



COMPLAINT AND DISCIPLINARY DEFINITIONS



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I. PURPOSE

This directive defines terms specific to the Chicago Police Department’s complaint and disciplinary system.

II. DEFINITIONS

- A. **Accountability Sergeant:** a sergeant assigned to a district or unit responsible for receiving, processing, and investigating misconduct complaints made against Department members assigned to his or her district or unit, which are referred for investigation by BIA.
- B. **Acknowledge:** the action taken by a Department member to electronically confirm within CMS by using his or her Department log on username (PC number) and password. The electronic acknowledgment has the full effect as that of the member’s written signature. If an electronic acknowledgement is not available, a paper acknowledgement and written signature can be substituted.
- C. **Administrative Closure Letter:** a letter sent to the reporting party/subject of an allegation(s) of misconduct by a Department member, when the investigation is administratively closed, including but not limited to if it is determined that the allegation(s) does not fall within the investigatory jurisdiction of the Chicago Police Department (e.g., the complaint is duplicative, the accused is not a Department member), and explains the decision to administratively close the investigation and any applicable remedy (e.g., challenge a citation through the courts or Administrative Hearings).
- D. **Administrative Proceeding Rights Form:** a CPD form ([CPD-44.105](#)) that is given to an accused Department member prior to an interview of the Department member by an Investigator, advising the member of his or her rights.
- E. **Administrative Summary Report (ASR):** 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.
- F. **Advocate:** the commanding officer of the BIA Advocate Section who ensures that every disciplinary case is handled professionally, impartially, and consistently. The Advocate ensures that the evidence supports the investigative findings and that the principles of due process and just cause are upheld. The Advocate briefs the Superintendent of Police, advises the Superintendent on the merits of the investigations, and recommends the next course of action.

- G. **Automated Complaint System (ACS):** the application for processing Log Number investigations initiated prior to 10 February 2019. The ACS is no longer used for initiating Log Numbers and will become inactive when all Log Numbers initiated therein have reached their final disposition.
- H. **BIA Case Management Supervisor:** a sergeant assigned to BIA who assists the BIA Supervising Lieutenant with the review and approval of investigations conducted by accountability sergeants.
- I. **BIA Investigator:** a sworn Department member assigned or detailed to BIA responsible for receiving, processing, and investigating misconduct complaints made against Department members assigned to BIA for investigation. Sergeants, police officers (assigned as detectives), and, in certain limited circumstances, police officers may serve as BIA investigators to conduct Log Number investigations.
- J. **BIA Supervising Lieutenant:** a lieutenant assigned to the BIA who supervises and reviews investigations conducted by accountability sergeants or BIA investigators.
- K. **Bureau of Internal Affairs (BIA):** the Chicago Police Department's (CPD) Bureau of Internal Affairs. The mission of the CPD BIA is: "To ensure integrity and ethical conduct within the Chicago Police Department through leadership, education, and accountability." (Click [here](#) for the BIA Intranet Website). BIA:
1. coordinates and exercises supervision over disciplinary matters involving alleged or suspected violations of statutes, ordinances, and Department rules and directives;
 2. coordinates the assignment of Log Number investigations and serves as a repository for all Department records of Log Number investigations;
 3. conducts log number investigations, including reaching investigative findings and recommending discipline;
 4. conducts overt and covert field investigations;
 5. is responsible for detecting corrupt practices involving Department members;
 6. coordinates with the Civilian Office of Police Accountability (COPA) on disciplinary matters that affect members; and
 7. ensures the consistent administration of bargaining agreement rights for members represented by existing collective bargaining agreements.
- L. **Case Management System (CMS):** the application for processing Log Number investigations initiated on or after 11 February 2019. The CMS maintains investigation data regarding the number, classification, and status of all Log Number investigations initiated on or after 11 February 2019, from the intake process through the final disposition.
- M. **Case Review Session:** an internal review of a Log Number investigation with the investigator and BIA Supervising Lieutenant to discuss the investigation, the steps needed to complete the investigation, and a projected completion date.
- N. **Civilian Office of Police Accountability (COPA):** an agency within the City of Chicago responsible for administrative investigations of certain complaints against Department members as well other as incidents in where no complaint is made. [Chapter 2-78](#) of the Municipal of Code of Chicago establishes COPA. (Click [here](#) for the COPA Website)
- O. **Closed/Final:** the status of a Log Number in the Case Management System when all stages of the disciplinary process are complete. When there are no sustained allegations, a Log Number is placed in "Closed/Final" at the conclusion of the Command Channel Review process. When there are sustained allegations, a Log Number is not placed in "Closed/Final" until the final disposition. As with all Log Numbers, this Log Number and status appears on the member's disciplinary history.

