

EXHIBIT K



Internal Affairs Division

Standard Operating Procedures

INTERNAL AFFAIRS DIVISION ORGANIZATION FOR COMMAND

The Internal Affairs Division is commanded by an Assistant Deputy Superintendent who is responsible for coordinating and exercising staff supervision over disciplinary matters involving alleged or suspected violations of ordinances, statutes, Department rules, regulations, and directives. The division also coordinates the assignment of complaint register investigations, serves as a repository for all Department records of these investigations, conducts overt and covert field investigations and is responsible for detecting corrupt practices involving Department members. The Internal Affairs Division is also responsible for advising command and supervisory personnel in the application of policies and procedures as they relate to discipline.

ADMINISTRATIVE SECTION:

The Administrative Section coordinates and assists in activities relative to the operations of the section, at the direction of the Assistant Deputy Superintendent. Functions performed by this division include, but are not limited to, the assignment, reassignment and transfer of complaint register investigations, issuance of confidential investigation complaint numbers, maintenance of confidential investigative files, assignment of preliminary investigations, maintaining information and photo systems and the gathering and publishing of statistics relative to the Internal Affairs Division. The Administrative Section also has the responsibility for, preparing and maintaining monthly reports for the Assistant Deputy Superintendent, corresponding to requests for information from outside law enforcement agencies and other units within the Department, responsibility for budgetary and contingency fund matters and other activities as directed by the Assistant Deputy Superintendent.

ADVOCATE SECTION:

The function of the Department Advocate Section is to ensure that the quality of internal investigations are at the highest level. The Department Advocate Section ensures consistency in the application of rule violations and recommended disciplinary penalties on a Department wide basis and is responsible for the review and preparation of appropriate cases for presentation to the Police Board as well as cases for Complaint Review Panel Hearings. The Department Advocate Section is responsible for representing the Department as an expert witness at arbitration hearings, grievance hearings, Equal Employment Opportunity Commission hearings, and other outside hearings as directed by the Assistant Deputy Superintendent, Internal Affairs Division. The Department Advocate is responsible for establishing, monitoring, and enforcing the rules and regulations with regard to the disciplinary process and sharing that information with other Department units. The Department Advocate also acts as the liaison with the Department of

Law, the Office of Legal Affairs and the Management and Labor Affairs Section.

RECORDS SECTION:

The Records Section is responsible for, maintaining and updating files of ongoing investigations, indexing of complaint register numbers, complainants, witnesses and other data. The Records Section acts as a repository for all complaint register files and the utilization of the computer case management system for the input and extraction of record information. The Records Section also has the responsibility for the proper retention of complaint register files and individual disciplinary histories of Department members. This section also responds to court subpoenas and requests for information under the Freedom of Information Act and the City Personnel Code.

GENERAL INVESTIGATION SECTION:

The General Investigation Section conducts investigations into allegations of police misconduct, as directed by the Assistant Deputy Superintendent. Assigned investigations include, but are not limited to, allegations of drug abuse, criminal offenses, investigations relative to arrests of Department members, short term covert investigations and cases of alleged police impersonators. This section includes the drug/alcohol abuse investigative teams, who are available to assist other Department units in investigations when necessary. This section also investigates civil suits that have been filed against the Department and individual members.

SPECIAL INVESTIGATION SECTION:

The Special Investigation Section conducts lengthy, highly sensitive investigations into allegations of serious misconduct as directed by the Assistant Deputy Superintendent. This section also maintains a liaison with the Federal Bureau of Investigation, United States Attorney's Office, Cook County State's Attorney Office and other federal, state and local law enforcement agencies. This section works with these agencies and engages in many cooperative investigations focusing on allegations relative to Department members' involvement in organized crime, narcotic trafficking, racketeering and other criminal activity.

CONFIDENTIAL INVESTIGATION SECTION:

The Confidential Investigation Section is responsible for conducting long term covert investigations involving allegations of Department members' involvement in criminal activity. The investigations conducted by this section include, but are not limited to, medical roll abuse, narcotic sales and trafficking, residency violations, traffic integrity and other investigations as directed by the Assistant Deputy Superintendent.

HOURS OF OPERATION:

The hours of operation for the Internal Affairs Division are primarily from 0700 to 2400 hours, Monday through Friday. During the third watch, personnel are available in the General Investigations Section of the division. During the first watch and on weekends, (Saturday and Sunday) personnel are available on a call out basis via Operations Command in the Office of the First Deputy Superintendent for advice and assistance on investigations.

SECTION COMMANDING OFFICERS:

Each Section Commanding Officer has the overall responsibility for the administration, discipline and activities of their respective Section. Section Commanding Officers will supervise and oversee all pending investigations conducted by their sections. They will maintain a liaison with the Department of Law, the Office of the State Attorney General, with federal law enforcement agencies and other local and state law enforcement agencies with direct involvement relative to pending investigations of Department members.

Section Commanding Officers will apprise the Assistant Deputy Superintendent, via monthly reports, of the status of all open investigations that have been open for more than thirty (30) days. Section Commanding Officers will immediately notify the Assistant Deputy Superintendent or his designee upon receipt of any information relative to indictments, filing of charges, arrest or declination of prosecution of Department members.

Section Commanding Officers will, with the approval of the Assistant Deputy Superintendent, Internal Affairs Division, implement approved operational policies and procedures, ensure effective guidance and supervision of subordinate members, assign investigations fairly and equitably, and will monitor and direct the progress of all investigations. Section Commanding Officers will also review and approve all investigative reports, ensure that the investigative findings are clearly supported by evidence and that recommended penalties are fair and consistent. All correspondence relative to investigations, which is directed to outside law enforcement agencies or exempt members assigned to other divisions, will be submitted to the Assistant Deputy Superintendent for review and approval, prior to transmittal.

Section Commanding Officers will inform the Assistant Deputy Superintendent of all matters pertaining to the operation of the division, particularly emergency and newsworthy situations, immediately upon receipt of the information.

SECTION ORGANIZATION:

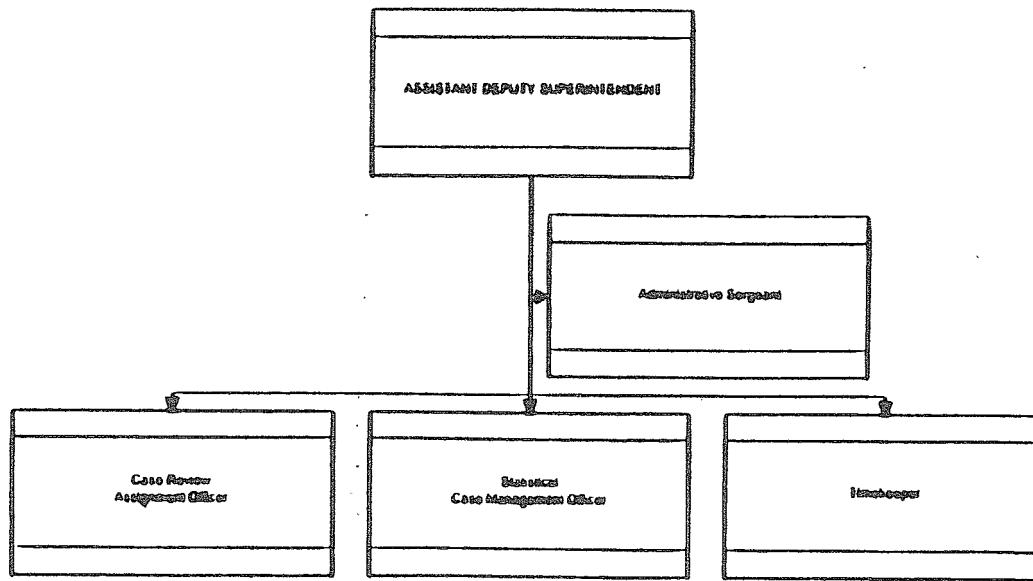
A third watch coordinator will be assigned to the General Investigations Section by the Section Commanding Officer. The duty hours of the coordinator will be 1600 to 2400 hours.

The coordinator will be responsible for responding to calls for advice/assistance from other Department supervisors pertaining to matters under investigations, assign immediate response teams for ongoing investigations, maintain the security of the physical plant and all other duties as directed by the Assistant Deputy Superintendent.

The administrative assistant assigned to the investigative sections will, maintain all statistics and logs, assist their Section Commanding Officers in the administrative performance of his duties, supervise administrative personnel and activities and ensure prompt assignment of investigations in accordance with existing division policies. Administrative assistants will ensure prompt distribution of all investigative reports and perform other duties as identified by the Section Commanding Officer and the Assistant Deputy Superintendent.

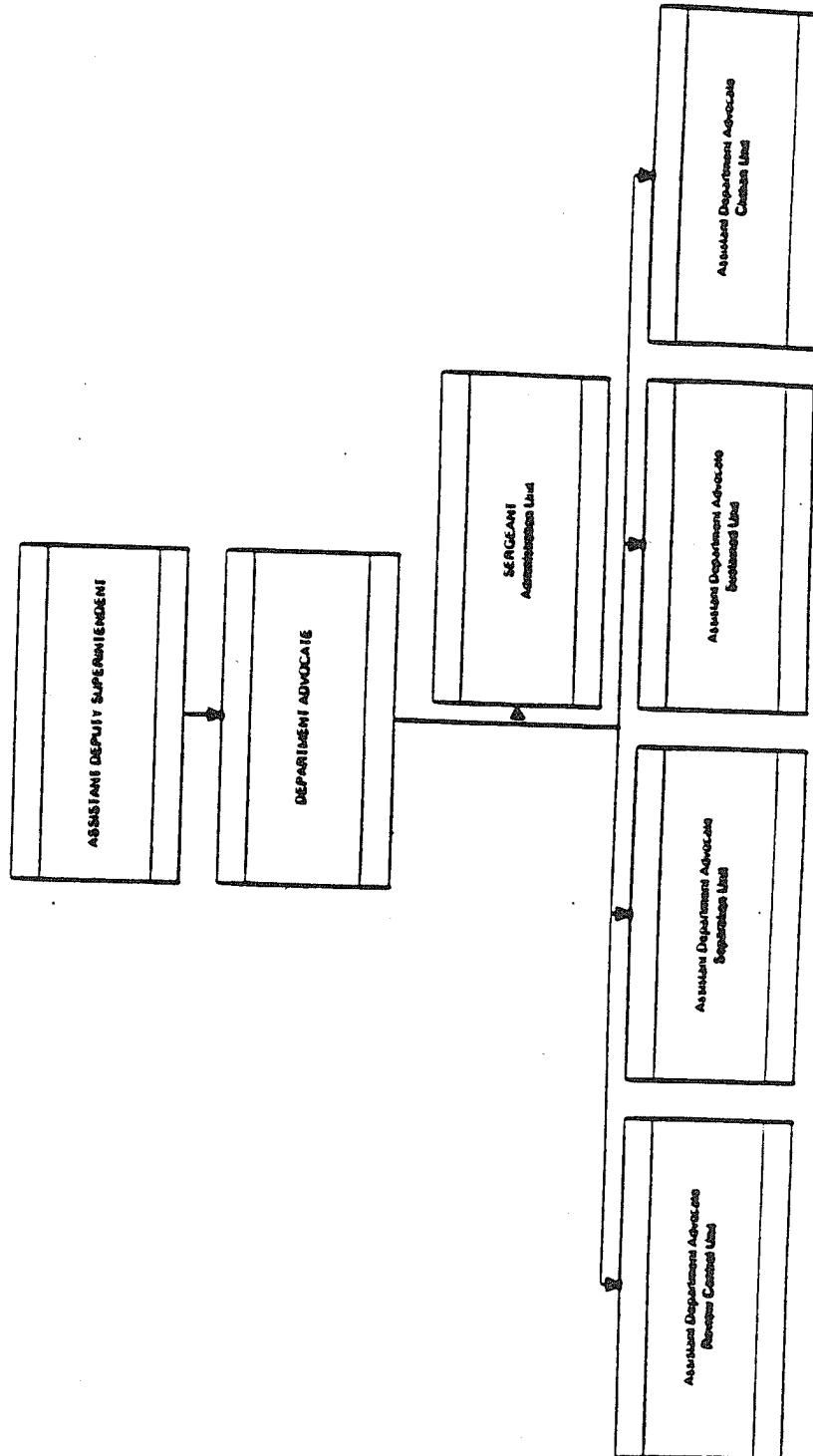
A team concept will be utilized for narcotic investigations, residency investigations, traffic integrity investigations and any other investigations as directed by each Section Commanding Officer. Each team will consist of a supervising sergeant and subordinate members. The supervising sergeant will determine the activities of each team member and ensure that all investigations are fair and complete. The supervising sergeant is also responsible for review of the final summary of preliminary and complaint register investigations on the basis of information that has been garnered and submitted, and will ensure that all team members comply with Department directives. Additionally the supervising sergeant will perform other prescribed functions and duties as directed by the Section Commanding Officer and the Assistant Deputy Superintendent.

