



COMMUNICATION PROCEDURES AND TIMELINES



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INDEX CATEGORY:	08 - Professionalism		
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I. PURPOSE

This directive:

- A. identifies the procedures by which Bureau of Internal Affairs (BIA) Intake and Analytical Section personnel communicate with complainants during the intake process.
- B. delineate the procedures by which BIA investigators and accountability sergeants communicate with complainants during the investigatory process.
- C. identify the procedures by which BIA Advocate Section personnel notify complainants about the status of their investigations.
- D. identifies the procedures by which Chicago Police Department (CPD) members under administrative misconduct investigations receive notice that they are under investigation.
- E. identifies the means and manner by which BIA investigators and accountability sergeants notify accused CPD members.
- F. delineates the timeline in which Bureau of Internal Affairs (BIA) investigators and accountability sergeants are expected to arrive at investigative findings and recommendations when conducting administrative misconduct investigations.
- G. identifies the means and manner by which accountability sergeants notify accused members' immediate supervisors and their District or Unit commanders.
- H. uses terms specific to the Chicago Police Department's complaint and disciplinary system, as defined Department directive titled "[Complaint and Disciplinary Definitions.](#)"

II. POLICY

- A. Transparency is a fundamental element of accountability. Consequently, BIA strives to ensure that complainants and Department members under investigation are continually and appropriately informed throughout the investigatory process.
- B. BIA personnel and accountability sergeants are required to communicate with complainants and Department members in a respectful and professional manner.
- C. Complainants and their representatives may track non-confidential Log Numbers from the intake process through final disposition via telephone, online, and in person.

III. COMPLAINANT COMMUNICATION RESPONSIBILITIES

- A. Intake and Analytical Section personnel will:
 - 1. initiate a **preliminary** investigation within **30 days** of receiving a complaint (if potential misconduct is alleged). **(CD ¶459)**

NOTE: A sworn affidavit will not be required to conduct a preliminary investigation.

2. upload the attachments of objective verifiable evidence to the corresponding Case Management System (CMS) investigative file.
 - a. **preliminary investigations** will take all reasonable steps to discover and preserve any and all objective verifiable evidence relevant to the complaint or administrative notification through the identification, retention, review, and analysis of all available evidence, including, but not limited to all:
 - (1) time-sensitive evidence;
 - (2) audio and video evidence;
 - (3) physical evidence;
 - (4) arrest reports;
 - (5) photographic evidence;
 - (6) GPS records;
 - (7) computer data; and
 - (8) witness interviews.
 3. notify complainants at the conclusion of the preliminary investigation, in writing (delivered by either U.S. mail or email) of the current status of the investigation and place a copy of the correspondence in the appropriate Case Management System (CMS) investigative file.
 4. assign those complaints that are not administratively closed (or referred to another agency for investigation) to either a BIA investigator or an accountability sergeant for further investigation within **30 days** of receiving the complaint from Civilian Office of Police Accountability (COPA). (**CD ¶1459**)
 5. notify their supervisor immediately if any conflict of interest arises during the initiated preliminary investigation.
- B. The commanding officer of the Intake and Analytical Section, or their designee, will:
1. contact complainants by phone or written correspondence for additional information, when needed, and document the details of the communication in the Note Section of the Case Management System (CMS).
- C. Bureau of Internal Affairs (BIA) investigators will:
1. within **30 days** of being assigned an investigation attempt to contact complainants. In the limited circumstances when a sworn affidavit is required, BIA investigators will send a certified letter to the address provided and attempt to contact complainants by telephone (and/or email) on a minimum of two separate occasions.
 - a. if no contact has been made, BIA investigators will visit the complainant's provided address (if located within the City of Chicago, or any suburb contiguous to the City of Chicago).
 - (1) all attempts to reasonably accommodate the complainant's disability status, language proficiency, and incarceration status will be made.
 - (2) document the efforts of each attempt to contact complainants and the results of those efforts in CMS.
 - b. if at any time during an investigation a complainant wishes to remain anonymous the investigator will stop attempts to contacting the complainant. BIA investigators will respect a complainant's right to remain anonymous.

