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Statement of
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Cook County Board of Commissioners
Comment for Public Hearing on Regional Gang Intelligence Database
Tuesday, May 14, 2019

I am the Associate Director of Litigation at the National Immigrant Justice Center (NIJC). On behalf of my colleagues, the thousands of immigrant Chicago residents we serve every year, and as a member of the Campaign to Erase the Gang Database, we appreciate the opportunity to submit comments and express NIJC's support for the work of the organizations to abolish the Regional Gang Intelligence Database (RGID) in a responsible, publicly accountable, and permanent manner.

For over three decades, NIJC has dedicated itself to ensuring human rights protections and access to justice for immigrants, refugees, and asylum seekers. NIJC provides direct legal services and advocates for these populations through policy reform, impact litigation, and public education. NIJC provides legal services to more than 10,000 low-income individuals each year, with household incomes at or below 200% of the federal poverty line.

As part of our policy reform and public education work, NIJC has participated in the Campaign to Erase the Gang Database. This campaign has worked to urge the City of Chicago to expand what it means to be a "sanctuary city" and protect immigrants and U.S.-born people of color, particularly those who are targeted by local police. The campaign has worked to educate Chicago residents about the current Chicago Police Department (CPD) gang database, known as the Citizen and Law Enforcement Analysis and Reporting (CLEAR) system, and its disproportionately negative impact on communities of color.

The February 2018 *Tracked and Targeted* and June 2018 *Expansive and Focused Surveillance* reports by the University of Illinois at Chicago (UIC) Policing in Chicago Research Group have clearly outlined an unquestionable pattern of criminalization and repressive policing of communities of color inherent in CPDs gang database. The April 2019 report by the City of Chicago Office of Inspector General (OIG), *Review of the Chicago Police Department's "Gang Database,"* further validated the concerns community organizations have raised about the gang database as being more of a tool for criminalization than a tool for public safety.

The campaign organizations also await the findings of the audit of RGID, led by the Cook County Office of the Independent Inspector General (OIIG). Based on the findings of the CLEAR system by the Chicago OIG, the campaign organizations feel it is critically important to understand the scope and breadth of RGID. Particularly important to us is the impact on Black, Latino and immigrant communities across Cook County, given the historical use of CLEAR as a tool of criminalization of communities of color in Chicago.

NIJC is pleased that the Cook County Sheriff's Office (CSSO) took steps earlier in 2019 to decommission RGID and prohibit external agencies from accessing it, especially Immigration and Customs Enforcement

(ICE). However, NIJC is in full agreement with our campaign partners that decommissioning RGID must not be a proxy for the CSSO to shield RGID from public scrutiny. Given the findings of the Chicago OIG and UIC research group reports, the full extent of RGID and any harm it may represent to Cook County residents must be fully investigated, understood and discussed in a public and transparent manner. Therefore, we believe the CSSO should:

1. Follow the proper steps to erase, dismantle and fully decommission RGID as outlined in Cook County Ordinance #19-0687;
2. Inform the thousands of individuals whose personal information was added to RGID to know which external governmental agencies have accessed their personal information;
3. Testify in a public hearing before the Cook County Board of Commissioners to discuss evidence-based measures that can be taken to reduce shootings, gang violence, and street violence through implementation of violence reduction and social intervention services; and
4. Testify in a public hearing before the Cook County Board of Commissioners to provide information and follow-up on the subsequent findings of the forthcoming OIG audit of RGID.

After decades of abusive and exploitative practices linked to the CPD gang database, the Cook County Board of Commissioners and the CSSO should undertake a deliberative and intentional auditing and public hearing process to address any similar harms caused by RGID.

Members of the Black community have disproportionately borne the brunt of criminalizing structures and unconstitutional policing tactics. NIJC's opposition is based on our solidarity with members of the Black community and the experience of NIJC's clients. One of our clients, Wilmer Catalan-Ramirez, was brutalized and detained by ICE for 10 months because of erroneous information in the CPD gang database. While in detention he was placed in deportation proceedings. Only after a protracted legal fight and community-led campaign was Mr. Catalan-Ramirez released. Furthermore, over the years, NIJC has witnessed ICE utilize unreliable information in databases like RGID and CLEAR as a pretext for large scale enforcement actions in which ICE both arrests targeted individuals and also makes additional collateral arrests of individuals simply at the wrong place at the wrong time. By ICE's own admission, arrests in local neighborhoods will "inevitably result in additional collateral arrests." Providing ICE access to RGID, CLEAR or any subsequent databases is a direct threat to the wellbeing of the undocumented immigrant community across Cook County, as ICE has and will continue to continue to use all available data collection methods as a pretext to make hundreds of other collateral arrests in enforcement actions.

NIJC will continue to do everything in our power to represent immigrants in deportation proceedings and those at risk of deportation under this and future federal administrations. In particular, the current federal administration has intentionally attempted to make immigrant youth and young adults synonymous with gangs and criminality. That is why we fundamentally oppose the continued use of unreliable and opaque databases such as RGID, CLEAR and any new structures that may be implemented without a thorough review by community members and the Cook County Board of Commissioners.

The recent reports outlining the profound shortcomings of CPD's gang database have laid bare the challenges facing not only the Chicago Police Department and the City of Chicago government but also the Cook County Board of Commissioners and the CSSO with respect to RGID. This is an opportunity for the Cook County Board of Commissioners and the CSSO to heed the calls of directly impacted community members to focus resources on appropriate violence reduction efforts and social intervention services rather than on continued criminalization tools.