



PUBLIC SAFETY SECTION ANNUAL REPORT

2017

**CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL**

TABLE OF CONTENTS

I. LETTER FROM THE INSPECTOR GENERAL	1
II. CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL	3
III. PUBLIC SAFETY SECTION	4
Mission	5
Jurisdiction	5
Authorizing Legislation	6
Section Organization	7
The Work of the Section	8
IV. SECTION DEVELOPMENT	9
Staffing	9
Development of Administrative Guidelines	9
Selection of Standards	9
Work Products	10
Training	11
Data Analytics	11
Foundational Projects	12
V. COMMUNITY ENGAGEMENT AND STAKEHOLDER OUTREACH	13
VI. CONCLUSION	14

LETTER FROM THE INSPECTOR GENERAL

During the fall of 2016, in response to the April 2016 findings and recommendations of the Mayor's Police Accountability Task Force, as well as insights from the then-continuing U.S. Department of Justice Civil Rights Division pattern and practice review of the Chicago Police Department (CPD), the City of Chicago enacted the first stage of legislative reforms for police accountability with, among other things, the creation of a dedicated police oversight office within the Office of Inspector General (OIG), the Office of the Deputy Public Safety Inspector General. The law took effect in November 2016, with funding appropriated beginning in FY 2017. During 2017, OIG initiated a national and local effort to seek out and hire highly qualified professionals to staff the new Public Safety Section (the Section). As a result, the Section is staffed by individuals with expertise in a vast array of disciplines and backgrounds. This includes professionals with extensive practical experience in the realms of oversight, policing, civil rights, and community relations. At the end of 2017, the Section's 20 full-time dedicated employees included 14 professionals with graduate degrees, 6 of whom hold PhDs, in disciplines relevant to oversight analysis of police and police accountability systems. In addition, in order to meet the data-intensive needs of the Section, OIG increased staffing of its Center for Information Technology & Analytics (CITA) by 25 percent, with 3 individuals with graduate degrees in data analytics, engineering, and public administration.

OIG has a demonstrated record of performance auditing and investigating government agencies and programs to promote best practices and root out corruption, fraud, waste, and abuse. In recent years, OIG has taken on investigations of misconduct by police and police oversight personnel, sworn and unsworn, patrol and managerial, in matters where the previously existing oversight system had faltered, including investigations into CPD's investigative handling of the Laquan McDonald shooting and its investigations of the death of David Koschman. The Audit and Program Review Section has conducted a host of performance audits of administrative operations of CPD, including an October 2017 audit of CPD's management and controls of its massive officer overtime system. OIG has devoted much of the last year working to develop institutional knowledge and capacities within the Section to ensure that the same objective lens and professional rigor are applied to the oversight of the City's police and police accountability functions.

What follows is a report of our first-year efforts that lay a solid, standards-based foundation for serving the community, CPD, legislators, and other key stakeholders in 2018 and beyond. This annual report will lay out the formative components of the Section, such as its mission, organization, professional standards, and the work that the Section has been charged with accomplishing. This report also lists the extensive training that the staff completed in 2017, as well as its engagement and outreach efforts.

In addition to staffing and training the Public Safety Section, the expansion of staffing in CITA has been accompanied by a greater focus on developing the required information technology infrastructure and data access needed to conduct data analysis specific to CPD and the related police accountability agencies – the Civilian Office of Police Accountability (COPA) and the Police Board. OIG recognizes that reporting out evidence-based findings and analysis with programmatic transparency and user-friendly access to data and data-based information can provide the public, and all key stakeholders, with the information necessary to shift the dialogue from arguments about facts and access to information – the historical norm – to meaningful, well-informed exchanges about collaborative solutions to policing, crime, and social issues present in our communities.

The Section also recognizes public engagement as integral to achieving better policing and police oversight structures. Consequently, we have made it an early priority to engage residents and other stakeholders to inform how we prioritize our first generation of work. This work will continue. Over the next year, we look forward to receiving feedback from the community about the areas of police and police accountability that are important to them and using that feedback to drive our work in a very meaningful way. We are committed to engaging community and stakeholders to make this effort one that brings about change rooted in practicality, efficiency, and transparency. As we work closely with and learn more from CPD, COPA, and the Police Board, we understand and are committed to our duty to provide that information and objective, evidence-based analysis to you.

A critical next step is the selection of a new Deputy Inspector General for Public Safety to lead the Section. Legislation mandates that a national search be conducted by an external group charged with providing the Inspector General with a list of 10 or more qualified candidates. That process will be directly informed by community input in the form of an initial external screening panel comprised of constituent interest leaders and experts in the field.