- P. **Closed/Hold:** the status of a Log Number investigation in the Case Management System that indicates there is a sustained allegation with recommended discipline, but the discipline has not been administered because the member left Department employment prior to the final disciplinary decision. As with all Log Numbers, this Log Number and status appears on the member's disciplinary history.
- Q. **Collective Bargaining Agreement:** is a written agreement (contract) between an employer and a union representing employees. In the City of Chicago, sworn Department members below the rank of sergeant are represented by the Fraternal Order of Police ([FOP Lodge #7](#)) and sworn supervisors below the rank of commander are represented by the Police Benevolent and Protective Association (sergeants - [PBPA #156A](#)); (lieutenants - [PBPA #156B](#)); (captains - [PBPA #156C](#)).
- R. **Command Channel Review (CCR):** a process in which exempt-level supervisors are notified of and review completed Log Number investigation into a complaint(s) against members under their command. The reviewing exempt-level supervisor will concur or not concur with the Log Number investigation finding(s) and/or the recommended penalty. The exempt-level supervisor review during Command Channel Review is advisory and is not binding. Command Channel Review gives exempt-level reviewers an opportunity to advise the Superintendent or the Chief of the Bureau of Internal Affairs (BIA), on the final disciplinary decision.
- S. **Complaint:** one or more allegations of misconduct reported to the Department, COPA, or the Office of the Inspector General (OIG).
- T. **Confidential:** a designation (not classification type) given to Log Numbers of a sensitive or highly confidential nature (e.g., allegations of sexual misconduct, drug-related crimes, association with known felons, residency violations, medical roll violations, misallocation of Department resources). Such investigations may require investigative techniques such as surveillance or wire taps and may involve outside local, state, or federal agencies.
- U. **Conflict of Interest:** exists when a Department member assigned to investigate, review, or participate in making any disciplinary decisions or recommendations with respect to a Log Number investigation:
1. is a reporting party;
 2. is an accused or witness;
 3. authorized, engaged in conduct that led to, or otherwise allegedly participated in the incident giving rise to the complaint;
- NOTE:** An investigation may not be conducted by any supervisor or Department member who allegedly authorized, engaged in conduct that led to, witnessed, or otherwise allegedly participated in the incident giving rise to the complaint. No such supervisor or Department member will participate in making any disciplinary decisions or recommendations with respect to a Log Number investigation.
4. would experience a positive or negative impact to his or her financial interests upon resolution of the matter under investigation;
 5. has a household or immediate family member (e.g. spouse, domestic partner, parent, sibling, child) who would experience a positive or negative impact to his or her financial interests upon resolution of the matter under investigation;
 6. has a professional, external business, financial, or close personal relationship with a reporting party, a witness, or the accused;
 7. has a household or immediate family member (e.g. spouse, domestic partner, parent, sibling, child) with a professional, external business, financial, or close personal relationship with a reporting party, a witness, or the accused;

