

EXHIBIT 106

**EXPERT OPINION REGARDING THE CHICAGO POLICE DEPARTMENTS
INTERNAL AFFAIRS PROCESS AND THE PATTERN OF COMPLAINTS
AGAINST CHICAGO POLICE SERGEANT RONALD WATTS AND OTHER
NAMED DEFENDANTS**

SUBMITTED TO:

Wally Hilke, Esq.
Loevy & Loevy
311 N. Aberdeen St., 3rd Floor
Chicago, IL 60607

July 25, 2023

PERTAINING TO:

ALVIN WADDY, Plaintiff,

v.

City of Chicago, Former CHICAGO POLICE SERGEANT
RONALD WATTS, Former CHICAGO POLICE OFFICER,
KALLATT MOHAMMED, OFFICER ELSWORTH J. SMITH, JR.,
OFFICER ROBERT GONZALEZ, OFFICER MANUEL LEANO,
OFFICER DOUGLAS NICHOLS, OFFICER ALVIN JONES,
OFFICER BRIAN BOLTON, OFFICER LAMONICA LEWIS, and
other as-yet-unidentified officers of the Chicago Police Department,

In the Circuit Court of Cook County, Illinois
Law Division

Case No. 19 L 10035

Chicago, Illinois

PREPARED BY:

Dr. Jon M. Shane
jmsnps@gmail.com

STATEMENT OF QUALIFICATIONS AND BASES OF OPINION

Employment Record

My name is Jon M. Shane. I am a professor of criminal justice at John Jay College of Criminal Justice, which is located at 524 W. 59th Street, New York, NY, 10019. I have been a member of the faculty in the Department of Law, Police Science and Criminal Justice Administration since January 2009. I teach graduate and undergraduate courses related to criminal justice with a concentration in policing. I also conduct research on policing. My expertise is police policy and practice and the theoretical underpinnings of the police, which are reflected in my teaching and research. My other teaching and research interests are situational crime prevention, social disorganization theory, routine activities theory, violent crime and criminal justice statistics, particularly how statistics are used in criminal justice. In my capacity as a professor, I regularly consult with attorneys and law enforcement agencies around the country and internationally on police policy and practice issues and training programs.

Prior to my faculty appointment I had a career in law enforcement in both civilian and sworn capacities from December 1985 to December 2005, retiring at the rank of captain from the Newark (NJ) police department. I began my law enforcement career on December 2, 1985 as a police dispatcher for the Clifton, New Jersey police department. On March 20, 1989, I became a police officer for the Newark, New Jersey police department. I held several positions throughout my career in both operational and administrative assignments. I was promoted to sergeant in June 1995; lieutenant in July 1998; captain in September 2000. On January 21, 2005, I was notified by the New Jersey Department of Personnel that I was eligible and qualified to be promoted to deputy chief according to state standards (certification # PL050068, January 14, 2005). The majority of my career was spent in both operational and administrative assignments drafting, reviewing or implementing policy for the Newark Police Department. In these roles I created, revised or reviewed policies and implementation orders governing the administration and operations of the Newark Police Department. I also provided direct advice and consultation with the Police Director, Chief of Police and other command staff members regarding agency policy that was based on research, trends and best practices in U.S. law enforcement. Throughout my career I supervised or managed police officers and other supervisors as they conducted criminal investigations, including homicide cases.

I began my research and teaching career in 2005 as a lecturer and an adjunct professor of criminal justice at Rutgers University and Fairleigh Dickinson University. Table 1 is a summary of my employment from 1985 to present; table 2 is a summary of my training, education and professional development, and table 3 is a summary of my related employment and experience. My curriculum vitae is attached.

Table 1*Summary of Employment Record*

Date	Agency	Assignment	Position
January 2009 Present	John Jay College of Criminal Justice, New York City	Department of Law and Police Science	Associate Professor
2005/2008	Rutgers University, Newark, NJ	Newark College of Arts and Sciences	Lecturer
Spring 2005	Fairleigh Dickinson University, Teaneck, NJ	School of Administrative Science, Petrocelli College	Adjunct Professor
August 2004 December 2005	Newark (NJ) Police Department	Office of the Chief of Police, Command Operations Center	Command Staff
April 2004 August 2004		Operations Bureau, North District Station	Commanding Officer
August 2002 April 2004		Office of the Police Director, Office of Policy and Planning	Commanding Officer
June 2002 August 2002		Operations Bureau, East District Station	Commanding Officer
January June 2002		Office of the Police Director, Office of Policy and Planning	Commanding Officer
April 2000 January 2002		Office of the Police Director, Office of Policy, Planning and Technology	Commanding Officer, Management Information Systems
July 1999 April 2000		Operations Bureau, North District Station	Tour Commander
July 1998 July 1999		Office of the Police Director, Office of Policy and Planning	Executive Officer
September 1997 July 1998		Office of the Police Director	Special Assistant to the Police Director
May 1997 September 1997		Criminal Investigation Bureau, Violent Crime Division	Homicide Section Supervisor
June 1995 September 1995		Field Operations Bureau, East & West District Police Stations	Field Supervisor

Table 1*Summary of Employment Record*

Date	Agency	Assignment	Position
August 1994 September 1997		Field Operations Bureau, Emergency Response Team	Operator and Team Supervisor
March 1993 May 1997		Office of the Police Director, Research, Analysis and Planning Division	Detective
November 1992 March 1993		Special Investigation Bureau, Special Projects Section, TARGET Team	Police Officer
August 1989 November 1992		Field Operations Bureau, South District Station	Police Officer
March 1989 August 1989		Office of the Chief of Police, Police Academy	Police Recruit
December 1985 March 1989	Clifton (NJ) Police Department	Communications Division	Police Dispatcher

Education and Professional Development

I hold a baccalaureate degree (October 2002), Master of Arts degree (January 2005) and doctoral degree (October 2008) in criminal justice from Rutgers University. I also hold a certification in non-profit management (August 2004) from Rutgers Graduate School of Public Administration. During my law enforcement career, I attended three senior management programs for police leadership: 1) 193rd Session of the FBI National Academy (April 5 – June 19, 1998); 2) 25th Session of the Senior Management Institute for Police (June 21, 2001); and 3) Police Foundation Visiting Police Fellowship program, Washington, D.C. (January – June 1997).

The FBI National Academy is a professional course of study for U.S. and international law enforcement leaders that serves to improve the administration of justice in police departments in the United States and abroad and to raise law enforcement standards, knowledge, and cooperation worldwide. The Senior Management Institute for Police (SMIP) is a program of the Police Executive Research Forum that provides senior police executives intensive training in the latest management concepts and practices used in business and government. SMIP promotes general management theory, policy development, planning processes, organizational structure and behavior. The Visiting Police Fellowship program at the Police Foundation affords police leaders the opportunity to work with nationally recognized experts in policing, police policy, and research. The program allows the fellow to benefit from the specialized skills of individual relationships and exposure to state-of-the-art ideas that promote professional growth through research, training and technology.

During my tenure in the Newark Police Department, I was a state certified police academy instructor (April 15, 1993 – December 31, 2004) and a member of the Newark Police Emergency Response Team (December 1994 – September 1997). In my capacity as a police academy instructor, I taught various courses to recruit-level and in-service personnel including agency rules and policy, search and seizure, use of force, chemical agents and tactics. In my capacity as an ERT member and supervisor I was trained as a chemical agents instructor by the FBI and taught recruit-level and in-service personnel on the types, effects and consequences of chemical agents.

My training sessions often combined classroom and practical exercises to add dimension and depth to the classroom material. Practical exercises allow trainees to directly apply the knowledge, skills and abilities they acquired in the classroom to live sessions in a supervised manner. This gives the trainee immediate feedback and critique about the consequences and effects of their actions through a range of simulations that are designed to add as much realism and literal truth as possible to the exercise. Table 2 is a summary of my professional development.

Table 2

Summary of Education and Professional Development

Date	School	Degree or Certificate
October 1, 2008	Rutgers School of Criminal Justice, Newark, NJ	Doctorate, criminal justice
January 17, 2005	Rutgers School of Criminal Justice, Newark, NJ	Master of Arts, criminal justice
August 31, 2004	Rutgers Graduate School of Public Administration, Newark, NJ	Certificate, non-profit management
October 1, 2002	Rutgers University, University College, Newark, NJ	Bachelor of Science, criminal justice
June 21, 2001	Police Executive Research Forum, Harvard University John F. Kennedy School of Government, Senior Management Institute for Police—Session 25, Boston, MA	Certificate of completion
November 3, 1998	Value-Centered Leadership: Ethics, Values and Integrity, International Association of Chiefs of Police, Newark, N.J.	Certificate of completion
April 5, 1998 June 19, 1998	Federal Bureau of Investigation, FBI National Academy, 193 rd session, Quantico, Va.	Certificate of completion
July 1997	Practical Homicide Investigation, Vernon J. Geberth, Newark, NJ	Certificate of completion
January 1997 June 1997	Police Foundation, Visiting Police Fellowship Program, Washington, D.C.	Certificate of completion
April 1995	Chemical Agents in Law Enforcement Instructor, Federal Bureau of Investigation, Ft. Dix, NJ	Certificate of completion
June 25, 1993	Advanced Criminal Investigations, Essex County Police Academy and Federal Bureau of Investigation, Cedar Grove, NJ	Certificate of completion

Table 2*Summary of Education and Professional Development*

Date	School	Degree or Certificate
April 21, 1993	Methods of Instruction, Newark Police Academy, New Jersey Division of Criminal Justice, Newark, NJ	Certificate of completion
April 15, 1993 December 31, 2004	State Certified Police Academy Instructor, Newark Police Academy, Newark, NJ	Certificate of completion
November 18, 1992	New York-New Jersey Anti-Car Theft Committee, National Insurance Crime Bureau, Tarrytown, NY	Certificate of completion

Related Employment and Experience

In addition to my law enforcement career and my research and teaching career, I have related experience in police administration, criminal justice and research. Table 3 summarizes my employment and related experience.

Table 3*Related Employment and Experience*

March 2006 July 2006	Consultant to Essex County College, Newark, NJ to assist with design and implementation of a geographic information system (GIS) training program for law enforcement and homeland security initiatives
February 2005 September 2005	<i>Staff Member</i> , NJ Attorney General's Office - Camden Commission for Public Safety. Final report accessible at http://www.state.nj.us/lps/com-report-camden.pdf <i>Research Associate, Rutgers Police Institute</i> . Conducted public safety research and a police management study in Camden, NJ as a staff member of the <i>Camden Commission for Public Safety</i> . Research included a management study on efficiency and recommendations on best practices for organizational change, deployment and sustained crime control initiatives.
May 2004 Present	<i>Senior Research Associate, Police Foundation Washington, D.C.</i> Currently, serving as a senior research associate to the Police Foundation on a variety of topics related to policing.
October 2003 May 2004	<i>Research Team Member, Rutgers Center for Mental Health</i> . Conducted research on police interactions and responses to persons with mental health issues. Study included conducting on site interviews with police officers as well as calls for service data analysis.
September 2003 September 2004	<i>Differential Police Response: Neighborhood Social Disorganization and Police Response Time to Domestic Violence Calls</i> . Principal investigator and author of explanatory research on police response time to domestic violence calls in Newark, New Jersey. The objective was to explain the relationship between indicators of social disorganization and police response time to domestic violence calls for service.

Based on my research, teaching, education, training and experience, I am therefore familiar with the policies, practices and customs associated with policing, including the risks, vulnerabilities and uncertainties, as well as how police officers are trained, the importance of policy and how policy is developed and implemented at the line level.

Publications

My publications are listed on my CV (attached).

Basis of Opinion

In preparing this report and expressing my opinion, I relied on the knowledge I have acquired through research, teaching, education and professional development that other experts in my field would consider reliable. I also relied on my experience in criminal justice, police operations and police administration on the accepted standards of care recognized by police organizations and officials throughout the United States as the custom and practice for the administration, management and supervision of police agencies and police personnel. In this regard, I am an active member of the American Society of Criminology (ASC), the Police Executive Research Forum (PERF) and the Academy of Criminal Justice Sciences (ACJS). These organizations are dedicated to improving and promoting criminal justice policies, practices, education and professional standing for criminal justice educators and practitioners through a national and international research agenda that is multidisciplinary and focused on crime, delinquency, public policy analysis and debate.

My professional opinion and police expertise are sought after through various invited lectures, training workshops, research grants and presentations at local, national and international venues on crime, police management, police performance and police policy and practice issues:

1. Harris County Constable, Precinct 1, Houston, Texas (with Justice System Partners, South Easton, MA), May 2021.
2. Police policy advisor, Guatemala Public Ministry, June 2016.
3. Panelist, National Association for Civilian Oversight of Law Enforcement (NACOLE) and John Jay College of Criminal Justice, academic conference series - Building Public Trust: Generating Evidence to Enhance Police Accountability and Legitimacy, April 22, 2016.
4. United States Commission on Civil Rights, Office of Civil Rights Evaluation, panel on Police Practices and Prosecution of Police Deadly Force, invited panelist. Panel presentation, April 20, 2015.
5. Panel moderator, Bridging the Great divide: Can Police-Community Partnerships Reduce Crime and Strengthen Our Democracy? *Building Police Legitimacy with Community Stakeholders*, September 5, 2014.
6. Invited training workshop, Uruguayan National Police, Basic Course in Criminal Investigations Training Workshop, Montevideo, Uruguay, June 9 to June 20, 2014.
7. Police Foundation, National Institute of Justice and US Department of Justice, COPS Office, Sentinel Events Initiative on Wrongful Convictions, Washington, D.C., February 7, 2014.
8. Inter-American Development Bank policing presentation on policing and the expectations for developing countries, Washington, D.C., December 3, 2013.
9. Scholarship Program for Training in Advanced Criminal Investigations for Uruguay Police, (practice grant, Ministry of the Interior, Uruguay), October 18, 2013.

10. Invited training workshop, Uruguayan National Police, Advanced Course in Criminal Investigations Training Workshop, Montevideo, Uruguay, October 8-18, 2013.
11. Invited training workshop, Uruguayan National Police, Basic Course in Criminal Investigations Training Workshop, Montevideo, Uruguay, August 20 to September 5, 2013.
12. Invited training workshop, U.S. Army 89th Military Police Brigade, performance management training workshop, Ft. Hood, TX, July 29-30, 2013.
13. U.S. Department of Justice, National Institute of Justice roundtable on “sentinel events initiative” to uncover criminal justice system weaknesses that lead to organizational accidents, Washington, D.C., May 21-22, 2013.
14. Maritime Piracy: A Situational Analysis (research grant, PSC CUNY Award # 66767-00 44), May 15, 2013.
15. U.S. Army Military Police, Senior Leader Conference and Military Police 2020 Strategic Planning Session, National Conference Center, Lansdowne, VA, May 6-9, 2012.
16. Amendola, K., Hulcher, D. & Koval, K. *with* Heitman, A., & Shane, J. M. (2012). Personnel reallocation and scheduling: *Final report staff scheduling options*, Atlantic City, NJ Police Department. Washington, D.C: Police Foundation.
17. Amendola, K.A., Weisburd, D. Hamilton, E., Jones, G., Slipka, M., Shane, J.M & Ortiz, C¹. (2012). The impact of law enforcement shift practices and extra-duty employment on various health, safety, performance, and quality of life measures. Washington, D.C: Police Foundation.
18. Invited panel participant, providing commentary on Roger Graef’s *When Cops Kill*, to explore police shootings and what really happens to the brain and body of police officers when they pull the trigger. Moderated by President Jeremy Travis, John Jay College, April 22, 2013.
19. Panel moderator, 23rd Annual Problem-oriented Policing Conference, *Houston Police Department: Back from the Brink: Reducing Crime and Disorder in the Antoine Corridor*, Presenters: Michael Hill, Ryan Watson and Chris Schuster., October 22-23, 2012.
20. University of New Haven, Center for Advanced Policing, Innovations in Police Management Course, New Haven, CT., August 6-10, 2012.
21. Research and teaching agenda Bramshill Police College (U.K.) January 2012 – April 2012.
22. Presentation to the Chinese People’s Public Security University, Police Security Bureau, on creating a nexus between police workload and budget, police policy and practice issues, Beijing, China, November 27- December 3, 2011.
23. Deterrence or System Overload? The Effect of Imprisonment and Clearance Rates on Auto Theft in the United States, Annual Meeting American Society of Criminology, Washington, D.C., November 17, 2011.
24. Open Society’s Roundtable on Current Debates, Research Agendas and Strategies to address racial disparities in police-initiated stops in the U.K. and U.S.A., *Panel Moderator*, John Jay College of Criminal Justice, New York, August 10-11, 2011.
25. U.S. Department of State and FBI, *Panel Moderator*, Community Policing and Conflict Resolution, Federal Plaza, New York City, May 4, 2011.
26. Lexis/Nexis Government 2011 Insight Conference, *Panel Member*, moderated by Chuck Wexler, Executive Director Police Executive Research Forum (PERF), April 5, 2011.
27. New Haven (CT) Police Department, Investigative Training Course, West Haven, CT, November 9, 2010.

¹ This research report received the 2012 Outstanding Experimental Field Trial Award from the Division of Experimental Criminology/American Society of Criminology (ASC). The award was presented to Dr. Karen Amendola et al. at the 68th annual meeting of the ASC in Chicago on November 14, 2012.

28. U.S. Department of Justice COPS Office National Leadership Roundtable, *Leadership For Public Safety II*, with the Community Policing Leadership Institute (CPLI) at the John Jay College of Criminal Justice Office of Continuing and Professional Studies, April 29-30, 2010;
29. The Impact of Organizational Stress on Police Performance (research grant, PSC CUNY Award # 63310-00-41), April 15, 2010.
30. Benjamin Cardoza Law School lecture on police accountability, Professor Ellen Yaroshefsky, March 10, 2010.
31. Jamaica Constabulary Police Force, Leading Police Performance and Accountability Symposium 2010, training workshop, Kingston, Jamaica, March 30–April 2, 2010.
32. The Myth of The American Police Quasi Military Model, Annual Meeting Academy of Criminal Justice Sciences, San Diego, CA, February 26, 2010.
33. Rethinking Police Use of Confidential Informants, Annual Meeting Academy of Criminal Justice Sciences, San Diego, CA, February 23, 2010.
34. Performance Management in Police Agencies: A Conceptual Framework, Annual Meeting American Society of Criminology, Philadelphia, PA, November 5, 2009.
35. Crime Track: A Statewide Crime Data Collection System, with Christopher Andreychak, Rutgers University—School of Criminal Justice, Annual Meeting American Society of Criminology, Philadelphia, PA, November 5, 2009.
36. Implementing and Institutionalizing Compstat in Maryland Police Agencies, with the University of Maryland, Institute for Governmental Service and Research, September 24-25, 2009; October 22-23, 2009; November 20, 2009.
37. Ohio Association of Chiefs of Police, 2008 in-service training conference, Deer Creek, Ohio, April 22, 2008.
38. Florida Police Chiefs Association 56th Annual Summer Training Conference, Palm Beach Gardens, FL, June 23, 2008.
39. Virginia Association of Chiefs of Police, Annual Conference, Hot Springs, VA, August 19, 2008.
40. The Houston Area Police Chief's Association, Woodlands Public Safety Training Center, Conroe, Texas, October 28, 2008.
41. Ottawa Association of Law Enforcement Planners, Algonquin College, Ottawa, Ontario, Canada, May 5, 2007.
42. Louisiana Attorney General's Command College, Baton Rouge, Louisiana, August 8, 2007;
43. IMPACT Users Technology and Performance Conference, Saratoga Springs, NY, September 17, 2007.
44. International Association of Law Enforcement Planners, Calgary, Alberta, Canada, October 16-17, 2007.

I am also a senior research associate at the National Policing Institute (formerly Police Foundation) Washington, D.C. and I have been empaneled by the Center for Problem-Oriented Policing to conduct research on behalf of the U.S. Department of Justice, COPS Office, where I am active in police research that has national and international implications.

