



**CIVILIAN OFFICE OF POLICE ACCOUNTABILITY**

**INTEGRITY • TRANSPARENCY • INDEPENDENCE • TIMELINESS**

# **QUARTERLY REPORT**

# **Q3 2019**

**Sydney R. Roberts**  
*Chief Administrator*

# **COPA Third Quarter Report**

**For the Period July 1, 2019 through September 30, 2019**

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## 1. Executive Summary

The Civilian Office of Police Accountability (COPA) is responsible for receiving all complaints of police misconduct involving the Chicago Police Department (Department) and its members, and investigating complaints involving:

- Excessive Force;
- Domestic Violence;
- Coercion;
- Verbal Abuse;
- Unlawful Search and/or Seizure, and
- Unlawful Denial of Counsel.

COPA also receives notifications of and investigates certain types of incidents including:

- All officer-involved firearm discharges;
- All officer-involved deaths;
- Custodial deaths;
- Taser discharges resulting in serious injury or death; and
- Any incident involving an officer that results in serious bodily injury or death.

The mission of COPA is to:

- Provide a just and efficient means to fairly and timely conduct investigations within our jurisdiction;
- Determine whether allegations of police misconduct are well-founded;
- Identify and address patterns of police misconduct; and

- Make policy recommendations to improve the Department, thereby reducing incidents of police misconduct.

COPA is required to provide quarterly and annual updates on its performance. This report provides information concerning COPA's operations and summary statistical data on COPA's investigative work from July 1, 2019 to the end of September 30, 2019. To learn more about COPA, please visit [www.chicagocopa.org](http://www.chicagocopa.org).

Highlights from Q3 2019 include the following. Page numbers are provided to assist the reader in finding the chart or table that corresponds to the data highlighted below.

- Operational Updates

COPA's community engagement program continues to expand its outreach efforts, support, and information to impacted parties and Department members. (Page 5)

- IPRA Legacy Cases

Since Q4 2018, COPA has mounted a concerted effort to complete investigations inherited from its predecessor agency that were open at the launch of COPA in September 2017. On inauguration day, COPA inherited nearly 950 open cases. At the conclusion of Q3, just over 100 open cases remain.

- Intake

- ❖ COPA received 1482 complaints and notifications in Q3 2019, representing a 6% increase over Q2 2019 (1392) and a 30% increase compared to 1141 received in Q3 2018. (Page 14)
- ❖ COPA retained 551 complaints and 33 incident notifications for investigation in Q3 2019, a 4% increase over Q2 2019. (Page 14)
- ❖ COPA received 306 complaints of Improper Search/Seizure in Q3. This complaint category continues to represent the largest percentage of COPA's complaint intake (21%). (Page 19)

- ❖ The police district with the highest combined number of Citizen Complaints and Incident Notifications in Q3 2019 was District 6 (Gresham), with 93. (Page 34) This district also had the highest number of COPA Retained Complaints (56). District 6 consistently is among those with the highest number of complaints and investigations. (Page 17)
- Pending Investigations
 

As of the end of September 30, 2019 (Q3), COPA had 1727 pending investigations, a 9% increase over Q2 pending cases (1587) and a 68% increase since Q3 2018 (1025).
- Concluded Investigations
  - ❖ COPA concluded 375 investigations (With Findings and Without Findings) in Q3 2019. (Pages 24, 25)
  - ❖ In Q3 2019, COPA concluded 194 investigations in less than six months. These 194 investigations represented 52% of COPA's 375 concluded cases for the quarter. (Page 28)
  - ❖ Moreover, in Q3 2019, 69% of COPA's investigations were closed in 1 year or less. (Page 28)
  - ❖ In Q3 2019 COPA concluded 28% more investigations older than 3 years (37) than in Q2 (29). (Page 28)
  - ❖ COPA concluded 93 investigations With Findings in Q3 2019, representing 25% of all concluded investigations. (Page 25)
  - ❖ In Q3 2019, the 44 investigations closed as Sustained represented a 33% increase compared to Q2 (33). (Page 25)
  - ❖ Of the cases concluded in Q3 2019 Without Findings, 48.5% (137) were closed for one of the following reasons: failure to allege misconduct; did not involve a Department member; were officer involved shooting cases (5) deemed within policy; or were duplicates. (Page 27)

- ❖ 75 cases were Administratively Closed for lack of sufficient independent evidence to meet the standard for an affidavit override, representing 26.6% of the cases closed without a finding. (Page 27)

- Disciplinary Recommendations

- ❖ In Q3 2019 COPA recommended: (Page 30)
  - ◇ Separation in one (1) investigation;
  - ◇ Suspension of more than 30 days in five (5) investigations;
  - ◇ Suspension of less than 30 days in 26 investigations; and
  - ◇ Reprimand or Violation Noted in 12 investigations.

Sincerely,

A handwritten signature in black ink, appearing to read "Sydney R. Roberts". The signature is fluid and cursive, with the first name "Sydney" being more prominent.

Sydney R. Roberts, Chief Administrator

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## **2. Operational Updates**

### **2.1 COPA Second Anniversary**

September 19, 2019 marked another milestone for the Civilian Office of Police Accountability (COPA). In 2017 the City of Chicago was anxiously anticipating our launch, some skeptical and some optimistic; now two years later we are on the road to reforming police oversight in the City of Chicago and building trust in civilian oversight. While we have further to go, we are moving in the right direction.

From the investigators, quality management staff and attorneys who collectively produce our investigative work product, the necessary preparation by Administration to onboard new staff, provide requisite training to improve our individual and collective skill sets, the detailed work by paralegals, to the very first voice a person hears when they call our office, all at COPA are working steadfast to build a sustainable civilian police oversight body that meets the mandates of our mission.

### **2.2 Community Engagement**

#### **Community Engagement**

COPA engaged neighborhood residents by partnering with numerous community and city agencies to educate and inform the public of our role in police reform. These engagements provide an opportunity for community members to file complaints and compliments of Chicago Police Department (CPD) officers during the quarter. Partnering with community and city agencies provides COPA an opportunity to interact with constituents it may not otherwise engage with to share the agency's mission and core function.

#### **Youth Engagement**

Extending our youth engagement during the quarter resulted in COPA visiting the Lawndale Christian Legal Center, a community agency in one of the police districts (Dist. 10) from which COPA receives a high number of complaints. At the center, members of COPA's legal team gave a presentation to the center's mock trial team on totality of circumstances, understanding objective reasonableness,



proportionality, preponderance (which is COPA's required burden of proof in administrative investigations) and necessity when using force.



### **COPA Partners with Chicago Public Schools**

With the return of the school year COPA's engagement led to participation in Chicago Public Schools (CPS) Back-to-School Bash events throughout the city of Chicago. COPA interacts with parents of high school and elementary students to educate and inform them of the role of the agency and the rights of their children.



