

INDEPENDENT POLICE REVIEW AUTHORITY

2016 Budget Statement to the City Council Committee on Budget and Government Operations

October 5, 2015

Scott M. Ando, Chief Administrator

Introduction

Good morning Chairman Austin, members of the Committee on Budget and Government Operations, and other members of the City Council. I want to give my sincerest thanks for the chance to talk with you today.

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 the Chicago Police Department's Bureau of Internal Affairs. IPRA investigates all allegations of misconduct that concern the use of excessive force, coercion through a threat of violence, bias-based verbal abuse, domestic violence involving a CPD member, "extraordinary occurrences" involving the 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 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, and a significant amount of 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 potential 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 very hard to attain and build public trust in the disciplinary process and to hold officers 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 of CPD and has full investigative functions and subpoena authority. For that reason, IPRA is considered to be the preferred model for oversight agencies. In fact, this police oversight paradigm was implemented by the City of New York just last year based on their research analysis of models in creating their Office of the Inspector General for NYPD.

By the nature of IPRA’s mission, for budget performance purposes, the primary measurement factors are not pecuniary, but rather performance based. Although personnel costs, principally in the form of overtime, have been a management focus geared towards savings, the real performance measurements are increased efficiencies relating to the conduct of thorough and timely IPRA investigations. These accomplishments follow.

IPRA KEY Accomplishments 2014 and 2015

Overtime Expenditures

A major goal of IPRA management was to reduce the cost of investigator overtime without adversely affecting operational goals. Through concerted program changes, organizational restructuring, and day-off key revisions, IPRA has demonstrated great success in reducing overtime, as illustrated below by 79% from 2013 and by 75% from 2014.

Personnel Staffing

IPRA hired six Investigator I’s to replace Intake Aides, which completed a 2014 budget initiative to improve overall efficiencies at a minimal cost, although one resigned and there are now five new investigators remaining. While these investigators are still in their training period, they have already shown the ability to improve the front-end investigative process in their assignments to our Rapid/Intake group, resulting in more cases being closed in a timely fashion.

The Numbers: Reducing the Backlog of Cases, Reducing Individual Investigator Caseloads and Improved Timeliness and Aging of Cases

Since early 2014, and even long before that, management priorities were focused on reducing the overall inventory of open cases under investigation within IPRA, the total number of cases assigned to each investigator, and reducing the time it takes, on average, to conclude an IPRA investigation.

IPRA's backlog of aging cases, specifically those over three years old, which was once as high as 325 in 2010, was reduced to 32 by December 31, 2014, and currently stands at 26. The average investigator caseload went from approximately 35 in 2013 and early 2014 to 10 by the end of 2014 and 8 as of September 1, 2015. Investigators completed and closed 73% of all complaints registered in 2014 within 6 months – an all time high – and have closed 59% of all cases opened to date in 2015. More effective management direction and improved case management procedures, revised Standard Operating Procedures, as well as continuing training has achieved these improved efficiencies.

IPRA Pending Investigation Trend Analysis



In 2014, IPRA registered 6,258 complaints against CPD members. Pursuant to IPRA jurisdiction, 1,666 cases were retained for investigation by IPRA. The majority of complaints were for allegations of excessive force, which totaled 1,165. Of all IPRA 2014 initiated investigations, over 91% have been completed. IPRA also investigated 45

officer involved shootings in 2014; investigated 61 extraordinary occurrences; and investigated 384 Taser deployments.

During the first two quarters of 2015, IPRA registered 2,714 complaints, of which 675 IPRA investigations were initiated. During this same time period, IPRA closed 799 investigations. A net reduction of 124 was realized in IPRA's caseload for 2015.

