

Capitalizing on Crisis: Chicago Policy Responses to Homicide Waves, 1920–2016

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This Essay investigates Chicago city-government policy responses to the four largest homicide waves in its history: 1920–1925, 1966–1970, 1987–1992, and 2016. Through spatial and historical methods, we discover that Chicago police and the mayor’s office misused data to advance agendas conceived prior to the start of the homicide waves. Specifically, in collaboration with mayors, the Chicago Police Department leveraged its monopoly over crime data to influence public narratives over homicide in ways that repeatedly (1) delegitimized Black social movements, (2) expanded policing, (3) framed homicide as an individual rather than systemic problem, and (4) exclusively credited police for homicide rate decreases. These findings suggest that efforts to improve violence-prevention policy in Chicago require not only a science of prevention and community flourishing but also efforts to democratize how the city uses data to define and explain homicide.

German sociologist Max Weber famously described the modern state as unique because of its monopoly over the legitimate use of violence.¹ Many of Chicago’s debates over police reform and violence prevention involve efforts to transform this monopoly. To move beyond a public-safety model that relies on police violence, advocates and community groups have lobbied for alternative approaches. Despite periods of successful violence-prevention programming in Chicago history, alternatives to police have not been institutionalized in city, county, or state government. As funding for violence-prevention programs has waxed and waned, the Chicago Police Department (CPD) has seen consistent growth in its

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¹ See generally MAX WEBER, *POLITICS AS A VOCATION* (1919), reprinted in *THE VOCATION LECTURES 33* (David Owen & Tracy B. Strong eds., Rodney Livingstone trans., 2004).

budget, funded through a combination of city taxes, federal grants, and gifts from private donors.² How have the CPD and the city of Chicago consistently warded off threats to their monopoly over the provision of public safety?³

Although previous research points to the importance of federal aid for the steady growth of city police departments since the 1960s, in this Essay we focus on an important yet understudied topic—city responses to homicide waves. Sudden increases in violent crimes like homicide create legitimacy crises for police by prompting increased scrutiny and attention on police departments as citizen demand for public safety increases. We analyze how the CPD and the mayor’s office responded to the legitimacy crises produced by Chicago’s four largest homicide waves from 1920 to the present. The four waves took place from 1920 to 1925, from 1966 to 1970, from 1987 to 1992, and in 2016.

Our inductive analysis reveals that the CPD responded to each wave by espousing racialized anti-Black explanations for homicide increases that diverted responsibility away from the mayor or police. Over time, the CPD has increasingly made use of its monopoly on crime data to legitimize these “condemnation[s] of Blackness.”⁴ By “monopoly on data,” we do not mean the refusal to share all data. Starting in the 2000s, the city and the CPD publicly shared data on the time and place of crimes through the city’s open data portal. Rather, when we refer to the police monopoly, we mean the exclusive possession of raw data and detailed crime reports that inhibit researchers from fact-checking police-department analyses and claims about crime. The open data portal does not provide the data necessary for such fact-checking. This gives the city and the CPD a monopolistic platform to define and explain increases and decreases as they see fit, with little social-scientific oversight.

² See Robert Vargas & Philip McHarris, *Race and State in City Police Spending Growth: 1980 to 2010*, 3 SOCIO. RACE & ETHNICITY 96, 100, 102, 108–09 (2017); cf. ELIZABETH HINTON, *FROM THE WAR ON POVERTY TO THE WAR ON CRIME: THE MAKING OF MASS INCARCERATION IN AMERICA* 76, 102, 113, 159, 257–59, 268–69 (2016).

³ While there is considerable overlap between the city and the CPD, when we refer to the city, we are primarily talking about the response from the mayor’s office. When we talk about the police, we are primarily referring to the police department’s response. Though they work together, for purposes of this analysis, we discuss them as two separate entities.

⁴ KHALIL GIBRAN MUHAMMAD, *THE CONDEMNATION OF BLACKNESS: RACE, CRIME, AND THE MAKING OF MODERN URBAN AMERICA* 68 (2019).

Findings revealed that during each wave the city and the CPD represented homicide and its causes as rooted in Black communities presented as incapable of rehabilitation. More importantly, beginning in the 1960s, the city and the CPD used data to delegitimize critics and organizations advocating for nonpunitive responses to homicide increases. Most recently, in 2016, the city and the CPD leveraged their data monopoly even further to constrain research on homicide by restricting the kinds of research questions that scholars can investigate with the police department's raw data and detailed reports. Specifically, the CPD accomplished this through data agreements—which researchers must sign—that stipulate the CPD's power not only to take away a researcher's data at any moment but also to refuse all future requests from that researcher.

By selectively sharing data with the public and signing data agreements that constrain researchers, the CPD continues to legitimize its existence—and advocate for its expansion—by keeping the public focused on deviant individual behavior rather than systemic problems like state budget cuts, institutional racism, and economic inequality. In addition, the CPD has used its monopoly to pin responsibility for the homicide increase on nonpunitive social-service programming and Black social movements. By capitalizing on the crises brought by homicide waves, the city and the CPD have emerged from each homicide wave with more funding for police officers and surveillance technologies.

Our findings have two overarching implications. First, social scientists and journalists need to more rigorously question both the mayor and the CPD about their uses of data when those entities describe and justify responses to homicide waves. Second, our analysis indicates that, in Chicago, associating criminality with Blackness has been extremely effective when pushing for increased police funding, police hires, and new police technology over the last fifty years. Efforts to reform policing—or outsource violence prevention to nonprofits—cannot significantly advance without simultaneous efforts to democratize crime-data access and resist city efforts to capitalize on racialized public anxiety over homicide.

I. METHODS

To describe the characteristics of each homicide wave, we analyzed homicide rates by community area during the time periods when Chicago experienced the steepest homicide increases

between 1890 and 2016. We chose community areas because they were the only geographic unit of analysis consistent across each time period. Community areas also had the advantage of having population counts across each of these time periods. We used linear interpolation to fill in data for years between decennial censuses.

To produce community-area homicide rates at each period, we leveraged multiple data sources. For the 1920–1925 homicide wave, we aggregated geocoded homicide data from Northwestern University’s Chicago Historical Homicide Project.⁵ For the 1966–1970 and 1987–1992 waves, we used Carolyn Rebecca Block and Professor Richard Block’s *Homicides in Chicago, 1965-1995*.⁶ Finally, for 2016, we used data from the city of Chicago’s data portal.⁷ All datasets are publicly available. Our code and data are available upon request. We analyzed community-area-level homicide rates by grouping them into deciles for each year of each homicide wave.

Our archival research for the 1920s relied primarily on JSTOR’s historical-newspaper archive as well as historical books and academic articles on the period. We used keyword Boolean searches involving terms such as “police,” “crime,” “bootlegging,” “race,” and “Black Belt” to identify relevant sources. For historical figures like Mayor William Dever and Mayor Bill Thompson, we identified biographical pieces and articles devoted specifically to their tenures. Historical newspapers provided additional insight into less-prominent actors who were important voices in shaping the homicide narratives that dominated each period. We also used academic articles and books on crime in Chicago as supplementary material. Because of widespread historical interest in Al Capone and bootlegging, the scholarly literature on crime during this period is much larger than the corresponding literature on political actors.

Our archival research for the 1960s relied primarily on ProQuest’s newspaper database of the *Chicago Tribune* and the *Chicago Defender* as well as secondary histories on Mayor Richard J. Daley and the civil rights movement in this time period. For the newspaper database, we used Boolean searches for terms such as

⁵ Leigh B. Bienen, Juana Haskin, Dennis Glenn & Mark Swindle, *Homicide in Chicago 1870-1930*, CHI. HIST. HOMICIDE PROJECT AT NW. UNIV. (last updated July 3, 2019), available at <https://perma.cc/9Y3S-P57V>.

⁶ Carolyn Rebecca Block & Richard L. Block, *Homicides in Chicago, 1965-1995*, NAT’L ARCHIVE OF CRIM. JUST. DATA, available at <https://perma.cc/J42U-JF9T>.

⁷ City of Chi., *Crimes - 2016*, CHI. DATA PORTAL, <https://perma.cc/BQV3-KXTF>.

“police,” “Mayor Daley,” “Wilson,” “homicide,” “murder,” and “crime.”

Our archival research for the 1980s relied primarily on ProQuest’s newspaper database of the *Chicago Tribune* along with Access World News’ database of the *Chicago Sun-Times* and the *Chicago Metro News*. Similar search terms to the 1960s were used, with “Wilson” being changed to “Martin.”⁸

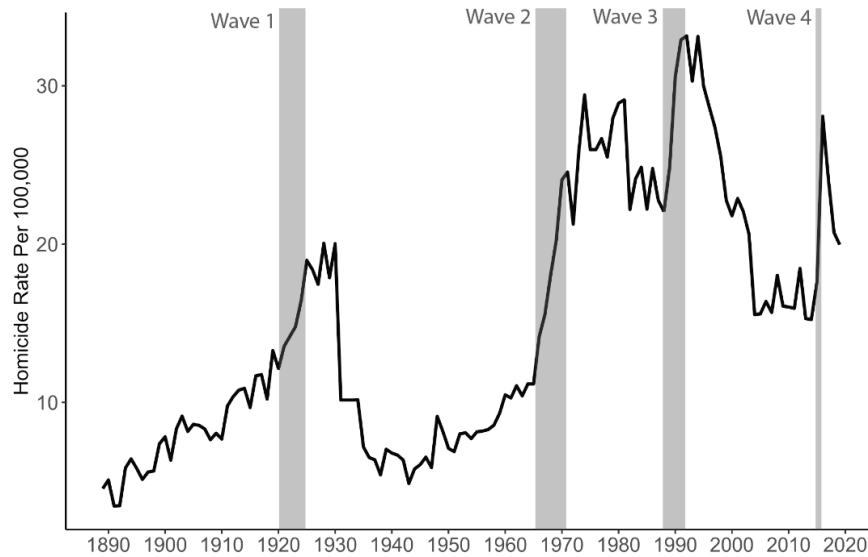
We identified archival material for 2016 using a very similar process of leveraging books, newspaper articles, academic articles, and media coverage such as press conferences, recorded news segments about crime, and television interviews with city leaders about homicide. An especially useful resource for understanding the city’s response in 2016 was the annual police reports from the CPD, which detailed personnel changes, new programs, and responses to crime.

II. FINDINGS

The time-series graph of Chicago’s homicide rate from 1890 to 2019, shown in Figure 1, illuminates the four largest waves, which occurred in 1920–1925, 1966–1970, 1987–1992, and the year 2016. We define a homicide spike as any time period in which homicide rates substantially increase. The magnitude of each homicide wave increased over time, with a 0.534 jump in the homicide rate (homicides per 100,000 Chicago residents) during Wave 1, a 0.624 jump in Wave 2, a 0.868 jump in Wave 3, and a massive 10.444 jump in Wave 4.

⁸ O.W. Wilson was the CPD’s superintendent of police from 1960 to 1967. LeRoy Martin was superintendent of police from 1987 to 1992.