My research, participation in national forums and broad reading in policing and criminology have given me the theoretical and empirical grounding for examining the impact of police operations

on the community. On January 24, 2011, I was named the “highly commended award winner” by the 2010 Emerald/European Foundation for Management Development, Outstanding Doctoral Dissertation Research Award. This international competitive award is conferred upon those whose dissertation research makes a significant contribution to the field. I received the award under the *Leadership and Organizational Development* category. To broaden my perspective on crime, criminology and policing issues, I serve as an occasional peer-review member for several national and international criminal justice and policing journals, including: *Crime Science* (2015), *Criminology* (2014); *Criminology & Public Policy* (2012); *Sociological Quarterly* (2012); *Police Quarterly* (2011); *Criminal Justice Review* (2011); *International Journal of Police Science and Management* (2011); *Criminal Justice & Behavior* (2010); *Journal of Criminal Justice* (2010); Taylor-Francis Publishing (2010); Thompson-Wadsworth Publishing; *Police Practice & Research: An International Journal* (2010); *Policing: An International Journal of Police Strategies & Management* (2009, 2012); *Environmental Criminology and Crime Analysis* abstract review (2011, 2012 conferences); and *International Journal of Comparative and Applied Criminal Justice* (2010). On August 20, 2011, I accepted appointment as an *Editorial Advisory Board Member* to the *International Journal of Emergency Services* published by Emerald.

My teaching and course design experience has provided me with first-hand knowledge of the ways police operations and policies impact the community in a pluralistic society governed by the rule of law. My teachings at the undergraduate level are: 1) *Police and the Community*; 2) *Introduction to Criminal Justice*; 3) *Introduction to Law Enforcement*; and 4) *Criminology*. My teachings at the graduate level are: 1) *Contemporary Issues in Community Policing*; 2) *Police Ethics*; 3) *Problem-Oriented Policing*; 4) *Issues in Criminal Justice—Police and Corrections*; 5) *Using Computers in Social Science—Statistics*; and 6) *research methods and design*. On January 14, 2011, I was appointed a member of the doctoral faculty in the criminal justice program, where I am responsible for teaching and mentoring students and serving the general needs of the doctoral program. Since my appointment at John Jay College, I have won various awards and been included on the Dean’s List (2008-2009; 2009-2010; 2013-2014), a status conferred by the CUNY Office of Graduate Studies in recognition for faculty members who mentor or substantially influence a graduate student’s academic success. On August 25, 2011, I was named “Mentor of the Year” by the American Society of Criminology, the leading organization for practitioners and academicians

from the many fields of criminal justice and criminology. On December 9, 2013, I was named the “2014 Outstanding Mentor of the Year” by the Academy of Criminal Justice Sciences.

Directly related to my teaching experience is my participation on the curriculum committee in the Department of Law, Police Science and Criminal Justice (LPS) Administration at John Jay College. The curriculum committee is responsible for: 1) creating proposals for a contemporary curriculum; 2) identifying standards for the discipline; 3) aligning the curriculum with Middle States accreditation standards; 4) developing measurable objectives for courses; 5) identifying course-appropriate resource materials and textbooks; and 6) identifying linkages with the college mission. As part of the LPS curriculum committee, I participated in revising the criminal justice Bachelor of Science degree (CJBS, 2013) and the police studies degree (PS, 2014). I revised the introductory course on law enforcement, a key foundational course, and created a new course on police use of force for the Police Studies degree.

My administrative experience in policing has provided me with an understanding of the manner in which police policy and practice occurs on a daily basis, from the policy level to the line level. As a command-rank officer in a major urban police department I had a unique opportunity to gain rare insight into police administration, operations and organizational culture, something that is difficult to observe in most other ways and often hidden from outsiders. In addition to the aforementioned experience, I also relied on the data presented in the documents that are listed under exhibits in this report to formulate my opinion.

Previous Opinions

I have either testified as an expert at trial or by deposition listed in CV (appended). I have been compensated for my work on this matter.

CONCLUSIONS AND OPINION

Based on the available evidence and data, within a reasonable degree of professional certainty in the policing industry, I conclude that the Chicago Police Department failed to properly supervise the defendants in this matter as required by agency standards in effect at the time. I further conclude that the Chicago Police Department did not follow its own policies when it failed to identify and address complaints against the officers involved in Alvin Waddy's arrest. My opinion follows.

1. **Did the Chicago Police Department fail to supervise the officers involved in Alvin Waddy's arrest consistent with accepted industry practices when complaints against them were generated?** Yes. The Chicago Police Department supervisory staff knew or should have known that complaints against the officers involved in Alvin Waddy's arrest were accruing in a manner that signaled a need for intervention. The Chicago Police Department also should have taken supervisory measures to stop the adverse behavior and correct the deficiencies consistent with their agency's policies. The findings are not consistent with the following standards:
 - a. Responsibilities defined by the job specifications for each rank of the Chicago Police Department supervisory staff;
 - b. Chicago Police Department General and Special Orders concerning Complaint and Disciplinary Procedures in effect during the relevant period.²

The failure to supervise the defendants in the instant case would lead a reasonable officer to conclude that the Chicago Police Department accepted the defendants' conduct.

2. **Did a pattern of complaints emerge against the officers involved in Alvin Waddy's arrest?** Yes. The Chicago Police Department supervisory staff knew or should have known that clear patterns³ of personnel complaints were emerging across various years and different types of offenses against the officers involved in Alvin Waddy's arrest, and should have taken measures to stop the adverse behavior and correct the deficiencies. Overall, the data reveal that the Chicago Police Department's accountability systems (i.e., supervision and personnel investigations) are broadly ineffective for detecting misconduct, and holding

² See Bates CITY BG 59085-59132.

³ A pattern is defined as given to a regular or repeated form; forming a consistent or characteristic arrangement. The patterns observed in the instant case come from the frequency and type of allegations shown in the data among a relatively small group of officers.

officers accountable when they violate CPD policy. The findings are not consistent with the following standards:

- a. Chicago Police Department General Order 93-3 Complaint and Disciplinary Procedures (effective January 15, 1993) for Repeated Minor Infractions;
 - b. Chicago Police Department General Order 86-4, District Commanders (effective June 10, 1986), where District Commanders are responsible for subordinates' conduct;
3. **Justification for Opinion.** The justification for the opinion is set forth below.
- a. *The Chicago Police Department Discovery Materials.* The data were supplied by Plaintiff's counsel in electronic format consistent with discovery in this case. The source data are CPD internal affairs records known as Complaint Register (CR) files from 1994 to 2018 for the officers involved in Alvin Waddy's arrest. The data were analyzed using MS Excel and Statistical Package for the Social Sciences (SPSS version 18, also known as Predictive Analytics SoftWare, PASW Statistics 18. SPSS and PASW are the same software).
- The data in the CR files are relational. This means a one-to-many relationship exists when a parent record (e.g., one incident, identified by the CR number) potentially references other related records (e.g., many allegations, many officers or dispositions).⁴ The unit of analysis was switched when appropriate to accommodate the analysis. The unit of analysis includes the complaint level, and allegation level. For example, one officer may receive many allegations from a single complaint. If there are many allegations in a single complaint, then there are many dispositions for one complaint (one disposition for each allegation). Switching the unit of analysis accommodates the one-to-many relationship in the data (e.g., one complaint, many officers; one officer, many allegations; many allegations, many dispositions).
- b. *Data Coding.* The data were coded using the approach shown in Appendix A. On June 2, 2023, I conducted a 90-minute training session with Amanda Clark⁵ to review and instruct on the coding process. The data were coded by attorneys retained by plaintiff's counsel. On July 8, 2023, I randomly selected 20% of the cases from each

⁴ For example, CPD Form 44.112 (Rev. 3/84) is a relational form, where it captures the incident (identified by the CR#) and may list a single officer with many allegations and many dispositions.

⁵ Ms. Clark is an attorney who managed and supervised the coding process.

coder (n=36, rounded,⁶ table 4) to review and inspect for accuracy by matching the data set to the information contained in the CR file. Randomization was developed using the *Sampling* function in MS Excel in this manner:

- i. Separating each coder by name;
- ii. Arranging the CR numbers sequentially from smallest to largest;
- iii. Drawing a 20% random sample of CRs from each coder.

Table 4			
<i>Random Sample of Cases for Review</i>			
Random Sample			
Coder	n	%	20%
Abir	58	33.3	12
Alina	23	13.2	5
Issam	14	8.0	3
Spencer	79	45.4	16
Total	174	100.0	36

I did not observe any coding errors from the random CR file inspections.

c. *Methodology for Computing Percentage of Completed Investigative Activities in the CR Files.*

Completed investigative activities (table 16 and 17) were computed by: **1)** using the incident as the unit of analysis. There are 174 CR files; **2)** subtracting investigative activities that were not applicable (N/A);⁷ **3)** subtracting investigative activities that were unclear;⁸ **4)** the subtotal is completed investigative activities, minus investigative activities that were unclear, and minus investigative activities that were not applicable; and **5)** the percentage of completed investigative activities is the completed investigative activities divided by the subtotal (e.g., **victim contacted:** $174 - 9_{(n/a)} - 4_{(unclear)} = 161$; $95_{(yes)}/161 = 59\%$).

d. *Standard for Supervising Police Personnel.* Supervisors are a police department's most important asset for continually reinforcing evolving policies, procedures, goals, and objectives, and for ensuring that they are carried out properly. The primary responsibility for maintaining and reinforcing officer conformance with the Department's standards of conduct and operational procedures is lodged with first-

⁶ Random sample of CR numbers for each coder: **1) Abir (n=12)**, 290641, 1024008, 246800, 265893, 309282, 1049664, 306232, 295454, 290641, 290641, 1086174, 296428; **2) Alina (n=5)**, 251975, 314642, 294821, 1058489, 1044250; **3) Issam (n=3)**, 305648, 309372, 305723; **4) Spencer (n=16)**, 1026192, 263095, 1060620, 282935, 309756, 1053673, 268694, 1030009, 1026192, 313536, 270177, 268694, 263459, 313536, 301221, 1004698.

⁷ N/A=not applicable. Not applicable was applied to cases where the investigative task was not expected to occur.

⁸ Unclear means the CR includes reference to the investigative task, but the investigative task cannot be determined.

line supervisors. Supervisors are required to closely monitor and evaluate the general conduct and performance of all officers in their unit. Personnel evaluations must be the product of daily observation and close working relationships. Supervisors must remain attentive to any indications of behavioral, physical, or other problems that may affect an officer's job performance as well as any behaviors that may indicate conduct that is inconsistent with state and federal laws, as well as Department policy, procedures, and rules. When observed, any information of this type that is deemed relevant should be documented immediately. When problems are detected, a supervisor should recommend additional training, counseling, or other corrective action.

Of the discovery that I reviewed, there is nothing to indicate that the Chicago Police Department supervised the officers involved in Alvin Waddy's arrest by identifying and monitoring their behavior through either an electronic or paper-based system of agency records, despite the fact that they knew or should have known that complaints were accruing and then subsequently initiating and ensuring corrective action was taken. When complaints are generated, the Department's supervisory apparatus is activated to initiate and ensure the matter is investigated consistent with accepted standards and corrective action is taken.⁹ Police supervision exists at graduated levels distinguished by ranks¹⁰ with increasing responsibility to ensure personnel meet the legal, ethical and policy standards of the industry. As a matter of basic personnel management and human resource development, every police department in the United States has an obligation to monitor its employees' performance through its supervisors to ensure standards of workmanship, conduct, and output are maintained, that personnel are called to account, and that desired police objectives are achieved.

Police agencies recruit, select, and train officers to effectively serve the goals of the organization. Effective personnel management assumes that employee

⁹ Chicago Police Department General Order 93-3 Complaint and Disciplinary Procedures (effective January 15, 1993).

¹⁰ The Chicago Police Department's supervisory rank structure is: (1) Sergeant, (2) Lieutenant, (3) Captain, (4) Commander, Director, Coordinator, (5) Deputy Chief, (6) Chief, (7) Deputy Superintendent, (8) First Deputy Superintendent, and (9) Superintendent of Police (Chicago Police Department, Department Organization For Command, General Order G01-02, Effective, May 10, 2018. Retrieved on June 24, 2023 from <https://directives.crimeisdown.com/directives/data/a7a57be2-1291da66-88512-91e3-fb25744de048d4ef.html?commit=7d10e9f4e8ef6cf625d86b5078446faa3d4bc730>).

performance is assessed and evaluated on a regular basis, and that the organization collects and analyzes performance data relevant for that purpose. Complaint data is one element. For example, the Chicago Police Department maintains a tall organizational structure. Supervisors at every level are tasked with the responsibility to monitor personnel for compliance with industry standards.¹¹ This is reflected in the characteristics of the respective job class promulgated by the City of Chicago, Human Resources, Police Job Specifications:¹²

1. **Sergeant.** Responsible for:

- a. ...supervising subordinate personnel...
- b. Supervises subordinate personnel including...monitoring officer activity, providing guidance to officers on how to handle incidents, monitoring adherence to department policies and procedures, and ensuring that officers are carrying out assigned responsibilities;
- c. Performs various leadership and mentoring duties by observing and evaluating subordinate performance and, as appropriate, providing direction, regular feedback, counseling, and/or coaching to resolve performance problems and improve subordinate work performance;
- d. Observes subordinate behavior for signs of personal and/or wellness issues and suggests appropriate internal and external resources to address the issue(s);
- e. Receives, reviews, and investigates allegations of officer misconduct and prepares and submits related documentation up the chain-of-command as required by department policy;

¹¹ All supervisory members of Chicago Police Department "...are responsible and accountable for the maintenance of discipline and will provide leadership, supervision and continuing training and example to ensure the efficiency of unit operations. They have the responsibility to influence subordinate members and to motivate them to perform at a high level of efficiency. They have the responsibility for the performance of all subordinates placed under them and while they can delegate authority and functions to subordinates, they cannot delegate responsibility. They remain answerable and accountable for failures or inadequacies on the part of their subordinates (CPD Rules and Regulations, p. 9, Bates CITY18796). The CPD defines a "supervisory member" as "a member responsible for the performance of duty and the conduct of other members" (CPD Rules and Regulations, p. 12, Bates CITY18809).

¹² Retrieved on June 24, 2023, from https://www.chicago.gov/city/en/depts/dhr/supp_info/police_job_specifications.html.

- f. Complies with department rules, regulations, and policies and all Federal, State, and Municipal laws that govern the activities of Police Officers.¹³
- 2. **Lieutenant.** Responsible for:
 - a. Ensures that Sergeants are monitoring their officers' daily activities...;
 - b. Maintains an environment in which clear standards exist for acceptable behavior and performance and sets an exemplary personal example;
 - c. Complies with department rules, regulations, and policies and all Federal, State, and Municipal laws that govern the activities of Police Officers;¹⁴
- 3. **Captain.** Responsible for:
 - a. Serves as a final reviewer of citizen complaints and investigations of employee misconduct; recommends changes and highlights critical points before submission to the Commander;
 - b. Gathers and evaluates information from electronic systems directly and through reports prepared by staff to use in identifying issues; solving problems;
 - c. Provides direction, consultation, and guidance to staff to maintain staff performance, help them resolve unusual, sensitive, or complex problems; and ensure staff compliance with policies and procedures;
 - d. Conducts performance evaluations¹⁵ to document staff performance; reviews performance evaluations completed by subordinate supervisors to ensure that proper procedures are followed, and evaluation processes are conducted in a standardized manner;
 - e. Reviews citizen complaints and investigations of employee misconduct to ensure the integrity of complaint investigations;

¹³ City of Chicago Sergeant Class Title, Code 9171, Police Job Specifications (retrieved on June 24, 2023 from https://www.chicago.gov/city/en/depts/dhr/supp_info/police_job_specifications.html).

¹⁴ City of Chicago Lieutenant Class Title, Code 9173, Police Job Specifications (retrieved on June 24, 2023 from https://www.chicago.gov/city/en/depts/dhr/supp_info/police_job_specifications.html).

¹⁵ Chicago Police Sergeants are required, by policy, to submit semi-annual performance evaluations of their subordinates (CPD Special Order S03-03-01, Field Operations, Bates CITY BG 59166). All supervisors are required by CPD Rules and Regulations to "...evaluate members in their assigned duties" (Bates CITY 18796). A "supervisory member" is defined by CPD Rules and Regulations as "A member responsible for the performance of duty and the conduct of other Members" (Bates CITY 18809).

- f. Complies with department rules, regulations, and policies and all Federal, State, and Municipal laws that govern the activities of Police Officers.¹⁶
- 4. **Commander.** Responsible for:
 - a. Reviews citizen complaints and investigations of employee misconduct to ensure the integrity of complaint investigations;
 - b. Directs research and analysis related to developing long-term plans regarding operations and developing policies and procedures to address current and potential new problems;
 - c. Assesses and reviews complex written information including policies and procedures, legislation, case law, etc. to evaluate operations, inform decisions, and determine compliance with policies, procedures, and legal mandates;
 - d. Reviews, assesses, and implements appropriate responses to issues based on data gathered through a variety of sources;
 - e. Provides direction, consultation, and guidance to staff to maintain staff performance, help them resolve unusual, sensitive, or complex problems; and ensure staff compliance with policies and procedures;
 - f. Conducts performance evaluations to document staff performance; reviews performance evaluations completed by subordinate supervisors to ensure that proper procedures are followed, and evaluation processes are conducted in a standardized manner;¹⁷
- 5. **Deputy Chief.** Responsible for:
 - a. Complies with department rules, regulations, and policies and all Federal, State, and Municipal laws that govern the activities of Police Officers;
 - b. Direction and management of a major bureau or division within the Chicago Police Department (e.g.,...Internal Affairs...);

¹⁶ City of Chicago Captain Class Title, Code 9175, Police Job Specifications (retrieved on June 24, 2023 from https://www.chicago.gov/city/en/depts/dhr/supp_info/police_job_specifications.html).

¹⁷ City of Chicago Commander Class Title, Code 9752, Police Job Specifications (retrieved on June 24, 2023 from https://www.chicago.gov/city/en/depts/dhr/supp_info/police_job_specifications.html). The job specifications are consistent with the responsibilities described in CPD General Order 86-4, District Commanders (effective June 10, 1986).

- c. Demonstrated commitment to holding supervisory personnel accountable for the timely and effective execution of organizational policy by individuals under their command;¹⁸
- 6. **Chief.** Responsible for:
 - a. Complies with department rules, regulations, and policies and all Federal, State, and Municipal laws that govern the activities of Police Officers;
 - b. Demonstrated commitment to holding supervisory personnel accountable for the timely and effective execution of organizational policy by individuals under their command;¹⁹
- 7. **Deputy Superintendent.** Responsible for:
 - a. Manages CPD administrative functions such as Field Services, Records Inquiry, Performance Management, Training Division, and Professional Counseling;
 - b. Complies with department rules, regulations, and policies and all Federal, State, and Municipal laws that govern the activities of Police Officers;
 - c. Demonstrated commitment to holding supervisory personnel accountable for the timely and effective execution of organizational policy by individuals under their command;²⁰
- 8. **First Deputy Superintendent.** Responsible for:
 - a. Complies with department rules, regulations, and policies and all Federal, State, and Municipal laws that govern the activities of Police Officers;
 - b. Demonstrated commitment to holding supervisory personnel accountable for the timely and effective execution of organizational policy by individuals under their command;²¹
- 9. **Superintendent of Police.** Responsible for:

¹⁸ City of Chicago Deputy Chief Class Title, Code 9796, Police Job Specifications (retrieved on June 24, 2023 from https://www.chicago.gov/city/en/depts/dhr/supp_info/police_job_specifications.html).

¹⁹ City of Chicago Chief Class Title, Code 9785, Police Job Specifications (retrieved on June 24, 2023 from https://www.chicago.gov/city/en/depts/dhr/supp_info/police_job_specifications.html).

²⁰ City of Chicago Deputy Superintendent Class Title, Code 9782, Police Job Specifications (retrieved on June 24, 2023 from https://www.chicago.gov/city/en/depts/dhr/supp_info/police_job_specifications.html).

²¹ City of Chicago First Deputy Superintendent Class Title, Code 9781, Police Job Specifications (retrieved on June 24, 2023 from https://www.chicago.gov/city/en/depts/dhr/supp_info/police_job_specifications.html).

