

No. 1240875

**IN THE APPELLATE COURT OF ILLINOIS
FOR THE FIRST JUDICIAL DISTRICT**

CHICAGO JOHN DINEEN LODGE #7,) On Appeal from the Circuit Court of
Plaintiff-Appellant) Cook County, Chancery Division
v.)
CITY OF CHICAGO, DEPARTMENT OF) Case No. 2024 CH 00093
POLICE, BRANDON JOHNSON, in his) Hon. Michael T. Mullen,
Official Capacity as Mayor, LARRY) Judge Presiding
SNELLING, in his Official Capacity as)
Superintendent of the Chicago Police)
Department, and THE CHICAGO CITY)
COUNCIL,)
Defendants-Appellees)

**MOTION OF ORGANIZATIONS AND COMMUNITY LEADERS THAT
REPRESENT VICTIMS AND SURVIVORS OF CHICAGO POLICE
MISCONDUCT FOR LEAVE TO FILE A BRIEF AMICI CURIAE IN
SUPPORT OF THE DEFENDANTS-APPELLEES**

Proposed *amici curiae*, a diverse group of organizations and individuals who represent victims of Chicago police misconduct and advocate for good government, pursuant to Illinois Supreme Court Rules 345 and 361, respectfully seek leave to file a brief *amici curiae* in support of the Defendants-Appellees. *Amici* attach their brief hereto as Exhibit A. In support of their motion, *amici* state as follows:

INTERESTS OF AMICI CURIAE

1. Proposed *amici* are a coalition of community and civil rights organizations, legal aid organizations, civic groups, and community leaders whose members, clients, constituents, family members, and friends have been subjected to police misconduct in Chicago. *Amici* also include good government groups, journalists, and data scientists with in-depth knowledge of the harms resulting from the absence of police transparency and accountability suffered by communities disparately impacted by Chicago police abuse. All *amici* share the conviction that disciplinary proceedings concerning misconduct by Chicago Police Department (“CPD”) officers must be held in public in light of Illinois’ overriding public policy favoring police transparency and accountability and the powerful interest in remedying the pattern and practice of civil rights violations by the CPD.

2. *Amici* community organizations with a mission that includes promoting accountability and transparency in policing are the following:

a. All of the members of a community-based coalition (“Coalition”) that has the power and responsibility to enforce the federal consent decree entered by the United States District Court to remedy CPD’s pattern and practice of civil

rights violations, as alleged in *State of Illinois v. City of Chicago*, N.D. Ill. Case No. 17-cv-6260.¹ The member-organizations of the Coalition include:

- i. *The ACLU of Illinois* is a non-profit, non-partisan, statewide organization located in Chicago, Illinois. The ACLU is dedicated to protecting and expanding the civil rights and civil liberties enshrined in the United States Constitution, the Illinois Constitution, and state and federal civil rights laws. The ACLU advocates on behalf of people harmed by unconstitutional policing practices in the City of Chicago, including practices that disproportionately impact people of color.
- ii. *Black Lives Matter Chicago* is an organization that fights for justice with families most impacted by race-based violence and marginalization of Black communities, while working to create just and equitable systems. Black Lives Matter Chicago works to end state violence and criminalization of Black communities by deconstructing the white supremacist, capitalist patriarchy.
- iii. *Blocks Together (BT)* is a membership-based community organizing group in the West Humboldt Park (WHP) neighborhood on Chicago's West Side. Since 1995, BT has empowered residents to work together for systematic changes that bring concrete improvement to their lives.

¹ *State of Ill. v. City of Chi.*, No. 17-cv-6260 (N.D. Ill.), Docket No. 703-1 at paragraph 709 (granting the Coalition the power to enforce the CPD consent decree in federal court). The decree is also available at chicagopoliceconsentdecree.org.