FIGURE 1: TIME-SERIES GRAPH OF CHICAGO HOMICIDE RATE SINCE 1890



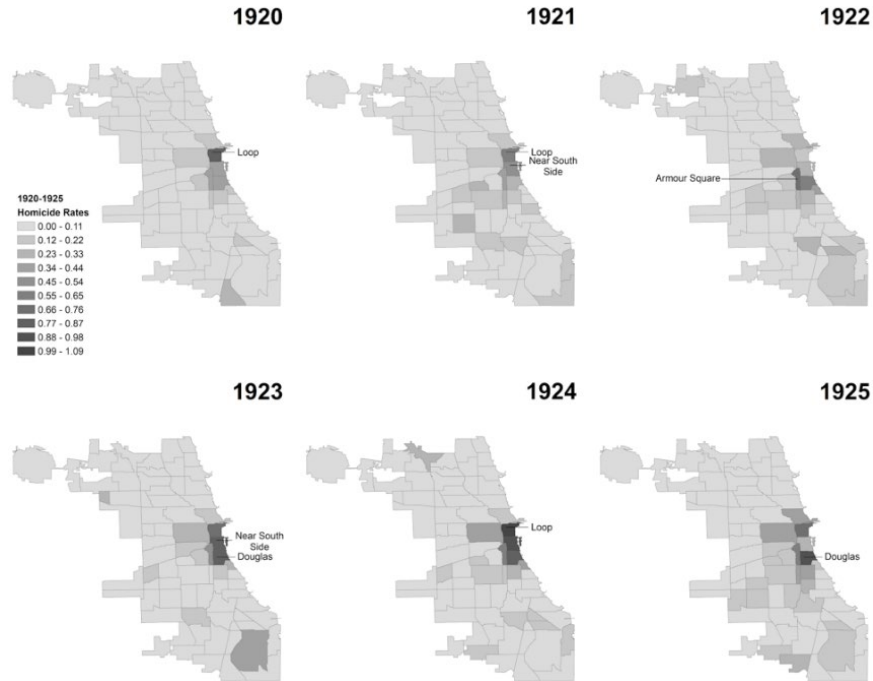
The highest homicide rates have been consistently concentrated in the South Side, with the exception of high homicide rates downtown during Waves 1 and 2. The communities most affected during each homicide wave have been located in predominantly Black, low-income areas.

A. Violent Suppression and Racializing Crime, 1920–1925

Figure 2 reveals that the Loop and Near South Side bore the brunt of Chicago's 1920–1925 homicide wave. These community areas maintained the highest homicide rates throughout the six-year wave, which peaked in 1924 and 1925. Bootlegging and control over alcohol due to prohibition were so intense that they related to 40% of all reported homicides between 1919 and 1933.⁹

⁹ John J. Binder & Mars Eghigian Jr., *Gangland Killings in Chicago, 1919-1933*, 29 J. CONTEMP. CRIM. JUST. 219, 220 (2013).

FIGURE 2: COMMUNITY-AREA HOMICIDE RATE
BY DECILE, 1920–1925



During this time period, the Loop was a predominantly White area undergoing rapid building construction and improvement in services.¹⁰ The Near South Side was similarly characterized by development, with major infrastructure on the lakeshore and the construction of several public buildings, including the Field Museum, Soldier Field, Adler Planetarium, and Shedd Aquarium.¹¹ Meanwhile, Douglas (known as the Black Metropolis) was home to the “center for African-American business and political power nationally.”¹² Armour Square was one-quarter Black, and would grow to be one-half Black by the middle of the century as a result

¹⁰ GLEN E. HOLT & DOMINIC A. PACYGA, *CHI. HIST. SOC'Y, CHICAGO: A HISTORICAL GUIDE TO THE NEIGHBORHOODS: THE LOOP AND SOUTH SIDE 20–22* (1979); *see also A Century of Change in Chicago's Demographics*, CHI. AGENT MAG., <https://perma.cc/G4VN-JHUN>.

¹¹ HOLT & PACYGA, *supra* note 10, at 18–26.

¹² Christopher R. Reed, *CA35—Douglas*, in *LOCAL COMMUNITY FACT BOOK: CHICAGO METROPOLITAN AREA 1990*, at 122 (The Chi. Fact Book Consortium ed., 1995).

of the Great Migration.¹³ The area was beginning to see an influx of Chinese residents as well.¹⁴

The first three years of the homicide wave occurred under the leadership of Mayor William Thompson, who is often referred to as the most corrupt mayor in Chicago history due to his ties to organized crime and his police chief's turning a blind eye to illegal gambling and alcohol rackets.¹⁵ During this time, partnerships between law enforcement, politicians, and gangs throughout the city were strong and not especially secretive.¹⁶ Close ties with the mayor generally ensured that law enforcement would not interfere with or arrest an individual for criminal activity.¹⁷ Newspaper archives from 1920–1922 seldom mention any increase in violence, crime, or homicide. We found no evidence that Thompson even acknowledged homicide as a problem.

Corruption under Thompson reached a boiling point when his chief of police was indicted and a notebook belonging to a police lieutenant was found that identified hotels and gambling houses that should not be raided.¹⁸ Perhaps the most sobering instance of corruption occurred with the murder of a district attorney who was in the company of individuals he had previously failed to convict.¹⁹ The 1920s ignited an unprecedented movement for political reform. To avoid getting displaced by that movement, Thompson declined to run for reelection in 1923, opening the door for the election of William Dever, a reformer who promised to vigorously enforce prohibition.

Once in office, Dever kept his promise to enforce prohibition, with his administration even threatening law-enforcement officers with suspension if they did not enforce it.²⁰ Dever ramped up patrols, arrests, and license revocations against crime

¹³ M.W.H. & Will Hogan, *CA34—Armour Square*, in LOCAL COMMUNITY FACT BOOK: CHICAGO METROPOLITAN AREA 1990, *supra* note 12, at 120, 120.

¹⁴ *Id.*

¹⁵ See Mark H. Haller, *Police Reform in Chicago*, 13 AM. BEHAV. SCIENTIST 649, 654–55 (1970); *The Most Corrupt Public Official in Illinois History: William Hale Thompson*, NBC 5 CHI. (Jan. 25, 2012), <https://perma.cc/22M9-GCBB>.

¹⁶ See Mark H. Haller, *Historical Roots of Police Behavior: Chicago, 1890-1925*, 10 LAW & SOC'Y REV. 303, 315–17 (1976); see also Joseph Spillane, *The Making of an Underground Market: Drug Selling in Chicago, 1900–1940*, 32 J. SOC. HIST. 27, 37 (1998).

¹⁷ See Spillane, *supra* note 16, at 37; see also Haller, *supra* note 16, at 306–08 (describing the control that the mayor's office and other politicians had over the police force).

¹⁸ Haller, *supra* note 15, at 654.

¹⁹ June Sawyers, *Who, Everyone Wanted to Know, Killed McSwiggin?*, CHI. TRIB. (Nov. 27, 1988), <https://perma.cc/T8KS-EX2E>; DOUGLAS BUKOWSKI, *BIG BILL THOMPSON, CHICAGO, AND THE POLITICS OF IMAGE* 203 (1998).

²⁰ Haller, *supra* note 15, at 655.

organizations throughout the city²¹ and executed a massive initiative to arrest suspected criminals.²² Dever also shut bootleggers and organized-crime entities out of their transactions with city hall, politicians, and law enforcement.²³

Despite these efforts, homicide rates in Chicago only worsened under the Dever administration. Before Dever took office in 1923, there were 9 homicides related to bootlegging and twenty homicides related to organized crime between the years of 1919 and 1922.²⁴ By comparison, 153 homicides related to organized crime occurred during Dever's tenure as mayor between 1923 and 1927.²⁵ Dever's tough-on-crime approach made him unpopular with organized-crime figures like Al Capone. This set the stage for a hard-fought 1927 mayoral election; with the support of organized crime and corrupt city officials, ex-mayor Thompson sought reelection.²⁶

As the 1927 election approached, Dever transformed his response to homicide into a racialized reelection campaign. In addition to referring to Black saloons as magnets for crime, Dever's campaign went so far as to claim that the existence of such saloons was responsible for the 1919 race riots.²⁷ In speeches and correspondence leading up to the 1927 election, Dever's campaign began to invoke "Black criminality" as justification for demanding more resources for law enforcement.²⁸ For example, despite the presence of alcohol sales and consumption throughout Chicago as well as the high prevalence of homicide in the predominantly White Loop, seven of the eight wards Dever targeted for increased enforcement and arrests were in the Black Belt on Chicago's South Side.²⁹

In a strategy memo, Dever's campaign sought to "appear in the role of a Knight Errant who will save the citizens from a very

²¹ JAMES L. MERRINER, *GRAFTERS AND GOO GOOS: CORRUPTION AND REFORM IN CHICAGO, 1833–2003*, at 111 (2004).

²² *Fill Cells with Gangsters: Chief Leads Drive to Jail All Suspects*, CHI. TRIB., Nov. 16, 1924, at 1.

²³ *See Mayor Closes 35 Saloons and Brewery "Mint"*, CHI. TRIB., Sept. 30, 1923, at 6 (quoting Dever as saying that "[o]ur policy will be to hammer away along the same lines").

²⁴ Binder & Eghigian, *supra* note 9, at 222.

²⁵ *Id.*

²⁶ MERRINER, *supra* note 21, at 115–17.

²⁷ THOMAS A. GUGLIELMO, *WHITE ON ARRIVAL: ITALIANS, RACE, COLOR, AND POWER IN CHICAGO, 1890–1945*, at 99 (2003).

²⁸ *Id.* at 98–100.

²⁹ Spillane, *supra* note 16, at 40.

real peril that even the most illiterate can understand.”³⁰ The memo went on to state that Democrats should capitalize on the fear that Black people were going to invade White neighborhoods and cause property to depreciate.³¹ In stoking White fear, the Dever campaign posited the mayoral race as a choice between Thompson, the candidate for Black invasion, and Dever, the defender of White families.³² One Dever campaign slogan read: “Negroes First—William Hale Thompson for Mayor.”³³ Other racist campaign tactics included: (1) distributing pamphlets with a cartoon of Thompson ignoring a White child and kissing a Black child and a slogan accusing Thompson of “talking America first, but acting Africa First,” (2) posters asking “Is the Negro or the White Man to Rule Chicago?”, (3) vehicles repeatedly playing “Bye, Bye Blackbird” in the Loop, and (4) staging a fake Thompson rally in the predominantly White Loop—Black Chicagoans were invited to the rally to simulate a Black invasion.³⁴

In March 1927, Dever ordered police to raid the Black Belt—shutting down Black businesses and making a new wave of arrests—stating that it was needed to curb crime.³⁵ In public, police chief Morgan Collins cited Black criminality to explain the raids. “[W]hite people did not dare stand on the sidewalks for fear that they would be elbowed off,” Collins said.³⁶ “[A]n orgy of lawlessness has been promoted in the colored wards.”³⁷ Dever’s chief also claimed that it was imperative to raid the Black Belt because Black men were taking White girls to the South Side and engaging in racial mixing.³⁸ As the campaign waned, Dever and his chief would justify continued raids by calling the Black Belt “a disgrace to civilization” that required constant police activity

³⁰ GUGLIELMO, *supra* note 27, at 99 (citing Memorandum, Equal Rights to All, Special Privileges to None. General Outlines of the Campaign 2 (c. March 1927) (on file at Box 8, Folder 61, William E. Dever Mayoralty Papers, Chi. Hist. Soc’y) [hereinafter Dever Campaign Memo]).

³¹ *Id.* (citing Dever Campaign Memo, *supra* note 30).

³² *Id.* (citing Dever Campaign Memo, *supra* note 30).

³³ *Id.* at 100.

³⁴ *Id.*

³⁵ See *Black Belt Raids Are Storm Center: Dever Defends, Thompson Men Assail Police*, CHI. TRIB., Mar. 10, 1927, at 1; see also GUGLIELMO, *supra* note 30, at 99–100.

³⁶ GUGLIELMO, *supra* note 30, at 100 (quoting *Dever Defends Thompson Men Assail Police*, CHI. TRIB., Mar. 10, 1927, at 1).

³⁷ *Id.* (quoting *Delay Inquiry in Police Raids on South Side*, CHI. TRIB., Mar. 11, 1927, at 1).

³⁸ *Id.* (quoting *Thompson Men Fail to Press Cossack Charge: Council Group O. K.’s Police Raids in Black Belt*, CHI. TRIB., Mar. 25, 1927, at 7 [hereinafter *Thompson Men*])

because Black people were prone to crime.³⁹ In the end, Dever's racist campaign failed. Thompson won the election of 1927 with the help of Black voters.⁴⁰

A pattern in the city's response to a homicide wave begins to emerge here. When the public calls upon city leadership to improve public safety, punitive measures are introduced that disproportionately focus on Black communities.