INTERNAL AFFAIRS DIVISION ADMINISTRATIVE SECTION

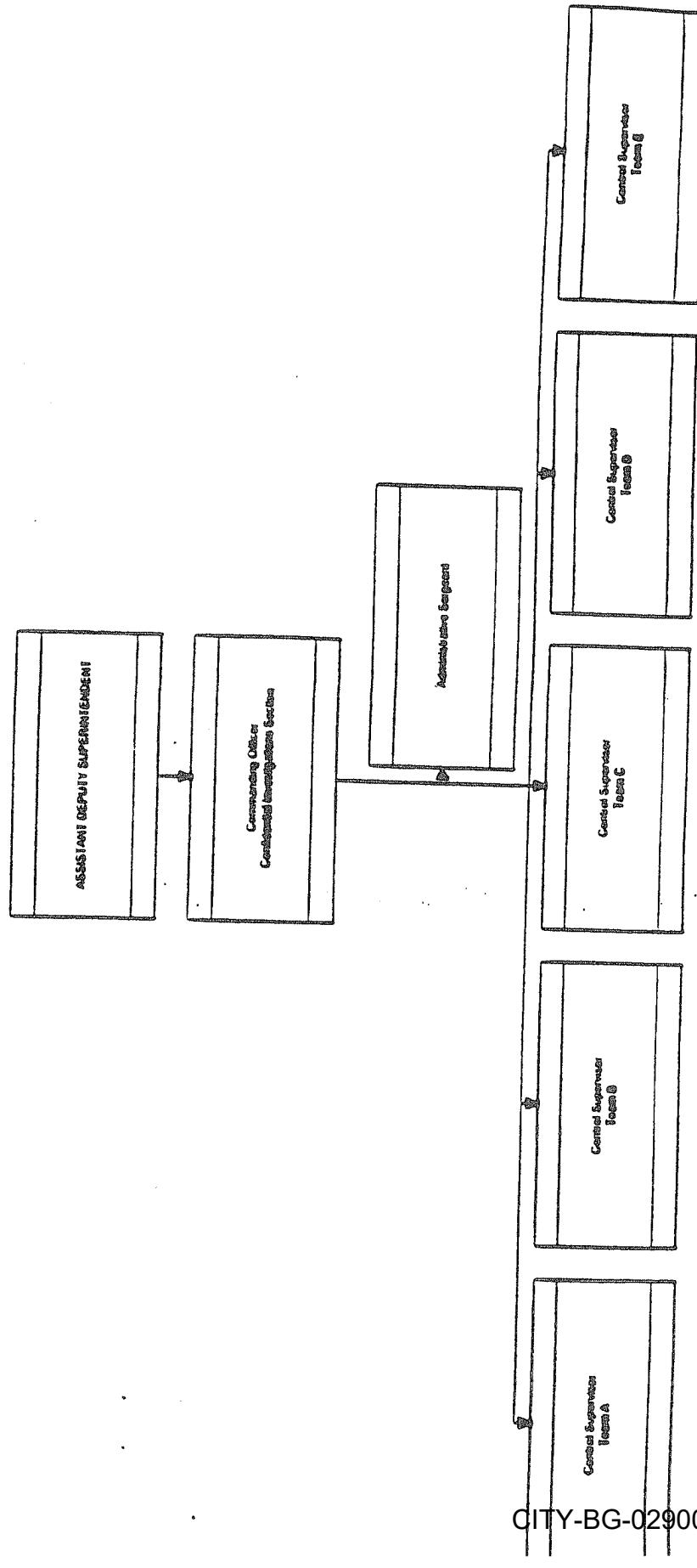


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INTERNAL AFFAIRS DIVISION
ADVOCATE SECTION

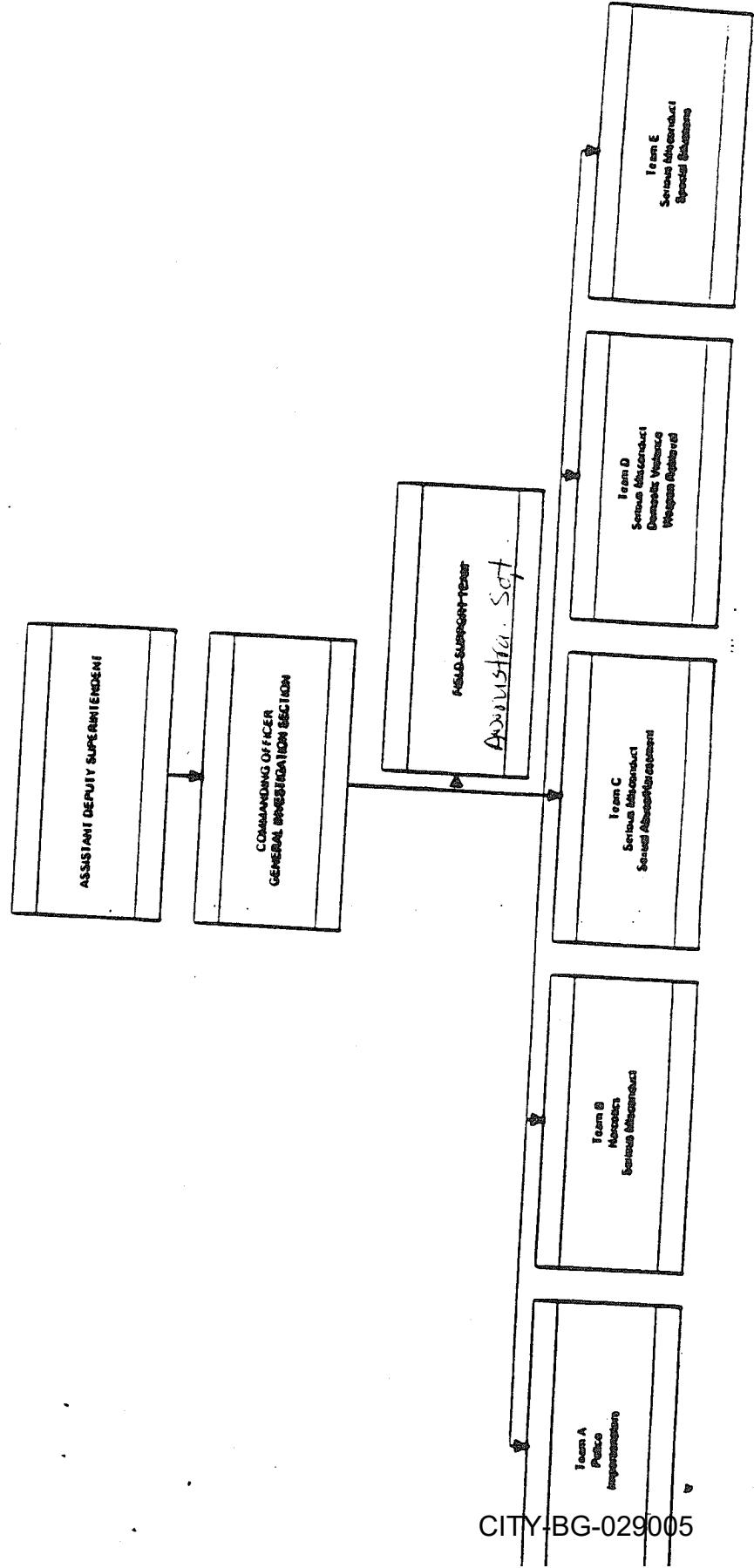


INTERNAL AFFAIRS DIVISION
CONFIDENTIAL INVESTIGATIONS SECTION



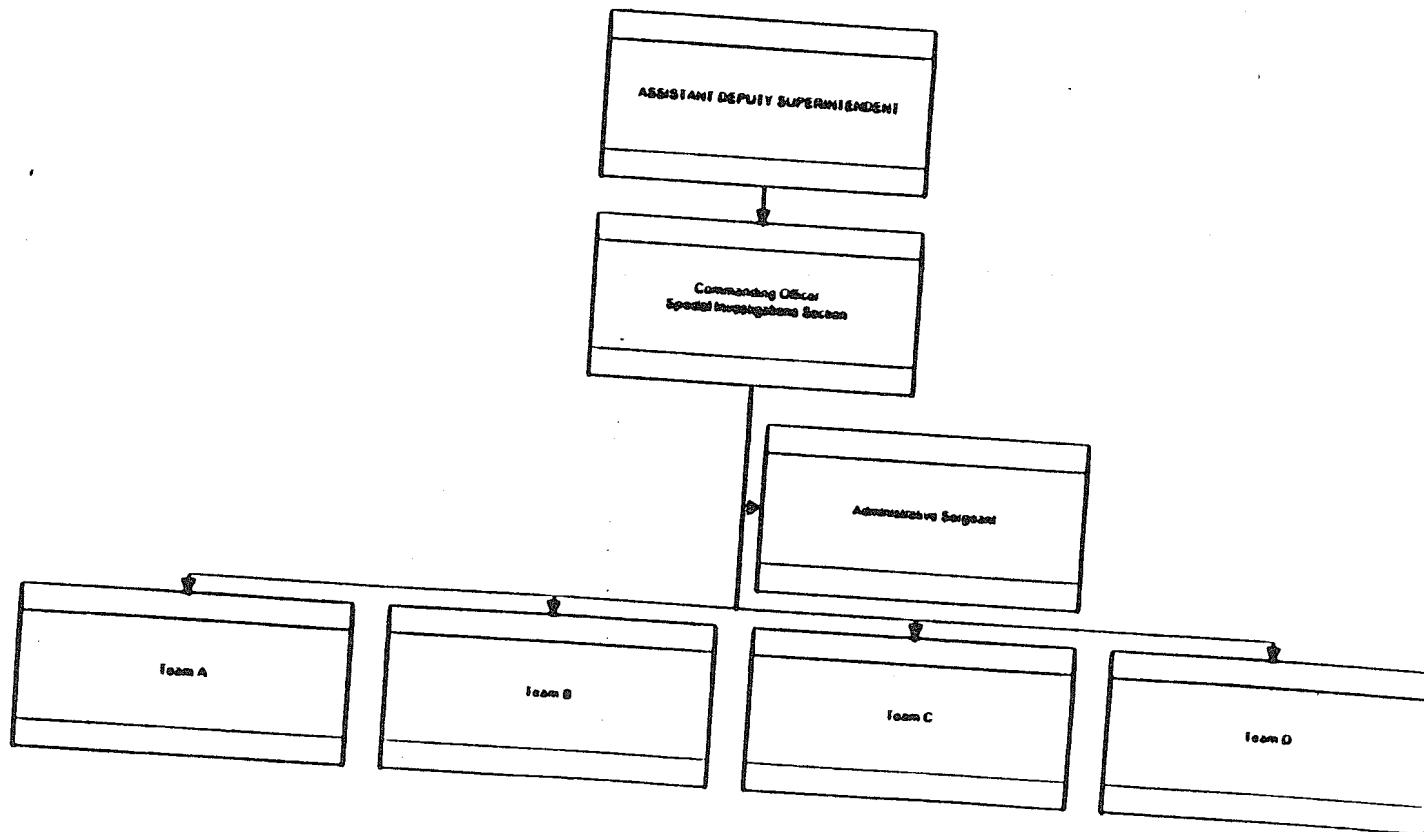
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INTERNAL AFFAIRS DIVISION
GENERAL INVESTIGATIONS SECTION



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INTERNAL AFFAIRS DIVISION
SPECIAL INVESTIGATIONS SECTION



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CIVILIAN MEMBERS:

A civilian member will be assigned to each section when possible to perform clerical duties. These will include, but are not limited to, typing, filing and answering incoming telephone communications. Data Entry Operators will be assigned to the Records Section for utilization of the computerized case management system, in addition to clerical duties as directed by the Records Section Commanding Officer.

