



# PUBLIC SAFETY

## 2020 DRAFT ANNUAL PLAN

## I. 2020 POTENTIAL NEW PROJECTS

The following projects are under consideration for launch in late 2019 or 2020. The potential projects are listed below in three categories corresponding to the strategic priorities listed above: (A) CPD operational competence; (B) discipline and accountability; and (C) constitutional policing. Evaluations that fulfill the Public Safety section's requirements under the consent decree are denoted with a star (\*).<sup>1</sup> Final decisions on launching projects will be made by the Public Safety section's management and the Inspector General. The list of projects below is intended to serve as a guiding document and is subject to change; it does not prohibit the Public Safety section from initiating different projects over the course of the year. Circumstances that arise during the year may prompt the Public Safety section to undertake new, higher priority projects, reduce the priority of a planned project or terminate a project if OIG determines that further work will not bring substantial benefit to the City. Some topics listed below may be deferred to following years.

POTENTIAL OBJECTIVES:	<i>Potential questions the project will likely aim to answer. The project team may refine the objectives in the course of planning the project.</i>
RATIONALE:	<i>Relevance of and background on the topic.</i>
PRIORITY RANK:	<i>(1): Project is a clear match to the section's priorities and capabilities and is clearly scoped. Exploratory work may already be underway. (2): Project is a clear match to the section's priorities and capabilities. High likelihood of moving forward. (3): Project is tentative and needs scope clarification and/or further assessment of fit before moving forward.</i>

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<sup>1</sup> As indicated by paragraph 667 of the consent decree, the Public Safety section will coordinate and confer with the Independent Monitor to avoid duplication of effort.

## A. CPD'S OPERATIONAL COMPETENCIES

### 1. EVALUATION OF CPD'S POLICY DEVELOPMENT & IMPLEMENTATION PROCESS

- POTENTIAL OBJECTIVES:
- Evaluate the effectiveness of CPD's processes for the development, implementation, and monitoring of new Department policy and revisions to existing policy.
  - Do CPD's Research and Development Division, Education and Training Division, Bureau of Patrol, Office of Reform Management, and Office of Strategy collaborate effectively to ensure policies are developed with the necessary input of all relevant stakeholders?
  - Are changes in policy effectively communicated to all relevant parties within the Department?
  - Does CPD ensure timely training when new policies become effective?

RATIONALE: Evaluating CPD processes for developing and implementing policy will potentially have a significant impact on the quality of CPD's policies and its adherence to them. Moreover, the consent decree requires many new and amended policies. Evaluating CPD's policy development and implementation processes can help ensure that policy changes related to the consent decree are effective and well implemented.

PRIORITY RANK: (1)

## 2. COMPSTAT EFFECTIVENESS

### POTENTIAL

- OBJECTIVES:
- To assess whether the design and implementation of CPD's current CompStat operation is an effective organizational and management accountability tool for district-level performance.
  - What kind of follow-up to CompStat performance reviews takes place in the Districts?
  - How does the command staff ensure accountability for each unit from one performance review to the next?
  - Do CPD's performance metrics meet national best practice standards for relevance to police performance?

RATIONALE: CompStat represents one of the most direct means for command staff to shape district-level priorities and operations. It also serves as a mechanism for commanders and staff to identify operational inefficiencies and develop appropriate solutions. Ensuring that CompStat evaluates meaningful metrics and that district enforcement strategies are appropriately adjusted can improve neighborhood security and increase police legitimacy.

PRIORITY  
RANK: (2)

### 3. PROMOTION AND MERIT SELECTION PROCESSES

- POTENTIAL OBJECTIVES:
- What qualities do the CPD promotional tests select for at each rank, in theory and in practice?
  - According to national best practice research, what qualities are most predictive of performance at each rank?
  - What qualities do command staff look for when making merit-based promotion nominations?
  - What sources of information do command staff rely on to assess candidate quality when making merit-based promotion nominations, and what sources of potential information are they disregarding?
  - How does the promotion and merit selection process incentivize the CPD rank and file to act?
  - How could CPD make the promotion and merit selection processes more transparent?