### **COPA Partners with Chicago Public Library**

COPA Community Hours hosted by the Chicago Public Library continued at the Near North Library, Walker Library, Austin Library, and Thurgood Marshal Library Branch as we expand our engagement initiative in 2019 by visiting every police district in the City of Chicago. In 2018 COPA launched a pilot of COPA Community

Hours at 3 locations in police district with high levels of complaints and has expanded to nearly 15 different libraries spanning 12 police districts so far in 2019.



### **COPA Partners with Department of Family & Support Services**

Expanding on the agency's strategy to visit libraries in every police district in Chicago, COPA recently included the Department of Family & Support Services (DFSS) Community Service Centers, which provide children services, domestic violence, homeless, veteran, and youth services to Chicagoans.



During the quarter, COPA staff visited locations listed below to establish new relationships with residents.

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### **Department of Family & Supportive Services Locations**

Englewood Center: 1140 W. 79<sup>th</sup> Street - Chicago, IL 60621

Garfield Center: 10 S. Kedzie Ave. - Chicago, IL 60612

King Center: 4314 S. Cottage Grove - Chicago, IL 60653

North Avenue Center: 845 W. Wilson Ave. - Chicago, IL 60640

South Chicago Center: 8650 S. Commercial Ave. - Chicago, IL 60617

### **COPA Partners with City of Chicago Mayor's Office**

COPA engaged residents at Budget Town Hall meetings and Community Engagement Fairs led by the Mayor's Office of the City of Chicago. COPA Public Affairs staff met with residents to explain how to file a complaint or compliment of CPD officers and answered questions related to police accountability.



### **COPA Partners with City Clerk's Office**

COPA joined Anna Valencia, Clerk for the City of Chicago, along with various city departments, sister agencies, aldermanic offices, and community organizations for the launch of the new Mobile City Hall. Mobile City Hall is hosted regionally at various convenient locations throughout Chicago to allow residents access to city and community services. Residents were provided the opportunity to ask questions and gain a better understanding of city services, COPA's outreach efforts, and our role in police accountability.



## 2.3 Training

COPA is committed to ensuring its staff have the requisite training to meet the demands presented and challenges associated with investigating police misconduct and building trust in civilian oversight. During the 3rd Quarter of 2019, COPA's Training and Professional Development Unit offered 13 in-service courses. Of the 13 in-service trainings, 10 were consent decree required, 7 of which were taught by COPA Subject Matter Experts. External experts covered such topics as: Sexual Assault, Implicit Bias, and Procedural Justice.

### In-Service Training Courses

- CPD Rules and Directives
- Lock-up Procedures
- Evidence Collection
- Jurisdiction
- Witness Reliability
- Sexual Assault
- Domestic Violence
- Affidavit Override
- Photo Array
- Implicit Bias
- Procedural Justice
- Supervisor Leadership
- Evidence.Com
- FMLA—Directors and Supervisors



## Professional Development Courses

In addition, seven (7) external professional development opportunities were approved and for which 16 employees were selected to attend. These opportunities spanned seven states, some within our region and some outside our region. Listed below are the titles of each training opportunity and the number of training hours scheduled:

Sponsor	Training/Course Title	Number of Hours
HACE	Mujeres de HACE Women's Leadership Program	40
Substance Abuse Mental Health Services Administration	Trauma-Informed Care	0
Northwestern University School of Professional Studies	Mediation Skills	40
National District Attorney's Association	Prosecuting and Investigating Sexual Assault and Related Violent Crimes	40
Public Agency Training Council	Understanding Sexual Deviant Behaviors to Conduct Successful Interviews	21
National Association for Civilian Oversight for Law Enforcement	NACOLE Conference	40
Forensic Experimental Trauma Interview (FETI)	Certified FETI	40

## 3. Policy and Legislation

COPA has the duty to advise the Chicago Police Department of issues involving training, equipment, practices, and directives to help improve the effectiveness and/or efficiency of members. This responsibility is carried out through COPA Advisory Letters and Policy Reports issued to the Department Superintendent. For its part, the Department may agree with COPA's findings or disagree. Once the

Department's response to an Advisory is received, COPA publishes the materials on its website.

As a result of investigative findings and/or observations made across multiple cases, in Q3 2019 the COPA Public Policy and Legislative Affairs Unit issued three advisory letters: addressing Department officer and supervisor non-compliance with departmental directives governing activation and use of Body Worn Cameras (BWC); inconsistency in the application of member drug and alcohol testing following a firearm discharge; and objectionable treatment of Transgender, Intersex, and Gender Nonconforming (TIGN) individuals.

These letters and reports are available on the COPA website: <https://www.chicagocopa.org/news-publications/publications/advisory-letters/>.

- One Advisory Letter was issued pursuant to investigations that discovered some Department members involved in firearm discharge incidents were able to avoid mandatory drug testing with the assistance of supervisors who refused to enforce the General Order because members had been administered morphine by paramedics or hospital personnel. While in one instance the administration of morphine was likely to address sustained life-threatening injuries, the others were treated with morphine for stress-related symptoms. COPA issued several recommendations on this matter. Overall, the Department agreed with our recommendations.
- A second Advisory Letter informed the Department that changes were necessary in its lax enforcement of Body Worn Camera directives and a state law mandating that BWCs be turned on. COPA's recommendations on this were well received by CPD, with the Department committing to enhanced enforcement of S03-14 and progressive discipline for BWC violations, with active monitoring of supervisors responsible for random reviews of BWC recordings.
- The third Advisory Letter involved the mistreatment and disrespect shown to Transgender, Intersex, and Gender Nonconforming (TIGN) individuals. Although the Department responded in January 2019 that it was revising training materials and the applicable General Order, despite several COPA requests to date it has not provided access to the revised materials for our review. COPA will continue to pursue access to these materials.

## 4. Data Analysis

### 4.1 Methodology

To fulfill the requirements of COPA's enabling ordinance,<sup>1</sup> the agency queried the CLEAR and new CMS databases in which complaint and operational data is recorded to retrieve the information analyzed for this report covering the period from July 1, 2019 to the end of September 30, 2019. The reported data is as accurate as possible as of September 30. However, data stored in the databases can change as an investigation progresses. For example, a primary category code may change as an investigation uncovers additional evidence, or a case previously concluded may be reopened. As part of the transition, some complaint category codes have been modified to more accurately represent the nature of the allegations made.

The merging of data from CLEAR to the new CMS database is not without its challenges. For example, we have determined that in some instances recording complaint category information is different in each system and that retrieving data requires that queries be separately run on each system, then combined and normalized.

Overall, it is important to note that there are inherent limitations in the data that COPA can provide in this report. COPA can only report on the complaints and notifications it receives—it cannot account for individuals who have, or believed they have, experienced Department misconduct but have not filed a complaint with COPA or in which conduct reported to the Department did not result in notification to COPA.