The legislative creation and foundational work of the Section is a critical beginning, but by no means the end, of a long path of increasing public confidence and trust in CPD, the operational systems, and both internal and external accountability structures and measures that support the Department. These are critical to assuring that the members of the Department are properly trained, supervised, and supported to fulfill CPD's mission and duty to protect and serve the public through effective, constitutional, community-based policing. Healing the well-documented wounds between the community and our public safety apparatus will require meaningful, continuing dialogue. We are 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.

One of the framing objectives of the likely court-overseen monitoring, to which the City will be subjected under the terms of a consent decree, should be the assurance of the City's internal operational and oversight capacities required to meet full public accountability of the challenges of 21st century policing in a complex and diverse municipality. The broader enterprise of civilian oversight of law enforcement developed over the last quarter century has come to regard an independent Inspector General function as critical to achieve that overarching objective. OIG's Public Safety Section devoted 2017 to establishing a solid, standards-based foundation for the provision of comprehensive, publicly accountable, long-term oversight in police-related operations and activities. Changing systemic issues will take significant effort and comprehensive oversight moving forward. We take full responsibility for the leadership required to champion such a daunting task and will work, with your help, until every resident feels the impact of these institutional changes.

Respectfully,



Joseph M. Ferguson
Inspector General
City of Chicago

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 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 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.



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 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 (IPRA). In recent years, OIG has published 13 audits, advisories, and reviews on police and public safety subjects. OIG has also investigated misconduct by police and police oversight personnel, including sworn and unsworn, patrol and managerial, in matters where the previously existing oversight system had faltered. This includes broad scale investigations into CPD's handling of the Laquan McDonald shooting and its investigations of the death of David Koschman.

On October 5, 2016, City Council passed an ordinance creating the Office of the Deputy Inspector General for Public Safety, housed within OIG, to enhance transparency, accountability, and the quality of oversight of public safety operations in Chicago. Principal powers and duties include: reviewing the policies, procedures, and practices of CPD, COPA, and the Police Board; identifying patterns and trends; issuing recommendations to address problems and improve policies, practices, programs and training; and inspecting individual investigations of misconduct.

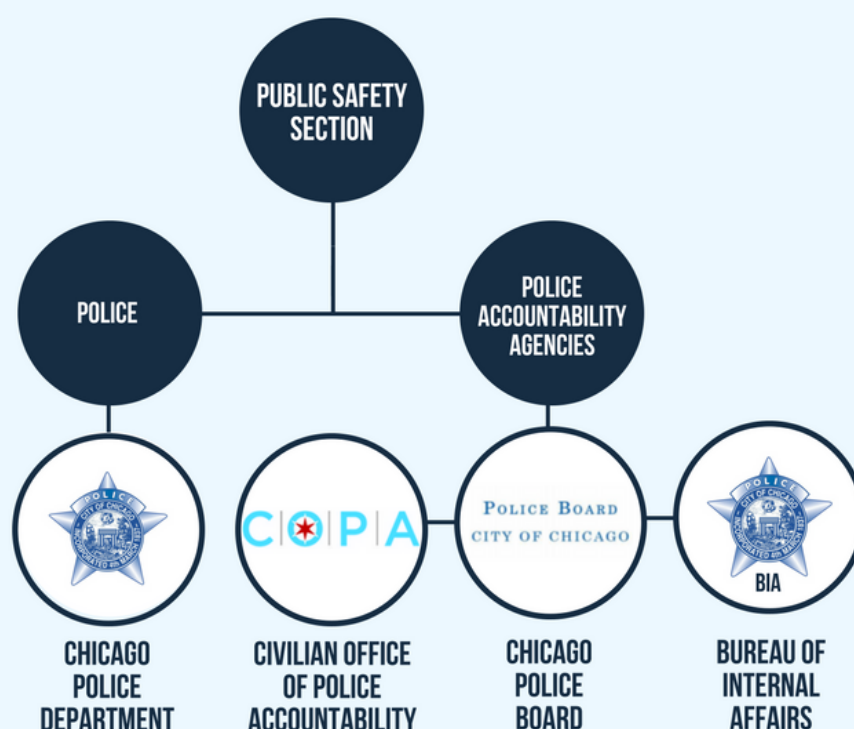
The ordinance also increased OIG's overall annual budget floor to 0.14% of the total funds appropriated by City Council. While the law took effect in November 2016, funding was made available at the start of 2017. Since then, OIG has worked diligently to build out the Section and further define its role in the police accountability space.

