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## Legislation Details (With Text)

**File #:** F2022-6  
**Type:** Report  
**Status:** Placed on File  
**File created:** 1/26/2022  
**In control:** City Council  
**Final action:** 1/26/2022  
**Title:** Inspector General's 2022 Outlook on Police Oversight and Accountability  
**Sponsors:** Dept./Agency  
**Indexes:** Inspector General, Miscellaneous  
**Attachments:** 1. F2022-6.pdf

Date	Ver.	Action By	Action	Result
1/26/2022	1	City Council	Placed on File	

2022 OUTLOOK ON POLICE OVERSIGHT AND ACCOUNTABILITY

## VISION

The Public Safety section of the Office of the Inspector General (OIG) works to improve the effectiveness, accountability, and transparency of the Chicago Police Department (CPD) and Chicago's police accountability agencies, and to transform the critical relationship between CPD and the communities it serves. The Public Safety section does this by conducting independent and objective evaluations, inspections, and reviews of the operations of CPD, the Civilian Office of Police Accountability (COPA), and the Police Board. These inquiries are designed to promote constitutional, community-based policing, as well as a transparent, accessible, and fair system for police accountability and discipline. 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.

## II. STRATEGIC PRIORITIES

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.

By ordinance, the Public Safety section's inquiries are focused on the policies, practices, programs, procedures, and training of CPD, 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.

Further, pursuant to the federal consent decree governing certain reforms of CPD and related public safety components as entered in Illinois v. Chicago, 17cv06260, (hereinafter the "consent decree"), the Public Safety section conducts "data-driven reviews and audits to measure the effectiveness of the City and CPD's accountability practices." These inquiries "measure whether members of the community can readily make a complaint alleging misconduct and whether such complaints are investigated and adjudicated consistently with

CPD policy, this Agreement, and the law." Consent decree 11 558.

The Public Safety section's 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.

Informed by specific obligations derived from its ordinance and the consent decree, coordination with stakeholders, input from CPD members and members of the public, and long-standing

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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 specific obligations imposed in paragraph 558 of the consent decree include that the Public Safety section analyze complaints against CPD members for timeliness, trends, and several other metrics; CPD's enforcement of its rules prohibiting false reports (Rule 14) and requiring that CPD members report misconduct by other members (Rules 21 and 22); the thoroughness of disciplinary investigations and justifications for terminating them; disciplinary grievance procedures and outcomes; and complainant-involved mediations in disciplinary investigations. With respect to those specific obligations:

- The Public Safety section publishes its analysis of complaints against CPD members in the form of OIG's dashboards and the Public Safety section's annual reports.
- Public Safety section projects on CPD's enforcement of Rules 14, 21, and 22 are underway.
- The Public Safety section assesses the thoroughness of administrative disciplinary investigations in the course of its regular, ordinance-mandated review of individual closed investigations; summaries of these reviews are regularly published in OIG's quarterly reports and in the Public Safety section's annual report. The section's advisory on the termination of disciplinary investigations was published in 2020, as was the report on the use of the affidavit override process in disciplinary investigations of CPD members.
- An analysis of disciplinary grievance procedures and outcomes was published in 2021.
- A proposed project on complainant-involved mediations appears below.

Public Safety section projects are chosen in consideration of their potential to add distinct value within Chicago's public safety oversight system and to drive lasting, systemic improvements. Pursuant to the consent decree, the Public Safety section coordinates and confers with the Independent Monitoring Team charged with ensuring compliance with the consent decree when setting the section's priorities and planning its inquiries. See H 667.

