

PUBLIC SAFETY SECTION ANNUAL REPORT 2018

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL



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LETTER FROM THE DEPUTY INSPECTOR GENERAL

The City of Chicago is currently engaged in a robust process of reforming its police department and police oversight agencies. This moment was a long time in the making. After decades of allegations of torture, unconstitutional policing, corruption, and problematic disciplinary and promotional processes, the time had come for a sustained and concerted effort to improve both how Chicago is policed and the relationship between the City's communities and police officers.

There are a number of institutions involved in this long-term process: the Chicago Police Department (CPD), the Civilian Office of Police Accountability (COPA), the Chicago Police Board, the Mayor's Office, the Illinois Attorney General, and the Independent Monitor for the Consent Decree. The Public Safety (PS) Section of the Office of Inspector General (OIG) plays a critical role in ensuring the depth and sustainability of police and police accountability reforms. The long-term mission of the PS Section is to enhance transparency, accountability, and the quality of oversight of public safety operations in Chicago. To meet this mission, we examine CPD, COPA, and Police Board policies and practices; interview agency members; observe trainings; analyze large datasets to develop evidence-based findings; and study national best practices to identify recommendations for improvement.

In 2018, the PS Section advanced beyond the foundational work it completed in 2017. The Section released three substantial reports that influenced the state of public safety, inspected 158 completed disciplinary investigations performed by CPD and COPA to ensure that no material deficiencies occurred during those investigations, and expanded its access to CPD databases, allowing the Section to further broaden and deepen its analytical capacities regarding CPD operations.

In August, I joined as the new Deputy Inspector General for Public Safety, having previously worked for the Office of the Inspector General of the NYPD. Having studied the history of police-community relations in Chicago as a graduate student at UIC, and then working in the field of police oversight in various cities for several years, I was eager to return to Chicago to participate in the ongoing reform process.

Since my return, I have observed a new commitment to reform that did not exist in the early 2000s. The tragic death of Laquan McDonald opened the door to long-needed systemic reforms of the police and the civilian agency that investigates complaints filed against officers. In the coming years, OIG's PS section will ensure that all areas of policing and police oversight are meaningfully reformed, to help CPD, COPA, and the Police Board build organizational cultures that not only accept reform, but embrace it as fundamental to public safety and the protection of civil rights.

To accomplish this, ongoing collaboration and conversation with all stakeholders will be essential. To foster this dynamic, OIG has built a Communications and Outreach team that is committed to making sustained, meaningful community engagement essential to the operations of the PS Section. Through a variety of tailored outreach events spread across the City, the Section receives input from community-based stakeholders regarding which topics should be examined. As those topics are addressed in the Section's published reports, we return to those community stakeholders to present our findings and recommendations, to reinforce the interdependent relationship between community members and the department entrusted to protect them.

There is a long road ahead for police reform in Chicago. There will be plenty of challenges to address, as well as obstacles to overcome. Accomplishing these necessary reforms will not happen all at once, and there will likely be debates and disagreement along the way. However, if all stakeholders—both institutional and community-based—lean in to this effort, I am confident that Chicago can find its way to meaningful, sustainable police reform.

Respectfully,

A handwritten signature in black ink, reading "Joseph Lipari". The signature is fluid and cursive, with the first name "Joseph" and last name "Lipari" clearly distinguishable.

Joseph Lipari
Deputy Inspector General, Public Safety
City of Chicago Office of Inspector General

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CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

The Office of Inspector General (OIG) is an independent, nonpartisan oversight agency whose mission is to promote economy, effectiveness, efficiency, and integrity in the administration of programs and operation of City government. As the watchdog for the taxpayers of the country's third largest city, OIG has jurisdiction to conduct independent inquiries into most aspects of City government. The Office is a certified, externally peer-reviewed member of the Association of Inspectors General. In addition, OIG and its staff hold various certifications and memberships including the Association of Local Government Auditors, the Association of Certified Fraud Examiners, and the Society of Corporate Compliance and Ethics.

OIG has jurisdiction to conduct independent inquiries into:

- Elected officers of the City government—the Mayor, the City Council, the City Clerk, and the City Treasurer;
- Appointed officers of the City government in the performance of their official duties;
- All employees of the City in the performance of their official duties;
- All contractors and subcontractors providing goods or services to the City;
- Business entities seeking contracts or certification of eligibility for City contracts; and
- People seeking certification of eligibility for participation in any City program.

OIG conducts administrative and criminal investigations and issues reports of findings and recommendations that ensure City officials, employees, and vendors are held accountable for the provision of efficient and cost-effective government operations. OIG further seeks to prevent, detect, identify, expose, and eliminate waste, inefficiency, misconduct, fraud, corruption, and abuse of public authority and resources.