- a. The Superintendent of Police will plan, organize, staff, direct and control the personnel and resources of the Department to attain the goals and implement the regulations set forth herein;²²
- b. The Superintendent is charged with the responsibility and has the authority to maintain discipline within the department;²³
- c. Directs the organization, promotion, and disciplinary action of all department members;
- d. Complies with department rules, regulations, policies, and all Federal, State, and Municipal laws that govern the activities of Police Officers;
- e. Demonstrated commitment to holding supervisory personnel accountable for the timely and effective execution of organizational policy by individuals under their command.²⁴

The duties reflected in the job characteristics promulgated by the Chicago Police Department are intrinsic to supervision and have been ever since the ranks were established. The responsibilities exist to provide direction and control over personnel and to ensure personnel meet their legal and ethical obligations as they carry out their assigned duties. Although the means to achieve these ends may change over time (e.g., the advent of technology), the standards remain constant. Identifying problematic employees is necessary to protect citizens from police misconduct.

- e. *A Police Tactical Team that Deals with Narcotics Operations is a Corruption-Prone Assignment that Requires Additional Supervision.* Working in a tactical narcotics team is more prone to corruption compared to other assignments within a police department, regardless of the agency's size or location.²⁵ The tactics that must be used to enforce drug laws

²² Chicago Police Department Rules and Regulations, pp. 8-9, Bates BG59176-59177.

²³ Chicago Police Department Complaint and Disciplinary Procedures Policy, effective January 15, 1993, Bates BG-59013.

²⁴ City of Superintendent of Police Class Title, Code 9957, Police Job Specifications (retrieved on June 24, 2023 from https://www.chicago.gov/city/en/depts/dhr/supp_info/police_job_specifications.html).

²⁵ The Chicago Commission Report found that the Chicago Police Department "...has embraced a comprehensive community policing strategy (featuring decentralized authority and greater discretion for officers) at a time when *a flourishing narcotics trade poses greater temptation and opportunity for corruption*" (Commission on Police Integrity. (November 1997). Report of the Commission on Police Integrity. Chicago, p. 22); also see: **1**) Stevens, D. J. (1999). Corruption among narcotic officers: A study of innocence and integrity. *Journal of Police and Criminal Psychology*, 14(2), 1-10; **2**) United

create an impetus toward dishonesty (e.g., undercover operations, surveillance locations, secrecy, search warrants; reverse sting operations). Police officers assigned to tactical narcotics enforcement are exposed to corruption hazards more frequently than other elements of the police department, which requires additional supervision.

For example:

- i. **Involvement with illicit drugs:** Working closely with narcotics exposes officers to the illegal drug trade. The presence of large quantities of drugs, drug proceeds (i.e., cash, vehicles, weapons), and interactions with drug traffickers leave officers vulnerable to bribery, theft, drug-related offenses (i.e., planting drugs; fabricating evidence; fabricating official reports; fabricating testimony under oath; selling drugs; conducting unlawful searches). There are considerable pressures involved in enforcing drug laws, such as long hours, difficulty with effective enforcement by the same officers over long periods of time, pressures toward corruption, and pressures for performance.
- ii. **Financial temptations:** The lucrative nature of the drug trade can make officers susceptible to financial temptations. The potential for significant financial gains from drug trafficking can lead to misconduct, including accepting bribes, protecting drug dealers (i.e., “street tax”²⁶), or engaging in drug-related activities themselves (e.g., selling drugs; selling guns; protecting drug operations).
- iii. **Limited oversight with an ethos of secrecy, loyalty and solidarity:** Narcotics investigations often involve plainclothes operations and sensitive

States General Accounting Office. (1998). *Law Enforcement: Information on Drug-related Police Corruption: Report to the Honorable Charles B. Rangel, House of Representatives*. Washington, D.C: USGAO; 3) Williams, J. R., Redlinger, L. J., & Manning, P. K. (1979). *Police narcotics control: Patterns and strategies*. Department of Justice, Law Enforcement Assistance Administration, National Institute of Law Enforcement and Criminal Justice (the researchers noted: “The potential for police corruption is high because the high profits and risks of illicit business, and the limited access to other forms of influence, make dealers and users focus their attention on the police agencies whom they attempt to bribe, influence, or control directly or indirectly, p. 5...In Southern City the vice section head reported to the deputy director heading the division who in turn reported to the police chief equivalent. One salient reason for a chief maintaining close contact with a vice group is a concern for reducing the risk of corruption. Vice enforcement is, as we argue above, vulnerable to corruptive practices,” p. 32).

²⁶ In police parlance, “street tax” is money collected by a police officer from a drug dealer to allow the dealer to continue selling drugs in a given area without the threat of arrest or enforcement. The Chicago Commission Report identified other cities across the United States that faced a cycle of police corruption related to narcotics enforcement including New York City, Miami, New Orleans, Philadelphia, Los Angeles and Detroit (Commission on Police Integrity. (November 1997). Report of the Commission on Police Integrity. Chicago, pp. 7-8).

intelligence. This often creates an environment with limited oversight, which provides opportunities for officers to engage in misconduct without detection. The secrecy surrounding investigations can also create an atmosphere where misconduct is more likely to occur. Since officers depend on each other,²⁷ secrecy and loyalty create a bond of silence. These characteristics not only promote police corruption, but impede efforts to control and detect it, which is why close supervision is so important.

- iv. **Managerial failures:** Various management-related factors associated with drug-related corruption include ineffective top-command (i.e., headquarters) and field supervision, failure by top police officials to promote integrity, and weaknesses in a police department's internal investigative structure and practices.
- v. **High-stress environment:** Narcotics enforcement is often highly demanding and stressful. Officers typically face intense pressure to produce results and effect arrests. This operating environment leaves officers prone to unethical or illegal practices to achieve their objectives.²⁸
- vi. **Cultivating confidential informants:** Working with confidential informants poses unique challenges since informants are human assets that require special care (compared to tangible assets such as physical equipment). Cultivating informants through the arrest process requires additional oversight that is not found in other assignments. Although informants can provide useful

²⁷ By way of example, Frank Serpico, NYPD, the center of the infamous *Knapp Commission Report of Police Corruption* (1973), was shot during a drug raid after his comrades allegedly failed to assist him during the entry. Detective Serpico was famous for not succumbing to the lucrative corruption that pervaded narcotics enforcement in New York City at that time. He was known for his ethical behavior, and for exposing widespread corruption in the NYPD at various levels.

²⁸ Williams, J. R., Redlinger, L. J., & Manning, P. K. (1979). *Police narcotics control: Patterns and strategies*. Department of Justice, Law Enforcement Assistance Administration, National Institute of Law Enforcement and Criminal Justice (regarding informants, the researchers noted: "In situations where money for informants is scarce and the pressures for enforcement necessitate the continued use of informants, there is a strain toward practices which are illegal and may lead to corruption. Furthermore, when raids produce possible resources in the form of drugs and money that can be used to pay informants and finance additional work, there can develop compromising situations. The lack of resources allocated become a major structural feature placing strains upon the officers caught in the situation. Asked to do a difficult task without proper resources, and then having the task produce resources that can be used presents an enormous temptation. At first the temptation is to utilize confiscated drugs to pay informants, but later can develop into much more serious forms of corruption especially when, the agents become cynical about the goals of enforcement. Then, agents may begin to utilize the confiscated evidence for their own purposes; yet one must realize that in some such situations, the structural feature beginning the process was the lack of resources allocated," p. 285).

information that police officers could not otherwise access, they may carry sinister motives. This is why police officers and supervisors must abide by policy, to safeguard against those motives.²⁹

Police departments with active tactical narcotics units must engage in various prevention practices, such as: **1)** making a commitment to integrity from the top to the bottom of the organization; **2)** changing the police culture to ensure secrecy and solidarity do not outweigh ethics; **3)** requiring command accountability (i.e., requiring a commitment to corruption control throughout the entire department, especially by field supervisors³⁰); **4)** raising the age and educational requirements for entry level and special assignments; **5)** implementing or improving integrity training at the recruit level; **6)** implementing or improving integrity training and accountability measures for career officers; **7)** periodic command rotation³¹ to eliminate stress, tension, and opportunity for corruption experienced by investigators; **8)** appropriate adequate resources to ensure the organization's goals can be achieved without shortcuts or compromises, which reduces strain and temptation. Police officers who act on their own accord (e.g., pressing arrestees into confidential informants) must be scrutinized, and their official reports must be subject to strenuous review to ensure their practices are within policy.

- f. *Chicago Police Department's Failure to Supervise the Officers Involved in Alvin Waddy's Arrest.* When the Chicago Police Department began to receive complaints against the officers involved in Alvin Waddy's arrest that they were engaged in adverse behavior (e.g., selling drugs, paying informants with drugs, stealing, fabricating evidence,³²

²⁹ Jones-Brown, D., & Shane, J. M. (2011). An exploratory study of the use of confidential informants in New Jersey. *Newark, NJ: American Civil Liberties Union of New Jersey*; Shane, J. (2016). *Confidential informants: A closer look at police policy*. London: Springer.

³⁰ Although the Chicago Police Department promulgated policies that define specific actions from field supervisors, and has developed a tall rank structure, there is nothing in the discovery that I reviewed to indicate that command accountability for corruption was prevalent during the instant case.

³¹ Command rotation is a managerial practice that has been advocated for several decades. The practice was first documented in 1970 by the International Association of Chiefs of Police (International Association of Chiefs of Police. (1970). *Standards for the Staffing and Organization of Municipal Narcotics and Dangerous Drug Enforcement Units*. Gaithersburg, MD: IACP).

³² The CPD was aware of repeated allegations of fabricating against the officers involved in Alvin Waddy's arrest. Knowing the complainants alleged that they had never handled the evidence, a reasonable investigative measure would have been to submit the evidence for forensic analysis (e.g., fingerprinting, DNA testing) to eliminate the complainant as an offender. If a complainant had handled the evidence, particularly over a longer period (such maintaining a "stash" and

unlawfully prosecuting individuals³³), the Department had an obligation to act and stop their conduct.³⁴ Given that the allegations were criminal, stronger supervisory measures such as targeted integrity testing³⁵ was warranted.³⁶

Integrity testing is a logical extension of an employer's right to evaluate employees' work performance and honesty. As an aspect of supervision, the intent behind integrity testing is to manage risk. Such a practice is aimed at testing the target's compliance or expected response against the actual observed response. Integrity testing is: **1)** used as an anti-corruption tool to identify and catch corrupt police officers; **2)** to create a more comprehensive corruption barometer by providing a limited measure of corruption within the Department; **3)** used to create an environment of supervisory omnipresence; and **4)** used to identify training needs and communicate these needs for appropriate follow up. Although the instant case was ripe for an integrity test,³⁷ the discovery materials indicate that any integrity

peeling off smaller quantities from larger quantities to serve customers), then forensic analysis may confirm or dispel the investigator's suspicions. This did not occur.

³³ For example, Clarissa Glenn made allegations against Sergeant Watts for fabricating evidence (CR # 309282, Bates CITY BG 012903 to 012927; also see CR # 313683 for a case of fabricating evidence. This matter took 406 days before it was completed). Chief Barbara West testified at deposition that one complaint against Sergeant Watts occurred in April 2008, it was subsequently assigned to Joseph Barnes in September 2009, and then assigned to Sergeant Chester in June 2013. This is evidence of a continuing pattern after Sergeant Watts was arrested. There is no explanation in discovery for the investigative delay (West deposition, 91: 23-24; 92-93: 2).

³⁴ Calvin Holiday testified at deposition that if multiple investigations were open against a CPD employee, then the investigations may have been assigned to different investigators with each not necessarily aware that separate investigations were underway (Holiday deposition, 51: 6-25; 52-53: 4). This reflects a management failure that implicates duplication of effort, consistency and fairness, and strengthening the investigative process. Situational awareness allows for a more comprehensive analysis of the evidence, and a more robust investigation overall. The input and feedback from multiple investigators can help strengthen the case, identify any potential weaknesses or biases, and increase the chances of arriving at a just and accurate conclusion.

³⁵ Integrity testing is a term used to describe various covert conditions intended to assess a police officer's ability to avoid tempting counterproductive behavior and comply with the requirements of the position. Calvin Holiday testified at deposition that integrity testing was discussed in the instant case, but there is nothing in the discovery that I reviewed to indicate that it was ever executed to stop the officers involved in the instant case (Holiday deposition, 91: 23-25; 92-94: 1).

³⁶ Although the FBI eventually investigated the defendant officers, the CPD did not act swiftly enough when they had information that the defendant officers were committing crimes. The CPD allowed the defendant officers to continue in their role for several years, harming individuals at the Ida B. Wells housing development (see affidavit of Pete Koconis;

[REDACTED]

[REDACTED]

³⁷ [REDACTED] This is precisely the type of condition that requires an integrity test. However, the evidence in discovery indicates the CPD was slow to consider integrity testing, which would have developed evidence suitable for prosecution.

testing effort was insufficient. The discovery materials also indicate that the Chicago Police Department failed initiate and ensure other supervisory methods to eliminate the officers' unlawful enforcement action. Failing to take supervisors actions would lead reasonable officers to believe that the city condoned their conduct...]

1. **Regular performance evaluations.** Performance evaluations are an instrument for determining individual strengths and weaknesses across a spectrum of performance dimensions related to an employee's specific function. They can also detect emerging problems. By job description, Chicago police captains, and police commanders are required to conduct "performance evaluations to document staff performance; review performance evaluations completed by subordinate supervisors to ensure that proper procedures are followed, and evaluation processes are conducted in a standardized manner." Of the discovery that I reviewed, there is nothing to indicate that any Chicago police captain or commander submitted any performance evaluations for officers involved in Alvin Waddy's arrest in the instant case.
2. **Early intervention systems.** Early intervention systems³⁸ are intended as incident-driven systems, not outcome-driven systems. This means despite the outcome of any internal investigation, or whether someone files a complaint, the incident is the driving factor, not the outcome, for taking personnel action before negative discipline becomes necessary. When personnel complaints arise, it is

³⁸ An early warning system, either electronic or paper-based is intended to assist supervisors and managers in identifying employees whose performance warrants review and, where appropriate, outlining intervention procedures in circumstances where the employee's behavior may have negative consequences for the employee, coworkers, the agency, and/or the public. Early warning systems serve to improve employee health, promote community-police relations, encourage positive behavior, and reduce public complaints. These systems also assist the employee in reaching their full potential by using data to identify performance trends worthy of review and enhance supervision.

³⁸ Identifying and addressing patterns of complaints against police officers has been an element of police personnel management and academic research since the early 1970s (see for example: A.E. Wagner. **1972**. "Patterns in Police Misconduct - Citizen Complaints Against The Police." UMI Dissertation service. Ann Arbor, MI—correlational techniques were used to compare the relationships between the individuals and their milieu. Findings indicate that police officers accused of misconduct are seldom disciplined since few cases are substantiated and rarely differ from any other officer; Toch, H. J., Grant, D., & Galvin, R. T. (1975). *Agents of change*. New York: John Wiley—developed a program in which Oakland, California, police officers with records of use-of-force incidents were counseled by peer officers; Milton, Catherine. H., Jeanne W. Halleck, James Lardner, and Gary L. Albrecht. (1977). "Police use of deadly force." Washington, DC: National Police Foundation—examined use of force complaints; Porter, B. (1984). *The Miami riot of 1980*. Lexington, MA: Lexington Books and U.S. Commission on Civil Rights. (1984). *Confronting racial isolation in Miami*. Washington, DC: Government Printing Office—The Miami Police Department became concerned with its officers' behavior that generated citizen complaints in 1979 in response to a major police-community relations crisis (the study period was 1976 to 1978).

incumbent upon supervisors and managers to initiate and ensure action is taken to address the complaints, especially when a pattern of complaints and allegations accrues, notwithstanding the outcome of any investigation. Although the officers involved in Alvin Waddy's arrest accrued several complaints during the relevant period of the discovery that I reviewed, there is nothing to indicate that the Chicago Police Department acted on the data to disrupt the pattern.

3. **Transfer to a non-enforcement assignment.** Transferring a police officer from an enforcement position to an administrative position when personnel complaints accrue, or when criminal allegations are reported is a common practice. Doing so removes the officer from contact with the public and eliminates their enforcement capacity, thus eliminating the opportunity to cause harm. Of the discovery that I reviewed, there is nothing to indicate that the Chicago Police Department transferred any of the officers involved in Alvin Waddy's arrest to an administrative position in the instant case.
4. **Dissolving the unit in which the officers involved in Alvin Waddy's arrest were assigned.**³⁹ Although a specialized tactical narcotics division may be useful, if it causes more harm than good, then it should be dissolved. It is evident from the discovery materials that a culture⁴⁰ of supervisory indolence and abrogation

³⁹ As one example in Chicago, the Police Department dissolved the Special Operations Section after several incidents of misconduct were reported (David Heinzmann & Emma Graves Fitzsimmons, October 10, 2007, "Cops disband elite unit," *Chicago Tribune*). The Los Angeles Police Department dissolved the Rampart CRASH unit (an anti-gang unit) on March 3, 2000 following a corruption scandal that began around March 1997 (see PBS Frontline, LAPD Blues. Retrieved on June 24, 2023 from <https://www.pbs.org/wgbh/pages/frontline/shows/lapd/scandal/cron.html>). The NYPD dissolved the Street Crime Unit after the unit was involved in some of the city's most notorious police shootings (see Ali Watkins, June 15, 2020, "N.Y.P.D. Disbands Plainclothes Units Involved in Many Shootings," *New York Times*. Retrieved on June 24, 2023 from <https://www.nytimes.com/2020/06/15/nyregion/nypd-plainclothes-cops.html>).

⁴⁰ Daniel Echeverria testified at deposition that he was often referred to as a "rat" or "rat motherfucker" by his supervisor Lieutenant Pascua (Echeverria deposition, 95: 15-18), and that Sergeant Janice Barney was also prone to insulting personnel in the Inspections Unit 126 (Echeverria deposition, 106: 10-24; 107: 1). Mr. Echeverria also testified at deposition that Commander O'Grady informed Echeverria and Spaulding's Fugitive Apprehension Division supervisors that they were "rats" and should be "treated accordingly" (Echeverria deposition, 152: 19-24; 153: 1-11; 154: 21-24; 155: 3). This culture of labeling and stigmatizing individuals who report misconduct as "rats" is detrimental to police accountability and the Department's overall integrity, does not engender positive interpersonal relations, and is contrary to all CPD supervisors' responsibilities to motivate employees as defined by CPD Rules and Regulations (CPD Rules and Regulations, p. 9, Bates CITY18796. The CPD defines a "supervisory member" as "a member responsible for the performance of duty and the conduct of other members," CPD Rules and Regulations, p. 12, Bates CITY18809). In a similar case (see *Klipfel & Casali v. Gonzalez et al.*, 2006.), CPD Officer Joseph Miedzianowski "...told other CPD gang crimes officers not to work with ATF, and especially not to work with Klipfel because she was a rat and may be wearing a wire" (p. 3). This same cultural behavior existed in 1993 involving CPD Officer Miedzianowski, long before Echeverria encountered it in his work unit. Chicago Mayor Rahm Emanuel also addressed the negative culture in CPD speaking about the Laquan McDonald police shooting (October 20, 2014): "We need a painful but honest reckoning of what went

of responsibility were pervasive in the tactical narcotics team to which the defendants were assigned. Conduct by the officers involved in Alvin Waddy's arrest persisted for several years. This is an indication that despite being aware of the allegations through years of citizen complaints, successive levels of supervision ignored those complaints, and allowed the officers to continue in

wrong, not just in this one instance but over decades. We need to talk about what to do differently to ensure that incidents like this do not happen again; about the police culture that allows it and enables it...Supervision and leadership in the police department and the oversight agencies that were in place failed...Nothing less than complete and total reform of the system and the culture that it breeds will meet the standard we have set for ourselves as a city" (American Rhetoric, Rahm Emanuel, Chicago City Council Address, December 9, 2015. Retrieved on July 8, 2023, from <https://www.americanrhetoric.com/speeches/rahmemanuelcitycouncil9december2015.htm>).

