



POLICE BOARD MEMBER SELECTION PROCEDURES

I. PURPOSE

The purpose of this policy is to establish the procedures for the selection of Police Board members.¹

II. OVERVIEW OF THE POLICE BOARD

In July 2021, City Council passed an ordinance establishing the Community Commission for Public Safety and Accountability Ordinance, Chicago Municipal Code 2-80. Pursuant to Section 2-80-050(k), the Community Commission for Public Safety and Accountability (“the Commission”) is responsible for recommending qualified candidates for the Police Board to the mayor. From the list of recommended candidates, the mayor appoints Police Board members, with the advice and consent of the City Council.

The Police Board is an independent civilian body established under Chicago Municipal Code 2-84-020. The body consists of nine members who serve terms of five years or until their respective successors are appointed and qualified, unless they are removed for cause in accordance with 2-80-090. Board member vacancies are filled for the remainder of an unexpired term in the same manner as original appointments. A Police Board member will not be reappointed if they have served on the Board for more than two five-year terms during their lifetime.

¹ This policy is created to fulfill the requirements of Paragraph 532 of the Consent Decree entered in *State of Illinois v. City of Chicago*, 17 cv 6260:

532. Within 180 days of the Effective Date, the City will draft selection criteria for Police Board members with the objective of identifying individuals who possess sufficient experience, judgment, and impartiality to perform the duties of members of the Police Board. Selection criteria may include prior work in law or law enforcement, and service with Chicago-based community and non-profit organizations. The draft selection criteria will be published on the Police Board’s website for a period of 30 days for public review and comment. Following the 30-day public review and comment period, the City will provide the draft criteria to OAG for review and comment. The final selection criteria will be published and maintained on the Police Board’s website. The City will ensure that the selection criteria are the basis for future selection of Police Board members.

Pursuant to 2-84-030, the Police Board's primary powers and responsibilities include:

1. Deciding disciplinary cases involving officers of the Chicago Police Department (CPD) when the CPD Superintendent files charges to discharge a police officer;
2. Deciding matters in which the Civilian Office of Police Accountability (COPA) and the Superintendent do not concur regarding officer discipline;
3. Deciding appeals by applicants to become Chicago police officers who have been disqualified due to the results of a background examination;
4. Adopting the Rules and Regulations for the governance of CPD; and
5. Holding monthly public meetings that provide an opportunity for all members of the public to present questions and comments directly to the Board.

III. SELECTION CRITERIA

As set out in MCC 2-80-080(c), each Police Board member shall have the qualifications listed in Section 2-80-040(b)(1) through (b)(7) and (b)(9):

- (b)(1). Be a resident of the City, and have resided in the City for at least the five years immediately preceding appointment;
- (b)(2). Have at least five years' combined experience in one or more of the following fields: law, public policy, social work, psychology, mental health, public safety, community organizing, civil rights, or advocacy on behalf of marginalized communities;
- (b)(3). Have adequately disclosed any personal, professional, or financial conflict of interest that could reasonably be thought to bear upon the person's performance as a Police Board member;
- (b)(4). Have a reputation for integrity, professionalism, and sound judgment;
- (b)(5). Have a history of leadership and community involvement;
- (b)(6). Have a demonstrated ability to engage effectively with all who have a stake in policing, including, but not limited to, marginalized communities, police officers, and public officials;
- (b)(7). Have a demonstrated ability to work in groups in a collaborative manner that reflects sound judgment, independence, fairness, and objectivity;
- (b)(9). Not be a member of the Nominating Committee for the Commission.

Each member of the Police Board shall also adhere to the Police Board Member Selection Criteria promulgated pursuant to Paragraph 532 of the Consent Decree:

1. Be a resident of Chicago;
2. Have earned a bachelor's degree from an accredited college or university or has demonstrated an ability to digest, analyze and make decisions based on complicated written materials;
3. Have not been convicted, by any court located in the United States, of any of the following crimes: bribery, embezzlement, extortion, perjury, or other corruption-related offenses (individuals who have been convicted of a crime other than those listed above must demonstrate successful rehabilitation);
4. Have at least ten years of documented experience (including post-graduate education) in any of the following fields (experience in one field can be combined with experience in another field in order to meet the ten-year minimum requirement): law, law enforcement, law enforcement oversight/police accountability, public policy, social work, psychology, mental health, community engagement or organizing, or civil rights;
5. At least four Members shall each have at least ten years of experience as a practicing attorney;
6. At least one Member but no more than two shall have at least ten years of experience as a sworn law enforcement officer (cannot be active at time of appointment);
7. At least one Member shall have at least ten years of experience in community engagement or organizing;
8. Not a current employee of the City of Chicago Department of Law, Chicago Mayor's Office, CPD, COPA, Cook County State's Attorney's Office, or an employee of one of these agencies within the last five years;
9. Have demonstrated the ability to be impartial and to work effectively with diverse populations;
10. Possess professional and personal integrity and good character.