Positive and Sustained Findings

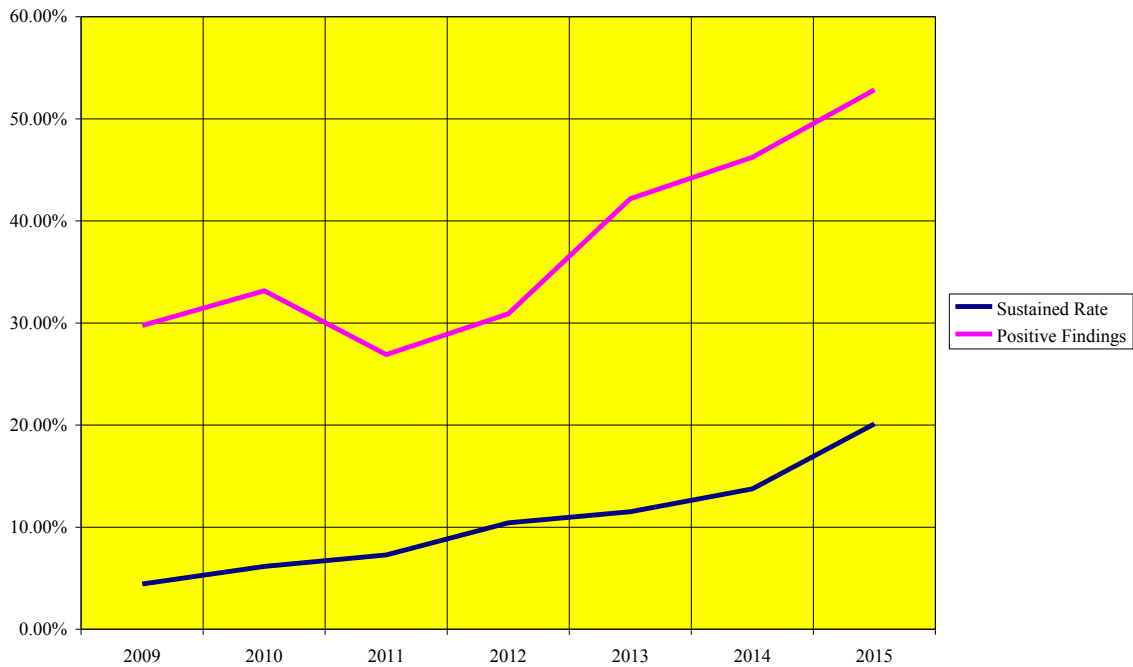
IPRA is often judged by the findings it recommends following its investigations. While many seek to evaluate our performance by looking only at the rate at which we sustain findings against officers, the true measure of success is finding the truth. In doing so, we reach Positive Findings, which includes not only Sustained cases (evidence supports the allegation), but also Unfounded (the evidence does not support the allegation – the misconduct did not occur) and Exonerated (the officer did as they were trained and in accordance with policy). In cases where there is no preponderance of evidence to support or refute the allegation, the finding is Not Sustained. In cases where a complaint is not supported by an affidavit, IPRA cannot investigate the complaint pursuant to state law.

Positive and Sustained Finding Rates 2009 – 2015 YTD:

2015: Positive findings of 52.83%	Sustained Findings of 20.13%
2014: Positive findings of 46.24%	Sustained Findings of 13.74%
2013: Positive findings of 42.18%	Sustained Findings of 11.51%
2012: Positive findings of 30.89%	Sustained Findings of 10.42%
2011: Positive findings of 26.90%	Sustained Findings of 7.28%
2010: Positive findings of 33.15%	Sustained Findings of 6.15%
2009: Positive findings of 29.75%	Sustained Findings of 4.43%

(Note: 2015 rates are through the end of the 2nd Quarter, June 30, 2015)

IPRA Positive & Sustained Findings Percentages Trend Analysis
Through June 30, 2015



In addition to the administrative findings already noted, in 2015 to date, IPRA has recommended eight police officers for separation from the department and has referred several cases to either the Cook County State’s Attorney’s office or the FBI and the US Attorney’s office for criminal investigation and prosecution.

The Status of 2015 Projects and Initiatives

The projects and initiatives for 2015, along with their status are:

- **Modification of the Intake and Rapid Response Team** – IPRA hired six entry level Investigator I’s on April 1st. The five remaining investigators are half way through their training and are assigned to an investigator-mentor. Once fully trained, they will perform much of the front-end investigative tasks even before the case is assigned to an investigative team. Some investigations may be closed after a preliminary investigation or as a result of the failure of a complainant to provide a sworn affidavit, as required by law, even after repeated attempts to do so are made by IPRA. This will result in team assigned investigators having more time to work on their cases, primarily involving excessive force, domestic violence or other allegations of misconduct under IPRA’s jurisdiction. These increased efficiencies will allow IPRA to complete thorough and accurate investigations in a timelier manner.

- **Mediation Program-** The collective bargaining agreements between the city and both FOP and PBPA provide a method to mediate allegations of misconduct against their members. This program allows officers to meet with IPRA attorneys and accept responsibility for their misconduct. They receive discipline which is mitigated by the fact they acknowledged their misconduct. These result in sustained cases that are completed with a significantly less amount of investigative resources being expended, yet fully accomplishing the purpose for discipline - to correct improper behavior. During 2014, mediation was attempted in 84 cases, and 71 were successfully mediated, representing 84%. To date in 2015, mediation was attempted in 62 cases, and 54 were successfully mediated, representing 87%. Additionally, another 31 sergeants and officers are scheduled to mediate their cases within the next month.

- **Community Outreach and Engagement** – The purpose of the IPRA community outreach program is to educate the community on the existence of IPRA; what IPRA does; how complaints may be registered; and, to explain the entire process once a resident makes a complaint of misconduct against a CPD member.
 - IPRA regularly staffed two part-time satellite offices, one in the Lawndale community and one in the Englewood community. From the inception of this program in mid-2014 through date, IPRA staffed the satellite offices for 26 work days. A re-evaluation of this program is contemplated to better utilize community outreach personnel resources.
 - Community meetings are regularly attended by IPRA staff. These involve religious, charitable, professional and educational groups requesting information about the police oversight process. Requests from elected officials to speak to constituent groups about IPRA are also performed.
 - A relatively inexpensive but extremely effective component to our community outreach was the redesign of our IPRA brochure, which informs the public about the functions IPRA performs and how to register a complaint. It also describes the entire investigative process, and includes a copy of the Chicago Police Use of Force Model, to better educate the public on the type of force CPD members may utilize in response to various factual situations.

