



Independent Police Review Authority

ANNUAL REPORT 2008 - 2009

Richard M. Daley
Mayor
City of Chicago



Ilana B.R. Rosenzweig
Chief Administrator
Independent Police Review Authority

INDEPENDENT POLICE REVIEW AUTHORITY

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MESSAGE FROM THE CHIEF ADMINISTRATOR

Two years ago the Independent Police Review Authority (IPRA) was created by Mayor Richard M. Daley and approved by the City Council as an independent agency of the City of Chicago, separate from the Chicago Police Department (CPD). IPRA's mission is to conduct fair, thorough, and timely investigations into allegations against CPD members of excessive force, domestic violence, coercion through a threat of violence, and bias-based verbal abuse. IPRA also investigates discharges of firearms and Tasers, and extraordinary occurrences in CPD custody, even when there is no allegation of misconduct. By establishing a city agency with the autonomy to investigate effectively allegations of misconduct without interference from any party, the City of Chicago has demonstrated its commitment to a trustworthy process.

To restore and maintain trust in the disciplinary process, IPRA's primary focus is the integrity of its investigations and the transparency of its process. In 2008-2009, IPRA continued to work towards these goals. IPRA continued to develop a professionally trained investigative staff, to improve investigative procedures, to increase communication with Chicago's communities, and to recommend changes to CPD policy and training that focus on the safety of CPD members and Chicago residents. This second Annual Report details those efforts.

IPRA Investigations

The integrity of our investigations informs IPRA's daily decisions: from what should be done immediately after a complaint is taken, to complainant, witness, and CPD member interviews, to the collection and testing of physical evidence. IPRA strives never to compromise the principles of a fair, thorough, and timely investigation.

IPRA's second year, 2008-2009, had two major themes. During the first six months (the fourth quarter of 2008 and first quarter of 2009), IPRA consistently increased the number of investigations it completed; despite a year-to-year 12.7% increase in the number of investigations initiated, IPRA was able to close as many or more investigations than were initiated during this period. IPRA completed nearly 63% of its investigations within 6 months of opening them – an increase from when IPRA was created and completed approximately 57% of its investiga-

tions within the first 6 months. Because IPRA was also able to close more investigations than it opened, it decreased its overall caseload. IPRA finished the process of hiring new investigators, leaving only one remaining vacancy. IPRA also realized the fruits of the hiring and training of these investigators, who became valuable contributors to IPRA.

During the second half of the year (the second and third quarters of 2009), the number of allegations of misconduct IPRA received increased and IPRA experienced an 18.6% year-to-year increase in the number of new investigations it opened. With a significantly larger number of investigations being initiated, IPRA resources were diverted to the beginning stages of the investigative process and, as a result, IPRA was able to close fewer investigations. The combined impact – increasing numbers of new investigations and decreasing numbers of investigations completed – led to an increase in the pending caseload of open investigations. Nonetheless, IPRA still managed to close 60% or more of its investigations within six months. (*See By the Numbers*).

Investigative Personnel

Hiring. In its first year, 2007-2008, IPRA began the process of fully staffing an agency that started with 30% of its investigator positions, including supervising investigators, vacant. In 2008-2009, IPRA filled all but one of its investigative vacancies. During the past year, all new investigative personnel completed extensive training and are now making valuable contributions to IPRA. This has allowed IPRA to decrease its use of outside investigative personnel, while increasing its investigative output – investigations completed each month – and increasing the quality of those investigations. At the same time, because of the sustained increase in investigations opened each month, IPRA continues to evaluate its staffing needs, and is working with the City to convert existing administrative positions in order to hire additional investigators and continue focusing on completing thorough, timely investigations.

Training. IPRA continued to build upon its program for training investigative staff, including standard training for new investigators and recurrent training for all investigators and supervising investigators. IPRA holds regular in-house training. In addition, IPRA personnel returned to the Illinois State Police Forensic Science Center and to the Chicago Police Department Training Academy for training. IPRA also received a grant to allow a number of its supervisors to attend training at the annual conference of the National Association for Civilian Oversight of Law Enforcement.

Improvements to Investigative Procedures

IPRA adopted new procedures to increase the quality of investigations and the efficiency of investigators. Some of the highlights include:

Audio recording of interviews. IPRA's pilot program to audio record interviews with members of the public, which began last year, became permanent this year. IPRA investigators record all interviews with members of the public, unless the interviewee declines to consent to recording. This has increased the accuracy of investigators' interviews and has decreased the amount of investigator time needed for each interview.

Shooting investigations. The creation of the Force Analysis Panel, discussed below, caused

IPRA to expand the scope of its investigations into officer-involved shootings to include the events occurring immediately before and after the decision to use deadly force – in addition to the use of deadly force itself.

In-Car Cameras and GPS. IPRA has used information recorded in GPS units and in-car cameras mounted on CPD vehicles to prove – and disprove – alleged misconduct.

False Statements to IPRA – Affidavits and Rule 14. To protect the integrity of its investigative process, IPRA adopted procedures to address situations where a member of the public or a CPD member knowingly provides false information to IPRA. If upon review by IPRA's Legal Unit, there is sufficient evidence to prove a member of the public signed an affidavit in support of a knowingly false statement to IPRA, IPRA refers the matter to the City of Chicago Law Department for appropriate legal action. Similarly, if a CPD member is proven to have knowingly provided false information to IPRA, IPRA recommends appropriate discipline, including termination of employment.

Protection of Complainants. To protect further the integrity of its process, IPRA will recommend separation from CPD employment for any CPD member proven to have retaliated against an individual for reporting an allegation of misconduct to IPRA.

Investigations Involving Juveniles – New Legislation. IPRA worked with the City of Chicago, Senator Kwame Raoul, and Representative William D. Burns to enact SB104 through the Illinois legislature, to ensure IPRA investigators have access to juvenile arrest records maintained by CPD and that are needed in order to thoroughly investigate allegations of misconduct in which juveniles are the alleged victims or witnesses.

Recommendations

The ordinance that created IPRA granted IPRA the ability to recommend to the Superintendent, the Police Board, and the Chairman of the City Council Committee on Police and Fire revisions in CPD policy and operating procedures to increase the efficiency of CPD. Pursuant to this authority, IPRA made several recommendations to CPD this past year, including:

Force Analysis Panel (FAP). Previewed in last year's report, IPRA worked with CPD this year to implement CPD's FAP – a non-disciplinary internal panel at CPD that reviews officer-involved shootings to identify systemic issues such as training, tactics, and equipment in an effort to improve CPD performance and the safety of CPD officers and the public. The FAP provides an essential forum for a systemic review of an incident and a formal process for IPRA to inform CPD of the information learned in IPRA's investigation, so that CPD can act upon that information.

Tactical Training. This past year, based on information IPRA gathered in its investigations, IPRA identified a number of areas in which IPRA recommended that CPD members receive additional training, including high-risk traffic stops, barricaded or suicidal suspects, foot pursuits, and hands-on use of force techniques.

Secondary Employment. Based on a review of the flow of information about secondary employment to IPRA and CPD, IPRA recommended that CPD adopt procedures to ensure it receives appropriate information from CPD members who are accused of misconduct in the course of their secondary employment.

Conflicts of Interest. Based on specific incidents it investigated, IPRA recommended to CPD that, where there is no need for immediate police action to protect life or property and where a CPD member has a personal interest that creates a conflict (or the appearance of a conflict), CPD adopt policies to prevent that member from direct involvement in any police action.

Transparency

Increased Public Reporting – IPRA Website. This past year, IPRA continued its efforts to expand the publicly available information about IPRA's activities, while respecting the legal rights of all parties. IPRA initiated posting on its website detailed reports for each shooting investigation it closes.

Outreach to the Public and CPD. In 2008-2009, IPRA continued to meet regularly with community groups, CPD members, faith-based institutions, elected officials, and others interested in IPRA's mission, including hosting its first two community-wide meetings.

Stakeholder Forum. IPRA began a series of panel discussions between IPRA staff and the stakeholders in the IPRA process – both from the public and from the police – designed to promote candid discussion between IPRA personnel and those with an interest in IPRA's performance.

Analysis of Complaints Received

As mentioned earlier, since our first Annual Report, IPRA has seen a consistent increase in allegations and investigations of excessive force against CPD members. This year IPRA began a formal analysis of these allegations of misconduct in order to understand better what causes allegations of misconduct to be reported to IPRA and to identify any trends in those allegations. Ultimately, IPRA hopes this analysis will provide information IPRA can use to better allocate its investigative and community outreach resources where they can be most effective. In addition, trends in allegations of misconduct may highlight areas where IPRA can effectively recommend changes to CPD policies and training.

The formal analysis included a statistical breakdown of who makes complaints, which officers receive complaints, and the ratio of complaints received to arrests made. In addition to this formal analysis, IPRA now assigns investigations to teams based on the district of occurrence, which facilitates an ad hoc review of trends in specific districts. While these two analyses that IPRA undertook this past year are merely the first steps towards gaining an increased understanding of the available data, they have already provided a strong foundation for continued analysis along the same path. IPRA is actively working to identify partners who can assist in continuing this analysis to gain more insight into the trends that exist among the allegations IPRA receives.

2009-2010 – The Year Ahead

Last year we made a commitment to continue to focus on the integrity of our investigations, build upon specialized training for investigators, improve the quality of shooting investigations, increase the productivity and efficiency of investigators, and, finally, explore new ways

to be more transparent in our reporting. This year we have brought you our updated progress on those goals.

IPRA is committed to staying at the forefront of national efforts for effective review of law enforcement conduct. To that end, we will continue to evaluate what we do, how we do it, the impact we are having, and how we can improve.

In the coming year we will focus on increasing transparency. IPRA will continue our regular community meetings. We have found the public very responsive to our requests for input and want to build upon their commitment to our process. We will strive to meet our goal of providing public information on our website about every investigation we close.

IPRA will also need to face the challenge of addressing the increasing volume of new investigations and growing caseload caused by the increase in new allegations of misconduct registered with IPRA. IPRA will continue to strive to increase efficiencies and decrease the amount of time to investigate each complaint, while not diminishing the quality of investigations. We will continue to focus on the professional development of our personnel through rigorous and constant training to improve skills. Finally, IPRA will promote consistency in our investigative process.

With our Second Annual Report, we are pleased to have yet another opportunity to provide a detailed account of our process to Chicago residents. I thank Mayor Richard M. Daley, and the entire Mayor's Office, the City Council, our sister City agencies and departments, the residents of Chicago, community-based organizations, faith-based institutions, the Chicago Police Department, and, most importantly, the staff at IPRA for your hard work and commitment to our mission.

We look forward to our ongoing dialogue on the important issues we face each day, as it helps our agency continually to improve.

Ilana B.R. Rosenzweig

October 2009

I. Integrity of Investigations

Investigative Training

Improvements to Investigative Procedures

INTEGRITY OF INVESTIGATIONS

IPRA's focus on the quality and integrity of its investigations results in continuous efforts to improve. Through professional development training, modifications to procedures, and adopting new investigative techniques and strategies, IPRA is constantly striving to produce better investigations. Despite the difficulties of greater numbers of new investigations and the resulting increased caseloads, IPRA remains committed to the quality and integrity of its investigations.

Investigative Training

One way IPRA ensures that the quality of its investigations is ever improving is through a program of recurrent professional training for its entire staff. IPRA provided training in a variety of areas during its second year. IPRA also continuously evaluates its training needs. Supervisors seek input from personnel regarding subjects that they would find helpful in enhancing the quality of their investigations. In addition, reviews of investigations identify other areas that deserve attention through training. IPRA has made training a priority, and through it will raise the bar for the performance of its personnel. Through a combination of in-house and outside training, IPRA is committed to providing personnel at least one hour of training each month on a topic of importance to the agency's mission.

IPRA In-House Training

During the past year, IPRA's in-house training has covered a wide spectrum of topics, including:

- Drafting allegations of misconduct
- Information technology
- Preparing an investigative plan

- Witness and accused interviewing
- Audio-recorded statements and digital technology
- Officer-involved shooting investigations

To increase the thoughtfulness and thoroughness of IPRA investigations, IPRA personnel received training on preparing an investigative plan. This training focused on identifying the evidence that will be relevant to a given allegation of misconduct and creating a plan for gathering that evidence. If done carefully, a proper investigative plan can ensure a thorough investigation.

Interviewing skills are also key to IPRA investigations and many IPRA investigators have years of experience conducting interviews. Yet even the most experienced interviewer can improve. Therefore, interview skills must constantly be honed. This year IPRA began that process – volunteer attorneys presented training regarding interviewing witnesses and accused officers. IPRA intends to build on this program to offer recurrent scenario-based training for its investigators in interview techniques.

IPRA also continued to focus on improving the quality of its investigations of officer-involved shootings. Therefore, in conjunction with the implementation of CPD's Force Analysis Panel (discussed in detail below), IPRA provided office-wide training regarding shooting investigations. The training focused on increasing the breadth and depth of IPRA's investigations to be able to provide the information necessary for a holistic analysis of the entire event – not merely a conclusion about whether the single decision by an officer to use deadly force was within policy. In addition, members of IPRA's Major Incident Response Team (the first responders for all officer-involved shootings) received specialized training to address general topics as well as specific recurrent issues relevant to the initiation of their investigation at the scene of a shooting just moments after it has occurred.

Technology often plays a crucial role in IPRA investigations. Therefore, in-house training included ways to leverage our technology to perform our investigations more efficiently. For instance, personnel received instruction on audio recording interviews (discussed in detail below). In addition, those IPRA investigators who most frequently are required to retrieve recorded media in the field have received instruction and hands-on training on how to retrieve those recordings. In the next year, IPRA will be expanding on that training.

Illinois State Police Forensic Science Center

Because forensic sciences are implicated in many IPRA investigations and because knowledge in this area needs to be continually reinforced, this year IPRA investigative personnel again attended training at the Illinois State Police Forensic Science Center. This training was designed to refresh and reinforce last year's extensive training on gathering and testing forensic evidence. It addressed a wide variety of relevant topics, including biological/DNA evidence, latent fingerprints, firearms, trace evidence, preservation of fire debris evidence, gunshot residue testing, and evidence packaging guidelines.

CPD Training Academy

All IPRA Investigators and Supervising Investigators were required this year to attend a one-day training session at the CPD Training Academy. IPRA investigations enforce the standards

set forth in CPD policy. Therefore, it is imperative that IPRA personnel receive regular training on that policy. Each year IPRA investigators return to the CPD Academy to receive refresher training on key CPD policies and new training on discrete subjects that have arisen in the investigations over the preceding year.

Because of the definition of IPRA's jurisdiction in the Ordinance, nearly 70% of IPRA's investigations include allegations of excessive force. Therefore, this year IPRA investigators received a refresher course on the relevant CPD policies governing the use of force. In addition, the training this year addressed other areas of CPD policy implicated in IPRA investigations. For instance, field and case reporting requirements were reviewed so that investigators would be aware of what reports can and should exist for a given incident. Similarly, IPRA investigators received training on CPD's procedural requirements for execution of search warrants, consent searches, and use of informants. An overview of the department's in-car computers (PDTs) and in-car camera systems reviewed previous training and provided an opportunity for investigators to obtain answers to questions about those systems and the information investigators can expect to obtain from them. Finally, because of a recent series of allegations of misconduct relevant to DUI arrests, IPRA investigators received training on DUI law, as well as CPD procedures for DUI arrests.

NACOLE

IPRA applied for and received a grant from the John D. and Catherine T. MacArthur Foundation to cover the cost of twelve IPRA employees attending the 2008 annual conference of the National Association for Civilian Oversight of Law Enforcement (NACOLE). Professionals and community volunteers from around the country who are interested in issues arising in the context of law enforcement oversight attend this annual conference. The conference offered training in many areas directly relevant to IPRA's mission, including: *Auditing Complaint Investigations; Police Perpetrated Domestic Violence; In-Custody Deaths: Why Oversight Matters; Tasers: Beyond Yes or No; Dealing with Dishonesty; Tactical Reviews of Force Incidents; and Disciplinary Matrix: Ensuring Fair and Consistent Discipline.*

In addition, the conference provided the IPRA attendees the invaluable opportunity to interact informally with professionals from around the country who are involved in similar work. In these interactions, they were able to share different ways of responding to allegations of misconduct, from very specific investigative techniques to general mediation programs. By comparing and contrasting IPRA with other agencies around the country, the attendees were not only able to identify potential areas where IPRA could improve, but also to identify some of IPRA's strengths. The attendees brought what they learned at the conference back to the office and used it to begin discussions within IPRA about how IPRA investigates and responds to specific types of allegations and where IPRA could benefit from adopting different procedures.

This year, IPRA will use the remaining funds from that grant to fund the attendance of three employees at the NACOLE conference. Of note, NACOLE selected an IPRA supervisor to present a panel at this year's conference entitled: *Returning Veterans: The Effect of the War in Iraq, and Violence in our Community, on Policing in the United States.*

City of Chicago

In addition to the investigation-specific training discussed above, IPRA sought training to improve its general operations. All IPRA supervisors, up to and including the Chief Administrator, jointly attended supervisor training presented by the City of Chicago Department of Human Resources (DHR). DHR designed a training program specific to the needs of IPRA supervisors. It focused on improving our working relationships as a management group, establishing ground rules for the many varied interactions that take place during the course of our work, and building strong teams within our office. IPRA hopes to build on this foundation with additional supervisor and team training in the coming year.

