



Monthly Police Board Meeting
City of Chicago
22 March 2018



POLICE BOARD
CITY OF CHICAGO

PUBLIC MEETING

CHICAGO PUBLIC SAFETY HEADQUARTERS
3510 SOUTH MICHIGAN AVENUE
CHICAGO, ILLINOIS

THURSDAY, MARCH 22, 2018
7:30 P.M.

AGENDA

1. Approval of the minutes of the previous public meeting
2. Next regular public meeting of the Police Board: Thursday, April 19, 2018, at 7:30 p.m.
3. Disciplinary actions
4. Amendments to the Police Board's Rules of Procedure
5. Orders issued by the Superintendent of Police during the previous month
6. Report of the Superintendent of Police
7. Questions and comments from the public (see the Policy Regarding the Attendance of and Participation by the Public at Board Meetings)

Note: Video or audio recording of the proceedings is permitted as long as the act of recording does not interfere with or disrupt the meeting.

For information about the Police Board visit
ChicagoPoliceBoard.org

**POLICE BOARD
CITY OF CHICAGO**

PUBLIC MEETING

**CHICAGO PUBLIC SAFETY HEADQUARTERS
3510 SOUTH MICHIGAN AVENUE
CHICAGO, ILLINOIS**

WEDNESDAY, FEBRUARY 28, 2018, 7:30 P.M.

MINUTES [Draft]

Board Members Present: President Lori E. Lightfoot, Vice President Ghian Foreman, Eva-Dina Delgado, Michael Eaddy, Steve Flores, John P. O'Malley Jr., John H. Simpson (via audio conference), Rhoda D. Sweeney, and Andrea L. Zopp.

Board Members Absent: None.

Others Present: First Deputy Superintendent of Police Anthony Riccio, General Counsel to the Superintendent Charise Valente, Civilian Office of Police Accountability Public Information Officer Mia Sissac, Police Board Executive Director Max A. Caproni, and members of the public.

President Lightfoot called the meeting to order. She reported that Mr. Simpson is unable to attend the meeting in person. Rev. Eaddy moved to permit attendance via audio conference. The motion passed by a vote of 8 in favor (Lightfoot, Foreman, Delgado, Eaddy, Flores, O'Malley, Sweeney, and Zopp) to 0 opposed.

President Lightfoot began the meeting by asking for a moment of silence for all victims of gun violence in Chicago, and for recognition of Commander Paul Bauer and his family.

1. Ms. Sweeney moved to approve the minutes of the Board's regular public meeting held on January 18, 2018. The motion passed by a vote of 9 in favor (Lightfoot, Foreman, Delgado, Eaddy, Flores, O'Malley, Simpson, Sweeney, and Zopp) to 0 opposed.

2. President Lightfoot announced that the Board's next regular public meeting will be at 7:30 p.m. on Thursday, March 22, 2018, at Chicago Public Safety Headquarters.

Rev. Eaddy moved to close a series of executive sessions of the Board for the purposes of considering litigation and personnel matters, as authorized by sections 2(c)(1), (3), (4), and (11) of the Illinois Open Meetings Act. The motion passed by a vote of 9 in favor (Lightfoot, Foreman, Delgado, Eaddy, Flores, O'Malley, Simpson, Sweeney, and Zopp) to 0 opposed.

President Lightfoot also announced that now available on the Board's website are the Board's 2017 annual report and a new video that describes the Board's role and the overall disciplinary process.

3. President Lightfoot stated that a report of disciplinary actions taken by the Board during the previous month appears in the blue books made available at the meeting, and she noted that this report and the Board's written findings and decisions are posted on the Board's website. She then announced that the Board considered in a closed meeting several disciplinary cases, and that the Board will now take final action on these cases.

- Case Nos. 16 PB 2918 and 17 PB 2936. Vice President Foreman moved to find Police Officer Mazyar Hariri guilty of charges related to off-duty domestic altercations, and to discharge him from the Chicago Police Department. The motion passed by a vote of 9 in favor (Lightfoot, Foreman, Delgado, Eaddy, Flores, O'Malley, Simpson, Sweeney, and Zopp) to 0 opposed. Vice President Foreman moved to adopt the written findings and decision that have been reviewed by all Board members who participated in the case. The motion passed by a vote of 9 in favor (Lightfoot, Foreman, Delgado, Eaddy, Flores, O'Malley, Simpson, Sweeney, and Zopp) to 0 opposed.
- Case No. 17 PB 2932. President Lightfoot reported that in June 2017 the Superintendent filed charges against Sergeant John Poulos for providing false information in applying to become a police officer in 2000 and for having an ownership interest in a tavern between 2003 and 2006, and that Sergeant Poulos filed a motion to dismiss these charges. Rev. Eaddy moved to grant the motion and to dismiss the charges with prejudice and reinstate Sergeant Poulos to his position. The motion passed by a vote of 9 in favor (Lightfoot, Foreman, Delgado, Eaddy, Flores, O'Malley, Simpson, Sweeney, and Zopp) to 0 opposed. Mr. Flores moved to adopt the written memorandum opinion and order that has been reviewed by all Board members who participated in the case. The motion passed by a vote of 9 in favor (Lightfoot, Foreman, Delgado, Eaddy, Flores, O'Malley, Simpson, Sweeney, and Zopp) to 0 opposed.

