

**February 25, 2020**

**ATTORNEY GENERAL RAOUL URGES ILLINOIS SUPREME COURT TO PREVENT DESTRUCTION OF  
OLDER POLICE MISCONDUCT RECORDS**

***Raoul Files Brief Arguing Chicago Police Misconduct Records Are Critical to Implementing Needed  
Policing Reforms***

**Chicago** — Attorney General Kwame Raoul [filed an amicus brief](#) asking the Illinois Supreme Court to overturn an arbitrator's award that could require the city of Chicago to destroy decades of public records related to allegations of police misconduct. Attorney General Raoul argues that the availability of such records gave rise to two of Illinois' most significant police reform initiatives and is critical to ongoing efforts to ensure law enforcement accountability and transparency.

Attorney General Raoul filed the amicus brief in *The City of Chicago v. Fraternal Order of Police, Chicago Lodge No. 7*, which is pending before the Illinois Supreme Court. The case involves an arbitration award obtained by the Fraternal Order of Police that could require the city of Chicago to destroy public records pertaining to allegations of police misconduct that are more than 5 years old. In the brief, Raoul argues that preserving older police misconduct records is essential to addressing past and future police misconduct, promoting officer safety, and ensuring transparency and accountability.

"Just as older police misconduct records were invaluable in uncovering a pattern of civil rights violations within the Chicago Police Department, they will continue to be crucial as we work with the city of Chicago and the Chicago Police Department to achieve meaningful reforms to restore residents' trust in the officers sworn to protect them," Raoul said. "Addressing past and future police misconduct, in many ways, is dependent upon access to older police misconduct records, and I am asking the Supreme Court to ensure that those records be preserved."

The Attorney General's office represents the Illinois Torture Inquiry and Relief Commission (TIRC), which was established by the General Assembly in 2009 to investigate allegations of torture by former Chicago Police Commander Jon Burge and officers under his command. As Raoul's amicus brief explains, older misconduct records maintained by the Chicago Police Department (CPD) allowed for the substantiation of claims that Burge and his subordinates used torture to coerce confessions in criminal cases. To date, numerous victims of Burge's torture have had their convictions overturned.

The General Assembly has since expanded the TIRC's jurisdiction so that allegations of torture by officers other than Burge can be investigated. As part of its investigative process, the TIRC subpoenas police misconduct files in order to assess claims. Raoul points out in the brief that many of the claims currently pending before the TIRC relate to incidents that occurred decades ago, making justice for victims reliant upon the availability of older police misconduct records.

Raoul also highlights the importance of preserving older police misconduct records as the Attorney General's office implements a consent decree with the city of Chicago that will help restore residents' trust in the CPD. The consent decree is one of the nation's most expansive of its kind and is the result of a lawsuit brought by the Attorney General's office seeking to implement reforms recommended by the U.S. Department of Justice following a yearlong civil rights investigation. The consent decree includes provisions mandating the creation or improvement of systems to ensure officer accountability and transparency, prevent future misconduct, and protect officer health and safety. According to Raoul's brief, implementation of such reforms relies on the availability of older police misconduct records.

Solicitor General Jane Elinor Notz, Deputy Solicitor General Sarah Hunger, Public Interest Division Chief Christopher Wells and Assistant Attorney General Aaron Wenzloff are handling the case for Raoul's office.