

Independent Police Review Authority

**2015 Budget Statement to the City Council
Committee on Budget and Government Operations**

October 29, 2014

Scott M. Ando, Chief Administrator

Good morning Chairman Austin and members of the City Council. I want to give my sincerest thanks for the chance to talk with you today. I also want to take this opportunity to thank Alderman Deborah Graham and Alderman Ariel Reboyras, who were members of the search committee that conducted the nationwide search and candidate interviews which eventually lead to my appointment to the position of Chief Administrator, who both have agreed to assist me as members of my Advisory Board.

The Independent Police Review Authority (IPRA) is a civilian-staffed independent department that registers all allegations of misconduct made against Chicago Police Department (CPD) members, whether made by the public or by another CPD member, and determines whether the investigation should be conducted by IPRA or by CPD. IPRA investigates all allegations of misconduct that concern the use of excessive force, coercion through a threat of violence, biased-based verbal abuse, domestic violence involving a CPD member, “extraordinary occurrences” involving a serious injury or death of a person in police custody, even if no allegation of misconduct is made, and all instances in which a CPD member discharges his or her firearm or Taser in a manner that strikes or potentially could strike an individual. The police department’s Bureau of Internal Affairs (BIA) investigates all other complaints that do not fall under the jurisdiction of IPRA, including allegations of drug use, criminal acts and procedural violations.

IPRA increases transparency in the disciplinary process by addressing a wide variety of community groups and by posting general information about filing a complaint, statistical reports and investigative results on its website quarterly. IPRA also files quarterly reports with the Mayor’s Office, the City Council Public Safety Committee on Police and Fire, the Office of the City Clerk and the Legislative Reference Bureau, all of which are also posted on IPRA’s website. These quarterly reports describe the number and type of complaints received, investigations opened, investigations closed and the number of pending investigations; additional statistics and substantive information regarding closed investigations, findings from investigations, including the level of discipline recommended and received by the CPD member, are also available on IPRA’s website. IPRA also makes recommendations to the Superintendent of Police, the Chicago Police Board and the Chairman of the City Council Public Safety Committee on Police and Fire concerning revisions to policy and operating procedures which may serve to assist CPD by either reducing future complaints of misconduct made against officers, thereby improving the relationship between CPD and the residents of Chicago, and hopefully

increasing the safety of the public and CPD officers alike. Finally, IPRA works to build public trust in the disciplinary process and hold CPD accountable for their actions.

I want to note that there are a variety of oversight models in use in the United States, most of which follow, to some extent, one of three major models – the Review and Appellate Model, the Evaluative and Performance Based Model, and the Investigative and Quality Assurance Model, which is the model for IPRA. While the majority of oversight agencies follow the review model, which only empowers them to review completed investigations conducted by the police department’s internal affairs bureau, conveys no investigative authority or function, and can only make recommendations to a police executive, IPRA is independent, has full investigative functions and subpoena authority. For that reason, IPRA is considered to be the gold standard of oversight agencies. This police oversight paradigm has recently been implemented for the City of New York.

IPRA’s Key Accomplishments – 2014

Reducing the Backlog of Cases, Reducing Individual Investigator Caseloads and Improved Timeliness of Investigation Closings and Aging of Cases

Historically, the Independent Police Review Authority (IPRA) has registered approximately 8,000 - 9,000 complaints each year, investigated roughly 2,000 - 3,000 of those cases, and referred the remaining cases to Chicago Police Department’s (CPD) Bureau of Internal Affairs (BIA). The cases investigated by IPRA include all allegations of misconduct made against CPD members falling under IPRA’s jurisdiction, as well as notifications where no misconduct is alleged, such as Taser and firearms discharges.

Overall, the number of complaints made against CPD members, particularly those falling under the jurisdiction of IPRA, has gone down in the last four years. In 2010, IPRA initiated 3,200 investigations; in 2011, 2,866 cases were opened; in 2012 it was 2,548; in 2013 IPRA initiated 1,915; and in the first three quarters of 2014, IPRA initiated 1,310 IPRA investigations.