IPRA personnel also participated in city-sponsored professional training on the Employee Assistance Program, diversity policies, FLSA, FMLA, and safety in the workplace. In addition, all IPRA personnel attended the Office of Compliance's Code of Conduct training.

Improvements to Investigative Procedures

Intake

The start of any investigation is the intake of the allegation of misconduct. Annually, IPRA intakes more than 10,000 allegations of misconduct and notifications of incidents.¹ IPRA's office is open seven days a week from 7 am to 11 pm in order to intake allegations of misconduct by telephone or in person. In addition, individuals can mail in complaints or register them at www.iprachicago.org. When IPRA's office is not open, complainants can leave messages on the IPRA voicemail and their calls will be returned the next day.

During the week, intake aides are primarily responsible for the intake of allegations of misconduct. On the weekends, however, these duties shift to investigators, who are also responsible for providing immediate response to major incidents as well as being available for witnesses who need to provide statements on the weekend. This past year IPRA examined this practice and concluded it was inefficient to have investigators, as opposed to intake aides, perform intake functions on weekends.

First, intake aides are highly skilled at intake tasks and responsibilities. They are familiar with the process. They know the notification protocols. They are highly adept at talking to individuals who may be upset by their recent encounter with a CPD member. In a testament to the skill of IPRA's intake aides, of the more than 10,000 incidents that IPRA registered in its second year, fewer than five resulted in a member of the public feeling the need to express dissatisfaction with our Intake Unit to the Chief Administrator. While investigators were able to

¹ IPRA receives all allegations of misconduct made against CPD members from both the public and from CPD members. In addition, IPRA is required to be notified of certain events, regardless of whether there is an allegation of misconduct, including officer involved shootings, use of a Taser, and Extraordinary Occurrences in police custody – such as an attempted suicide or an injury to an arrestee while in custody. IPRA retains those matters that, under the ordinance establishing IPRA, it is required to investigate, and refers all other matters to CPD for appropriate resolution.

perform intake functions, their work sometimes required follow up by the regular intake staff during the week.

Second, with investigators responsible for intake, they had less time to perform investigative functions on the weekends. It was difficult to schedule weekend interviews. Investigators were not able to focus on investigative tasks because of interruptions due to intake responsibilities. This presented a significant loss of investigative resources for IPRA.

In light of these issues, IPRA adopted a pilot program during which intake aides worked weekend shifts and were primarily responsible for intake functions. This proved to be extremely helpful and allowed IPRA investigators to increase the investigative work they could perform during their weekend shifts. Therefore, once IPRA had a full staff of intake aides, it approached them to adopt a seven day a week work schedule. This schedule will be implemented in October and IPRA expects it to provide dual benefits: a higher quality of intake work and increased investigative output from investigators on weekends.

Audio Recorded Statements and Transcription

A major technological innovation for IPRA this past year has been the full implementation of audio-recorded statements. In its first year, IPRA began a pilot program for recording interviews of members of the public. In its second year, IPRA implemented this procedure fully. All interviews of members of the public are now audio-recorded – with the consent of the person interviewed – unless an exceptional circumstance exists. IPRA transcribes interviews of complainants as a regular course. IPRA summarizes all other interviews – with the audio-recorded interview included as an attachment to the investigation, providing a lasting record of the entire interview.

The audio-recorded statements provide a more accurate record of the interview than the written statements that had been used in the past. In addition, the use of audio recording significantly decreases the amount of time it takes for someone to give a statement to IPRA. Using this technology, IPRA investigators have been able to interview rapidly multiple witnesses at the scene of an incident, moments after it has occurred. In the past, that process could have taken a significant amount of time, as it would have involved many more lengthy steps to complete. Going forward, with the ratification of new contracts by Lieutenants and Captains that allow for audio recording, IPRA hopes to expand this program further.

Shooting Investigations

Immediately after its creation, IPRA focused on improving the integrity of the investigative process, beginning with its immediate response to and investigation of officer-involved shootings. It is vital that within hours of a shooting, IPRA is able to obtain statements from officers and witnesses alike, rather than waiting until later. In its second year, IPRA has continued its focus on improving its investigation of officer-involved shootings. IPRA focused on broadening the scope of its investigations to present a more thorough investigation of the entire incident – including the events leading up to and following the actual shooting.

This broadening of the investigation was accomplished in conjunction with the creation of CPD's Force Analysis Panel (FAP). In the past, the review of CPD officer-involved shootings focused on the moment the officer fired his or her weapon and whether firing the weapon was

consistent with CPD policy. The FAP, and IPRA's expanded investigations, provide an opportunity to look beyond that moment to other factors that need to be addressed and ultimately will increase the safety of officers and the public alike.

Examining officer-involved shootings in this manner has already yielded valuable results. A number of the recommendations discussed below – and in particular the recommendations for increased training for CPD members – resulted from IPRA's review of these shootings. Thus, while a shooting might have been within CPD policy, through a holistic review of the incident, IPRA was able to identify tactical issues that could be addressed through targeted training.

In addition, IPRA has continued to meet with its investigators and Shooting Specialists to identify new sources for information and ensure uniformity in the thoroughness of the information gathered. Further, for the most part the protocols IPRA and CPD put in place during IPRA's first year allowed CPD and IPRA effectively to perform their respective required investigations into an officer-involved shooting incident without impeding each other. IPRA and CPD jointly and quickly addressed the few instances where there were difficulties in this aspect of the process. IPRA remains hopeful that it will be able to continue to enhance the depth and quality of these important investigations.

IPRA and CPD have also continued to use ISP's Major Case Review process when determining the order and types of forensic testing ISP will perform on evidence gathered after an officer-involved shooting and in which both IPRA and CPD have an interest. This process ensures that ISP performs the requested forensic testing in a manner that does not interfere with either IPRA's or CPD's investigation.

Finally, in its first Annual Report (at p.12), IPRA indicated that it hoped this year to expand its shooting investigations to provide a mandatory immediate response for all officer-involved shootings, regardless of whether an individual was injured in the shooting. Unfortunately, due to resource limitations, as well as a significant increase in the number of misconduct investigations opened by IPRA, IPRA was not able to accomplish this goal. IPRA continues to review officer-involved shootings where no one is injured through the reports and other available information, and where there is an indication of potential misconduct, further investigation follows. However, there is not an automatic, immediate response to the scene of the shooting.

In-Car Cameras and GPS

Another significant technological advance in the past year has been the increase in the availability of information from two sources: in-car cameras and GPS systems installed on police vehicles. IPRA investigators have been trained in both technologies and, as a regular course, seek such information if available to ensure a thorough investigation.

IPRA has used GPS records to both prove and disprove allegations of misconduct. They have established that police vehicles were not at a location where they were claimed to have been during a specific time. They have also assisted the identification of potential accused officers in cases where the names of the officers were not otherwise known. The City's Office of Emergency Management and Communications (OEMC) maintains the GPS records and has been very responsive to IPRA's requests for that information. In addition, OEMC and IPRA have worked to identify ways to streamline IPRA's access to this information.

Today, in-car cameras are installed in nearly all CPD beat vehicles and in some other police

vehicles as well. While they do not always capture all the relevant information, the information they do capture can be invaluable to an investigation. As with GPS, IPRA has been able to utilize the recordings captured by the cameras to both prove and disprove allegations of misconduct.

Illinois State Police (ISP) Access

IPRA relies on the Illinois State Police Forensic Science Center to perform all forensic testing of evidence gathered in the course of IPRA investigations. IPRA has established a positive, productive relationship with ISP. As mentioned above, ISP has readily provided training to IPRA personnel to ensure they have the information they need to perform thorough investigations. In addition, ISP has, within its own resource limitations, been as responsive as possible to IPRA's requests for testing. The majority of the testing results are prompt and timely.

On occasion, an IPRA investigator may not have a test result and may want to know where the evidence is in the testing process. Previously, the IPRA investigator could obtain this information only by calling ISP. While ISP was very responsive to these calls, the calls were not efficient. Therefore, IPRA worked with ISP to provide IPRA with direct access to ISP's shared database. Using this database, the IPRA investigator can determine precisely where a piece of evidence is in the testing process – down to the time a particular ISP employee signed out the evidence to his or her workstation.

In addition, from time to time IPRA investigators discover that ISP has completed a test, but the results have not yet reached the assigned IPRA investigator. The shared database now allows the IPRA investigator to immediately access all test results – and print out an unsigned copy of the result. This has enhanced the efficiency of the IPRA investigators, as well as the timeliness of the investigative process.

False Statements to IPRA – Affidavits and Rule 14

Maintaining the integrity of IPRA's process is paramount among IPRA's responsibilities and goals. It is vital that individuals – whether members of the public or members of CPD – do not undermine that process through intentional falsehoods. The State of Illinois and the City, through the union contracts, have adopted the requirement that there be a signed statement under oath supporting an allegation of police misconduct before an officer may be formally served with and interviewed about the allegation.

While it is important that IPRA retain as open a system as possible and not deter legitimate complaints, IPRA must also protect its process by not allowing complainants knowingly to make false allegations of misconduct.

With regard to members of CPD, IPRA previously adopted a policy of providing every CPD member IPRA interviews with a two-part admonition at the start of the interview reminding the member of his or her obligation to be truthful in the interview. The admonition also reminds CPD members that failure to be truthful violates Chicago Police Department Rules and Regulations, including Rule 14, and can lead to discipline, up to and including termination of employment. Where it is proven that a CPD member was untruthful in a statement to IPRA, IPRA will recommend a sustained violation of Rule 14 and recommend significant discipline, including termination where appropriate.

In order to address knowingly false statements by members of the public, IPRA in August 2009 adopted a policy and implemented procedures to deal with those who sign an affidavit in support of a knowingly false complaint.

IPRA's Legal Unit reviews every investigation that is Closed/Final in which the overall finding for the investigation is "Unfounded" (i.e. where, based on the preponderance of the evidence, every allegation in the case is determined to be false or not factual). The Legal Unit reviews the file to determine whether there is evidence in the file that an affiant knowingly made a false allegation to IPRA. This requires that there be more than a difference of opinion or mistake in perception, but evidence of knowing falsehood. Under the new policy, if there is evidence of a knowing falsehood, IPRA will refer the matter to the City of Chicago Department of Law for appropriate legal action. Further, should IPRA investigative staff be aware of a knowingly false affidavit, in an investigation that will not otherwise be reviewed by the Legal Unit, they are required to bring that matter to the attention of the Legal Unit when they close the investigation.²

In adopting this practice, IPRA has attempted to balance the need for the public to be comfortable coming forward with allegations against the need to prevent abuse of IPRA's process and thereby the undermining of the integrity of that process. By adopting a knowing falsehood standard – which IPRA applies similarly to officers – IPRA will not refer cases to the City's Department of Law in situations where there may be an honest difference in perception or a misapprehension of fact.

Protection of Complainants

It is similarly imperative to protecting the integrity of IPRA's process that individuals – whether members of the public or members of CPD – be protected against retaliation when reporting allegations of misconduct to IPRA. In constructing a policy for enforcing the requirement that individuals be truthful with IPRA, IPRA was highly sensitive to this issue. In addition, as IPRA addresses specific allegations of misconduct in the course of its investigations, IPRA remains cognizant of this issue.

This past year, IPRA investigated an incident that involved a CPD member who had been accused of retaliating against a complainant by arresting him the day after the complainant filed a complaint against the member. Astonishingly, the CPD member – while denying retaliation – admitted that he arrested the individual because the individual had filed the complaint. IPRA and CPD agreed that this CPD officer should be terminated from the department.

IPRA maintains that retaliation cannot be tolerated and requires the most stringent discipline. Going forward, IPRA will continue to recommend that CPD members proven to have retaliated against someone for bringing an allegation of misconduct to IPRA be terminated from employment.

² For instance, there may be an investigation where one of the allegations is "Sustained," but another is "Unfounded" and appears to be knowingly false. The overall finding for that investigation will be "Sustained." Therefore, it will not be automatically reviewed by the IPRA Legal Unit. In that situation, it will be the responsibility of the investigator and/or supervising investigator to bring the potential knowingly false allegation to the attention of the Legal Unit.

Investigations Involving Juveniles

The creation of IPRA as an entity independent of CPD had some unintended consequences. One of those was limiting IPRA access to juvenile arrest records. Under state law, access to juvenile arrest information is extremely restricted. Law enforcement agencies such as CPD have access only for specific purposes. Once it became independent from CPD, IPRA did not qualify for direct access to those records. Rather, IPRA was required to obtain consent for access and then limit the access within IPRA.

Juvenile records are vital to IPRA investigations into allegations of misconduct when a juvenile is either the alleged victim of the misconduct or a witness to the misconduct. Nearly all IPRA investigations require obtaining information from arrest records, and nearly 11% of IPRA investigations involve at least one juvenile, as either the alleged victim or a witness. In a typical investigation, IPRA may use these records to ascertain: the identity of the involved officers; the identity of witnesses; the identity of the alleged victim (where a third party reported the alleged misconduct); what the officers reported as occurring at the time of the incident, including any reported force that they used; potential physical or documentary evidence; and other relevant facts.

IPRA and the City of Chicago worked together with Illinois State Senator Kwame Raoul and Representative William D. Burns, who sponsored an amendment to Illinois state law to allow IPRA the necessary access to these records to pursue its investigations while maintaining appropriate protections for the affected juveniles. SB104, which became law in August 2009, provides that juvenile law enforcement records may be disclosed to an independent agency (such as IPRA) created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, when necessary for the discharge of its official duties in connection with a particular investigation of the conduct of a law enforcement officer. (*See Appendix D.*) At the same time, SB104 subjects IPRA to the same prohibitions against public disclosure of this information as other entities that are allowed access under the act. Thus, SB104 guarantees timely access to information essential to the completion of investigations. This access, in turn, protects juveniles from unchecked police abuse, while continuing appropriate protections for juvenile records.

Distribution of Investigations by District of Occurrence

IPRA adopted a practice of assigning all investigations based on the district in which the incident occurred. IPRA faces a challenge in attempting to identify trends and patterns in allegations of misconduct. As discussed above, IPRA is performing statistical analyses to shed light on these issues and hopes to continue these formal analyses at greater levels of sophistication. In addition, this distribution of cases allows for an informal method for IPRA to identify trends and patterns – both in behavior of CPD members and complainants.

Through this distribution of cases, IPRA investigators can identify individual officers with multiple similar allegations of misconduct, patterns in how reports are completed, and other trends that may be specific to a district. In addition, IPRA investigators have identified at least one complainant who repeatedly lodges similar allegations of misconduct against different officers in the same district.

In addition, this distribution had an unanticipated positive impact on the efficiency of IPRA investigators. With investigations emanating from the same geographical area, investigator

fieldwork was similarly concentrated, allowing investigators to be more efficient in the trips that they make outside of the office to gather evidence. Investigators can use one trip to conduct canvasses and interview witnesses for multiple investigations, all occurring in the same district.

Standardization of Allegations

In late 2008, IPRA standardized how it describes allegations of misconduct in the notice provided to accused CPD members. In the past, depending on the investigator, the allegations of misconduct might have included very specific descriptions of the events, or very general ones. Moreover, depending on the involved investigator the incident might have been subdivided into a large number of allegations, or covered by one more general allegation. In some instances, individual allegations were sub-divided so much and so limited in scope that they did not actually describe a violation of CPD policy. IPRA consulted with attorneys from the Department of Law to design standardized allegations that comply with the requirements of the union contracts to provide notice of the allegations. In conjunction with standardizing this process, IPRA provided training to its investigators regarding the allegations.

Increased Efficiencies

In its second year, IPRA continued the process of finding ways to perform its mission more efficiently. Capitalizing on the computerized system for tracking investigations, IPRA automated a number of reports that were previously generated by hand. In addition, IPRA eliminated administrative steps that duplicated the computer system – freeing both investigator and support personnel time. In addition to saving time, elimination of some of these steps eliminates unnecessary copies that were being made and therefore will reduce IPRA's paper usage. Capitalizing on support personnel time that was made available by elimination of duplicative procedures, IPRA continued to identify administrative tasks previously performed by investigators that support personnel could complete. In the coming months, IPRA hopes to undertake further changes to eliminate unnecessary administrative tasks and to identify additional administrative tasks that support personnel can perform instead of investigators.

II. Recommendations

- Force Analysis Panel
- Tactical Training
- Secondary Employment
- Conflicts of Interest
- Consistent Policy and Training
- Guidance in Interactions with other City Departments

RECOMMENDATIONS

Through IPRA's investigations into allegations of misconduct and the use of force by the CPD, IPRA identifies areas of policy or training that warrant attention. While IPRA is independent of CPD, the information that IPRA learns needs to flow back to CPD so that it can be used to improve policy and training. The ordinance that created IPRA contemplated that this would occur and authorized IPRA to make recommendations to the Superintendent, the Police Board, and the Chairman of the City Council Committee on Police and Fire concerning revisions of policy and operating procedures to increase the efficiency of CPD. Over the past year, IPRA has made several such recommendations and worked to ensure CPD is made aware of relevant information gathered in investigations.

