



Legislation Text

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CIVILIAN OFFICE OF POLICE ACCOUNTABILITY
INTEGRITY c TRANSPARENCY * INDEPENDENCE ; TIMELINESS

Quarterly Report Q2 2019

Sydney R. Roberts - Chief Administrator

COPA Second Quarter Report

For the Period April 1, 2019 through June 30, 2019 ^

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1. Executive Summary

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

- Excessive Force;
- Domestic Violence;
- Coercion;
- Verbal Abuse;
- Unlawful Search and/or Seizure, and
- Unlawful Denial of Counsel.

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

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

The mission of COPA is to:

- Provide a just and efficient means to fairly and timely conduct investigations within our jurisdiction;
- Determine whether allegations of police misconduct are well-founded;
- Identify and address patterns of police misconduct; and
- Make policy recommendations to improve the Department, thereby reducing incidents of police misconduct.

COPA is required to provide quarterly and annual updates on its performance. This report provides information concerning COPA's operations and summary statistical data on COPA's investigative work from April 1, 2019 to the end of June 30, 2019. To learn more about COPA, please visit www.chicagocopa.org <<http://www.chicagocopa.org>>.

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Highlights from Q2 2019 include the following. Page numbers are provided to assist the reader in finding the chart or table that corresponds to the data highlighted below.

- Operational Updates

COPA's community engagement program continues to expand to inform impacted

parties and Department members. (Page 3)

- IPRA Legacy Cases

Since Q4 2018, COPA has mounted a concerted effort to complete investigations inherited from its predecessor agency that were open at the launch of COPA in September 2017. On inauguration day COPA inherited nearly 950 open cases.

The growing trend since launch has been the opening of at least 300-500 new investigations each quarter. However, as shown elsewhere in this report, COPA has made significant progress in resolving those legacy cases and will continue to focus its efforts on that task in 2019.

- Intake

- COPA received 1386 complaints and notifications in Q2 2019, representing a 25% increase over Q1 2019. (Page 14)
- COPA retained 543 complaints and 28 notifications for investigation in Q2 2019, a 37% increase over Q1 2019. (Page 14)
- COPA received 172 complaints of Improper Search/Seizure. This complaint category has consistently risen since Q1 2018 and continues to represent the largest percentage of COPA's complaint intake (28%). (Page 20).
- Complaints of Verbal Abuse increased by 125% from Q1 2019 (8) to Q2 2019 (18). (Page 21)
- The police district with the highest combined complaint and notification occurrences in Q2 2019 was District 7, with 138. The police district with the most COPA retained complaints was District 11 with 37. These two districts consistently have among the highest number of complaints. (Pages 37)

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Pending Investigations

- As of the end of June 30, 2019, COPA had 1587 pending investigations, an increase of 6% over Q1 (1502). (Page 24)
- Investigations of Unnecessary Display of Weapon decreased by 35%, from 31 in Q1 2019 to 20 in Q2 2019. (Page 25)

Concluded Investigations

- COPA concluded 398 investigations (With Findings and Without Findings) in Q2 2019. This is a 49% increase in the number of cases closed compared to Q1 2019 (267). COPA attributes the increase in case closings to its concerted effort to conclude investigations inherited from its predecessor agency. (Pages 29)
 - In Q2 2019, COPA concluded 219 investigations in less than six months, representing a 181% increase from Q1 2019. These 219 investigations represented 55% of COPA's 398 concluded cases for Q2. (Page 30)
 - Moreover, in Q2 2019, 85 investigations were concluded within 6 to 12 months, representing 21% of COPA's 398 concluded cases. (Page 30)
 - COPA concluded 92 investigations With Findings in Q2 2019, representing 23% of all concluded investigations. (Page 29)
 - In Q2 2019, the 33 sustained investigations encompassed a total of 104 allegations.
 - COPA concluded 31 investigations as Not Sustained in Q2 2019, representing 34% of all concluded cases With Findings. (Page 29)
 - In Q2 2019, only 29% of the cases concluded Without Findings were closed for lack of sufficient evidence to meet the standard for an affidavit override.
- Disciplinary Recommendations
 - ❖ In Q2 2019 COPA recommended: (Page 33)
 - 0 Separation in two (2) investigations.
 - 0 Suspension of more than 30 days in two (2) investigations.
- 0 Suspension of less than 30 days in 20 investigations. 0 Reprimand or Violation Noted in 9 investigations.

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Sincerely,

Sydney R. Roberts, Chief Administrator

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2. Operational Updates

2.1 Community Engagement

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

COPA's community engagement efforts have grown into numerous new interactions with residents, community organizations, and educational institutions during the Second Quarter.

COPA's most recent partnerships have resulted from previous engagement efforts which, appropriately nurtured, opened new doors to groups and individuals impacted by misconduct.

