

2023

ANNUAL REPORT

CHICAGO POLICE BOARD



MESSAGE FROM THE PRESIDENT

For over 60 years, the Police Board has played an instrumental role in Chicago's police-accountability system. The Board's efforts have helped Chicago achieve the most extensive civilian oversight of police of any major city in the United States. In 2023, the Board continued to bring accountability, impartiality, and transparency to police oversight, and I am honored to showcase the Board's important work in this report. While the Board's activities are explained in greater detail in the following pages, I want to highlight the following achievements:

In 2023, the Board decided 19 disciplinary cases involving allegations of serious misconduct made against members of the Chicago Police Department. These cases ranged from widely publicized charges of unjustified police-involved shootings to less visible yet still significant allegations of misconduct. In furtherance of its ongoing efforts to bring greater transparency to the police-accountability system, the Board's disciplinary decisions were set forth in writing, contained detailed reasoning, announced at open meetings and were made immediately available to the public on the Board's website. These decisions also served to further educate the police and the public about the appropriate standards of police conduct.

The Board also conducted 12 public meetings. These monthly meetings, which were carried live on CAN-TV, provided an important public forum for key stakeholders, such as the Superintendent of Police and the Chief Administrator of the Civilian Office of Police Accountability, to convey critical public safety information to the general public. These meetings also allowed Chicagoans to express and voice their views and concerns. The productive conversations that occurred at these meetings helped the Board become even more responsive to the City's needs, and the Board looks forward to continuing these important discussions in the years to come.

The Board also continues to be fully committed to the goals of the Consent Decree. In fact, for the period ending December 31, 2023, out of the 14 Consent Decree paragraphs the Board is responsible for implementing, the Independent Monitor found the Board to be in full compliance with 11 paragraphs and in preliminary compliance with 3 paragraphs.

Finally, while the Board welcomed three new members in 2023 (myself, Aja Carr-Favors, and Andreas Safakas), it sadly said goodbye to Ghian Foreman, who stepped down as president after leading the Board for more than five years. I want to thank Ghian for his widely-recognized leadership and his 13-plus years of service on the Board—his tireless work to make Chicago a better place is an inspiration to us all.

The members of the Police Board are an impressive and diverse group of Chicagoans who deeply care about the City and work diligently to ensure that all Chicagoans receive the most constitutional, respectful, effective and professional policing, and I know that I speak on behalf of the Board's members and its staff when I say that we are grateful for the honor of serving the great people of Chicago.

Kyle Cooper
President

Chicago Police Board

MEMBERS OF THE POLICE BOARD

The nine members of the Police Board are Chicago residents who are nominated by the Community Commission for Public Safety and Accountability and appointed by the Mayor with the advice and consent of the City Council. The Board members serve in their individual capacities and not as representatives of any entity by which they are employed. The following individuals were on the Board as of December 31, 2023.



Kyle Cooper
President

Partner, Tabet DiVito & Rothstein LLC
Joined Board on December 13, 2023
Current Term Expires on August 10, 2027



Paula Wolff
Vice President

Policy Advisor, Illinois Justice Project
Joined Board on June 27, 2018
Current Term Expires on August 10, 2024



Steven A. Block

Partner, Thompson Hine LLP
Joined Board on December 15, 2021
Current Term Expires on August 10, 2024



Aja Carr-Favors

Senior Counsel,
Nissan North America
Joined Board on April 19, 2023
Current Term Expires on August 10, 2027



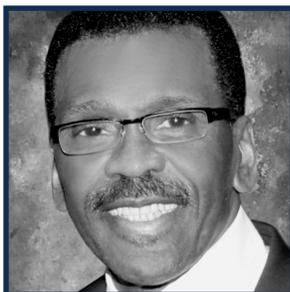
Mareil  B. Cusak

Sr. Vice President & General Counsel,
Ariel Investments LLC (Retired)
Joined Board on December 15, 2021
Current Term Expired on August 10, 2023
(continuing appointment)



Nanette Doorley

Retired FBI Special Agent
Joined Board on July 21, 2021
Current Term Expires on August 10, 2024



Rev. Michael Eaddy

Pastor, People's Church of the Harvest
Joined Board on February 5, 2014
Current Term Expired on August 10, 2023
(continuing appointment)



Ghian Foreman

President & CEO, Emerald South
Economic Development Collaborative
Joined Board on June 30, 2010
Current Term Expired on August 10, 2023
(continuing appointment)



Andreas Safakas

Project Manager, U.S. General Services Administration
Joined Board on April 19, 2023
Current Term Expires on August 10, 2027

POWERS AND RESPONSIBILITIES

The Police Board derives its authority from city ordinance and state law. The Board's primary powers and responsibilities are listed below.

