



INVESTIGATION TIMELINES AND BENCHMARKS



ISSUE DATE:	13 June 2022	EFFECTIVE DATE:	
RESCINDS:			
INDEX CATEGORY:	08 - Professionalism		
CALEA:			

I. PURPOSE

This directive:

- A. defines timelines and benchmarks for investigations assigned to the Bureau of Internal Affairs (BIA) investigators and accountability sergeants;
- B. outlines responsibilities of BIA supervising lieutenants to ensure compliance as to timelines and benchmarks; and
- C. uses terms specific to the Chicago Police Department's complaint and disciplinary system, as defined in General Order G08-01-01 "**Complaint and Disciplinary Definitions.**"

II. POLICY

- A. BIA supervising lieutenants have a duty to ensure a timely completion of investigation by members under their supervision.
- B. Timeliness is a fundamental component of fairness to the complainant and the affected accused member.
- C. BIA investigators will arrive at an investigative finding and recommendation within **180 days** of the initiation of the Log Number investigation. Any request for an extension of time after the **180 days** must be approved in writing by the Chief of BIA or their designee.
- D. Accountability sergeants will arrive at an investigative finding and recommendation within **90 days** of the initiation of the Log Number investigation. Any request for an extension of time after the 90 days must be approved in writing by the respective BIA supervising lieutenant.
- E. When a BIA investigator does not arrive at an investigative finding and recommendation within **180 days** of the initiation of the Log Number investigation, the BIA investigator will provide a written notice of the reason(s) for the inability to complete the investigation within the timeframe provided. This written notice will be provided within **5 days** of the **180 day** deadline, to the complainant (or complainant's representative), the accused CPD member(s) or counsel (unless such notification would compromise the integrity of the investigation), and the accused member's district or unit commander. The written notice will be updated every **90 days** until the administrative investigation is completed.
- F. When an accountability sergeant does not arrive at an investigative finding and recommendation within **90 days** of the initiation of the Log Number investigation, the accountability sergeant will provide a written notice of the reason(s) for the inability to complete the investigation within the timeframe. The written notice will be provided within **5 days** of the **90 day** deadline to the complainant (or complainant's representative), the accused CPD member(s) or counsel (unless such notification would compromise the integrity of the investigation), and the accused member's district or unit commander. The written notice will be updated every **90 days** until the administrative investigation is completed.

- G. When the BIA investigator or accountability sergeant does not arrive at an investigative finding and recommendation within **180 days** of the initiation of the Log Number investigation, the investigator will attempt to contact the complainant or the complainant's representative at least once every **60 days** to provide status updates until the investigative findings and recommendations are issued. Such contact will be documented in the administrative investigative file.
- H. The failure to complete an investigation within the timeframes and benchmarks set forth in this directive will not invalidate, impair, or otherwise negatively impact the Department's ability to issue discipline for sustained findings.