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PUBLIC SAFETY SECTION



In late 2016, the City initiated the first stage of legislative reforms for police accountability with, among other things, the creation of an independent, dedicated police oversight office within OIG. The Public Safety (PS) Section was able to start from a strong foundation established through previous OIG investigative and audit inquiries into aspects of the operations of CPD and the Independent Police Review Authority. In the years prior to creation of the PS Section, OIG published 13 audits, advisories, and reviews on police and public safety subjects. OIG also investigated misconduct by police and police oversight personnel, including sworn and unsworn, patrol and managerial, in matters where previously existing oversight systems had faltered.

The Public Safety Section of OIG was established in January 2017, to enhance transparency, accountability, and the quality of oversight of public safety operations in Chicago.

In April 2018, the Section published an evaluation of CPD's compliance with the clear and present danger reporting requirements for law enforcement agencies under the Illinois' Firearm Owners Identification (FOID) Card Act, which found that CPD was not in compliance with the FOID Card Act and provided a series of recommendations on policy, training, and documentation as corrective actions.

In August 2018, the Section published a report concerning COPA's external release of officer-involved investigative reports, in light of its obligations under both the Municipal Code of Chicago (MCC) and the Illinois Freedom of Information Act (FOIA). The investigative and disciplinary process under the MCC requires COPA and the Superintendent to complete their respective procedures before any disposition is finalized and prior to the release of any findings or reports to the public. OIG's inquiry, however, determined that in one instance, COPA's release of an investigative report occurred prior to the finalization of a disposition.

In September 2018, the Section published an evaluation of CPD's School Resource Officer (SRO) program which found that no current Memorandum of Understanding existed between CPD and the Chicago Public Schools to structure the purpose, policies, and training of SROs.

On August 1, 2018, Joseph Lipari joined as the new Deputy Inspector General for Public Safety. Prior to joining the Section, Mr. Lipari was an Assistant Inspector General at the Office of the Inspector General for the NYPD.

Throughout 2018, the PS Section and the OIG Communications & Outreach team conducted regular community and stakeholder engagement. The Section hosted stakeholder round tables, organized community conversations, and gave presentations throughout Chicago, as well as at CPD Academy classes.

In 2018, OIG also introduced its Information Portal, an interactive data visualization tool that provides the public with an unprecedented means of engaging and understanding data related to City government and, specifically, to CPD and the police accountability system. Through public safety dashboards, members of the public can access individual and aggregated data about active CPD officers by title, unit, and demographics; investigatory stop reports by beat, district, demographics, and age; and disciplinary complaints and notifications by officer, outcome, and location of misconduct.

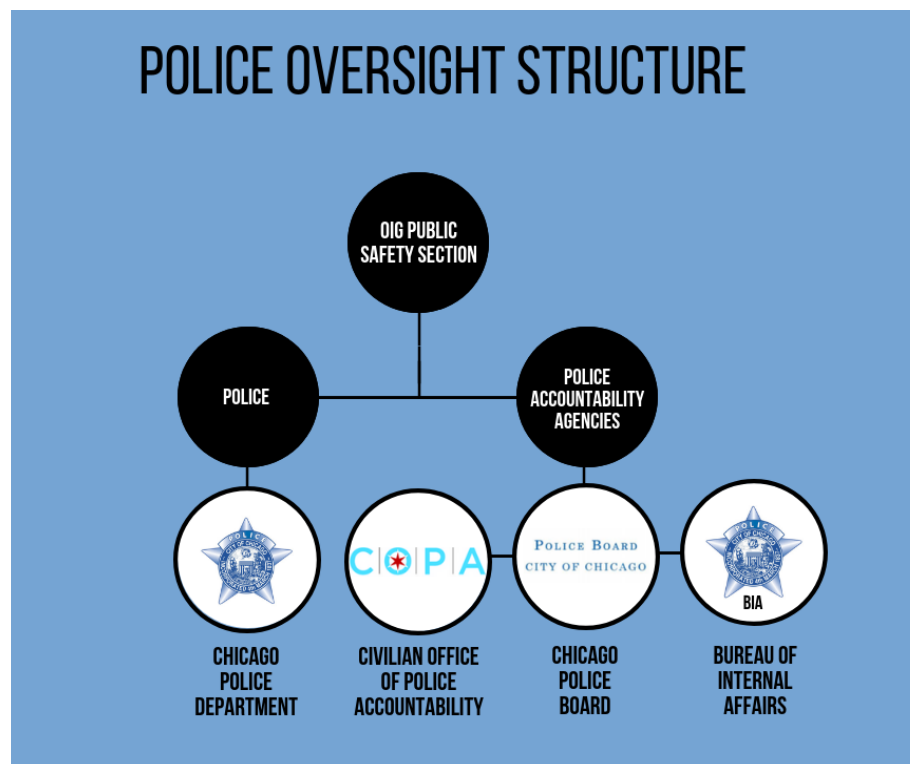
04

MISSION

The mission of OIG's Public Safety Section is to conduct independent, evidence-based evaluations, inspections, and reviews of the operations, programs, policies, and practices of the City's police and police accountability agencies—CPD, COPA, and the Police Board—with the goal of improving public safety and the relationship between the police and the community by assuring effective, professional, and fully accountable constitutional and community-based policing.

