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PUBLIC SAFETY: THE SECTION

The Office of Inspector General (OIG) is an independent, nonpartisan-oversight agency whose mission is to promote economy, efficiency, effectiveness, and integrity in the administration of programs and operation of City government. Its Public Safety section, specifically enabled by the Municipal Code of Chicago (MCC), provides focus and dedicated resources to the oversight of the Chicago Police Department (CPD) and Chicago's police accountability agencies. By ordinance, the Public Safety section's inquiries are focused on the policies, practices, programs, procedures, and training of CPD, the Civilian Office of Police Accountability (COPA), and the Police Board, with respect to constitutional policing, discipline, use of force, and CPD's integrity, transparency, and relationship with City residents. Additionally, the Public Safety section is charged with studying police disciplinary investigations and hearings, including examining the fairness and consistency of discipline and whether individual misconduct investigations are complete, thorough, objective, and fair. MCC § 2-56-230.

The Public Safety section works to improve the effectiveness, accountability, and transparency of CPD and Chicago's police accountability agencies, and to transform the critical relationship between CPD and the communities it serves. Its distinctive value within the City of Chicago's public safety oversight system derives from its long-term, systemic perspective on necessary reforms, direct access to and utilization of City data systems, deep institutional knowledge of City operations, and position of independence from all other components of City government. Based on robust community and agency engagement, along with a focus on the appropriate use of data and technology, the Public Safety section identifies long-term, systemic reform opportunities, thereby improving the fairness and effectiveness with which public safety services are delivered and the safety of all of the City's neighborhoods.

PRIORITIES AND APPROACH

Informed by specific obligations derived from its ordinance and the consent decree entered in *Illinois v. Chicago*, coordination with stakeholders, input from CPD members and members of the public, and long-standing institutional knowledge of the core public safety challenges in Chicago, the Public Safety section has adopted the following strategic priorities to guide its work:

1. Improving CPD's administrative, managerial, and operational competencies to render it more effective in the performance of its critical public safety functions and more efficient in its administration.
2. Ensuring transparency, diligence, fairness, consistency, and timeliness in the police discipline and accountability system.
3. Ensuring that Chicagoans' constitutional and civil rights are sufficiently and equitably protected in all aspects of public safety operations.

The Public Safety section serves these priorities through three mechanisms: programmatic, audit-based evaluations and reviews; inspection of individual closed disciplinary cases; and collection and analysis of data from CPD and City sources on many aspects of policing, public safety operations, and the police disciplinary system.

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EVALUATIONS AND REVIEWS

The Public Safety section conducts program and systems-focused evaluations and reviews of CPD, COPA, and the Police Board. Based on these audit-based inquiries, OIG makes recommendations to improve the policies, procedures, and practices of those entities. The following summarizes Public Safety section reports released during 2020.

ADVISORY CONCERNING THE CHICAGO POLICE DEPARTMENTS PREDICTIVE RISK MODELS¹ (JANUARY 2020)

The Public Safety section conducted a review of CPD's risk models known as the Strategic Subject List (SSL) and Crime and Victimization Risk Model (CVRM). CPD received \$3.8 million in federal grants to develop these models, which were designed to predict the likelihood an individual would become a "party to violence" (PTV), i.e. the victim or offender in a shooting. The results of SSL were known as "risk scores" while CVRM produced "risk tiers." In August 2019, CPD informed OIG that it intended to decommission its PTV risk model program and did so on November 1, 2019 (although the grant period ended on September 30, 2019); OIG published the advisory thereafter to assess lessons learned and provide recommendations for any future implementation of PTV risk models.

Despite CPD decommissioning its recent PTV risk models, the Department stated that it may develop programs in the future which use data to help predict PTV individuals. Furthermore, CPD reportedly intended to use its PTV risk models as examples for other jurisdictions as part of the national discourse on predictive policing. OIG provides the following recommendations to CPD and any other jurisdiction considering the use of data to predict PTV individuals:

- Clean and vet data and develop protocols to regularly update PTV-related information
- Conduct training in a timely manner with up-to-date material
- Create policy dictating the intended purpose and allowed uses of PTV information and monitor the use of information
- Consider all relevant data to predict and intervene those at risk of becoming PTV
- Continuously evaluate the accuracy and efficacy of predictive policing programs
- Develop plans and secure resources to ensure sustainability of such programs

In its response to OIG's advisory, CPD concurred with the recommendation that any future risk models be governed by a policy with a clearly articulated purpose, but did not address other programmatic concerns including data quality, training, external access, ongoing evaluation, and sustainability.

Office of Inspector General, "Advisory Concerning the Chicago Police Department's Predictive Risk Models," January 23, 2020, <https://igchicago.org/wp-content/uploads/2020/01/OIG-Advisory-Concerning-CPDs-Predictive-Risk-Models-.pdf>

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The Public Safety section completed a review of CPD's producing its records for criminal prosecution and civil litigation, to determine whether CPD's processes are adequate to meet its constitutional and other legal obligations to disclose evidence in its possession during litigation. CPD's obligations stem from legal authorities including, the Supreme Court cases *Brady v. Maryland* and *Giglio v. United States*, Illinois state law, and Court-promulgated rules of civil procedure.

OIG found that CPD's processes are not adequate to ensure that the Department can meet its legal obligations. CPD lacks the means to determine what records may exist for a given case or incident, and therefore cannot ensure that it has produced all responsive records; members of CPD's Subpoena Unit are not systematic in their searches for records; and members of CPD's Subpoena Unit, and other units, do not systematically track the production of records.

OIG recommended that CPD develop Department-wide records management and production policies, procedures, and trainings, and develop and implement a records management system that allows for the effective and efficient identification of records across CPD's various units, systems, and physical locations. OIG further recommended improved communication, coordination, and transparency with stakeholders in criminal and civil litigation.

CPD agreed with most of OIG's recommendations, and reported having taken some steps toward implementing them. CPD was proactive with the development of an upcoming records production directive and standard operation procedures within its units. CPD also agreed to audit its production processes and to capture those processes in its ongoing Department-wide staffing analysis. CPD declined to implement certain recommendations, citing concerns

over staffing and resource scarcity, but noted that it was undergoing a staffing assessment and analysis for the entire Department. Additionally, CPD committed to conducting an internal audit of its records production processes, taking into account recommendations from OIG's report.

-'Office of Inspector General, "Review of the Chicago Police Department's Management and Production of Records," June 10, 2020, <https://iftchicngo.org/vvo/cotUent/uploacis/2020/06/OIG-Revie'. 'V-of-CPDs-Management-and-Production-of-Records.pdf>.

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The Public Safety section conducted a compliance evaluation of the City of Chicago's release of materials pursuant to its Video Release Policy ("Policy"). The Policy requires that the City publicly release, within 60 days of incident, "videotape and audiotape and certain specified police reports" related to specified types of use-of-force incidents—certain types of firearms discharges, taser discharges resulting in death or great bodily harm, and use-of-force against individuals in police custody resulting in death or great bodily harm involving CPD members.

COPA is responsible for identifying all use-of-force incidents governed by the Policy and publicly releasing the related materials. CPD's Crime Prevention and Information Center (CPIC) is responsible for notifying COPA of all such use-of-force incidents. COPA relies on other agencies, notably CPD and the Office of Emergency Management and Communications (OEMC), to provide it with video and audio files subject to disclosure under the Policy.

OIG's evaluation found that COPA failed to release all video, audio, and police documents in the timeframe required by the policy and exercises inadequately guided discretion in the release of materials other than those mandated for release by the Policy. OIG was also unable to verify that CPIC had notified COPA of all relevant use-of-force incidents.

OIG recommended several modifications to the City's Video Release program, including that COPA improve internal processes and collaborate with OEMC and the Mayor's Office to develop interagency processes that support the timely delivery of material COPA requests from OEMC; that COPA and CPIC develop clear, binding notification guidelines and train CPIC staff to execute them; and that the Mayor's Office, the Department of Law (DOL), and COPA review the Policy's criteria for release of video and related materials, and that DOL update the Policy accordingly.

COPA, CPD, OEMC, and the Mayor's Office all agreed with OIG's recommendations. CPD additionally noted that

the Department would work with COPA to develop clear guidelines for notifying COPA. The Mayor's Office stated that it would work with each involved agency to address the identified issues and recommendations.

³ Office of Inspector General, "Review of Compliance with the City of Chicago's Video Release Policy for Use-of-Force Incidents," September 15, 2020, <<https://igchicago.org/wp-content/uploads/2020/09/OIG-Review-oi-Compliance-with-the-City-of-Chicago-Release-Policy-for-Use-of-Force-Incidents.pdf>>

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In the course of two separate disciplinary investigations, COPA employees reported to OIG either uncertainty about whether they are obligated to report misconduct by CPD members, or the belief that they are not obligated to do so. In light of the legal obligations of all City employees and COPA employees specifically, and given COPA's critical role in Chicago's police accountability system, OIG recommended that COPA provide refresher training to its employees on their duty to report misconduct by CPD members. COPA agreed to do so.