RATIONALE: Improving the promotion and merit selection process has the potential to drive change in several critical directions at once, including: strengthening officer trust in CPD administration and reform efforts, aligning officer incentives with broad Departmental goals, and cultivating and deploying high potential talent more effectively. The U.S. Department of Justice investigation noted the “lack of transparency” surrounding the process of nominating and qualifying for merit promotions was one of the major complaints of officers. In response to the Public Safety section’s officer survey, officers selected “fairness in the promotion process” as the top management issue in need of improvement. Increasing transparency around CPD’s promotion processes may improve supervision and positively impact officer morale.

PRIORITY RANK: (2)

#### 4. DISTRICT-LEVEL RESPONSE TIMES

- POTENTIAL OBJECTIVES:
- What are the average response time for calls for service, as broken down by:
    - District
    - Watch
    - Beat
    - Issue reported (e.g., mental health crisis, domestic dispute, etc.)?
  - What is the variance for call response time, and what factors impact the variance?
  - What sub-populations of Chicago (by demographic group, by neighborhood, and/or by other special status) are not receiving timely responses to emergency calls for service?
  - What are the process bottlenecks in cases where response times are relatively slow or high variance?

RATIONALE: A call for service is the most frequent type of citizen contact with the public safety system and often the first point of contact. Inequity and disparate impact here are foundational to inequity in provision of public safety overall. In the Public Safety survey, CPD and community members both identified “not enough police on the street” as a significant concern. CPD officers cited it as the top challenge affecting their day-to-day performance. A review of district-level response times will contribute to CPD’s ability to ensure officers are deployed and dispatched in an optimal manner.

PRIORITY (2)  
RANK:

### B. DISCIPLINE AND ACCOUNTABILITY

#### 1. USE OF FORCE REPORTING PRACTICES

- POTENTIAL OBJECTIVES:
- Is CPD collecting and reporting complete and accurate use of force data (to be evaluated through audits of BWC footage of reported use of force incidents, arrests, and incidents triggering citizen complaints)?
  - If not, how is the data inaccurate? And why? If the data is inaccurate, are there District- or Watch-level patterns in inaccurate use of force reporting?
  - Is CPD’s internal response to inaccurate use of force reporting in keeping with national best practices?

RATIONALE: Accountability for use-of-force is a major public concern as demonstrated by ongoing media coverage and OIG’s Public Safety

survey. To evaluate patterns and trends in use of force by CPD officers, the Department must ensure that all reportable uses of force are fully and accurately reported on Tactical Response Reports (TRRs). Evaluating use-of-force reporting standards and practices further allows for the identification of supervisory failures meant to ensure compliance. This review will also demonstrate how process and accountability improvements can be identified by data and technology already available and deployed at CPD.

PRIORITY (1)  
RANK:

## 2. DISCIPLINE PROCESS\*

POTENTIAL OBJECTIVES: This is an ongoing, multi-phase project that will provide:

- A description of the complaint disposition and disciplinary processes;
- A comprehensible visual representation of the disposition and disciplinary processes;
- An analysis of the number of complaints received, the length and timeliness of investigations, disposition by type, the recommended discipline, and the actual discipline served using a combination of the data available through OIG's existing Information Portal Dashboards and data gathered from other city agencies.

RATIONALE: A transparent and credible police disciplinary process is a fundamental component of building trust between police and the public. While aspects of this review are required by the consent decree, "accountability for misconduct" was also cited as the top priority of community respondents to the Public Safety survey.

PRIORITY (1)  
RANK:

### 3. ANALYSIS OF CPD'S ENFORCEMENT OF RULES OF CONDUCT 14, 21, AND 22\*

- POTENTIAL OBJECTIVES:
- Assess frequency and appropriateness with which COPA and BIA include Rule 14 violations in misconduct investigations. Is Rule 14 applied and enforced when appropriate? Are there any trends for sustained and exonerated Rule 14 violations?
  - Assess frequency and appropriateness with which COPA and BIA include violations of Rules 21 and 22 in misconduct investigations. Are these Rules applied and enforced when appropriate? Are there any trends for sustained and exonerated Rule 21 and 22 violations?
  - Are there barriers, perceived or real, to officers complying with Rules 14, 21, and 22?

