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Legislation Details (With Text)

File #: F2022-37
Type: Report **Status:** Placed on File
File created: 6/22/2022 **In control:** City Council
Final action: 6/22/2022
Title: Inspector General's Public Safety Section Annual Report (2021)
Sponsors: Dept./Agency
Indexes: Annual, Inspector General
Attachments: 1. F2022-37.pdf

Date	Ver.	Action By	Action	Result
6/22/2022	1	City Council	Placed on File	

PUBLIC SAFETY ANNUAL REPORT 2021

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SPECT

Pursuant to Municipal Code of Chicago § 2-56-240(b), the Annual Report of the Office of Inspector General's Public Safety section provides a detailed accounting of work published in 2021 along with new analysis of 2021 data. In 2021, the work of the section extended to each of the involved City of Chicago departments and touched all aspects of public safety operations- from hiring to discipline, from core policing strategies to fundamental administrative functions. It is at the core of the Public Safety section's mission to provide meaningful transparency into and accountability across Chicago's complex public safety system, and to make substantial contributions to the City's ongoing reform effort. By doing so, we strive to make payments against the debt of legitimacy owed by the City and its police department to its residents-to continue the work of fostering public trust and improving the relationship between the police and the communities they serve, thereby making Chicagoans, in uniform and out, safer.

Given the complexity and interconnectedness of the City's public safety operations, it would be impossible to achieve real transparency and accountability through a series of siloed and disconnected reports and recommendations. In everything the Public Safety section undertakes, therefore, we seek to build a body of work that is more than the sum of its parts. OIG's daily refreshed data dashboards, ongoing review and analysis of disciplinary outcomes, and regular follow-ups on recommendations made to City agencies are all crucial elements of this effort.

In particular, I want to note the section's work overseeing Chicago's police disciplinary system. At the center of any successful reform effort which measurably improves the quality of the relationship between the police and the communities they serve will be a transparent disciplinary system in which both members of the public and members of the Chicago Police Department have confidence-one which allows members of the public to be confident that potential misconduct will be thoroughly and diligently investigated, and members of the Department to be confident that they will be treated fairly. A significant portion of the Public Safety section's work is devoted to improving and demystifying the

disciplinary system, including the section's review of individual closed disciplinary investigations to ensure that they are complete, thorough, objective, and fair.

Deborah Witzburg
Inspector General for the City of Chicago

It was my great privilege to hold the position of Deputy Inspector General for Public Safety during most of the period reflected in this report, and I'm pleased to now introduce the report as Inspector General. I continue to be deeply grateful for the contributions of OIG staff to the critically important work of public safety reform, for the service of members of the Chicago Police Department, and for the partnership of the many stakeholders sharing in OIG's mission to make our City's government more closely resemble the one its residents deserve.

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. OIG's 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, as well as the safety of all of the City's neighborhoods

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PRIORITIES AND A

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:

- 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.
- Ensuring transparency, diligence, fairness, consistency, and timeliness in the police discipline and accountability system.
- 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.

The Public Safety section conducts program and system-focused evaluations and reviews of CPD, COPA, the Police Board, and other agencies involved in the City's public safety operations. Based on these inquiries, OIG makes recommendations to improve the policies, procedures, and practices of those entities. Below are the summaries of Public Safety section reports released in 2021.

REPORT ON CHICAGO'S RESPONSE TO GEORGE FLOYD PROTESTS AND UNREST¹ FEBRUARY 2021

On May 25, 2020, George Floyd was murdered by an on-duty officer of the Minneapolis Police Department. In the days that followed, protests and civil unrest engulfed cities across the country. The law enforcement response to those events, across the country and in Chicago, has been the subject of intense public and official scrutiny amidst sharp calls for police reform, transparency, and accountability. In June 2020, OIG and the Independent Monitoring Team (IMT) overseeing the consent decree launched a joint inquiry into the City of Chicago's response to the demonstrations and unrest in late May and early June. OIG's report summarized its findings from that inquiry.

OIG's report was an in-depth review of the period of May 29 through June 7, both chronologically and analytically. The report presented, to the extent possible based on the information and material available, a comprehensive account of the facts, including how involved parties—members of the public, CPD's rank-and-file, and CPD's command staff, among others—experienced the protests and unrest. A number of City departments beyond CPD, as well as partner law enforcement agencies, played critical roles in the City's overall response. OIG sought out information and perspectives from representatives of City departments and external partner agencies. OIG's chronology, analysis, and findings are supported by an array of primary and secondary sources, including: interviews, video footage, radio traffic recordings, official reports and other documents, and quantitative analysis of CPD datasets.

¹ City of Chicago Office of Inspector General. "Report on Chicago's Response to George Floyd Protests and Unrest," February 18, 2021, <https://ip.chicago.gov/wp-content/uploads/2021/02/OIGReport-on-Chicago's-Response-to-George-Floyd-Protests-and-Unrest.pdf>
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OIG's report provided an in-depth public narrative of, and accounting for, CPD and the City of Chicago's response to the protests and unrest in late May and early June of 2020. In doing so, the report presented findings on operational failures and shortcomings during the response, which have broad implications for CPD's policies and practices going forward. Specifically, OIG's report reviewed failures in arrest procedures, use of force reporting, and gaps in accountability policies that crippled accountability processes from the start. The report did not offer specific recommendations, but, in light of the urgency of public concern and the rapidly shifting policy landscape at the time, OIG published the report's narrative and accompanying findings with the intention that it would inform corrective actions and reforms to CPD's policies and practices.

FOLLOW-UP ON THE CHICAGO POLICE DEPARTMENT'S "GANG DATABASE"² MARCH 2021

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In April 2019, OIG published a report on CPD's so-called "gang database." OIG issued 27 recommendations to CPD in its original report; CPD agreed to fully implement most, partially implement some, and declined to implement one. At the center of CPD's response was its proposal for a new system for storing gang information and gang affiliation designations; CPD published a new draft General Order to govern the administration of that system. The follow-up issued in 2021 provided an update on the status of CPD's collection and maintenance of gang data, as well as CPD's progress on the commitments formally made in response to OIG's April 2019 recommendations.

Specifically, the objectives of this report were:

- To determine the current status of CPD's planned gang intelligence database, now known in CPD's draft General Order G10-01-03 as the "Criminal Enterprise Information System" (CEIS).
- To assess CPD's progress toward fully articulating the strategic purpose and value of collecting and storing information on individuals presumed to be involved in gangs.
- To evaluate the extent of CPD's community engagement in planning the launch of CEIS and the extent of CPD's responsiveness to community concerns.

- City of Chicago Office of Inspector General. "Follow-Up Inquiry on the Chicago Police Department's 'Gang Database,'" March 31, 2021, <https://igchicago.org/wp-content/uploads/2021/03/OIG-Follow-Up-Inquiry-on-the-Chicago-Police-Departments-Gang-Database.pdf>

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OIG reached three new findings in the follow-up:

- CPD had made minimal progress toward an operational CEIS.
- CPD had not clearly and specifically articulated the strategic value of its proposed system for collecting gang affiliation information.
- CPD had taken some measures to adopt community feedback on its gang data collection, but for eight months it offered a public-facing description of CEIS which may have been misleading with respect to a key policy concern.

OIG concluded that CPD had fallen critically short of meeting the commitments it made in response to OIG's April 2019 findings and recommendations. CPD's letter of response at the time of publication stated that "the new criminal enterprise database will be fully developed by September 2021."

A GUIDE TO THE DISCIPLINARY PROCESS FOR CHICAGO POLICE DEPARTMENT MEMBERS³ MAY 2021

In May 2021, OIG published the first iteration of "A Guide to the Disciplinary Process for Chicago Police Department Members," a comprehensive set of flowcharts depicting the disciplinary process for all CPD members, sworn and civilian, for all types of allegations of misconduct and recommended discipline. The aim of the flowcharts is to provide an accessible resource for the public, City officials, and Department members that will also serve as a foundation for evaluative reports that OIG will periodically release on CPD's disciplinary process.

From the time of first publication, OIG continues to review agency policies, the Municipal Code of Chicago, state law, and relevant collective bargaining agreements to support updates to the disciplinary flowcharts as necessary. When policies, laws, or contracts governing the disciplinary process change, OIG strives to make timely updates to the flowcharts, consistent with the need to complete internal reviews for accuracy and completeness of any changes.

■' City of Chicago Office of Inspector General, "A Guide to the Disciplinary Process for Chicago Police Department Members," accessed May 9, 2022, <https://igchicago.org/about/office/our-office/public-safety-section/cpd-disciplinary-process-previous/>

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FIRST AND SECOND INTERIM REPORTS: SEARCH WARRANTS EXECUTED BY THE CHICAGO POLICE DEPARTMENT⁴ JANUARY AND MAY 2021

As part of its ongoing inquiry into CPD's execution of search warrants, OIG published two interim reports in 2021. The first report took the form of a letter to Superintendent David Brown and made two urgent recommendations for changes to CPD's search warrant policies:

1. CPD should modify Special Order S04-19 to require that information used to substantiate a search warrant is verified and corroborated by investigation by a CPD member, regardless of the source of that information, and that the investigation be reported and documented in the search warrant file.
2. CPD should modify Special Order S04-19 in order to expand mandated reporting and generation of a log number to those circumstances in which a CPD member becomes aware that the information used to substantiate a search warrant was inaccurate or in some way faulty, and to specify the incident category code with which log numbers arising out of search warrant executions are to be associated'.⁵

This letter was published in January 2021 along with Superintendent Brown's letter of reply. Since publication of the notice, CPD incorporated both of OIG's above recommendations-in addition to other changes-into the newest version of its search warrant policy released for public comment in March 2021. The finalized policy went into effect May 28, 2021, and remains in effect.

OIG released its second interim report on CPD's execution of search warrants in May 2021: a descriptive data analysis of CPD's residential search warrants issued from January 1, 2017 to December 31, 2020, including the frequency, warrant reason, warrant location, and subject demographics. OIG found that the majority of residential search warrants sought drug evidence (73%) and/or guns (24%). Further, Black male subjects were the single most represented demographic group, comprising 71.8% of all subjects of residential search warrants, targeted 4.6 times more often than Hispanic/Latinx males and 25.3 times more often than White males. OIG also determined the recovery rates for warrants seeking drugs (75.6%) and warrants seeking guns (40.6%), providing more detailed insight into the general 90% recovery rate reported by CPD. Finally, the report also detailed the deficiencies of CPD's current search warrant data system in relation to CPD's then-proposed policy changes, such as tracking warrant source type,

³ City of Chicago Office of Inspector General, "Urgent Recommendations on the Chicago Police Department's Search Warrant Policies." January 22, 2021, <https://igchicago.org/wp-content/uploads/2021/01/OIG-Urgent-Recommendations-on-Search-Warrant-Policies.pdf>, and City of Chicago Office of Inspector General, "Second Interim Report: Search Warrants Executed by the Chicago Police Department," May 6, 2021, <https://igchicago.org/wp-content/uploads/2021/05/OIG-Second-Interim-Report-CPD-Search-Warrants.pdf>

"CPD now uses "search warrant service," replacing "search warrant execution," to describe the act of conducting a search warrant, as reflected in updated language from CPD's Search Warrant policy, Special Order 04-19, effective May 28, 2021. Previous versions of the order, such as the one in place at the time of OIG's notification, used the term "search warrant execution."

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no-knock status, the presence of children and other vulnerable persons, and whether a wrong raid occurred. The deficiencies of the data system presented challenges for CPD to ensure compliance with certain changes, such as the proposed restrictions on no-knock warrants. At the time, CPD did not track no-knock warrant status. Since the release of the interim report, CPD has reported to OIG that it made updates to its search warrant database to resolve some of these deficiencies.

REVIEW OF THE DISCIPLINARY GRIEVANCE PROCEDURE FOR CHICAGO POLICE DEPARTMENT MEMBERS⁶ MAY 2021

OIG conducted a review of CPD's disciplinary grievance procedure. When allegations of misconduct are sustained against a CPD member, the assigned investigating agency recommends appropriate discipline for the accused member. CPD will then review the investigating agency's disciplinary recommendation. If the Department goes on to issue discipline after this review process, the member may have a right to grieve the discipline. Sworn members who are covered by union contracts have the right to pursue a disciplinary grievance for some but not all types of discipline issued to them.

The disciplinary grievance procedure is governed by the collective bargaining agreements negotiated between the City of Chicago and each of the unions representing the sworn member ranks of Police Officer, Sergeant, Lieutenant, and Captain. There are three grievance procedure pathways for CPD sworn members who wish to challenge issued discipline: (1) binding summary opinion (BSO), (2) arbitrations, and (3) Police Board review. The pathways open to a member depend on both the specific discipline issued and the member's rank. CPD and the relevant union may also settle a grieved disciplinary case before the formal process is complete; these settlements can result in reduced or eliminated discipline.

To understand the impact of the grievance procedure and its outcomes, OIG reviewed the results of all disciplinary grievances resolved between November 18, 2014 and December 31, 2017. During the period of analysis, 370 disciplinary grievances were resolved or settled. These 370 cases account for approximately 52% of all Sustained disciplinary cases

that were eligible for

" City of Chicago Office of Inspector General, "Review of the Disciplinary Grievance Procedure for Chicago Police Department Members," May 20, 2021, <https://igchicago.org/wp-content/uploads/2021/05/OIG-Review-of-the-Disciplinary-Grievance-Procedure-for-Chicago-Police-Department-Members.pdf>

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at least one grievance pathway, based on the level of discipline issued and the contractual rights of the member's union. Because not all Sustained disciplinary cases are eligible for grievance, the 370 cases account for a lower percentage—approximately 39%—of all Sustained disciplinary cases. Discipline was eliminated or reduced in 78% of the 370 cases that were resolved through disciplinary grievances.

In addition to understanding the impact of the grievance procedure on disciplinary outcomes, OIG reached several findings that bear on the transparency and consistency of the disciplinary and accountability process:

- Arbitrators exercise broad, unbounded discretion in their reviews of grievance cases, and as a result they often cite factors in their decisions that extend beyond the specific alleged misconduct including, but not limited to, management and operational considerations such as an officer's history (as mitigating or aggravating) and the deterrent effect of the discipline.
- The processes for BSOs and grievance arbitrations lack transparency, as compared to the publicly available information on complaints.
- The settlement process lacks transparency, as compared to the publicly available information on complaints.
- Written settlement agreements do not follow a consistent format, and settlement agreements do not consistently record all basic descriptive information about cases.
- Settlements are regularly used to resolve discipline after Sustained findings of misconduct, and these settlements regularly result in the removal of rule violations from sworn members' records.
- Ninety percent of completed grievance arbitrations between November 2014 and December 2017 have been assigned to just three independent arbitrators operating with vast discretion, little public transparency, and negligible substantive post-decision review.

OIG recommended that CPD take several measures to improve the consistency and transparency of the disciplinary grievance procedure. OIG further recommended that CPD, in collaboration with the agencies conducting police misconduct investigations, review BSOs and arbitration decisions on an annual basis to track how different factors influence arbitrators' decisions. Finally, OIG recommended that the Department of Law (DOL), in collaboration with CPD member unions, consider expanding the pool of eligible arbitrators called upon to adjudicate BSOs and arbitrations, and consider formal procedures for assessing and evaluating arbitrators and arbitration outcomes in concluded matters.

CPD and DOL responded independently to each of OIG's recommendations. CPD agreed with six of the eight recommendations DOL agreed to a partial implementation of one recommendation and committed to considering whether one other should be raised in collective bargaining with CPD member unions. With respect to OIG's remaining recommendations, DOL took the position that it is already in compliance with some elements, that it does not have the data available to implement others, and that implementation of others would violate attorney-client or attorney work product privilege protections or would undermine DOL litigation strategy.

REPORT ON INVESTIGATIONS OF SEXUAL MISCONDUCT ALLEGATIONS AGAINST CHICAGO POLICE DEPARTMENT MEMBERS⁷ JUNE 2021

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 2021, OIG published the first of these reports, covering qualifying investigations closed during 2020. 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 2020. 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.⁸ These issues, combined with the disparity in the consent decree between the obligation of BIA and COPA to refer cases which have reached a final disciplinary decision and OIG's obligation to report on all cases involving allegations of sexual misconduct, regardless of whether those cases reached a final disciplinary decision, created an impediment to OIG's ability to conduct the analysis required by the consent decree. In an effort to comply as fully as possible with its own obligations, under the circumstances, OIG published available information and analysis. In "Independent Monitoring Report Four," the IMT found that the Public Safety section's "thorough" report satisfied its consent decree obligations and found the section to be in full compliance with Paragraph 444.

