Disciplinary Process: Police Officers, Separation

(last updated: April 2021)

Chart Figures and Symbols:

- **Start of processes** — This shape and color denotes the initiation of the discipline process.
- **End of processes** — This shape and color denotes the culmination of the discipline process along the different paths a complaint register (CR) file may take.
- **Process steps** — This shape denotes steps in the process being detailed.
- **Sub-process steps within a given process** — This shape denotes subprocess steps within a given process.
- **Decisions affecting pathway** — This shape denotes points at which a decision is made during the disciplinary process, which determines the process pathway.
- **Documents** — This shape denotes specific documents used throughout the disciplinary process.
- Solid line with arrow indicates the next step in a given process.
- —(text)→ Solid line with arrow and text indicates the next step in a given process, with additional information and any restrictions or conditions, where applicable.
- Tiles outlined in red highlight points at which the level of discipline may change during the disciplinary process.

Overview of Disciplinary Process:

Complaint OR Notification → Investigation → Findings, disciplinary recommendation → Review → Findings, discipline issued (→ Findings, discipline accepted) → Findings, discipline challenged → Outcome of challenge implemented

Complaint OR Notification: Allegations of misconduct can be filed by a member of the public or City official or employee, including sworn and civilian members of CPD. Misconduct includes violations of CPD's Rules and Regulations, directives, orders, laws and ordinances, as well as criminal conduct. Additionally, certain events will prompt automatic notifications to COPA for consideration.

Investigation: Investigators gather evidence in order to support an agency determination of whether to sustain allegations of misconduct. Depending on the type of misconduct alleged, either BIA or COPA will conduct the investigation.

Findings, disciplinary recommendations: Following the investigation, the investigating agency determines whether the allegation is Unfounded, Exonerated, Not Sustained, or Sustained. If the allegation is Sustained, the investigating agency will make a recommendation of the type of disciplinary action that should be taken.

Review: Regardless of the investigating agency, findings and disciplinary recommendations (other than recommendations for Separation) go through Command Channel Review (CCR). CCR is a review by the accused member's supervisors to ensure they are, in the reviewing members' opinion, appropriate. Reviewing members may recommend changes to the finding(s) or disciplinary recommendation(s); the process for incorporating changes depends on which agency conducted the investigation.

Findings, discipline issued: Depending on the severity of the recommended discipline, CPD members can then accept or challenge the recommended discipline through the grievance procedure or Police Board, depending on the severity of the discipline and the rank of the CPD member.

Findings, discipline challenged: CPD members may challenge the recommended discipline through the Binding Summary Opinion, Arbitration, or before the Police Board. Available options for challenging depend on the severity of the recommended discipline and the accused member's rank.

Outcome of challenge implemented: The recommended discipline can either be upheld, decreased, reversed, and, in some cases in front of the Police Board, increased. Once the discipline is decided, it is implemented.

Acronyms & Terms:

AFSCME – American Federation of State, County and Municipal Employees
BIA – Bureau of Internal Affairs
CHIEF ADMIN – Leads COPA
CHIEF OF BIA – Leads BIA
COPA – Civilian Office of Police Accountability
CPD – Chicago Police Department
FOP – Fraternal Order of Police (Police Officer union)
INA – Illinois Nurses Association
MCC – Municipal Code of Chicago
OIG – City of Chicago, Office of Inspector General
PB – Police Board
PBPA [Unit 156] – Policemen's Benevolent & Protective Association of Illinois (Police Supervisor union)
SUPERINTENDENT – Leads CPD

Allegation Findings:

Following an investigation by BIA or COPA, an allegation of misconduct may be found to be:

- *Unfounded*, when the allegation is false or not factual;
- *Exonerated*, when the incident occurred, but the actions of the accused were lawful and proper;
- *Not sustained*, when there is insufficient evidence to either prove or disprove the allegation; or
- *Sustained*, when the allegation is supported by a preponderance of the evidence.

Quick links: Click one of the following tiles to jump to a specific part of the Disciplinary Process.
COPA/ Superintendent Non-Concurrence | Grievance | Police Board

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Civilian Office of Police Accountability, M.C.C. ch. 2-78.

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Illinois Compiled Statutes

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