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|  Chicago Police Department SPECIFIC RESPONSIBILITIES REGARDING ALLEGATIONS OF MISCONDUCT | | General Order G08-01-02 | |
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| ISSUE DATE: | 11 March 2013 | EFFECTIVE DATE: | 17 March 2013 |
| RESCINDS: | 23 May 2001 Version | | |
| INDEX CATEGORY: | Professionalism | | |

I. PURPOSE

This directive:

- A. defines the responsibilities of Department members when allegations of misconduct come to their attention.
- B. sets forth procedures relative to certain investigatory and review functions.

II. RESPONSIBILITIES

A. Individual Responsibilities

1. All Department members will perform the duties and assume the obligations of their rank and/or position in the investigation of allegations of misconduct against any Department member.
2. Members will cooperate with personnel from the Civilian Office of Police Accountability (COPA), the Bureau of Internal Affairs (BIA), or any other lawful investigatory entity conducting an investigation into a member's misconduct.
3. Department members who are not directly assigned to an investigation, including members in command channel review, will not contact reporting parties or witnesses for the purpose of reinvestigating, obtaining additional information, or clarifying information regarding the case.

NOTE: This prohibition does not apply to Department members directed by the Superintendent to ensure compliance with this directive.

4. A Department member within the command channel review process with concerns regarding missing, erroneous, or vague information relative to an investigation will identify those concerns in a nonconcurrency report.
5. Members who have knowledge of circumstances relating to misconduct will submit an individual written report to a supervisor before reporting off duty on the day the member becomes aware of the misconduct. The report will include the incident Log Number, if available, and all facts relating to the incident known or reported to the member. The supervisor will forward one copy each of any such report or document, without unnecessary delay, directly to COPA and the BIA. A letter of transmittal or cover report is not required when such reports or documents are forwarded.

B. Initiation Responsibilities and Procedures

1. When misconduct is observed or an allegation of misconduct is received by a non-supervisory member, the member will immediately notify a supervisory

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member and prepare a written report to their unit commanding officer containing the information received, observations made, and any action taken.

2. When misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking to higher authority for such action.
3. When incidents regarding allegations of misconduct subject to the Log Number process are received, the supervisor or commanding officer who first receives information of the alleged misconduct will:
 - a. report the information to COPA , by telephone, within one (1) hour after the information is received. If the notification occurs during non-business hours (2300-0700), members will contact the Crime Prevention Information Center (CPIC) .

NOTE: This does not apply to transgressions for which summary punishment may be administered.
 - b. record all information available at the time the allegation was received in statement or report form and forward the original report to COPA **and** a copy to the BIA without unnecessary delay.
4. When incidents regarding allegations of misconduct are taken at the Office of Emergency Management and Communications (OEMC), the individual receiving the allegation will forward the phone call to COPA.
5. Allegations involving only differences of opinion between a Department member and a member of the public as to whether an Administrative Notice of Ordinance Violation Citation (ANOV), Ordinance Complaint, Personal Service Citation, or Violation Notice should have been issued, absent of an allegation of misconduct, the allegation will not be subject to a Complaint Register investigation.
6. Allegations involving differences of opinion between Department members concerning the provisions of a Collective Bargaining Agreement will be subject to the grievance process.

C. Civilian Office of Police Accountability (COPA)

COPA investigates allegations of excessive force and other matters as directed by the [Municipal Code of Chicago, Title 2, Chapter 2-78](#). Pursuant to this authority, upon receipt of an allegation of misconduct against a Department member, the appropriate member of COPA will:

1. record the incident.

EXCEPTION: If the allegation involves only differences of opinion between Department members concerning the provisions of a Collective Bargaining Agreement, the incident will not be recorded. However, if there is an accompanying allegation of misconduct, the allegation will be recorded as to the specific misconduct allegation.
2. enter the required information into the Automated Complaint System, recording the pertinent available information and circumstances of the allegation.
3. advise the person making the allegation of the assigned Log Number.

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4. notify the Chief Administrator and other members of COPA, as appropriate.
 5. review the nature of the allegation(s) of misconduct and make a determination to either:
 - a. investigate the allegation in a fair and impartial manner, or;
 - b. notify the BIA whenever specific allegations of misconduct are not investigated by COPA. COPA will immediately notify the BIA for those incidents as agreed upon by COPA and BIA.
 6. forward the appropriate Automated Complaint Reports and attachments to the BIA.
 7. at the conclusion of the COPA investigation, inform the:
 - a. reporting party, by mail, of the Log Number and the final classification of the allegation.
 - b. accused member of the final classification of the allegation.
- D. Bureau of Internal Affairs (BIA)
1. The BIA or its designee investigates all allegations of misconduct against Department members not conducted by COPA.
 2. The BIA has the authority to assist and support unit investigators with or without request, particularly if the seriousness of the alleged violation appears to warrant involvement of the BIA in the investigation.
 3. Members of the Department who feel that they have been the subject of a false accusation may request an investigation by the BIA by submitting a written report of the facts directly to the Superintendent of Police or the Bureau Chief, BIA. Members may submit this request without prior report to the supervisors in their chain of command.
 4. Upon receipt of a Log Number for investigation from COPA, the BIA will:
 - a. investigate the incident or assign it to the appropriate unit for investigation.
 - b. at the conclusion of the investigation, inform the:
 - (1) reporting party, by mail, of the final classification of the allegation.
 - (2) accused member of the final classification of the allegation.
 5. It is the responsibility of the BIA to:
 - a. establish and maintain a liaison with the Cook County State's Attorney's Office, the United States Attorney's Office, the courts, bar associations, other law enforcement agencies, community groups, and represent the Superintendent in matters as directed.
 - b. review all BIA and unit assigned cases in which a member is recommended for separation.

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- c. assist the Office of the Corporation Counsel in the preparation of cases for presentation to the Chicago Police Board as determined to be appropriate by the Superintendent of Police through the General Counsel.

E. Command Consultation and Guidance

Members assigned to the BIA will be available for consultation and guidance relative to investigations.

F. Superintendent of Police

The Superintendent of Police will ensure the review of recommendations for disciplinary action and will take such action as the Superintendent deems appropriate. Nothing in this directive diminishes the authority of the Superintendent of Police to order suspensions, to separate provisional employees or probationary employees, or to file charges with the Police Board without regard to recommendations made by subordinates.

Garry F. McCarthy
Superintendent of Police

08-118 MAV/MWK

PHONE BOOK:

1. **Civilian Office of Police Accountability (COPA)**
4th Floor, 1615 W Chicago Ave, Chicago, IL 60622
(312) 746-746-3609/PAX 0114/(312) 745-3598 TTY
2. **Crime Prevention Information Center (CPIC)**
5-6300/pax 6191
24 Hours