Based on information available to OIG, in 2020, BIA closed nine investigations into allegations meeting the consent decree's definition of sexual misconduct. Of those, six (67%) were closed after a preliminary investigation, short of an investigative finding. COPA closed 20 qualifying investigations, of which 18 (90%) were closed after a preliminary investigation. BIA referred one case (11%) and COPA referred one case (5%) for criminal prosecution.

⁷ City of Chicago Office of Inspector General. "Report on Investigations of Sexual Misconduct Allegations Against Chicago Police Department Members," June 4, 2021, 11 p.s. //1gchicago.org/wp-content/uploads/2021/06/Paragraph_444:Sexual-Misconduct-Administrative-Investigations 2021 Rep_oigt_pjff

⁸ Since this report was published in 2021, BIA and COPA have taken steps to remedy the issues OIG raised regarding the use of category codes for sexual misconduct investigations

OIG recommended that BIA and COPA:

- Refer all closed investigations into allegations of sexual misconduct, as defined by Paragraph 444, to OIG within ten days of a final disciplinary decision as required by the consent decree;
- Refer investigations into sexual misconduct to OIG within ten days of closing those investigations short of findings, such that there will be no final disciplinary decision, as defined by the consent decree;
- Make a standardized designation in their case management systems of all cases which they determine to qualify for reporting under Paragraph 444 of the consent decree; and
- Document their determinations of whether the alleged conduct constitutes criminal misconduct, and whether to refer the matter for criminal prosecution, as well as document the outcome of each such referral

BIA and COPA agreed to create new, more specific category codes to classify sexual misconduct allegations in their case management systems. COPA addressed the systemic difficulties it faces in notifying OIG when a case reaches a final disciplinary decision but committed to working with BIA to create a process to ensure OIG is notified. COPA declined to notify OIG of closed sexual misconduct investigations that are closed short of findings and BIA did not address that recommendation. Neither agency addressed OIG's recommendation to better document determinations surrounding criminal referrals.

FOLLOW-UP: EVALUATION OF THE CHICAGO POLICE DEPARTMENT'S RANDOM REVIEWS OF BODY-WORN CAMERA RECORDINGS⁹ JUNE 2021

OIG completed a follow-up to its Evaluation of CPD's Random Reviews of Body-Worn Camera Recordings, which was published in July 2019. OIG's follow-up concluded that CPD partially implemented corrective actions related to the evaluation findings. The purpose of the 2019 evaluation was to determine whether CPD was in compliance with Special Order S03-14, the Department directive outlining policy and procedures for body-worn cameras (BWCs). S03-14 requires Watch Operations Lieutenants (WOLs), across all watches, to review one

' City of Chicago Office of Inspector General, "Follow-Up. Evaluation of the Chicago Police Department's Random Reviews of Body-Worn Camera Recordings," June 10, 2021, <https://igchicago.org/wp-content/uploads/2021/06/evaluation-of-the-Chicago-Police-Department's-Random-Reviews-Of-Body-Worn-Camera-Recordings-Follow-Up->

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randomly selected BWC recording "on their respective watch per tour of duty." OIG found that CPD did not comply with this requirement. In particular, the Department failed to complete all required reviews in the time period OIG reviewed, failed to implement a standardized process to randomly select BWC recordings for review, and failed to monitor compliance with the random review requirement. Further, OIG found that the Committee charged with overseeing implementation of CPD's BWC program did not initially hold meetings as required by S03-14.

Based on the results of the 2019 evaluation, OIG recommended that CPD monitor the impact of its BWC Committee and determine any additional corrective measures to remedy continued noncompliance with BWC policies. OIG further recommended that CPD develop and implement a standardized process to randomly select recordings for review and consider revising the selection process to enable WOLs to identify incidents that should have been recorded but for which no video was recorded or uploaded. OIG also recommended that CPD take steps to ensure WOLs adhere to any implemented standardized selection process when conducting their reviews, and that CPD develop an effective method

for monitoring compliance with the requirements for random reviews. Lastly, OIG recommended that CPD's BWC Committee maintain a regular meeting schedule, ensure that its meetings include a presentation of the latest available quarterly report on BWC program compliance, and ensure appropriate content in the quarterly reports. In its response to the evaluation, CPD committed to taking "structural internal steps," such as updating the BWC policy and the training curriculum, and automating "functions to streamline the review process" to improve compliance with the random review requirement.

In December 2020, OIG inquired about corrective actions taken by CPD in response to the 2019 evaluation. CPD responded in February 2021; in June 2021, just prior to the publication of this report, OIG asked CPD to provide further any updates. CPD provided some additional information in response, including that it is preparing a revised Special Order to govern its BWC program and CPD planned to submit that new directive for review to the IMT when completed.

Based on CPD's responses, OIG concluded that CPD has partially implemented corrective actions. CPD's Audit Division made some efforts toward improving its random review process; however, a new BWC review process and new randomization procedures have not yet been implemented. CPD reported that it piloted an application to facilitate a standard review process; only after doing so, however, did it assess and determine the application to be cost prohibitive. As a result, CPD reported it was working to develop an alternative. CPD has not developed policies or procedures for WOLs to identify incidents that should have been recorded but for which no video was recorded or uploaded. Finally, CPD reported that it was monitoring WOL review compliance through a monthly evaluation report, and that preservice training for new Lieutenants and District Executive Officers included a section on the obligation to review randomly selected recordings CPD's BWC Committee has not maintained a regular or quarterly meeting schedule, but at the meetings that have taken place, Committee members have reviewed the most recent quarterly report and the quarterly report consistently has covered the appropriate time periods.

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EVALUATION OF THE DEMOGRAPHIC IMPACTS OF THE CHICAGO POLICE DEPARTMENT'S HIRING PROCESS¹⁰ JULY 2021

OIG conducted an evaluation of the demographic impacts of CPD's multi-stage hiring process. Those wishing to become a Police Officer must complete an application with the City and successfully navigate numerous stages designed to evaluate their cognitive ability, physical fitness, personal background, physical and mental health, and other predictors of job performance. By the ¹ end of this year-and-a-half long process, a narrowed pool of individuals is invited to CPD's Academy as recruits. After successfully completing the Academy in six months, new CPD members spend twelve months as Probationary Police Officers.

The objectives of this evaluation were to determine whether there are patterns in attrition rates for different demographic groups in the hiring process and which specific stages of the hiring process most impact the demographic composition of the candidate pool. Additionally, OIG assessed whether CPD's applicant data allowed for unique applicants to be tracked throughout the hiring process; the time it took applicants to complete the hiring process; and the race, gender, number of applicants claiming preferential status as a Chicago Public Schools (CPS) high school graduate or U.S. Armed Forces veteran, and neighborhood of residence for candidates whose applications succeed through the entire hiring process and were therefore invited to enroll in CPD's Academy.

OIG found that Black candidates, while comprising 37% of the initial applicant pool, comprised just 18% of the pool of candidates invited to the Academy. Conversely, Asian, Hispanic, and White candidates increased in their proportion of the applicant pool by the end of the hiring process. In addition, OIG found that female candidates submitted fewer applications than male candidates at the start of the hiring process, comprising 34% of the initial pool. The proportion of female applicants decreased throughout the process, such that female candidates comprised just 27% of those invited to the Academy.

¹⁸ City of Chicago Office of Inspector General. "Evaluation of the Demographic Impacts of the Chicago Police Department's Hiring Process." July 8, 2021. <https://iqchicago.org/wp-content/uploads/2021/07/OIG-Evaluation-of-the-Demographic-Impacts-of-the-Chicago-Police-Department's-Hiring-Process.pdf>

OIG determined that the standardized test (Chicago Police Officer Exam), the physical fitness test (Peace Officer Wellness Evaluation Report), and the background investigation were the stages in the process that most decreased the representation of Black candidates in the candidate pool. Black male candidates experienced the highest attrition rate in the background investigation stage relative to all other candidates, while Black female candidates experienced the highest attrition rate in the physical fitness test stage relative to all other candidates. Additionally, the attrition rate in the physical fitness test was higher for female candidates of all races compared to their male counterparts.

In examining the reasons for candidate attrition evident from available applicant data, OIG concluded that higher no-show rates and higher failure rates for Black candidates compared to other racial/ethnic groups drove the disproportionately high attrition rates in the standardized test and physical fitness test stages for Black candidates. In addition, in the physical fitness test, female applicants had higher no-show rates than their male counterparts, and Black, Hispanic, and White female candidates had higher failure rates than their male counterparts, contributing to the high female attrition at this stage. OIG further found that CPD's elimination of its' standardized test payment requirement in 2016 reduced, but did not entirely eliminate, the disproportionate attrition of Black candidates at this stage by increasing test turnout.

OIG reviewed the employee data for candidates who successfully completed the hiring process and entered the Academy. The available evidence suggests that CPD's process preferences for applicants who are veterans or CPS high school graduates seemed to benefit non-White applicants, potentially improving the racial/ethnic diversity of the pool of recruits; the veterans status seemed to benefit male candidates, potentially worsening the gender imbalance in the Academy. Moreover, OIG found that Academy recruits were clustered by neighborhood. Poorly represented geographic areas of the city may warrant the targeting and tailoring of future CPD recruitment efforts.

In the course of this evaluation, OIG used data from multiple sources including the City of Chicago Department of Human Resources (DHR) and CPD Human Resources (CPD HR), and found that individual applicants are not assigned unique individual ID numbers. This means that DHR and CPD HR cannot identify when a single individual has submitted multiple applications and cannot track patterns in candidate attrition by education level or neighborhood of residence through each stage of the hiring process. This limits the scope of this analysis as well as any analysis CPD or DHR may wish to undertake. Additionally, OIG identified inconsistent labels and categories for demographic characteristics across data sources.

OIG recommended that CPD evaluate the stages of its hiring process for biases that have most contributed to the disproportionate attrition of Black and female candidates. CPD should further assess whether the tests and standards with inequitable outcomes are valid predictors of high job performance, and if not, what modifications might be appropriate. Furthermore, OIG recommended that CPD seek to remediate major drivers of attrition through targeted outreach to reduce no-shows and efforts to boost candidate preparedness.

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CPD and the Office of Public Safety Administration (OPSA) responded jointly to the report and agreed with all 17 of OIG's recommendations. In their response letter, CPD and OPSA committed to several changes to their hiring process with expected implementation in the near term, including a change such that "a candidate who does not successfully pass all components of the Pre-POWER test will no longer be automatically disqualified" and a commitment to "post more detail about the disqualifying standards in the background investigation process."

THE CHICAGO POLICE DEPARTMENT'S USE OF SHOTSPOTTER TECHNOLOGY¹¹ AUGUST 2021

OIG analyzed data collected by CPD and the City of Chicago Office of Emergency Management and Communications (OEMC) regarding all ShotSpotter alert notifications that occurred between January 1, 2020 and May 31, 2021, and investigatory stops confirmed to be associated with CPD's response to a ShotSpotter alert. ShotSpotter is a gunshot detection system that uses a network of acoustic sensors to identify and locate suspected gunshots. After a process of human review, alerts from this system are sent to OEMC dispatchers to initiate a CPD response to the scene of the suspected gunfire.

In this report, OIG details ShotSpotter's functionality and descriptive statistics regarding law enforcement activity related to CPD's response to ShotSpotter alerts. OIG does not issue recommendations associated with this descriptive data. OIG issued this analysis of ShotSpotter alert outcomes to provide the public and City government officials to the extent feasible given the quality of OEMC and CPD's data with clear and accurate information regarding CPD's use of ShotSpotter technology.

The City's three-year contract with ShotSpotter began on August 20, 2018 and initially ran through August 19, 2021, at a cost of \$33 million. In November 2020, well before the end of the contract term, CPD requested an extension of the contract; in December 2020, the City exercised an option to extend it, setting a new expiration date for August 19, 2023.

OIG's descriptive analysis of OEMC data and investigatory stop report (ISR) data collected for ShotSpotter alert incidents that occurred between January 1, 2020 and May 31, 2021, revealed the following:

¹¹ City of Chicago Office of Inspector General, "The Chicago Police Department's Use of ShotSpotter Technology" August 24, 2021, <https://igchicago.org/wp-content/uploads/2021/08/Chicago-Police-Departments-Use-of-ShotSpotter-Technology.pdf>.

1. A total of 50,176 ShotSpotter alerts were confirmed as probable gunshots by ShotSpotter, issued an event number-a unique record identification number assigned to distinct "events" of police activity-and dispatched by OEMC; each of these resulted in a CPD response to the location reported by the ShotSpotter application.
2. Of the 50,176 confirmed and dispatched ShotSpotter alerts, 41,830 report a disposition- the outcome of the police response to an incident A total of 4,556 of those 41,830 dispositions indicate that evidence of a gun-related criminal offense was found, representing 9.1% of CPD responses to ShotSpotter alerts.
3. Among the 50,176 confirmed and dispatched ShotSpotter alerts, a total of 1,056 share their event number with at least one ISR, indicating that a documented investigatory stop was a direct result of a particular ShotSpotter alert. That is, at least one investigatory stop is documented under a matching event number in 2.1% of all CPD responses to ShotSpotter alerts. Some of those events are also among those with dispositions indicating that evidence of a gun-related criminal offense was found, where an investigatory stop might have been among the steps which developed evidence of a gun-related criminal offense.
4. Through a separate keyword search of all ISR narratives within the analysis period, OIG identified an additional 1,366 investigatory stops as potentially associated with ShotSpotter alerts whose event number did not match any of the 50,176 confirmed and dispatched ShotSpotter alerts. OIG's review of a sample of these ISRs indicated that many of these keyword search "hits" were in narratives referring to the general volume of ShotSpotter alerts in a given area rather than a response to a specific ShotSpotter alert.

OIG concluded from its analysis that CPD responses to ShotSpotter alerts rarely produce documented evidence of a gun-related crime, investigatory stop, or recovery of a firearm. Additionally, OIG identified evidence that the introduction of ShotSpotter technology in Chicago has changed the way some CPD members perceive and interact with individuals present in areas where ShotSpotter alerts are frequent

UNDERSTANDING THE CHICAGO POLICE DEPARTMENT'S BUDGET¹² SEPTEMBER 2021

CPD is the City of Chicago's largest department, and a large percentage of the City's overall budget goes to fund CPD. With this guide-published prior to the City Council's budget hearings for City agencies-OIG sought to provide stakeholders and taxpayers with basic, foundational information about the City's budget and budget process, and how CPD's budget is built. The total amount of money appropriated to CPD in fiscal year (FY) 2021 was just under \$1.7 billion (\$1,698,738,503). Money for the CPD budget comes from local funds and grant funds. The CPD budget, including grants, was 13.3% of the entire City budget for FY 2021.¹²

City of Chicago Office of Inspector General, "Understanding the Chicago Police Department's Budget," September 2, 2021, <https://irchicago.org/wp-content/uploads/2021/09/UrK.io> <<http://hicago.org/wp-content/uploads/2021/09/UrK.io>>rsi and ing-thi.-Chicago-Police-Departments-Budget.pdf

¹² Note that the City budget does not include expenditures for the City's "sister agencies," which include the Chicago Public Schools, the City Colleges of Chicago, and the Chicago Transit Authority.

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The Corporate Fund, the City's largest local fund used for general operations, was the main source of CPD's budget, representing over 90% (91.7%) of the total appropriated to CPD in FY 2021. CPD received 38.6% of the total amount appropriated from the Corporate Fund. Nearly 90% (89.4%) of all the money allocated to CPD was spent on Personnel Services items, which includes salaries and wages.¹⁴

FOLLOW-UP: REVIEW OF THE CHICAGO POLICE DEPARTMENT'S MANAGEMENT AND PRODUCTION OF RECORDS¹⁵ SEPTEMBER 2021

OIG completed a follow-up to its June 2020 review of CPD's management and production of records. Based on the Department's responses, OIG concluded that CPD has undertaken almost no corrective actions and that CPD's ability to ensure it is fulfilling its constitutional and legal obligations to produce all relevant records for criminal and civil litigation remains seriously impaired.

The purpose of OIG's 2020 review was to determine how CPD managed and produced records responsive to criminal and civil litigation and to identify risk areas within those processes. OIG found CPD could not ensure that it was producing all relevant records in its possession as required by constitutional and legal mandates. Specifically, CPD personnel responsible for relevant duties had no standardized or effective means to identify the totality of records responsive to any specific incident, individual, request, prosecution, or lawsuit. Various stakeholders-including prosecutors, defense attorneys, private attorneys, and judges-told OIG that CPD's practices around record production were ineffective and lacked clarity.