JURISDICTION

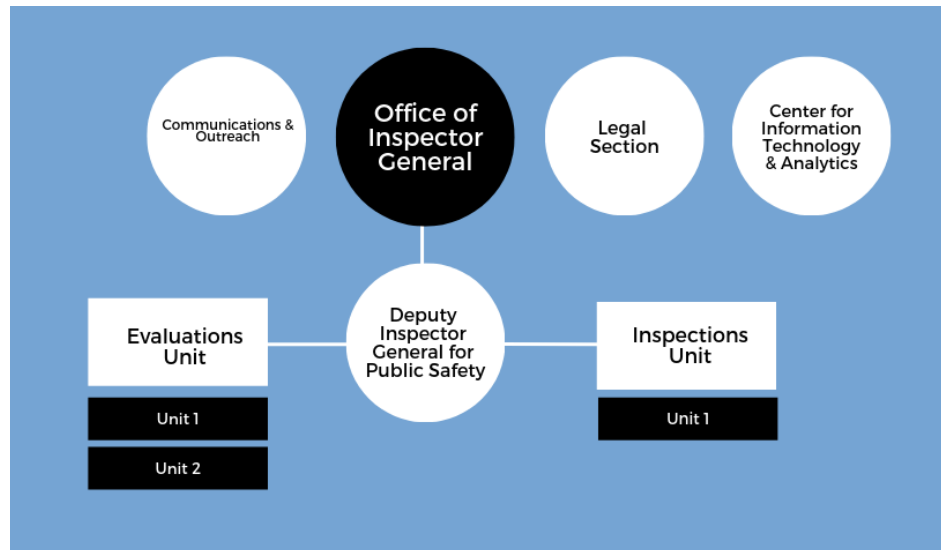
The Public Safety Section has oversight jurisdiction over CPD, COPA, and the Police Board. The Section's jurisdiction allows it to review and evaluate the policies, procedures, practices, programs, and training of the police and police accountability agencies in the City of Chicago, to review individual closed disciplinary investigations, to analyze civil judgments and settlements of claims against CPD members, and to make resulting recommendations.



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SECTION ORGANIZATION

The Public Safety Section is comprised of two units, Evaluations and Inspections. The Evaluations Unit focuses on conducting evaluations and reviews of policies, procedures, practices, programs, and training in CPD and the accountability agencies. The Inspections Unit focuses on the review of individual closed disciplinary investigations. The work of the Section is supported by and in partnership with OIG's Legal Section, Center for Information Technology & Analytics, and Communications & Outreach team.



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THE WORK OF THE SECTION

The Public Safety Section produces formal, public-facing products under Green Book standards which can take a variety of forms, including but not limited to: advisories, dashboards, data visualizations, evaluation, management alerts, notifications, and reports. Each form of public reporting, however, falls into the following categories:

INSPECTIONS

Critical appraisals of individual disciplinary investigations conducted by COPA and BIA involving examination, measurement, testing, gauging, and comparison of governmental disciplinary investigations related to police and police accountability operations, policies, programs, and practices.

EVALUATIONS

Audit-based analysis of operations, programs, policies, and practices of CPD and related law enforcement functions of the City, drawing on social science techniques and best practices.

REVIEWS

Research-based assessments of legal, regulatory, operational, and administrative policies to foster the effective and efficient use of governmental operations and programs, or to reduce government liability or risk.

In addition, the Section issues an Annual Report which summarizes inspections, evaluations, and reviews concluded during or continuing from the prior calendar year, which includes analysis of patterns, trends, and reporting on recommendations adopted by departments. Summaries of the Section's work also regularly appear in OIG's quarterly reports.

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DATA ANALYTICS

OIG's Center for Information Technology & Analytics (CITA) is comprised of 12 technologists and analysts who provide critical support to the PS Section. Most of CITA's work lies in extracting large volumes of raw data from City databases and compiling large data sets for statistical models, trends, predictions, and analyses.

The conclusions that are drawn from the data are used to support the Section's work in examining the policies, programs, and practices in Chicago's police and police accountability systems. CITA had previously reached an agreement with CPD in February 2016 to gain back-end access to 133 CPD databases and 132 CPD applications. By the end of 2018, CITA had acquired 60 databases and 57 applications. The PS Section continues to use this data access to inform its reports and build publicly available dashboards. To view OIG's Public Safety Dashboards, visit <https://informationportal.igchicago.org/>.