INVESTIGATORS:

Personnel assigned to the Internal Affairs Division to conduct investigations will have duties which include, but are not limited to, investigations of complaints and/or allegations which may vary from minor rule violations, to serious misconduct and/or criminal activity by Department members. Personnel will perform their duties in compliance with existing Department and division directives, as well as by the agreement between the City of Chicago and the Fraternal Order of Police and other union agreements currently in effect.

The duties of personnel assigned to the Internal Affairs Division require making personal contact with victims, complainants and witnesses, the gathering and securing of documents, the visiting and canvassing of locations and areas of incidents, while demonstrating the highest degree of integrity and professionalism at all times.

The assigned investigator will monitor the court proceedings of Department personnel who have been indicted, arrested or are on trial for incidents that are under investigation by the Department. Investigators will submit the Complaint Register Case Summary Report (CPD-44.213 Rev. 7/88) to the Assistant Deputy Superintendent, Internal Affairs Division through their Section Commanding Officer, relative to the proceedings. The investigator will continue to monitor the results of all subsequent court proceedings following the completion of the investigation and submission of the closing summary report and case file attachments.

Investigators assigned to all sections of the division have the responsibility for submitting the final summary of their investigation and ensuring that the investigative file contains all the available evidence and documentation supporting the finding. Prior to the recommendation of disciplinary action in sustained cases, the assigned investigator will take into consideration the accused member's complimentary and disciplinary history.

Per Department General Order 93-3, Addendum 3, when the investigation is complete, classify the complaint as one of the following:

- A. "Unfounded" When the allegation is false or not factual.
- B. "Exonerated" When the incident occurred but the actions of the accused were lawful and proper.
- C. "Not Sustained" When there is insufficient evidence either to prove or disprove the allegation.
- D. "Sustained" When the allegation is supported by substantial evidence to justify disciplinary action.

PERSONAL APPEARANCE:

Members assigned to the Internal Affairs Division will be well groomed and present a "Business-Like" appearance. Articles of clothing will be clean, well pressed, conservative in color and design and will include the following apparel:

- MALE:** A suit or sport coat with trousers, a shirt, necktie, shoes (well-shined) and socks.
- FEMALE:** A suit or blazer type jacket with a dress, or
A suit or blazer type jacket with slacks or shirt. These ensembles will include a blouse (shirt) and/or sweater.

NOTE: Denim fabrics, leisure jumpsuits, and exercise apparel are prohibited, unless authorized by the Section Commanding Officer or the Assistant Deputy Superintendent.

Members will also be required to have in their possession:

- A) A holstered fully-loaded approved Department weapon with Department authorized ammunition.
- B) Six additional authorized cartridges of ammunition.
- C) Approved ammunition case.
- D) Department Identification Card.
- E) Prescribed Star.
- F) Watch.
- G) Pen with black ink.

NOTE: Members who have qualified with a semiautomatic weapon in accordance with Department General Order 92-3 and possess a valid Approved Handgun Certificate may utilize a Department authorized semiautomatic pistol as an alternative to their prescribed revolver. Personnel who carry the semiautomatic weapon will also carry a minimum of one additional fully loaded magazine if assigned to field duties. The magazine will be secured in a Department approved magazine pouch.

DRESS EXCEPTION:

Modifications will be made relative to the prescribed dress attire whenever the duty assignment so requires with the prior approval of the Section Commanding Officer or the Assistant Deputy Superintendent.

IDENTIFICATION REQUIREMENTS:

During working hours and when inside a police facility, personnel will have their Department identification cards properly affixed to their outer garments in the area of the left breast.

CIVILIAN PERSONNEL DRESS REQUIREMENTS:

Civilian personnel will present a "Business- Like" appearance in their dress. Articles of clothing/apparel will be clean, well pressed, conservative in color and design, and will be compatible with a professional business environment.

NOTE: Denim fabrics, leisure jumpsuits, and exercise apparel are prohibited, unless authorized by the Section Commanding Officer or the Assistant Deputy Superintendent.

INVESTIGATORS - TECHNICAL SUPPORT:

PHOTO ROOM:

The computerized system of photographs of Department members are maintained in the Division Photo Room. Access to the room by outside personnel requires the approval of the Assistant Deputy Superintendent, Internal Affairs Division or his designee. Photos and photo books will not be removed without prior written approval/authorization. Photo books will no longer be used without the permission of the Section Commanding Officer or his designee. Investigators will forward a completed Request for Photographs Form (CPD44.164 Rev. 4/97) through the Administrative Section.

Access to the photo room will be provided for the Office of Professional Standards

investigators' and/or field supervisors who wish to have complainants or witnesses view photos in an attempt to identify accused members. Internal Affairs Division personnel will remain in the photo room with personnel who are not assigned to the Internal Affairs Division. A supervisor or his designee must be present and be responsible for documentation before a photo viewing presentation is conducted by Internal Affairs Division staff.

At no time will the computer photos and/or old photo books be shown to victims, complainants, or to Department members, when the accused are possibly members of the Internal Affairs Division without prior written permission signed by the Assistant Deputy Superintendent, Internal Affairs Division. This includes requests by the Office of Professional Standards.

Internal Affairs investigators and outside unit investigators must submit a To/From/Subject report signed by their Commanding Officer prior to removing Police Impersonator photo books from the Internal Affairs Division Photo Room. (Example - Investigators find it necessary to take photo books to senior citizens who are not ambulatory.)

A photo log will be completed whenever computer generated photos or photo books are shown indicating the date, investigator, and unit of assignment of personnel entering the photo room.

EQUIPMENT:

The Internal Affairs Division maintains various types of communication equipment within the offices of each investigative section. The type of communication equipment that each section maintains varies depending on the type of investigations that are conducted by each.

The primary radio frequency for the division is City-Wide 4. The Confidential Investigation Section also maintains radios that have frequencies for each of the zones utilized by the Department (zones 1 - 13).

In addition, privacy channel car to car radios for surveillances are maintained in the sections.

Members assigned to a Department vehicle without communication equipment will obtain and utilize a portable hand held radio while on field assignment.

Members will sign for all communication equipment used. A log will be maintained in the radio cabinet by each section's administrative unit according to Department directives.

The Confidential Investigation Section also maintains various video and audio equipment for use in investigations. This equipment consists of tape recorders, video recorders, and cameras with various lenses.

Any other equipment which is needed for investigations will be requested in writing to the Assistant Deputy Superintendent, Internal Affairs Division after approval by the Section Commanding Officer. The report will indicate:

1. Type of equipment requested.
2. Reason equipment is needed.
3. Anticipated length of usage.
4. Units where equipment is available.

OFFICE OF EMERGENCY COMMUNICATIONS:

Master Recording Tape Review Procedures.

The Office of Emergency Communications is located at 1411 W. Madison St. Normal business hours are 0800 to 1700, Monday through Friday. The telephone number is 746-9347, (voice mail - 746-9270). In emergency cases, the office of the Watch Manager should be contacted at 746-9378 or Pax 0770 for requests for radio technician assistance.

Whenever official police business requires a master tape recording to be reviewed, Department members must comply with the provisions of General Order 93-8, Addendum #7.

General Order 93-8, Addendum #7 requires that the requester:

- A) Prepare a Request to Review/Hold Recording Tape form, checking the REVIEW box completing that section, including approval of the requester's unit/watch commander;
- B) Schedule an appointment to review the tape(s) through the Office Of Emergency Communications Watch Operations to ensure that a radio technician and playback equipment is available;
- C) Present the properly completed form to the Office of Emergency Communications Watch Operations Manager at the scheduled time;
- D) Notify the Watch Operations Manager when the review of the tape is completed.

FIELD RESPONSE:

Department and division directives provide for Internal Affairs Division personnel to provide assistance when requested or when serious allegations warrant division involvement. In the event a situation arises that requires an immediate response from the Internal Affairs Division, an Internal Affairs Division member will be assigned to either handle or otherwise address the issue. At no time will the responsibility for investigation be relegated to an outside unit or to field personnel. An Internal Affairs Division supervisor (unless one is not available) will assess the situation and determine the specific needs required. Immediate response is often requested in the following situations.

- 1) Commission of crimes.
- 2) Solicitation of bribes, when a line up is conducted.
- 3) Intoxication on/off duty.
- 4) Use or suspected use of narcotics.
- 5) Release of police powers.

In cases of immediate response, Internal Affairs Division personnel will respond as investigators and not as observers. It is the investigator's responsibility to conduct a thorough and complete preliminary investigation. Investigators will follow procedures as outlined in Department and division directives.

FIELD DRUG SCREEN PROCEDURES:

Field Drug Screen procedures are outlined in Internal Affairs Division Special order 96-04. When an allegation is such that a Department member will be required to submit to the drug screen process, the assigned investigator will prepare a Notification of Charges/Allegations form, indicating the specific allegation utilized to require the accused member to submit to the screening process. The allegation must be specific enough to establish the reasonable belief that the accused may have used prohibited drugs.

Underneath the narrative of the stated allegation, the assigned Internal Affairs Division investigator will document the following quotation on the notification form:

"As part of the Department's Administrative investigation you are required to provide a urine specimen which will be analyzed for the presence of drugs. Failure to comply with the drug screening process will result in a recommendation that you be separated from the Chicago Police Department."

Once the notification of the requirement to submit a urine specimen has been given the affected member, a subsequent direct order (to submit the specimen) will be given if the member indicates a refusal to submit to the requirement.

A member who refuses to submit to the drug screen process after an order has been issued, will be immediately relieved of police powers.

INITIATING COMPLAINT REGISTER NUMBERS:

Prior to contacting the Office of Professional Standards, it is imperative that the member gather all pertinent information from the individual making the complaint. Once all relevant information has been obtained, the investigator will contact the Office of Professional Standards and obtain a complaint register number. If possible, the complainant will be re-contacted and given the complaint register number.

Prior to the end of the member's tour of duty, an initiation report will be submitted to the Section Commanding Officer. This report will outline the circumstances of the complaint and if possible, identify the accused member.

Complainants will be questioned in detail relative to their allegations. The following are examples of the required information for the initiation of a complaint register investigation:

- A. Name, address, telephone number, date of birth and social security number of the complainant. Address and telephone number where the complainant can be contacted during normal business hours and the best time for the complainant to be contacted for an interview.

- B. Identification and location (address and telephone number of all witnesses.)
- C. Date, time, and location of incident.
- D. Any information which will assist in the identification of the accused, e.g., names, rank, star number, physical description, vehicle number, etc.,
- E. Description of the circumstances leading to the complaint, e.g., arrest situations, searches, etc.
- F. If the nature of the complaint requires an immediate response, inform the complainant that a follow-up investigator will be in contact for additional information as soon as possible.

Confidential complaint register numbers will be obtained when allegations of misconduct by a Department member are of a sensitive or highly confidential nature. In instances such as these, it would be appropriate to utilize a confidential complaint register number.

Confidential complaint register numbers will only be obtained during second watch business hours from the Administrative Office of the Assistant Deputy Superintendent, Internal Affairs Division. At no time will the Office of Professional Standards be contacted directly for a confidential complaint register number. The member who receives the confidential information will submit a comprehensive report to the Section Commanding Officer prior to the end of his tour of duty. This report will contain all pertinent facts regarding to the allegation, along with a request that a confidential complaint register number be obtained. Members will not divulge the nature or contents of the confidential information learned to any individual(s) other than the appropriate Section Commanding Officer, Assistant Deputy Superintendent, Internal Affairs Division, the investigator assigned, or their designees.