- iv. *Brighton Park Neighborhood Council (BPNC)* is a community-based, grassroots organization on Chicago's southwest side, a predominantly Latinx and immigrant community. They work to empower their community and build its capacity by providing school and community-based services and programs.
- v. *Chicago Urban League* is an independent, not-for-profit civil rights organization. CUL has more than 15,000 constituents in the Chicago metropolitan area. The pattern and practice of police brutality in Chicago has caused grievous harm to the individuals, families, and communities served by the CUL, and has severely diminished their safety and opportunities for economic, educational, and social progress.
- vi. *Community Renewal Society (CRS)* informs and brings people of faith and congregations together, in partnership with communities, coalitions, interfaith organizations and civic leaders, to intentionally and decisively transform society toward greater social justice at the intersection of racism and poverty. CRS represents thousands of people through its approximately 40-member congregations, many of which are in Chicago. CRS is a 135-year-old organization that works with people and communities to address racism and poverty. One of CRS's primary campaigns is police accountability and reform.
- vii. *Communities United (CU)* is a survivor-led, intergenerational racial justice organization in Chicago. At the heart of CU's organizing is the

development of grassroots leadership to build collective power to achieve racial justice and transformative social change. With this approach, CU focuses on advancing affordable housing, health equity, education justice, youth investment, immigrant rights, and shifting resources from the criminal justice and juvenile justice systems into restorative justice alternatives. CU's members are primarily low-income people of color from the following Chicago neighborhoods: Albany Park, Austin, Belmont Cragin, Roseland, and West Ridge.

viii. *Network 49* is an independent grassroots organization in Chicago's 49th Ward fighting for progressive politics and policies.

ix. *ONE Northside* is a mixed-income, multi-ethnic, intergenerational organization whose mission is to build collective power to eliminate injustice through community organizing. To that end, ONE Northside practices community organizing in the areas of police reform, violence prevention, public education, affordable housing, healthcare and mental health justice, youth empowerment, and economic justice. ONE Northside engages community members from the Rogers Park, Edgewater, Uptown, Ravenswood, North Center, Lakeview, and Lincoln Park neighborhoods of Chicago. These diverse communities are home to some of the populations most vulnerable to the Chicago Police Department's unconstitutional practices—racial minorities, people with disabilities, immigrants, and low-income individuals.

- x. *Westside Branch of the NAACP* is a membership organization based on the West Side of Chicago that is part of the oldest national civil rights organization in the United States. The Illinois State Conference of the NAACP coordinates activities throughout the State of Illinois. The NAACP's mission is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate race-based discrimination, including but not limited to racially biased police practices.
- xi. *Women's All Points Bulletin* is a human rights and community policing non-profit organization that provides services, education, and training to eradicate all forms of violence against women during policing encounters.
- xii. *411 Movement for Pierre Loury* is an organization formed in response to the fatal shooting of 16-year-old Pierre Loury by Chicago Police. It was created as a response to the problematic culture of violence being committed in the city of Chicago by the civil servants that are contracted to serve, protect, and uphold the law.
 - b. *A Just Harvest* is an organization dedicated to fighting poverty and hunger in the Rogers Park neighborhood and greater Chicago community by providing nutritious meals daily while cultivating community and economic development and organizing across racial, cultural and socioeconomic lines to create a more just society.

c. *Better Government Association (BGA)* a non-partisan, nonprofit news organization and civic advocate working for transparency, equity and accountability in government in Chicago and across Illinois.

d. *Bluhm Legal Clinic at Northwestern University Pritzker School of Law* houses over 20 clinics within 13 centers and is widely recognized as one of the most comprehensive and effective clinical programs in the country. Each year, hundreds of clients receive assistance from Bluhm Legal Clinic students. The range of clients served is wide reaching including teenagers tangled in an unjust juvenile legal system and entrepreneurs in need of affordable legal advice. The Bluhm Legal Clinic is internationally recognized for its involvement in legal reform, and for advancing the goal of providing a skilled, ethical, and public-spirited legal profession integral to a society that values and promotes justice.

