the Commission recommends that

this new language prohibits officers from placing themselves in jeopardy to justify the use of deadly force.

3. In response to the community's recommendation to ban chokeholds and strangleholds, the Commission agrees with the new State of Illinois Safety, Accountability, Fairness and Equity – Today Act (SAFE-T) that prohibits chokeholds and restraints above the shoulders unless use of deadly force is justified.
4. In response to the community's recommendation to require a Duty to Intervene, the current Skokie Police Department Rules and Regulations contains a Duty to Intervene section as also is required by the SAFE-T Act that should be referenced in the Skokie Police Department Use of Force Policy.
5. In response to the community's recommendation to require comprehensive reporting, the Commission recommends establishing a community review board, as is outlined elsewhere in this document, to review use of force statistics and certain use of force incident reports. The Commission's additional acknowledgements and recommendations regarding comprehensive reporting in the Use of Force Policy includes:
  - a. Any allegations or complaints involving use of force incidents shall continue to be handled in accordance with both the Skokie Police Department's Internal Affairs and Officer-Involved Shooting Policies. The Commission recommends ensuring that all proper investigative steps recommended by Skokie United are covered in these policies as practical.
  - b. Add 'immediately or when practical' for notification to a supervisor in use of force incidents.
  - c. The Commission commends the Skokie Police Department for its current Departmental Rules and Regulations that includes a section on reports that includes a directive that all Department reports be submitted truthfully and completely. The Commission recommends adding language to this section stating that all reports shall be written in clear, precise and plain language and terms. This new rule should be referenced in the Use of Force Policy.
  - d. The Commission recommends adding language requiring that reports include details on attempts to de-escalate; what warnings, if any, were given; type of force used; injury sustained by the subject and injury sustained by the officer or another person. Speculation on why de-escalation methods did not work and medical assessment/evaluation information are excluded from this recommendation.
  - e. Historically, an average of one officer-involved shooting occurs every eight years within the Skokie Police Department. The Commission does not believe that a community review, as outlined later in this document, is warranted in these matters as thorough investigation of all incidents and officers involved is conducted by the Cook County Public Integrity Task Force (CCPITF) that determines if an officer's use of force was legally justified. The CCPITF is an independent investigatory agency comprised of state and county police officers, state's attorneys and evidence technicians that is led by the Illinois State Police. Findings of CCPITF use of force incident investigations are reported to the Cook

County State's Attorney. The CCPITF conducts investigations in use of force incidents resulting in serious injury or death.

- f. The Commission recommends adding a section stating that a CCPITF investigation will be initiated when practical for all use of force incidents that result in serious bodily harm or death. While this is already covered in the Skokie Police Department's Officer-Involved Shooting or Death Policy, the words 'as soon as practical' should be added and then referenced in the Use of Force Policy.
  - g. The Commission supports adding supervisor responsibilities as outlined in the Skokie United recommendation as they apply to all investigations, not just use of force incidents.
  - h. The Commission understands that release of information following use of deadly force is dependent on the progress of investigations and review processes. Each situation is unique, and different circumstances will necessitate different time lines for releasing information, with the goal of releasing as much factual information to the public as soon as is possible and practical. This goal should be added to the Use of Force Policy.
6. In response to the community's recommendation to require de-escalation, the Commission strongly supports integrating co-response practices with social work staff whenever possible, as is occurring during the Skokie Police Department's co-responder pilot program referenced elsewhere in this document. The Commission further recognizes and commends the recent efforts of the Skokie Police Department to develop an organization-wide *Be the Difference* initiative that outlines the requirement for de-escalation while serving the community. The Commission recommends adding a preface to the Use of Force Policy emphasizing de-escalation, and supports the language suggested by or similar to Skokie United: *The Skokie Police Department's highest priority is safeguarding the life, dignity and liberty of all persons. Officers shall demonstrate this principle in their daily interactions with the community they are sworn to protect and serve. The Department is committed to accomplishing this mission with respect and minimal reliance on the use of force by using rapport-building communication, crisis intervention and de-escalation tactics before resorting to force, whenever feasible. This policy sets forth the criteria governing the use of force for the Skokie Police Department to prevent unnecessary force, ensure accountability and transparency and ensure the community's trust and confidence in the Skokie Police Department's ability to protect and serve.*
7. In response to the community's recommendation regarding instituting and defining a use of force continuum, the Commission supports the Skokie Police Department's continued review of appellate law and Supreme Court case decisions regarding use of force and what is not reasonable. The Commission further supports continuation of the Skokie Police Department's practice of presenting the results of this continuing review process to the Skokie Police Department staff on a monthly basis, using outside legal counsel to present the information and to test Skokie Police Department staff on their understanding of the information presented.

