



CONFLICT OF INTEREST



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I. PURPOSE

This directive:

- A. defines the term "conflict of interest" as it applies to Log Number investigations.
- B. establishes the Department policy on conflicts of interests in Log Number investigations.
- C. outlines the responsibilities of:
 - 1. Department members to identify and report conflicts of interest when assigned to investigate, review, or participate in making any disciplinary decisions or recommendations with respect to Log Number investigations.
 - 2. the Bureau of Internal Affairs (BIA) when a conflict of interest is identified in a Log Number investigation.
- D. continues the use of the Log Number Conflict Certification form ([CPD-44.201](#)).

II. DEFINITION

A **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:

- A. is a reporting party;
- B. is an accused or witness;
- C. 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.

- D. would experience a positive or negative impact to his or her financial interests upon resolution of the matter under investigation;
- E. 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;
- F. has a professional, external business, financial, or close personal relationship with a reporting party, a witness, or the accused;
- G. 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;

- H. directly reports to a reporting party, a witness, or the accused in his or her chain of command; or
- I. has any other conflict of interest identified by the Department member.

III. POLICY

- A. Establishing the legitimacy of Log Number investigations plays a critical role not just in the legitimacy of the Department's overall accountability system, but the legitimacy of the Department as a whole. Both actual bias and the appearance of bias in log number investigations have a negative impact on that legitimacy.
- B. To foster the public's and Department members' trust and confidence in the legitimacy of Log Number investigations, the investigations must be free from conflicts of interest. Conflicts of interest at any stage of a Log Number investigation bring the legitimacy of the investigation, the findings, and associated discipline into doubt. Any conflicts of interest must be appropriately identified, reported, and resolved in all log number investigations.
- C. Department members who have a conflict of interest are prohibited from investigating, reviewing, or making disciplinary decisions or recommendations in that Log Number investigation. This prohibition also includes not participating in the determination of any applicable grievance or appeal arising from any discipline. Any violation of this prohibition is subject to the Department's disciplinary process.
 - 1. There is a presumption of a conflict of interest if the Superintendent of the Chicago Police Department or the Chief of BIA is an accused in a Log Number investigation. In these cases, the Chief of BIA, or the Chief's designee, will refer the matter to the City of Chicago's Office of Inspector General (OIG) for investigation.
 - 2. There may be instances in which a conflict of interest cannot be resolved by reassignment within the Department (e.g., the rank of the accused makes proper command channel review impossible to establish). In these cases, the Chief of BIA, or the Chief's designee, will refer the matter to the OIG for investigation.
- D. Department members have an on-going duty to identify and report conflicts of interest throughout the Log Number process including investigation, review, and participation in making any disciplinary decisions or recommendations. A Department member may not be aware or may not be able to immediately identify a conflict of interest when first assigned to investigate or review a Log Number investigation or to participate in making any disciplinary decisions or recommendations subsequent to a Log Number investigation. Additionally, a conflict of interest may not exist at the outset, but may arise as the Log Number investigation progresses.
- E. An identified conflict of interest will not impede or delay a complaint from being accepted, documented, reported, and investigated.
- F. Department members who identify or receive notification of a conflict of interest, regardless of when the conflict of interest is identified or the notification is made, remain bound by the confidentiality requirements of Log Number investigations consistent with the Department directive titled "[Complaint And Disciplinary Investigators and Investigations.](#)"

IV. RESPONSIBILITIES

- A. Prior to beginning any investigation or review of an assigned Log Number, the Department member assigned to the investigation will access the "Quick View Report" option in the Case Management System (CMS) to review the details of the assigned investigation for possible conflicts of interest.

NOTE: A Quick View Report provides a high-level summary of the case that includes information about the primary category of the complaint, accused Department member, the reporting party, the location of the incident, and the incident description. Assigned members will pay particular attention to the "Related CPD," "Related Non-CPD," and "Incident Description" fields in the Quick View Report when making a conflict- of- interest determination and consider whether the Quick View Report presents information that could create a conflict of interest.

- B. When Department members complete their review of the "Quick View Report," CMS will generate a conflict of interest form and ask the Department member to acknowledge that they **DO NOT** have a conflict of interest in the newly assigned Log Number.
- C. If the Department member assigned to investigate or review of a Log Number determines that a conflict of interest **DOES NOT EXIST** in a newly assigned Log Number, the member will accept the Log Number Conflict Certification form in CMS. This electronic acknowledgement will serve as the Department member's electronic signature, consistent with the Department directive titled "[Electronic Signatures](#)."
- D. If the Department member assigned to investigate or conduct any review of a Log Number determines that a conflict of interest **DOES EXIST** with a newly assigned Log Number, the member will:
1. not accept the conflict of interest form that automatically populates in CMS for that investigation and select "cancel" to return to the Quick View form.
 2. **NOT** begin any investigation or review.
 3. immediately notify BIA of the conflict.
 - a. Accountability Sergeants will notify the commanding officer of the BIA Intake and Analytical Section of the conflict by phone and email.
 - b. Department members assigned to BIA will notify the appropriate section administrative sergeant by email.
 - c. Department exempt supervisors assigned to a command channel review will notify the Advocate Section, BIA, consistent with the Department directive titled "[Command Channel Review](#)," by phone and email.
- E. If during an investigation or review of an assigned Log Number, a Department member assigned a role in the investigation or review discovers a previously unknown conflict of interest, or if a conflict newly arises, the member will immediately stop the investigation or review and will:
1. immediately notify BIA of the newly identified conflict of interest by phone and email consistent with Item IV-D-3 of this directive,
 2. submit a To-From-Subject Report to the Chief of BIA disclosing the identified conflict of interest, the particular circumstances leading to the identification of the conflict, and why the conflict was not identified during the original completion of the Log Number Conflict Certification form ([CPD-44.201](#)), and
 3. **NOT** have any further involvement in the Log Number investigation, including continuing any investigation or review, pending the approval of the Chief of BIA, or designee and reassignment of the Log Number investigation.
- F. When notified of a conflict of interest in a Log Number investigation, the responsible BIA supervisor will:
1. review the nature and circumstances of the conflict of interest to determine whether the Log Number can be reassigned:
 - a. for investigations assigned to Accountability Sergeants, to a different Accountability Sergeant within the district or unit or should be retained by BIA for completion of the investigation.
 - b. for BIA investigations, to a different investigator within the same BIA section or should be moved to a different BIA section for investigation.
 2. immediately remove the Log Number from the work queue of the Department member who has an identified conflict of interest.

3. document in CMS when the conflict of interest was identified and reported and that the Log Number is being reassigned because the originally assigned member reported a conflict of interest and briefly summarize the nature of the conflict (e.g., "close personal relationship," "family financial interest").
 4. notify the appropriate BIA section commanding officer if the conflict disclosure occurred after the investigation began.
- G. The Chief of BIA, or the Chief's designee will:
1. ensure identified conflicts of interests are properly reported,
 2. all relevant documentation including To-From-Subject Reports and emails are added to case files, and
 3. investigations and reviews of Log Number investigations are reassigned as appropriate.
- H. Consistent with the Department directive titled "[Complaint and Disciplinary System](#)," Department members who observe misconduct or become aware of information alleging misconduct, including a conflict of interest existing in the investigation or review of a Log Number or an investigation that is otherwise in violation of this directive, will immediately notify a supervisor.

REMINDER: Department supervisors will accept, document, and report complaints consistent with the Department directive titled "[Complaint Initiation and Log Number Investigation Assignment](#)."

(Items indicated by *italics/double underline* have been added or revised)

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