In addition to those projects described above, recent and current areas of inquiry include:

- Collection and analysis of data relating to settlements and judgments against CPD and its members
- CPD's officer wellness programs

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- Consistency and fairness in CPD's disciplinary system
- Wrong address search warrant raids
- Demographic disparities in CPD's use of force
- CPD's management and production of records
- CPD's "gang database"
- CPD's handling of protests and unrest in the wake of the murder of George Floyd
- Demographic impacts of CPD's hiring processes
- CPD's policies and practices for Equal Employment Opportunity investigations
- Data collection and quality on 911 response times

OIG is also committed to its ongoing work of making City and CPD data publicly available, transparent, and useable through its Information Portal and accompanying analytical products.

### III. POTENTIAL PROJECTS FOR 2022

The following projects are under consideration for 2022. They are listed below in categories corresponding to the Public Safety section's strategic priorities listed above: (A) CPD operational competence; (B) discipline and accountability; and (C) constitutional policing.

The list of projects below is intended to serve as a guiding document and is subject to change. The Public Safety section may initiate other projects over the course of the year and the section may not undertake each of the listed projects in 2022. Circumstances may arise during the year which prompt the section to undertake new, higher priority projects, reduce the priority of a planned project, or terminate a project if OIG determines that further work will not bring substantial benefit to the City. Additionally, some topics listed below may be deferred to following years.

Potential projects are developed from a variety of sources, including input from community members, CPD members, and OIG staff. A draft of the project plan is posted for public comment and submitted to the court-appointed monitor for the consent decree, as required by paragraph 563 of the consent decree. A final plan, incorporating comments as appropriate, is then published on OIG's website.

#### A. CPD'S OPERATIONAL COMPETENCE

##### 1. CompStat and Data-Driven Policing (Appeared on 2021 Outlook, REVISED) Background and

##### Rationale

CPD's CompStat program involves regular meetings at which Department leadership review data related to

the performance of specific units, operations, or issues. According to CPD, CompStat is "a performance management process that is used to reduce crime, enhance implementation of Department strategies, foster compliance with Department standards, and achieve other Department goals and objectives." The program "emphasizes thorough data analysis, information-sharing, and accountability as a means of improving effectiveness within and

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between the various units of the Department," and includes "the development and implementation of response plans to address identified crime trends and performance concerns." Given its stated purpose, CompStat presents a direct mechanism for command staff to use CPD-collected data to shape priorities and operations. In the midst of national conversation about the potential and risks of data-driven policing, there is high public value in increased transparency around CompStat and related ways in which CPD is using data to shape its practices.

### Potential Objectives

- To what extent does data analysis as presented in CompStat impact CPD's operations and performance goals?
- What kinds of data is presented in CompStat, and how is that data verified and its quality assured?
- Does CPD use other, related mechanisms to drive its policing practices with data it collects?

## 2. Annual Performance Evaluations for Police Officers (Appeared on 2021 Outlook) Background and

### Rationale

Performance evaluations are a key internal control that, if used appropriately, can identify and distinguish effective police officers as well as those officers who do not meet CPD's standards for conduct and performance. An audit conducted by OIG's Audit and Program Review (APR) section determined that while CPD has a performance evaluation system, it is inconsistently implemented and utilized. An effective performance evaluation process, applying appropriate metrics, would allow CPD to better manage its officers, develop the careers of its effective officers, make early identification of behavioral and wellness risks, and take necessary corrective steps for officers not meeting its standards. This project will examine whether CPD's annual performance evaluations are, as a matter of design, good accountability tools for officers and, as a matter of operational reality, used as such.

### Potential Objectives

- Have all CPD officers received annual performance evaluations?
- How does CPD determine which dimensions of member performance will be evaluated? How is criteria for success established, and who has input into that development?
- Are performance ratings applied consistently?
- Do CPD's policies and procedures for performance evaluations comport with best practices?
- Does CPD use the results of its performance evaluations to aid its efforts to identify members at high risk for behavioral and wellness risks?