The Public Safety section conducted an evaluation of CPD's compliance with its policy regarding post-incident requirements for members who discharge their firearms, on- or off-duty. Under General Order G03-02-03, CPD members are required to complete several steps before returning to regular field duties after a firearm discharge incident, specifically:

- completing a minimum of 30 days of administrative duty;
- participating in the Traumatic Incident Stress Management (TISM) program, which includes a trauma debriefing session;
- attending the Critical Incident Overview (CIO) training; and
- completing any other training curriculum developed by the Education and Training Division, including an individualized training curriculum.

OIG found that CPD had not operated in full compliance with this policy. OIG also determined that CPD's internal controls were inadequate, as reflected in the Department's insufficient policies and procedures, its inability to ensure the execution of those policies and procedures, and poor documentation of the return-to-duty process. As a result, members who discharged their firearms had returned to regular field duty before they satisfied return-to-duty requirements that were designed to help members process the trauma associated with discharging their firearms. Due to potential negative outcomes associated with trauma, such members may

³ Office of Inspector General, "Advisory Concerning the Civilian Office of Police Accountability's Duty to Report," September 2b, 2020, [https://if.Chicago.org/wp-content/uploads/2020/09/OIG-Advisory Concerning COPAs- Duty-to-Report pdf](https://if.Chicago.org/wp-content/uploads/2020/09/OIG-Advisory-Concerning-COPAs-Duty-to-Report.pdf) ' Office of Inspector General, "Evaluation of the Chicago Police Department's Post-Firearm Discharge Policy," October 27, 2020, <https://igchicago.org/wp-content/uploads/2020/10/OIG-Evaluation-of-the-Chicago-Police-Department's-Post-Firearm-Discharge-Policy-1.pdf>

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have been placed in circumstances that put themselves and others at "risk. In addition, OIG determined that the return-to-duty process was inadequate and inefficient in that program components are not adequately tailored to the experiences of individual members, and that nearly all members spent more than 30 days on administrative duty assignment, because of lag times in administration of key officer evaluation and support components of the return-to-duty process.

OIG recommended that CPD:

- develop and implement internal controls that ensure proper oversight of the requirements;
- complete, properly document, and track notifications of relevant CPD members-utilizing, to the extent feasible, a software solution automating the provision of relevant notifications and tracking all information necessary to verify completion of return-to-duty requirements;
- evaluate whether its current individualized training offerings fulfill their intended purpose and the requirements found in the General Order;
- track whether members have been involved in previous firearm discharge incidents to inform the TISM program, CIO and Individualized Critical Incident Overview trainings, and possible extension of administrative duty assignments beyond 30 days; and
- investigate the reasons most members remain on administrative duty for longer than 30 days and identify measures to improve the timeliness of its processes.

CPD either agreed or agreed in part to OIG's various recommendations.

: EVALUATION OF THE USE OF THE AFFIDAVIT OVERRIDE IN DISCIPLINARY

■ INVESTIGATIONS OF CHICAGO POLICE DEPARTMENT MEMBERS⁶ (DECEMBER 2020) V; %>: - - >,...

The Public Safety section conducted an evaluation of the use of the affidavit override in disciplinary investigations of CPD members conducted by BIA, CPD District and Unit Accountability sergeants, the Independent Police Review Authority (IPRA) and COPA.

Illinois state law and the collective bargaining agreements between the City of Chicago and the labor unions representing CPD members require that, in order to serve as the basis of a disciplinary investigation, except in certain limited exception circumstances, allegations of misconduct against a police officer must be supported by a

sworn affidavit. In the absence of a sworn affidavit, the investigating agency may obtain and proceed on the basis of an affidavit override. An affidavit override is an authorization from the head of a counterpart police misconduct investigating agency to complete an investigation, without an affidavit, on the basis of there being

^(c) Office of Inspector General, "Evaluation of the Use of the Affidavit Override in Disciplinary Investigations of Chicago Police Department Members," December 17, 2020, <https://igchicago.org/wp-content/uploads/2020/12/OIG-Evaluation-of-the-Use-of-the-Affidavit-Override-in-Disciplinary-Investigations-of-CPD-Members.pdf>. This report is responsive to Paragraph 558(d) of the consent decree

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objective, verifiable evidence to support the allegations. Examples of such evidence might include video of the incident, audio from a 911 call, global positioning systems records, or witness statements.

The override process, if used as designed, is an effective tool for ensuring that police misconduct is meaningfully investigated, while also providing an opportunity for verification of the reliability of complaints for which CPD members may be investigated. Historically, however, the process has been underused and, perhaps, poorly understood. OIG found that:

The majority of finalized disciplinary investigations were closed for lacking an affidavit. CPD, COPA, and IPRA (COPA's predecessor agency) did not pursue affidavit overrides and improperly and unnecessarily closed investigations for lacking an affidavit. • The investigating agencies often closed investigations associated with a civil lawsuit for lacking an affidavit, without regard to the possibility of the City potentially bearing financial costs for conduct, which is never meaningfully investigated; the possibility that materials associated with a civil suit might provide sufficient basis for an override request; and that a civil suit may give rise to sworn statements that might be substituted for an otherwise required affidavit, or provide a reliable basis for obtaining an affidavit override.

Investigations completed on the basis of an affidavit override result in sustained allegations at a higher rate than do investigations completed via a signed affidavit or an exemption from the affidavit requirement.

In order to better ensure that the affidavit override process functions to lower barriers of accountability, while appropriately protecting the procedural rights of CPD members, OIG recommended that CPD and COPA amend policies and improve training related to the pursuit of affidavits and use of the affidavit override. CPD and COPA agreed with OIG's observation of the importance of the affidavit override process and proper evidence documentation, and reported that many of OIG's recommendations have been, or are being, addressed with recent changes in policies and practices.

INSPECTIONS OF CLOSED DISCIPLINARY INVESTIGATIONS

The Public Safety section's Inspections Unit reviews individual closed disciplinary investigations conducted by COPA and BIA. OIG may make recommendations to inform and improve future investigations, and, if it finds a deficiency in a specific investigation which may have materially affected its outcome, may recommend that it be reopened.⁷ OIG screens all closed investigations to which it has access and selects certain investigations for in-depth review.⁸ Closed investigations are selected for in-depth review based on several criteria, including, but not limited to, the nature and circumstances of the alleged misconduct, and its impact on the quality of police-community relationships; the apparent integrity of the investigation; and the frequency of an occurrence or allegation. Additionally, pursuant to Paragraph 444 of the consent decree entered in *Illinois v. Chicago*, OIG conducts an in-depth review of all closed investigations involving allegations of sexual misconduct, as defined by the consent decree, against CPD members. Those closed investigations, which are selected for in-depth review, are assessed in a process guided by the standards for peer review of closed cases developed by the Council of the Inspectors General on Integrity and Efficiency. OIG assesses sufficiency across several categories, including timeliness, professional standard of care, interviews, evidence collection and analysis, internal oversight, and case disposition. In 2020, the Inspections Unit screened 651 closed disciplinary investigations and opened 63 for in-depth review.

DISCIPLINARY CASES REVIEWED

| Agency | Cases Screened | Cases Opened |
|--------|------------------|--------------|
| BIA | 373 | 33 |
| COPA | 278 | 30 |
| TOTAL | 651 ⁹ | 63 |

¹ These reviews are responsive to Paragraphs 558(d) and 559 of the consent decree.

² In February 20.1.9, BIA and COPA began using their new CMS as the information system for processing and storing investigations, OIG secured access to files stored in the CMS over the course of 2020, resolving most access issues only in the final months of 2020 OIG's capabilities to search files in the CMS remains limited, which poses challenges to ensuring that OIG is able to screen every closed disciplinary case, specifically, OIG is unable to search by closure date, involved member name, or witness or complainant name

⁵ The reduction from the 809 cases screened in 2019 is reflective of a lengthy and piecemeal process by which OIG has gained access to investigative files in the CMS used by BIA and COPA

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RECOMMENDATIONS TO REOPEN CLOSED DISCIPLINARY INVESTIGATIONS

Of those closed investigations selected for in-depth review in 2020, OIG recommended that three investigations conducted by BIA and seven investigations conducted by COPA be reopened to correct deficiencies materially affecting their outcomes.

BIA accepted OIG's recommendations in all three investigations. COPA accepted OIG's recommendations in two cases, declined to follow OIG's recommendations in four cases, and did not respond to one until 2021. Pursuant to one of the accepted recommendations, COPA referred the reopened matter to BIA based on a jurisdictional determination; in the other, COPA agreed to the correction of an inaccurate disciplinary history for a CPD member on which COPA had relied in making a disciplinary recommendation.

20-0175 20-0418

COPA COPA COPA COPA COPA

RECOMMENDATIONS TO REOPEN CLOSED DISCIPLINARY INVESTIGATIONS OIG

| Case Number | Agency Response |
|-------------|-----------------|
|-------------|-----------------|

| | |
|-----------------|--------------------|
| 20-0439/20-0440 | Declined to reopen |
|-----------------|--------------------|

20-0771 20-0796

| | | | | | | |
|---------|---------|---------|---------|--|--------------------|--------------------|
| 20-0836 | 20-1318 | 20-1385 | 20-1426 | Accepted recommendation to reopen, referred to BIA | Declined to reopen | Declined to reopen |
|---------|---------|---------|---------|--|--------------------|--------------------|

Accepted recommendation to reopen, corrected member's

COPA

BIA

BIA

disciplinary history
Declined to reopen

Accepted recommendation to reopen

BIA

Accepted recommendation to reopen

Accepted recommendation to reopen

Investigations OIG recommended be reopened during 2020 that either reached a final disciplinary decision, or which the investigating agency declined to reopen and are in a final status, are summarized with OIG's recommendations below.

