



POLICE BOARD
CITY OF CHICAGO

MEMORANDUM

To: The Honorable Carrie M. Austin
Chairman, Committee on the Budget and Government Operations

From: Max A. Caproni
Executive Director
Police Board

CC: Deanne Millison
Mayor's Office of Legislative Counsel and Government Affairs

Date: October 26, 2017

Re: Request for Information from Annual Appropriation Committee Hearing

ID#: 55-01

The attached information is in response to a question posed at the hearing on October 24, 2017 to discuss the Police Board's proposed 2018 budget.

Alderman Thompson asked for data on the Police Board's decisions in disciplinary cases for 2015, 2016, and 2017.

Attached are tables from the Police Board's 2015-2016 Biennial Report and most recent quarterly report that contains the data requested.

As always, please let me know if you have any further questions.

Discharge Cases

In 2015, the Superintendent filed charges against 17 sworn officers (13 police officers, 3 detectives, and 1 sergeant). The table below presents data on cases decided by the Board in 2015 (some of these cases were filed prior to 2015). All of these cases involved charges filed against sworn officers (18 police officers, 2 detectives, and 2 sergeants).

DISCHARGE CASES DECIDED: JANUARY 1 - DECEMBER 31, 2015				
Primary Charges (Investigation)	Guilty & Discharged	Guilty & Suspended	Not Guilty	Resigned*
Excessive Force--On Duty (IPRA)	0	0	0	0
Other On-Duty Misconduct (IPRA)	0	0	2	0
Domestic Altercation--Off Duty (IPRA)	0	0	0	0
Other Off-Duty Misconduct (IPRA)	1	0	0	0
Drug/Alcohol Abuse (BIA)	0	0	0	0
Bribery/Official Corruption (BIA)	3	0	0	0
Commission of a Crime (BIA)	1	0	0	1
Conduct Unbecoming--Off Duty (BIA)	2	0	1	0
Operation/Personnel Violations (e.g., false reports, medical roll, insubordination, residency) (BIA)	3	2	4	2
Other (BIA)	0	0	0	0
Total	10	2	7	3
*The respondent resigned prior to a hearing rather than contest the charges, and the charges were therefore withdrawn.				

In 2016, the Superintendent filed charges against 24 sworn officers (18 police officers, 1 detective, 4 sergeants, and 1 lieutenant). The table below presents data on cases decided by the Board in 2016 (some of these cases were filed prior to 2016). All of these cases involved charges filed against sworn officers (10 police officers, 3 detectives, 1 sergeant, and 1 lieutenant).

DISCHARGE CASES DECIDED: JANUARY 1 - DECEMBER 31, 2016				
Primary Charges (Investigation)	Guilty & Discharged	Guilty & Suspended	Not Guilty	Resigned*
Excessive Force--On Duty (IPRA)	0	0	0	1
Other On-Duty Misconduct (IPRA)	0	0	0	0
Domestic Altercation--Off Duty (IPRA)	1	0	0	0
Other Off-Duty Misconduct (IPRA)	0	0	0	1
Drug/Alcohol Abuse (BIA)	0	0	0	1
Bribery/Official Corruption (BIA)	1	0	0	1
Commission of a Crime (BIA)	1	0	0	1
Conduct Unbecoming--Off Duty (BIA)	1	0	0	0
Operation/Personnel Violations (e.g., false reports, medical roll, insubordination, residency) (BIA/OIG)	3	1	0	2
Other (BIA)	0	0	0	0
Total	7	1	0	7
*The respondent resigned prior to a hearing rather than contest the charges, and the charges were therefore withdrawn.				

Suspension Cases: Greater Than 30 Days

In 2015, the Superintendent filed 1 case in which he recommended that a sworn officer (a sergeant) be suspended of greater than 30 days. The Board decided 2 such cases in 2015 (both cases were filed in 2014): (1) the Board suspended a police officer for 30 days for engaging in a domestic altercation (the Superintendent recommended a 45-day suspension); and (2) the Board found a police officer not guilty of unnecessarily displaying a weapon while off duty (the Superintendent recommended a 60-day suspension).

In 2016, the Superintendent filed 2 cases in which he recommended that a sworn officer (2 sergeants) be suspended of greater than 30 days. The Board decided 1 such case in 2016 (the case was filed in 2015): the Board suspended a sergeant for 60 days (the penalty recommended by the Superintendent) for having an arrestee escape and failing to make proper notification of the escape.