Force Analysis Panel

The Force Analysis Panel (FAP), which reviews officer-involved shootings for systemic issues after IPRA has completed its investigation, is a critical means to ensure that information gathered by IPRA in an investigation flows back to CPD. Prior to the creation of the FAP, after IPRA completed an investigation of an officer-involved shooting, if IPRA determined the incident complied with CPD policy, no formal process existed by which CPD routinely reviewed that investigation. Thus, if there were systemic issues that CPD should address through training, there was no formalized means to bring those issues to the attention of CPD. The FAP ensures that every such investigation receives scrutiny by CPD to identify areas where policy, training, or equipment could be improved to enhance the safety of officers and the public, as well as improve officer performance.

When IPRA completes an investigation of an officer-involved shooting, it alerts CPD and forwards the investigation for review by the FAP. CPD selects the members of the panel; currently it includes representatives of Bureau of Patrol, Education and Training Division, Office of Legal Affairs, and the chain of command of the involved officer. IPRA presents the results of its investigation to the FAP, including any conflicting facts. In addition, IPRA identifies any areas of policy or training that IPRA believes merit further discussion. After IPRA's presentation of the incident, CPD representatives ask questions to clarify any areas of ambiguity. CPD then discusses the systemic issues that it identifies. It was agreed that CPD would implement a process to track any recommendations made by the FAP to ensure their implementation.

In addition to shootings, the FAP can also examine any force incident at the discretion of the Superintendent. Pursuant to this process, at the request of CPD and IPRA the panel has reviewed matters that would not otherwise have automatically been heard by the FAP.

The FAP is a key step in the evaluation of a shooting. It creates a process to ensure that the shooting receives a holistic evaluation of what was done right and what can be improved upon by the Department. Further, it creates a process by which IPRA can ensure that its independence from CPD does not impede the appropriate flow of necessary information to CPD, in order for CPD to use that information to improve its policies and procedures.

Tactical Training

As the FAP exemplifies, at times an IPRA investigation will establish that, while the involved CPD members complied with policy, further training would be beneficial. For instance, through its review of a number of use-of-force incidents, including officer-involved shootings, IPRA identified several recommendations for additional officer tactical training. Many of the tactical issues identified can be best brought to life and trained through situational-based training. Allowing officers to train by role playing a scenario and then critiquing their and their colleagues' performance can increase the likelihood that officers will retain those lessons. Therefore, IPRA recommended that training regarding the tactical issues it identified include role-playing scenarios.

Upon receipt of these recommendations, CPD forwarded them to its Education and Training Division, to consider whether they were already covered sufficiently in existing training or could be further included in the training.

High-Risk Traffic Stops

IPRA reviewed a number of incidents involving high-risk traffic stops where CPD members made tactical decisions that increased the risk of harm to the officers. For example, in some incidents, officers have approached a suspect's car from the front, including some in which the officers indicated that they positioned themselves in front of the suspect's headlights or between the front of the suspect's vehicle and another vehicle. In addition, there have been a number of incidents in which officers have reached into vehicles in order to turn them off and/or attempt to grab the keys. Based on these examples, IPRA recommended that CPD provide refresher training on proper procedures for performing a high-risk traffic stop, including reminders about unnecessarily risky behavior that officers should avoid.

Barricaded and/or Suicidal Suspects

In addition, IPRA reviewed a few officer-involved shootings arising out of domestic calls where the responding officers were informed that a member of the household had a gun and was in a particular part of the house. The officers then entered the house to initiate contact with the armed individual. Rather than utilizing whatever tactical advantage they could obtain in the situation (or calling in a barricade team), officers have, without an immediate countervailing need to protect life, put themselves at a relative disadvantage confronting the armed suspect. Based on the scenarios IPRA has investigated, IPRA recommended to CPD that officers could benefit from refresher training on recognizing a barricaded suspect as well as a suicide-by-cop situation, and applying CPD General Order 85-02 in the field in an evolving situation. In addition, IPRA recommended further training on how to approach these armed individuals using the most appropriate tactics, particularly where there is no immediate life-threatening risk.

Foot Pursuits

In many of the incidents that result in police shootings investigated by IPRA, the involved CPD members have been engaged in a foot pursuit. Sometimes during these pursuits, the involved members split apart from each other, with each officer pursuing different suspects alone. This has resulted in situations where shots have been fired and a partner officer either has chosen not to, or has not been able to, immediately reconnect with his or her partner to render assistance and ensure his or her safety.

For instance, one officer indicated during an interview with IPRA that when he heard the gunshots during an incident, he did not know where his partner was and could not immediately locate him, and that he did not know who had done the shooting – the suspect or his partner. In another incident, after hearing shots fired, an officer decided to circle the block to cut off a suspect in an alley, rather than immediately going back to where the shots were coming from and ascertaining whether his partner was in need of assistance – the latter option would have involved a much shorter and more direct route to his partner. In a third incident, an officer was pursuing a suspect in an alley while the officer's partner paralleled on an adjacent street. The officer in the alley was confronted by the armed suspect, who fired at the officer. The officer fired back. The partner who was paralleling the pursuit on the street tried to get back to the alley but was unable to do so because of locked gangways. In addition, there have been a number of foot pursuits where officers have run down gangways and rounded corners into dark backyards, putting themselves at a tactical disadvantage.

Foot pursuits are a fact of life in police work. IPRA recommended that CPD officers receive training on maintaining contact with partners, recognizing and assessing potential dangers, finding ways to increase one's tactical advantage, and using assisting units to contain and assist in pursuing multiple suspects.

Force Training

Based on conversations with CPD members, IPRA understands that once officers finish their recruit training, they do not routinely receive hands-on training in which they are required to demonstrate, and have an opportunity to practice, basic use of force techniques such as control holds, arm bars, takedowns, and baton strikes. Officers who frequently train on these tech-

niques are more likely to feel confident in their abilities and to employ the techniques successfully, thereby making themselves safer. Therefore, IPRA recommended that hands-on training on basic force techniques would benefit CPD members.

In addition, because IPRA has investigated multiple incidents where the involved CPD member did not re-holster his or her gun before going “hands on” with a suspect, IPRA recommended that CPD include situational-based training involving transitioning between deadly force and “hands on” force options as a means to improve officers’ skills in this area and reinforce the need for officers to re-holster when appropriate.

Secondary Employment

IPRA investigates allegations of excessive force made against CPD members who are both on-duty and off-duty. From time to time IPRA will therefore investigate allegations that involve the conduct of an off-duty CPD member while working secondary employment. Complainants will sometimes contact IPRA directly to register such allegations of misconduct. However, this does not always happen – either because the complainant is unaware the involved person is a CPD member, or because they choose to address the incident through the CPD member’s secondary employer. Thus, there could be a serious allegation of misconduct – even one that caused the CPD member to lose the secondary employment – and IPRA and CPD would be unaware of it.

IPRA has worked with Chicago Public Schools (CPS) – a significant employer of off-duty CPD members – to improve notification to IPRA of serious allegations of misconduct. However, CPS is just one potential secondary employer. There is no comprehensive system for ensuring all appropriate events will be brought to IPRA’s (and CPD’s) attention. Indeed, an audit suggested that there have been instances where after an investigation of alleged misconduct by another employer, it was determined that the involved CPD officer would no longer be allowed to work for that employer – yet the former Office of Professional Standards and CPD were wholly unaware of the situation. Given the overlap between responsibilities in some of these secondary employment situations – such as working as a security guard at CPS – with the responsibilities of working as a CPD officer, if an officer is involved in an incident while working for a secondary employer that the other employer believes is of sufficient concern that it chooses to no longer employ the officer, that is information that CPD should be aware of.

Currently CPD has no requirement for self-reporting by officers related to secondary employment. CPD does, however, require self-reporting if a CPD member is made aware that he or she is the subject of an order of protection or is under investigation by another law enforcement agency. (CPD General Order 93-03-05B). IPRA therefore recommended a modification to CPD’s secondary employment policy to address this information gap. Recognizing the policy will need to balance multiple competing interests, IPRA recommended that at a minimum it should require CPD members working secondary employment to self-report in certain situations.

In balancing these interests, IPRA suggested that CPD might want to define the following parameters for its policy:

- What types of secondary employment would this apply to: all, any security position, only CPS or similar government positions?

- What categories of alleged misconduct would trigger a notification requirement: all, force-related, theft, dishonesty?
- What type of event would trigger a notification requirement: being terminated for misconduct, being terminated for any reason, being accused of misconduct regardless of whether it has yet been proven?

CPD has stated that it is working on such a policy modification. IPRA is hopeful that this will lead to an appropriate level of notification.

Conflicts of Interest

IPRA has investigated several allegations of misconduct arising out of incidents in which CPD officers took police action off-duty, where there was not an immediate need for such action and there was a conflict of interest. At least one of these has resulted in criminal assault charges against the involved CPD officer.

For instance, in a couple of incidents off-duty CPD officers sought to confront and/or arrest subjects who allegedly had been harassing or had robbed the officers' children. When the officers acted, there was no immediate danger to their children. The children were safely at home and there would have been no further immediate encounters with the suspects if the officers did not search the suspects out. Rather than calling 911 or the local district to have on-duty officers respond to handle the situation and arrest the suspects, the off-duty police officers took it upon themselves to find the suspects and confront them. The suspects then alleged that the police officers used excessive force. In addition to these off-duty incidents, IPRA has received complaints of excessive force involving police officers who are on-duty and, without an immediate need to protect life or property, nonetheless confront or attempt to arrest a person suspected of criminal conduct against the officer's family.

Even if the allegations of misconduct are false, because of the conflict of interest the CPD officer has unnecessarily made him or herself vulnerable to allegations of misconduct and an improper motive. Unfortunately, IPRA investigations have concluded that in some of these incidents the alleged excessive force occurred.

Therefore, where there is no need for immediate action to protect life or property, where the police officer has a personal interest that creates a conflict (or the appearance of a conflict) and where, if the officer is off-duty, he is without his tools such as a radio, back up, etc., IPRA recommended that CPD policy be modified to require that the officer not take police action himself or herself, but instead report the incident through 911 to his or her local police district. CPD has indicated that it would examine its policy to address this issue.

Consistent Policy and Training

This past year IPRA presented to the FAP an incident that involved a use of force other than a shooting, but which, in IPRA's estimation, raised systemic issues warranting CPD's attention. In reviewing the incident, IPRA found that while the CPD General Order governing the use of force identified two requirements for an in-policy use of force, CPD training added two additional factors. In the particular incident, it was IPRA's determination that facts established

in the investigation proved that the officer satisfied all four factors, and thus the use of force was consistent with both CPD policy and training. Nonetheless, IPRA expressed concern that in other situations, not all factors may be satisfied. If, for instance, one of the factors added in training were not met, there would be a question as to whether the use of force was in policy because it complied with the General Order, or out of policy because it was inconsistent with training. IPRA therefore recommended that CPD determine the standard it intended to apply to officers in this use of force situation and revise its General Orders and/or training to present consistent requirements and provide clear guidance to CPD members on the appropriate use of this force option.

Guidance on Interactions with other City Departments

IPRA also reviewed an incident involving an interaction between a City Department and CPD relating to an effort to check the well-being of a subject. The investigation revealed that the representatives of the City Department and the CPD member were able to make contact with the subject from outside the subject's residence. The subject refused to grant them entry into the residence. Personnel from the City Department determined that they needed to enter into the residence and potentially pursue further measures because of concerns about the subject's mental health. CPD Special Order 04-06-02 provides guidelines for a CPD member pursuing the involuntary admission to a mental health facility of a member of the public. IPRA recommended that CPD explore whether CPD members need additional guidance regarding involuntary admissions, as well as non-consensual entries into a home to effectuate that admission, where there is another City department taking the lead.

III. Transparency

Increased Public Reporting – IPRA Website

Outreach to the Public and CPD

Stakeholder Forum

Communications with Media Outlets

Chicago Police Board

TRANSPARENCY

IPRA is mandated by Ordinance to provide certain information to the public.³ IPRA has demonstrated in its first two years its commitment to treating those mandatory reports as a starting point in its efforts to increase transparency. The more knowledge the public has about IPRA's process, consistent with the rights of all participants in the process, the more informed the discussion can be about that process, and the greater trust that can be developed in that process. In its first year, IPRA issued mandatory public reports and made them available on its website. IPRA also published the first Annual Report for the agency, including abstracts of sustained cases.

In its second year, IPRA has continued these efforts and expanded on them by making shooting investigation reports available on its website. IPRA intends to continue these efforts in

³ The Ordinance that created IPRA states that the Chief Administrator must file a Quarterly Report with the Mayor's Office, the City Council Committee on Police and Fire, the Office of the City Clerk and the Legislative Bureau. The Quarterly Report must indicate the number of investigations initiated since the date of the last report; the number of investigations concluded since the last report; the number of investigations pending as of the reporting date; the number of complaints not sustained since the last report; the number of complaints sustained since the last report; the number of complaints filed in each district since the last report without identifying any individual; the number of complaints filed against each police officer in each district since the last report; and the number of complaints referred to other agencies and the identity of such other agencies. Pursuant to the ordinance, these reports shall be open for public inspection and posted on the City's website.

its third year to include more statistics on its website, including statistics related to officer-involved shootings. Ultimately, IPRA intends to publish information on the website about every investigation it closes.

Increased Public Reporting – IPRA Website

IPRA has used its website as a repository for information about IPRA's function. The website contains a copy of IPRA's Ordinance, as well as all reports issued by IPRA – both the mandatory Quarterly Reports and the Annual Reports. IPRA also posts on a monthly basis abstracts of the investigations for which IPRA has recommended a sustained finding. (*See Appendix C.*)

Shooting Investigations

This past year, IPRA enhanced the information available on its website by adding its completed reports relating to its investigations of officer-involved shootings where an individual is injured. (*See e.g., Appendix B.*)

A police-involved shooting is a very public event. Immediately after the shooting, community organizations and residents begin to formulate opinions based on sources of information such as news stories, stated eyewitness accounts, and prior opinions of the CPD officer(s) involved and the individual(s) shot. IPRA commences its investigation immediately after the shooting – interviewing witnesses and gathering evidence within hours of the incident. That investigation, however, will not be concluded – and IPRA will not issue a determination as to whether the shooting was consistent with CPD policy – until all witnesses have had an opportunity to be interviewed, all involved officers have been interviewed, and all evidence has been fully evaluated, including necessary forensic testing.

Prior to the creation of IPRA, immediately after a shooting and before completion of the investigation, statements were made that led the public to believe that the shooting was already deemed to be within CPD policy. In a change from this past practice, IPRA has emphasized that at that point in the investigation, conclusions about the facts of the incident are premature. Rather, dissemination of such information is only appropriate at the conclusion of the investigation. Community residents, however, expressed concerns that they would never hear about the conclusion of the investigation.

To address this concern, this year IPRA instituted a policy of publishing on its website the final, redacted report for each completed investigation of a shooting involving injury to a member of the public. IPRA posts the report at the same time it forwards the investigation to CPD's Force Analysis Panel for review. The public is now able to view the shooting investigation report in its entirety. The report relates all evidence – even contradictory evidence – gathered in the investigation, including witness statements, officer statements, physical evidence, and other relevant information. It also includes IPRA's conclusion as to whether the shooting is consistent with CPD policy and the basis for that conclusion.

Outreach to the Public and CPD

IPRA continues to meet with community groups, elected officials, CPD members, and one-on-one with complainants' families to provide updates regarding our process. IPRA has appreciated the willingness of the public and of individual CPD members to engage in constructive discussions. This has resulted in thoughtful participation and respectful dialogue.

IPRA Hosted Meetings

On January 28, 2009, IPRA held its first community meeting, at the Illinois Institute of Technology. There were approximately fifty residents and community leaders, representing various communities, in attendance. The local Alderman was also present. IPRA explained its investigative process, answered questions, and responded to concerns from members of the public. Because IPRA's investigative conclusions are based on whether the accused member adhered to CPD policy, as part of the overall agenda, IPRA also invited CPD to explain CPD's Use of Force Policy.

IPRA hosted a second community meeting on April 29, 2009, at Malcolm X Community College. This meeting continued the process of encouraging an exchange of information and constructive dialogue between IPRA and the public. IPRA intends regularly to host these meetings rotating throughout various neighborhoods in the city to inform the public about the investigative process of our agency – as well as to answer questions and receive feedback.

Community Organizations

The Chief Administrator and administrative staff continued this year to meet with community organizations representing a wide spectrum of the city. IPRA has addressed various faith-based community organizations, the Chicago Council of Lawyers, the American Constitutional Society, and the Chicago Coalition for Police Accountability, to name a few. In addition, IPRA reached out to attorneys who are part of the plaintiff's bar that traditionally sues the City of Chicago alleging police misconduct. An initial meeting was held at the University of Chicago to exchange information and begin a constructive dialogue about the IPRA process.

Outreach to CPD

IPRA continues its outreach to CPD. Communication with CPD about our tenets is as important as making the public aware of our process. The Chief Administrator addresses each class of CPD Training Academy recruits and each class of promoting CPD personnel to explain IPRA's process and answer questions. IPRA has also participated in training courses sponsored by CPD regarding the litigation process. In each of these forums, IPRA explains its investigative process. IPRA also uses examples of recommendations for discipline where an individual was untruthful to IPRA to emphasize the importance of CPD members providing complete and accurate accounts to IPRA.

