

# ABSTRACTS OF SUSTAINED CASES

JUNE 2009

## *Log/C.R. No. 1013583*

On 22 January 2008, a complaint was registered with the Independent Police Review Authority (IPRA), regarding an incident occurring in the 2nd District. It was alleged that an on-duty Chicago Police Department officer failed to protect a crime scene and preserve evidence, handled evidence (a handgun) without proper and sanctioned Department equipment, placed this evidence in a brown paper bag instead of the proper and sanctioned Department equipment, and placed evidence (bullet casings obtained from the handgun) into his uniform pocket. In addition, it was alleged that an on-duty Chicago Police Department sergeant failed to properly protect a crime scene and secure evidence, handled evidence (a handgun) without proper and sanctioned Department equipment, placed this evidence in a brown paper bag instead of the proper and sanctioned Department equipment, and disturbed evidence by unloading a handgun before it was properly processed. Based on statements from the accused officer and witnesses, IPRA recommended a finding of **"UNFOUNDED"** for the allegations that the officer failed to protect a crime scene, preserve evidence, and placed the evidence (a handgun) in a brown paper bag instead of using proper and sanctioned Department equipment. Further, IPRA recommended a finding of **"EXONERATED"** for the accused officer regarding the allegations that he handled evidence without proper and sanctioned Department equipment and that he placed other evidence (bullet casings obtained from the handgun) in his uniform pocket. Based on the accused sergeant's admissions that he handled the evidence without proper and sanctioned Department equipment and removed the bullet casings, IPRA recommended to **"SUSTAIN"** the allegations against the accused sergeant that he failed to properly protect a crime scene, failed to secure evidence, handled evidence without proper and sanctioned Department equipment, and disturbed evidence before it was properly processed. Further, based on the accused sergeant's statements and corroborating witness statements IPRA recommended a finding of **"UNFOUNDED"** for the allegation that the accused sergeant placed this evidence in a brown paper bag instead of the proper and sanctioned Department equipment. IPRA recommended a **one (1) day suspension for the accused sergeant.**

## *Log/C.R. No. 309112*

On 13 October 2005, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a The Office of Professional Standards), regarding an incident occurring in the 2nd District involving an on-duty female Chicago Police Department officer and an on-duty male officer. It was alleged that the accused male officer cut the arrestee with a knife, used an unauthorized cutting instrument to remove flexicuffs, made a false report regarding the arrestee's injury, failed to make notifications regarding an injury to an arrestee, failed to provide immediate medical assistance to an injured arrestee, and failed to preserve evidence. It was alleged that the accused female officer made a false report regarding an arrestee's injury, failed to make any notifications regarding an injury to an arrestee, and failed to provide immediate medical assistance to an injured arrestee. IPRA recommended to

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**"SUSTAIN"** the allegation that the accused female officer made a false report based on the statements of witness officers and the accused officer's contradictory statements. IPRA recommended a finding of **"UNFOUNDED"** for the allegations that the accused officers failed to make any notifications regarding an arrestee's injury because C.P.D. records indicate that they made notifications about the injury. Based on statements made by witnesses and the accused members, IPRA recommended a finding of **"UNFOUNDED"** for the allegation that the accused officers failed to provide immediate medical assistance. Based on corroborating witness statements and admissions made by the accused male officer, IPRA recommended to **"SUSTAIN"** the allegation that he cut an arrestee with a knife. Again based on the accused male officer's admissions, IPRA recommended to **"SUSTAIN"** the allegation that he used an unauthorized cutting instrument to remove flexicuffs. Also based on corroborating witness statements and the accused male officer's admissions, IPRA recommended to **"SUSTAIN"** the allegation that he made a false report regarding an arrestee's injury. IPRA recommended to **"NOT SUSTAIN"** the allegation that the accused male officer failed to preserve evidence. IPRA recommended a **ten (10) day suspension for the accused female member**, and a **twenty (20) day suspension for the accused male member**.

### *Log/C.R. No.1008922*

On 01 September 2007, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a The Office of Professional Standards), regarding an incident occurring in the 22nd District involving an off-duty Chicago Police Department officer. It was alleged that on that date the accused officer was verbally abusive to a complainant, threw a bottle at her which struck her on the leg, and obtained arrest reports for personal use. It was also alleged that on 22 May 2005, the accused officer obtained arrest information and an arrest report for his ex-wife for personal use. IPRA recommended to **"NOT SUSTAIN"** the allegations that the accused officer was verbally abusive to the complainant, and because there was no corroborating evidence to prove this allegation that the accused officer threw a bottle at the victim which struck her on the. IPRA recommended a finding of **"UNFOUNDED"** regarding the allegation that the accused officer obtained arrest reports for personal use, because there was no evidence such conduct occurred on the date it was alleged to have occurred. Lastly, based on internal C.P.D. records and the accused officer's admission, IPRA recommended to **"SUSTAIN"** the allegation that in 2005, the accused officer obtained arrest information and his ex-wife's arrest report for personal use, and the additional allegation that he disobeyed a C.P.D. direct order. IPRA recommended a **five (5) day suspension for the accused member**.