Based on the findings of its 2020 review, OIG recommended CPD undertake a comprehensive staffing and resource analysis for its records management and production functions; charge a single unit with responsibility for records management across the Department; and develop policies, procedures, and trainings to ensure its ability to produce all responsive records. OIG also recommended CPD audit and evaluate its records management and production processes to ensure records are stored, managed, and produced in accordance with recommended policies; improve transparency with stakeholders; develop better search functions within its Citizen and

¹⁵ Note that CPD's budget line within the total City budget does not include contributions to pension funds (or CPD members, which are accounted for elsewhere in the City's budget).

¹⁶ City of Chicago Office of Inspector General, "Follow-Up Review of the Chicago Police Department's Management and Production of Records," September 16, 2021, <[https://igchicago.org/wp-content/uploads/2021/09/CPD-Records Management - Follow Up.pdf](https://igchicago.org/wp-content/uploads/2021/09/CPD-Records-Management-Follow-Up.pdf)

Law Enforcement Analysis and Reporting (CLEAR) system; and develop and implement a comprehensive, automated records management system. Finally, OIG recommended the development of a new system considering the management of older records, especially paper records, already in CPD's possession.

In June 2021, OIG inquired about the status of corrective actions taken by CPD in response to the 2020 recommendations. Based on CPD's response, OIG concluded that CPD implemented very few corrective measures. Although CPD has developed better search functions within its CLEAR system and has, on an ad hoc basis, converted some paper files into electronic formats, CPD had yet to implement most of the improvements to which it committed. Specifically, CPD had not conducted a comprehensive staffing and resource analysis, developed and implemented standard operating procedures for the management and production of records, or developed necessary trainings. OIG urged CPD to fully realize its commitments and implement these corrective actions.

ADVISORY CONCERNING BACKGROUND CHECKS ON MEMBERS OF THE PUBLIC¹⁶ DECEMBER 2021

OIG completed an inquiry into the practice by CPD members of performing background checks on individuals signed up to speak at public meetings of the Chicago Police Board. The practice of conducting background checks on Police Board meeting speakers was a longstanding one, going back as far as 2006. Neither CPD nor the Police Board was able to account for who initiated the practice or for what purpose, beyond nonspecific security concerns regarding visitors to the City's Public Safety Headquarters. This practice raised the specter of infringement of the First Amendment rights of members of the public who chose to speak at Police Board meetings, ran afoul of laws and regulations regarding use of CPD databases, and strained public confidence in both CPD and the Police Board. Moreover, this practice came to light at a critical time in the City's efforts to foster public trust in its public safety institutions, and the Department's necessary and overdue efforts to meaningfully and respectfully engage with members of Chicago's communities. CPD discontinued the practice of performing background checks on Police Board speakers in July 2019.

¹⁶ City of Chicago Office of Inspector General. "Background Checks on Members of the Public," December 16, 2021, <https://ig.chicago.org/wp-content/uploads/2021/12/OIG-Letter-Regarding-Background-Checks-22September2021.rtf>

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OIG's advisory recommended three measures to ensure that the practice of using CPD databases to perform background checks on members of the public who engage with the City's public safety institutions would not reoccur, particularly as CPD and the City work to broaden and deepen opportunities for that engagement. More specifically, OIG made two recommendations for updates to CPD's directives and one recommendation related to its training curricula. CPD responded that OIG's two policy-related recommendations would be incorporated into directives "where deemed appropriate," and stated that OIG's training-related recommendation would be implemented by the Training Division.

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ACTIONS OF CLO! 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, OIG may recommend that it be reopened.¹⁷ OIG screens all closed investigations to which it has access and selects certain investigations for in-depth review. 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, 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 2021, the Inspections Unit screened 1,143 closed disciplinary investigations and opened 85 for in-depth review.

RECOMMENDATIONS TO REOPEN CLOSED DISCIPLINARY INVESTIGATIONS

Of the closed investigations selected for in-depth review in 2021, OIG recommended that 11 investigations conducted by BIA and 15 investigations conducted by COPA be reopened to correct deficiencies materially affecting their outcomes. The results of OIG's 26 recommendations to reopen are outlined below.

OIG Case Number	Agency	Response
18-0369	COPA	Declined to reopen, reviewed records as recommended
20-1318	BIA	Accepted recommendation to reopen
20-1319	COPA	Declined to reopen
20-1383	BIA	Accepted recommendation to reopen
21-0004	COPA	Declined to reopen
21-0044	COPA	Accepted recommendation to reopen
21-0163	COPA	Declined to reopen, but made recommended corrections
21-0405	COPA	Declined to reopen, but made recommended corrections
21-0519	BIA	Declined to reopen
21-0567	BIA	Accepted recommendation to reopen

■ These reviews are responsive to Paragraphs 558(d) and 550 of the consent decree and MCC § 2-5G-230(c).

OIG Case Number	Agency	Response
21-0667	BIA	Accepted recommendation to reopen and conduct additional analysis, but declined to refer to COPA
21-0802	COPA	Accepted recommendation to reopen
21-0804	BIA	Accepted recommendation to reopen
21-0890 21-0891	BIA	Accepted recommendation to reopen
	COPA	Declined to reopen
21-0916	COPA	Declined to reopen
21-0917	BIA	Accepted recommendation to reopen
21-1092	COPA	Declined to reopen, conducted recommended analysis
21-1138	COPA	Declined to reopen
21-1386	BIA	Declined to reopen, but increased recommended discipline based on issues identified by OIG
21-1387	BIA	Accepted recommendation to reopen
21-1700	COPA	Declined to reopen
21-1899	COPA	No response ¹⁹
21-2023	BIA	Accepted recommendation to reopen
21-2193	COPA	Declined to Reopen
21-2194	COPA	No response ¹⁹

Investigations that OIG recommended be reopened during 2021 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 TO CONDUCT A COMPLETE USE-OF-FORCE ANALYSIS AND INVESTIGATE ALL REPORTED ALLEGATIONS (#21-0044)

CPD's Force Review Unit (FRU) conducted a policy-mandated review of a use of force during a traffic stop, based on the reporting of open hand strikes on a CPD Tactical Response Report (TRR).²⁰ FRU determined that the incident required further investigation due to indications of potentially excessive force and potentially improper approval of the associated TRRs by a CPD supervisor, and forwarded the matter to COPA for a complete investigation.

BWC video of the incident captured a CPD tactical team conducting a traffic stop of a 21-year-old Black male who was driving alone and was allegedly not wearing a seatbelt. The driver told the CPD member who conducted the stop that he did not have his driver's license on him and was actively searching his wallet for his state identification card when the CPD member ordered him out of the vehicle. The driver stated he did not want to exit the vehicle because there were three CPD members present and because the officer conducting the stop was gripping his handgun and pointing his Taser through the driver's side window. The driver was otherwise compliant

Recommendation issued to COPA on October 27, 2021. ■^s Recommendation issued to COPA on December 17, 2021 ■^oThe Force Review Unit has since been renamed the Force Review Division

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with instructions to turn off his vehicle and kept his hands raised for most of the interaction with CPD members.

BWC video captured the three CPD members forcibly removing the driver from his vehicle. One CPD member pulled the driver's arm and wrist while another positioned himself partially on top of the driver, gripping and applying pressure to the driver's neck and strikes to the driver's upper body. The BWC video captured one officer with his hand in the area of the driver's neck while the driver asked for the officer's name and stated, "I can't breathe." The driver's voice sounds comparatively strained at this point in the video than it did when he spoke earlier in the encounter.

COPA served allegations of excessive force for two of the involved CPD members and issued findings of Not Sustained for each allegation. COPA did not serve any allegations related to the improper supervisory approval of the TRRs. OIG's preliminary review of the investigation determined that COPA's documented legal analysis did not include an evaluation of each element required by CPD's use-of-force policy. Specifically, although COPA's summary report of investigation documented an evaluation of whether the force used was a permissible response to the driver's resistance, it did not document any evaluation or findings regarding whether the use of force was objectively reasonable, necessary, and proportional under the totality of the circumstances, as required by policy. Additionally, OIG's preliminary review determined that COPA did not document an application of the appropriate standards of evidence associated with each of the available investigative findings and did not properly apply findings of documented credibility assessment to its overall analysis.

OIG recommended that COPA reopen the investigation to account for the full evidentiary record, appropriately consider all provisions in the relevant CPD directives, apply the prescribed standard of evidence for each of the available investigative findings in its legal analysis, and pursue all allegations reported to COPA by FRU. COPA accepted OIG's recommendation, reopened the investigation, and ultimately reached Sustained findings of excessive force against one CPD member.

RECOMMENDATION TO REOPEN TO CORRECT DATA ENTRY ERRORS (#21-0163)

OIG reviewed an investigation in which COPA sustained allegations against two of three accused members. However, COPA's case management system listed two CPD members who were not at all involved in the incident as the accused members. OIG recommended that COPA reopen its investigation to correct the error to ensure accurate disciplinary histories for both the correct accused and the uninvolved CPD members. COPA corrected its error.

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RECOMMENDATION TO REOPEN TO ACCOUNT FOR ALL EVIDENCE [#20-1319F]

OIG reviewed an investigation in which COPA sustained an allegation that a CPD member failed to activate their BWC during an incident. The facts contained in COPA's investigative file, however, suggested that the accused member was not present for the interaction at issue.

During an interview with COPA, the accused member stated both that they forgot to turn on their camera and that the event concluded by the time they arrived. In sustaining the allegation that the CPD member failed to activate their BWC, COPA relied upon the statement that the accused member forgot and its analysis did not account for the evidence in its file indicating the accused member was not, in fact, present.

OIG recommended that COPA reopen its investigation to consider and account for the totality of the evidence respecting the allegation that the accused member failed to activate their BWC. COPA declined to reopen the investigation, but did provide an analysis on how it reached the determination to sustain the allegation; that is, COPA provided OIG with an explanation of its position that the accused member had a duty to activate their BWC despite not being present for the interaction at issue, but did not reopen the investigation to incorporate that explanation into its report.

RECOMMENDATION TO REOPEN TO CORRECT DISCIPLINARY HISTORY (#21-1386)

BIA investigated allegations that a CPD member responding to a 911 call for service regarding a mental health

disturbance conducted an insufficient preliminary investigation into the caller's report that her son had committed arson. BIA sustained one allegation that the accused member violated CPD's Rule 5, which prohibits the failure to perform any duty, and recommended a one-day suspension.

OIG's review revealed that BIA's summary report of investigation contained an inaccurate statement regarding the accused member's disciplinary history and suggested that BIA may have relied upon inaccurate information to determine its disciplinary recommendation. The BIA investigator wrote that they had "reviewed the complimentary and disciplinary history of [the accused member], and [found] that [the accused member] is highly decorated and has never been the subject of a CR [complaint register] number during [their] tenure." However, the disciplinary history report for the accused member—which was included in BIA's electronic case file—confirmed that the accused member had, in fact, been disciplined as a result of two prior complaint register investigations and three times as a result of a Summary Punishment Action Request within the timeframe during which prior discipline may be considered for purposes of determining a disciplinary recommendation. OIG recommended that BIA reopen its investigation to correct the inaccuracies contained in the summary report of investigation and to ensure that the accurate disciplinary history of the accused member was consulted in reaching a disciplinary recommendation.

■ ■ OIG sent this recommendation to COPA in the fourth quarter of 2020. COPA responded in the first quarter of 2021 and OIG initially reported the summary of this investigation in 2021.

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BIA declined to reopen the investigation, but reported that the Chief of BIA would consider OIG's findings in finalizing the disciplinary recommendation. Information available in the electronic case management system indicates that the Chief of BIA ultimately increased the penalty for the Sustained Rule 5 violation from a one-day suspension to a two-day suspension. The summary report of investigation included in the electronic case file has not been revised.

RECOMMENDATION TO REOPEN TO ADDRESS DISCREPANCIES BETWEEN THE EVIDENTIARY RECORD AND BIA'S FINDINGS t#20-1318P

BIA investigated an incident that occurred in the early morning hours in a Chicago suburb, in which an off-duty CPD member drove their personal vehicle in the wrong lane and past two "Road Closed" signs before entering a construction site and lodging the vehicle on a rock. Members of a suburban police department responded. The investigative file included BWC footage from the on-scene members of the responding suburban police department. The assigned BIA investigator described the initial events as follows in the Investigative Closing Report:

"The CPD member was stuck on a large rock in the middle of a construction zone that was closed off to all traffic by several signs and barriers. When the suburban police department members asked for the Accused's Driver's License, the Accused refused to give it to the officer. A short time later, the Accused exited the vehicle in an unsteady manner. The Accused stumbled while standing next to his vehicle. While outside the vehicle, the Accused covertly showed his badge, placing it down by his thigh and let the suburban officer know he was a police officer."

BWC footage subsequently captured the accused member undergoing Standardized Field Sobriety Testing. After administering an initial test, the suburban officer informed the CPD member that the result "wasn't great" and stated that the accused member was putting him "in a bad spot." The accused member repeatedly declined to undergo further Standardized Field Sobriety Testing and asked the suburban officer if the sergeant on-scene would "do him a solid." The

footage captured the suburban sergeant stating, "You understand the position you're putting us in, right?" The suburban sergeant then added, "You know the age we live in, right? And you couldn't swing an Uber?" The accused member can be heard apologizing before the footage cuts off. The accused member was issued citations by the suburban department for "Disobeying a Traffic Control Device and Driving in the Wrong Lane."

BIA reached findings of Not Sustained on allegations that the accused member was intoxicated and attempted to use their position as a CPD member to avoid being investigated for driving under the influence (DUI) of alcohol. BIA's closing report did not contain any analysis regarding the finding for the allegation that the CPD member was intoxicated. Regarding the allegation that the CPD member attempted to use their position to avoid a DUI investigation, BIA concluded that it was unable to determine whether the CPD member's conduct actually

■: OIG sent this recommendation to BIA in the fourth quarter of 2020 BIA responded in the first quarter of 2021 and OIG initially reported the summary of this investigation in 2021.

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influenced the suburban police department's investigation and reached a finding of Not Sustained.

OIG recommended that BIA reopen its investigation to include an analysis with respect to the allegation that the CPD member was intoxicated accounting for the fact that the CPD member exhibited indicia of intoxication, and consider the totality of the evidence concerning the allegation that the CPD member attempted to use their position to avoid a DUI investigation rather than resting its analysis on whether the member was successful in doing so. BIA concurred with OIG's recommendation and reopened the investigation. Upon reopening, BIA concluded that the accused member was intoxicated and did attempt to use their position to avoid a DUI investigation by suburban Police Officers. BIA sustained the corresponding allegations and recommended a 45-day suspension.

RECOMMENDATION TO REOPEN TO ACCOUNT FOR ALL AVAILABLE EVIDENCE [#21-0802]

COPA investigated allegations that a CPD member crashed their bike into a teenage boy and then used force against him. COPA administratively terminated the investigation, stating that it "was unable to locate evidence, including video, of [the] CPD altercation. Without a statement from [complainant], COPA cannot confirm the identity of the accused or the subject, nor does COPA have objective evidence of misconduct to proceed with an investigation."

OIG, however, was able to locate BWC footage of the incident. OIG recommended that COPA reopen its investigation to determine whether it could proceed to findings, given the existence of evidence it originally failed to locate. COPA accepted OIG's recommendation and reopened the investigation. Following its reopening, COPA again administratively terminated the investigation, stating that it was unable to secure an affidavit from the complainant in support of the allegations and that, despite the video of the altercation identified by OIG, COPA did not believe there to be objective, verifiable evidence of the alleged misconduct which might have allowed it to proceed without an affidavit.