Stakeholder Forum

The ability to perform quality investigations with integrity depends not just on having a strong foundation of investigative skills; it also requires an understanding of the individuals impacted

by the investigations. Therefore, in May 2009 IPRA began a program of Stakeholder Forums to allow for direct communication between IPRA personnel and the stakeholders in the complaint and disciplinary process.

These forums are designed to educate IPRA investigators about community and police issues and to inform community and police leaders about IPRA's procedures. The forums foster an open dialogue between IPRA investigators and Chicago leaders involved in policing issues.

The initial panel included the first Chief Administrator of the former Office of Professional Standards, as well as representatives of Citizen's Alert, the People's Law Office, the Invisible Institute, Lakeview Action Coalition, Night Ministries, Urban Studies, the Cook County Public Defender's Office, Prisoners of Conscience Committee (POCC), and the Mandell Legal Aid Clinic. Topics covered included the history of local issues leading to police oversight, constitutional and civil rights issues, policing issues most affecting the citizens of Chicago, and what the public expects from the oversight process.

The forum proceeded as a candid dialogue. Panel members offered historical perspectives, explained their concerns, and answered questions about their perceptions of IPRA. They also expressed their expectations for IPRA. IPRA personnel were able to pose questions to the panel, challenge their perceptions, and respond to mischaracterizations of IPRA. During our forum in May 2009, IPRA found that there is still a misconception about IPRA's investigative process. However, it was the beginning of a healthy dialogue – with some areas of agreement and others where we could only agree to disagree.

In October 2009, IPRA's second forum will bring in the other major group of stakeholders – police officers – represented by their respective union leadership. IPRA again hopes to have a candid, respectful exchange of ideas and information. IPRA hopes that these two forums are just the beginning of a direct dialogue that engages all IPRA personnel in the healthy process of understanding our mission and how it fits into the broader arena of community and policing issues.

Communication with Media Outlets

IPRA recognizes that many of the stakeholders in its process receive their information about IPRA indirectly, through the media. Therefore, to enhance transparency, IPRA personnel appear on local television and radio programs to share information about issues that involve our agency and its processes. IPRA personnel have appeared on WGN radio, and local ABC, NBC, CBS, and FOX news stations. IPRA has also fielded questions on local radio talk shows such as WVON's Cliff Kelly show and V103's Mary Mitchell show. IPRA responds to queries from local newspapers including the *Chicago Sun-Times*, *Chicago Tribune*, *Red Eye*, and to questions from local student newspapers from Columbia College and the Medill School of Journalism. IPRA continues to make a representative available immediately after a police involved shooting. Our representative responds to the scene of police-involved shootings and is on call 24 hours a day and 7 days a week to respond to any emergency and to answer questions from the public.

Chicago Police Board

IPRA continues to attend the Chicago Police Board's monthly public meetings held at CPD headquarters. The meetings are open to all members of the public and provide an opportunity for them to speak about CPD issues. If a member of the public wishes to initiate a complaint of misconduct against a CPD member, IPRA personnel present at Police Board can immediately assist with registering the complaint.

2008 - 2009 BY THE NUMBERS¹

Total allegations and notifications: 10,176	
Total retained by IPRA: 2,923	Total referred to States' Attorney's Office 68

Total investigations closed by IPRA: 2,616
Caseloads as of September 30, 2009: 1,981

Table 1: Overview of IPRA Caseload by Quarter					
	Intake	Referred to IAD	Investigations Opened	Investigations Closed	Caseload
4Q 2008	2,337	1,638	699	692	1,562
1Q 2009	2,384	1,727	657	687	1,532
2Q 2009	2,648	1,893	755	651	1,636
3Q 2009	2,807	1,995	812	586	1,981 ²
TOTALS	10,176	7,253	2,923	2,616	

Table 2: Primary Categories of Investigations Commenced by IPRA 2007 - 2008	
Excessive Force	2,053
Verbal Abuse Including Bias	171
Domestic Violence	175
Coercion	2
Police Involved Shootings with Injury	55
Extraordinary Occurrences	62

Table 3: Closed Investigations							
	Sustained	Not Sustained	Unfounded	Exonerated	No Affidavit	Shooting	EO
4Q 2008	12	183	91	5	298	4	7
1Q 2009	5	209	66	9	296	7	5
2Q 2009	15	164	67	4	270	2	8
3Q 2009	10	129	44	0	244	3	9
TOTALS	42	685	268	18	1,108	16	29

¹ October 1, 2008 – September 30, 2009

² The number for caseload as of the end of the 3Q 2009 reflects an audit of all pending IPRA investigations. Because of multiple databases, double-counting the closing of some investigations and failing to count when investigations were re-opened, while every case was assigned to an investigator and accounted for, over time IPRA's calculations began to underreport its caseload by 120 investigations. IPRA is now relying on a single database that should avoid these issues. Nonetheless IPRA will continue to perform annual audits to ensure accurate reporting. The numbers for 4Q 2008 through 2Q 2009 reflect the inaccurate data, but are included because they are the numbers IPRA historically reported in its Quarterly Reports.

2007 - 2008 BY THE NUMBERS¹

Total allegations and notifications: 9,578	
Total retained by IPRA: 2,501	Total referred to States' Attorney's Office 77
Total investigations closed by IPRA: 2,158	
Caseloads as of August 31, 2008: 1,579	

Table 1: Overview of IPRA Caseload by Quarter

	Intake (all allegations and notifications)	IPRA Investigations Opened	IPRA Investigations Closed	IPRA Caseload ²
Sept. 2007	746	216	162	1,290
4Q 2007	2,273	613	368	1,535
1Q 2008	2,366	590	554	1,571
2Q 2008	2,436	640	670	1,541
Jul - Aug 2008	1,757	442	404	1,579
TOTALS	9,578	2,501	2,158	

Table 2: Primary Categories of Investigations Commenced by IPRA 2007 - 2008

Excessive Force	1723
Verbal Abuse Including Bias	199
Domestic Violence	196
Coercion	7
Police Involved Shootings with Injury	42
Extraordinary Occurrences	59

Table 3: Closed Investigations

	Sustained	Not Sustained	Unfounded	Exonerated	No Affidavit	Shooting	EO
Sept. 2007	1	37	20	1	87	—	—
4Q 2007	5	76	78	3	169	—	7
1Q 2008	13	110	77	2	259	2	—
2Q 2008	16	203	86	4	230	3	19
Jul - Aug 2008	11	94	57	2	144	4	5
TOTALS	46	520	318	12	889	9	31

1 September 5, 2007 – August 31, 2008

2 See footnote 2 on 2008 - 2009 By the Numbers.

APPENDIX A

IPRA Investigative Steps

IPRA Investigative Steps

Step One – Intake

A complaint is received and it is assigned a Log Number. IPRA retains those complaints within its jurisdiction and all others are referred to the Chicago Police Department's Internal Affairs Division (IAD) for resolution.

IPRA will send the complainant a letter acknowledging the complaint within five to seven working days. That letter will indicate whether IPRA or IAD is investigating the matter.

Step Two – Complainant/Victim

IPRA needs a detailed interview from the complainant, victim or someone who witnessed the incident. State and local laws also dictate that an officer cannot be interviewed about alleged misconduct unless a person making the allegation of misconduct has signed a sworn affidavit that certifies that the allegation is true and correct.

IPRA will contact the complainant as well as identified witnesses to obtain a detailed statement and a signed affidavit.

Step Three – Other Interviews and Physical Evidence

IPRA will work to obtain statements from all witnesses and gather all physical evidence that is relevant to the alleged misconduct. As appropriate, IPRA will request forensic testing such as fingerprint or DNA analysis. IPRA may also seek medical records or other reports.

If the investigation takes longer than six months, IPRA will send the complainant a letter stating the reasons the investigation is not yet complete.

Step Four – Conclusion of Investigations

IPRA completes a final report summarizing the available evidence and reaching a finding for the complaint. The entire investigation, including the recommended finding, is forwarded to the Chicago Police Department (CPD) for review and implementation.

IPRA will send the complainant a letter informing him or her that IPRA's investigation is complete.

SUSTAINED:	The allegation is supported by sufficient evidence to justify disciplinary action.
NOT SUSTAINED:	There is insufficient evidence to either prove or disprove the allegation.
UNFOUNDED:	The allegation is false or not factual.
EXONERATED:	The incident occurred, but the actions of the accused were lawful and proper.
NO AFFIDAVIT:	No one who witnessed the alleged misconduct provided a sworn statement and no exception to the affidavit requirement was applicable.

Step Five – Post-Investigation Review

After IPRA completes its investigation, CPD reviews the investigation and any recommended discipline. If the Superintendent disagrees with the recommended discipline, he must do so in writing and ultimately the Police Board decides the outcome. If discipline is recommended, CPD employees then have grievance and appeal rights to challenge the outcome.

After those rights are exhausted and a final determination has been reached, IPRA will send the complainant another letter regarding the final outcome.

APPENDIX B

Exemplar of Shooting Investigation Report

INDEPENDENT POLICE REVIEW AUTHORITY EXEMPLAR OF SHOOTING INVESTIGATION REPORT

**INVESTIGATION
NUMBER:**

Log # 1016616; U#08-12

**OFFICER(S)
INVOLVED:**"Officer A" (Chicago Police Department Officer) —
Male/Black; 36 years old; Off-duty; Year of Appointment — 1995**OFFICER
INJURIES:**

None reported

**SUBJECT(S)
INVOLVED:**

"Subject 1" — Male/Black; 23 years old

**SUBJECT
INJURIES:**

Gunshot wound to the right forearm

**INITIAL
INCIDENT:**

Shots fired

DATE/ TIME:

16 May 2008, 2027 hours

LOCATION:501 W 127th Street – Alley
Beat 523**SUMMARY OF INCIDENT:**

On 16 May 2008, at approximately 2036 hours, off-duty Officer A was standing outside, talking with people he knew when he heard rapid gunfire in the area. Everyone on the street gathered the children and left the area. Officer A ran into an alley behind the location and heard what he believed to be gunfire. Officer A observed two black males, drew his weapon and announced his office. One of the black males, now known as Subject 1, was holding a weapon and then turned toward Officer A and fired. Officer A took cover and returned fire, striking Subject 1. Subject 1 fell on top of the second black male, the two then got to their feet and fled the area. Officer A called "911" from his mobile telephone, reported the incident, provided a full description of Subject 1 and requested assistance.

INVESTIGATION:

Witness 1 related to the Roundtable panel that she was outside her residence talking with Officer A when she heard gunshots in the area. Witness 1 grabbed her son and went inside her residence. Once inside she heard additional shots. Witness 1 did not observe the shooting.

Attempts to contact Witness 1 by telephone and personal visits were conducted in an attempt to obtain a comprehensive interview, but all attempts were unsuccessful.

A Chicago Police Department Detective related to the Roundtable panel that he responded to Roseland Hospital and was informed by hospital staff that Subject 1 arrived at the hospital with a through and through gunshot wound to the right forearm. The detective spoke with Subject 1 who related that he was shot in “100’s” (100-110th Streets in the area) and he did not know who shot him. After several questions, Subject 1 admitted to being shot on 127th Street. Subject 1 was treated and released to the custody of Chicago Police Detectives. Detectives transported Subject 1 to Area Two Detective Division for questioning.

Officer A related to the Roundtable panel an account consistent with the facts submitted in the Departmental reports.

The First Deputy’s Report submitted by a Chicago Police Department Assistant Deputy Superintendent included an account of the incident that is consistent with the Summary of Incident.

The General Offense Case Report, Arrest Report and Tactical Response Report (TRR) and the Officer’s Battery Report provided accounts of the incident that are consistent with the Summary of Incident. Detectives detained Subject 1 for questioning and placed him in a police line-up in an attempt to have Officer A positively identify the black male involved in the incident. Officer A positively identified Subject 1 as the black male who fired a weapon at him.

The Supplementary Case Report includes an account of the incident that is consistent with the Summary of Incident. The report also includes information that when Detectives questioned Subject 1 at Roseland Hospital he stated that he was shot in the vicinity of 100th and 110th Street. Subject 1 also stated that he was alone when the incident occurred. Subject 1 stated that two friends (no names provided) transported him to Roseland Hospital. During the questioning Detectives asked Subject 1 if he was shot near 127th Street because he fit the description of an individual involved in an incident in the area. Subject 1 then related that he had been shot near 127th Street.

Subject 1 stated to Area Two Detectives that he and a friend (No Further Information, “NFI”) had been drinking earlier during the day. The two went walking on a bike path in the vicinity of 127th Place. While walking, Subject 1’s friend pulled out a handgun and began firing in the air. Subject 1 asked his friend to stop firing, but his friend did not. Subject 1 reached up, attempted to pull the handgun out of his friend’s hand, and was subsequently shot in the forearm. Subject 1 ran north on the path and was taken to Roseland Hospital by a friend (NFI). Subject 1 told officers that his friend shot him on the path at approximately 8:27 pm (2027 hrs) in the vicinity of 127th Place.

Area Two Detectives conducted a search of the area in an attempt to locate Subject 1’s weapon, with negative results.

An Assistant State’s Attorney attempted to interview Subject 1, who invoked his right to legal counsel. The Assistant State’s Attorney terminated the interview and informed Detectives that there would be no charges lodged until the results of the Gunshot Residue Test Kit were analyzed. Subject 1 was then released without charges.

An Arrest Report for Subject 1, dated 13 September 2008, indicates that he was arrested in relation to the 16 May 2008 police involved shooting. Officers assigned to Beat 5642 had knowledge of Subject 1 being a subject of an Investigative Alert with cause to arrest. Officers located Subject 1 at his residence, placed him into custody and transported him to Area Two for processing. It was further determined that Subject 1 had a non-serviceable warrant issued by the Rock Island County Illinois Sheriff’s Office. The State’s Attorney denied filing felony charges related to the shooting due to an inconsistent identification. CPD decided not to file misdemeanor charges.

A Canvass of the area conducted by IPRA investigators produced no additional witnesses or information.

Attempts by detectives and officers from the Gang Intelligence Unit to locate Subject 1's friend at his last known address were unsuccessful. The reporting investigator attempted to locate Subject 1's friend via a personal visit to his last known address, but was unsuccessful. Detectives from CPD also attempted to locate Subject 1's friend but were unsuccessful. Detectives then issued a Wanted Offender Investigative Alert for Subject 1's friend.

Personal visits by IPRA investigators to the hospital and last known address of Subject 1 were conducted in an effort to obtain an interview; these personal visits were unsuccessful.

Medical records obtained from Roseland Hospital reflect that on 16 May 2008, at 2055 hours, the hospital staff received a 23 YOA black male (Subject 1) who complained of a gunshot wound to the right forearm. Subject 1 informed the staff that 30 minutes prior to his arrival at the hospital someone shot him. Radiology reports reflect that Subject 1 presented with a gunshot wound to the right forearm. There appeared to be no fracture and no foreign bodies in the wound (through and through). Hospital staff notified the Chicago Police Department of Subject 1's presence in the Emergency Room.

The OEMC event query printouts of the incident indicated that on 16 May 2008 between 2027 and 2034 hours, several people in the area where this incident occurred contacted "911" and reported shots fired. At approximately 2036 hours Officer A contacted "911," provided his name, star number and reported "shots at and by the police." Officer A also provided a description of the offenders' clothing and race. Officer A described the first offender as a black male, approximately 5'7", 145lbs., dark skin, short hair, wearing a black T-shirt, hat, black pants, and carrying a handgun. The second offender was described as a black male, approximately 5'9", 150 lbs., medium complexion, wearing a white t-shirt, blue jeans, white baseball cap and white gym shoes. OEMC broadcast descriptions of the offenders as provided by Officer A.

Crime Scene Processing Reports reflect that two officers assigned to Beat 9603 recovered and inventoried Officer A's weapon. The officers photographed and taped the scene of the incident. A third officer administered a Gunshot Residue Test to the back of Subject 1's left and right hands. Photographs of Subject 1 participating in a line-up were taken.

Reports from the Illinois State Police Division of Forensic Services (ISP) reflect that the officer's weapon was found to be in good firing condition. The Gunshot Residue Test conducted on Subject 1 indicated that Subject 1 discharged a firearm, had contact with a PGSR (Primer Gunshot Residue) related item, or had his left hand in the environment of a discharged firearm.

In a formal statement taken at the Independent Police Review Authority, Officer A in essence related that which was reported at the Roundtable and in Department reports. Officer A related that he heard rapid gunshots in the area. He then ran into an alley behind the location, heard what he believed to be gunfire, and observed two unknown black males. Officer A drew his weapon and announced his office. Subject 1, who was holding a weapon, turned toward Officer A and fired. Officer A returned fire – striking Subject 1, whom after being struck got to his feet and he and the other unknown male fled the area. In addition, Officer A related that he did not know Subject 1 prior to the incident. Officer A related that during the incident he was able to obtain a good look at Subject 1's face. Officer A added he was able to positively identify Subject 1 in a line-up based on his clothing, complexion, hair, height and his shoes.