The Commission recommends adding to the Use of Force Policy a list of use of force options from least intrusive to most intrusive with an emphasis on using options that are appropriate to the severity of the crime and the situation.

8. In response to the community's recommendation to require that all alternatives be exhausted before shooting, the Commission supports and agrees with the standard of, when practical, exhausting all alternatives before shooting or otherwise using deadly force. The Commission's expectation is that the recommendations in this report, when incorporated into the Skokie Police Department Use of Force Policy, will achieve this outcome.

The Commission recognizes that some aspects of the SAFE-T Act may supersede the items included in this section of the recommendation. The Commission aspires to have the Skokie Police Department considered a model for equity, fairness and accountability in adhering to best practices in law enforcement, and the Commission pledges its resources to support and amplify the Skokie Police Department's efforts to attain this standard.

### **III. Recommendations for Training**

During the community review process, the Commission heard repeated calls for additional training. The Commission strongly supports and recommends additional training for members of the Skokie Police Department. As stated earlier in this report, the Commission believes that additional training will contribute to dismantling systemic racism in society, as well as to promote an equitable community. The Commission recommends that the Skokie Police Department's already robust training initiatives be enhanced as follows:

1. Bias-based policing – currently, Skokie Police officers review and sign off annually on a document regarding bias-based policing. The new state law requires implicit bias training for all police personnel within three years (and repeated on a triennial basis). The Commission recommends accelerating anti-bias training which includes implicit bias training for all Skokie Police Department personnel to take place within 12 months (by July 2022).
2. Leadership training – Skokie Police Department supervisors should undergo additional anti-bias training which includes implicit bias training within 12 months (by July 2022).
3. Community speakers – continue the Skokie Police Department's practice of inviting representatives from various groups, including the National Alliance on Mental Illness, LGBTQ+ advocacy centers and others to provide presentations and dialogue with police officers to increase understanding and enhance the Skokie Police Department's response practices. Additional community partnerships toward training should be explored with groups that include but are not limited to Insight Church, the Muslim Community Center, Skokie United as well as Turning Point, Zacharias Sexual Abuse Center and other community mental health providers.
4. Crisis Intervention Team Training (CIT) – currently 54 members of the Skokie Police Department have participated in CIT, representing approximately 47 percent of the

Department's total 115 sworn members, and 46 percent of the total 85 officers with street duty. The Commission recommends that all Skokie Police Department officers participate in CIT training within 24 months (by July 2023). As State of Illinois-approved CIT has limited availability and capacity, the Commission recommends that the Village Board request that the Illinois Municipal League and Northwest Municipal Conference work with the Illinois Law Enforcement Training and Standards Board to increase the availability and capacity of CIT training opportunities.

#### **IV. Recommendations for Transparency and Accountability**

The Commission supports establishing a community review board that would evaluate the Skokie Police Department use of force statistics and the findings from use of force incidents that resulted in complaints or injury. The purpose of the community review board's evaluation is to ascertain if the Use of Force Policy continues to meet the needs of the community or if modifications to the policy are recommended to ensure its continued effectiveness. The community review board, which the Commission hopes will represent the demographics of the community, would convene semi-annually and its membership would include:

- Two members of the Public Safety Commission
- One member of the Human Relations Commission
- One community member-at-large appointed by the Mayor
- One representative of the Skokie Police Department

Community review board members will serve for a maximum of three years.