RATIONALE: Rule 14 prohibits officers from making a false report, while Rules 21 and 22 require CPD members to report violations of Department policy and unlawful conduct. Enforcement of these rules have the potential to directly impact the so-called "Code of Silence." In the past, OIG has contributed to this area through its investigation of CPD's handling of the aftermath of the Laquan McDonald shooting and through the development of an Anonymous Tip Line. OIG's analysis of CPD's enforcement of Rules 14, 21, and 22 are also required by consent decree.

PRIORITY (1)  
RANK:

### 4. COPA ADMINISTRATIVE TERMINATIONS\*

- POTENTIAL OBJECTIVES:
- Under what circumstances is COPA terminating investigations before reaching findings and recommendations?
  - How is COPA using the "Administrative Termination" status, as distinguished from "Administrative Closure," as defined in its policies?
  - Are cases which could or should have been investigated to findings being terminated short of those findings? If so, why?

RATIONALE: The Public Safety section's Inspections Unit case reviews have identified a cohort of cases which COPA "administratively terminated." This closing status is not defined in COPA's internal policies, and it appears to be used to cut off investigations for a wide variety of reasons, including some which appear to call for other resolutions. This practice has important implications for investigative quality and supervisory review. In some cases, it appears that COPA



investigators have completed an investigation and recommended findings, and then are told by a supervisor to terminate the case administratively. In others, it appears that old cases are being administratively terminated rather than investigated for no reason other than their age. In responses to the Public Safety survey, community members who identified a need for improved oversight cited COPA as the agency most important for effective oversight. This review also fulfills OIG's requirements under Paragraph 558(d) of the consent decree.

PRIORITY (1)  
RANK:

## 5. POLICE BOARD HEARING PROCESS IMPROVEMENTS

- POTENTIAL OBJECTIVES:
- Evaluate the rules and practices of Police Board hearings to identify process improvements that could strength officer and public trust in both the hearing process and Police Board decisions.
  - Determine whether Police Board hearings are conducted according to national best practices. Are the rules of evidence appropriate and consistently followed? Are there ways to make the process leading up to the hearing more efficient and timely while still respecting the due process rights of officers?
  - How are hearing officers identified and selected? Does this comport with national best practices?
  - Are Police Board members properly trained and do they have access to appropriate resources when making hearing determinations?
  - Are there patterns or trends in Police Board decisions, either among individual board members or for the board as a whole?

RATIONALE: As the adjudicatory body for the most serious police misconduct cases, it is important that both officers and members of the public understand what happens at a Police Board hearing and have confidence in the integrity of the process. The OIG ordinance requires regular evaluation of Police Board operations.

PRIORITY (2)  
RANK:

## 6. ANALYSIS OF COPA & BIA COMPLAINT-INVOLVED MEDIATION PROCESS\*

POTENTIAL OBJECTIVES:	<ul style="list-style-type: none"> <li>• Assess access to and execution of the mediation program</li> <li>• Assess types of cases mediated and outcomes</li> <li>• Assess participant satisfaction with process and outcome</li> <li>• Assess impact on officer behavior</li> </ul>
RATIONALE:	<p>The consent decree directs COPA and BIA to develop a new mediation policy governing both agencies within 365 days of the effective date. The City shall solicit public input on how mediation should be designed to effectively build trust and foster mutual respect between community members and police. COPA and BIA shall have parallel mediation policies, and the policies must include at minimum: the criteria for incidents eligible for mediation; the goals of mediation (including efficiency, transparency, procedural justice, restorative justice, and strengthening public trust); steps in the mediation process; and communication methods with complainants. The mediation process could be a way to handle certain complaints in a manner that is more satisfactory to both complainants and officers. OIG's analysis of BIA and COPA's mediation process is also required by the consent decree.</p>
PRIORITY RANK:	(3)

## C. CONSTITUTIONAL POLICING

### 1. "WRONG ADDRESS" WARRANT EXECUTIONS

POTENTIAL OBJECTIVES:	<ul style="list-style-type: none"> <li>• How does CPD collect information to support search warrant applications?</li> <li>• Is training and supervision around search warrant applications meeting policy, and is that policy adequate/effective?</li> <li>• Is CPD keeping/tracking data on "wrong raids"?</li> <li>• What internal controls are in place to prevent wrong address raids from happening?</li> </ul>
RATIONALE:	<p>OIG has committed to conducting this evaluation due to the potential for racially disparate impact, the gravity of the civil liberty concerns involved, and overwhelming community interest. Recent media reports indicate a potential lack of controls around CPD's performance and supervision of warrant executions. Specifically, reports have highlighted multiple instances where CPD officers have</p>

executed warrants at the wrong address, with significant impacts on innocent families and children.