INVESTIGATIONS

CONDUCT OF INVESTIGATIONS:

The primary goal of the Internal Affairs Division is to conduct complete and thorough investigations of allegations of misconduct by Department members in compliance with existing Department/division directives, which will establish the innocence or guilt of accused Department members. Investigators will utilize investigative methods which include, but are not limited to:

- A) Canvassing areas of the incident.
- B) Interviewing and taking statements from victims, witnesses and complainants.
- C) Surveillance.
- D) Use of court approved recording devices.

Upon assignment of an investigation, the investigator will attempt to make immediate contact with the complainant/victims and witnesses (in person when possible):

- A) At the address supplied.
- B) Via the telephone, in an effort to determine a suitable time and place for an interview.
- C) Via a certified letter (only after attempts to reach the complainant/victim/witnesses, have failed).

Department General Order 93-3, Addendum 3 §II (C) 9 & 10 will be strictly followed. An investigation which determines that, at any time, the complaint is unfounded or the clearly exonerated, the investigation will be terminated. In addition, investigations which disclose minor infractions which are wilful, devious, serious in nature, are violations of the law, or involve the integrity of the Department, will result in further investigation, no matter what the disposition of the original complaint.

In-depth interviews should be conducted with complainants, victims and/or witnesses. Interviews with parties via the telephone will be documented and the conversation will be summarized in as much detail as possible in a progress report.

If, during the investigation, it is disclosed that other allegations of misconduct are alleged, admitted by the accused, etc., the accused member will be presented with additional notification of Charges and Allegations, Administrative Rights, and Request/Waiver of Counsel forms with regard to the newly discovered allegations. The accused must respond to all the allegations alleged. The accused may be allowed to respond to both the new allegations as well as the original allegations at the same time, if a statement has not yet been taken or report has not yet been submitted. If the accused's statement has already been taken or report has been received, an additional statement will be taken or report submitted pertaining to the new

allegations.

If the new allegations are discovered during the statement of the accused, additional notification of Charges and Allegations, Administrative Rights, Request/Waiver of Counsel will be presented to the accused at that time. The accused has two options. First, he may agree to be questioned at that time regarding the new allegations. Second, if the accused requests additional time to confer with counsel of his choosing regarding the new allegations, he will be afforded the same amount of time which is usually allowed and a statement will be scheduled to address the new allegations. The original statement may proceed with respect to the original allegations.

WITHDRAWAL OF COMPLAINTS:

Complainants/victims who voluntarily elect to withdraw their complaint will be requested to sign a Letter of Declination (CPD-44-304 Rev. 12/92). In the event the complainant withdraws their complaint, the investigator is still required to complete a thorough and comprehensive investigation. The complainant's signed declination letter will not be a basis to UNFOUND any allegation made. Evidence uncovered during the course of an investigation will be properly addressed.

The investigator will document all attempts made to contact individuals identified as having knowledge or involvement in the case. Documentation includes reports which include dates, times, person(s) contacted and the manner in which contact was made or attempted. The original of all reports will be submitted to the Section Commanding Officer for review and approval.

DOCUMENTATION:

Investigators will gather and secure all documents assembled as a result of the complaint. The following are examples of relevant documentation:

- 1) Case Report.
- 2) Arrest Report.
- 3) Complainant/Victim Medical Release Form.
- 4) Attendance and Assignment Sheet.
- 5) Compensatory Time Due/Overtime Slip.
- 6) Office of Emergency Communications Tapes.
- 7) Office of Emergency Communications Printouts/Listings Relative to the Investigation.
- 8) Criminal History.
- 9) Inventory Report.
- 10) License Information.
- 11) Laboratory Report.
- 12) Alcohol Influence Report.
- 13) Department Directives.
- 14) Documents in the Possession of the Complainant/Victim/Witness.
 1. Receipts.

- 2. Letters.
- 3. Bills.

15) All Other Reports or Documents Relevant to the Investigation.

Abbreviations will not be used in closing reports unless dictated by box size in Department forms. Rank will always be spelled out. Last names will be written in capital letters.

EVIDENCE SHEET:

Investigators will ensure that in every instance, when a Summary Report Digest or Summary Report is completed and submitted for approval as part of a closed Complaint Register investigation, an evidence sheet/page documenting all submitted attachments accompanies the file.

In the event criminal activity is alleged, the assigned investigator will ensure the appropriate case report is generated or obtained, when applicable.

PHYSICAL EVIDENCE:

Physical evidence is any object, marking or impression, no matter how small, which may assist in the reconstruction of a crime, lead to the identification of the offender, connect the offender with the victim or scene of the crime/incident or which may require laboratory processing to render it useable in an investigation. Physical evidence should normally not be disturbed until the arrival of the technician, unless such action is necessary to protect it from loss or damage. Physical evidence includes, but is not limited to:

- 1. Fingerprints.
- 2. Semen.
- 3. Blood.
- 4. Handwriting analysis.
- 5. Photographs:
 - A. Lineup.
 - B. Property Damage.
 - C. Vehicles.
 - D. Injuries.
 - E. Surveillance Locations.
 - F. Crime Scenes.
 - G. Physical Condition of Complainant/Victim/Witnesses.
 - H. Physical Evidence on Scene Prior to Removal.

6. Weapons (knives, guns, baseball bats, lead pipes, etc.)
7. Suspected Narcotics or Narcotic Paraphernalia.
8. Articles for Laser Processing.
 - A. Fingerprints.
 - B. Synthetic Fibers.
 - C. Bodily Fluids (blood, semen etc.)

CRIMINAL ALLEGATIONS:

When complaints relative to criminal misconduct are received, the assigned investigator will:

Take a statement from the complainants, victims and witnesses. If an Assistant State's Attorney is present, the investigator will not take a statement from the accused until first consulting with the Assistant State's Attorney. If the allegations are such that the matter will be referred to the State's Attorney Office for criminal prosecution, the investigator will identify and obtain as much information as possible relative to the identification (home & business addresses and telephones) of all complainants, victims and witnesses, but will delay taking statements until consultation with the State's Attorney is completed.

Gather all available related documentation.

Ensure that all physical evidence has been gathered and inventoried. Prepare a report to the Director of the Crime Laboratory, identifying information or evidence that has been submitted for analysis, what analysis is being requested, and requesting priority testing due to the possible involvement of a Department member. If evidence is inventoried by someone other than the Internal Affairs Division investigator, the Internal Affairs Division investigator should complete a report with an approval line for the signature of the Assistant Deputy Superintendent, Internal Affairs Division and forward the signed report to the Evidence and Recovered Property Section notifying the Evidence and Recovered Property Section that the Internal Affairs Division is assuming responsibility for retention/disposition of the evidence. The investigator should also notify the unit that completed the initial inventory, of their assumption of responsibility.

If the allegations are of a confidential nature or the distribution of a case report would be detrimental to the investigation, the assigned investigator will:

- A. Personally prepare the case report.
- B. Obtain a Records Division number, giving limited information to the control desk, informing them that the matter is confidential.
- C. Submit a report, through channels, to the Director of the Records Division, informing them of the delay in the distribution of the case report for processing.

- D. Maintain control of both copies of the case report.
- E. Forward the report to the Records Division upon completion of the investigation or at such time as the distribution would not impede the investigation.

The Detective Division has the primary responsibility for investigation of criminal incidents. However, Internal Affairs Division personnel will coordinate their investigative activities with the Detective Division personnel, when necessary. At no time will criminal investigations be suspended as a result of a Department member being identified as the offender. Members should be cognizant of Department General Order 89-3 Addendum 1B entitled Preliminary Investigations.

STATE'S ATTORNEY - SPECIAL PROSECUTIONS BUREAU/FELONY REVIEW:

Section Commanding Officers will review the investigative file for merit and determine if the investigation warrants the attention of the State's Attorney Office. If a decision is made to have an investigation reviewed by the State's Attorney Office, the Section Commanding Officer will ensure that an appointment is made for the assigned investigator to meet with the supervisor of the Public Integrity Unit, Special Prosecution Bureau or Felony Review. The investigator will:

- A. Prepare a photocopy of the investigative file.
- B. Hand carry the photocopied file to the supervisor of the Public Integrity Unit/ Felony Review.
- C. Give a verbal review of the contents of the file and of the incident.
- D. Fulfill investigative requests by the State's Attorney Office, after consultation with the Section Commanding Officer.
- E. Submit a report to the Section Commanding Officer which includes:
 1. Date, time, location of meeting.
 2. Name of supervisor with whom the investigator met.
 3. Whether the State Attorney's Office gave an immediate acceptance or declination of prosecution.
 4. The name of the Assistant State's Attorney assigned to the investigation.

When an investigative file is delivered to the State's Attorney Office for review, the investigator will maintain contact with the Assistant State's Attorney assigned to the investigation on a weekly basis. The Assistant Deputy Superintendent, Internal Affairs Division will be notified immediately, via a report through the Section Commanding Officer, of the final decision of the State's Attorney Office on acceptance or declination of prosecution.

Investigators will not take a statement or request reports from accused members, until such time that the supervisor of the Public Integrity Unit/ Felony Review gives a verbal or

written declination of prosecution.

UNITED STATES DEPARTMENT OF JUSTICE - US ATTORNEY'S OFFICE:

The determination to prosecute a case at the federal level will be made by the Assistant Deputy Superintendent.

ACCUSED MEMBERS:

An accused member will normally not be required to give a statement or submit a report until all aspects of the investigation have been completed. Prior to giving a statement or submitting a report, the accused member will be given the following forms:

1. Notification of Charges/Allegations:
 - A. Identifying all complainants.
 - B. Listing all Charges/Allegations, including date(s) time(s) and location(s) of incidents.
2. Administrative or Criminal Rights.
3. Waiver/Request to Secure Counsel:
 - A. If the accused decides to give a statement without the benefit of counsel the Waiver of Counsel section will be completed.
 - B. If the accused requests counsel, the Right to Secure Counsel section will be completed.
 - C. The investigator will establish a continuance date, time and location for the statement, during the assigned duty hours of the accused and complete the appropriate section of the form.

The accused member will be allowed a reasonable length of time to secure counsel. Normally, accused members will be granted seventy-two (72) hours to seek counsel, barring any unforeseen circumstances. The investigator presenting the aforementioned forms will sign as the witness and immediately give a photocopy of the forms to the accused. Accused members will also be given a photocopy of the forms even if he refuses to sign any of the forms.

CITY OF CHICAGO EMPLOYEE ARREST NOTIFICATION:

Situations arise that warrant the arrest of a Department member. Department Special Order 91-8 provides notification procedures that are to be followed when a City of Chicago employee is arrested for a criminal and/or quasi-criminal offense.

When a member of the Internal Affairs Division affects the arrest of a Department member for a felony, misdemeanor or ordinance violation, the arresting officer will immediately notify:

- A. The Watch Commander at the district of arrest, and
- B. Operations Command (Pax 0-301 or centrex 7-6301). Members of Operation Command are responsible for the notification to the Office of the City of Chicago Inspector General.
- C. The appropriate Detective Division, when the arrest is for a felony.
- D. Internal Affairs Section Commanding Officer or in his absence, the Assistant Deputy Superintendent.

In the narrative section of the applicable report (i.e. arrest report, case report, Miscellaneous Incident Exception Report) the arresting officer will enter the name of the person notified and the date and time of the notification.

REFUSAL TO SIGN:

In the event that an accused member refuses to sign the forms, the investigator will write the word "REFUSED" on the accused member's signature line. The date, time and location of the refusal will be noted under the signature line.

PRELIMINARY INVESTIGATIONS:

The basis for conducting a "Preliminary Investigation" is contained in the "Agreement Between the City of Chicago Department of Police and the Fraternal Order of Police Chicago Lodge No. 7 (FOP Contract)," Article 6, Section 6.1, paragraph D, which states:

"No anonymous complaint regarding residency or medical roll abuse shall be made the subject of a Complaint Register investigation until verified."