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3. Latent Print Unit (Appeared on 2021 Outlook, REVISED) Background

and Rationale

Although many of CPD's forensic science needs are met by the State of Illinois, the Department operates a small crime lab that analyzes fingerprints: the Latent Print Unit. CPD's Latent Print Unit has come under significant scrutiny in recent years. In 2019, a media outlet reported that the Unit was not accredited and that only half of its fingerprint examiners were certified. Cook County judges have prevented the introduction of fingerprint evidence from the CPD Latent Print Unit as unreliable in at least one case. Meanwhile, the criminal defense bar has alleged in court filings that the CPD Latent Print Unit provides inaccurate testimony regarding the accuracy of latent print analysis and lacks a rigorous training program or any quality assurance program. This specific set of concerns comes against the backdrop of a 2009 report by the National Research Council of the National Academy of Sciences, which found issues with training, accreditation, and oversight standards in the forensic sciences generally, as well as a great variation in the quality of forensic practice across jurisdictions. This project will determine whether CPD's Latent Print unit follows forensic science best practices, including accreditation, training, and quality assurance controls, where any failures to do so might have broad-reaching impact on criminal prosecutions and across the criminal justice system.

Potential Objectives

- Does CPD's Latent Print unit ensure the accuracy and quality of its work by adhering to best practices in forensic science?
- How are staffing levels for the Latent Print unit determined? Is it fully staffed? Are all CPD members assigned there appropriately trained and certified?

4. Beat Integrity and District Staffing (Appeared on 2021 Outlook, REVISED) Background and

Rationale

Beat integrity refers to an organizational principle by which patrol officers are assigned to a "beat," or specific area, and work almost entirely within that beat, getting to know the community's people and issues. Beat integrity has long been a stated focus of CPD's community policing strategy; aldermen and community stakeholders, however, have raised questions about whether CPD's beats are currently drawn to best allocate the Department's resources to the areas with the most calls for service and greatest need for police presence.

Potential Objectives

- What criteria were used to draw CPD's beats? Are the boundaries of patrol beats periodically reassessed? If so, how often and using what criteria?
- How does CPD determine how to allocate members and resources among beats?
- Under what circumstances and how often are CPD officers required to respond to calls for service outside of their beat?
- What role will beat assignments play as CPD moves to an increased emphasis on hyper-local, neighborhood-based strategies and, simultaneously, specialized citywide teams?

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5. CPD's Community Concerns Program and the City Service Request System Background

and Rationale

City leadership has articulated a "whole-of-government approach" as critical to its violence reduction strategy, to draw on non-police City resources to address public safety concerns such as abandoned vehicles and buildings, streetlight and pothole repair, and graffiti. Among the systems already in place by which this might be accomplished are CPD's Community Concerns program, an internet application through which members of the public can report non-emergency complaints that may be criminal in nature or lead to neighborhood disorder, and the City Service Request system, which is used by the City to communicate public safety issues raised by community members to various City departments. OIG has received, however, a significant volume of feedback from community members raising questions about the extent to which and how effectively the City and CPD are using these programs.

Potential Objectives

- How do processes for the City Service Request system and the Community Concerns webapp differ from each other?
- Does CPD sufficiently and adequately use these systems to mobilize City services?

6. CPD's Organizational Structure Background and

Rationale

From January 30, 2020, to June 14, 2021, CPD has undergone three structural re-organizations of its units and functions. Additionally, in October 2019, the City announced the creation of a new department, the Office of Public Safety Administration (OPSA), which was to incorporate and assume some of the administrative functions previously performed by CPD. CPD's policies and directives, however, have not promptly reflected these structural changes; specifically, some policy documents refer to operational units which no longer exist and some new units are not reflected anywhere in CPD's directives. Furthermore, OIG has previously identified changes in organizational structure as an obstacle to CPD's implementation of recommended reforms.<sup>1</sup> This project would examine CPD's processes for effecting structural realignments and for ensuring that its policies and directives are appropriately and timely aligned.

Potential Objectives

- By what process, and using what criteria, does CPD make decisions about structural reorganization?
- What are CPD's processes for ensuring that its policies and directives are updated to correspond with structural changes, to ensure uninterrupted and appropriately governed operations?