CONCLUSION AND FINDING:

This investigation found that the use of Deadly Force by Officer A was in compliance with Department policy and Illinois State statutes. According to the Chicago Police Department's General Order 02-08-03, III:

- A. " a sworn member is justified in using force likely to cause death or great bodily harm only when he or she reasonably believes that such force is necessary:
 - 1. to prevent death or great bodily harm to the sworn member or to another person, or;
 - 2. to prevent an arrest from being defeated by resistance or escape and the sworn member reasonably believes that the person to be arrested:
 - a. has committed or has attempted to commit a forcible felony which involves the infliction, threatened infliction, or threatened use of physical force likely to cause death or great bodily harm;
 - b. is attempting to escape by the use of a deadly weapon or;
 - c. otherwise indicates that he or she will endanger human life or inflict great bodily harm unless arrested without delay."

Officer A while off-duty heard gunfire. Officer A ran toward the sound of gunfire and observed Subject 1 and a second unknown male firing a weapon. Officer A announced his office and drew his weapon. Subject 1 turned and fired at Officer A. Officer A reasonably believed "that deadly force was necessary to prevent death or great bodily harm to the sworn member or to another person" when he discharged his weapon, striking Subject 1 in the right forearm.

APPENDIX C

Abstracts of Sustained Cases

Abstracts of Sustained Cases¹

August 2008

Log/C.R. No. 1014577

On 29 February 2008, a complaint was registered with the Independent Police Review Authority (IPRA), regarding an incident occurring in the 20th District, in which an off-duty Chicago Police Department officer was alleged to have accidentally discharged his weapon. Based on the accused member's statement, material evidence, and internal reports, IPRA recommended to **"SUSTAIN"** the allegation that the accused member was inattentive to his duties in that he accidentally discharged his weapon. Further, IPRA recommended a **two (2) day suspension** for the accused member.

Log/C.R. No. 303381

On 28 January 2005, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding an incident occurring in the 17th District, in which an off-duty Chicago Police Department officer allegedly struck an individual about the face, verbally abused the individual, allowed a fellow Department member to have possession of the accused member's firearms, threatened the lives of two other private citizens, was intoxicated, was served with an Order of Protection and failed to notify the Department, and falsified a report to the Office of Professional Standards regarding the number of firearms within her possession. Because the complaining victim recanted statements that the accused member allegedly struck her about the face and verbally abused the victim, IPRA recommended that these allegations be **"UNFOUNDED."** IPRA recommended that the allegation that the accused member allegedly allowed her firearm to be released into the possession of another Department member, be **"UNFOUNDED,"** because there was insufficient evidence to substantiate any misconduct in this action. IPRA recommended to **"SUSTAIN"** the allegation that the accused member allegedly threatened the lives of two other individuals, because the complainant's statements to outcry witnesses, corroborating statements from other witnesses, and the prompt report of the incident made to the Department resulting in the accused member's subsequent arrest for simple battery. Further IPRA recommended to **"SUSTAIN"** the allegations that the accused member was intoxicated and failed to notify the Department that she was served with an Order of Protection, based on reports generated from her arrest for and criminal case for simple battery. Because there was insufficient evidence to support the allegation that the accused member falsified a report to the Office of Professional Standards about the number of firearms within her possession, IPRA recommended that this allegation be **"UNFOUNDED."** IPRA recommended a **ten (10) day suspension** for the accused member.

Log/C.R. No. 310652

On 15 January 2006, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding an incident occurring in the 16th District in which an off-duty Chicago Police Department officer allegedly entered the residence of a private citizen uninvited and without permission, engaged in a verbal and physical altercation with the residents of the home which resulted in the accused member's arrest for Domestic Battery, and that the accused member was allegedly intoxicated. Based on corroborating witness statements,

¹ The following reflect IPRA's recommendations to the Chicago Police Department. Results may be modified through the review and grievance process.

IPRA recommended to **"SUSTAIN"** the allegation that the accused member entered a private residence uninvited and without permission. Further based on reports generated from the subsequent arrest of the accused member for domestic battery, IPRA recommended to **"SUSTAIN"** the allegation that the accused engaged in a verbal and physical altercation with the residents of the home. Lastly, based on the results of the breathalyzer registered double the legal limit, IPRA recommended to **"SUSTAIN"** the allegation that the accused member was intoxicated. IPRA recommended a **five (5) day suspension** for the accused member.

Log/C.R. No. 1015341

On 30 March 2008, a complaint was registered with the Independent Police Review Authority, regarding an incident occurring in the 19th District in which an off-duty Chicago Police Department probationary police officer allegedly engaged in an unjustified physical altercation with the victim. It was further alleged that the accused member was intoxicated and had unregistered firearms in his home. Based on corroborating statements from the victim and the accused member, photographs of the victim's injuries, and OEMC transmissions recording the alleged altercation, IPRA recommended to **"SUSTAIN"** the allegation that the accused member engaged in an unjustified physical altercation with the victim. Because the accused member failed a field sobriety test and the results of a breathalyzer revealed that his blood alcohol content was above the legal limit, IPRA recommended to **"SUSTAIN"** the allegation that the accused member was intoxicated. Lastly, based on test results of further physical evidence gathered at the scene, IPRA recommended to **"SUSTAIN"** the allegation that the accused member had unregistered weapons in his home. Prior to IPRA completing its investigation, CPD separated the probationary officer from employment with CPD. At the conclusion of its investigation, IPRA noted the outcome of **"SEPARATION"** for the accused member.

Log/C.R. No. 1002368

On 01 January 2007, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding an incident occurring in the 4th District, in which an off-duty Chicago Police Department allegedly struck an individual in the mouth, shoved her to the ground, grabbed her hair, and kicked her about the ribs and abdomen. It was further alleged that the accused member verbally abused a superior officer and other responding officers to the scene of the incident, disobeyed a direct order given by the superior officer, was insubordinate and disrespectful to the superior officer, was intoxicated and was in possession of a firearm while intoxicated. Although the complaining victim submitted a drop complaint request, based on her initial report and statements to responding officers, witnesses and hospital staff, IPRA recommended to **"SUSTAIN"** the allegation that the accused member struck her in the mouth, shoved her to the ground, grabbed her hair, and kicked her about the ribs and abdomen. Based on the accused member's admissions and corroborating witness statements, IPRA recommended to **"SUSTAIN"** the allegations that the accused member was verbally abusive, insubordinate and disrespectful to a superior officer. Further, IPRA recommended to **"SUSTAIN"** the allegation that the accused member disobeyed the direct order of a superior officer, based on corroborating witness statements. Because of the accused member's admissions, witness statements from the responding officers, and the results of a urine specimen which tested above the legal limit, IPRA recommended to **"SUSTAIN"** the allegation that the accused member was intoxicated; and lastly, because of corroborating witness statements, IPRA recommended to **"SUSTAIN"** the allegation that the accused member was in possession of a loaded firearm while intoxicated. In addition, IPRA recommended to **"SUSTAIN"** further allegations that the accused member's actions brought discredit and/or disrepute to the Department, violated the law, and that

the accused member provided a false report/statement to the Office of Professional Standards about incident. IPRA recommended **separation from the Department** for the accused member.

Log/C.R. No. 1005000

On 18 April 2007, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards) regarding an incident occurring in the 14th District, in which an on-duty Chicago Police Department officer allegedly kicked an individual in the chest, directed profanity at him, failed to complete a Field Contact Card and a Tactical Response Report. It was further alleged that an on-duty probationary police officer had knowledge of misconduct on the part of a Department member and failed to report it; that an on-duty Chicago Police Department sergeant also had knowledge of this misconduct and failed to conduct a complete and thorough investigation; and that a separate on-duty Chicago Police Department sergeant failed to initiate a complaint on behalf of two complainants, allowed two officers to escort one of the complainants out of the station, and directed profanities at said individuals. Based on videotape footage of the incident, IPRA recommended to **"SUSTAIN"** the allegation that the accused officer kicked one of the complainants in the chest. Because witness statements and admissions of the accused officer corroborated the allegation that the officer directed profanities at the complainant, IPRA recommended to **"SUSTAIN"** this allegation. Also, based on the accused officer's admissions, IPRA recommended to **"SUSTAIN"** the allegations that he failed to complete a Field Contact Card and a Tactical Response Report. In addition, the accused member was cited with violating Rule 6, "Disobedience of an order or directive, whether written or oral"; Rule 14 for providing a false report to the Office of Professional Standards; and Rule 2, because his actions brought disrepute and/or discredit to the Department. The videotape footage of the incident did not support the allegation that the accused probationary police officer had knowledge of the misconduct and failed to report it, therefore IPRA recommended that this allegation be deemed **"UNFOUNDED."** Because of corroborating witness statements, IPRA recommended to **"SUSTAIN"** the allegation that the first accused sergeant had knowledge of the allegation of misconduct and failed to conduct a complete and thorough investigation. Also, based on corroborating witness and complainant statements, IPRA recommended to **"SUSTAIN"** the allegations that a second accused sergeant failed to initiate a complaint on behalf of two complainants and allowed two officers to escort one of the complainants out of the station. Lastly, because witness statements contradicted the allegation that this accused sergeant directed profanities at one of the complainants, IPRA recommended that this allegation be **"UNFOUNDED."** IPRA recommended **separation from the Department for the accused officer**, and that each of the **accused sergeants receive a five (5) day suspension.**

September 2008

Log/C.R. No. 1004913

On 15 April 2007, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding an incident occurring in the 7th District, in which an off-duty Chicago Police Department officer allegedly engaged in an unjustified physical altercation with an individual and subsequently arrested the individual in retaliation for the complaint that the individual filed against the accused officer with the former Office of Professional Standards. Based on admissions made by the accused officer, IPRA recommended to **"SUSTAIN"** both allegations against the accused member. Further, IPRA recommended that the accused officer be cited for violating Rule 2, because his overall actions brought disrepute and/or discredit to the Department and Rule 14, for

providing a false statement to the Office of Professional Standards. IPRA recommended **separation from the Department** for the accused officer.

Log/C.R. No. 310277

On 23 December 2005, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards) regarding an incident occurring in the 8th District, in which an off-duty Chicago Police Department officer allegedly discharged his weapon without justification, failed to immediately notify the Office of Emergency Management and Communications and the Desk Sergeant of the district of the occurrence of the weapon discharge, and failed to remain at the scene of the incident and report to the Watch Commander of the district of the occurrence upon the commander's arrival to the scene of the incident. Further it was alleged that the accused member was inattentive to his duty in that he accidentally discharged his weapon. Based on corroborating witness statements, IPRA recommended to **"SUSTAIN"** the allegation that the accused officer discharged his weapon without justification. Because of corroborating statements from other witnesses and admission by the accused member, IPRA recommended to **"SUSTAIN"** the allegations that the accused officer failed to immediately notify the Office of Emergency Management and Communications and the Desk Sergeant of the district of the occurrence of the weapon discharge. IPRA recommended to **"SUSTAIN"** the allegation that the accused officer failed to remain at the scene of the incident because of the admissions made by the accused. Because the evidence presented did not support the allegation that the accused officer accidentally discharged his weapon, IPRA recommended to deem the allegation that the accused was inattentive to his duty as **"UNFOUNDED."** Lastly, IPRA recommended to **"SUSTAIN"** additional allegations that the accused officer gave false statements about accidentally discharging his weapon when the evidence presented illustrates that the discharge was intentional; and that the accused officer's actions brought disrepute and/or discredit to the Department. IPRA recommended a **sixty (60) day suspension** for the accused officer.

Log/C.R. No. 305979

On 01 June 2005, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards) regarding an incident occurring in the 8th District, in which an off-duty Chicago Police Department officer allegedly bit an on-duty fellow officer, interfered with the arrest of her son, threatened the on-duty officer, grabbed the officer's radio, struck a second on-duty fellow officer, threatened the second officer, allowed her minor son to drive her vehicle without a license, failed to have insurance coverage for her vehicle, and was convicted of battery and of obstruction. Further, the off-duty accused member alleged that the first on-duty officer struck her on the head with a baton, placed her in a chokehold from behind, and punched her in the face. Based on corroborating witness statements, medical and physical evidence, IPRA recommended to **"SUSTAIN"** the allegations that the off-duty accused officer bit an on-duty fellow officer, interfered with the arrest of her son, threatened the on-duty officer, grabbed the officer's radio, struck a second on-duty fellow officer, and threatened the second officer. IPRA recommended a finding of **"UNFOUNDED"** for the allegation that the off-duty accused officer allowed her minor son to drive her vehicle without a license, as internal reports indicated that the son took the vehicle without the accused's permission. The allegation that the accused off-duty officer failed to have insurance on her vehicle was **"NOT SUSTAINED"** because of contradicting statements and records. Further, IPRA recommended a finding of **"UNFOUNDED"** for the allegations that the off-duty accused officer was convicted of batter and obstruction, because these convictions were subsequently vacated by the court. Because the accused's credibility was found to be lacking and because there was no other corroborating evidence to support the allegations that the first on-duty accused officer struck her on the head with a baton, placed her in a chokehold from behind, and punched her in the face, IPRA

recommended a finding of **"UNFOUNDED"** for these allegations. IPRA recommended **separation from the Department** for the accused off-duty officer.

October 2008

Log/C.R. No. 1000936

On 01 November 2006, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding incidents occurring in the 25th and 14th Districts, involving two off-duty Chicago Police Department members. The first accused member, while off-duty in the 25th District was alleged to have been in possession of an unauthorized firearm, that he fired that revolver in "single action," accidentally discharging the firearm, and failed to immediately notify the Office of Emergency Management and Communications (OEMC) and the desk sergeant of the 25th District of the firearm discharge, left the scene of the firearm discharge, and had knowledge of and failed to report the misconduct of a second accused member. The second accused member, while off-duty in the 14th District, was alleged to have failed to register a firearm that was purchased in 1998 and failed to secure her firearm. Based on statements from the first accused officer that he discharged the firearm into his left leg, that he did not comply with Department General Order 92-03-02A, which requires members to obtain qualification in order to carry auxiliary revolvers, and that he cocked the hammer of the firearm and that he fired it "single action" IPRA recommended to **"SUSTAIN"** the allegations that he was in possession of an unauthorized, unregistered firearm, and that he fired in "single action." IPRA also recommended to **"SUSTAIN"** the allegation that the accused member accidentally discharged the revolver based on his admissions and physical evidence of the wound to his left leg and the spent round recovered at the scene of the incident. The allegations that the accused member failed to immediately notify OEMC and failed to the 25th District desk sergeant of the firearm discharge, were **"NOT SUSTAINED,"** because he instructed the second accused member to call OEMC and report the incident on his behalf. IPRA recommended to **"EXONERATE"** the first accused member of the allegation that he left the scene of the firearm discharge, because the member explained that he was in fear for his life and did not have any protective equipment; further, the Department General Order 92-03 does not require Department members to remain at the scene of a firearm discharge when they are injured. IPRA recommended to **"NOT SUSTAIN"** the allegation against the first accused member that he was aware that the second accused member owned an unregistered firearm and failed to report the misconduct, because there was insufficient evidence to establish that the first accused had knowledge of said misconduct. Based on the second accused member's admissions, IPRA recommended to **"SUSTAIN"** the allegation that she was in possession of an unregistered firearm. Lastly, IPRA found the allegation against the second accused that she failed to secure her firearm as **"UNFOUNDED,"** based on corroborating statements that the firearm was kept in a locked gun safe. IPRA recommended a **ten (10) day suspension** for the first accused member and a **five (5) day suspension** for the second accused member.

Log/C.R. No. 310735

On 19 January 2006, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding an incident occurring in the 12th District, involving an off-duty Chicago Police Department officer who allegedly pointed a handgun at the complainants without justification, struck one of complainants on the head, and verbally abused the complainants by directing racial slurs and profanity at them. IPRA recommended to **"SUSTAIN"** the allegation that the accused member pointed a handgun without justification at the complainants, based on corroborating statements and one of the complainant's positive identification of the accused in a photo line-up. Based on the corroborating statements and the visible marks on one of the complainants, IPRA recommended to **"SUSTAIN"** the allegation that the accused member struck one of the complainants about the head. Lastly, because of these corroborating statements,

IPRA recommended to **"SUSTAIN"** the allegation that the accused member verbally abused the complainants by directing racial slurs and profanity at them. IPRA recommended a **four (4) day suspension** for the accused member.

Log/C.R. No. 312067

On 02 April 2006, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding an incident occurring in the 9th District, involving an on-duty Chicago Police Department officer and a sergeant. The accused officer was alleged to have grabbed the complainant without justification, handcuffed the complainant without justification, pushed the complainant out of a retail store without justification, verbally abused him by directing racial slurs at him, and threatened the complainant. The accused sergeant allegedly failed to register a complaint against the officer. Based on corroborating statements and video tape footage, IPRA recommended to **"SUSTAIN"** the allegation that the accused officer grabbed the complainant without justification. Also based on the corroborating statements, IPRA recommended to **"SUSTAIN"** the allegation that the accused officer had no justification for the physical contact and handcuffing of the complainant. Based on corroborating witness statements, IPRA recommended to **"SUSTAIN"** the allegation that the accused officer pushed the complainant out of the retail store. Lastly, based on witness statements, IPRA recommended to **"SUSTAIN"** the allegations that the accused officer verbally abused and threatened the complainant. Because there were no witness statements or recorded OEMC transmissions to identify with whom the accused sergeant had contact and what information was provided to him, IPRA recommended to **"NOT SUSTAIN"** the allegation that the accused sergeant failed to make a complaint against the officer. IPRA recommended a **ten (10) day suspension** for the accused officer.