RECOMMENDATION TO REOPEN BASED ON FAILURE INVESTIGATE ALL ALLEGATIONS (#20-0175)

IPRA was notified of two separate civil lawsuits alleging CPD, while executing a search warrant, unlawfully arrested and detained the plaintiffs, and used excessive force during their arrest in 2014. IPRA opened one investigation based on the allegations stemming from both lawsuits and named the involved CPD members as accused. Subsequently, all but one of the plaintiffs withdrew their legal claims and refused to cooperate with

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IPRA's investigation.¹⁰ COPA closed the investigation for lack of an affidavit.¹¹ In its No Affidavit Closure Memorandum, COPA noted that a new investigation would be initiated to reexamine the excessive force allegation made by the one cooperating complainant, and that his sworn deposition would be used in the absence of an affidavit. In 2017, COPA opened a related investigation naming only the sergeant who led the search warrant team as the accused. COPA's investigation was based on evidence and testimony gathered from the civil suit. Based on its analysis of that evidence, COPA found that the sergeant improperly ordered officers to arrest the complainant without probable cause and recommended a 10-day suspension.

The complaint filed in the complainant's civil suit included an allegation of excessive force, as acknowledged in the No Affidavit Closure Memorandum completed by COPA for the initial investigation. COPA noted in its Summary Report that "the complainant alleged multiple causes of action in his lawsuit and COPA focuses on one allegation, that the Complainant was arrested without justification." There is no indication that COPA investigated the complainant's allegation of excessive force, nor was an explanation for the decision not to address that allegation included in the case file.

OIG recommended that COPA reopen the case to address the complainant's allegation of excessive force. COPA determined that it would not be an efficient use of resources to reopen the investigation into the allegation of excessive force, as it would be unlikely to result in a finding of Sustained or Exonerated, and declined to reopen the investigation.

RECOMMENDATION TO REOPEN BASED ON A FAILURE TO COMPLETE AN INVESTIGATION INTO AN OFFICER-INVOLVED SHOOTING (#20-0439 / #20-0440)

On October 1, 2015, IPRA initiated an investigation based on a mandatory notification from CPD of a no-hit officer-involved shooting that occurred following a pursuit. The following year, IPRA had contact with the subject of that pursuit, and subsequently initiated a second investigation into the same incident, based on a complaint made by the subject of the pursuit. IPRA then closed the notification-based investigation, and consolidated it into the complaint-based

notification.

Ultimately the subject of the pursuit declined to sign a sworn affidavit in support of the complaint, and IPRA closed the consolidated investigation for that reason. IPRA's original, notification-based investigation could have proceeded without a sworn affidavit from a complainant. By consolidating the notification-based investigation into the complaint-based investigation, then closing the complaint-based investigation because the subject declined to provide a sworn affidavit in support of the complaint, IPRA foreclosed meaningful investigation of an officer-involved shooting. OIG recommended that COPA reopen the notification-based investigation to properly complete an investigation into the officer-involved shooting.

⁵⁰ The original case was initiated under IPRA, which was replaced by COPA on September 15, 2017. COPA closed the original case and initiated an investigation of the allegations under a different, case number in December 2017.

⁵¹ The Uniform Peace Officers' Disciplinary Act (50 ILCS 725) was amended in 2003 to require that a sworn affidavit attesting to the allegations must be in place in order to conduct a full disciplinary investigation into misconduct by a peace officer. There are certain exceptions to this requirement, and as outlined in applicable directives, policies, and collective bargaining agreements. The head of an investigating agency may authorize the completion of an investigation without an affidavit via an override process if a sworn affidavit cannot be obtained yet objective, verifiable evidence exists.

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COPA declined OIG's recommendation, citing the section of its enabling ordinance which describes the circumstances under which COPA may reopen a closed investigation. COPA identified two conditions which permit reopening and argued that neither of them applied, writing that "the passage of time and the unlikelihood of discovering previously unavailable material evidence [. . .] does not appear to have resulted in a gross miscarriage of justice." COPA omitted from its response, however, the third condition under which it may reopen a closed investigation, which is that it may do so pursuant to a recommendation from OIG. COPA further argued that IPRA's policy was to not investigate officer-involved shootings in which no one was hit, despite IPRA's ordinance in effect at the time which required it to "conduct investigations into all cases in which a department member discharges his or her firearm [. . .] in a manner which could potentially strike an individual, even if no allegation of misconduct is made."¹²

OIG asked that COPA clarify its response, based on the language of COPA's and IPRA's ordinances. COPA acknowledged the omitted provision of its ordinance, but persisted in declining to reopen, stating that its review of IPRA's work led to the conclusion that IPRA found the accused officer's conduct to be within CPD policy, despite IPRA not having issued any report or finding to that effect.

RECOMMENDATION TO REOPEN TO CORRECT DISCIPLINARY HISTORY AND CLARIFY DISCIPLINARY RECOMMENDATION (#20-0796)

COPA sustained allegations that an accused CPD member engaged in conduct unbecoming a member, unnecessary physical contact, and neglect of duty, and recommended that the accused member be separated from the Department. Collective bargaining agreements require investigating agencies to consider the complimentary and disciplinary history of accused CPD members when determining an appropriate disciplinary recommendation for sustained allegations. In this case, CPD provided COPA with an inaccurate report of the accused member's prior disciplinary history report.

OIG recommended that CPD provide COPA with an updated disciplinary history report which accurately captured the nature of the allegations for which the accused CPD member had been previously disciplined. OIG recommended that, upon receipt of the accused CPD member's disciplinary history, COPA revise its disciplinary recommendation to reflect consideration of the corrected record.

CPD and COPA adopted OIG's recommendations and updated the investigative record to include an accurate disciplinary history for the accused CPD member and a supplemental disciplinary recommendation from COPA. The accused member resigned before this matter could be heard by the Police Board.

RECOMMENDATION TO REOPEN TO ADDRESS ALLEGATIONS OF AN IMPROPER STREET STOP AND COMPLETE A COMPREHENSIVE SUMMARY REPORT OF INVESTIGATION (#20-0771)

A third-party witness filed a complaint alleging that CPD members conducted an improper street stop of a juvenile and used excessive force during the resulting arrest. While providing a formal statement to COPA, the complaining witness stated that the incident began when CPD members nearly struck the juvenile with their vehicle and then "jumped out" and "grabbed" the juvenile. The complaining witness claimed that they

¹ This language was found in City of Chicago, Municipal Code, §2-57-040(c), which has since been repealed. The section of the MCC governing IPRA's successor agency, COPA, is §2-78 City of Chicago, Municipal Code, accessed May 17, 2021, <https://codehbrary.arnlega.com/codes/c-11cago/latest/chicago-11/0-0-0-243S966>

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"witnessed the police get out of their vehicle and began beating the 16-year-old victim in the face," and that when the complaining witness asked why the CPD members engaged with the juvenile, one CPD member on the scene told the complaining witness it was because the juvenile "sells drugs all day."

COPA issued sustained findings on allegations of excessive force but did not document any analysis of evidence regarding the propriety of the street stop. OIG reviewed the evidence and identified inconsistencies regarding the nature of and justification for the stop among official CPD reports, body-worn camera footage, and statements provided by witnesses and CPD members. OIG recommended that COPA reopen the investigation to formally address the propriety of the street stop. OIG further recommended that COPA complete a full summary report of investigation which, in apparent violation of its own policies, it had not done.

COPA declined to reopen the investigation, citing two provisions in COPA's enabling ordinance, at MCC §2-78-120(x), which authorize COPA to reopen an investigation when new evidence is discovered or when the outcome of a completed investigation resulted in a gross miscarriage of justice. COPA's declining of OIG's recommendation was premised on the proposition that neither of those two criteria to reopen an investigation had been satisfied, and characterized OIG's recommendation as indicating a mere perception of a gross miscarriage of justice. COPA explained that it had, in fact, considered the improper stop allegations, but declined to serve the accused CPD members with the alleged violation of the victim's Fourth Amendment rights violation because "it was clear that the Officers would be exonerated." COPA acknowledged that "it may appear that investigators failed to contemplate and address potential allegations related to an improper stop," and that if COPA had included an explanatory footnote in the summary report, such inclusion "may have resolved this perceived flaw."

COPA also declined OIG's recommendation to complete a full summary report of its investigation, stating that the use of a truncated report "in no way compromises investigative integrity or transparency," and that COPA's Chief Administrator had granted verbal authorization during a staff meeting to close investigations that were not designated as "major" without a full report of the investigation.

