

September 26, 2018

Mr. Jon Bunge
Quinn Emanuel Urquhart & Sullivan, LLP
191 N. Wacker Drive
Suite 2700
Chicago, IL 60606
jonathanbunge@quinnemanuel.com

RE: Chicago Police Consent Decree Independent Monitor Selection Process
Request for Supplemental Information

Dear Mr. Bunge:

Thank you for responding to the Request for Proposals issued jointly by the Office of the Illinois Attorney General and the City of Chicago (collectively, “the Parties”) seeking individuals or firms interested in serving as the Independent Monitor. The Parties have had an opportunity to review your submission and would like to request supplemental information.

Please review the requests attached to this letter and provide your responses on or before the close of business October 10, 2018. Your written responses should be submitted in electronic format (PDF) and in hard copy. Please send the electronic responses to the OAG at LTScruggs@duanemorris.com and to the City at Aslagel@taftlaw.com. Please include “City of Chicago Police Department Independent Monitoring Proposal – Supplemental Information” in the email subject line and on the package containing a hard copy of the proposal. Hard copies should be sent to the addresses below by USPS Priority Mail or overnight carrier (e.g., FedEx, UPS, DHL) to ensure timely delivery to the addresses below:

For the Attorney General for the State of
Illinois:

Lisa T. Scruggs
Special Assistant Attorney General
Duane Morris LLP
190 South LaSalle Street, Suite 3700
Chicago, IL 60603

For the City of Chicago:

Allan T. Slagel
Counsel for the City
Taft Stettinius & Hollister LLP
111 East Wacker Drive, Suite 2800
Chicago, IL 60601

The Parties have set the following dates for interviews and two public forums that finalists will be required to attend. Please plan accordingly. The interviews will take place on November 1 and 2, 2018 with the specific time and place to be determined later. The public forums are scheduled to take place on Saturday, November 3, 2018 at the James R. Thompson Center, 100 W. Randolph St., Chicago, IL.

We expect to provide additional information and more detailed schedules after October 15. In the meantime, if you have any questions, please direct them to the Parties via email to Lisa Scruggs and Alan Slagel.

Sincerely,

Lisa T. Scruggs
For the Office of the Attorney General
for the State of Illinois

Alan T. Slagel
For the City of Chicago

**City of Chicago Police Department Independent Monitoring RFP
Parties' Joint Request for Supplemental Information**

Please review the requests listed below and provide your responses on or before the close of business October 10, 2018. Your written responses should be submitted in electronic format (PDF) and in hard copy. To the extent that you believe any of the information requested was already provided as part of your initial response to the RFP, please so state and identify the page(s) where the information can be located.

1. Please provide a description of the roles and responsibilities for each member listed on your team. Please clearly define the roles and responsibilities and map them specifically to each task of monitor team members. Please be sure to tell us what the day-to-day responsibilities of each member of your leadership team will be. In your answer, you should, a) specify which of your team members will provide subject matter expertise regarding specified law enforcement functions and operations, engage in statistical or data analysis, participate in outreach to stakeholder communities, provide legal analysis, undertake project management responsibilities, or write reports and b) identify the projected amount of time or percentage of time each member will engage in each function.
2. Please describe how the size and composition of your team will allow for efficient operations. If you plan to modify the size or composition of your team, please describe your plan in more detail. If you expect to make any changes, identify the potential individual team member(s) involved and the role you expect the team member(s) to fulfill or activities they will handle and how the change will affect your overall monitoring plan. Also, to the extent changes in the team composition may affect your cost estimate, please so indicate and detail how the cost estimate would be modified.
3. Describe the distribution of work between the lawyers and the subject matter experts (SMEs) who will serve on your team, particularly between the division of responsibilities between the lawyers and the SMEs who have served in law enforcement.
4. The Parties have agreed to an annual budget cap of \$2.85 million. If your response to this request for supplemental information changes your cost estimate, or if your cost estimate exceeds the cap or you did not provide a complete cost estimate with your initial application, please provide an updated cost estimate. The updated estimate should include a description of how the applicant would fulfill the responsibilities of the Monitor within this cap and what adjustments, if any, you would make to ensure that all required work will be performed within this cap. There is no requirement to submit a revised cost estimate if your previously submitted cost estimate fell within the above-identified cap and no change is necessary.
5. Please include more detailed information to support your cost estimate, including: the total number of hours anticipated to monitor compliance with the consent decree during each of the first three years of the monitoring term, broken down by consent decree section, task (training assessment, policy review/development, technical assistance, community/police outreach), and monitoring team member(s).

6. In your cost estimate, you include projected hours that are contemplated for various activities. Please explain the basis and your rationale for each of those projections.
7. What commitment, if any, will your team make to ensure the performance of work that is necessary but that may fall outside the budget in any given year? In your response, please be sure to identify any team members who have indicated a willingness to provide work on a pro bono or non-billable basis.
8. The RFP contains a statement requesting that all communications with Parties be disclosed. To the extent you have had any communications, written or oral with either or both of the Parties or their consultants or experts before or after September 4, 2018 regarding the IM selection process or consent decree, please detail them. If your response to the RFP contained a statement regarding communications prior to September 4, 2018, there is no need to re-submit that information.
9. If any team members have government jobs and expect to retain those jobs during the term of the monitorship, please confirm that the team members' employment contracts or applicable employment policies permit outside work, and if required by their employer's policies or rules, that their employers are aware that they have applied to serve as the monitor or a member of the monitoring team in this matter.
10. If any team members intend to maintain a full-time job during the term of the monitorship in a position that does not contemplate work on a client-by-client basis (i.e., consultant or firm attorney), please describe how the team member intends to manage his or her full time employment obligation simultaneously with his or her monitorship responsibilities and confirm that their employers are aware (or will be made aware) that they have applied to serve as the monitor or a member of the monitoring team in this matter.
11. Many provisions in the proposed consent decree require the development and/or maintenance of technology systems capable of capturing and analyzing data. To meet the obligations of the consent decree, the City may need to implement significant changes to its automated data systems. The monitoring team will be responsible to assess the adequacy of the upgrades and may need to provide technical assistance. Please detail the experience your team has with the implementation of processes to collect and analyze data. In your response, identify the specific team member(s) who have that experience and how that experience might be used during the term of the monitorship.
12. What is your team's plan for gathering basic information about the Chicago Police Department and the status of its policing reform efforts at the outset of the monitorship?
13. Please provide more information on the team's proposed monitoring methodology. Specifically, describe the team's:
 - Approach to the development of a monitoring plan and staging of monitoring activities/priorities;
 - Establishment and measurement of compliance thresholds;
 - Engagement and collection of information from all stakeholder communities;

