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CIVILIAN OFFICE OF POLICE ACCOUNTABILITY

INTEGRITY TRANSPARENCY INDEPENDENCE < TIMELINESS

Quarterly Report s

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Q1

2019

COPA First Quarter 2019 Report For the period January 1, 2019 through March 31, 2019

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1. Executive Summary

The Civilian Office of Police Accountability (GOPA) is responsible for receiving all complaints of police misconduct involving the Chicago Police Department (Department) and investigating complaints involving:

- Excessive Force,
- Domestic Violence,
- Coercion,
- Verbal Abuse-Biased and sex-based in nature,
- Unlawful Search or Seizure, and
- Unlawful Denial of Counsel.

COPA also receives notifications of, and investigates, certain types of incidents and uses of force, including:

- All officer-involved firearm discharges,
- All officer-involved deaths,
- Custodial deaths,
- Taser discharges resulting in serious injury or death, and
- Any incident involving an officer that results in serious bodily injury or death.

The mission of COPA is to:

- Provide a just and efficient means to fairly, timely, and objectively conduct investigations within our jurisdiction;
- Determine whether allegations of police misconduct are well-founded;

- Identify and address patterns of police misconduct; and
- Make policy recommendations to improve the Department, thereby reducing . incidents of police misconduct.

COPA is required to provide quarterly and annual updates on its performance. This report provides information concerning COPA's operations and summary statistical data on investigative work, from January 01, 2019, through March 31, 2019. To learn more about COPA, please visit www.chicagocopa.org <<http://www.chicagocopa.org>>.

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Highlights from Q1 2019 include the following. Page numbers are provided to assist the reader in finding the chart or table that corresponds to the data highlighted below. Press Control+Right Click to follow the hyperlinks.

- Operational Updates

- COPA's community engagement program continues to expand to inform impacted parties and Department members.
- The Consent Decree became effective March 1, 2019.
- COPA Academy-11 staff members completed and successfully graduated from OPA Academy on February 20, 2019.
- COPA went live with Phase 1 of its new Case Management System.

- Intake

- COPA received 1110 complaints and notifications in Q1 2019. That is a 22% increase over Q4 2018. (Page 13)
- COPA retained 392 complaints and 25 notifications for investigation in Q1 2019, a 40% increase over Q4 2018. (Page 13)
- COPA received 161 complaints of Improper Search/Seizure, a 30% increase over Q4 2018 (124). This complaint category has consistently risen and continues to represent the largest percentage of COPA's complaint intake (38%). (Page 19)
- Complaints of Verbal Abuse, biased and sex-based in nature, decreased by 47% from Q4 2018 (15) to Q1 2019 (8). (Page 19)
- Incidents of firearm discharge striking an individual increased slightly from zero in Q4 2018 to two (2) in Q1 2019. (Page 19)

- The police district with the highest combined complaint and notification occurrences (All Intake) was District 1.0 (64) in Q1. The police district with the most COPA retained complaint occurrences was District 11 with 45.¹ (Page 17)

¹ Note that the number of occurrences may not match COPA's Complaint and Notification Intake totals because an event may have occurred across more than one district. If so, there would be one complaint or notification, but the incidents would be attributed to each of the involved districts.

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- Pending Investigations
 - As of March 31, 2019, COPA had 1350 pending investigations. (Page 23)
 - Allegations of Unnecessary Display of Weapon decreased by 26%, from 42 in Q4 2018 to 31 in Q1 2019. (Page 23)
- Concluded Investigations
 - COPA concluded 267 investigations (With Findings and Without Findings) in Q1 2019. This is a 9% decrease since Q4 2018. COPA believes the decrease may be attributed to the higher number of concluded investigations with findings, i.e., investigations that were subject to full investigation. (Pages 26, 27)
 - In Q1 2019, 67 investigations were concluded within 6 to 12 months, representing 25% of COPA's concluded cases. (Page 28)
 - COPA concluded 113 investigations With Findings in Q1 2019, representing 42% of all concluded investigations in this quarter and a 45% increase compared to Q4 2018. (Page 26)
 - COPA concluded 35 investigations as Not Sustained in Q1 2019, representing 31 % of all Q1 concluded cases With Findings. (Page 26)
 - In Q1 2019, COPA concluded 154 (58.7%) of 267 investigations as Without Findings. Slightly more than 38% (59) of those cases were closed for lack of an affidavit and corresponding insufficient evidence to meet the standard for an affidavit override. (Page 27)
 - On the day of COPA's launch it inherited nearly 950 open cases from its predecessor agency even as it was receiving at least 300 new complaints per quarter. In Q3 2018 COPA focused efforts to address those legacy cases. COPA recognizes that focusing such concentrated attention on legacy cases necessarily results in fewer newer complaints being concluded. However, COPA is rapidly addressing the arrearage while maintaining a high level of attention to serious new allegations and investigations. To

date, COPA. has reduced its legacy cases by nearly 70%.

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- As reported herein, in Q1 2019 COPA concluded 37% more 2+ year legacy investigations (74) than it did in Q4 2018 (54). (Page 28) In fact, the number of 4+ year old cases concluded in Q1 (13) increased by 225% over Q4 2018 (4).

- Disciplinary Recommendations

- Of 43 investigations concluded in Q1 2019 with Sustained Findings, COPA recommended: (Page 31)

- 0 Separation in four (4) cases;
- 0 Suspension of more than 30 days in three (3) investigations;
- 0 Suspension of less than 30 days in 22 investigations; and
- 0 Reprimand or Violation Noted in 14 investigations.

COPA is committed to transparency and the thorough reporting of its data and is in the process of expanding its data analysis and reporting capabilities. We welcome feedback on how to make our data -more accessible and on what specific data or analysis COPA should provide.

Sydney R. Roberts, Chief Administrator
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Sincerely,

2. Operational Updates

1 Case Management System

In February 2019, COPA launched Phase 1 of its long-awaited new Case Management System (CMS) bringing state-of-the-art technology to the field of police accountability. This new system provides for independence in the electronic management of our cases. As we move to Phase 2, this new CMS will allow for necessary integration to enhance our operational efficiency. Through continued development, CMS will enhance COPA's transparency efforts and mandatory reporting of case and operational data.