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<sup>1</sup> See "Follow-Up Inquiry on the Chicago Police Department's Gang Database" at <https://igchicago.org/wp-content/uploads/2021/03/OIG-Follow-Up-Inquiry-on-the-Chicago-Police-Departments-Gang-Database.pdf>.

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7. Operations of CPD's Education and Training Division Background andRationale

This project aims to address three components of the operations of CPD's Education and Training Division (ETD): (1) ETD's instructors' qualifications and performance evaluations, (2) the process for creating and revising curricula and training material, and (3) tracking CPD members' training requirements. This proposal is not intended to evaluate the content of ETD's training, nor the effectiveness of the training CPD members receive; it is scoped to evaluate the systems and processes that inform the training provided by ETD and the mechanisms by which the instructors providing that training are selected, evaluated, and retained.

Potential Objectives

- What qualifications exist for ETD instructors? Do all of CPD's current ETD instructors meet these qualifications?
- What is the demographic profile of the ETD's faculty?
- How, when, and against what criteria are ETD instructors selected and evaluated? Are disciplinary histories considered when instructors are selected?
- What is the process by which ETD develops and revises training modules? Does CPD follow best practices?
- How does ETD track and report on which Department members have received specific trainings?

8. CPD's Collection and Use of Sentiment Data Background andRationale

In 2017, CPD began collecting data from Chicago residents on their sentiments about the Department and, in 2020, made the survey results public. CPD published a dashboard displaying sentiment data in the aggregate, by area and by respondent demographic information including age, race, gender, educational level, and income. CPD reports that the data shows a general trend upward for CPD's "trust" score and a general trend downward for the "safety" score. According to public reporting, these scores are not percentages, but instead "weighted scores based on the location and demographics of the respondents." This project, led by OIG's Diversity, Equity, and Inclusion Director, will examine CPD's process for collecting, analyzing, and presenting sentiment data, and will consider views of community stakeholders on the value and purpose of the data.

Potential Objectives

- What data does CPD collect to measure community sentiment? How is it collected and analyzed?
- Does CPD use sentiment data to improve its policing practices and if so, how?
- Does CPD's collection and publication of sentiment data serve to improve policy-community relationships?

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9. "Scoop and Run" Transport of Victims of Traumatic Injuries Background and

Rationale

"Scoop and run" refers to a practice by which police officers transport victims of traumatic injuries-such as gunshot victims-for emergency medical treatment in immediately available police vehicles, rather than waiting for ambulance service. Current CPD policies appear to permit this practice, but CPD provides little training and there is little evidence of the practice in regular use. OIG has received community feedback questioning why CPD does not use the practice more widely in an attempt to save lives, particularly of gunshot wound victims. This project assesses CPD's current policy, training, and practice around "scoop and run" against best practices and peer jurisdictions.

Potential Objectives

- How often do CPD members "scoop and run" victims of traumatic injuries? Under what circumstances are these "scoop and runs" performed, and what are the outcomes?
- Does CPD offer policy guidance or training on the circumstances under which members should consider employing a "scoop and run" practice, and what factors they should use to determine appropriate circumstances? Do CPD's policies and training comport with best practices and/or peer jurisdictions?
- Has CPD considered potential officer safety benefits from "scoop and run" practices, where such a practice might obviate the need for CPD members to wait at a potentially dangerous scene for emergency medical personnel?
- Has CPD adequately accounted for any liability risks involved in permitting "scoop and run"?

10. Workers' Compensation for CPD Members Background and

Rationale

OIG and the Public Safety section have received several pieces of stakeholder feedback regarding CPD's treatment and handling of workers' compensation claims and the perceived lack of oversight and accountability regarding those claims. In particular, while much of the City's workers' compensation claims are administered by the Department of Finance (DOF), CPD handles its own workers' compensation claims through its Medical Services Section. According to the feedback received by OIG, decisions on payment of CPD workers' compensation claims are handled by a very small number of CPD officials and not subject to meaningful oversight, posing the risk that claims are improperly paid.