There is relationship between police culture and police corruption, which holds across international settings. See for example: **1)** Campbell, J. L., & Göritz, A. S. (2014). Culture corrupts! A qualitative study of organizational culture in corrupt organizations. *Journal of Business Ethics*, 120(3), 291-311 (the research found that corrupt organizations perceive themselves to fight in a war, which leads to their taken-for-granted assumption that 'the end justifies the means.' This assumption inspires many values and norms of the organizational culture. An important value in a corrupt organization is "security", and an important norm is punishment of deviant (i.e., non-corrupt) behavior"); **2)** Amagnya, M. A. (2023). Police officers' support for corruption: examining the impact of police culture. *Policing: An International Journal*, 46(1), 84-99 (the study of Ghanaian police officers found that "the perception of corruption prevalence, lack of deterrence (i.e., perceived oversight measures) and the Upper East Region significantly predicted officers' support for corruption. Particularly, lack of deterrence was a consistent predictor of support for corruption across different models compared to corruption prevalence"); **3)** Mink, O. G., Dietz, A. S., & Mink, J. (2000). Changing a police culture of corruption: Implications for the police psychologist. *Journal of Police and Criminal Psychology*, 15(2), 21-29 (the study found that "to the extent that relationships are embedded in a culture of corruption and meta-pathologies such as dishonesty, an officer's sense of well-being will forever fall short of achieving wholeness and less than optimum performance will be achieved. As the culture continues to become increasingly more toxic, the individual's performance will continue to decline"); **4)** Hagedorn, J., Kmiecik, B., Simpson, D., Gradel, T. J., Zmuda, M. M., Sterrett, D., ... & Chebat, T. (2013). Crime, Corruption and Cover-ups. Anti-Corruption Report Number 7. University of Illinois at Chicago Department of Political Science (the study found "The 'blue code of silence,' while difficult to prove, is an integral part of the department's culture and it exacerbates the corruption problems [and] The listing in our report of the 295 convicted police officers and their illegal activities demonstrate that corruption in Chicago Police Department is not confined to a few isolated cases. While people can debate whether the CPD has a culture that promotes corruption, the findings clearly show that the CPD has at the very least a culture that tolerates police misconduct and corruption"); **5)** Garduno, L. S. (2019). Explaining police corruption among Mexican police officers through a social learning perspective. *Deviant behavior*, 40(5), 602-620 (the research examined the causes of corruption among Mexican police officers and found that positive definitions and reinforcement towards corruption are significant predictors of police corruption, and partially mediate the effect of job dissatisfaction on corruption).

Although police culture may be positive (i.e., support for integrity), negative culture (i.e., one that tends to ignore corruption) is a key factor associated with drug-related police corruption. The cultural disposition supporting drug-related corruption includes: **1)** a code of silence with grave consequences for those violating it; **2)** loyalty to other officers above all else, including personal integrity; **3)** cynicism or disillusionment about the job, the criminal justice system, and public support for those who performed properly; and **4)** indoctrination on the job as to what is acceptable behavior—for example, ignoring corruption. These cultural expectations facilitate corruption by **1)** setting the standard that nothing was more important than the loyalty of officers to each other (e.g., not stopping even the most serious forms of corruption; and **2)** thwarting efforts to control corruption, thereby leading officers to cover up for other officers' crimes (see Caldero, M. A., & Crank, J. P. (2010). *Police ethics: The corruption of noble cause*. Routledge; Goldschmidt, J., & Anonymous. (2008). The necessity of dishonesty: police deviance, 'making the case' and the public good. *Policing & Society*, 18(2), 113-135.).

their assignment. With so many successive layers of supervision, and so many accumulated complaints, the tactical narcotics team continued to operate unfettered. The tacit message to supervisors and officers engaged in tactical operations was continue doing what you are doing, because what you are doing is good.⁴¹ There is no need to change. When adverse behaviors are not addressed promptly and effectively, they can be taken for granted, perpetuated, and eventually normalized within the department; this is commonly known as normalized deviance, and has been the focus of police corruption research for several decades.⁴² Police officers may come to accept such actions as part of the culture, making it challenging to report misconduct when they are exposed to it. This is tantamount to managerial indifference, including an abrogation of the Superintendent's responsibility to direct the organization.⁴³

Candor and honesty are intrinsic to police operations.⁴⁴ Veracity promotes pro-social behavior so that social order and mutual trust are preserved. The job specifications for the Chicago police rank structure are replete with supervisory functions that require successive ranks to monitor subordinate personnel for compliance with agency policy. Police policy exists to provide clear guidelines, rules, and procedures that govern the actions and conduct of police officers. These policies are designed to ensure that individual police officers and law enforcement agencies

⁴¹ For example, Sgt. Watts apparently made statements that he had little to concern himself with from the Office of Professional Standards (OPS). One complainant (Pamela Nooner) gave a statement to OPS that when she threatened to call OPS about Watts and his unlawful search, Watts replied "Fuck OPS, they aint going to do shit. Don't you see I keep beating my cases" (Bates CITY BG 12064, CR # 305849). This indicates that a reasonable officer in Watts' position would believe that the CPD condoned his behavior.

⁴² See: **1)** Barker, T. (1977). Peer group support for police occupational deviance. *Criminology*, 15(3), 353-366 (the research examines the way the opportunity structure and socialization practices within the occupation combine with peer group support to create a social situation where certain corrupt acts are tolerated and accepted); **2)** Ashforth, B. E., & Anand, V. (2003). The normalization of corruption in organizations. *Research in Organizational Behavior*, 25, 1-52 (the research explains how otherwise morally upright individuals can routinely engage in corruption without experiencing conflict, how corruption can persist despite the turnover of its initial practitioners, how seemingly rational organizations can engage in suicidal corruption and how an emphasis on the individual as evildoer misses the point that systems and individuals are mutually reinforcing).

⁴³ See City of Chicago Superintendent of Police Class Title, Code 9957, Police Job Specifications (retrieved on June 24, 2023 from https://www.chicago.gov/city/en/depts/dhr/supp_info/police_job_specifications.html).

⁴⁴ The Cook County State's Attorney's Office promulgated a list of CPD Brady/Giglio officers that they cannot call to testify because of their dishonesty (updated July 17, 2023) (Bates PL JOINT 82730-82734).

operate efficiently, fairly, and in compliance with the law while maintaining the safety and security of the public. Policies serve several important functions:

1. **Regulation and Consistency.** Police policies establish a framework for consistent and standardized practices within the Department. They define the roles and responsibilities for personnel and outline the appropriate procedures for various situations (e.g., use of force, supervision, conducting investigations).
2. **Legal Compliance.** Police policies are designed to ensure that officers comply with federal, state, and local laws, as well as court rulings. By adhering to these policies, police departments aim to reduce the risk of legal challenges and civil rights violations.
3. **Transparency and Accountability.** Well defined policies enhances the transparency of law enforcement practices. The public and oversight bodies can use these policies to understand how the Department operates and holds officers accountable for their actions.
4. **Training and Professional Development.** Policies provide a basis for training and professional development. Officers are educated on how to handle specific situations, utilize equipment, and interact with individuals they encounter while on duty.
5. **Preserving Public Trust.** Clear policies contribute to building and maintaining public trust in law enforcement. When officers act according to established policies, and practices it promotes a sense of fairness, accountability, and legitimacy in the eyes of the community.
6. **Internal Management and Discipline.** Police policies provide a basis for internal management, supervision, and discipline within the department. Policy violations can lead to internal investigations and disciplinary actions.

A promulgated policy is only effective when it is consistently and appropriately enforced by supervisors within the agency. Enforcement by supervisors is a crucial step to ensuring that policies are followed, and that officers' actions align with the department's standards and values.

g. *Chicago Police Department's Long-Term Notice of Poor Management and Disciplinary Practices.*

The Chicago Police Department has history of corruption, and both the City and Police Department have been aware of these problems for decades.⁴⁵ The personnel complaint function was originally administered by CPD internal affairs. However, the 1972 Metcalfe Report found that internal affairs "...complaints from citizens of abusive conduct by police are almost universally rejected by the Police Department's self-investigation system" (p. 32).⁴⁶ By 1974, the City developed the Office of Professional Standards (OPS). This body was intended as an independent police oversight agency tasked with investigating citizen complaints. However, it was soon evident that OPS had direct ties to CPD, the Chief Administrator was appointed by the Mayor and worked under the Police Superintendent. The OPS conducted "sloppy investigations," and they were "vulnerable to pressure by the police union."⁴⁷

The OPS continued until 2007 when it was dissolved and replaced by the Independent Police Review Authority (IPRA). Other than changing its name, the discovery materials that I reviewed to suggest that IPRA was substantively different from OPS. For example, IPRA's Chief Administrator was also appointed by the Mayor and it "inherited the exact same staff (from OPS) that was inadequate, and had a culture of protecting the police."⁴⁸ IPRA's failure began to publicly manifest around 2015 following the police-involved shooting death of Laquan McDonald. At

⁴⁵ See: **1)** Commission on Police Integrity. (November 1997). Report of the Commission on Police Integrity. Chicago, IL, p. 9, for a chronology of significant cases between 1960 and 1997; **2)** Police Accountability Task Force Report. (April 2016). Recommendations for Reform: Restoring Trust between the Chicago Police and the Communities they Serve, pp. 23-24, for a discussion of previous corruption task forces (Bates BAKER GLENN 6794-6983); **3)** Futterman, C. B., Mather, H. M., & Miles, M. (2007). The Use of Statistical Evidence to Address Police Supervisory and Disciplinary Practices: The Chicago Police Department's Broken System. *DePaul Journal for Social Justice*, 1, 251-329 (documenting a litany of police corruption cases, and the CPD's internal disciplinary data that reveal a substandard accountability system).

⁴⁶ A Report and Recommendations Based on Hearings Before the Blue Ribbon Panel convened by the Honorable Ralph H. Metcalfe. (1972). Misuse of Police Authority in Chicago. The findings from the Metcalfe Report in 1972 that CPD "almost universally rejected by the Police Department's self-investigation system" is consistent with the data in the instant case on the same issue. The data in the instant case reveal that 97.9% of external allegations against CPD officers were not sustained (a disposition similar to "universally rejected") (see table 14).

⁴⁷ Shielded from Justice: Police Brutality and Accountability in the United States. Chicago: Office of Professional Standards. Retrieved on July 7, 2023 from <https://www.hrw.org/legacy/reports98/police/uspo55.htm>. The report also found a disciplinary system fraught with long investigative delays, credibility issues with OPS staff, and rude staff, all of which contribute to a system that did not prioritize the complainant. The notion that OPS conducted "sloppy investigations" is similar to what the data in the instant case reveal. Many investigations were incomplete and missing essential elements that rendered them unreliable (see tables 16 and 17).

⁴⁸ Cabaniss, W. (October 13, 2015). The Origins of IPRA. *South Side Weekly*. Retrieved on July 7, 2023, from <https://southsideweekly.com/the-origins-of-ipra/>.

that time, Mayor Rahm Emanuel assembled the Police Accountability Task Force (PATF) to investigate the problems inside CPD, and soon IPRA's failures were evident. The Task Force found that IPRA was "under-resourced, lack[ed] true independence" and was "not held accountable for their work." Also, IPRA had not investigated "40% of complaints filed,"⁴⁹ and its "disciplinary recommendations" were "reduced or eliminated...in 73% of cases."⁵⁰ IPRA held a bias in favor of the police.⁵¹

Whether OPS, and IPRA, the institutional responses have been lackluster, nothing more than current practices repackaged under a new name, with reform recommendations going unanswered.⁵² For example, the 2016 Police Accountability Task Force Report noted:

The fact of the matter is that there is a general absence of a culture of accountability within CPD, largely because no one in top leadership has taken ownership of the issue. Although so-called "problem officers" are either well known to their supervisors and CPD's leadership or easily identified, few steps are being taken to proactively manage and redirect those officers' conduct. The effective tools for providing greater oversight and supervision to officers are well known and widely used in other jurisdictions. There appears to be no urgency within CPD around accountability. Something must change, and that change must come from the highest levels of CPD.

CPD's efforts to actively monitor and improve officer behavior appear to be at a standstill, but the problem is not new. CPD's history is replete with examples of wayward officers whose bad behavior or propensity for bad behavior could have been identified much earlier if anyone had viewed managing this risk as a business imperative (p. 96, Bates BAKER GLENN 6895).

But, despite [Officer Jerome Finnigan's] outward appearances, red flags were piling up long before 2006. Between 2000 and the time he was indicted in 2006 and ultimately resigned in 2008, Finnigan racked up 89 CRs. Over the

⁴⁹ The data in the instant case bear some similarity to this finding. There are 14 CR files that bear the "not investigated" disposition (CR numbers 300778, 1004698, 1008321, 1013134, 1014553, 1055288, 1056042, 1058489, 1058852, 1059446, 1060620, 1082599, 1091128, 1091138).

⁵⁰ Police Accountability Task Force Report. (April 2016). Recommendations for Reform: Restoring Trust between the Chicago Police and the Communities they Serve, pp. 11-12.

⁵¹ The data in the instant case bear some similarity to this finding. Tables 14 and 15 reveal bias in favor of the police, where the overwhelming majority of external allegations against the officers were not sustained.

⁵² Concerning recommendations for reform from the Commission on Police Integrity, (November 1997), the Police Accountability Task Force Report (April 2016) notes "Unfortunately, other recommendations were not addressed and still need attention" (p. 24, Bates BAKER GLENN 6823). After 19 years, the City still failed to implement certain police reforms.

entire course of his career, he had 161 total CRs—a shocking number by any standard. These CRs were for a range of serious complaints, including numerous lawsuits; numerous warrantless, non-consensual searches; theft; and other felony crimes. And yet, according to CPD records provided by the City, no effort was ever taken to enroll Finnigan in the department’s formal intervention programs or otherwise intercede in his obvious pattern of misconduct (Finnigan was later identified in CPD’s manual efforts to identify and enroll more officers in the department’s formal intervention programs—discussed in more detail below—but, by that point, Finnigan had already been indicted.) (p. 97, Bates BAKER GLENN 6896).

In 2005, another CPD officer, Corey Flagg, was arrested for his part in a ring of five Englewood officers who used traffic stops and home invasions to rob drug dealers. Flagg pled guilty to conspiracy to distribute cocaine and marijuana, as well as possession of a firearm in a drug trafficking crime, and was sentenced to nearly 10 years in prison. Flagg’s record also raised numerous red flags. As with Finnigan, Flagg incurred large numbers of CRs during his tenure at CPD—88 in total—and received a number of lengthy suspensions. (Unlike Finnigan, Flagg was enrolled in the department’s behavioral intervention program in 2003.) (p. 97, Bates BAKER GLENN 6896).

Some might argue that Finnigan’s and Flagg’s criminal conduct is aberrational. It is not. Police corruption cases in Chicago may not be commonplace, but neither are they rare occurrences. Former CPD Gang Crimes Officer Joseph Miedzianowski (sentenced to life imprisonment for racketeering, drug conspiracy and robbery), former CPD Chief of Detectives William Harnhardt (pled guilty to racketeering and conspiracy) and former CPD Narcotics Officer Glenn Lewellen (guilty of narcotics conspiracy) are but three of the most notorious instances of police corruption in recent memory. But there have been others, and it is clear that some portion of the Chicago police force still is not meeting their professional and legal obligations (p. 97, Bates BAKER GLENN 6896).

Another example of poor CPD management is one case of “two places at once” arrest reports identified by COPA (Bates 68062 to 68094). In this one case police supervisors knew or should have known that tactical narcotics officers submitted fictitious reports of arrests involving Mr. Ben Baker and Ms. Clarissa Glenn. The officers reported being in two places at the same time. Despite the discrepancy in the arrest reports, the CPD did not notice and reconcile the fictitious information at the time they were submitted consistent with a supervisor’s obligations.

h. *Chicago Police Department's Failure to Adequately Address Complaints Against Personnel.* The Chicago Police Department was aware that the officers involved in Alvin Waddy's arrest (Sergeant Ronald Watts, Kallatt Mohammed, Elsworth J. Smith, Jr., Robert Gonzalez, Manuel Leano, Douglas Nichols, Alvin Jones, Brian Bolton, Lamonica Lewis) were accruing personnel complaints that emanated from their work as Chicago Police Officers.

1. **Complaints Against Personnel.** The personnel complaint data is described as follows: The data range is 25 years, from 1994 to 2018 (table 5, based on the date of the incident) consisting of 1,058 allegations and 9 unique allegation categories (table 6).

Table 5		
<i>Complaints by Year</i>		
Year	n	%
1994	2	1.1%
1995	1	0.6%
1996	1	0.6%
1997	3	1.7%
1998	3	1.7%
1999	9	5.2%
2000	9	5.2%
2001	14	8.0%
2002	9	5.2%
2003	10	5.7%
2004	18	10.3%
2005	16	9.2%
2006	13	7.5%
2007	14	8.0%
2008	8	4.6%
2009	14	8.0%
2010	4	2.3%
2011	7	4.0%
2012	7	4.0%
2013	4	2.3%
2014	1	0.6%
2015	2	1.1%
2016	1	0.6%
2017	2	1.1%
2018	1	0.6%
(blank) ⁵³	1	0.6%
Total	174	100.0%

⁵³ CR270177 did not report the Date of Incident.

Table 6		
<i>Allegations by Category</i>		
Allegations	n	%
Excessive Force	300	28.4%
Unlawful Search, Entry, or Arrest	239	22.6%
Demeanor	221	20.9%
Operation or Personnel Violations	100	9.5%
Fabricated Evidence and Integrity Violations (inculpatory)	95	9.0%
Theft / Improper Inventory Procedure	50	4.7%
Property Damage	37	3.5%
Domestic Violence	11	1.0%
Integrity Violations - Non-Inculpatory	5	0.5%
Total	1,058	100.0%

Table 7 presents allegations before April 4, 2007 based on the date the complaint was initiated.

Table 7	
<i>Allegations by Category Before April 4, 2007 Based on Date Complaint Was Initiated</i>	
Allegation Categories	n
Excessive Force	205
Demeanor	149
Unlawful Search, Entry, or Arrest	87
Operation or Personnel Violations	57
Theft / Improper Inventory Procedure	32
Fabricated Evidence and Integrity Violations (inculpatory)	27
Property Damage	17
Domestic Violence	9
Integrity Violations - Non-Inculpatory	3
Total	586

2. **Pareto Analysis.** The Pareto Principle (also known as the 80-20 Rule) is a principle of analysis that indicates certain types of events are highly concentrated among particular people, places and things (in the instant case, complaints against Chicago police officers). This kind of concentration is not peculiar to complaints against police officers, but is almost a universal law. For example, a small portion of the population holds most of the wealth. As applied to police personnel complaints, the principle is useful to determine where complaints are concentrated so police supervisors and managers can focus resources and limit their efforts to those complaints that will that yield the greatest preventive benefits.

Table 8 shows the allegation categories based on frequency. Excessive force and unlawful search, entry or arrest are criminal allegations and should be treated with the utmost preventive action by CPD. There was a clear pattern of allegations arising over the analysis period, most of which dealt with a physical confrontation (e.g., excessive force), actions that affect legitimacy and community perception (demeanor), Fourth Amendment violations (unlawful entry, search, or arrest) and truthfulness (fabricated evidence and integrity violations (inculpatory)). The allegations that affect legitimacy are contrary to the duties listed in the job specifications for every rank in the Chicago Police Department, which is to promote positive community relations. Had the Superintendent of Police and the command staff prioritized the effort to address the most common allegations—consistent with their job specifications—then they would have been able to intervene and stop the defendants’ adverse behavior sooner than their arrest through a personnel improvement plan. This is why supervisors at every level in the CPD are tasked with the responsibility to monitor personnel for compliance with industry standards.

Table 8*Pareto Analysis of Allegations*

Allegation Categories	n	%	Cum. %	Cum. % of Categories
Excessive Force	300	28.4%	28.36%	11.1%
Unlawful Search, Entry, or Arrest	239	22.6%	50.95%	22.2%
Demeanor	221	20.9%	71.83%	33.3%
Operation or Personnel Violations	100	9.5%	81.29%	44.4%
Fabricated Evidence and Integrity Violations (inculpatory)	95	9.0%	90.26%	55.6%
Theft / Improper Inventory Procedure	50	4.7%	94.99%	66.7%
Property Damage	37	3.5%	98.49%	77.8%
Domestic Violence	11	1.0%	99.53%	88.9%
Integrity Violations - Non-Inculpatory	5	0.5%	100.00%	100.0%
Total	1,058	100.0%		

Table 9 presents the same analysis using allegations before April 4, 2007 based on the date the complaint was initiated.