IPRA Advisory Board – This board is comprised of esteemed members of the community, representing faith based organizations, charitable organizations, educators, elected officials and a former Chicago Police Superintendent. The Advisory Board is comprised of Alderman Ariel Reboyras, City Council, 30th Ward and Chairman of the Committee on Public Safety; Alderman Howard Brookins, City Council, 21st Ward; Andrea Zopp, Former CEO, Chicago Urban League; Terry Hillard, Hillard-Heintz Consulting; Rev. Dr. Johnny Miller, Pastor, Mt. Vernon Baptist Church; Dean Creasie Finney Hairston, Dean and Professor, UIC, Jane Addams College of Social Work; Armando Lopez, Special Agent in Charge, OIG, Dept of Homeland Security, Chicago Office; and Representative Arthur Turner, Illinois General Assembly, 9th District,

Assistant Majority leader. I want to take this opportunity to specifically thank Aldermen Reboyras and Brookins for their valued input and participation on the IPRA Advisory Board. The purpose is for the group to suggest and advise the Chief Administrator on strategies that will assist IPRA in communicating with the community on all aspects of IPRA's mission and functions. This group recently met with IPRA management and a productive discussion resulted in many recommendations that should further achieve the mission, goals and objectives of IPRA to serve the community.

2016 Planned Initiatives

The primary initiatives for 2016 will be to fully implement the remaining recommendations contained in the document entitled "Preventing and Disciplining Police Misconduct – An Independent Review and Recommendations," by members of Schiff Hardin LLP and A. T. Kearney. This document represents the findings and recommendations pertaining to IPRA, as well as CPD and the Police Board. Some of these recommendations were implemented by IPRA prior to the report being issued and others afterwards.

To date, IPRA has implemented the following recommendations which were made in the Safer Report:

- Adopted a standard 30 day limit and process for obtaining an affidavit
- Developed and implemented a plan to prioritize and triage IPRA investigations based on seriousness and complexity
- Hired one additional mediation attorney
- Hired 5 additional investigators - IPRA converted 6 Intake Aide positions to 6 Investigator I positions at no additional cost to the city; one position was eliminated to offset the costs, for a net gain of 5
- Enhanced efforts to educate complainants about conduct that does not rise to the level of misconduct or violations of CPD policy at intake
- Increased IPRA's visibility in and trust of the community
 - Improve accessibility to residents by establishing satellite offices, which we did in Englewood and Lawndale
 - Established an Advisory Board
 - Continued efforts to improve the understanding that IPRA is independent of CPD in the community - *a work in progress*
 - Develop an FAQ document in plain English
- Changed a number of IPRA's processes to reduce the length of investigations and close more cases much more quickly, especially No Affidavit cases
- Established a policy mandating the referral of those who file false complaints against officers to the SAO for consideration for prosecution and to the Department of Law for a civil remedy to recover funds expended in the investigation of false complaints

- Conducted officer statements earlier in an investigation, as opposed to it being done last, as they were previously required to be done under the 2007 FOP CBA/Arbitration, to speed up the investigative process

In 2016, IPRA will continue to consider or implement the remaining recommendations.

Finally, all on-going initiatives that have proved effective will continue to be utilized going forward in 2016. Management will further evaluate any and all possible improvements to these initiatives that will further improve efficiencies.

MBE/WBE Contracting Data

Period: January 1 – September 30, 2015

Total Purchases: \$26,790

MBE/WBE Spend	
WBE:	\$25,890 (97%)
Asian MBE:	\$900(3%)
African-American MBE:	\$0 (0%)
Hispanic MBE:	\$0(0%)
Total Purchases:	\$26,790 (100%)

Staffing Data

Department Ethnicity and Gender				
	Male	Female	Total	%
Asian	2	0	2	2%
Black	15	23	38	46%
Hispanic	3	9	12	15%
White	18	13	31	37%
Total	38	45	83	100%
	46%	54%		

New Hires Ethnicity and Gender				
	Male	Female	Total	%
Asian	0	0	0	0%
Black	0	1	1	25%
Hispanic	1	0	1	25%
White	2	0	2	50%
Total	3	1	4	100%
	75%	25%		

Department Managers Ethnicity and Gender				
	Male	Female	Total	%
Asian	0	0	0	0%
Black	3	0	3	19%
Hispanic	0	3	3	19%
White	7	3	10	62%
Total	10	6	16	100%
	62%	38%		

Interns

School	Gender	Race
<u>Lewis University</u>	<u>Male</u>	<u>White</u>
<u>Lewis University</u>	<u>Male</u>	<u>White</u>
<u>Lewis University</u>	<u>Male</u>	<u>Asian</u>
<u>Loyola University</u>	<u>Female</u>	<u>Hispanic</u>
<u>DePaul University</u>	<u>Male</u>	<u>Hispanic</u>
<u>DePaul University</u>	<u>Male</u>	<u>Hispanic</u>
<u>Lewis University</u>	<u>Female</u>	<u>White</u>
<u>Southern Illinois University</u>	<u>Male</u>	<u>Black</u>

Independent Police Review Authority Organizational Chart