THE POLICE BOARD:

- Decides disciplinary cases when the Superintendent of Police files charges to discharge a sworn officer from the Chicago Police Department.
- Rules on disagreements between the Chief Administrator of the Civilian Office of Police Accountability and the Superintendent of Police regarding discipline of an officer.
- Decides appeals by applicants to become a Chicago police officer who have been removed from the eligibility list due to the results of a background investigation.
- Adopts the rules and regulations governing the Police Department.
- Holds monthly public meetings that provide a forum for community discussion of police-related issues.



DISCIPLINARY MATTERS

SUMMARY OF THE DISCIPLINARY PROCESS

The process for addressing allegations of misconduct by sworn officers of the Chicago Police Department (CPD) is carried out by several independent City agencies, each of which has a different role. This section summarizes how complaints of misconduct are received and investigated, and then describes the role of the Police Board.

The Civilian Office of Police Accountability (COPA), CPD, and the Police Board have different powers and duties. The responsibility to receive complaints of alleged misconduct by sworn officers rests with COPA (any member of the public who has a complaint about the conduct of a Chicago police officer should file it with COPA—go to ChicagoCOPA.org for more information). Depending on the nature of the allegations, either COPA or CPD investigates the complaint; in certain instances, alleged misconduct is investigated by the City’s Office of Inspector General (OIG).

At the conclusion of an investigation, and once the Superintendent files charges, the Police Board’s role is to decide those disciplinary cases that are filed with the Board. The Board cannot on its own reach out and investigate or hold a disciplinary hearing against a police officer suspected of misconduct; rather, the Board can take action only after the Superintendent of Police files charges against an officer. The Board understands the concerns and frustrations that people may have about police misconduct, but is legally obligated to remain neutral and fair, just as is expected of a judge in court.

1. A Complaint is Received and Investigated

As noted above, COPA is responsible for receiving all complaints of alleged misconduct made against an officer. In addition to a member of the public filing a complaint, CPD personnel, including supervisors, may file a complaint against an officer.

Once a complaint is received, an investigation is initiated. COPA is responsible for conducting investigations into allegations of the following types of misconduct:

- excessive force,
- coercion,
- bias-based verbal abuse,
- improper search or seizure,
- unlawful denial of access to counsel,
- domestic violence, and
- sexual misconduct.

COPA also investigates certain incidents even if no allegation of misconduct has been made, including all incidents where: (a) a CPD member discharges a firearm in a manner that could potentially strike another individual, or discharges a stun gun, taser, or other weapon in a manner that results in death or serious bodily injury; and (b) a person dies or sustains a serious bodily injury while detained or in police custody, or as a result of police actions.

All complaints concerning types of alleged misconduct other than those within COPA’s jurisdiction are referred to CPD’s Bureau of Internal Affairs (BIA) for investigation. Allegations investigated by BIA include but are not limited to criminal misconduct, operational violations, theft of money or property, planting of drugs, substance abuse, residency violations, and medical-roll abuse. As noted above, in certain instances alleged misconduct is investigated by OIG rather than COPA or BIA.

2. Decision Regarding Disciplinary Action

If the head of COPA, BIA, or OIG (depending on which agency conducted the investigation) recommends that one or more allegations be sustained—that is, the allegation is supported by a preponderance of the evidence— a recommendation for discipline is submitted to the Superintendent of Police.

The Superintendent must respond to a disciplinary recommendation from COPA within 90 days. If the Superintendent proposes no discipline or less discipline than COPA, the Superintendent and the Chief Administrator of COPA must meet to discuss the matter. If the Chief Administrator and the Superintendent do not reach agreement regarding the recommendation for discipline, the Chief Administrator shall refer the matter to one member of the Police Board.

The reviewing Police Board member shall then rule on the disagreement between the Chief Administrator and the Superintendent. If, in the opinion of the reviewing member, the Superintendent’s response does not meet its burden of overcoming the Chief Administrator’s recommendation for discipline, the recommendation shall be deemed to be accepted by the Superintendent. The reviewing member must recuse her/himself from any future involvement with such case by the full Police Board.