Table 9*Pareto Analysis of Allegations Before April 4, 2007 Based on Date the Complaint Was Initiated*

Allegation Categories	n	%	Cum. %	Cum. % of Categories
Excessive Force	205	35%	35%	11.1%
Demeanor	149	25%	60%	22.2%
Unlawful Search, Entry, or Arrest	87	15%	75%	33.3%
Operation or Personnel Violations	57	10%	85%	44.4%
Theft / Improper Inventory Procedure	32	5%	90%	55.6%
Fabricated Evidence and Integrity Violations (inculpatory)	27	5%	95%	66.7%
Property Damage	17	3%	98%	77.8%
Domestic Violence	9	2%	99%	88.9%
Integrity Violations - Non-Inculpatory	3	1%	100%	100.0%
Total	586	100%		

3. *Internal and External Allegations by Source.* There were 1,058 allegations (table 10). Of those, 93% were from external sources (n=981) and 7% were from internal sources (n=76). Table 11 presents allegations by source before April 4, 2007 based on the date the complaint was initiated.

Table 10*Allegations by Source*

Allegations	Source			Total
	External	Internal	(blank)	
Demeanor	221			221
Domestic Violence	11			11
Excessive Force	299		1	300
Fabricated Evidence and Integrity Violations (inculpatory)	76	19		95
Integrity Violations - Non-Inculpatory	3	2		5
Operation or Personnel Violations	71	29		100
Property Damage	37			37
Theft / Improper Inventory Procedure	44	6		50
Unlawful Search, Entry, or Arrest	219	20		239
Total	981	76	1	1,058

Table 11*Allegations By Source Before April 4, 2007 Based On The Date The Complaint Was Initiated*

Allegations	Source		
	External	Internal	Total
Excessive Force	205		205
Demeanor	149		149
Unlawful Search, Entry, or Arrest	87		87
Operation or Personnel Violations	36	21	57
Theft / Improper Inventory Procedure	28	4	32
Fabricated Evidence and Integrity Violations (inculpatory)	27		27
Property Damage	17		17
Domestic Violence	9		9
Integrity Violations - Non-Inculpatory	2	1	3
Total	560	26	586

4. **Allegations by Disposition.** Table 12 shows allegations by the disposition. Of the total allegations,⁵⁴ 5.8% were sustained, the remainder were not sustained (94.2%). Of those that were potentially criminal (indicated by the shaded cells), one allegation for excessive force was sustained (0.09%), 19 allegations of fabricated evidence were sustained (1.8%), two allegations for theft were sustained (0.19%), and three allegations of unlawful search were sustained (0.29%).

Table 12
Allegations by Disposition

Allegations	Exonerated	None (not investigated)	Not Sustained	Other	Unfounded	(blank)	Sustained	Total
Demeanor	3	6	140	2	56	2	12	221
Domestic Violence			9		2			11
Excessive Force	14	14	156	3	110	2	1	300
Fabricated Evidence and Integrity Violations (inculpatory)		15	7	1	31	22	19	95
Integrity Violations - Non-Inculpatory			5					5
Operation or Personnel Violations	3	6	30	5	29	5	22	100
Property Damage			11		26			37
Theft / Improper Inventory Procedure		2	24	1	16	5	2	50
Unlawful Search, Entry, or Arrest	4	61	73	19	72	7	3	239
Total	24	104	455	31	342	43	59	1,058

Table 13 presents the same data using allegations before April 4, 2007 based on the date the complaint was initiated.⁵⁵ The vast majority of sustained findings were for relatively minor allegations (i.e., demeanor) or a vague personnel category (i.e., operation or personnel violations) compared to criminal allegations (i.e., excessive force, domestic violence, fabricated evidence, and integrity violations (inculpatory), theft, or unlawful search, entry, or arrest).

⁵⁴ Missing data (n=43) were removed from the calculations. The total is 1,015 instead of 1,058.

⁵⁵ Four dispositions were missing, two from CR 306232 and two from CR 291693.

Table 13*Allegations by Disposition Before April 4, 2007 Based on Date the Complaint Was Initiated*

Allegations	Exonerated	None (not investigated)	Not Sustained	Unfounded	(blank)	Sustained	Total
Demeanor			107	28	2	12	147
Domestic Violence			9				9
Excessive Force	9		129	64	2	1	203
Fabricated Evidence and Integrity Violations (inculpatory)			7	20			27
Integrity Violations - Non-Inculpatory			3				3
Operation or Personnel Violations	2		27	14		14	57
Property Damage			10	7			17
Theft / Improper Inventory Procedure		2	22	8			32
Unlawful Search, Entry, or Arrest	1		63	22		1	87
Total	12	2	377	163	4	28	586

Table 14 shows the likelihood of sustaining an allegation based on the source (internal or external), and tests for relationship between these variables using the chi-square test of independence.⁵⁶ If an allegation was generated from an internal source (n=76), then the CPD sustained the allegation 51% of the time (n=39), which is higher than expected.⁵⁷ However, if the allegation was generated from an external source (n=938), then the CPD sustained the allegation 2.1% of the time (n=20), which is lower than expected. In fact, 97.9% of external allegation were not sustained, which is higher than expected, all things being equal. This wide disparity results in a statistically significant relationship⁵⁸ ($p < .000$) with a very strong positive association ($V = .553$), where internal

⁵⁶ Chi-square is a statistical test that is applied with two nominal variables from a single population. The procedure is used to determine whether there is a significant relationship between the two variables. SPSS was used to test for this relationship. The variable “initial disposition recommended by investigator” was dichotomized into sustained (=1) and not sustained (=0). The “not sustained” category was collapsed to include exonerated, none-not investigated, not sustained, unfounded and other). There are 44 allegations with missing data, 43 from initial disposition recommended by the investigator, and 1 from source).

⁵⁷ The data are skewed due to a sizeable number of sustained allegations from the COPA reinvestigation of the Baker-Glenn matter (CR 1087742). Twenty-three (23) sustained internal allegations derived from the Baker-Glenn reinvestigation skews the data in a positive direction making it seem that the sustained rate is higher.

⁵⁸ A “significant relationship” is the likelihood that a result or relationship is caused by something other than mere random chance, meaning the result did not happen by chance alone. By statistical convention, significant relationships exist at the 0.05 alpha level or lower. Significant does not mean important or meaningful; significant means the finding is not likely due to chance alone, and that the observed effect or relationship between variables is likely to be real and not simply due to random variation in the data.

allegation are more likely to be sustained than external allegation (as indicated by the positive standard residuals in the shaded cells +16.4, compared to -4.7).⁵⁹ Said differently, external allegations (those generated by sources outside CPD) are less likely to be sustained than those generated by sources inside the CPD. This means the outcome of an investigation (sustained or not sustained) depends, at least partly, on the source of the allegation (internal or external).

Table 14
Disposition by Source (full data set)

Allegations		Source		Total
		External	Internal	
Disposition	Count	918	37	955
	Expected Count	883.4	71.6	955.0
	% of Total	90.5%	3.6%	94.2%
	Std. Residual	1.2	-4.1	
	Count	20	39	59
Sustained	Expected Count	54.6	4.4	59.0
	% of Total	2.0%	3.8%	5.8%
	Std. Residual	-4.7	16.4	
	Count	938	76	1,014
Total	Expected Count	938.0	76.0	1,014.0
	% of Total	92.5%	7.5%	100.0%

$\chi^2(1) = 310.341, p < .000, V = .553$ (Fisher's exact test due to low cell counts)

Analyzing the same data before April 4, 2007 based on the date the complaint was initiated, table 15 shows similar results. If an allegation was generated from an internal source (n=26), then the CPD sustained the allegation 30.7% of the time (n=8), which is higher than expected. However, if the allegation was generated from an external source (n=556), then the CPD sustained the allegation 3.6% of the time (n=20), which is lower than expected. In fact, 96.4% of external allegations were not sustained, which is higher than expected, all things being equal. This wide disparity results in a statistically significant relationship ($p < .000$) with a moderate positive association ($V = .262$), where internal allegations are more likely to be sustained than external allegations

⁵⁹ The residuals are based on the difference between the observed (O) and the expected (E) values. They are useful in helping to interpret chi-square tables by providing information about which cells contribute to a significant chi-square. If the standardized residual is beyond the range of ± 2 , then that cell can be considered a major contributor. A positive residual (+) means that there are more observed cases in a cell than you would expect in the null hypotheses were true (i.e., the null hypothesis is that the disposition (sustained/not sustained) and allegation source (external/internal) are independent). A negative residual (-) means that there are fewer observed cases than you would expect if the null hypothesis were true.

(as indicated by the positive standard residuals in the shaded cells +6.0, compared to -1.3).

Table 15					
Disposition by Source Before April 4, 2007 Based on Date the Complaint Was Initiated					
Allegations			Source		Total
			External	Internal	
Disposition	Not Sustained	Count	536	18	554
		Expected Count	529.3	24.7	554.0
		% of Total	92.1%	3.1%	95.2%
		Std. Residual	.3	-1.4	
	Sustained	Count	20	8	28
		Expected Count	26.7	1.3	28.0
		% of Total	3.4%	1.4%	4.8%
		Std. Residual	-1.3	6.0	
	Total	Count	556	26	582
		Expected Count	556.0	26.0	582.0
% of Total		95.5%	4.5%	100.0%	
$\chi^2(1) = 40.045, p<.000, V=.262$ (Fisher's Exact Test due to low cell counts) ⁶⁰					

4. **Investigative Quality.** Chicago Police Department General Order 93-3, Conduct of the Investigation states “The ranking on-duty member of the unit which has initiated an investigation or to which an investigation has been assigned will immediately designate a command or supervisory member of the unit to conduct the investigation. Every effort will be made to ensure that the investigation is conducted by an impartial member” (Bates CITY BG 59022). Analyzing the CR files for evidence of investigative dimensions that are commonly part of every internal affairs investigation (table 16) indicates the investigations frequently contain missing elements that could change the disposition of the case. Therefore, the investigations are not thorough as required by CPD policy. This deprives the victim/complainant, the CPD, and the public of an accurate and unbiased investigation.⁶¹

Supervisory review and approval of a personnel investigation is an endorsement of the investigative process. Each investigation that is flawed, but subsequently endorsed by each member of the command staff in the chain of command is explicit approval of the investigative process. Supervisory review and

⁶⁰ 1 cell had an expected count less than 5 (25%). The minimum expected count was 1.3. When the expected cell count is less than 5 (in the instant case 1 cell had an expected count of 1.3), Fisher's Exact Test is appropriate.

⁶¹ Tables 14 and 15 suggest potential bias in the personnel investigations.

approval of police reports at the time they are submitted is an administrative function aimed at accountability and is intended to ensure:

- i. The reports are complete and reflect the actions and omissions of the submitting officer;
- ii. The approved department forms are utilized, which ensure consistency and due process;
- iii. The details of the incident establish the elements of a crime or rule infraction and, if necessary, the required levels of proof (i.e., reasonable suspicion; preponderance of the evidence; probable cause);
- iv. The officer's actions are consistent with legal and administrative rules;
- v. Identify collateral issues important to the agency's performance, including policy and procedures, competency and skills of individual officers, and appropriate topics for in-service training;
- vi. A supervisor provides immediate contact with the submitting officer and has an opportunity to review the incident in its totality and provide direction and control over personnel, materials and resources as needed;
- vii. The official reports follow the approved chain of command from point of origin to final destination so that all members in the chain of command remain informed.

To effectively supervise investigative personnel, a supervisor is required to know common investigative tasks (e.g., area canvass; interview victim witnesses and officers), common investigative techniques (e.g., surveillance; collect evidence; record statements) and to probe officers for answers when they submit a report that does not contain these common elements. A report that is missing common investigative tasks must be returned to the officer to be completed and resubmitted. If a supervisor is aware of common investigative tasks and techniques, then the supervisor would be able to identify reporting deficiencies and any missed tasks toward a thorough investigation. However, the supervisors that endorsed the CR files knew or should have known that common investigative elements were missing, but approved them anyway. By endorsing police reports, the supervisors are accountable for and concur

with the reports' contents, the officers' conduct, and they also attest that the reports meet the customary standards listed above. Because the supervisors endorsed the investigations submitted by the internal affairs investigators, the supervisors agreed with the investigator's method even though the method did not comport with accepted industry standards. When flawed investigations are endorsed, the Department misses the opportunity to uncover potential problems, preempt emerging patterns and take corrective action.

Conducting an internal investigation is a process. That process encompasses a range of activities resulting in a final product that involves collecting and interpreting facts to inform criminal and/or administrative proceedings. The CR files are replete with incomplete activities fundamental to a thorough investigation.⁶² When these activities are left unaddressed, the investigation is not thorough and lacks evidence sufficient to justify the disposition. Consequently, the final product includes equivocal findings and equivocal findings result in an unreliable investigation. The general recurring themes arising from the content analysis of the investigations that support my conclusion appear in table 16; table 16 is a summary of investigative activities from the CR files, expressed in numerical terms that were completed. These activities are fundamental to any internal affairs investigation and are expected to be completed in each applicable case to ensure a thorough investigation (as required by CPD General Order 93-3 and the associated CPD Special Orders). Because many of these activities are incomplete, they reflect a lack of initiative and tenacity that are indispensable for a thorough investigation. The result is a final product whose findings are unreliable. In general, the investigations are superficial, they are not thorough, and they do not comport with Chicago police Department standards.

⁶² See Chicago Police Department General Order 93-3, Complaint and Disciplinary Procedures (effective January 15, 1993) and the associated Special Orders, which requires a consistently thorough investigative process.

Table 16*Completed Investigative Activities in the CR Files*

Investigative Dimension	n	n= "yes"	n= "no"	Subtotal	% of "yes"	n= "n/a"	n= "unclear"
Arrest Report	174	84	5	89	94.38%	84	1
Statement Taken from Victim	174	88	13	101	87.13%	69	4
Statement Taken From Witness	174	31	5	37	83.78%	136	1
Statement Taken From Complainant	174	87	21	109	79.82%	61	4
Medical Treatment Documented	174	29	9	38	76.32%	136	0
Arrest Photos	174	62	27	89	69.66%	84	1
Did Victim Require Medical Attention	174	38	18	56	67.86%	118	0
Complainant Contacted	174	106	60	166	63.86%	4	4
Officer Identified by Victim	174	97	59	156	62.18%	13	5
In-Person Interview with Victim	174	58	37	96	60.42%	70	8
Officers Submit Administrative Report	174	102	70	172	59.30%	0	2
Victim Contacted	174	95	66	161	59.01%	9	4
In-Person Interview with Complainant	174	50	45	95	52.63%	69	10
Witnesses Contacted	174	34	32	66	51.52%	107	1
In-Person Interview with Witness	174	19	17	37	51.35%	136	1
District Phone Tapes Preserved	174	5	5	10	50.00%	162	2
Officer Identified by Witness	174	18	31	49	36.73%	124	1
Victim Described Pain or Injuries	174	55	108	163	33.74%	11	0
Incident Report Prepared	174	44	106	150	29.33%	22	2
Photos of Victim Taken by CPD	174	40	124	164	24.39%	7	3
Involved Officer Statement Taken	174	17	98	115	14.78%	59	0
Accused Officer Statement Taken	174	20	150	170	11.76%	1	3
Scene Canvass	174	14	151	165	8.48%	7	2
Photos of Scene Obtained	174	10	157	167	5.99%	4	3
Cameras Located at Scene	174	8	162	170	4.71%	1	3
Radio Communication Tapes Preserved	174	3	164	167	1.80%	4	3
Referred to Cook County Prosecutor's Office	174	1	100	101	0.99%	73	0

Table 17

Completed Investigative Activities in the CR Files Before April 4, 2007 Based on The Date The Complaint Was Initiated

Investigative Dimension	n	n= "yes"	n= "no"	Subtotal	% of "yes"	n= "n/a"	n= "unclear"
Arrest Report	103	46	2	48	95.83%	55	0
Statement Taken from Victim	103	58	5	63	92.06%	40	0
Statement Taken From Complainant	103	58	10	68	85.29%	35	0
Statement Taken From Witness	103	16	3	20	80.00%	83	0
District Phone Tapes Preserved	103	3	1	4	75.00%	98	1
Officers Submit Administrative Report	103	76	27	103	73.79%	0	0
Medical Treatment Documented	103	17	7	24	70.83%	79	0
Did Victim Require Medical Attention	103	24	10	34	70.59%	69	0
Complainant Contacted	103	66	36	102	64.71%	1	0
Officer Identified by Victim	103	62	34	96	64.58%	6	1
Victim Contacted	103	61	37	98	62.24%	5	0
In-Person Interview with Victim	103	34	26	60	56.67%	41	2
Arrest Photos	103	26	22	48	54.17%	55	0
Witnesses Contacted	103	18	19	37	48.65%	66	0
In-Person Interview with Complainant	103	28	32	60	46.67%	40	3
Officer Identified by Witness	103	11	17	28	39.29%	75	0
Victim Described Pain or Injuries	103	33	64	97	34.02%	6	0
In-Person Interview with Witness	103	6	13	20	30.00%	83	0
Incident Report Prepared	103	26	61	87	29.89%	16	0
Photos of Victim Taken by CPD	103	18	80	98	18.37%	4	1
Involved Officer Statement Taken	103	9	59	68	13.24%	35	0
Accused Officer Statement Taken	103	11	90	101	10.89%	1	1
Scene Canvass	103	9	89	98	9.18%	5	0
Photos of Scene Obtained	103	3	97	100	3.00%	2	1
Cameras Located at Scene	103	1	100	101	0.99%	1	1
Radio Communication Tapes Preserved	103	0	101	101	0.00%	1	1
Referred to Cook County Prosecutor's Office	103	0	62	62	0.00%	41	0

i. *Conclusion.* The evidence in discovery indicates that the internal investigation system in the Chicago Police Department was flawed to such a degree that the officers involved in Alvin Waddy's arrest could expect to avoid a thorough investigation into their conduct, and the public could expect that their complaint would almost invariably result in a not sustained finding. A properly functioning internal investigation system should ensure:

1. **Fairness and Impartiality:** Officers and the public deserve and expect that investigations into alleged misconduct are conducted in a fair and unbiased manner, ensuring that all parties involved are treated equitably. However, tables 14 and 15 reveal that those external to the CPD (i.e., the public) who complain about CPD officers are less likely to have their allegations sustained. In fact,

97.9% of external allegations were not sustained, which is higher than expected, all things being equal (table 14).

2. **Consistency:** Officers and the public deserve and expect that internal investigations into alleged misconduct are conducted consistently across the department for similar offenses. Inconsistencies can breed resentment and undermine the legitimacy of the disciplinary system. A thorough internal affairs investigation is required by CPD policy,⁶³ tables 16 and 17 reveal that the elements of a standard internal affairs investigation were not always conducted, even after accounting for dimensions that were not applicable, or unclear in the CR file. For example, the victim was contacted in 59% of the investigations, and witnesses were contacted in 51.5% of the investigations in the instant matter (table 16) even though CPD policy requires that investigators “contact *all* complainants *and* witnesses as soon as possible” (emphasis mine).⁶⁴
3. **Protection from Retaliation:** Officers and the public who report misconduct or cooperate with internal affairs investigations deserve and expect protection from retaliation, ensuring a culture of openness and accountability. However, CPD member Daniel Echeverria testified at deposition that he was often referred to as a “rat” or “rat motherfucker” by his supervisor Lieutenant Pascua (Echeverria deposition, 95: 15-18), and that Sergeant Janice Barney was also prone to insulting personnel in Inspections Unit 126 (Echeverria deposition, 106: 10-24; 107: 1). Mr. Echeverria also testified at deposition that Commander O’Grady informed Echeverria and Spaulding’s Fugitive Apprehension Division supervisors that they were “rats” and should be “treated accordingly”

⁶³ See Chicago Police Department General Order 93-3 Complaint and Disciplinary Procedures (effective January 15, 1993) and the associated Special Orders for a consistently thorough investigative process. Captain John Farrell testified at deposition that it is was common to talk to complainants in person (Farrell deposition, 27: 20-25; 28: 1). However, although Captain Farrell did report that he spoke to Mr. Waddy’s mother, the complainant, he did not interview the victim, Alvin Waddy because he was lodged in the Cook County Jail and assigned a public defender (Bates COPS WATTS 60115). Captain Farrell also did not interview the officers that were present during the arrest, and testified at deposition that he felt it was not necessary (Farrell deposition, 67: 18-25). Captain Farrell also reported: “The R/Capt. explained to the complainant that her son was in possession of the drugs at the time of the arrest and was properly charged” (Bates COPA WATTS 60115). Captain Farrell did not indicate how he knew Waddy possessed the drugs that he was charged with, even though he reported Waddy was in possession of the drugs at the time of his arrest. This does not comport with accepted standards for investigating internal affairs matters.

