

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHICAGOANS FOR AN END TO THE	)	
GANG DATABASE, et. al.,	)	
	)	
Plaintiffs,	)	Case No. 18-CV-4242
	)	
v.	)	Hon. Andrea R. Wood
	)	
CITY OF CHICAGO, et. al.,	)	
	)	
Defendants.	)	

**NOTICE OF VOLUNTARY DISMISSAL OF
ORGANIZATIONAL PLAINTIFFS' CLAIMS**

The Organizational Plaintiffs Chicagoans for an End to the Gang Database: Black Youth Project 100 Chicago, Blocks Together, Brighton Park Neighborhood Council, Latino Union, Mijente, and Organized Communities Against Deportation (“Organizational Plaintiffs”) move to voluntarily dismiss their claims without prejudice with each party bearing its own costs and fees. In support of this voluntary dismissal, the Organizational Plaintiffs state as follows:

1. The Plaintiffs, six organizational plaintiffs and four individual plaintiffs, filed this action on behalf of a putative class seeking *inter alia* detailed injunctive relief to remedy their allegations that the Chicago Police Department’s (“CPD”) policies and practices related to designating individuals as gang members violate the U.S. Constitution and related statutes. This matter has been stayed since April 23, 2019, while the parties engaged in settlement talks.

2. On April 11, 2019, the City of Chicago Office of Inspector General (“OIG”) released a review of CPD’s gang database concluding that: 1) CPD lacks sufficient controls for generating, maintaining, and sharing gang-related data; 2) CPD’s gang information practices lack procedural fairness protections; 3) CPD’s gang designations raise significant data quality

concerns; and 4) CPD's practices and lack of transparency regarding its gang designations strain police-community relations. OIG Report at 1.

3. The OIG's most important recommendation demands that the City "evaluate, in partnership with stakeholders, whether collecting, maintaining, sharing, and using gang information best serves violence reduction efforts in the city, including with consideration of the collateral consequences of these practices." OIG Report at 53. The City has wholly ignored this recommendation. The City has conducted no inquiry into whether a gang database serves any legitimate public safety purpose, nor has it fully evaluated or accounted for the harm gang designations impose on Black and brown communities. *See* Compl. ¶¶ 51-54, 74-90.

4. Instead, on February 27, 2020, the City of Chicago announced that it would create a new process for designating individuals as gang members, called the Criminal Enterprise Information System ("CEIS"). Dkt. No. 69. If the City implements the CEIS as described in its current policy, it is expected that fewer people will be designated as gang members. However, CPD has provided no time frame for CEIS implementation and as a result, people currently designated as gang members remain at risk of deportation, job loss, and other adverse consequences. Further, the CEIS will provide another mechanism for CPD to engage in racial profiling and will continue to institutionalize racial disparities into CPD operations. CPD's proposed CEIS policy fails to adequately redress the racial profiling that resulted in the stark racial disparities reported by the OIG.

5. Despite these facts, the Organizational Plaintiffs voluntarily dismiss their claims without prejudice, with each side bearing its own costs. Through the new CEIS policy as well as the additional initiatives associated with the CEIS, *see* Dkt. No. 83, the City has agreed to certain protections that will reduce the harm to community members caused by CPD's gang designation

practices—protections that the City would not have conceded without the pressure of this lawsuit. However, the additional protections won do not go far enough. The Organizational Plaintiffs maintain their rights to file another lawsuit asserting the same claims if the CPD continues to designate people as gang members in a discriminatory and unconstitutional manner. The Organizational Plaintiffs have opted to terminate the litigation at this time to focus their efforts on the ultimate relief they seek—a complete abolition of CPD’s gang database. This relief has been achieved by communities in other jurisdictions.¹

6. The Organizational Plaintiffs’ voluntary dismissal should not be read as an endorsement of the City’s refusal to engage in a community-driven process to evaluate the public safety outcomes related to gang designations. Nor should this dismissal be interpreted as an endorsement of the CEIS. Instead, the Organizational Plaintiffs plan to use the information they learned through this litigation to fight the implementation of the CEIS in other forums and will not hesitate to file another federal lawsuit against the City of Chicago and the CPD should the policy and practice of gang designations continue to unlawfully target Black and brown communities and violate the Constitution.

WHEREFORE, the Organizational Plaintiffs request that this honorable Court enter an order dismissing the claims of the Organizational Plaintiffs without prejudice.

¹ See Rachel Hinton, *Cook County Board Votes to Permanent Dismantle Gang Database*, Chicago SunTimes (Feb. 21, 2019) (the Cook County Board passed an ordinance to permanently decommission the Cook County Sheriff’s gang database); Carlmah Townes, *Portland is Saying Goodbye to its Controversial Gang Database*, The Appeal (Sep. 12, 2017) (the Portland police stopped using its gang database after community members expressed concerns); see also Eric Leonard and Andrew Blankstein, *LAPD Chief Orders Moratorium on Gang Database*, NBC Los Angeles (June 19, 2020) (LAPD enacted a complete moratorium on all entries and use of the statewide Cal-Gangs database).

Respectfully submitted,

For Plaintiffs:

By: /s/ Sheila A. Bedi

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that she filed the foregoing document via the Court's CM/ECF system, which will automatically provide notice to all parties, on September 2, 2020.

 /s/ Sheila A. Bedi