- Sources of information/data/access; and
 - Capacity to provide ongoing technical assistance.
14. In your proposal, you provide estimates of time committed to this project for the BDO team members but not for Quinn Emanuel, McCabe, or Mitchell Titus. Please provide time estimates for those team members.
 15. Your proposal includes a listing of Dr. McCabe's that has 70 policing engagements. Please select 10-15 of those assignments most relevant to the issues covered by the consent decree and provide more detailed information about them, including department, dates of engagement, topic or incident that was the subject of the engagement, role and whether a public report was issued.
 16. Please provide more information regarding Elinor Sutton's role in the Hartford PD consent decree.
 17. Please indicate whether BDO has any conflicts that need to be disclosed.
 18. Please clarify what the reference to external resources (pp. 22 and 23) means regarding the execution of the work plan.
 19. Your proposal states that all professionals are being billed at blended rate of \$ 275/hour(p. 24), but Appendix B lists much higher rates for QE, BDO & MT personnel, up to \$ 780/hr. What are the actual rates being charged?

Quinn Emanuel's Responses to the City of Chicago Police Department Independent Monitoring RFP Parties' Joint Request for Supplemental Information

- 1. Please provide a description of the roles and responsibilities for each member listed on your team. Please clearly define the roles and responsibilities and map them specifically to each task of monitor team members. Please be sure to tell us what the day-to-day responsibilities of each member of your leadership team will be. In your answer, you should, a) specify which of your team members will provide subject matter expertise regarding specified law enforcement functions and operations, engage in statistical or data analysis, participate in outreach to stakeholder communities, provide legal analysis, undertake project management responsibilities, or write reports and b) identify the projected amount of time or percentage of time each member will engage in each function.*

Jonathan Bunge of Quinn Emanuel will serve as the Monitor with overall responsibility and supervision of the Monitorship team and successful implementation of the consent decree. In that role, he will rely on his Quinn Emanuel partners and prospective team members Ambassador Crystal Nix-Hines (Ret.), Elinor Sutton, Duane Lyons, and Daniel Lombard. At the request of the Monitor, the Quinn Emanuel support team will provide insights based on their relevant areas of expertise, participate in outreach to stakeholder communities, provide legal analysis, assist with project management, and write reports. As detailed in our proposal, each of the prospective Quinn Emanuel team members has relevant expertise and is uniquely qualified to assist the Monitor with these tasks. By way of example: Crystal will leverage her experience as a United States Ambassador to UNESCO to assist the Monitor with community outreach and will also assist with legal analysis and preparing reports; Elinor will bring to bear her years of experience reviewing police policies, documents, systems, training materials, interviewing and deposing Members of Service of the New York City Police Department, and rooting out corruption in the NYPD through a \$75 million class-action settlement that required significant commitments by the NYPD to change policies, procedures, and training materials, as well as assisting a Federal Special Master in analyzing the Hartford Police Department's compliance with a consent decree, to assist the Monitor with factual analysis of department policies and procedures, legal analysis, project management, and preparing reports; Duane will assist with legal analysis and call on his exceptional experience prosecuting police misconduct, as well as his experience in private practice investigating and eliminating corruption within organizational clients; Daniel will leverage his deep and varied litigation experience and ties to the Chicago community to assist with community outreach, legal analysis, project management, and preparing reports. Dr. James McCabe will work closely with the Monitor and contribute his subject matter expertise regarding all aspects of law enforcement functions and operations.

For BDO, Anthony Lendez will have overall project management responsibility. Anthony will provide technical support to the BDO team and consult on navigating particularly sensitive Monitorship matters by utilizing his deep experience on prior large Monitorships. He will also provide oversight of quality control and review of reports as needed. Marc Simon will serve as the primary project manager leader for the BDO team, with the responsibility of coordinating and completing all project activities assigned to BDO from the Monitor. In particular, he will serve as the single point of contact for all technical matters, including sampling and statistical related inquiries. Nicole Sliger will serve as a BDO co-project leader, leveraging her forensic, investigative, Monitorship, accounting, and compliance experience to ensure work product meets the required timelines and the highest quality standards. She will be involved in the review of

project deliverables and provide, as necessary, ad hoc support to the Monitoring team, including drafting periodic reports. Sam Nazzaro will serve as a BDO senior advisor to the project. Sam will leverage his extensive prosecutorial and military background together with his Monitorship, report writing, and oversight experience. Sam, along with Chris Kim, will be involved in training issues and review/oversight of law enforcement functioning, operations and best practices including use of force. Chris will utilize his former FBI background and associate counsel experience with federal and state/local agencies to review police operations, use of force and other policies. Angela Allen will lead and manage the Mitchell Titus resources with regard to data collection and validation, internal control assessments/reviews, operational/organizational structure reviews, information technology systems reviews, and compliance testing including onsite/field visits. She will also serve as the quality control reviewer of Mitchell Titus's work.