A Preliminary Investigation is utilized to verify the information regarding an allegation of a violation of the City's residency ordinance or a violation of Department Medical Roll policy. Once verified, a complaint register investigation can be initiated. A Preliminary Investigation will only be initiated with the approval of the Assistant Deputy Superintendent, Internal Affairs Division.

A Preliminary Investigation is initiated when the Internal Affairs Division-Administrative Section receives information alleging either of these two types of allegations. The Administrative Section is responsible for recording the information for logging purposes and for forwarding a copy of the allegations to the investigating section. Each Preliminary Investigation will be identified by a unique numeric identifier based on the year and month it was initiated and a sequential number for that month (e.g.: 97-04-01).

Investigative techniques utilized during a Preliminary Investigation will be similar to that of a complaint register investigation; however, statements will not be taken from an accused member during a Preliminary Investigation without the approval of the Assistant Deputy Superintendent, Internal Affairs Division.

When the investigation has verified the original information, or it is apparent that the investigation will not verify the original information, the Preliminary Investigation will terminate. The investigator will prepare a closing report with all evidence attached and submit the report to his Section Commanding Officer. The closing report will contain the investigator's recommended finding of either a request to initiate a complaint register investigation by converting the Preliminary Investigation, or a request to not convert the Preliminary Investigation. Preliminary Investigations will be converted to complaint register investigations only with the approval of the Section Commanding Officer. A request to convert the investigation must contain sufficient evidence and documentation to verify the original information received by the Department.

OFFICE OF THE SUPERINTENDENT
Internal Affairs Division

[date]

To: Assistant Deputy Superintendent
Internal Affairs Division

From: [investigator]

Subject: Closing Report

Reference: Preliminary Investigation # [P.I. number]

Accused: DOE, John A., Police Officer, Star # 99999,
assigned to Unit 026, SSN#P23-45-6789

Allegation: It is alleged that the accused resides outside the City of Chicago in
violation of City and Department residency requirements.

Evidence: Attachments:

- 1.
- 2.
- 3.
- ...

Investigation: The investigation disclosed

On the basis of the evidence obtained during this investigation, it is
recommended that this Preliminary Investigation be CLOSED and NOT CONVERTED to a
Complaint Register investigation.

(OR)

On the basis of the evidence obtained during this investigation, it is
recommended that this Preliminary Investigation be CLOSED and CONVERTED to a
Complaint Register investigation.

[investigators' signature]

Approved:

Commanding Officer
[investigating section]

MEDICAL ROLL ABUSE INVESTIGATIONS:

Medical roll abuse investigations normally focus on Department members who engage in secondary employment while on the medical roll. When a Department member is alleged to be engaging in activities which are beyond those which would be expected by a person claiming a particular injury or illness, an investigation will be conducted.

Members on the medical roll who report for military or reserve duty are normally not considered in violation of the Department directives relative to medical roll procedure. However, the nature of the work that is performed while on military or reserve duty must be taken into consideration. If the nature of the work and the illness/injury are incompatible, a possible abuse exists. (i.e., sprained back + member lifting for the reserve = violation)

The following procedures will be initiated upon the assignment of a medical roll abuse preliminary investigation:

1. Confirm the accused member's medical status.
2. Obtain a profile of the accused, including residence and vehicle information.
3. Determine the nature of the illness or injury.
4. Obtain the date and time of the accused member's scheduled appearance for evaluation at the Medical Section.
5. Establish surveillance of the accused.

RESIDENCY INVESTIGATIONS:

The purpose of residency investigations is to investigate alleged or suspected violations of the City of Chicago residency requirements. In addition to other investigative requirements, the following procedures will be followed when residency complaints are received.

There are five phases for completing a residency investigation. The first phase is the preparatory phase, in which the investigator procures a profile of the accused member by gathering the documentation needed for the investigation.

The surveillance phase is the second step in the investigation to establish the actual residence of the accused. Intent is the most important element in ascertaining the residence of a person. In determining intent, a person's acts should be given more weight than his declaration. Surveillance of the accused member's actions is the basis in determining intent.

If the initial surveillance at the accused declared residence fails to locate the member, then similar surveillances will be conducted at the alleged suburban location. If no suburban address is known, then surveillances of the accused as he leaves his duty assignment may be conducted to determine his destination until his residence is established.

In order to establish a violation of the residency requirement of the City and the Department, the investigator must obtain positive patterns through back to back surveillances, over at least a two to three-month period of time, to sustain a residency case.

Upon completion of the surveillance phase, the investigator will start the third phase of the investigation. This is the information phase. All investigative avenues will be explored to gather documentation and evidence to support the finding.

The fourth step in a residency investigation is the canvas of neighbors at both the declared address and the alleged suburban location. Canvasses will generally be conducted by two investigators who will:

1. Display the accused's Department photograph to the neighbors, and
2. Fill out a "Neighborhood Interview Form" in the presence of the neighbors and request their signature, attesting to the accuracy of the entries.

The fifth and final step in the residency investigation is the taking of a formal statement from the accused member. The accused will not be notified of the allegation or required to furnish a formal statement until all previous investigative avenues have been concluded. This aspect of the investigation, the formal statement, will be conducted in strict compliance with General Order 93-3 and the accused's contractual rights.

Questions asked during the formal question and answer statement will pertain to the accused's residency and to the evidence that is gathered from the investigation. All "doors" that are opened during the statement must be fully explored and answered before the investigation is closed.

Any evidence that the accused wishes to provide on his behalf will be accepted and made a part of the complaint register file. Such evidence, whether written or oral, will be verified.

FORMAL STATEMENT/ REPORTS:

The assigned investigator normally determines the direction an investigation will follow. The nature of the allegation should dictate the necessity of a formal statement versus a report from the accused. Statements allow the investigator the opportunity to detect contradictions and is a useful tool when comparing responses from all parties involved. Furthermore, a signature from the person interviewed is indicative of agreement with the content of the statement.

STATEMENTS:

Statements should be taken from all complainants, witnesses, victims and the accused when the allegations or charges are of a serious nature, to clarify issues that come up during the investigation or will assist the investigator in reaching a sound conclusion. If the allegations against the accused are sustained and are likely to result in a recommendation for separation from the Department formal question and answer statements will be taken from all persons involved per General Order 93-3. The purpose of a statement is to develop as much pertinent information as possible. Investigators will allow subjects, who are giving a statement, to adequately express themselves and refrain from questions requiring 'yes' or 'no' answers.

Prior to taking a statement, the investigator should:

- 1) Read the entire investigative file.

- 2) Have available all pertinent documents.
- 3) Have sufficient supplies available.

Pre-statement discussion relative to the allegations and activities of the accused is not permitted. Investigators will advise all subjects giving a statement, that everything being said is for the "record" and there are no "off the record" statements.

Investigators will not smoke, eat, chew gum, or drink beverages while taking a statement. If the statement becomes lengthy, afford the person being questioned, as well as the investigator, the opportunity to 'break' for personal needs. All stoppages or breaks during the statement will be noted in the body of the statement. The notation should include the time the statement was interrupted, the time the statement was resumed, and the reason the statement was stopped. (i.e., consultation with an attorney, personal reasons, viewing photographs, etc.)

Investigators will attempt to clarify any items, points or issues not thoroughly covered during a subject's narration. The investigator will record exactly what is related and not paraphrase the subject's remarks. Before terminating the statement, the investigator will ensure all issues relative to the allegations are addressed.

Attorneys will be afforded all reasonable professional courtesies during the course of the statement, however, they will not be permitted to:

- 1) Be disruptive.
- 2) Answer questions on behalf of the accused.
- 3) Ask questions on behalf of the accused or of the investigator.

In the event the attorney or representative becomes disruptive or interferes with the administrative investigation, the statement will be concluded and rescheduled for a later date. The activities and stoppages will be noted within the body of the statement.

Prior to the final closing questions, the investigator will review the entire statement, documents, and notes in an effort to ensure that all relevant questions with regards to the investigation have been asked and responded to. The investigator will ensure that any follow-up questions deemed necessary have been asked, and answered and properly recorded within the body of the statement.

UNUSUAL SITUATIONS:

There may be instances where an Internal Affairs investigator takes an administrative statement from an accused member during which the member refuses to answer a question. In those instances, the investigator will call for a supervisor.

The supervisor will:

- A. Identify himself by displaying his Chicago Police Department identification card and star and verbally state his name, rank, star number and unit of assignment."

- B. Inform the accused member that they have been served with Administrative Rights and must answer questions posed to them by the investigator or additional charges will be filed.
- C. Give a verbal direct order to the accused member to answer all questions asked by the investigator.
- D. Remain with the investigator until the conclusion of the statement.

It should be noted that the text of the order should be entered into the statement by the investigator and the accused member's response to understanding the order. The date, time and location where the order was given should also be incorporated into the statement.

An accused member may answer a question when ordered by a supervisor, but refuse to answer any following questions. In those instances, it will be necessary to give a new order to elicit a response to each additional question. It is not necessary to repeat the identification process, but the text of the new order, or any subsequent orders will be noted in the statement. The date and time each additional order is given will be noted in the statement.

The supervisor, after giving a direct order(s) to a subordinate, will submit a written report to his Section Commanding Officer outlining the order(s) given, the circumstances surrounding the order(s) as well as whether the order(s) was obeyed by the accused member.

STATEMENTS OF MEMBERS UNDER CRIMINAL RIGHTS:

When an accused member faces criminal jeopardy, the investigator will:

- A. Serve the member with notification of Charges/Allegations and Criminal Rights forms.
- B. Verify that the accused wishes to continue the statement without benefit of counsel or ensure that counsel is present as requested.
- C. Ask questions of the accused as to his identity, date of birth, social security number, unit of assignment, etc.
- D. Ask a direct question of the accused regarding the first allegation. If the accused member refuses to answer, citing Fifth Amendment protection, note the answer in the statement.

If the accused remains silent (mute) or responds in effect that under advice of counsel or for self-incriminating issues he refuses to answer, these responses will be indicated verbatim in the statement for each question asked. After asking at least four (4) pointed questions relative to each allegation which the accused refuses to answer, ask the accused: "Would your answer to additional questions relative to the allegations/charges attributed to you be the same as the preceding answers?" If the response is "yes", follow the procedures relative to the closing of a statement. If the response is "no", continue asking all questions germane to the investigation.

Accused members will not be given a direct order to respond to allegations/charges if they have been given criminal rights. If the accused member, having been served with administrative rights, during the statement process, divulges participation in a criminal action, the investigator will:

- A) Stop the questioning.
- B) Type each section of the criminal rights warning (Miranda) into the statement and indicate the verbatim response to each section, having the person questioned initial each response.
- C) Continue the statement.
- D) Consult with the Internal Affairs Division supervisor relative to the admissions.

The supervisor, depending on the severity of the admissions, will:

- A) Contact the State's Attorney Office for counsel and assistance.
- B) Determine if the subject should be released and consult the State's Attorney Office at a later time for counsel, indictment, possible warrant or declination to prosecute.
- C) Notify the Section Commanding Officer or the Assistant Deputy Superintendent, Internal Affairs Division.

Note: In no instance will there be simultaneous service of the Criminal Rights form and the Administrative Rights form to an accused member prior to questioning.

PREDISCIPLINARY HEARING (CIVILIAN MEMBERS OF A.F.S.C.M.E. & UNIT II):

The agreement between the City of Chicago and the American Federation of State and County Municipal Employees (A.F.S.C.M.E.) concerning disciplinary procedures mandates that all civilian employees who are members of A.F.S.C.M.E. and Unit II will be afforded a pre-disciplinary hearing prior to closing a complaint register investigation in lieu of a Complaint Review Panel Hearing.