RECOMMENDATION TO REOPEN TO CONDUCT AN ANALYSIS OF POSSIBLE VIOLATIONS (#21-0667)

BIA investigated allegations that two CPD members made a false report and that they struck a complainant's daughter without justification. Each of the allegations made against the two accused members were unfounded as BIA determined

that available BWC footage did not support the allegations. OIG's review of the evidentiary record revealed a foot pursuit and forced entry into the complainant's home. There was no reported analysis of whether those actions by the accused members were improper. OIG recommended that BIA reopen the case to determine whether those actions constituted violations or to refer that determination to COPA, in whose jurisdiction allegations of improper searches and seizures fall. BIA declined, stating that it conducted a review of the investigation and added additional documents to the case file including a Case Incident Report and a Supplemental Report, but that "the additional review of this log number did not provide a basis for referral to another agency [COPA] "

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RECOMMENDATION TO REOPEN TO ACCOUNT FOR ALL POSSIBLE RULE VIOLATIONS (#21-0519)

A BIA investigation resulted in Sustained allegations against a CPD Lieutenant related to improper timekeeping and overtime reports; BIA recommended a three-day suspension. OIG recommended that BIA reopen its investigation to consider whether the accused member having submitted inaccurate timekeeping and overtime records constituted violations of CPD's Rule 14, which prohibits the making of false reports. BIA declined to reopen its investigation, stating that "the word 'false' never appears in the report of the investigation "

RECOMMENDATION TO REOPEN TO CORRECT INCONSISTENCIES IN REPORTED FINDINGS AND TO CONDUCT A PROPER USE OF FORCE ANALYSIS (#21-0405)

COPA initiated an investigation after a CPD Probationary Police Officer discharged their firearm and fatally wounded an individual fleeing from CPD members during what was purported to be an investigatory stop. During the course of its investigation, COPA identified potential misconduct, served allegations against eight CPD members, and sustained several allegations related to the justification for the investigatory stop, failure to activate BWC, and improper communication between CPD members following the shooting. COPA concluded that the use of deadly force was within policy and served no allegations regarding the fatal shooting.

OIG reviewed COPA's investigation and identified two categories of deficiencies materially affecting its outcome: (1) inconsistencies within COPA's report on its findings for allegations regarding the justification for the investigatory stop and the failure to activate BWC²³; and (2) an inadequate legal analysis of the use of deadly force which, as documented, did not demonstrate consideration of each of the elements required for a use-of-force analysis, as established by the relevant CPD policies."¹

CPD's relevant policies in effect at the time of this incident require a multi-step analysis to determine whether a use of force was within policy. First, the use of force must be "objectively reasonable, necessary, and proportional in order to ensure the safety of a member or third person, stop an attack, make an arrest, control a subject, or prevent escape" (emphasis added). ¹⁵ One of the factors that may be considered in evaluating whether a use of force was objectively reasonable is whether the subject posed an "imminent threat to officers or others," as defined in the directive. To meet the requirement that force be necessary, a CPD member must only use the amount of force required under the circumstances to serve a lawful purpose. When considering whether use of force is proportional, the directive in effect at the time offers the following guidance:

Specifically, with respect to certain allegations, COPA listed its findings as Sustained on some pages of its report and Not Sustained or Unfounded on other pages

^{2E} The versions of CPD's relevant General Orders, G03-02 and G03-02-01, in effect on the date of the incident were in effect as of October 16, 2017, and superseded by revised versions of the policies effective February 29, 2020. The current CPD directives governing use of force are General Order G-03-02, De-Escalation, Response to Resistance, and Use of Force and General Order G03-02-01, Response to Resistance and Force Options, effective April 15, 2021. ⁵ G03-02 (October 16, 2017).

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Department members will use only the force that is proportional to the threat, actions, and level of resistance offered by a subject. This may include using greater force or a different type of force than that used by the subject. The greater the threat and the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be necessary to overcome it. When or if the subject offers less resistance, however, the member will decrease the amount or type of force accordingly.

Determining what level of force is permissible (e.g., deadly force) requires an analysis of the level of resistance exhibited by the subject.⁶ Broadly, these levels include cooperative person, resister, and assailant. The directive defines two types of assailants: those who pose an imminent threat and those who do not. A CPD member may only use deadly force on an assailant who poses an imminent threat.

COPA's documented legal analysis of the use of deadly force led to its conclusion that the shooting was in compliance with CPD policy. That analysis focused on an assessment of the shooting according to the criteria defining an imminent threat. COPA found that the subject of the shooting, having found their path of flight from the CPD members blocked, placed their hand on a holstered firearm and then made an upward motion, which the shooting CPD member perceived as the subject unholstering the weapon. COPA concluded that, immediately prior to the subject's upward motion, the subject had "strongly" pulled away from officers and "swung at" another officer's arm. COPA characterized the subject as initially cooperative, but found that his conduct eventually rendered him an assailant. Further, COPA noted that the subject of the shooting was armed and found that the subject had the "opportunity and ability to cause death or great bodily harm." COPA wrote that it was "objectively reasonable for the shooting officer] to believe that [the subject] posed an imminent threat of death or great bodily harm to the officers and bystanders," and ultimately found that because the belief that the subject was an imminent threat was objectively reasonable, the use of deadly force was also objectively reasonable.

COPA's legal analysis, however, was incomplete, nowhere did COPA determine which definition of assailant might have applied to the subject, nor did it reach the questions of whether the shooting officer's use of deadly force was necessary and proportional, as required by CPD's policies.

OIG recommended that COPA reopen its investigation to resolve the inconsistencies in recorded findings and to conduct a complete and comprehensive legal analysis of the use of deadly force, to specifically include documented consideration of all the required elements of a use-of-force analysis established in CPD's policies, and a determination of whether and how the use of deadly force was necessary to serve a lawful purpose and proportional to the threat, actions, and level of resistance presented by the subject given the totality of the circumstances.

" G03 02 (October 16, 2017)

In response to OIG's recommendations, COPA corrected the internal inconsistencies in its recording of investigative findings, but declined to reopen the investigation to address the deficiencies in its legal analysis. In a position inconsistent with the applicable CPD policies, COPA asserted that an analysis of the necessity and proportionality of the use of deadly force was "subsumed into the determination" that the subject posed an imminent threat. COPA concluded that further discussion of the necessity and proportionality of the use of deadly force would change neither COPA's analysis nor conclusions.

In its response to OIG's recommendation, COPA wrote that "[w]hether, and to what extent, COPA conducts its review of the 'necessity' and 'proportionality' elements in the standard definition of 'Use of Force'...are matters within the Chief Administrator's discretion " OIG notes that a position that the applicability of CPD's policies to its members is within the discretion of COPA's Chief Administrator is contradicted by COPA's promulgated Rules and Regulations, which state that "COPA investigative activities will be conducted in accordance with...Department General Orders and Special Orders."

RECOMMENDATION TO REOPEN TO CONSIDER ALL MATERIAL EVIDENCE (#18-0369)

OIG reviewed an investigation of a fatal shooting by an off-duty CPD member. The Independent Police Review Authority (IPRA), COPA's predecessor agency, originally investigated the shooting and found the use of force to be within CPD's policy. Later, at the request of the family of the subject of the shooting, COPA conducted a review of IPRA's investigation and determined that it would not reinvestigate. In its subsequent, separate review, OIG determined that IPRA, and later COPA, failed to consider all material evidence, and recommended that COPA reopen the investigation to do so.

During its original investigation, IPRA failed to obtain available CPD reports related to the shooting, which documented statements made to investigating detectives by both the involved CPD member and a witness which were arguably inconsistent with statements they made to IPRA. In the review of IPRA's investigation conducted at the request of the subject's family, COPA also failed to obtain those reports or to consider the impact of inconsistencies in the statements of the involved CPD member.

Having determined that there was material evidence, which was never reviewed by IPRA or COPA, OIG recommended that the investigation be reopened. COPA declined, concluding that the never-considered evidence did not materially affect the outcome of IPRA's investigation.

RECOMMENDATION TO REOPEN TO TAKE INVESTIGATIVE STEPS CONSISTENT WITH OTHER SIMILAR INVESTIGATIONS (#21-0891)

OIG reviewed a COPA investigation into allegations of a search warrant executed at the wrong address, based on information reported to CPD members by a confidential informant. The complainant alleged the CPD members did not conduct a proper investigation into the target of the warrant or the information provided by the confidential informant. COPA reached findings of Exonerated for the accused members. OIG found that COPA did not take reasonably available

investigative steps which it had taken in other recent, similar investigations. For example, COPA did not obtain GPS records to verify the accused member's account of their attempts to corroborate the address with the confidential informant, nor did COPA interview any CPD members involved in the execution of the search warrant other than the accused members. OIG recommended COPA reopen the investigation to take other reasonably available investigative steps and to determine whether it was appropriate to bring additional allegations, as it had in other recent, similar investigations into allegations around wrong address search warrant raids.

COPA declined OIG's recommendation, citing limited resources and stating that OIG had not presented COPA with additional evidence to warrant reopening the investigation.

RECOMMENDATION TO REOPEN TO ACCOUNT FOR ALL POSSIBLE RULE VIOLATIONS (#21-1092)

A COPA investigation resulted in Sustained allegations that, among other rule violations, the accused member "falsified the details of [the complainant's] arrest as documented in the arrest report when he documented that officers attempted to remove arrestees' hands from his pocket for officer safety, at which time arrestee began resisting officer's efforts to do so by violently pulling his arms away." COPA determined the details in the arrest report were refuted by video evidence and found this conduct to violate several of CPD's Rules of Conduct. However, COPA did not document consideration of Rule 14, which prohibits false reports.

OIG recommended COPA reopen its investigation to conduct and document an appropriate analysis of the applicability of Rule 14 and, if appropriate, pursue allegations that the member violated Rule 14. COPA declined to reopen the investigation. However, COPA conducted the requested analysis in its response to OIG, finding that it "could not establish that [the accused member's] inaccurate reporting was willful" in order to sustain a violation of Rule 14.

TREND ANALYSIS OF CLOSED DISCIPLINARY INVESTIGATIONS²⁷ CLOSED INVESTIGATIONS AND OIG RECOMMENDATIONS

In 2021, the Inspections Unit screened 1,143 closed disciplinary investigations. Of these investigations, 570 investigations (49.9%) were conducted by BIA (including District Accountability Sergeants²⁸) and 573 (50.1%) were conducted by COPA.²⁹

If the Inspections Unit finds a deficiency in a specific investigation which may have materially affected its outcome, it may recommend that the investigation be reopened by the investigating agency. In 2021, OIG recommended 26 investigations (2.2% of the 1,143 screened) to be reopened by either BIA or COPA. Figure 1 shows the distribution of those recommendations to reopen between BIA and COPA investigations. The remaining 1,117 closed investigations screened by OIG (97.7%) did not contain deficiencies which OIG found to have materially affected the outcome of the investigation such that a recommendation to reopen would have been appropriate. OIG generally does not recommend reopening investigations in which there was a deficiency in the investigation that does not appear to have materially affected the outcome. Furthermore, when OIG identifies a deficiency that may have materially affected the outcome of an investigation but that could not be remedied by reopening the case—for example, an excessive delay in interviewing a witness—OIG will also generally not recommend reopening. In these and other situations, pursuant to MCC § 2-56-230(c), OIG may make recommendations "to inform and improve future investigations and ensure that they are complete, thorough, objective, and fair."

⁷⁷ This section is responsive to the Public Safety section's obligations pursuant to MCC §2-56-230(a) and Paragraphs 558(a) and (b) of the consent decree. Under MCC §2-56-230(a), the Public Safety section analyzes and evaluates the results of closed disciplinary investigations conducted by COPA and CPD. OIG is also empowered to conduct misconduct investigations of CPD members. The analysis here is limited to investigations conducted by COPA or CPD and subsequently screened by OIG; it does not extend to investigations of misconduct conducted by OIG.¹⁵ Although certain allegations of misconduct are investigated by CPD Districts by designated Accountability Sergeants, CPD considers District investigations as a subset of BIA investigations since BIA reviews and signs off on these investigations. Therefore, of the 1,143 investigations screened by the Inspections Unit, half were conducted by BIA and half were conducted by COPA.

¹⁵ This does not mean that BIA and COPA conducted the same number of investigations in 2021, nor that OIG intentionally distributed its resources to equally screen investigations from COPA and BIA. The even distribution of BIA and COPA investigations screened by OIG in 2021 is coincidental. In 2020, for comparison, the Inspections Unit screened 651 closed disciplinary investigations: 278 were conducted by COPA (47.7%) and 373 were conducted by BIA (57.3%). City of Chicago Office of Inspector General, "2020 Annual Report," June 18, 2021, p. 10, <https://igc.hicago.gov/wp-content/uploads/2021/06/Public-Safety-Annual-Report-7020.pdf>

FIGURE 1: Number and Percentage of Closed Investigations Recommended for Reopening, by Investigating Agency, Closed Investigations Screened, 2021

600

BIA COPA B Investigations Screened ■ OIG Recommendations to Reopen

Source: OIG analysis.

FIGURE 2: Agency Responses to OIG Recommendations to be Reopened, 2021

4%

0 2 4 6 8 10 12 14 16
Number of Investigations

B Declined to reopen Accepted recommendation to reopen ■ No response at time of this publication Source OIG analysis

INVESTIGATION INITIATION PROCESSES

In 2021, of the 1,143 closed investigations reviewed by the Inspections Unit, 480 investigations (42.0%) were initiated based on a complaint from an individual to an investigating agency (e.g., COPA, BIA, or OIG) and 200 investigations (17.5%) arose from a complaint from an individual made directly to a CPD member (e.g., a supervisor responding to the scene of an incident). Thus, a total 680 (59.5%) closed investigations were initiated from a complaint.³⁰

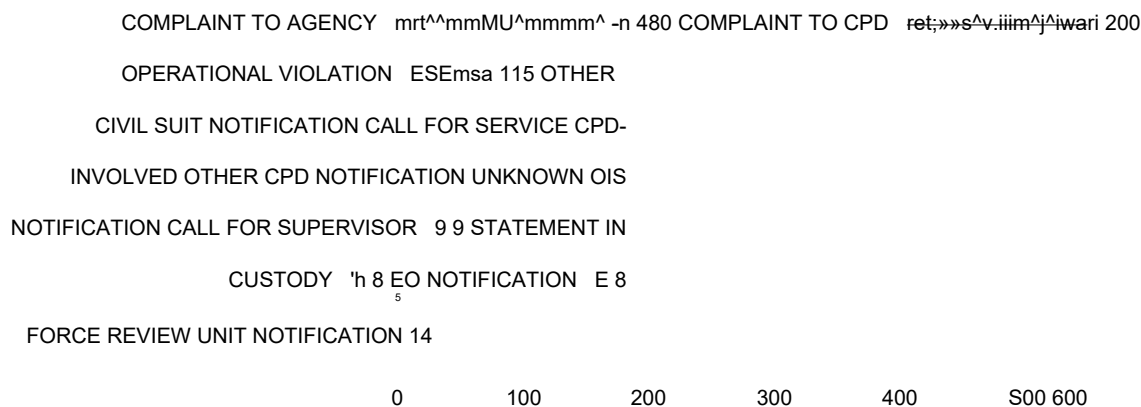
The remaining closed investigations were initiated from other sources, as depicted in Figure 3 below. COPA is notified of CPD member firearm discharges, and an investigation is automatically initiated into these incidents, even if a separate complaint is not made by a complainant. In Figure 3 below, these incidents are labeled "OIS Notification." Other incidents-labeled in Figure 3 as "Other CPD Notification"-such as Taser discharges also trigger an automatic investigation.³¹ Calls for service to 311 or 911 or requests for the appearance of a supervisor may also result in the initiation of an investigation where the responding CPD member reports potential misconduct as required by CPD Rules and Directives, without receiving a direct complaint from an individual.

³⁰ This proportion may be even greater than 59.5% An alleged victim may also call for a supervisor (the source of nine closed investigations that OIG screened in 2021) or call for seivice (50 investigations) Based on documentation from investigative files, it is unclear if an alleged victim intended to file an administrative complaint in these instances.

-■ MCC § 2-7S-120(c) provides thai COPA shall "conduct investigations mlo all incidents, including those in which no allegation of misconduct is made, in which a Police Department member discharges, (i) a fnearmn in a manner that potentially could strike another individual, (u) a stun gun or Taser in a manner that results in death or serious bodily injury, or (in) in the Chief Administrator's discretion, othei weapons discharges and other use of Police Department-issued equipment as a weapon that results in death or serious bodily injury " MCC § 2-78-120(d) provides that COPA shall "conduct investigations into incidents, including those in which no allegation of misconduct is made, where a person dies or sustains a serious bodily injury while detained or in Police Department custody, or as a result of police actions, such as during attempts to apprehend a suspect "

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FIGURE 3: Count of Closed Investigations Based on Initiation Type, Closed Investigations Screened, 2021³¹



Source: OIG analysis of 2021 investigations.

