

# Exhibit B

pattern of non-sustained complaints exists" (1997 Report, p. 21). Regarding unit-wide trends, the Commission wrote,

"Furthermore, the Commission recommends that the Chicago Police Department look not just at the records of individual police officers but also at units within the Department. The ten officers now under indictment did not come from ten different units of assignment spread throughout the organization. Chicago's recent experience is consistent with the police scandals around the country and in our own history going back to Summerdale - corrupt police officers (like other groups of criminals) tend to bond together in groups. As the Chicago Police Department moves toward a comprehensive early-warning system, therefore, an effort should be made to identify specific units which have a higher than usual rate of allegations of misconduct" (1997 Report, p. 21).

There is no evidence in discovery that the City conducted any such team-level, squad-level, or division-level analysis to identify the troubling trends that the Mayor's Commission had identified in 1997 (see Moore deposition, pp. 174-175). The City conceded that it had no reason to deny that IPRA had power to examine patterns of complaints, and no reason to conclude that IPRA ever actually examined patterns of complaints (Moore deposition, p. 186). In other words, IPRA could have examined patterns of complaints, but it decided not to do so.

The City's failure to act fell well short of nationally accepted standards for supervising corruption-prone units such as narcotics enforcement. 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.<sup>64</sup> The

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<sup>64</sup> 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 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., &

tactics that must be used to enforce drug laws create an impetus toward dishonesty (e.g., undercover operations, surveillance locations, secrecy, search warrants; reverse sting operations, buying narcotics). Police officers assigned to tactical narcotics enforcement are exposed to corruption hazards more frequently and to a greater degree than other elements of the police department, which requires additional supervision. For example:

- a. **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.
- b. **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”<sup>65</sup>), or engaging in drug-related activities themselves (e.g., selling drugs; selling guns; protecting drug operations).
- c. **Limited oversight with an ethos of secrecy, loyalty, and solidarity:** Narcotics investigations often involve plainclothes operations and sensitive 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

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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).

<sup>65</sup> 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).