Therefore, with respect to COPA's intake, all numbers represent the number of reported complaints and notifications, and generally not the number of allegations/occurrences of actual or perceived misconduct. Similarly, COPA's complaint intake process documents the number of complaints received but there may be multiple allegations of misconduct in a single complaint.<sup>2</sup>

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<sup>1</sup> Municipal Code 2-78-150

<sup>2</sup> COPA is in the process of establishing a method for reporting on allegations, given COPA's current data infrastructure constraints.

Data herein is presented in an order similar to COPA's investigative process: received complaints and notifications, pending investigations, and concluded investigations.

## **4.2 Intake–Complaints and Notifications Received**

The two primary means by which COPA receives information to evaluate for investigation are:

- By direct complaint from an individual complainant, and
- When notified by the Chicago Police Department. Depending on the nature of a Complaint or Notification, COPA may investigate or may refer the case to the Department's Bureau of Internal Affairs (BIA).

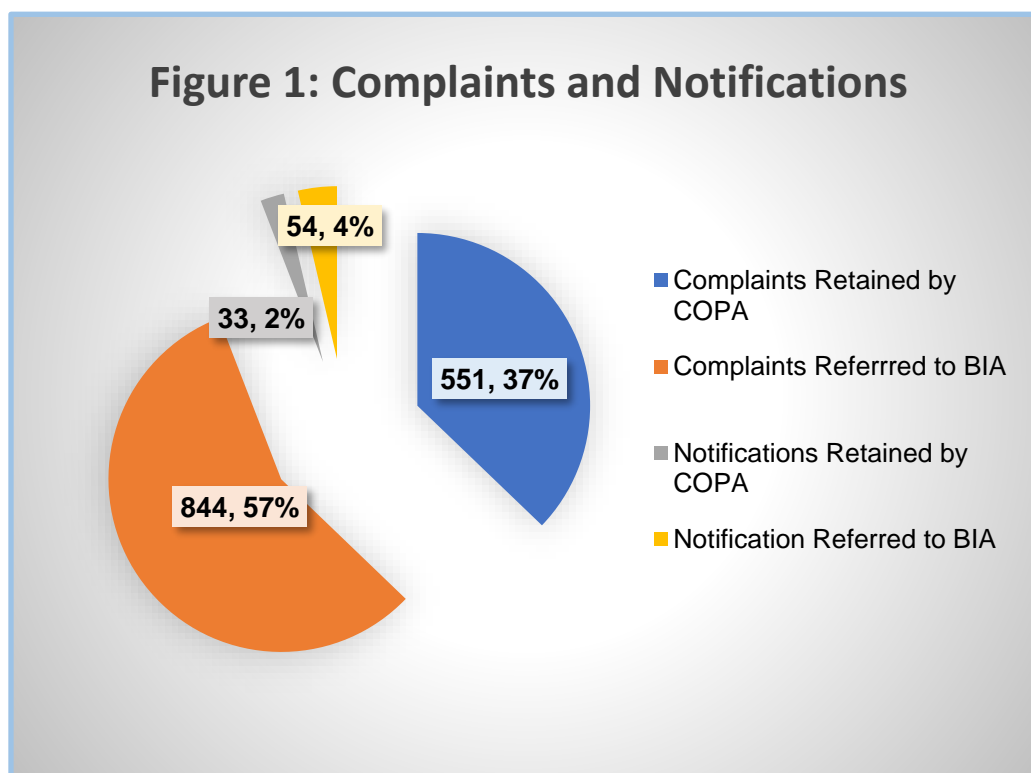
From July 1, 2019 to the end of September 30, 2019 (Q3), COPA received 1482 Complaints and Notifications for investigation. This is a 6% increase from Q2 2019 (1392) and a 30% increase compared to Q3 2018 (1141). Of COPA's Q3 total intake, 898 (61%) Complaints and Notifications fell outside of COPA's investigative jurisdiction and were appropriately referred to the BIA. The Complaints referred to BIA were generally related to operational violations not involving civilian contact.

In Q3 2019, COPA retained 584 Complaints and Notifications for investigation, a 4% increase since Q2 (559) and a 70% increase compared to Q3 2018 (344). In Q3, 551 were Complaints received from individuals and 33 were Notifications from CPD of certain incidents.