3. The Police Board’s Role

Think of the Police Board like a court. The Police Board’s role in the disciplinary process is to decide whether charges brought against an officer are proved by a preponderance of the evidence and, if so, to determine the appropriate



discipline to be imposed against an officer. Whether a case comes to the Police Board depends on the seriousness of the potential discipline recommended.

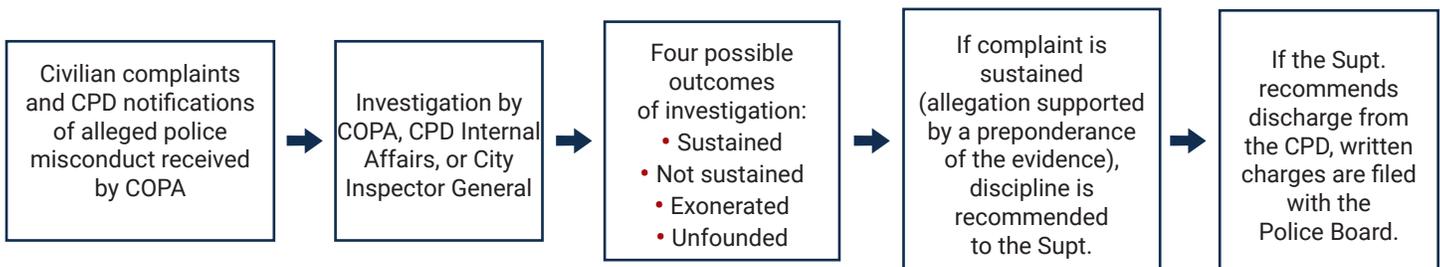
Discharge Cases. In order to discharge a sworn officer from the Chicago Police Department, the Superintendent must file with the Board charges against the officer. The case is assigned to a hearing officer, who presides over an evidentiary hearing that is similar to a trial in court. Attorneys for the Superintendent and the accused officer have an opportunity to present evidence and cross-examine witnesses, and the hearings are open to the public. The typical case begins with opening statements. The Superintendent’s case against the officer is presented first. The officer, usually represented by an attorney, may then present evidence in defense and mitigation. Each party may call and examine witnesses under oath (the Board has its own subpoena power to ensure the presence of witnesses). Hearsay evidence is not admissible. Following the officer’s case, the Superintendent’s attorney has an opportunity to offer rebuttal evidence. The hearing concludes with closing arguments.

Once the hearing is completed, the members of the Board

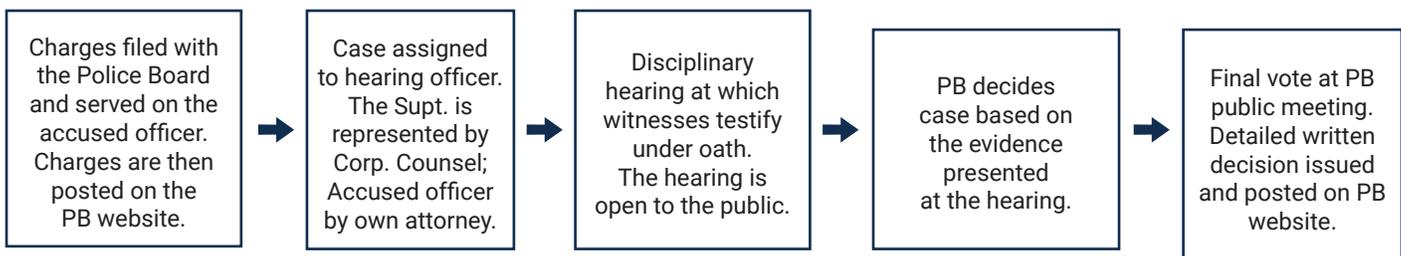
thoroughly review the evidence and then decide, by majority vote, whether the officer is guilty of one or more of the charges. The Superintendent has the burden to prove the charges by a preponderance of the evidence (a less rigorous standard than the beyond-a-reasonable-doubt standard used in criminal cases). If the Board finds the officer guilty of one or more charges, it determines the discipline after considering any evidence presented in mitigation or aggravation. The discipline may be discharge or less severe action, such as a suspension without pay (in certain types of cases the Board may attach conditions to a suspension, such as treatment for substance abuse). If the Board finds the officer not guilty of all charges, the officer is restored to duty and awarded back-pay for the time served under suspension (the officer is ordinarily suspended without pay when the charges are filed). The Board publicly votes on the case at one of its monthly meetings. The written decision is then posted on the Board’s website.

