



# INITIAL INVESTIGATORY RESPONSIBILITIES IN LOG NUMBER INVESTIGATIONS



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## I. PURPOSE

- A. This directive:
  - 1. delineates the time-sensitive initial responsibilities of the Bureau of Internal Affairs (BIA) investigators and accountability sergeants when assigned a Log Number investigation.
  - 2. uses terms specific to the Chicago Police Department's complaint and disciplinary system, as defined in the Department directive titled "[Complaint and Disciplinary Definitions.](#)"
- B. A BIA investigator or accountability sergeant will:
  - 1. monitor the Case Management System and their Department email for new Log Number assignments.
  - 2. review each Log Number for possible conflicts of interest.
  - 3. continue the preliminary investigation begun by the BIA Intake and Analytical Section, including specific attempts to contact the reporting party.

## II. POLICY

The Department is dedicated to ensuring that all complaints of misconduct are thoroughly, fairly, timely, and efficiently investigated. The Department strives to ensure that all members who commit misconduct are held accountable pursuant to a fair, timely, and consistent disciplinary system that provides due process. The Department will ensure that investigators understand that a signed sworn affidavit **is not** required to conduct a preliminary investigation into a complaint of misconduct and might not be required to conduct the full, complete investigation. Investigators will make reasonable attempts to secure a signed affidavit. When a sworn affidavit is required to conduct the full investigation but cannot be obtained, investigators will seek a sworn affidavit override if there is sufficient objective verifiable evidence (OVE) to suggest that it is necessary and appropriate for the investigation to continue.

## III. PRELIMINARY INVESTIGATIONS

- A. Preliminary investigations are the initial investigatory steps taken by the BIA Intake and Analytical Section and continued by the assigned BIA investigator or accountability sergeant after a Log Number is assigned from the Civilian Office of Police Accountability (COPA). Preliminary investigations will take all reasonable steps to discover any objective verifiable evidence relevant to the Log Number through the identification, retention, review, and analysis of all available evidence, including, but not limited to all time-sensitive evidence, audio and video evidence, physical evidence, arrest reports, photographic evidence, GPS records, computer data, and witness interviews. Assigned BIA personnel and accountability sergeants will take all reasonable steps to preserve relevant evidence identified during the preliminary investigation.
- B. The BIA Intake and Analytical Section will receive, assess, and process Log Numbers forwarded from COPA. The BIA Intake and Analytical Section will:

1. Upon receipt of the Log Number conduct a conflict-of-interest review in accordance with the definition found in the directive titled "**Conflict of Interest**" and, if a conflict is found, the preliminary investigation will be reassigned.
2. within **30 days** of receipt of the Log Number:
  - a. assess the allegation(s) to determine whether the reporting party has alleged potential misconduct; and
  - b. if potential misconduct is alleged, initiate the preliminary investigation of the Log Number.
3. determine whether there are any other open Log Number investigations involving the same accused member and monitor or combine the investigation(s), as appropriate.
4. contact the reporting party for additional information when needed, unless the reporting party wishes to remain anonymous.
5. notify the reporting party in writing (delivered by either U.S. mail or email) of the status of the investigation at the conclusion of the preliminary investigation.

**NOTE:** BIA personnel will document all communications with a reporting party within the designated section of the Case Management System (CMS) system.

6. assign Log Numbers to investigators for further investigations within 30 days of receipt of an investigation from COPA, or as soon as OVE is discovered, consistent with the Department directives titled "[Communication Procedures and Timelines](#)" and "[Complaint Initiation and Log Number Investigation Assignment](#)."
- C. Allegations of misconduct based on verbal abuse will be subject to a preliminary investigation to determine whether it is appropriate to continue the investigation.
  - D. Anonymously submitted complaints will be preliminarily investigated to determine whether it is appropriate to continue the investigation, in accordance with the applicable collective bargaining agreements in effect at the time the complaint is made
  - E. Sworn affidavits are not required to conduct a preliminary investigation.
  - F. The Intake and Analytical Section will make all attempts to complete a preliminary investigation within 30 days of receiving a complaint from Office of Inspector General (OIG) or COPA and will document any information about any delay in completing the preliminary investigation in CMS.

**EXAMPLE:** Potential delays in completing preliminary investigations may include waiting for OVE from an outside agency or unit; inability to contact a non-anonymous reporting party; needing additional information from a referring agency; etc.