President Lightfoot stated that the decisions in the above cases will be entered as of today's date and will be issued to the parties, and that a copy of the written decisions will be posted on the Board's website as required by the Municipal Code of Chicago.

President Lightfoot noted that there is one additional disciplinary matter to announce.

- Case Nos. 18 RR 01 and 02. Mr. O'Malley announced that pursuant to Section 2-78-130 of the Municipal Code of Chicago, he has considered a matter on which the Chief Administrator of the Civilian Office of Police Accountability and the Superintendent of Police did not agree regarding the discipline of two police officers. Mr. O'Malley reported that this matter involves allegations that Police Officers Richard Caro and Benjamin Garcia stopped an individual without justification in violation of the Fourth Amendment and Police Department policy. The Chief Administrator recommended

sustaining these allegations and suspending each officer for twelve days. The Superintendent recommended classifying these allegations as *Exonerated*. Mr. O'Malley reported that, in his opinion, the response of the Superintendent met the burden of overcoming the Chief Administrator's recommendation for discipline, and therefore, according to the Municipal Code, the Superintendent's recommendation will be implemented. A copy of the written opinion will be posted on the Board's website as required by the Municipal Code.

5. President Lightfoot announced that the Board is providing notice that it plans to consider amendments to its Rules of Procedure. She stated that a draft of the proposed amendments will be posted on the Board's website, and that there will be an opportunity for public comment before the Board takes final action on the proposed amendments at a future meeting.

6. President Lightfoot announced that copies of the general orders and other directives issued by the Superintendent of Police during the previous month are listed in the blue books made available at the meeting and are accessible on the Police Department's website.

7. President Lightfoot noted that the next item of business is the Superintendent's report. First Deputy Superintendent Riccio reported that murders and shootings are down from last year, and that the Department has recovered over 1,200 illegal firearms thus far in 2018. He also reported that Superintendent Eddie Johnson just returned from Springfield, where he was meeting with legislators and advocating for several gun-control measures. (*See the transcript of the meeting, posted on the Board's website, for a complete report of First Deputy Riccio's remarks.*)

8. President Lightfoot called upon those members of the public who had signed up in advance to speak. (*See the transcript of the meeting, posted on the Board's website, for a complete report of each speaker's remarks.*)

- Shaina Landuis, Jennifer No, and Grace Papino spoke on the issue of sexual offenses committed by police officers.
- Ellen Corley spoke on a variety of matters that she said have been covered-up.
- Rachel Oliver stated that Progressive Baptist Church offers condolences for the loss of Commander Bauer, and stands as an advocate for Chicagoans and as a faith-based partner with the Police Department.
- Jackie Page stated that she was involved in a traffic crash and alleged misconduct on the part of the responding officer.
- Pamela Hunt spoke about the issues of racism and discrimination in policing.

- Kim Townsend spoke about the allegations she has made that from the age of 14 until she was 18 she was repeatedly raped by a Chicago police officer in the 1980s.
- Crista Noel advocated naming the campus of the planned new police training facility after Thomas Wortham III, and she spoke about the issue of sexual assault by police officers.
- Queen Sister spoke about several issues, including the issue of sexual offenses committed by police officers.
- Helen Henning spoke about police misconduct she said she has been the victim of.
- George Blakemore spoke on several topics.
- Robert More spoke about a variety of matters.
- President Lightfoot called upon the following individuals and there was no response: Kit Brennan, Latoya Jones, and Maureen Dombeck.

President Lightfoot stated that all persons who had signed up in advance to speak had been called. Vice President Foreman moved to adjourn the meeting. The motion passed by a vote of 9 in favor (Lightfoot, Foreman, Delgado, Eaddy, Flores, O'Malley, Simpson, Sweeney, and Zopp) to 0 opposed, and President Lightfoot announced that the meeting is adjourned.

Respectfully submitted,

/s/ Max A. Caproni
Executive Director

**Chicago Police Board
Monthly Report of Decisions
February 2018**

	<u>BIA</u>	<u>BIA</u>	<u>IPRA/COPA</u>	<u>IPRA/COPA</u>	<u>OIG</u>	<u>OIG</u>	<u>Total</u>	<u>Total</u>
	<u>This Month</u>	<u>Year-to-Date</u>	<u>This Month</u>	<u>Year-to-Date</u>	<u>This Month</u>	<u>Year-to-Date</u>	<u>This Month</u>	<u>Year-to-Date</u>
<u>DISCHARGE CASES</u>								
Guilty, Discharged	0	0	1	1	0	0	1	1
Guilty, Suspended	0	0	0	2	0	0	0	2
Not Guilty	0	0	0	0	0	0	0	0
Charges Withdrawn--Respondent Resigned	0	0	0	0	0	0	0	0
Charges Dismissed	1	1	0	0	0	0	1	1
Total	1	1	1	3	0	0	2	4

SUSPENSION CASES: GREATER THAN 30 DAYS

Guilty, Recommended Penalty	0	0	0	0	0	0	0	0
Guilty, Penalty Increased	0	0	0	0	0	0	0	0
Guilty, Penalty Reduced	0	0	0	0	0	0	0	0
Not Guilty	0	0	0	0	0	0	0	0
Charges Withdrawn	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

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

**POLICE BOARD
CITY OF CHICAGO**

RULES OF PROCEDURE

Published: 1 November 1975
Amended: 15 June 2006, 19 June 2008, 19 March 2009,
19 November 2009, 16 April 2015, 19 January 2017, and 20 July 2017

I. PRE-HEARING PROCEDURE

- A. Proceedings against an officer or employee (hereinafter referred to as “respondent”) shall be commenced by the filing of written charges with the Police Board by the Superintendent of Police.
- B. The charges shall set forth the Rule or Rules of Conduct which the respondent is alleged to have violated and shall include specifications for each such alleged violation.
- C. The charges and specifications shall be set forth in simple, non-technical language.
- D. Prior to the time of the initial status hearing each case shall be assigned for hearing to a member of the Board or to a Hearing Officer designated by the Board for that purpose.
- E. At the time the case is assigned for hearing to a member of the Board or to a Hearing Officer, the date, time and place of the initial status hearing shall also be set.
- F. A copy of the charges filed, and a notice stating the date, place, and time the initial status hearing will be held, shall be personally served on the respondent not fewer than five (5) days before the date of the initial status hearing. Return of service will be made by a receipt from the respondent on the retained copy of the charges, or by an affidavit of the officer serving same. It is the duty of the officer serving the charges to secure service and make a return thereof without delay.

If personal service of the charges has not been made on the respondent after good faith and diligent attempts at such service, the Superintendent may file a motion for alternative service of the charges (such as abode service or service by certified U.S. mail). It shall be within the discretion of the Hearing Officer assigned to the case to grant or deny such motion.

- G. The initial status hearing for each case shall occur no fewer than five (5) days nor more than thirty (30) days after the respondent is served with the charges.
- H. At the initial status hearing of each case, the respondent shall appear in person or through an attorney of the respondent’s own choosing. Every respondent shall be entitled to one continuance, which continuance shall be granted at the time of the initial status hearing of each case.

- I. If the respondent chooses to be represented by an attorney of the respondent's own choosing, the attorney shall file a written appearance with the Police Board on an appearance form to be provided by the Board. Once an appearance is on file with the Board all future notices sent by the Board to the attorney of record shall be deemed to be notice to the respondent. No attorney may appear before the Board on behalf of any respondent until a written appearance is on file.
- J. After an initial continuance is granted, no further continuance shall be granted, except upon written request filed with the Secretary¹ of the Board setting forth the reason for such request at least five (5) days prior to the date set for hearing. However, the filing of a written request for continuance shall not excuse the respondent and the respondent's attorney, if one has been retained, from appearing in person at the designated time and place for the hearing of the charges and the request for such continuance shall be within the discretion of ~~the member of the Board or~~ the Hearing Officer so designated by the Board to grant or deny.

II. DISCOVERY AND OTHER PRE-HEARING MATTERS

- A. Prior to the hearing on charges filed with the Board, the respondent upon written request made prior to the hearing and filed with the Secretary of the Board and the Office of the Corporation Counsel, shall be entitled to:
 1. Any and all written statements made by the respondent concerning the charges filed, which are within the custody and control of the Department of Police and/or the ~~Civilian Office of Police Accountability~~~~Independent Police Review Authority~~;
 2. Any and all oral statements made by the respondent concerning the charges filed which have been reduced to writing or summaries of which have been reduced to writing which are within the custody and control of the Department of Police and/or the ~~Civilian Office of Police Accountability~~~~Independent Police Review Authority~~;
 3. Any and all oral statements of the respondent concerning the charges filed which have been in any way mechanically recorded and which are within the custody and control of the Department of Police and/or the ~~Civilian Office of Police Accountability~~~~Independent Police Review Authority~~;
 4. Any and all written statements or written summaries of oral statements of any witness to be produced by the Superintendent in the Department's case-in-chief at the hearing of said charges;
 5. Results or reports of physical or mental examinations, and of scientific tests or experiments made in connection with the particular case which are within the custody and control of the Department of Police and/or the ~~Civilian Office of Police~~

¹ ~~The Executive Director of the Police Board serves as the Board's Secretary.~~

~~Accountability Independent Police Review Authority~~; and

6. Any evidence within the custody or control of the Department of Police and/or the ~~Civilian Office of Police Accountability Independent Police Review Authority~~ which is favorable to the respondent in terms of guilt or innocence to the charges filed against the respondent.

- B. Any and all other motions which the parties desire to make shall be filed in writing with the Secretary of the Board prior to the hearing on said charges. The ~~member of the Board or~~ Hearing Officer designated by the Board to conduct the hearing shall rule on all motions filed prior to the hearing, which ruling shall be subject to review by the Board ~~at the time the case is taken under advisement by the Board~~. However, it is within the discretion of the ~~member of the Board or~~ Hearing Officer designated by the Board to conduct the hearing to defer ruling on any motion filed prior to the hearing, and to refer said motion to the Board for determination.

- C. Any motion filed fewer than five (5) days prior to the date set for hearing on the charges or the receipt of any documents or information in response to any motion filed fewer than five (5) days prior to the date set for hearing shall not constitute grounds for a requested continuance of the hearing on said charges, unless specific justification for such late filing is presented. The ~~member of the Board or~~ Hearing Officer designated by the Board to conduct the hearing shall then consider such justification in ruling on such requested continuance. It shall otherwise be the duty of the parties to file any and all motions under subsections (A) and (B) above within the time prescribed by order of the Hearing Officer prior to the hearing or, in the absence of such an order, not fewer than five (5) days prior to the date set for hearing hereof at least five (5) days in advance of the date set for hearing.

- D. Within the time prescribed by order of the Hearing Officer prior to the hearing or, in the absence of such an order, not fewer than five (5) days prior to the date set for hearing, any party intending to call a witness giving expert testimony at the hearing shall provide to the other party the following information in writing as to each such witness:
 1. The subject matter on which the witness will testify;
 2. The conclusions and opinions of the witness; and
 3. The qualifications of the witness.

The Hearing Officer may require such additional disclosures as to expert witnesses as he or she deems appropriate.

For purposes of this rule, a witness giving expert testimony shall be the same as a “Controlled Expert Witness” as that term is used in Illinois Supreme Court Rule 213(f)(3).

- E. A pre-hearing conference may be held at any time by the Hearing Officer assigned to the case whenever he/she deems that such a conference may aid in the disposition of the case or preparation for the evidentiary hearing. The parties will be notified of the date and time of a pre-hearing conference at a regularly scheduled status hearing or by written notice. All pre-hearing conferences shall be held at the office of the Police Board. Counsel (or any other representative of the parties) who will actually try the case and parties who are unrepresented must be present, but parties represented by counsel need not appear (unless ordered to do so by the Hearing Officer). At the pre-hearing conference, counsel must be prepared to discuss the issues that will be tried, the witnesses who will be called and the testimony of each witness at the hearing, and the exhibits that will be offered into evidence.

At the pre-hearing conference, the Hearing Officer shall have the discretion to require counsel to consider and discuss the following:

1. Formulation and simplification of the issues for the hearing;
2. Stipulations as to issues, evidence, or exhibits that will avoid unnecessary proof;
3. Evidentiary issues that may arise at the hearing;
4. The identity of the witnesses to be called, and the subject matter and the facts relating to the subject matter on which they will testify (counsel shall bring to the pre-hearing conference a written list of the witnesses to be called in the case in chief);
5. Limitations on the number or type of witnesses to be called in order to avoid unnecessary proof or cumulative evidence;
6. The identity of any expert witnesses to be called and the subject matter on which they will testify, as well as any other information disclosed pursuant to Section II-D above;
7. The availability of the witnesses to be called (counsel shall bring to the pre-hearing conference information as to the dates on which each witness is available to testify);
8. The exhibits each party intends to offer or use at the hearing and possible objections to such exhibits (counsel shall exchange copies of such exhibits prior to or at the pre-hearing conference, and shall bring to the pre-hearing conference a written list of the exhibits to be offered into evidence in the case in chief);
9. Any demonstrative aids to be used at the hearing;
10. The respondent's complimentary and disciplinary record to be considered by the Police Board, and any issues pertaining to such record; and
11. Such other matters that may facilitate the just, speedy, and efficient disposition of the case.

The results of the pre-hearing conference shall be set forth in a written Order to be entered by the Hearing Officer. ~~the record of the proceedings made. There shall be no requirement of a written pre-hearing order.~~

All counsel are required to fully participate in the pre-hearing conference, and to provide all information requested by the Hearing Officer in connection with sub-paragraphs (1)-(11) set forth above, and comply with the Hearing Officer's written pre-hearing conference Order. If any counsel fails to fully participate in such a pre-hearing conference or provide the information requested by the Hearing Officer, the Hearing Officer or the Police Board may issue sanctions against such party and/or its counsel, including but not limited to dismissal of the case, entry of an adverse judgment in the case, limitation of the scope of a witness's testimony at the hearing, or exclusion of the testimony of a witness or evidence.

III. HEARING PROCEDURE

- A. Any party shall obtain the presence of witnesses and the production of books and records for any hearing by the service of a subpoena for same issued by the Board. Subpoenas may be obtained by request made to the Secretary of the Board. No continuance shall be granted to any party for the failure to a witness to appear at any hearing unless such witness shall have been previously served with a subpoena, or unless such party demonstrates a good faith attempt to have served a subpoena on any such witness.
- B. The Board shall designate ~~any member of the~~ Hearing Officer to administer oaths for the purpose of receiving sworn testimony at any hearing or proceeding conducted by the Board. In any event any officer authorized by law to administer oaths shall be authorized to administer oaths for the purpose of receiving sworn testimony at any hearing of charges before the Board.
- C. The Superintendent shall be represented at all proceedings before the Board by the Corporation Counsel of the City of Chicago.
- D. The Superintendent shall present evidence in support of the charges filed, and the respondent may then offer evidence in defense or mitigation. If the respondent offers evidence in defense or mitigation, the Superintendent may then follow with evidence in rebuttal, including evidence in aggravation that rebuts evidence the respondent offered in mitigation.

It shall be within the discretion of the Hearing Officer designated to conduct the hearing to rule on the relevance and extent of any evidence offered; such rulings shall be subject to review by the Board.

Unless the Board, in its discretion, sets the matter for additional proceedings pursuant to Section H below, all evidence and arguments shall be presented prior to the case being

taken under advisement by the Board, which shall then review the complete record of proceedings without limitation; while the Board shall review at one time all evidence and arguments presented, the Board shall consider any evidence in mitigation and aggravation solely for the purpose of determining the disciplinary action to be imposed, if any.