B. Leveraging Data to Blame the Civil Rights Movement and Expand Police Power, 1966–1970

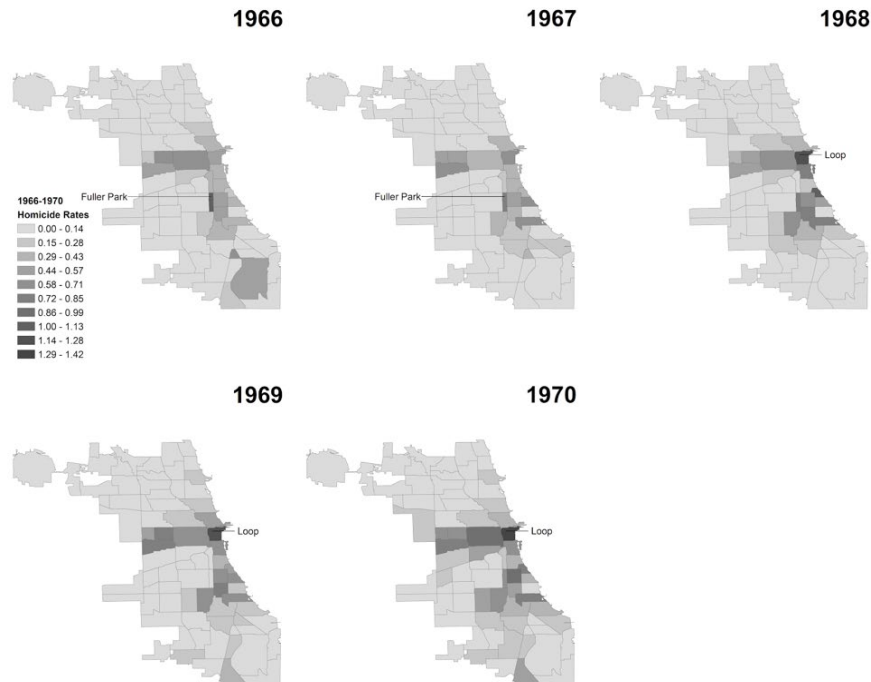


Figure 3 shows the community areas where homicide was most concentrated in the 1966–1970 wave. Homicide spiked in the downtown, South Side, and West Side areas of Chicago. In the first two years, Fuller Park was the community area with the

³⁹ *Id.* (quoting *Thompson Men*, *supra* note 38).

⁴⁰ Robert M. Lombardo, *The Black Mafia: African-American Organized Crime in Chicago 1890–1960*, 38 *CRIME, L. & SOC. CHANGE* 33, 44 (2002); see also MERRINER, *supra* note 21, at 116.

highest homicide rates, while the last three years of the wave saw the Loop face the highest homicide rates.

The 1966–1970 homicide wave coincided with another period of upheaval in Chicago as economic conditions, especially in Chicago’s Black neighborhoods, deteriorated precipitously.⁴¹ Although the CPD published data showing that homicide rates had been increasing as early as 1964,⁴² the homicide increase was not framed as a major problem until late in the summer of 1966. Then, the CPD leadership and Mayor Richard J. Daley framed homicide as a problem of youth gangs, easy access to handguns, and the perceived disorder stemming from civil rights demonstrations.⁴³ The mayor, working closely with the CPD, believed that the proper policy response was a return to “law and order” through more investments in policing and harsher criminal punishments.⁴⁴

The city’s initial response to the wave in 1966 and 1967 was to double down on existing practices of aggressive policing and surveillance of Black communities, advocating stricter gun-control laws, and seeking expanded police powers.⁴⁵ As the homicide wave persisted through the end of the decade, Daley—flanked by top CPD brass and Cook County State’s Attorney Edward Hanrahan—pushed for even more punitive measures to wage war on “gang structures.”⁴⁶ This punitive push, led by the scandal-plagued and violent Gang Intelligence Unit (GIU), became increasingly

⁴¹ See SIMON BALTO, *OCCUPIED TERRITORY: POLICING BLACK CHICAGO FROM RED SUMMER TO BLACK POWER 175–76* (2019).

⁴² OFF. OF THE SUPERINTENDENT OF POLICE, CITY OF CHI., *CHICAGO POLICE STATISTICAL REPORT 1965*, at 9 (1965).

⁴³ See, e.g., *O.W. Fearful of Record in Homicide*, CHI. DAILY DEF., June 1, 1967, at 3; *Daley Makes Plea to City: ‘Must Protect Rights of Everyone’*, CHI. TRIB., Aug. 20, 1966, at A1; *Crime Rates up Again*, CHI. TRIB., Sept. 22, 1966, at 24; *Chicago Crime Statistics: Wilson Cites Gains in Homicides, Crime*, CHI. TRIB., Apr. 5, 1967, at B11.

⁴⁴ Mayor Richard J. Daley, *Mayor Richard J. Daley Inaugural Address, 1967* (Apr. 20, 1967), in CHI. PUB. LIBR., <https://perma.cc/87EL-KT39>; cf. John Elmer, *Daley Rips Critics of Rights Gains*, CHI. TRIB., Mar. 21, 1967, at A5; Robert Loerzel, *Evolution of Chicago’s Handgun Ban*, WBEZ CHI. (June 27, 2011), <https://perma.cc/49RF-WAFJ>.

⁴⁵ See BALTO, *supra* note 4141, at 154–64, 175–79, 192–94; *Wilson Seeks Tax Bill to Assist Police*, CHI. TRIB., Feb. 3, 1967, at B17; *Try Again for State Law to Register All Guns*, CHI. TRIB., Feb. 23, 1967, at 7; *Daley Asks Gun Law Support*, CHI. TRIB., Mar. 7, 1967, at B2; *Rise in Crime Due to Drouth, Wilson Says*, CHI. TRIB., June 1, 1967, at 24; *Police Report Rise in Chicago Murders*, CHI. TRIB., June 28, 1967, at C8.

⁴⁶ Betty Reed, *Gangs and Fair Housing*, CHI. TRIB., May 29, 1969, at 24; see also Donald Mosby, *Metcalfe Urges Support for Fight Against Gangs*, CHI. DAILY DEF., May 21, 1969, at 3; Pierre Guilment, *Through Eyes of Blacks See Hanrahan a Political Liability*, CHI. DAILY DEF., Dec. 8, 1969, at 2; *Mayor Calls Parley Today on Violence*, CHI. TRIB., May 26, 1969, at C11.

focused on gang activity in Black neighborhoods.⁴⁷ This response was driven by ever-increasing funding, manpower, and general powers for the CPD, as its total personnel grew from around 13,000 to almost 16,000 and its budget more than doubled from \$90 million to \$190 million from 1965 to 1970.⁴⁸

Community groups like the Woodlawn Organization (TWO) and the Coalition for United Community Action (CUCA) sought to address the homicide wave through community organizing for anti-racism and job programs.⁴⁹ Daley, however, had no interest in such community organizing, especially when gangs and gang members participated. Crucially, the Daley administration treated community efforts to address the homicide wave with the same disdain, whether such efforts came from social-movement and war-on-poverty organizations or from gangs.⁵⁰

In 1967, the city formed the GIU, whose then-leader, Officer Edward Buckney, bluntly admitted that the GIU was “not concerned with sociological approaches.”⁵¹ In fact, GIU officers often intentionally *inflamed* conflicts between gangs and actively disrupted gang-affiliated efforts to bring job placement and training to their neighborhoods.⁵² While city hall was at least nominally willing to support jobs programs for young people—provided that they were strictly under the control of city hall—it vehemently resisted attempts to work with gangs and instead viewed gang-related homicides as a criminal problem that could only be solved with more punitive policies.⁵³

⁴⁷ See BALTO, *supra* note 41, at 201–04.

⁴⁸ *Id.* at 164.

⁴⁹ See *id.* at 177–78.

⁵⁰ See NICHOLAS LEMANN, *THE PROMISED LAND: THE GREAT BLACK MIGRATION AND HOW IT CHANGED AMERICA* 177–78, 244–45 (1992); see also BALTO, *supra* note 41, at 201–02 (describing how the Daley administration and the GIU sought to sabotage community-improvement organizations in which gangs participated).

⁵¹ BALTO, *supra* note 41, at 202 (quoting James Alan McPherson, *Chicago's Blackstone Rangers (Part I)*, *THE ATLANTIC* (May 1969), <https://perma.cc/2DYV-YHMV>).

⁵² See *id.* at 177–79, 201–04.

⁵³ See LEMANN, *supra* note 50, at 244–53; Toussaint Losier, *The Rise and Fall of the 1969 Chicago Jobs Campaign*, 49 U. MEM. L. REV. 101, 107 (2018). It is important to note the considerable policy and scholarly debate over defining a “gang.” Gangs in Chicago date back as early as the 1920s. See generally Binder & Eghigian, *supra* note 9. While some define gangs by their criminal behavior, the term has been applied in broad and often discriminatory ways. For example, many youth gangs on the West and South Sides emerged in the late '50s as social movements and were deemed gangs more for their political stances than for their criminal behavior. More recently, journalists and researchers have found that the CPD's “gang database” includes many non-gang members. See, e.g.,

The 1960s homicide wave was the first wave during which the CPD used comprehensive data on homicides and other crimes to legitimize its requests for more city, state, and federal funding. After being appointed by Daley in 1960, police superintendent O.W. Wilson, the former dean of the Berkeley School of Criminology and president of the American Society of Criminology, led an effort to more comprehensively incorporate data into department policy decisions.⁵⁴

Beginning in 1963, the CPD began tracking crime annually, in thirteen four-week periods, and consistently publicized statistics on major crimes along with comments to the press. The department defined major crimes as murder, rape, serious assault, robbery, burglary, theft over \$50, and car theft. The CPD frequently referred to these as index crimes and combined them to form one crime statistic.⁵⁵ These periodic department reports were always well covered in the press, with the statistical tables themselves comparing current and previous years.⁵⁶ It is crucial to note that the comparisons between years were for the total number of crimes, not population-adjusted crime rates.⁵⁷

Although the CPD began reporting that data in 1963, the CPD did not comment much on homicide when the homicide rate began trending upward in 1965. In media coverage throughout 1966, the CPD gave little attention to the almost-consistent

Annie Sweeny, *Massive Gang Database Kept by Chicago Police Under Fire as Inaccurate, Outdated*, CHI. TRIB. (April 30, 2018), <https://perma.cc/BEF5-LN98>; JOHN HAGEDORN, ROBERTO ASPHOLM, TERESA CÓRDOVA, ANDREW PAPACHRISTOS & LANCE WILLIAMS, *THE FRACTURING OF GANGS AND VIOLENCE IN CHICAGO* 12 (2019); see also BALTO, *supra* note 41, at 176–79; ANDREW J. DIAMOND, *MEAN STREETS: CHICAGO YOUTHS AND THE EVERYDAY STRUGGLE FOR EMPOWERMENT IN THE MULTIRACIAL CITY, 1908-1969*, at 276–77 (2009).

⁵⁴ BALTO, *supra* note 41, at 154, 162–64; see WILLIAM J. BOPP, O. W.: O. W. WILSON AND THE SEARCH FOR A POLICE PROFESSION 98–99 (1977). Although, it is worth mentioning that the department had been plagued by past scandals surrounding underreporting and generally inaccurate reporting of all crimes, homicide included, as recently as 1958. See Max Sanderby & Bruce Taylor, *Fake Records Hamper Police Expansion, Crime Expert Says*, CHI. SUN-TIMES, Dec. 19, 1958, at 7; *Findings Surprise Daley, O'Connor*, CHI. SUN-TIMES, Dec. 7, 1958, at 3.

⁵⁵ See *Police Tell of Increase in Major Crimes*, CHI. TRIB., May 16, 1964, at A1.