2.1.1 Community Meetings

COPA Community Hours hosted by the Chicago Public Library

As reported in the previous quarter, COPA expanded its Community Hours initiative in 2019 with monthly meetings in every police district in the City of Chicago. During this reporting period COPA scheduled five additional opportunities to engage with residents at libraries throughout Chicago.

At each location, COPA Public Affairs staff and Investigators met with residents to share information regarding agency events, the agency's role in the police accountability structure, and to take complaints against or compliments of Chicago Police Department members.

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

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

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Wednesday, February 20, 2019	14	Shakespeare/ Logan Square	Humboldt Park Library Branch	50
Thursday, February 21, 2019	5	Pullman	Pullman Branch	30
Wednesday, February 27, 2019	5	West Pullman	West Pullman Branch	30
Tuesday, March 12, 2019	17	Albany Park	Albany Park Branch	45
Wednesday, March 27, 2019	11	Garfield Park	Leger Library Branch	40

Wednesday, April 10, 2019	7	Englewood	West Englewood Branch	50
Tuesday, April 23, 2019	8	Chicago Lawn	Chicago Lawn	30
Tuesday, May 14, 2019	9	Deering/ Bridgeport	Richard Daley - Bridgeport	35
Wednesday, June 12, 2019	2	Bronzeville	Chicago Bee	20
Wednesday, June 26, 2019	22	Washington Heights	Woodson Regional Library	65

Youth & Educational Institutions

In addition to initiatives focused on engaging heavily impacted communities, during COPA's inaugural year the agency reached out to youth and educational institutions to explain the importance of civilian oversight and police accountability and COPA's role in these efforts. Based on the positive response and relationships developed through prior engagements COPA visited nine educational institutions during the Second Quarter. The institutions listed below graciously permitted COPA the opportunity to share information about the legal concepts involved in its investigations, such as necessity when using force; reaching conclusions based upon the totality of the circumstances; understanding objective reasonableness; proportionality; and preponderance of the evidence, which is COPA's required burden of proof in administrative investigations. While visiting college institutions COPA's Chief Administrator, Sydney R. Roberts, also spoke at length with students regarding the history of civilian oversight in the City of Chicago, how COPA analyzes alleged incidents of excessive force, and the role and impact of the newly implemented Federal Court Consent Decree

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COPA Chief Administrator Speaking at Loyola University and Chicago State University

Colleges & Universities engaged by COPA included:

- Wright College - COPA Public Affairs staff participated in the planning of Community Day for the college.
- Chicago State University - Chief Administrator Roberts served as the keynote speaker at Chicago State University - Criminal Justice Institute. This panel discussion focused on criminal justice, community impact, and accountability and also featured Illinois Attorney General Kwame Raoul. Other panelists included the Honorable Ruben Castillo, Chief Judge, US District Court; John R. Lausch, Jr.,

United States Attorney for the Northern District of Illinois; the Honorable David H. Coar (Ret.) former United States District Judge; Dr. Jon Patterson, Assistant Professor, Chicago State University; and Xavier Ramey, CEO of Justice Informed.

- Loyola University Chicago - COPA's Chief Administrator presented to students attending classes in the Department of Criminal Justice & Criminology.
- DePaul University - COPA participated in the Journal for Social Justice & the Center for Public Interest Law discussion about police accountability in Chicago.
- University of Illinois at Chicago - COPA gave a presentation to students at Introduction to Urban Policy Processes, in the College of Urban Planning and Public Affairs.

COPA also joined Junior Achievement of Chicago as they hosted several Career Days to help high school students make informed, intelligent decisions about their

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futures, and to foster skills that are highly useful in the business world. Staff from COPA spoke with students to assist in their understanding of the agency's role, the importance of police oversight, how youth can improve positive interactions with law enforcement, and to explain career paths. Junior Achievement also helps students with financial literacy, college and career readiness, and entrepreneurship.

COPA staff presentations at high school & college institutions

High Schools visited by COPA included:

- Amundsen High School Career Day in the Ravenswood community
- Chicago Military Academy High School Career Day in Bronzeville
- Chicago High School for Agricultural Sciences in Mt. Greenwood
- Farragut High School in Little Village for a COPA Overview of Civilian Police Oversight

2.1.2 Engagement-Law Enforcement

COPA continued to engage with law enforcement officers and recruits to continue building trust. COPA presentations covered its investigation process, standards for integrity and objectivity, the thoroughness of COPA investigations, and what CPD members can expect

from COPA. Members of COPA's Public Affairs team, Supervising Investigators, and Major Case Specialists attended these sessions to educate and answer questions.

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COPA presents at Chicago Police Academy & Chicago Citizens Police Academy

COPA met with nearly 100 Chicago Police Department (Department) recruits. As the administrative agency charged with investigating allegations of police misconduct, officer involved shootings, and other serious incidents involving police action it is important that members of the Department trust our investigative process.

