Disciplinary Process: Police Officers, Suspension

(last updated: September 2022)

Overview of Disciplinary Process:

Complaint OR

Notification

challenge

implemented

implemented.

Allegation Findings:

proper;

allegation; or

register (CR) file may take. This shape denotes steps in the process being detailed. Investigation: Investigators gather evidence in order to support an agency determination of whether to Process steps Investigation sustain allegations of misconduct. Depending on the type of misconduct alleged, either BIA or COPA will conduct the investigation. This shape denotes subprocess steps within a given Sub-process process. steps within a Findings, disciplinary recommendations: Following the investigation, the investigating agency given process Findings, determines whether the allegation is Unfounded, Exonerated, Not Sustained, or Sustained. If the disciplinary allegation is Sustained, the investigating agency will make a recommendation of the type of disciplinary recommendation This shape denotes points at which a decision is made Decisions action that should be taken. during the disciplinary process, which determines the affecting process pathway. pathway Review: Regardless of the investigating agency, findings and disciplinary recommendations (other than Review recommendations for Separation) go through Command Channel Review (CCR). CCR is a review by the This shape denotes specific documents used throughout accused member's supervisors to ensure they are, in the reviewing members' opinion, appropriate. Documents the disciplinary process. 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, Findings, Solid line with arrow indicates the next step in a given Findings, CPD members can then accept or challenge the recommended discipline through the discipline • > process. discipline issued grievance procedure or Police Board, depending on the severity of the discipline and the accepted Solid line with arrow and text indicates the next step in a rank of the CPD member. (text)given process, with additional information and anv V restrictions or conditions, where applicable. Findings, discipline challenged: CPD members may challenge the recommended discipline through the Tiles outlined in red highlight points at which the level of Findings discipline may change during the disciplinary process. Binding Summary Opinion, Arbitration, or before the Police Board. Available options for challenging discipline depend on the severity of the recommended discipline and the accused member's rank. challenged V Outcome of challenge implemented: The recommended discipline can either be upheld, decreased, Outcome of reversed, and, in some cases in front of the Police Board, increased. Once the discipline is decided, it is

This shape and color denotes the initiation of the discipline

This shape and color denotes the culmination of the

discipline process along the different paths a complaint

Acronyms & Terms:

Chart Figures and Symbols:

process.

Start of processes

End of processes

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

Complaint OR

partment notification

PB – Police Board PBPA [Unit 156] - Policemen's Benevolent & Protective Association of Illinois

(Police Supervisor union) SUPERINTENDENT – Leads CPD

Non-Review oncurrence Chart Figures and Symbols:

COPA/

Superintendent

Quick links: Click one of the following tiles to jump to a specific part of the

Grievance

Police Board

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

Not sustained, when there is insufficient evidence to either prove or disprove the

Sustained, when the allegation is supported by a preponderance of the evidence.

Exonerated, when the incident occurred, but the actions of the accused were lawful and

Unfounded, when the allegation is false or not factual;

Disciplinary Process.

Command

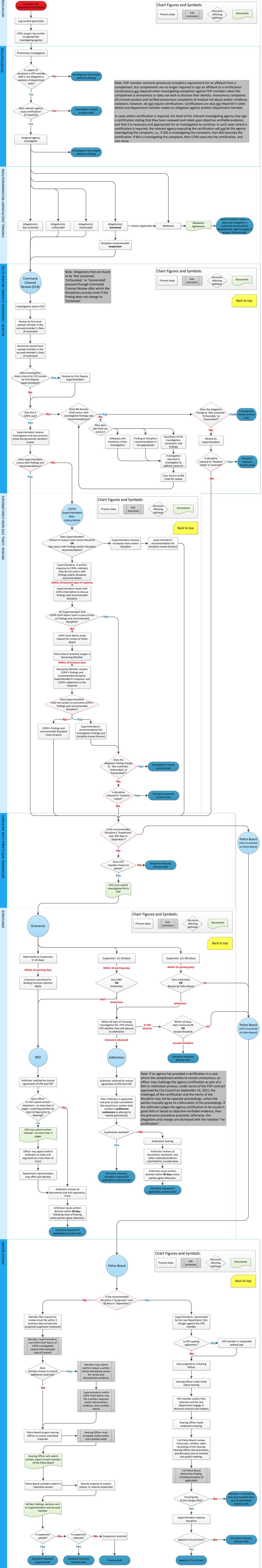
Channel

Complaint OR Notification: Allegations of misconduct can be filed by a member of the public or City

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.

official or employee, including sworn and civilian members of CPD. Misconduct includes violations of



References

City of Chicago Collective Bargaining Agreement

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City of Chicago, Chicago Police Department, "General Order G08-01: Complaint and Disciplinary System." December 2021, accessed January 28, 2022, http://directives.chicagopolice.org/ #directive/public/6362

City of Chicago, Chicago Police Department, "General Order G08-01-02: Complaint Initiation and Log Number Investigation Assignment." December 2021, accessed January 28, 2022, http:// directives.chicagopolice.org/#directive/public/6776.

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City of Chicago, Chicago Police Department, "Special Order S08-01-03: Command Channel Review." March 2020, accessed January 28, 2022, http://directives.chicagopolice.org/#directive/public/ <u>6856</u>.

Chicago Police Board

City of Chicago, Police Board, "Allegations of Police Misconduct: A Guide to the Complaint and Disciplinary Process." April 2021, accessed January 28, 2022, https://www.chicago.gov/content/ dam/city/depts/cpb/PoliceDiscipline/AllegMiscond20210401.pdf

City of Chicago, Police Board, "Rules of Procedure." February 2021, accessed September 29, 2022, https://www.chicago.gov/content/dam/city/depts/cpb/PoliceDiscipline/ RulesofProcedure20210218.pdf.

Civilian Office of Police Accountability

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Municipal Code of Chicago (M.C.C.)

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

Department of Police, M.C.C. ch. 2-84.

Illinois Compiled Statutes

Illinois Administrative Review Law, 735 I.L.C.S. 5/3-101 et seq. Illinois Municipal Code, 65 I.L.C.S. 5/10-1-45