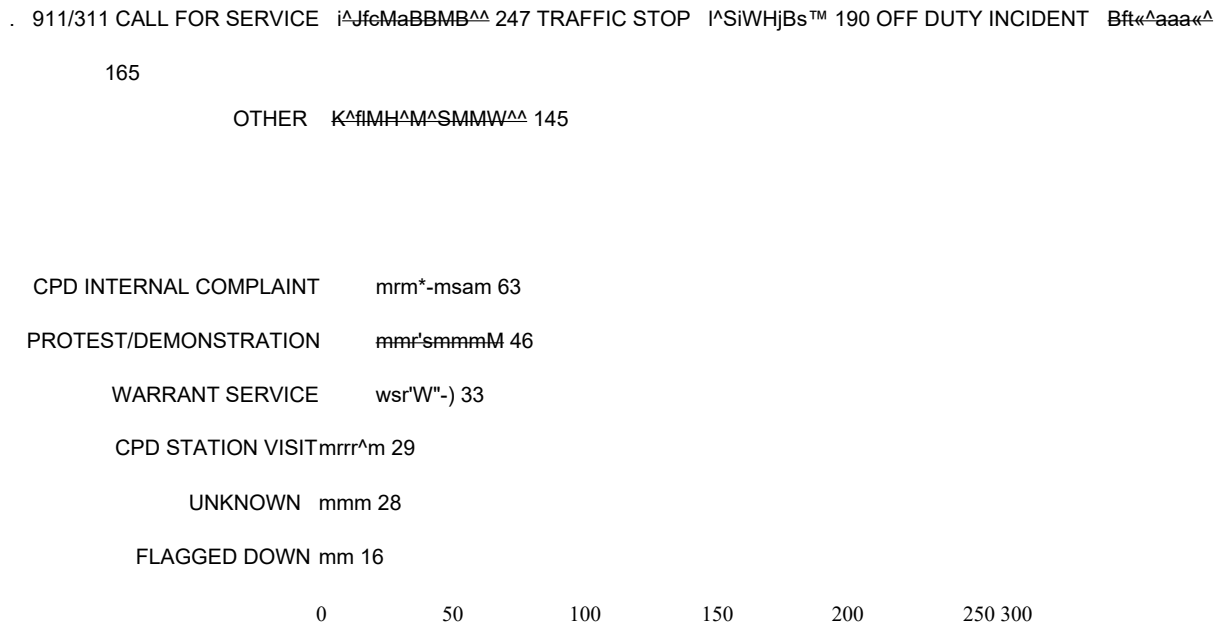
Figure 4 below shows the types of police interactions that resulted in the investigation of potential misconduct. For example, 247 closed investigations (21.6%) were initiated based on a CPD member responding to a 911 or 311 call.

Some investigations were not initiated based on police interaction with a member of the public. For example, 101 closed investigations (9%) were related to CPD operational violations.

"OIS Notification" stands for "Officer Involved-Shooting Notification " "EO Notification" stands for "Extraordinary Occurrence Notification " An "Operational Notification" can arise out of a violation of CPI") policy such as failure to qualify with a service weapon or a lost or stolen weapon A "Civil Suit Notification" occurs when COPA is notified of a civil suit filed against a CPI") member A "Call For Service CPD-Involved" refers to a call for CPL' service to an incident involving a CPD member (e g , a 911 call reporting domestic violence being commuted by an off-duty member) Force Review Unit Notifications are notifications of potential violations that come from CPD's I oice Review Division, the unit that reviews Tactical Response Reports within CPD

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FIGURE 4: Count of Police Encounters Which Resulted in a Closed Investigation, Closed Investigations Screened, 2021³¹



Source. OIG analysis of 2021 investigations.

Until September 16, 2021, all of CPD's collective bargaining agreements with its sworn members required that investigating agencies obtain a sworn statement (an affidavit) attesting to the truthfulness of the complaint-or, failing that, an affidavit override-before proceeding to a full investigation of a complaint of misconduct.-⁴ Of the 1,143 investigations OIG screened in 2021, 184 were closed without findings due to a lack of an affidavit. Meanwhile, an affidavit override was

obtained in 45 investigations. Forty-four of the investigations in which the agency secured an affidavit override reached findings, of which 34 were Sustained findings.

⁵³ An "Internal Complaint" is a complaint that is filed by one CPD member against another, such as an Equal Employment Opportunity complaint or complaint of unprofessional behavior. This is distinguishable from a CPD Operational Violation such as an accidental Taser discharge or failure to activate body worn camera. The affidavit/affidavit override requirement does not apply to complaints initiated by CPD sworn members, complaints of criminal conduct, or investigations initiated through notifications that automatically initiate investigations. On the affidavit override process, see City of Chicago Office of Inspector General, "Evaluation of the Use of the Affidavit Override in Disciplinary Investigations of Chicago Police Department Members," December 17, 2020, p. 11-15, <https://igchicago.org/wp-content/uploads/2020/12/OIG-Evaluation-of-the-Use-of-the-Affidavit-Override-in-Disciplinary-Investigations-of-CPD-Members.pdf> In September 2021, the City Council ratified a new collective bargaining agreement between the Fraternal Order of Police and the City, which, consistent with a new state law, did away with the affidavit requirement for investigating sworn CPD members below the rank of Sergeant while introducing a certification requirement in the City's current collective bargaining agreements with the Policemen's Benevolent and Protective Association were negotiated in 2020 and retain the affidavit requirement for investigations into misconduct by CPD Sergeants, Lieutenants, and Captains

BIA obtained 28 of the 45 affidavit overrides, and COPA obtained the remaining 17. BIA reached Sustained findings in 22 of its 28 investigations begun with an affidavit override, and COPA reached Sustained findings in 12 of its 17 investigations.

Keytakeawayson ^ investigation initiation

Most investigations began with a civilian complaint, but many also, arose from other sources, including operational violations, civil litigation, claims, and automatic notifications of weapons discharges.

INVESTIGATION DURATIONS AND FINDINGS

In 2021, of the 1,143 closed investigations OIG screened, 711 (62.2%) were completed in one year or less (see Figure 5).³⁵

FIGURE 5: Investigation Duration, Closed Investigations Screened, 2021

3.3% , 0.8%

■ 1 year or less ■ 1-2 years ■ 2-3 years ■ 3-4 years ■ More than 4 years Source: OIG analysis of

2021 investigations

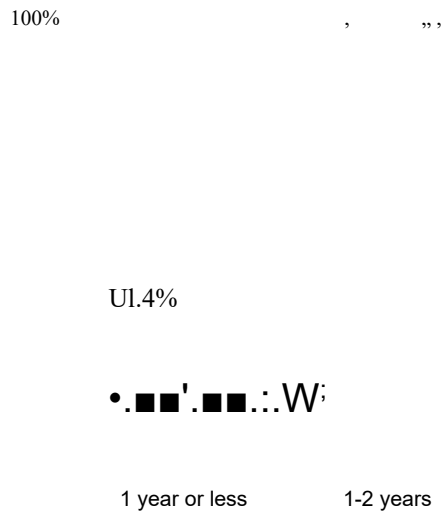
Figure 6 below shows the proportion of investigations screened by OIG, broken down by investigating agency and duration of the investigation For example, of the investigations closed in one year or less, 60.5% were conducted by BIA

and 39.5% were conducted by COPA. The large majority of the longest investigations that OIG screened—those closed in 2021 after three years

■ Although the mean number of days an investigation was open was 366 days, the median was 279 days and the mode was 211 days with eight occurrences of the 1,143 investigations screened by the Inspections Unit in 2021. The longest investigation closed in 2021 had been open for 4,005 days, or almost 11 years.

of investigation or more—were COPA investigations. This pattern may, in part, reflect current limitations on OIG's access to closed investigations.

FIGURE 6: Investigation Duration by Investigating Agency, Closed Investigations Screened, 2021



Source: OIG analysis of 2021 investigations.

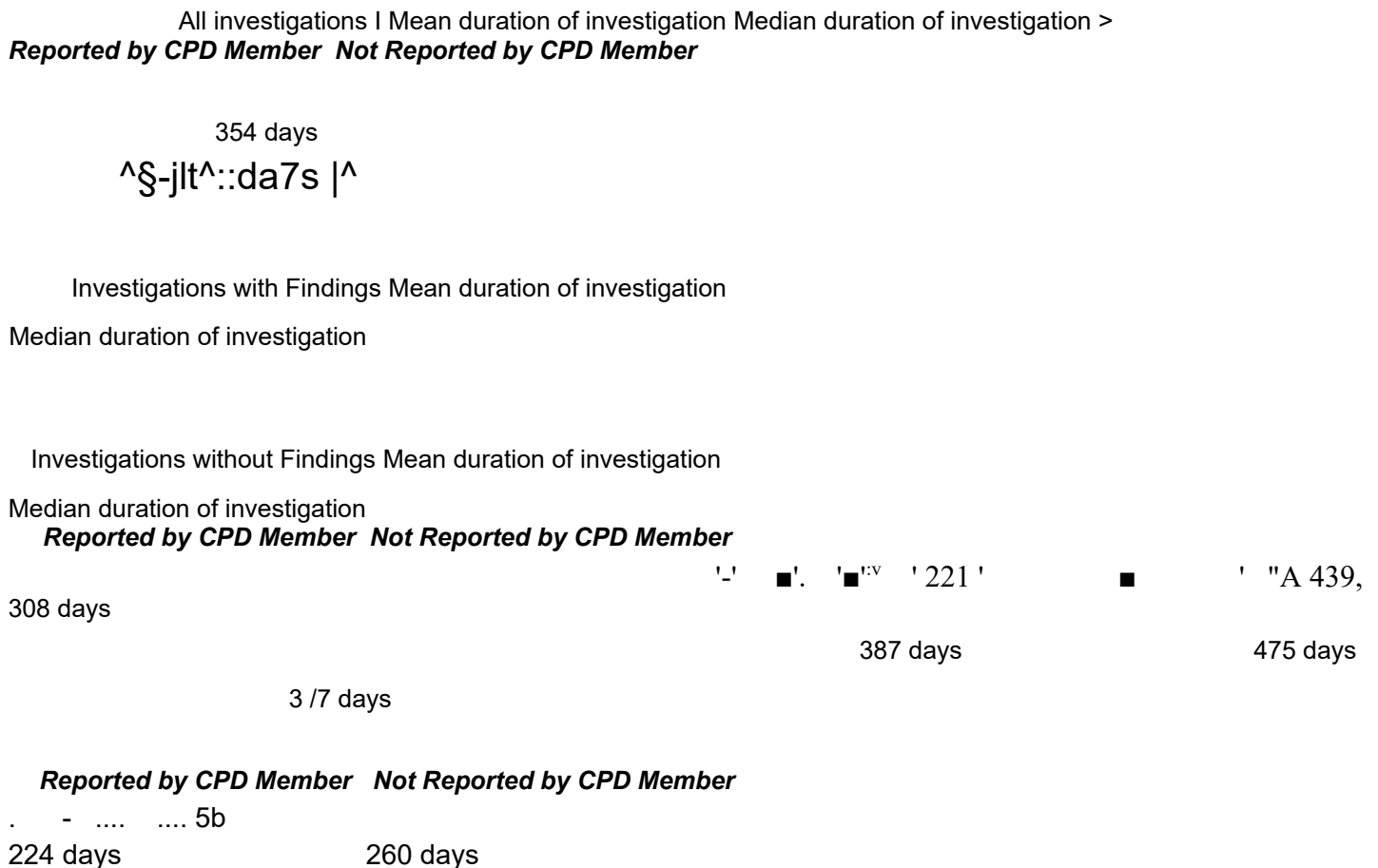
2-3 years | BIA COPA

Investigations initiated by a CPD member's report of misconduct were, on average, completed in less time than

investigations not reported by a CPD member. That difference was especially pronounced for investigations that resulted in findings.³⁷ Investigations that resulted in findings took longer on average than those that did not reach findings, and investigations that resulted in Sustained findings took longer on average than those that reached a finding other than Sustained (Not Sustained, Exonerated, or Unfounded) (see Figure 7 below).

³⁷ At present, OIG is able to access both BIA and COPA cases in the CLEAR case management system; but only able to search for COPA investigations closed in a given week, which restricts OIG's ability to search for and screen older investigations recently closed by BIA. CLEAR contains investigations conducted by BIA and COPA that were initiated before the agencies moved to a new case management system in February 2019. BIA previously sent OIG lists of cases recently closed from CLEAR but did not do so in 2021. OIG continues to work with BIA and COPA to resolve access issues as they arise, to ensure OIG is able to fulfill its ordinance obligation to screen all closed investigations. Investigations may not result in findings if they are resolved through one of the following procedures: mediation, administrative closure (for example, a preliminary investigation does not reveal misconduct and/or does not involve a CPD member), or closure because the investigating agency is unable to acquire a sworn affidavit required to continue the investigation and the preliminary investigation does not support pursuit of an affidavit over the

FIGURE 7: Investigation Duration by Source and Outcome, Closed Investigations Screened, 2021



■■ .^^2#days*

Investigations with Sustained Findings

Mean length of investigation

Median length of investigation -Source, OIG analysis.

Reported by CPD Member Not Reported by CPD Member

185
510 days
461 days

160 406 days
333 days

Investigations initiated by a CPD member's report of misconduct were also more likely to reach findings than other complaints and more likely to reach Sustained findings than other complaints (Figure 8).

FIGURE 8: Investigation Outcomes by Source

276 (100%) 221 (80.1%) j

160 (58.0%) 18 (6.5%) :

142 (51.4%)

55 (19.9%)

867 (100%) 439 (50.6%)

185 (21.3%)

21 (2.4%)

164 (18.9%) 428 (49,-1%)

Reported by CPD Member Not Reported by CPD Member

All investigations: ^ Investigations with Findings Investigations with Sustained ;p Findings Number of
Cases Recommending Separation Number of Cases Recommending Other Discipline Investigations
without Findings

Source OIG analysis

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Of the investigations Old screeneo in 202"1, a majority (62.2%) were

■closed by theinvestigating agency in one year or- less. V'

Almost-all of the oldest closed investigatipns OIG'scre'ened im2021 were COPA investigations rather than. BIA investigations; this may,~in part, . reflect current limitations

on OIG's access to .closed. BIA-investigations.

Investigations.tobk-tpnnger on average.when they reached Sustained, findings. '

investigations were fasteaon. average when they originated with a.CPD member'scompjaint- * « ;■

•ilInvestigationsiwere nibre.likely to reach'findings*andMTi6re'likely tow? . reach.Sustained.findings, when they originated with a CPD member's 'complaint.' ' ■..>-. ■•.

DISCIPLINARY RECOMMENDATIONS

Of the 1,143 closed investigations reviewed by OIG in 2021, BIA and COPA reached Sustained findings in 345 (30.2%). When either one of these agencies sustains a finding of misconduct, they make a disciplinary recommendation, which can range from a violation noted (the least severe discipline) to separation (i.e., termination of employment). Agency recommendations are not final discipline; depending on the level of discipline recommended and the rank or position of the accused member, various review or appeal pathways may be available to the member.³⁸

Across all investigations resulting in Sustained findings, both BIA and COPA were most likely to recommend suspensions. In fact, both agencies recommended more suspensions than all other disciplinary outcomes combined (Figure 9). BIA was much more likely to recommend reprimands than COPA was, and COPA recommended more than twice as many separations as BIA (Figure 9). Note that BIA and COPA have distinct jurisdictional mandates to investigate misconduct; therefore, the disciplinary recommendations from the two agencies depicted in Figure 9 should not be assumed to deal with equivalent types of misconduct.

For further detail on disciplinary processes for all CPD members, see City of Chicago Office of Inspector General, "A Guide to the Disciplinary Process for Chicago Police Department Members," accessed May 9, 2022, <https://igchicago.org/about-the-office/our-office/public-soi'ety-section/cpel-disciplinary-process-overview/>

FIGURE 9: Recommended Discipline, Closed and Sustained Investigations Screened, 2021



Source: OIG analysis of 2021 investigations.

KEY TAKEAWAYSON : DISCIPLINARY - • ; RECOMMENDATIONS

Suspensions were the most common type of disciplinary recommendation to come from both BIA and COPA.

40

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INVESTIGATIONS WITH AN ASSOCIATED CIVIL SUIT

Out of the 1,143 investigations OIG screened, in 95 instances the conduct investigated by BIA or COPA for disciplinary purposes has also been the basis for a lawsuit filed in court against the City or CPD and/or one or more CPD employees.³⁹

Eighty-five of the investigations with an associated civil claim were conducted by COPA. COPA reached Sustained findings in 15 of the 85 investigations it conducted with an associated civil suit. COPA recommended separation in 9 of the 15 investigations with an associated civil suit that reached a Sustained finding.

Ten of the investigations with an associated civil claim were conducted by BIA. BIA reached findings in two investigations with an associated civil suit; in one of those two investigations, BIA sustained a finding of misconduct.