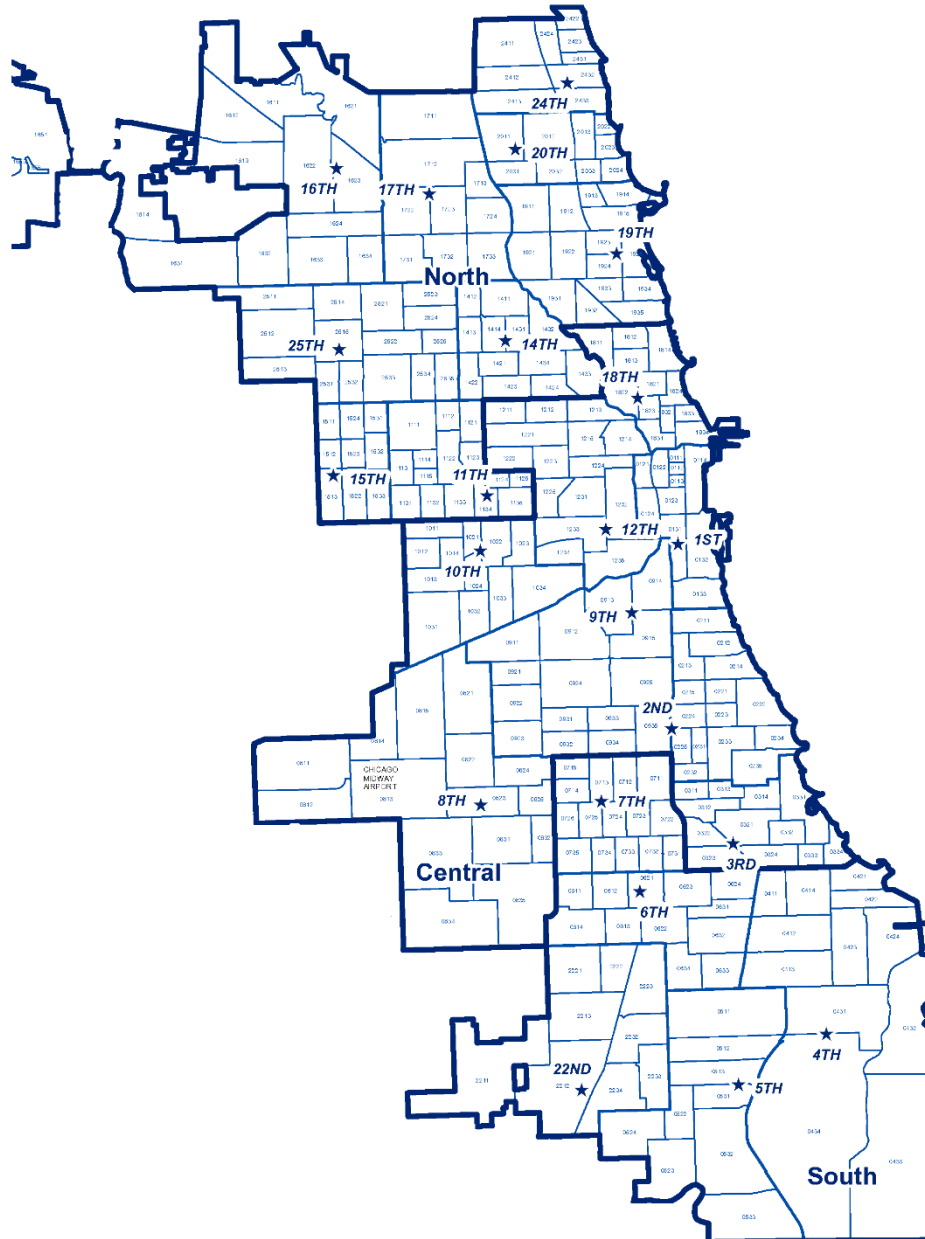
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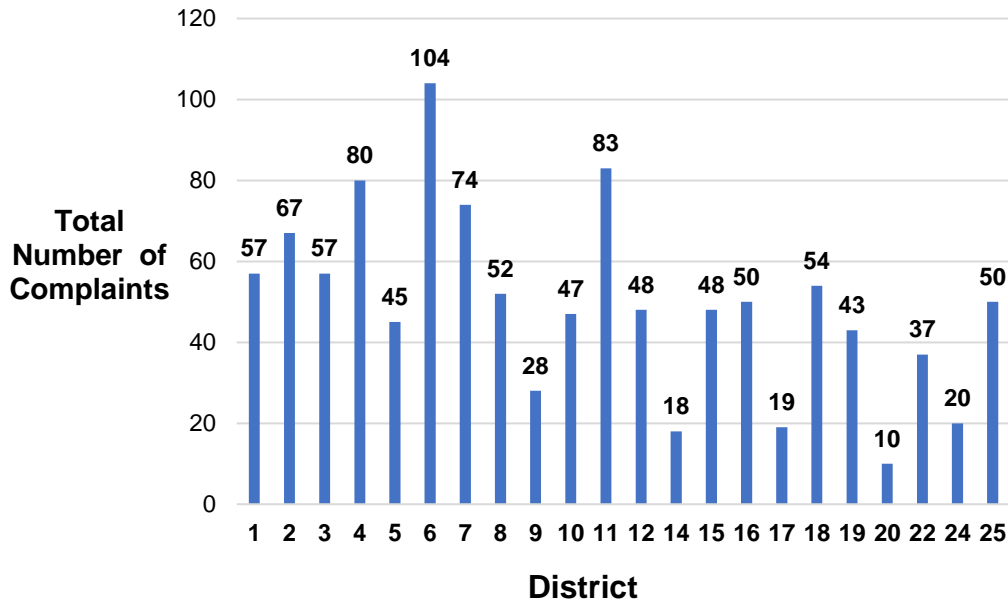
Table 1: Complaints and Notifications			
	Q3 2019	Q2 2019	Change
<b>COMPLAINTS</b>			
Complaints Retained by COPA	551	529	4%
Complaints Referred to BIA	844	775	9%
<b>NOTIFICATIONS</b>			
Notifications Retained by COPA	33	30	10%
Notification Referred to BIA	54	58	-7%
<b>TOTAL INTAKE</b>	<b>1482</b>	<b>1392</b>	<b>6%</b>
<b>New COPA Cases</b>	<b>584</b>	<b>559</b>	<b>4%</b>



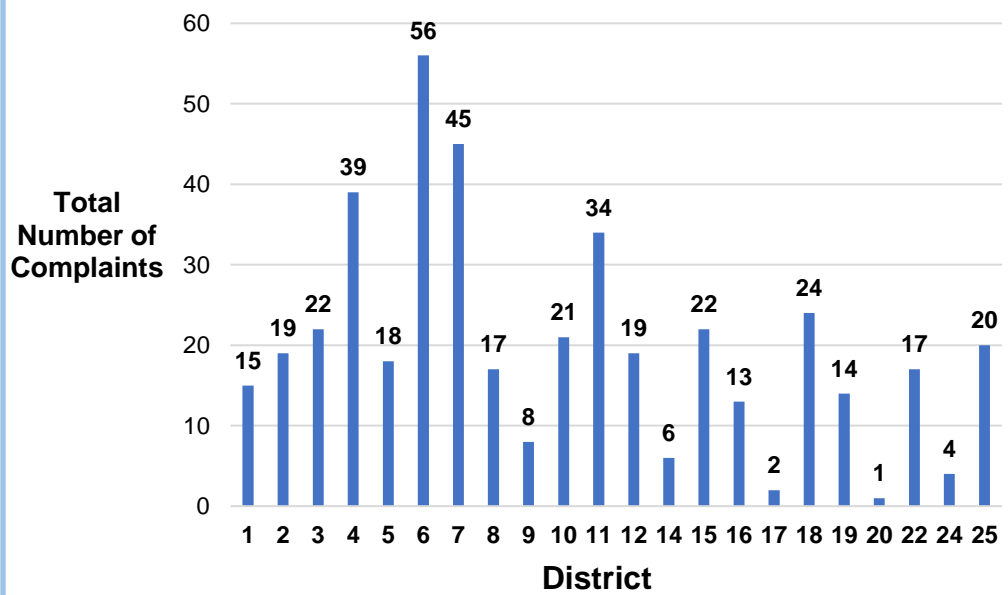
## 4.3 Intake By District



**Fig. 2A: All Intake by Police District**



**Fig. 2B: Complaints Retained by COPA by Police District**



<b>Table 2: Intake By District</b>		
<b>DISTRICT</b>	<b>COPA Retained Intake</b>	<b>All Intake</b>
<b>1</b>	15	57
<b>2</b>	19	67
<b>3</b>	22	57
<b>4</b>	39	80
<b>5</b>	18	45
<b>6</b>	56	104
<b>7</b>	45	74
<b>8</b>	17	52
<b>9</b>	8	28
<b>10</b>	21	47
<b>11</b>	34	83
<b>12</b>	19	48
<b>14</b>	6	18
<b>15</b>	22	48
<b>16</b>	13	50
<b>17</b>	2	19
<b>18</b>	24	54
<b>19</b>	14	43
<b>20</b>	1	10
<b>22</b>	17	37

DISTRICT	COPA Retained Intake	All Intake
24	4	20
25	20	50
Outside of City Limits	4	8
Unknown *	144	385
* Designates cases in which the exact location of occurrence was unspecified or requires clarification.		