2 Community Engagement

COPA's community engagement strategy focuses on interacting with residents and community organizations and the constituents they serve. Since COPA's launch, having a robust engagement strategy has been essential to its effort to build public trust.

COPA believes it is important that people from various walks of life understand the role of civilian police oversight, how to file complaints if there is a police interaction that they feel is inappropriate, and how COPA's investigative process operates.

2.2.1 Community Meetings

COPA Community Hours hosted by Chicago Public Library

Based on the success of our initial efforts COPA expanded its COPA Community Hours initiative. In 2019, on a monthly basis COPA will host community hours in every police district in the City of Chicago to engage with members of those communities. During Q1, Chicago Public Library branches were selected based on communities where COPA Community Hours had not previously been held to increase awareness and interact with residents.

At each location COPA Public Affairs staff met with residents to share information regarding agency events and the agency's role in the police accountability structure. One highlight from our efforts was that students from a nearby high school engaged with a COPA investigator, who explained COPA's investigative process and how youths can have positive interactions with law enforcement. Our

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ability to be in the communities can lead to more random engagement opportunities and is at the foundation of our outreach efforts to meet people where they are.

Prior to each COPA Community Hour event Public Affairs staff conduct promotional and outreach efforts at schools, Aldermanic ward offices, and community organizations and meetings. Promotional efforts also include media releases and postings on our website and social media.

Initial COPA Community Hours events are listed in the chart below.

| Date | Police District | Community Area | Library Name | # Number of People Engaged |
|------------------------------|-----------------|---------------------------|------------------------------|----------------------------|
| Wednesday, February 20, 2019 | 14 | Shakespeare/ Logan Square | Humboldt Park Library Branch | 50 |
| Thursday, February 21, 2019 | 5 | Pullman | Pullman Branch | 30 |
| Wednesday, February 27, 2019 | 5 | West Pullman | West Pullman Branch | 30 |
| Tuesday, March 12, 2019 | 17 | Albany Park | Albany Park Branch | 45 |
| Wednesday, March 27, 2019 | 11 | Garfield Park | Leger Library Branch | 40 |

COPA visited the 4th Ward Town Hall Meeting to learn of new events in the ward. Part of our engagement strategy is to interact with residents by making presentations and also to learn of community events around the city. COPA staff attend ward meetings to answer residents' questions.

In recognition of African American History Month, COPA's Chief Administrator, First Deputy, and Public Information Officer attended the Cook County State's Attorney and African American Advisory Council's CF. Stradford Award ceremony. The ceremony recognizes individuals who have made contributions to the African American community through their professional lives. The CF. Stradford Award is named for Cornelius Francis Stradford, a pioneer in the legal community and co-founder of

the Cook County Bar Association and the National Bar Association.

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2.2.2 Engagement-Law Enforcement

COPA began 2019 by engaging law enforcement officers and recruits in an effort to continue building trust. During the quarter COPA met with nearly 200 Chicago Police Department recruits. As the administrative agency that investigates allegations of police misconduct, officer involved shootings, and other serious incidents that occur as a result of police action it is important that members of the Department trust our investigative process. COPA presentations typically cover the investigation process, our standards for integrity and objectivity, the thoroughness of our investigations, and what CPD members can expect from COPA. Members of COPA's Public Affairs team, Supervising Investigators, and Major Case Specialists attend these sessions to educate and answer questions.

One of the new engagement opportunities in 2019, initiated by the Chicago Police Department, provides COPA Chief Administrator Sydney R. Roberts the opportunity to speak to recently promoted and/or eligible for promotion Lieutenants and Captains of the Department. COPA believes that engaging Department members to share its mission, vision, operations, and process are key to building trust.

2.3 Training

2.3.1 Case Management System eLearning Roll-Out

To prepare staff for the introduction of our new Case Management System, in collaboration with the Information Systems Team, the Training and Professional Development Division (TPDD) has been working continuously with COPA's consultants and contractors. In Q1 the goal was to: 1) establish the necessary eLearning modules needed for COPA employees as the agency transitions from the Citizen and Law Enforcement Analysis Reporting System (CLEAR) and 2) to provide training to acclimate COPA employees to the new Column CMS. To meet this objective, TPDD spearheaded the following activities:

- Collected and documented the necessary business requirements for the new system roll-out.
- Met with external agency partners to establish the requirements needed to lay the foundation of the new CMS, which is independent of, yet integrated with, CPD's data and software platforms.

- Designed a process for collecting content for the eLearning modules from COPA's internal subject matter experts.
- Uploaded key content to the City of Chicago's Learning Management System.
- Engaged in robust product testing to ensure application functionality and user accessibility.

At the conclusion of those activities a total of five (5) modules were created in collaboration with the investigative and legal units to determine which modules employees would be required to take.

2.3.2 COPA Academy

In Q1 2019, COPA held its fourth staff Training Academy. The COPA Academy program spanned six weeks and included presentations by national and local experts in investigation, legal concepts, law enforcement oversight, implicit bias, and procedural justice. COPA's training also provided weekly practice examinations on core investigative concepts and an integrated practicum project in which trainees combined their acquired skills and knowledge into a final project.

This year's academy included new content based on prevailing trends and best practices in the disciplines of investigation and legal analysis. This included: 1) Photo Array Analysis; 2) Policies and Procedures; 3) Affidavit Override and Notarization; 4) Forensic Podiatry; 5) Trauma Informed Care; 6) Sexual Assault; 7) Child Interview Procedures; 8) COPA's requirements under the Illinois Freedom of Information (FOIA) and Public Records Acts; 9) City of Chicago Consent Decree; and 10) Understanding Cultural Differences. In all, COPA provided 31 hours of new content training, of which 23 hours counted as legal education credits.