8. directly reports to a reporting party, a witness, or the accused in his or her chain of command; or
 9. has any other conflict of interest identified by the Department member.
- V. **Department:** an abbreviated reference to the law enforcement agency and organization known as the Chicago Police Department.
- W. **District Commander:** an exempt-level commanding officer accountable for the performance of all district personnel and the actions taken to address police service and crime suppression activities within a district.
- X. **Exempt-level Supervisor:** a command staff Department member at or above the level of commander or director.
- Y. **Final Disciplinary Decision:** the final decision of the Superintendent or his or her designee regarding whether to issue or recommend discipline after review and consideration of the investigative findings and recommendations, including after any additional investigation conducted as a result of such review.
1. For COPA investigations, the final disciplinary decision occurs after the conclusion of the process described in the Municipal Code of Chicago [Chapter 2-78-130\(a\)](#).
 2. For BIA investigations, the Chief of BIA (or his or her designee) has been designated by the Superintendent to provide the final disciplinary decision.
- Z. **Final Disposition:** the status of a Log Number investigation after the final disciplinary decision and any grievance process, arbitration, Police Board proceeding, or appeal relating to the final disciplinary decision.
- AA. **Grievance:** the procedure by which a Department member challenges a final disciplinary decision pursuant to the terms of a collective-bargaining agreement.
- AB. **Investigative Findings:** investigative conclusions supported by the appropriate standard of proof and documented in writing and submitted to the Superintendent, or his or her designee. For each allegation associated with a Log Number investigation, the assigned BIA investigator, accountability sergeant, or COPA investigator will determine the investigative findings as:
1. **Sustained:** a finding where it is determined an allegation is supported by a preponderance of the evidence.
 2. **Not Sustained:** a finding where it is determined there is insufficient evidence to prove an allegation by a preponderance of the evidence.
 3. **Exonerated:** a finding where it is determined, by clear and convincing evidence, that the conduct described in an allegation occurred but is lawful and proper.
 4. **Unfounded:** a finding where it is determined, by clear and convincing evidence, that an allegation is false or not factual.
- AC. **Investigator:** a Department member assigned to conduct a Log Number investigation, including BIA investigators or accountability sergeants.
- AD. **Less Serious Transgression:** an act or omission which warrants prompt and appropriate action but does not require a Log Number as outlined in S08-01-05 "[Summary Punishment](#)."

- AE. **Log Number:** a unique tracking number assigned to any incident brought to the attention of the Department or COPA by a reporting party involving a Department member that may be investigated and that will be linked with all phases of the investigation and disciplinary process through the final disposition. A Log Number is classified by type to identify the incident notification or investigation's administrative process. The Log Number classification type may change based on the progress of the administrative notification and investigation of the incident; however, the Log Number itself will always remain the same, including during the grievance process, arbitration, any Police Board proceeding, or appeals therefrom thereby permitting reporting parties/subjects (or their representatives) the opportunity to track their complaints. The Department will ensure that information related to any grievance process, arbitration, Police Board proceeding, or appeals therefrom (e.g., grievance numbers and docket numbers) are entered into CMS. The Log Number classification types are:
1. **Information/Complaint:** the classification given to a Log Number when it is initiated to document a complaint (allegation of misconduct).
 2. **Complaint Register (CR):** the classification given to a Log Number by a BIA investigator or accountability sergeant after he or she completes the preliminary investigation and determines that a sworn affidavit is not required to conduct a full investigation or, in limited circumstances where a sworn affidavit is required, obtains a sworn affidavit or sworn affidavit override.
 3. **Notification:** the classification given to a Log Number that is initiated for administrative tracking purposes because the incident requires an immediate notification to COPA, even when there is no accompanying allegation of misconduct. This notification to COPA is required for the following incidents:
 - a. when a sworn Department member discharges a firearm (on or off duty) and another person is injured or killed by one or more bullets fired by that member, or when a sworn Department member has suffered a self-inflicted gunshot wound.
 - b. when a sworn Department member discharges a firearm (on or off duty) at a person and the person is not injured or killed.
 - c. unintentional firearm discharge incidents and firearm discharge incidents solely for the destruction or deterrence of an animal.
 - d. Taser discharges.
 - e. Oleoresin Capsicum (OC) and other chemical agent discharges.
 - f. the use of chemical/smoke dispensing or distraction devices.
 - g. an incident involving a motor vehicle accident with fatalities including any death resulting from a motor vehicle accident involving a Department member engaging in law enforcement activity off duty.
 - h. when the Department responds to or investigates incidents involving allegations of officer-involved domestic violence.
 - i. any other miscellaneous and extraordinary incidents including death in custody, suicide in custody, or an attempted suicide in custody.
- AF. **Log Number Investigation:** the process during which evidence is collected, assessed, and analyzed about an incident subsequent to the assignment of a Log Number.
- AG. **Misconduct:** any violation of law or any Department rule, regulation, directive, or order by a Department member.