MISSION

The Public Safety Section initiates inspections, evaluations, and reviews of CPD, COPA, and the Police Board, with the goal of enhancing the effectiveness of these agencies; increasing public safety; promoting constitutional policing practices that safeguard individual civil liberties and civil rights; and ensuring the accountability of the police force, thus building stronger police-community relations.

JURISDICTION

The Public Safety Section has jurisdiction and oversight of CPD, COPA, and the Police Board. The Section's jurisdiction allows it to review and evaluate the processes, functions, and operations of police and police accountability agencies in the City of Chicago. The Section examines systemic issues whereas COPA, the Bureau of Internal Affairs (BIA), and the Police Board review individual cases. Since the Public Safety Section's jurisdiction covers the entire policing and oversight system, the Section may review BIA and COPA's investigations or closed cases.



AUTHORIZING LEGISLATION

The Section's powers and duties are established, in part, in the City of Chicago Municipal Code § 2-56-230, and include the authority:

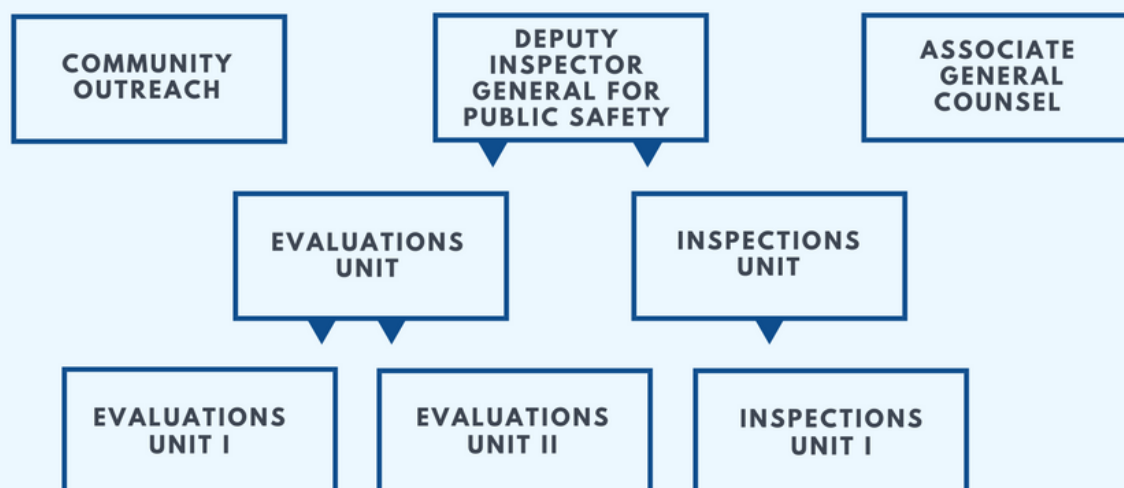
- (a) To conduct periodic analysis and evaluation of the results of all closed disciplinary investigations conducted by [COPA] and the Police Department to identify trends and summarize the number and results of such investigations, and to issue an annual report concerning such analysis and evaluation, and the performance of the police disciplinary system more generally;
- (b) To conduct reviews and audits of particular policies, procedures or practices of the Police Department, [COPA], and the Police Board with respect to police disciplinary investigations and hearings, and to make findings and recommendations based on those findings to inform and improve future investigations and hearings;
- (c) To review and audit individual closed [COPA] and Police Department disciplinary investigations, and to make findings and recommendations based on those findings: (i) to inform and improve future investigations and ensure that they are complete, thorough, objective, and fair; and (ii) if it finds a deficiency that it concludes materially affected the outcome of the investigation, recommend that the investigation be reopened;
- (d) To review and audit the Police Department's policies, practices, programs and training (i) with respect to constitutional policing, discipline and use of force, or (ii) that affect the Police Department's integrity, transparency, and relationship with City residents; and to make recommendations to the Superintendent and the Chairman of the City Council Committee on Public Safety to address problems or deficiencies or make improvements in such policies, practices, programs and training;
- (e) To review, audit and analyze civil judgments and settlements of claims against members of the Police Department, and to issue recommendations based on its findings to inform and improve or correct deficiencies in the conduct or operation of the Police Department;
- (f) To review and audit all sustained findings, disciplinary recommendations, and decisions made by the Police Department, [COPA], and the Police Board, and any subsequent arbitration decisions, for the purpose of assessing trends and determining whether discipline is consistently and fairly applied, and determining whether final disciplinary decisions are being carried out;
- (g) To address community groups and inform the public on the mission, policies and ongoing operations of the Public Safety Deputy;
- (h) Subject to applicable law, to have full access to all information in the possession or control of the Police Department, [COPA], the Police Board, and any other City department or agency in order to conduct any review or audit within the Public Safety Deputy's jurisdiction; and
- (i) To set minimum qualifications and appropriate screening procedures for all persons to be considered for employment by the Office of the Deputy Inspector General for Public Safety, and to set appropriate staffing levels to carry out the powers and duties set forth herein.