Potential Objectives

- Does CPD meet best practices for evaluating workers' compensation claims of recurrence of an injury?
- Does CPD meet best practices for referral of officers to an Independent Medical Examination physician?

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11. City and CPD Relationship with Private Police Departments



### Background and Rationale

In addition to CPD, the Cook County Sheriffs Police Department, and the Illinois State Police, Chicago is served by a number of private police departments. Many of these departments are affiliated with private universities or railroads, but have jurisdiction and patrol responsibilities well beyond the borders of the property owned by their parent organizations. This project would evaluate the relationship between the City and CPD's crime-prevention and policing strategies and these private police departments, with a particular focus on oversight and transparency of the private police departments.

### Potential Objectives

- What level of authority and what jurisdiction do private police departments have within the City? To what extent are the operations of these police departments coordinated with CPD?
- What is the nature of oversight, if any, exercised by the City over private police departments which operate within the City?
- To what extent are the operations and practices of private police departments publicly reported-included, but not limited to, arrests, uses of force etc.?

## **B. DISCIPLINE AND ACCOUNTABILITY**

### **12. *Mediation Process for Misconduct Complaints (Appeared on 2021 Outlook, REVISED)***

#### Background and Rationale

The consent decree directs COPA and BIA to develop a new mediation policy, by which a person making a misconduct allegation against a CPD member and the accused member may resolve the complaint. 1)11 510-12. In September 2021, the Mayor's Office announced that a pilot program around these policies was close to being implemented. The mediation process could serve as a mechanism to handle certain complaints in a manner that is more satisfactory-to both complainants and CPD members-than the regular processes for adjudication. Both COPA and BIA currently have mediation policies, though a review of mediated disciplinary cases by the Public Safety section's Inspections Unit raises concerns that the agencies deviate from their policies. Moreover, neither COPA nor BIA presently appears to take advantage of the opportunity to use the mediation process as a community trust-building mechanism. OIG's analysis of BIA and COPA's mediation processes is required by paragraph 558 of the consent decree.

### Potential Objectives

- At present, do BIA and COPA adhere to policies that determine which incident types are eligible for mediation?
- At present, does the current mediation process for BIA and COPA bridge relationships between the community and police?

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- At present, does the participation in mediation impact the number of recommended suspension days for the CPD member?

- At present, do BIA and COPA have a standardized method of determining who is offered mediation and whose mediation requests are approved? Do they adhere to these standards? Are there observable inconsistencies or disparities in these processes?
- Are participants satisfied with the process and outcomes?
- Is the process effective in yielding changes to a CPD member's behavior, or do members who go through mediation continue to generate complaints for similar allegations?

13. *Response to Allegations of Gender-Based Violence by CPD Members (Appeared*

*on 2021 Outlook, REVISED)*

Background and Rationale

Gender-based violence (GBV)-which the City of Chicago has defined as encompassing sexual assault, domestic violence, and human trafficking-perpetrated by CPD members may leave survivors or victims particularly vulnerable, as they may feel unable to rely upon the police for protection or assistance. Given recent high-profile settlements related to GBV by CPD members, and concerning statistics regarding GBV by police officers nationwide, the quality of the City's response to GBV by CPD members is of critical importance.

It is crucial that allegations of GBV by CPD members are appropriately reported and investigated, both administratively and criminally. This project would build on the Public Safety section's work in analyzing closed sexual misconduct complaints against CPD members under paragraph 444 of the consent decree by examining the number and outcomes of investigations of other forms of GBV committed by CPD members. It would also examine CPD's goals and policies as it relates to the prevention of GBV by CPD members.