⁵⁶ A complete list of reporting on crime reports would be too long. For some examples, see *Major Crime Totals Rose in May: Conlisk*, CHI. TRIB., June 14, 1969, at N20; *Crime in City Rises 30 Pct. in Last Month*, CHI. TRIB., Dec. 13, 1967, at A10; *Chi.'s Crime Rate Down 12% Wilson Reports*, CHI. DAILY DEF., Jan. 13, 1966, at 4; *Crime Down 13.1 Per Cent, Wilson Says: Preventive Patrols Are Given Credit*, CHI. TRIB., Nov. 18, 1964, at 10; and *City Crime Statistics*, CHI. TRIB., May 5, 1965, at G11. Generally, the *Chicago Tribune* published these reports every four weeks, along with annual reports at the start of the new year.

⁵⁷ See, e.g., *Crime in City Rises 30 Pct. in Last Month*, *supra* note 56.

increase in homicides during each four-week period compared to the previous year. Instead, city officials focused on the fact that major crimes were trending downward overall.⁵⁸ When interviewed by the *Chicago Tribune* in February 1965, Wilson was asked if he had any plans to address an uptick in “street crimes,” like the recent murder of a sixty-six-year-old man by three teenagers.⁵⁹ He said that there would be no new response, just further reliance on his strategy of “preventive patrol.”⁶⁰ In practice, Wilson’s strategy of “aggressive preventive patrol” in “high-crime” areas only resulted in increased policing of non-White areas and more arrests for nonserious offenses, creating a self-perpetuating cycle.⁶¹

As homicide rates continued increasing in 1965, the CPD blamed the increase on extreme weather or just argued that the problem was beyond their control. In the summer of 1964, Wilson told the press that, for the sixth police period in a row, “we have enjoyed a decrease” in crime, despite the fact that homicides were up in that year to date.⁶² In late July and early August, when homicides for that four-week period increased from twenty-three people in 1964 to fifty people in 1965, Wilson blamed it on “hot weather, and a lot of people getting mad at each other.”⁶³ At the end of the year, Wilson praised the CPD for driving the overall rate of crime down while dismissing the homicide increase because he claimed that it, along with rape, was the hardest crime to control with patrolling.⁶⁴

City hall was similarly silent about the uptick in homicide. During the summer of 1966, when homicides spiked again—including an increase from fifty in the summer of 1965 to seventy-two in the summer of 1966—the CPD again blamed it on the

⁵⁸ See, e.g., *Serious Crime Drops 20 Pct., Police Report: Only Homicides Go up in 28 Days*, CHI. TRIB., Dec. 16, 1964, at C17; *Wilson Reports Another Drop in City’s Crime*, CHI. TRIB., Sept. 28, 1964, at 4.

⁵⁹ Clay Gowran, *Wilson Tells Views on Crime*, CHI. TRIB., Feb. 6, 1965, at 2.

⁶⁰ *Id.*

⁶¹ See BALTO, *supra* note 41, at 159–93; *Wilson Cites Decrease in Total Crimes: But Rises in Specific Types Are Reported*, CHI. TRIB., Aug. 27, 1964, at A3.

⁶² *Compare Wilson Cites Decrease in Total Crimes: But Rises in Specific Types Are Reported, supra* note 61, with *Major Crimes Decline Here; Reverse Trend: Only Rapes Increase in 28-Day Period*, CHI. TRIB., June 3, 1965.

⁶³ *Homicides up, O. W. Blames It on Heat*, CHI. DAILY DEF., Aug. 28, 1965, at 36.

⁶⁴ *Chicago’s Crime Rate Down 12% Wilson Reports*, CHI. DAILY DEF., Jan. 13, 1966, at 4; see also *Wilson Tells of Decline in City’s Crimes*, CHI. TRIB., Jan. 12, 1966, at B10.

summer heat.⁶⁵ Homicide division commander Francis Flanagan proffered the notion that “[p]eople become irritable, more easily aggravated in hot weather” as an explanation.⁶⁶ The one exception was gang-related violence on the South and West Sides. After an uptick in gang-related homicides that summer, the CPD helped engineer a truce between two gangs and increased patrols and surveillance there.⁶⁷ In these early years of the homicide wave, the CPD and Daley centered their narrative about the homicide increase on meteorology.

Things changed abruptly at the end of the summer of 1966, when Daley and Wilson pivoted to blaming the homicide increase on civil rights protests. Although the struggle for racial justice in Chicago did not begin just then, Chicago was in national headlines that summer for civil rights protests led by Martin Luther King Jr., who threatened more marches and civil disobedience if the Daley administration did not move faster on issues of racial justice. Earlier in the summer, the marches put Daley in an awkward position. Large swaths of Daley’s White supporters vehemently and violently opposed the movement and its demands, but Daley could not afford to publicly denounce the movement because of its importance to the Democratic Party nationally.⁶⁸ Wilson also frequently complained that the movement’s marches into White neighborhoods could “trigger a race riot,”⁶⁹ since White residents would frequently riot and attack the marchers, often aided by police indifference.⁷⁰

When crime statistics for mid-August 1966 showed a 25% increase in crime totals from the previous year, Wilson and Daley shifted their narrative about homicide beyond meteorology to the civil rights marches, claiming that they were diverting police officers from their normal duties, thus letting crime skyrocket.⁷¹ Three days later, the city government quickly obtained an injunction in court to block future demonstrations on the grounds of

⁶⁵ *July a Month of Murders—72 in Chicago: Exceeds Old Record by 22 Deaths*, CHI. TRIB., Aug. 2, 1966, at 5.

⁶⁶ *Id.*

⁶⁷ *See Cops Will Get Longer Hours to Curb Teens*, CHI. TRIB., Aug. 6, 1966, at B16.

⁶⁸ *See BALTO*, *supra* note 41, at 185–86.

⁶⁹ Donald Mosby & Arnold Rosenzweig, *O.W. Warns Demonstrators in White Areas: Ogilvie Seeks Anti-march Injunction*, CHI. DAILY DEF., Aug. 10, 1966, at 3.

⁷⁰ *BALTO*, *supra* note 41, at 106–15.

⁷¹ *See, e.g., Crime Rates up Again*, CHI. TRIB., Sept. 22, 1966, at 24; *O.W. Tells Why Crime Is up 25%*, CHI. DAILY DEF., Aug. 24, 1966, at 3; *Marches Hurt Crime Fight, Says Wilson: Cites Rise in Serious Offenses*, CHI. TRIB., Aug. 24, 1966, at 12; *Rights Pickets Have a Frustrating Day: Crime Rises 25 Pct.*, CHI. TRIB., Aug. 17, 1966, at 1.

Wilson's assertion about crime.⁷² That same day, Daley gave a televised address expressing his fear that further protests would result in the "collapse of law and order."⁷³ When the marches died down by November, Wilson was credited with the decrease in major crime, even though homicide was still up 69%.⁷⁴ By late November, Wilson appeared confident about the situation, testifying before the city council that his department was "forecast[ing] a reduction in crime next year."⁷⁵

In January 1967, when the annual crime-statistics report showed that homicides increased by more than one hundred from 1965, Wilson again blamed the high numbers on the summer: "I can only conclude that these disturbances engender an attitude that is in some way conducive to criminal behavior, and that this attitude persists for some time after the disturbances have ended."⁷⁶ As the year wore on, Wilson and Daley began to more firmly frame the homicide wave as being driven by factors like gangs and easy access to firearms. Prior to the homicide wave, Daley and Wilson had framed access to firearms as a problem. In 1965, Daley unsuccessfully pushed for the Illinois state legislature to pass a slate of crime bills that would increase punishments for a variety of offenses, expand police wiretapping powers, and require new licensing and registration requirements to own a firearm.⁷⁷

Back then, however, Wilson justified the push for gun control and expanded police power as necessary for combatting all crimes committed with firearms.⁷⁸ In 1967, Wilson and Daley began framing gun-control measures as needed to specifically address the homicide wave. They showed the state legislature data indicating that 257 of the 512 murders in 1966 were committed with firearms, a drastic increase from the previous year.⁷⁹ Wilson continually emphasized that murders committed by young people

⁷² See *Demands Order; Tells Why He Asked to Enjoin Marchers: Judge Restricts Number, Hours of Protests*, CHI. TRIB., Aug. 20, 1966, at A1.

⁷³ *Daley Makes Plea to City: "Must Protect Rights of Everyone"*, CHI. TRIB., Aug. 20, 1966, at A1.

⁷⁴ *Major Crimes Decline in City*, CHI. TRIB., Nov. 16, 1966, at C4.

⁷⁵ Edward Schreiber, *Wilson Urges Wire Tapping: Appears Before Council Unit on Budget*, CHI. TRIB., Nov. 23, 1966, at 3.

⁷⁶ *City Crime up 4.8 Pct. in '66, Says Wilson*, CHI. TRIB., Jan. 11, 1967, at B9.

⁷⁷ See George Tagge, *Illinois Legislature Pushes Flurry of Anti-crime Bills*, CHI. TRIB., Apr. 4, 1965, at 4; see also Robert Howard, *G.O.P. Begins Remap Fight: Holds Up Vital Bills in Bid for Fair Law*, CHI. TRIB., Feb. 18, 1965, at 1.

⁷⁸ See Gowran, *supra* note 60.

⁷⁹ *Try Again for State Law to Register All Guns*, CHI. TRIB., Feb. 23, 1967, at 7.

under twenty-one had doubled from 1965 to 1966 and specifically laid the blame on places like “the 3d district, Grand Crossing—the Mecca of the Blackstone Rangers,” which had seen dramatic increases in homicides committed with firearms.⁸⁰ He also lobbied for stop-and-frisk legislation to expand the police’s power to seize guns from those deemed unfit to possess them.⁸¹ Stop-and-frisk was not a new policy; Wilson had been advocating for it since nearly the beginning of his tenure, in 1960.⁸² Indeed, the policies that Wilson and Daley advocated were not new but merely re-framed policy agendas.

As homicide rates continued to increase in the summer of 1967, Wilson abruptly resigned from his position, and Daley appointed James Conlisk in his place.⁸³ Under Conlisk’s leadership, the CPD’s punitive approach only increased as the GIU was rapidly scaled up and surveillance of Black neighborhoods skyrocketed.⁸⁴ Daley and Conlisk continued to attribute the growing homicide rate to gang violence.⁸⁵ While Daley continued to vow to return law and order to the city, Conlisk oversaw the rapid growth of the GIU from thirty-eight officers in 1967 to two hundred in 1968.⁸⁶ The GIU quickly gained a reputation for brutal and violent tactics, with numerous allegations that they tortured or threatened Black youth with being dropped off in hostile gang territory if they refused to cooperate.⁸⁷

The police presence and surveillance of Black communities surged as the CPD’s powers and numbers grew. Wilson and Daley’s earlier lobbying was now successful. Illinois passed a stop-and-frisk law, giving officers legal cover to stop and search anyone they deemed suspicious.⁸⁸ This, predictably, only furthered the massive disparity in Black arrests and White arrests. By 1968, the total number of Black arrests outnumbered White arrests by

⁸⁰ *Daley Asks Gun Law Support*, CHI. TRIB., Mar. 7, 1967, at B2.

⁸¹ *See Daley Favors “Stop-Frisk” Law Passage*, CHI. TRIB., Mar. 9, 1967, at 9.

⁸² BALTO, *supra* note 41, at 158–62.

⁸³ *Id.* at 187, 195.

⁸⁴ *Id.* at 203–04.

⁸⁵ *Id.* at 194–204.

⁸⁶ Donald Mosby, *Name 9th Black Police Captain: Ed Buckney to Beef Up Gang Unit*, CHI. DAILY DEF., Nov. 9, 1968, at 1.

⁸⁷ *See* ELIZABETH DALE, ROBERT NIXON AND POLICE TORTURE IN CHICAGO, 1871–1971, at 117–20 (2016); *see also* BALTO, *supra* note 41, at 201–02. *See generally* LAURENCE RALPH, *THE TORTURE LETTERS: RECKONING WITH POLICE VIOLENCE* (2020).

