

Abstracts of Sustained Cases

October 2008

Log/C.R. No. 1000936

On 01 November 2006, a complaint was registered with the Independent Police Review Authority (IPRA, f/k/a Office of Professional Standards), regarding incidents occurring in the 25th and 14th Districts, involving two off-duty Chicago Police Department members. The first accused member, while off-duty in the 25th District was alleged to have been in possession of an unauthorized firearm, that he fired that revolver in "single action", accidentally discharging the firearm, and failed to immediately notify the Office of Emergency Management and Communications (OEMC) and the desk sergeant of the 25th District of the firearm discharge, left the scene of the firearm discharge, and had knowledge of and failed to report the misconduct of a second accused member. The second accused member, while off-duty in the 14th District, was alleged to have failed to register a firearm that was purchased in 1998 and failed to secure her firearm. Based on statements from the first accused officer that he discharged the firearm into his left leg, that he did not comply with Department General Order 92-03-02A, which requires members to obtain qualification in order to carry auxiliary revolvers, and that he cocked the hammer of the firearm and that he fired it "single action" IPRA recommended to "**SUSTAIN**" the allegations that he was in possession of an unauthorized, unregistered firearm, and that he fired in "single action". IPRA also recommended to "**SUSTAIN**" the allegation that the accused member accidentally discharged the revolver based on his admissions and physical evidence of the wound to his left leg and the spent round recovered at the scene of the incident. The allegations that the accused member failed to immediately notify OEMC and failed to the 25th District desk sergeant of the firearm discharge, were "**NOT SUSTAINED**", because he instructed the second accused member to call OEMC and report the incident on his behalf. IPRA recommended to "**EXONERATE**" the first accused member of the allegation that he left the scene of the firearm discharge, because the member explained that he was in fear for his life and did not have any protective equipment; further, the Department General Order 92-03 does not require Department members to remain at the scene of a firearm discharge when they are injured. IPRA recommended to "**NOT SUSTAIN**" the allegation against the first accused member that he was aware that the second accused member owned an unregistered firearm and failed to report the misconduct, because there was insufficient evidence to establish that the first accused had knowledge of said misconduct. Based on the second accused member's admissions, IPRA recommended to "**SUSTAIN**" the allegation that she was in possession of an unregistered firearm. Lastly, IPRA found the allegation against the second accused that she failed to secure her firearm as "**UNFOUNDED**", based on corroborating statements that the firearm was kept in a locked gun safe. IPRA recommended a **ten (10) day suspension** for the **first accused member** and a **five (5) day suspension** for the **second accused member**.

Abstracts of Sustained Cases

October 2008

Log/C.R. No. 310735

On 19 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 12th District, involving an off-duty Chicago Police Department officer who allegedly pointed a handgun at the complainants without justification, struck one of complainants on the head, and verbally abused the complainants by directing racial slurs and profanity at them. IPRA recommended to "**SUSTAIN**" the allegation that the accused member pointed a handgun without justification at the complainants, based on corroborating statements and one of the complainant's positive identification of the accused in a photo line-up. Based on the corroborating statements and the visible marks on one of the complainants, IPRA recommended to "**SUSTAIN**" the allegation that the accused member struck one of the complainants about the head. Lastly, because of these corroborating statements, IPRA recommended to "**SUSTAIN**" the allegation that the accused member verbally abused the complainants by directing racial slurs and profanity at them. IPRA recommended a **four (4) day suspension** for the accused member.

Log/C.R. No. 312067

On 02 April 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 9th District, involving an on-duty Chicago Police Department officer and a sergeant. The accused officer was alleged to have grabbed the complainant without justification, handcuffed the complainant without justification, pushed the complainant out of a retail store without justification, verbally abused him by directing racial slurs at him, and threatened the complainant. The accused sergeant allegedly failed to register a complaint against the officer. Based on corroborating statements and video tape footage, IPRA recommended to "**SUSTAIN**" the allegation that the accused officer grabbed the complainant without justification. Also based on the corroborating statements, IPRA recommended to "**SUSTAIN**" the allegation that the accused officer had no justification for the physical contact and handcuffing of the complainant. Based on corroborating witness statements, IPRA recommended to "**SUSTAIN**" the allegation that the accused officer pushed the complainant out of the retail store. Lastly, based on witness statements, IPRA recommended to "**SUSTAIN**" the allegations that the accused officer verbally abused and threatened the complainant. Because there were no witness statements or recorded OEMC transmissions to identify with whom the accused sergeant had contact and what information was provided to him, IPRA recommended to "**NOT SUSTAIN**" the allegation that the accused sergeant failed to make a complaint against the officer. IPRA recommended a **ten (10) day suspension** for the accused officer.

Log/C.R. No. 314708

On 04 August 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 4th District, involving an off-duty Chicago Police

Abstracts of Sustained Cases

October 2008

Department officer, who allegedly engaged in a verbal traffic altercation with a complainant and displayed a firearm. Based on corroborating complainant and witness statements, IPRA recommended to **"SUSTAIN"** the allegations that the accused officer engaged in a verbal traffic altercation with a complainant, and that the accused unnecessarily displayed, but did not point his firearm. IPRA recommended a **one (1) day suspension** for the accused officer.

Log/C.R. No. 303862

On 24 February 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 6th District, involving a then unknown Chicago Police Department officer, who allegedly abused a complainant. This initial investigation was closed because IPRA was not able to obtain a sworn and signed affidavit from the complainant. Upon administrative review, the investigation was re-opened on 11 December 2006. Based on subsequent investigation, IPRA identified separate misconduct and it was alleged that the first accused officer submitted a false Department report and signed another officer's name to a Department report without permission. The second accused officer was alleged to have submitted a false Department report, signed another officer's name to a Department report without permission, and was aware the misconduct of the first accused officer and failed to report it. Based on the corroborating witness statements from a fellow Department member and on the first accused officer's admissions, IPRA recommended to **"SUSTAIN"** the allegations that the accused officer submitted a false Department report and signed another officer's name to a Department report. Again, based on corroborating witness statements from the fellow Department member and the first accused officer's admissions, IPRA recommended to **"SUSTAIN"** the allegation that the second accused officer submitted a false Department report. In turn based on said statements and admissions, IPRA found the allegation that the second accused officer signed another officer's name to a Department report as **"UNFOUNDED"**. Lastly, based on the second accused officer's admissions, IPRA recommended to **"SUSTAIN"** the allegation that he was aware of the misconduct by the first accused officer and failed to report it. IPRA recommended a **fifteen (15) day suspension** for each of the accused officers.