

## Abstracts of Sustained Cases

August 2008

### *Log/C.R. No. 1014577*

On 29 February 2008, a complaint was registered with the Independent Police Review Authority (IPRA), regarding an incident occurring in the 20<sup>th</sup> District, in which an off-duty Chicago Police Department officer was alleged to have accidentally discharged his weapon. Based on the accused member's statement, material evidence, and internal reports, IPRA recommended to "**SUSTAIN**" the allegation that the accused member was inattentive to his duties in that he accidentally discharged his weapon. Further, IPRA recommended a **two (2) day suspension** for the accused member.

### *Log/C.R. No. 303381*

On 28 January 2005, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding an incident occurring in the 17<sup>th</sup> District, in which an off-duty Chicago Police Department officer allegedly struck an individual about the face, verbally abused the individual, allowed a fellow Department member to have possession of the accused member's firearms, threatened the lives of two other private citizens, was intoxicated, was served with an Order of Protection and failed to notify the Department, and falsified a report to the Office of Professional Standards regarding the number of firearms within her possession. Because the complaining victim recanted statements that the accused member allegedly struck her about the face and verbally abused the victim, IPRA recommended that these allegations be "**UNFOUNDED**". IPRA recommended that the allegation that the accused member allegedly allowed her firearm to be released into the possession of another Department member, be "**UNFOUNDED**", because there was insufficient evidence to substantiate any misconduct in this action. IPRA recommended to "**SUSTAIN**" the allegation that the accused member allegedly threatened the lives of two other individuals, because the complainant's statements to outcry witnesses, corroborating statements from other witnesses, and the prompt report of the incident made to the Department resulting in the accused member's subsequent arrest for simple battery. Further IPRA recommended to "**SUSTAIN**" the allegations that the accused member was intoxicated and failed to notify the Department that she was served with an Order of Protection, based on reports generated from her arrest for and criminal case for simple battery. Because there was insufficient evidence to support the allegation that the accused member falsified a report to the Office of Professional Standards about the number of firearms within her possession, IPRA recommended that this allegation be "**UNFOUNDED**". IPRA recommended a **ten (10) day suspension** for the accused member.

### *Log/C.R. No. 310652*

On 15 January 2006, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding an incident occurring in the 16<sup>th</sup> District in which an off-duty Chicago Police Department officer allegedly entered the residence of a private citizen uninvited and without permission, engaged in a verbal and physical altercation

## Abstracts of Sustained Cases

August 2008

with the residents of the home which resulted in the accused member's arrest for Domestic Battery, and that the accused member was allegedly intoxicated. Based on corroborating witness statements, IPRA recommended to "**SUSTAIN**" the allegation that the accused member entered a private residence uninvited and without permission. Further based on reports generated from the subsequent arrest of the accused member for domestic battery, IPRA recommended to "**SUSTAIN**" the allegation that the accused engaged in a verbal and physical altercation with the residents of the home. Lastly, based on the results of the breathalyzer registered double the legal limit, IPRA recommended to "**SUSTAIN**" the allegation that the accused member was intoxicated. IPRA recommended a **five (5) day suspension** for the accused member.

### *Log/C.R. No. 1015341*

On 30 March 2008, a complaint was registered with the Independent Police Review Authority, regarding an incident occurring in the 19<sup>th</sup> District in which an off-duty Chicago Police Department probationary police officer allegedly engaged in an unjustified physical altercation with the victim. It was further alleged that the accused member was intoxicated and had unregistered firearms in his home. Based on corroborating statements from the victim and the accused member, photographs of the victim's injuries, and OEMC transmissions recording the alleged altercation, IPRA recommended to "**SUSTAIN**" the allegation that the accused member engaged in an unjustified physical altercation with the victim. Because the accused member failed a field sobriety test and the results of a breathalyzer revealed that his blood alcohol content was above the legal limit, IPRA recommended to "**SUSTAIN**" the allegation that the accused member was intoxicated. Lastly, based on test results of further physical evidence gathered at the scene, IPRA recommended to "**SUSTAIN**" the allegation that the accused member had unregistered weapons in his home. Prior to IPRA completing its investigation, CPD separated the probationary officer from employment with CPD. At the conclusion of its investigation, IPRA noted the outcome of "**SEPARATION**" for the accused member.

