

Police Accountability Clinic:
Allegations of Abuse by Chicago Police Dep't
Analysis of allegations between 2001-2008 and 2011-2015

May 2015

Agenda

Introduce the context of our “abuse database” and our overall goals

Identify the issue of “repeat” officers

Discuss the phenomenon of police impunity and the code of silence

Share the signs of systemic abuse

Walk through an example officer’s abuse history

Agenda

Introduce the context of our “abuse database” and our overall goals

Identify the issue of “repeat” officers

Discuss the phenomenon of police impunity and the code of silence

Share the signs of systemic abuse

Walk through an example officer’s abuse history

Three data sources for abuse allegations currently available

Incomplete data from 2001 – 2008 and complete data from 2011 – 2015

“Moore” Database:

- Time period: May 2002 – December 2008
- All abuse allegations against officers who had more than 5 excessive force complaints
- Contains data on **category of alleged misconduct** but does not contain data on **investigation time period**

2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015

“Bond” Database:

- Time period: May 2001 – May 2006
- All abuse allegations against officers who had more than 10 complaints
- Contains data on **investigation time period** but does not contain data on **category of alleged misconduct**

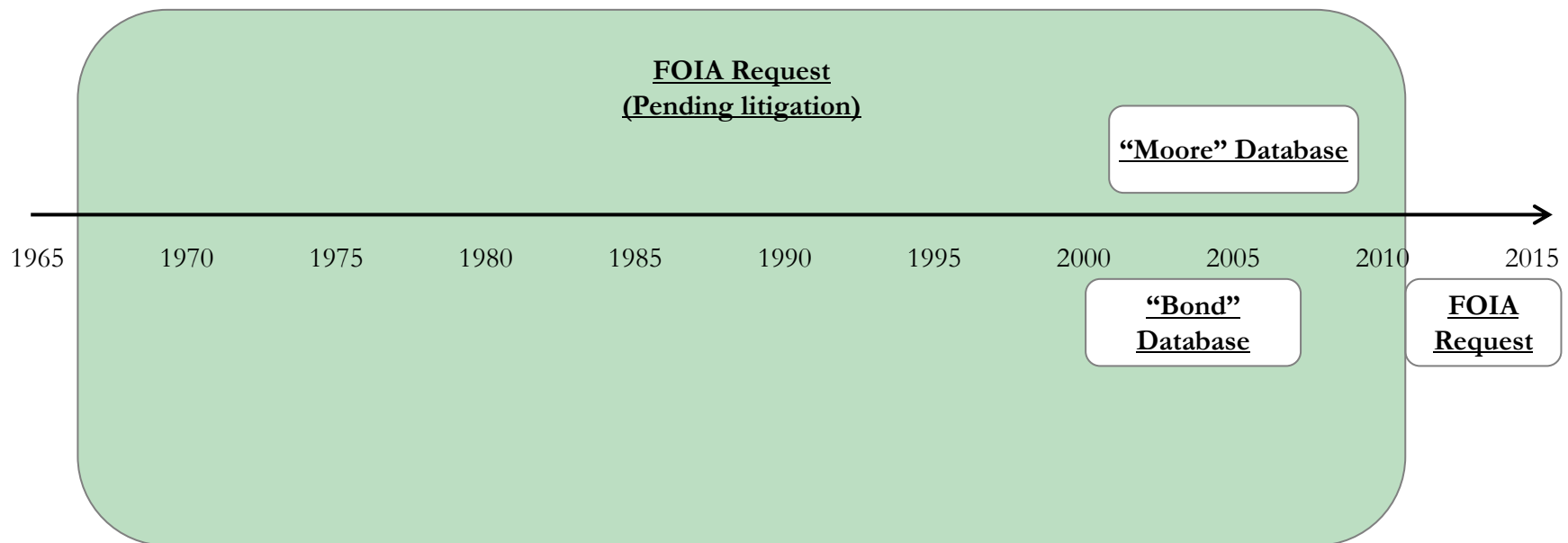
FOIA Request:

- Time: March 2011 – March 2015
- All abuse allegations against all officers
- Contains **full data**: category, dates, addresses, civilian witnesses, police witnesses, investigators

**Combined data: 54,581 unique complaints for 8,337 officers
between May 2001 to Dec. 2008 and Mar. 2011 to Mar. 2015**

Note: Full dataset to be referred to as “CPD March 2015 Database,” with individual databases referred to as “Bond Database,” “Moore Database,” and “FOIA Request” respectively.

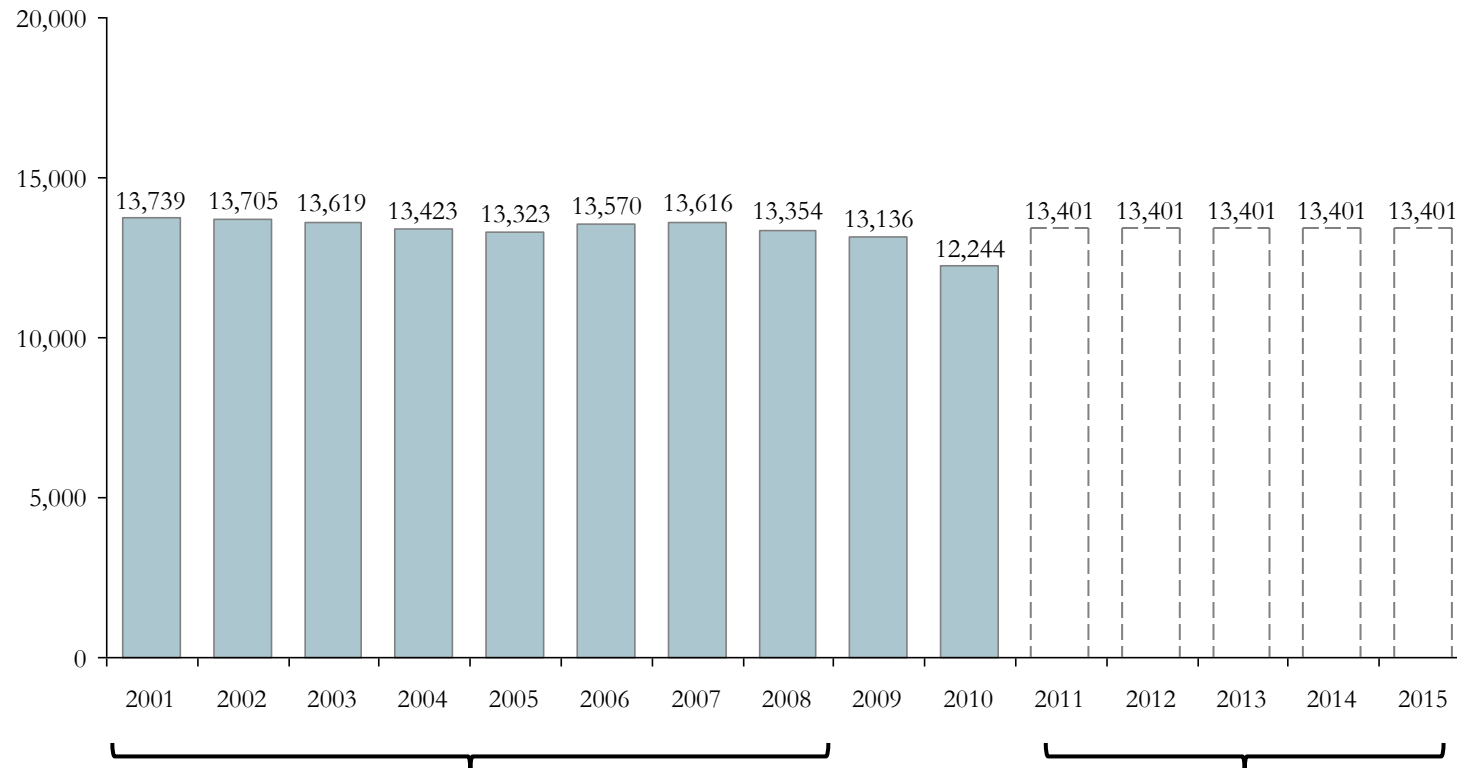
Note: A victory in our FOIA litigation will have massive implications for how much abuse data is publicly available