- AH. **Objective Verifiable Evidence:** information based on facts that can be proven to be true by means of search such as analysis, measurement, and observation. Examples of objective verifiable evidence include, but are not limited to, all time-sensitive evidence, video and audio evidence, physical evidence, photographic evidence, arrest reports, computer data, Department calendars and schedules, swiping reports, Police Computer Aided Dispatch (PCAD) messages, and Global Positioning System (GPS) data.
- AI. **Office of Emergency Management and Communications (OEMC):** the City of Chicago's emergency operations center that supports public safety and provides assistance to residents 24 hours a day, 365 days a year. The OEMC manages the following operational areas for the city: 9-1-1 call taking and dispatch; the 3-1-1 call center; emergency management; and traffic management. The OEMC coordinates with departments citywide, including the Chicago Police Department and Chicago Fire Department, in addition to various other local, state, and federal agencies as it relates to public safety planning and coordination for large-scale special events and public safety emergencies and disasters.
- AJ. **Office of Inspector General (Public Safety):** the Public Safety section of the Inspector General's office (PSIG) conducts independent, objective evaluations and reviews of the Chicago Police Department, the Civilian Office of Police Accountability (COPA), and the Police Board (Click [here](#) for the PSIG Website).
- AK. **Police Board:** the independent civilian body that decides disciplinary cases involving CPD officers. The primary power and responsibilities of the Police Board are set forth in the Municipal Code of Chicago [Chapter 2-84-020 thru 035](#). (Click [here](#) for the Police Board Website)
- AL. **Preliminary Investigation:** the initial investigatory steps conducted by the BIA Intake and Analytical Section and continued by the assigned BIA investigator or accountability sergeant after a complaint is received. Preliminary investigations will take all reasonable steps to discover any and all objective verifiable evidence relevant to the complaint or administrative notification 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. All reasonable steps will be taken to preserve relevant evidence identified during the preliminary investigation.
- AM. **Reporting Party/Subject:** the complainant that brings an incident involving a Department member that may be investigated to the attention of the Department or COPA. The reporting party/subject can be a member of the public or a sworn or civilian Department member.
- AN. **Reporting Party/Third Party:** a Department supervisor initiating a Log Number after receiving a complaint presented by a reporting party/subject.
- AO. **Section:** refers to the sections in the Investigations Division and in the Confidential Investigations Division of the Bureau of Internal Affairs. "Section" includes the Intake & Analytical Section, General Investigations Section (GIS), the Special Investigations Section (SIS), the Medical Integrity Section (MIS), the FBI Liaison Section, and the Confidential Investigations Section (CIS).
- AP. **Summary Punishment:** an alternative disciplinary procedure for conduct defined as a less serious transgression which is observed by or comes to the attention of a Department supervisor or COPA as outlined in S08-01-05 "[Summary Punishment](#)."
- AQ. **Sworn Affidavit:** a sworn written statement against a sworn Department member by a non-Department member certifying that the statement is true and correct under penalties provided by law. A copy of a sworn affidavit may be provided to a reporting party upon request.
- AR. **Sworn Affidavit Override:** an action taken by the Chief Administrator, Civilian Office of Police Accountability (COPA), or the Chief of BIA when the standards defined by the sergeants', lieutenants', and captains' collective bargaining agreement have been met to continue the investigation without the sworn affidavit requirement when objective, verifiable evidence exists and attempts to contact a reporting party are unsuccessful or the reporting party refuses to sign a sworn affidavit.

- AS. **To-From-Subject Report:** a written report used for intra-Departmental correspondence submitted for situations where there is not already a prepared form when a situation requires a written response, for use as an informational report, or when documentation is required. The To-From-Subject Report format is used to maintain consistent, efficient, and professional intra-Department communications.
- AT. **Quick View Report:** a display page in CMS that provides a summary of the of information pertaining to the Log Number including an incident description, incident narrative, involved Department members, involved non-Department individuals, and the location of occurrence.
- AU. **Unit Commanding Officer:** a Department supervisor accountable for the performance of Department members assigned to a unit.

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