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Eddie T. Johnson
Superintendent of Police

June 14, 2017

Joseph M. Ferguson
Inspector General
740 N. Sedgwick Street, Suite 200
Chicago, Illinois 60654

RE: OIG Case No. 16-0042

Dear Inspector General Ferguson:

The Chicago Police Department (CPD) is writing in response to Inspector General Case Report No. 16-0042, which concerns allegations of cheating on the 2015 Lieutenant Promotional Exam. As the Report indicates, after an extensive investigation, the OIG “developed no evidence of cheating.”

According to the Report, this investigation was prompted by several anonymous complaints of misconduct that allegedly occurred prior to the administration of the exam. The gist of these complaints was that a CPD Chief provided confidential information and materials concerning the test to a particular group of Sergeants who were studying for the test. These complaints were not made to the OIG until December 2015, which was over a year after the misconduct allegedly had taken place, months after the test had been administered, and just after each test taker had received his or her own individualized score. As the Report notes, the OIG also received complaints of misconduct from two sergeants, neither of whom had firsthand knowledge of the allegations, and no firsthand witnesses or accounts of cheating emerged during the course of the investigation.

As part of its investigation, the OIG reviewed nearly one million emails and computer files and interviewed twenty individuals, including the Chief at issue, some of the accused Sergeants, and employees of the independent vendors that developed or administered the test. There is no indication in the Report that anyone interviewed was anything less than fully cooperative and forthcoming. The Report details the extensive process by which CPD and its outside test developer created a fair and robust two-part examination, provided information regarding the exam to all interested officers, and assisted all interested candidates to prepare and study for the exam. This assistance included study guides, a recommended reading list, and an email address to submit questions. The Report also notes that scoring guidelines were developed not by CPD but by its independent test developer and that “[q]ualified individuals, outside of CPD, that [the test developer] hired, trained, and monitored, scored the Exam. These individuals were never in contact with any CPD SMEs [Subject Matter Experts], and signed confidentiality agreements that they would not share information about the test scoring and were not related to anyone in CPD.” Further, the investigation included an in-depth analysis of the test results themselves, acknowledging that the test developer had found “no statistical anomalies” and “a normal

distribution with no outliers.” Similarly, a review and comparison of audio-recorded answers to the oral section of the exam provided by the accused Sergeants as well as by randomly-selected test takers “did not reveal any trends supporting the allegations of fraudulent behavior.” CPD believes these factors and others speak to the fairness and integrity of the exam itself. Similarly, the Report details the many ways in which candidates could and did prepare for the exam, including forming study groups and paying for test preparation courses conducted by third parties. In particular, the Report documents how the Sergeants accused of misconduct in the complaints received by the OIG formed a study group nearly two years before the exam was even announced, anticipating the eventual administration of another Lieutenant exam. This study group was open to anyone who wanted to join and approximately fifty Sergeants initially did. Before the exam was announced, they met twice a month; after the announcement, they met every week. As the Report notes, a smaller subset of these Sergeants went even further, forming an occasional study group, and “[m]ultiple emails among study group members showed an active and regular discussion of study materials and practice questions.” Given this documented level of dedication and effort, it is not surprising that “[t]hree members of this smaller study group scored among the top 25 out of 601 test takers.” The Report also notes that the investigation “revealed no evidence that the Chief was involved in any way in any study group” and “identified no evidence that the Chief provided confidential information to sergeants taking the Exam.” CPD believes these findings and other factors speak to the commitment and integrity of all of the CPD personnel who were wrongly accused of misconduct. CPD applauds the OIG for conducting such an exhaustive and thorough investigation which directly addressed the veracity of these misconduct allegations. Going forward, CPD also proposes to work with the OIG to ensure the integrity of the complaint process from accusations that are determined to be knowingly false following an investigation.

Although the OIG investigation found no evidence of cheating, CPD acknowledges that the Report identifies some separate concerns relating to the exam process itself as well as the reporting of alleged misconduct and makes some recommendations to address those concerns. As should be evident in its responses to these recommendations that follow, CPD remains committed to ensuring the best possible promotional practices and open to suggestions to improve its processes and reporting practices.

First OIG Recommendation

“OIG suggests that CPD consider other methods for ensuring the suitability and confidentiality of exams, such as using an outside individual/vendor to review the final version of exams or having an internal CPD representative approve a larger pool of questions from which the final test questions are then selected by the vendor. As long as CPD allows one of its members to have access to the final version of a test, its integrity is vulnerable to charges that the CPD member leaked questions.”

CPD Response

CPD agrees that ensuring the confidentiality of exam content is of paramount importance and would welcome a dialogue with the OIG regarding its proposals that would include consideration of other important factors, including preserving test validity.

Second OIG Recommendation

“[W]hile SMEs were required to sign a confidentiality agreement stating they would not prepare candidates for the Exam, there was no requirement to sign a conflict of interest or personal relationship disclosure form to disclose relationships with any potential candidates. OIG recognizes that SMEs are likely to have professional relationships with a large number of test-takers, but suggests that CPD implement a disclosure for relationships that go beyond professional.”

CPD Response

CPD acknowledges the importance of avoiding actual conflicts of interest in the testing process and would welcome additional information and clarity concerning this recommendation.

Third OIG Recommendation

“OIG suggests that CPD make transparent how questions and concerns sent to the CPD HR email address will be handled.”

CPD Response

CPD will continue to provide an email address for test applicants with questions and concerns, accompanied by additional information concerning the purpose of and process behind the email address itself. CPD also will track the questions it receives and responses it provides.

Fourth OIG Recommendation

“CPD HR should also make it clear to test takers that they should not contact SMEs directly regarding test content.”

CPD Response

Typically, CPD does not inform test applicants of the identities of the SMEs. Nevertheless, CPD agrees to specifically instruct test candidates not to contact individuals they know to be SMEs regarding test content. Because test candidates may be unaware of who served as SMEs, CPD will also continue to instruct SMEs not to discuss test content with anyone the SMEs know to be a test candidate or anyone else with whom the SMEs are not authorized to discuss test content.

Fifth OIG Recommendation

“OIG recommends that CPD remind its members that any hiring related complaint should be immediately forwarded to OIG Hiring Oversight for review and conduct follow-up training if necessary on the City’s Hiring Plan and the MOU requirements.”

CPD Response

CPD agrees to implement this recommendation.

In closing, CPD welcomes the opportunity to have a continued dialogue with the OIG regarding the recommendations and responses contained herein.

Sincerely,

Handwritten signature of Kevin B. Navarro in black ink.

Kevin B. Navarro
First Deputy Superintendent