



Rahm Emanuel
Mayor

Department of Police • City of Chicago
3510 South Michigan Avenue • Chicago, Illinois 60653

Garry F. McCarthy
Superintendent of Police

14 January 2013

Lise Valentine
Deputy Inspector General, Audit and Program Review
Office of Inspector General
740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654

Re: Review of Opportunities for Civilianization in the Chicago Police Department


Dear Ms. Valentine:

The Chicago Police Department appreciates the Office of Inspector General's efforts in preparing the November 2012 *Review of Opportunities for Civilianization in the Chicago Police Department* report.

Enclosed is the Chicago Police Department's response for publication on the Office of Inspector General's website.

If I can be of any further assistance, do not hesitate to contact me at (312) 745-6100.

Sincerely,


Constantine Minitis
Chief of Staff
Chicago Police Department

cc: Aaron Feinstein, Director of Program and Policy Review



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Joseph Ferguson
Inspector General
Office of Inspector General
740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654

RE: Response of the Chicago Police Department to the Inspector General's Report

Dear Inspector General Ferguson:

Ensuring greater public safety is the number one priority for the Chicago Police Department. Under the leadership of Mayor Emanuel and Superintendent McCarthy, approximately 1,000 officers have been re-deployed from administrative positions to field operations in the last 18 months. The Chicago Police Department, (CPD), has been asked to respond to the Inspector General's, (IG), report titled, "*Review of Opportunities for Civilianization in the Chicago Police Department.*" As evidenced by its redeployment efforts in the last 18 months, the CPD supports the use of civilians, where and when appropriate, in furtherance of the Department's public safety mission. CPD appreciates the IG's efforts in preparing this comprehensive report to develop other possible civilianization opportunities, and is committed to continuing to conduct its own internal civilianization analysis pursuant to the IG's recommendation.

CPD defines civilianization as the hiring of non-sworn personnel to replace or supplement its current sworn staff.¹ Civilianization of certain positions can supplement and assist the CPD in delivery of vital public safety services. As the IG's report

¹ Office of Community Oriented Policing Services. The Impact of the Economic Downturn on American Police Agencies. October 2011. P. 22. Web. Accessed January 2, 2013.
http://www.cops.usdoj.gov/files/RIC/Publications/e101113406_Economic%20Impact.pdf

identified, civilianization is an area of ongoing assessment within overall law enforcement and the CPD is no exception.

CPD continually evaluates its organizational structure, administrative support needs, and opportunities to civilianize its operations on an ongoing basis. However, the utmost priority for the CPD remains public safety, and all operational and deployment decisions must, first and foremost, support the organization's mission and goals to reduce violence in the streets of Chicago.

Two recommendations are made by the Inspector General, within its report titled "*Review of Opportunities for Civilianization in the Chicago Police Department.*"

1. The Chicago Police Department should civilianize the 292 Full Time equivalent positions identified in the analysis.

The Chicago Police Department, (CPD), supports civilianization of certain positions and is committed to reviewing whether the positions identified by the IG should be civilianized. Further, the IG provided potential suggestions for civilianization implementation under 1(a),(b) and (c). CPD will take these suggestions under advisement as it continues its ongoing analysis of what positions should be civilianized.

2. The CPD should conduct a similar analysis for each unit

The CPD will continue to conduct an ongoing analysis of what positions should be civilianized. The Bureau of Organizational Development has been tasked with developing a comprehensive analysis of sworn and civilian positions in all bureaus of the department, and to provide recommendation for future civilianization actions.

CPD Civilianization Actions to Date

Superintendent McCarthy has embarked upon a restructuring of the CPD that is historic and is predicated upon ensuring police legitimacy and procedural justice. The CPD is a

billion dollar enterprise, and has the largest number of employees of any City department. The CPD, through its management of civilian and sworn personnel, is accountable to City residents and visitors for the delivery of critical public safety services. The multiple, daily decisions of the members of the CPD have significant impact upon the safety and well-being of the residents of the City of Chicago. As such, the role and impact of law enforcement in our city goes far beyond any initial decision to arrest an individual. Accordingly, determinations of civilianization must take into account the overall goals and role of the CPD. CPD is committed to continuing civilianizing positions where appropriate, and using its resources as efficiently and effectively as possible. CPD's ongoing efforts towards civilianization include the review of functions performed by sworn officers for any civilianization opportunities. These efforts have resulted in the civilianization of the following activities:

- Dead body removal
- Information Technology help desk functions
- Background investigations for hiring
- Centralized Timekeeping Unit, implementation of C-SWIPE, an automated time and attendance system
- Detention aides to staff CPD detention facilities, and
- Staff for the ballistics lab currently under development.