### *Log/C.R. No.1004686*

On 05 April 2007, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a The Office of Professional Standards) regarding an incident occurring in the 6th District involving an off-duty Chicago Police

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Department officer and an on-duty Chicago Police Department officer. It was alleged that the accused off-duty officer was uncooperative and argumentative; failed to follow the verbal commands of responding on-duty officers; resisted and obstructed the responding on-duty officers resulting in her arrest for three counts of Resisting/Obstructing a Peace Officer; became physically aggressive with responding on-duty officers and a victim; failed to secure her firearm; was intoxicated; disrespected a superior officer; used profanity when referring to a victim and witness; was verbally abusive and threatened the jobs of the arresting officers; and falsely identified herself to an OEMC dispatcher. In addition, it was alleged that the accused on-duty officer refused to testify against the accused off-duty officer. Based on C.P.D. reports and corroborating witness statements, IPRA recommended to **"SUSTAIN"** the allegations that the accused off-duty officer was uncooperative and argumentative and that the accused off-duty officer failed to follow the verbal commands of responding on-duty officers. Based on C.P.D. reports and corroborating court records, IPRA recommended to **"SUSTAIN"** the allegation that the accused off-duty officer resisted and obstructed the responding on-duty officers. Based on corroborating witness statements and admissions made by the accused off-duty officer, IPRA recommended to **"SUSTAIN"** the allegations that the accused off-duty officer became physically aggressive with responding on-duty officers and a victim and that the accused officer failed to secure her firearm. Because the accused off-duty officer failed her field sobriety tests and results from a Breathalyzer test and backward extrapolation revealed that the accused off-duty officer was intoxicated, IPRA recommended to **"SUSTAIN"** the allegation that the accused was intoxicated. Based on witness statements, evidence of her intoxication, and an audio recording, IPRA recommended to **"SUSTAIN"** the allegations that the accused off-duty officer disrespected an on-duty sergeant, that she used profanity when referring to a victim and witness and that she was verbally abusive and threatened the jobs of the arresting officers. Based on the accused off-duty officer's admissions, IPRA recommended to **"SUSTAIN"** the allegation that she falsely identified herself to an OEMC dispatcher. Based on conflicting witness statements and court records, IPRA recommended to **"NOT SUSTAIN"** the allegation against the on-duty officer that she refused to testify against the accused off-duty officer. IPRA recommended a **twenty (20) day suspension for the accused off-duty member.**

### *Log/C.R. No.1017850*

On 01 July 2008, a complaint was registered with the Independent Police Review Authority regarding an incident occurring in various locations and at various times, involving an on-duty Chicago Police Department detective. It was alleged that on one occasion, the accused detective used a Chicago Police Department fax machine for her own personal use, on another occasion it was alleged that the accused detective used a Chicago Police Department computer for personal use, filed a false complaint with the Cook County Internal Affairs Division, and was in possession of an unregistered weapon. In addition, IPRA further alleged that the accused detective failed to complete a Chicago Police

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Department Firearm Disposition/Registration form regarding the transfer or sale of her weapons. Based on documentary evidence and the accused detective's admission, IPRA recommended to **"SUSTAIN"** the allegation that on at least one occasion, the accused detective used Department equipment for personal use. Because of a lack of evidence tracking Internet usage on Department machines, IPRA recommended to **"NOT SUSTAIN"**, the allegation that the accused detective used a Department computer on another occasion for personal use. Based on documentary evidence and the statement of the accused detective, IPRA recommended to **"NOT SUSTAIN"** the allegation that she filed a false complaint with the Cook County Internal Affairs Division. IPRA recommended a finding of **"UNFOUNDED"** for the allegation that the accused detective was in possession of an unregistered weapon, as there was no corroborating evidence to support this allegation. Based on CPD records and witness statements, IPRA recommended to **"SUSTAIN"** the allegation that the accused detective failed to complete a Chicago Police Department Firearm Disposition/Registration form regarding the sale of her weapons. IPRA recommended a **three (3) day suspension for the accused of detective.**