**Data sought in appellate litigation spans 7,000+ pages;
City already willing to produce data, but-for the injunction**

Chicago Police: Average of ~13,400 sworn officers

of sworn CPD officers by year

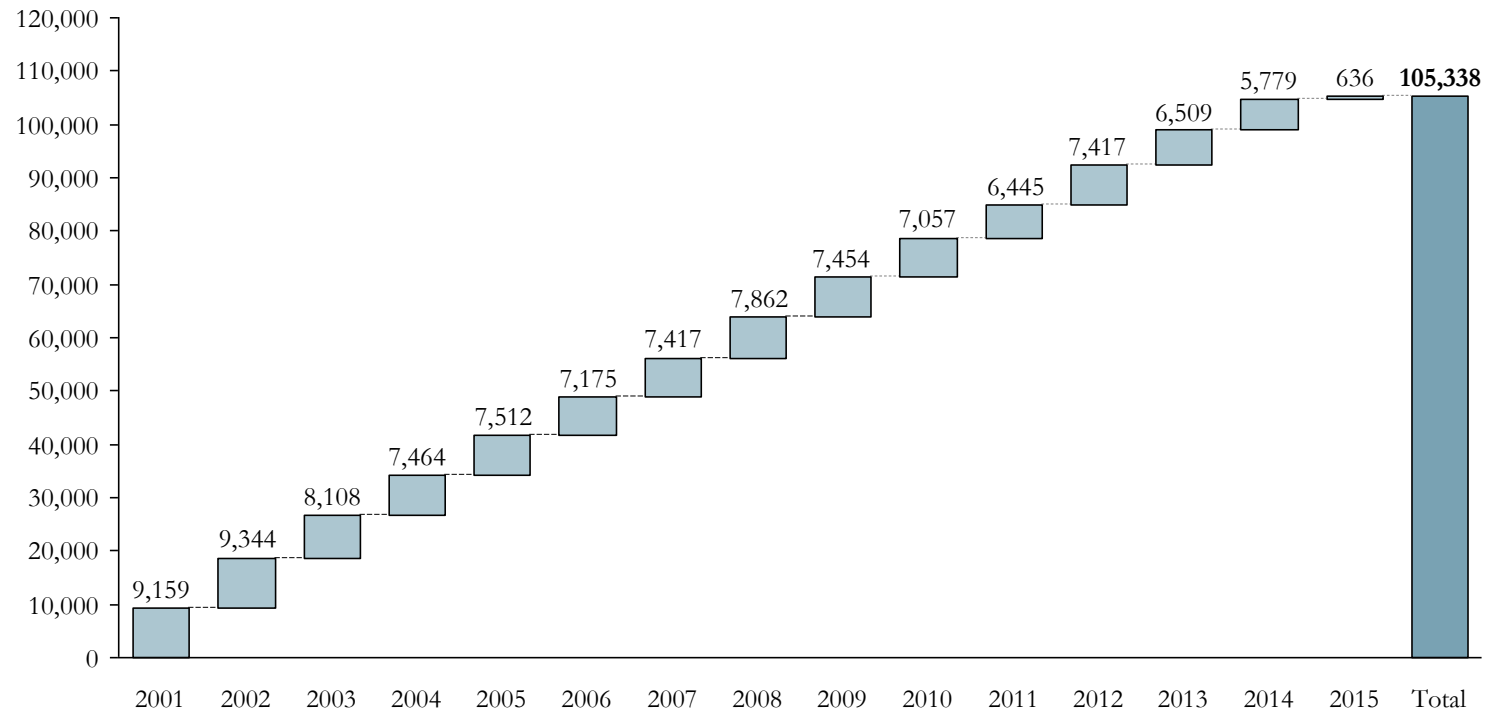


With ~200 new recruits per year, estimated ~15,800 unique officers within relevant time period

Source: Chicago Police Department annual reports, 2001 – 2010. Average of 2001 – 2010 used to extrapolate for 2011 – 2015 given low variation in police force.

Between 2001 and 2015, over 100,000 allegations of abuse were filed against Chicago Police Dep't officers

of investigations (complaints) initiated per year



~90,800 allegations of abuse within relevant time period

Source: Chicago Police Department annual reports, 2001 – 2010; FOIA Request. Total number of investigations based on complaints reported by Internal Affairs Division (IAD), Office of Professional Standards (OPS), and the Independent Police Review Authority (IPRA).