IV. SELECTION PROCESS

MCC Section 2-80-080(c) sets out the process that the Commission must follow to recommend members of the Police Board:

1. When a vacancy occurs on the Police Board, the Commission shall, within 60 days, identify candidates eligible to fill the vacancy.
2. For each Police Board vacancy, the Commission shall submit to the mayor the three candidates it deems most qualified, except that, for an anticipated vacancy

due to the expiration of a term, the Commission may choose to submit only one eligible candidate for reappointment.

3. Within 30 days thereafter, the mayor shall select a candidate, or reject the candidates or reappointment candidate, and provide the Commission with a written explanation, which the Commission shall make publicly available no later than three business days after receipt.
4. Within 30 days after this rejection, the Commission shall submit three new candidates to the mayor, which shall not include any previous candidate from the list of candidates that the mayor rejected.
5. Within 30 days thereafter, the mayor shall either select a candidate or reject the candidates and provide the Commission with a written explanation, which the Commission shall make publicly available no later than three business days after receipt. This process shall continue until the mayor selects a candidate.
6. The mayor's selection of a candidate for the Police Board shall be referred to the City Council Committee on Public Safety for a hearing, and shall then be subject to City Council approval. If the City Council rejects the mayor's selected candidate, within 30 days thereafter the mayor shall either select a different candidate from the most recent list submitted by the Commission, or request that the Commission provide three new candidates. This process shall repeat itself until City Council approves the mayor's selection for the Police Board.

The Commission shall identify two Commissioners to work closely with staff on the logistics and day-to-day needs of the selection process.

The two Commissioners, supported by Commission staff, will post an application for the Police Board. The Commission will collect applications on an ongoing basis to be considered when a vacancy occurs or is anticipated due to the expiration of a term.

When a vacancy becomes known or is anticipated, the Commission will post on its website that the Commission is actively seeking and reviewing applications to fill the vacancy. The Commission will also issue a press release to inform the news media. The two Commissioners and Commission staff will promote the application to Chicagoans via the Commission's email list, social media channels, and District Councils. Commission staff will disseminate the announcement of the application opportunity in a geographically diverse manner.

V. COMMUNITY ENGAGEMENT

The Commission staff will post and disseminate educational materials to the public on the function, responsibilities, and jurisdiction of the Police Board, along with instructions for how to submit comments related to the selection of Police Board members in writing or via public meetings of the Commission. The Commission website will provide an

opportunity for the public to submit comments online. The Commission will provide public comment opportunities at public meetings and will promote these opportunities through various means, which may include email lists, social media, and District Councils.

For CPD members and their representatives, the Commission will host an annual listening session and provide an ongoing anonymous survey to solicit feedback on the Police Board. Commissioners will also ask CPD members for specific feedback on the Police Board's disciplinary decisions. The Commission may also host interviews with subject matter experts. The Commission will share summaries of findings on its website and with the current members of the Police Board at least annually. The Commission will also publish descriptions of any changes made to the selection procedures as a result of the findings. The Commission will have the opportunity to review its findings in the course of its annual performance evaluation and goal-setting for the President of the Police Board.

Commission staff will organize all notes from community engagement to assist Commissioners as they review the applicants. Commissioners will have the opportunity to review these notes in a reasonable time prior to evaluating applications. The Commission staff will publish summaries of notes from public comments, listening sessions, surveys, and subject matter expert interviews on its website and will describe any changes made to selection procedures as a result of comments received via community engagement.

VI. INITIAL SCREENING OF CANDIDATES

The Commission will require those interested in applying for the Police Board to submit the following application materials: a resume, cover letter, list of references, a completed eligibility form, and a completed conflict-of-interest form. Candidates who do not submit the required materials will not be eligible for consideration. If a candidate's application is incomplete, Commission staff will contact the applicant to inquire about the missing materials.