Log/C.R. No. 314708

On 04 August 2006, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding an incident occurring in the 4th District, involving an off-duty Chicago Police Department officer, who allegedly engaged in a verbal traffic altercation with a complainant and displayed a firearm. Based on corroborating complainant and witness statements, IPRA recommended to **"SUSTAIN"** the allegations that the accused officer engaged in a verbal traffic altercation with a complainant, and that the accused unnecessarily displayed, but did not point his firearm. IPRA recommended a **one (1) day suspension** for the accused officer.

Log/C.R. No. 303862

On 24 February 2005, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding an incident occurring in the 6th District, involving a then unknown Chicago Police Department officer, who allegedly abused a complainant. This initial investigation was closed because IPRA was not able to obtain a sworn and signed affidavit from the complainant. Upon administrative review, the investigation was re-opened on 11 December 2006. Based on subsequent investigation, IPRA identified separate misconduct and it was alleged that the first accused officer submitted a false Department report and signed another officer's name to a Department report without permission. The second accused officer was alleged to have submitted a false Department report, signed another officer's name to a Department report without permission, and was aware the misconduct of the first accused officer and failed to report it. Based on the corroborating witness statements from a fellow Department member and on the first accused officer's admissions, IPRA recommended to **"SUSTAIN"** the allegations that the accused officer submitted a false Department report and signed another officer's name to a Department report. Again, based on corroborating witness statements from the fellow Department member and the first accused officer's admissions, IPRA recommended to **"SUSTAIN"** the allegation that the second accused officer submitted a false Department report. In turn based on said statements and admissions, IPRA found

the allegation that the second accused officer signed another officer's name to a Department report as **"UNFOUNDED."** Lastly, based on the second accused officer's admissions, IPRA recommended to **"SUSTAIN"** the allegation that he was aware of the misconduct by the first accused officer and failed to report it. IPRA recommended a **fifteen (15) day suspension** for each of the accused officers.

November 2008

Log/C.R. No. 1001937

On 08 December 2006, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding an incident occurring in the 4th District, involving an off-duty Chicago Police Department officer. The accused officer was alleged to have engaged in an unjustified physical altercation with a fellow department member, verbally abused the fellow member by directing profanities at her, and on separate occasions allegedly harassed her through various communications and/or followed her in his vehicle and parked outside her home, and directed profanity at her while the fellow member was on the line with a "911" dispatcher. IPRA recommended to **"SUSTAIN"** the allegation that the accused officer engaged in an unjustified physical altercation with the fellow department member, based on physical evidence of injuries corroborating the fellow member's complaint and upon the fact that the accused member was arrested for Domestic Battery and plead guilty for Disorderly Conduct relative to this alleged incident. Based on corroborating statements and "911" transmissions, IPRA recommended to **"SUSTAIN"** the allegations that the accused verbally abused the fellow member by directing profanities at her. Because the accused member admitted to sending harassing communications and that he parked outside of the fellow member's home, IPRA recommended to **"SUSTAIN"** these allegations. Further, IPRA recommended to **"SUSTAIN"** an additional allegation that the accused provided a false report to IPRA investigators, as his statement was contradicted by multiple witness statements, about the physical altercation between he and the fellow member. IPRA recommended a **thirty (30) day suspension** for the accused member.

Log/C.R. No. 1003658

On 25 February 2007, a complaint was registered with the Independent Police Review Authority (IPRA), regarding an incident occurring in the 11th District in which an off-duty Chicago Police Department officer allegedly physically abused a minor victim by striking the minor about the body with an extension cord and/or belt. Based on the accused member's admissions that he struck the victim with a belt, the victim's consistent statements to outcry witnesses, police and IPRA investigators, photographs of the victim's injuries, and recommendations made by DCFS and the victim's doctor indicating child abuse, IPRA recommended to **"SUSTAIN"** the allegation that the accused officer physically abused the minor victim. Further, IPRA recommended a **twenty (20) day suspension** for the accused member.

Log/C.R. No. 313961

On 03 July 2006, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding various incidents occurring in the 2nd District, in which an off-duty Chicago Police Department officer allegedly threatened to kill the victim during a telephone argument, engaged in physical domestic altercations with the victim at various times, failed to properly secure his firearm during one of these domestic altercations, locked the victim's children out of the accused's apartment during the victim's incarceration, did not return the victim's personal items after she moved out of the domicile, destroyed her clothes and shoes, used his official position for personal gain/influence in that he obtained the victim's criminal history, and associated/fraternized with a convicted felon. In addition, the victim further alleged that on separate occasions, unidentified

Chicago Police Department officers failed to provide proper police service, failed to offer her medical attention and joked about the domestic altercations between her and the accused officer. There were conflicting statements between the accused and the victim, and there were no independent witnesses to corroborate either account, therefore IPRA recommended to **"NOT SUSTAIN"** the allegation that the accused member threatened to kill the victim. During the course of IPRA's investigation, no independent witnesses nor "911" calls for domestic disturbances at the accused's apartment were found to corroborate the multiple incidents of physical domestic altercations between the victim and the accused officer. To this end, IPRA recommended to **"NOT SUSTAIN"** the allegations of the physical altercations, that the accused failed to secure his firearm during one of these altercations, and that the accused locked the victim's children out of the accused's apartment during the victim's incarceration. Although the victim requested police escort in order to remove her personal items from the accused's apartment, the victim did not show up to do so and IPRA recommended to **"NOT SUSTAIN"** the allegations that the accused did not return the victim's personal items and that he destroyed her clothes and shoes, because no independent witnesses were revealed to corroborate these allegations. Because C.P.D. records substantiated that the accused member used his department user ID and password to obtain a copy of the victim's criminal history, IPRA recommended to **"SUSTAIN"** the allegations that the accused used his official position for personal gain/influence and that the accused associated/fraternized with a convicted felon, in that he maintained an intimate relationship with the victim after he knew her criminal history. Further, IPRA recommended to **"SUSTAIN"** an additional allegation that the accused officer provided a false report in that he denied having knowledge that the victim was a convicted felon and denied accessing her criminal history. Because there were no records of "911" calls reporting domestic disturbances at the subject location on the dates alleged by the victim, and because various witnesses disclosed by the victim did not cooperate with IPRA's investigation and could not corroborate the allegations that on several occasions, unidentified Chicago Police Department officers failed to provide proper police service, failed to offer her medical attention and joked about the domestic altercations between her and the accused officer, IPRA recommended to **"NOT SUSTAIN"** these allegations. IPRA recommended **separation** for the accused officer.

December 2008

Log/C.R. No. 307786

On 28 December 2006, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding an incident occurring in the 4th District, involving fourteen (14) on-duty Chicago Police Department members. It was generally alleged against all of the members that they entered a first floor front apartment without justification and a first floor rear apartment without justification. It was further alleged against the accused lieutenant that he failed to ensure the proper execution of a search warrant. Against the accused sergeant, it was alleged that he failed to ensure proper execution of a search warrant and that he failed to include pertinent information in his initiation report submitted to IPRA. Lastly, against one of the principally accused officers, it was alleged that he kicked an occupant of one of the residences in his ribs. Nine of the accused members were **"EXONERATED"** of the first general allegation that the members entered the first floor front residence without justification, based on the determination that it was entered during the execution of a valid search warrant. The accused lieutenant was **"EXONERATED"** of the second allegation that he entered the first floor front apartment without justification, because exigent circumstances justified his entry. The allegation against the accused lieutenant and accused sergeant that they failed to ensure proper execution of the search warrant was **"SUSTAINED"** because although the lieutenant issued an order for the accused members to breach the first floor unit to the left of the entryway, members under his command breached both first floor units. The second general allegation against the accused sergeant and one of the accused officers, that they entered the first

floor rear apartment improperly was **"NOT SUSTAINED"** because although they were identified by the complainant, no other evidence could support the allegation that they entered the first floor rear apartment without justification. IPRA recommended to **"SUSTAIN"** the allegation against the accused sergeant that he failed to include pertinent information in his initiation report, because it was revealed that he and officers from his unit were involved in the breach of the first floor rear unit and detained the complainant, who was not the subject of the search warrant; the sergeant failed to include this information in his initiation report. The allegations against one of the accused officers that he entered the first floor rear apartment and that he kicked that apartment's occupant, was **"SUSTAINED"** based on the officer's admissions that he was breached this unit and had contact with the complainant and corroborating witness statements and the physical injuries on the complainant. The allegation that a third accused member entered the first floor rear unit without justification was **"SUSTAINED"** based on the officer's admissions that he entered the unit. For the remaining accused officers, IPRA recommended that the general allegations that they entered the first floor front unit without justification and the first floor rear unit without justification, be **"UNFOUNDED,"** as there was no evidence that these officers entered either unit. IPRA recommended a **fifteen (15) day suspension** for the accused sergeant and the principally accused officer; a **ten (10) day suspension** for the accused lieutenant; and a **four (4) day suspension** for the other accused officer.

Log/C.R. No. 1002796

On 18 January 2007, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding an incident occurring in the 12th District, involving thirteen (13) on-duty Chicago Police Department members. It was alleged that the accused members failed to provide police service on 15 December 2006. It was further alleged against a principally accused sergeant and two principally accused officers that they failed to conduct a license premises investigation as mandated by a CPD special order. IPRA recommended to **"SUSTAIN"** the first allegation that the members failed to provide police service after responding to a call for emergency assistance, against the principally accused sergeant and eight other accused officers. The investigation revealed that those members were at the location of the incident and failed to conduct an appropriate investigation as to the reason for the emergency assist call. IPRA recommended to **"NOT SUSTAIN"** this first allegation against the remaining four members as the evidence could neither prove nor disprove the allegation. IPRA recommended to **"SUSTAIN"** the second allegation against the principally accused sergeant and two accused members as the investigation revealed that each of them had spoken to witnesses at the scene and obtained information that a bar fight had transpired, but failed to conduct a license premises investigation. Further IPRA recommended a **forty-five (45) day suspension** for one of the accused officers, a **twenty (20) day suspension** for the accused sergeant and two accused officers, a **five day (5) suspension** for two accused officers, a **three (3) day suspension** for two accused officers, and a **one (1) day suspension** for a final accused officer.

Log/C.R. No. 1010958

On 15 and 16 November 2007, a complaint was registered with the Independent Police Review Authority (IPRA), regarding incidents occurring in the 6th District, involving an off-duty Chicago Police Department officer. The accused officer allegedly grabbed a minor victim resulting in an arrest for Domestic Battery and Violation of a Domestic Order of Protection, violated and was arrested for Violation of a Bail Bond Order subsequent to her initial arrest and release, and failed to notify the Department after being served with an Order of Protection. IPRA recommended to **"NOT SUSTAIN"** the allegations that the accused member grabbed the minor victim and violated an Order of Protection on 15 November 2007, as there was no corroborating witnesses nor physical evidence of abuse. Because of corroborating witness statements and admissions made by the accused, IPRA recommended to **"SUSTAIN"** the allegation that the accused officer violated her Bail Bond Order.

Further, IPRA recommended to **“SUSTAIN”** the allegation that the accused failed to notify the Department when she was served with an Order of Protection, based on the accused’s admissions and on the fact that the Department became aware of the protection order when police were called to her residence on 15 November 2007. IPRA recommended a **seven (7) day suspension** for the accused officer.

Log/C.R. No. 1013157

On 06 January 2008, a complaint was registered with the Independent Police Review Authority, regarding an incident occurring in the 10th District, involving an on-duty Chicago Police Department lieutenant, in which he allegedly discharged a taser improperly in a secure storage room located at the 10th District headquarters. Based on the accused’s admissions, IPRA recommended to **“SUSTAIN”** the allegation of the improper taser discharge. Further, IPRA recommended that **the violation be noted in the accused lieutenant’s disciplinary file.**

January 2009

Log/C.R. No. 1003074

On 28 January 2007, a complaint was registered with the Independent Police Review Authority, regarding an incident occurring in the 22nd District involving an off-duty Chicago Police Department officer. It was alleged that the accused officer verbally abused a victim with derogatory and threatening remarks; grabbed the victim by her clothing and physically forced her inside their residence; grabbed her in a choke-hold; grabbed her by the hair; threw her to the floor, slamming her head/face to the floor and sat on her; kicked her about the body; placed a gun to her head; and was arrested for Domestic Battery and Aggravated Assault, and was subsequently found guilty of Simple Battery on 24 July 2007. IPRA recommended to **“SUSTAIN”** all of the aforementioned allegations against the accused member based on corroborating witness statements made to police officers responding to the scene of the incident, the physical evidence of injuries, and the accused officer’s admissions in his guilty plea to Simple Battery. Further, IPRA recommended **separation** for the accused officer.

February 2009

Log/C.R. No. 1022648

On 23 December 2008, a complaint was registered with the Independent Police Review Authority regarding an incident occurring in the 15th District on 13 November 2007, involving an on-duty Chicago Police Department officer. It was alleged that the accused officer improperly loaded his firearm with ammunition from different manufacturers. Based on the results from Illinois State Police forensic tests, IPRA recommended to **“SUSTAIN”** the allegation that the accused officer loaded his firearm with ammunition from different manufacturers. IPRA recommended that **the violation be noted to the accused member’s personnel file.**

March 2009

Log/C.R. No. 1004564

On 01 April 2007, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a The Office of Professional Standards), regarding an incident occurring in the 5th District, involving two off-duty Chicago Police Department officers (A and B), and one on-duty Chicago Police Department officer (C). It was alleged that Officer A pushed Officer B on the back, struck him on the face with her fist, approached him in an aggressive manner while inside his vehicle, and kicked

the windshield of his vehicle causing damage. It was further alleged that Officer A was intoxicated, shoved Officer C, verbally abused and threatened him, was uncooperative and resisted his efforts to handcuff her during the preliminary investigation, and was verbally abusive, argumentative and belligerent towards the responding officers. Officer A alleged that Officer B was intoxicated, pushed her down to the ground, pulled her inside a vehicle, and used his body weight to prevent her from exiting the vehicle. Officer A also alleged that the on-duty Officer C grabbed her hair and shirt and threw her against a truck with excessive force, verbally abused her, and directed other Chicago Police Department members on the scene to throw her inside a squad car. Based on Officer A's own admission and corroborating evidence, IPRA recommended to **"SUSTAIN"** the allegation that Officer A struck Officer B in the face with her fist; that she approached him in an aggressive manner while inside his vehicle; and that she kicked the windshield of his vehicle causing damage. Based on Officer A's own admission, coupled with corroborating witnesses' statements and physical evidence, IPRA recommended to **"SUSTAIN"** the allegations that Officer A was intoxicated, and engaged in improper behavior towards Officer C. Based on involved and witness officer statements, IPRA recommended that the allegation that Officer B pushed Officer A down to the ground be **"NOT SUSTAINED;"** that the allegation that Officer B pulled Officer A into the front passenger seat of his vehicle be **"UNFOUNDED;"** and that the allegation that Officer B placed his weight on Officer A to prevent her from exiting the vehicle be **"EXONERATED."** Based on the results of a Breathalyzer, IPRA recommended to **"UNFOUND"** the allegation of intoxication against Officer B. IPRA recommended that all the allegations against Officer C be **"UNFOUNDED"** based on accounts from Officer A and the other responding officers on the scene. IPRA recommended a **twenty (20) day suspension** for Officer A.

LOG/C.R. NO. 1015538

On 06 April 2008, a complaint was registered with the Independent Police Review Authority (IPRA) regarding an incident that occurred in the 3rd District, in which an off-duty Chicago Police Department officer allegedly broke the windshield of a vehicle while the complainant was seated in the driver's seat, and tripped or kicked the complainant. Based on the officer's admission, IPRA recommended to **"SUSTAIN"** the allegation that the officer's conduct brought discredit upon the Department. Because there were neither corroborating witnesses nor physical evidence to prove or disprove the allegation, IPRA recommended to **"NOT SUSTAIN"** the allegation of physical violence. IPRA recommended a **five (5) day suspension** for the accused member.

April 2009

Log/CR No. 1001401

On 17 November 2006, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a The Office of Professional Standards) regarding an incident that occurred in the 10th District, in which a Chicago Police Department officer allegedly was inattentive to duty when she accidentally discharged her firearm while in vehicular pursuit of offenders driving a stolen vehicle. There were no injuries reported as a result of the accidental discharge. Based on the officer's admission and physical evidence, IPRA recommended to **"SUSTAIN"** the allegation. IPRA recommended a **reprimand** for the accused member.