Unit II agreement members include Crossing Guards, Detention Aides, Civilian Dispatchers assigned to the Office of Emergency Communications and Traffic Control Aides. According to Article 5, Section 5.2 entitled "Notification of Complaint" - "Unit II agreement members who have been identified as the subject of a registered complaint will be notified in writing within ten (10) work days, except if the matter involves an investigation where surveillance or confidentiality is necessary to complete the investigation, in which event the employee shall be notified within ten (10) work days after the surveillance is completed or where confidentiality is necessary to complete the investigation, within ten (10) work days after the investigation is completed. This section shall not apply to any order of a federal or state court, grand jury or prosecutor, where the matter involved is under criminal investigation and the employer is directed not to reveal the complaint or investigation."

When the investigator has completed an investigation of a civilian member who is a member of A.F.S.C.M.E. or Unit II, and the investigator is ready to recommend disciplinary action, the investigator will:

- A) Present the accused employee with Notification of Charges/Allegations, rule violations, name (s) of all complainants and witnesses and the recommended disciplinary penalty;
-) Make available for reasonable inspection, copies of pertinent documents concerning the investigation;
- C) If the employee requests a union representative for this meeting, one will be allowed, if conveniently available;
- D) Provide the employee an opportunity to answer the charges/allegations and if desired, rebut the discipline. If the rebuttal is submitted in written form, include this report as an attachment to the case file;
- E) Prepare a written report responding to the additional information provided by the accused and indicate whether or not this information alters the original findings;
- F) Include in the investigative file, the signed Notification of Charges/Allegations, along with a brief report from the investigator describing the procedure that was followed to comply with the A.F.S.C.M.E. and Unit II contract agreement;
- G) Forward the entire investigative file through Command Channel Review.
- I) Include the Pre-Disciplinary Hearing information on the Summary Report/Summary Report Digest.
- J) In cases of multiple accused members, only the evidence which pertains to each accused member will be shown to that member for review.

CPD CIVILIAN PREDISCIPLINE AND DISCIPLINARY CHART

BARGAINING UNION & LOCAL	PREDISCIPLINARY HEARING	COMPLIANT REGISTER PANEL (CRP)	BOTH ARBITRATION & POLICE BOARD REVIEW	ARBITRATION ONLY OR POLICE BOARD ONLY	POLICE BOARD ONLY
AFSCME	YES	NO	NO	YES	OVER 30 DAYS & DISCHARGE
UNIT II	YES	NO	NO	YES	OVER 10 DAYS & DISCHARGE
INA (NURSES)	YES	YES	NO	YES	OVER 30 DAYS & DISCHARGE
COALITION INCLUDES: ENGINEERS/LOCAL 399	YES	YES	NO	YES	OVER 30 DAYS & DISCHARGE
P.S.E.U./LOCAL 46	YES	YES	NO	YES	YES
MACHINISTS/LOCAL 116	YES	YES	NO	YES	YES
TEAMSTERS/LOCAL 726	YES	YES	NO	YES	YES
F.I.C. WORKERS LOCAL 134	YES	YES	NO	YES	YES
F.I.C. WORKERS LOCAL 9	YES	YES	NO	YES	YES
WINDOW CLEANERS LOCAL 38	YES	YES	NO	YES	YES
LABORERS/LOCAL 1001	YES	YES	NO	YES	YES

*NOTE: All of the above collective bargaining members are allowed to have union representation at pre-disc and other disciplinary hearings.

*NOTE: PREDISCIPLINARY HEARING - When the investigator and/or supervisor has reached the point where the investigation is complete and is ready to recommend discipline, it is necessary to:

- Meet with the employee and notify him/her of the accusation(s),
- Provide the employee an opportunity to respond to accusation(s),
- Inform employee of names of witnesses, and make available copies of pertinent documents.

STATEMENT FORMAT FOR CIVILIAN COMPLAINANT, WITNESS OR VICTIM:

Note: Witnesses, who are members of the agreement between the City of Chicago and F.O.P. Lodge #7 have certain privileges relative to statements and interviews. There will be strict compliance with the contractual agreement and existing Department Directives. (Section 6.2 (D) of the Agreement between the City of Chicago Department of Police and Fraternal Order of Police Chicago Lodge No. 7 effective through 30 June 1999)

INTERNAL AFFAIRS DIVISION
Investigative Section

Date
C.R.#

GONE # (if applicable)

HEADING

Statement of: (Witness, complainant, or victim) (full name) relative to an allegation(s) that on (date, time, location & brief account of allegation(s)).

Statement Taken at: (Location, i.e., the residence of Mr. James Jones, Apts. #113, 123 South Clark Street, Chicago, IL)

Questioned by: (Investigator's name, rank, star and unit)
Typed by: (Typists' name, rank, star and unit)

Date and Time:

Witnessed by:

(List any other persons present, including attorneys, representatives, family members, interpreters, etc., by name, address and phone number)

IDENTIFICATION QUESTIONS

SMITH: What is your full name, home address and telephone number?
(Investigator's Last Name)

JONES: (Type verbatim response)
(Person's Last Name) Do you work, and if so, give the name of the company, address, telephone number and length of employment?

What is your age, date of birth and social security number?

Have you been advised that this is a witness statement and that there are no allegations being made against you? (When applicable)

(If applicable) Do you read, write and understand the English language?

(If applicable when using an interpreter) Do you consent to (name of

CITY-BG-029031

person) interpreting my questions from English into (language) and your answers from (language) back into English?

Note: Do not use an interpreter that is a complainant, witness, victim or accused in the same investigation.

Are you giving this statement of your own free will, and without the promise of exoneration or of a reward of any nature being given to you?

BODY OF STATEMENT

In the question /answer mode, ask questions relative to the allegation(s) and record verbatim responses. Ask pointed detailed questions. Make sure all allegations are covered including exact dates, times, locations, descriptions, and accounts. Make sure all "open doors" are "closed."

CLOSING OF STATEMENT

SMITH: Is everything you told me in this statement the truth to the best of your knowledge?
(Inv. Last Name)

JONES: (Verbatim response)
(Person's Last Name)

SMITH: **Is there anything relative to this incident that you wish to add to this statement?

JONES: (Verbatim response)
Note: This question is discretionary on the part of the investigator.

SMITH: After reading this statement consisting of (amount of pages) pages and finding it contains the responses you have given, will you sign it?
(Verbatim response)

PROOFREADING OF STATEMENT:

The subject will be allowed to read the entire statement. If there are any corrections in spelling or additions, the subject will put one line through the error, add the corrected information, and initial all changes or additions. Answers will stand as originally stated. No significant changes to the context of the answer will be allowed.

If an interpreter is used, the interpreter will read the entire statement, in the appropriate language to the questioned subject and follow the corrective measure outlined above.

Photocopies of statements given by civilian complainants, witnesses or victims will not be given to that person without the approval of the Section Commanding Officer.

Signatures of the investigator, questioned person, and any witnesses (including attorneys/representatives) should be written directly below the last sentence of each page. If an accused or a witness refuses to sign, the investigator will note the refusal on the statement and sign his (*investigator*) signature.

**STATEMENT FORMAT FOR DEPARTMENT MEMBERS WHO ARE
COMPLAINANTS, WITNESSES OR VICTIMS:**

Note: Witnesses who are members of the agreement between the City of Chicago and F.O.P. Lodge #7 have certain privileges relative to statements and interviews. There will be strict compliance with the contractual agreement and existing Department Directives. (Section 6.2 (D) of the Agreement between the City of Chicago Department of Police and the Fraternal Order of Police Chicago Lodge No. 7 effective through 30 June 1999)

**INTERNAL AFFAIRS DIVISION
INVESTIGATING SECTION**

**DATE:
C.R.#**

Comment (if applicable)

HEADING

Statement of: (Witness, complainant, or victim) (name, rank, star#, unit of assignment) relative to an allegation(s) that on (date, time, location) & brief account of allegation(s).

Statement taken at: (location, i.e., Room 1202 of the Internal Affairs Division Headquarters, 1121 S. State, Chicago, IL)

Questioned by: (Investigator's name, rank, star and unit)

Typed by: (Typist's name, rank, star and unit)

Date and Time:

Witnessed by: (List any other persons present, including attorneys, representatives, by name, address and phone number)

IDENTIFICATION QUESTIONS

SMITH: What is your full name, rank, star number and unit of assignment?
(Investigator's last name)

JONES: (Type verbatim response)
(Member's Last Name)

SMITH: What is your date of birth and social security number?

What is your date of appointment to the Department and employee number?

How long have you been assigned to your present unit?

Have you been advised that this is a witness statement and that there are no allegations being made against you?

Do you understand that this is an official Police Department report and that any deviation from the truth could result in allegation or charges being placed against you?

BODY OF STATEMENT

In the question /answer mode ask questions relative to the allegation(s) and record the verbatim responses. Ask pointed, detailed questions. Make sure all allegations are covered including exact dates, times, locations, descriptions, and accounts.

CLOSING OF STATEMENT

SMITH: Is there anything that you wish to add to this statement?

(*Inv. Last Name*) (NOTE: This question is discretionary - on the part of the investigator.)

JONES: (*Verbatim response*)
(*Members' Last Name*)

SMITH: After reading this statement consisting of (*amount of pages*) pages and finding it to contain accurately the questions asked and the responses that you have given, will you sign it?

PROOFREADING OF STATEMENT:

The member will be allowed to read the entire statement. If there are any corrections in spelling or additions, the member will put one line through the error, add the corrected information, and initial all changes or additions. Answers will stand as originally stated. No significant changes to the context of the answer will be allowed.

Normally, photocopies of Department members' statements will not be provided to witnesses, complainants, or victims. However, if the witness is also a member of the agreement between the City of Chicago and F.O.P. Lodge #7, a copy of the written statement will be provided within twenty-four (24) hours of the time the statement was made.

Signatures of the investigator, the person questioned, and any witnesses should be written directly below the last sentence of each page. If an accused or a witness refuses to sign, the investigator will note the refusal on the statement and sign his (*investigator*) signature. (See Unusual Situations)

STATEMENT FORMAT OF AN ACCUSED DEPARTMENT MEMBER:

Note: Members of the agreement between the City of Chicago and F.O.P. Lodge #7 have certain privileges relative to statements and interviews. There will be strict compliance with the contractual agreement and existing Department Directives. (Agreement between the City of Chicago Department of Police and the Fraternal Order of Police Chicago Lodge No. 7 effective through 30 June 1999)

**INTERNAL AFFAIRS DIVISION
INVESTIGATIVE SECTION**

**DATE:
C.R.#**

Inf.# (if applicable)

HEADING

Statement of: (Name, rank, star#, unit of assignment) relative to an allegation(s) made by (Complainant's name) that on (date, time, location & brief account of allegation(s)).

Statement taken at: (location, i.e., room 1202 of the Internal Affairs Division Headquarters, 1121 S. State, Chicago, IL)

Questioned by: (Investigator's name, rank, star and unit)

Typed by: (Typists' name, rank, star and unit)

Date and Time:

Witnessed by: (List any other persons present, including attorneys, representatives, by name, address and phone number)

IDENTIFICATION QUESTIONS

SMITH: What is your full name, rank, star number and unit of assignment?
(Investigator's last name)

JONES: (Type verbatim response)
(Members' Last Name)

What is your date of birth and social security number?

What is your date of appointment to the Department and employee number?

How long have you been assigned to your present unit?

Have you been advised in writing of the specific charges/allegations made against you, the name of the complainant(s), the date and time of the

incident(s), and your (either administrative or criminal rights)?

Did you read and understand these charges/allegations and your rights thereto?

Are you accompanied by counsel/representative of your choosing, and if so, identify him for the record?

OR

Are you now prepared to give this statement without the aid of counsel/representative?

Do you understand this is an official Police Department report and that any deviation from the truth could result in additional charges being placed against you?

Are you ready to give your statement this time?

(Accused members will normally insert a preamble to their statement at this point)

BODY OF STATEMENT

In the question /answer mode ask questions relative to the allegation(s) attributed to the accused and record verbatim responses. Do not lose control of the statement taking process. Answers will be accepted only from the accused and/or witnesses. Attorneys or representatives may not answer directly for the accused. Questions may be asked of an accused, if his response to a specific question relative to the allegation(s) leads into additional information, witnesses or allegations. Make sure all allegations are covered, including exact dates, times, locations, descriptions, and accounts.