Our goal: Showcasing the value of transparency and proactive analysis of police abuse allegations

Examining "repeat" offender officers who accumulate high numbers of complaints (e.g., more than 10) can help identify consistent perpetrators of abuse

Analyzing internal investigations and resulting punishments can reveal where officers can feel "safe" perpetrating abuses

- "Code of Silence" means officers know their fellow officers will not testify against them
- Low rate of "proven" internal investigations can leave officers feeling secure in committing abuses

Resulting system is rife with systemic abuse and mild punishments provide little deterrence

Looking at history of officer's abuse allegations can empower proactive accountability

- Officers who consistently commit certain patterns of abuse
- Early warning system to allow the CPD to proactively place officer into training/counselling
- Examining method of internal investigation reveals low investment in finding the truth

Agenda

Introduce the context of our "abuse database" and our overall goals

Identify the issue of “repeat” officers

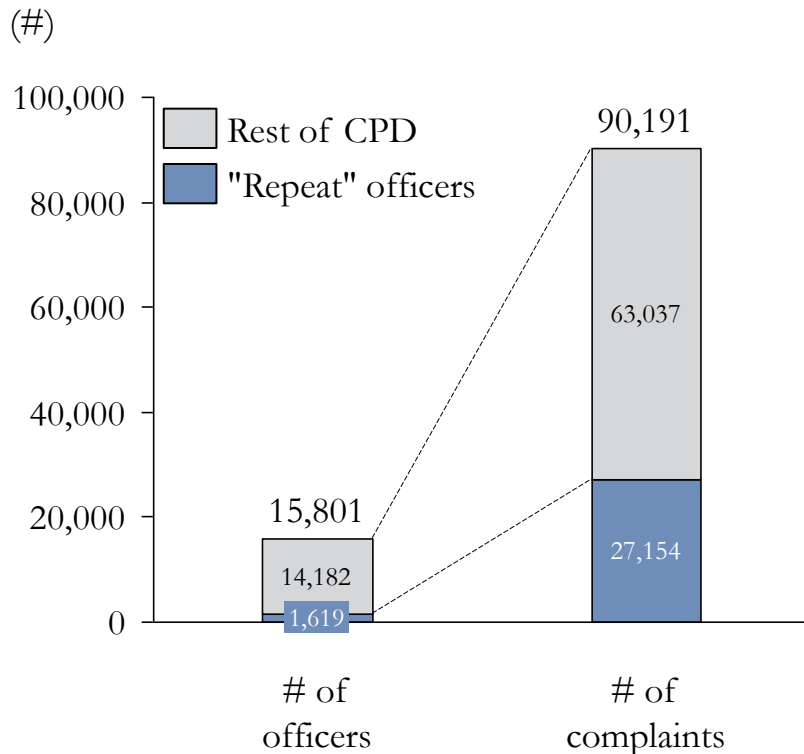
Discuss the phenomenon of police impunity and the code of silence

Share the signs of systemic abuse

Walk through an example officer's abuse history

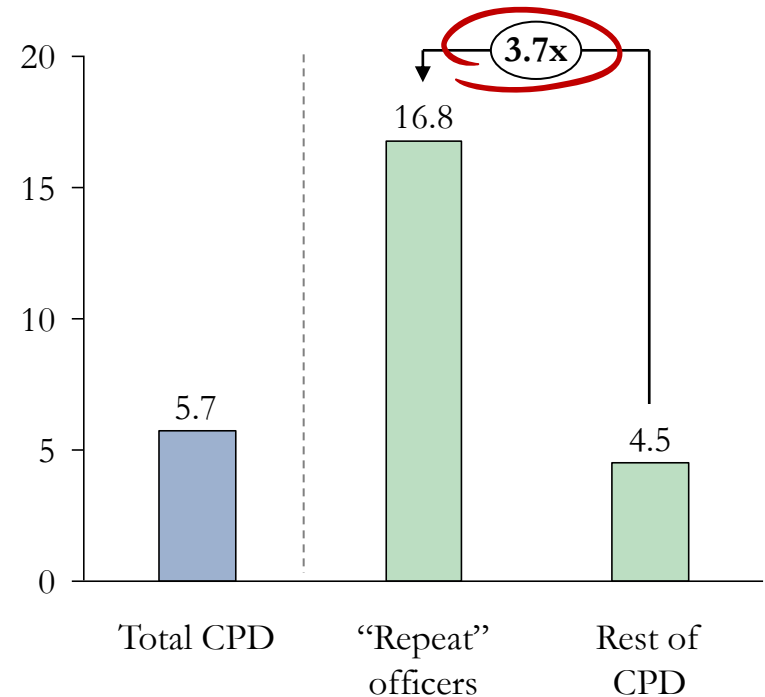
“Repeat” officers accumulate disproportionate number of complaints; have 4x the complaints vs. the rest of the CPD

“Repeat” officers comprise 10% of officers but 30% of all complaints



“Repeat” officers have 16.8 complaints each vs. 4.5 for the rest of the CPD

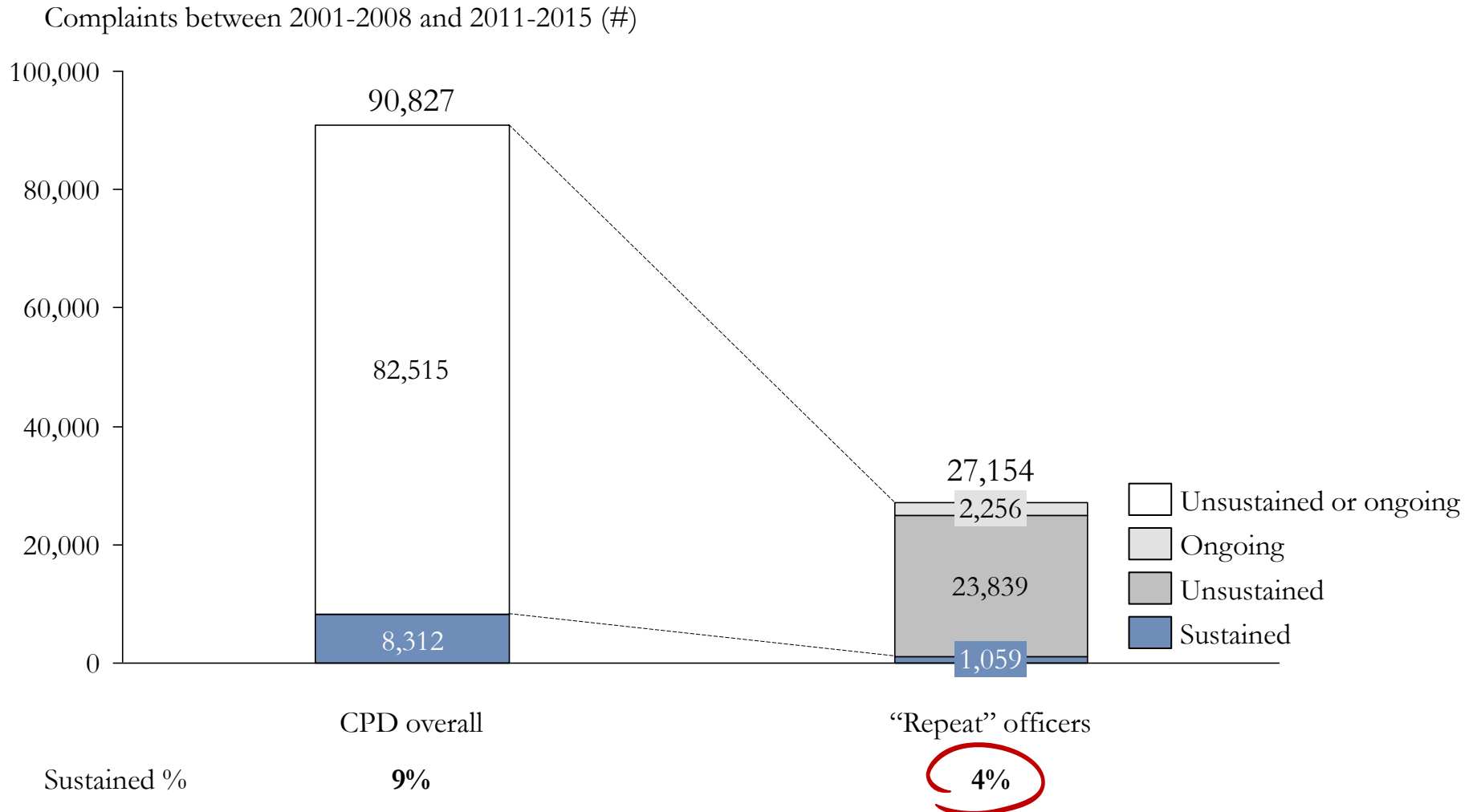
Average # of complaints per officer (#)



High # of complaints does not necessarily mean an abusive officer, but should warrant further internal inquiry

Repeat officers have even lower rate of “sustained” findings

Overall rate of “sustained” findings already low (9%); “repeat” officers only 4% vs. rest of police force



Source: CPD March 2015 Database. Findings of “Unsustained,” “Exonerated,” and “Unfounded,” classified as “Unsustained” for sake of simplicity.

Agenda

Introduce the context of our “abuse database” and our overall goals

Identify the issue of “repeat” officers

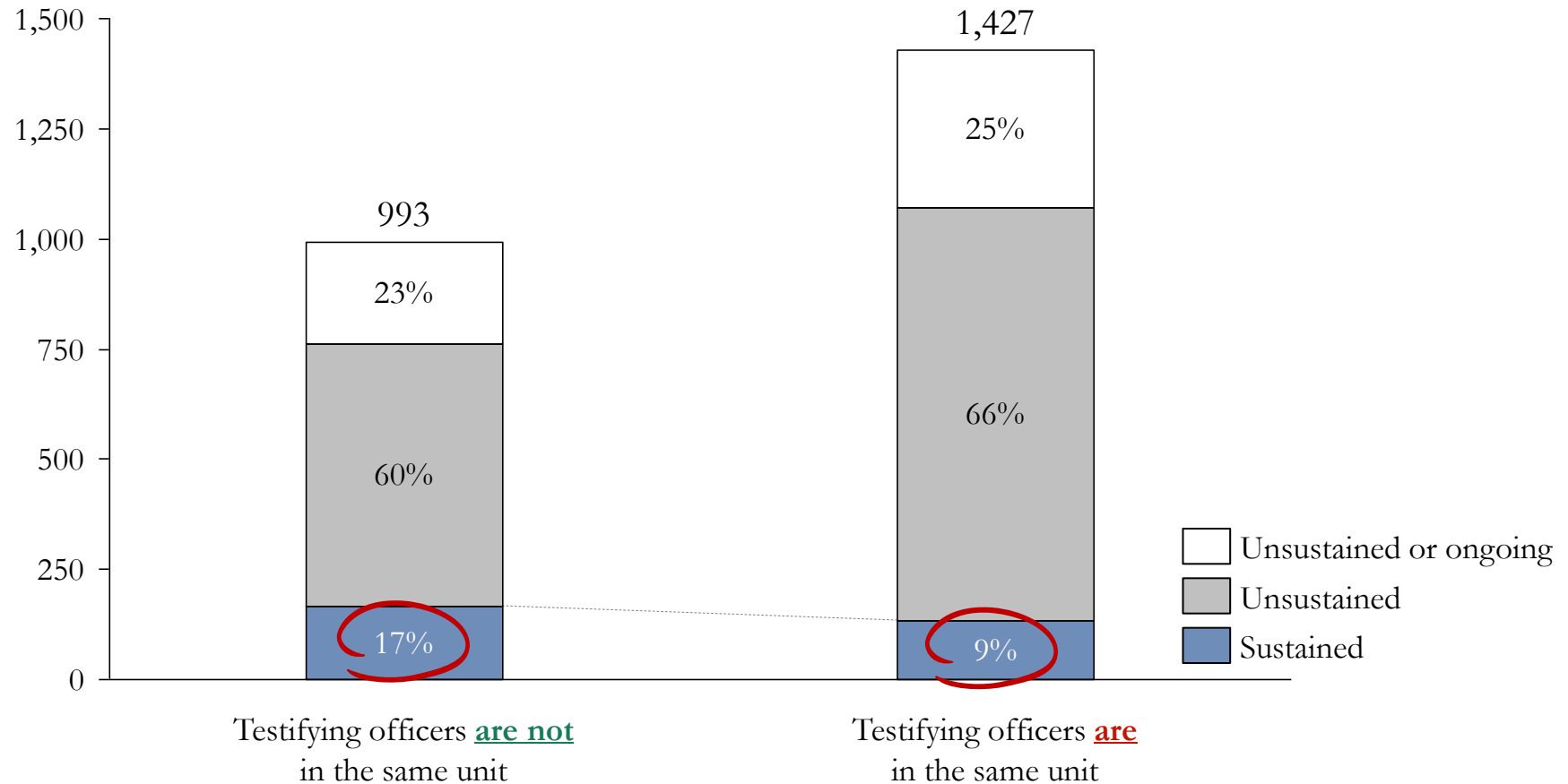
Discuss the phenomenon of police impunity and the code of silence