PRIORITY (1)  
RANK:

## 2. CPD BACKGROUND CHECKS ON POLICE BOARD SPEAKERS

POTENTIAL OBJECTIVES:

- Reconstruct timeline and evolution of CPD's practice of conducting background checks on speakers before the Police Board.
- When did this practice begin?
- Who ordered or requested it?
- Who conducted the searches?
- Who received the information?
- Where was the information stored and who else had access to it?
- What changes occurred in how it was done, by whom, for what purpose, and what information was accessed?
- Were any actions taken based on this information?

RATIONALE: Recent media reports revealed that CPD has used law enforcement databases to conduct background investigations on public speakers before the Police Board. CPD's initial response indicated that the practice dated back to "at least" 2013. However, subsequent reporting found that the practice may have begun as far back as 2006. The revelation of this practice has the potential to undermine public commitment to civic engagement on police reforms. This evaluation will provide a full accounting of the origins, evolution, and magnitude of this practice, and the measures necessary to restore public confidence. Mayor Lightfoot and Corporation Counsel's office have requested that OIG initiate an investigation into this matter.

PRIORITY (1)  
RANK:

### 3. COMPLIANCE WITH WELCOMING CITY ORDINANCE

POTENTIAL OBJECTIVES:	<ul style="list-style-type: none"> <li>• How does CPD engage with Immigration and Customs Enforcement (ICE)?               <ul style="list-style-type: none"> <li>◦ Is this consistent with the ordinance?</li> </ul> </li> <li>• What immigration consequences, if any, are there for individuals who are undocumented and are arrested by CPD for non-immigration related offenses?</li> </ul>
RATIONALE:	Chicago's Welcoming City Ordinance prohibits police from detaining or arresting an immigrant for ICE. Exceptions to this ordinance include undocumented individuals who are defendants in a criminal case with a felony charge pending, undocumented individuals with an outstanding criminal warrant, or undocumented individuals who are a gang member or have been convicted of a felony. Community members have voiced concern over how CPD interacts with federal immigration enforcement agencies and what information CPD shares with such agencies. This evaluation will assess CPD's compliance with the Welcoming City Ordinance.
PRIORITY RANK:	(2)

### 4. CIVIL ASSET FORFEITURE POLICY & PRACTICE

POTENTIAL OBJECTIVES:	<ul style="list-style-type: none"> <li>• Is CPD's Civil Asset Forfeiture Funds (CAFF) program consistent with relevant laws, CPD policy, and national best practices?</li> <li>• Are the internal controls in place sufficient for effectively and fairly managing CAFF and to protect against "revenue driven policing"?</li> <li>• Is there a disparate impact of the program on minority communities?</li> </ul>
RATIONALE:	Civil asset forfeiture is a legal tool that allows law enforcement officials to seize—and then keep or sell—any property that they allege has been involved in certain criminal activity. The owner of the property does not have to be accused of criminal conduct. This practice has implications for individual due process and property rights. Civil asset forfeiture also has the potential for racially disparate impact and dire consequences for people with lower incomes (i.e. the seizure of a vehicle used to travel to work). Also, CAFF do not appear to be a part of the official budget, raising concerns around oversight of how the funds are used.
PRIORITY RANK:	(3)

## 5. CPS-RELATED ARRESTS

- POTENTIAL OBJECTIVES:
- What percentage of juvenile arrests occur on school grounds?
  - What are the types of charges for these arrests and how are they distributed across race, gender, and geography?
  - Does CPD follow national best practice in terms of:
    - Arrest procedures for school related arrests, particularly on school grounds?
    - Circumstances warranting an arrest on school grounds?

RATIONALE: School-based arrests put students in direct contact with the criminal justice system and can significantly impact a student's future. OIG's audit of CPD's Juvenile Intervention and Support Center (JISC) has demonstrated that approximately 15-23% of juvenile arrests are for incidents that occurred at school. This review will reveal the number, types, and demographic distribution of school-based arrests and evaluate CPD policies and practices around such arrests.

PRIORITY (3)  
RANK: