

**POLICE BOARD
CITY OF CHICAGO**

**DISCIPLINARY CASES
QUARTERLY REPORT
September 30, 2023**

Police Board's Role in the Disciplinary Process

Discharge Cases: The Police Board decides disciplinary cases when the Superintendent of Police files charges to discharge a sworn officer from the Police Department.

Suspension Cases: The Police Board decides disciplinary cases when: (1) the Superintendent files charges recommending that a sworn officer be suspended for more than one year, or (2) an officer below the rank of sergeant requests Police Board review of a suspension of 11 – 365 days.

Disagreement Cases: Individual members of the Police Board rule on disagreements between the Chief Administrator of the Civilian Office of Police Accountability and the Superintendent of Police over the recommended discipline of an officer.

Discharge Cases Filed with the Police Board

January 1 - September 30, 2023

	BIA	COPA	OIG	TOTAL
DISCHARGE CASES				
# of officers charged by the Supt	8	15	0	23
Pending charges as of 9/30/2023 (including cases filed in 2022)	7	19	1	27

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

COPA = Investigated by the Civilian Office of Police Accountability

OIG = Investigated by the Office of the Inspector General

Suspension Cases Before the Police Board

There is currently one suspension case before the Board: Charges recommending the suspension of a police officer for 366 days (investigated by COPA).

Decisions in Discharge Cases

From January 1 through September 30, 2023, the Police Board decided or otherwise disposed of cases involving 16 officers that the Superintendent recommended be discharged from the Chicago Police Department.

January 1 - September 30, 2023	NUMBER OF OFFICERS:				
	Guilty & Discharged	Guilty & Suspended	Not Guilty	Settlement: Suspended	Resigned*
Primary Charges (Investigation)					
Excessive Force--On Duty (COPA)	0	2	0	0	1
Other On-Duty Misconduct (COPA)	2	4	2	0	0
Domestic Incident--Off Duty (COPA)	0	0	0	1	2
Other Off-Duty Misconduct (COPA)	0	1	0	0	0
Drug/Alcohol Abuse (BIA)	0	0	0	0	0
Bribery/Official Corruption (BIA)	0	0	0	0	0
Commission of a Crime (BIA)	0	0	0	0	1
Conduct Unbecoming--Off Duty (BIA)	0	0	0	0	0
Operation/Personnel Violations (BIA)	0	0	0	0	0
Other (BIA)	0	0	0	0	0
Total	2	7	2	1	4
*The respondent resigned from CPD prior to a hearing rather than contest the charges, and the charges were therefore withdrawn.					

Decisions in Suspension Cases

No suspension cases have been decided by the Board thus far in 2023.

Amount of Time to Bring Charges and Decide Cases

Once a complaint of alleged police misconduct is received, it is investigated by COPA, BIA, or OIG and then reviewed the Superintendent. If the recommended discipline is to discharge the officer from the CPD, the Superintendent files charges with the Board. The Board will then hold an evidentiary hearing and decide the case.

The table below presents data on the average amount of time it takes to bring charges and to decide cases. The information below is for the 8 cases that the Board decided from January 1 through September 30, 2023, following a full hearing on the charges (all of these cases were investigated by COPA, and some of the cases involved more than one accused officer).

POLICE BOARD CASES DECIDED JAN 1 - SEP 30, 2023		
	Median # of Days	Mean # of Days
<u>Investigation and Review</u>		
From date of incident to filing of charges with Police Board	998 (2.7 years)	1177 (3.2 years)
From date complaint received by investigating agency (COPA, BIA, or OIG) to filing of charges with Police Board	944 (2.6 years)	1015 (2.8 years)
<u>Police Board</u>		
From filing of charges with Police Board to 1st day of PB hearing	313 (10.3 months)	402 (13.2 months)
From filing of charges with Police Board to PB decision	490 (1.3 years)	532 (1.5 years)
<u>Entire Process</u>		
From date of incident to Police Board decision	1523 (4.2 years)	1709 (4.7 years)
From date complaint received to Police Board decision	1431 (3.9 years)	1547 (4.2 years)

Appeals of Police Board Decisions

Under Illinois law, the parties to a Police Board disciplinary case (the Superintendent and the accused officer) have the right to appeal the Board's decision by filing a petition for administrative review in the Circuit Court of Cook County. A party dissatisfied with the Circuit Court's review of a Police Board case may appeal to the Appellate Court of Illinois.

January 1 - September 30, 2023

PB Decisions <u>Appealed</u>	PB Decisions <u>Upheld*</u>	PB Decisions <u>Reversed</u>	PB Decisions <u>Pending Final Court Decision**</u>
2	3	0	8

*Police Board decision affirmed or appeal dismissed.

**Cases (1) currently before a court, or (2) for which the time limit for appealing a circuit court decision has not yet expired.

Note: A particular case may be reviewed by more than one court (circuit court, appellate court), and court rulings may cause the Board to issue more than one decision (e.g., a decision on remand); the data in this table pertain to *final* court action regarding the Board's *original* decision.

Disagreement Cases Referred to the Police Board

When the Chief Administrator of the Civilian Office of Police Accountability and the Superintendent of Police do not agree regarding the discipline of a CPD officer, the Chief Administrator shall refer the matter to one member of the Police Board. The reviewing member shall then rule on the disagreement between the Chief Administrator and the Superintendent, as follows:

- If, in the opinion of the reviewing member, the Superintendent's response did not meet the burden of overcoming the Chief Administrator's recommendation for discipline, the Chief Administrator's recommendation shall be deemed to be accepted by the Superintendent.
- 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.

January 1 - September 30, 2023

<u>Chief Administrator's Recommendation for Discipline</u>	<u>Reviewing Member Ruled for Chief Administrator</u>	<u>Reviewing Member Ruled for Superintendent</u>
Discharge from CPD	7	1
Suspension > 30 days	0	0
Suspension 11 - 30 days	1	0
Suspension 1 - 10 days	0	0
Total Rulings	8	1