Share the signs of systemic abuse

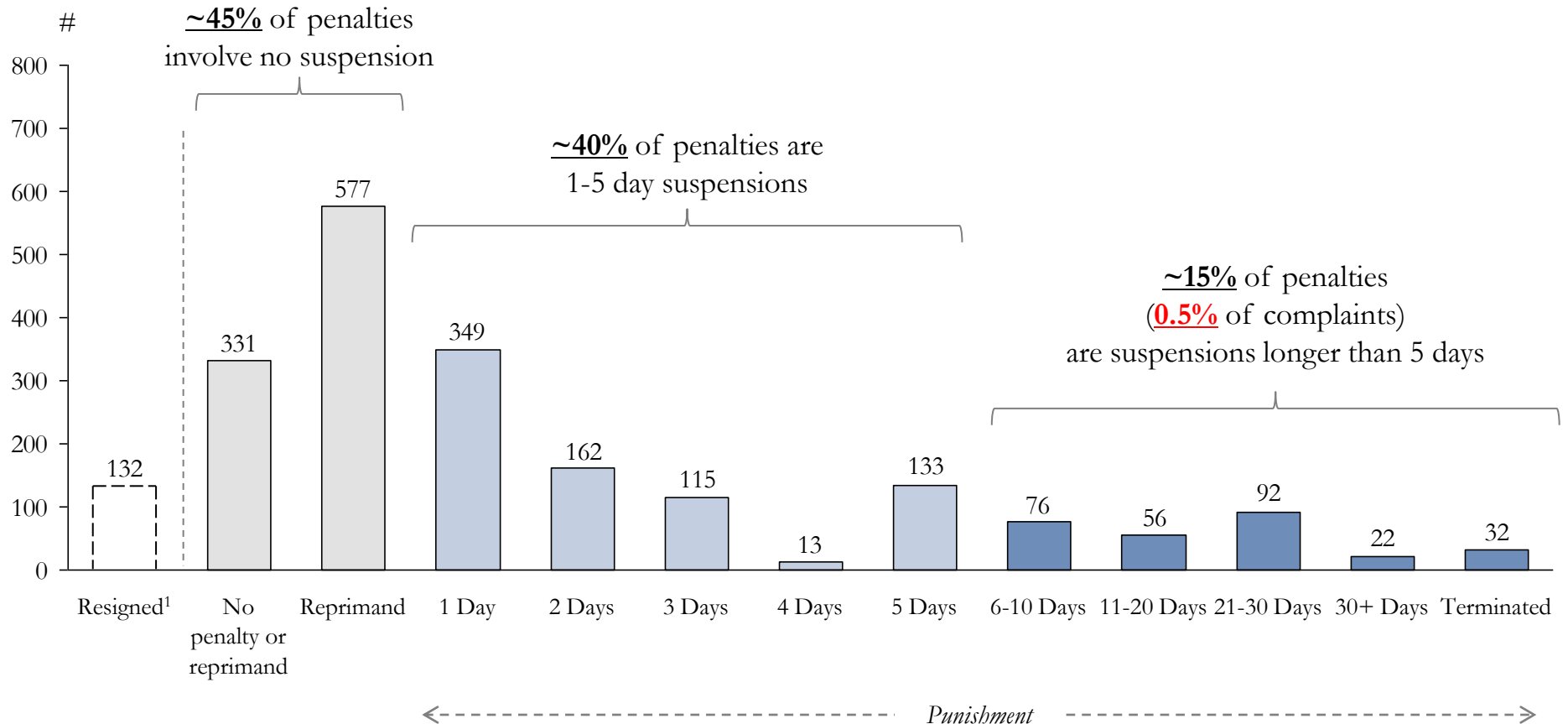
Walk through an example officer’s abuse history

The Code of Silence: Abuse is “proven” 50% less often if the testifying officers are from the same police unit

of complaints with known police units (2011-2015)



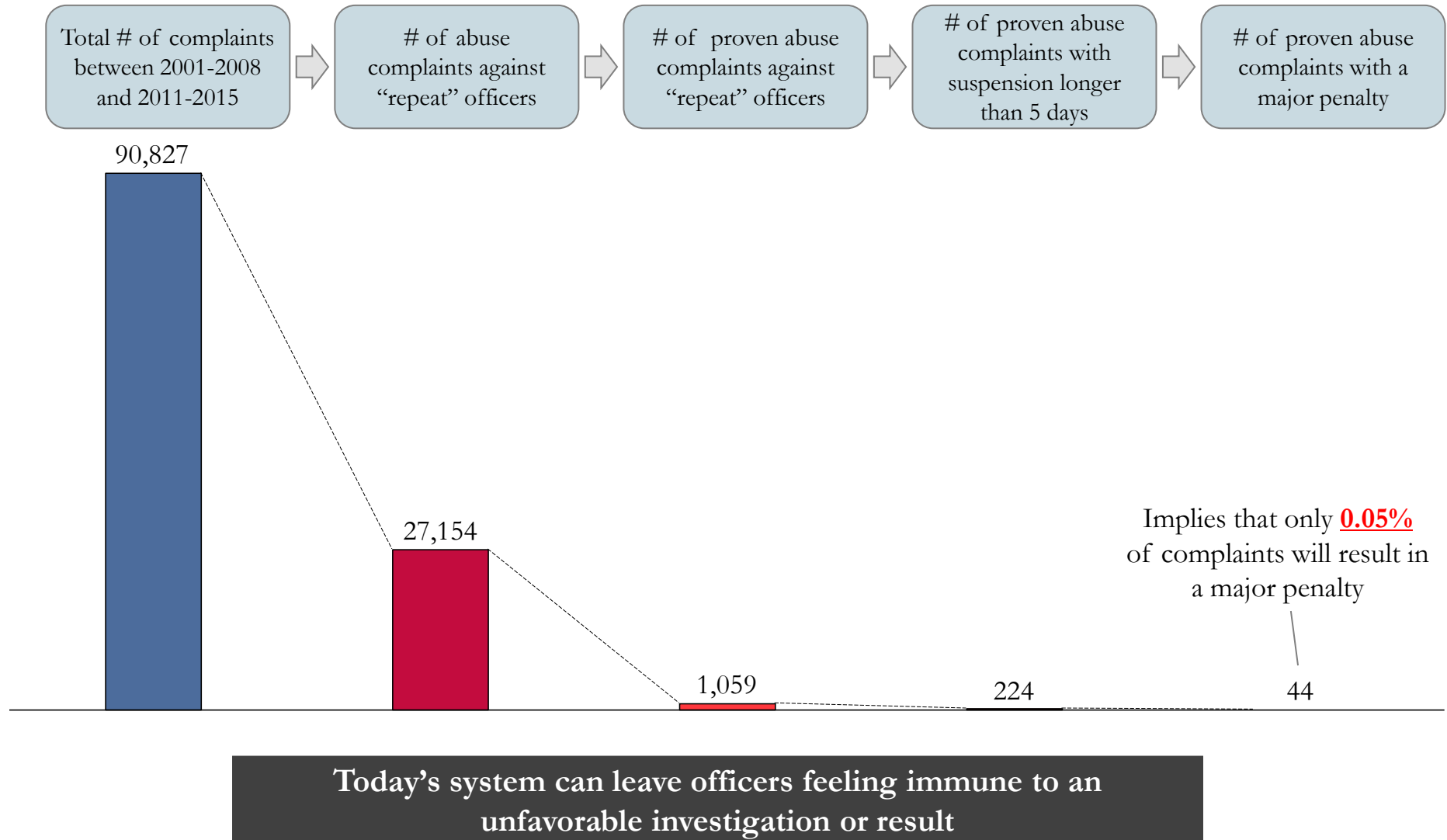
Even when misconduct by an officer is proven, 85% of disciplinary actions are 0 – 5 days of suspension



