

SEPTEMBER 2020

# ADVISORY CONCERNING THE CIVILIAN OFFICE OF POLICE ACCOUNTABILITY'S DUTY TO REPORT

CITY OF CHICAGO  
OFFICE OF INSPECTOR GENERAL



JOSEPH M. FERGUSON  
INSPECTOR GENERAL FOR THE CITY OF CHICAGO

DEBORAH WITZBURG  
DEPUTY INSPECTOR GENERAL FOR PUBLIC SAFETY



JOSEPH M. FERGUSON  
INSPECTOR GENERAL

CITY OF CHICAGO  
OFFICE OF INSPECTOR GENERAL  
740 NORTH SEDGWICK STREET, SUITE 200  
CHICAGO, ILLINOIS 60654  
TELEPHONE: (773) 478-7799  
FAX: (773) 478-3949

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SEPTEMBER 25, 2020

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

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## APPENDIX A: OIG ADVISORY LETTER



JOSEPH M. FERGUSON  
INSPECTOR GENERAL

CITY OF CHICAGO  
OFFICE OF INSPECTOR GENERAL  
740 NORTH SEDGWICK STREET, SUITE 200  
CHICAGO, ILLINOIS 60654  
TELEPHONE: (773) 478-7799  
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### VIA ELECTRONIC MAIL

JULY 17, 2020

SYDNEY ROBERTS  
CHIEF ADMINISTRATOR  
CIVILIAN OFFICE OF POLICE ACCOUNTABILITY  
1615 W. CHICAGO AVENUE, 4<sup>TH</sup> FLOOR  
CHICAGO, ILLINOIS 60622

Dear Chief Administrator Roberts:

Pursuant to the Municipal Code of Chicago (MCC) §2-56-230, the Public Safety Section of the Office of Inspector General (OIG) writes to recommend critical improvements to the training provided by the Civilian Office of Police Accountability (COPA) to its employees. The recommendations contained herein arise from the review of statements made by COPA employees to OIG in the course of disciplinary investigations being conducted pursuant to MCC §2-56-030.

On two separate occasions, in statements given in unrelated disciplinary investigations, two different COPA investigators professed either uncertainty about whether they are obligated to report misconduct by Chicago Police Department (CPD) members, or the belief that they are not obligated to do so.

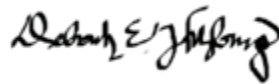
Section 1.5 of COPA's Rules and Regulations states that "[a]ll COPA employees are subject to the rules of conduct set forth in the City of Chicago's Personnel Rules." Those Personnel Rules prohibit, in Rule XVII, Section 1, Subsection 46, the "[f]ailure to report misconduct by City employees to the proper City authority." COPA's obligations in this regard are particularly acute given its stated vision, "to be the leader in police accountability by conducting thorough investigations, to advance the

culture of policing and build trust in civilian oversight,” and its mission, to “[i]dentify and address patterns of police misconduct.”

Given that COPA employees’ basic obligations as City employees, and especially in light of COPA’s stated vision and institutional mission, OIG recommends that COPA immediately provide refresher training to its employees on their duty to report misconduct by CPD employees.

Please respond to this recommendation by August 14, 2020. OIG looks forward to COPA’s response, which will be published pursuant to MCC §2-56-250.

Respectfully,



Deborah Witzburg  
Deputy Inspector General for Public Safety  
Office of Inspector General

cc: Joseph Ferguson, Inspector General, OIG  
Susan Lee, Deputy Mayor for Public Safety  
Brian Dunn, General Counsel, OIG  
Kevin Connor, General Counsel, COPA  
Adam Burns, Attorney, COPA

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## APPENDIX B: COPA'S RESPONSE



August 20, 2020

Deborah Witzburg  
Deputy Inspector General for Public Safety  
Office of Inspector General  
740 North Sedgwick Street, Suite 200  
Chicago, Illinois 60654

*Via Electronic Mail*

Re: Duty to Report Misconduct by Chicago Police Department Members

Dear Ms. Witzburg:

I am in receipt of your July 17, 2020 Advisory Letter recommending refresher training for COPA employees regarding their duty to report misconduct by Chicago Police Department (CPD) members. I appreciate your recommendation. An in-house refresher training on the City's Personnel Rules and COPA's own Rules & Regulations is under development. Upon completion, COPA will submit the draft training program to the Independent Monitoring Team for review and comment pursuant to Consent Decree requirements.

Respectfully,

A handwritten signature in black ink that reads 'Sydney R. Roberts'.

Sydney R. Roberts  
Chief Administrator  
Civilian Office of Police Accountability

cc: Joseph Ferguson (OIG)  
Brian Dunn (OIG)  
Susan Lee (Mayor's Office)  
Kevin Connor (COPA)  
Robin Murphy (COPA)  
Jay Westensee (COPA)

## MISSION

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 and issues of equity, inclusion and diversity by its Diversity, Equity, Inclusion, and Compliance Section.

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

## AUTHORITY

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.

*Cover image courtesy of Department of Assets, Information and Services.*

### PUBLIC INQUIRIES:

NATALIE A. KURIATA: (773) 478-8417 | [NKURIATA@IGCHICAGO.ORG](mailto:NKURIATA@IGCHICAGO.ORG)

TO SUGGEST WAYS TO IMPROVE CITY GOVERNMENT,  
VISIT OUR WEBSITE:

[IGCHICAGO.ORG/CONTACT-US/HELP-IMPROVE-CITY-GOVERNMENT](https://igchicago.org/contact-us/help-improve-city-government)

TO REPORT FRAUD, WASTE, AND ABUSE IN CITY PROGRAMS:

CALL OIG'S TOLL-FREE HOTLINE  
(866) 448-4754 / TTY: (773) 478-2066

OR VISIT OUR WEBSITE:

[IGCHICAGO.ORG/CONTACT-US/REPORT-FRAUD-WASTE-ABUSE/](https://igchicago.org/contact-us/report-fraud-waste-abuse/)