Log/CR No. 1009451

On 20 September 2007, a complaint was registered with the Independent Police Review Authority regarding an incident that occurred in Norridge, Illinois, involving an off-duty Chicago Police Department officer. After a traffic accident, the accused officer allegedly approached the complainant's vehicle and engaged in an unjustified verbal altercation by referring to her as a "fucking

bitch” and /or “stupid,” and committed a battery against the complainant by punching/pushing a camera into her face causing injuries without legal justification. Based on statements from the complainant and an independent witness, corroborative evidence including the ambulance report, medical reports, photographs, and the officer’s statement, IPRA recommended to **“SUSTAIN”** the allegations. IPRA further recommended a **fifteen (15) day suspension** for the accused member.

Log/CR No. 1009476

On 21 September 2007, a complaint was registered with the Independent Police Review Authority regarding an incident that occurred in the 7th District, involving two Chicago Police Department officers (A & B) and a detective (C). The complainant alleged that during the course of a narcotics investigation, Officer A grabbed him by the neck, pushed him to the ground, and poked him about the body with an unknown object. It was further alleged that Officers A and B and Detective C failed to obtain medical care, and Detective C had knowledge of alleged misconduct and failed to report it. Based on documentary evidence and the complainant’s and involved members’ statements, IPRA recommended that the allegations that Officer A grabbed the complainant by the neck, pushed him to the ground, and poked him several times in the body be **“UNFOUNDED.”** Based on the statements of the involved members, IPRA recommended to **“SUSTAIN”** the allegation that Officers A and B, and Detective C were inattentive to duty in that they failed to obtain immediate medical attention for the complainant. Finally, based on an admission, IPRA recommended to **“SUSTAIN”** the allegation that Detective C had knowledge of alleged police misconduct and failed to notify a supervisor and/or prepare a written report. IPRA recommended that Officers A and B be **suspended for two days**, and that Detective C be **suspended for three days**.

Log/CR No. 1012986

On 30 December 2007, a complaint was registered with the Independent Police Review Authority regarding an incident that occurred in the 14th District, in which a Chicago Police Department probationary police officer allegedly engaged in an unjustified verbal altercation with the bouncer at a local nightclub in the 14th District, and was intoxicated and in possession of his firearm. It was further alleged that a second Chicago Police Department officer improperly provided the accused probationary police officer with the case report regarding the incident. Based on witness statements, forensic tests, and official reports, IPRA recommended to **“SUSTAIN”** the allegations against the probationary police officer. Further, based on the admission of the second accused officer, IPRA recommended to **“SUSTAIN”** the allegation that he improperly provided the official report. The probationary police officer was terminated by CPD as a result of this incident. IPRA recommended that the second accused member receive a reprimand.

Log/CR No. 1013205

On 08 January 2008, a complaint was registered with the Independent Police Review Authority regarding an incident that occurred in the 8th District, in which an off-duty Chicago Police Department officer allegedly pinned down his wife (complainant) and struck her on the face; grabbed his step-daughter (victim) by her hair, struck her on the arm, dragged her down the stairs; and locked the complainant and victim out of the house. The accused officer was arrested for Domestic Battery. Based on a witness statement, reports from responding police personnel, photographs, and the accused officer’s admission to engaging in a physical altercation with the complainant, IPRA recommended to **“SUSTAIN”** the allegations that the accused officer pinned down the complainant, struck her on the face, and locked the complainant and victim out of the house. Due to lack of evidence, IPRA recommended to **“NOT SUSTAIN”** the allegations that the accused officer grabbed the victim’s hair, struck her on the arm, or dragged the victim down the stairs. IPRA recommended a **twenty-five (25) day suspension** for the accused member.

Log/CR No. 1018768

On 4 August 2008, a complaint was registered with the Independent Police Review Authority (IPRA) regarding an incident that occurred in the 4th District, in which an off-duty Chicago Police Department officer allegedly was intoxicated and spit in the complainant's face, an off-duty Chicago Police Department officer and the accused officer's wife. Based on breathalyzer and forensic tests and statements from the complainant and responding officers, IPRA recommended to **"SUSTAIN"** the allegation of intoxication. IPRA recommended to **"UNFOUND"** the allegation that the accused officer spit on the complainant due to there being no evidence that the accused officer intentionally committed this act. IPRA recommended a **ten (10) day suspension** for the accused member.

Log/CR No. 1020556

On 5 October 2008, a complaint was registered with the Independent Police Review Authority (IPRA) regarding an incident that occurred in the 6th District, in which an off-duty Chicago Police Department officer allegedly engaged in an unjustified physical altercation with his wife (complainant) in that he flipped the mattress causing the complainant to fall to the floor; and he struck the complainant on the face with a laptop case. The complainant did not sustain injuries. Based on the complainant's statement, the 911 transcripts of the complainant's request for police service, the reports from responding police personnel, and the accused officer's admission, IPRA recommended to **"SUSTAIN"** the allegations and recommended a **one (1) day suspension** for the accused member.

Log/C.R. No. 1021212

On 24 October 2008, a complaint was registered with the Independent Police Review Authority, regarding an incident occurring in the 1st District on 15 October 2008, involving the Superintendent of Police, while on duty. It was alleged that the Superintendent participated in a partisan political campaign/activity by way of comments made to a television reporter, brought discredit/disrepute to the Department because of said comments, and was inattentive to his duty. Based on the recording of the interview, and witness/accused interviews, IPRA recommended that the allegation that the Superintendent participated in partisan political campaign/activity be **"UNFOUNDED,"** in that his comments did not speak to his role or participation in the campaign. Further, IPRA recommended to **"SUSTAIN"** the allegations that the Superintendent impeded the Police Department's operations and was inattentive to his duty in that while in uniform and on television he made comments that favored a particular political candidate. IPRA recommended that the **Superintendent receive a reprimand.**

May 2009

Log/CR No. 1007370

On 09 July 2007, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a The Office of Professional Standards) regarding an incident that occurred in the 22nd District, in which an off-duty Chicago Police Department officer allegedly grabbed and twisted his wife's (complainant) wrist and took her to the floor during a verbal dispute; head-butted the complainant about the face during a verbal dispute; and threatened the complainant. IPRA recommended to **"NOT SUSTAIN"** the allegations that the accused officer grabbed and twisted the complainant's wrist and took her to the floor during a verbal dispute based on a lack of physical evidence, the accused officer's denial, and the fact that this incident was reported two months after it occurred. Based on documented evidence, and statements from a witness and the accused, IPRA recommended to **"SUSTAIN"** the allegation that the accused head-butted the complainant about the face. Due to a lack of evidence, IPRA recommended to **"NOT SUSTAIN"** the allegation that the accused made a threatening remark to the complainant. IPRA recommended a **seven (7) day suspension** for the accused member.

Log/CR No. 1008869

On 30 August 2007, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a The Office of Professional Standards) regarding an incident that occurred in the 4th District, in which an off-duty Chicago Police Department officer allegedly choked and threw the complainant to the ground. It was further alleged that the accused failed to generate a Tactical Response Report. Based on a lack of evidence, cooperation from identified witnesses, and the accused officer's denial, IPRA recommended to **"NOT SUSTAIN"** the allegations that the complainant was choked and thrown to the ground. Based on the accused officer's statement describing the Departmental techniques used to subdue the complainant, medical records, and Department policy, IPRA recommended to **"SUSTAIN"** the allegation that the accused officer failed to generate a Tactical Response Report. IPRA recommended that the accused member be **suspended for four (4) days**.

Log/CR No. 1019576

On 31 August 2008, a complaint was registered with the Independent Police Review Authority regarding an incident that occurred in the 7th District, involving a Chicago Police Department officer (Officer A) and a sergeant (Sergeant B). The complaint alleged that during the course of a traffic accident, Officer A was intoxicated while off-duty; carried his firearm while intoxicated; engaged in an unjustified verbal altercation with the complainant; unnecessarily displayed his firearm; engaged in an unjustified physical altercation with the complainant; failed to secure his firearm; failed to properly identify himself and violated a traffic law by driving recklessly. It was further alleged that Sergeant B allowed off-duty Officer A to drive himself to the police station while intoxicated and allowed Officer A, who was intoxicated, to have his gun returned to him following an altercation with the complainant. Based on the results of a breathalyzer test, field sobriety test, statements from the complainant, witness, and responding officers, and forensic testing, IPRA recommended to **"SUSTAIN"** the allegations that Officer A was intoxicated, carried a firearm while intoxicated, engaged in an unjustified verbal altercation with the complainant, unnecessarily displayed his firearm, failed to properly identify himself, failed to secure his firearm, violated a traffic law by driving recklessly and brought discredit upon the Department. Based on statements from Officer A and the complainant, IPRA recommended to **"UNFOUND"** the allegation that Officer A engaged in a physical altercation with the complainant. Further, based on statements from Officer A and Sergeant B, and the totality of the circumstances disclosed during the investigation, IPRA recommended to **"NOT SUSTAIN"** the allegations that Sergeant B allowed Officer A to drive himself to the police station and have his gun returned to him when Sergeant B knew Officer A was intoxicated. IPRA recommended that Officer A be **suspended for (90) ninety days**.

June 2009

Log/C.R. No. 1013583

On 22 January 2008, a complaint was registered with the Independent Police Review Authority (IPRA), regarding an incident occurring in the 2nd District. It was alleged that an on-duty Chicago Police Department officer failed to protect a crime scene and preserve evidence, handled evidence (a handgun) without proper and sanctioned Department equipment, placed this evidence in a brown paper bag instead of the proper and sanctioned Department equipment, and placed evidence (bullet casings obtained from the handgun) into his uniform pocket. In addition, it was alleged that an on-duty Chicago Police Department sergeant failed to properly protect a crime scene and secure evidence, handled evidence (a handgun) without proper and sanctioned Department equipment, placed this evidence in a brown paper bag instead of the proper and sanctioned Department equipment, and disturbed evidence by unloading a handgun before it was properly processed. Based on statements from the accused officer and witnesses, IPRA recommended a finding of

"UNFOUNDED" for the allegations that the officer failed to protect a crime scene, preserve evidence, and placed the evidence (a handgun) in a brown paper bag instead of using proper and sanctioned Department equipment. Further, IPRA recommended a finding of **"EXONERATED"** for the accused officer regarding the allegations that he handled evidence without proper and sanctioned Department equipment and that he placed other evidence (bullet casings obtained from the handgun) in his uniform pocket. Based on the accused sergeant's admissions that he handled the evidence without proper and sanctioned Department equipment and removed the bullet casings, IPRA recommended to **"SUSTAIN"** the allegations against the accused sergeant that he failed to properly protect a crime scene, failed to secure evidence, handled evidence without proper and sanctioned Department equipment, and disturbed evidence before it was properly processed. Further, based on the accused sergeant's statements and corroborating witness statements IPRA recommended a finding of **"UNFOUNDED"** for the allegation that the accused sergeant placed this evidence in a brown paper bag instead of the proper and sanctioned Department equipment. IPRA recommended a **one (1) day suspension** for the accused sergeant.

Log/C.R. No. 309112

On 13 October 2005, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a The Office of Professional Standards), regarding an incident occurring in the 2nd District involving an on-duty female Chicago Police Department officer and an on-duty male officer. It was alleged that the accused male officer cut the arrestee with a knife, used an unauthorized cutting instrument to remove flexicuffs, made a false report regarding the arrestee's injury, failed to make notifications regarding an injury to an arrestee, failed to provide immediate medical assistance to an injured arrestee, and failed to preserve evidence. It was alleged that the accused female officer made a false report regarding an arrestee's injury, failed to make any notifications regarding an injury to an arrestee, and failed to provide immediate medical assistance to an injured arrestee. IPRA recommended to **"SUSTAIN"** the allegation that the accused female officer made a false report based on the statements of witness officers and the accused officer's contradictory statements. IPRA recommended a finding of **"UNFOUNDED"** for the allegations that the accused officers failed to make any notifications regarding an arrestee's injury because C.P.D. records indicate that they made notifications about the injury. Based on statements made by witnesses and the accused members, IPRA recommended a finding of **"UNFOUNDED"** for the allegation that the accused officers failed to provide immediate medical assistance. Based on corroborating witness statements and admissions made by the accused male officer, IPRA recommended to **"SUSTAIN"** the allegation that he cut an arrestee with a knife. Again based on the accused male officer's admissions, IPRA recommended to **"SUSTAIN"** the allegation that he used an unauthorized cutting instrument to remove flexicuffs. Also based on corroborating witness statements and the accused male officer's admissions, IPRA recommended to **"SUSTAIN"** the allegation that he made a false report regarding an arrestee's injury. IPRA recommended to **"NOT SUSTAIN"** the allegation that the accused male officer failed to preserve evidence. IPRA recommended a ten (10) day suspension for the accused female member, and a twenty (20) day suspension for the accused male member.

Log/C.R. No. 1008922

On 01 September 2007, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a The Office of Professional Standards), regarding an incident occurring in the 22nd District involving an off-duty Chicago Police Department officer. It was alleged that on that date the accused officer was verbally abusive to a complainant, threw a bottle at her which struck her on the leg, and obtained arrest reports for personal use. It was also alleged that on 22 May 2005, the accused officer obtained arrest information and an arrest report for his ex-wife for personal use. IPRA recommended to **"NOT SUSTAIN"** the allegations that the accused officer was verbally abusive to the complainant,

and because there was no corroborating evidence to prove this allegation that the accused officer threw a bottle at the victim which struck her on the. IPRA recommended a finding of **"UNFOUNDED"** regarding the allegation that the accused officer obtained arrest reports for personal use, because there was no evidence such conduct occurred on the date it was alleged to have occurred. Lastly, based on internal C.P.D. records and the accused officer's admission, IPRA recommended to **"SUSTAIN"** the allegation that in 2005, the accused officer obtained arrest information and his ex-wife's arrest report for personal use, and the additional allegation that he disobeyed a C.P.D. direct order. IPRA recommended a **five (5) day suspension** for the accused member.

Log/C.R. No.1004686

On 05 April 2007, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a The Office of Professional Standards) regarding an incident occurring in the 6th District involving an off-duty Chicago Police Department officer and an on-duty Chicago Police Department officer. It was alleged that the accused off-duty officer was uncooperative and argumentative; failed to follow the verbal commands of responding on-duty officers; resisted and obstructed the responding on-duty officers resulting in her arrest for three counts of Resisting/Obstructing a Peace Officer; became physically aggressive with responding on-duty officers and a victim; failed to secure her firearm; was intoxicated; disrespected a superior officer; used profanity when referring to a victim and witness; was verbally abusive and threatened the jobs of the arresting officers; and falsely identified herself to an OEMC dispatcher. In addition, it was alleged that the accused on-duty officer refused to testify against the accused off-duty officer. Based on C.P.D. reports and corroborating witness statements, IPRA recommended to **"SUSTAIN"** the allegations that the accused off-duty officer was uncooperative and argumentative and that the accused off-duty officer failed to follow the verbal commands of responding on-duty officers. Based on C.P.D. reports and corroborating court records, IPRA recommended to **"SUSTAIN"** the allegation that the accused off-duty officer resisted and obstructed the responding on-duty officers. Based on corroborating witness statements and admissions made by the accused off-duty officer, IPRA recommended to **"SUSTAIN"** the allegations that the accused off-duty officer became physically aggressive with responding on-duty officers and a victim and that the accused officer failed to secure her firearm. Because the accused off-duty officer failed her field sobriety tests and results from a Breathalyzer test and backward extrapolation revealed that the accused off-duty officer was intoxicated, IPRA recommended to **"SUSTAIN"** the allegation that the accused was intoxicated. Based on witness statements, evidence of her intoxication, and an audio recording, IPRA recommended to **"SUSTAIN"** the allegations that the accused off-duty officer disrespected an on-duty sergeant, that she used profanity when referring to a victim and witness and that she was verbally abusive and threatened the jobs of the arresting officers. Based on the accused off-duty officer's admissions, IPRA recommended to **"SUSTAIN"** the allegation that she falsely identified herself to an OEMC dispatcher. Based on conflicting witness statements and court records, IPRA recommended to **"NOT SUSTAIN"** the allegation against the on-duty officer that she refused to testify against the accused off-duty officer. IPRA recommended a **twenty (20) day suspension** for the accused off-duty member.

Log/C.R. No.1017850

On 01 July 2008, a complaint was registered with the Independent Police Review Authority regarding an incident occurring in various locations and at various times, involving an on-duty Chicago Police Department detective. It was alleged that on one occasion, the accused detective used a Chicago Police Department fax machine for her own personal use, on another occasion it was alleged that the accused detective used a Chicago Police Department computer for personal use, filed a false complaint with the Cook County Internal Affairs Division, and was in possession of an unregistered weapon. In addition, IPRA further alleged that the accused detective failed to complete a Chicago

Police Department Firearm Disposition/Registration form regarding the transfer or sale of her weapons. Based on documentary evidence and the accused detective's admission, IPRA recommended to **"SUSTAIN"** the allegation that on at least one occasion, the accused detective used Department equipment for personal use. Because of a lack of evidence tracking Internet usage on Department machines, IPRA recommended to **"NOT SUSTAIN,"** the allegation that the accused detective used a Department computer on another occasion for personal use. Based on documentary evidence and the statement of the accused detective, IPRA recommended to **"NOT SUSTAIN"** the allegation that she filed a false complaint with the Cook County Internal Affairs Division. IPRA recommended a finding of **"UNFOUNDED"** for the allegation that the accused detective was in possession of an unregistered weapon, as there was no corroborating evidence to support this allegation. Based on CPD records and witness statements, IPRA recommended to **"SUSTAIN"** the allegation that the accused detective failed to complete a Chicago Police Department Firearm Disposition/Registration form regarding the sale of her weapons. IPRA recommended a **three (3) day suspension** for the accused of detective.