In addition to the new content, attendees were required as part of their final project to complete an integrated practicum which included preparation of an oral summary based upon one of COPA's closed Officer Involved Shooting (OIS) investigations. The graduation ceremony for the Fourth COPA Academy was held on February 20, 2019.

2.3.3 Consent Decree

In August 2017, the State of Illinois filed a lawsuit against the City of Chicago to enjoin the Chicago Police Department from engaging in a repeated pattern of using excessive force, including deadly force, and other misconduct that disproportionately harms Chicago's African American and Latino residents. Subsequently, the parties reached agreement on a Consent Decree,² which was approved

by the court and became effective on March 1, 2019.

In preparation to meet the mandates imposed by the Consent Decree, TPDD collaborated with COPA's Legal Division to initiate training for all COPA personnel on the requirements of the Decree and five trainings sessions were developed.

In addition, pursuant to the Consent Decree, COPA is required to ensure that training is conducted on all policies developed and/or revised pursuant to the

² State of Illinois v. City of Chicago (Northern District of Illinois, Eastern Division Case No. 17-cv-6260).

Decree. On March 1, 2019, the Public Policy and Legislative Affairs Division promulgated six (6) policies and TPDD hosted three training sessions exclusively for COPA's investigative and legal divisions.

The following policies were covered in the training.

- Training and Disciplinary Records;
- Chicago Police Department Member Interviews;
- Final Summary Report;
- Disciplinary Recommendations;
- Timeliness Benchmarks; and
- Request for Extension of Investigation.

Further training will be provided as additional COPA policies and directives are developed and/or revised.

2.3.4 Internship Program

During Q1, COPA announced its Summer 2019 Internship Program. Candidate interviews were held in February and March 2019.

The internship program, hosted by the Northwestern University Pritzker School of Law, was held in part at the Mid-West Public Interest Legal Career Conference. COPA's Legal and Public Affairs Divisions will be participating in the program.

Interest in the internship program was high, with 16 students applying-11 students for the legal internship program and five for the investigative internship program.

Note that for the remainder of 2019, programmatic internship opportunities will increase by two as

the curriculum expands to include public policy and community affairs.

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3. Q1 2019 Data Analysis

3.1 Methodology

To fulfill the requirements of COPA's enabling ordinance,³ the agency queried the CLEAR and new CMS databases in which complaint and operational data is recorded to retrieve the information analyzed for this report, which covers the period from January 1, 2019, to the end of March 31, 2019. The reported data is accurate as of the date of the query, however, data stored in the databases can change as an investigation progresses. For example, a primary category code may change as an investigation uncovers additional evidence, or a case previously concluded may be reopened.

The merging of data from CLEAR and CMS is not without its challenges because in some instances the recording of complaint categories is different in each system and retrieving data requires that queries be separately run on each system, then the data combined and normalized.

Also, please be advised that since Q3 2018, COPA has mounted a concerted effort to complete investigations inherited from our predecessor agency that were open at the launch of COPA. COPA began operations in September 2017 and on that date had nearly 950 open cases.

The growing trend since launch has been the opening of at least 300 cases each quarter. However, as shown elsewhere in this report, COPA has made significant progress in resolving those legacy cases and will continue to focus its efforts on that task in 2019.

Overall, it is important to note that there are inherent limitations in the data that COPA presents in this report. COPA can only report on the complaints and notifications it receives-it cannot account for individuals who have, or believed they have, experienced Department misconduct but have not filed a complaint with COPA or in which conduct reported to the Department did not result in notification to COPA.

³ Municipal Code 2-78-150

Therefore, with respect to COPA's intake, all numbers represent the number of reported complaints and notifications, not the number of occurrences of actual or perceived misconduct. Similarly, COPA's complaint intake process documents the number of complaints received but there may be multiple allegations of misconduct in a complaint.⁴ ■■⁵ As a result, although COPA reports on its case intake, investigations, and outcomes, there are additional elements to Department misconduct and accountability that COPA cannot capture at this time.

Data is presented in an order similar to COPA's investigative process: received complaints and notifications, pending investigations, and concluded investigations.

3.2 Intake-Complaints and Notifications Received

From January 01, 2019, to March 31, 2019 (Q1), COPA received 1110 complaints and notifications for evaluation. This is a 22% increase from Q4 2018. Of COPA's Q1 total intake, 693 (62%) complaints and notifications fell outside of COPA's investigative jurisdiction and were appropriately referred to the CPD Bureau of Internal Affairs (BIA). The complaints referred to BIA were largely related to operational, violations not involving civilian contact, and those that were not, involved a criminal element.

In Q1 2019, COPA retained 417 complaints and notifications, a 40% increase since Q4 2018. Of those, 392 (87.5%) were complaints received from individuals and 37 (12.5%) were notifications from CPD of certain incidents.

⁴ COPA is in the process of establishing a method for reporting on allegations, given COPA's current data infrastructure constraints.

⁵ It is important to remember when evaluating findings in OIS cases that one logged COPA complaint may encompass more than one act of alleged misconduct. Therefore, the resulting finding might not go to the shooting but to a lesser violation.

Table 1: Complaints And Notifications

| | Q1 2019 | Q4 2018 | Q3 2018 | Q2 2018 | Q1 2018 |
|---------------------------|---------|------------|-------------|-------------|------------|
| COMPLAINTS | | | | | |
| Complaints Re392 COPA | | 260 | 297 | 251 | 238 |
| Complaints Re656 | | 572 | 731 | 717 | 640 |
| NOTIFICATION | | | | | |
| Notifications R25 COPA | | 37 | 49 | 42 | 32 |
| Notifications R37 BIA | | 40 | 66 | 62 | 37 |
| TOTAL INTAK | | 909 | 1143 | 1072 | 947 |

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Figure 1: Complaints And Notifications

1200

1400

1000

800

600

400

200

Q1 2019 Q4 2018 Q3 2018 Q2 2018 Q1 2018
- Complaints Retained by COPA ■ ■ 'Complaints Referred to BIA