The reductions in complaints could be attributed to a number of factors, such as recruiting and hiring of new officers, “Procedural Justice and Police Legitimacy” training, or a reduction in arrest numbers or reduced contacts with residents.

While complaints against officers have gone down, IPRA is making its investigations of those complaints more efficient. IPRA is focusing its resources effectively on the most serious investigations by triaging complaints and conducting more in-depth preliminary investigative work up front.

The fact that I have held supervisors and deputy chiefs more accountable than ever before, by demanding more effective supervisory case management and investigative oversight, has also had a tremendous positive impact on operations. We have also implemented and demanded better time management techniques to be used by

administration, supervisors and investigators, to ensure that investigations are increasingly completed in a timely manner.

IPRA revised some Standard Operating Procedures (SOP) to improve our efficiency and the timeliness of our investigations. With the cooperation of the police unions, we are now expediting the timing of officer interviews; once held up by collective bargaining agreements and arbitration awards to be the last thing done in an investigation, they are now generally done within the first 6 weeks of an investigation, giving us more accurate and complete picture of the incident much sooner than ever before. IPRA is now beginning to use CPD's on-line Court Notification System to schedule statements, although some modifications need to be made to the system in order to fully implement it.

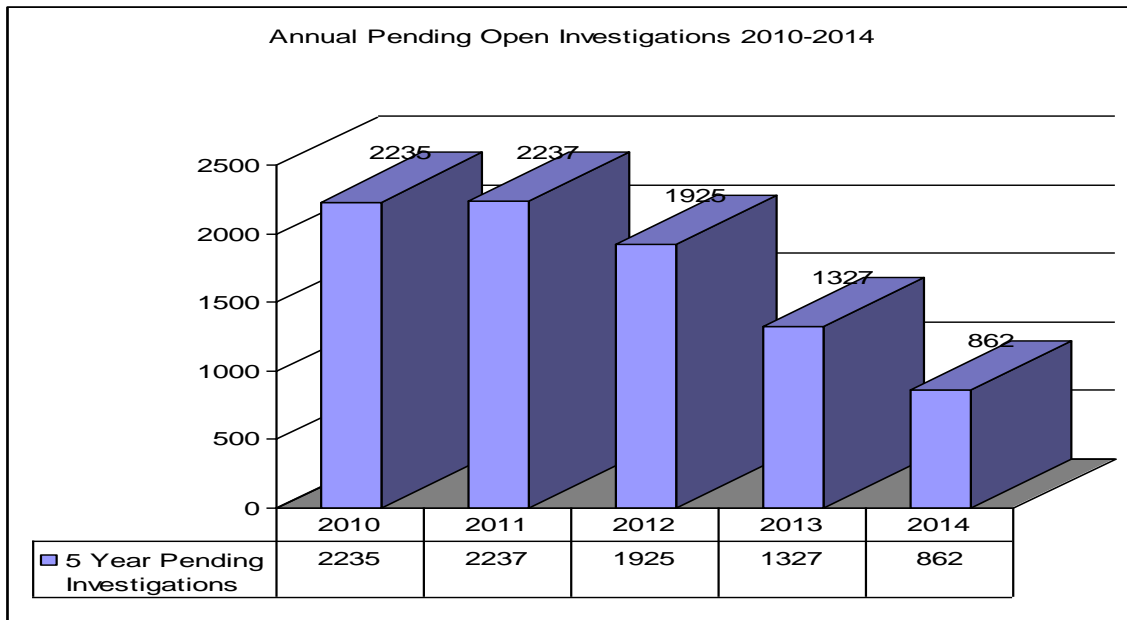
We are continuing to expand the use of the Mediation Program and improving efficiencies within that program; of the 250 cases where mediation was offered over the past three years, 236 were successfully resolved with allegations sustained against the officer. Mediations save significant resources by reducing the amount of time spent unnecessarily by IPRA investigators on lengthy investigations likely to be sustained and generally result in reduced disciplinary penalties for officers who accept responsibility for their actions. This, in turn, reduces the amount of time an officer is off the streets, and saves not only the time and expense incurred by IPRA, but also that of CPD, Corporation Counsel and the Police Board if the discipline had been appealed. Of course, mediation is only offered in appropriate cases and never in any way that would be inappropriate. This program alone can be credited with a large part of the sizeable reduction in IPRA's inventory of cases and timeliness of investigations. Given the Mediation Program's success in the past year, it is now a regular part of the IPRA investigative and adjudication process.