⁶⁴ Chicago Police Department General Order 93-3 Complaint and Disciplinary Procedures (effective January 15, 1993) (Bates CITY BG 59022), and Chicago Police Department Special Order S08-01-01 (see Bates CITY BG 59085-59132).

(Echeverria deposition, 152: 19-24; 153: 1-11; 154: 21-24; 155: 3). This culture of labeling and stigmatizing individuals who report misconduct as “rats” is counter to the protection from retaliation expected from a properly functioning internal affairs element. Mr. Echeverria’s experience is detrimental to police accountability and the Department’s overall integrity, does not engender positive interpersonal relations, and is contrary to all CPD supervisors’ responsibilities to motivate employees as defined by CPD Rules and Regulations.⁶⁵ In a similar case (see *Klipfel & Casali v. Gonzalez et al.*, 2006), CPD Officer Joseph Miedzianowski “...told other CPD gang crimes officers not to work with ATF, and especially not to work with Klipfel because she was a rat and may be wearing a wire” (p. 3). This same stigmatizing and retaliatory culture existed in 1993 involving CPD Officer Miedzianowski, long before Echeverria encountered it in his work unit.

4. **Timeliness:** Police officers and the public deserve and expect that the internal affairs process is efficient and timely. Delays in investigations can lead to prolonged stress and uncertainty for officers involved, and for victims/complainants. Prolonged investigations send a tacit message to those involved that the complaint is not necessarily important. Chicago Chief Barbara West testified at deposition that one complaint against Sergeant Watts occurred in April 2008, it was subsequently assigned to Joseph Barnes in September 2009, and then assigned to Sergeant Chester June 2013. There is no explanation in discovery for the investigative delay (West deposition, 91: 23-24; 92-93: 2).
5. **Ignoring Systemic Issues:** When the internal affairs system fails to address underlying systemic issues contributing to misconduct, officers and the public will likely view the internal affairs and disciplinary process as arbitrary and ineffective.⁶⁶ The evidence in tables 14 and 15 reveals repeated instances of

⁶⁵ See CPD Rules and Regulations, p. 9, Bates CITY18796. The CPD defines a “supervisory member” as “a member responsible for the performance of duty and the conduct of other members,” CPD Rules and Regulations, p. 12, Bates CITY18809.

⁶⁶ Evidence of this sentiment is documented throughout several pieces of literature cited in this report: **1)** Commission on Police Integrity. (November 1997). Report of the Commission on Police Integrity. Chicago, IL, p. 9, for a chronology of significant cases between 1960 and 1997; **2)** Police Accountability Task Force Report. (April 2016). Recommendations for Reform: Restoring Trust between the Chicago Police and the Communities they Serve, pp. 23-24, for a discussion of previous corruption task forces (Bates BAKER GLENN 6794-6983); **3)** Futterman, C. B., Mather, H. M., & Miles, M. (2007). The Use of Statistical Evidence to Address Police Supervisory and Disciplinary Practices: The Chicago Police Department’s Broken System. *DePaul Journal for Social Justice*, 1, 251-329 (documenting a litany of police

internal allegations being sustained at higher rates than allegations from external sources, and repeated instances of incomplete internal investigations (tables 16 and 17). The evidence also indicates that all supervisory ranks in CPD have ignored these systemic issues between at least 1994 and 2018. There is an abundance of legacy information shown in this report that these issues persist despite adequate notice to the CPD that their internal investigative processes are flawed.⁶⁷ Of the discovery that I reviewed, there is no evidence of any managerial action from CPD supervisors to mitigate personnel complaints against the officers involved in Alvin Waddy's arrest.

Notwithstanding the accumulated complaint histories of the officers that were involved in Alvin Waddy's arrest, the discovery that I reviewed indicated that the CPD failed to monitor, or track the officers for patterns of complaints, or initiate and ensure any corrective action. A clear pattern of complaints emerged among the officers involved in Alvin Waddy's arrest between 1994 and 2018. As the Pareto Analysis shows (tables 8 and 9), the CPD could have and should have directed its preventive effort where most complaints emanated from, which would have given them the ability to prioritize those issues and develop a personnel improvement plan for the officers. This does not mean that the remaining allegations should be ignored. Pareto analysis is simply a method to uncover the relative spread of allegations among categories. There is nothing in the discovery that I reviewed to indicate the CPD developed any personnel plans to address chronic complaints particularly those involving a physical confrontation between the officer and the victim/complainant such as excessive force. There is also nothing in the discovery that I reviewed that the Superintendent directed any commanding officers to take any corrective or that the Superintendent held any commanding officers responsible for their subordinates' repeated adverse behavior.

corruption cases, and the CPD's internal disciplinary data that reveal a substandard accountability system); 4) A Report and Recommendations based on hearings before the Blue Ribbon Panel convened by the Honorable Ralph H. Metcalfe. (1972). *Misuse of Police Authority in Chicago*; 5) *Shielded from Justice: Police Brutality and Accountability in the United States*. Chicago: Office of Professional Standards. Retrieved on July 7, 2023 from <https://www.hrw.org/legacy/reports98/police/uspo55.htm>.

⁶⁷ See pp. 29-32 and footnotes for a description of the information known to the CPD across various years.

Empirical analysis of personnel complaint data provides feedback and evidence for police administrators regarding whether the internal investigation process works to promote fairness and equity for both citizens and the accused officers. In the absence of such evidence, police administrators do not have a mechanism to determine whether an internal investigation's outcome is reliable. The failure to collect, analyze and act on the available personnel complaint data in the Chicago Police Department is tantamount to managerial indifference, including an abrogation of the Superintendent's responsibility to direct the organization.⁶⁸ The failure to act also implicates the supervisory chain of command at the CPD during the period in question. Ultimately, Alvin Watts and Kallatt Mohammed were arrested for their criminal conduct, which was allowed to continue because of supervisory failures.⁶⁹

Collectively, the evidence suggests a combination of a lack of institutionalized oversight, willful blindness, and the abrogation of responsibility at each supervisory level. Consequently, the CPD's failure to properly supervise, investigate and discipline the officers in the instant case is likely the proximate cause of the plaintiff's injuries. The CPD's supervisory failures would have allowed reasonable police officers to believe the CPD condoned their adverse behavior.⁷⁰ ■

⁶⁸ See City of Chicago Superintendent of Police Class Title, Code 9957, Police Job Specifications (retrieved on June 24, 2023 from https://www.chicago.gov/city/en/depts/dhr/supp_info/police_job_specifications.html).

⁶⁹ See Bates CITY BG 056533, FBI 1181 to 1183, FBI 1196 to 1197, FBI 1165 to 1197.

⁷⁰ See *Klipfel & Casali v. Gonzalez et al.*, 2006; see also *Obrycka v. City of Chicago*; *Anthony Abate*, 2012 for issues concerning both a code of silence within the CPD and a widespread custom or practice of failing to adequately investigate and/or discipline officers. Also see Bates CITY BG 12064, where Sgt. Watts believed he had little to concern himself with regarding the Office of Professional Standards (OPS). One complainant (Pamela Nooner) gave a statement to OPS that when she threatened to call OPS about Watts and his unlawful search, Watts replied "Fuck OPS, they aint going to do shit. Don't you see keep beating my cases." This indicates that Watts was aware that the CPD internal affairs function was not functioning as expected according to CPD policy.

EXHIBITS

Table 18*Exhibits*

Documents	Date or Identifying Information	Pages
Deposition of Shannon Marie Spalding	Spalding & Echeverria vs City of Chicago et al No 12 CV 8777 November 18, 2014 Bates PL JOINT 050377-477	101
Deposition of Daniel Echeverria	Spalding & Echeverria vs City of Chicago et al No 12 CV 8777 December 2, 2014 Bates PL JOINT 009534-609	76
Deposition of Michael Thomas Spaargaren	Spalding & Echeverria vs City of Chicago et al No 12 CV 8777 August 13, 2015 Bates CITY-BG-033398-433	36
Deposition of Barbara West	Watts Coordinated Cases Case No. 19 CV 01717 September 17, 2019	63
Deposition of Calvin Holliday	Watts Coordinated Cases Case No. 19 CV 01717 November 14, 2022	87
Deposition of Keith Calloway	Watts Coordinated Cases Case No. 19 CV 01717 May 6, 2019	270
Deposition of Debra Kirby	Obrycka, Kolodziej & Cepiaszuk vs City of Chicago et al Case No. 7 C 2372 March 12, 2009 Bates PL JOINT 006712-748	37
Continued Deposition of Debra Kirby	Lilia Arias vs City of Chicago et al Case No. 05 C 5940 April 19, 2007 Bates PL JOINT 009399-424	26
Deposition of Coleen Dougan	Spalding & Echeverria vs City of Chicago et al Case No. 12 C 8777 June 17, 2015	34
Deposition of Janet Hanna	Spalding & Echeverria vs City of Chicago et al Case No. 12 C 8777 August 12, 2015	39
Deposition of Peter Koconis	Spalding & Echeverria vs City of Chicago et al Case No. 12 C 8777 September 21, 2015	118
Deposition of Thomas Mills	Spalding & Echeverria vs City of Chicago et al Case No. 12 C 8777	43

Table 18*Exhibits*

Documents	Date or Identifying Information	Pages
	February 25, 2015	
Deposition of James O'Grady	Spalding & Echevierra vs City of Chicago et al Case No. 12 C 8777 March 5, 2015 Bates PL JOINT 009659-684	26
Deposition of James Padar	Spalding & Echevierra vs City of Chicago et al Case No. 12 C 8777 May 21, 2015 Bates PL JOINT 009685-717	33
Deposition of Lou Reiter	Spalding & Echevierra vs City of Chicago et al Case No. 12 C 8777 December 16, 2015 Bates PL JOINT 009934-958	25
Deposition of Alvin Waddy	Alvin Waddy vs City of Chicago Case No. 2019 L 010035	193
Deposition of Juan Rivera	Spalding & Echevierra vs City of Chicago et al Case No. 12 C 8777 December 4, 2014 Bates PL JOINT 009718-757	40
Deposition of Tina Skahill	Spalding & Echevierra vs City of Chicago et al Case No. 12 C 8777 December 5, 2014 Bates PL JOINT 009611-626	17
Deposition of John Farrell	Alvin Waddy vs City of Chicago Case No. 2019 L 010035 July 14, 2023 No Bates	93
Auto CR-Log Summary 1057625	Bates CPD0670813-830	18
Memorandum Opinion and Order	Docket No. 19-cv-1717 October 14, 2022	37
Chicago PD Notice of Charges regarding Ben Baker and Alvin Jones	Bates DO-JOINT010525-29	5
FBI file w/ cover letter to Exoneration Project	May 24, 2018 Bates FBI000001-1284 (11 pages have no Bates)	1295
Various Chicago PD documents	Bates DO-JOINT032424-39	16
Chicago PD Arrest Report-Jamar Lewis	May 30, 1982 Bates COPA-WATTS_045096-97	2

Table 18*Exhibits*

Documents	Date or Identifying Information	Pages
Chicago PD Arrest Report-Ben Baker	December 11, 2005 Bates COPA-WATTS_044954-56	3
Chicago PD Arrest Report-Clarissa Glenn	December 11, 2005 Bates COPA-WATTS_044996-98	3
Chicago PD Arrest Report-Laurence Little	December 11, 2005 Bates COPA-WATTS_000740-44	5
Chicago PD Arrest Report-Louis Moore	December 11, 2005 Bates COPA-WATTS_000745-49	4
Chicago PD Arrest Report-Larry Pulley	December 11, 2005 Bates COPA-WATTS_000755-59	5
Chicago PD Arrest Report-Willie Robinson	December 11, 2005 Bates COPA-WATTS_000760-764	5
Chicago PD Arrest Report-Ricky Henderson	July 22, 2006 Bates COPA-WATTS_045220-224	5
Chicago PD Arrest Report-Lionel White	April 24, 2006 Bates COPA-WATTS_006712-717	6
Chicago PD Vice Case Report-Teresa Butler	April 24, 2006 Bates COPA-WATTS_006979-980	2
Chicago PD Arrest Report-John Pierce	April 24, 2006 Bates COPA-WATTS_006990-994	5
Chicago PD Arrest Report-George Green	April 24, 2006 Bates COPA-WATTS_007004-008	5
Chicago PD Arrest Report-Timothy Brown	April 24, 2006 Bates COPA-WATTS_007011-015	5
Chicago PD Arrest Report-Thomas Mitchell	April 24, 2006 Bates COPA-WATTS_007017-021	5
Chicago PD Arrest Report-Cleveland Smith	April 24, 2006 Bates COPA-WATTS_007024-028	5
Chicago PD Arrest Report-Charlie Riley	April 24, 2006 Bates COPA-WATTS_007031-035	5
Chicago PD Arrest Report-Dale Morrow	April 24, 2006 Bates COPA-WATTS_007038-042	5
Chicago PD Arrest Report-Lynn Howard	April 24, 2006 Bates COPA-WATTS_007044-048	5

Table 18*Exhibits*

Documents	Date or Identifying Information	Pages
Chicago PD Arrest Report-Cleothus Morris	April 24, 2006 Bates COPA-WATTS_007051-055	5
Chicago PD Arrest Report-Lorener Williams	April 24, 2006 Bates COPA-WATTS_007058-062	5
Chicago PD Arrest Report-Rodney Carter	August 28, 2007 Bates COPA-WATTS_031906-910	5
Chicago PD Arrest Report-Stephanie Arnold	August 28, 2007 Bates COPA-WATTS_031925-929	5
Chicago PD Arrest Report-Raymond Ruffin	August 28, 2007 Bates COPA-WATTS_031936-940	5
Chicago PD Arrest Report-Shell McIntosh	August 28, 2007 Bates COPA-WATTS_031947-951	5
Chicago PD Arrest Report-Leonard Gipson	Bates COPA-WATTS_045154-156	3
Chicago PD General Order 87-7	October 30, 1987 Bates CITY-BG-058793-797	5
Chicago PD General Order 11-02	March 15, 2011 Bates CITY-BG-058798-803	6
Chicago PD General Order 92-5	September 4, 1992 Bates CITY-BG-058804-850	47
Chicago PD General Order 02-03	June 6, 2002 Bates CITY-BG-058851-906	56
Chicago PD General Order G06-01	June 6, 2002 Bates CITY-BG-058907-925	19
Chicago PD Special Order S06-01	June 6, 2002 Bates CITY-BG-058926-059012	87
Chicago PD General Order 93-3	January 13, 1993 Bates CITY-BG-059013-075	63
Chicago PD General Order G08-01	January 13, 1993 Bates CITY-BG-059076-084	9
Chicago PD Special Order S08-01	December 14, 2010 Bates CITY-BG-059085-132	48
Chicago PD General Order 99-03	March 30, 1999 Bates CITY-BG-059133-137	5
Chicago PD General Order 89-3	February 28, 1989	12

Table 18*Exhibits*

Documents	Date or Identifying Information	Pages
	Bates CITY-BG-059138-149	
Chicago PD General Order 04-03	September 7, 2004 Bates CITY-BG-059150-165	16
Chicago PD Special Order 03-03-01	January 7, 1983 Bates CITY-BG-059166-168	3
Chicago PD Rules and Regulations	Bates CITY-BG-059169-197	29
Chicago PD Rules and Regulations	January 12, 2011 Bates CITY-BG-059198-217	20
Chicago PD Special Order 90-3	April 5, 1990 Bates CITY-BG-062111-116	6
Chicago PD Special Order 98-13	December 11, 1998 Bates CITY-BG-062117-129	13
Chicago PD Special Order 05-02	March 3, 2005 Bates CITY-BG-062130-147	18
Chicago PD Special Order S04-18	March 3, 2008 Bates CITY-BG-062148-165	18
Chicago PD General Order 89-3	February 28, 1989 Bates CITY-BG-062166-176	11
Chicago PD General Order 04-03	September 7, 2004 Bates CITY-BG-062177-192	16
Chicago PD General Order G04-01	September 7, 2004 Bates CITY-BG-062193-195	3
Chicago PD Special Order 92-6	July 28, 1992 Bates CITY-BG-062196-204	9
Chicago PD Special Order 01-07	July 12, 2001 Bates CITY-BG-062205-217	13
Chicago PD Special Order 07-06	June 1, 2007 Bates CITY-BG-062218-240	23
Chicago PD Special Order S04-19	June 1, 2007 Bates CITY-BG-062241-265	25
COPA Summary Report of Investigation-1087742	March 10, 2021 Bates PL JOINT 068062-094	33
City's Second Amended Answer to Complainant Clarissa Green's Interrogatories	Baker & Glenn vs City of Chicago et al Case No. 16 CV 8940 No Bates	54

Table 18*Exhibits*

Documents	Date or Identifying Information	Pages
Petition for Relief from Judgement	State of Illinois vs 88 Victims of Former CPD Sergeant Ronald Watts Bates PL JOINT 049939-050053	115
Clarissa Glenn Court of Claims Order	Clarissa Glenn vs State of Illinois No 19 CC 0568 Bates PL JOINT 050054-057	4
Lloyd Newman Court of Claims Order	Lloyd Newman vs State of Illinois No 21 CC 3091 Bates PL JOINT 050058-9	2
Defendant Ronald Watts' Answers to Plaintiff's First Set of Interrogatories	Lionel White vs City of Chicago et al Case NO 17 CV 02877 Bates PL JOINT 050060-69	10
ATF Report of Investigation	April 14, 2005 Bates PL JOINT 050222-30	9
Defendant Ronald Watts' Answers to Plaintiff Ben Baker's Additional Interrogatories	Ben Baker & Clarissa Glenn vs City of Chicago et al Case No.: 16 CV 8940 Bates PL JOINT 050231-34	4
FBI Whistleblower Conversation	January 18, 2006 Bates PL JOINT 050235-257	23
Affidavit of Pete Koconis	State of Illinois vs Ben Baker No 05 CR 8982-01 Bates COPA-WATTS_043354-55	2
Affidavit of Michael Spaargaren	Spalding & Echeverria vs City of Chicago et al 12-CV-8777 Bates CITY-BG-026603-606	4
Chicago Tribune "Cops Disband Elite Unit" Article	October 10, 2007	9
Plea Agreement	United States vs Jerome Finnigan Case No. 07 CR 634-1 April 26, 2011 Bates PL JOINT 040862-892	31
Transcript of Proceedings	United States vs Eric J Olsen Case No 11 CR 273 April 20, 2011 Bates PL JOINT 040893-918	26
Plea Agreement	United States vs Keith A Herrera Case No. 07 CR 634-2 April 19, 2011 Bates PL JOINT 040919-942	24
Transcript of Proceedings	United States vs Keith A Herrera	32

Table 18*Exhibits*

Documents	Date or Identifying Information	Pages
	Case No. 07 CR 634-2 April 19, 2011 Bates PL JOINT 040943-974	
Plea Agreement	United States vs Stephen Delbosque Case No. 11 CR 274 April 18, 2011 Bates PL JOINT 040975-990	16
Transcript of Proceedings	United States vs Stephen Delbosque Case No. 11 CR 274 April 18, 2011 Bates PL JOINT 040991-041013	23
Change of Pleas	State of Illinois vs Guadalupe Salinas et al September 18, 2009 Bates PL JOINT 041014-078	65
Transcript of Proceedings	State of Illinois vs Margaret Hopkins Case No. 07 CR 3152 September 23, 2009 Bates PL JOINT 041082-108	27
Transcript of Proceedings	State of Illinois vs Frank Villareal Case No. 07 CR 3155 September 25, 2009 Bates PL JOINT 041111-147	37
FBI Report-Mohamed Omar	June 23, 2001 Bates PL JOINT 82735-82750	16
Case Law Summary	George Garcia vs City of Chicago Case No. 01 C 8945 March 20, 2003	10
Invisible Institute's series of 17 articles (collectively known by the title "Kicking the Pigeon")	Various dates between July 6, 2005-February 16, 2006 Bates PL JOINT 83381-83433	53
US Department of Justice Investigation of the Chicago Police Department	January 13, 2017 Bates PL JOINT 005134-297	164
Police Accountability Task Force Report	April 2016 Bates PL JOINT 006794-983	190
Report of the Commission of Police Integrity	November 1997 Bates 0000448-486	39
Futterman, C. B., Mather, H. M., & Miles, M. (2007). The Use of Statistical Evidence to Address Police Supervisory and Disciplinary Practices: The Chicago Police	No date or Bates	43

