

**POLICE BOARD
CITY OF CHICAGO**

**DISCIPLINARY CASES
QUARTERLY REPORT
September 30, 2024**

Police Board's Role in the Disciplinary Process

Discharge Cases: The Police Board decides disciplinary cases when the Superintendent of Police files charges to discharge a sworn officer from the Police Department.

Suspension Cases: The Police Board decides disciplinary cases when: (1) the Superintendent files charges recommending that a sworn officer be suspended for more than one year, or (2) an officer below the rank of sergeant requests Police Board review of a suspension of 11 – 365 days.

Disagreement Cases: Individual members of the Police Board rule on disagreements between the Chief Administrator of the Civilian Office of Police Accountability and the Superintendent of Police over the recommended discipline of an officer.

Discharge Cases Filed with the Police Board

January 1 - September 30, 2024

	BIA	COPA	OIG	TOTAL
DISCHARGE CASES				
# of officers charged by the Supt	1	2	0	3
Pending charges as of 9/30/2024	5	12	0	17

BIA = Investigated by the CPD's Bureau of Internal Affairs

COPA = Investigated by the Civilian Office of Police Accountability

OIG = Investigated by the Office of the Inspector General

Suspension Cases Filed with the Police Board

There is currently one suspension case before the Board: Charges recommending the suspension of a police officer for 366 days (investigated by COPA) were filed in 2023.

Decisions in Discharge Cases

On March 21, 2024, Cook County Circuit Court Judge Michael Mullen entered a Memorandum Opinion and Order in *Chicago John Dineen Lodge #7 [Fraternal Order of Police] v. City of Chicago, Department of Police, et al.*, Case No. 2024 CH 00093, granting police officers the option of having their cases heard and decided by an arbitrator instead of the Police Board. The Fraternal Order of Police appealed Judge Mullen’s decision and the case is currently before the Illinois Appellate Court. The union is challenging Judge Mullen’s rulings that arbitration proceedings be open to the public and that accused officers may be suspended without pay while the arbitration case is pending. This litigation and ruling has affected the Police Board’s power to decide disciplinary cases.

Thus far in 2024, the Board has decided three discharge cases for which a hearing was held prior to Judge Mullen’s ruling, and has granted the Superintendent’s motion to withdraw the charges in two discharge cases (one settlement and one resignation).

January 1 - September 30, 2024	NUMBER OF OFFICERS:			Settlement: Suspended	Resigned*
	Guilty & Discharged	Guilty & Suspended	Not Guilty		
Primary Charges (Investigation)					
Excessive Force--On Duty (COPA)	1	0	1	0	0
Other On-Duty Misconduct (COPA)	0	0	0	0	0
Domestic Incident--Off Duty (COPA)	0	0	0	0	0
Other Off-Duty Misconduct (COPA)	0	0	0	1	0
Drug/Alcohol Abuse (BIA)	1	0	0	0	0
Bribery/Official Corruption (BIA)	0	0	0	0	0
Commission of a Crime (BIA)	0	0	0	0	1
Conduct Unbecoming--Off Duty (BIA)	0	0	0	0	0
Operation/Personnel Violations (BIA)	0	0	0	0	0
Other (BIA)	0	0	0	0	0
Total	2	0	1	1	1
*The respondent resigned from CPD prior to a hearing rather than contest the charges, and the charges were therefore withdrawn.					

Decisions in Suspension Cases

No suspension cases have been decided by the Board thus far in 2024.

Appeals of Police Board Decisions

Under Illinois law, the parties to a Police Board disciplinary case (the Superintendent and the accused officer) have the right to appeal the Board's decision by filing a petition for administrative review in the Circuit Court of Cook County. A party dissatisfied with the Circuit Court's review of a Police Board case may appeal to the Appellate Court of Illinois.

January 1 - September 30, 2024

<u>PB Decisions Appealed</u>	<u>PB Decisions Upheld*</u>	<u>PB Decisions Reversed</u>	<u>PB Decisions Pending Final Court Decision**</u>
1	1	0	10

*Police Board decision affirmed or appeal dismissed.

**Cases (1) currently before a court, or (2) for which the time limit for appealing a circuit court decision has not yet expired.

Note: A particular case may be reviewed by more than one court (circuit court, appellate court), and court rulings may cause the Board to issue more than one decision (e.g., a decision on remand); the data in this table pertain to *final* court action regarding the Board's *original* decision.

Disagreement Cases Referred to the Police Board

When the Chief Administrator of the Civilian Office of Police Accountability and the Superintendent of Police do not agree regarding the discipline of a CPD officer, the Chief Administrator shall refer the matter to one member of the Police Board. The reviewing member shall then rule on the disagreement between the Chief Administrator and the Superintendent, as follows:

- If, in the opinion of the reviewing member, the Superintendent's response did not meet the burden of overcoming the Chief Administrator's recommendation for discipline, the Chief Administrator's recommendation shall be deemed to be accepted by the Superintendent.
- If, in the opinion of the Reviewing Member, the Superintendent met the burden to overcome the Chief Administrator's recommendation for discipline, the Superintendent's response shall be implemented.

January 1 - September 30, 2024

<u>Chief Administrator's Recommendation for Discipline</u>	<u>Reviewing Member Ruled for Chief Administrator</u>	<u>Reviewing Member Ruled for Superintendent</u>
Discharge from CPD	2	1
Suspension > 30 days	3	0
Suspension 11 - 30 days	0	0
Suspension 1 - 10 days	0	0
<i>Total Rulings</i>	5	1