⁸⁸ *See* Robert Howard, *Stop, Frisk Law Signed by Shapiro*, CHI. TRIB., Aug. 22, 1968, at 9

30%, and the gap only continued to grow.⁸⁹ For many young Black men, being stopped and harassed by the police was a fixture of everyday life.⁹⁰

Despite the proliferation of the GIU and ever-expansive and ever-aggressive police presence in Black communities, little evidence suggests that these tactics stopped the homicide wave. Daley and Conlisk continued to blame gangs and access to firearms, and in 1969 they formally declared a “war on gangs” in conjunction with local state’s attorney Ed Hanrahan.⁹¹ Hanrahan and Conlisk quickly worked to scale up the GIU’s powers even more, leading *Atlantic* writer James Alan McPherson to describe it as a “parapolitical force” due to the officers’ power over and connections with the local jail, court, and state attorney’s office.⁹² The GIU used these powers to step up surveillance, harassment, and arrests of anyone they suspected of being involved with gang activity, including the Black Panthers and other radical Black groups.⁹³

The CPD’s response to the 1966–1970 homicide wave relied on the misuse of data to frame the homicide problem as stemming from civil rights protests and to lobby state and federal government for additional policing resources. The CPD consistently called for more policing and undermined social-structural explanations for the uptick in homicide. The success of the CPD’s response to the 1966–1970 wave was most evident by the city’s shifting budget. As city hall refrained from making greater investments in education and other vital social services, it spent significantly more on policing such that, by the mid-1970s, the police represented about a quarter of Chicago’s annual budget.⁹⁴

C. Guns, Gangs, the Feds, and More Police, 1987–1992

The 1987–1992 homicide wave struck the community areas of Grand Boulevard, the Near South Side, and Washington Park—all on Chicago’s South Side, and all predominantly Black. Grand Boulevard was 99% Black, with 64% of the population

⁸⁹ BALTO, *supra* note 41, at 199.

⁹⁰ *Id.* at 200.

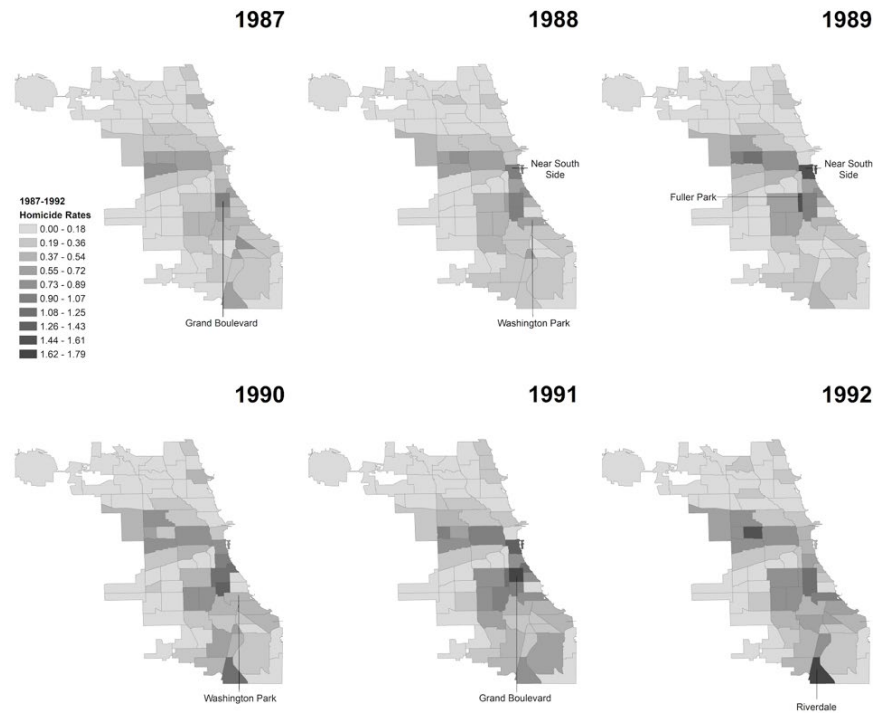
⁹¹ *Id.* at 203; see also *Mayor Calls Parley Today on Violence*, CHI. TRIB., May 26, 1969, at C11; Joseph Boyce & William Jones, *Street Gangs Are Becoming a Power Bloc*, CHI. TRIB., June 16, 1969, at 1.

⁹² James Alan McPherson, *Chicago’s Blackstone Rangers (II)*, THE ATLANTIC (June 1969), <https://perma.cc/HRJ9-BBXM>.

⁹³ BALTO, *supra* note 41, at 201–02.

⁹⁴ *Id.* at 246.

living below the poverty line.⁹⁵ The Near South Side was 94% Black, with 61% below the poverty line and a quarter of its labor force unemployed.⁹⁶ Washington Park was 99% Black, with 57% below the poverty line.⁹⁷ These areas were known for deteriorating housing with vacant lots, abandoned buildings, and no new private construction.⁹⁸



Although homicide rates started increasing in 1987, the city did not begin treating it as a crisis until 1990. In 1988 and 1989, city officials were actually touting the homicide totals as low

⁹⁵ Christopher R. Reed & Annie Ruth Leslie, *CA38—Grand Boulevard*, in LOCAL COMMUNITY FACT BOOK: CHICAGO METROPOLITAN AREA 1990, *supra* note 12, at 129, 130.

⁹⁶ Dennis McClendon, *CA33—Near South Side*, in LOCAL COMMUNITY FACT BOOK: CHICAGO METROPOLITAN AREA 1990, *supra* note 12, at 118, 119.

⁹⁷ Staff, *CA40—Washington Park*, in LOCAL COMMUNITY FACT BOOK: CHICAGO METROPOLITAN AREA 1990, *supra* note 12, at 134, 135.

⁹⁸ McClendon, *supra* note 96, at 118; Reed & Leslie, *supra* note 95, at 129; Staff, *supra* note 97, at 134.

relative to the past twenty years.⁹⁹ Homicides were still acknowledged as an issue, but they were usually framed as being a specific problem related to gangs¹⁰⁰ and public housing¹⁰¹ or as a problem for only a few neighborhoods.¹⁰² Before the homicide wave, the city had experimented with nonpunitive violence-prevention strategies to stem gang-related homicides. Under Mayor Harold Washington, Chicago's first Black mayor, the city launched the Chicago Intervention Network (CIN) to reduce gang violence.¹⁰³ After the widely publicized death of high-school basketball star Ben Wilson in 1984, the CIN was created to "keep track of street gang trouble," "mediate disputes," and "steer youngsters from gangs."¹⁰⁴ Initially seeded with \$750,000 in funding from the city in 1985, the program included a mental-health emergency hotline and nine field officers who worked with former gang members to prevent homicides.¹⁰⁵ While the CIN did not strictly rely on punitive measures to combat homicides, it did not avoid them either. The program's work was still deeply embedded within the criminal justice system. "[R]epresentatives from the [CPD], courts, probation agencies, the Cook County state's attorney and the Illinois Department of Children and Family Services" sat on a law-enforcement committee that worked with the program.¹⁰⁶

⁹⁹ See *Murder Rate Lowest in 20 Years*, CHI. TRIB., Aug. 14, 1989, at 3; William Recktenwald & Robert Blau, *Chicago Bucking the Trend in Big-City Slayings*, CHI. TRIB., Jan. 8, 1989, at C1.

¹⁰⁰ See, e.g., Nathaniel Sheppard Jr. & William Recktenwald, *New Upsurge in Street Gangs*, CHI. TRIB., Jan. 8, 1984, at 1; William Recktenwald & Nathaniel Sheppard Jr., *Spread of Gangs Defies Police Efforts*, CHI. TRIB., Jan. 11, 1984, at 1; William Recktenwald & Nathaniel Sheppard Jr., *Two Cops, Looking for Trouble: Gang Crimes Unit Keeps Close Watch on Neighborhoods*, CHI. TRIB., Jan. 11, 1984, at C8; Marianne Taylor, *Street Patrols Proposed to Fight Gang Violence*, CHI. TRIB., Mar. 5, 1984, at B6; *El Rukn Leader Sought in Murder of 3*, CHI. METRO NEWS, May 4, 1985; Laurie Abraham, *Study Links Gangs, Killings of Hispanics*, CHI. SUN-TIMES, July 28, 1986, at 24; Clarence Page, *Why We're Losing War on Gangs*, CHI. TRIB., Aug. 17, 1986, at D3.

¹⁰¹ See, e.g., Jerry Thornton & George E. Curry, *Trapped in CHA Projects*, CHI. TRIB., Jan. 15, 1984, at 1; William Mullen, *The Road to Hell: For Cabrini Green, It Was Paved with Good Intentions*, CHI. TRIB., Mar. 31, 1985, at H11; Patrick Reardon, *CHA Violent Crime up 9% for Year*, CHI. TRIB., June 22, 1988, at 1.

¹⁰² See, e.g., Patrick Reardon, *Suburb Crime Dips for 3d Year in Row*, CHI. TRIB., June 3, 1984, at 1; William Recktenwald & Manuel Galvan, *Near Northwest Side Slayings Soar*, CHI. TRIB., July 29, 1984, at 1; Laura Kavesh, *Gang Tactics: U. of C. Ambassadors Cruise Streets for Peace*, CHI. TRIB., Aug. 9, 1984, at D1; Lynn Emmerman, *City's Mean Streets Grow Meaner for Dealers*, CHI. TRIB., May 19, 1985, at A1.

¹⁰³ Hanke Gratteau & William Recktenwald, *Mayor Aims More Cash at Fight Against Gangs*, CHI. TRIB., Mar. 8, 1985, at A1.

¹⁰⁴ *Id.*

¹⁰⁵ See *id.*; *Approve the Gang Program*, CHI. TRIB., Apr. 16, 1985, at 12.

¹⁰⁶ *Approve the Gang Program*, *supra* note 105.

Initially, Washington praised the program as a success in fighting crime, proffering a decrease in gang-related homicides and the 38% decline in the youth-murder rate from 1984 to 1985 as evidence.¹⁰⁷ In 1986, the city's budget allocated \$4.8 million to the Department of Human Services (which administered the CIN)—an almost \$2 million increase from 1985.¹⁰⁸ The program soon came under scrutiny in 1986 and 1987—especially during the 1987 city elections—for failing to stop an increase in gang-related homicides.¹⁰⁹ Still, Washington vowed to press on and invest more in the program in 1987 to hire more workers, declaring that “after one year . . . we are on the right track.”¹¹⁰ Nevertheless, in terms of pure financial investment, the budget for the CIN and the Department of Human Services consistently paled in comparison to the CPD, whose annual appropriations were always in the hundreds of millions of dollars by that point.¹¹¹

When the homicide wave began in 1987, the CPD was lauding its homicide-reduction strategies of seizing guns and conducting more arrests. At the end of 1987, top CPD officials credited the seizure of guns for limiting homicides that year.¹¹² In the summer of 1988, “Chief of Detectives Edward Wodnicki credited the Police Department’s fight against narcotics and gangs for the decreased homicide rate.”¹¹³ CPD superintendent LeRoy Martin especially touted the homicide totals for 1987 as being among the lowest in the past twenty years, neglecting the fact that Chicago had half a million more residents in 1968.¹¹⁴ Martin credited the relatively

¹⁰⁷ *Mayor Says Gang Crimes Down*, CHI. METRO NEWS, Jan. 25, 1986; Harry Golden Jr., *Anti-gang Push Works, Says Mayor*, CHI. SUN-TIMES, Jan. 21, 1986, at 8; *Winning the War on Gangs*, CHI. TRIB., Jan. 6, 1986, at 12; cf. Judith Walker, *Opinion, City Defends Its Anti-gang Effort*, CHI. TRIB., Aug. 22, 1986, at 26.