Reports of the community review board will be presented to the Public Safety Commission. If concerns are reported and remain unresolved, the Public Safety Commission Chairman will communicate the Commission's concerns to the Mayor.

As part of the community review of the Skokie Police Department Use of Force Policy initiative, extensive data was developed regarding use of force incidents in total and through an equity lens. The Commission recommends that the Skokie Police Department update this data set annually, and expand the analysis of use of force through an equity lens. The data set will be presented to the Public Safety Commission each year in January and posted on the Skokie Police Department's webpage. The Commission also recommends that the Village and Skokie Police Department further explore how equity is displayed in the use of force data set reported each year to obtain better understanding and identify areas where it can be affected and gain positive change.

The Skokie Police Department and Public Safety Commission webpage should continue to be updated regularly with all Skokie Police Department policies, procedures and other applicable documents to increase transparency and enhance public trust in the Department.

#### **V. Recommendations for Trust and Community Engagement**

The Commission recognizes and commends the Skokie Police Department's commitment to building and maintaining strong community ties. The Department has developed numerous initiatives to educate and inform residents and business owners/employees, as well as to listen to their concerns about the community. The Commission is committed to supporting and amplifying these initiatives, a partial list of which includes:

- Beat Officer Program, in which one officer is assigned for a one-year period to each of nine defined geographic ‘beats’ in the community.
- Neighborhood Watch Program, through which volunteer block captains act as a liaison between their block and the Skokie Police Department. A total of 262 blocks in Skokie are currently participating.
- *Many Cultures, One Community – Keeping Skokie Safe* initiative that was developed by the Public Safety Commission in 2015 to leverage an abundance of Village and community resources to establish relationships with, listen to and provide resources to residents in their neighborhoods. The program averages 4,000 citizen contacts each summer.
- Citizen Police Academy, a 12-week interactive program covering a wide range of topics related to law enforcement and Skokie Police Department programs, procedures and policies. Since being established in 1996, the program has held 38 sessions with more than 800 program alumni who continue to serve as Department ambassadors.
- National Night Out, a national community-building campaign that is traditionally held on the first Tuesday in August to promote police-community partnerships and strengthen neighborhood camaraderie. Each summer, thousands of Skokie residents participate in this much-anticipated annual event that includes games, crime safety information and demonstrations, fun interaction with Skokie Police officers and more.
- Police Explorers, a program to provide first-hand experience to young men and women ages 14 to 21 who are interested in a law enforcement career. Since being established in 1985, a total of 164 Skokie youth have participated in the program that meets twice a month. Police Explorer participants provide hundreds of hours of volunteer time at community events.
- Chat with the Chief, a program held at *Wednesdays on the Green* free community music events held on the Village Green weekly throughout each summer. The Skokie Police Department has a table at the events that provides an opportunity to listen to residents as well as provide public safety and crime prevention information.
- Coffee with a Cop, a program held from time to time at various Skokie cafes and restaurants to build community relationships.
- TRIAD, a program that provides senior citizens with information on law enforcement, criminal justice, aging services, victimization, community involvement and other pertinent topics.
- Cops with Kids, an annual holiday program established in 2014 through which Skokie elementary schools nominate children who would benefit from both financial support and positive interaction with a Skokie Police officer. Using funds donated to the program, Skokie Police officers shop at Walmart with each child to purchase holiday toys and gifts, and often household necessities. Each year, the program raises more than \$10,000 donated by Skokie residents and businesses that is used to help Skokie children and their families.
- Neighborhood Integrity Program, established in 2014 to strengthen the partnership between the Village and rental-property owners. One of the program’s primary goals is to prevent and eliminate criminal activity at rental properties, and the Skokie Police Department’s Neighborhood Standards Officer and other Village staff conduct landlord training seminars to highlight best practices for property management.