•Notifications Retained by COPA«

•TOTAL INTAKE

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3.3 Intake By District

Figure 2A: COPA Retained Intake By District

9 10 11 12 14 15 16 17 18 19 20 22 24 25

Figure 2B: All Intake By District

60



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Table 2: Intake By District COPA Intake vs. All. Intak

| District | COPA Retained Intake in Q1 2019 | All Intake in Q1 2019 |
|----------|------------------------------------|--------------------------|
| 1 | 6 | 28 |
| 2 | 23 | 60 |
| 3 | 17 | 32 |
| 4 | 21 | 22 |
| 5 | 22 | 26 |
| 6 | 28 | 44 |
| 7 | 33 | 30 |
| 8 | 21 | 37 |
| 9 | 11 | 11 |
| 10 | 9 | 64 |
| 11 | 45 | 50 |
| 12 | 13 | 39 |
| 14 | 4 | 11 |
| 15 | 9 | 27 |
| 16 | 14 | 30 |
| 17 | 4 | 17 |
| 18 | 10 | 31 |
| 19 | 10 | 19 |
| 20 | 5 | 10 |
| 22 | 14 | 26 |
| 24 | 7 | 10 |
| 25 | 19 | 20 |

Unknown

279

3.4 Intake - Complaints and Notifications Retained by COPA 3.4.1 Complaints

The two primary means by which COPA receives information to evaluate for investigation are:

- By direct complaint from an individual complaint, and
- When notified by the Chicago Police Department. Depending on the nature of a complaint or notification COPA may investigate or may refer the case to BIA.

The table below displays COPA's retained complaints by the primary category of classification for each. Each investigation may have multiple allegations in different categories, however, COPA's current technology cannot query such multiple allegations in a consistent way. Therefore, each investigation is categorized by the primary allegation, which can differ from the category to which it initially was assigned upon receipt, or from the category at final disposition because categories can be updated to better reflect the facts.

The total number of occurrences may not match COPA's Complaint and Notification Intake totals because an event may have occurred across more than one district, so there would be one case log number, but the complaint would be attributed to each of the involved districts.⁶

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⁶ CPD has only 22 districts. Districts 13, 21, and 23 do not exist.

Table 3: COPA Complaints By Category (a)

| CATEGORY | Q1 2019 | Q4 2018 | Change |
|-------------------------------------|---------|---------|--------|
| Improper Search/Seizure | 161 | 124 | 30% |
| Undefined ¹ | 138 | | |
| Excessive Force | 45 | 54 | -17% |
| Civil Suits | 22 | 6 | 267% |
| Domestic Violence | 10 | 18 | -44% |
| Verbal Abuse ⁷ | 8 | 15 | -47% |
| Incidents In Custody ⁷ | | | |
| Operational Violations ⁷ | | | |
| Coercion | 5 | 2 | 150% |
| Miscellaneous (b) | 5 | 28 | -82% |
| Abuse of Authority ³ | | | |
| Unnecessary Display Of Weapon | 3 | 12 | -75% |
| Denial Of Counsel | 2 | 2 | 0% |
| Traffic | 2 | | |

¹ Biased and sex-based in nature.

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| CATEGORY | Q1 2019 | Q4 2018 | Change |
|--------------------------|------------|------------|------------|
| Firearm Discharge | 2 | 0 | - |
| Individual | | | |
| Sex Offense ¹ | | | - |
| Shootings - Animal | 1 | 0 | - |
| Firearm Discharge | 0 | 0 | - |
| Individual | | | |
| Taser Discharge | 0 | 0 | - |
| TOTAL | 422 | 261 | 62% |

(a) Case allegations can differ from Intake allegations.

(b) Miscellaneous captures various complaints and notifications that, pattern and alleged conduct, do not fall within special categories, or (c) the specific category that is the allegation at the time the data was queried.

3.4.2 Notifications

In Q4 2018, COPA retained 25 incidents for investigation that were initiated from Department notifications. Department notifications are typically communicated to COPA through the CPD's Crime Prevention and Information Center (CPIC), but COPA occasionally may be notified through other means, such as by email. The notifications that COPA investigates include all discharges of a firearm

in a manner that could have struck another person; Taser discharge incidents in which an individual died or sustained serious bodily injury as a result of the Taser discharge;

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and incidents in which an individual died or sustained serious bodily injury while detained and in the custody of the Department or as a result of a police action.

Table 4: COPA Notifications By Category (a)

| CATEGORY | Q1 2019 | Q4 2018 | Change |
|------------------------------|-----------|-----------|-------------|
| Miscellaneous (b) | 16 | 6 | 167% |
| Firearm Discharge at an Ar4 | | 5 | -20% |
| Firearm Discharge Not Stri2 | | 2 | |
| Individual | | | |
| Incidents In Custody ' . 1 | | ■15 | - -93% • |
| Motor Vehicle1 | | 0 | |
| Death | | | |
| <u>TASER Discharge</u> | 1 | 0 | - |
| OC Spray Discharge | 1 | 0 | - |
| Firearm Discharge Striking 0 | | 7 | -100% |
| TOTAL | 26 | 35 | -26% |

(a) Case allegations can differ from Intake allegations.

(b) Miscellaneous notifications have occurred, for example, when CC twice.

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3.4.3 Affidavits

State law and applicable collective bargaining agreements require that in most instances an affidavit be signed by the complainant when an allegation of misconduct is made against a police officer. In signing the affidavit the complainant is stating that the allegation being made against the Department member is true and correct.

COPA attempts to secure an affidavit from the person filing a complaint. If COPA is unable to obtain an affidavit in support of a complaint, COPA assesses evidence gathered during the preliminary investigation to determine if further investigation is warranted despite the absence of a signed affidavit. Where evidence is found suggesting a full investigation is warranted, the Chief Administrator requests an affidavit from the BIA Chief. In support of such a request, the Chief Administrator will provide the BIA Chief with objective, verifiable evidence that the investigation should continue, which can include obtaining arrest and case reports, medical records, statements of witnesses and

complainants, video and audio recordings, and photographs. If the BIA Chief concurs with the Chief Administrator that continued investigation of the allegation is necessary and lawful, even without a complainant's affidavit, the BIA Chief will execute a sworn affidavit and the COPA investigation will proceed. If the BIA Chief disagrees that continued investigation is warranted then the complaint is concluded.