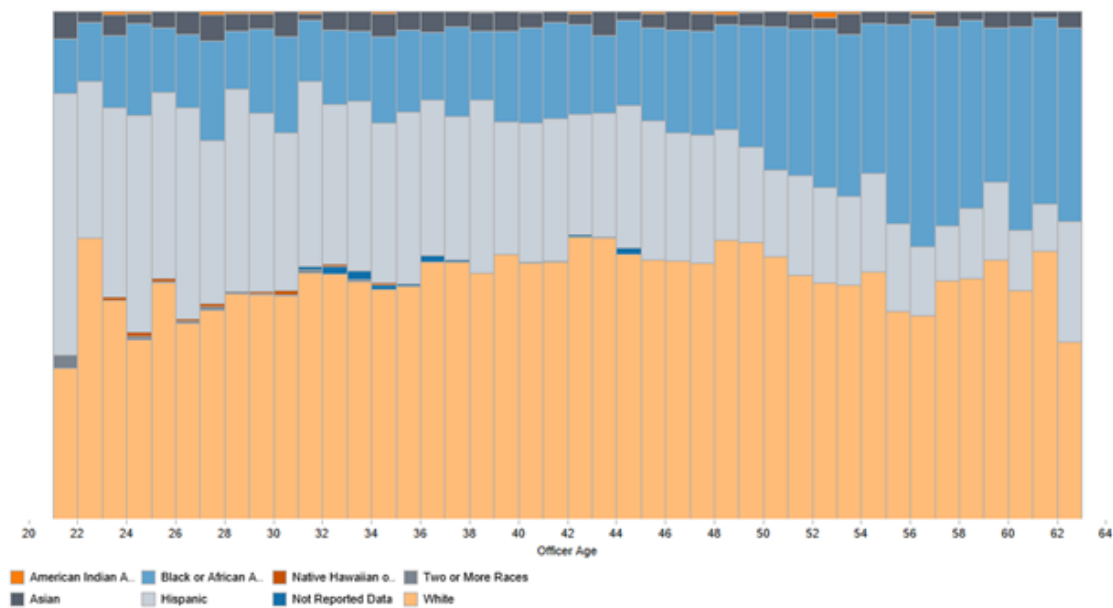
PUBLIC SAFETY DASHBOARDS

In 2018, OIG made dashboards available to the public via its new Information Portal, featuring a tremendous amount of data about CPD and the accountability agencies. The dashboards allow members of the public to view and filter data, as well as observe trends, including:

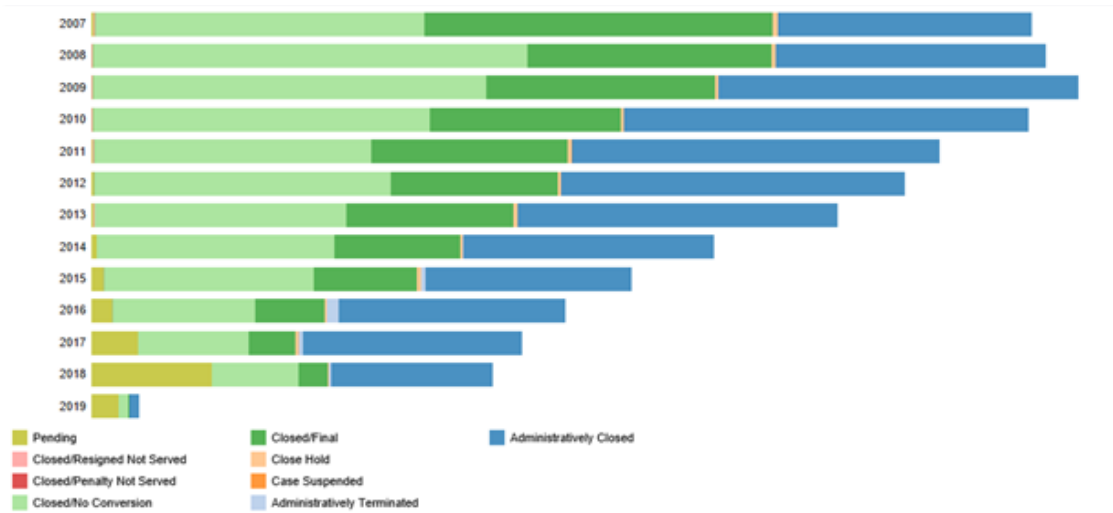
- Active Sworn Officer Overview, Units, and Titles
- Complaint/Notification History, Outcomes, and Trends
- Investigatory Stop Reports – Overview, Pat Downs, and Searches
- Maps featuring:
 - Disciplinary complaints/notifications by community area, district, and ward
 - Investigatory Stop Reports by district and ward

Examples of these interactive dashboards can be seen below.