Table 18*Exhibits*

Documents	Date or Identifying Information	Pages
Department's Broken System. <i>DePaul Journal for Social Justice</i> , 1, 251-329.		
Amended Complaint	Diane Bond vs Chicago PD Officer Edwin Utreras et al Case No. 04 C 2617 June 6, 2005	35
Report of Chicago PD/FBI Joint Investigations	Bates CITY-BG-024099-103	5
Officer Calvin Holliday's Letter to Internal Affairs requesting Confidential Complaint Register Number	September 17, 2004 Bates CITY-BG-023964	1
Officer Calvin Holliday Letter to Internal Affairs regarding the search for Lelissa Jackson	August 11, 2005 Bates CITY-BG-023974	1
Various Documents regarding Theotis Coker's Complaint	Bates CITY-BG-015881-82, 015886, 015895-900	9
Chicago PD Summary Report	July 15, 2013 Bates CITY-BG-023775-778	4
Notes regarding CI Activity	Bates CITY-BG-023858-859	2
First Amended Complaint	Alvin Waddy vs City of Chicago et al Case No. 19 L 10035 July 8, 2020	17
Affidavit of Alvin Waddy	November 21, 2017 Bates PL JOINT 028905-908	4
Chicago City Council Address	December 9, 2015 Bates PL JOINT 069860-869	10
CR-309359	November 3, 2005 Bates CITY-BG-012928-936	9
CR-309282	November 3, 2005 Bates CITY-BG-012903-927	25
CR-300778	September 17, 2004 Bates CITY-BG-011611-621	11
CR-305849	April 4, 2006 Bates CITY-BG-012058-264 (2 pages missing Bates)	205
Additional Documents regarding CR-300778	September 17, 2004 Bates PL JOINT 000161-167, 000187-190, 000206	12

Table 18*Exhibits*

Documents	Date or Identifying Information	Pages
Defendant City of Chicago's Response to Plaintiff's First Set of Requests to Admit	Alvin Waddy vs City of Chicago Case No. 2019 L 010035 No date or Bates	9
COPA Summary Report of Investigation-1092530	June 28, 2021 Bates PL JOINT 079612-647	36
Email Chain regarding COPA 1092530	Bates COPA-WATTS_057490-057529	40
Alvin D. Waddy Criminal History	Bates IND DEF-AW 06-16	11
All reports and documents cited in this report		
Spreadsheet of CPD Complaint Register files concerning the officers involved in Alvin Waddy's arrest and the CRs listed therein		
Chicago Police FOP Labor Agreements 1999-2017	1999-2003 Bates 83137-83197	61
	2003-2007 Bates PL JOINT 82751-82958	208
	2007-2012 Bates PL JOINT 83207-83370	164
	2012-2017 Bates PL JOINT 82959-83136	178
City of Chicago, Office of Inspector General Evaluation of the Use of The Affidavit Override in disciplinary Investigations of Chicago Police Department Members	December 2020	59
Personnel files of the officers involved in Alvin Waddy's arrest		
Alvin Jones	CITY BG 58746-58749	4
	CITY BG 56517-56532	16
	CITY BG 56487-56516	30
	CITY BG 56442-56486	45
	CITY BG 58697-58745	49
Lamonica Lewis	CITY BG 58240-58284	45
Brian Bolton	CITY BG 56963-57006	44
	CITY BG 56916-56962	48
Elsworth Smith	CITY BG 56171-56232	62
	CITY BG 56116-56170	55
Ronald Watts	CITY BG 23807-23830	24
Kallatt Mohammed	CITY BG 23788-23806	19
Total		6,043

ACKNOWLEDGEMENT

This report provides my opinion based on the available information at this time. I presume the information provided to me is accurate and correct. If additional information becomes available at a later time, then I may submit a supplemental report. Depending on the new information, my opinion in this report may or may not change. My opinion is based upon a reasonable degree of professional certainty.

/s/ Jon M. Shane

Jon M. Shane

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ACADEMIC QUALIFICATIONS

2008	Ph.D.	Criminal Justice	School of Criminal Justice, Rutgers University, Newark, NJ
2005	MA	Criminal Justice	School of Criminal Justice, Rutgers University, Newark, NJ
2002	BS	Criminal Justice	School of Criminal Justice, Rutgers University, Newark, NJ

RESEARCH INTERESTS

Issues in police policy and practice; social disorganization theory; situational crime prevention; problem-oriented policing; secondary effects; violent crime; organizational accidents

TEACHING POSITIONS AND INSTRUCTIONAL RESPONSIBILITIES

2020-Present	Professor	John Jay College of Criminal Justice	New York, NY
2015-2017	Director	New York City Police Department, Executive Master's Program	New York, NY
2014-2020	Associate Professor	John Jay College of Criminal Justice (tenured & promoted, September 2014)	New York, NY
2011-2022	Doctoral Faculty	CUNY Graduate Center, Ph.D. Program in Criminal Justice	New York, NY
2009-2014	Assistant Professor	John Jay College of Criminal Justice	New York, NY
2005-2008	Adjunct Lecturer	Rutgers University, Newark College of Arts and Sciences	Newark, NJ
		Fairleigh Dickinson University-School of Administrative Science, Petrocelli College	
2005	Adjunct Professor	College	Teaneck, NJ

HONORS, RECOGNITION AND AWARDS

2023 Distinguished Teaching Prize	Nominated	Dec 2022
Recognized as a widely cited scholar for "early onset" of influence ⁷¹	Top 100 Cited Works 2010-2015	Jan 2019
The 2014 Academy of Criminal Justice Sciences Outstanding Mentor of the Year	Winner	Feb 21, 2014
The 2012 Award for Outstanding Experimental Field Trial	Winner (research team member)	Nov 2012
The 2011 American Society of Criminology Mentor of the Year	Winner	Aug 26, 2011
The 2010 Emerald/European Foundation for Management Development (EFMD) Outstanding Doctoral Research Award (ODRA)	Highly Commended Award Winner	Jan 24, 2011
Dean's List 2009-2010	Certificate of appreciation for	Oct 28, 2010
Dean's List 2008-2009	graduate student mentorship	Oct 15, 2009

COURSES TAUGHT

Advanced Issues in Policing (D)
 Contemporary Problems in Community Policing (G)
 Criminology (U)
 Introduction to Criminal Justice (U)
 Introduction to Law Enforcement (U)
 Issues in Criminal Justice (Police & Corrections) (G)
 Police and the Community (U)
 Police Ethics (G)
 Problem-Oriented Policing (G)
 Research Design and Methods (G)
 Using Computers in Social Research (statistics) (G)

⁷¹ Graham, A., Pratt, T.C., Lee, H & Cullen, F. T. (2019). Contemporary classics? The early onset of influence of articles published in criminology and criminal justice journals, 2010-2015. *Journal of Criminal Justice Education*, 30(3), 348-375 (part of the top 4.1% of all articles published in 20 criminology and criminal justice journals from 2010 to 2015 [Organizational Stressors and Police Performance]). The articles in these journals represent an elite group of research..., p. 354).

D=Doctoral; G=Graduate; U=Undergraduate

DEPOSITION AND TRIAL EXPERIENCE

Event	Venue	Date	Case Number and Attorney
Deposition testimony (use of force)	United States District Court, District of New Jersey—Newark	July 3, 2023	18:cv:3241 (EP) (JSA) (Patrick Caserta, Esq.)
Deposition testimony (internal affairs)	United States District Court For The Northern District of Illinois Eastern Division	May 26, 2023	(Jennifer Bonjean, Esq.)
Deposition testimony (problem-oriented policing)	United States District Court For The Middle District of Pennsylvania	April 28, 2023	3:11-CV-0617 (Cletus Lyman, Megan Maguire Esq.)
Deposition testimony (internal affairs)	United States District Court For The Northern District of Illinois Eastern Division	March 10, 2023	(Jennifer Bonjean, Esq.)
Deposition testimony (use of force; chemical munitions)	United States District Court, Western District of Missouri	October 12, 2022	4:21-CV-662-HFS (James Thompson, Esq.)
Trial testimony (adverse employment action; retaliation)	Superior Court of Washington For King County	September 29, 2022	20-2-09949-0-SEA (Sumeer Singla, Esq.)
Deposition testimony (general police policy and practice)	United States District Court For The Western District of Washington	August 11, 2022	Case No.: 2:200-cv-00983-TSZ (Tyler Weaver Esq.).
Trial testimony (on-call overtime compensation)	State of Kentucky, Jefferson Circuit Court Division Seven (7)—Louisville, KY	July 22, 2021	16-CI-01500 (Ann Oldfather Esq.)
Deposition testimony (investigations policy and practice)	Circuit Court of The 17th Judicial Circuit in and for Broward County, Florida	October 5, 2021	Case No.: 1511533CF10A (Carl Lida, Esq.).
Deposition testimony (adverse employment action; retaliation)	Superior Court of Washington For King County	August 17, 2021	20-2-09949-0-SEA (Sumeer Singla, Esq.)
Deposition testimony (internal affairs)	Superior Court, Bergen County, New Jersey	July 19, 2021	BER-L-1051-19 (Kieran Dowling, Esq.)
Deposition testimony (on-call overtime compensation)	State of Kentucky, Jefferson Circuit Court Division Seven (7)—Louisville, KY	July 14, 2021	16-CI-01500 (Ray Haley, Esq.)
Deposition testimony (use of force)	United States District Court, District of New Jersey—Newark	July 29, 2020	17-3604 (KM-MAH) (Aymen Aboushi, Esq.)
Deposition testimony (use of force)	United States District Court, District of New Jersey—Newark	May 14, 2020	2:15-cv-03215-ES-JAD (Brooke Barnett, Esq.)

Deposition testimony (on-call overtime compensation)	United States District Court, District of New Jersey—Newark	March 10, 2020	2:18-cv-10731 (Valerie Palma DeLuisi, Esq.)
Deposition testimony (use of force)	United States District Court Northern District of New York-Utica, New York	January 9, 2020	1:18-cv-00672-LEK-TWD (Ronald Rosenkranz, Esq.)
Trial testimony (qualified as an expert in police internal affairs and discipline and police policy and practices)	Superior Court, Atlantic County, New Jersey	March 25-26, April 1, 2019	ATL-L-2517-11 (David Castellani, Esq)
Deposition testimony (internal affairs)	Superior Court, Atlantic County, New Jersey	November 1, 2018	ATL-L-2517-11 (David Castellani, Esq)
Deposition testimony (use of force)	United States District Court for the Middle District of Alabama, Northern Division	July 30, 2018	2:11-cv-370 (Michael Allsup, Esq)
Trial testimony (criminology/statistics)	Superior Court, Hudson County, New Jersey	June 5, 2018	indictment no. 17-10-0716 (Raoul Bustillo, Esq)
Deposition testimony (general police policy/practices)	Superior Court, Monmouth County, New Jersey	March 9, 2018	MON-L-1284-15 (David Schwartz, Esq)
Trial testimony (internal affairs)	United States District Court, District of New Jersey—Camden	March 6, 2018	1:13-CV-02741 (Jennifer Bonjean, Esq)
Deposition testimony (use of force)	United States District Court, District of New Jersey—Camden	February 23, 2018	3:13-CV-07374-JAP-DEA (Barry Pollack, Esq)
Qualified in federal court as an expert in criminal investigations (criminal investigations/internal affairs)	United States District Court, District of New Jersey—Camden	September 5, 2017	14-CV-05092 (Jennifer Bonjean, Esq)
Qualified in federal court as an expert in statistics (statistics)	United States District Court, District of New Jersey—Camden	December 2016	1:13-cv-06667-RBK-JS (Jennifer Bonjean, Esq)
Qualified in federal court as expert in criminal investigations (criminal investigations/confidential informants)	United States District Court, District of New Jersey—Camden	February 26, 2013	08-1873 (NLH) (JS) (Jennifer Bonjean, Esq)
Deposition testimony (show-up procedures)	Superior Court of New Jersey Law Division, Middlesex County	August 23, 2011	MID L-005876-09 (Lawrence Lustberg, Esq)
Deposition testimony (use of force)	United States District Court, District of New Jersey—Newark	January 13, 2011	2:09-CV-4170 (KSH-DS) (David Schwartz, Esq)

Publications

Peer-reviewed Journals

Twerski, A. & **Shane, J.M.** (2018). Bringing the science of policing to liability for third-party crime at shopping malls. *Marquette Law Review*, 101(3): 776-802.

Shane, J.M., Piza, E. & Silva, J. R. (2017). Piracy for ransom: The implications for situational crime prevention. *Security Journal*. DOI 10.1057/s41284-017-0115-0.

Shane, J., Lawton, B. & Swenson, Z. (2017). The prevalence of fatal police shootings by U.S. police, 2015-2016: Patterns and answers from a new data set. *Journal of Criminal Justice*, 52, 101-111.

- Shane, J.M.** (2016). Improving police use of force: A policy essay on national data collection. *Criminal Justice Policy Review*. 1-21.
- Shane, J.M.,** Piza, E. & Mandalla, M. (2015). Situational crime prevention and worldwide piracy: A cross-continent analysis. *Crime Science*, 4(21): 1-13.
- Shane, J.M.** & Magnuson, S. (2014). Successful and unsuccessful pirate attacks worldwide: A situational analysis. *Justice Quarterly*.
<http://dx.doi.org/10.1080/07418825.2014.958187>.
- Shane, J.M.** (2012). The police disciplinary sentencing matrix: An emerging concept. *Police Quarterly*, 15(1): 62-91.
- Shane, J.M.** (2011). Daily work experiences and police performance. *Police Practice & Research*, 13(3): 1-19.
- Shane, J.M.** (2011). Deterrence or system overload? The effect of imprisonment and clearance rates on auto theft in the United States. *Law Enforcement Executive Forum Journal*, 11(1): 149-178.
- Shane, J.M.** (2010). The limits of auto parts marking as a situational crime prevention measure: A qualitative analysis. *Law Enforcement Executive Forum Journal*, 10(3): 109-140.
- Shane, J.M.** (2010). Organizational stressors and police performance. *Journal of Criminal Justice*. 38(4): 807-818. [Top 100 Cited Works 2010-2015].
- Shane, J.M.** (2010). Key administrative and operational differences in the police quasi-military model. *Law Enforcement Executive Forum Journal*, 10(2): 75-106.
- Shane, J.M.** (2010). Performance management in police agencies: A conceptual framework. *Policing: An International Journal of Police Strategies & Management*, 33(1): 6-29.
- Sellers, C.L., Sullivan, C.J., Veysey, B.M., & **Shane, J.M.** (2004). Responding to persons with mental illnesses: Police perspectives on specialized and traditional practices. *Behavioral Sciences and the Law*, 23(5): 647-657.

Books & Book Chapters

- Shane, J.M.** (2020). Stress Inside Police Organizations: How the Organization Creates Stress and Performance Problems in Police Officers London: Routledge.
- Shane, J.M.** & Magnuson, S. (2019). Worldwide maritime piracy and the implications for situational crime prevention. In M. Natarajan (ed.) *International and Transnational Crime and Justice: An Anthology*. Cambridge University Press.
- Shane, J.** & Swenson, Z. (2018). Unarmed and Dangerous: Patterns of Threats by Citizens During Deadly Force Encounters with Police Officers. U.K: Routledge.
- Shane, J.** (2016). Confidential Informants: A Closer Look at Police Policy. Springer Briefs in Criminology Series. New York, NY: Springer.
- Shane, J.** (2013). Learning from Error in Policing: A Case Study in Organizational Accident Theory. Springer Briefs in Criminology Series. New York, NY: Springer.
- Haq, Q. & **Shane, J.M.** (2012). The impact of work environment on police performance. In V. Sergevnnin (ed.), *Critical Issues in American Criminal Justice System*. Russian Academy of National Economy and Public Administration under the President of Russian Federation. Moscow.
- Shane, J.M.** & Lieberman, C.A. (2009). Criminological theories and the problem of modern piracy. In M. Haberfeld and A. von Hassell (eds.), *Modern Piracy and Maritime Terrorism: The Challenge of Piracy for the 21st Century*. Dubuque, IA: Kendall-Hunt Publishing.
- Shane, J.M.** (2009). September 11th terrorist attacks on the United States and the law enforcement response. In M. Haberfeld and A. von Hassell (Eds.), *A New Understanding of Terrorism—Case Studies, Analyses and Lessons Learned*. New York: Springer.
- Shane, J.M.** (2007). *What Every Chief Executive Should Know: Using Data to Measure Police Performance*. New York: Looseleaf Law Publications.

Monographs & Monograph Chapters

- Shane, J.M.** (2012). Abandoned Properties. Problem-Oriented Guides for Police, Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services.
- Shane, J.M.** (2008). Go After Terrorism Grants. Brief # 20. In G. Newman and R.V. Clarke, *Policing Terrorism: An Executive's Guide*. Washington. D.C: U.S. Department of Justice.
- Shane, J.M.** (2008). Developing a Performance Management Model. New York: Looseleaf Law Publications.

Professional Journals (Non peer reviewed)

- Shane, J.M.** (2008, September). Developing a performance measurement model. *FBI Law Enforcement Bulletin*, Vol. 77, No. 9.
- Delorenzi, D., **Shane, J.M.** & Amendola, K.L. (September 2006). The Compstat process: Managing performance on the pathway to leadership. *Police Chief*, Vol. 73, No. 9.
- Shane, J.M.** (June 2005). Activity-based budgeting: Creating a nexus between workload and costs. *FBI Law Enforcement Bulletin*, Vol. 74, No. 6.

Shane, J.M. (April, May, June 2004.). Compstat process. *FBI Law Enforcement Bulletin*. Vol. 73. No. 4, 5 and 6.

Shane, J.M. (May 2003). Writing a winning grant proposal. *FBI Law Enforcement Bulletin*. Vol. 72. No. 5.

Government Publications

Shane, J. (2014). Reducing Failure: A View of Policing Through an Organizational Accident Lens. In “Mending Justice: Sentinel Event Reviews,” *National Institute of Justice, Special Report*, pp. 50-52. Washington, D.C: National Institute of Justice.

Shane, J.M. (August 5, 2009). Report of the expert panel on parts-marking, professional theft and other vehicle security; Auto body repair shops; Prosecution of parts cases. In. M. Maxfield and R.V. Clarke. *Parts Marking and Anti-theft Devices Technology Study*. For Maryn Consulting on behalf of National Highway Traffic and Safety Administration, Washington, D.C. (pp. 107-152).

Clarke, R.V., Zanin, N. & **Shane, J.M.** (August 2004). Reducing drug dealing in private apartment complexes: Final report to the U.S. Department of Justice Office of Community Oriented Police Services on a Project Undertaken in Newark, NJ to Test the Utility of the Problem-Oriented Guides for Police.” Washington, D.C.: U.S. Department of Justice, COPS Office. Accessible at www.popcenter.org/library.

Other Publications

Shane, J.M. (July 5, 2023). Creating a nexus between workload and costs: A case study from Ocean View PD.

Police1. <https://police1.webstage.lexipol.com/chiefs-sheriffs/articles/creating-a-nexus-between-workload-and-costs-a-case-study-from-ocean-view-pd-tfQ6Vcx1tUNcNgh7/>

Shane, J.M. (June 27, 2023). Survey results indicate urgent need for comprehensive workload analysis and service revamp. *Police1*. <https://police1.webstage.lexipol.com/what-cops-want-2023/articles/survey-results-indicate-urgent-need-for-comprehensive-workload-analysis-and-service-delivery-revamp-F2ixCHtt8jZUmZAZ/>.

Shane, J.M. (July 2021). Situational crime prevention: Removing opportunity and improving defence to tackle violent crime. *Policinginsight.com*

Amendola, K.A., Weisburd, D. Hamilton, E., Jones, G., Slipka, M., **Shane, J.M** & Ortiz, C. (December 2011). The impact of law enforcement shift practices and extra-duty employment on various health, safety, performance, and quality of life measures. Washington, D.C: Police Foundation.

Jones-Brown, D. & **Shane, J.M.** (July 2011). An exploratory study of the use of informants in drug prosecutions in New Jersey. Newark, NJ: ACLU-NJ

Shane, J.M. (June 2010). Miranda’s “clear-statement” requirement. New York City Police Department, *Executive Development Section Executive Newsletter*, 1(2).