e. *Center on Wrongful Convictions (CWC) Northwestern University Pritzker School of Law* is dedicated to identifying and rectifying wrongful convictions and other serious miscarriages of justice. To date, the Center has exonerated more than forty innocent men, women, and children from states around the country, and it receives thousands of inquiries a year. The CWC also houses some of the nation's leading legal experts on false confessions and police interrogations and has helped exonerate more than twenty false confessors.

f. *Chicago Alliance Against Racist and Political Repression (CAARPR)* is a branch of the National Alliance Against Racist and Political Repression. CAARPR is a mass defense organization that defends the rights of Black people and all

oppressed peoples to unite, organize and fight for freedom, justice and equality. CAARPR was founded in 1973 and its parent organization was National United Committees to Free Angela Davis and All Political Prisoners. Today, CAARPR sees the police occupation of communities and mass incarceration as the two greatest obstacles to its fight for democracy and liberation.

g. *Chicago Appleseed Center for Fair Courts* is a community-driven advocacy organization using mixed-methods research approaches to interrupt cycles of poverty, mass incarceration, and racial injustice inherent to the legal system.

h. *Chicago Lawyers' Committee for Civil Rights* is a public interest law organization founded in 1969 that works to secure racial equity and economic opportunity for all. Chicago Lawyers' Committee collaborates with grassroots organizations and other advocacy groups to implement community-based solutions that advance civil rights and racial justice. Through litigation, policy advocacy and coalition work, Chicago Lawyers' Committee works to ensure that systems operate with fairness and justice to produce equitable outcomes.

i. *Chicago Torture Justice Center* seeks to address the traumas of police violence and institutionalized racism through access to healing and wellness services, trauma-informed resources, and community connection. The Center is a part of and supports a movement to end all forms of police violence. It is a community center for Chicago police torture survivors. CTJC was established as a result of a historic Reparations Ordinance passed by the Chicago City Council in May 2015.

j. *Chicago Women Take Action* is comprised of activists of all ages and backgrounds working on the local and national level to promote women leaders and secure the health and well-being of women, their families, and their communities. CWTA organizes around issues including, but not limited to, gun violence, reproductive rights, protecting democracy, income inequality/equal wages to the ERA, voting rights, minimum wage increase and fair employment conditions.

k. *Chicago Council of Lawyers* is a member-based organization whose focus is the benefit of non-members, particularly poor and disadvantaged populations who often have unequal access to the justice system. The Council works on non-litigation pro bono projects meant to promote systemic reform, including increased access to justice, immigration court reform, criminal justice reform, children and family law, and projects on the federal courts. The Council is a well-respected, non-partisan entity with the ear of important stakeholders in Cook County and Illinois at large, and has done a tremendous amount to ameliorate hidden injustices that don't always make headlines or present themselves in everyday law practice.

l. *Cannabis Equity IL Coalition*, founded in 2019, is a grassroots nonprofit that advances equity in the State of Illinois. We fight to make sure the legalization of cannabis in Illinois repairs and reinvests in the communities most impacted by the War on Drugs, and to ensure the cannabis industry prioritizes people over profits.

m. *Color Of Change* is one of the nation's foremost racial justice organizations, with millions of members nationwide, including more than 45,000 members in Cook County. The organization is focused on advancing policies that make for a less hostile world for Black people, including criminal legal reform, police accountability, and transparency.

n. *Common Cause Illinois* is a non-partisan organization dedicated to making government in Illinois more open, honest, and accountable.

o. *The Cook County Public Defender's Office* protects the fundamental rights, liberties and dignity of each person whose case has been entrusted to them by providing legal representation. The Office provides legal representation to indigent persons in criminal cases in Cook County, many of whom have been victims of Chicago police abuse.

p. *Empowering Communities for Public Safety (ECPS) Coalition* represents a network of policy advocates, grassroots organizers, community members, and those directly affected by policing practices in Chicago. The ECPS Coalition leads advocacy efforts to hold police accountable and create safe neighborhoods across Chicago.

