

## Abstracts of Sustained Cases

September 2008

### *Log/C.R. No. 1004913*

On 15 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 7<sup>th</sup> District, in which an off-duty Chicago Police Department officer allegedly engaged in an unjustified physical altercation with an individual and subsequently arrested the individual in retaliation for the complaint that the individual filed against the accused officer with the former Office of Professional Standards. Based on admissions made by the accused officer, IPRA recommended to **"SUSTAIN"** both allegations against the accused member. Further, IPRA recommended that the accused officer be cited for violating Rule 2, because his overall actions brought disrepute and/or discredit to the Department and Rule 14, for providing a false statement to the Office of Professional Standards. IPRA recommended **separation from the Department for the accused officer.**

### *Log/C.R. No. 310277*

On 23 December 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 8<sup>th</sup> District, in which an off-duty Chicago Police Department officer allegedly discharged his weapon without justification, failed to immediately notify the Office of Emergency Management and Communications and the Desk Sergeant of the district of the occurrence of the weapon discharge, and failed to remain at the scene of the incident and report to the Watch Commander of the district of the occurrence upon the commander's arrival to the scene of the incident. Further it was alleged that the accused member was inattentive to his duty in that he accidentally discharged his weapon. Based on corroborating witness statements, IPRA recommended to **"SUSTAIN"** the allegation that the accused officer discharged his weapon without justification. Because of corroborating statements from other witnesses and admission by the accused member, IPRA recommended to **"SUSTAIN"** the allegations that the accused officer failed to immediately notify the Office of Emergency Management and Communications and the Desk Sergeant of the district of the occurrence of the weapon discharge. IPRA recommended to **"SUSTAIN"** the allegation that the accused officer failed to remain at the scene of the incident because of the admissions made by the accused. Because the evidence presented did not support the allegation that the accused officer accidentally discharged his weapon, IPRA recommended to deem the allegation that the accused was inattentive to his duty as **"UNFOUNDED"**. Lastly, IPRA recommended to **"SUSTAIN"** additional allegations that the accused officer gave false statements about accidentally discharging his weapon when the evidence presented illustrates that the discharge was intentional; and that the accused officer's actions brought disrepute and/or discredit to the Department. IPRA recommended a **sixty (60) day suspension** for the accused officer.

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September 2008

### *Log/C.R. No. 305979*

On 01 June 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 8<sup>th</sup> District, in which an off-duty Chicago Police Department officer allegedly bit an on-duty fellow officer, interfered with the arrest of her son, threatened the on-duty officer, grabbed the officer's radio, struck a second on-duty fellow officer, threatened the second officer, allowed her minor son to drive her vehicle without a license, failed to have insurance coverage for her vehicle, and was convicted of battery and of obstruction. Further, the off-duty accused member alleged that the first on-duty officer struck her on the head with a baton, placed her in a chokehold from behind, and punched her in the face. Based on corroborating witness statements, medical and physical evidence, IPRA recommended to "**SUSTAIN**" the allegations that the off-duty accused officer bit an on-duty fellow officer, interfered with the arrest of her son, threatened the on-duty officer, grabbed the officer's radio, struck a second on-duty fellow officer, and threatened the second officer. IPRA recommended a finding of "**UNFOUNDED**" for the allegation that the off-duty accused officer allowed her minor son to drive her vehicle without a license, as internal reports indicated that the son took the vehicle without the accused's permission. The allegation that the accused off-duty officer failed to have insurance on her vehicle was "**NOT SUSTAINED**" because of contradicting statements and records. Further, IPRA recommended a finding of "**UNFOUNDED**" for the allegations that the off-duty accused officer was convicted of batter and obstruction, because these convictions were subsequently vacated by the court. Because the accused's credibility was found to be lacking and because there was no other corroborating evidence to support the allegations that the first on-duty accused officer struck her on the head with a baton, placed her in a chokehold from behind, and punched her in the face, IPRA recommended a finding of "**UNFOUNDED**" for these allegations. IPRA recommended **separation from the Department for the accused off-duty officer.**