- E. The testimony of all witnesses, whether offered by the Superintendent or respondent, shall be subject to cross-examination. The ~~member of the Board or~~ Hearing Officer designated to conduct the hearing shall not be bound by the formal or technical rules of evidence; however, hearsay evidence shall not be admissible during the hearing, unless a federal or Illinois statute or rule of evidence provides otherwise.
- F. The ~~member of the Board or~~ Hearing Officer designated to conduct the hearing shall allow time at the close of the evidence for closing arguments. Counsel for the Superintendent will give the opening argument, which will be followed by the respondent. Following the respondent's closing argument, the Counsel for the Superintendent shall be given time for rebuttal argument. If Counsel for the Superintendent waives argument but the respondent does not, Counsel for the Superintendent will be given opportunity for a rebuttal argument. If, however, the respondent waives closing argument, the Counsel for the Superintendent shall not be given opportunity to make a rebuttal argument.
- G. If the respondent does not appear or absents her/himself from any proceedings conducted by the Board, the ~~member of the Board or~~ Hearing Officer designated to conduct the hearing may proceed with the hearing in the absence of the respondent.
- H. At the close of all the evidence and arguments, the case will be taken under advisement by the Police Board. All rulings by the Hearing Officer shall be subject to review by the Board, which in due course, the Board will render its findings and decision as provided by law. The Board may, in its discretion, after finding a respondent guilty of one or more rule violations, set the matter for additional proceedings for the purpose of determining administrative action. The Superintendent and the respondent, or through counsel, may submit any information concerning the respondent's past work performance or other relevant information in mitigation or aggravation which would assist the Police Board in determining administrative action required. Witnesses may appear on behalf of the Superintendent or the respondent to give sworn testimony.

Pursuant thereto, the Police Board shall issue its written findings including penalty, if any.
- I. The findings and decision of the Police Board shall be preserved by the Secretary of the Board, who shall notify the Superintendent and the respondent of the Board's action.
- J. The Secretary of the Board shall forward the findings and decision of the Board to the Superintendent for enforcement of the Board's action. If the findings and decision is such that the respondent is guilty of the charges filed and removal, discharge or suspension is ordered, such order shall become effective forthwith.

K. At all times during the Police Board's pre-hearing, discovery, and hearing process, all counsel shall conduct themselves in a civil, courteous, and respectful manner; shall abstain from abusive, hostile, or obstructive conduct; and shall not engage in conduct that brings disorder or disruption to Police Board proceedings.

The Hearing Officer or the Police Board may impose sanctions against any counsel who violates this Rule, and against counsel's client, including but not limited to dismissal of the case, entry of an adverse judgment, limitation or exclusion of testimony or other evidence, or such other sanction as the Hearing Officer or the Police Board may deem appropriate.

IV. SUSPENSION REVIEW PROCEDURES

A. NOTICE

In all cases in which the Superintendent of Police has ordered a member to be suspended for a period of time, no fewer than six (6) days nor more than thirty (30) days, the member of the Department to be suspended will be served with a notice stating the length of suspension and the reason therefor. The notice will also set forth the various options available to the Department member to have the suspension reviewed.

B. PROCEDURES

1. To have the proposed suspension reviewed by the Police Board, the member must file a request within three business days of being properly notified of the suspension and the right to request Police Board review. Failure to file within the period allotted constitutes a waiver of the member's right to review. Requests for review must be filed in person at the Office of the Police Board during business hours, or by certified mail (the date of the postmark of the certified mailing will be considered the date of filing).
2. Upon the filing of the request for review the member will receive a time-stamped copy of the request indicating that the request was filed within the period allotted. A time-stamped copy will also be forwarded to the Superintendent of Police; a copy will also be sent to the Chief Administrator of the Civilian Office of Police Accountability/Independent Police Review Authority ("COPAIPRA") if COPAIPRA conducted the complaint register investigation.
3. At the time of the filing or within five business days thereafter the member may also submit a written memorandum delineating specific reasons for which the review was requested and documentary evidence, if any. If the member submits a written memorandum and/or documentary evidence, the Superintendent and the IPRACOPA Chief Administrator shall each have an opportunity to provide a written response and/or documentary evidence. Upon receiving the copy of the request for review, the

Superintendent and/or the ~~IPRACOPA~~ Chief Administrator may also file a written memorandum concerning the matter.

4. Upon receipt of the investigation file and the material noted in item 3 above, the Secretary of the Police Board will assign the review of the file and above material to a Hearing Officer of the Police Board ~~or a member of the Police Board~~ within one calendar week.
5. The Hearing Officer ~~or member of the Police Board~~ must complete the review within one calendar week of being assigned the review, and upon completion of the review will submit a written report to each member of the Police Board indicating the specific allegations against the member, the evidence contained in the file and above material supporting the allegations as well as information in the file and above material indicating evidence not supporting the allegations.
6. The Police Board in executive session will consider the report of the Hearing Officer ~~or member of the Police Board~~ who has reviewed the file and will vote either to sustain, reduce the length of, or reverse the suspension ordered by the Superintendent. A majority vote by the Police Board will be required to render its findings and decision. However, the Police Board may in its discretion order a hearing before a ~~member of the Board or at the~~ Hearing Officer prior to making a determination to sustain, reduce the length of, or reverse the suspension ordered by the Superintendent.
7. Any member of the Police Board may personally examine the investigative file and the material noted in item 3 above on her/his own initiative before the findings and decision are rendered by the Police Board.
8. Upon completion of deliberation, the Police Board will cause the Secretary of the Police Board to prepare the written findings and decision and forward copies to the Superintendent of Police and to the member who has requested the review.
9. Upon receipt of the findings and decision of the Police Board affirming the Superintendent's order, the Superintendent of Police may then immediately implement the suspension.