q. *The Exoneration Project of the University of Chicago Law School's* primary mission is to overturn wrongful convictions and prove its clients' innocence in court. Additionally, it attempts to address the systemic problems in the criminal legal system that cause innocent people to be convicted of crimes they did not commit. To do so, the Exoneration Project advocates for greater accountability in

the justice system. Additionally, it works to ensure exonerees re-enter society with the supports they need to succeed.

r. *First Defense Legal Aid* provides legal assistance to people and communities in the Chicago area who have suffered abuse at the hands of police. It mobilizes lawyers and overpoliced community members to fill gaps in public defense and create, protect, and engage replicable alternatives to the criminal system starting with its entry points.

s. *Impact for Equity* is committed to addressing the structural racism and systemic oppression that has led to inequities and injustices, particularly for people and communities of color, in Chicago and Illinois. An innovative public interest law and policy center, Impact for Equity utilizes a combination of legal tools, policy research, advocacy, organizing, and convening to work towards transformational change.

t. *Invisible Institute* is a nonprofit journalism production company on the South Side of Chicago. It works to enhance the capacity of citizens to hold public institutions accountable. Invisible Institute's work coheres around a central principle: we as citizens have co-responsibility with the government for maintaining respect for human rights and, when abuses occur, for demanding redress.

u. *League of Women Voters Chicago* is a nonpartisan, grassroots organization working to protect and expand voting rights and ensure everyone is represented in our democracy. LWV empowers voters and defend democracy through advocacy and education.

v. *Loevy + Loevy* is a civil rights law firm working for justice, accountability, and transparency.

w. *Northwestern Pritzker School of Law, Community Justice and Civil Rights Clinic* works in collaboration with social justice movements on legal and policy strategies aimed at redressing some of the most pressing, urgent issues of our time—namely over-policing and mass imprisonment.

x. *The Young People of N'COBRA (National Coalition of Blacks for Reparations in America)* is a mass-based organization for the sole purpose of obtaining reparations for African descendants in the United States.

y. *N'COBRA (National Coalition of Blacks for Reparations in America) - Chicago Chapter* is a mass-based organization for the sole purpose of obtaining reparations for African descendants in the United States.

z. *The Rainbow/PUSH Coalition* is a multi-issue, multi-cultural, international membership organization, founded by Rev. Jesse L. Jackson, Sr. whose mission is to defend, protect and gain civil rights; to even the playing field in all aspects of American life and to secure peace in the world.

aa. *Lucy Parsons Lab* (“LPL”) is a digital rights non-profit composed of academics, transparency activists, artists, and technologists. LPL uses transparency tools like the Freedom of Information Act to analyze police spending and misconduct and inform the public about its findings. LPL has written extensively about the role of police surveillance technologies and its impact on civil society.

bb. *The Roderick & Solange MacArthur Justice Center (MJC)* is a public interest law firm founded in 1985 to advocate for human rights and social justice through litigation. MJC attorneys have played a key role in civil rights battles in Illinois, including challenges to police misconduct and abuse, as well as enforcement of government transparency laws.

cc. *The Edwin F. Mandel Legal Aid Clinic of the University of Chicago Law School*, established in 1957, is one of the oldest law school clinics in the United States. It provides free legal services to people typically denied access to justice and seeks to reform legal education and the legal system to be more responsive to the interests of the poor. The Civil Rights and Police Accountability Project within the Mandel Clinic is one of the nation's leading law school civil rights clinics. Its mission is to improve police accountability and service in Chicago, challenge discrimination, and remedy fundamental issues of injustice in our criminal system, while teaching students all that it means to be a lawyer.

dd. *People's Law Office (PLO)* has been fighting for the civil rights of victims of police brutality, wrongful convictions, false arrest, and other government abuses for over 40 years. PLO has represented wrongfully imprisoned people and individuals awaiting the death penalty, and has uncovered secret abuses by police and government officials.