To that end, COPA requested three (3) affidavit overrides from January 1, 2019, through March 31, 2019. As of March 31, 2019, all of COPA's affidavit override requests to BIA were granted.⁸

| Table 5: Affidavit Overrides¹ | | | | | | |
|---|---------|---------|---------|---------|---------|-------|
| COPA Requests | Q1 2019 | Q4 2018 | Q3 2018 | Q2 2018 | Q1 2018 | Total |
| Requests | 3 | 3 | 4 | 10 | 10 | 30 |
| BIA Response | | Q4 2018 | Q3 2018 | Q2 2018 | Q1 2018 | Total |
| Approvals | 3 | 3 | 4 | 10 | 10 | 30 |
| Denials | 0 | 0 | 0 | 0 | 0 | 0 |
| Pending | 0 | 0 | 0 | 0 | 0 | 0 |

⁸ These numbers reflect the status of requests made, approvals, denials, and pending requests as of close of business on March 31, 2019.

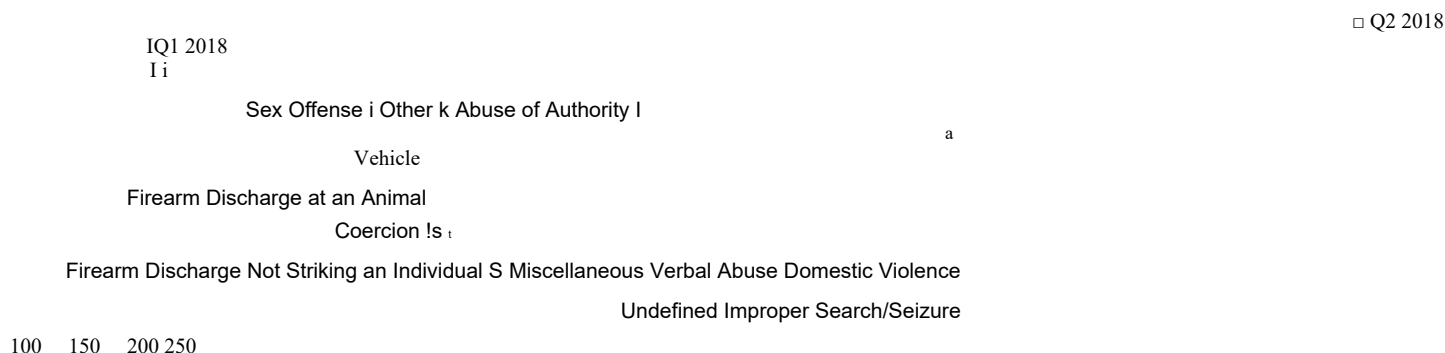
3.5 Pending Investigations

As of March 31, 2019 (Q1), COPA had 1350 pending investigations, a 16% increase compared to Q4 2018.

Table 6: Pending Investigations by Category

| CATEGORY | Q1 2019 | Q4 2018 | Q3 2018 | Q2 2018 | Q1 2018 |
|--|---------|---------|---------|---------|---------|
| Improper Search/Seizure | 414 | 316 | 278 | 192 | 138 |
| Excessive Force | 287 | 340 | 374 | 377 | 382 |
| Undefined | 133 | | | | |
| Civil Suits | 107 | 92 | 93 | 84 | 86 |
| Domestic Violence | 78 | 89 | 92 | 92 | 94 |
| Firearm Discharge Striking an Individual | 57 | 60 | 54 | 56 | 54 |
| Verbal Abuse | 53 | 58 | 65 | 53 | 56 |
| Incidents in Custody | 50 | 47 | 49 | 45 | 39 |
| Miscellaneous | 38 | | | | |
| Unnecessary Display of Weapon | 31 | 42 | 41 | 35 | 39 |
| Firearm Discharge Not Striking an Individual | 29 | 27 | 27 | 23 | 18 |
| Operational Violation | 22 | 22 | | | |
| Coercion | 16 | 16 | 18 | 10 | 8 |
| Miscellaneous Notification | 13 | | -- | | |
| Firearm Discharge at an Animal | 9 | 11 | 12 | 5 | 2 |

Figure 4: Change In Pending Investigations



3.6 Concluded Investigations

In Q1 2019, COPA concluded 267 investigations-decrease of 9% (24) from the prior quarter.

3.6.1 Investigations Concluded With Findings

In Q1 2019, COPA concluded 113 investigations with findings, representing 42% of COPA's 267 concluded investigations. This represents a 45% increase from the prior quarter of cases that were the subject of a full and thorough investigation.

COPA makes investigative findings of "Sustained" and "Not Sustained" based on the "Preponderance of the Evidence" standard in which the evidence must show it is "more likely than not" that the incident did or did not occur as alleged.

However, in accordance with the Consent Decree, which became effective on March 1, 2019, findings of "Unfounded" and "Exonerated" must be supported by "Clear and Convincing" evidence. Clear and Convincing evidence is a higher standard than Preponderance of the Evidence, but lesser than "Beyond a Reasonable Doubt." These findings are elaborated below:

- **Sustained:** The allegation was supported by sufficient evidence ("Preponderance") to justify disciplinary action. Recommendations of disciplinary action may range from violation noted, to

suspension, to separation from the Department.

- **Not Sustained:** The allegation is not supported by sufficient evidence ("Preponderance") which could be used to prove or disprove the allegation.
- **Unfounded:** The allegation was not supported based on the facts revealed through investigation, or the reported incident did not occur, as shown by "Clear and Convincing Evidence."
- **Exonerated:** The incident occurred, but the action taken by the officer was deemed lawful and proper, as shown by "Clear and Convincing Evidence."