2. *Please describe how the size and composition of your team will allow for efficient operations. If you plan to modify the size or composition of your team, please describe your plan in more detail. If you expect to make any changes, identify the potential individual team member(s) involved and the role you expect the team member(s) to fulfill or activities they will handle and how the change will affect your overall Monitoring plan. Also, to the extent changes in the team composition may affect your cost estimate, please so indicate and detail how the cost estimate would be modified.*

We propose an efficient, streamlined team with defined responsibilities and transparent hierarchy. Jonathan Bunge will be responsible for all aspects of the Monitorship as the overall team leader, as well as the Quinn Emanuel team leader. He will rely on the Quinn Emanuel support team of four attorneys for community outreach, factual and legal analysis, preparation of reports, and project management tasks. He will rely on BDO for all testing and on Mitchell Titus for auditing. The Monitor will further utilize our subject matter expert, Dr. James McCabe, to provide insight and direction at every stage of the Monitorship. Based on Dr. McCabe's unparalleled experience in law enforcement and as a subject matter expert on similar engagements, the Monitor will work very closely with Dr. McCabe to assess testing results and make recommendations to the Parties.

3. *Describe the distribution of work between the lawyers and the subject matter experts (SMEs) who will serve on your team, particularly the division of responsibilities between the lawyers and the SMEs who have served in law enforcement.*

As described above, Dr. James McCabe will serve as the subject matter expert to advise and assist the team members, as needed. The Monitor will maintain a regular line of communication with Dr. McCabe, and the team members will confer with Dr. McCabe as an integral resource at every stage. For example, we anticipate that Dr. McCabe will provide assistance with reviewing and analyzing police documents, systems, and operations, and will review and provide feedback to the lawyers on draft reports. In addition, Chris Kim, as a former FBI agent and FBI attorney, will use his expertise to assist the Monitor in analyzing testing results, making recommendations to the Parties, including best practices for use of force.

4. *The Parties have agreed to an annual budget cap of \$2.85 million. If your response to this request for supplemental information changes your cost estimate, or if your cost estimate exceeds the cap or you did not provide a complete cost estimate with your initial application, please provide an updated cost estimate. The updated estimate should include a description of how the applicant would fulfill the responsibilities of the Monitor within this cap and what adjustments, if any, you would make to ensure that all required work will be performed within this cap. There is no requirement to submit a revised cost estimate if your previously-submitted cost estimate fell within the above-identified cap and no change is necessary.*

Please see Attachment A (Budget Breakdown) for our revised cost estimate.

5. *Please include more detailed information to support your cost estimate, including: the total number of hours anticipated to monitor compliance with the consent decree during each of the first three years of the Monitoring term, broken down by consent decree section, task (training assessment, policy review/development, technical assistance, community/police outreach), and Monitoring team member(s).*

Please see Attachment A (Budget Breakdown) for our detailed revised cost estimate.

6. *In your cost estimate, you include projected hours that are contemplated for various activities. Please explain the basis and your rationale for each of those projections.*

Phase One

- Pre-Kickoff and Kickoff Meetings: Time allocated to these activities will be spent preparing for and attending two scheduled meetings with CPD where the Monitor team will introduce its team members, explain its objectives, and provide a roadmap of its four-phase Monitoring plan.
- Document Requests on organizational structure, policies, and procedures, including follow-up questions, requests and interviews of CPD Individuals: The monitor team will spend its time obtaining and reviewing documents from CPD regarding current policies such as governing use-of-force and community engagement. As part of this fact-finding role, the Monitor team will also conduct interviews of CPD personnel.
- Develop shared-site mechanism to facilitate secure access to CPD documentation: The Monitor team will spend this time facilitating its fact-finding tasks by developing a mechanism to securely obtain and review CPD documents and information.
- Set up a public website per Consent Decree ¶ 664, including communications to relevant parties: Time allotted to this activity will be spent creating and maintaining a public website and communicating directly with relevant parties to ensure that the Monitor team's reports are quickly made available for public review and comment.

Phase Two

- Draft metrics, determine testing populations, sampling parameters, tolerance levels; formulate metric testing templates: The Monitoring team will spend this time developing parameters for its statistical tests.
- Prepare Monitoring Plan for 1st year per Consent Decree ¶ 652; prepare overall Work Plan and work with CPD and Parties to finalize mutually-agreed-upon version: Time allocated to this task will be spent developing a plan for conducting compliance reviews and audits for the first year of the Monitorship. The Monitor team will also collaborate with CPD and the parties to create an overall Work Plan for the Monitorship.
- Investigate availability of external resources (City, State) to support execution of Work Plan, metrics testing: The Monitor team will spend this time seeking out City and State resources to potentially utilize an internal review group (similar to an internal audit group) from the City of Chicago and/or the Chicago Police Department to assist with the testing of compliance with the Consent Decree. Here, the City and/or CPD could assist with the planned testing, and BDO and Mitchell Titus would assess the quality of that testing.

Phase Three

- Assess accuracy and completeness of testing populations and derive samples from individual populations: Time allocated to this task will be spent identifying testing populations and assessing their statistical validity.
- Test items and analyze results; includes any needed training of testers and discuss summarized findings; make recommendations: The Monitor team will spend this time conducting statistical compliance audits and formulating written recommendations based on the results.
- Assess progress on Monitoring Plan compliance; discuss with CPD, Parties: Time allotted to this activity will be spent collaborating with CPD and the Parties to assess CPD's progress.