OIG replied and requested that COPA provided a clarified response in light of the third criterion for reopening in COPA's ordinance-omitted completely from COPA's analysis in its initial response-which allows COPA to reopen an investigation upon a recommendation from OIG. In COPA's second response, it acknowledged this omitted provision but maintained its position in declining to reopen the investigation. The matter is pending appeal by the accused member, following the Superintendent's decision to issue discipline.

RECOMMENDATION TO REOPEN BASED ON DISCREPANCIES BETWEEN THE EVIDENTIARY RECORD AND COPA'S FINDINGS (#20-0836)

IPRA began, and COPA concluded, an investigation into allegations against several CPD members, including allegations that two members formerly assigned to BIA conducted an improper and/or inadequate administrative investigation. Specifically, the two former members of BIA were accused of failing to comply with a Special Order governing the administration of a breathalyzer test to subjects of a disciplinary investigation. The Special Order requires that BIA members take certain investigative steps when an allegation has been made that a CPD member is impaired or intoxicated. COPA reached findings of Not Sustained on each of the 11 allegations brought against the former BIA members, finding that it was unable to "conclude that an allegation of impairment or intoxication was actually made," which would have then triggered those BIA members' specific investigative responsibilities

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OIG's review of COPA's investigative file revealed numerous indications that the accused BIA members were, in fact, aware of the allegation of impairment or intoxication of CPD members. Given this, in the absence of evidence to show that the accused BIA members followed the requirements of the applicable Special Order, OIG recommended that COPA reopen the investigation to reach investigative findings consistent with its evidentiary record. COPA declined to do so.

RECOMMENDATIONS TO INFORM AND IMPROVE FUTURE INVESTIGATIONS

Pursuant to MCC §2-56-230(c), as a result of its regular review of closed disciplinary investigations, in addition to recommending the reopening of deficient investigations, OIG also issued recommendations to inform and improve future disciplinary investigations. While recommendations to reopen individual closed disciplinary cases may help to resolve specific defects in those investigations, recommendations to inform and improve future investigations seek to correct recurrent shortcomings seen across a number of cases.

In 2020, OIG issued the following recommendations to inform and improve future investigations, and initiated the process of following up with BIA and COPA to ensure the agencies have followed through on the commitments made in response to OIG's recommendations.

RECOMMENDATIONS TO INFORM AND IMPROVE COPA DISCIPLINARY INVESTIGATIONS¹³

To ensure transparency and consistency in COPA's operations and outcomes, it is imperative that the agency's investigative records are thorough and well-documented. To that end, OIG recommended that COPA undertake the following:

- properly document the origin of a complaint;
- maintain detailed investigative logs;
- exercise caution and discretion when documenting allegations;
- include credibility assessments in investigative files; and
- ensure meaningful supervisory review of completed investigations and properly document a supervisor's decision to refer an investigation back for further work.

In response to OIG's recommendations, COPA committed to the following process and policy enhancements:

- examining the modification of its Summary Report of Investigation to ensure uniformity and completeness;
- creating and revising policies and training;
- continuing to build out a new Case Management System (CMS); and
- continuing to provide training to its staff.

¹² Office of Inspector General, "Recommendations to Inform and Improve Disciplinary Investigations Conducted by the Civilian Office of Police Accountability," June 30, 2020, <https://igchicago.org/wp-content/uploads/2020/06/Recommendations-to-Improve-COPA-Disciplinary-Investigations-11-05-2020.pdf>

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RECOMMENDATIONS TO IMPROVE BIA AND COPA INVESTIGATIONS: DATABASE SEARCHES

In the course of its regular review of closed disciplinary investigations, OIG identified recurring errors and inaccuracies in data warehouse queries and records searches, including, but not limited to: misspelled names; incorrect addresses, dates, times, and date ranges; unduly narrow time, date, and address ranges; omission of key search terms; and incomplete records searches. These errors were observed in multiple investigations conducted by both BIA and COPA, and may result in significant adverse consequences, preventing disciplinary investigations from reaching appropriate and fair outcomes.

To foster trust and confidence in Chicago's police accountability system, it is imperative that COPA and BIA's investigations are thorough and well-documented in order to ensure transparency and consistency. To that end, OIG recommended that COPA and BIA improve internal guidance and training on conducting data warehouse searches and records searches and improve mechanisms for supervisors to effectively review investigators' work.

CPD agreed that improved training and protocols will help minimize the errors identified by OIG and confirmed that BIA is in the process of revising its training to incorporate OIG's training recommendations. CPD stated it would consider OIG's recommendation that investigators record the specific details of their searches. COPA maintained that the use of expansive search terms is already its policy, but assured OIG that it would refresh its training on this issue. COPA also indicated it would explore options for a technology-based application to allow the creation and reproduction of search lists

for the purpose of supervisory review.

ADVISORY CONCERNING COPA'S PRACTICE OF ADMINISTRATIVELY TERMINATING DISCIPLINARY INVESTIGATIONS¹⁵

Based on its review of closed disciplinary investigations, and in the interest of informing and improving future investigations, OIG released an advisory regarding COPA's practice of administratively terminating disciplinary investigations short of an investigative finding, which found that administrative termination is ill-defined and frequently misapplied, and therefore, each investigation in which it is used represents a risk that an allegation of police misconduct is improperly disposed of without ensuring either accountability or vindication for a CPD member. OIG recommended that COPA:

- ensure that all potentially appropriate dispositions are considered and refrain from administratively terminating investigations based solely on the age of the complaint or to increase case closure capacity;
- ensure that the Chief Administrator's approval is sought when appropriate; and
- review investigations recently closed by administrative termination to ensure their dispositions were appropriate.

Although COPA agreed with many of OIG's recommendations and acknowledged that, "[i]n the past, operating practices were not as systematic and consistent as those to which we aspire," its written response to OIG

¹⁴ Office of Inspector General, "Recommendations to Inform and Improve Disciplinary Investigations Conducted by COPA and CPD's Bureau of Internal Affairs Data Searches," June 30, 2020, <https://igchicago.org/wp-content/uploads/2020/06/Recommendations-to-Inform-and-Improve-Disciplinary-Investigations-Conducted-by-COPA-and-31A-Dala-Search-or.-odf>.

¹⁵ Office of Inspector General, "Advisory Concerning the Civilian Office of Police Accountability's Practice of Administratively Terminating Disciplinary Investigations," September 10, 2020, <https://igchicago.org/wp-content/uploads/2020/09/OIG-Advisory-Concerning-COPAs-Practice-of-Administratively-Terminating-Disciplinary-Investigations.pdf>.

contradicted, in places, the statements of its employees and its own internal documents, underscoring the need to clarify and codify the requirements surrounding the application of administrative termination.

REVIEW AND ANALYSIS OF SEXUAL MISCONDUCT ALLEGATIONS¹⁶

Pursuant to Paragraph 444 of the consent decree entered in *Illinois v. Chicago*, the Public Safety section is required to "review and analyze" closed investigations involving complaints of sexual misconduct, as defined by the consent decree, "against a CPD member alleging conduct against a non-CPD member." The consent decree requires OIG to publish an annual report "assessing the quality of sexual misconduct administrative investigations reviewed," "recommending changes in policies and practices to better prevent, detect, or investigate sexual misconduct," and "providing aggregate data on the administrative investigations reviewed." In 2020, OIG published the first of these reports, covering qualifying investigations closed during 2019.

Paragraph 444 of the consent decree further requires "the City" to provide OIG with the complete administrative file for

each complaint of sexual misconduct against a CPD member alleging conduct against a non-CPD member within ten days of the final disciplinary decision. Neither BIA nor COPA complied with this provision during 2019. Without compliance by BIA and COPA, OIG was not positioned to conduct comprehensive analysis and reporting as contemplated by Paragraph 444. Further, the imprecision with which disciplinary investigations are categorized as a matter of record makes it impossible to comprehensively identify all closed investigations involving complaints of sexual misconduct. In an effort to comply as fully as possible with its own obligations, under the circumstances, OIG published available information and analysis.

Based on information available to OIG, in 2019, BIA closed 14 investigations into allegations meeting the consent decree's definition of sexual misconduct. Of those, eight (57%) were closed after a preliminary investigation, short of an investigative finding. COPA closed six qualifying investigations, of which three (50%) were closed after a preliminary investigation. BIA referred two cases (14%) and COPA referred one case (17%) for criminal prosecution.

Office of Inspector General, "Review and Analysis of Sexual Misconduct Allegations," December 7, 2020, <https://1gc111cago.org/wp-content/uploads/2020/12/Paragraph-A-A-Sexual-Misconduct-yet-Administrative-Investigation-s-Report.pdf>.

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DATA COLLECTION AND ANALYSIS

OIG collects and analyzes data from CPD and City sources on many aspects of policing, public safety operations, and Chicago's police accountability system. A large range of continuously updated data is accessible through dashboards published on OIG's Information Portal. OIG publishes these dashboards for the benefit of several audiences; first and foremost, in the service of its mission with respect to transparency in the operation of City government, the data is made available and accessible so that members of the public can explore it on their own and enrich their understanding of Chicago's public safety operations and public safety reform needs. OIG also regularly engages with elected and appointed City officials, members of City departments, academics, advocates, and journalists about its public safety-focused dashboards. Finally, OIG's dashboards enrich and support work that is responsive to the Public Safety section's duties, pursuant to its enabling ordinance and the consent decree.