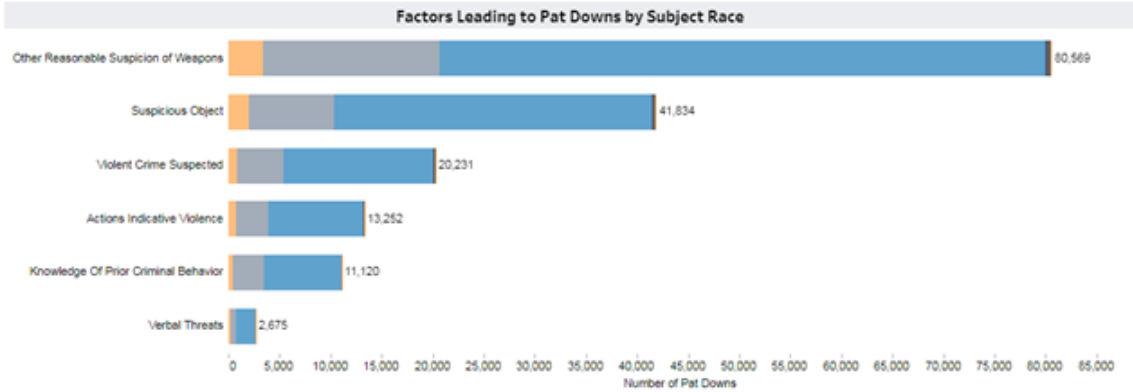
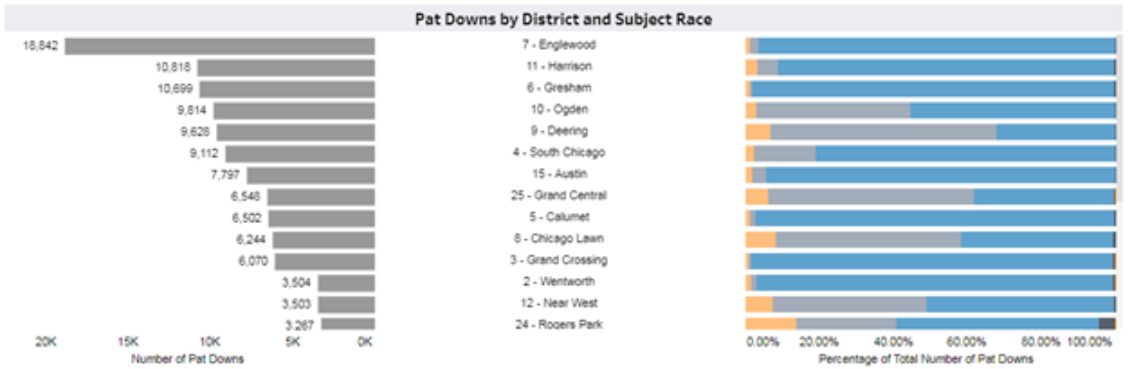
OFFICER PERCENTAGE BY AGE AND RACE



COMPLAINT NOTIFICATION COUNTY BY STATUS AND YEAR



PAT DOWNS BY DISTRICT AND SUBJECT RACE



Note: One or more factors could result in a protective pat down.

Demographic Legend

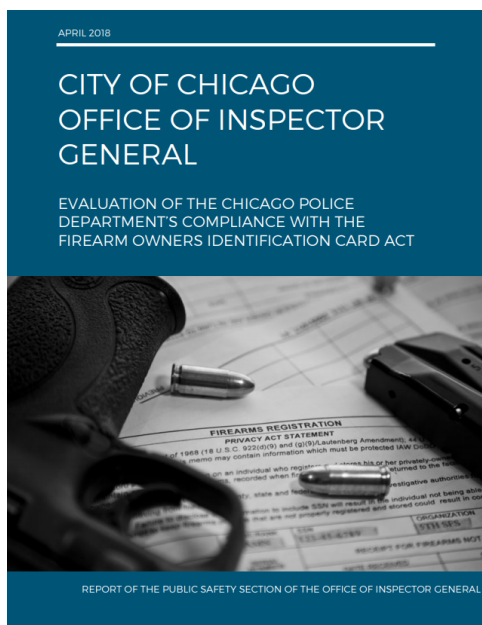
White Hispanic Black Asian/Pacific Islander American Indian/Alaskan Native