Additionally, as a result of CPD's ongoing review, civilianization has been achieved by transferring appropriate administrative positions to other departments, including: call takers, dispatchers and Traffic Management Aides (now assigned to OEMC), area garage and fleet maintenance functions (now assigned to the Department of Fleet and Facility Management), and technology units which have been centralized in the Public Safety Information Technology (PSIT), now at OEMC. The PSIT consolidation not only improved efficiencies across the public safety departments, but also resulted in the redeployment of 27 sworn officers.

Furthermore, the CPD has leveraged technology to reduce the need for administrative staffing overall, which has reduced the ranks of sworn officers in administrative roles. Significant automation of systems, e.g. automated fingerprint systems, automated records access, automated mug shot systems, and even remote access to the surveillance cameras, has led to increased efficiencies resulting in reduced need for administrative personnel.

Civilianization within Law Enforcement

The IG rightly recognized in their report that there is basis for caution when comparing staffing amongst law enforcement agencies across the country. CPD also believes that such comparisons are generally not instructive when making staffing decisions. Various factors affect employment, including operational structure and overall staffing within any organization.² Chicago is one of three major local law enforcement agencies with sworn officers numbering more than 9,000.³ During 2004-2008, national statistics reflect that sworn personnel in law enforcement agencies increased 4.6% while civilian personnel increased 6.9%.⁴ The CPD has not matched these employment trends for either sworn or civilian hires.

What is clear is that the past few years have created significant fiscal challenges for local law enforcement agencies, as reflected within the variance among the cities analyzed by the IG regarding hiring and per capita ratios of sworn and civilian personnel.⁵ The per capita ratio of sworn police officers to residents is not the sole determinant as to civilianization decisions, nor are fiscal comparisons to other agencies. These types of factors should, and do, affect deployment and employment decisions at CPD, but must do so within the overall context of public safety needs in Chicago. The impact of the economic downturn on law enforcement agencies will significantly change

² Civilianizing 88 positions within the San Jose PD saved \$5million, yet doing so for 402 positions within the LAPD saved only \$11.8 million. Clearly organizational differences have significant impact on savings.

³ Reaves, Brian A. Census of State and Local Law Enforcement Agencies, 2008. Bureau of Justice Statistics. July 2011. P.14. Web. Accessed January 5, 2013. <http://bjs.ojp.usdoj.gov/content/pub/pdf/cslllea08.pdf>

⁴ Ibid. P.2.

⁵ Ibid. P.17. It should be noted that sheriff's offices accounted for most of the growth in civilian hires.

the way law enforcement services will be delivered going forward.⁶ The CPD is set to face these challenges, while ensuring world class delivery of public safety services to residents of Chicago.

Fiscal Impact

The availability of civilians to perform tasks that are deemed appropriate for civilianization allows for assignment of officers to field positions predicated upon public safety demands and facilitates appropriate management of resources. It is undisputed that civilian employees are less costly than sworn officers as a result of differences in sworn and civilian employee pay rates and benefit levels. However, hiring and supplementing officers with civilians within the CPD is not a linear process. Increased civilian hiring requires coordination with the CPD and the various collective bargaining units whose members contribute to the continuity of CPD operations. The cost differential will vary, depending upon the type of employee, e.g. a file clerk as opposed to a lawyer, and applicable compensation packages as identified by City employment standards and applicable collective bargaining agreements. However, employee compensation is but one measure of overall cost, and retaining sworn officers in positions that could be civilianized may ultimately provide for other savings in efficiencies derived from the special skills, knowledge and abilities brought forth by the field operational experience of a sworn officer and through program and employee development. Further review of civilianization will have to account for qualitative as well as quantitative factors to ensure maximum efficiency and support of overall CPD operations.

IG Civilianization Analysis

The IG reviewed 30 units and identified that 292 positions could be civilianized within the CPD. In some instances, the IG recommends that entire units and bureaus could be civilianized. Wholesale civilianization fails to account for operational continuity and that law enforcement officers are more than individuals who make arrests. A great deal

⁶ U.S. DOJ. Office of Community Oriented Policing. The Impact of the Economic Downturn on American Policing. October 2011. P. 2. Web. Accessed January 4, 2013.
http://www.cops.usdoj.gov/files/RIC/Publications/e101113406_Economic%20Impact.pdf

of decision competency is required of law enforcement officers and those who manage and lead within the CPD. Further, the IG's description of all of the positions identified as "purely administrative" fails to account for the impact on CPD operations. While some positions may be a direct exchange of sworn to civilian replacement others do not so easily allow for civilianization in their entirety.