VIDEO FOOTAGE IN INVESTIGATIONS

Of the 1,143 investigations OIG screened, 473 had video footage that captured the underlying incident.⁴⁰ Of those 473 investigations with BWC footage of the underlying incident, 292 reached findings and 181 did not reach findings. Of the 292 investigations that reached findings, 148 reached Sustained findings (Figure 10).

FIGURE 10: Investigative Outcomes When Video of the Underlying Incident Was Available

Source 016 analysis

Due to the length of the timeframe during which a civil suit may be filed, this number could change as new suits are filed relative to cases screened by OIG in 2021.

In this context, video footage may be BWC footage, dashboard camera footage, cell phone video, or video from another source. Notably, certain complaints such as allegations of CPD operational violations may not be related to an incident which would or should have been captured on BWC.

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FIGURE 11: Investigative Outcomes When Video of the Underlying Incident Was Not Available or Not Recovered by the Investigating Agency⁴¹

Source- OIG analysis.

Of the 1,143 investigations OIG screened, 181 had video footage that captured events related to the incident but did not capture the incident itself. Of those 181 investigations with BWC footage of events related to the incident, 94 reached findings and 87 did not reach findings. Of the 94 investigations that reached findings, 50 reached Sustained findings.

The remaining 489 investigations that OIG screened had no video footage available that captured the underlying incident or was related to the incident. Of those 489 investigations without any associated BWC footage, 274 reached findings and 215 did not reach findings. Of the 274 investigations that reached findings, 147 reached Sustained findings.

FIREARM DISCHARGE INVESTIGATIONS

Of the 1,143 investigations OIG screened, 30 were initiated following an automatic notification of a firearm discharge by a CPD member. COPA investigated these 30 incidents and reached findings in 21 of their investigations. COPA reached Sustained findings of misconduct in 16 of the investigations and recommended 3 members for separation. The average length of investigations into firearm discharge incidents was 868 days. Note that incidents involving firearm discharge by a CPD member automatically trigger a COPA investigation if the firearm was discharged in a manner that potentially could strike another individual-whether or not the discharge was intentional and whether or not any person was actually struck with a bullet.

■ Investigations included in the data in Figure 11 include all those that OIG coded as having video available related to the incident, but not video of the underlying incident itself, or having no video at all included in the case file

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COMPLAINANT DEMOGRAPHICS

Of complainants who stated their gender identity with their complaint, the majority identified as male (522 of 892, or 58.5%). Another 362 identified as female, 3 identified as transgender, and 5 identified as non-binary. Of complainants who stated their race with their complaint, the majority (545 of 832, or 65.5%) identified as Black. Another 155 identified as White, 116 identified as Hispanic, 13 identified as Asian/Pacific Islander, and 3 identified themselves as multiple races. Of complainants who stated their age with their complaint, 44 of 802 (5.4%) were under 18 years old. Note that third parties who witnessed or have evidence of police misconduct may file a complaint; complainants do not themselves have to be the subjects of the conduct about which they are filing a complaint. Therefore, the demographic data on complainants should not be read to be a direct measure of the demographics of those who were or might have been victims of police misconduct.

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 information is made available and accessible so that members of the public can explore the dashboards 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 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.

OVERVIEW OF INFORMATION AVAILABLE ON OIG DASHBOARDS

Multiple OIG public safety dashboards show that disruptions which began suddenly with the March 2020 onset of the COVID-19 pandemic in Chicago persisted through 2021. The Public Safety section's 2020 Annual Report documented large, sudden drops in CPD's reported arrests and investigatory stops and an acceleration of a longer-standing downward trend in reported uses of force. There was, however, no change to the volume of 911 calls for police service clearly attributable to COVID-19.¹³ Data from 2021 reported below shows the continuation of those trends. In 2021, arrests, investigatory stops, and use-of-force incidents continued to fall below their already historically low 2020 levels. Total calls for service were marginally lower in 2021 than in 2020, just as they were marginally lower in 2020 than they had been in 2019. The sections below provide more granular detail on data trends with respect to each of these critically important measures of law enforcement activity and public safety.

There are also geographic patterns of inequality that are common across multiple public safety data indicators. For example, in 2021, CPD's 11th District (Harrison) had the most total arrests, the most total reported investigatory stops, the most total reported use-of-force incidents, and the second most 911 calls for police service. Several of OIG's dashboards include heat maps showing these distributions, giving viewers a way to visualize spatial and neighborhood inequalities. Screenshots of some of these heat maps are included in the analysis below. The analysis below also includes some screenshots from OIG dashboards and some visualizations that OIG created specifically for this Annual Report.

¹³ This section of the Annual Report 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).⁴¹ City of Chicago Office of Inspector General, "2020 Annual Report," June 18, 2021, p. 32-36, <https://igchicago.org/wp-content/uploads/2021/06/Public-Safety-Annual-Report-2020.pdf>

911 CALLS FOR SERVICE

Calls to 911 for police service are answered by call-takers at OEMC.⁴⁴ Calls determined to require a police response are then routed to OEMC dispatchers, who will in turn assign the call to a CPD unit to respond.⁴⁵ OIG's dashboards present information on over 4 million dispatched 911 calls for police service since January 1, 2019. The dashboards include two displays: one shows the geographic distribution of calls alongside population demographics; the other display shows the volume of calls by event type and priority level.

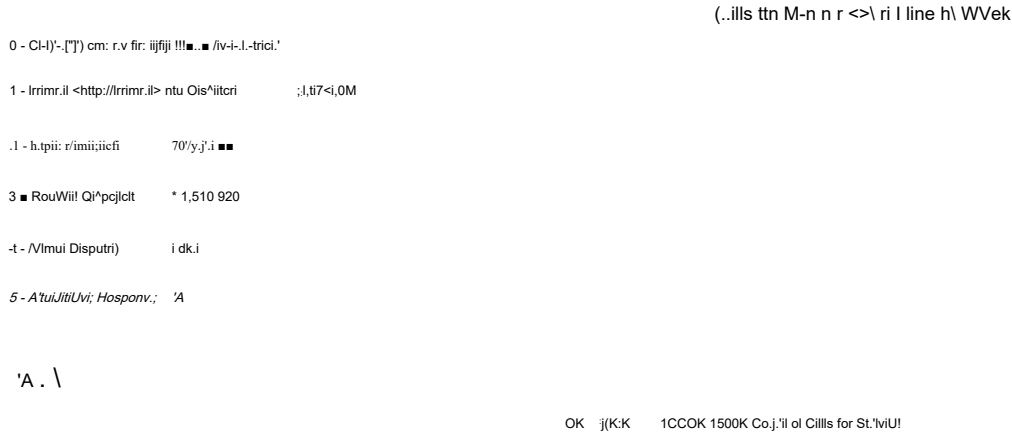
CPD and OEMC use a list of over one hundred distinct event types to classify the nature of an incident. Each incoming call is assigned a single event type based on the information provided by the caller, although the event type may be updated by OEMC personnel as more information becomes available.⁴⁶ Priority levels are automatically assigned to calls for service based on the event type. For example, calls coded as type "Domestic Disturbance" or "Battery In Progress" are both automatically assigned priority level 1 ("Immediate Dispatch"), whereas calls coded as type "Disturbance" are automatically assigned priority level 3 ("Routine Dispatch")

CPD's General Order G03-01-01: Radio Communications defines priority levels. The vast majority of calls are coded as priority levels: "1 - Immediate Dispatch," "2 - Rapid Dispatch," or "3 - Routine Dispatch."⁴⁷ There are also three other, less frequently used numerical priority levels applied to calls for service and/or other police response incidents recorded in OEMC's database: "0 - CPD/CFD Call for Emergency Assistance," "4 - Administrative Dispatch," and "5 - Alternative Response."

Figure 12 shows the regular season variation in 911 calls for police service from 2019 to 2021. There was a slight reduction in total call volume from 2019 to 2020 and again from 2020 to 2021. OEMC dispatched 2.7% fewer calls in 2020 compared to 2019 and 1.6% fewer calls in 2021 compared to 2020. These decreases are substantially smaller in percentage terms than decreases in arrests, investigatory stops, and uses of force over the same period.

The formal job title of OEMC call-takers is Police Communications Operator I and the formal job title of OEMC dispatchers is Police Communications Operator II.⁴⁸ OIG's dashboard data on event types relies on the final event type recorded in OEMC's database in any instances where the final event type is distinct from the initial event type. Priority levels 1, 2, and 3 each have sub-level categories. "1 - Immediate Dispatch" is subdivided into priorities 1A, 1B, and 1C, "2 - Rapid Dispatch" is subdivided into priorities 2A, 2B, 2C, and 2D, and "3 - Routine Dispatch" is subdivided into priorities 3B, 3C, and 3D. Priority 3A does not exist. These subdivisions within numerical priority levels are not displayed on OIG's dashboards.

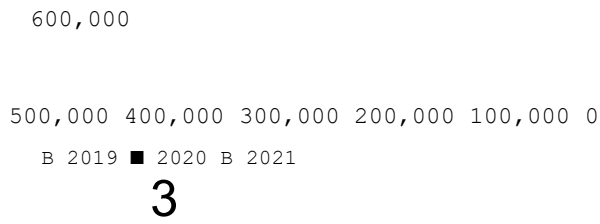
FIGURE 12: Count of 911 Calls for Police Service by Priority Level, 2019-2021



Source. OIG "Dispatched 911 Calls for CPD Service" Dashboard/⁸

Figure 13 shows the trends of 911 calls for police service, by priority level, for the same three-year period. The total calls slightly decreased each year, with the largest reduction in call volume coming from priority level 3 calls. Although total calls are not depicted in Figure 13, the totals were 1,332,566 for 2019; 1,296,004 for 2020; and 1,275,796 for 2021.

FIGURE 13: 911 Calls for Police Service by Priority Level and Year, 2019-2021



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1 Immediate Dispatch 542,656 569,210 564,198

2 - Rapid Dispatch 258,593

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3 - Routine Dispatch 530,585 501,638 486,697

Priority Levels 0,4,5 732 687 710

Source *OIG "Dispatched 911 Calls for CPD Service" Dashboard* ^

¹ Accessed January 19, 2022, <https://informationportal.igchicago.org/911-calls-for-cpd-service/> ² Accessed January 19, 2022, <https://informationportal.igchicago.org/911-calls-for-cpd-service/> This figure and several others below are creations specific to this Annual Report. The source data is available on OIG's dashboards, but the dashboards do not include the exact visual representation seen in Figure 1.3

From 2019 to 2021, most calls were designated as an event type at priority level 1 "Immediate Dispatch" (42.9%), followed by priority level 3 "Routine Dispatch" (38.9%), and priority level "Rapid Dispatch" (18.1%). The remaining three priority levels, level 0 "CPD/CFD Call for Emergency Assistance," level 4 "Admin. Dispatch," and level 5 "Alternative Response," collectively account for the remaining 0.05% of calls. In 2021 specifically, OEMC classified 44.2% of calls as priority level 1 "Immediate Dispatch," 17.6% as priority level 2 "Rapid Dispatch," 38.1% as priority level 3 "Routine Dispatch," and 0.1% for the other three priority levels.

The most frequent final event type in 2021 was "Disturbance," with 102,276 total calls. The vast majority of these (97,505, or 95.3%) were assigned priority level 3, "Routine Dispatch." The remaining 4.7% have a different (higher) priority level. This can happen when the initial call is designated with a different event type and automatically assigned a higher priority level, then later changed to a final event type of "Disturbance."

Figure 14 shows that nearly half of all calls in 2021 (48.0%) were assigned one of ten event types from the list of over 100 distinct event types.

FIGURE 14: 911 Calls by Event Type, 2021

Event Type (Top Ten)	Number of Calls	Percent of Total Calls
<i>Disturbance</i>	102,276	8.0%
<i>Domestic Disturbance</i>	98,194	7.7%
<i>Parking Violation 1</i>	64,789	5.1%
<i>Check Well Being</i>	60,161	4.7%
<i>Auto Accident PD</i>	58,214	4.6%
<i>Alarm Burglar</i>	57,576	4.5%
<i>Disturbance - Music/Noise</i>	51,344	4.0%
<i>EMS</i>	42,177	3.3%
<i>Parking Violation 2</i>	40,026	3.1%
<i>Alarm Commercial</i>	37,218	2.9%
Total	611,975	
Percent of Total Calls		48.0%

Source: OIG "Dispatched 911 Calls for CPD Service" Dashboard.

Figure 15 shows total calls per Chicago Police District, as well as each District's total population and the total calls for every 100,000 individuals. The 11th District (Harrison) had the most 911 calls for CPD service per capita and the second most 911 calls for CPD service overall. The 8th District—with a population more than twice the size of the 11th District—had slightly more total calls.

Accessed January 19, 2022, 11:11 p.m. // Information on portal: <http://chicago.org/911-calls-for-cpd-service/>
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FIGURE 15: 911 Calls by District, 2021

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Calls for police service are strongly seasonally variable, peaking in the -summer months'ahdsatfafminimum bet'vyeen February and April. •

iCa'll v.olume,has slightly decreased over;the pastthree.years.

-Although there are?over.100 individualEvent type designations'; nearly half of ..all 911calJs.are.categorize'd?>as onerof ten-final event types.

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Calls for service- -both in terms of total 'number and number per capita"-are-unevenly distributed through the'city, with higher concentrations on the South andiWest Sides. ' - .

¹¹ Accessed January 19, 2022, [https://inloiTi\)ationportal <https://https://inloiTi\)ationportal> iHchicago.org/911-cails-bv-geography/](https://inloiTi)ationportal <https://https://inloiTi)ationportal> iHchicago.org/911-cails-bv-geography/) <<http://iHchicago.org/911-cails-bv-geography/>>

CPD ARRESTS

CPD arrests decreased dramatically from 2019 to 2020, and again from 2020 to 2021. The year-over-year change from 2019 to 2020 was -39.6%, and the year-over-year change from 2020 to 2021 was -26.6%, for a total decline of 55.7% between 2019 and 2021." This drop in arrests was far larger, in percentage terms, than the year-over-year drops in 911 calls for police service from 2019 to 2020 (-2.7%) and 2020 to 2021 (-1.6%).

The Public Safety section's 2020 Annual Report showed a sharp decrease in arrests that began in ■ March 2020, corresponding to the onset of the COVID-19 pandemic in Chicago, and continued through the rest of 2020. The size of this decrease was much larger than the seasonal variation in arrests, and the sharp drop in 2020 arrests did not revert to pre-2020 levels in 2021. On the contrary, arrest numbers in 2021 fell further from the 2020 baseline in ten out of twelve months. The two months in 2021 where arrests were not lower than 2020 were April, when 2021 arrests were substantially higher than 2020 arrests, and June, when the total number of arrests held steady from one year to the next (see Figure 16). Further years of data will be necessary to see if, over the long term, CPD arrest numbers will settle into a "new normal," will continue to fall further, or will eventually revert to pre-2020 levels.

FIGURE 16: Seasonal Trend in Number of Arrests per Month, 2019-2021

Month by Year Sfr.isonM Trend m Number of Anesis

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Source. OIG "CPD Arrests- Seasonality" Dashboard.⁵³

In 2019-the last full calendar year of data predating COVID disruptions-arrests were seasonally variable, peaking in the summer months of July and August and at their minimum in

⁵² The underlying CPD data source that feeds the dashboards used to collect the arrest data presented here 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 calculated decline in arrests from 2019 to 2021 relies on the number of 2019 and 2020 arrests reported by OIG's Public Safety section in its 2020 Annual Report (86,389 and 52,151,

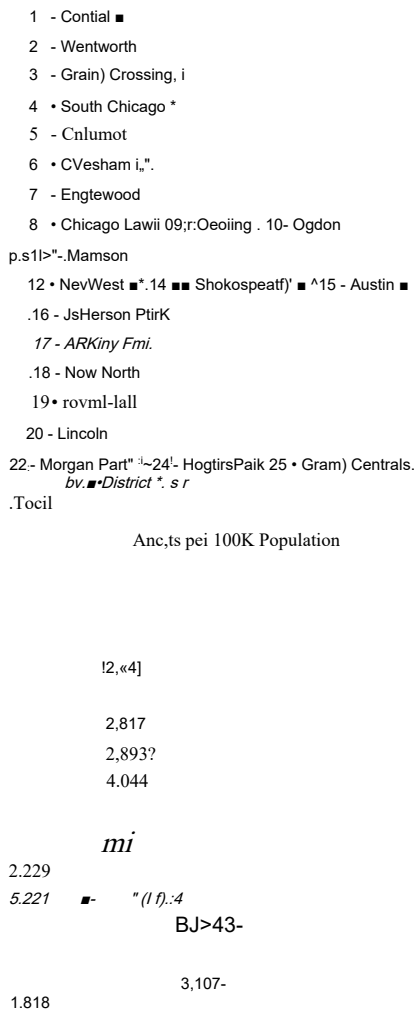
respectively) and the number of 2021 arrests reported on OIG's dashboards as of January 22, 2022 (38,272) - Accessed January 19, 2022, <https://infor.matlonportal.igchicago.org/cpd-arrests-overview-seasonality/> The display of seasonal trend on OIG's arrest dashboard displays the most recent three years of data To view 2018 data in comparison to 2019 and 2020, refer to the 2020 Annual Report

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February/ In 2021, that historic seasonal pattern of arrests is not in evidence. Arrests in 2021 were at their monthly minimum in December, and August-historically one of the months in which arrests peaked-saw the second fewest arrests of any month. Arrests in 2021 were at their maximum in March.