Potential Objectives

- What measures does CPD take to prevent its members from engaging in GBV?
- What are the stated goals of COPA and CPD in tracking and acting on GBV-related complaints and how are these goals operationalized as policies? Are these goals and policies in line with best practices?
- What barriers exist to reporting GBV perpetrated by CPD members, and what do CPD, COPA, and BIA do to address these barriers?
- Are allegations of GBV involving a CPD member reported and investigated appropriately?
- Is there a disparity in the outcomes of these investigations based on the demographic characteristics of the accused member or victim?

14. Response to Survivors of Gender-Based Violence

Background and Rationale

This project seeks to examine the Chicago Police Department's response to survivors/victims of GBV. Specifically, this project might examine: (a) data, trends, and issues with the arrest and/or clearance rates of GBV crimes; (b) policies and practices regarding support services and criminal

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justice remedies offered to survivors/victims such as access to CPD victim advocates, victim compensation,

and U-visa certification in support of immigrant/undocumented survivors/victims; and (c) CPD's collaboration with organizations working on GBV issues, including, if applicable, internal pilot programs.

#### Potential Objectives

- What are CPD's arrest and clearance rates for GBV-related crimes? Do those rates vary across demographic and/or geographic characteristics of victims? How do those rates compare to those for non-GBV crimes?
- Are support services and remedies such as access to CPD victim advocates, victim compensation, and U-visa certifications provided to survivors and GBV agencies/ advocates in a manner which aligns with CPD/City policy and best practices?
- What GBV-related initiatives and programs exist within CPD, including any pilot programs and partnerships with community GBV organizations?

#### 15. Deficiencies in Weapons Qualifications (Appeared on 2021 Outlook)

##### Background and Rationale

CPD officers are required to annually qualify with the firearm they carry as their primary weapon while on-duty by completing a timed shooting exercise with a minimum accuracy score. CPD officers are also required to qualify with any auxiliary weapons-additional firearms they carry on- or off-duty-as well as any Taser. Recent data suggests that each year, hundreds of officers fail to qualify with their primary weapons. Many more officers fail to qualify with auxiliary weapons, special weapons, or Tasers. This raises the risk that there is a significant number of officers who are on-duty and carrying weapons which they are not qualified to carry, increasing safety concerns for the public and fellow officers.

#### Potential Objectives

- How often do CPD members fail to qualify with their primary service weapon, auxiliary weapon, special weapon, or Taser?
- What factors lead to members failing to qualify with their weapons?

## **C. CONSTITUTIONAL POLICING**

#### **16. Compliance with Chicago's Welcoming City Ordinance (Appeared on 2021 Outlook, REVISED)**

##### Background and Rationale

Chicago's Welcoming City Ordinance (WCO) generally prohibits police from participating in civil immigration enforcement, including at the request of the several federal agencies charged with enforcement of immigration laws. Despite recent changes to the WCO to make it more restrictive, community organizations continue to voice concerns over how CPD interacts with federal immigration authorities and what information CPD shares with such agencies. This project would examine whether CPD's policies align with the WCO and whether, in practice, CPD avoids participation or cooperation in civil immigration enforcement.

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#### Potential Objectives

- Does CPD adhere, in practice, to the WCO or is there evidence that CPD continues to cooperate and participate in civil immigration enforcement?
- Do CPD's policies align with the WCO?
- Does CPD have internal controls to ensure compliance with the WCO?
- What, if any, contact, information sharing, etc. is permissible between CPD and federal immigration authorities and how often does that occur?

#### 17. School-Related Arrests (Appeared on 2021 Outlook)

##### Background and Rationale

Arrests that occur on school grounds, or as the result of an incident which occurred in a school, put students in direct contact with the criminal justice system and can significantly impact their futures. An OIG APR section audit of CPD's Juvenile Intervention and Support Center (JISC) demonstrated that a substantial portion of juvenile arrests are related to incidents which occurred in a school. This project will evaluate whether CPD's procedures for school-related arrests align with national best practices. Additionally, this review will study whether CPD collects setting-specific data regarding the number, type, and demographic distribution of school-related arrests.