The policy determinations as to which positions are to be civilianized must be supported by the knowledge of how those positions interact in the overall operational plan and affect the CPD's accountability for public safety. For example, within PSIT the use of sworn officers with field expertise serve as Subject Matter Experts, (SMEs), for application development and testing – thereby streamlining development and testing of projects to ensure that the product meets the specific needs of sworn law enforcement.⁷ Using officers to assist in developing the Automated Incident Reporting Application, (AIRA), reduced the need to bring in officers from the field and expedited field testing, as the SMEs that would be using the application helped develop it. Further, given the significant deployment of technology within the CPD, response to certain requests for field technology use or field support requires a sworn presence and decision process. Another example, as noted in the IG's report, is the Special Events Unit, where officers do engage in some administrative functions, but are also responsible for developing and supporting the overall safety plan for special events that occur in Chicago, not only as a matter of drafting operational orders, but also within the field. As recognized in part by the IG, there is an unquestionable public safety benefit in having sworn CPD personnel in charge of security for large-scale events, and also available to work directly with the State and federal governments on equal standing when coordinating security. It is these types of operational decisions, combined with fiscal constraints, that necessarily affect overall civilian employment decisions within the CPD.

The IG's civilianization assessment answered four functional questions including:

1. Does the position require the exercise of law enforcement powers?

⁷ Of the three largest municipal agencies, Chicago has the smallest number of sworn personnel in technology functions, based on a telephone survey: New York (over 50), Los Angeles (44), Chicago (35). Telephonic inquiry to New York Police Department and Los Angeles Police Department, conducted by Sgt. Alex Soto and staff, reported December 2012.

2. Are the skills, training, or experience of a sworn officer required to fulfill the duties of the position?
3. Would assigning sworn staff be helpful for other reasons?
4. Can the requirements of the position be fulfilled by a specially trained civilian?⁸

The IG identified that if the first 3 questions received a negative response and the fourth a positive, then the position was recommended for civilianization. Absent some exceptions, basically the determination centered on whether there is a requirement to enforce the law or make an arrest and if not, the position was identified as a civilianization opportunity. This is a limited and narrow view of the function of police officers within the CPD as an operational enterprise. As a matter of routine business operations, the CPD remains a paramilitary organization with certain demands for supervisors that are subject to past practice and operational need. Authority and control over employment decisions affecting personnel benefit from, and, in some circumstances, *require* law enforcement authority. Relief of sworn powers cannot be delegated to a civilian supervisor and for certain functions, the presence of a sworn supervisor facilitates execution of that function – such as decisions regarding enforcement of a warrant or determination of whether the CPD will allow it to attach.

Further, the role of a position within the organization also affects whether use of a civilian will alleviate the demand for sworn officers. For example, testimony in arbitration hearings or for other projects often requires sworn law enforcement; therefore, it may be beneficial from an operations point of view to maintain a roster of sworn officers within the unit.

Finally, as an analytical exercise the IG did not address collective bargaining issues. While this resulted in a more liberal analysis, it has practical limitations for actual implementation. The CPD will further assess the viability of the recommendations for future collective bargaining.

⁸ It is not clear how the IG developed these questions. Additionally it is not clear if any further information, such as qualitative assessment or operational impact, supported the analysis.

Conclusion

The Inspector General's efforts in analyzing opportunities for civilianization provides context for the CPD to further its ongoing civilianization analysis. Whether a civilian *could* perform a function is one part of the employment decision matrix. Whether an officer *should* perform the function is a better decision point, in that the operational knowledge, skills and abilities that are integral to sworn officer status may benefit the overall public safety mission of the CPD. It is very likely that some specific positions now performed by sworn members can and should be civilianized within the CPD in the future. However, careful continued analysis must account for role and impact on the operations of the Department as well as functional benefit. Civilianization decisions need to account for interconnectivity of units and positions within the overall organizational goals.⁹

Fiscal and operational efficiency for all aspects of the CPD's performance of its public safety responsibilities has been ongoing under Superintendent McCarthy and Mayor Emanuel. The Department seeks to ensure that sworn officers serve in critical public safety positions and to staff civilians in positions as appropriate. The Department's goal is to ensure maximum efficacy in the delivery of public safety services. The CPD continues to strive toward that goal, inclusive of review of civilianization opportunities going forward.

⁹ For example, PSIT is a combined public safety services technology unit, not under the sole control of the CPD and the Bureau of Organizational Development includes the Training Academy, while the Bureau itself has certain administrative and operational duties.