## 4.4 Intake–Complaints and Notifications Retained

### 4.4.1 Complaints

The table below displays COPA’s retained complaints by primary category of classification for each. An investigation may have multiple allegations, however, COPA’s current technology cannot query these allegations in a consistent way. Therefore, each investigation is categorized by the primary allegation. This may differ from the category to which it initially was assigned upon intake, or from the category at final disposition because categories can be updated to better reflect the facts.

The total number of occurrences may not match COPA’s Complaint and Notification Intake totals because an event may have occurred across more than one district, so there would be one complaint or notification, but the incidents would be attributed to each of the involved districts.

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<b>Table 3: COPA Complaints Retained by Category <sup>a</sup></b>			
<b>CATEGORY</b>	<b>Q3 2019</b>	<b>Q2 2019</b>	<b>Change</b>
Abuse of Authority	3	1	200%
Coercion	5	9	-44%
Domestic Violence	9	14	-36%
Excessive Force	102	104	-2%
Improper Search/Seizure	306	382	-20%
Incidents in Lock Up	2	3	-33%
Legal Violation	2	0	—
Operational Violation	7	29	-76%
Proper Care	0	1	-100%
Sex Offense	3	1	200%
Sexual Harassment	2	3	-33%
Shootings - No Hits	6	8	-25%
Shootings - With Hits	5	1	400%
Traffic	3	3	0%
Verbal Abuse <sup>b</sup>	26	25	4%
In Process <sup>c</sup>	160	175	-9%
Incomplete Information Received	103	120	-14%
<b>TOTAL</b>	<b>744</b>	<b>879</b>	<b>-15%</b>
<sup>a</sup> Case allegations can differ from Intake allegations.			
<sup>b</sup> Biased and sex-based in nature.			
<sup>c</sup> Largely represents complaints in which the nature of the allegation remains under review. Previously reported as “undefined.”			

#### 4.4.2 Notifications

In Q3 2019, COPA retained 29 Use of Force incident notifications or custody-related incident occurrences for investigation that were initiated from Department Notifications. Department Notifications are typically communicated to COPA through the CPD's Crime Prevention and Information Center (CPIC), but COPA occasionally may be notified through other means, such as by email. By ordinance, the Notifications over which COPA has investigative jurisdiction include all discharges of a firearm in a manner that could have stricken another person, Taser discharge incidents in which an individual died or sustained serious bodily injury, and incidents in which an individual died or sustained serious bodily injury while detained, in the custody of the Department, or as a result of a police action.

<b>Table 4: COPA All Retained Notifications by Category</b>			
<b>CATEGORY</b>	<b>Q3 2019</b>	<b>Q2 2019</b>	<b>Change</b>
Incidents in Lock Up	10	12	-17%
Miscellaneous Notification	0	6	-100%
Operational Violation	1	26	-96%
Proper Care	5	3	67%
Shootings - Animal Destruction	6	1	500%
Vehicle	0	7	-100%
In Process <sup>a</sup>	5	6	-17%
Incomplete Information Received <sup>b</sup>	2	3	-33%
<b>TOTAL</b>	<b>29</b>	<b>64</b>	<b>-55%</b>
<sup>a</sup> Previously reported as "undefined."			
<sup>b</sup> Previously reported as "undefined."			

#### 4.4.3 Officer Involved Shootings - Detail

<b>Table 5: COPA Retained Officer Involved Shooting (OIS) Investigations *</b>			
	<b>Q3 2019</b>	<b>Q2 2019</b>	<b>Change</b>
<b>No. of OIS Investigations</b>	11	6	83%
<b>No. of OIS "No Hit"</b>	6	2	200%
<b>No. of OIS "With Hits"</b>	5	4	25%
<b>No. of Fatalities</b>	1	3	-67%
<b>No. of Injuries</b>	3	1	100%
<b>Suicides</b>	1	0	—
* Excludes animals and accidental firearm discharges.			

#### 4.4.4 Affidavits

State law and applicable collective bargaining agreements require that, in most instances, a sworn Affidavit be signed by the complainant when an allegation of misconduct is made against a police officer. In signing the Affidavit, the complainant is stating that the allegation being made against the Department member is true and correct.

COPA attempts to secure an Affidavit from the person filing a complaint. If COPA is unable to obtain an Affidavit in support of a complaint, COPA assesses evidence gathered during the preliminary investigation to determine if further investigation is warranted even though the complainant did not sign an affidavit. Where independent and corroborating evidence is found suggesting a full investigation is warranted, the Chief Administrator requests an Affidavit Override from the BIA (Bureau of Investigative Affairs) Chief. In support of such a request, the Chief Administrator will provide the BIA Chief with objective, verifiable evidence that the investigation should continue, which may include obtaining arrest and case reports, medical records, statements of witnesses and complainants, video and audio recordings, and photographs. If the BIA Chief concurs with the Chief



Administrator that continued investigation of the allegation is necessary and lawful even without a complainant's Affidavit, the BIA Chief will execute a sworn Affidavit and the COPA investigation will proceed. If the BIA Chief disagrees that continued investigation is warranted, then the complaint is concluded.

To that end, COPA requested two (2) Affidavit Overrides from July 1, 2019, through September 30, 2019. Both were granted.

<b>Table 6 Affidavit Overrides <sup>1</sup></b>			
<b>COPA Requests</b>	<b>Q3 2019</b>	<b>Q2 2019</b>	<b>Total</b>
<b>Requests</b>	2	10	12
<b>BIA Responses</b>	<b>Q2 2019</b>	<b>Q2 2019</b>	<b>Total</b>
<b>Approvals</b>	2	10	12
<b>Denials</b>	0	0	0
<b>Pending</b>	0	0	0
<sup>[1]</sup> Note: The Q3 numbers reflect the status of requests made, approvals, denials, and pending requests as of close of business September 30, 2019.			

## 4.5 Pending Investigations

As of the end of September 30, 2019 (Q3), COPA had 1727 pending investigations, a 9% increase over Q2 pending cases (1587) and a 68% increase since Q3 2018 (1025).