Time to Hearing and Decision

After the Superintendent files charges and they are served on the accused officer, the officer has a right to obtain legal representation, receive discovery, and prepare a defense to the charges. An evidentiary hearing is then scheduled.

Once a hearing is completed, the members of the Police Board receive and review the entire record of proceedings in preparation for their monthly meeting. The Board meets in closed session to consider the case. At the following month's public meeting, the Board will take final action on the case and adopt its written findings and decision.

The Board closely monitors the amount of time needed bring disciplinary cases to hearing and decision. A fair and efficient disposition of each case is an important component of due process, and keeping delays to a minimum is a priority because the accused officer is ordinarily suspended without pay when the charges are filed.

The table below shows the median amount of time from the filing of charges to a hearing and decision.

CASES FILED IN 2015 AND 2016	
Median # of days from filing of charges to first day of hearing	Median # of days from filing of charges to Police Board decision
138 (4.5 months)	232 (7.6 months)
Data as of December 31, 2016	

Suspension Cases: 6 Through 30 Days

As noted above, under the current union contracts, which became effective in 2014, sworn officers no longer have the option of requesting Police Board review of a suspension of 30 days or fewer (except in cases in which the union decides to not advance a police officer's grievance to arbitration). There were no requests filed and no cases decided in 2015 and 2016.

**POLICE BOARD
CITY OF CHICAGO**

**DISCIPLINARY CASES
QUARTERLY REPORT
September 30, 2017**

Police Board's Role in the Disciplinary Process

The Police Board decides disciplinary cases when the Superintendent of Police files charges to discharge a sworn officer from the Police Department, or to suspend an officer for more than thirty days.

Under the current union contracts, which became effective in 2014, an officer no longer has the option of requesting Police Board review of a suspension of 30 days or fewer (except in cases in which the union decides to not advance a police officer's grievance to arbitration).

Disciplinary Cases Filed with the Police Board

	BIA Jan 1 - Sep 30 <u>2017</u>	IPRA/COPA Jan 1 - Sep 30 <u>2017</u>	OIG Jan 1 - Sep 30 <u>2017</u>	TOTAL Jan 1 - Sep 30 <u>2017</u>
DISCHARGE CASES				
# of officers charged by the Supt	8	6	0	14
Pending charges as of Sept 30 (some filed in previous year)	7	8	5	20
SUSPENSION CASES: > 30 DAYS				
# of officers charged by the Supt	0	1	0	1
Pending charges as of Sept 30 (some filed in previous year)	0	2	1	3

BIA = Investigated by the CPD's Bureau of Internal Affairs

IPRA/COPA = Investigated by the Independent Police Review Authority or the

Civilian Office of Police Accountability (which replaced IPRA on 15 September 2017)

OIG = Investigated by the Office of the Inspector General

Discharge Cases

From January 1 through September 30, 2017, the Police Board decided or otherwise disposed of cases involving 12 officers that the Superintendent recommended be discharged from the Chicago Police Department.

Primary Charges (Investigation)	Guilty & Discharged	Guilty & Suspended	Not Guilty	Resigned*	Charges WD--Other
Excessive Force--On Duty (IPRA/COPA)	0	0	1	0	0
Other On-Duty Misconduct (IPRA/COPA)	1	0	0	0	0
Domestic Altercation--Off Duty (IPRA/COPA)	1	0	0	1	0
Other Off-Duty Misconduct (IPRA/COPA)	2	0	0	0	0
Drug/Alcohol Abuse (BIA)	1	0	0	1	1
Bribery/Official Corruption (BIA)	0	0	0	0	0
Commission of a Crime (BIA)	0	0	0	0	0
Conduct Unbecoming--Off Duty (BIA)	0	0	0	0	0
Operation/Personnel Violations (e.g., false reports, medical roll, insubordination, residency) (BIA)	0	0	0	0	3
Other (BIA)	0	0	0	0	0
Total	5	0	1	2	4
*The respondent resigned prior to a hearing rather than contest the charges, and the charges were therefore withdrawn.					

Suspension Cases: Greater Than Thirty Days

From January 1 through September 30, 2017, the Police Board decided or otherwise disposed of no cases involving officers that the Superintendent recommended be suspended for more than thirty days.