Shane, J.M. (Task force advisor and contributor). (2010). Reducing inherent danger: Report of the task force on police-on-police shootings. Albany, NY: New York State Task Force on Police-on-Police Shootings.

CONFERENCE PRESENTATIONS AND INVITED LECTURES

Conference Presentations

“When Do Police Kill in Metropolitan America”? American Society of Criminology, Thematic Panel, Atlanta, GA, **November 2018**.

“Policing the Mentally Ill: A Problem-Oriented Approach,” Seminar on Legal and Ethical Issues in Psychiatry and General Medicine, invited lecture Columbia University Medical Center, **October 13, 2015**.

“United States Commission on Civil Rights, Office of Civil Rights Evaluation, panel on Police Practices and Prosecution of Police Deadly Force,” invited panelist. Panel presentation, **April 20, 2015**.

“Successful and unsuccessful pirate attacks worldwide: A situational analysis.” Annual Meeting Academy of Criminal Justice Sciences, Orlando, FL. **March 6, 2015**.

“Columbia University, School of Public Health, guest lecture on American policing and the relationship between crime and public health. Hosted by Dr. Sara Albiola. **February 23, 2015**.

“Terrorist Threat Perceptions of Police Leaders from Small and Medium Police Departments.” Feature Roundtable: Annual Meeting Academy of Criminal Justice Sciences, Philadelphia, PA, **February 19, 2014**.

“The Police Employee Disciplinary Sentencing Matrix: An Emerging Concept.” Annual Meeting Academy of Criminal Justice Sciences, Dallas, TX, **March 21, 2013**.

“A Study on Police Sector Integrity.” Annual Meeting Academy of Criminal Justice Sciences, Dallas, TX, **March 21, 2013**.

“Abandoned Buildings and Lots.” Annual Problem-Oriented Policing Conference, Providence, RI, **October 22-23, 2012**.

“Deterrence or system overload? The Effect of Imprisonment and Clearance Rates on Auto Theft in the United States.” Annual Meeting American Society of Criminology, Washington, D.C: **November 16, 2011**.

“Organizational Stressors and Police Performance.” Annual Meeting American Society of Criminology, San Francisco, Ca: **November 19, 2010**.

- “The Myth of The American Police Quasi Military Model,” Presentation, Annual Meeting Academy of Criminal Justice Sciences, San Diego, CA: **February 26, 2010.**
- “Rethinking Police Use of Confidential Informants,” Presentation, Annual Meeting Academy of Criminal Justice Sciences, San Diego, CA: **February 23, 2010.**
- “Performance Management in Police Agencies: A Conceptual Framework,” Poster presentation, Annual Meeting American Society of Criminology, Philadelphia, PA: **November 5, 2009.**
- “Confronting Gun Traffickers: Stopping the Interstate Flow of Illegal Guns through Tracing and Analysis.” Roundtable presentation with Christopher Andreychak, 2008 Annual Meeting American Society of Criminology, St. Louis, MO: **November 15, 2008.**

Invited Lectures

- “National Sheriff’s Association (NSA),” Grand Rapids, MI, creating a nexus between workload and costs, **June 28, 2023.**
- “Government Finance Officers Association (GFOA),” Chicago, IL, on activity-base budgeting, **February 10, 2023.**
- “Inter-American Development Bank” on policing in democratic societies, Washington, D.C., **December 2, 2014.**
- “Presentation to the Chinese People’s Public Security University, Police Security Bureau, Beijing, China on creating a nexus between police workload and budget, police policy and practice issues.” **November 29, 2011.**
- “Developing a Performance Management Model,” Leading Police Performance and Accountability Symposium 2010, Jamaica Constabulary Force, Kingston, Jamaica: **March 30 – April 2, 2010.**
- “Tattletales and Victims: Rethinking Police Use of Confidential Informants,” John Jay College Graduate Lecture Series: **November 30, 2009.**
- “Key Administrative and Operational Differences in the Police Quasi Military Model,” CUNY Hostos Community College, Bronx, NY: **October 13, 2009.**
- “Eyewitness Identification: Improving Reliability and Preventing Wrongful Convictions,” panel discussant providing a perspective on police policy and practice. American Judicature Society, Annual Meeting, New York City: **August 8, 2008.**

TRAINING WORKSHOPS

2018	March 29	Use of Force Investigations Guide—An ASCIA and Police Foundation Webinar, Washington, D.C.
2018	March 13	Murder Book - A Profile of the Los Angeles Police Department’s Homicide Case Management Framework, Police Foundation Webinar, Washington, D.C.
2015	April 4-17	Uruguay National Police, Basic and Advanced Criminal Investigations, Montevideo, Uruguay.
2014	June 9-20 Sept 15-16	Uruguay National Police, Basic and Advanced Criminal Investigations, Montevideo, Uruguay.
2013	July 9-11	U.S. Army Senior Military Police Leaders Conference of Performance Management Process, Ft. Hood, TX.
	September 18-20	U.S. Army Senior Military Police Leaders Conference of Performance Management Process, Ft. Campbell, KY.
2010	November 9	New Haven (CT) Police Department Investigative Training Course, West Haven, Connecticut.
	March 30 to April 2	Leading Police Performance and Accountability Symposium 2010, Jamaica Constabulary Force. Producers House Building, Kingston, Jamaica.
2009	September to November (Various dates)	Implementing and Institutionalizing CompStat in Maryland. Grant program with University of Maryland and Governor’s Office of Crime Prevention, Baltimore, MD.
2008	April 22	Developing a Performance Management Model. Ohio Association of Chiefs of Police. 2008 in-service training conference, Deer Creek, Ohio.
	June 23	Developing a Performance Management Model. Florida Police Chiefs Association 56th Annual Summer Training Conference, Palm Beach Gardens, Florida.

	August 19	Developing a Performance Management Model. Virginia Association of Chiefs of Police, Annual Conference, Hot Springs, Virginia.
	October 28	Developing a Performance Management Model. The Houston Area Police Chief's Association, Woodlands Public Safety Training Center, Conroe, Texas.
2007	May 5	Developing a Performance Management Model. Ottawa Association of Law Enforcement Planners. Algonquin College, Ottawa, Ontario, Canada.
	August 8	Developing a Performance Management Model. Louisiana Attorney General's Command College, Baton Rouge, Louisiana.
	October 16-17	Developing a Performance Management Model. International Association of Law Enforcement Planners, Calgary, Alberta, Canada.

PREVIOUS EMPLOYMENT AND RELATED EXPERIENCE

March 2006 July 2006	Consultant to Essex County College, Newark, NJ to assist with design and implementation of a geographic information system (GIS) training program for law enforcement and homeland security initiatives
February 2005 September 2005	<i>Staff Member</i> , NJ Attorney General's Office - Camden Commission for Public Safety. Final report accessible at http://www.state.nj.us/lps/com-report-camden.pdf <i>Research Associate, Rutgers Police Institute.</i> Conducted public safety research and a police management study in Camden, NJ as a staff member of the <i>Camden Commission for Public Safety</i> . Research included a management study on efficiency and recommendations on best practices for organizational change, deployment and sustained crime control initiatives.
May 2004 Present	<i>Senior Research Associate, Police Foundation Washington, D.C. (currently National Policing Institute).</i> Currently, serving as a senior research associate to the Police Foundation on a variety of topics related to policing. Most recently, assisted preparing a research grant to the National Institute of Justice entitled: <i>A National Assessment of the Risks and Benefits of Shift Practices and Related Policies in Law Enforcement: Impact on Officer and Organizational Performance.</i>
October 2003 May 2004	<i>Research Team Member, Rutgers Center for Mental Health.</i> Conducted research on police interactions and responses to persons with mental health issues. Study included conducting on site interviews with police officers as well as calls for service data analysis.
September 2003 September 2004	<i>Differential Police Response: Neighborhood Social Disorganization and Police Response Time to Domestic Violence Calls.</i> Principal investigator and author of explanatory research on police response time to domestic violence calls in Newark, New Jersey. The objective was to explain the relationship between indicators of social disorganization and police response time to domestic violence calls for service.
March 1993 August 2003	Successfully solicited by proposal over \$50 million in state and federal grants for various police initiatives including community policing, personnel, equipment and training as a member of the Newark Police Department, Research, Analysis and Planning Division
June 2001	Harvard University, John F. Kennedy School of Government and Police Executive Research Forum (PERF)—Senior Management Institute for Police, Session 25, Boston, MA
February to June 1998	Federal Bureau of Investigation, FBI National Academy—193rd Session Quantico, Virginia
January to June 1996	Police Foundation Washington, D.C. Visiting fellow, Police Fellowship Program

March 1989 December 2005	Newark (NJ) Police Department (Retired, Captain of police). See below for detailed law enforcement experience.
December 1985 March 1989	Clifton (NJ) Police Department

GRANTS AND FUNDING

March 24, 2023 (awarded)	National Safe Skies Alliance (in partnership with TransSolutions Aviation)	\$225,000.00	Airport Law Enforcement Staffing
October 18, 2013 (awarded)	Ministry of the Interior, Uruguay	\$253,156.00	Scholarship Program for Training in Advanced Criminal Investigations for Uruguay Police
October 18, 2012 (awarded)	PSC CUNY	\$10,003.74	Principal investigator to examine maritime piracy using situational crime prevention
April 15, 2010 (awarded)	PSC CUNY (Award # 63310-00 41)	\$3,990	Principal investigator, to examine the impact of organizational stressors on police performance
November 2008 (awarded)	State of Maryland Governor's Office of Crime Control Programs	\$185,696	Co-principal investigator with Dr. Rachel Boba, Dr. Jeanne Bilanin and Laura Wyckoff to develop and implement Compstat for police agencies throughout Maryland (University of Maryland—IGSR)

SERVICE*Professional*

- Book review: Speaking Truth to Power, *Criminal Law and Criminal Justice Books* 2017
- Peer-review member, *Crime Science* 2015
- Peer-review member, *The Sociological Quarterly* 2012
- Editorial advisory board member, *International Journal of Emergency Services* 2011
- Peer-review member, *Police Quarterly* 2011
- ACJS 47th Annual Meeting, *Ethics in Policing, Modalities; Dynamics of Use of Force & The Police Command Structure*, Panel chair 2010
- Delphi Panel participant, Incentive Research Foundation; offered a police perspective to re-validate and update *The Master Measurement Model of Employee Performance* study conducted in 1992 2010
- Peer-review member, *Journal of Criminal Justice* 2010, 2017
- Peer-review member, *Criminal Justice & Behavior* 2010
- Peer-review member, *International Journal of Comparative and Applied Criminal Justice* 2010
- Peer-review member, *Taylor Francis Publishing* 2010
- Peer-review member, *Police Practice & Research* 2010
- Peer-review member, *Policing: An International Journal of Police Strategies & Management* 2009-2010
- Book review member Thompson/Wadsworth publishing 2009
- Rutgers School of Criminal Justice Alumni Association, Treasurer 2009-2010
- Invited lecture, Benjamin Cardozo Law School March 22, 2010
- Invited lecture, U.S. Department of Justice COPS Office National Leadership Roundtable, *Leadership For Public Safety II*, with the Community Policing Leadership Institute (CPLI) at the John Jay College of Criminal Justice Office of Continuing and Professional Studies April 29-30, 2010

Department

- Grant development task force 2011

- Police Studies Coordinator 2009-2013
- LPS Faculty Research Salon Discussant November 2009
- LPS ad hoc Curriculum Committee member 2010-2015

College

- Doctoral faculty member Jan 14, 2011
- *Clinton Global Initiative*, faculty representative to student committee 2009-2011
- Council of Major Coordinators 2009-2011
- Council of Allied Major Coordinators (Dean Ann Lopes, Committee Chair) 2010-2011
- CUNY Faculty COACHE Survey November 2009
- Chair of the AA Degree Educational Partnerships Committee, CUNY Justice Academy (David Barnet, Director of Educational Partnerships) 2010-2011
- CRJ 101 student performance evaluation study participant Sept-Dec 2009

Community

- Bay Area Rapid Transit Police (BART) Police-Citizen Encounters (with Dr. Maki Haberfeld and Consortium for Police Leadership in Equity (CPL) at UCLA). Research application was awarded in November and work began in January 2013. Nov. 27, 2012
- New York City Police Department, Executive Development Section Article Contributor June 2010
- Student outreach effort, Passaic County Technical Institute, Wayne, NJ (With Jeanette Taverez, Undergraduate Admission Counselor) March 26, 2010
- Paterson (NJ) Mayor's Task Force on Crime and Violence October 2009

PROFESSIONAL AFFILIATION AND MEMBERSHIP

Police Staffing Observatory, Michigan State University	2023-Present
Academy of Criminal Justice Sciences	2009-Present
Police Executive Research Forum	2003-Present
American Society of Criminology	2004-Present
Society for Police and Criminal Psychology	2008-2009

LAW ENFORCEMENT EXPERIENCE

Parent Command	Division/Unit	Date	
Office of the Chief of Police	Command Operations Center	August 2004	December 2005

The Command Operations Center (COC) provides command rank supervision to the Department during non-business hours. The COC personnel monitor significant planned or spontaneous events, inspect Department-wide operations including field deployment, operational readiness, and administrative procedures. The COC also provides control of resources to address prevailing service demands, command level presence and oversight at the scene of unusual incidents. Personnel assigned to COC also address citizen complaints to ensure departmental objectives are achieved.

Operations Bureau	North District Police Station—District Commander	April 2004	August 2004
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See East District Station for responsibilities

Office of the Police Director	Office of Policy and Planning	August 2002	April 2004
<i>See Research, Analysis and Planning Division for responsibilities</i>		January 2002	June 2002

Operations Bureau	East District Police Station—District Commander	June 2002	August 2002
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The East Police District is the largest geographical precinct in the city with a residential population of approximately 80,000 and a daytime population of more than 200,000. Newark's most coveted areas are situated here, including Newark International Airport, Port Newark seaport, the New Jersey Performing Arts Center, University Heights, the campuses of Rutgers University, New Jersey Institute of

Technology and Essex County College, and Restaurant Row in the Ironbound. Responsibilities include charge of district station performance, a complement of 160 police officers and detectives, property and evidence, fifty-vehicle fleet, crime analysis, ComStat, personnel assignments, internal affairs and integrity control, records management, and prisoner detention.

Office of the Police Director

Office of Policy, Planning and Technology—Commanding Officer, Management Information Systems April 2000 January 2002

MIS exists to ensure the Department operates efficiently through the use of technology. Responsible for managing the Department's information systems which include hardware and software from Intergraph, Oracle and Motorola. Also, GIS services (mapping), computer aided dispatching (CAD), records management system (RMS), researching new technologies, and administering a \$5 million budget for personnel and equipment. Directed the following projects:

- Construction and implementation of a state-of-the-art Computer Learning Center
- Development of a multimillion dollar Oracle® records management system (RMS)
- Implementation of a wireless (CDPD) network
- Reorganization and management of the geographic information systems (GIS) program

Operations Bureau

North District Police Station—Tour Commander July 1999 April 2000

During a tour of duty, responsible for the efficient operation of one of four geographical District police stations. Responsibilities include supervision of first line supervisors, motor patrol and foot patrol officers; conducting personnel inspections and performance evaluations; initiating disciplinary procedures and personnel investigations; monitoring and counseling subordinate personnel; conducting roll call training, recommending commendations. Also accountable for District desk operations and precinct activities, including charge determinations, reviewing, approving and classifying reports, prisoner detention, assignments, and bail.

Office of the Police Director

Policy and Planning Division—Executive Officer July 1998 July 1999

Responsibilities same as listed under Research, Analysis & Planning

Office of the Police Director

Special Assistant to the Police Director September 1997 July 1998

The Police Director's Office is responsible for the policy position of the Police Department. Responsible for developing policy, implementing strategic crime control initiatives, responding to interagency correspondence and letters of complaint, acting as an intermediary among police executives, political and community leaders, representing the Police Director as directed, media relations and public information—Police Department spokesperson—and overall tasks designed to direct the mission of the Newark Police Department.

- Coordinated and appeared in an ethics training video produced for the U.S. Department of Justice—COPS Office through a grant to the Police Foundation, Washington, D.C.
- Assigned to the Criminal Investigation Bureau—Fugitive Apprehension Section to design and implement a Fugitive Apprehension Program.
- Task force member to audit, reorganize and develop policy for the central property and evidence function.

Criminal Investigation Bureau—Violent Crime Division

Homicide Section—Detective Supervisor May 1997 September 1997

The Homicide Section is responsible for all death investigations, officer-involved shootings, and kidnapping investigations. Responsible for monitoring all active investigations, reviewing "cold" cases, reviewing, classifying and approving investigations, charge determinations, crime scene management, statistical analysis, and database management.

Field Operations BureauEast & West District Police
Station—Field Supervisor

June 1995

September 1995

Responsible for the supervision of motor patrol and foot patrol officers; conducting personnel inspections and performance evaluations; initiating disciplinary procedures and personnel investigations; monitoring and counseling subordinate personnel; conducting roll call training, recommending commendations. Also accountable for desk operations and precinct activities, including charge determinations, reviewing, approving and classifying reports, prisoner detention, and bail.

Office of the Police DirectorResearch, Analysis & Planning
Division—Detective

March 1993

May 1997

Responsible for the research and development of budgetary proposals, Department policies, tactical and strategic planning, comparative, statistical and crime analysis, State and Federal grant proposals, interagency surveys, and overall tasks designed to improve the efficiency and effectiveness of the Newark Police Department.

- Over a four-year period successfully solicited by proposal over \$40 million in Federal and State funds for community policing initiatives, equipment, personnel, and construction projects.
- Cadre member of the Emergency Operations Center (E.O.C). E.O.C is responsible for activation during all mobilization exercises, demonstrations/protests, severe weather emergencies, civil disorder conditions, airport disasters and other similar critical incidents.
- Participated in a five month police fellowship at the Police Foundation Washington, D.C. Fellowship entailed writing proposals, designing training curricula, conducting research on policing, and participating in management studies on a national level. Also assisted in the development of the Police Foundation's segment of the *Community Policing Consortium Phase V* grant proposal, submitted to the U.S. Department of Justice, COPS Office.
- Participated in the development and implementation of the Newark Police Department's Emergency Response Team (E.R.T). Team member and supervisor August, 1994 - September, 1997.

Special Investigation BureauTARGET Team—Police
Officer

November 1992

March 1993

Assigned to the Tactical Auto Recovery Group and Enforcement Team (T.A.R.G.E.T). This proactive anti-crime unit was designed to combat bank robberies, serial crimes, high-profile incidents, carjackings, and auto thefts on a citywide level. T.A.R.G.E.T. jointly participated with the F.B.I.'s Violent Crime Fugitive Task Force and the Joint Bank Robbery Task Force for combined operations.

Field Operations BureauSouth District Police
Station—Police Officer

August 1989

November 1992

Appointed to the Newark Police Department and assigned to the South Police District one of four geographical police precincts in the City. The South District encompasses a residential population of more than 80,000 residents, including several public housing tracts with a population in excess of 10,000 people. The South District also harnesses a sizeable industrial/commercial manufacturing area that raises the daytime population to more than 100,000 people.

- Responsible for service demands and response to calls for police service.
- Assigned to Special Enforcement 1990-1992; district level street-crime suppression unit designed to address local conditions. Responsible for plain clothes/anti-crime efforts, decoy, vice, robbery, prostitution and narcotics operations.
- Participated in selective enforcement operations, including saturation patrol and directed patrol operations in high crime neighborhoods.
- Participated in various community policing programs at the district level
- Field Training Officer 1990-1991

Communications Division (Clifton, NJ Police Department)

Communications Technician

December 1985

March 1989

Clifton city is one of the urban-15 communities in New Jersey serving a population of nearly 90,000. Responsible for managing police, fire and EMS field assets through a computer aided dispatch system. Also responsible for processing incoming calls for public safety and using advanced crime information systems (CJIS, NCIC).

DISTINCTION

Police Director's Special Recognition Award	1997
Department Award Excellent Police Duty	1997, 1996, 1992, 1991, 1990
New Jersey Exemplary Awards Program	1996
Webber Seavey Award for Quality in Law Enforcement (Finalist)	1994

PROMOTIONS

Captain	September 2000
Lieutenant	July 1998
Sergeant (rank)	July 1995
Detective (status)	March 1993

Appendices

Appendix A is a copy of the codebook that was used to code the CR data analyzed in this report.

Appendix B is an electronic file containing the CR data coded for my analysis.