

City of Chicago
Civilian Office of Police
Accountability



CIVILIAN OFFICE OF POLICE ACCOUNTABILITY

INTEGRITY • TRANSPARENCY • INDEPENDENCE • TIMELINESS

Report on Advisory Letter Regarding
Log Number 1086022

March 20, 2018

I. Introduction

Pursuant to the Municipal Code of Chicago Section 2-78-120(m), the Chief Administrator of the Civilian Office of Police Accountability (COPA) is empowered and has the authority to make recommendations to the Superintendent of the Chicago Police Department (the Department) concerning Department policies. To fulfill the mission, as outlined in Section 4.4.1 of COPA's Rules and Regulations (effective September 15, 2017), the Chief Administrator may issue an Advisory Letter to the Superintendent if an investigation uncovered a problem that hinders the effectiveness of Department operations and programs or if the investigation has identified a verifiable potential liability or risk that warrants attention by the Department.

On December 21, 2017, COPA sent an Advisory Letter to the Department regarding its policy and procedure for issuing Body Worn Cameras (BWCs) to probationary police officers (PPOs) as they related to COPA's investigation into Log Number 1086022.¹ The Department provided COPA with its response on February 21, 2017.² This report summarizes COPA's policy recommendations regarding issuing BWCs to PPOs, the Department's response to those recommendations, and the status of COPA's recommendations.

II. COPA's Recommendations

In its investigation into Log Number 1086022, two PPOs were not issued BWCs before their tour of duty. The PPOs responded to a call with a Field Training Officer (FTO), during which, the complainant alleges the FTO used racial slurs and profane language. During the interaction with the complainant, the FTO did not activate his BWC. Because the PPOs were not issued BWCs, there is no video of the incident. The lack of video evidence impacted COPA's ability to conduct a thorough investigation into this incident.

COPA stated that equipping PPOs with BWCs was important because BWC video can provide video for supervisory guidance, and can provide the Department's Bureau of Internal Affairs, and/or COPA video for its investigative purposes. In addition, equipping PPOs with BWC would give PPOs needed practice with the devices.

¹ See Appendix A for a copy of COPA's Advisory Letter.

² See Appendix B for a copy of the Department's Response to COPA's Advisory Letter.

COPA therefore recommended that the Department ensure that PPOs are issued BWCs.

III. The Department's Response

In response to COPA's recommendations, the Department noted that PPOs were not issued BWCs during that phase because BWCs are assigned to districts, and PPOs rotated district assignments every month for the first three months of their probationary training period. The Department stated that after the first 3 months, PPOs were then assigned to field duties in a district for the remaining 15 months of their probationary training period, at which point they were issued BWCs.

The Department further stated that beginning the week of February 26, 2018, PPOs will be issued BWC for their full probationary period.

IV. Recommendation Implementation Status

Based on the Department's response to its Advisory Letter, COPA assessed the Department's response to the recommendations contained therein. COPA classifies the status of recommendations into three categories:

- **Agrees:** The Department agrees with COPA's policy recommendation and indicated that they have taken steps to implement or plan to implement such recommendation in full.
- **Agrees in Part:** The Department partially agrees with COPA's policy recommendation and may or may not have indicated that they have taken steps to implement such recommendation.
- **Does Not Agree:** The Department does not agree with COPA's policy recommendation and has not taken steps to implement such recommendation.

Recommendation: *Ensure that PPOs are issued BWCs.*

Status: **Agrees.** The Department stated that "beginning next week, PPOs will be issued BWCs during all of their field training cycles."

Appendix A



Eddie T. Johnson
Superintendent
Chicago Police Department
3510 S. Michigan Avenue
Chicago, Illinois 60653

December 21, 2017

Re: Advisory Letter Regarding Log Number 1086022

Dear Superintendent Johnson:

Pursuant to the Municipal Code of Chicago Section 2-78-130, the Chief Administrator of the Civilian Office of Police Accountability (COPA) is empowered and has a duty to make recommendations to the Superintendent of the Chicago Police Department (the Department). To fulfill the mission, as outlined in Section 4.4.1 of COPA's Rules and Regulations (effective September 15, 2017), the Chief Administrator may issue an Advisory Letter to the Superintendent if an investigation uncovered a problem that hinders the effectiveness of Department operations and programs or if the investigation has identified a verifiable potential liability or risk that warrants attention by the Department.