#### **IV. INITIAL RESPONSIBILITIES FOR BIA INVESTIGATORS AND ACCOUNTABILITY SERGEANTS UPON THE ASSIGNMENT OF A LOG NUMBER INVESTIGATION**

- A. It is the responsibility of each investigator to monitor the Case Management System (CMS) case console for new Log Number assignments. An investigator's responsibility to complete a Log Number investigation within a certain time frame (i.e., **180 days** for BIA investigators, **90 days** for accountability sergeants) begins when the BIA Intake and Analytical Section or case management officer assigns a Log Number to that investigator via the CMS. Assignment of a Log Number triggers the time-sensitive initial responsibilities consistent with this directive. Investigators must actively monitor their work queues for new assignments.
- B. Investigators will be assigned Log Number investigations via the CMS case console. All investigators will routinely monitor their CMS case console throughout their tour of duty.

- C. The CMS automatically sends an email notification to investigators when they are assigned a new Log Number investigation. Investigators will check their Department email accounts at least one time per tour of duty.

**NOTE:** Department members will check their Department email at least once per tour of duty in accordance with the Department directive titled "[Use Of The Internet.](#)" Investigators will check Department email and CMS case console more frequently if they have active cases in which they are communicating with the reporting party by email.

- D. When an investigator is assigned a new Log Number investigation, the investigator will conduct a conflict-of-interest review before beginning the investigation. The investigator will complete this review within 7 days of the assignment to avoid unnecessary delay. If there is a conflict, then the Log Number must be reassigned in accordance with the Department directive titled "[Conflict of Interests.](#)"

- E. To continue the investigation begun by the BIA Intake and Analytical Section, the assigned investigator will:

1. identify and preserve any time-sensitive evidence, utilizing the "BIA Evidence Checklist form ([CPD-44.265](#)) to facilitate the process by close of the next tour of duty;
2. take all reasonable steps to discover, identify, review, and analyze any and all objective verifiable evidence relevant to the complaint including, but not limited to:
  - a. time-sensitive evidence (see Item IV-E-1);
  - b. audio and video evidence;
  - c. physical evidence;
  - d. arrest reports;
  - e. photographic evidence;
  - f. GPS records;
  - g. witness interviews, and
  - h. computer data.
3. retain and preserve all collected evidence by ensuring that such evidence is appropriately flagged or held, and uploaded to the CMS via the 'Attachments' Module, including any requests to preserve time-sensitive evidence.
4. except in the case of time-sensitive evidence that requires immediate action to preserve, BIA investigators will initiate these steps within **30 days** of case assignment.
5. except in the case of time-sensitive evidence, accountability sergeants will take these steps within **21 days** of case assignment.

**V. DISCOVERY OF ALLEGATIONS WITHIN THE CIVILIAN OFFICE OF POLICE ACCOUNTABILITY (COPA'S) INVESTIGATIVE JURISDICTION**

- A. Investigators who identify any allegations of misconduct that are within the Civilian Office of Police Accountability's (COPA's) administrative jurisdiction at any time during an investigation will promptly notify the appropriate section commanding officer, or in the absence of the commanding officer, notify an exempt member of BIA, as soon as possible but within 48 hours.

**NOTE:** It is the duty of the investigator to make this notification if allegations within COPA's jurisdiction are discovered at any point in the investigation, not solely during the preliminary investigation and initial stages.

- B. As soon as possible but within 48 hours of being notified, the section commanding officer or exempt member of BIA will promptly confer with COPA that a Log Number investigation contains one or more allegations of misconduct that fall within COPA's administrative investigation jurisdiction. COPA will have the right of first refusal to conduct the administrative investigation of the entire complaint.