III. TIMELINES AND BENCHMARKS FOR BIA INVESTIGATORS (CD ¶479)

- A. Unless the reporting party wishes to remain anonymous, BIA investigators will attempt to contact reporting parties within **7 days** from the date an investigation is assigned. BIA Investigators will:
 - 1. attempt contact on the first day of assignment by phone or email, and by sending a written notice via certified U.S. Mail;
 - 2. ensure the written notice includes the log number, identifies the assigned investigator, and furnishes the investigator's contact information to include unit phone number, extension and Department email; and
 - 3. send the written notice in all circumstances where the reporting party has been identified with an accompanying address.
- B. BIA investigators will identify, request, and gather all available Objective Verifiable Evidence (OVE) and obtain sworn affidavit(s) (if required) within **30 days** from the date an investigation is assigned. BIA investigators will:
 - 1. upon discovering and obtaining any Objective Verifiable Evidence, upload all the OVE to the Case Management System (CMS) as soon as possible, but no later than **7 days** from the date the evidence was obtained.
 - 2. In the event BIA investigators are unable to locate OVE, BIA investigators will notify the BIA supervising lieutenant as soon as possible, but within **30 days** of the assignment of the investigation to discuss methods used to recover OVE (e.g. Department applications and search parameters utilized).
- C. In limited circumstances where a sworn affidavit is required, as outlined in the collective bargaining agreements, BIA investigators will schedule an interview with the reporting party and attempt to obtain a sworn affidavit (should one be required) within **30 days** from the date an investigation is assigned. BIA investigators will:
 - 1. upload a signed, sworn affidavit to the Case Management System (CMS) as soon as possible.
 - 2. assess all OVE, and ascertain if the OVE supports an affidavit override request in the event a signed, sworn affidavit cannot be obtained.
 - 3. notify the supervising BIA lieutenant as soon as possible in the event a signed, sworn affidavit cannot be obtained and the OVE does not support an affidavit override request.
- D. In the limited circumstances where a sworn affidavit is required, as outlined in the collective bargaining agreements, and a sworn affidavit is not obtained within **60 days** from the date an investigation is assigned, and a sworn affidavit override request is not warranted, BIA investigators will submit non-criminal investigations for closure.
 - 1. BIA investigators assigned to the General Investigations Section (GIS) and Special Investigations Section (SIS) will submit such investigations for closure to the BIA commander.
 - 2. BIA investigators assigned to the Confidential Investigations Section (CIS) will submit such investigations for closure to the BIA commander (or their designee).

- E. BIA investigators will schedule an interview with the reporting party within **30 days**.
- F. BIA investigators will complete interviews of all known reporting parties, witnesses, and accused Chicago Police Department (CPD) members as soon as feasible but within **90 days** from the date an investigation is assigned. BIA Investigators will:
- NOTE:** For Fraternal Order of Police (FOP) Chicago Lodge No. 7 Department members, the requirement of a signed sworn affidavit is not mandatory for a Log Number investigation to begin which is consistent with the "SAFE-T" Act Statue 20 ILCS 2610-14 and the accused member's collective bargaining agreement. For sworn Department PBPA of Illinois Unit 156 Sergeant, Lieutenant and Captain members, the requirement of securing a signed affidavit may be necessary for the continuation of a Log Number investigations consistent with the accused member's collective bargaining agreement.
1. contact BIA Administrative Section personnel to schedule interviews and document the scheduled interview within the Case Management System (CMS); and
 2. request an extension, via the CMS, if they are unable to complete the requisite interviews.
- G. BIA investigators will arrive at investigative findings and recommendations and submit their investigations for **preliminary review** to the BIA supervising lieutenant within **120 days** from the date an investigation is assigned. In the event BIA investigators are unable to submit their investigations for **preliminary review** within **120 days** from the date an investigation is assigned, BIA investigators will:
1. submit an extension request via the CMS specifying the reasons for the delay;
 2. notify their BIA supervising lieutenant immediately after submitting the extension request; and
 3. be prepared to participate in a Case Review Session with their BIA supervising lieutenant to discuss the investigation, the steps needed to complete the investigation, and a projected closing date for the investigation within 7 days of notifying their supervising lieutenant that they are unable to submit their investigation for review.
- H. BIA investigators will arrive at their investigative findings and recommendations, and submit their investigations for **final review** and approval to the BIA supervising lieutenant within **180 days** from the date an investigation is assigned.
1. In the event BIA investigators are unable to submit their investigations for **final review** and approval within **180 days** from the date an investigation is assigned, BIA investigators will:
 - a. submit an extension request via the Case Management System (CMS) specifying the reasons for the delay;
 - b. notify their BIA supervising lieutenant immediately after submitting the extension request;
 - (1) The supervising lieutenant, as designated by the Chief of BIA, will review extension requests in the CMS (submitted by BIA investigators of the General Investigations Section and the Special Investigations Section) and make a determination as to approving the extension request.
 - (2) The commander, as designated by the Chief of BIA, will review extension requests in the CMS submitted by BIA investigators of Confidential Investigations Section (CIS) and make a determination as to approving the extension request.
 - c. be prepared to participate in a Case Review Session with their BIA supervising lieutenant to discuss the investigation, the steps needed to complete the investigation, and a projected closing date for the investigation;