1. Separate category because investigations often take 1-4 years, and officers can resign for unrelated matters during that time period.

Source: CPD March 2015 Database. "No penalty or reprimand" includes "Reinstated" and "Not Served." "Terminated" includes "Administrative Termination" and "Separation."

Outcome: Only 44 cases of proven abuse by a “repeat” officer resulted in a major penalty (30+ day suspension or fired)



Agenda

Introduce the context of our “abuse database” and our overall goals

Identify the issue of “repeat” officers

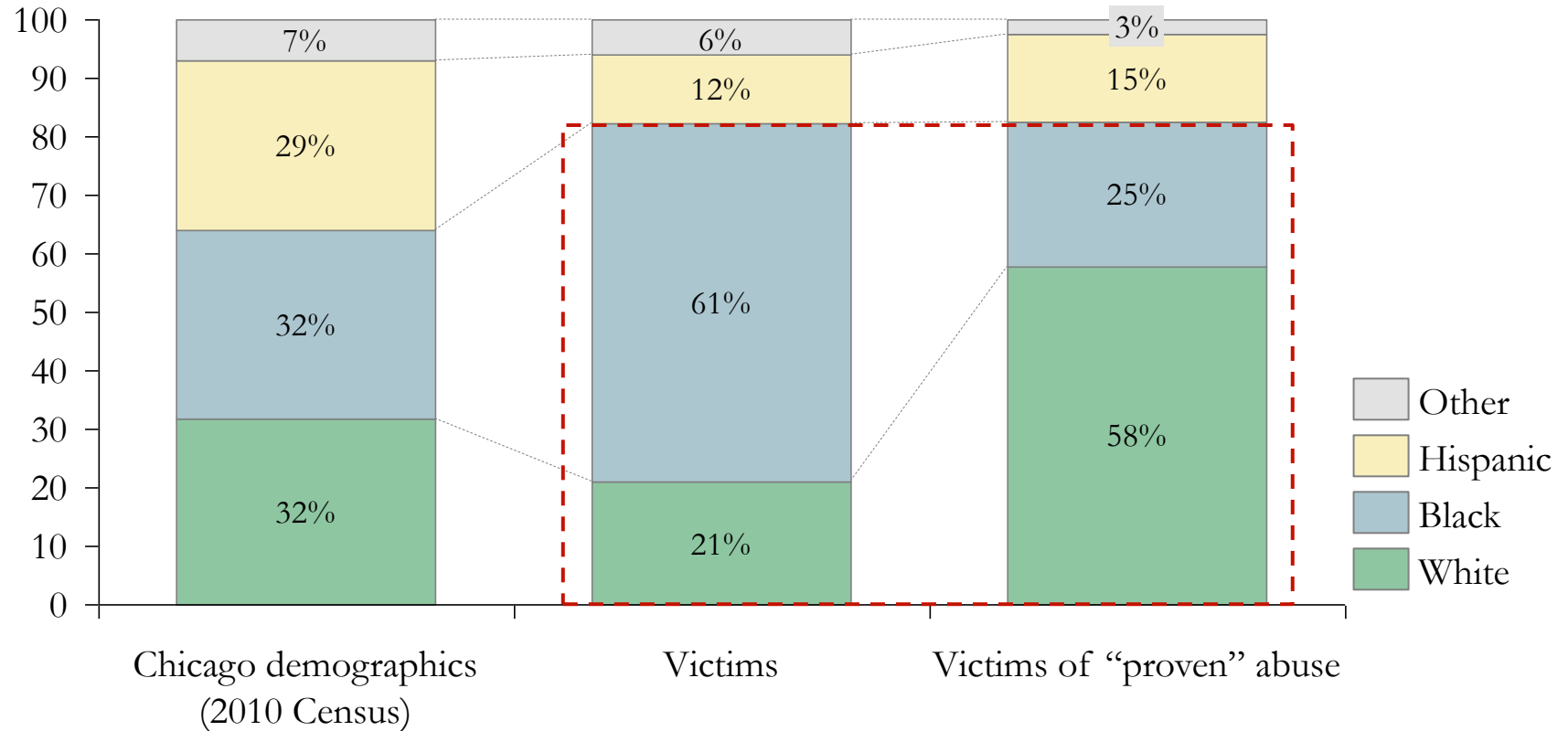
Discuss the phenomenon of police impunity and the code of silence

Share the signs of systemic abuse

Walk through an example officer’s abuse history

Victims are disproportionately black, but under-represented in cases of internally “proven” abuse