We have also made changes in team assignments that have impacted the efficiency of each team by balancing skill levels and expertise of our investigators, such as ensuring each of our teams have at least one Spanish speaker. All of this has led to improved efficiency, particularly as it regards timeliness, which is paramount to IPRA's success and credibility.

In the past, IPRA has been the subject of criticism for having a large inventory of open investigations and, particularly, an inventory of exceptionally old cases. In 2014, IPRA continued efforts to reduce our inventory and made progress towards closing its dwindling inventory of its oldest investigations by better managing our supervisors and investigators. With the revised policies, increased top to bottom management of the investigations and caseloads, as well as by holding people at every level accountable for productivity, investigators have closed significant numbers of older cases and are now averaging a more manageable 16 cases each.

In 2013, IPRA registered 7,570 complaints and retained 1,916 falling under the IPRA jurisdiction, while referring the remaining complaints to BIA. In 2013, IPRA closed 2,513 cases (from all years), which includes 1,645 cases, or 65%, closed within one year

or less. During the first three quarters of 2014, 69% of all IPRA cases have been closed within one year. Additionally, 1,368, or 54% of all cases closed in 2013, were closed within six months, and in the first three quarters of 2014, 1,064 or 60% of all cases were closed within six months. As mentioned earlier, in the first three quarters of 2014, IPRA has registered 4,923 complaints and retained 1,309 for investigation by IPRA, while closing 1,775 investigations.



These statistics show a marked improvement in IPRA’s timeliness in closing investigations, which had previously caused a backlog of open cases in its inventory. In the recent past, investigators had average caseloads of 35 each, which caused the investigators considerable trouble in completing assigned cases in a timely fashion and, as a result, too many cases took years to complete. However, with the revised policies and top to bottom management of pending case inventories, investigators now having average caseloads of approximately 16, and timeliness has improved considerably. As a result, IPRA has reduced its inventory of open investigations to approximately 862 on October 1, 2014, whereas IPRA had 2,147 in October 2012 and 1,594 open cases on October 1, 2013, which represent reductions in IPRA’s open case inventory of 46% in one year and 60% in two years, respectively.

Additionally, IPRA’s backlog of aging cases, specifically those over three years old and long an issue of concern to many, that was once as high as 325, was reduced to 97 in October 2013, and is now down to just 29 for a reduction of over 70% over just the previous 12 months. IPRA completed and closed 2,864 investigations in 2012, another 2,513 in 2013, and, in the first three quarters of 2014, IPRA has closed 1,775 cases. Additionally, a significant effort was made to close Officer-Involved Shooting (OIS) cases, particularly the older ones, which resulted in the closing of over 134 OIS

investigations in 2013 and 70 year to date in 2014. In the future, IPRA intends to have most investigations completed in 18 months or less, and is well on its way towards this goal, thanks to management reforms and better triaging of cases at intake among other reforms.

Residents in Chicago often have questions about IPRA's Sustained rate, which reflects the percentage of closed investigations in which the allegation is supported by sufficient evidence to justify disciplinary action. While reaching a positive finding of what actually happened is the proper measure of success, many academics, police accountability organizations, the media and others still only use the Sustained rate and often cite IPRA as having a Sustained rate of just 1–3 %. This analysis erroneously includes Notifications (i.e. taser discharges with no allegation of misconduct) and No Affidavit cases in which the complainant does not cooperate and which we are therefore prohibited by law and collective bargaining agreements to investigate. The true measure of our Sustained Rate is the number of cases that are sustained of the cases IPRA legally can and does investigate. The true Sustained rate for completed IPRA investigations in 2013 was approximately 11.55%, which is higher than average for a similarly sized large city police department, and 14% for the first three quarters of 2014.