C. EMERGENCY PROCEDURES

1. The member shall be served with a notice of suspension including an express finding by the Superintendent of Police that the public safety, or the good of the Department or both require the immediate suspension of the member.
2. No later than seven (7) days after service of the notice of emergency suspension a ~~member of the~~ Police Board ~~or its~~ Hearing Officer shall review the order of the Superintendent together with the reasons therefor and shall at that time preliminarily affirm or reverse such order. If the order is reversed, the member shall be reinstated and paid for any period under suspension as a result of the order. If the order is

preliminarily affirmed, the Police Board shall within thirty (30) days of such affirmance review such order and may in its discretion, afford the member an opportunity to receive a hearing pursuant to the Rules of Procedure of the Police Board.

3. If the Police Board, upon hearing, determines that the emergency suspension was unwarranted, the Police Board shall order the member reinstated and paid for any period under suspension as a result of the order.

D. SUSPENSION ACCOMPANIED BY FILING OF CHARGES

The procedures contained in Article IV do not apply to any suspension implemented by the Superintendent of Police which is accompanied by the filing of charges with the Police Board seeking a member's separation or suspension in excess of thirty (30) days except that no later than seven (7) days after service of the notice of suspension a member of the Police Board or its Hearing Officer shall review the order of the Superintendent together with the reasons therefor and shall at that time determine whether suspension pending the disposition of charges is warranted. Review of the suspension implemented by the Superintendent of Police in such instances will be considered in connection with the hearing before the Police Board.

V. APPLICATION OF RULES OF PROCEDURE

- A. At the time the respondent is served with charges filed against her/him by the Superintendent as provided herein, the respondent shall also be given a copy of these Rules of Procedure.
- B. All time limitation contained in these Rules regarding continuances and motions shall be subject to exception in cases of extreme hardship, unusual circumstances or other justification. Any deviation therefrom shall be within the discretion of the Board Member or Hearing Officer designated to conduct the hearing, and whose ruling shall be subject to review by the Board at the time the case is taken under advisement.

VI. REVIEWS OF DISCIPLINARY-RELATED RECOMMENDATIONS UNDER THE CIVILIAN OFFICE OF POLICE ACCOUNTABILITY ORDINANCE

Chapter 2-78 of the Municipal Code of Chicago relating to the Civilian Office of Police Accountability ("COPA") imposes on the Police Board certain duties when a disagreement arises between the COPA Chief Administrator ("Chief Administrator") and the Superintendent of Police ("Superintendent") over the recommended discipline for Police Department ("Department") members under investigation for violating Department rules. In particular, §2-78-130(a)(iii) of the COPA Ordinance assigns a member of the Police Board a role in resolving any such disagreement. The following Rules of Procedure set forth the method by which the Police Board will perform such duties under §2-78-130(a)(iii) of the

COPA Ordinance.

- A. To perform its duties under the COPA Ordinance, the Police Board shall designate from its membership one member to review disciplinary recommendations (“Reviewing Member”). The Reviewing Member shall be selected on a random basis and designated at a regularly scheduled meeting of the Police Board. The Reviewing Member so selected shall consider requests for review filed until a new Reviewing Member is selected at the next regularly scheduled meeting. Substitution of the Reviewing Member may be made from time to time, as authorized by the Police Board, in the event that the Reviewing Member becomes unavailable to perform the functions required of a Reviewing Member.
- B. A request for review of a disciplinary recommendation (“Request for Review”) by the Chief Administrator shall be sent to the Office of the Police Board and to the attention of the Executive Director of the Police Board. The Request for Review shall consist solely of: (1) the recommendation of discipline issued by the Chief Administrator (recommended findings for each allegation of misconduct and recommended disciplinary action), (2) the Superintendent’s written response to the Chief Administrator’s recommendation of discipline, addressing each allegation and the recommended disciplinary action, and (3) the Chief Administrator’s written objections to the Superintendent’s response. The Request for Review shall be accompanied by a certificate from the Chief Administrator stating: (1) the date on which the Chief Administrator issued the recommendation of discipline, (2) the date on which the Chief Administrator received the Superintendent’s written response, (3) the date(s) on which the Chief Administrator and Superintendent met to discuss the Superintendent’s response, as required under the COPA Ordinance, (4) the date and method by which the Chief Administrator sent the Request for Review to the Office of the Police Board, and (5) pursuant to §2-78-130, a certification from the Chief Administrator that the Superintendent was provided notice that the Chief Administrator had referred a particular matter for a Request for Review to the Office of the Police Board (“Certificate”). In addition, the Chief Administrator shall promptly send to the Superintendent a notice and a copy of the Certificate and all Request for Review material that was sent to the Office of the Police Board.
- C. Upon receipt, the Executive Director of the Police Board will prepare for and forward to the Reviewing Member a Request for Review file consisting solely of: (1) the recommendation of discipline issued by the Chief Administrator, (2) the Superintendent’s written response to the Chief Administrator’s recommendation of discipline, (3) the Chief Administrator’s written objections to the Superintendent’s response, and (4) the Certificate. The file shall indicate the date of receipt of the Request for Review.
- D. Within 10 business days of receipt, the Reviewing Member shall review the Request for Review file. Upon completion of this review, the Reviewing Member may, in her/his discretion, request that the Chief Administrator and the Superintendent present additional documentation or present oral or written arguments in support of their respective positions. Any such request by the Reviewing Member shall be in writing, shall be

served upon the Chief Administrator and the Superintendent, and shall identify the additional information or actions requested. The additional information or documentation requested shall be provided, and any argument scheduled, within a reasonably prompt period of time, as determined by the Reviewing Member. The Reviewing Member may impose reasonable limitations on the presentation of additional documentation or argument. The Chief Administrator and Superintendent shall serve each other with copies of any additional documentation submitted to the Reviewing Member.