COPA also engaged over 100 residents of the City of Chicago as they participated in the spring session of the Department's Citizen's Police Academy. The Citizen's Police Academy is a department-wide strategy designed to educate the community on police operations, build community trust, and improve engagement efforts through training and discussion. Attendees receive a condensed version of instruction similar to the training provided to recruits in the Academy. Our engagement with residents provides a unique opportunity for them to balance the knowledge and responsibility of law enforcement with the accountability requirement of a civilian-led administrative investigative agency such as COPA. Attendees receive a COPA presentation similar to that given to recruits but which also provides a forum for continued dialogue regarding police accountability.

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2.2 Training

2.2.1 Educational Courses

During the Second Quarter of 2019, COPA's Training and Professional Development Unit offered seven (7) in-service educational courses. While a significant portion of the training offered this quarter was directly attributable to the mandates contained within the Consent

Decree, COPA continues to offer training to refresh existing skills and also to enhance our staff's knowledge base in the investigation of police misconduct and the tenets of police oversight.

Subject matters covered in Second Quarter trainings included 4th Amendment; Allegation Drafting; CPD Rules and Directives; CPD Use of Force; COPA's Intake Process; and Transparency. All courses were taught by COPA subject matter experts.

In addition to the above, during this quarter one-third of our investigative staff attended training on Interview and Interrogation Techniques, taught by experts from the Northwestern University Center for Public Safety. By the end of the Third Quarter all COPA investigative staff will have attended this course. COPA's evidence specialists attended Crime Scene Technology 1, which was also provided by the Center for Public Safety. With this training, our Evidence Technicians have completed the first phase towards becoming certified Evidence Technicians. Several investigators also received advanced interview training, specifically in the area of Cognitive Interviewing, Communications, and Influence, while several others attended Forensic Pathology for the Death, Homicide & Criminal Investigator.

Third Quarter training will continue to include topics required by the Consent Decree in addition to instruction in Officer Involved Shootings (OIS), working in a trauma induced environment, mediation, investigating sexual assault-related crimes, and interviewing victims of sex-related incidents.

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2 Internship Program

On June 10, 2019, notifications for both Investigative and Legal internships were prepared for COPA's Administrative Officer to send to Human Resources. Interviewing and selection are expected to begin early in the Third Quarter.

3 COPA Academy

COPA is preparing to launch Academy V at the beginning of the Fourth Quarter.

2.3 Information Technology

In Q2 2019, COPA's Information Technology Unit (IT) expanded its Data Team and support staff to continue the advancement of COPA's successes in the pursuit of accountability and transparency. These individuals have the skillset necessary to analyze data and assist with managing the capacity of our investigative process.

COPA's new Column Case Management System (CMS) Phase 1 was launched during Q1 2019.

Currently, CMS Phase 1.5 implementations are in progress to focus on data integration and migration; improvements in reporting; and providing for better case load management, among other benefits.

COPA will continue to build our new CMS with technical environments in furtherance of our mandate to be independent from the Chicago Police Department data structure while continuing to build trust within the community through enhanced technology to improve our investigative capacity and reporting.

3. Policy and Legislation

COPA is charged with the responsibility of advising the Chicago Police Department of issues involving training, equipment, practices, and directives that it believes have a negative impact upon the effectiveness and/or efficiency of members, or their safety and that of the public. This responsibility is carried out through COPA Advisory Letters and Policy Reports issued to the Department Superintendent. For

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its part, the Department may agree with COPA's findings or disagree. Once the Department's response to an Advisory is received COPA publishes the materials on its website.

As a result of investigation findings and/or observations made across multiple cases, in Q2 2019 the COPA Public Policy and Legislative Affairs Unit issued two advisory letters: addressing Department member non-compliance with General Orders governing activation

and use of Body Worn Cameras (BWC) and second, inconsistency in the application of member drug and alcohol testing following a firearm discharge. COPA is currently awaiting the Department's response who by ordinance has 60 days from the date of issuance to respond to the COPA recommendation. Upon receipt, COPA will release both the Advisory and response from the Department.

In Q2 2019 COPA published two prior issued Advisory letters accompanied by the Department's response. The first was the Department's response to members' undisclosed use of some prescription medications. The second was the Department's response to its General Orders regarding firing into motor vehicles.

4. Data Analysis 4.1

Methodology

To fulfill the requirements of COPA's enabling ordinance,¹ the agency queried the CLEAR and new CMS databases in which complaint and operational data is recorded to retrieve the information analyzed for this report covering the period from April 1, 2019 to the end of June 30, 2019. The reported data is as accurate as possible as of June 30. However, data stored in the databases can change as an investigation progresses. For example, a primary category code may change as an investigation uncovers additional evidence, or a case previously concluded may be reopened.

The merging of data from CLEAR to the new CMS database is not without its challenges. For example, we have determined that in some instances recording complaint category information is different in each system and that retrieving data

¹ Municipal Code 2-78-150

requires that queries be separately run on each system, then combined and normalized.