## VI. CONTACTING THE REPORTING PARTY

- A. Investigators will communicate with reporting parties in a professional and respectful manner during all stages of a Log Number investigation, including the preliminary investigation.
- B. In the limited circumstances when a sworn affidavit is required, investigators will make all reasonable attempts to secure the sworn affidavit from the reporting party, including in-person visits, phone calls, and other methods. Such attempts will reasonably accommodate the reporting party's disability status, language proficiency, and incarceration status. Investigators will utilize Department-authorized interpreters when necessary in accordance with the Department directives titled "[Interactions with Persons with Limited English Proficiency](#)" and "[People with Disabilities](#)."
- C. As soon as possible, and not more than **7 days** after assignment of the Log Number, the investigator will attempt to contact the reporting party (unless the reporting party wishes to remain anonymous) by US Postal Service (USPS), telephone, and email (if provided) or other methods, which allows up to **30 days** for contact to be made.
- D. To contact the reporting party by USPS, the investigator will send a certified letter with the completed "**Investigator Unable to Contact Reporting Party/Victim/Witness**" form ([CPD-44.223](#)). The investigator must complete all boxes (e.g., date, Log Number, reporting party's name, investigator's contact information and signature). If the reporting party is incarcerated and in the limited circumstances where a sworn affidavit is required, the investigator will include a blank sworn affidavit, instructions regarding the requirement that the affidavit be notarized, and guidance regarding the submission of any additional evidence.
  - 1. The investigator will provide the reporting party with at least **10 days** to contact the investigator before concluding that the contact attempt by mail has failed. The 10 days are from the date the certified letter is delivered or a delivery attempt is made as documented on the USPS tracking website.
  - 2. If the reporting party is incarcerated, the investigator will provide the reporting party with at least **30 days** to contact the investigator before concluding that the contact attempt by mail has failed. The **30 days** are from the date the certified letter is accepted at the detention facility as documented on the USPS tracking website.
- E. To contact the reporting party by email, the investigator will send the completed "**Investigator Unable to Contact Reporting Party/Victim/Witness**" form ([CPD-44.223](#)) from the investigator's Department email account. The investigator will provide the reporting party with at least **10 days** to contact the investigator before concluding that the contact attempt by email has been unsuccessful.
- F. To contact the reporting party by telephone, the investigator will make a **minimum of 2 attempts** at different times of the day. If the reporting party has provided more than one telephone number, the investigator will call all numbers at each attempt. If the investigator is sent to voicemail, the investigator will leave a message with the investigator's contact information and a brief explanation of the reason for the call.
- G. If the investigator is not able to make contact by USPS, email, or telephone, the investigator will attempt to make contact in-person if the address is within the City of Chicago or a contiguous jurisdiction. If the investigator does not make contact at the address(es) provided, the investigator will leave their contact information.

**NOTE:** Investigators will request an event number from OEMC over the air for officer safety and to document the in-person visit. The investigator will also record the visit with a body-worn camera.

- H. Upon making contact by any means, the investigator will schedule an in-person interview at a time and place that is convenient and accessible to the reporting party, consistent with the requirements listed in the Department directives titled ["Interactions with Persons with Limited English Proficiency"](#) and ["People with Disabilities."](#) If the reporting party has limited English proficiency, the investigator will have an interpreter present and will accommodate the reporting party's preference.
- I. Investigators will specifically document each attempt to contact the reporting party and the result using the "Contact Attempts" function within the CMS. Related documents such as USPS tracking status printouts, email communications, etc. will also be uploaded to the CMS as attachments to the investigative file.

## VII. CONFLICT RESOLUTION

If this directive conflicts with a provision in any other Department directive, investigators will seek guidance from the Chief of BIA.

Authenticated by MWK

Larry Snelling  
Superintendent of Police

24-091 GJD

DRAFT



# POST-INVESTIGATION LOG NUMBER PROCEDURES



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## I. PURPOSE

This directive:

- A. describes administrative summary reports.
- B. designates the responsibility for communication with reporting parties.
- C. delineates post-investigation Log Number procedures.
- D. identifies the responsibilities and options of members disciplined for misconduct.
- E. designates the responsibility for notification to the Illinois Law Enforcement Training Standards Board.
- F. uses terms specific to the Chicago Police Department's complaint and disciplinary system, as defined in the Department directive titled "[Complaint and Disciplinary Definitions.](#)"

## II. ADMINISTRATIVE SUMMARY REPORTS

- A. The Administrative Summary Report (ASR) is an electronic record that provides an abstract of the Log Number investigation after a final disciplinary decision is reached. The ASR contains:
  - 1. a description of the Department members and individuals involved in the alleged misconduct;
  - 2. the date, time, and location of the alleged misconduct;
  - 3. a description of the allegations and applicable policies;
  - 4. a narrative summary of the alleged misconduct;
  - 5. a narrative summary of the investigation; and
  - 6. the investigating body's findings and conclusions for each allegation of misconduct, including any discipline recommended.
- B. The Bureau of Internal Affairs (BIA) will redact information from ASRs that is legally exempt from disclosure for privacy or other purposes prior to electronic publication.
- C. Within *forty-five* days of the final disciplinary decision, BIA will email the ASR to the accused member and the accused member's exempt unit commanding officer. The accused member's exempt unit commanding officer will email the ASR to the accused member's immediate supervisor who will specifically adhere to the responsibilities outlined in Item III of this directive.
- D. Within sixty days of the final disciplinary decision, the completed ASRs will be published on the Department's public website at: <https://home.chicagopolice.org/administrative-summary-report-index/>

## III. POST-INVESTIGATION PROCEDURES FOR ACCOUNTABILITY SERGEANT INVESTIGATIONS

- A. BIA will provide the accused Department member's exempt unit commanding officer with the investigative findings, recommended discipline, or corrective action (if any) within seven days of an accountability sergeant's investigation reaching final disciplinary decision. Exempt unit commanding officers will promptly disseminate this information to the accused member's immediate supervisor.
- B. Within thirty days of the exempt unit commanding officer disseminating the information, the accountability sergeant will meet with the accused Department member and the accused Department member's immediate supervisor regarding the investigative findings, recommended discipline, or corrective action (if any) mentioned above.