¹⁰⁸ Compare CITY OF CHI., ANNUAL APPROPRIATION ORDINANCE FOR THE YEAR 1986, at IV (1986), with CITY OF CHI., ANNUAL APPROPRIATION ORDINANCE FOR THE YEAR 1985, at IV (1985). See also Page, *supra* note 102.

¹⁰⁹ See Ray Hanania, *Mayorality Dominates Ward Races*, CHI. SUN-TIMES, Feb. 12, 1987, at 10; Anne Keegan & Jerry Thornton, *Gang Plan Defended by Mayor*, CHI. TRIB., Aug. 1, 1986, at A3.

¹¹⁰ Keegan & Thornton, *supra* note 109 (quoting Mayor Washington).

¹¹¹ See, e.g., CITY OF CHI., ANNUAL APPROPRIATION ORDINANCE FOR THE YEAR 1987, at IV (1987); CITY OF CHI., ANNUAL APPROPRIATION ORDINANCE FOR THE YEAR 1988, at IV (1988); CITY OF CHI., ANNUAL APPROPRIATION ORDINANCE FOR THE YEAR 1989, at IV (1989) [hereinafter 1989 ANNUAL APPROPRIATION ORDINANCE].

¹¹² William Recktenwald, *City Homicides Drop in '87: Gun Deaths Are Lowest in 19 Years*, CHI. TRIB., Jan. 2, 1988, at 1.

¹¹³ Robert Blau & William Recktenwald, *Homicides with Guns Drop to a 20-Year Low*, CHI. TRIB., July 14, 1988, at A3.

¹¹⁴ Cf. Patrick Reardon, *City About Equal in Terms of Race*, CHI. TRIB. (Sept. 23, 1986), <https://perma.cc/TF74-VA6T>.

low total that year to increased gun seizures by the CPD, especially an “accelerated program of gun seizures” after a federal court ordered the release of thousands of prisoners from Cook County Jail that summer because of squalid conditions.¹¹⁵ In January 1989, Martin said that his main concern going forward was thefts, making no mention of homicides.¹¹⁶

That year also brought a change in the mayoral administration. After Washington’s sudden passing in November 1987, Eugene Sawyer led as interim mayor until April 1989, when Richard M. Daley (son of former mayor Richard J. Daley) began his twenty-two-year stint in the mayor’s office.¹¹⁷ Daley had formerly served as the Cook County state’s attorney, where he supported the same punitive policies to fight crime that he would support as mayor.¹¹⁸ For example, even before serving as mayor, he had railed against the federal government for failing to stop the flow of drugs—like crack cocaine—into the country and frequently called for life in prison without parole for individuals caught smuggling more than five pounds of drugs or laundering over \$100,000.¹¹⁹ As mayor, Daley declined to make any new investments in even the moderate, nonpunitive strategies of Washington’s administration. Instead, he returned to the playbook from the 1960s, calling for increasing funding for the police and working in lockstep with the new state’s attorney, the U.S. attorney, and the CPD to push punitive policies in response to the increasing homicide rate.

Later in 1989, the CPD acknowledged a dramatic increase in drug-related homicides and an increase in homicides overall. But when asked about the total number of homicides in July, Martin argued that many of those were “not homicides we could have prevented” because they stemmed from domestic disputes or drugs.¹²⁰

¹¹⁵ Recktenwald & Blau, *supra* note 99; see also Ron Grossman, *Chicago Flashback: Lockup Has Seen Worse Days*, CHI. TRIB., Sept. 22, 2013, at 23; Tom Brune & Jim Casey, *Safety First: Chicagoans’ No. 1 Problem*, CHI. SUN-TIMES, Jan. 29, 1989, at 4.

¹¹⁶ Jim Casey, *Crime Surge Prompts Cop District Shakeups*, CHI. SUN-TIMES, Jan. 17, 1989, at 18.

¹¹⁷ MERRINER, *supra* note 21, at 238–39.

¹¹⁸ Cf. Daley Lectures Lawmen on Drugs, CHI. SUN-TIMES, Mar. 8, 1986, at 21; Richard M. Daley, Opinion, *Cook County Prosecutors Deserve Pay Raise*, CHI. SUN-TIMES, Jan. 31, 1986, at 32.

¹¹⁹ See John Kass, *U.S. Lost Drug War, Daley Says in Urging Military Role*, CHI. TRIB., Apr. 20, 1991, at N5; Ray Hanania, *Daley Rallies Kids*, CHI. SUN-TIMES, Oct. 25, 1989, at 3.

¹²⁰ Flynn McRoberts, *Homicides in Chicago Jump 31%*, CHI. TRIB., July 14, 1989, at N6; cf. Robert Blau, *Drug-Related Slayings on the Rise in City, Police Records Show*, CHI. TRIB., Apr. 3, 1989, at N2.

Still, in October of that year, Daley promised to expand the focus of the CIN to thirty high schools in the city to promote anti-gang and antidrug initiatives.¹²¹ As the homicide wave continued to grow, Daley did not deliver on that promise.¹²² At the end of the year, when reflecting on the higher homicide total, the chief of detectives blamed it on access to guns and advocated for tougher gun-control legislation.¹²³

In 1990, the homicide total continued to grow until it spiraled into a full-on crisis for the city.¹²⁴ The CPD initially responded by stepping up patrols and policing in “gang-infested” areas to seize more guns and make more arrests; the CPD also lobbied the state government for more punitive laws.¹²⁵ Still, homicides continued to increase. In June 1990, a member of the Chicago Crime Commission called for the city council to hold a summit on the violence.¹²⁶ At the “murder summit” hearings held by the city council in September, Daley vowed to hire more police officers to address the crisis.¹²⁷ When Alderman Timothy Evans, a Black alderman representing the Fourth Ward, asked Daley about creating more jobs programs for underprivileged youth, Daley demurred and instead pitched his plan for a third airport to be built in the city.¹²⁸

This comment was quite representative of Daley’s approach to community-based violence-prevention strategies. Daley spoke

¹²¹ Hanania, *supra* note 119.

¹²² The city’s budgets reveal that the initiatives’ funding declined. Compare CITY OF CHI., ANNUAL APPROPRIATION ORDINANCE FOR THE YEAR 1990, at 140 (1990) [hereinafter 1990 ANNUAL APPROPRIATION ORDINANCE], with 1989 ANNUAL APPROPRIATION ORDINANCE, *supra* note 111, at 134.

¹²³ See Phillip J. O’Connor, *City Homicides up 12% in ’89*, CHI. SUN-TIMES, Jan. 3, 1990, at 51; see also William Recktenwald & Robert Blau, *Youth Homicides up 22% in City: Gangs and Drugs Blamed for Rise in Murder Rate*, CHI. TRIB., Jan. 27, 1990, at C1; William Recktenwald & Robert Blau, *Chi. Killings up 12% in ’89*, CHI. TRIB., Jan. 2, 1990, at N1.

¹²⁴ See Jim Casey & Phillip J. O’Connor, *Murder Report: Guns, Kids Are a Deadly Mix*, CHI. SUN-TIMES, May 23, 1990, at 4; Robert Blau & William Recktenwald, *Child Homicides Soar in City and Suburbs*, CHI. TRIB., May 20, 1990, at C1.

¹²⁵ William Recktenwald, *3 Die Despite Police Push Against Gangs*, CHI. TRIB., June 11, 1990, at N_A1; see also Fran Spielman, *Tough Crime Bill Signed—Wave of Killings Here Cited*, CHI. SUN-TIMES, Sept. 11, 1990, at 8; *Police Arrest 125 in Crackdown in Area Ripped by Gang Violence*, CHI. TRIB., June 12, 1990, at D7C.

¹²⁶ Jim Casey & Phillip J. O’Connor, *Increase in Slayings Brings Call for Summit on Crime*, CHI. SUN-TIMES, June 18, 1990, at 15.

¹²⁷ Robert Davis & John Kass, *Aldermen Probe Rise in Killings*, CHI. TRIB. (Sept. 26, 1990), <https://perma.cc/2QQ3-H543>; see also Robert Davis, *Daley’s Politics Could Leave Hole in Budget*, CHI. TRIB., Oct. 14, 1990, at C3A.

¹²⁸ Robert Davis, *Crossfire of Words Rakes Crime Talks*, CHI. TRIB., Sept. 27, 1990, at S1.

about local involvement and opportunities for underprivileged youth, yet these ideas never materialized in his budgets during the homicide wave. For example, the city's investment in the CIN remained flat, and it was eventually defunded entirely in 1993.¹²⁹ Further, the Daley administration never invested in philanthropist-funded, community-based violence-prevention strategies that were designed, implemented, and evaluated by Irving Spergel, a University of Chicago professor of social work.¹³⁰ When the media pressed Daley on the ever-increasing homicides in the run-up to the 1991 mayoral election, he doubled down on his prior strategies. Like his father before him, Daley emphasized a law-and-order approach and pledged to hire more police officers.¹³¹ After the 1992 election, community policing entered the policy agenda, with Daley and Martin expressing interest in testing it.¹³² By the end of 1992, however, Chicago had only an experimental pilot program, and further expansions of community policing occurred long after the homicide wave ended.¹³³

As the homicide wave worsened, Daley grew increasingly frustrated with the situation and media coverage of his administration's failed policies. At one point, he exclaimed that Chicago was "becoming like Colombia"¹³⁴ and blamed the federal government for having "lost this so-called war" on drugs.¹³⁵ Daley also placed cultural blame on the communities suffering from the violence, arguing that the "permissive society of 20 years ago"

¹²⁹ See Fran Spielman, *City Budget Cuts Safety, Anti-gang Programs*, CHI. SUN-TIMES, Nov. 18, 1992, at 15; CITY OF CHI., ANNUAL APPROPRIATION ORDINANCE FOR THE YEAR 1992, at 135 (1992); CITY OF CHI., ANNUAL APPROPRIATION ORDINANCE FOR THE YEAR 1991, at 145 (1991); 1990 ANNUAL APPROPRIATION ORDINANCE, *supra* note 122, at 140.

¹³⁰ See Kavesh, *supra* note 102; IRVING A. SPERGEL, REDUCING YOUTH GANG VIOLENCE 27–78 (2007).

¹³¹ See John Kass & Teresa Wiltz, *Hispanic Leaders Ask Daley: Where Are the 600 Cops?*, CHI. TRIB., Aug. 1, 1991, at N1.

¹³² See Daley Program to Put Police in Closer Contact with People, CHI. TRIB., Feb. 2, 1993, at D_B7; Charles Nicodemus, *Martin, Mayor Back 'Community Policing'*, CHI. SUN-TIMES, Jan. 30, 1992, at 14; *Cops and Communities Take On Crime*, CHI. TRIB., Dec. 19, 1992, at L22; Phillip J. O'Connor, *33-Year Veteran Says Time Is Right for Change*, CHI. SUN-TIMES, Apr. 14, 1992, at 3; Don Hayner, *'Community Policing' Scores Points*, CHI. SUN-TIMES, Apr. 2, 1992; William Recktenwald, *Groups Aim for Changes in Policing*, CHI. TRIB., July 8, 1991, at 1.

¹³³ Cf. RICHARD M. DALEY & MATT L. RODRIGUEZ, TOGETHER WE CAN: A STRATEGIC PLAN FOR REINVENTING THE CHICAGO POLICE DEPARTMENT (1993) (showing that community policing was still in the planning stage by October 1993).

¹³⁴ John Kass, *Daley Revises City, Bogota Comparison*, CHI. TRIB., Aug. 31, 1991, at S5.

¹³⁵ Kass, *supra* note 119.

created the perpetrators of the present.¹³⁶ Daley said, “Remember the stories about the social workers complaining, ‘you’re picking on the poor kids?’ Now what they are, they’re 40-year-old gang-bangers running narcotics, and they’re not afraid of me or anybody else.”¹³⁷ With these veiled references to the Civil Rights Movement and War on Poverty, Daley blamed the homicide wave on communities not being tough enough on poor kids, who he believed grew up to become the gang leaders driving the homicide wave.