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

Therefore, with respect to COPA's intake, all numbers represent the number of reported complaints and notifications, not the number of allegations/occurrences of actual or perceived misconduct. Similarly, COPA's complaint intake process documents the number of complaints received but there may be multiple allegations of misconduct in a single complaint.² As a result, although COPA reports on its case intake, investigations, and outcomes, there are additional elements to Department misconduct and accountability that COPA cannot capture at this time.

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

4.2 Intake-Complaints and Notifications Received

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

-» By direct complaint from an individual complainant, and -» When notified by the Chicago Police Department. Depending on the nature of a complaint or notification COPA may investigate or may refer the case to the Department's Bureau of Internal Affairs (BIA).

From April 1, 2019 to the end of June 30, 2019 (Q2), COPA received 1386 complaints and notifications for investigations. This is a 25% increase from Q1

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

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2019. Of COPA's Q2 total intake, 815 (59%) complaints and notifications fell outside of COPA's investigative jurisdiction and were appropriately referred to the BIA. The complaints referred to BIA were generally related to operational violations not involving civilian contact.

In Q2 2019, COPA retained 571 complaints and notifications for investigation, a 37% increase since Q1. Of those, 543 were complaints received from individuals and 28 were notifications from CPD of certain incidents.

Table 1: Complaints and Notifications

	Q2 2019	Q1 2019	Change
COMPLAINTS			
- Complaints Retained	543	392	39%
- Complaints Referred	760	656	16%
NOTIFICATIONS			
- Notifications Retained	28	25	12%
- Notifications Referred	55	37	49%
TOTAL INTAKE	1386	1110	25%

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Figure 1: Complaints and Notifications

I - Complaints Retained by COPA

Complaints Referred to BIA

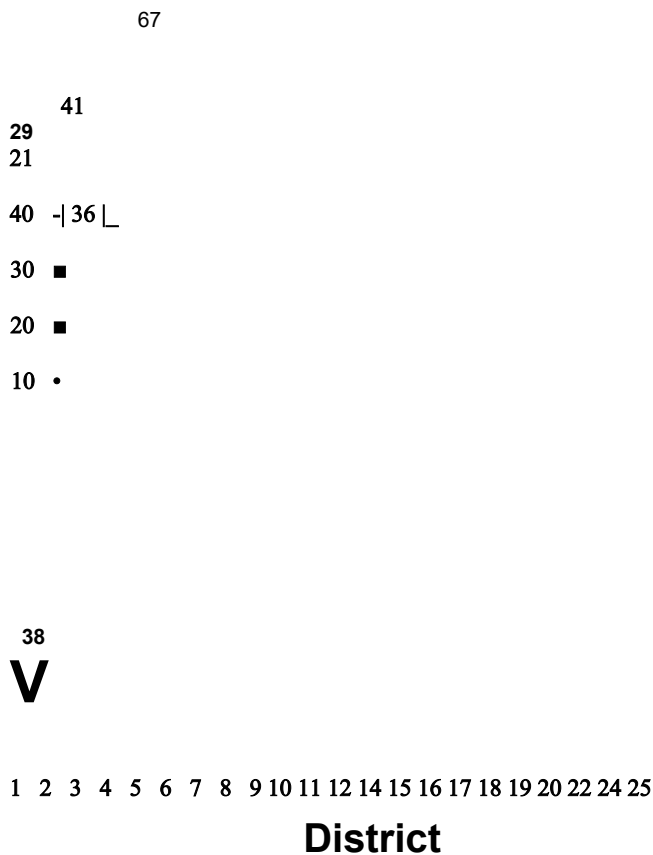
B - Notifications Retained by COPA

O - Notifications Referred to-BIA

4.3 Intake By District

Total Number of Complaints

Figure 2A: All Intake By PpJfcg District



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Figure 2B: Number of Complaints Retained by COPA By

Police District

Number of Complaints Retained

1 2 3 4 5 6 7 8 9 10 11 12 14 15 16 17 18 19 20 22 24 25
District

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Figure 3: CPD District Map

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table 2: Intake By District

DISTRICT	COPA Retained Intake	All Intake
1	7	36
2	20	56
3	10	39

4	19	41
5	17	32
6	31	67
7	29	56
8	19	56
9	5	21
10	13	27
11	37	72
12	11	35
14	8	17
15	16	43
16	8	29

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DISTRICT	COPA Retained Intake	All Intake •,
17	2	13
18	14	38
19	5	19
20	2	18
22	15	39
24	3	12
25	9	33
Unknown	290	629
TOTAL	590	1428

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4.4 Intake-Complaints and Notifications Retained

