

Abstracts of Sustained Cases

December 2008

Log/C.R. No. 307786

On 28 December 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 fourteen (14) on-duty Chicago Police Department members. It was generally alleged against all of the members that they entered a first floor front apartment without justification and a first floor rear apartment without justification. It was further alleged against the accused lieutenant that he failed to ensure the proper execution of a search warrant. Against the accused sergeant, it was alleged that he failed to ensure proper execution of a search warrant and that he failed to include pertinent information in his initiation report submitted to IPRA. Lastly, against one of the principally accused officers, it was alleged that he kicked an occupant of one of the residences in his ribs. Nine of the accused members were "**EXONERATED**" of the first general allegation that the members entered the first floor front residence without justification, based on the determination that it was entered during the execution of a valid search warrant. The accused lieutenant was "**EXONERATED**" of the second allegation that he entered the first floor front apartment without justification, because exigent circumstances justified his entry. The allegation against the accused lieutenant and accused sergeant that they failed to ensure proper execution of the search warrant was "**SUSTAINED**" because although the lieutenant issued an order for the accused members to breach the first floor unit to the left of the entryway, members under his command breached both first floor units. The second general allegation against the accused sergeant and one of the accused officers, that they entered the first floor rear apartment improperly was "**NOT SUSTAINED**" because although they were identified by the complainant, no other evidence could support the allegation that they entered the first floor rear apartment without justification. IPRA recommended to "**SUSTAIN**" the allegation against the accused sergeant that he failed to include pertinent information in his initiation report, because it was revealed that he and officers from his unit were involved in the breach of the first floor rear unit and detained the complainant, who was not the subject of the search warrant; the sergeant failed to include this information in his initiation report. The allegations against one of the accused officers that he entered the first floor rear apartment and that he kicked that apartment's occupant, was "**SUSTAINED**" based on the officer's admissions that he was breached this unit and had contact with the complainant and corroborating witness statements and the physical injuries on the complainant. The allegation that a third accused member entered the first floor rear unit without justification was "**SUSTAINED**" based on the officer's admissions that he entered the unit. For the remaining accused officers, IPRA recommended that the general allegations that they entered the first floor front unit without justification and the first floor rear unit without justification, be "**UNFOUNDED**", as there was no evidence that these officers entered either unit. IPRA recommended a **fifteen (15) day suspension for the accused sergeant and the principally accused officer; a ten (10) day suspension for the accused lieutenant; and a four (4) day suspension for the other accused officer.**

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Log/C.R. No. 1002796

On 18 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 12th District, involving thirteen (13) on-duty Chicago Police Department members. It was alleged that the accused members failed to provide police service on 15 December 2006. It was further alleged against a principally accused sergeant and two principally accused officers that they failed to conduct a license premises investigation as mandated by a CPD special order. IPRA recommended to **"SUSTAIN"** the first allegation that the members failed to provide police service after responding to a call for emergency assistance, against the principally accused sergeant and eight other accused officers. The investigation revealed that those members were at the location of the incident and failed to conduct an appropriate investigation as to the reason for the emergency assist call. IPRA recommended to **"NOT SUSTAIN"** this first allegation against the remaining four members as the evidence could neither prove nor disprove the allegation. IPRA recommended to **"SUSTAIN"** the second allegation against the principally accused sergeant and two accused members as the investigation revealed that each of them had spoken to witnesses at the scene and obtained information that a bar fight had transpired, but failed to conduct a license premises investigation. Further IPRA recommended a **forty-five (45) day suspension for one of the accused officers, a twenty (20) day suspension for the accused sergeant and two accused officers, a five day (5) suspension for two accused officers, a three (3) day suspension for two accused officers, and a one (1) day suspension for a final accused officer.**

Log/C.R. No. 1010958

On 15 and 16 November 2007, a complaint was registered with the Independent Police Review Authority (IPRA), regarding incidents occurring in the 6th District, involving an off-duty Chicago Police Department officer. The accused officer allegedly grabbed a minor victim resulting in an arrest for Domestic Battery and Violation of a Domestic Order of Protection, violated and was arrested for Violation of a Bail Bond Order subsequent to her initial arrest and release, and failed to notify the Department after being served with an Order of Protection. IPRA recommended to **"NOT SUSTAIN"** the allegations that the accused member grabbed the minor victim and violated an Order of Protection on 15 November 2007, as there was no corroborating witnesses nor physical evidence of abuse. Because of corroborating witness statements and admissions made by the accused, IPRA recommended to **"SUSTAIN"** the allegation that the accused officer violated her Bail Bond Order. Further, IPRA recommended to **"SUSTAIN"** the allegation that the accused failed to notify the Department when she was served with an Order of Protection, based on the accused's admissions and on the fact that the Department became aware of the protection order when police were called to her residence on 15

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November 2007. IPRA recommended a **seven (7) day suspension for the accused officer.**

Log/C.R. No. 1013157

On 06 January 2008, a complaint was registered with the Independent Police Review Authority, regarding an incident occurring in the 10th District, involving an on-duty Chicago Police Department lieutenant, in which he allegedly discharged a taser improperly in a secure storage room located at the 10th District headquarters. Based on the accused's admissions, IPRA recommended to "**SUSTAIN**" the allegation of the improper taser discharge. Further, IPRA recommended that the **violation be noted in the accused lieutenant's disciplinary file.**