Suspension Cases. The Board has jurisdiction over a suspension case if: (a) the Superintendent files charges recommending that an officer be suspended for more than one year, or (b) an officer below the rank of sergeant requests Police Board review of a suspension of 11 – 365 days.

How does a case reach the Police Board?



How does the Police Board decide discharge cases?



Rulings on Disagreement Cases

As noted above, when the Chief Administrator of COPA and the Superintendent of Police do not agree regarding discipline of a CPD officer, the Chief Administrator shall refer the matter to one member of the Police Board. The reviewing Board member shall then rule on the disagreement between the Chief Administrator and the Superintendent, as follows:

- If, in the opinion of the reviewing Board member, the Superintendent's response does not meet its 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 Board member, the Superintendent met the burden to overcome the Chief Administrator's recommendation for discipline, the Superintendent's response shall be implemented.

The tables below show the outcomes of reviews referred in 2023 and over the past five years.

REFERRED FOR REVIEW IN 2023		
Chief Administrator's Recommendation for Discipline	Reviewing Member Ruled for Chief Administrator	Reviewing Member Ruled for Superintendent
Discharge from CPD	13	1
Suspension > 30 days	1	0
Suspension 11 - 30 days	1	1
Suspension 1 - 10 days or Reprimand	0	0
Total	15	2

REFERRED FOR REVIEW IN 2019-2023		
Chief Administrator's Recommendation for Discipline	Reviewing Member Ruled for Chief Administrator	Reviewing Member Ruled for Superintendent
Discharge from CPD	32	3
Suspension > 30 days	13	10
Suspension 11 - 30 days	8	3
Suspension 1 - 10 days or Reprimand	7	10
Total	60	26

Discharge Cases

Cases Filed by the Superintendent

In 2023, the Superintendent filed charges against 23 sworn officers recommending they be discharged from the Chicago Police Department. The table below shows the data on charges filed over the past five years, broken out by the agency that conducted the investigation.

DISCHARGE CASES FILED, 2019-2023				
# of officers charged by the Superintendent				
Year	COPA	BIA	OIG	TOTAL
2019	8	9	0	17
2020	10	5	0	15
2021	17	6	2	25
2022	15	0	1	16
2023	15	8	0	23
Total	65	28	3	96



Cases Decided by the Police Board

In 2023, the Police Board decided or otherwise disposed of cases involving 24 officers that the Superintendent recommended be discharged from the Chicago Police Department, as shown in the table below.

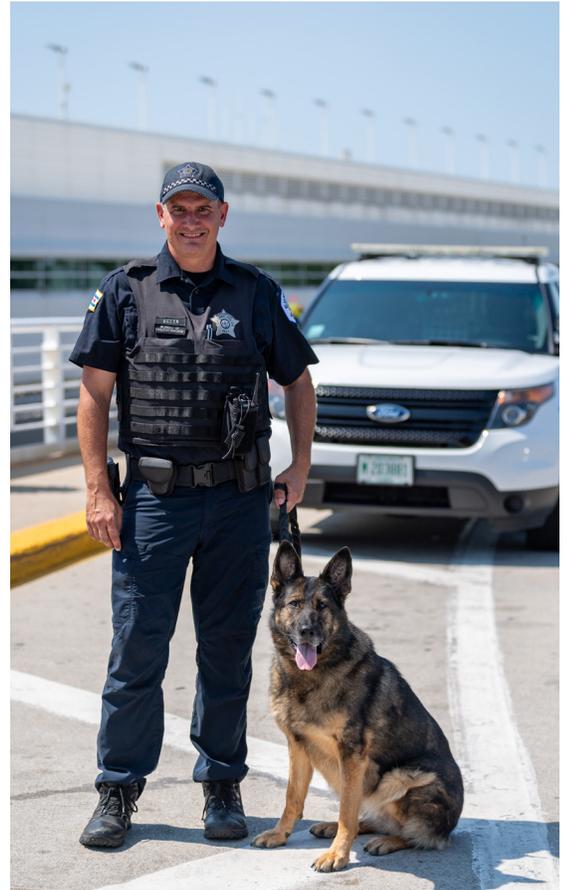
JANUARY 1- DECEMBER 31, 2023	NUMBER OF OFFICERS:				
	Guilty & Discharged	Guilty & Suspended	Not Guilty	Settlement: Suspended	Resigned*
Primary Charges (Investigation)					
Excessive Force--On Duty (COPA)	1	2	1	0	1
Other On-Duty Misconduct (COPA)	2	5	4	0	1
Domestic Altercation--Off Duty (COPA)	0	0	0	1	2
Other Off-Duty Misconduct (COPA)	0	1	0	0	0
Drug/Alcohol Abuse (BIA)	0	0	0	0	0
Bribery/Official Corruption (OIG)	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	1	0	0
Other (OIG)	0	1	0	0	0
Total	3	9	6	1	5