4.4.1 Complaints

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

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

Table 3: COPA Complaints Retained by Category ^a

CATEGORY	Q2 2019	Q1 2019	Change
Domestic Violence	3	10	-70%
Excessive Force	27	45	-40%
Improper Search/Seizure	172	161	7%
Incidents in Custody	4	7	-43%
Operational Violation	1	7	-86%
Sexual Harassment	2	1	100%
Firearm Discharge	0	0	-
Not Striking an Individual			

CATEGORY	Q2 2019	Q1 2019	Change
Traffic	2	2	0%
Verbal Abuse ^b	18	8	125%
Denial of Counsel	0	4	-
Vehicle	0	3	-

Civil Suits	0	22	-
Firearm Discharge	0	2	-
Striking an Individual			
Miscellaneous ^c	0	5	-
Unnecessary Display of Weapon	0	3	-
Coercion	0	5	-
Shootings - Animal Destruction	0	1	-

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CATEGORY	Q2 2019	Q1 2019	Change
Undefined ^d	358	138	159%
TOTAL	945	557	70%

^aCase allegations can differ from Intake allegations.

^b Biased and sex-based in nature.

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

^d Largely represents complaints in which the nature of the allegation remains under review.

4.4.2 Notifications

In Q2 2019, COPA retained 28 Use of Force incidents or Custody-Related occurrences for investigation that were initiated from Department notifications. Department notifications are typically communicated to COPA through the CPD's Crime Prevention and Information Center (CPIC), but COPA occasionally may be notified through other means, such as by email. By ordinance, the notifications that COPA investigates include all discharges of a firearm in a manner that could have stricken another person, Taser discharge incidents in which an individual died or sustained serious bodily injury as a result of the Taser discharge, and incidents in which an individual died or sustained serious bodily injury while detained, in the custody of the Department, or as a result of a police action.

Table 4: COPA Retained Notifications by Category

CATEGORY	Q2 2019	Q1 2019	Change
Incidents in Custody	6	1	500%
Miscellaneous Notifications	18	16	13%
Operational Violations	2	0	-

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CATEGORY	Q2 2019	Q1 2019	Change;
Firearm Discharge Not Striking an Individual	2	2	0%
Firearm Discharge Striking an Individual	4	0	-
Vehicle	1	1	0%
Firearm Discharge at an Animal	0	4	-100%
Taser Discharge	0	1	-100%
OC Spray Discharge	0	1	-100%
TOTAL	31	26	19%

* Miscellaneous notifications have occurred, for example, when COPA was notified of the

4.4.3 Affidavits

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

COPA attempts to secure an Affidavit from the person filing a complaint. If COPA is unable to obtain an Affidavit in support of a complaint, COPA assesses evidence gathered during the preliminary investigation to determine if further investigation is warranted even though the complainant did not sign an affidavit. Where evidence is found suggesting a full investigation is warranted, the Chief Administrator requests an Affidavit Override from the BIA Chief. In support of such a request, the Chief Administrator will provide the BIA Chief with objective, verifiable evidence that the investigation should continue, which may include obtaining arrest and case reports, medical records, statements of witnesses and complainants, video and audio recordings, and photographs. If the BIA Chief concurs with the Chief Administrator that continued investigation of the allegation is necessary and lawful even without a complainant's Affidavit, the BIA Chief will execute a sworn Affidavit

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and the COPA investigation will proceed. If the BIA Chief disagrees that continued investigation is warranted, then the complaint is concluded.

To that end, COPA requested 10 Affidavit overrides from April 1, 2019, through June 30, 2019. As of June 30, nine (9) of COPA's Affidavit Override requests to BIA were granted and one (1) is pending.

Table 5: Affidavit Overrides ¹

COPA Requests	Q2 2019	Q1 2019	Total
Requests	10	3	13
BIA Responses	Q2 2019	Q1 2019	Total
Approvals	9	3	12
Denials	0	0	0
Pending	1	0	1

Note: These numbers reflect the status of requests made, approvals, denials, and pending requests as of close of t

4.5 Pending Investigations

As of the end of June 30, 2019 (Q2), COPA had 1592 pending investigations, a 6% increase compared to Q1 2019.

Table 6: Pending Investigations by Category

CATEGORY	Q2 2019	Q1 2019	Change
Improper Search/Seizure	516	414	25%
Excessive Force	234	287	-18%

Undefined ^a **336** **287** 17%

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CATEGORY	Q2 2019	Qt 2.019	Change
Civil Suits	101	107	-6%
Domestic Violence	71	78	-9%
Verbal Abuse	63	53	19%
Firearm Discharge Striking an Individual	55	57	-4%
Incidents In Custody	46	50	-8%
Miscellaneous	33	38	-13%
Firearm Discharge Not Striking an Individual	33	29	14%
Miscellaneous Notification	25	13	92%
Operational Violation	20	22	-9%
Unnecessary Display Of Weapon	20	31	-35%
Coercion	12	16	-25%
Firearm Discharge at an Animal	6	9	-33%
Vehicle	6	3	100%
Denial Of Counsel	4	4	0%
Sex Offense ^b	3	1	200%
Traffic	2	2	0%
Taser Discharge	1	1	0%
TOTAL	1587	1502	6%

^a Largely represents complaints in which the nature of the allegation remains under review.