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Table 7: Investigations Concluded With Findings

| | Q1 2019 | Q4 2018 | Change |
|----------------------|------------|-----------|-------------|
| Sustained | 43 | 28 | 54% |
| Not Sustained | 35 | 15 | 133% |
| Unfounded | 22 | 25 | -12% |
| Exonerated | 13 | 10 | 30% |
| TOTAL | 113 | 78 | 45% |

3.6.2 Investigations Concluded Without Findings

In Q1 2019, COPA concluded 154 investigations without findings, representing 58% of its concluded investigations. COPA strives to conclude investigations with findings, but there exist circumstances in which "concluded without findings" is the most reasonable or only option.

Investigations concluded without findings can have the following dispositions: Administratively Closed, Administratively Terminated, No Affidavit, Within Policy/Officer-Involved Shooting (OIS/Incident in Custody), Case Suspended, and Close Hold. COPA concludes investigations without findings for various reasons. For example, COPA may administratively close a duplicate log number generated in error for an incident already under investigation. COPA may conclude investigations due to lack of an affidavit if, after COPA has made a good faith effort, the complainant refuses to sign an affidavit (or is unavailable to sign an affidavit) and COPA is unable to identify sufficient evidence with which to request an affidavit override to continue the investigation. COPA may administratively terminate a case when allegations do not include:

- A firearm discharge,
- Physical violence or threats of physical violence,
- Serious injury,
- Verbal abuse rising to the level of racial bias, or

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- Any incident in which video or audio evidence exists that depicts and corroborates the allegations.

An investigation can be closed with a status of Case Suspended if the investigation has been referred to another agency. Investigations can be closed with a status of Close Hold when an accused member is otherwise unavailable to COPA to address allegations, therefore, we are unable to reach a finding. For example, an investigation may be concluded with a Close Hold status if a member is on extended leave due to medical reasons and is unable to participate in the investigation.

Lastly, investigations that begin as a result of a police department notification (rather than by civilian complaint) and which are found by COPA to be within „ Department policy do not result in formal allegations of misconduct and, therefore, are closed without findings. For instance, an investigation of an Officer-Involved Shooting (OIS) incident is deemed to be Within Policy if, given the preponderance of the evidence, the officer's actions comported with the Department's policy regarding use of force at the time the incident occurred, the matter would be categorized as Closed Without Findings. If an OIS incident has other findings for allegations unrelated to the firearm discharge, it is reported in the previous chart, and thus, only counted once.

Table 8: Investigations Concluded Without Findings

| | Q1 2019 | Q4 2018 | Change |
|--|---------|------------|-------------|
| No Affidavit or Override | 59 | 103 | -43% |
| Administratively Closed | 70 | 83 | -16% |
| Administratively Terminated | 21 | 22 | -5% |
| Within Policy Officer Involved Shooting (OIS)2 | | 1 | 100% |
| Within Policy / 0 | | 0 | |
| Within Policy/Extraordinary O0 | | 0 | |
| Case Suspended 0 | | 0 | |
| Close Hold | 2 | 7 | -71% |
| TOTAL 154 | | 216 | -29% |

3.6.3 Length of Investigation

Pursuant to MCC 2-56-135, COPA must inform the complainant and the Department member who is the subject of an investigation of the general reasons for the delay in closing an investigation within six months (180 days, eff. March 1) Therefore, COPA strives to conclude its investigations within the specified time after receiving a complaint of alleged misconduct or a notification from CPD of the incident for investigation. Some investigations, such as OIS incidents, complaints alleging improper search and seizure, and excessive force investigations, may conclude beyond the regulatory timeframe as they are, by their nature, more complex, often involve more parties, and require an intricate analysis of collected evidence and/or legal precedent.

Of the 267 investigations that COPA concluded in Q1 2019, 29% (78) were completed in fewer than six (6) months and 25% (67) in fewer than 12 months. Of important note, since Q3 2018, COPA has commenced an aggressive initiative to bring to conclusion all pending legacy cases inherited since COPA launch. Since that time, nearly 70% of the 950 cases inherited have been closed.

The below "Aging Report" reflects COPA's concerted concentration to conclude these legacy cases. As shown, in this reporting period COPA concluded 37% more cases (74) that were 2+ years old, compared to Q4 2018. In fact, the number of cases concluded that had been open 4+ increased by 225%. COPA will continue to focus on resolving these legacy cases.

Table 9: Length Of Investigations At Time Of Conclusion*

| | Q1 2019 | | Q4 2018 | Change |
|----------------|---------|----|---------|--------|
| Under 6 Months | 78 | | 108 | -28% |
| 6 -12 Months | 67 | | 199 | -66% |
| 1 - 2 Years | 48 | | 42 | 14% |
| 2 - 3 Years | 46 | 38 | 21% | |
| 3 - 4 Years | 15 | 12 | 25% | |

| | | | |
|--------------|----|---|-----------------------|
| Over 4 Years | 13 | 4 | Page 28 of 40 225% |
|--------------|----|---|-----------------------|

All cases older than 2 years

Figure 5: Length Of Investigations At Time Of Conclusion



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3.6.4 Investigations Closed By Reporting Category

Table 10: Investigations Closed By Reporting Category (a)

| CATEGORY | Q1 2019 |
|----------|---------|
|----------|---------|

| | |
|-------------------------------|------------|
| Excessive Force | 100 |
| Improper Search/Seizure | 49 |
| Domestic Violence | 18 |
| Unnecessary Display Of Weapon | 13 |
| Miscellaneous Coercion | 12 |
| Shootings - Animal | 12 |
| Destruction Civil Suits | 8 |
| Firearm Discharge | 7 |
| Striking an Individual | 5 |
| Undefined Vehicle | 5 |
| Incidents In Custody | 4 |
| Denial Of Counsel | 4 |
| Miscellaneous OC | 4 |
| Discharge Taser | 3 |
| Discharge | 1 |
| TOTAL | 247 |

(a) Miscellaneous captures various complaints and notifications that, based on the known fact pattern and alleged conduct, do not fall within specific categories, or COPA has not yet determined the specific category that is the allegation at the time the data was queried for this report.

