



August 7, 2020

Superintendent David Brown
Chicago Police Department
3510 S. Michigan Ave.
Chicago, Illinois 60653

Dear Superintendent Brown:

The Civilian Office of Police Accountability (COPA) received more than 450 protest related complaints of Chicago Police Department (Department) member misconduct following the protests that arose on the heels of the tragic death of George Floyd and the later protest in Grant Park. To date, more than 200 complaints have been identified as within COPA's jurisdiction, referring the majority of complaints received to the Department's Bureau of Internal Affairs.

Early investigative results at COPA have uncovered problematic operational practices in the Department's response to both the initial George Floyd protests in late May and early June, as well as the subsequent demonstrations last month, highlighted by the protests at the Christopher Columbus statute in Grant Park on July 17th.

Several consistent investigative challenges and reoccurring themes have emerged during COPA's intake, assignment, and investigation of these matters. Accordingly, I wanted to take the unusual step of bringing our concerns to your immediate attention prior to the conclusion of our investigative efforts. Below is a high-level overview of some issues that are particularly prevalent in the investigation of these matters:

- **Inadequate Department Documentation**

- A single RD number was used for the vast majority of all protest-related arrests during the May 29th weekend. This practice thwarts meaningful supervisory oversight of members' actions as well as the sufficiency of an arrest.
- Tactical Response Reports (TRRs) were not completed in the vast majority of use of force incidents. Not only does this present an accountability concern from COPA's perspective, it also creates a compliance concern for the Department. The absence of such important documentation regarding the use of force renders the Department's Force Review Unit unable to evaluate ongoing compliance with use of force directives. Furthermore, the lack of TRRs leaves supervisory Department members unable to evaluate the conduct of members under their command.
- Attendance and Assignment Sheets were used inconsistently. In many instances, handwritten "211s" provide the only documentation of members assigned to work a particular shift and/or area, creating challenges in identifying members involved in several use of force incidents as well as officer safety issues.

- **Body-Worn Cameras**

- The absence and inconsistent use and activation of Body-Worn Cameras (BWCs) during mass-protest encounters.
- There was often insufficient time for BWCs to be re-charged between shifts, leaving members with non-functional equipment during encounters with civilians that, according to Department directives, should have been captured.
- While all indications are that Special Order 03-14 was in effect and applicable to BWC use during the protests, clear guidance from supervisory and command staff was lacking. Anecdotal evidence suggests that many members were unclear as to BWC use and activation expectations.
- Inconsistent recordkeeping relative to BWC footage uploaded to *Evidence.com*, exacerbated by already inadequate documentation noted above, compounded challenges related to incident and member identification in the investigation of misconduct complaints.

- **Uniform and Equipment Issues**

- Obstruction of members' names and/or star numbers was prevalent and impeded identification of accused and involved members.
- Officers' sharing of equipment (such as riot helmets) impeded identification efforts by COPA and the Department.

- **Excessive Baton Use**

- Excessive baton use was the most prevalent form of unnecessary use of force alleged in protest-related complaints. Members who COPA has interviewed regarding these complaints seemed to lack clarity regarding Department directives on proper baton use.

- **Lack of Candor and Failure to Report Misconduct**

- Identification of accused and involved members has presented the largest investigative challenge in protest – related cases. Although many of these incidents were captured on video and have been widely circulated in both social and traditional media, members have not come forward to identify themselves or their fellow members in any of these investigations.

- **Officer Wellness**

- Several COPA investigations have highlighted the excessive number of hours and shifts worked during the protests. While there was an overwhelming public safety interest in maintaining a law enforcement presence on the street during the protests, in many instances, lack of sleep, stress, and other similar factors directly influenced member conduct.

COPA will review all evidence related to complaints received in a consistent and objective manner and recommend appropriate administrative action upon the conclusion of each investigation. However, as Chicago's civilian police oversight body, COPA must bring the important matters described above to your immediate attention in an effort to avoid unnecessary risk to both member and public safety.

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COPA is ready and able to offer additional information to assist the Department in identifying and remedying these issues as our investigations proceed. In addition to preserving safety, addressing these matters promptly will improve future accountability efforts and support continuing efforts to increase public trust in our public institutions.

I appreciate your attention to these matters and look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Sydney R. Roberts". The signature is written in a cursive, flowing style.

Sydney R. Roberts
Chief Administrator

cc: Eric Carter, First Deputy Superintendent
Dana O'Malley, General Counsel (CPD)
Karen Konow, Chief, Bureau of Internal Affairs
Maggie Hickey, Independent Monitor
Kevin Connor, General Counsel (COPA)