^b Includes Sexual Harassment .

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Table 7: Officer Involved Shooting (OIS) Investigations

	Q2 2019	Q1 2019	Change
No. of OIS Investigations	6	5	20%
No. of Fatalities	3	4	-25%
No. of Injuries	1	1	0%
No. of OIS "No Hit"	2	2	0%

4.6 Concluded Investigations

In Q2 2019, COPA concluded 398 investigations, an increase of 49% over the prior quarter.

4.6.1 Investigations Concluded With Findings

In Q2 2019, COPA concluded 92 investigations With Findings, representing 23% of COPA's 398 concluded investigations. A "finding" is determined when after a fair, thorough, independent investigation sufficient proof is obtained to warrant a determination that one of the four categories shown below applies.

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

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

- Sustained: The allegation was supported by sufficient evidence ("Preponderance") to justify disciplinary action. Recommendations of

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disciplinary action may range from Violation Noted, to Suspension, to Separation from the Department.

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

4.6.2 Investigations Concluded Without Findings

In Q2 2019, COPA concluded 306 investigations without findings, representing 77% of its concluded investigations. COPA strives to conclude full and thorough investigations and reach findings, but there exist circumstances in which "concluded without findings" is the

most reasonable or only option.

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

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

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

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

Lastly, investigations that begin as a result of a police department notification (rather than by civilian complaint) and which are found by COPA to be within Department policy do not result in formal allegations of misconduct and, therefore, are Closed Without Findings. An investigation of an OIS incident is deemed to be Within Policy if, given Clear and Convincing Evidence, the officer's actions comported with the Department's policy regarding Use of Force at the time the incident occurred. If an OIS incident has other findings for allegations

other than the firearm discharge, it is reported in the previous chart, and thus, only counted once.

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Table 8: Investigations Concluded With Findings

	Q2 2019	Q1 2019	Change
Exonerated Not	10 31 33 18	13 35 43 22	-23% -11% -
Sustained Susta			23% -18%
Unfounded			
TOTAL	92	113	-19%

Table 9: Investigations Concluded Without Findings

	Q2 2019	Q1 2019	Change
Administratively	146 65 3	70 21 2	109%
Administratively	89 3	59 2	210%
Close Hold No A			50% 51%
Override Within			50%
Involved Shootir			
TOTAL	306	154	99%

4.6.3 Length of Investigation

Pursuant to MCC 2-56-135, COPA must inform the complainant and the Department member who is the subject of an investigation of the general reasons for a delay in closing an investigation within six months. Therefore, COPA strives to conclude its investigations within six months of receiving a complaint of alleged misconduct or a notification from CPD of the incident for investigation. Some investigations, such as OIS incidents and Excessive Force investigations, may conclude beyond the six-month timeframe as they are, by their nature, more complex, often involve more parties, and require an intricate analysis of collected evidence.

Of the 398 investigations that COPA concluded in Q2 55% (219) were completed in fewer than 6 months and another 21% (85) between 6 and 12 months. Of important note, since Q3 2018, COPA has employed an aggressive initiative to bring to conclusion all pending legacy cases inherited since COPA launch.

Table 10: Length of Investigation at Time of Conclusion

Length	Q2 2019	Q1 2019	Change
Under 6 Months	219	78	181%
6 -12 Months	85	67	27%
1 - 2 Years	26	48	-46%
2 - 3 Years	38	46	-17%
3 - 4 Years	15	15	0%
Over 4 Years	15	13	15%
TOTAL	398	267	49%

Figure 3: Length Of Investigations At Time Of Conclusion



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Table 11: Closed Investigations by Reporting Category

CATEGORY	Q2 2019	Q1 2019	Change
Improper Search/Seizure	98	49	100%
Excessive Force	87	100	-13%
Unnecessary Displacement	17	13	31%
Incidents In Custody	16	4	300%
Domestic Violence	13	18	-28%
Operational Violations	10	0	-
Verbal Abuse	10	12	-17%
Coercion	7	8	-13%
Civil Suits	5	5	0%
Miscellaneous	5	12	-58%
Firearm Discharge	4	5	-20%
Individual			
Miscellaneous Notifications	3	1	200%
Shootings - Animal	3	7	-57%
Vehicle	2	4	-50%
Abuse of Authority	1	0	-
OC Discharge	1	1	0%
Traffic	1	0	-
Taser Discharge	0	1	-100%
Denial of Counsel	0	3	-100%

* Report by category could result in higher numbers because an investigation can involve multiple categories.

4.6.4 Recommended Discipline

At the end of an investigation in which COPA sustains findings, the agency recommends discipline of the accused member to the Department. However, it is ultimately up to the Department and/or the Chicago Police Board to come to a final decision regarding discipline. The table below displays COPA's recommended discipline in Q2 2019.