Phase Four

- Examine evidence, analyze results, summarize findings and make recommendations: The Monitor team will spend this time analyzing the results of its information-gathering activities to develop actionable recommendations designed to promote compliance with the requirements of the Consent Decree.
- Draft semi-annual reports and finalize and issue semi-annual reports: Time allocated to this task will be spent preparing and finalizing semi-annual reports for publication pursuant to the requirements of the Consent Decree.

Ongoing

- Time allocated to ongoing activities will be spent preparing for and attending meetings and communicating with other team members and relevant parties in support of the Monitorship. This also includes time spent on maintaining and improving the technical resources employed to support the Monitorship's goals.

7. *What commitment, if any, will your team make to ensure the performance of work that is necessary but that may fall outside the budget in any given year? In your response, please be sure to identify any team members who have indicated a willingness to provide work on a pro bono or non-billable basis.*

Quinn Emanuel, BDO, and Mitchell Titus are committed to perform whatever work is necessary to successfully monitor implementation of the Consent Decree. To that end, each firm indicates a willingness to provide work on a *pro bono* basis, as needed, to ensure the completion of work that may fall outside the budget. This includes time for every team member – Jonathan Bunge and his team; Anthony Lendez and his team; and Angela Allen of Mitchell Titus.

8. *The RFP contains a statement requesting that all communications with Parties be disclosed. To the extent you have had any communications, written or oral with either or both of the Parties or their consultants or experts before or after September 4, 2018 regarding the IM selection process or consent decree, please detail them. If your response to the RFP contained a statement regarding communications prior to September 4, 2018, there is no need to re-submit that information.*

There has been no communication with the Parties before or after September 4, 2018 regarding the independent monitor selection process or consent decree.

9. *If any team members have government jobs and expect to retain those jobs during the term of the Monitorship, please confirm that the team members' employment contracts or applicable employment policies permit outside work, and if required by their employer's policies or rules, that their employers are aware that they have applied to serve as the monitor or a member of the Monitoring team in this matter.*

No team members have government jobs, nor does any team member expect to retain a government job during the term of the Monitorship.

10. *If any team members intend to maintain a full-time job during the term of the Monitorship in a position that does not contemplate work on a client-by-client basis (i.e., consultant or firm attorney), please describe how the team member intends to manage his or her full time employment obligation simultaneously with his or her Monitorship responsibilities and confirm that their employers are aware (or will be made aware) that they have applied to serve as the monitor or a member of the Monitoring team in this matter.*

Subject-matter expert, Dr. James E. McCabe, works as an associate professor of criminal justice at Sacred Heart University. Dr. McCabe maintains a flexible schedule, and he is prepared to clear plenty of time to work with the independent monitor.

11. Many provisions in the proposed consent decree require the development and/or maintenance of technology systems capable of capturing and analyzing data. To meet the obligations of the consent decree, the City may need to implement significant changes to its automated data systems. The Monitoring team will be responsible to assess the adequacy of the upgrades and may need to provide technical assistance. Please detail the experience your team has with the implementation of processes to collect and analyze data. In your response, identify the specific team member(s) who have that experience and how that experience might be used during the term of the Monitorship.

Our Monitoring team includes data collection experts from BDO that have a wide range of experience working on numerous high-profile matters. BDO's team consists of experienced investigators, programmers, computer scientists, and data scientists, who have worked on hundreds of investigations, Monitorship engagements, and disputes. And BDO routinely works to perform data collections from database systems, cloud-based systems, audio/video recordings, document files, and more.

BDO utilizes leading data connector packages, APIs, and custom-developed solutions to directly interface with external data systems for the purposes of Monitoring and data collection. In the past, BDO has developed data collection and Monitoring solutions for all of the major database management systems (e.g., MS SQL Server, Oracle, and Teradata), ERP systems (e.g., SAP and MS Dynamics), as well as document management systems (e.g., SharePoint and DocuWare).

BDO's Monitoring and analysis services provide real-time views of the monitored data by utilizing secure, on-premise database systems and data visualization tools, such as Tableau and MS Power BI. BDO also utilizes a suite of machine learning and AI software tools to monitor for anomalies and specific issues. For instance, BDO utilizes Orpixon Computer Vision to perform computer vision analysis of video files, which can be used for perimeter cameras and police body cameras.

12. What is your team's plan for gathering basic information about the Chicago Police Department and the status of its policing reform efforts at the outset of the Monitorship?

Our Monitoring team is committed to implementing its plan informed by as much relevant background and preliminary information as possible. To that end, the team would conduct meetings with and interviews of counsel for the CPD, CPD officers at all levels, as well as the officers and counsel of the City. We anticipate conducting a thorough review of existing CPD training materials, including its recruit training, field training, in-service training, and pre-service promotional training materials especially as they pertain to its policies and procedures concerning community policing, impartial policing, Crisis Intervention Team, use of force, and officer wellness and support. Additionally, our team will analyze CPD statistics as they relate to various areas of concern, including arrests, uses of excessive force, and disciplinary action. Our team will conduct regular meetings with community stakeholders throughout the City, and also create a website to gather information from the public. Within the first 180 days of the Monitorship, the team anticipates cultivating these community relationships to inform its initial survey, which shall provide a further baseline for measuring community perception and satisfaction with CPD's policing reform efforts.

13. Please provide more information on the team's proposed Monitoring methodology. Specifically, describe the team's:

- Approach to the development of a Monitoring plan and staging of Monitoring activities/priorities;
- Establishment and measurement of compliance thresholds;
- Engagement and collection of information from all stakeholder communities;
- Sources of information/data/access; and
- Capacity to provide ongoing technical assistance.