Martin echoed Daley’s responses to the media. After a visit to China in 1991, Martin declared, “We need to take a look at [the Constitution] and maybe from time to time we should curtail some of those rights”; he praised China for executing drug dealers by firing squad, in contrast to Chicago, where “[w]e give drug dealers I-bonds [], and what do they do? They go back out and sell more drugs.”¹³⁸

D. Mentoring and More Police Expansion, 2016

The 2016 homicide wave saw the highest homicide rate increase of any year in Chicago history, with a total of 762 murders in the city, a roughly 60% increase from 2015 and the most homicides in Chicago in nineteen years.¹³⁹ The Fuller Park and Englewood community areas bore the brunt of this homicide spike. Fuller Park’s homicide rate peaked at 2.050, and Englewood was close behind at 1.914. Fuller Park and Englewood, adjacent South Side neighborhoods, had similar characteristics. Englewood was 95% Black, with 55% making less than \$25,000 and 26% unemployed.¹⁴⁰ In comparison, 90% of Fuller Park’s residents were Black, with 55% making less than \$25,000 and 24% unemployed.¹⁴¹

¹³⁶ John Kass & William Recktenwald, *Daley: City ‘Becoming Like Colombia’*, CHI. TRIB., Aug. 30, 1991, at N1.

¹³⁷ *Id.*

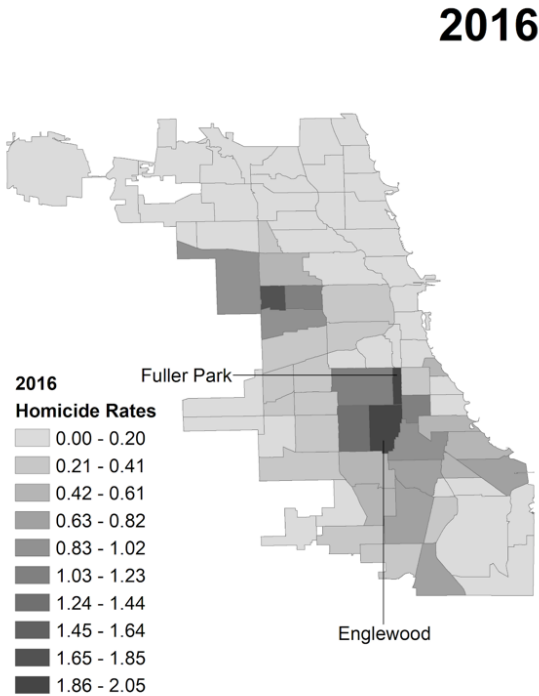
¹³⁸ Robert Blau & William Recktenwald, *Let’s Fight Crime as Chinese Do, Martin Says*, CHI. TRIB., July 12, 1991, at NW1. An I-bond—or investment bond—is “a type of savings bond from the US Treasury that pays a fixed rate of interest, plus interest at a rate that changes every six months based on the rate of inflation.” *I Bond*, CAMBRIDGE ENGLISH DICTIONARY, <https://perma.cc/98RS-GPRD>.

¹³⁹ City of Chi., *supra* note 7.

¹⁴⁰ CHI. METRO. AGENCY FOR PLAN., ENGLEWOOD: COMMUNITY DATA SNAPSHOT 3, 5, 9 (2021).

¹⁴¹ CHI. METRO. AGENCY FOR PLAN., FULLER PARK: COMMUNITY DATA SNAPSHOT 3, 5, 9 (2021).

FIGURE 5: CHOROPLETH MAP OF CHICAGO IN 2016,
ILLUSTRATING THE PERCENTILE RANGE OF
HOMICIDE RATES IN EACH COMMUNITY AREA



Like it was during previous homicide waves, Chicago in 2016 was enmeshed in deep social and political upheaval. The 2014 killing of Black teenager Laquan McDonald sparked citywide protests and brought renewed scrutiny on law enforcement and city management.¹⁴² The killing also propelled the CPD into the national spotlight, resulting in the Department of Justice launching an investigation that found that the CPD engaged in a “pattern or practice of unconstitutional policing.”¹⁴³ These events strained police-community relations, which Emanuel acknowledged: “Fighting crime requires a partnership between the police and the community, and we all know that this partnership has been tested in Chicago. It is a problem that has festered in our city for

¹⁴² Nausheen Husain, *Laquan McDonald Timeline: The Shooting, the Video, the Verdict and the Sentencing*, CHI. TRIB. (Jan. 18, 2019), <https://perma.cc/SJ6W-6CSX>.

¹⁴³ C.R. DIV. & U.S. ATTY’S OFF. N. DIST. OF ILL., U.S. DEPT’ OF JUST., INVESTIGATION OF THE CHICAGO POLICE DEPARTMENT 1–11, 124 (2017).

decades. The shooting of Laquan McDonald brought it to a breaking point.”¹⁴⁴

Early in 2016, both the mayor and law enforcement attributed the surge in homicides to increased public scrutiny of the police from the Laquan McDonald shooting and the subsequent civil rights investigation.¹⁴⁵ The fear of ending up in a viral video, according to police leadership, simultaneously discouraged proactive policing and emboldened violent criminals.¹⁴⁶ The Emanuel administration leveraged protests from social movements like Black Lives Matter to suggest that protests made police work more difficult. This was highlighted in police superintendent Eddie Johnson’s comments during a news conference, as summarized by the *New York Times*: “Chicago was among many American Cities where violence has surged, including attacks on police officers. . . . [A]nger at the police has left criminals ‘emboldened’ to commit crimes.”¹⁴⁷ In a March 2016 speech, Emanuel ignored the message of protestors seeking justice for Laquan McDonald when he stated, “Members of the community want more officers in their lives—not less. They want to know the name of the officer and the officer should know the name of the community members or the business owners. That is what we’re trying to establish.”¹⁴⁸

In the summer of 2016, the Emanuel administration deployed four strategies to try to stem the homicide spike. The first was to hire 619 more officers.¹⁴⁹ The second strategy was an expansion of a \$50 million mentoring program called Get IN Chicago, which was started by Emanuel in 2013.¹⁵⁰ Funded by multiple private companies, Get IN Chicago was a mentoring program based on former Illinois governor Pat Quinn’s Neighborhood Recovery Initiative.¹⁵¹ Emanuel hired the former director of the Neighborhood Recovery Initiative, Toni Irving, to supervise Get

¹⁴⁴ Rahm Emanuel, Mayor of Chicago, Rahm Emanuel’s Speech on Chicago Violence (Sept. 22, 2016), in DNAINFO, <https://perma.cc/PS5G-KH5V>.

¹⁴⁵ See Fran Spielman, *Emanuel Calls Soaring Homicides ‘Totally Unacceptable’*, CHI. SUN-TIMES (Mar. 2, 2016), <https://perma.cc/TY93-E296>.

¹⁴⁶ *Id.*

¹⁴⁷ The Associated Press, *Chicago Ends Year with 762 Killings, the Most in 2 Decades*, N.Y. TIMES (Jan. 1, 2017), <https://perma.cc/5ZRV-DF2R>.

¹⁴⁸ Spielman, *supra* note 145.

¹⁴⁹ CHI. POLICE DEPT., ANNUAL REPORT 2017, at 52 (2018), <https://perma.cc/ELW2-LGAJ>.

¹⁵⁰ Lisa Bertagnoli, News Analysis, *Six Reasons Get IN Chicago Didn’t Work*, 40 CRAIN’S CHI. BUS., Feb. 6, 2017, at 3.

¹⁵¹ See Tony Arnold, *Manager of Troubled Illinois Anti-Violence Program Now Running Similar Agency*, WBEZ CHI. (May 7, 2014), <https://perma.cc/7GL4-576E>.

IN Chicago.¹⁵² Emanuel's mentoring program was similar to social interventions of the 1960s but differed in that the 2016 jobs program came from private donations to Emanuel's organization whereas, in the 1960s, the federal government allocated grants for jobs directly to community-based organizations.¹⁵³ Get IN Chicago was also not a public charity with tax-exempt status. Rather, it was a "donor-advised fund" housed at the Chicago Community Trust, which meant that it could operate like its own private foundation.¹⁵⁴

Emanuel's appointment of Irving drew media scrutiny because, in 2014, Cook County state's attorney Anita Alvarez called for a criminal investigation into the Neighborhood Recovery Initiative for alleged financial wrongdoing.¹⁵⁵ Investigative reports found that the mentoring programs consisted of paying youth \$8.75 an hour to distribute flyers with violence-prevention messages as well as to march with Quinn at the Bud Billiken Parade during his reelection campaign.¹⁵⁶ Emanuel defended his hiring of Irving by dismissing criticism as merely "cynical" politics.¹⁵⁷

Like the CPD's responses to the waves in the 1960s and 1980s, Emanuel responded to the 2016 homicide wave by expanding violence-prevention strategies that were already in place. Emanuel's third strategy was to rebrand the Get IN Chicago mentoring program as "Mayor Emanuel's Mentoring Initiative," which was framed as a universal mentoring program for Chicago youth in the city's twenty most-impooverished and violence-stricken neighborhoods.¹⁵⁸ The mayor's supposedly new initiative was to last three years and include funding from public and private sources, such as Exelon, Uber, and People's Gas.¹⁵⁹ Citing research conducted by the University of Chicago Crime Lab, the mayor's office stated in a press release:

¹⁵² *Id.*

¹⁵³ *Id.*

¹⁵⁴ THE CHI. CMTY. TR., 2015 ANNUAL REPORT 85 (2016); *Donor-Advised Funds*, INTERNAL REVENUE SERV. (last updated Sept. 7, 2021), <https://perma.cc/EYH8-7637>.

¹⁵⁵ *How Quinn's Anti-violence Program Spiraled Out of Control*, NBC 5 CHI. (May 1, 2014), <https://perma.cc/T84C-PVN9>.

¹⁵⁶ Scott Zamost, Drew Griffin & Elizabeth Nunez, *Questions Surround \$55 Million Program to Cut Violence in Chicago*, CNN (Dec. 3, 2012), <https://perma.cc/NW8N-BLG8>.

¹⁵⁷ Arnold, *supra* note 151.

¹⁵⁸ See OFF. OF THE MAYOR, CITY OF CHI., MAYOR EMANUEL OUTLINES COMPREHENSIVE PUBLIC SAFETY STRATEGY 1 (2016).

¹⁵⁹ OFF. OF THE MAYOR, CITY OF CHI., MAYOR EMANUEL ANNOUNCES MENTORING INITIATIVE TO SERVE AN ADDITIONAL 2,000 YOUTH IN HIGHEST RISK COMMUNITIES THIS FALL 1-2 (2017).

[M]entorship has been proven to be an effective strategy for increasing high school graduation rates and reducing violence. In two randomized controlled trials, the Crime Lab found that [its ‘Becoming a Man’] program cut[] violent-crime arrests among youth in half and boost[ed] the high school graduation rates of participants by nearly 20 percent.¹⁶⁰

While Emanuel deserves credit for being the first mayor to pursue nonpunitive responses during a homicide wave, the enormous funding difference between his mentoring initiative (\$36 million over three years) and the CPD budget (\$4 billion over three years) reveals that punitive responses were still the priority.

The fourth and final strategy deployed by law enforcement in 2016 was the Advancing Community Policing Initiative.¹⁶¹ In conjunction with the mayor, law enforcement created the Community Policing Advisory Panel (CPAP), consisting of law enforcement experts, law enforcement, and community leaders.¹⁶² CPAP’s tasks were to gather input from a variety of stakeholders both locally and nationwide to help put together policy recommendations for law enforcement in a year-end report.¹⁶³ It is unclear how law enforcement implemented these recommendations, but its creation was another example of the city continuing preexisting violence-prevention strategies given that community policing was first undertaken by Daley in the 1990s.