More importantly, IPRA has increased the percentage of all positive findings, defined as anything other than Not Sustained, wherein we don't have sufficient evidence to either prove or disprove the allegation, specifically including not only Sustained, but Unfounded and Exonerated as well. Unfounded means the incident did not happen as reported by the complainant. Exonerated means the incident happened as reported, but the officer did what he or she was supposed to do in that situation. For the year beginning with the 4th Quarter of 2013 and ending with the 3rd Quarter of 2014, of 1,050 cases investigated and closed by IPRA, the Sustained rate was 17%, the Unfounded rate was 27%, and the Exonerated rate was 2%.

Overtime Expense Reductions

In 2013, and particularly during the last half of that year, overtime expenses were reduced dramatically; IPRA realized a savings of roughly \$69,000 under the budgeted \$260,000. The 2014 budget request was adjusted downward accordingly. In the first three quarters of 2014, IPRA's overtime expenses have been held to \$128,500 out of a total budget of \$195,000. Overtime is now only utilized for the Major Incident Response Team's Shooting Specialists when they respond to Officer-Involved Shootings and other major incidents, in instances in which complainant/witness/officer interviews unexpectedly go beyond an investigator's scheduled work hours, and to staff the office on holidays.

This reduction in costs succeeded because, first and foremost, we implemented performance based overtime budgeting and communicated our expectations relative to the need for measurable returns on authorized overtime to everyone and by placing strict accountability on supervisors for the approval of overtime for investigators and other staff.

Electronic Production of files for Court Orders, Subpoenas and FOIA Requests

We are in the process of moving toward the production of electronic files pursuant to subpoenas/court orders/information requests. Implementation is scheduled to begin upon receipt of electronic redaction software to be used with the new Canon copy machines which will make it possible. In 2013, IPRA received approximately 270 subpoenas/court orders and 350 information requests. 2014 is on track to meet or exceed those demands. The new contract and equipment from Canon, once we add on the requisite redaction software, will have a significant impact on savings, particularly with respect to employee time, replacement of printers, ink cartridges and paper costs. The electronic process of delivering documents will result in considerable savings due to the elimination of the need to physically copy files, resulting in the savings of not only tangible equipment, but significant amounts of time for the legal department in doing so.

Training

IPRA has continued to look at training opportunities that both enhance and broaden the investigative staff's ability to conduct investigations. There are recurring training sessions, such as those done at the CPD Training Academy, and other pertinent sessions that have been identified with a focus on relevant materials to which our employees are sent. In 2014, IPRA investigative staff had the following training:

- Active Shooter Training (IPRA);
- Crisis Negotiation Training (FBI);
- The Force Science Institute's 2 Day Program on "Officer Involved Shooting Investigations;"
- Annual CPD Training, which this year included Officer Survival, Execution of Search Warrants, Radio Communications and Domestic Violence Investigations.

Community Outreach and Engagement – At my confirmation hearings, I promised to do more to engage the community and, with the help of several aldermen and others, IPRA has made significant and varied efforts to expand its community outreach and engagement function.

- **Director of Community Outreach and Engagement** - IPRA re-named the Director of Public Relations title to that of Director of Community Outreach and Engagement to more appropriately identify the primary function of that position.
- **Community Meetings** - In 2014, IPRA held a number of public meetings with community groups, aldermanic constituency groups, town hall meetings, and community meetings at IPRA's offices, to name a few. IPRA also continued to have the Chief Administrator or designee speak to every CPD Academy graduating recruit class, Detective class and Sergeant/Lieutenant class, believing that information and prevention provided top them up front will result in less misconduct and discipline later. IPRA also participates in each and every Police Board public meeting and answers questions posed to it by the public.