The team has proposed using a four-phase Monitorship plan, the staging of which would be developed in conjunction with the Parties. (See Quinn Emanuel's City of Chicago Police Department Independent Monitoring Proposal, pp. 21-23.)

In the first phase, the team will endeavor to build understanding and gain the trust of the various stakeholders. The primary goal of the first phase is to learn about the CPD organizational structure, policies, procedures, and protocols. The source of this information, would largely be determined based on early discussions with the Parties and the CPD, as well as records maintained by the CPD. Our meetings with community stakeholders will also provide a vehicle for community stakeholders throughout the City to offer their input regarding the priorities of the Monitorship. With respect to the initial and all subsequent community surveys, the team expects to hire an experienced, professional survey firm with knowledge of Chicago's diverse communities. The cost of such surveys has been built into our proposed budget.

In the second phase, the team will formulate metric testing templates to monitor compliance and create work plans for developing and revising policies to comply with the Consent Decree. In conjunction with the Parties, and with the realization that it is unrealistic to expect perfect, 100% compliance with any CPD policy or procedure, we would agree upon tolerable levels of noncompliance for each area of interest. For example, on the one hand, a threshold tolerance of up to 5-10% noncompliance might be considered acceptable as it relates to the timely filing of a certain type of police report. On the other hand, with respect to the use of excessive force, the threshold for acceptable noncompliance would be expected to be much lower.

The third phase will entail overseeing the execution of the work plan and performing compliance testing to ensure that changes are effectively being implemented. In this phase, the team will engage in ongoing communication with CPD regarding new or additional complaints raised by community stakeholders to determine whether to modify testing focus and priorities, as well as engaging the CPD in communications concerning its own views of the testing focus and priorities. This execution will be informed by the teams collective experience and credentials, including those of Dr. McCabe.

The fourth phase includes examining the evidence gathered from testing to concisely summarize the findings and to make recommendations to improve CPD's organizational structure, policies, procedures and protocols. BDO has developed technology platforms for many clients related to Monitorship engagements to deliver efficient, scalable, speedy and collaborative data management and analytic services. BDO also has experience analyzing large data sets as it relates law enforcement entities. This will assist the Monitoring team with the design and operation of policing procedures, and our capacity to provide ongoing technical assistance. These written findings will be preliminarily shared on a semi-annual basis with CPD and the parties, and, eventually published to the website setup by the Monitor's team.

14. *In your proposal, you provide estimates of time committed to this project for the BDO team members but not for Quinn Emanuel, McCabe, or Mitchell Titus. Please provide time estimates for those team members.*

Please see Attachment A (Budget Breakdown) for our revised cost estimate.

15. *Your proposal includes a listing of Dr. McCabe’s that has 70 policing engagements. Please select 10-15 of those assignments most relevant to the issues covered by the consent decree and provide more detailed information about them, including department, dates of engagement, topic or incident that was the subject of the engagement, role and whether a public report was issued.*

Dr. McCabe has been involved in around 70 policing engagements and has examined most of the core operational issues identified in the Consent Decree, including community policing, impartial policing, accountability and transparency, data collection, analysis and management, recruitment, hiring and promotions, training, supervision, officer wellness and support, and crisis intervention. The most relevant assignments to the issues covered by the consent decree include his engagements below:

Police Department Cities	Date	Subject of Engagement
New York, NY ¹	Current	Court Monitor – Stop, Question, and Frisk Program
Parkland, FL	18-Aug	Develop independent police department after school shooting
Newtown, CT	18-May	Assessment of officer well-being after school shooting
Flint, MI ²	14-Nov	Staffing shortage, operational crisis
North Port, FL	14-Sep	Officer suicide – HR and discipline system thought problematic
St. Louis, MO	14-Aug	Change from state to municipal control of police department – entire department assessed
Johnson City, TN	14-Jan	Recruitment and retention problems, staffing shortage
Vancouver, WA ³	13-Jul	Employee misconduct scandal

¹ Available at: <http://nypdmonitor.org/>

² Available at: <https://www.cityofflint.com/wp-content/uploads/CPSM-Flint-Police-Operational-Report.pdf>

³ Available at:

http://www.cityofvancouver.us/sites/default/files/fileattachments/police_vpd/page/20850/icma_assessment_march_25-2013.pdf

Police Department Cities	Date	Subject of Engagement
Henderson, NV	13-Jan	Use of Force scandal
Grand Rapids, MI; Kentwood, MI; and Wyoming, MI	12-Jun	Consolidation of services, staffing analysis

Role in Engagements:

Dr. McCabe is directly involved in developing and assessing policies designed to ensure constitutional conduct by officers in New York City, which includes large-scale data management, survey design, experimental design, sampling design, training and policy development, and supervision. After the NYPD was found in violation of the 4th and 14th Amendments with regards to abuses of stop and frisk, and racial profiling, Dr. McCabe has been involved with the development of the department-wide training on fair and impartial policing. This includes the development of the NYPD’s internal training on this topic and the development of the instruments used to evaluate the training being delivered by the Fair and Impartial Policing organization.

After the Marjory Stoneman Douglas High School shooting, the City of Parkland’s Administration wanted an environmental assessment and recommendations regarding police services. Dr. McCabe helped conduct various interviews and focus groups. Using data from the interviews and focus groups, along with the statistical data related to crime and workload, Dr. McCabe assisted in making recommendations about the policing issues facing the community.