SELECTED OFFICER DETAILS

Complaints/Notifications		Civil Suits			
38		6			
Complaint/Notification Findings		Allegation Findings		Recommended Discipline	
NO FINDING	25	NOT SUSTAINED	42	NOT APPLICABLE	37
NOT SUSTAINED	11	UNFOUNDED	34		
		NO AFFIDAVIT	15		
NO AFFIDAVIT	1	EXONERATED	5	UNREPORTABLE	1
UNFOUNDED	1	NO FINDING	4		
		SUSTAINED	4		

08

REPORTS PUBLISHED IN 2018



EVALUATION OF THE CHICAGO POLICE DEPARTMENT'S COMPLIANCE WITH THE FIREARM OWNERS IDENTIFICATION CARD ACT // APRIL 2018

The PS Section released an evaluation regarding the Chicago Police Department's compliance with the clear and present danger reporting requirements for law enforcement agencies under the Illinois' Firearm Owners Identification (FOID) Card Act. OIG's evaluation determined that CPD had not been operating in compliance with the clear and present danger reporting requirements under the Act, which requires officers to notify the Illinois State Police (ISP) when law enforcement determines that an owner of a firearm poses a clear and present danger to oneself or others.

To fulfill this reporting obligation, Illinois law enforcement officials, including CPD, are required to complete and submit a "Person Determined to Pose a Clear and Present Danger" form to ISP each time law enforcement makes such a determination. OIG identified a subset of situations in which it is highly probable that CPD members interacted with an individual posing a clear and present danger pursuant to the Act's definition, as applied to law enforcement agencies, but that those situations were not reported to ISP via the completion and submission of the "Person Determined to Pose a Clear and Present Danger" form.

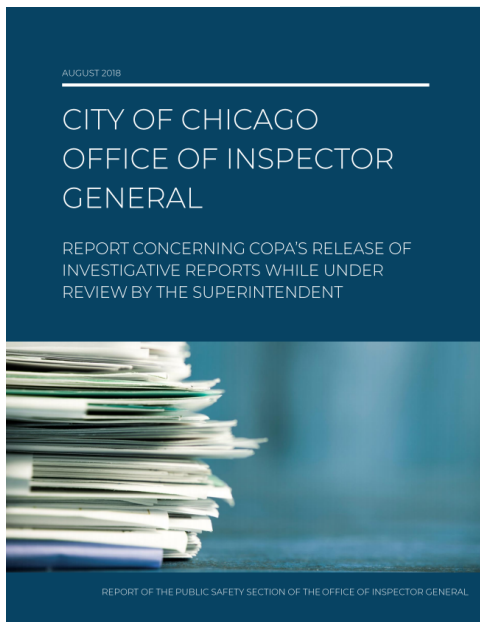
As a result of CPD's noncompliance, ISP did not receive the mandatory notifications and information needed to prompt a determination of whether to deny or revoke a FOID Card. In addition, the shortfall in timely, consistent, or proper reporting of clear and present danger situations may result in CPD returning firearms to individuals whose FOID Cards ISP may otherwise have revoked.

To ensure compliance with the FOID Card Act, the PS Section recommended that CPD:

1. institute agency directives that require CPD employees to complete and submit the "Person Determined to Pose a Clear and Present Danger" form to ISP within 24 hours after making the determination that an individual poses a clear and present danger;
2. ensure that all officers have ready access to the "Person Determined to Pose a Clear and Present Danger" form during their shifts; and

3. create relevant curricula and provide adequate training for current CPD employees and new recruits that includes:
 - a. an introduction to the FOID Card Act, with special attention paid to CPD's reporting duties and the importance of the information being provided to ISP;
 - b. guidance on what constitutes clear and present danger; and
 - c. instruction on how to properly complete and submit the "Person Determined to Pose a Clear and Present Danger" form and identification of other necessary documentation that should be submitted to ISP along with the form.

CPD concurred with OIG's recommendations and indicated that it would bring the Department into compliance with the Act by implementing a standalone directive that instructs officers on the FOID Card Act reporting requirements, revising existing directives to include information on the reporting requirements, and updating the Academy's training curricula to reflect the Act's reporting requirements.



REPORT CONCERNING COPA'S RELEASE OF INVESTIGATIVE REPORTS WHILE UNDER REVIEW BY THE SUPERINTENDENT // AUGUST 2018

The PS Section released a report concerning COPA's external release of officer-involved investigative reports, considering its obligations under both the Municipal Code of Chicago (MCC) and the Illinois Freedom of Information Act (FOIA).