CPD's 11th District had, by a wide margin, the highest number of total arrests and arrests per capita, with 5,221. Every other District saw 2,552 arrests or fewer. Figure 17 shows the total arrests per District, as well as each District's total population and the total arrests for every 100,000 residents.

FIGURE 17: CPD Arrests by District, 2021



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Source. OIG "CPD Arrests. Census Map" Dashboard.

Beginning in March 2020, CPD arrests dropped sharply and they- . . ■-
generally continued to drop through 2021.

Arrests in 2021 did not follow the seasonal pattern established in pre-COVIQ arrest data from 2018 and 2019.

In 2021, the 11th District .(Hamson)mad the most arrests,.in terms of total numbers.and per capita..;

^v~ The same seasonal pattern is visible in 2018 arrest data (see 2020 Annual Report).

^hb Accessed January 19, 2022, <https://mformationportal.igchicago.org/cpd-anesls-rmap-census-demographics/>

COMPLAINTS AND NOTIFICATIONS

Beginning on February 11, 2019, CPD and COPA started housing new police disciplinary investigations in their new Case Management System (CMS). CPD and COPA have not, to date, integrated CMS with its predecessor system, the AutoCR module of the CLEAR system, from which OIG draws data. 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.

The backlog of pending investigations is gradually being reviewed and closed, although hundreds of investigations initiated in 2018 or before remain open. The Public Safety section's 2019 Annual Report identified 707 investigations initiated in 2018-the last complete year before the transition of case management systems-that were still open at year-end 2019. The number of still-open 2018 investigations dropped to 544 by year-end 2020, as reported in the 2020 Annual Report. By year-end 2021, this number had further decreased to 375.

FIGURE 18: Number of Pending Investigations Opened Prior to February 11, 2019

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Source- OIG "Sworn CPD Member Complaint/Notification Trends" Dashboard.⁵⁶

Investigations initiated:as far baclcas.2007 are still pending Closure, and
 hundreds of-investigations:opened in 2018 alone are still pending \ - ,
 closure. - ■ ■ ■ ■ ■ , > .

Accessed January 20, 2022, [https://information.porta1.igchicago.org/complaint-and-aciministra Live-noli fication-trencls-and-statistics/](https://information.porta1.igchicago.org/complaint-and-aciministra-live-notification-trends-and-statistics/)
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INVESTIGATORY STOP REPORTS

Investigatory Stop Reports'(ISRs) are 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 "prov[ing] or disprov[ing] these suspicions."⁵⁷

When compared to previous years, CPD members completed fewer ISRs in 2020 and 2021, with a sharp adjustment downwards coming in March 2020, corresponding to the onset of the COVID-19 pandemic (see Figure 19). This was a sudden reversal of a previous trend: the total number of reported investigatory stops increased each year between 2016 and 2019.

FIGURE 19: Number of ISRs by Month, from January 2016 to December 2021

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Source: OIG "Investigatory Stop Reports Overview" Dashboard ⁵⁸

While the number of investigatory stops reported dropped in 2020 and 2021 relative to previous years, the distribution of ISRs by subjects' race has remained generally consistent from 2016 to 2021 (Figure 20).

FIGURE 20. Proportion of ISR Subjects by Race, 2016-2021

Proportion of Chicago Population by Demographic Group

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30.6% I-I 70.5% | 71.6% I 69.1% 67.6% 66.6% 70.0%

American Indian, Alaskan Native
Asian/Pacific Islander
Black/African American

Hispanic . 29.9%;..-fj 20.3% ; 19.5% :■ 21.2% ; 22.6% 23.5% > 21.4%

§ Tins 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 Coi.nt precedent and Illinois law, and are also reflected in relevant CPD policies "Special Order S04 13-09 Investigatory Stop System," July 10, 2017, accessed April 21, 2022, Imp //directives chicagopolice org/tt/directive/public/GSGS

*S Accessed January 20, 2022, h t; p s. //1 n f o r m a 11 o n p o r t a l i g c h i c a g o o r g /1 n v e s t i g a t o r y - s l o p - r e o r t s - o v e r v i e w / PUBLIC SAFETY ANNUAL REPORT 2021

Proportion of Total ISRs
White

Proportion of Chicago Population by Demographic Group

33.2% IM 8 1% j 7.9%

Note The proportion of Chicago population is from 2017 Census Bureau data. Source OIG "Investigatory Stop Reports with Census Demographics" Dashboard v'

From 2016 to 2021, people identified as Black or African American were subject to an average of 69 2% of CPD's investigatory stops, Hispanic people to an average of 21.4% of CPD's investigatory stops, and White people to an average of 8.2% of CPD's investigatory stops.

In 2021, the 11th District (Harrison) and the 7th District (Englewood) had the most ISRs with 8,927 and 5,969 reports, respectively. These two Districts also had the highest number of reports relative to District population. The 7th District in particular is noteworthy, as it had the second highest number of ISRs while also being the District with the second smallest population. Figure 21 shows the total number of ISRs per District, each District's total population, and the total number of ISRs for every 100,000 individuals.

•FIGURE 21: Investigatory Stop Reports by District, 2021

ISRs of the Total Population

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Source OIG "Investigatory Stop Reports with Census Demographics" Dashboard ⁵⁰

Accessed January 20, 2022, <https://informationportal.igchicago.org/map-investigatory-stop-reports-with-census-demographics/>

^{b0} Accessed January 19, 2022, <https://informationportal.igchicago.org/map-investigatory-stop-reports-with-census-demographics/>

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TACTICAL RESPONSE REPORTS

Tactical Response Reports (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.⁶¹ TRRs are also the standard mechanism used to report battery to a CPD member, 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.

Figure 22 shows the total number of TRR incidents in 2021 by month and by subject race. Figure 23 shows the total number of TRR incidents in 2021 by District; the Districts are ordered on the horizontal axis based on their geographic location, roughly from the north end to the south end of Chicago.⁶² Figure 24 shows the total TRR incidents per District, each District's total population, and the total number of TRR incidents for every 100,000 individuals.

⁶¹ CPD's General Order G03-02-01 states three "principles of force mitigation," "continual communication," "tactical positioning," and "time as a tactic." On the TRR, CPD members are required to record force mitigation efforts they made before resorting to the use of force. The TRR includes the

following checkboxes to indicate force mitigation efforts: "Member Presence," "Zone of Safety," "Movement to Avoid Attack," "Tactical Positioning," "Verbal Direction/Control Techniques," "Specialized Units," "Additional Unit Members," "Other [write-in]," and "None " Cv Because TRRs are used to report batteries to CPD members as well as uses of force by CPD members, the counts of incidents displayed in Figures 22-25 do not all entail reportable uses of force against subjects by CPD members therefore, OIG refers to these incidents as "TRR incidents" rather than "use-of-force incidents " The dashboards also allow filtering for reports that, involved specific actions by CPD member or subject For more information on CPD's force reporting obligations, see City of Chicago Office of Inspector General, "Report on Race- and Ethnicity-Based Disparities in the Chicago Police Department's Use of Force," March 1, 2022, p 18-21, blips //igchicago org/wp-content/uoload s/2 0 2 2/() 2/ Us e - of : _F_q r;c e - Disbar i ties-Report pdf

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FIGURE 22: Count of Tactical Response Report Incidents by Month and Subject Race, 2021

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! White | Black

H Hispanic

:: .j Asian / Pacific Islander I Native American

Source- OIG "CPD Tactical Response Reports (TRRs) - Overview" Dashboard ⁶³

FIGURE 23: Count of Tactical Response Report Incidents by District, 2021

Incidents by CPD District'

White Black

[Hispanic

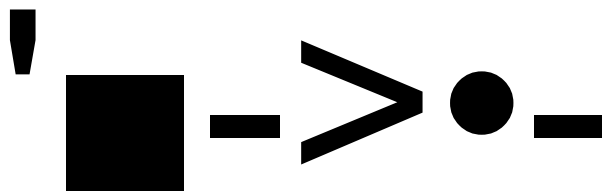
Asian / Pacific Islander J Native American

Source- OIG "CPD Tactical Response Reports (TRRs) - Overview" Dashboard.¹''''

Accessed January 20, 2022.", <https://informationportals.chicago.org/tactical-response-reports-overview/> Accessed January 20, 2022. <https://informationportals.chicago.org/tactical-response-reports-overview/>

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FIGURE 24: Tactical Response Report Incidents by District, 2021





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Incidents per 100K Population

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Source: OIG "CPD Tactical Response Reports (TRRs) - Map and Census Data" Dashboard.⁶⁵

Figure 25 shows the longer-term trend in TRR incidents reported by CPD, from January 2015 through January 2022. Over this period, CPD members reported a total of 19,313 TRR incidents with 21,822 subjects. The trend over time in TRR incidents over this period was a substantial decline. A total of 1,768 TRR incidents were reported in 2021, less than half the number reported in 2015 (3,704 incidents). The decline in the number of incidents over this six-year period is consistent for incidents involving takedowns, incidents involving Taser discharges, chemical weapon discharges, baton use, and firearm discharge (see Figure 26).^{6b}

Meanwhile, the racial/ethnic breakdown of people subjected to use of force remained highly consistent over the period January 2015 to January 2022. Of the reported TRR incidents involving use of force in that period, 14,868 incidents (77.0%) involved at least one Black subject. This proportion has ranged from an annual high of 79.0% in 2019 to an annual low of 75.9% in 2021.

" Accessed January 19, 2022, <<https://informationportal.igchicago.org/tactical-response-reports-map-census-data/>

OIG has not conducted a comprehensive review of CPD's compliance with use-of-force reporting obligations. However, OIG did report on evidence of underreporting uses of force during CPD's response to the George Floyd protests in 2020. See City of Chicago Office of Inspector General, "Report on Chicago's Response to George Floyd Protests and Unrest," February 18, 2021, p. 94-117, <https://igchicago.org/wp-content/uploads/2021/02/OIG-Report-on-Chicago's-Response-to-George-Floyd-Protests-and-Unrest.pdf>

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FIGURE 25: Count of Tactical Response Report Incidents, January 2015 to January 2022

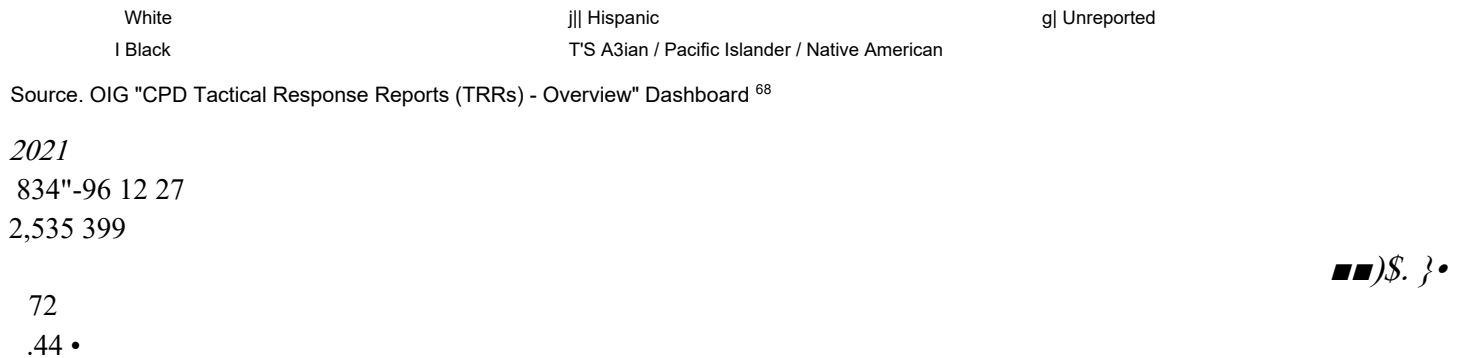


FIGURE 26: Changes in Level of Force, 2015 and 2021 Force Option Deployed⁶⁹ 2015

Takedown Taser Discharge Chemical Weapon Discharge Baton Use Firearm Discharge

Source: OIG "CPD Tactical Response Reports (TRRs) - Overview" Dashboard ⁷⁰

Percent Difference

-75.9% -86.8% -62.5% ■ 18.2%

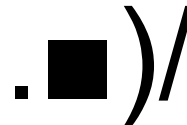
From 2015 to 2021, CPD reported progressively fewer use-of-force incidents: 3,704 incidents in 2015 to 1,766 incidents in 2021 (-52.13%)?

Subjects identified as Black were overwhelmingly the subjects of CPD's uses of force in 2021 and the entire period from 2015 through 2021:

^{b7} The information in this figure was captured on January 24, 2022

■ Accessed January 20, 2022, <https://informationportal.igchicago.org/tactical-response-reports-overview/> ⁶⁹ The numbers reported in

Figure 26 represent all use-of force incidents that involved the force option in question An incident that involved a takedown and a Taser discharge, for example, would be counted in both the "Takedown" and the "Taser Discharge" rows of this table The "Levels of Force" dashboard display, by contrast, categories use of-force incidents by the highest level of force deployed and therefore does not double-count incidents City of Chicago Office of Inspector General, "Tactical Response Reports ■ Levels of Force," accessed March 2, 2022, <https://infonport.igchicago.org/tactical-response-reports-levels-of-force/>
"■" Accessed March 14, 2022. <https://infonport.igchicago.org/tactical-response-reports-overview/>



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ANALYSIS OF RACE- AND ETHNICITY-BASED DISPARITIES IN USE OF FORCE, 2021 DATA

In 2022, OIG published its Report on Race- and Ethnicity-Based Disparities in the Chicago Police Department's Use of Force, analyzing disparities across multiple phases of use-of-force encounters, from initial stops to the level of severity of force applied. That report covered October 17, 2017 through February 28, 2020, and drew heavily from data publicly available on OIG's "Investigatory Stop Report" and "Tactical Response Report" dashboards. Those dashboards, which are updated daily, allow users to reproduce several of the analyses from this report with more recent data, permitting the capture of 2021 events. In 2021, patterns of disparities that OIG first reported for the period October 2017 through February 2020 persisted.

With respect to investigatory stops, OIG's analysis of 2017-2020 data found that Black people were overrepresented relative to their share of population in the District-in investigatory stops in every CPD District.⁷¹ This disparity persisted in 2021. In 2021, people identified as Black were subject to 70.0% of investigatory stops, people identified as Hispanic were subject to 21.4% of investigatory stops, and people identified as White were subject to 7.3% of investigatory stops."

OIG found that the disparity in investigatory stops for Black people was further compounded in a disparity in investigatory stops leading to uses of force: between October 2017 and February 2020, Black people were overrepresented relative to their share of those stopped-in investigatory stops that lead to uses of force in 17 out of 22 CPD Districts (77%).⁷³ This disparity was even more stark in 2021: OIG found that Black people were overrepresented in investigatory stops that lead to uses of force in 20 out of 22 CPD Districts (91%).^{1A}

Figure 27 below replicates a figure first produced in OIG's analysis of 2017-2020 (page 38 of the report) with 2021 data. It shows how the disparity for Black people compounds from investigatory stops to investigatory stops that result in uses of force in most of CPD's Districts. In the figure, the three data points along the thick blue line represent the proportion of Black people in the citywide population, the proportion of Black people among all those stopped by CPD citywide, and finally the proportion of Black people among subjects of force following investigatory stops citywide. The thinner, unlabeled grey lines each represent one CPD District,

" OIG's report does not draw conclusions on whether the individual stops or uses of force under analysis were justified by law or consistent with CPD policy OIG's report also does not make a finding that the observed disparities are attributable to racial or ethnic bias by CPD members.