The city’s responses to homicide did not stop in 2016. In February 2017, the CPD created Strategic Decision Support Centers (SDSCs) throughout the city.¹⁶⁴ SDSCs are technology centers equipped with ShotSpotter equipment, live street-camera feeds, a predictive-policing technology program named HunchLab, and lab analysts.¹⁶⁵ The centers were staffed by law-enforcement officials and analysts in partnership with the University of Chicago’s Crime Lab.¹⁶⁶ The shift to high-tech surveillance labs marked an effort to integrate predictive-policing technology as a mainstay in

¹⁶⁰ OFFICE OF THE MAYOR, CITY OF CHI., MAYOR EMANUEL’S FINAL BUDGET TO EXPAND, ENHANCE YOUTH MENTORING 1 (2018).

¹⁶¹ CHI. POLICE DEP’T, *supra* note 149, at 8.

¹⁶² *Id.* at 5, 8.

¹⁶³ *See id.* at 8–9.

¹⁶⁴ *See* Shibani Mahtani, *Chicago Tries High-Tech Approach to Curb Violence*, WALL ST. J. (May 12, 2017), <https://www.wsj.com/articles/chicago-tries-high-tech-approach-to-curb-violence-1494581403>; Joel Gunter, *Chicago Goes High-Tech in Search of Answers to Gun Crime Surge*, BBC AM. (June 19, 2017), <https://perma.cc/WGR9-SYWT>.

¹⁶⁵ Gunter, *supra* note 164.

¹⁶⁶ *Id.*

Chicago policing, following in the footsteps of the New York and Los Angeles police departments.¹⁶⁷ Initially, the SDSCs were located in the Englewood and Harrison neighborhoods—the two community areas with the highest rates of shootings.¹⁶⁸ According to the *Chicago Tribune*, the SDSCs cost \$1.5 million to outfit and were funded through a combination of public and private sources.¹⁶⁹ Studies conducted by RAND Corporation suggest that the centers contributed to reductions in crime, but it remains unclear what brought the 2016 homicide wave to a halt.¹⁷⁰

Like in the 1960s and 1980s, the CPD in 2016 continued to emphasize the need for more gun-control laws and tougher sentences for repeat gun offenders.¹⁷¹ Johnson relayed this in an interview with PBS: “In Chicago we have a gun problem. We have a very bad gun issue.”¹⁷² He continued: “The violence in this city is more about what the bad guys are doing and not so much about what the police are or are not doing.”¹⁷³ Another 1,125 officers were hired in 2017, almost a doubling from the number of officers hired the year before.¹⁷⁴ Per the *Chicago Sun-Times*, this translated to more than 500 new patrol officers, 90 field training officers, more than 100 sergeants, 200 detectives, and more than 40 lieutenants.¹⁷⁵

Like the responses to homicide increases in the 1960s and 1980s, the city relied on data to frame and combat the 2016 homicide wave, but 2016 marked the first time that the city relied heavily on partnerships with a private lab at the University of Chicago to use data to legitimize its strategies.

Founded in 2008, the Crime Lab issued several reports prior to 2016 that called for increasing the length of imprisonment for people carrying firearms illegally.¹⁷⁶ Despite a report signed by

¹⁶⁷ *Id.*

¹⁶⁸ *Id.*

¹⁶⁹ Stacy St. Clair, *CPD to Launch New Support Centers to Analyze District-Level Shootings*, CHI. TRIB. (Oct. 1, 2017), <https://perma.cc/7UYX-6CY4>.

¹⁷⁰ JOHN S. HOLLYWOOD, KENNETH N. MCKAY, DULANI WOODS & DENIS AGNIEL, RAND CORP., REAL-TIME CRIME CENTERS IN CHICAGO: EVALUATION OF THE CHICAGO POLICE DEPARTMENT'S STRATEGIC DECISION SUPPORT CENTERS 61 (2019).

¹⁷¹ *Chicago Tonight: Police Superintendent Eddie Johnson on City's Violent 2016* (PBS Jan. 3, 2017).

¹⁷² *Id.*

¹⁷³ *Id.*

¹⁷⁴ See CHI. POLICE DEP'T, *supra* note 149, at 52.

¹⁷⁵ Fran Spielman & Frank Main, *CPD to Hire Nearly 1,000 Cops to Combat Surge in Chicago Violence*, CHI. SUN-TIMES (Sept. 21, 2016), <https://perma.cc/6W8U-7W65>.

¹⁷⁶ See generally JENS LUDWIG, UNIV. OF CHI. CRIME LAB, ANALYSIS OF POTENTIAL COSTS AND BENEFITS OF ILLINOIS HB2265/SB2267 (2013).

thirty-two Chicago-area academics critiquing the lab's position on sentencing enhancements, the Crime Lab stood by its position.¹⁷⁷ Critics of the Crime Lab have noted how its research reports have never reported ineffective or harmful CPD strategies. In a conference on Chicago's 2016 homicide spike, the Crime Lab "wrote off explanations about social-service spending" and the release of video footage from the killing of Laquan McDonald.¹⁷⁸ The Crime Lab's data agreement with the CPD, which we acquired through a Freedom of Information Act request, helps explain this publication bias. It stipulates that, "with or without cause, CPD retains the right to require the immediate return or destruction of all copies of the information obtained under this Agreement . . . and refuse any future requests for criminal information from the Requestor."¹⁷⁹ This stipulation amounts to a veiled threat, warning the researcher of the city's monopoly over data and its power to banish researchers from any future data access.

The use of data in response to the 2016 homicide wave illuminated an important evolution in how the city and the CPD used data to capitalize on crises. Private labs operating with proprietary data agreements and little public oversight carry on the historical pattern of using data to discredit policing alternatives and to continue centering police as the key providers of public safety.¹⁸⁰

¹⁷⁷ Wally Hilke, *The Truth Limpes After: Social Science and Advocacy in Chicago*, *Gun Sentencing*, 23 U. PA. J.L. & SOC. CHANGE 69, 74–75 (2020); Amber Jean, Aryssa, Samhitha, Troy Bolton & brian bean, *Science in Service of Cops*, RAMPANT MAG. (Oct. 9, 2020), <https://perma.cc/K39T-LXG5>.

¹⁷⁸ Maya Dukmasova, *The Ironies and Contradictions of the New York Times Event on Chicago Gun Violence*, CHI. READER: BLOGS (MAY 4, 2017), <https://perma.cc/6FQ5-Z6KS>.

¹⁷⁹ Non-disclosure of Criminal Justice Information Agreement Between the Chi. Police Dep't and Univ. of Chi. Urb. Labs ¶ 10 (Nov. 15, 2015) (on file with author). We obtained these proprietary-data agreements through a Freedom of Information Act request and can share it with readers upon request.

¹⁸⁰ To be clear, the Crime Lab posits that it devotes the majority of its work to evaluating and studying youth-based social-service violence interventions. It does so, however, by relying on data provided by the CPD. Reliance on police data requires reliance on permission from police to access it, and the CPD is not known for taking criticism well. This leaves the Crime Lab in a position where it has little room to critique the biases and errors that police deploy to legitimize themselves during crime waves. Most recently, this unfolded with the 2020 carjacking spike in Chicago, which the CPD attributed to Black youth seeking joy rides despite the CPD having information on less than 15% of offenders. The Crime Lab remained silent on the carjacking issue amidst the CPD's deeply flawed analysis.

III. DISCUSSION AND CONCLUSION

Throughout Chicago history, city leaders have characterized homicide and its causes as rooted in individual behavior and Black neighborhoods while increasingly relying on data to legitimize these characterizations. This bounds policy debates about violence prevention to debates aimed at changing individual behavior instead of expanding social services and economic opportunity. The city's individualized framings of homicide evolved from Black bootleggers in the 1920s and civil rights agitators in the 1960s to gangs in the 1980s and unemployed, mentorless Black youth in 2016. These framings have associated criminality with Blackness and deflected attention away from the societal conditions that give rise to violence. While the individualized framing of homicide quickly withers under deeper social-scientific scrutiny, it has nevertheless remained effective at helping the police department legitimize itself and grow its budget after each homicide wave.

The focus on individuals persists, despite recent mayors and police superintendents using the language of "root causes" of violence in their speeches. City leaders now mention structural problems like poverty, despair, lack of federal funding, and lack of federal gun-control legislation. But they often do so only to characterize these problems as beyond their control. And while it's true that the city is constrained by these structural problems, the city still chooses to apply its limited resources to implement ineffective strategies like tougher sentencing laws and longer in-jail holding periods for arrestees.¹⁸¹ Even more troubling, universities and private philanthropists are reproducing the CPD's individualistic homicide narrative while allowing the flaws in the CPD's policies and crime-data analyses to go uncontested. Recall, for example, Martin's comparison of the total number of Chicago homicides in 1968 and 1988 without accounting for population change.¹⁸² Such egregious errors in the CPD's crime-data analytics, nevertheless, influence public opinion when they go uncontested by mainstream media, philanthropists, and highly esteemed local and national social-scientific crime experts.

¹⁸¹ See Patrick Smith, *Mayor Lori Lightfoot Blamed Gun Violence on Judges, but Emails Show Her Staff Knew It Wasn't True*, WBEZ CHI. (May 26, 2021), <https://perma.cc/P26B-363G>.

¹⁸² Brune & Casey, *supra* note 115.

By controlling data access with the means to discipline researchers, the CPD can define the metrics of success or failure for crime interventions that favor their organizational self-interest over Chicago residents. Activists, community organizers, journalists, and academics seeking to contest the city's narratives or crime statistics are ignored or, ironically, labeled as biased and incapable of objective evaluation. Recently, the CPD's power to monopolize and misuse data has been strengthened and protected by the scientific legitimacy provided by the universities, labs, and researchers with whom it selectively partners.

Another critical implication of these histories is the discovery that Chicago emerged out of each homicide wave with (1) more police officers, (2) more police-department funding, and (3) more technologies for surveilling the same handful of low-income Black communities. By deflecting responsibility for homicide onto external forces like Black social movements, guns, and the federal government, the CPD justified significant growth in its budget after each wave.

The histories we shared are crucial for groups seeking to advance public-safety alternatives because institutionalizing any new public-safety model will require resisting and ultimately dismantling the data monopoly that helps police capitalize on crisis. One of the most important but difficult tasks for advancing alternatives to police is building new data infrastructures for measuring and analyzing public safety that are not collected, stored, or gatekept by police. Victimization surveys serve as one potential alternative, but they are expensive to implement. Alternatively, smartphone applications, such as "Citizen," allow residents to report crimes in their neighborhood in real time and for everyone to see, but private companies are not compelled to share their data with the public. More research and critical thinking are needed to devise a system of data governance that would provide a more democratic alternative to the mayor's office and the CPD's data monopoly. Professor Aziz Huq's research on the potential creation of public trusts in data may help generate more democratic data systems for urban governance.¹⁸³

Until such systems become a possibility, we implore people to, at the very least, question the rationales that cities and law enforcement use to characterize homicide waves. Anti-Black

¹⁸³ See Aziz Z. Huq, *The Public Trust in Data*, 110 GEO L.J. (forthcoming 2022) (manuscript at 40–58), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3794780.

criminal stereotypes have proven effective at diverting public attention away from the institutional sources of violence. This persistent commitment to anti-Blackness has been difficult to disrupt, as it has historically translated to more funding, more technology, and more boots on the ground for the police.

In conclusion, we hope that this Essay advances strategic efforts to institutionalize public-safety alternatives to policing. Aside from focusing on homicide perpetrators and victims, we urge Chicagoans to question who defines success or failure when it comes to solving homicide in Chicago. Reflecting on this question reveals that tackling Chicago's homicide problem requires not only devising interventions targeting individuals but also inquiring into the organizational dynamics of race, state power, and the production of legitimacy. Without more inquiry into the powerful—yet seemingly mundane—organizational and racialized apparatuses that legitimize police, those with the most to lose from social change will continue to monopolize influence over the public's imagination during crises.