The Public Safety Deputy shall have the authority to make recommendations, based on its reviews and audits, to the Police Department, the Police Board and [COPA] with respect to changes in policies, procedures, practices, operations, directives, training and equipment to address any deficiencies or problems or implement any improvements identified by its reviews and audits. The Public Safety Deputy is also authorized to make recommendations to other City departments and agencies that it determines are necessary or helpful to effect its recommendations as to the Police Department, the Police Board, and [COPA].



SECTION ORGANIZATION

The Public Safety Section is comprised of two units, the Evaluations Unit and the Inspections Unit, that focus exclusively on the agencies within the mandated purview per City of Chicago Municipal Code § 2-56-230.



THE WORK OF THE SECTION

Shared Duties Amongst the Units

- Conduct periodic analysis and evaluation of the results of all closed disciplinary investigations conducted by BIA and COPA, to identify trends and summarize the results of such investigations, and to issue an annual report detailing any such analysis and evaluation, and the performance of the police disciplinary system more generally.
- Address community groups and inform the public on the mission, policies, and ongoing operations of the Section.
- Review, evaluate, and analyze civil judgments and settlements of claims against members of CPD, and issue recommendations based on findings to inform and improve or correct deficiencies in the conduct or operation of CPD.
- Report to the ultimate jurisdictional authority concerning results of evaluations, inspections, and program reviews undertaken by the Office of Inspector General.

Evaluations Unit Duties

- Conduct reviews and evaluations of particular policies, procedures, or practices of CPD, COPA, and the Police Board with respect to police disciplinary investigations and hearings, and make findings and recommendations to inform and improve future investigations and hearings.
- Review and evaluate CPD's policies, practices, programs, and training (i) with respect to constitutional policing, discipline, and use of force, or (ii) which affect CPD's integrity, transparency, and relationship with City residents.
- Make recommendations to the Superintendent and the Chairman of the City Council Committee on Public Safety to address problems or deficiencies or make improvements to policies, practices, programs, and training.

Inspections Unit Duties

- Inspect individual closed COPA and CPD disciplinary investigations, and make findings and recommendations based on those findings: (i) to inform and improve future investigations and ensure that they are complete, thorough, objective, and fair; and (ii) recommend that an investigation be reopened if it finds a deficiency that it concludes materially affected the outcome of the investigation.
- Review all sustained findings, disciplinary recommendations, and decisions made by CPD, COPA, and the Police Board, and any subsequent arbitration decisions, for the purpose of assessing patterns and trends in complaints, investigations, disciplinary recommendations and outcomes; and determine whether discipline is consistently and fairly applied and whether final disciplinary decisions are being carried out.

SECTION DEVELOPMENT

STAFFING

After job descriptions were created and approved by the City of Chicago Department of Human Resources, per the Office of Inspector General Hiring Procedures¹, the path to filling each of the 20 positions consisted of four phases: (1) posting the position for a minimum of 14 consecutive days, (2) screening applications, (3) interviewing all qualified candidates, and (4) holding a Hiring Committee Meeting to make recommendations. By September 30, 2017, 95% of the positions in the Public Safety Section were filled.

DEVELOPMENT OF ADMINISTRATIVE GUIDELINES

The Section developed a Policies and Procedures Manual, as well as Rules and Regulations², to lay the operational foundation upon which the Section would execute its duties. The Policies and Procedures Manual helps guide the Section programmatically and functions to: (1) ensure consistency and compliance; (2) achieve efficiency and uniformity of performance; and (3) accomplish quality control and assurance in the day-to-day operations of the Section. The Rules and Regulations govern how the Section will carry out the ordinance operationally.

SELECTION OF STANDARDS

Under its administrative guidelines, the Section conducts its work in accordance with the “Quality Standards for Inspections, Evaluations and Reviews” as set forth in the Association of Inspectors General Green Book. Defined below, the Section’s work products will be completed in accordance with the Green Book’s Ethical Principles – i.e., the public interest; integrity; objectivity; proper use of government information, resources, and positions; and professional behavior.

¹ On February 7, 2006, the federal judge in the case of Shakman v. City of Chicago signed a court order authorizing the Office of Inspector General to follow hiring procedures that make the Office independent from the rest of City government. On June 29, 2011, the Court approved the 2011 City of Chicago Hiring Plan, which was amended in 2014. The “Office of Inspector General Hiring Procedures” apply only to OIG. The Hiring Procedures are intended to provide OIG with a method of hiring employees that maximizes the independence of the Office and helps to ensure that its employees are nonpartisan and free from conflicts of interest.