In the area of officer wellness and support, Dr. McCabe currently works with the Newtown, Connecticut Police Department to develop a comprehensive system that assists officers with their long-term mental health stemming from the impact the Sandy Hook Elementary School shooting had on officers in the area.

In Flint, Michigan, Dr. McCabe led a team of subject matter experts to examine the entire department, which had been decimated by staffing cuts. Dr. McCabe and his team focused on staffing and ensuring there was an appropriate allocation of personnel to critical assignments. Dr. McCabe’s team made recommendations to reorganize and prioritize services.

In Northport, Florida, Dr. McCabe led a team of subject matter experts to help address a lack of discipline and order in the police department. Dr. McCabe’s team studied all aspects of the department with a particular focus on morale, discipline, and employee assistance programs.

In St. Louis, Missouri, the police department was in the midst of a transition from state to local control, and the St. Louis Mayor wanted a top-to-bottom review of the department. Dr. McCabe was the lead of an 8-person subject matter expert team that assessed every aspect of the department. Dr. McCabe and his team conducted a study that took particular notice of the high rate of the use of force in St. Louis and the shortcomings associated with a lack of oversight on the use of deadly force.

In Johnson City, Tennessee, the police department experienced a chronic shortage of personnel. Dr. McCabe came in as the team lead and worked closely with the chief of police to understand and combat the exodus from his department. Dr. McCabe worked with the chief of police to create new structure units, strategy, and tactics to implement a more community-oriented approach.

In Vancouver, Washington, Dr. McCabe led a team in conducting a top-to-bottom assessment of the department. Dr. McCabe’s assessment was used as the blueprint for a search for a new police department chief, as well as wholesale changes to the department.

In Henderson, Nevada, Dr. McCabe was the team lead and assisted with an assessment of the Henderson Police Department with an emphasis on the disciplinary system, training, and use of force policies. Dr. McCabe further assisted with making recommendations that the police department accepted and implemented.

In Grand Rapids, Michigan; Kentwood, Michigan; and Wyoming, Michigan, Dr. McCabe was the team lead in conducting individual studies of each department as well as an assessment of the potential to consolidate all three departments into one single agency. The study involved an in-depth assessment of all operational, investigative, administrative, and support elements of each department. This included an assessment of current policies and procedures, operating practices, staffing needs, and recommendations for best practices in training, supervision, investigations, community satisfaction.

16. Please provide more information regarding Elinor Sutton's role in the Hartford PD consent decree.

In 2006, and while a student at Yale Law School, Elinor Sutton was selected by Federal Special Master Richard Bieder to serve in a role equivalent to that of a law clerk as part of his appointment to assess the Hartford Police Department's compliance with a consent decree entered into as a result of a case called *Cintron v. Vaughn*.

Background

Cintron v. Vaughn was a class action case filed in 1969 in the United States District Court, D. Connecticut, by a group of minority Hartford residents against the then Hartford police Chief Thomas Vaughn, as well as others. The class alleged that the Hartford Police Department had engaged in a systematic pattern of police misconduct and discrimination toward members of racial minority groups. In 1973, the case was settled with a federal consent decree ("Consent Decree") that required changes to policies concerning police shootings and citizen complaints, and also required more diversity in the Hartford police department among other things. The Consent Decree is still active five decades later. *Cintron v. Vaughn*, 2007 WL 4240856 (D. Conn. November 29, 2007).

In 1999, after the fatal shooting of a 14-year-old, a group of Hartford residents alleged that the Hartford Police Department was not in compliance with the Consent Decree. As a result, the City of Hartford agreed to the appointment of Special Master Bieder, who had the power to make decisions on disputes between the parties regarding the enforcement of the Consent Decree, had the duty to conduct hearings to determine whether or not the Consent Decree had been violated, and had the responsibility and duty to oversee all aspects of the Consent Decree. The Court ordered the appointment of Mr. Bieder as Special Master in accordance with the stipulation. *Id.*

In 2004, the parties reached an agreement implementing a Citizen Complaint Procedure, which was entered as an Order of the Court. Soon after, Plaintiffs filed a motion for contempt against Defendants, alleging five violations of the 2004 Order involving a police shooting and tampering with evidence. The Court referred the motion to Special Master Bieder. *Id.*

In June 2007, Special Master Bieder filed his Report and Recommendation, finding that Defendants were in contempt of the Consent Decree by violating five provisions of the 2004 Order. *Id.*

Elinor Sutton's Role

Elinor Sutton was selected by Special Master Bieder to serve in a role equivalent to that of a law clerk, and assist him in performing his duties related to analysis of compliance with the Consent Decree by the Hartford Police Department. In that role, Ms. Sutton assisted the Special Master in gathering evidence from members of the Hartford Police Department, victims, and community activists. She participated in live hearings held by the Special Master, and drafted summaries of the evidence and her recommendations to the Special Master. Ms. Sutton also analyzed relevant statistics related to the Hartford Police Department for the Special Master, and provided her view as to the role that those statistics should play in the Special Master's findings. Ms. Sutton provided legal research to the Special Master. Finally, Ms. Sutton assisted Special Master Bieder in drafting portions of his findings on certain issues related to compliance with the Consent Decree.

17. Please indicate whether BDO has any conflicts that need to be disclosed.

In *Smith, et al v. City of Chicago, et al* (N.D. Ill., Case No. 15-C-3467), the City of Chicago's outside counsel, Taft Stettinius & Hollister, LLP, hired BDO's Technology and Business Transformation Services practice to perform data analytics work. BDO does not consider this data analytics engagement to be a conflict with the compliance reviews/audits or any other work to be performed by the Monitor pursuant to the Consent Decree.

18. Please clarify what the reference to external resources (pp. 22 and 23) means regarding the execution of the work plan.

The Monitorship team intends to potentially utilize an internal review group (similar to an internal audit group) from the City of Chicago and/or the Chicago Police Department to assist with the testing of compliance with the Consent Decree. Such arrangement would be similar to that used by BDO in other Monitorships, whereby BDO has used an internal review group from the monitored entity itself to assist in the compliance testing subject to BDO oversight, supervision, and quality assurance testing. Here, the City and/or CPD can assist with the planned testing, with BDO and Mitchell Titus assessing the quality of that testing, in order to reduce the number of hours that the Monitorship team needs to spend on testing.

19. Your proposal states that all professionals are being billed at a blended rate of \$ 275/hour (p.24), but Appendix B lists much higher rates for QE, BDO & MT personnel, up to \$780/hr. What are the actual rates being charged?

Jon Bunge and the Quinn Emanuel support team will bill at an hourly rate of \$780/hour for year 1. This rate of \$780/hour will increase by 3% each year in years 2-5. BDO and Mitchell Titus will bill at an hourly rate of \$275/hour. Dr. James McCabe will bill at an hourly rate of \$200/hour.

Attachment A

Budget Breakdown

Summary Hours including Ongoing	Year 1	Year 2	Year 3	Year 4	Year 5	Total
J. Bunge	672	416	382	345	345	2160
QE Support	2251	1601	1446	1401	1401	8100
BDO	3180	2829	2513	2343	2338	13204
MT	1120	1070	984	902	902	4979
McCabe	870	464	452	464	474	2724
Total	8093	6381	5777	5456	5461	31167

	\$ Total	Year 1	Year 2	Year 3	Year 4	Year 5	Total
J. Bunge	\$	382,637	\$ 359,569	\$ 337,960	\$ 304,100	\$ 304,100	
QE Support	\$	1,296,719	\$ 1,263,780	\$ 1,240,344	\$ 1,232,780	\$ 1,232,780	
BDO	\$	638,325	\$ 778,078	\$ 701,089	\$ 730,951	\$ 733,060	
MT	\$	224,860	\$ 294,284	\$ 346,723	\$ 348,105	\$ 348,105	
McCabe	\$	174,000	\$ 92,800	\$ 90,400	\$ 92,800	\$ 94,800	
Total	\$	2,716,541	\$ 2,788,512	\$ 2,716,516	\$ 2,708,736	\$ 2,712,845	\$ 13,643,150

Survey Firm	\$	133,334	\$	133,333	\$	133,333	\$	400,000				
Grand Total Including Survey Firm	\$	2,849,875	\$	2,788,512	\$	2,849,849	\$	2,708,736	\$	2,846,178	\$	14,043,150

Year 1	
J. Bunge	602
QE Support	2160
BDO	2992
MT	1026
McCabe	808

Year 2	
J. Bunge	346
QE Support	1510
BDO	2572
MT	948
McCabe	412

Year 3	
J. Bunge	312
QE Support	1355
BDO	2416
MT	922
McCabe	412

Year 4	
J. Bunge	275
QE Support	1310
BDO	2254
MT	860
McCabe	402

Year 5	
J. Bunge	275
QE Support	1310
BDO	2249
MT	860
McCabe	412

Years 1-5 Total (excluding Ongoing)	
J. Bunge	1810
QE Support	8589
BDO	11090
MT	4159
McCabe	2044
Total	27692

Total Ongoing	2165
Phases 1-4	27692
Total Incl Ongoing	29857

ties to above Summary

Ongoing					
Year 1	Ongoing Meetings	Ongoing Communications	Ongoing Improvements	Ongoing Technical Assistance	Total Ongoing
J. Bunge	30	40	0	0	70
QE Support	40	51	0	0	91
BDO	100	24	24	40	188
MT	60	12	12	10	94
McCabe	12	50	0	0	62

Year 2	Ongoing Meetings	Ongoing Communications	Ongoing Improvements	Ongoing Technical Assistance	Total Ongoing
J. Bunge	30	40	0	0	70
QE Support	40	51	0	0	91
BDO	200	16	16	25	257
MT	100	8	8	6	122
McCabe	12	40	0	0	52

Year 3	Ongoing Meetings	Ongoing Communications	Ongoing Improvements	Ongoing Technical Assistance	Total Ongoing
J. Bunge	30	40	0	0	70
QE Support	40	51	0	0	91
BDO	40	16	16	25	97
MT	40	8	8	6	62
McCabe	12	28	0	0	40

Year 4	Ongoing Meetings	Ongoing Communications	Ongoing Improvements	Ongoing Technical Assistance	Total Ongoing
J. Bunge	30	40	0	0	70
QE Support	40	51	0	0	91
BDO	50	12	12	15	89
MT	25	6	6	5	42
McCabe	12	50	0	0	62

Year 5	Ongoing Meetings	Ongoing Communications	Ongoing Improvements	Ongoing Technical Assistance	Total Ongoing
J. Bunge	30	40	0	0	70
QE Support	40	51	0	0	91
BDO	50	12	12	15	89
MT	25	6	6	5	42
McCabe	12	50	0	0	62

Years 1-5 Total for Ongoing					
	Ongoing Meetings	Ongoing Communications	Ongoing Improvements	Ongoing Technical Assistance	Total Ongoing
J. Bunge	150	200	0	0	350
QE Support	200	255	0	0	455
BDO	440	80	80	120	720
MT	250	40	40	32	362
McCabe	60	218	0	0	278
Total					2165