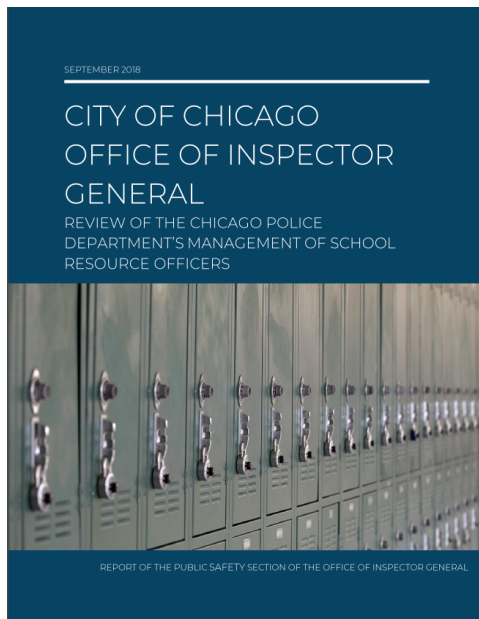
In late December 2017 and January 2018, media reporting concerning the publication of and details within COPA's investigative report on Officer Robert L. Rialmo's fatal shooting of Quintonio LeGrier and Bettie Jones prompted OIG to review COPA's release practices while investigative findings and recommendations are under consideration by CPD's Superintendent.

The investigative and disciplinary process under the MCC requires COPA and the Superintendent to complete their respective procedures before any disposition is finalized and prior to the release of any findings or reports to the public. To ensure the longevity of the very transparency policies which are required to build and maintain public trust, such policies should be applied in a manner that avoids the appearance of interfering with an ongoing investigation or disciplinary procedure. Integrity of the accountability process is as important as transparency of the process.

OIG's inquiry determined that COPA's December 2017 release of its investigative report on Rialmo risked creating the appearance of an accountability system susceptible to external pressure. While OIG recognizes that COPA's actions were taken in the spirit of transparency, OIG recommended that COPA:

1. revisit its release practices to comply with the time allowed under the MCC; and
2. adhere to its FOIA obligations in a manner that respects both local and state law, ensures the integrity and procedural fairness of the discipline process, provides public transparency, and enhances the public's trust.

COPA concurred with OIG's recommendations and indicated that it would assert FOIA's pre-decisional, deliberative communication exemption when it receives requests for the release of its records prior to a final disposition.



REVIEW OF THE CHICAGO POLICE DEPARTMENT'S MANAGEMENT OF SCHOOL RESOURCE OFFICERS // SEPTEMBER 2018

The PS Section released a review of CPD's recruitment, selection, placement, training, specification of roles and responsibilities, and evaluation of School Resource Officers (SRO) assigned to Chicago Public Schools (CPS).

The review found that SROs have been operating in Chicago schools without a legal agreement between CPD and CPS since December 31, 2016. CPD also did not have an up-to-date list of SROs and the schools to which these officers were assigned. The PS Section found that CPD's official directives fail to address SRO-specific recruitment, selection, placement, training, specification of roles and responsibilities, and evaluations.

PS provided recommendations for CPD to establish an SRO program aligned with national best practices outlined in the U.S. Department of Justice and Department of Education's SECURE Local Implementation Rubric.

To that end, PS recommended that CPD:

1. draft and implement a Memorandum of Understanding (MOU) in collaboration with CPS and community stakeholders that:
 - a. states the purpose of the SRO partnership;
 - b. outlines the roles and responsibilities of CPD, CPS, and principals in schools;
 - c. emphasizes that SROs should not be involved in routine student disciplinary matters;
 - d. defines what information CPD and CPS will share;
 - e. establishes and requires initial and ongoing training for officers assigned as SROs;
 - f. establishes performance evaluations aligned with stated SRO roles and training that measures the ability of SROs to de-escalate situations and use alternatives to student arrest;
2. collaborate with CPS, students, families and the community to establish hiring guidelines for SROs;
3. designate a program coordinator to enhance coordination and accountability; and
4. maintain and regularly update rosters of officers assigned to CPS as SROs.

CPD concurred with the findings detailed in the report and indicated that the Department would undertake best efforts to enter into an MOU with CPS; develop a policy that defines roles, and responsibilities of SROs; develop and implement screening criteria to ensure SROs have the skills, qualifications, and abilities necessary to work safely and effectively with students, parents/guardians, and school personnel; ensure that all SROs receive initial specialized training and annual refresher trainings; and encourage SROs to exercise discretion to use alternatives to arrest and referral to juvenile court.

However, the reforms proposed by CPD in its response did not address other crucial areas of concern outlined in the report. Specifically, CPD did not acknowledge or respond to the Section's recommendations to include a broad range of community stakeholders in the creation of the MOU; to create hiring guidelines and include a broad range of community stakeholders; to state the purpose of the SRO partnership with CPS in the MOU; to define the data and information that will be shared between CPD and CPS; to establish performance evaluations for SROs; and to maintain and regularly update rosters of SROs. CPD also indicated that its proposed changes would be implemented as part of the Consent Decree before the 2019-2020 school year.