<b>Table 7: Pending Allegations by Category</b>			
<b>CATEGORY</b>	<b>Q3 2019</b>	<b>Q2 2019</b>	<b>Change</b>
Abuse of Authority	6	4	50%
Civil Suits	81	101	-20%
Coercion	27	23	17%

<b>CATEGORY</b>	<b>Q3 2019</b>	<b>Q2 2019</b>	<b>Change</b>
Denial Of Counsel	3	4	-25%
Domestic Violence	82	84	-2%
Excessive Force	372	338	10%
Improper Search/Seizure	1003	811	24%
Incidents in Lock Up	43	53	-19%
Legal Violation	1	0	—
Miscellaneous	27	32	-16%
Miscellaneous Notification	10	12	-17%
Operational Violation	85	83	2%
Proper Care	10	5	100%
Sex Offense	10	7	43%
Sexual Harassment	5	5	0%
Shootings - Animal Destruction	9	8	13%
Shootings - No Hits	42	37	14%
Shootings - With Hits	56	55	2%
Taser Discharge	2	2	0%
Traffic	6	3	100%
Unnecessary Display Of Weapon	15	19	-21%
Vehicle	20	21	-5%
Verbal Abuse **	87	72	21%
In Process	417	270	54%
Incomplete Information Received	14	41	-66%
<b>TOTAL</b>	<b>2433</b>	<b>2090</b>	<b>16%</b>
** Biased and Sex-based in nature.			

## 4.6 Concluded Investigations

### 4.6.1 Investigations Concluded With Findings

In Q3 2019, COPA concluded 93 investigations With Findings, representing 25% of COPA's 375 concluded investigations. A "finding" is determined when after a fair, thorough, independent investigation, sufficient proof is obtained to warrant a determination that one of the four categories shown below applies.

COPA makes investigative findings of "Sustained" and "Not Sustained" based on the "Preponderance of the Evidence" standard in which the evidence must show it is "more likely than not" that the incident did or did not occur as alleged.

However, in accordance with the Consent Decree<sup>3</sup>, which became effective on March 1, 2019, findings of "Unfounded" and "Exonerated" must be supported by "Clear and Convincing" evidence. Clear and Convincing evidence is a higher standard than Preponderance of the Evidence, but lesser than "Beyond a Reasonable Doubt." These findings are elaborated below:

- **Sustained:** The allegation was supported by sufficient evidence ("Preponderance") to justify disciplinary action. Recommendations of disciplinary action may range from Violation Noted, to Suspension, to Separation from the Department.
- **Not Sustained:** The allegation is not supported by sufficient evidence ("Preponderance") which could be used to prove or disprove the allegation.
- **Unfounded:** The allegation was not supported based on the facts revealed through investigation, or the reported incident did not occur, as shown by "Clear and Convincing Evidence."
- **Exonerated:** The incident occurred, but the action taken by the officer was deemed lawful and proper, as shown by "Clear and Convincing Evidence."

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<sup>3</sup> Consent Decree entered in the matter captioned State of Illinois v. City of Chicago (Northern District of Illinois, Eastern Division Case No. 17-cv-6260).

<b>Table 8: Allegations Concluded With Findings</b>			
	<b>Q3 2019</b>	<b>Q2 2019</b>	<b>Change</b>
Sustained	44	33	33%
Not Sustained	21	31	-32%
Exonerated	18	10	80%
Unfounded	10	18	-44%
<b>TOTAL</b>	<b>93</b>	<b>92</b>	<b>1%</b>

#### **4.6.2 Investigations Concluded Without Findings**

In Q3 2019, COPA concluded 282 investigations without findings, representing 75% of its 375 concluded investigations. COPA strives to conclude full and thorough investigations and reach findings, but there exist circumstances in which “concluded without findings” is the most reasonable or only option.

Investigations Concluded Without Findings can have the following dispositions:

- Administratively Closed
- Administratively Terminated
- No Affidavit
- Within Policy/Officer-Involved Shooting (OIS/Incident in Custody)
- Case Suspended
- Close Hold

COPA concludes investigations Without Findings for various reasons. For example, COPA may Administratively Close a duplicate log number generated in error for an incident already under investigation, complaints that failed to allege misconduct, or complaints that do not involve members of the Chicago Police Department. 48.5% or 137 cases were closed for one of the preceding reasons. COPA may also Administratively Close an investigation due to lack of an Affidavit if, after COPA has made a good faith effort, the complainant refuses or is unavailable to sign an Affidavit and COPA is unable to identify sufficient evidence

with which to request an Affidavit Override to continue the investigation. In Q3, 26.6% of cases closed without findings were closed for failure to obtain an affidavit or affidavit override.

COPA may also Administratively Terminate a case when allegations do not include:

- A firearm discharge,
- Physical violence or threats of physical violence,
- Serious injury,
- Verbal abuse rising to the level of racial bias, or
- Any incident in which video or audio evidence exists that depicts and corroborates the allegations.

Investigations can be closed with a status of Case Suspended if an investigation has been referred to another agency. Investigations can be closed with a status of Close Hold when an accused member is otherwise unavailable to COPA to address allegations, therefore, we are unable to reach a finding. For example, an investigation may be concluded with a Close Hold status if a member is on extended leave due to medical reasons and is unable to participate in the investigation.

Lastly, investigations that begin as a result of a police Department Notification (rather than by Civilian Complaint) and which are found by COPA to be within Department policy do not result in formal allegations of misconduct and, therefore, are Closed Without Findings. An investigation of an OIS (Officer Involved Shooting) incident is deemed to be Within Policy if, given Clear and Convincing Evidence, the officer's actions comported with the Department policy regarding Use of Force at the time the incident occurred. If an OIS incident has other findings for allegations other than the firearm discharge, it is reported in the previous chart, and thus, only counted once.

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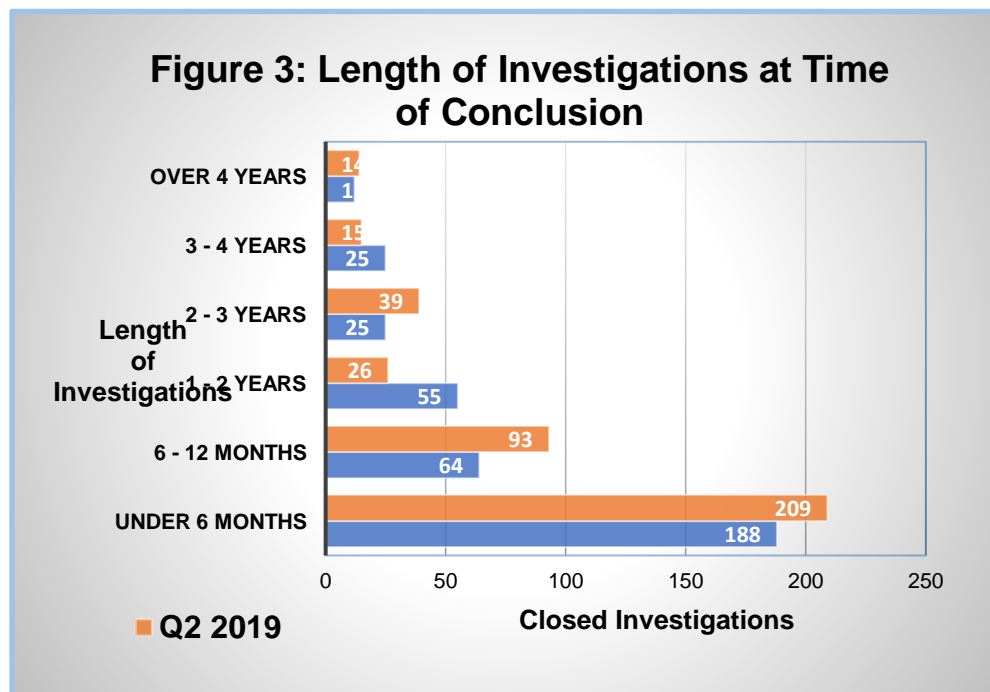
<b>Table 9: Investigations Concluded Without Findings</b>			
	<b>Q3 2019</b>	<b>Q2 2019</b>	<b>Change</b>
No Affidavit *	75	89	-16%
Administrative Termination	57	65	-12%
Administratively Closed *	137	146	-6%
Close Hold	5	3	67%
Within Policy - EO	3	0	---
Within Policy OIS	5	3	67%
<b>TOTAL</b>	<b>282</b>	<b>306</b>	<b>-8%</b>
* Of the cases concluded in Q3 2019 Without Findings, 48.5% (137) were closed for failure to allege misconduct, did not involve a Department member, or were duplicates. While only 26.6% (75) were closed for lack of sufficient independent evidence to meet the standard for an affidavit override.			