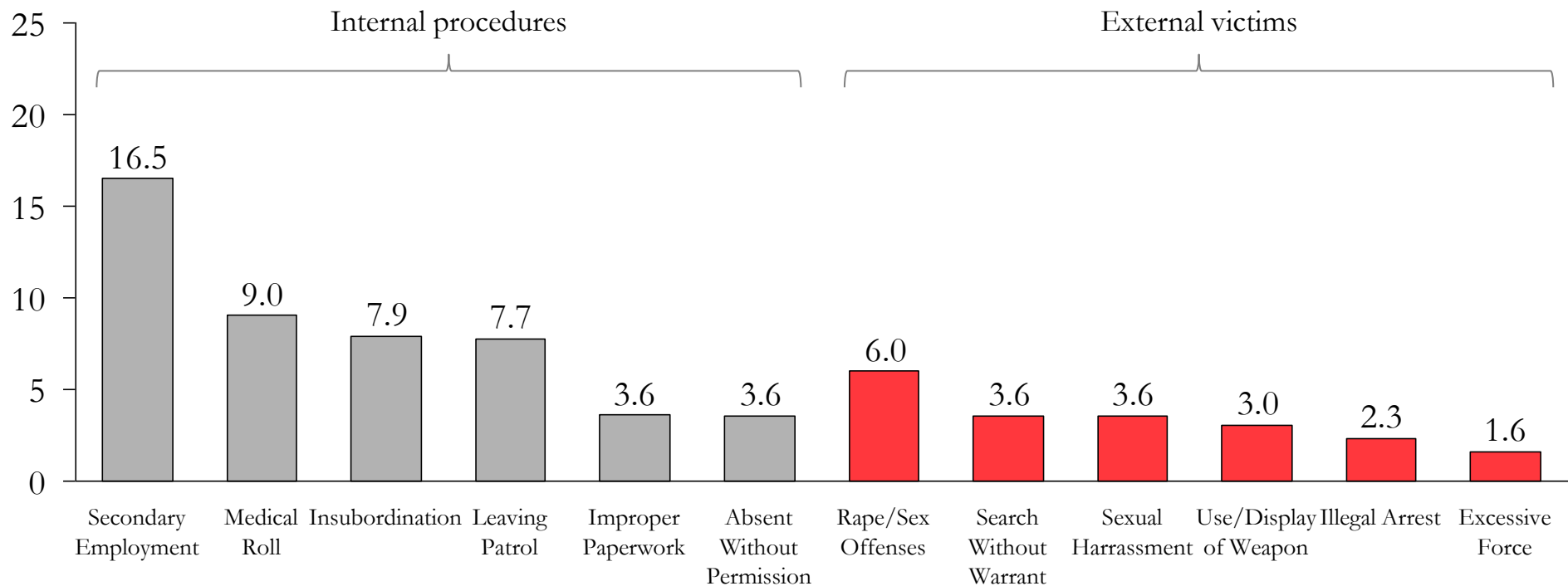
% (2011-2015)



Degree of punishment does not align with offense severity

Average punishment for proven abuse in select categories

Average length of penalty (# days suspension)



Disproportionate punishments may allow perpetrators of worst offenses to act with relative impunity

Source: CPD March 2015 Database. Suspensions of "Over 30" days is calculated as 60 days suspension. Outcomes of "Not Served," "Noted," "Reprimand," and "Reinstated" are calculated as 0 days of punishment. Excludes "Resigned," "Unknown," and terminations. Terminations are rare (~1-2 per category). "Excessive Force" is mapped to category of "Unnecessary Physical Contact – On Duty."

Potential starting point: Identifying police units with highest number of complaints per officer

	Police Unit	Complaints per officer	# of complaints	# of officers
Unit 153: Special Operations Section Disbanded in 2007, yet still holds highest complaints per officer in 2015	153	10.1	625	62
	193	10.1	1,298	128
	189	8.4	2,085	249
	212	8.3	814	98
	102	8.2	49	6
	313	8.1	524	65
	311	8.1	572	71
	312	7.9	585	74
Unit 193: Gang Investigation Division	191	7.7	176	23
	008	7.6	2,512	332

	161	2.9	20	7
	013	2.8	17	6
	543	2.8	42	15
	277	2.7	24	9
	126	2.4	22	9
	021	2.2	24	11
	171	2.2	43	20
	231	1.9	26	14
	177	1.5	15	10
	044	1.1	12	11

Agenda

Introduce the context of our “abuse database” and our overall goals

Identify the issue of “repeat” officers

Discuss the phenomenon of police impunity and the code of silence

Share the signs of systemic abuse

Walk through an example officer’s abuse history

Raymond Piwnicki, formerly of Unit #153

Highest number of complaints accumulated by any officer; only change in status is promotion to Detective

Year	Allegation	Outcome	Year	Allegation	Outcome
2001	Unknown	Unsustained	2003	Excessive Force (No Arrest)	Unsustained
2001	Unknown	Unsustained	2003	Excessive Force (No Arrest)	Unsustained
2001	Excessive Force	Unsustained	2003	Unnecessary Use/Display Of Weapon	Unsustained
2001	Unnecessary Use/Display Of Weapon	Unsustained	2003	Excessive Force During Arrest	Unsustained
2001	Excessive Force	Unsustained	2003	Excessive Force (No Arrest)	Unsustained
2001	Unknown	Unsustained	2003	Search Of Premise/Vehicle Without Warrant	Unsustained
2001	Excessive Force	Unsustained	2003	Search Of Premise/Vehicle Without Warrant	Unsustained
2001	Excessive Force	Unsustained	2004	Excessive Force During Arrest	Unsustained
2002	Unknown	Unsustained	2004	Search Of Premise/Vehicle Without Warrant	Unsustained
2002	Excessive Force	Unsustained	2004	Excessive Force During Arrest	Unsustained
2002	Excessive Force	Unsustained	2004	Search Of Premise/Vehicle Without Warrant	Unsustained
2002	Unknown	Unsustained	2004	Unnecessary Use/Display Of Weapon	Unsustained
2002	Verbal Abuse	Unsustained	2004	Unbecoming Conduct	Unsustained
2002	Excessive Force	Unsustained	2004	Excessive Force During Arrest	Unsustained
2002	Search Of Premise/Vehicle Without Warrant	Unsustained	2004	Unbecoming Conduct	Reprimand
2002	Excessive Force (No Arrest)	Unsustained	2004	Search Of Premise/Vehicle Without Warrant	Unsustained
2002	Search Of Premise/Vehicle Without Warrant	Unsustained	2004	Illegal Arrest	Unsustained
2002	Search Of Premise/Vehicle Without Warrant	Unsustained	2004	Internal Violations	Unsustained
2002	Search Of Premise/Vehicle Without Warrant	Unsustained	2005	Search Of Premise/Vehicle Without Warrant	Unsustained
2002	Excessive Force During Arrest	Unsustained	2005	Excessive Force During Arrest	Unsustained
2002	Excessive Force During Arrest	Unsustained	2005	Unnecessary Use/Display Of Weapon	Unsustained
2002	Search Of Premise/Vehicle Without Warrant	Unsustained	2005	Excessive Force During Arrest	Reprimand
2002	Excessive Force (No Arrest)	Unsustained	2005	Federal Civil Suit	Unsustained
2002	Search Of Premise/Vehicle Without Warrant	Unsustained	2005	Excessive Force Off Duty	Unknown
2002	Excessive Force (No Arrest)	Unsustained	2005	Verbal Abuse	Unsustained
2002	Unnecessary Use/Display Of Weapon	Unsustained	2005	Unbecoming Conduct	10 days
2002	Unbecoming Conduct	Unsustained	2011	Search Of Person Without Warrant	Unsustained
2002	Verbal Abuse	Unsustained	2011	Excessive Force During Arrest	Unsustained
2002	Search Of Premise/Vehicle Without Warrant	Unsustained	2011	Excessive Force During Arrest	Unsustained
2003	Verbal Abuse	Unsustained	2012	Unbecoming Conduct	Unsustained
2003	Internal Violations	Unsustained	2012	Excessive Force During Arrest	Unsustained
2003	Illegal Arrest	Unsustained	2012	Illegal Arrest	Unsustained
2003	Excessive Force During Arrest	Unsustained	2012	Miscellaneous	Unsustained
2003	Search Of Premise/Vehicle Without Warrant	Unsustained	2012	Excessive Force After Arrest	Unsustained