In 2020, OIG published three new sets of public dashboards on its information portal:

- [Arrests](#)
- [Tactical Response Reports \(TRRs\)](#)

- 911 calls for police service

Several longer-standing dashboards also continue to be updated daily:

- CPD active sworn officers
- Officer complaints/notifications
- Investigatory Stop Reports (ISRs)

The analysis below presents high-level observations from 2020 data, much of which is reflected in and available through OIG's dashboards.¹⁸

DATA ON CHICAGO'S POLICE ACCOUNTABILITY SYSTEM

COMPLAINT/NOTIFICATION DASHBOARDS

OIG's dashboards include information on disciplinary complaints, including trends and dispositions.¹⁹

- Complaint/notification history for individual members, and the outcomes of complaints against members²⁰

¹⁷ This section is responsive to the Public Safety section's obligations pursuant to MCC §2-56-230(a) and draws heavily on the work of

OIG's Center for Information Technology & Analytics (CITA)

¹⁸ In this report and on its dashboards, OIG reports demographic data including race/ethnicity data, in terms that CPD uses for its data collection

¹³ Reporting and analysis presented on OIG's dashboards and herein are responsive to Paragraphs 558(a) and (b) of the consent decree

The outcomes of complaints presented in the current versions of OIG's dashboard represent the discipline recommended by the investigating body (BIA or COPA) only. The final discipline implemented may be modified through grievance processes or other types of review, appeal, or negotiation

- Aggregate data on the types of complaints/notifications and the discipline recommended for Sustained findings of misconduct²¹
- Trends in the volume of complaints made and notifications generated, the outcomes of resulting investigations, and the distribution of complaints by member and complainant race and gender
- Geographic concentration of complaints and notifications by ward, district and beat, and community area

Beginning on February 11, 2019, CPD and COPA began housing new police disciplinary matters in their new CMS. CPD and COPA have not, to date, integrated CMS with its predecessor system, the AutoCR module of the Citizen Law Enforcement Analysis and Reporting (CLEAR) system. As such, disciplinary complaints and notifications initiated on or after February 11, 2019 are not yet reflected in OIG's complaint/notification dashboards. Cases initiated before that date, however, continue to be updated.

Of those investigations initiated prior to February 11, 2019, the Public Safety section's 2019 Annual Report identified 19 cases initiated in 2013 that were still "pending" review or investigation, along with 475 cases initiated between 2014 and 2017, and 707 cases initiated in 2018. By the end of 2020, there were 17 cases initiated in 2013 that were still "pending," along with 362 initiated between 2014 and 2017, and 544 initiated in 2018.²²

TIMELINESS

As part of its oversight of Chicago's police disciplinary system, OIG examines the timelines of administrative investigations.²³ 2020 saw a trend toward delays in a component of the investigative and disciplinary process—that is, the process by which disagreements between COPA and CPD as to the appropriateness of COPA's findings or disciplinary recommendations are resolved. This so-called "non-concurrence process" is initiated when COPA sustains findings of misconduct against a CPD member, recommends that CPD pursue discipline for that member, and then the Superintendent disagrees with the findings or recommendation put forward by COPA. MCC § 2-78-130(a) outlines the processes that COPA, CPD, and the Police Board must follow to resolve these non-concurrences when they occur and includes defined time periods allowable for the resolution of the non-concurrence. Following a COPA recommendation for discipline, the Superintendent has 60 days to review and respond to COPA's findings and discipline recommendation and may request an additional 30 days (for a total of 90 days) for review. If the Superintendent does not respond in that timeframe, COPA's findings and recommendations are to be deemed accepted and are to be issued by CPD to the accused member.²⁴ If the Superintendent does respond within the prescribed timeframe and disagrees with COPA's recommendation, then the COPA Chief Administrator and the Superintendent must meet to discuss the Superintendent's response. The table below summarizes the MCC-mandated timeline for review and finalization of discipline following a COPA recommendation.

■ "Sustained findings occurred when an allegation is supported by "a preponderance of the evidence" (see Illinois v Chicago consent decree, §467)

³- This data was accessed on OIG's dashboards on January 14, 2021. This analysis is responsive to Paragraph 558(a) of the consent decree.

After CPD issues discipline to the member, the member may still have recourse to one or more pathways of review and appeal of the disciplinary decision. For a comprehensive descriptive overview of the disciplinary process for CPD members, see City of Chicago Office of Inspector General, "A Guide to the Disciplinary Process for CPD Members," accessed May 14, 2021, <https://igchicago.org/about-the-office/our-office/public-safety-section/cpd-disciplinary-process-overview/>

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MCC-MANDATED TIMELINE FOR REVIEW AND FINALIZATION OF DISCIPLINE

Timeline Allowed Under MCC 2-78-130(a)

COPA submits findings and recommended discipline to CPD after a Sustained Finding of misconduct.

CPD Superintendent reviews and responds to COPA's findings and recommended discipline.

If the Superintendent disagrees with COPA's findings or recommended discipline, COPA's Chief Administrator and the Superintendent meet to discuss the Superintendent's response. If the non-concurrence meeting of the COPA Chief Administrator and the Superintendent does not yield an agreement, then the Chief Administrator sends the Superintendent's response and the Chief Administrator's written objections to the response to the Police Board.

A randomly selected Police Board member reviews the case and determines issued discipline by assessing whether the Superintendent has met their burden to overcome the Chief Administrator's recommendation.

N/A

60 calendar days from CPD's receipt of COPA's recommendation, with an option for the Superintendent to request an additional 30 days to respond

10 business days from COPA's receipt of the Superintendent's stated disagreement with the disciplinary recommendation

5 business days from the non-concurrence meeting

N/A

The Police Board publishes data on the non-concurrence cases that come before it for final resolution, and a review of that publicly available data shows that, since Superintendent David Brown's tenure began in April 2020, the non-concurrence process has trended toward significant delays in two phases in cases in which the Superintendent disagreed with COPA's outcome: (1) the Superintendent's response to COPA recommendations and (2) the scheduling of the non-concurrence meeting between the Superintendent and COPA's Chief Administrator. The charts below show the time elapsed in these two stages for non-concurrence cases for which COPA made its recommendation by the end of 2020. The data in these charts goes back to 2018, which was the first year in which the Police Board systematically reported the dates of COPA recommendations, Superintendent non-concurrence responses, and the meetings between the Superintendent and COPA's Chief Administrator.²¹¹ This period covers the tenures of three CPD Superintendents: Eddie Johnson, Charlie Beck (Interim Superintendent), and David Brown. In each one of these cases, the responding Superintendent was also the Superintendent at the time COPA forwarded its disciplinary recommendation to CPD.

The final two cases included in this analysis were not decided by the Police Board until 2021, although in both cases, COPA made its disciplinary recommendations and the Superintendent sent their response within 2020. Police Board written decisions in these non-concurrence cases are available on the Police Board website Chicago Police Board, "Board Members' Reviews of Disciplinary Recommendations," accessed May 17, 2021, <https://www.chicagopoliceboard.org/city/en/depts/cpb/auto-generated/police-discipline-archives.html>

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Calendar Days Elapsed from COPA Recommendation to Superintendent Non-Concurrence Response

Calendar days elapsed from COPA recommendation to Superintendent non-concurrence response, for all non-concurrence cases decided by Police Board since 1/1/2018

Business Days Elapsed Between Superintendent Non-Concurrence Response and Superintendent and Chief Administrator Meeting

Business days elapsed between Superintendent non-concurrence response and Supt. Chief Admin. meeting, for all non-concurrence cases decided by the Police Board since 1/1/2018

5(1)

The charts above only include data for disciplinary cases that reached the Police Board for ultimate decision; the data does not, therefore, speak to timeliness in the non-concurrence process for cases in which the Superintendent's initial response to COPA states agreement with the disciplinary recommendation, nor in cases where the Superintendent and Chief Administrator reached concurrence through their meeting and therefore did not forward the case to the Police Board.

The first chart above shows that during Superintendent Brown's tenure, the average time elapsed between receipt of COPA's recommendation and the Superintendent's response letter was 92 days. Five out of nine non-concurrence letters written by Superintendent Brown to COPA took longer than the maximum 90 days allowable pursuant to MCC § 2-78-130 (a), and nine out of nine non-concurrence letters took longer than the standard-allowable 60 calendar days. Because the Police Board data does not record whether CPD requested the 30-day extension in some or all of these cases-and MCC § 2-78-130(a) does not specify the form of such a request-it is unclear whether timely, appropriate requests for the allowable 30-day extension were made and granted. During the tenure of former Superintendent Johnson, from January 1, 2018, through December 2, 2019, the average time elapsed was 59 days, with all non-concurrence responses falling within the maximum-allowable 90 days.

MCC § 2-78-130(a) provides that, in each of the five cases in which Superintendent Brown exceeded the maximum-allowable 90-day limit for his initial response, COPA's findings and recommendations ought to have been deemed accepted and subsequently issued by the Superintendent. In each of these cases a Police Board member was assigned to review the non-concurrence, and ultimately agreed with COPA in each case.