- E. The Reviewing Member shall consider the Request for Review file, and the requested additional documentation and argument, if any, for the purpose of determining whether the Superintendent has met the Superintendent's burden of overcoming the Chief Administrator's recommendation for discipline. In making that determination, the Reviewing Member shall consider and determine whether the Superintendent's proposed disposition is more reasonable and appropriate than the Chief Administrator's recommendation based on the nature of the misconduct alleged and the information contained in the Request for Review file. If, in the opinion of the Reviewing Member, the Superintendent's response did not meet the Superintendent's burden to overcome the Chief Administrator's recommendation for discipline, the Chief Administrator's recommendation shall be deemed accepted by the Superintendent, as provided by the COPA Ordinance. If, in the opinion of the Reviewing Member, the Superintendent met the burden to overcome the Chief Administrator's recommendation for discipline, the Superintendent's response shall be implemented, as provided by the COPA Ordinance. The Reviewing Member shall notify in writing the Chief Administrator and Superintendent of the Reviewing Member's determination, which shall be announced at the next regular public meeting of the Police Board, and shall be promptly posted on the Police Board's website.
- F. The Reviewing Member shall recuse her/himself from any future involvement by the full Police Board with respect to the disciplinary matter before the Reviewing Member.

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**POLICE BOARD
CITY OF CHICAGO**

**Policy Regarding the Attendance of and Participation by
the Public at Board Meetings**

(Adopted 15 December 2005)

The Police Board values the attendance of the public at its meetings and the opportunity to receive comments and questions on matters concerning the Board or the Police Department. The Board will treat members of the public with courtesy and respect, and expects that the public will treat Board members and Department members in a similar manner.

Toward that end, the Board has adopted the following rules governing conduct at Board meetings:

1. An individual wishing to address the Board must sign-up in advance by contacting the Board's office by phone, fax, or in person no later than 4:30 p.m. of the day before the meeting.
2. When called upon to address the Board, each speaker is to identify him/herself and speak clearly so that all in attendance may hear and so that the court reporter may make an accurate record of the proceedings.
3. Due to time constraints, each speaker is limited to two minutes and must conclude when asked to do so by the Board member acting as parliamentarian.
4. Personal attacks, obscene language, fighting words, threats, conduct intended to disrupt or interfere with the meeting, and comments not related to matters within the Board's or the Department's jurisdiction, by a speaker or any person in attendance, are strictly prohibited.

Violation of any of the above rules may result in the removal of the violator from the meeting room, or in the immediate adjournment of the meeting; in addition, repeated violations may result in the violator not being permitted to attend or participate in future Board meetings.

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This communication summarizes new or amended directives issued by the Superintendent between **01 February and 28 February 2018**.

The following directives, along with all of the Chicago Police Department's orders, are available for review in their entirety on the Department website listed below:

<http://directives.chicagopolice.org>

EMPLOYEE RESOURCE

- E05-04-01** Academic Selection Board
- E02-02-03** Payroll and Timekeeping – Holidays / Personal Days / Baby Furlough Days
- E02-02** Payroll and Timekeeping – Attendance
- E05-05** Career Service Rank Promotional Process
- E06-01** Professional Counseling Division /Employee Assistance Program

SPECIAL ORDER

- S04-23** Ordinance Complaint Form
- S02-04-09** Department of Buildings - Strategic Task Force

PERSONNEL AND TRAINING

During the month of **February 2018**, **155** training blocks were conducted for Chicago Police Recruits, Metropolitan Recruits (including surrounding agencies) and In-Service Courses.

A total of **31,501** Department attendees received In-Service/E-Learning training, which included: Body Worn Camera Orientation Program, LEMART Instructor Development Courses, Prescribed Weapons Qualifications, Procedural Justice and Legitimacy 1, POWER Test, Patrol Carbine Requalification A, TASER Qualification and Re-Certification, Force Mitigation, Decentralized Training Unit – Roll Call Training, Driving Unit In-Service, DUI Paperwork for Police Officers and Supervisors, Tactical Room Entry and Command Staff ASI Workshop CPD/CFD.

A total of **763 Chicago Police Recruits** were in training along with **47 Metropolitan Police Recruits**.