*The respondent resigned from CPD prior to a hearing rather than contest the charges, and the charges were therefore withdrawn.

Over the past five years, the Police Board has decided or otherwise disposed of discharge cases involving 91 officers. See the table below for the outcomes of these cases.

DISCHARGE CASES DECIDED, 2019 – 2023

	#Officers	% of Cases to a Hearing	% of All Cases
Cases to a Full Hearing			
Guilty, Discharged	33	52.4%	36.3%
Guilty, Suspended	20	31.7%	22.0%
Not Guilty	10	15.9%	11.0%
Total	63	100%	69.2%
Resolved Prior to Full Hearing			
Resigned from CPD	24		26.4%
Settlement	3		3.3%
Other	1		1.1%
Total	28		30.8%
Grand Total	91		100.0%



Suspension Cases

The Board decides suspension cases when: (1) the Superintendent files charges recommending that an 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. One suspension case was filed with the Board in 2023, that of an officer recommended for a 366-day suspension; this case was pending as of December 31, 2023.



Amount of Time to Bring Charges and Decide Cases

As noted above, once a complaint of alleged misconduct is received, it is investigated by COPA, BIA, or OIG and then reviewed by 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 14 cases that the Board decided from January 1 through December 31, 2023, following a full hearing on the charges (some of these cases involved more than one accused officer).

POLICE BOARD CASES DECIDED IN 2023		
	Median # of Days	Mean # of Days
Investigation and Review		
From date of incident to filing of charges with Police Board	1081 (3.0 years)	1416 (3.9 years)
From date complaint received by investigating agency (COPA, BIA, or OIG) to filing of charges with Police Board	1081 (3.0 years)	1168 (3.2 years)
Police Board		
From filing of charges with Police Board to 1st day of PB hearing	292 (9.6 months)	346 (11.4 months)
From filing of charges with Police Board to PB decision	396 (1.1 years)	466 (1.3 years)
Entire Process		
From date of incident to Police Board decision	1623 (4.5 years)	1883 (5.2 years)
From date complaint received to Police Board decision	1553 (4.3 years)	1634 (4.5 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 final 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.

The sections below provide data on suits in administrative review during 2023, and historical data on appeals filed since 2019. As noted above, a particular case may be reviewed at several levels; in addition, court rulings may cause the Board to issue more than one decision in the same case. The data on court decisions in the sections

below pertain to final court decisions regarding the Board’s original decision.

In 2023, 4 Police Board decisions were appealed to the Circuit Court of Cook County (3 by the accused officers and 1 by the Superintendent), and 3 Circuit Court decisions were appealed to the Illinois Appellate Court (all by the accused officers).

Courts issued final decisions regarding 3 Police Board decisions in 2023: the Circuit Court affirmed 2 Police Board decisions and the Appellate Court affirmed 1 Police Board decision.

APPEALS FILED SINCE JANUARY 1, 2019					
PB Decisions Upheld*	% Upheld	PB Decisions Reversed	% Reversed	PB Cases Pending Final Court Decision**	Total PB Decisions Appealed
15	100.0%	0	0.0%	10	25

Data as of December 31, 2023.

* 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.



CONSENT DECREE

On January 31, 2019, the U.S. District Court approved a Consent Decree between the State of Illinois and the City of Chicago. The goals of the Consent Decree include ensuring lawful and constitutional policing, building trust between police officers and the communities they serve, promoting community and officer safety, and providing CPD members with the resources and support they need. To achieve these goals, the Consent Decree “requires changes in the areas of community policing; impartial policing; crisis intervention; use of force; recruitment, hiring, and promotions; training; supervision; officer wellness and support; accountability and transparency; and data collection, analysis, and management.” (Consent Decree, page 1.)