##### Potential Objectives

- Does CPD follow national best practices for arrest procedures and practices for school-related arrests, as well as circumstances warranting an arrest on school grounds?
- Does CPD collect setting-specific data regarding school-related arrests and the demographics of those arrested?

#### 18. Inventory, Use, and Impact of Military-Grade Equipment (Appeared on 2021 Outlook)

##### Background and Rationale

Since the 2014 events in Ferguson, Missouri, there has been an increased public interest and concern about the use of military-grade equipment by local law enforcement agencies. Research suggests that the use of such equipment has little effect on officer safety or crime rates but has negative impacts on perceptions of the police by both communities and potential police recruits. Additionally, there is evidence that militarized police units are more often deployed in predominantly Black communities. This project will consider CPD's policies on and use of military-grade equipment, and whether CPD has taken steps to mitigate the potentially harmful effects of that use.

##### Potential Objectives

- What is the full inventory and source of each piece of military-grade equipment owned or used by CPD?
- Is CPD in compliance with program requirements mandated by the sources of its military-grade equipment?

- What policies and training requirements does CPD have in place to ensure proper use of its military-grade equipment?
- How frequently, and for what purposes, has CPD used its military-grade equipment?
- How does CPD assess the effectiveness of its military-grade equipment?
- Has CPD evaluated the use of military-grade equipment on Chicago's communities and its police-community relationships?

19. *CPD's Treatment of Intoxicated or Incapacitated Persons (Appeared on 2021 Outlook)*

Background and Rationale

CPD officers frequently come in contact with persons who are intoxicated or incapacitated while responding to calls or on patrol. State law and CPD policy prohibit officers from arresting these persons solely for being intoxicated, but allow officers to bring them into protective custody under certain circumstances. Additionally, officers can arrest such persons for any other crimes they have committed or are committing, including intoxication-related disorderly conduct. This project will examine whether CPD has suitable policies in place to allow its members to choose the appropriate disposition for a person who is intoxicated or incapacitated. Additionally, this project will examine whether there are any observed demographic disparities in CPD's handling of persons who are intoxicated or incapacitated. For instance, there is evidence that Latinx males are arrested at greater rates than any other demographic group for alcohol-related disorderly conduct and that a substantial concentration of alcohol-related disorderly conduct arrests occurs in majority Latinx districts.

Potential Objectives

- Are there sufficient and appropriate options for CPD members who come into contact with intoxicated or incapacitated persons?
- Are CPD members who come into contact with intoxicated or incapacitated persons selecting the appropriate option?
- Are there any demographic disparities in how CPD handles intoxicated or incapacitated persons?

20. CPD's Use of Facial Recognition Technology (Appeared on 2021 Outlook)

Background and Rationale

Facial recognition technology has become a widely used but controversial tool in law enforcement, due to privacy, security, and accuracy concerns. CPD has had some form of facial recognition technology in use since at least 2013. This project will evaluate CPD's controls over and use of this technology.

Potential Objectives

- Does CPD effectively control access to its facial recognition software and associated databases, to track access and ensure that only authorized individuals have access?
- Has CPD assessed the accuracy of its software?

- Has CPD developed protocols and training for the appropriate use of facial recognition and does it ensure that these are followed?

## 21. Arrest Diversion Background and

### Rationale

CPD is regularly the point of entry or re-entry for an individual into the criminal justice system. CPD members are likely, however, to encounter circumstances which present a need or opportunity for diversion from the criminal justice system and connection to appropriate social services. This project is not an evaluation of CPD's current alternate response/arrest diversion programs, but rather focuses on CPD's response to myriad incidents of individuals in need, the content and adequacy of the Department's guidelines and training for responding members, the consistency of the guidelines across units, the ultimate outcome of the police interaction (arrest or diversion from arrest), and any trends measurable in those outcomes.