- Community Outreach Police Substation (COPS) multi-use vehicle that is employed for community outreach to block parties, the Skokie Festival of Cultures, Backlot Bash, Downtown Skokie trick-or-treat event and other large-scale community gatherings.
- Engaging in fundraising activities at Skokie restaurants that benefit charities and causes, such as serving as ‘celebrity waiters’ for Red Robin Gourmet Burgers and Brews Tip-A-Cop program and Culver’s ButterBurgers & Badges events, and at Dunkin Donuts Cop on the Rooftop days, all of which benefit the Illinois Special Olympics.

The Commission supports continuing these initiatives, with a few additional recommendations to further the Commission’s vision of people doing more for each other in the community:

1. Revisit the *Many Cultures, One Community – Keeping Skokie Safe* initiative to ensure that the program continues to best reach the needs of the community and that the program provides ample opportunities for Skokie Police officers to interact with residents in an engaging manner. The Public Safety Commission will conduct this review during fall 2021 and winter 2022.
2. Analyze geographic location of use of force incidents, looking for clusters and possible opportunities for enhanced neighborhood engagement/education programs.
3. Work with community groups, schools and other organizations to identify neighborhood leaders who are not already involved in Neighborhood Watch, and develop a program to engage them in dialogue to improve neighborhood safety.
4. Develop additional programs to inspire community members to help others.
5. Develop additional means of communicating with and mentoring vulnerable youth to show that the community cares.

The Commission enthusiastically supports two new Skokie Police Department initiatives:

1. Co-Responder Pilot Program to increase awareness and recognition of behavioral and/or mental health crisis incidents to produce the best possible interventions and outcomes. This initiative is a collaborative effort between the Skokie Police Department, specifically police officers and communications staff, and the Village’s Health and Human Services (HHS) Department. The program pairs first responders and social workers to respond to behavioral health-related calls for emergency services. The combined expertise of the Fire and Police Departments, in tandem with HHS staff, stands to de-escalate situations and link individuals with behavioral health issues to appropriate services. Aftercare case management will be provided by HHS social workers. This program is responsive to the thoughts and aspirations expressed by members of the community groups participating in the Use of Force Policy discussions. The Commission recommends a thorough review of the pilot phase, after which necessary program enhancements can be incorporated for long-term program continuation.
2. *Be the Difference* initiative and goals developed by the Skokie Police Department that centers on a commitment by all Department personnel to focus on procedural justice, accountability, communication and evolution towards continuous improvement. This internal initiative commits the Department to providing officers with methods of de-

escalation, education, training and public dissemination to foster the best chance for a peaceful outcome.

The Commission applauds the Skokie Police Department for developing these initiatives, and believes that they will have a positive impact on the community. The Commission further requests that the Skokie Police Department continue its efforts to recruit a police force that includes more individuals of diverse backgrounds, working with the Village's Human Resources Department on additional methods to ensure that a diverse pool of applicants apply for open positions.

## **VII. Conclusion**

The Commission appreciates being entrusted with conducting the 2020/2021 review of the Skokie Police Department Use of Force Policy, and is grateful for the countless volunteer hours that have been contributed to the project from Commissioners, community review members, elected officials and Skokie residents. The Commission is particularly grateful for the support and involvement from members of the Village's Human Relations Commission. In addition, the Commission recognizes the efforts of Village staff involved in administering this project to the benefit of the community.

The recommendations in this report are in no way meant to imply that Skokie Police Department personnel are deficient in their daily efforts to serve and protect the community. The Commission appreciates the dedication to best practices in law enforcement evidenced by the decades-long history of the Skokie Police Department's professional accreditations and commendations. Incidents in which the Department is cited for not adhering to the highest standards of law enforcement are rare.

The Commission applauds the Skokie Police Department's commitment to reviewing its practices, enhancing training efforts, examining policies and renewing its community engagement programs to further ensure that it serves and protects the community with the utmost of safety, accountability, fairness and equity.

The Commission stands at the ready to support and assist the Skokie Police Department in these efforts, and welcomes continued community involvement in the Public Safety Commission's projects.