Phase 1 Hours

	Year 1					Year 2					Year 3					Year 4					Year 5				
	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe
Pre-Kickoff Meeting	20	30	16	8	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kickoff Meeting	12	40	8	4	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Document Requests on organizational structure, policies & procedures, incl. follow-up questions, requests	32	160	3	0	10	12	40	0	0	0	12	40	0	0	0	10	35	0	0	0	10	35	0	0	0
Interviews of CPD individuals (including interviews of new individuals as earlier-interviewed individuals leave the CPD through retirement, etc.) - 17 in Year 1 and 3 in each of Years 2-5	150	200	50	35	150	30	50	10	6	30	30	50	10	6	30	30	50	9	5	30	30	50	9	5	30
Develop shared-site mechanism to facilitate secure access to CPD documentation	5	10	8	0	0	3	5	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Set up public website per Consent Decree par. 664, incl. communications to relevant parties	10	50	5	0	0	5	25	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals	229	490	90	47	176	50	120	17	6	30	42	90	10	6	30	40	85	9	5	30	40	85	9	5	30

Phase 2 Hours

	Year 1					Year 2					Year 3					Year 4					Year 5				
	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe
Draft metrics, determine testing populations, sampling parameters, tolerance levels, etc.	10	40	155	0	50	0	10	30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Formulate metric testing templates	10	40	100	0	50	0	10	20	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Prepare Monitoring Plan for 1st year per Consent Decree par. 652; prepare overall Work Plan and work with CPD & Parties to finalize mutually-agreed-upon version	70	300	30	10	150	25	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Investigate availability of external resources (City, State, etc.) to support execution of Work Plan, metrics testing, etc.	25	50	30	0	50	20	50	0	0	50	20	50	0	0	50	20	40	0	0	40	20	40	0	0	50
Totals	115	430	315	10	300	45	170	50	0	50	20	50	0	0	50	20	40	0	0	40	20	40	0	0	50

Phase 3 Hours

	Year 1					Year 2					Year 3					Year 4					Year 5				
	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe
Assess accuracy & completeness of testing populations	10	100	215	0	0	5	100	200	0	0	5	100	175	0	0	5	100	150	0	0	5	100	150	0	0
Derive samples from individual populations	5	30	108	0	0	5	30	100	0	0	5	30	100	0	0	5	30	100	0	0	5	30	100	0	0
Test items and analyze results; includes any needed training of testers	10	200	2118	953.1	0	8	180	2059	926	0	7	175	2000	900	0	7	150	1882	847	0	7	150	1882	847	0
Discuss summarized findings; make recommendations	75	300	30	0	100	75	300	30	0	100	75	300	30	0	100	60	300	30	0	100	60	300	30	0	100
Assess progress on Monitoring Plan compliance; discuss with CPD, Parties	80	350	20	0	100	80	350	20	0	100	80	350	15	0	100	60	350	10	0	100	60	350	10	0	100
Totals	180	980	2491	953.1	200	173	960	2409	926	200	172	955	2320	900	200	137	930	2172	847	200	137	930	2172	847	200

Factor representing average number of minutes for testing each item: 0.4265
 (Factor of 1 translates to 30 minutes per item)

Phase 4 Hours

	Year 1					Year 2					Year 3					Year 4					Year 5				
	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe	J. Bunge	QE Support	BDO	MT	McCabe
Examine evidence, analyze results, summarize findings	40	120	50	0	60	40	120	50	0	60	40	120	40	0	60	40	120	35	0	60	40	120	30	0	60
Make recommendations	10	20	16	16	30	10	20	16	16	30	10	20	16	16	30	10	15	8	8	30	10	15	8	8	30
Draft semi-annual reports	20	100	30	0	32	20	100	30	0	32	20	100	30	0	32	20	100	30	0	32	20	100	30	0	32
Finalize and issue semi-annual reports	8	20	0	0	10	8	20	0	0	10	8	20	0	0	10	8	20	0	0	10	8	20	0	0	10
Totals	78	260	96	16	132	78	260	96	16	132	78	260	86	16	132	78	255	73	8	132	78	255	68	8	132

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October 11, 2018

VIA E-MAIL

Mr. Jon Bunge, JD
Quinn Emanuel Urquhart & Sullivan LLP
191 N. Wacker Drive
Suite 2700
Chicago, IL 60606

Re: Chicago Police Consent Decree Independent Monitor Selection Process

Dear Mr. Bunge:

Thank you for your submissions in response to the Request for Proposals issued jointly by the Office of the Illinois Attorney General and the City of Chicago and your ongoing interest in serving as the Independent Monitor. We would like to provide some additional information regarding the next phase of the process.

We will notify those teams who have advanced to the finalist stage during the week of October 15. Please be advised that all finalists will be required to submit an answer to the following question in writing on or before October 26.

Please advise if any team member has:

- *Been terminated from employment or a consulting contract, or resigned from employment, a consulting contract, or a professional board or organization because of a report or allegation of misconduct;*
- *Been accused or adjudicated to have engaged in professional misconduct (for attorneys, only report sustained complaints to the Bar); or*

Mr. Jon Bunge, JD
October 11, 2018
Page 2

- *Been sued for professional or employment related actions and the case was settled, either by the member or an employer of the member, or adjudicated.*

Your written responses should be submitted in electronic format (PDF) and emailed to LTScruggs@duanemorris.com and to the City at Aslagel@taftlaw.com. Please include "City of Chicago Police Department Independent Monitoring Proposal – Supplemental Information" in the email subject line. If you have any questions or concerns regarding your ability to provide a response, please contact Lisa and Allan before October 17 to schedule a mutually convenient time for discussion.

Sincerely,

Lisa T. Scruggs
For the Office of the Attorney General
For the State of Illinois

Allan T. Slagel
For the City of Chicago

LTS/saw