**NOTE:** Accused Department members may decline the post-investigation meeting with the accountability sergeant.

- 1. The accountability sergeant who participated in this meeting will document the accused member's participation in the Case Management System (CMS) note section. Additionally, the accused member's immediate supervisor who participated in the meeting will document the meeting on their Supervisor's Management Log ([CPD-11.455](#)).
- 2. The accountability sergeant will notify the BIA supervising lieutenant by email whether or not the accused member agreed to the meeting and the successful meeting date, if any.

#### **IV. REPORTING PARTY COMMUNICATION**

BIA will:

- A. provide the reporting party/subject a copy of the ASR within sixty days of the final disciplinary decision.
- B. notify the reporting party/subject in writing if an accused member elects to file a labor grievance relating to any discipline imposed due to a sustained log number investigation within ten days of receiving notice of the grievance.
- C. notify the reporting party/subject in writing within ten days of receiving notice of the final disposition.

#### **V. SUSPENSION/OPTIONS**

- A. When a Department member is suspended, the Finance Division will electronically forward the Suspension Notification form ([CPD-44.102](#)) to the member's exempt unit commanding officer.
- B. If a Department member facing suspension is on extended medical roll or is injured on duty for an extended period of time, the exempt unit commanding officer will ensure the Suspension Notification is served by a supervisory member to the affected member in one of three manners:
  - 1. the supervisory member will first attempt service of the Suspension Notification directly to the affected member by:
    - a. giving the affected member one copy of the notification; and
    - b. having the supervisory member sign and indicate the date and time of service on the original and electronically attaching it to CMS or the Automated Complaint System (ACS) within twenty-four hours of service.
  - 2. the supervisory member will next attempt service of the Suspension Notification to an adult member of the affected member's household when direct notification to the member is not made. The original will be:
    - a. signed by the supervisory member attempting to serve the notification; and
    - b. electronically attached to CMS or ACS within twenty-four hours of service to the adult household member.

3. the supervisory member will leave the Suspension Notification at the residential address registered with the Department by the affected member only after two in-person attempts to serve the affected member resulted in no contact and attempts to serve an adult living at the residence also resulted in no contact. The original will be:
    - a. signed by the supervisory member attempting to serve the notification; and
    - b. electronically attached to CMS or ACS within twenty-four hours of the second attempted service.
  4. notify the Civilian Office of Police Accountability (COPA) or BIA, as appropriate, after the Suspension Notification has been served or left at the member's residence.
- C. Options to suspension may be granted by the Superintendent to a member who has been ordered suspended for a specified number of days.
- D. The Superintendent, or the Superintendent's designee, may permit the member to satisfy all or part of the suspension by:
1. forfeiting of:
    - a. compensatory time earned;
    - b. days of accumulated vacation/furlough time up to one-half of the member's authorized vacation/furlough;
    - c. one or more of the member's personal days or authorized baby furlough days; or
    - d. any combination of the above and accumulated vacation/furlough days not to exceed one-half of the member's authorized vacation/furlough.
  2. working regular scheduled days off without compensation if the affected member is exempt from the overtime compensation provisions of the Federal Fair Labor Standards Act (i.e., not subject to mandatory time and one-half pay rate compensation for overtime hours worked according to provision of the Act). These members will not be allowed to satisfy a suspension by working regular scheduled days off without compensation on paid holidays established by City ordinance and may not exceed the limit of working one regular scheduled day off without compensation per calendar week unless a three day weekend is involved, in which case the member may work two regular scheduled days off.
- E. When the Superintendent has signed a suspension order and has granted options to suspension, the order will be electronically forwarded to the Finance Division.
- F. The Finance Division will prepare an Election/Rejection of Options to Suspension ([CPD-61.416](#)) for the member facing suspension and will send the original and one copy to the member's unit of assignment/detail, to the unit's CLEAR message in-box, and to the exempt unit commanding officer's Department e-mail.
- G. Upon receipt of the forms at the member's unit of assignment/detail, the station supervisor or unit commanding officer will:
1. inform the member that options to suspension have been granted by the Superintendent;
  2. record the date and time the member was notified on each copy of the form, and affix their signature; and
  3. advise the member that they must complete and return the original copy of the form within seventy-two hours after the date and time of the notification recorded on the form if the member elects to exercise options to suspension.