⁷¹ Accessed March 14, 2022. <https://infonport.igchicago.org/map-investigatory-stop-reports-with-census->
<https://infonport.igchicago.org/map-investigatory-stop-reports-with-census->demographics/>

⁷³ OIG's "Levels of Force" dashboard used for the analysis in this section is designed specifically to identify disparities in uses of force, including in the level of severity of force deployed. Therefore, use-of-force incidents are counted and tabulated on the "Levels of Force" dashboard according to the highest level of reportable force deployed by the member in the incident Different from OIG's other "I RR

dashboards, TRRs are excluded from the "Levels of Force" dashboard if they only report injuries to CPD members and/or control tactics deployed by CPD members City of Chicago Office of Inspector General, "Tactical Response Reports - Levels of Force," accessed October 29, 2021, [https //in format ion porta l igchicago org/tactical-response-reports-levels-of-force/](https://informat ion porta l igchicago org/tactical-response-reports-levels-of-force/).

Accessed March 14, 2022, <https://in format ion porta l igchicago org/ma p-in vest igatoiy-s top-reports-with-census-clernogi aphics/>

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and they show that disadvantage tends to compound for Black people in most individual Districts and citywide.

FIGURE 27. Proportion of Investigatory Stops and Investigatory Stops with Uses of Force, with Black Subjects, 2021¹⁵

Each grey line represents one CPO District.

Even in Districts with population* that are over 90% Black, Black subjects tend to be overrepresented in investigatory stops and in investigatory stops with uses of force
Citywide, Black subjects experience 33% of investigatory stops that end in a reportable use* of

Citywide, Black subjects > experience 70.0% of investigatory stops

Citywide, Black people 41% of Chicago's population

Black people as percentage of the population Black subjects as percentage of all investigatory stops Black subjects as percentage of all subjects of investigatory stops leading to reportable uses of force

Source: OIG analysis

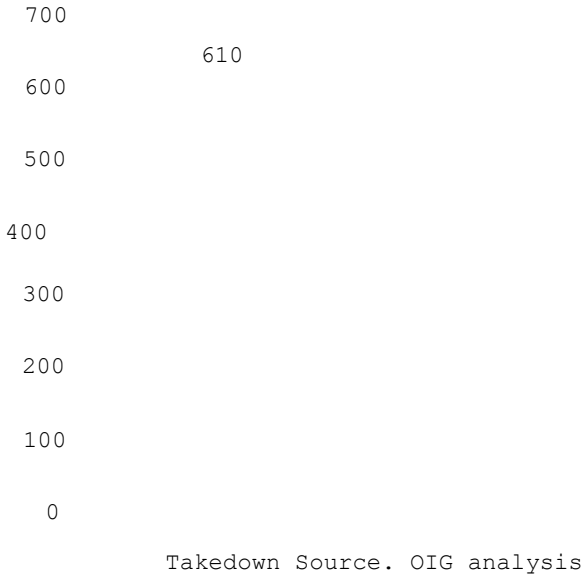
Compare Figure 8 on page 38 of OIG's "Report on Race- and Ethnicity-Based Disparities in the Chicago Police Department's Use of Force," March 1, 2022, <https://igchicago.org/wp-content/uploads/2022/02/Use-of-Force-Disparities-Report.pdf>

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In the original report, OIG also assessed evidence for race- or ethnicity-based disparities' in the level of force used against subjects who experienced a use of force. OIG found most incidents of use of force involved the lowest-level reportable use of force, a takedown (53.9%). Incidents involving lethal force accounted for 1.3% of the total. In 2021,

most incidents involved, once again, the lowest-level reportable use of force, a takedown (610 incidents, 54.3%). Incidents involving the highest-level reportable use of force, lethal force, accounted for 3.2% (36 incidents) of the total. See Figure 28 for more information.

FIGURE 28: Highest Reported Level of Force Used by CPD, Count of Incidents, 2021⁷⁶



In 2021, Black people made up the majority of those subjected to a use of force (Figure 29). This result, too, is consistent with the data from 2017-2020. In 2021, Black people were marginally more likely to face a use of force with a weapon versus a non-weapon use of force than Hispanic people or White people (Figure 30). The gap between Black subjects and non-Black subjects in this respect was smaller than the gap observed in 2017-2020 data.

⁷⁶ Accessed March 14, 2022, <https://informationportal.igchicago.org/tactical-response-reports-levels-of-force/> <<http://hicaRO.org/tactical-response-reports-levels-of-force/>> Compare Figure 10 on page 41 of OIG's "Report on Race- and Ethnicity-Based Disparities in the Chicago Police Department's Use of Force"

bO

Hispanic3'

FIGURE 29: Count of All Subjects by Race/Ethnicity and Level of Force Used, 2021

30 = 24 3

610 349 123 36 1,123
Asian PI

Takedown
I.

Manual Striking Force

& . ■ V 28

857

7 176

Less-Lethal Weapon Force
22
62

Lethal Force
Total

Source: OIG "Tactical Response Reports - Levels of Force" Dashboard

FIGURE 30: Incidents Involving Less Lethal or Lethal Force as Highest Force Level⁷⁸

900 800 700

coo

SIX) ■ 100 300 200 100 0

| 8 0

Whtr
> 0 1

Aia-k.-rN.-.tve *ir.r?--

0 00

Asian / Por.ifir IrJ.mdr N.inw Airerio'in / Aldskan Native

loi.il <http://loi.il> Suljiec is ■ less Loih.il <http://Loih.il> Weapon Lethal Weapon

Source- OIG analysis

KEY TAKEAWAYS ON RE-, ANApYsTsrda BisPARITIE^ INUSEOFFORCE; \ ;

Core findings of disparities from OIG's Report on Race- and Ethnicity- Based Disparities in the Chicago Police Department's Use of Force. ;-:,;,,; persisted, in 2021: within an overall decline of reported uses of force, 'Black people continue to be subjected to more stoos and more uses of force than. non-Black people.

"Accessed March 14, 2022, <https://informationportal.igchicago.org/tactical-response-reports-levels-of-force/> Compare Figure 10 on page '11 of OIG's "Report on Race- and Ethnicity-Based Disparities in the Chicago Police Department's Use of Force;"

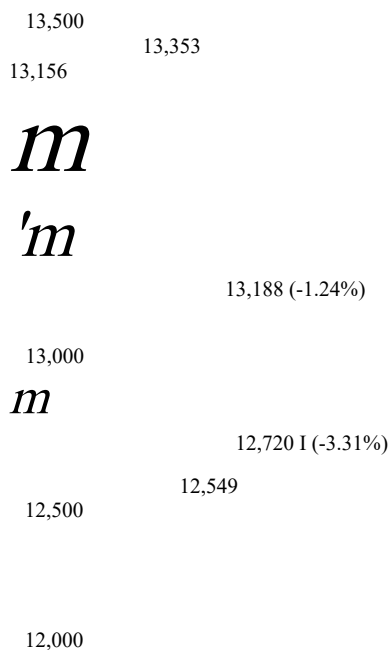
¹⁵ Accessed March 14, 2022, <https://informationportal.igchicago.org/tactical-response-reports-levels-of-foice/> <<http://igchicago.org/tactical-response-reports-levels-of-foice/>>. Compare Figure 10 on page 41 of OIG's "Report on Race- and Ethnicity-Based Disparities in the Chicago Police-Department's Use of Force "

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SWORN CPD MEMBERS

From 2018 to 2021, CPD's sworn member count was at its maximum at the beginning of 2019, when there were 13,353 sworn members This number decreased to 11,913 sworn members at the end of 2021, a 10.8% drop. Figure 31 below shows the number of sworn members at the beginning and end of each year, from January 2018 to December 2021. 13,228 (+5.4%)

FIGURE 31: Sworn Member Count and Percent Change by Year, 2018-2021



11,500

11,000

2018

2019

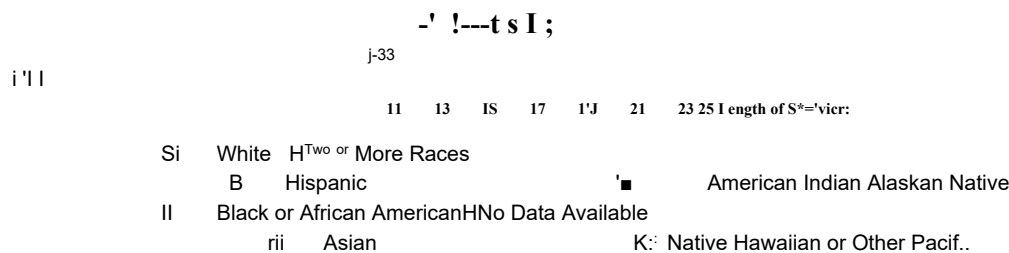
■ January H December Source: OIG "Sworn Member Overview" Dashboard

A hiring surge at CPD from 2016 to 2018, initiated by then-Mayor Rahm Emanuel, brought many new sworn members into the Department.³⁰ The impact of the hiring surge on CPD's sworn member population can be seen in Figure 32, which plots the distribution of sworn members by years of experience as of December 2021. In December 2021, a group of approximately 2,000 officers had between 3 and 5 years of experience, as evidenced by the two tallest bars in Figure 32. This is the population hired during the hiring surge of 2016-2018. Hiring in the years since 2018 has been at much lower levels than during the surge, as can be seen again in Figure 32: the three leftmost bars, representing members with 0 to 3 years of experience as of December 2021, are much shorter than the bars representing the surge cohort of hires.

³⁰ Accessed January 20, 2022, <https://informationportal.igchicago.org/chicago-police-department-active-sworn-> <http://igchicago.org/chicago-police-department-active-sworn->2.f.f1.ccr.pverview/>

⁵⁰ The hiring surge is discussed further on page 10 of OIG's "Evaluation of the Demographic Impacts of the Chicago Police Department's Hiring Process," July 5, 2021, <https://igchicago.org/wp-content/uploads/2021/0/OIG-Evaluation-of-the-Demographic-Impacts-of-the-Chicago-Police-Departments-Firing-Process.pdf>

FIGURE 32: Distribution of CPD's Sworn Members by Years of Experience, December 2021



Source: OIG "Sworn Member Overview" Dashboard.⁸¹

Figure 33 below shows the proportion of sworn members by race/ethnicity, in December 2018 and December 2021. Within this three-year period, two groups saw the most substantial changes: the proportion of sworn members who

identified as White decreased by 2.8% and those who identified as Hispanic increased by 3.0%. Sworn members who identified as Black decreased by 0.7%. All other groups saw changes of less than one percentage point in their share of the total population.

Accessed January 20, 2022, <https://informationportal.chicagopolice.org/merit-active-sworn-officer-overview/>

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FIGURE 33: Proportion of Sworn Members by Race/Ethnicity, December 2018 and December 2021^{s2}

60.0%

White	Hispanic	Black	Asian	American Indian, Alaskan Native	Native Hawaiian, Pacific Islander	Two or more races	No Data Available
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B December 2018 H December 2021 Source: OIG "Sworn

Member Overview" Dashboard ⁸³

Figure 34 below shows the distribution of CPD members by years of experience, at the end of 2018 and 2021, respectively. As compared to December 2018, in December 2021 CPD employed more members with 1 to 5 years of experience and also more members with 20+ years of experience. The growth of the 20+ year veteran population between 2018 and 2021 indicates that although the number of CPD members have decreased over this three-year period, the shrinking of the Department's sworn ranks is not attributable to an abnormally large wave of retirements among the Department's most experienced members. There were fewer members across the board at the end of 2021 than there were at the end of 2018, but the most experienced members-those with 20+ years on the job-actually made up a larger proportion of the total in December 2021 than in December 2018. As the current population of officers ages, CPD still faces the challenge of recruiting in numbers sufficient to keep pace with the natural rate of retirements.

⁵² In dashboards and published-reports, OIG reports on demographic data-including race and ethnicity classifications- relying on the categories used in data collection by CPD and other agencies responsible for collecting this data Several of OIG's published reports include further details about how OIG processed this data in support of specific, analyses

⁸³ Accessed January 20, 2022. <https://informationportal.igchicago.org/chicago-police-department.active-sworn-officer-overview/>

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Less than 1 1-5 6-10 11-15 16-20 Greater than 20 Total

Count	Percent.
1,124	8.5%
2,856	21.6%
760	5.7%
2,187	16.5%
2,864	17.1%
3,434	26.5%

Count
231,318
1,464

2,078

II, 913

Percent
I. 6%
26.8%
] 2 3%
II. 5%
17.4%
30.0% ;

Source: OIG "Sworn Member Overview" Dashboard ¹

ptAKMWAYSON^ . CPD SWORN MEMBERS

■>iV: ^,;fe2!;"?; *7:"TJ■ ~&k*S-'A'f,

The number of CPD sworn members hasideefeased-.eacfyyear from*: 2019 through 2021, with the percentage decrease growing in each . , ' successive year.:- * ■""

Through the combination of recent hiring classxomposition and retirements,-CPD's populationbf Hispanic sworn

members'has been' - growing steadily while the population of Black sworn members has been in slight decline... *

From 2018 to 2021, CPD increased its number of sworn members with ... 20+ years of service in both absolute and percentage terms, even while the total number of officers declined. ... *■

*" Accessed January 20, 2022, [https //in format ion porta l igchicago oig/chicago po l ice-depart merit-act ive-s worn-officer-overview/](https://informat ion porta l igchicago oig/chicago po l ice-depart merit-act ive-s worn-officer-overview/)

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, met and spoke 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. In 2021, OIG's engagement efforts included virtual presentations, panels, and one-on-one meetings-to give community members a meaningful voice in how their neighborhoods are protected and increase understanding of the resources available to them. OIG met regularly with established organizations and local neighborhood groups on the West and South Sides. OIG engaged frequently with youth councils and Latinx and Asian American and Pacific Islander communities throughout Chicago, to help educate leaders about the ways in which they could make the biggest impact within their communities. Public Safety section leadership also met with each new class of CPD recruits to discuss oversight, accountability, and the work of OIG.

OIG's dashboards displaying public safety data about officers, arrests, and 911 dispatches frequently formed the basis of community engagement conversations. Among OIG's published reports, those regarding CPD's use of ShotSpotter, the status of the CEIS ("Gang Database"), and CPD's hiring process sparked broad public interest and engagement.

As in 2020, community engagement in 2021 continued to take place primarily in a virtual mode given the continued health risk posed by COVID-19 and the complexity and disparate impacts of COVID-19 across Chicago's communities.

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2021, like the year before it, was an exceptionally challenging year for policing and police oversight in Chicago. The City continued to grapple with twin crises of surging violence and public safety operations in need of profound reform. OIG's contribution to the work of remediating these crises is to help ensure efficient, effective operations across the entire range of the City's public safety operations and a robust, consistent, and transparent disciplinary process for CPD members.

In 2021, the Public Safety section was highly productive, publishing 12 projects in the space of 12 months and screening 1,143 disciplinary investigations closed by BIA or COPA. The published projects included OIG's report on the City's response to the George Floyd Protests and Unrest, a major undertaking that tested and proved the Public Safety section's capacity to produce timely, thorough reporting on an unexpected event of great complexity and great public concern.

In 2021, the Public Safety section also fulfilled its "Green Book" mandate to follow up on recommendations issued to City agencies by releasing three follow-up reports.⁸⁵ Agency statements published within these reports reveal that agencies have not always implemented OIG recommendations in a timely fashion, even when they have publicly committed to doing so. By publishing these follow-ups, OIG continues to hold agencies to account.

Finally, the Public Safety section continued to meet and exceed its consent decree and ordinance obligations. In the Independent Monitoring Team's Fourth report, published October 8, 2021, OIG became the first City agency to reach full compliance with its obligations under the consent decree entered in Illinois v. Chicago.

⁸⁵ The Public Safety section conducts its review in accordance with the dual Standards for Inspections, Evaluations, and Reviews by Offices of Inspector General found in the Association of Inspectors General's "Principles and Standards for Offices of Inspector General" (i.e., "The Green Book"). The Green Book provides: "Appropriate follow-up should be performed to ensure that any recommendations are adequately considered and properly addressed." Association of Inspectors General, "Principles and Standards for Offices of Inspector General," May 2014, accessed March 24, 2022, p. 42. <http://inspectorsgeneral.org/files/2014/n/AIG-Principles-and-Standards-May-2014-Revision-2.pdf>

The City of Chicago 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 operations of City 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 to prevent, identify, and eliminate waste, 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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