

	<b>POLICY</b>
	<b>Unit:</b> Agency-Wide
<b>Number:</b>	<b>Title:</b> CLEAR and COLUMN CMS Systems
<b>Effective Date:</b> 7/30/21	<b>Supersedes:</b> 3.1.6 (8/19/19)

## CLEAR and COLUMN CMS Systems

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### PUBLIC POLICY STATEMENT

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Effective policies ensure compliance with the law, promote the use of best practices, foster integrity and independence in the performance of COPA activities, and provide transparency regarding the procedures and standards for the conduct of those activities.

COPA implements and utilizes investigative case management systems that ensure robust and accurate collection of investigative information, as well as offer capabilities to enhance public transparency regarding COPA's investigative activities.

Through access to COPA and Chicago Police Department databases, such as the investigative case management systems, COPA personnel are permitted access to files, reports, and other confidential, privileged, or personal information in connection with an official and duly authorized matter that is relevant to the performance of an employee's assigned tasks.

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### PURPOSE

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This policy is intended to define capacities and proper use by COPA employees of the CLEAR and COLUMN electronic investigative case management systems.

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### DEFINITIONS

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Term	Meaning
CLEAR	The Citizens and Law Enforcement Analysis and Reporting system developed and managed by the Chicago Police Department.
COLUMN CMS	The web-based investigative Case Management System (CMS) developed, managed and maintained by appropriate personnel from the City, the Department, and COPA.
Confidential Employee	Any contract employee, intern or consultant that is subject to a written confidentiality agreement with COPA or the City of Chicago.

Early Intervention System (EIS)	Also known as the Officer Support System (OSS), a system implemented by the Department with the goal of assisting supervisors, through computer-driven data models, to proactively identify sworn members who might benefit from one or more of the various available non-disciplinary Department support programs.
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## **POLICIES**

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### **I. COPA CASE MANAGEMENT SYSTEMS**

- A. COPA's administrative investigative files are preserved within CLEAR and COLUMN CMS.
- B. COPA will maintain CMS as COPA's repository for newly initiated administrative investigative files, with the following capacities:
  1. maintain accurate and reliable data regarding the number, nature, and status of all complaints and administrative notifications, from the intake to final disposition;<sup>1</sup>
  2. identify the status of administrative investigations;
  3. identify caseloads for investigators; and
  4. maintain all documents and investigative materials – including audio and video – in digital format, accessible via CMS.
- C. COPA employees will have access to CLEAR and CMS to undertake their relevant duties.
  1. User credentials are issued to employees by the Director of Information Systems based on job title and agency need. In advance of issuance, the Director of Information Systems will confer with the Chief of Investigative Operations to align access rights with groupings of COPA job titles and agency needs.
  2. CLEAR and CMS are equipped with audit capabilities reflecting user access history and audit trails reflecting data changes within the systems.
- D. Improper use and/or misuse of CLEAR or CMS by a COPA employee, or any individual acting on behalf of a COPA employee, is strictly prohibited and may be the subject of a misconduct investigation that may result in disciplinary action, up to and including discharge. Improper use and/or misuse include, but are not limited to:
  1. sharing log-on credentials or failing to update or request changed log-on credentials when they are known to be compromised;
  2. knowingly entering false data (unless in a CLEAR or CMS testing or training module) or altering or deleting data for the purpose of concealing misconduct or disrupting COPA or Department operations;

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<sup>1</sup> CMS will continue to track the status of all complaints and administrative notifications post-closure of an investigation at COPA through final disposition (i.e., record in CMS whether the closed investigation is the subject of any grievance process, arbitration, Police Board proceeding, or appeal relating to the final disciplinary decision).