2. make all reasonable efforts to arrive at investigative findings and recommendations within **180 days** from the date they are assigned investigations.
 - a. in the event the investigation is not completed within **180 days**, within **5 days** from the required date of completion, BIA investigators will provide written notice (by certified mail or email) of the reasons for the inability to complete the investigation within the designated timeframe, to the complainant or the complainant's representative.
 - b. if investigations are not completed within **180 days**, BIA investigators will attempt contact at least every **60 days** with complainants (or their representatives) to provide status updates until the investigations are completed.
 3. update the notice every **90 days** in the manner described in Item IV-C-2-a (of this directive) until the investigation is completed.
 4. upload a copy of any written correspondence as an attachment to the investigative file in the Case Management System (CMS).
- D. Accountability Sergeants will:
1. within **30 days** of being assigned an investigation, attempt to contact complainants in an effort to secure a sworn affidavit by sending a certified letter to the address provided and attempt to contact complainants by telephone (or email) on a minimum of two separate occasions.
 - a. if no contact has been made, accountability sergeants will visit the complainant's provided address (if located within the City of Chicago or any suburb contiguous to the City of Chicago).
 - (1) Accountability sergeants will document the efforts of each attempt to contact complainants and the results of these efforts in the CMS.
 - (2) all attempts to reasonably accommodate the complainant's disability status, language proficiency, and incarceration status will be made.
 - b. if at any time during an investigation a complainant wishes to remain anonymous the accountability sergeant will stop attempts to contact the complainant. Accountability sergeants will respect a complainant's right to remain anonymous.
 2. make all reasonable efforts to arrive at investigative findings and recommendations within **90 days** from the date they are assigned the investigation.
 - a. in the event the investigation is not completed within the **90 days**, within **5 days** from the required date of completion, accountability sergeants will provide written notice (by certified mail or email) of the reasons for the inability to complete the investigation within the designated timeframe to the complainant or the complainant's representative.
 3. update the notice every **90 days** in the manner described in item IV-D-2-a (of this directive) until the investigation is completed.
 4. upload a copy of any written correspondence as an attachment to the investigative file in the CMS.
- E. Advocate Section personnel will:
1. upon notification by the Labor Relations Division that a CPD member has filed a grievance relating to any discipline imposed as a result of the complainant's complaint, the Department Advocate, BIA will ensure complainants are notified of the grievance in writing within 30 days.

2. upon reaching the final disposition of an investigation, ensure complainants are advised of the final disposition in writing (by certified mail or email) within **30 days**.
3. upload a copy of any written correspondence as an attachment to the investigative file in the CMS.

IV. DEPARTMENT MEMBER COMMUNICATION RESPONSIBILITIES

CPD members under investigation will receive written notice that they are under administrative investigation prior to being formally interviewed by a BIA investigator or accountability sergeant. The written notice will comport with the applicable collective bargaining agreement, due process, and Illinois law; however, it will not contain any information that would compromise the integrity of a confidential investigation.

A. Bureau of Internal Affairs (BIA) investigator will:

1. serve the CPD member their administrative rights and allegations via CPD email in the Case Management System (CMS). If service is done pursuant to the CMS, the CPD member under investigation will acknowledge receipt of the allegations within the CMS email.

NOTE: In the event circumstances require service by a paper format, BIA investigators will notify their supervising BIA lieutenant. The circumstances necessitating the alternate form of service will be documented in the investigative file and the paper forms of administrative rights and allegations will be attached to the investigative file within the CMS.

2. make all reasonable efforts to arrive at investigative findings and recommendations within **180 days** from the date they are assigned the investigation.
 - a. in the event the investigation is not completed within **180 days**, within **5 days** from the required date of completion, BIA investigators will provide written notice (via CPD email in the Case Management System) to the CPD member under investigation (or their counsel) only if such notification would not compromise the integrity of the investigation.
 - (1) notifications will not be made until each accused CPD member of an investigation have been served with the allegations of misconduct.
 - (2) notifications will include the reasons for the inability to complete the administrative investigation within the designated timeframe.
 - b. update the notice every **90 days** in the manner described in item V-A-2-a (of this directive) until the investigation is completed.

B. Accountability sergeants will:

1. serve the CPD member their administrative rights and allegations via CPD email in the Case Management System (CMS). If service is done pursuant to the CMS, the CPD member under investigation will acknowledge receipt of the allegations within the CMS email.

NOTE: In the event circumstances require service by a paper format, accountability sergeants will notify their supervising BIA lieutenant. The circumstances necessitating the alternate form of service will be documented in the investigative file and the paper forms of administrative rights and allegations will be attached to the investigative file within the CMS.

2. within 72 hours of receiving a complaint for investigation, provide the accused members' immediate supervisors with a summary of the complaint via CPD email.
3. make all reasonable efforts to arrive at investigative findings and recommendations within **90 days** from the date they are assigned the investigation.

- a. in the event the investigation is not completed within **90 days**, within **5 days** from the required date of completion, accountability sergeants will provide written notice (via CPD email in the Case Management System) to the CPD member under investigation (or their counsel) only if such notification would not compromise the integrity of the investigation.
 - (1) notifications will not be made if all accused CPD members of an investigation have not been served with the allegations of misconduct.
 - (2) notifications will include the reasons for the inability to complete the administrative investigation within the designated timeframe.
 - b. update the notice every 90 days, in the manner described in the previous item V-B-3-a, until the investigation is completed.
4. within **7 days** after a **final disciplinary** decision, notify the District or Unit commander and the involved member's immediate supervisor of the findings, recommended discipline, or corrective action (if any) via CPD email.

V. 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

DL/RM