Body Worn Cameras

During the course of COPA's investigation into Log Number 1086022, two probationary police officers (PPOs) stated that they were not issued Body Worn Cameras (BWCs) during their tour of duty on the date of the incident. One of the officers said that PPOs "don't wear body worn cameras," and the other officer said that he did not have a BWC that day, but did not make a statement regarding whether PPOs are issued BWCs generally.

In this case, the two PPOs responded to a call with one Field Training Officer (FTO). The complainant alleges that the FTO used racial slurs and profane language when responding to the call. During the interaction with the complainant, the FTO did not activate his BWC. Because the PPOs were not issued BWCs, there is no video of the incident. The lack of video evidence has severely impacted COPA's ability to conduct a thorough investigation into this incident.

Upon review of the Department's directives relating to BWCs and uniforms for police officers and PPOs, there does not appear to be a policy of not issuing BWC to PPOs. However, based on the statements of the two PPOs involved in the above-referenced Log Number, there is some evidence that the lack of BWCs for PPOs may be the Department's practice even without a related policy. COPA believes these statements reflect a need to ensure that the Department issue BWCs to PPOs during each tour of duty.

PPOs are among the Department's highest risk members, due to their limited training and experience. It is therefore imperative that throughout the course of their probationary period, PPOs are carefully supervised and given constructive feedback to improve their performance. The lack of BWC limits FTOs and supervising Sergeants' ability to review probationary officers' skills and to identify and address problematic behavior before the probationary period ends. While FTOs may provide feedback in the field, subsequent video review of incidents with the PPOs could provide an additional teachable moment that can reinforce the lessons learned in the field. BWC footage from PPOs could also be beneficial to Field Training and Evaluation Sergeants to ensure FTOs are effectively training PPOs in accordance with Department policy, and to identify deficiencies that should be given additional attention for all recruits while in the Academy, or the need for refresher training for individual PPOs.

Equipping PPOs with BWCs also gives new officers practice with the devices. As the Department's Chief Technology Officer Jonathan Lewin publicly stated, "the officers have to achieve a comfort level. Use of the technology has to become kind of muscle memory, so as the technology gets socialized throughout the organization, as the officers see it can be an important tool, you start seeing the acceptance."

Recommendation

COPA recommends that the Department ensure that PPOs are issued BWCs. While the incidents PPOs are involved in should also be captured by their FTO's BWC, equipping PPOs with BWC video can provide an important second perspective or a back-up source of video for supervisors, the Department's Bureau of Internal Affairs, and/or COPA.

Thank you for your time and consideration of these issues. We respectfully request a response to these recommendations within 60 days. COPA will publish this letter and the Department's response, if any, on the COPA website after the 60-day response time has passed.

Respectfully,



Patricia Banks
Interim Chief Administrator

Appendix B



Rahm Emanuel
Mayor

Department of Police · City of Chicago
3510 South Michigan Avenue · Chicago, Illinois 60653

Eddie T. Johnson
Superintendent of Police

February 21, 2018

Patricia Banks
Interim Chief Administrator
Civilian Office of Police Accountability
1615 West Chicago Avenue, 4th Floor
Chicago, Illinois 60622


Re: Advisory Letter Regarding Log Number 1086022

Dear Chief Administrator:

The Chicago Police Department (CPD) received an Advisory Letter Regarding Log Number 1086022, in which COPA recommended that CPD issue Body Worn Cameras (BWCs) to Probationary Police Officers (PPOs) when assigned to field duties. During the course of a complaint investigation, COPA found that two PPOs were not issued BWCs during their tour of duty.

Upon graduation from the CPD's Education and Training Academy, PPOs were assigned to the Field Training and Evaluation Phase. During that three-month training cycle, PPOs rotated between three police districts, one per month. PPOs were not issued BWCs during that phase because BWCs are assigned to districts and issued to individual officers within each district. Since PPOs rotated between districts in the first three months, they were issued BWCs only after they completed the training cycle and were assigned to field duties in a district for the remainder of their 18-month probationary training period. Based on CPD's long-term plan, beginning next week, PPOs will be issued BWC during all of their field training cycles.

Thank you for your recommendations.


Eddie T. Johnson
Superintendent of Police
Chicago Police Department

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