Table 12: Recommended Discipline in Q2 2019

CATEGORY	Violation Noted or Reprimand	1 - 29 Days Suspension	30 + Days Suspension	Separation
Unnecessary Displacement	1	6	1	0
Fourth Amendment Search	2	4	0	0
Verbal Abuse	0	2	0	0
OC Discharge	0	1	0	0

Operational Violatic	1	0	0
Civil Suits	1	0	0
Excessive Force	4	5	1
Domestic Violence	0	1	0
TOTAL	9	20	2

5. Additional Data Reporting

5.1 Transparency Efforts

Since the enactment of the City's Video Release Policy in 2016, COPA has released certain evidentiary materials collected during investigations of OIS incidents and investigations of any incidents resulting in death or great bodily harm that occurred in police custody or as a result of a taser discharge. Pursuant to the Video Release Policy and subject to legal restrictions, in Q2 COPA released such materials as were permitted by law for four (4) investigations. The table below reflects the investigations for which materials have been released. It also highlights the releases that have been delayed during this period due to an extension request made to the City by a third party and/or withheld because of a court order.³

Table 13: Materials Released Pursuant to the Transparency Policy

Log Number	Category	Link to Available Materials
2019-0000294	Other Use Of Force (Partial release - FOIA personal privacy exemption restricted release of materials related to death of a two-year-old child,)	http://www.chicago-copa.org/data-cDOrtal/?ss=2019-0000294%C2%A(ipracats&notificationStartDate&alt-notificationStartDate&notificationEndDate&incidentStartDate&incidentEndDate&district

³ Pursuant to the Video Release Policy, "Upon written request from a government entity specified herein, the City will delay release of

Information for a period not to exceed 30 calendar days. Any such request shall be made in writing and shall be directed to the City Corporation Counsel ... Any request must set forth with specificity the length of the delay requested (not to exceed an additional 30 calendar days) and shall set forth as reasons supporting the requested delay one or more of the factors listed at 5 ILCS 140/7(d)(i) through (vii). In addition, any such request must identify the specific item(s) sought to be temporarily withheld from release." The City is required to adhere to all legal obligations regarding the implementation of the policy, including "(a) any court order; (b) any obligation to redact identifying information or other information from any item covered by this policy before its release to the policy; or (c) any obligations imposed by the Freedom of Information Act, 5 ILCS 140/1 et seq." Therefore, to the extent a court order has enjoined the City from releasing materials on COPA's website, COPA has not released such information.

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Log Number	Category	Link to Available Materials
2019-0000233	Firearm Discharge	<a href="https://www.chicagocopa.org/data-cases/case-<http://www.chicagocopa.org/data-cases/case->portal/?ss=2019-0000294%20%20A0&alt-ipracats&notificationStartDate&alt-notificationStartDate&notificationEndDate&alt-notificationEndDate&incidentStartDate&alt-incidentStartDate&incidentEndDate&alt-incidentEndDate&district">https://www.chicagocopa.org/data-cases/case-<http://www.chicagocopa.org/data-cases/case->portal/?ss=2019-0000294%20%20A0&alt-ipracats&notificationStartDate&alt-notificationStartDate&notificationEndDate&alt-notificationEndDate&incidentStartDate&alt-incidentStartDate&incidentEndDate&alt-incidentEndDate&district
2019-0000090	Firearm Discharge (Posting limited to reference to Juvenile Court Act prohibits release of materials.)	<a href="https://www.chicagocopa.org/data-cases/case-<https://www.chicagocopa.org/data-cases/case->portal/?ss=2019-0000294%C2%A0&alt-ipracats&notificationStartDate&alt-notificationStartDate&notificationEndDate&alt-notificationEndDate&incidentStartDate&alt-incidentStartDate&incidentEndDate&alt-incidentEndDate&district">https://www.chicagocopa.org/data-cases/case-<https://www.chicagocopa.org/data-cases/case->portal/?ss=2019-0000294%C2%A0&alt-ipracats&notificationStartDate&alt-notificationStartDate&notificationEndDate&alt-notificationEndDate&incidentStartDate&alt-incidentStartDate&incidentEndDate&alt-incidentEndDate&district
2019-0000048	Other Use Of Force	<a href="https://www.chicagocopa.org/data-cases/case-<https://www.chicagocopa.org/data-cases/case->portal/?ss=2019-0000294%C2%A0&alt-ipracats&notificationStartDate&alt-notificationStartDate&notificationEndDate&alt-notificationEndDate&incidentStartDate&alt-incidentStartDate&incidentEndDate&alt-incidentEndDate&district">https://www.chicagocopa.org/data-cases/case-<https://www.chicagocopa.org/data-cases/case->portal/?ss=2019-0000294%C2%A0&alt-ipracats&notificationStartDate&alt-notificationStartDate&notificationEndDate&alt-notificationEndDate&incidentStartDate&alt-incidentStartDate&incidentEndDate&alt-incidentEndDate&district