#### 4.6.3 Length of Investigation

Pursuant to Municipal Code of Chicago 2-56-135, COPA must inform the complainant and the Department member who is the subject of an investigation of the general reasons for a delay in closing an investigation within six months. Therefore, COPA strives to conclude its investigations within six months of receiving a complaint of alleged misconduct or a notification from CPD of the incident for investigation. Some investigations, such as OIS incidents and Excessive Force investigations, may conclude beyond the six-month timeframe as they are, by their nature, more complex, often involve more parties, and require an intricate analysis of collected evidence.

Of the 375 investigations that COPA concluded in Q3 2019, 50% (194) were completed in fewer than 6 months and another 17% (64) between 6 and 12 months. Of important note, since Q3 2018, COPA has employed an aggressive initiative to bring to conclusion all pending legacy cases inherited since COPA launch.

Table 10: Length of Cases at Time of Conclusion			
Length of Investigation	Q3 2019	Q2 2019	Change
Under 6 Months	194	209	-7%
6 - 12 Months	64	93	-31%
1 - 2 Years	55	26	112%
2 - 3 Years	25	39	-36%
3 - 4 Years	25	15	67%
Over 4 Years	12	14	-14%
<b>TOTAL</b>	<b>375</b>	<b>396</b>	<b>-5%</b>



#### 4.6.4 Closed Investigation by Reporting Category

<b>Table 11: Closed Allegations* by Reporting Category **</b>			
<b>CATEGORY</b>	<b>Q3 2019</b>	<b>Q2 2019</b>	<b>Change</b>
Abuse of Authority	1	0	—
Civil Suits	20	4	400%
Coercion	1	7	-86%
Denial of Counsel	1	0	—
Domestic Violence	11	16	-31%
Excessive Force	72	89	-19%
Fourth Amendment/Improper Search	113	134	-16%
Incidents in Lock Up	20	17	18%
Legal Violation	1	0	—
Miscellaneous	5	5	0%
Miscellaneous Notification	2	2	0%
OC Discharge	0	1	-100%
Operational Violation	6	11	-45%
Shootings - Animal Destruction	5	3	67%
Shootings - No Hits	1	0	—
Shootings - With Hits	4	4	0%
Unnecessary Display Of Weapon	4	18	-78%



CATEGORY	Q3 2019	Q2 2019	Change
Vehicle	1	2	-50%
Verbal Abuse ***	12	10	0%
Incomplete Information Received	141	126	12%
<b>TOTAL</b>	<b>421</b>	<b>449</b>	<b>-6%</b>
* As contained in 1727 Pending Investigation Cases			
** Report by category could result in higher numbers because an investigation can involve multiple allegations and categories.			
*** Biased and Sex-based in nature.			

#### 4.6.5 Recommended Discipline

At the end of an investigation in which COPA sustains findings, the agency recommends discipline of the accused member to the Department. However, it is ultimately up to the Department and/or the Chicago Police Board to come to a final decision regarding discipline. The table below displays COPA's recommended discipline in Q3 2019.

Table 12: Recommended Discipline in Q3 2019				
CATEGORY	Violation Noted or Reprimand	1 - 29 Days Suspension	30 Days or More Suspension	Separation
Arrest/Lockup Incidents	1	0	0	0
Civil Rights Violation	3	6	1	0
Conduct Unbecoming	0	0	0	1
Domestic Incidents	0	2	0	0
Excessive Force	8	17	4	0
Operation/Personnel Violations	0	1	0	0
<b>TOTAL</b>	<b>12</b>	<b>26</b>	<b>5</b>	<b>1</b>

## 5. Additional Data Reporting

### 5.1 Transparency Efforts

Since the enactment of the City's Video Release Policy in 2016, COPA has released certain evidentiary materials collected during investigations of OIS incidents and investigations of any incidents resulting in death or great bodily harm that occurred in police custody or as a result of a taser discharge. Pursuant to the Video Release Policy and subject to legal restrictions, in Q3 COPA released such materials as were permitted by law for 11 investigations. The table below reflects the investigations for which materials have been released. It also highlights the releases that have been delayed during this period due to an extension request made to the City by a third party and/or withheld because of a court order.<sup>4</sup>

Table 13: Materials Released Pursuant to the Transparency Policy		
Log Number	Category	Link to Available Materials
2019-3064	Firearm Discharge	<a href="https://www.chicagocopa.org/case/2019-3064/">https://www.chicagocopa.org/case/2019-3064/</a>
2019-2605	Other Use Of Force	<a href="https://www.chicagocopa.org/case/2019-2605/">https://www.chicagocopa.org/case/2019-2605/</a>
2019-2529	Firearm Discharge	<a href="https://www.chicagocopa.org/case/2019-2529/">https://www.chicagocopa.org/case/2019-2529/</a>

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<sup>4</sup> Pursuant to the Video Release Policy, "Upon written request from a government entity specified herein, the City will delay release of Information for a period not to exceed 30 calendar days. Any such request shall be made in writing and shall be directed to the City Corporation Counsel ... Any request must set forth with specificity the length of the delay requested (not to exceed an additional 30 calendar days) and shall set forth as reasons supporting the requested delay one or more of the factors listed at 5 ILCS 140/7(d)(i) through (vii). In addition, any such request must identify the specific item(s) sought to be temporarily withheld from release." The City is required to adhere to all legal obligations regarding the implementation of the policy, including "(a) any court order; (b) any obligation to redact identifying information or other information from any item covered by this policy before its release to the policy; or (c) any obligations imposed by the Freedom of Information Act, 5 ILCS 140/1 et seq." Therefore, to the extent a court order has enjoined the City from releasing materials on COPA's website, COPA has not released such information.