ee. *Southsiders Organized for Unity and Liberation (SOUL)* believes that our faith calls us to the fight for justice for all, especially those who have historically been marginalized and oppressed. SOUL's mission is to assist low-income people of

color in the Chicago Southland to build power, then subsequently leverage that power to fight for their own interest and liberation.

ff. *Truth, Hope, and Justice Initiative* is committed to advancing social justice and racial equality by publishing stories and sharing the human truths of mothers impacted by unjustified police violence in America.

gg. *3rd and 14th Chicago Police District Councils*. The 14th District Council was elected by residents of Humboldt Park, Logan Square, and Wicker Park to represent them in fighting for more police accountability, restorative justice and community safety. The 3rd District Council was elected by residents on the southeast side of Chicago in the Woodlawn, South Shore, and Greater Grand Crossing communities. An overwhelming majority of 41 District Councilors from across Chicago signed a letter against private police arbitration.

3. *Amici* signing on in their individual capacities as community leaders on the subject of police accountability are:

- a. Steve Art, Partner, Loevy + Loevy
- b. Michael J. Harrington, Co-Chair, Network 49
- c. Jesse Hoyt, Executive Director, ONE Northside
- d. Jane Ramsey, Chair of Committee on Police Accountability and Gun Violence Prevention, Chicago Women Take Action
- e. Jamie Kalven
- f. Flor Dimas
- g. Mara Lynne
- h. Joi Imobhio
- i. Robert J. Johnson, Police District Councilor, 18th District Council
- j. David Boykin, Police District Councilor, 6th District Council
- k. David Orlikoff, Police District Councilor, 14th District Council
- l. Alexander J. Perez, Police District Councilor, 2nd District Council
- m. Leonardo Quintero, Police District Councilor, 12th District Council

- n. Elizabeth A. Rochford, Police District Councilor, 17th District Council
- o. Dion McGill, Police District Councilor, 7th Police District Council
- p. Deirdre O’Conner, Police District Councilor, 20th District Council
- q. Chloe Vitale, Police District Councilor, 12th District Council
- r. Erin Vogel, Police District Councilor, 9th District Council
- s. Anthony David Bryant, Police District Councilor, 3rd District Council
- t. Jennifer Schaffer, Police District Councilor, 19th District Council
- u. Father Michael Pflieger, Saint Sabina
- v. Reverend Dr. Otis Moss III, Trinity United Church of Christ
- w. Rev. Dr. Marilyn Pagán-Banks, Executive Director, A Just Harvest
- x. Elizabeth Grossman, Executive Director, Common Cause Illinois
- y. Yusef Jackson, Chief Operating Officer, National Rainbow PUSH Coalition
- z. Veronica Arreola, Police District Councilor, 24th District Council
- aa. Anjanette Young, survivor of abuse by Chicago Police Department

THIS AMICI BRIEF WILL ASSIST THE COURT

4. This case involves a question of the utmost public importance to all residents of Chicago: whether disciplinary proceedings for Chicago police officers accused of the most serious types of misconduct and abuse—officers facing termination or suspensions of over one year—must be open to the public to advance the State of Illinois’ dominant public policy favoring police transparency and accountability and constitutional policing.

5. Under Rule 345, courts generally grant permission to file an *amicus* brief only if, as relevant here, “the *amicus* has a unique perspective, or information, that can assist the court beyond the help that the lawyers for parties are able to provide.” *Kinkel v. Cingular Wireless, L.L.C.*, No. 100925, 2006 WL 8458036 at *2 (Ill. Jan. 11, 2006) (citing *Nat’l Org. for Women v. Scheidler*, 223 F.3d 615, 617 (7th Cir. 2000)). *Amici’s* first-hand knowledge about the history of, and remedies needed

for, police misconduct in Chicago can assist this Court by providing insights that are not likely to be presented by the parties.