- **Establishment of IPRA's Advisory Board** – IPRA established an Advisory Board comprised of Andrea Zopp of the Chicago Urban League; Terry Hillard of Hillard-Heintz Consulting, a former CPD Superintendent and member of the IPRA CA search committee; the Reverend Dr. Johnny Miller of Mt. Vernon Baptist Church, who was a member of the Police Board from 1998 until 2013; Deborah Graham, Alderman, 29th Ward; Professor Creasie Finney Hairston, Dean and Professor at the University of Illinois (UIC) Jane Addams College of Social Work; Ariel Reboyras, Alderman, 30th Ward; and Armando Lopez, Special Agent in Charge, Office of the Inspector General, Department of Homeland Security, Chicago Division.
- **Social Media** – IPRA's website, Facebook Page and Twitter account - IPRA continues to work with the Mayor's Office, DoIT and others to make improvements to both the functionality and appearance of our website. In conjunction with Chicago TV, IPRA filmed informational videos which will be embedded on our website to provide a more interactive experience and enhance our ability to explain to residents what services IPRA provides and how to access those services. Additionally, IPRA established a Twitter account and a dormant Facebook account is again being used.
- **Informational Materials and Brochures** - We have revised our informational materials to include appearance, content and the addition of the Use of Force Model and FAQs, primarily to address questions about our process and to counter concerns some people may have with filing a complaint. A Spanish language version is being developed as well. IPRA letters to complainants are being modified to inform complainants more clearly of the process and to manage expectations appropriately and realistically.
- **Satellite offices** – IPRA established a part time satellite office for complainants on the premises of Lawndale Christian Church and will soon open a second in the Chicago Urban League's facility in Englewood.

IPRA will continue to utilize and refine all of the 2014 initiatives detailed above, and continue to look at any cost cutting measures that don't compromise the integrity of its investigatory process. During the year ahead, IPRA will continue to close its small inventory of investigations that are over 36 months old with a goal of having all investigations completed within the 36 month time frame going forward.

As IPRA moves forward, the foundations of fair, thorough, and timely investigations that are in place will be strengthened. The processes that have contributed thus far to the many successes remain in place and IPRA must continually assess where improvements can be made to improve the investigative process. In addition, IPRA will continue to communicate with and educate members of the public and the Chicago Police Department so that the process of police oversight in Chicago is one of transparency which promotes open dialogue and generates positive feedback. Finally, I can assure you

the hardworking employees of IPRA understand the importance of the service that they provide on a day to day basis to the City of Chicago, and their tireless efforts will continue to serve the residents of our great city in the upcoming year.

MBE/WBE Contracting Data

Period: January 1, 2014 to October 14, 2014

Total Purchases: \$53,176

<u>MBE/WBE Spend</u>	
WBE:	\$34,564 (65%)
Asian MBE:	\$13,294(25%)
African-American MBE:	\$2,659(5%)
Hispanic MBE:	\$2,659(5%)
Total Purchases:	\$53,176(100%)

Staffing Data

<u>Department Ethnicity and Gender</u>				
	Male	Female	Total	%
Asian	2	1	3	3%
Black	19	26	45	51%
Hispanic	2	9	11	12%
White	17	13	30	34%
Total	40	49	89	100%
	45%	55%		

<u>New Hires Ethnicity and Gender</u>				
	Male	Female	Total	%
Asian	0	0	0	0%
Black	2	1	3	43%
Hispanic	0	1	1	14%
White	2	1	3	43%
Total	4	3	7	100%
	57%	43%		

<u>Department Managers Ethnicity and Gender</u>				
	Male	Female	Total	%
Asian	0	0	0	0%
Black	5	0	5	26%
Hispanic	0	3	3	16%
White	8	3	11	58%
Total	13	6	19	100%
	68%	32%		

Interns

School	Gender	Race
DePaul	Female	Hispanic
Lewis	Male	White
Lewis	Male	White
Lewis	Female	White
Lewis	Female	Hispanic
Chicago State	Female	Black
Chicago State	Female	Black
University of Michigan	Female	White
Michigan State	Female	White
University of Illinois	Male	Black
University of Illinois	Male	White

Independent Police Review Authority Organizational Chart