Current Police Board members whose terms are expiring or have expired and who seek reappointment will need to send a communication to the Commission expressing their interest in reappointment as well as the conflict-of-interest form. Commissioners will evaluate reappointment candidates using information related to their performance as a Police Board member. The evaluation may include reviewing references from the Police Board President and Vice President.

Commission staff will screen out ineligible applicants using the following items in the eligibility form. The items represent qualifications listed under Section 2-80-040(b) and the Police Board Member Selection Criteria established pursuant to Paragraph 532 of the Consent Decree.

- **Length of residency in Chicago**

- **(2-80-040(b)(1); Police Board Selection Criteria #1)**

- Applicants will indicate if they will have resided in Chicago for five years immediately prior to the anticipated appointment date.
 - Applicants will indicate the most recent date they began residing in Chicago.

- **Documented experience in relevant fields of work**

- **(2-80-040(b)(2); Police Board Selection Criteria #4)**

- The eligibility form will ask applicants to explain how they satisfy the documented experience criteria.
 - If it is unclear whether the applicant fulfills this requirement, Commission staff will contact the applicant and ask for documentation verifying that the applicant has the requisite years of experience to qualify for the Police Board.

- **Employment history**

- **(Police Board Selection Criteria #8)**

- The eligibility form will ask applicants to verify that they are not a current employee or have been an employee within the last five years of the City of Chicago Department of Law, the Chicago Mayor's Officer, CPD, COPA, or the Cook County State's Attorney's Office.

Candidates for reappointment will not be required to submit an eligibility form. Instead, Commission staff will contact candidates for reappointment to ensure that they still meet the eligibility criteria listed above.

Commission staff will screen out ineligible applicants in the following ways outside of the eligibility form:

- **Disclosure of conflicts of interest**

- **(2-80-040(b)(3))**

- Applicants who fail to submit a completed conflict of interest form will not be eligible for the Police Board, pursuant to 2-80-040(b)(3).

- **Nominating Committee members**

- **(2-80-040(b)(9))**

- Commission staff will verify that the applicant is not a member of the Nominating Committee.
 - Applicants who are members of the Nominating Committee will be screened out in accordance with 2-80-040(b)(9).

- **Educational Background or Comparable Experience**

- (**Police Board Selection Criteria #2**)

- Commission staff will review applicant resumes to verify that the applicant has a bachelor's degree from an accredited college or university.
 - If the applicant does not have a bachelor's degree, Commission staff will assess the application materials to determine if the applicant has "demonstrated an ability to digest, analyze and make decisions based on complicated written materials."
 - If Commission staff are unable to clearly determine whether the applicant has this ability, the applicant may still be considered for an interview but the Commission will need to ascertain during the interview whether the applicant has the demonstrated ability.

- **Criminal background**

- (**Police Board Selection Criteria #3**)

- Background checks will be conducted after interviews for candidates who are under serious consideration for nomination. The background check will establish if the applicant has ever been convicted in a United States court of bribery, embezzlement, extortion, perjury, or other corruption-related offenses.
 - Applicants will be screened out if they have a conviction for any of these offenses.
 - Commission staff will request more information from the applicant if the criminal background results show a conviction for any other crime. The two Commissioners and Commission staff will ascertain whether the applicant demonstrates successful rehabilitation.

Commission staff will list for the Commissioners the applicants that would assist the Police Board in fulfilling Police Board Selection Criteria ##5, 6, or 7:

5. At least four Members shall each have at least ten years of experience as a practicing attorney;
6. At least one Member but no more than two shall have at least ten years of experience as a sworn law enforcement officer (cannot be active at time of appointment);
7. At least one Member shall have at least ten years of experience in community engagement or organizing.

VII. EVALUATION OF CANDIDATES

Section A: Introduction

After the eligibility screening, the two Commissioners will evaluate candidate applications and determine which applicants are the most qualified. The two Commissioners may engage other Commissioners to assist in the initial application review process. The Commissioners will offer interviews to those whose application materials show them to be the most qualified for service on the Police Board.

All Commissioners will review references and other information related to reappointment candidates and determine whether to offer an interview. The two Commissioners, with support from Commission staff, will develop an interview protocol. The protocol will outline at least two components of the interviews: a set of direct questions on the candidate's qualifications, and questions related to a simulated police misconduct case scenario. Commissioners will have the option of conducting interviews via closed session, in compliance with the Illinois Open Meetings Act, to allow the full Commission to participate in the interviews.