² The City of Chicago OIG posted a draft of its Amended Rules for the entire office for public notice and comment on January 8, 2018. The amended rules were posted until February 20th. OIG reviewed and considered all comments in the finalization of its rules, posted on March 12, 2018.

WORK PRODUCTS

The Section produces formal, public-facing reports which include, but are not limited to:



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; and



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 publicly issues an Annual Report which summarizes inspections, evaluations, and reviews concluded during or continuing from the prior calendar year that includes analysis of patterns and trends and reporting on recommendations adopted by departments.



TRAINING

In the fall of 2017, members of the Public Safety Section completed over 134 hours of training in a number of courses including, but not limited to:

AUDITING

- Auditing Police Performance
- Compliance Auditing
- Effective Communication of Results for Auditors
- Elements of a Finding
- Introduction to Law Enforcement Auditing
- Law Enforcement Audits for Government Auditors
- Qualitative Data Analysis
- Performance Auditing
- Planning and Performing an Audit
- Program Evaluation

INVESTIGATIVE TECHNIQUES

- Deposition Training
- Internal Affairs Investigation Training
- Interviewing Skills and Techniques
- Understanding Implicit Bias

POLICING AND POLICE ACCOUNTABILITY

- Culture and Ethnography in Policing and Police Accountability Systems
- Introduction to the Chicago Police Department
- Introduction to the City of Chicago Government
- Multicultural Issues in Law Enforcement
- The Importance of Property and Evidence Management
- Use-of-Force Training

DATA ANALYTICS

In February 2017, OIG's Center for Information Technology & Analytics (CITA) expanded in funding, staffing, and technical infrastructure investment as a critical part of rendering the Public Safety Section fully operational and inhabiting its mission. Additional data analysts were hired – increasing CITA's staffing from 9 technologists and data analysts to 12 – and additional software and programming was acquired to support the work and capabilities of these highly trained professionals. 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 the known 133 CPD databases and 132 CPD applications. By June 2016, CITA had acquired access to 38 CPD databases and 27 CPD applications. With the addition of the Public Safety Section, CITA is now in the process of acquiring an additional 42 CPD databases and 51 CPD applications relevant to the work of the Section.

FOUNDATIONAL PROJECTS

In order to situate itself in the local, national, and in some instances international context, the Section dedicated time to exploring the following areas of foundational research:

- Researching and documenting the national police accountability and oversight landscape. This included the history of all oversight organizations, their mission statements, examples of work, standards used, organizational structure, points of contact, and critiques from external stakeholders (e.g., media and community groups/individuals).
- Researching and documenting the organizations, individuals, agencies, research firms, community groups, and other entities in the City of Chicago (e.g., the Fraternal Order of Police) that focus on police accountability and police reform in Chicago.
- Researching and compiling a list of all of the recommendations that have been provided to CPD and the larger police accountability system, and classifying whether the recommendations focus on: training, personnel, systems, technology, or other topics. These recommendations were drawn from the Police Accountability Task Force (PATF) Report, the Department of Justice (DOJ) Civil Rights Findings Letter, the Grassroots Alliance for Police Accountability (GAPA) Community Report, and other relevant sources.

Each of these foundational projects has proven invaluable as the Section begins work on its first products. The Section continues to update this information and add to it, ensuring that it stays well-informed of changes, trends, patterns, and key decisions.

COMMUNITY ENGAGEMENT AND STAKEHOLDER OUTREACH

The Public Safety Section staff, the Director of Communications, and the Community Coordinator have met with each entity the Section has jurisdiction over, including the heads of CPD, COPA, and the Police Board. They have also met with various public safety stakeholders including police unions, City Council, community groups, faith-based community organizations, and nonprofits. Engagement efforts have also focused on working closely with CPD through the following:

Academy Classes

Leadership from the 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.

CPD Hotline

The most important element in identifying necessary reforms and improvements in CPD is the participation of its employees. In recognition of this, OIG created the CPD Member Hotline website so that both sworn and civilian members can send information directly to OIG, which was also a recommendation of the Police Accountability Task Force. The website gives CPD personnel the opportunity to anonymously submit suggestions for improvement or file a complaint without fear of retaliation or censure. In addition to being able to examine systemic issues, trends, and patterns for areas of improvement and suspected misconduct, the website allows the Section to learn more about CPD experiences and concerns, while being in a position to bring some of those issues to light.



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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