Log Number	Category	Link to Available Materials
2019-2248	Firearm Discharge	<a href="https://www.chicagocopa.org/case/2019-2248/">https://www.chicagocopa.org/case/2019-2248/</a>
2019-2060	Other Use Of Force (Posting limited. Juvenile Court Act prohibits release of materials.)	<a href="https://www.chicagocopa.org/case/2019-0002060/">https://www.chicagocopa.org/case/2019-0002060/</a>
2019-1855	Firearm Discharge	<a href="https://www.chicagocopa.org/case/2019-1855/">https://www.chicagocopa.org/case/2019-1855/</a>
2019-1836	Firearm Discharge (Posting limited. Juvenile Court Act prohibits release of materials.)	<a href="https://www.chicagocopa.org/case/2019-0001836/">https://www.chicagocopa.org/case/2019-0001836/</a>
2019-1780	Firearm Discharge	<a href="https://www.chicagocopa.org/case/2019-0001780/">https://www.chicagocopa.org/case/2019-0001780/</a>
2019-1703	Other Use Of Force	<a href="https://www.chicagocopa.org/case/2019-0001703/">https://www.chicagocopa.org/case/2019-0001703/</a>
2019-1617	Firearm Discharge	<a href="https://www.chicagocopa.org/case/2019-0001617/">https://www.chicagocopa.org/case/2019-0001617/</a>
2019-1099	Firearm Discharge	<a href="https://www.chicagocopa.org/case/2019-1099/">https://www.chicagocopa.org/case/2019-1099/</a>

## 5.2 Referrals

COPA may partially or fully refer a matter to another agency for a variety of reasons. For example, if COPA determines in the course of a preliminary investigation that the accused member is actually a member of the Cook County Sheriff's Department, rather than the Chicago Police Department, COPA fully refers the matter to the Cook County Sheriff's Department. A partial referral occurs when COPA retains its administrative investigation, but shares certain information with another agency, for instance, when COPA's investigation reveals potential criminal violations. COPA also refers complaints to the City of Chicago Office of Inspector General, as when a matter is in COPA's jurisdiction to investigate, but a conflict of interest prevents COPA from investigating.

<b>Table 14: Referrals</b>		
<b>Agency</b>	<b>Q3 2019</b>	<b>Q2 2019</b>
External Police Departments	— —	2
Cook County Sheriff's Dept.	— —	1
City of Chicago OIG	3	2
Cook County State's Attorney's Office	6	7

## 6. Complaints Filed Per Member

Per MCC 2-78-150(a)(7) and 2-78-150(b)(7), COPA must report on the number of total complaints (both COPA and BIA) filed against each police officer in each Police Department District during the quarterly or annual reporting period. The table below fulfills that requirement and provides additional information.

In the table below, the "Unit of Assignment" column displays the name of each unit in which at least one member assigned to that unit has been the subject of a complaint.<sup>5</sup> The second column lists the number of members in a District that were the subject of the number of complaints listed in the third column. So, the first line would be understood as: "Of members assigned to District 1, 21 members each had 1 complaint, 1 member each had 2 complaints, and one had 6 complaints, etc."

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<sup>5</sup> Note: "Complaint" in this table means both civilian complaints as well as incidents in which COPA has brought formal allegations of misconduct in relation to an investigation of a Notification

**Table 15: Complaints Filed Per Member**

District / Unit of Assignment	Number of Members	Complaint and Notification Count
District 1	21	1
	1	2
	1	6
District 2	29	1
	2	2
District 3	45	1
	3	2
	1	3
District 4	53	1
	6	2
	4	3
	1	4
District 5	30	1
	5	2
	1	3
District 6	58	1
	10	2
	2	3
	1	4
	1	5

District / Unit of Assignment	Number of Members	Complaint and Notification Count
District 7	47	1
	8	2
	1	3
District 8	25	1
	4	2
	1	3
	1	4
District 9	25	1
	3	2
District 10	29	1
	1	2
District 11	49	1
	4	2
	1	3
District 12	11	1
	1	2
District 14	17	1
	1	2
District 15	36	1
	6	2
	1	4
District 16	17	1
	2	2
District 17	6	1
	1	2

District / Unit of Assignment	Number of Members	Complaint and Notification Count
District 18	17	1
	4	2
	2	4
District 19	27	1
District 20	6	1
District 22	21	1
	2	2
District 24	13	1
	1	2
District 25	34	1
	6	2
	1	4
District Executive Officers Unit	1	1
Recruit Training Section	71	1
	2	2
	1	6
Airport Law Enforcement Section - North	6	1
Airport Law Enforcement Section - South	1	1
Special Investigations Unit	1	1
Office of the Superintendent	1	1
Civilian Office of Police Accountability (COPA)	3	1
Legal Affairs Section	1	1
Deployment Operations Center	2	1

<b>District / Unit of Assignment</b>	<b>Number of Members</b>	<b>Complaint and Notification Count</b>
Bureau of Internal Affairs	1	1
	1	2
	1	4
Human Resources Division	1	1
Education and Training Division	2	1
Public Safety Information Technology (PSIT)	1	1
Management and Labor Affairs Section	1	1
Bureau of Organizational Development	1	1
Chicago Alternative Policing Strategy (CAPS)	1	1
Office of Strategy	1	1
Special Functions Division	1	1
Traffic Section	5	1
Records Division	1	2
Field Services Section	3	1
Evidence and Recovered Property Section	2	1
Bureau of Detectives	2	1
Investigative Response Team	1	1
Bureau of Organized Crime	1	1
Narcotics Division	12	1
Vice and Asset Forfeiture Division	1	1
Gang Investigation Division	3	1
Asset Forfeiture Investigation Section	1	1



<b>District / Unit of Assignment</b>	<b>Number of Members</b>	<b>Complaint and Notification Count</b>
Bureau of Patrol - Area South	1	1
Bureau of Patrol - Area North	1	1
Court Section	2	1
Forensic Services - Evidence Technician Section	2	1
	1	4
Gang Enforcement - Area Central	12	1
	1	2
Gang Enforcement - Area South	3	1
Gang Enforcement - Area North	1	2
Alternative Response Section	3	1
Gang Enforcement Division	1	1
Detached Services - Government Security Detail	1	3
Central Investigations Division	1	1
Detective Area - Central	18	1
	1	2
Detective Area - South	18	1
	1	2
Detective Area - North	15	1
	1	2
Force Review Unit	1	1
Unknown Member/Unit *	738	1
* Officer not yet identified, therefore Unit of Assignment not yet known.		



CIVILIAN OFFICE OF POLICE ACCOUNTABILITY

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