**IAD AND IPRA STATISTICS
COMPLAINTS RECEIVED, COMPLETED AND DISPOSITION**

Police Board February 2018 Complaint Statistics

Log Numbers Received in ICLEAR

	Total Received	Assigned to BIA	Percent of Total
February 2017	352	272	77.3%
2017 Year to Date	719	557	77.5%
February 2018	291	213	73.2%
2018 Year to Date	650	463	71.2%

BIA Admin Closed	Percent of BIA Total
166	47.2%
332	46.2%
99	34.0%
227	34.9%

Pre-Affidavit Investigations

	Assigned to BIA	Percent of Total	Assigned to IPRA	Percent of Total	Total Received
February 2017	106	72.6%	40	27.4%	146
2017 Year to Date	225	72.1%	87	27.9%	312
February 2018	114	60.6%	74	39.4%	188
2018 Year to Date	236	58.3%	169	41.7%	405

BIA Investigations Received

	2017	2018	+/-
February	106	114	8
Year to Date*	225	236	11

BIA Investigations Closed (Investigation Completed)

	2017	2018	+/-
	118	47	-71
	260	136	-124

BIA Investigative Findings (Includes Field Units)**

	February 2017	Percent of Total	YTD 2017	February 2018	Percent of Total	YTD 2018	YTD +/-
Sustained	12	10.2%	29	5	10.6%	16	-13
Exonerated	3	2.5%	6	2	4.3%	4	-2
Unfounded	10	8.5%	33	4	8.5%	11	-22
Not Sustained	13	11.0%	31	8	17.0%	18	-13
Admin Closed	11	#DIV/0!	17	9	19.1%	36	
No Affidavit /NC	69	58.5%	144	19	40.4%	51	-93
	118		260	47		136	-124

**IAD AND IPRA STATISTICS
COMPLAINTS RECEIVED, COMPLETED AND DISPOSITION**

NOTE: Investigative findings are based on the date the investigation has been completed, not received. The new intake system generates Log Numbers representing informational records. Pursuant to Illinois State Law, Complaint Register numbers are generated upon execution of an affidavit.

**CRMS Disciplinary Codes Entered for Members, *Not Unique Log#*
BIA Investigations Only**

(Discipline at 'Final Finding', Case Closed in Records with Sustained Finding)

	February 2017	Percent of Total	YTD 2017	February 2018	Percent of Total	YTD 2018	YTD +/-
000 - Violation Noted	1	3.6%	1	1	3.3%	1	0
100 - Reprimand	8	28.6%	15	2	6.7%	3	-12
200 - Susp Over 30 days	0	0.0%	0	0	0.0%	0	0
800 - Resigned Not Served	0	0.0%	1	3	10.0%	6	5
900 - Penalty Not Served	0	0.0%	1	1	3.3%	1	0
Suspended 1 to 5 days	15	53.6%	22	13	43.3%	21	-1
Suspended 6 to 15 days	4	14.3%	6	8	26.7%	9	3
Suspended 16 to 30 days	0	0.0%	0	2	6.7%	2	2
	28	100.0%	46	30	100.0%	43	-3

Report Date: 20 Mar 2018
 Report Time: 1134 Hrs
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CITY OF CHICAGO DEPARTMENT OF POLICE



SUMMARY OF SEPARATIONS BY CODE FOR FEB 2018 - CIVILIAN

SEPARATION CODE	DESCRIPTION	FEB 2018	JAN - FEB 2018	FEB 2017	JAN - FEB 2017	ALL OF 2017
809	RESIGN/UNDER INVEST	0	0	0	0	1
810	RESIGN PENSION	1	5	3	4	31
812	RESIGN OTHER EMPLOY	0	0	0	1	4
819	SEP/OTHER CITY POS	0	0	0	0	14
821	RESIGN/OTHER	0	1	0	0	10
826	RESIGN/PERSONAL	0	0	0	0	2
827	RELOCATION	0	0	0	0	1
828	RESIGN FROM LOA	0	1	0	0	1
865	RESTORE TO CS LIST	0	0	0	0	2
	CIVILIAN TOTALS	1	7	3	5	66

NOTE: THE INFORMATION IS CURRENT AS OF THE DATE AND TIME OF THE REPORT.

Report Date: 20 Mar 2018
 Report Time: 1134 Hrs
 Produced By
 OEMC IT Data Warehouse

CITY OF CHICAGO DEPARTMENT OF POLICE



SUMMARY OF SEPARATIONS BY CODE FOR FEB 2018 - SWORN

SEPARATION CODE	DESCRIPTION	FEB 2018	JAN - FEB 2018	FEB 2017	JAN - FEB 2017	ALL OF 2017
808	RESIGN PENSIO/INVEST	1	2	2	7	17
809	RESIGN/UNDER INVEST	0	1	2	2	4
810	RESIGN PENSION	19	57	44	121	490
812	RESIGN OTHER EMPLOY	0	0	0	0	2
819	SEP/OTHER CITY POS	0	0	0	0	1
821	RESIGN/OTHER	1	3	1	1	23
825	JOB ABANDONMENT	0	0	0	0	1
826	RESIGN/PERSONAL	0	0	0	3	4
827	RELOCATION	0	0	0	0	1
828	RESIGN FROM LOA	3	4	0	2	16
829	RESIGN FROM DPR	0	0	2	6	9
845	MANDATORY RETIREMENT	3	7	1	3	31
855	DISCHARGED	0	0	1	1	5
856	DISCH/PROBATIONARY	1	1	0	1	5
881	EXPIRATION OF LOA	0	0	1	1	2
SWORN TOTALS		28	75	54	148	611

NOTE: THE INFORMATION IS CURRENT AS OF THE DATE AND TIME OF THE REPORT.