The second chart above shows that during Superintendent Brown's tenure, COPA's Chief Administrator and the Superintendent routinely exceeded allowable days between the non-concurrence response and the meeting between the Superintendent and Chief Administrator. During Superintendent Brown's tenure, the average time elapsed to schedule these meetings was 29 business days, with only one of seven cases taking the allowable 10 business days or fewer. This, too, is a significant increase in delay; from January 1, 2018, through the end of Superintendent Johnson's tenure, the average time elapsed to schedule these meetings was 11 business days, with twelve of eighteen cases taking the allowable 10 business days or fewer.

DATA ON POLICING AND PUBLIC SAFETY OPERATIONS

ARREST DASHBOARDS

OIG's Information Portal includes six dashboards on arrests made by CPD from January 2018 to the present.■^b

- [Arrest data by demographic information of arresting officer and arrestee](#)
- [Arrest data by charge](#)
- [Volume of arrests over time](#)
- [Seasonality of arrests](#)

^b: The underlying CPD data source that feeds these dashboards eliminates some arrest records over time, likely at least in part because of expungements and possibly due to other data retention or data quality issues. The data reported here on arrests in 2020 was drawn from OIG's dashboards on January 14, 2021.

- Arrest data by CPD district
- Mapping of arrest data, overlaid with census demographic information

As of January 14, 2021, the dashboards report 52,151 arrests in the year 2020. Notwithstanding the marginal decrease in reported arrests over time, this is far fewer than the total number of arrests for 2019 (86,389 reported as of 1/14/21) or 2018 (79,357 reported as of 1/14/21). The decrease in arrests in 2020 may be due to changes in police and civilian behavior after the onset of the COVID-19 pandemic. In January and February of 2020, arrests were higher than in the corresponding months of 2018 and 2019, but from March onwards, monthly arrests in 2020 were well below 2018 and 2019 levels.

Seasonal Trend in Number of Arrests, Month by Year

Month by Year Seasonal Trend in Number of Arrests

| Month | April | May | June | July | August | September | October | November | December |
|---------|-------|-----|------|------|--------|-----------|---------|----------|----------|
| Arrests | | | | | | | | | |

Seasonality Legend in 2018

In 2020, the most frequently applied charge class was "Class A Misdemeanor," followed by "Local Ordinance" violation. These two charge codes, in the same order, were also the most frequently applied in both 2018 and 2019.²⁷

TACTICAL RESPONSE REPORT DASHBOARDS

OIG's four Tactical Response Report (TRR) dashboards show data on reported officer uses of force from 2015 to the present.

- TRR data over time and by force type
- TRR data by demographic information of responding officer and subject
- Frequency distribution of uses of force by officer
- Mapping of TRR data, overlaid with census demographic information

TRRs are standard reporting forms that are completed when CPD members use force on a subject, up to and including lethal force. Force mitigation efforts and so-called "control tactics" do not, by themselves, require the completion of a TRR. TRRs are also the standard mechanism used to report battery to a CPD member,

²⁷ A single arrest may have multiple charge classes applied to it

regardless of whether the member also engaged in a reportable use of force. TRRs are also required whenever a subject is injured or alleges injury by an officer.²⁸

Total reported uses of force by CPD members have trended down since 2015. Incidents of Taser use, in particular, have trended strongly downwards over this period, while trends for other force types have grown weaker or, in some cases, in the opposite direction. For example, CPD members reported more baton uses in 2020 than in 2019 (79 v. 36 incidents).

Incidents by Subject Race, Month, and Trend

Incidents by Month - j; with iJ^L

IL

Unreported

The most common Race was- Black, accounting for 13,530 incidents (77%)

Over

Trend Lines are computed by linear regression on Annualized data (i.e., one-year moving averages). Data for the current Month show TRRs recorded through the Last Update and may change as new TRRs are recorded.

Pj Hispanic

Asian / Pacific Islander / Native American

Across all types of reported uses of force, subjects are overwhelmingly likely to be Black. In 2020, 77% of all incidents resulting in the completion of a TRR involved a subject who was identified as Black.²⁹ This rate is somewhat higher than the rate at which Black subjects are arrested and the rate at which Black subjects are stopped for investigatory stops.³⁰ It is significantly higher than the percentage of Chicago's population identified as Black, approximately 30%.³¹

In 2020, incidents resulting in the completion of a TRR were most frequent in District 011 -Harrison, which had 270 incidents, 94% of which involved Black subjects. District 007-Englewood saw the second-highest numbers, with 195 incidents, 98% of which involved Black subjects.

²⁹ See "General Order G03-02-02 Incidents Requiring the Completion of a Tactical Response Report," April 15, 2021, accessed May 17, 2021, <http://directives.chicagopolice.org/directives/data/a7a57b9b-l-76b9f10-elf17-6ba!5 f224a7fdc2db2el.4pdPhl-true. --> Some use of force incidents may also have more than one subject

³⁰ In 2020, 70.9% of CPD arrestees were Black. Office of Inspector General, "CPD Arrests dashboard," accessed May 17, 2021, <https://informationportal.igchicago.org/epd-arrests-overview-demographics/>. In 2020, 66.6% of investigatory stops were of Black subjects Office of Inspector General, "Investigatory Stop Reports with Census Demographics dashboard," accessed May 17, 2021, <https://informationportal.igchicago.org/rmap-investigatory-stop-reports-with-census-demographics/>

³¹ For citywide population statistics drawn from the U.S. census, see Office of Inspector General, "Tactical Response Reports - Map & Census Data dashboard," accessed May 17, 2021, <https://informationportal.igchicago.org/tactical-response-reports-map-census-data/>

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Incidents by CPD District

Of 100 total incidents in Englewood (District 7), 98% incidents had Subject Race as Black South Chicago

07- Englewood Populations: 6,291 Total. . White; 5,379 Black, Hispanic; Asian/Pacific Islander/ Native American.

During 2020, 2,659 distinct CPD members (20.9% of CPD sworn members active as of December 2020) completed one or more TRRs. In other words, approximately 79% of currently active sworn members did not report a reportable use of force in 2020.³² Among the 2,659 members who did report a use of force in 2020, 1,807, or 68%, reported only one use of force. The individual member with the highest number of reported uses of force in 2020 reported 14 incidents in the year. The individual member with the most reported uses of force since 2015 reported 55 incidents in that timeframe.³³

911 CALLS FOR POLICE SERVICE DASHBOARDS

In 2020, OIG launched two dashboards allowing users to explore OEMC data on responses to 911 calls for police

service.

- Dispatched 911 calls for CPD service by call type and priority level
- Dispatched 911 calls for CPD by geography

The dashboards go back to January 1, 2017, and represent over 5 million calls for service in which a CPD unit was dispatched. The dashboards describe OEMC's system of six priority levels and dozens of call types. Users can see the total volume of calls assigned to each specific call type and how frequently a given call type is coded as "Immediate Dispatch" (priority level 1), "Rapid Dispatch" (priority level 2), "Routine Dispatch" (priority level 3), or as one of the three other, less-frequently used priority levels 0, 4, or 5. There are many patterns visible in the data, including:

³³ The data available on the dashboard does not permit a precise accounting of the exact number of currently active CPD members who have reported a use of force, for two reasons. First, retired members and members who have since left the Department for other reasons are still counted among the 2,659 CPD members who completed one or more TRRs in 2020. Second, as noted above, TRRs are used for reporting subject injuries and alleged injuries, battery to officers, and attacks by assailants, whether or not a CPD member responded with a reportable use of force. Therefore, a small fraction of TRRs do not identify a member of the public who was subject to a reportable use of force.

³⁴ This data was accessed on OIG's dashboards on January 14, 2021.

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- Calls for service are seasonally variable, peaking in July in each of the last four years and often at a minimum in February.³⁴
- The most common priority level assigned is priority level 1 - "Immediate Dispatch," which accounted for 41.7% of calls for service with dispatch since 2017 and 43.9% of calls for service with dispatch in 2020.
- The most commonly assigned call type is "Disturbance," which accounted for 117,013 calls for service with dispatch in 2020, or 9.0%, of the total.
 - o The "Disturbance" call type is the most common single call type even though OEMC uses separate call types to designate "Domestic Disturbance" (103,787 calls in 2020), "Disturbance - Music/Noise" (54,489 calls), and other, more specific call types that could be understood to overlap with "Disturbance." Each call is assigned one and only one call type.
- Calls for service are most highly concentrated on Chicago's South and West Sides.
 - o The CPD district with the highest call rate per population in 2020 was 011 -Harrison, with 100,280 total calls, or 1.41 calls, for each person living in the district, o Priority level 1 - "Immediate Dispatch" calls were also most highly concentrated in District 011, with 43,597, or 0.61 calls for each person living in the district.