July 2009

Log/C.R. No. 1022778

On 31 December 2008, a complaint was registered with the Independent Police Review Authority, regarding an incident occurring in the 9th District. It was alleged that an on-duty Chicago Police Department officer directed profanities at and/or engaged in verbal abuse of the complainant, directed profanities at a victim, and used improper force against the complainant. Based on corroborating witness statements, IPRA recommended to **"SUSTAIN"** the allegation that the accused officer directed profanities at and/or engaged in verbal abuse of the complainant and directed profanities at a victim. Based on witness statements and the statements of the accused officer, IPRA recommended to **"SUSTAIN"** the allegation that the accused officer used improper force against the complainant. IPRA recommended a **twenty (20) day suspension** for the accused member.

Log/C.R. No. 314618

On 01 August 2006, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a The Office of Professional Standards), regarding an incident occurring in the 22nd District. It was alleged that an on-duty Chicago Police Department officer was in possession of and discharged a semi-automatic pistol equipped with a laser sight in violation of Department policy and that he fatally shot a victim without provocation or justification. It was further alleged that the first accused officer and his partner (second accused officer) refused to cooperate with the IPRA investigation, subsequent to the shooting. Based on corroborating witness statements and Illinois State Police laboratory results, IPRA recommended to **"SUSTAIN"** the allegation that the first accused officer was in possession of and discharged a semi-automatic pistol equipped with a laser sight in violation of Department policy. Based on physical evidence and witness and officer statements, IPRA recommended to **"NOT SUSTAIN"** the allegation that the first accused officer fatally shot a victim without provocation or justification, based on available statements and physical evidence there was insufficient evidence to establish whether the shooting complied with CPD policy. IPRA recommended to **"SUSTAIN"** the subsequent allegations that both accused officers disobeyed a direct order and brought discredit/disrepute to the Department by their failure to cooperate with the IPRA investigation. IPRA recommended **separation** for the accused members. Prior to the conclusion of the IPRA investigation, the accused members resigned from the Chicago Police Department.

August 2009

Log/C.R. No. 1008648

On 23 August 2007, a complaint was registered with the Independent Police Review Authority (f/k/a The Office of Professional Standards), regarding an incident occurring in the 5th District. It was alleged that an off-duty Chicago Police Department officer engaged in an unjustified physical altercation with a victim, punched the victim on the head, and was inattentive to duty in that he failed to maintain control of his service weapon. Because of corroborating witness statements, IPRA recommended a finding of **"UNFOUNDED"** for the allegation that the accused officer engaged in an unjustified physical altercation with a victim. IPRA recommended a finding of **"EXONERATED"** for the allegation that the accused officer punched the victim on the head based on these same statements. Based on admissions of the accused officer, IPRA recommended to **"SUSTAIN"** the allegation that he was inattentive to duty in that he failed to maintain control of his service weapon. Further, IPRA recommended to **"SUSTAIN"** a subsequent allegation that the accused officer violated a municipal ordinance by engaging in gambling activities. IPRA recommended a **five (5) day suspension** for the accused officer.

Log/C.R. No. 1009632

On 26 September 2007, a complaint was registered with the Independent Police Review Authority, regarding an incident occurring in the 5th District. It was alleged that an off-duty Chicago Police Department officer engaged in verbal abuse by making threatening remarks. Subsequently, it was also alleged that the accused officer disobeyed a direct order. IPRA recommended to **"SUSTAIN"** the allegation that the accused officer engaged in verbal abuse by making threatening remarks, based on physical evidence and corroborating witness statements. Because the accused officer made contact with the complaining victim after receiving a verified direct order from a Chicago Police Department sergeant prohibiting the accused officer from making any contact with said victim, IPRA recommended to **"SUSTAIN"** the allegation that the accused officer disobeyed a direct order. Based on the accused officers actions resulting in his arrest for Simple Assault, IPRA recommended to **"SUSTAIN"** a subsequent allegation that the accused officer brought discredit/disrepute to the Department. IPRA recommended a **fifteen (15) day suspension** for the accused officer.

Log/C.R. No. 1019563

On 31 August 2008, a complaint was registered with the Independent Police Review Authority, regarding an incident occurring in the 16th District. It was alleged that an off-duty Chicago Police Department officer engaged in an unjustified verbal altercation by directing profanity at a fellow Department member, engaged in conduct unbecoming a Department member in that he spat at the vehicle of second fellow Department member; verbally abused this second fellow Department member; and on a separate occasion, engaged in an unjustified verbal altercation by making threatening remarks to the first fellow Department member. The accused officer agreed to mediation whereby he accepted IPRA's recommendation to **"SUSTAIN"** all of the allegations made against him, a **seven (7) day suspension**, and to **waive all administrative rights to contest/appeal the recommendations**.

Log/C.R. No. 1018081

On 16 July 2007, a complaint was registered with the Independent Police Review Authority (f/k/a The Office of Professional Standards), regarding an incident occurring in the 6th District. It was alleged that an on-duty Chicago Police Department officer was inattentive to duty in that he accidentally discharged his weapon, striking a victim. IPRA recommended to **"SUSTAIN"** the allegation that the accused officer was inattentive to duty in that he accidentally discharged his weapon striking a victim, based on corroborating witness statements and statements made by the accused officer during a preliminary investigation of the shooting. Because the accused officer gave conflicting statements

in the preliminary shooting investigation and in separate statements made to IPRA, IPRA recommended to **"SUSTAIN"** a subsequent allegation that he made a false report to IPRA. IPRA recommended a **twenty (20) day suspension** for the accused officer.

APPENDIX D

Senate Bill 104

Public Act 096-0419

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AN ACT concerning juveniles.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Juvenile Court Act of 1987 is amended by changing Sections 1-7 and 5-905 as follows:

(705 ILCS 405/1-7) (from Ch. 37, par. 801-7)

Sec. 1-7. Confidentiality of law enforcement records.

(A) Inspection and copying of law enforcement records maintained by law enforcement agencies that relate to a minor who has been arrested or taken into custody before his or her 17th birthday shall be restricted to the following:

(1) Any local, State or federal law enforcement officers of any jurisdiction or agency when necessary for the discharge of their official duties during the investigation or prosecution of a crime or relating to a minor who has been adjudicated delinquent and there has been a previous finding that the act which constitutes the previous offense was committed in furtherance of criminal activities by a criminal street gang, or, when necessary for the discharge of its official duties in connection with a particular investigation of the conduct of a law enforcement officer, an independent agency or its staff created by ordinance and charged by a unit of local

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government with the duty of investigating the conduct of law enforcement officers. For purposes of this Section, "criminal street gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(2) Prosecutors, probation officers, social workers, or other individuals assigned by the court to conduct a pre-adjudication or pre-disposition investigation, and individuals responsible for supervising or providing temporary or permanent care and custody for minors pursuant to the order of the juvenile court, when essential to performing their responsibilities.

(3) Prosecutors and probation officers:

(a) in the course of a trial when institution of criminal proceedings has been permitted or required under Section 5-805; or

(b) when institution of criminal proceedings has been permitted or required under Section 5-805 and such minor is the subject of a proceeding to determine the amount of bail; or

(c) when criminal proceedings have been permitted or required under Section 5-805 and such minor is the subject of a pre-trial investigation, pre-sentence investigation, fitness hearing, or proceedings on an application for probation.

(4) Adult and Juvenile Prisoner Review Board.

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(5) Authorized military personnel.

(6) Persons engaged in bona fide research, with the permission of the Presiding Judge of the Juvenile Court and the chief executive of the respective law enforcement agency; provided that publication of such research results in no disclosure of a minor's identity and protects the confidentiality of the minor's record.

(7) Department of Children and Family Services child protection investigators acting in their official capacity.

(8) The appropriate school official. Inspection and copying shall be limited to law enforcement records transmitted to the appropriate school official by a local law enforcement agency under a reciprocal reporting system established and maintained between the school district and the local law enforcement agency under Section 10-20.14 of the School Code concerning a minor enrolled in a school within the school district who has been arrested or taken into custody for any of the following offenses:

(i) unlawful use of weapons under Section 24-1 of the Criminal Code of 1961;

(ii) a violation of the Illinois Controlled Substances Act;

(iii) a violation of the Cannabis Control Act;

(iv) a forcible felony as defined in Section 2-8 of the Criminal Code of 1961; or

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(v) a violation of the Methamphetamine Control and Community Protection Act.

(9) Mental health professionals on behalf of the Illinois Department of Corrections or the Department of Human Services or prosecutors who are evaluating, prosecuting, or investigating a potential or actual petition brought under the Sexually Violent Persons Commitment Act relating to a person who is the subject of juvenile law enforcement records or the respondent to a petition brought under the Sexually Violent Persons Commitment Act who is the subject of the juvenile law enforcement records sought. Any records and any information obtained from those records under this paragraph (9) may be used only in sexually violent persons commitment proceedings.

(B) (1) Except as provided in paragraph (2), no law enforcement officer or other person or agency may knowingly transmit to the Department of Corrections, Adult Division or the Department of State Police or to the Federal Bureau of Investigation any fingerprint or photograph relating to a minor who has been arrested or taken into custody before his or her 17th birthday, unless the court in proceedings under this Act authorizes the transmission or enters an order under Section 5-805 permitting or requiring the institution of criminal proceedings.

(2) Law enforcement officers or other persons or

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agencies shall transmit to the Department of State Police copies of fingerprints and descriptions of all minors who have been arrested or taken into custody before their 17th birthday for the offense of unlawful use of weapons under Article 24 of the Criminal Code of 1961, a Class X or Class 1 felony, a forcible felony as defined in Section 2-8 of the Criminal Code of 1961, or a Class 2 or greater felony under the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or Chapter 4 of the Illinois Vehicle Code, pursuant to Section 5 of the Criminal Identification Act. Information reported to the Department pursuant to this Section may be maintained with records that the Department files pursuant to Section 2.1 of the Criminal Identification Act. Nothing in this Act prohibits a law enforcement agency from fingerprinting a minor taken into custody or arrested before his or her 17th birthday for an offense other than those listed in this paragraph (2).

(C) The records of law enforcement officers, or of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, concerning all minors under 17 years of age must be maintained separate from the records of arrests and may not be open to public inspection or their contents disclosed to the public except by order of the court presiding over matters pursuant to this Act or when the

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institution of criminal proceedings has been permitted or required under Section 5-805 or such a person has been convicted of a crime and is the subject of pre-sentence investigation or proceedings on an application for probation or when provided by law. For purposes of obtaining documents pursuant to this Section, a civil subpoena is not an order of the court.

(1) In cases where the law enforcement, or independent agency, records concern a pending juvenile court case, the party seeking to inspect the records shall provide actual notice to the attorney or guardian ad litem of the minor whose records are sought.

(2) In cases where the records concern a juvenile court case that is no longer pending, the party seeking to inspect the records shall provide actual notice to the minor or the minor's parent or legal guardian, and the matter shall be referred to the chief judge presiding over matters pursuant to this Act.

(3) In determining whether the records should be available for inspection, the court shall consider the minor's interest in confidentiality and rehabilitation over the moving party's interest in obtaining the information. Any records obtained in violation of this subsection (C) shall not be admissible in any criminal or civil proceeding, or operate to disqualify a minor from subsequently holding public office or securing employment,

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or operate as a forfeiture of any public benefit, right, privilege, or right to receive any license granted by public authority.

(D) Nothing contained in subsection (C) of this Section shall prohibit the inspection or disclosure to victims and witnesses of photographs contained in the records of law enforcement agencies when the inspection and disclosure is conducted in the presence of a law enforcement officer for the purpose of the identification or apprehension of any person subject to the provisions of this Act or for the investigation or prosecution of any crime.

(E) Law enforcement officers, and personnel of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, may not disclose the identity of any minor in releasing information to the general public as to the arrest, investigation or disposition of any case involving a minor.

(F) Nothing contained in this Section shall prohibit law enforcement agencies from communicating with each other by letter, memorandum, teletype or intelligence alert bulletin or other means the identity or other relevant information pertaining to a person under 17 years of age if there are reasonable grounds to believe that the person poses a real and present danger to the safety of the public or law enforcement officers. The information provided under this subsection (F)

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shall remain confidential and shall not be publicly disclosed, except as otherwise allowed by law.

(G) Nothing in this Section shall prohibit the right of a Civil Service Commission or appointing authority of any state, county or municipality examining the character and fitness of an applicant for employment with a law enforcement agency, correctional institution, or fire department from obtaining and examining the records of any law enforcement agency relating to any record of the applicant having been arrested or taken into custody before the applicant's 17th birthday.

(Source: P.A. 94-556, eff. 9-11-05; 95-123, eff. 8-13-07.)

(705 ILCS 405/5-905)

Sec. 5-905. Law enforcement records.

(1) Law Enforcement Records. Inspection and copying of law enforcement records maintained by law enforcement agencies that relate to a minor who has been arrested or taken into custody before his or her 17th birthday shall be restricted to the following and when necessary for the discharge of their official duties:

(a) A judge of the circuit court and members of the staff of the court designated by the judge;

(b) Law enforcement officers, probation officers or prosecutors or their staff, or, when necessary for the discharge of its official duties in connection with a particular investigation of the conduct of a law

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enforcement officer, an independent agency or its staff created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers;

(c) The minor, the minor's parents or legal guardian and their attorneys, but only when the juvenile has been charged with an offense;

(d) Adult and Juvenile Prisoner Review Boards;

(e) Authorized military personnel;

(f) Persons engaged in bona fide research, with the permission of the judge of juvenile court and the chief executive of the agency that prepared the particular recording: provided that publication of such research results in no disclosure of a minor's identity and protects the confidentiality of the record;

(g) Individuals responsible for supervising or providing temporary or permanent care and custody of minors pursuant to orders of the juvenile court or directives from officials of the Department of Children and Family Services or the Department of Human Services who certify in writing that the information will not be disclosed to any other party except as provided under law or order of court;

(h) The appropriate school official. Inspection and copying shall be limited to law enforcement records transmitted to the appropriate school official by a local law enforcement agency under a reciprocal reporting system

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established and maintained between the school district and the local law enforcement agency under Section 10-20.14 of the School Code concerning a minor enrolled in a school within the school district who has been arrested for any offense classified as a felony or a Class A or B misdemeanor.

(2) Information identifying victims and alleged victims of sex offenses, shall not be disclosed or open to public inspection under any circumstances. Nothing in this Section shall prohibit the victim or alleged victim of any sex offense from voluntarily disclosing his or her identity.

(3) Relevant information, reports and records shall be made available to the Department of Juvenile Justice when a juvenile offender has been placed in the custody of the Department of Juvenile Justice.

(4) Nothing in this Section shall prohibit the inspection or disclosure to victims and witnesses of photographs contained in the records of law enforcement agencies when the inspection or disclosure is conducted in the presence of a law enforcement officer for purposes of identification or apprehension of any person in the course of any criminal investigation or prosecution.

(5) The records of law enforcement officers, or of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, concerning all minors under 17

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years of age must be maintained separate from the records of adults and may not be open to public inspection or their contents disclosed to the public except by order of the court or when the institution of criminal proceedings has been permitted under Section 5-130 or 5-805 or required under Section 5-130 or 5-805 or such a person has been convicted of a crime and is the subject of pre-sentence investigation or when provided by law.

(6) Except as otherwise provided in this subsection (6), law enforcement officers, and personnel of an independent agency created by ordinance and charged by a unit of local government with the duty of investigating the conduct of law enforcement officers, may not disclose the identity of any minor in releasing information to the general public as to the arrest, investigation or disposition of any case involving a minor. Any victim or parent or legal guardian of a victim may petition the court to disclose the name and address of the minor and the minor's parents or legal guardian, or both. Upon a finding by clear and convincing evidence that the disclosure is either necessary for the victim to pursue a civil remedy against the minor or the minor's parents or legal guardian, or both, or to protect the victim's person or property from the minor, then the court may order the disclosure of the information to the victim or to the parent or legal guardian of the victim only for the purpose of the victim pursuing a civil remedy against the minor or the minor's parents or legal

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guardian, or both, or to protect the victim's person or property from the minor.

(7) Nothing contained in this Section shall prohibit law enforcement agencies when acting in their official capacity from communicating with each other by letter, memorandum, teletype or intelligence alert bulletin or other means the identity or other relevant information pertaining to a person under 17 years of age. The information provided under this subsection (7) shall remain confidential and shall not be publicly disclosed, except as otherwise allowed by law.

(8) No person shall disclose information under this Section except when acting in his or her official capacity and as provided by law or order of court.

(Source: P.A. 94-696, eff. 6-1-06.)

Section 99. Effective date. This Act takes effect upon becoming law.



Independent Police Review Authority
10 West 35th Street
Suite 1200
Chicago, Illinois 60616

(312) 745-3594 Complaint Line
(312) 745-3609 General
(312) 745-3591 FAX
(312) 745-3593 TTY

www.iprachicago.org