3. accessing or copying CLEAR or CMS information for personal, non-business-related reasons; and
  4. sharing CLEAR or CMS information with any individual for personal, non-business-related reasons.
- E. COPA will electronically retain administrative investigative files in CMS, as well as disciplinary records and histories, to the extent they are obtained during a COPA administrative investigation, indefinitely for purposes of:
1. historical trend analysis;
  2. non-disciplinary Early Intervention System (EIS), to the extent applicable to a COPA administrative investigation; and
  3. public transparency.
- F. For each complaint COPA receives, COPA will utilize CMS to assign a unique tracking number, separately track, and have capacity to conduct searches and generate reports to identify and analyze trends on, at a minimum, the following:
1. allegations of discriminatory policing based on an individual's membership or perceived membership in an identifiable group, based upon, but not limited to, race, physical or mental disability, gender, gender identity, sexual orientation, religion, and age;
  2. allegations of unlawful stop, search, citation, or arrest practices;
  3. allegations of excessive force;
  4. allegations of misconduct arising during an interaction with individuals in crisis;
  5. allegations of retaliation against non-Department members;
  6. allegations of conduct alleged to have occurred in retaliation for engaging in First Amendment protected activities, such as lawful demonstrations, protected speech, observing or filming police activity, or criticizing an officer or the officer's conduct;
  7. allegations of officer-involved gender-based violence, domestic violence, or sexual misconduct;
  8. allegations of Department member substance and/or alcohol abuse; and
  9. the self-reported demographic information of complainants, including race, ethnicity/national origin, physical, mental, or intellectual disability, gender, gender identity, sexual orientation, religion, and age.

- G. For each non-confidential complaint COPA receives and assigns a unique tracking number in CMS, COPA will utilize CMS to produce online, publicly accessible information reflecting the status of the complaint from the intake process through final disposition.<sup>2</sup>

## **II. COPA EMPLOYEE USAGE OF CASE MANAGEMENT SYSTEMS**

- A. The Department and COPA impose strict requirements on all users of the CLEAR and CMS systems, to include the following:

1. That CLEAR and CMS be used exclusively and strictly for business purposes (i.e., access to information within CLEAR and CMS is permitted only in connection with an official duly authorized matter that is relevant to the performance of an employee's assigned tasks).

- a. Business purposes include, but are not limited to, the following:

- i. activity meant to further the investigative work of COPA;
    - ii. accessing necessary Department records related to a COPA investigation;
    - iii. accessing a Department member's contact information in order to notify the member of a scheduled interview or to research a Department member's disciplinary background;
    - iv. maintaining and updating COPA's administrative investigative files;
    - v. activity meant to further policy, research, and analysis work of COPA;
    - vi. activity meant to further quality assurance review processes and efforts to identify opportunities to strengthen investigative steps and improve agency operations and performance;
    - vii. to comply with a subpoena, Freedom of Information Act (FOIA) request or information request served on COPA;
    - viii. to further COPA transparency efforts and comply with City-mandated video and material release policies; and
    - ix. to obtain and supply information necessary for COPA operations such as complaint volume or investigation caseloads.

- b. Business purposes do not include accessing information for personal purposes.

2. That CLEAR and CMS be used only by full-time employees of COPA or other Confidential Employees of COPA.

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<sup>2</sup> COPA will make the publicly accessible complaint status information available through its website and will ensure that information is routinely refreshed to reflect current statuses.

3. That each employee create an individualized password for access into CLEAR and CMS.
- B. All information accessed in CLEAR and CMS is subject to applicable laws and COPA, Department, and/or City of Chicago policies regarding confidentiality and information security, including but not limited to:
1. the City of Chicago Information Security and Technology Policies;
  2. the City of Chicago Governmental Ethics Ordinance (Chapter 2-156 of the Municipal Code of Chicago);
  3. COPA Policy (Confidentiality and Non-Disclosure);
  4. COPA Policy (Conflicts of Interest and Recusal);
  5. the City of Chicago's Personnel Rules;
  6. all COPA or Departmental system use agreements; and
  7. all system-required conflicts attestations completed upon assignment of investigations.

### III. USER COMPLIANCE

- A. At the direction of the Chief Administrator, COPA's Information Services Section may conduct regular audits of COPA employee access and activity in CLEAR and CMS for purposes of identifying activity that may be non-compliant with the above listed directives.

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#### EXCEPTIONS

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N/A

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#### RELATED INFORMATION

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<u>Title</u>	<u>Link</u>
Confidentiality and Non-Disclosure	<a href="#">COPA Policy</a>
Conflicts of Interest and Recusal	<a href="#">COPA Policy</a>
Fact Gathering & Investigative Process	<a href="#">COPA Policy</a>
Intake	<a href="#">COPA Policy</a>
Employee Agreement Regarding Use of CLEAR and Column CMS	<a href="#">COPA Form</a>
Information Security and Technology Policies (ISTP)	<a href="#">City of Chicago Policies</a>
Personnel Rules	<a href="#">City of Chicago Policies</a>

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**ADDITIONAL SEARCH OPTIONS**

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