Commissioners may recuse themselves from the evaluation of a specific candidate if a conflict of interest exists between the Commissioner and the candidate. Commissioners will work with staff to identify when recusal is appropriate.

Section B: Direct Interview Questions

Commissioners will ask the following direct questions at each interview to evaluate applicants on the remaining qualifications and criteria not covered in the initial screening. The questions are required for all applicants invited to interview except those currently serving on the Police Board and seeking reappointment.

1. How comfortable are you with making controversial decisions? Share an experience in which you made an unpopular decision and how you prepared for and handled the resulting criticisms.

(2-80-040(b)(4))

2. Briefly describe how your leadership style has evolved over time and the experiences that helped you define your leadership skills.

(2-80-040(b)(5))

3. Briefly describe the ways you have engaged with your community and your most meaningful community service experiences.

(2-80-040(b)(5))

4. Discuss your personal and professional experience working with different stakeholders in public safety and policing, such as the Chicago Police Department,

and how you navigated and engaged with their diverse and sometimes competing interests.

(2-80-040(b)(6))

5. What role do you like to play when working on a team? Share an example of a time where you played that role as well as a time where you had to step out of your comfort zone and play a different role.

(2-80-040(b)(7))

6. Tell us about a time when you had to set aside personal biases and interests to make a difficult objective decision that had serious consequences for another person.

(Police Board Selection Criteria #9)

7. Describe a time you worked with people who have a different background than you. What was your approach to understanding the difference in perspectives and needs?

(Police Board Selection Criteria #9)

8. Tell us about a time you misjudged a situation and made the wrong decision. What happened, and what did you learn from the experience?

(Police Board Selection Criteria #10)

When evaluating candidates for reappointment, in place of asking the above questions, Commissioners will ask the reappointment candidate to discuss the following:

- Performance as a member of the Police Board;
- Approach to Police Board cases;
- Reasons for seeking reappointment;
- Eligibility status if continued eligibility is unclear.

When interviewing any candidate for the Police Board, Commissioners may also ask relevant clarifying or follow-up questions at each interview.

Section C: Case Scenario

The Commission will present all candidates for the Police Board with a case scenario. The case scenario will assess how the candidate analyzes information related to police misconduct, reaches decisions on cases, and communicates their reasoning. In addition, if the candidate does not have a bachelor's degree, Commissioners will use the case scenario to ascertain whether the candidate has the ability to digest, analyze, and make decisions based on complicated written materials, per Police Board Member Selection Criteria #3.

Section D: Scoring

Each Commissioner in the interview will give a score between 1 and 5 for each response to the interview questions.

- 5 = Excellent; clearly demonstrates competency
- 4 = Good; demonstrates competency
- 3 = Average; demonstrates a fair degree of competency
- 2 = Below average; demonstrates a limited degree of competency
- 1 = Poor; failed to demonstrate competency

Commissioner scores will be averaged for each question. If the candidate receives an average of 2 or below on any of the above questions, the candidate will be disqualified for not meeting the required criteria and qualifications for Police Board members.

For the case scenario, each Commissioner in the interview will give the response a score between 1 and 5 for information analysis, a score between 1 and 5 for decision-making approach, and a score between 1 and 5 for communication skills. These three scores will be tallied for each Commissioner in the interview. The total possible score for the case scenario will therefore be 15.

Section E: Post-Interview Procedures

After the completion of the interviews, Commission staff will organize the notes and scores and rank the candidates based on the scores. Commission staff will also organize notes from contacts with the candidates' references and others who may know the candidate, as well as the results from general and criminal background checks and investigations, to assess the their character and fitness to serve.

Commissioners will then meet to discuss the final candidates. The Commission may enter closed session to have these discussions pursuant to the Illinois Open Meetings Act. The Commission also may invite more candidates to interview. The Commission will select three candidates to recommend to the mayor to fill a vacancy; except that for an expiring term where an existing Police Board member seeks and is eligible for reappointment, the Commission may select that candidate for reappointment. The recommendations will be made by majority vote of the Commissioners at a public meeting.

VIII. POST-NOMINATION PROCEDURES

Within 60 days of a vacancy, the Commission shall provide the mayor with the recommendations for the Police Board, along with accompanying application materials.

Following the completion of the selection process, Commission staff will provide the opportunity for Commissioners, community members, COPA employees, CPD members, and the newly appointed Police Board Member to submit feedback on the process.

Commission staff will review the feedback with Commissioners to identify options for improving its selection procedures.

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