### Potential Objectives

- What are CPD's policies and procedures for arrest diversion, and are these standardized across units and districts?
- How often do 911 calls result in an arrest, arrest diversion, or neither when the event type implicates the need for social services? Are certain types of calls more/less likely to result in arrest or diversion to services?
- Are there trends in arrest or diversion rates based on geography or on the demographic characteristics of the subject or involved CPD member?

## 22. CPD's Civil Rights Unit Background

### and Rationale

CPD's Civil Rights Unit<sup>2</sup> is responsible for investigating reported hate crimes and hate incidents, and for the documentation and reporting of hate crime statistical data in an annual report. The unit is housed in the Office of Community Policing and includes a citywide LGBTQ+ Liaison, as well as a citywide Immigrant Outreach Liaison. Each detective division also has an area-specific LGBTQ+ Liaison. In 2017, in its pattern and practice investigation of CPD, the Department of Justice (DOJ) observed that the Civil Rights Unit had only two investigators, and that its staffing level fell significantly short of benchmarks set for civil rights-focused units in other cities' police departments. DOJ also observed that front-line CPD members elsewhere in the Department were not trained on how to recognize potential hate crimes for referral to the Civil Rights Unit. In June 2021, Superintendent David Brown announced that the Civil Rights Unit would expand by adding 22 citywide and district-specific "Affinity Liaisons," or sworn officers responsible for connecting with LGBTQ+ residents, individuals experiencing homelessness, immigrants, and members of various religious communities. However, community and stakeholder concerns about adequate staffing and resourcing of the Civil Rights Unit still persist.

<sup>2</sup> See <<https://home.chicagopolice.org/about/specialized-units/civil-rights-unit/>>.

### Potential Objectives

- Does the Civil Rights Unit have adequate and appropriate staffing and other resources to ensure the timely investigation of hate crimes and hate incidents, and the fulfillment of its other responsibilities?
- Does CPD have appropriate and up-to-date Civil Rights Unit-specific policies and trainings?
- To what extent do CPD members know about the Civil Rights Unit, its responsibilities, and how to refer cases to the unit for investigation?

### 23. CPD's Language Access Policy Compliance Background

#### and Rationale

Under CPD's Language Access Policy, the Department is required to provide interpretation services free of charge to all persons to whom they are providing police services. CPD is also in the process of developing a new Language Access Policy, as required by the consent decree. This project will examine the extent to which CPD is complying with its existing policy. This is an issue which has been raised to the Public Safety section in the course of its community engagement efforts, where community members have reported poor quality police service due to language barriers.

### Potential Objectives

- Is CPD operating in compliance with its Language Access Policy? Are the resources needed to comply with the Language Access Policy distributed in a manner which accounts for those areas or populations with the greatest need?
- How many and which CPD members have responsibility for implementation of the Language Access Policy? How are they selected, trained, and evaluated?
- What is the view of community stakeholders of CPD's accessibility to non-English speakers?

government. OIG achieves this mission through,

- administrative and criminal investigations by its Investigations section;
- performance audits of City programs and operations by its Audit and Program Review section;
- inspections, evaluations and reviews of City police and police accountability programs, operations, and policies by its Public Safety section; and
- compliance audit and monitoring of City hiring and human resources activities by its Compliance section.

From these activities, OIG issues reports of findings and disciplinary or other recommendations to assure that City officials, employees, and vendors are held accountable for violations of laws and policies; to improve the efficiency and cost-effectiveness of government operations; and further to prevent, detect, identify, and eliminate waste, inefficiency, misconduct, fraud, corruption, and abuse of public authority and resources.

OIG's authority to produce reports of its findings and recommendations is established in the City of Chicago Municipal Code §§ 2-56-030(d), -035(c), -110, -230, and -240.

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