- H. When the member returns a completed Election/Rejection of Options to Suspension within the seventy-two hour time period and the form indicates the member elects to exercise options, the unit timekeeper will complete the certification of compensatory time earned, vacation/furlough time, personal days, and authorized baby furlough days accredited to the member, sign the form, and forward it to the Finance Division without unnecessary delay.
- I. When the member fails to return a completed Election/Rejection of Options to Suspension within the seventy-two hour time period, it will be a rejection of the options. In such cases, after the seventy-two hour period of time has elapsed without a response from the member, the unit commanding officer will indicate "Options Rejected," and forward the form to the Finance Division.
- J. If a member of the Department is ordered suspended for more than thirty days, the City of Chicago will **not** make the premium payment for the member's hospitalization insurance. In such instances, the Human Resources Division will notify the suspended member, by certified mail, of the action the member must take to ensure the continuation of any insurance coverage during the period of suspension.
- K. A sworn member of the Department remains bound by the Rules and Regulations, directives, and orders of the Chicago Police Department while on suspension. A sworn member of the Department while on suspension **will not**:
  - 1. exercise the police powers of a Chicago Police Officer;
  - 2. carry a firearm; or
  - 3. be required to appear at court hearings in cases in which they were the arresting officer when such hearings are scheduled during the period of time the member will be on suspension, unless subpoenaed.
- L. A sworn member who is suspended will turn in their star, shield, and identification card to their unit commanding officer. A civilian member suspended will turn in their identification card to their unit commanding officer. The commanding officer will ensure that the Equipment Transaction Receipt (CPD-62.141 formset in triplicate) is completed. The surrendered items will be returned to the member upon their return to duty. Failure to surrender the required items will result in further disciplinary action against the member.
  - 1. If a sworn member is scheduled to appear at a court hearing while on suspension, unless subpoenaed, they will notify a supervisor in their unit of assignment immediately upon learning they will be unable to appear at the scheduled court call, but no later than one hour before the scheduled court call; or
  - 2. If a unit receives notification of court cases requiring the appearance of a member during such member's period of absence, and there is no other arresting officer available, the unit of assignment/detail of the member will request continuances of the cases to a date subsequent to the member's scheduled return to duty.

## **VI. NOTIFICATION TO THE ILLINOIS LAW ENFORCEMENT TRAINING STANDARDS BOARD**

- A. The Training and Support Group is the Department's liaison with the Illinois Law Enforcement Training Standards Board.
- B. The Chief of BIA will ensure that the Deputy Chief, Training and Support Group, is notified when a Department member:
  - 1. is separated as a result of a sustained Log Number investigation; or
  - 2. resigns during a Log Number investigation and after the member has been served notice that he or she is under investigation based on the commission of any felony or sex offense.

- C. The Deputy Chief, Training and Support Group, will ensure that, consistent with the Illinois Police Training Act (50 ILCS 705), all required notifications are made to the Illinois Law Enforcement Training Standards Board (e.g., when an officer resigns while a log number investigation or disciplinary charges are pending).

**VII. COMPLAINT INTAKE AND INVESTIGATION PROCESS SURVEYS**

- A. The Office of Community Policing, in conjunction with the Bureau of Internal Affairs, will ensure satisfaction surveys are conducted regularly, at minimum annually, relating to the complaint intake and investigation process. A link to the satisfaction survey is included in each Administrative Summary Report (ASR) sent by BIA to the Reporting Party and Accused Department Member at the conclusion of an investigation. A link for a Community Member satisfaction survey can be found on the home page of the BIA website. A summary of the survey results will be included in the BIA Quarter 2 and Annual Reports.
- B. The Chief of BIA will evaluate trends and training opportunities identified as a result of information received from these surveys. Any adjustments or revisions to existing training programs or the development of new training as a result of survey responses, will be included in the BIA Quarter 2 and Annual Reports.

**VIII. RECORDS RETENTION**

- A. All disciplinary decisions and discipline imposed will be documented in the administrative investigative file and the accused member's disciplinary history within CMS.
- B. All administrative investigative files and disciplinary histories will be electronically preserved within CMS.

**NOTE:** Notwithstanding any other provision of law to the contrary, all public records and nonpublic records related to complaints, investigations, and adjudications of police misconduct shall be permanently retained and may not be destroyed.

Authenticated by MWK

Larry Snelling  
Superintendent of Police

22-016 GJD