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5.2 Referrals

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

Table 14: Referrals

Agency	Q2 2019	Q1 2019
External Police Department	2	3
Cook County Sheriff's Department	1	1
City of Chicago OIG	2	0
Cook County State's Attorney	7	8
TOTAL	12	12

6. Complaints Filed Per Member

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

In the table below, the "Unit of Assignment" column displays the name of each of unit in which at least one member assigned to that unit has been the subject of a

complaint.⁴ The second column lists the number of members in a District that were the subject of the number of complaints listed in the third column. So, the first line would be understood as: "Of members assigned to District 1, 26 members each had 1 complaint, 6 members each had 2 complaints, etc."

Table 15: Complaints Filed Per Member

District/Unit of Assignment	Number of Members	Complaint and Notification Count
District 1	26	1
	6	2
	3	3
District 2	44	1
	6	2
	2	3
District 3	50	1
	10	2
	1	5
District 4	43	1
	1	2
	2	3
	1	4
District 5	46	1
	8	2
	1	3
	2	4
District 6	51	1
	9	2
	4	3
District 7	65	1
	17	2
	7	3
	1	5
	1	6
	1	7
District 8	37	1
	6	2
	1	3
	1	4

⁴ Note: "Complaint" in this table means both civilian complaints as well as incidents in which COPA has brought formal allegations of misconduct in relation to an investigation of a notification

District/Unit of Assignment	Number of Members	Complaint and Notification Count :
District 9	27	1
	1	2
District 10	52	1
	10	2
	1	3
District 11	63	1
	17	2
District 12	32	1
	1	2
	1	3
District 14	23	1
	1	2
District 15	49	1
	10	2
	2	3
District 16	28	1
	6	2
	1	4
District 17	19	1
	4	2
District 18	30	1
	9	2
	1	3
District 19	34	1
	3	2
	2	3
District 20	17	1
	2	2
District 22	25	1
	10	2
	1	3
District 24	15	1
	1	2
District 25	46	1
	7	2
Executive Officers Unit	1	1
Recruit Training Section	82	1
	8	2
	1	3
Airport Law Enforcement Section - North	11	1
	1	2

Mounted Unit	1	1
Office Communications	1	1
Office of the Superintendent	1	1
Civilian Office of Police Accountability (COPA)	2	1

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District/Unit of Assignment	Number of Members	Complaint and Notification Count
Legal Affairs Section	1	1
	1	2
	1	5
CAPS Project Office	1	1
Deployment Operations Center	3	1
Bureau of Organizational Development	2	1
Bureau of Internal Affairs	11	1
	4	2
	1	3
	1	4
Finance Division	1	1
Human Resources Division	1	1
	1	2
Education and Training Division	15	1
	3	2
Information Services Division	2	1
	1	3
Research and Development Division	1	1
Office of Community Policing	1	2
Office of the First Deputy Superintendent	1	1
	1	2
	1	3
Traffic Section	3	1
	2	2
Canine Unit	2	1
Records Inquiry Section	1	1
Field Services Section	2	1
Evidence and Recovered Property Section	5	1
	2	2
16th District Sergeant	1	2
Central Detention Unit	4	1
Forensic Services Division	1	1
	1	2
Facilities Management Division	1	1
Youth Investigation Division	1	1
Bureau of Organized Crime	1	1
Narcotics Division	21	1

	2	2
Intelligence Section	1	1
Vice and Asset Forfeiture Division	1	1
Gang Investigation Division	3	1
Asset Forfeiture Investigation Section	2	1
Bureau of Patrol - Area South	1	1
	1	2

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District/Unit of Assignment	Number of Members	Complaint and Notification , Count
Unknown	33	803
Court Section	2	1
Crime Scene Investigations Unit	5	1
	2	2
Gang Section - Area South	3	1
Gang Section - Area Central	4	1
Gang Section - Area North	3	1
Canine Unit	2	1
District Saturation Unit	5	1
	1	2
Alternate Response Section	5	1
	1	2
Juvenile Intervention Support Center (JISC)	3	2
Gang Enforcement Division	2	1
Bomb Squad	1	2
Cook County Circuit Court	1	1
Central Auto Theft	1	1
Arson Section	2	1
Major Accident Investigation Section	6	1
Detective Area - Central	17	1
	3	2
Detective Area - South	11	1
Detective Area - North	15	1
Public Transportation Section	7	3
	1	2
7th District	1	1
911 dispatch	1	1
Dispatch	1	1
TOTAL	1366	1066

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CIVILIAN OFFICE OF POLICE ACCOUNTABILITY INTEGRITY ^ TRANSPARENCY ^ INDEPENDENCE C TIMELINESS

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