3.6.5 Recommended Discipline

At the end of an investigation in which COPA sustains findings, the agency recommends discipline of the accused member to the Department. However, it is ultimately up to the Department and/or the Chicago Police Board to come to a final decision regarding discipline. The table below displays COPA's recommended discipline in Q1 2019.

Table 11: Highest Level of Recommended Discipline Per Concluded COPA

| Category | Violation Noted or Reprimand | 1 - 29 Day Suspension | 30+ Day Suspension | Separation |
|----------------------------------|------------------------------|-----------------------|--------------------|------------|
| Firearm Discharge And Individual | 1 ⁹ | 0 | 0 | 0 |
| Firearm Discharge I. 0 | | 0 | 0 | 0. |
| Striking An Individual | | | | |
| Unnecessary Display Of Weapon | 0 | 2 | 0 | 1 |
| Improper Search/Seizure | 5 | 4 | 0 | 0 ■ |
| Incidents In Custody | 1 | 0 | 0 | 0 |
| Miscellaneous | 0 | 2 | 0 | 1 |
| Vehicle | 0 | 0 | 0 | 1 |
| Excessive Force | 4 | 9 | 2 | 1 |

| | | | | |
|---------------------------------|----|----|---|---|
| Coercion | 0 | 2 | 0 | 0 |
| Domestic Violence | 2 | 3 | 1 | 0 |
| Miscellaneous | 1 | 0 | 0 | 0 |
| SUBTOTALS | 14 | 22 | 3 | 4 |
| TOTAL - All Recommendations: 43 | | | | |

⁹ As noted earlier, upon closure of a complaint or notification that initiated the investigation may not later reflect the allegation in which the finding was associated.

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4. Additional Data Reporting

4.1 Transparency Efforts

Since the enactment of the City's Video Release Policy in 2016, COPA has released certain evidentiary materials collected during investigations of OIS incidents and any incidents resulting in death or great bodily harm that occurred in police custody or as a result of a Taser discharge. Pursuant to the Video Release Policy and subject to legal restrictions, COPA released such materials as were permitted by law for 11 investigations over the course of Q1 2019. The table below reflects the investigations for which materials have been released. It also highlights the releases that have been (a) delayed during this period due to an extension request made to the City by a third party or (b) withheld because of a court order.¹⁰

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¹⁰ Pursuant to the Video Release Policy, "Upon written request from a government entity specified herein, the City will delay release of Information for a period not to exceed 30 calendar days. Any such request shall be made in writing and shall be directed to the City Corporation Counsel ... Any request must set forth with specificity the length of the delay requested (not to exceed an additional 30 calendar days) and shall set forth as reasons supporting the requested delay one or more of the factors listed at 5 ILCS 140/7(d)(i) through (vii). In addition, any such request must identify the specific item(s) sought to be temporarily withheld from release." The

City is required to adhere to all legal obligations regarding the implementation of the policy, including "(a) any court order; (b) any obligation to redact identifying information or other information from any item covered by this policy before its release to the policy; or (c) any obligations imposed by the Freedom of Information Act, 5 ILCS MO/1 et seq." Therefore, to the extent a court order has enjoined the City from releasing materials on COPA's website, COPA has not released such information.

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Table 12: Materials Released Pursuant To The Transparency Policy

| Log # | Category | Link to Available Materials |
|------------------------------------|--|--|
| 1092482 | Firearm Discharge (Posting limited to reference to court order in place prohibiting release of materials .) | httpDs://www.chicaqocopa.org/cas <http://www.chicaqocopa.org/case |
| 1092023 | Firearm Discharge | httpDs://www.chicaqocoDa.orq/cas <http://www.chicaqocoDa.orq/cas |
| 1091909 | Firearm Discharge (Posting limited to reference to Juvenile Court Act prohibits release of materials.) | httpDs://www.chicaqocoDa.orq/cas <http://www.chicaqocoDa.orq/cas |
| 1091907 | Firearm Discharge (Posting limited to reference to Juvenile Court Act prohibits release of materials.) | httpDs://www.chicaqocopa.org/cas <http://www.chicaqocopa.org/case |
| 1091794 | Firearm Discharge (Posting limited to reference to Juvenile Court Act prohibits release of materials.) | <https://www.chicaqocoDa.orq/ca: |
| 1091779 | Firearm Discharge (Posting limited to reference to court order in place prohibiting release of materials.) | <https://www.chicaqocopa.org/cas |
| 1091770 (Mercy Hospital Incident.) | Firearm Discharge (Under FOIA, privacy interests of victims preclude release of materials.) | <https://www.chicaqocopa.org/cas |

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1091725, Firearm Discharge . <<https://www.chicagocopa.org/case/1091725/>>
 (Posting limited to
 reference to court
 order in place
 prohibiting release of
 materials.)

1086127 Other Use Of Force <<https://www.chicagocopa.org/case/loq-1086127/>>
 Court Orders No Longer In Place - Materials
 Released

1087021 Other Use Of Force <<https://www.chicagocopa.org/case/1087021-2/>>
 1087518 Other Use Of Force <<https://www.chicagocopa.org/case/1087518-2/>>

4.2 Referrals

COPA may partially or fully refer a matter to another agency for a variety of reasons. For example, if COPA determines in the course of a preliminary investigation that the accused member is actually a member of the Cook County Sheriff's Department, rather than the Chicago Police Department, COPA fully refers the matter to the Cook County Sheriff's Department. A partial referral occurs when COPA retains its administrative investigation, but shares certain information with another agency, for instance, when COPA's investigation reveals potential criminal violations. COPA also refers complaints to the Chicago Office of Inspector General, for example, when a matter is in COPA's jurisdiction to investigate, but a conflict of interest prevents COPA from investigating.