Source: CPD March 2015 Database, specific FOIA request for all excessive force complaints against Raymond Piwnicki.

Early warning signs example: Complaint #272894 (2002)

Excessive force complaint against Raymond Piwnicki and Robert Smith

Victim's version (Witnessed by UChicago Law students)

Clinic faculty/students were interviewing a witness to a previous incident where officers struck a man with vehicle

Heard commotion outside and saw another black man pinned between a police car and a wire fence

Two white police officers stood over the victim, surrounded by a crowd of ~100 civilians and several other police

Man was moaning in pain and in distress

Officer Piwnicki repeatedly hit victim in the head

Officers falsely pressed charges for possession/distribution

Judge dismissed all criminal charges after finding that victim was arrested without probable cause

Mandel Clinic filed federal civil rights suit against officers

Chicago Police Department's version (Internal investigation report)

Officers observed victim conducting what officers believed to be a narcotics transaction

Victim fled on bicycle and ran himself into a snow fence; investigation found no damage to squad car or bicycle

No civilian witnesses or other police witnesses from the scene were contacted or interviewed

Doctor reported no injuries in police custody

Officer stated he had "physical contact with suspect"

Two packets of heroin were found during custodial search

Officer Smith testified that officers had done nothing wrong
Officer Piwnicki testified that officers had done nothing wrong

"Due to the lack of evidence to either prove or disprove allegations against Officer Piwnicki," internal investigation classified this case as "Not Sustained."

Backup: Victim descriptions of excessive force complaints

Summary of fact patterns for complaints against Raymond Piwnicki between 2000 – 2012

1. Punched victim in the ribs
2. Sprayed victim in the face with pepper spray, kicked victim's body, punched victim's back, verbally abused victim
3. Slapped victim's face while she was handcuffed in squad car
4. Threw victim down flight of stairs, punched and kicked him
5. Planted narcotics under victim's vehicle, stole \$40 from him, slapped and punched victim while handcuffed in squad car
6. Stomped victim, stripped him naked, verbally abused victim
7. Struck victim with squad car, pushed victim's head into the ground, struck victim's head
8. Unnecessarily pointed guns at victim
9. Handcuffed victim too tightly, kicked victim's face, verbally abused victim with racial slurs, planted heroin on victim
10. Repeatedly punched and kick victim's head and body
11. Kicked victim's door open, pointed gun at victim, verbally assaulted and slapped victim, handcuffed victim too tightly
12. Pointed guns at victim, pushed him against a wall, punched him
13. Pushed victim's face with open hand, grabbed victim's arm and pulled it behind her back, verbally abused victim
14. Verbally abused victim with racial slurs
15. Struck victim in the face
16. Kicked door in without warrant, punched victim's son and daughter
17. Twisted victim's wrist and grabbed her license
18. Punched victim in the face, sprayed victim with pepper spray
19. Verbally abused victim with racial slurs
20. Threw victim over a fence, struck victim with side of gun
21. Punched two victims in the face, verbally abused, was drunk
22. Grabbed and twisted victim's arm, placed him in headlock, slapped his face, used racial slurs, punched him in squad car
23. Handcuffed victim's ankles, lifted him up by the ankles, and dropped him several times, stomped on victim's face, back, stomach, groin
24. Struck victim in the face
25. Unnecessarily pointed gun at victim
26. Verbally abused victim, searched her apartment without warrant
27. Slammed victim against wall and ground, planted drugs on victim
28. Pointed guns at victim and children, searched house without warrant
29. Slapped and kicked victim, planted booze on victim
30. Struck victim in chest, fought victim, did not identify self as a police officer
31. Verbally abused and engaged in fistfight with CPD Sergeant
32. Made victims exit vehicle and pick up litter, racial slurs
33. Verbally abused and used racial slurs
34. Pulled victim from vehicle, stole victim's wallet
35. Verbally abused victim and his mother, threw victim against car
36. Threatened to tase victim, handcuffed victim too tightly
37. Struck victim with baton, twisted her arm, pushed her against a wall, smashed her foot into squad car door, verbally abused her
38. Threatened to make victim lose her job, racial slurs
39. Punched victim in the face five times, tased victim, smelled drunk
40. Struck victim with baton, kicked victim, verbally abused him and used racial slurs, stomped on his cell phone

Agenda

Introduce the context of our “abuse database” and our overall goals

Identify the issue of “repeat” officers

Discuss the phenomenon of police impunity and the code of silence

Share the signs of systemic abuse

Walk through an example officer’s abuse history

Next steps

Next steps

Our team is working to build public access and tools to facilitate these analyses

- Litigating against the Fraternal Order of Police to access historical records of abuse allegations
- Creating a public website & database where any citizen, law firm, researcher, etc can access and analyze patterns of abuse

Our long-term goal is to galvanize the Chicago Police Department to sustainable reform

- Identifying areas where the CPD can easily identify early warning signs of abusive, problematic officers and actually address those concerns
- Developing sustainable programs within the CPD to examine officer complaint history and conduct pattern analyses to proactively deal with abuse

Other potential uses for this type of data:

- Facilitating legal liability for civil rights lawsuits (e.g. willful ignorance by the CPD)
- Providing tools for citizens and community organizations to advocate for better policing
- Allowing public defenders to overcome the initial evidentiary burden to obtain a credibility hearing about a testifying officer's history (e.g. New York Public Defenders' current efforts)

Questions? Thoughts?