6. *First, amici* have interests that will be directly affected by the decision of this Court in the present case. Many *amici* are individuals or representatives of people who have been impacted by Chicago police abuse and torture. Based on recent history—including the notorious police abuses committed by Commander Burge and others—*amici* know that the best way to protect themselves, their families and their neighbors from ongoing police misconduct is to ensure that police disciplinary proceedings are transparent and public.

7. *Second, amici* are individuals and organizations representing individuals who are directly affected by violence in their neighborhoods in Chicago that results from the community's lack of trust in police to keep them safe. *Amici* have first-hand knowledge that police misconduct causes the most directly-impacted communities to fear and mistrust police, and therefore to not report violence or cooperate with police when they are victimized. Transparent police disciplinary proceedings are, in *amici's* view, essential to building trust between police and the communities they serve, for the purpose of advancing public safety for all communities in Chicago.

8. Accordingly, *amici* contribute a distinct perspective. *Amici* do not represent the interests of the City or of the Fraternal Order of Police. Rather, they represent members of Chicago's communities, particularly those who are most policed

and those who have suffered the most violence. This brief is part of the public's effort to monitor police in Chicago to ensure they are acting in the public interest.

For the foregoing reasons, *amici curiae* respectfully request that the Court enter an order granting them leave to file the *amicus curiae* brief attached as Exhibit A in support of the Defendants-Appellees.

Dated: October 31,2024

Respectfully submitted,

/s/Craig B. Futterman

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**IN THE APPELLATE COURT OF ILLINOIS
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CITY OF CHICAGO, DEPARTMENT OF)	Hon. Michael T. Mullen,
POLICE, BRANDON JOHNSON, in his)	Judge Presiding
Official Capacity as Mayor, LARRY)	
SNELLING, in his Official Capacity as)	
Superintendent of the Chicago Police)	
Department, and THE CHICAGO CITY)	
COUNCIL,)	
Defendants-Appellees)	

Declaration of Craig Futterman

I, Craig Futterman, certify pursuant to 735 ILCS 5/1-109 as follows:

1. I am an attorney with the Mandel Legal Aid Clinic of the University of Chicago Law School in Chicago, Illinois. I am licensed to practice law in Illinois.
2. I represent serve as counsel for the *amici curiae* seeking leave to file a brief in support of the City Defendants-Appellees in this matter.
3. I certify that the facts set forth in the foregoing Motion of Organizations and Community Leaders that Represent Victims and Survivors of Chicago Police Misconduct for Leave to File a Brief as *Amici Curiae* in Support of the Defendants-Appellees are true and correct.

Under penalties as provided by law pursuant to Section 5/1-109 of the Code of Civil Procedure, the undersigned counsel certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Dated: October 31, 2024

/s/Craig B. Futterman
Craig B. Futterman

Counsel for Amici Curiae

**IN THE APPELLATE COURT OF ILLINOIS
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Plaintiff-Appellant)	Cook County, Chancery Division
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Defendants-Appellees)	

[PROPOSED] ORDER

IT IS HEREBY ORDERED that the Motion of Organizations and Community Leaders that Represent Victims and Survivors of Chicago Police Misconduct for Leave to File a Brief as *Amici Curiae* in Support of the Defendants-Appellees is:

[] Granted and the attached brief shall be filed on the public record in this matter.

[] Denied.

DATED: ____ day of _____, 2024

Justice

Justice

Justice

NOTICE OF FILING AND CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that on October 31, 2024, he caused the foregoing **Motion for Leave** and the attached **Brief *Amici Curiae* of Organizations and Community Leaders That Represent Victims and Survivors of Chicago Police Misconduct in Support of the Defendants-Appellees** to be filed with the Clerk of the Illinois Appellate Court, First District, using the Court's electronic filing system and that the same was served by e-mail to the following counsel of record:

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Within five days of acceptance by the Court, the undersigned also states that he will cause five duplicate paper copies of the Brief to be filed with the Clerk of the Illinois Appellate Court, First District.

/s/Craig. B Futterman
Craig B. Futterman
Counsel for Amici Curiae