The Board has continued to make significant progress in implementing reforms in the areas of police accountability and transparency. The Independent Monitor’s ninth semi-annual report on the City’s compliance with the Con-

sent Decree covered the period from June 30 through December 31, 2023. Of the 14 paragraphs the Police Board is responsible for implementing, the Monitor found the Board to be in full compliance with the requirements of 11 paragraphs and in preliminary compliance with 3 paragraphs.

Preliminary compliance means the Board has established the framework and resources to achieve the reform. Secondary compliance means the Board has effectively communicated the reform to relevant personnel. Full compliance means the Board has successfully implemented the reform in practice.

The table below summarizes the Monitor’s most recent findings. The Monitor’s report and other information on the Consent Decree are available on the Board’s website.

Paragraph #	Subject	Monitor’s Findings
531	Due Process and Community Engagement	Full Compliance
533	Hearing Officer Selection Criteria	Full Compliance
534	Disciplinary Hearings: Hearing Officer Presiding and Video Recording	Full Compliance
535	Disciplinary Hearings: Review of Record and Hearing Officer Report	Full Compliance
536	Disciplinary Hearings: Accused Officer’s Disciplinary File	Full Compliance
537	Attendance at Public Meetings	Full Compliance
538	Community Input at Public Meetings	Full Compliance
539	Disciplinary Hearings: Discovery	Full Compliance
540-542	Training for Board Members and Hearing Officers	Preliminary Compliance
543	Adoption of CPD Rules and Regulations	Full Compliance
555	Data on Decisions in Disciplinary Cases	Full Compliance
565	Quarterly Meetings with COPA and Public Safety Inspector General	Full Compliance



CPD APPLICANT APPEALS

The Police Board is responsible for deciding appeals by applicants for a probationary police officer position who have been removed from the eligibility list due to the results of a background investigation.

All appeals are reviewed by an independent appeals officer, presented to the Police Board, and considered on an individual basis informed by the facts in the case. The Police Board decides each appeal by either affirming the disqualification decision or by reversing it and reinstating the applicant to the eligibility list. The written decisions are available on the Police Board's website.

In 2023, the City's Office of Public Safety Administration, which administers personnel matters for the Chicago

Police Department, notified 219 applicants that they had been removed from the eligibility list due to the results of a background investigation and had the right to appeal the disqualification decision to the Police Board. The Police Board received timely appeals from 45 of these disqualified applicants (21%).

The Board decided 41 appeals in 2023 (some of these appeals were filed in the previous year). The Board affirmed 31 disqualification decisions (76%) and reversed 8 disqualification decisions (24%). There were 8 appeals pending as of December 31, 2023.



COMMUNITY ENGAGEMENT

The Board holds monthly public meetings that are live-streamed and televised by CAN-TV. Meetings take place in the evening, and all members of the public are invited to attend and are welcome to address questions or comments to the Board. City officials, including the Superintendent of Police, the Chief Administrator of the Civilian Office of Police Accountability, and the Deputy Inspector for Public Safety are in attendance.

A diverse array of community members spoke at these meetings in 2023, with speakers voicing concerns about police conduct and proposing initiatives to address crime. The Board documents and tracks community input and CPD follow-up to ensure responsiveness to the community's issues of concern. In addition, the meetings provide a forum for discussion of a variety of police-related issues, with monthly reports from the CPD Superintendent and

COPA Chief Administrator as well as presentations from other City officials and outside experts.

The Board maintains a website at [Chicago.gov/Police-Board](https://chicago.gov/Police-Board). The site provides the public with videos and transcripts of the public meetings, the Board's decisions in police disciplinary cases, a schedule of cases currently before the Board, a guide to the disciplinary process, the rules and regulations governing the Police Department, and other material.

The president of the Board frequently meets with members of the community and is available to the media to provide information on the Board's operations and the disciplinary process.

PERSONNEL & BUDGET

Executive Director Max A. Caproni serves as the Board's secretary and administers the operations of the Board. Jazmyne Rollins is its executive administrative assistant. The Board's hearing officers and appeals officers are experienced attorneys who work for the Board on an hourly basis.

The Police Board's budget is proposed by the Mayor and approved by the City Council as part of the City's annual appropriation ordinance. The appropriation was \$588,184 for 2023.



CHICAGO POLICE BOARD

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