Calls for Service Over Time by Month

911 Priority Levels and Calls for Service

Priority Level⁴

0-CPD/CFD Call lot
Emergency Assistance

1 - immediate Dispatch

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2 - Rapid Dispatch ;999.258

3 - Routine Dispatch 2.033,518..*

3 •1 - Admin Dispatch 1.770

5 - Anemative Response a

500K 1000K 1500K 2000K Count of Calls tot Service
OK

^

... J ^,

1/1/2017 7/1/2017 1/1/2018 7/1/2018 1/1/2019 7/1/2019 1/1/2020 7/1/3020 1/1/2021

** In 2017, 2018, and 2019, the annual minimum number of calls for service with dispatch occurred in February In 2020, there were slightly fewer calls with dispatch in December (88,754) and in April (93,703) than there were in February (94,,024)

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911 Calls for Police Service, Chicago Census Data





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These dashboards also display information about the volume and location of calls involving behavioral health-related concerns. In 2020, the district with the highest volume of behavioral health-related calls was District 006-Gresham, with 5,169, or 0.06 calls for each person living in the district. Within District 006, one specific police beat, Beat 0624 had two to three more times the volume of behavioral health-related calls than other beats in District 006 and in the surrounding districts. With 1,529 total behavioral health related calls for service with dispatch in 2020, Beat 0624 alone accounted for 30% of all such calls in the city. The map below shows behavior health related calls for service with dispatch at the beat level and shows Beat 0624 (the single red geographic area on the map) to be an outlier on this measure.

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911 Calls for Police Response, Chicago Census Data-Priority Level, Call Type, and Behavioral Relationship

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ACTIVE SWORN MEMBERS DASHBOARDS

OIG's Information Portal includes three dashboards displaying information on CPD's sworn members, including demographics and assignments.

- [Detailed demographic information on CPD sworn members](#)
- [Manpower assignment across all CPD units, current and change over time](#)
- [The average length of service and racial composition for CPD units](#)

2020 saw a 3.5% decrease in the total number of CPD members (12,720 in December 2020, down from 13,188 in December 2019), showing that CPD is losing members to retirements and other departures faster than it is recruiting new members. Demographic trends identified in the Public Safety section's 2019 Annual Report continued in 2020, with Hispanic representation among CPD members increasing slightly (from 27.1% to 28.0%) and Black representation decreasing slightly (from 20.9% to 20.5%). White representation also decreased slightly (from 48.1% to 47.5%), although White members remained the largest plurality of the total force. The average age of all members increased slightly, from 42.0 years to 42.3 years. Hispanic officers, with an average age of 39.7 years at the close of 2020, remained on average younger than Black officers (44.8 years), White

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officers (39.7 years)/or Asian officers (41.1 years). At the end of 2020, 23% of CPD members were female; unchanged from the end of 2019. Black officers are most strongly represented among members aged 54 and older (see the section highlighted by the red box in the image below). Therefore, CPD may reasonably expect a higher rate of retirements among Black members than among other demographic groups in the next 5 to 10 years.

Officer Percentage by Age and Race

Officer Percentage by Age and Race

| 16 | 20 | 22 | 24 | 26 | 28 | 30 | 32 | 34 | 36 | 38 | 40 | 42 | 44 | 46 | 48 | 50 | 52 | 54 | 56 | 58 | 60 | 62 | 64 |
|------------------------------------|----|----|----|----|----|---------------------------|----|----|----|----|----|--|----|----|----|----|----|---------------------|----|----|----|----|----|
| Officer Age | | | | | | | | | | | | | | | | | | | | | | | |
| ffl American Indian Alaskan Native | | | | | | Black or African American | | | | | | 13 Native Hawaiian or Other Pac islander | | | | | | ^ Two or More Races | | | | | |
| B Asian | | | | | | [^] Hispanic | | | | | | Si No* Reported Data | | | | | | : Whsre | | | | | |

INVESTIGATORY STOP REPORT DASHBOARDS

OIG's four Investigatory Stop Report (ISR) dashboards show data on reported officer uses of force from 2016 to the present. ISRs are the standard reporting forms that are completed when CPD members conduct an investigatory stop, which they are permitted to do when they have "reasonable articulable suspicion that criminal activity is afoot." The purpose of the stop must be limited to "provpng] or disprove[ing] these suspicions." ISRs are also used to document certain other interactions which are not captured by any other report.³⁵

- Volume of investigatory stops, including trends over time
- Stops leading to pat downs, and whether the subject gave consent for a pat down
- Stops leading to searches, and whether the subject gave consent for a search
- Geographic concentration of complaints and notifications by ward, district and beat, and overlaid with census demographic information

-° This standard, and the definition of "reasonable articulable suspicion" as "less than probable cause but more substantial than a hunch or general suspicion," are based in U S Supreme Court precedent and Illinois law, and are also reflected in relevant CPD policies "Special Order S04-13-09 Investigatory Stop System," July 10, 2017, accessed May 17, 2021, ['*hl=tr ue](http://direct.vtfs.chicagopolice.org/directives/data/a7a57h99-151bf927-49f5-1b10-2r32e998fb316bQ_rxf)

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The total number of ISRs declined steeply in 2020, from 157,239 in 2019 to 85,656 in 2020.³⁶ A sharp drop in monthly ISRs began in March 2020 and continued through the end of the year, possibly as a result of changes in civilian and police behavior as the COVID-19 pandemic hit Chicago. However, several other trends visible in ISRs since 2016 continued through 2020. The percentage of ISRs identifying Black subjects and the percentage of ISRs reporting juvenile subjects both declined, as they have annually in the four prior years. Conversely, the percentage of ISRs reporting stops with no result (e.g., no arrest, personal service citation, or administrative notice of violation) continued an upward trajectory, reaching 80.5%. The percentage of ISRs reporting stops leading to an arrest, which has fluctuated between 11.3% and 14.6% since 2016, remained within that range, at 12.4% for 2020.

Trend of Number of ISRs by Year

Trend of Number of ISRs by Year

z
50K

OK

11/1/2015 3/1/2016 7/1/2016 11/1/2016 3/1/2017 7/1/2017 11/1/2017 3/1/2018 7/1/2018 11/1/2018 3/1/2019 7/1/2019 11/1/2019 3/1/2020

ISRs from 2016 to 2020

| | <u>Total</u> | <u>% Stops</u> | <u>% Stops</u> | <u>% Stops</u> | <u>% Stops</u> |
|------|--------------|------------------------|------------------|------------------|---------------------|
| | <u>Year</u> | <u>Investigatory</u> | <u>of</u> | <u>of</u> | <u>Leading With</u> |
| | <u>Stops</u> | <u>Black Civilians</u> | <u>Juveniles</u> | <u>to Arrest</u> | <u>No Result</u> |
| 2016 | 108,422 | 70.5% | 16.0% | 13.3% | 70.1% |
| 2017 | 109,467 | 71.6% | 15.4% | 14.6% | 70.9% |
| 2018 | 132,299 | 69.1% | 13.2% | 12.9% | 74.2% |

| | | | | | |
|------|---------|-------|-------|-------|-------|
| 2019 | 157,239 | 67.6% | 10.9% | 11.3% | 78.9% |
| 2020 | 85,682 | 66.6% | 8.6% | 12.4% | 80.5% |

ISR data shows that the most frequently occurring type of investigatory stop is a White male officer stopping a Black male subject. In 2019, White male officer/Black male subject stops accounted for 26.5% of all ISRs; in 2020, that percentage remained stable at 26.8%. More broadly, the race composition of reported subjects of investigatory stops and the race composition of officers reporting the stops both remained similar to what they had been in 2019.

This data accessed on OIG's dashboards on January 14, 2021. The 2020 numbers may increase with late reporting.

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Percentage of ISRs in 2019 and 2020 by Subject's Race

| <u>Subject Race/Ethnicity</u> | <u>Percentage of Investigatory Stops (2019)</u> | <u>Percentage of Investigatory Stops (2020)</u> |
|-------------------------------|---|---|
| White | 8.6% | 8.6% |
| Black | 67.6% | 66.6% |
| Hispanic | 22.6% | 23.6% |
| Asian/Pacific Islander | 1.1% | 1.1% |

Percentage of ISRs in 2019 and 2020 by Officer's Race

Officer Race/Ethnicity

White

Black

Hispanic Asian

Percentage of Investigatory Stops (2019)

50.6% 11.9% 33.0% 3.8%

Percentage of Investigatory Stops (2020)

50.8% 9.7% 34.6% 4.1%

ISRs reported in 2020 occurred most frequently in many of the same CPD districts as reported in 2019. District 007-Englewood remained the district with the highest volume of ISRs and, in fact, saw an increase in the concentration of ISRs as compared to 2019. District 025-Grand Central also saw a substantial increase in the concentration of ISRs as compared to 2019, to become the district with the third-most ISRs in 2020.

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Total Pool'lration Total ISRs per 1001c

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PUBLIC SAFETY DATA IN AN HISTORIC YEAR: THE OBSERVABLE IMPACT OF COVID-19, SOCIAL JUSTICE PROTESTS, AND SOCIAL UNREST

The year 2020 saw the onset of the greatest public health challenge in the United States in living memory, as well as historic protests and unrest, in Chicago and across the nation, following the killing of George Floyd in Minneapolis in late May, and continuing through the summer. The 2020 data on OIG's dashboards offers some clues as to the stresses that these events imposed on Chicago's public safety agencies and how the agencies responded.