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Table 13: Referrals

| Agency | Q1 2019 | Q4 2018 | Q3 2018 | Q2 2018 | Q1 2018 |
|----------------|---------|---------|---------|---------|---------|
| External Poli3 | | 5 | 2 | 0 | 0 |
| Departments | | | | | |
| Cook County1 | | 5 | 2 | 0 | 0 |
| Dept. | | | | | |
| Cook County8 | | 7 | 7 | 4 | 6 |
| Attorney's Of | | | | | |
| TOTAL | 12 | 17 | 11 | 4 | 6 |

5. Complaints Filed Per Member

Pursuant to MCC 2-78-150(a)(7) and 2-78-150(b)(7), COPA must report on the number of total complaints and notifications (COPA and BIA) filed against each police officer in each Police District during the quarterly or annual reporting period. The table below fulfills that requirement and provides additional information.

In the table below, the "Unit of Assignment" column displays the name of each of unit in which at least one member assigned to that unit has been the subject of a complaint.¹¹ The second column lists the number of members in a District that were the subject of the number of complaints listed in the third column. So, the first line would be understood as: "Of members assigned to District 1, 17 members had 1 complaint each," etc.

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¹¹ Note: "Complaint" in this table means both civilian complaints as well as incidents in which COPA has brought formal allegations of misconduct in relation to an investigation of a CPD notification

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Table 14: Complaints Filed Per Member

| District/Unit of Assignment | Number of Members | Complaint and Notification Count |
|-----------------------------|-------------------|----------------------------------|
| 1 | 17 | 1 |
| 1 | 3 | 2 |
| 2 | | 1 |
| 2 | 5 2 | |
| 3 | 26 1 | |
| 3 | 1 | 2 |
| 3 | 1 | 3 |
| 4 | 18 | 1 |
| 4 | 2 | 2 |
| 5 | 33 | 1 |
| 5 | 4 | 2 |
| 6 | 18 | 1 |
| 6 | 2 | 2 |
| 7 | 50 | 1 |
| 7 | 7 | 2 |
| 7 | 1 | 3 |
| 8 | 30 | 1 |

| | | |
|-------|----|---|
| 8 | 2 | 2 |
| 9 | 11 | 1 |
| 10 | 27 | 1 |
| 11 | 38 | 1 |
| 11 | 4 | 2 |
| 11 | 1 | 3 |
| 12 20 | | 1 |
| 12 | 1 | 2 |
| 14 | 7 | 1 |

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| | | |
|-----|------|-----|
| 15 | 25 1 | |
| 15 | 4 | 2 |
| 16 | 9 | 1 |
| 16 | 1 | 2 |
| 17 | 7 | 1 |
| 17 | 2 | 2 |
| 18 | 17 | 1 |
| 18 | 2 | 2 |
| 19 | 15 | 1 |
| 19 | 2 | 2 |
| 20 | 5 | 1 |
| 20 | 1 | . 3 |
| 22 | 8 | 1 |
| 22 | 2 | 2 |
| 24 | 1 | 1 |
| 24 | 12 | 1 |
| 25 | 30 | 1 |
| 25 | 2 | 2 |
| 26 | 1 | ■ 1 |
| 26 | 1 | 2 |
| 44 | 42 | 1 |
| 44 | 2 | 2 |
| 50 | 1 | 1 |
| 59 | 1 | 1 |
| 79 | 1 | 1 |
| 111 | 2 | 1 |
| 113 | 1 | 1 |
| 114 | 3 | 1 |
| 114 | 1 | 2 |
| 121 | 2 | 1 |

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| | | |
|-----|-----|---|
| 121 | 1 | 2 |
| 121 | 1 | 3 |
| 121 | 1 | 4 |
| 123 | 1 | 1 |
| 123 | : 3 | 1 |
| 123 | 1 | 2 |
| 124 | 3 | 1 |
| 124 | 2 | 2 |
| 125 | 4 | 1 |
| 126 | 1 | 1 |
| 140 | 2 | 1 |
| 140 | 1 | 2 |
| 145 | 3 | 1 |
| 146 | 1 | 1 |
| 166 | 3 | 1 |
| 166 | 1 | 2 |
| 167 | 2 | 1 |
| 167 | 1 | 2 |
| 167 | 1 | 4 |
| 171 | 2 | 1 |
| 177 | 1 | 1 |
| 177 | .1 | 2 |
| 180 | 2 | 1 |
| 184 | 1 | 1 |
| 188 | 1 | 1 |
| 189 | 11 | 1 |
| 193 | 7 | 1 |
| 277 | 1 | 1 |
| 311 | 2 | 1 |
| 312 | 2 | 1 |

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| | | |
|-----|---|---|
| 313 | 4 | 1 |
| 376 | 3 | 1 |
| 376 | 3 | 2 |
| 543 | 1 | 2 |
| 602 | 1 | 1 |
| 606 | 1 | 1 |
| 606 | 1 | 2 |
| 608 | 4 | 1 |
| 610 | 9 | 1 |
| 610 | 2 | 2 |
| 620 | 9 | 1 |

| | | |
|------------|----|---|
| 620 | 4 | 2 |
| 630 | 10 | 1 |
| 630 | 1 | 2 |
| 640 | 2 | 1 |
| 640 | 1 | 2 |
| 650 | 1 | 1 |
| 650 | 1 | 2 |
| 701 | 1 | 1 |
| 721 | 2 | 1 |
| 1111 | 1 | 1 |
| Area South | 1 | 1 |
| Detective | | |
| Division | | |
| Bureau of | 1 | 1 |
| Detectives | | |
| Area South | | |
| Cook | 1 | 1 |
| Niles | 1 | 1 |
| Robbery | 1 | 1 |

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| | | |
|------------------|---|-----|
| Cook County | 1 | 1 |
| Sheriff's Office | | |
| Undercover | 1 | 1 |
| Unit | | |
| Unknown | | 317 |

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CIVILIAN OFFICE OF POLICE ACCOUNTABILITY 'INTEGRITY' > TRANSPARENCY 'INDEPENDENCE' 'TIMELINESS'

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