CLOSING OF STATEMENT

SMITH:

(Investigator's Last Name)

Is there anything that you wish to add to this statement?

(NOTE: This question is discretionary - on the part of the investigator)

JONES:

(Member's Last Name)

(Verbatim response)

SMITH:

After reading this statement consisting of *(amount of pages)* pages and finding it to contain accurately the questions asked and the responses that you have given, will you sign it?

PROOFREADING OF STATEMENT:

The accused member will be allowed to read the entire statement. If there are any corrections in spelling or additions, the accused member will put one line through the error, add the corrected information, and initial all changes or additions. Answers will stand as originally stated. No significant changes to the context of the answer will be allowed.

According to the agreement between the City of Chicago and the F.O.P. Lodge #7, an accused member under investigation will be provided with a copy of any written statement made within twenty-four (24) hours of the time the statement was made.

Signatures of the investigator, accused, and any witnesses should be written directly below the last sentence of each page. If an accused or a witness refuses to sign, the investigator will note the refusal on the statement and sign his (*investigator's*) signature.

LINEUPS:

The following procedures will be followed whenever a lineup is to be conducted of a Department member:

1. Notify the on duty Assistant Deputy Superintendent, Bureau of Operational Services that a lineup will be held. Inform the Assistant Deputy Superintendent of the location of the lineup and the allegations.
2. If the lineup is to be held in a district, notify the Watch Commander.
3. If criminal charges will be placed as a result of a positive identification, contact the State's Attorney Office, Felony Review Unit and brief the Assistant State's Attorney of the allegations.
4. Take a statement from the complainant. Ensure the complainant has no visual contact with the members in the lineup prior to the viewing.

Lineups will be conducted in accordance with Department General Order 88-18. In cases where there is only one suspect, the lineup - whenever possible - should consist of at least five (5) members. When more than one suspect is placed in the lineup, the lineup will ideally consist of at least four (4) non-suspects, in addition to the number of suspects in the lineup. If the suspect(s) are uniformed officers, all participants in the lineup will be uniformed and in those cases in which the suspect(s) are in civilian dress, the participants will be in civilian attire.

Suspects in the lineup should generally be the same height, weight, and should have similar hair and skin color. When more than one suspect is to be viewed and great disparity is evident between suspects in height, weight, skin color, hair or sex, then separate lineups will be conducted and non-suspects in each lineup will have the same general physical characteristics as the suspects. All stars, name plates and hats may be removed from all lineup participants.

The Watch Commander at the facility wherein the lineup is conducted or other supervisory officer will require that either an evidence technician or an authorized member of the Detective Division take two photographs of any formal lineup which results in the identification of a suspect. An additional statement will be taken from the complainant - victim - witness, relative to any identification that is made.

A detective from the affected area should be assigned to a follow-up investigation if a case report is made and should be present for the lineup. The detective will complete a Supplementary Report and copies of the report will be included in the complaint register file.

Member(s) identified as a result of the lineup will immediately be presented with "Notification of Charges/Allegations," "Criminal or Administrative Rights" and "Waiver/Request to Secure Counsel" forms. A statement will be taken from the member if he wishes to give a statement at that time. The on duty Assistant Deputy Superintendent and the Assistant State's Attorney should be consulted if criminal charges are to be placed.

A copy of all pertinent reports and statements will be forwarded to the Assistant Deputy Superintendent, Internal Affairs Division, prior to the end of the tour of duty.

CIVIL SUITS:

Lawyers, investigators, and insurance adjusters who are not members of official governmental agencies may seek to obtain oral or written statements from members concerning traffic accidents or other incidents of police concern. Department Rules and Regulations forbid the dissemination of information concerning police matters except as provided in Department orders. General Order 93-10 and related directives should be reviewed regarding the dissemination of information.

Notifications that a Department member is named as the defendant in a civil action will normally be made through the Office of the Superintendent/Legal Affairs, to the Records Section, Internal Affairs Division.

- I. Upon receipt of a notification of civil action against a Department member, the Records Section, Internal Affairs Division member receiving the notification will:
 - A. Review the documents to determine the name of a complainant/victim, accused member(s) and the nature of the allegations.
 - B. Ascertain if a previous complaint register investigation has been conducted.
 - C. If no previous complaint register investigation has been conducted, contact the Office of Professional Standards to initiate the complaint register process. All relevant information, including a summary of the allegations will be included on the "Complaint Against Department Member" form set.
 - D. If a previous complaint register investigation has been conducted based on the incident(s) contained within the civil action, a copy of the previous case file will be forwarded to the Office of the Superintendent/ Legal Affairs.
 - E. If, after review of the civil action filing and the previous complaint register investigation, the Office of the Superintendent/Legal Affairs determines that there are now additional allegations, the Office of the Superintendent/Legal Affairs will submit to the Internal Affairs Division a request to reopen the investigation.
- II. New Complaint Register Investigations:

Upon receipt of an investigation that involves a civil suit against a Department member, the assigned investigator will review the entire suit and extract from the text of that suit any allegations of misconduct against any Department member. Those allegations will be noted and served to the appropriate accused member at the appropriate time in the investigation.

When an attorney is listed as the complainant in an investigation stemming from a civil

suit, the attorney will be the first person contacted before any contact is made with either the victim(s) or witness(es'). If the attorney communicates to the investigator that his client(s) not be contacted, no contact will be made with any client and no certified letter will be sent to any client of that attorney.

In cases where the complainant/plaintiff is acting as his own attorney, the assigned investigator will contact that complainant and any witnesses and make those interviews the subject of a progress report. If any plaintiff or witness refuses to cooperate, a report will be submitted documenting that fact. If no contact can be made with a principal in the investigation, a certified letter will be sent to the last known address of record and a copy of the letter will be placed in the investigative file. The assigned investigator will then collect any Department documentation relevant to the case and place those documents in the file.

If the plaintiff agrees to cooperate with the investigator, the investigator will attempt to take a formal statement from the plaintiff or submit a detailed interview report in cases where a statement is not taken. The investigator will investigate any allegations of misconduct taken from the body of the civil suit and collect copies of pertinent documents and add them to the investigative file.

Reports of named Department members submitted to the General Counsel to the Superintendent are maintained in files by the Section Commanding Officer of the General Investigation Section of the division. These reports are available to investigators for inclusion in the investigative file if deemed necessary.

III. Reports of Accused Members:

In all Complaint Register numbers stemming from civil suits, the accused member will be given notification of Charges/Allegations which will contain all allegations listed in the body of the civil suit against that member. The member will be given Administrative Rights and the opportunity to seek counsel by executing the Waiver of Counsel/Request to Secure Counsel form. The member will then submit a detailed report as to the allegations served.

IV. If the plaintiff(s) agrees to cooperate with the investigator:

- A. Attempt to take a formal statement.
- B. If a formal statement cannot be obtained, submit a detailed interview report.
- C. Investigate any allegations of misconduct.
- D. Collect copies of related documents.

V. Gathering of Accused's Reports:

- A. Pursuant to Department General Order 93-10, item IV.A., a member identified as a defendant in a civil summons, will immediately prepare a To-From-Subject report to the Superintendent of Police, Attention: CITY-BG-029042

General Counsel to the Superintendent. The report will contain a statement as to the date, time and manner in which the complaint and summons were received.

- B. A copy of this report is then forwarded to the Internal Affairs Division, General Investigation Section, where it will be maintained by the Administrative Sergeant. Investigators will consult with the Administrative Sergeant, who will make available all reports germane to the suit.
- C. In the event the assigned investigator determines that the accused has not complied with the dictates of General Order 93-10, this complaint will be the subject of an additional allegation against the accused. The accused will not only have to respond to the allegation(s) noted in the summons, but will also be required to respond to the additional allegation. In addition, the accused will submit the required report to the Office of the Superintendent (a copy will be included in the investigative file.)
- D. If an officer's statement is needed, the Corporation Counsel assigned to the case will be notified of the investigator's intent to take a statement.

VI. The Commanding Officer, Records Section will forward any previous complaint register cases to the appropriate section for any additional investigation as directed by the Office of the Superintendent - Legal Affairs.

- A. Upon completion of the investigation based on the guidelines, cases assigned to General Investigations Section will be forwarded to the Records Section through the existing system. The Records Section will then prepare a copy of the case, sending it to the General Counsel to the Superintendent for control and delivery to the Corporation Counsel.

RELEASE FROM POLICE POWERS:

On occasions, it may be necessary for an investigator as a result of his preliminary investigation to release a sworn member from "powers of arrest" and/or "Department vehicle driving privileges." This is a significant action, which will only be accomplished after consultation with the Section's Commanding Officer, at the direction of the Assistant Deputy Superintendent, Internal Affairs Division, Assistant Deputy Superintendent, Bureau of Operational Services or equivalent.

I. Procedures:

1. Prepare a "NOTIFICATION OF DUTY RESTRICTIONS" form (CPD-44.301):
 - A. Make sure the appropriate restriction boxes that apply are checked.
 - B. The investigator will read aloud to the member each of the applicable duty restrictions and have the member place his initials in the space provided.
 - C. Members will fill in the acknowledgment section in the center of the form.
 - D. A photocopy of the form will be given to the member and the original will become a part of the master file.
2. An EQUIPMENT TRANSACTION RECEIPT (CPD-62.141) form will be prepared.
 - A. Items available at the time of collection bearing serial or identification numbers (i.e., Star, I.D. Card) will be indicated on the appropriate line.
 - B. The member will sign on the the "Returned by" line.
 - C. Investigators receiving items will sign on the "Received by" line.
 - D. The goldenrod copy of the form will be given to the member.
 - E. All collected items will be submitted to the Personnel Division along with the original of the form.
 - F. The investigator will retain the pink copy of the form for the investigative file.
3. Prepare a "REQUEST FOR ISSUANCE OF TEMPORARY IDENTIFICATION CARD" form. (CPD - 44.302)
 - A. Give the member a copy of this form and instruct the member to report to the Personnel Division in Room 802, 1121 S. State during regular operational hours of the Personnel Division on that day or the following day, to obtain a temporary

identification card.

- B. Retain the original in the investigative file.
- 4. Complete the TO COMMANDING OFFICER OF ACCUSED section of the NOTIFICATION OF DUTY RESTRICTIONS. (CPD-44.301)
 - A. This form will then be given to and signed for by the Commanding Officer of the member's unit of assignment. A copy will be given to the Commanding Officer.
 - B. Retain the original in the investigative file.
- II. Upon completion of the "RELEASE FROM POLICE POWERS" process, the investigator will:
 - 1. Submit a report through channels to the Assistant Deputy Superintendent, Internal Affairs Division, Attn: Commanding Officer, Administrative Section and include the below listed information on the released member.
 - A. Rank.
 - B. Name.
 - C. Star number.
 - D. Complaint Register Number.
 - E. Date of Release from Powers of Arrest.
 - F. Reason for Release.
 - G. Present Unit of Assignment.
 - H. Temporary Unit of Assignment.
- III. If the Assistant Deputy Superintendent, Internal Affairs Division or the Assistant Deputy Superintendent, Bureau of Operational Services determine that it is necessary to reassign a member whose police powers have been relieved, the Office of the First Deputy Superintendent, Bureau of Operational Services will be contacted for a new assignment.

COMPENSATION FOR DEPARTMENT MEMBERS ON INDEFINITE SUSPENSION - NO PAY STATUS:

Department members, who are on indefinite suspension or otherwise in a no-pay status, may be required to appear at the Internal Affairs Division, pursuant to a complaint register investigation. In accordance with contractual agreements with the City of Chicago, a member in the identified status who appears as required will be compensated for such appearances.

The assigned investigator will prepare a Compensation for Department Member on Indefinite Suspension - No Pay Status report (CPD 44-109) for submission through channels, to the Assistant Deputy Superintendent, Internal Affairs Division.