### *Log/C.R. No. 1002368*

On 01 January 2007, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding an incident occurring in the 4<sup>th</sup> District, in which an off-duty Chicago Police Department allegedly struck an individual in the mouth, shoved her to the ground, grabbed her hair, and kicked her about the ribs and abdomen. It was further alleged that the accused member verbally abused a superior officer and other responding officers to the scene of the incident, disobeyed a direct order given by the superior officer, was insubordinate and disrespectful to the superior officer, was intoxicated and was in possession of a firearm while intoxicated. Although the complaining victim submitted a drop complaint request, based on her initial report and statements to responding officers, witnesses and hospital staff, IPRA recommended to "**SUSTAIN**" the allegation

## Abstracts of Sustained Cases

August 2008

that the accused member struck her in the mouth, shoved her to the ground, grabbed her hair, and kicked her about the ribs and abdomen. Based on the accused member's admissions and corroborating witness statements, IPRA recommended to "**SUSTAIN**" the allegations that the accused member was verbally abusive, insubordinate and disrespectful to a superior officer. Further, IPRA recommended to "**SUSTAIN**" the allegation that the accused member disobeyed the direct order of a superior officer, based on corroborating witness statements. Because of the accused member's admissions, witness statements from the responding officers, and the results of a urine specimen which tested above the legal limit, IPRA recommended to "**SUSTAIN**" the allegation that the accused member was intoxicated; and lastly, because of corroborating witness statements, IPRA recommended to "**SUSTAIN**" the allegation that the accused member was in possession of a loaded firearm while intoxicated. In addition, IPRA recommended to "**SUSTAIN**" further allegations that the accused member's actions brought discredit and/or disrepute to the Department, violated the law, and that the accused member provided a false report/statement to the Office of Professional Standards about incident. IPRA recommended **separation from the Department** for the accused member.

### *Log/C.R. No. 1005000*

On 18 April 2007, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards) regarding an incident occurring in the 14<sup>th</sup> District, in which an on-duty Chicago Police Department officer allegedly kicked an individual in the chest, directed profanity at him, failed to complete a Field Contact Card and a Tactical Response Report. It was further alleged that an on-duty probationary police officer had knowledge of misconduct on the part of a Department member and failed to report it; that an on-duty Chicago Police Department sergeant also had knowledge of this misconduct and failed to conduct a complete and thorough investigation; and that a separate on-duty Chicago Police Department sergeant failed to initiate a complaint on behalf of two complainants, allowed two officers to escort one of the complainants out of the station, and directed profanities at said individuals. Based on videotape footage of the incident, IPRA recommended to "**SUSTAIN**" the allegation that the accused officer kicked one of the complainants in the chest. Because witness statements and admissions of the accused officer corroborated the allegation that the officer directed profanities at the complainant, IPRA recommended to "**SUSTAIN**" this allegation. Also, based on the accused officer's admissions, IPRA recommended to "**SUSTAIN**" the allegations that he failed to complete a Field Contact Card and a Tactical Response Report. In addition, the accused member was cited with violating Rule 6, "Disobedience of an order or directive, whether written or oral"; Rule 14 for providing a false report to the Office of Professional Standards; and Rule 2, because his actions brought disrepute and/or discredit to the Department. The videotape footage of the incident did not support the allegation that the accused probationary police officer had knowledge of the misconduct and failed to report it, therefore IPRA recommended that this allegation be deemed "**UNFOUNDED**". Because of

## Abstracts of Sustained Cases

August 2008

corroborating witness statements, IPRA recommended to "**SUSTAIN**" the allegation that the first accused sergeant had knowledge of the allegation of misconduct and failed to conduct a complete and thorough investigation. Also, based on corroborating witness and complainant statements, IPRA recommended to "**SUSTAIN**" the allegations that a second accused sergeant failed to initiate a complaint on behalf of two complainants and allowed two officers to escort one of the complainants out of the station. Lastly, because witness statements contradicted the allegation that this accused sergeant directed profanities at one of the complainants, IPRA recommended that this allegation be "**UNFOUNDED**". IPRA recommended **separation from the Department for the accused officer**, and that each of the **accused sergeants receive a five (5) day suspension**.