- d. explain steps taken since the last review session, whether or not obtainable goals were met, and provide justification as to why the investigation remains active;
 - e. produce a copy of written notice sent within **5 days** of the end of the designated timeframe (**180 days**), to the complainant or complainant's representative, the accused member(s) or counsel, and the District or Unit commander stating the reason for the inability to complete the investigation;
 - f. document and explain attempts to contact the complainant or his representative to provide status updates;
 - g. prepare a To-From-Subject Report (T/F/S) addressed to the Chief of BIA identifying investigations remaining open over **180 days** from the date an investigation is assigned detailing:
 - (1) the current status of the investigation (timeline);
 - (2) justification why the investigation remains open; and
 - (3) the date the complainant was contacted regarding the status of the investigation.
2. BIA investigators will update written notice every 90 days until the investigation is concluded.

IV. TIMELINES AND BENCHMARKS FOR ACCOUNTABILITY SERGEANTS (CD ¶479)

- A. Unless the reporting party wishes to remain anonymous, accountability sergeants will attempt to contact reporting parties have been identified with an accompanying address, within **7 days** from the date an investigation is assigned. Accountability sergeants will:
 - 1. attempt contact on the first day of assignment by phone or email, and by sending a written notice via certified U.S. Mail;
 - 2. ensure the written notice includes the log number, identifies the assigned investigator, and furnishes the investigator's contact information; and
- B. Accountability sergeants will identify, request, and gather all Objective Verifiable Evidence (OVE) and obtain a sworn affidavit, if required within **21 days** from the date an investigation is assigned. Accountability sergeants will:
 - 1. upon discovering and obtaining any Objective Verifiable Evidence, upload all the OVE to the Case Management System (CMS) as soon as possible but no later than **21 days** from the date the investigation was assigned.
 - 2. In the event an accountability sergeant is unable to locate OVE, accountability sergeants will notify the supervising BIA lieutenant as soon as possible, but within 21 days of the assignment of the investigation to discuss methods used to recover OVE (e.g. Department applications and search parameters utilized).
- C. In limited circumstances where a sworn affidavit is required, as outlined collective bargaining agreement, accountability sergeants will schedule an interview with the reporting party and attempt to obtain a sworn affidavit (should one be required) within **21 days** from the date an investigation is assigned. Accountability sergeants will:
 - 1. upload a signed, sworn affidavit to the CMS as soon as possible;
 - 2. assess all OVE and ascertain if the OVE supports an affidavit override request; and
 - 3. notify the supervising BIA lieutenant as soon as possible in the event an accountability sergeant is unable to obtain a sworn affidavit or OVE does not support an affidavit override request.

- D. In the limited circumstances where a sworn affidavit is required as outlined by the Department member's collective bargaining agreement, and a sworn affidavit is not obtained within **30 days** from the date an investigation is assigned, and a sworn affidavit override request is not warranted, accountability sergeants will submit non-criminal investigations for closure. Accountability sergeants will submit such investigations:
1. for review to their BIA supervising lieutenant; and
 2. for closure to the Deputy Chief of BIA.
- E. Accountability sergeants will schedule an interview with the reporting party in **21 days** from the date the investigation is assigned.
- F. Accountability sergeants will complete interviews of all known reporting parties, witnesses, and accused Chicago Police Department (CPD) members as soon as feasible but within **45 days** from the date an investigation is assigned. Accountability sergeants will:
1. schedule interviews and document the scheduled interviews within the Case Management System (CMS); and
 2. request an extension, via the CMS, if they are unable to complete the requisite interviews.
- G. Accountability sergeants will arrive at investigative findings and recommendations and submit their investigations for **preliminary review** to the BIA supervising lieutenant within **60 days** from the date an investigation is assigned. In the event accountability sergeants do not submit their investigations for **preliminary review** within **60 days** from the date an investigation is assigned, they will submit an extension request via the CMS specifying the reasons for the delay. Accountability sergeants will:
1. notify their BIA supervising lieutenant immediately after submitting the extension request;
 2. be prepared to participate in a Case Review Session with their BIA supervising lieutenant to discuss the investigation, the steps needed to complete the investigation, and a projected closing date for the investigation within **7 days** of notifying their supervising lieutenant that they are unable to submit their investigation for review.
- H. Accountability sergeants will arrive at their investigative findings and recommendations, and submit their investigations for **final review** to the BIA supervising lieutenant within **90 days** from the date an investigation is assigned.
1. In the event an accountability sergeant is unable to submit their investigations for **final review** within **90 days**, they will:
 - a. submit an extension request via the Case Management System (CMS) specifying the reasons for the delay;
 - b. notify their BIA supervising lieutenant immediately after submitting the extension request which will be reviewed by the Deputy Chief of BIA, as designated by the Chief of BIA, in the CMS, to make a determination as to approving the extension request;
 - c. be prepared to participate in a Case Review Session with their BIA supervising lieutenant to discuss the investigation, the steps needed to complete the investigation, and a projected closing date for the investigation;
 - d. explain steps taken since the last review session, whether or not obtainable goals were met, and provide justification as to why the investigation remains active;
 - e. produce a copy of written notice sent within **5 days** of the end of the designated timeframe (**90 days**), to the complainant or complainant's representative, the accused member(s) or counsel, and the district or unit commander stating the reason for the inability to complete the investigation;