VEHICLES:

It is the policy of the Superintendent of Police that vehicles assigned to the Internal Affairs Division be assigned to investigators for official use only and will be used when conducting actual Department business during on-duty hours. Section Commanding Officers are responsible for assigning these vehicles as the need arises. Any deviations to this policy will only be made by the Section Commanding Officers. There is no blanket policy allowing for vehicles to be taken home by an investigator or to be used beyond normal working hours. When a vehicle is not being used, it will be parked in an authorized lot at the Headquarters building or at an alternate facility as appropriate.

Section Commanding Officers will ensure that a vehicle inspection of all vehicles assigned to their section is conducted, by a sergeant, each Monday during the second watch. In the event that the division is closed due to a holiday, the inspection will take place on the following day. At least one Monday per month, the Section Commanding Officer will personally conduct the inspection. All damage and deficiencies will be properly noted and the Electronics and Motor Maintenance Division will be contacted for repairs or replacement. The Section Commanding Officer will then submit a vehicle/equipment report to the Assistant Deputy Superintendent, Internal Affairs Division.

Upon receipt of proper notification, vehicles will be taken to the designated area garage for maintenance. All vehicles assigned to the division will be washed on a weekly basis or as often as needed. Section Commanding Officers will submit a monthly report indicating the vehicle number, call number, duty hours and name of member assigned to all vehicles in their section.

REFERENCED ORDERS

PERSONAL APPEARANCE:

G.O. 88-15	Uniforms/Citizen's Dress and Personal Equipment
G.O. 88-15-01	Responsibilities and Procedures
G.O. 88-15-2B	Uniform/Citizen's Dress Requirements and Equipment Specifications
G.O. 88-15-2D	Uniform/Citizen's Dress Requirements and Equipment Specifications
G.O. 92-3	Weapons, Department and Personal
G.O. 93-2-01	Department Authorized Firearms and Ammunition for Sworn Members Hired on or Before 1 December 1991
G.O. 92-3-01	Department Authorized Firearms and Ammunition for Sworn Members Hired After 1 December 1991
G.O. 92-3-04	Authorized Semi-Automatic Pistols

INVESTIGATORS - TECHNICAL SUPPORT:

G.O. 93-8-7	Master Recording Tape Review Procedures
Organized Crime Division	
S.O. 97-01	Confidential Illinois Drivers License

FIELD DRUG SCREEN PROCEDURES

Internal Affairs Division	
S.O. 96-04	Field Drug Screen Procedures

INITIATING COMPLAINT REGISTER NUMBERS

G.O. 93-3	Complaint and Disciplinary Procedures
G.O. 93-3-01	Department Member's Bill of Rights
G.O. 93-3-02	Specific Responsibilities
G.O. 93-3-03	Conduct of the Investigation
G.O. 93-3-04	Reporting and Review Procedures
G.O. 93-3-05	Special Situations
G.O. 93-3-06	Suspension/Options
G.O. 93-3-07	Summary Punishment
G.O. 89-3-1B	Preliminary Investigations

G.O. 92-1	Human Rights and Human Resources
COS message #93-011526	Complaint and Disciplinary Procedures
COS message #96-004801	Special Situations - Indebtedness
COS message #95-011753	Special Situations
G.O. 97-1	Criminal Organizations

LINEUPS:

G.O. 88-18	Lineup Procedures
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VEHICLES:

G.O. 97-2	Department Vehicles
G.O. 97-2-1	Vehicle Assignment, Allocation and Operation
G.O. 97-2-2	Vehicle/Equipment
G.O. 97-2-3	Emergency Equipment
G.O. 97-2-4	Vehicle Consumables
G.O. 97-2-5	Vehicle Service
G.O. 97-2-6	Operation of Department Vehicles - Use of Seat Safety Belts
G.O. 97-2-7	Department Fueling Locations

SUMMARY REPORT -

SUBJECT: COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

123456

DATE OF REPORT
18 October 1998INSTRUCTIONS: SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
 ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM INVESTIGATOR'S NAME

JONES, Robert T.

RANK STAR NO.
Sgt. 1234SOCIAL SEC. NO.
123-45-6789EMPLOYEE NO.
123456UNIT ASS.
121

REFERENCE NOS. (LIST ALL RELATED C.R., C.B., I.R., INVENTORY NOS. ETC., PERTINENT TO THIS INVESTIGATION)

COMPLETE IF APPLICABLE

ADDRESS OF INCIDENT

ADDRESS OF INCIDENT		DATE OF INCIDENT - TIME	DEAT OF INCIDENT	LOCATED
12345 South Main Street		1 Sept. 1998 1030 hrs.	2610	19
NAME		RANK STAR NO.	SOCIAL SEC. NO.	EMPLOYEE NO.
1. DOE, John P.		P.O. 56789	234-56-7890	234567
2. SMITH, Jane M.		P.O. 67890	345-67-8901	345678
3.				

ACCUSED

SEX/RACE D.O.B.	DATE OF APPOINTMENT	DUTY STATUS (TIME OF INCIDENT)	ON DUTY	OFF DUTY	SWORN	CIVILIAN	P.D.O. CODE
1. M/B 12 Mar 1956	10 Feb 1980	XX	ON DUTY	OFF DUTY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. F/W 18 Dec 1962	22 Apr 1988	XX	ON DUTY	OFF DUTY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3.			ON DUTY	OFF DUTY	<input type="checkbox"/>	<input type="checkbox"/>	

IF APPLICABLE - DATE ARRESTED/INCITED & CHARGES

1. COMPLETE IF APPLICABLE	COURT BRANCH	DISPOSITION & DATE
2.		
3.		

COMPLAINANTS	NAME	ADDRESS	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	P.D.O. CODE
	WOODS, Charlene A.	1636 West Elm Street	Chicago, IL	(312)711-1111	F/B	25 JUL 64		
	JONES, Robert T. Sgt.	Unit# 121 Star#6789	Empl.#234567	(312)747-6310	M/W	10 May 49		

VICTIMS	NAME	ADDRESS	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	P.D.O. CODE
	COMPLETE IF APPLICABLE							

WITNESSES	NAME	ADDRESS	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	P.D.O. CODE
	COMPLETE IF APPLICABLE							

 SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

* SEE REVERSE SIDE FOR CODES, INSTRUCTIONS FOR STATING ALLEGATIONS, AND COMPLETING THE REMAINDER OF THE SUMMARY REPORT.

** IF CPO MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NO. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

This complaint was initially received by Sergeant Michael ADAMS, Star#5555, 026th Dist on 01 September 1998 at 1100 hours. At approximately 1115 hours, Sergeant ADAMS contacted the Office of Professional Standards and registered the complaint with Investigator NC #93.

The complainant, Ms. WOODS, alleged that on 01 September 1998, at 12345 South Main Street approximately 1030 hours, the accused officers:

- #1. Failed to complete a case report, and
- #2. Arrest an offender who was named in an order of protection, and

Continuation of allegations are found on page two of the Summary Report.

INTERNAL AFFAIRS DIVISION
(STATE THE INVESTIGATIVE SECTION)

18 OCTOBER 1998
CR#123456

TO: COMMANDING OFFICER
(STATE THE INVESTIGATIVE SECTION)
INTERNAL AFFAIRS DIVISION

FROM: SERGEANT/POLICE AGENT/POLICE OFFICER
(STATE THE INVESTIGATIVE SECTION)
INTERNAL AFFAIRS DIVISION

SUBJECT: STATE THE PURPOSE OF THE REPORT
(NO PROGRESS REPORT HEADING)

ALLEGATION: On 1 September 1998, at 12345 South Main Street, at approximately 1030 hours, the accused officers failed to complete a case report and failed to arrest an offender in violation of an order of protection. It is further alleged by Sergeant JONES, that on 1 September 1998, at 12345 South Main Street, at approximately 1030 hours, the accused officers illegally confiscated a cellular phone which they failed to inventory.

Body of report (block form or indent)

Investigator title & name

APPROVED:

Commanding Officer
(State the Investigative Unit)
Internal Affairs Division

CR#123456
Att# 3

CITY-BG-029851

SUBJECT: Repeat the Subject
CR#

Body of report

****If a report is longer than one page, then the approval block should be included on the last page of the report.

****If a report is longer than one page, then the attachment numbers should read:

Att# X
1 of pages

Att# X
2 of pages

Att# X
3 of pages

Page 2 or two or upper left corner

NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT

NAME OF ACCUSED

ALL INFORMATION MUST BE INCLUDED ON THIS LINE

BANK

STAR NO.

GIVEN TO ACCUSED
DATE

TIME

MUST BE INCLUDED
UNIT OF ASSIGNMENT

The law provides that if you are to be charged with a criminal offense or if your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS:

1. Ms. Chariene WOODS

2. Sgt. Robert T. JONES, Star: 123, Internal Affairs Division

3.

4.

The allegations must be date, time and location specific. There are no exceptions to this rule.

If the allegation took place over a period of time, the allegation should be as specific as possible, such as, "in that between June, 1997 and July 1998" or between the hours of 0200 and 1600, etc.

If the location cannot be pinpointed, the allegation should be as specific as possible, such as, "In the south 4800 block of Halsted" or "in the building located at 410 South Plymouth Court".

**All allegations must be listed in this section in order to request a report from the accused or to take a question and answer statement. Use additional Notification forms if one form is insufficient.

The undersigned hereby acknowledges receipt in writing of the charges or allegations against him.

Must have signature or "refused".

Signature

WITNESSES

Must have at least one witness

PREPARE IN DUPLICATE:

Original copy to Investigator's file.
 Copy to accused member.

NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT

NAME OF ACCUSED	RANK	STAR NO.	GIVEN TO ACCUSED DATE
SMITH, John	P.O.	56789	25 October 1998 0900

The law provides that if you are to be charged with a criminal offense or if your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you:
COMPLAINANTS:

1. Ms. Charlene WOODS
2. Sergeant Robert T. JONES, Star 1234, Internal Affairs Division
3. _____
4. _____

Ms. WOODS alleged that on 1 September 1998, at 12345 South Main Street, at approximately 1030 hours, the accused member failed to complete a case report and failed to arrest an offender who was named in an order of protection.

It is further alleged by Sergeant Robert T. JONES, Star 1234, that on 1 September 1998 at 12345 South Main Street, at approximately 1030 hours, the accused member confiscated a cellular telephone, Ameritech Model 123 and failed to inventory it.

The undersigned hereby acknowledges receipt in writing of the charges or allegations against him.

Must have signature or "refused"

Signature _____

WITNESSES

Must have at least one witness

PREPARE IN DUPLICATE:

Original copy to investigator's file.
 Copy to accused member.

ADDITIONAL NOTES

- ▶ Attachment numbers should be listed sequentially and when there are multiple pages they should be listed as "1 of 3" "2 of 3" "3 of 3". (Example only)
- ▶ Every case must have an initiation report and it should generally be listed as attachment #2.
- ▶ The attachment section on the reverse side of the Summary Report Digest must always be completed.
- ▶ All cases completed by the Internal Affairs Division require an "evidence/attachment list".
- ▶ All witnesses must be listed. It is incorrect to mention a witness in the case summary and not to have listed them in the Summary Report/Digest.
- ▶ All required information must be included for additional accused members or witnesses when a continuation page is utilized.
- ▶ When questions are sent to an accused member with the Notification of Charges and Allegations, the questions should be included as an attachment.
- ▶ Avoid telephone interviews unless absolutely necessary. When interviewing civilians in person, obtain verification of their identification such as a driver's license, state identification card, other picture identification and photocopy if means are available. Document in your report that you did verify the identification and the means in which it was done.
- ▶ In civil suits, the victim's attorney should be listed as the complainant and the plaintiff in the lawsuit should be listed as a victim.
- ▶ All last names should be capitalized.
- ▶ No abbreviations in the summary allowed. Abbreviations are allowed on the face of the Summary Report/Digest if space is limited.
- ▶ If a complainant refuses to further cooperate, a letter of declination will be obtained.
- ▶ If the State's Attorneys Office refuses to pursue criminal charges and will not provide a formal letter of declination, the ASA from whom the investigator obtained the declination must be included in the report as well as their telephone number.

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