Illinois Governor J.B. Pritzker issued a Gubernatorial Disaster Proclamation in response to COVID-19 on March 9, 2020, and issued a shelter-in-place order, Executive Order 2020-10, on March 20. Mayor Lightfoot joined the Governor for the announcement of the Order and issued a separate press release to emphasize its message. In addition to requiring individuals to stay in their places of residence except for essential travel, Executive Order 2020-10 also required non-essential businesses to cease activity except for "Minimum Basic Operations." The press release from the Office of the Mayor on March 20 stressed that the City's public safety services, including

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CPD, the Chicago Fire Department, and OEMC, would "continue to be on the job and working around the clock."³⁷

Data on police-community interactions suggests immediate impact from these developments. As noted above, both ISRs and arrest reports dropped sharply in March 2020, and remained below historic averages for the remainder of the year. The total number of ISRs completed in 2020 fell by 45.5% from the 2019 total, and the total number of arrests reported in 2020 fell by 39.6%. TRRs, as noted above, have been trending downwards over the last five years, independent of the

COVID-19 pandemic and shelter-in-place order. From 2019 to 2020, TRRs fell 18.9%, marking the largest single-year percentage decrease in TRRs since 2015, but still a significantly smaller decrease than that observed in arrests and ISRs.

Incidents Requiring Completion of a TRR and Percentage Change

| | <u>Total Incidents Requiring Completion of a TRR</u> | <u>Percent Change from Prior Year</u> |
|------|--|---|
| 2015 | 3,704 | |
| 2016 | 3,131 | -15.5% |
| 2017 | 2,972 | -5.1% |
| 2018 | 2,594 | -12.7% |
| 2019 | 2,798 | +7.9% |
| 2020 | 2,269 | -18.9% |

Data also suggest that ISRs and arrests may have been impacted by protests and unrest in the spring and summer of 2020. Arrests, in particular, fluctuated dramatically. The week of May 31, 2020—immediately following the killing of George Floyd on May 25—saw the single highest weekly total number of arrests across the entire year (1,881 arrests). The following week, however, arrests dropped back down to the 2020 "normal" and remained well below historic levels for the remainder of the year. In its published report on the City's response following Floyd's killing, OIG estimated that 1,519 CPD arrests made between May 29 and June 7 were likely related to protests or unrest.³⁵

³⁷ State of Illinois, Governor J B Pritzker, "Executive Order 2020-10," March 20, 2020, accessed May 17, 2021, <https://www2.illinois.gov/pages/executive-orders/executiveorder2020-10.aspx>; City of Chicago Office of the Mayor, "Press Release," March 20, 2020, accessed May 17, 2021, [https://www.chicago.gov/content/dam/city/dcpl/s/ii\)ayor/Press%20Room/Press%20Releases/2020/March/StayAtHomeOrder.pdf](https://www.chicago.gov/content/dam/city/dcpl/s/ii)ayor/Press%20Room/Press%20Releases/2020/March/StayAtHomeOrder.pdf)

³⁸ City of Chicago Office of Inspector General, "Report on Chicago's Response to George Floyd Protests and Unrest," February 18, 2021, p. 76, accessed April 6, 2021, <https://ig.chicago.gov/wp-content/uploads/2021/02/OIG-Report-on-Chicago's-Response-to-George-Floyd-Protests-and-Unrest.pdf>

1-1/20S0 2/1/2020 11/1/2020 471/2020 S.I/2020 6/1/2020 7/1/2020 ViSOSI ft/t/2020 10/1/2020 11/1/2020 12/1/2020 I.'tr2021

The ISR data shows a spike in late May and early June, which also coincides with protests and unrest, although it is less dramatic than the fluctuation in weekly arrests.

Trend of Number of ISRs by Week

Trend of Number of ISRs by Week

1/1/2020 2/1/2020 3<I/2020 tit 12/2020 5/1/2020 5/1/2020 7/1/2020 6VI/2020 9/1/2020 10/1/2020 11/V/2020 < 2/1/2020 1/11/2021

As noted above, the overall seasonality pattern of dispatched 911 calls for police service was not disrupted by COVID-19; calls in 2020 peaked in July and were at their lowest in the winter months, just as occurred each year 2017 through 2019. April 2020 did see a lower volume of calls than any April in the previous three years, but over the course of the full year, dispatched 911 calls for police service fell within the historically expected range.

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Comparison of Total Dispatched 911 Calls for Police Service

| Year | March 21 (Single Day) | Month of April | Full Year |
|------|-----------------------|----------------|-----------|
| 2017 | 3,177 | 108,576 | 1,312,276 |
| 2018 | 3,124 | 97,978 | 1,270,951 |
| 2019 | 3,151 | 108,836 | 1,332,556 |
| 2020 | 3,036 | 93,703 | 1,296,004 |

Reviewing the call data on a day-by-day scale does show a dramatic spike in calls between May 30 and June 3, when protests and unrest following the killing of George Floyd were at their peak in Chicago. June 1 registered the second-highest single highest day total dispatched calls for police service in 2020, trailing only July 4. The previous day, May 30, registered an exceptional 12 calls coded as priority level 0 - "CPD/CFD Call for Emergency Assistance," which indicates "life-threatening circumstances which have the potential to compromise the safety and well-being of police, EMS, or fire" personnel.³⁹ Priority level 0 was applied 273 times in 2020, and 4.4% of these calls occurred on a single day (May 30).

911 Priority Level and Calls for Service by Day

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0- CPD/CFD Call for Emergency Assistance

1 - Immediate Dispatch

2 ■ Rapid Dispatch

3 - Routine Dispatch

4 ■ Admin. Dispatch

5 - Alternate Response
Priority Level'

273

569,210 .

Count of Calls for Service

³⁴ This definition of priority level 0 is provided by OEMC and is reflected on OIG's dashboards See "Dispatched 911 Calls for Service dashboard," accessed May 14, 2021, <https://informationportal.igchicago.org/911-calls-for-cpd-service/>

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911 Priority Level and Calls for Service by Day-Emergency Assistance Only

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Calls for Service Queue Time by Day

0-CPO/CFD Call for
Emergency
Assistance

0 100 200

Mapping displays tend to show that many types of police activity concentrate in the same districts and neighborhoods: ISRs, arrests, TRRs, and calls for service are all generally higher in the South and West Sides than on the North Side or in the downtown area. The protests and unrest in the spring and summer of 2020 were concentrated on certain dates in the downtown area, but there is no particularly strong impact of this visible in the ISR, arrest, and TRR data. As compared to 2019, there was a slightly higher concentration of ISRs in Districts 001 and 018 in June and July of 2020 (10.2% of all citywide ISRs in 2020, versus 7.9% in 2019). Meanwhile, the proportion of arrests and TRRs in these two downtown districts in June and July remained very similar to what it had been the prior year.

Police Activity in Districts 001 and 018 in June and July

Activity Type 2019

ISRs

Arrests

TRRs

2,451 (7.9%) 1,107 (7.0%) 48 (8.8%)

997 (.10.2%) 559 (7.6%) 30 (7.5%)

Notwithstanding the significant police presence downtown through much of June and July 2020, CPD's reported data on police activity shows that ISRs, arrests, and TRRs were still more concentrated in South and West Side districts. The single district with the highest concentration of both arrests and TRRs in June and July of 2020 was District 011 -Harrison, which saw 13.7% of the City's arrests and 12.0% of TRRs. The single district with the highest concentration of ISRs in that period was District 007 -Englewood, which saw 13.8% of the citywide total.

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COMMUNITY ENGAGEMENT AND OUTREACH

In addition to regular engagements with the leadership and members of the entities over which the Public Safety section has jurisdiction, Public Safety section staff, along with OIG's Communications and Outreach team, meet with various stakeholders throughout the year, including community groups, advocacy and policy organizations, police unions, members of City Council and other City officials, academics, and journalists. Public Safety section leadership meets with each new class of CPD recruits to discuss oversight, accountability, and the work of OIG.

VIRTUAL ENGAGEMENT

In the early months of 2020, OIG's engagement transitioned from in-person events to fully virtual by the end of March

2020. Our efforts ensured respectful and supportive outreach, given the complexity and disparate impacts of COVID-19 across Chicago's communities. Public Safety engagement efforts included virtual presentations on published reports, Public Safety dashboards found on OIG's Information Portal, and townhalls hosted by elected officials. Our range of virtual engagement events included community and aldermanic briefings, City Council hearings, Facebook Live streams, and one-on-one meetings with stakeholders across the city. Additionally, OIG participated, with the court-appointed monitor overseeing compliance with the consent decree, in court-hosted listening sessions during which members of the public were invited to speak about their experiences during the protests and unrest following the killing of George Floyd. OIG staff also met with a wide range of individuals and organizations to gather additional first-hand accounts of those experiences.

CONCLUSION

In 2020, OIG's Public Safety section came to fully inhabit its place on Chicago's evolving police reform landscape, and in unprecedented circumstances, continued to make distinct and impactful contributions to the critical work of improving Chicago's police and police accountability agencies. The section is deeply invested in and profoundly committed to carrying on this work.