PS conducted Aldermanic Briefings on September 13, 2018, presenting the report findings and recommendations to members of the City Council. As a result of these briefings, on October 23, 2018, twenty Aldermen requested a hearing of the Public Safety Committee to discuss CPD's SRO program. As of June 1, 2019, a hearing had yet to be scheduled.

REVIEWS OF CLOSED DISCIPLINARY CASES

In 2018, the PS Section conducted preliminary examinations of 158 individual closed disciplinary investigations conducted by CPD and COPA. Based on these preliminary examinations, and on information received from other OIG Sections and members of the public, the Section opened 104 in-depth reviews. Those reviews produced recommendations to inform and improve future disciplinary investigations^[1] and have given way to evaluative research projects.

[1] The Section's recommendations arising from its review of closed disciplinary cases were released to the public in 2019 and can also be found on OIG's website at: <https://igchicago.org/2019/02/14/recommendations-to-inform-and-improve-cpds-internal-affairs-investigations/>

09

COMMUNITY ENGAGEMENT AND STAKEHOLDER OUTREACH

The Public Safety Section staff and the Communications & Outreach team meet with each entity the Section has jurisdiction over, including the heads of CPD, COPA, and the Police Board. They also meet with various public safety stakeholders throughout the year, including police unions, City Council, community groups, faith-based community organizations, academics, journalists, and nonprofits.

ACADEMY CLASSES

Leadership from the PS Section attends monthly orientation sessions at the Chicago Police Academy to familiarize approximately 80-100 new recruits with police accountability structures and the work of OIG.



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FUTURE PROJECTS

AFFIDAVIT OVERRIDE

This project examines the potential impacts of the affidavit requirement on complaint investigations by (1) analyzing data from investigations that involved an affidavit override, (2) inspecting case files of investigations closed due to the absence of a sworn affidavit, and (3) examining relevant policies and training provided to CPD and COPA investigators.

BODY WORN CAMERA REVIEW PRACTICES

This project evaluates whether CPD has ensured compliance with its requirements for the daily review of randomly selected body-worn camera recordings.

CRISIS INTERVENTION & BEHAVIORAL HEALTH RESPONSE

This report examines CPD's Crisis Intervention Training, policies, and practices in responding to persons experiencing a mental or emotional crisis.

COPA VIDEO RELEASE

This project examines whether CPD consistently provides notifications to COPA following use-of-force incidents listed in the Video Release Policy and whether COPA has properly released related video, audio, and police documents.

GRIEVANCE PROCESS

This project reviews the grievance process for sworn personnel, which includes identifying and assessing patterns in the resolution of grievances and how the resolutions shape disciplinary outcomes.

HIRING PROCESS

This project examines CPD's recent recruitment and hiring practices, to provide recommendations on how to increase diversity as well as retention of qualified applicants throughout the hiring process.

LITIGATION DATA

This project is an ongoing review of CPD's management and use of data from civil judgments and settlements resulting from allegations of misconduct against CPD members.

OFFICER WELLNESS

This project examines CPD's Officer Wellness policies, practices, training, and support services for sworn officers.

POST-FIREARM DISCHARGE TRAINING

This project evaluates CPD's compliance with the requirements that members who discharge their firearms must complete a minimum of 30 calendar days of administrative duty, participate in the Traumatic Incident Stress Management Program, and complete Critical Incident Overview training before returning to regular duty.

RECORDS PRODUCTION PROCESSES

This project reviews CPD's processes for the identification and production of records for criminal and civil litigation, highlighting potential risks posed by CPD's current processes and examining the potential consequences of the incomplete production of records.

STRATEGIC SUBJECT LIST

This project reviews CPD's Crime and Victimization Risk Model and Subject Assessment and Information Dashboard (formerly know as the Strategic Subject List) which evaluates arrestees' risk for becoming a party-to-violence, whether as a victim or as an offender. This report will review the data used to calculate individuals' risk scores and how CPD utilizes the outputs of these predictive models.

U-VISA CERTIFICATIONS

This project examines CPD's processes for responding to immigrant crime victims' requests for law enforcement U-Visa certification, a path to legal permanent resident status that can be obtained by applicants who have been helpful in the investigation of a qualifying crime. This review will assess how CPD collects relevant documents, adjudicates claims regarding eligible criminal activity and helpfulness, and conveys decisions to applicants.

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CONCLUSION

The creation of the Public Safety Section is a critical beginning, but by no means the end, of a long path of improving public confidence and trust in CPD. The Section is hopeful that sworn officers, the residents of the City they serve, the public servants who provide critical support services to both groups, and all those invested in the health and future of this City will partner with us in that journey, grounded in a greater commitment to transparency and productive dialogue and engagement with each other.



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