- f. document and explain attempts to contact the complainant or complainant's representative to provide status updates; and
 - g. prepare a To-From-Subject Report (T/F/S) addressed to the Chief of BIA on investigations remaining open over **90 days** from the date an investigation is assigned detailing:
 - (1) the current status of the investigation (timeline);
 - (2) justification why the investigation remains open; and
 - (3) the date the complainant was contacted regarding the status of the investigation.
2. Accountability sergeants will update written notice every **45 days** until the investigation is concluded.

V. BIA SUPERVISING LIEUTENANT RESPONSIBILITIES

- A. BIA supervising lieutenants will ensure compliance of this directive by BIA investigators and accountability sergeants. BIA supervising lieutenants will:
1. assess and monitor compliance by reviewing the status of investigations, including paused investigations, within the Case Management System (CMS) ;
 2. guide and assist BIA investigators and accountability sergeants as needed, based upon the complexity of the investigation, the investigative abilities of the assigned investigators, and any other relevant factors;
 3. inform BIA investigators and accountability sergeants of any pertinent information which may impact their investigations;
 4. remain cognizant of investigations with a likelihood of a sustained finding;
 5. prioritize investigations involving supervisory CPD members;
 6. continually assess the progress of investigations from the date of assignment to completion; and
 7. assume all other responsibilities, as designated by the Chief BIA, pertaining to investigative timelines and benchmarks.
- B. BIA supervising lieutenants will perform Case Review Sessions as needed. BIA supervising lieutenants will:
1. perform Case Review Sessions for BIA investigations that are open **120 days** or more;
 2. perform Case Review Sessions for accountability sergeant investigations that are open **60 days** or more;
 3. document each Case Review Session within the CMS;
 4. identify those BIA investigators and accountability sergeants who exhibit investigative deficiencies and arrange training for those members in an effort to correct those deficiencies; and
 5. utilize the CPD Counseling Session Report ([CPD-11.666](#)) to formally counsel BIA investigators and accountability sergeants who regularly fail to complete their investigations in a timely manner and do not improve after guidance, assistance, and training.

NOTE: Repeated documented counseling and formal discipline can result in the removal of a BIA investigator or accountability sergeant from their positions in accordance with the member's collective bargaining protections.

VI. INTAKE AND ANALYTICAL SECTION RESPONSIBILITIES

The supervising sergeant of the Intake and Analytical Section will submit a monthly report to the Chief of BIA identifying:

- A. A BIA investigators number of cases that have been opened for more than **180 days** from the date of assignment in addition to their total number of cases.
- B. An accountability sergeants number of cases that have been opened for more than **90 days** from the date of assignment in addition to their total number of cases.

VII. CONFLICT RESOLUTION

If this directive conflicts with a provision in any other Department directive relative to the disciplinary process, members will seek guidance from the Chief of BIA.

Authenticated by KC

David O. Brown
Superintendent of Police

21-XX-xxx DC/CM

DRAFT