

ALLEGATIONS:

On 28 June 2015, at approximately 1452 hours, Civilian 1 called the Independent Police Review Authority (IPRA) and registered a complaint on behalf of her granddaughter Subject 1. Civilian 1, who did not witness the incident¹, alleged that on 25 June 2015, at approximately 0200 hours, near XXXXX South Michigan Avenue, **Sergeant A Star #XXXX, Officer A Star #XXXX, and Officer B Star #XXXX:**

- 1) Beat Subject 1 about the face and body during the course of her arrest
- 2) Tased Subject 1

INVESTIGATION:

According to **Chicago Police Department Reports related to RD# XXXXXXXX, including the arrest and case report**, Subject 1 was arrested near XXXXX South Michigan Avenue and charged with battery, resisting arrest, public intoxication, and disorderly conduct. The reports indicate the arresting officers observed Subject 1 "screaming obscenities and yelling while rocking back and forth²." Sergeant A approached Subject 1 at which time Subject 1 charged at Sergeant A and struck her several times with a closed fist about the left side of the face and nose. The officers attempted to place Subject 1 under arrest but Subject 1 stiffened her body and began resisting by swinging her hands towards the officers. The arresting officers used open hand strikes and emergency takedown/handcuffing to gain control of Subject 1. Subject 1, who appeared to be intoxicated, suffered swelling to her left eye. (Attachments 5, 6, and 7)

Sergeant A's Tactical Response Report (TRR) indicates she used closed and open hand strikes to subdue Subject 1 after Subject 1 attacked her. Officers A and B's TRRs reflect both officers used a wristlock and takedown/emergency handcuffing after Subject 1 stiffened, pulled away, and attacked them without a weapon. (Attachments 8 through 11)

Evidence Technician photographs taken on 25 June 2015 depict redness to the left side of Sergeant A face and a minor laceration under her nose. **Evidence Technician photographs taken on 02 July 2015** depict what appears to be a contusion to Subject 1's left eye, and minor abrasions to her right hip and arms. (Attachments 30 and 31)

In a statement to IPRA on 02 July 2015, Subject 1 told investigators that on 25 June 2015, at approximately 1900 hours, Civilian 2, Civilian 3, an individual only identified as Civilian 4 and she went to a liquor store and purchased a bottle of New Amsterdam liquor. Subject 1 stated she last remembered being at a bus stop near XXXXX South Michigan Avenue. The next thing Subject 1 recalled was waking up at Roseland Community Hospital. Subject 1 stated she was later informed by Civilian 2 that Chicago Police Officers approached and told her friends to take her home. Civilian 2 told Subject 1 that she began fighting with a female police officer and other plain clothes officers. Subject 1 stated according to Civilian 2 she was tased and "stomped on" by the officers. (Attachments 19, 21, and 22)

¹ Attachment 1, Page 1; Subject 1 was informed of the incident by Civilian 2 who was with Subject 1 at the time of the incident. Subject 1 also reported Subject 1 did not have any independent recollection of the incident because she was intoxicated

² Attachment 5, Page 3

Medical records from Roseland Community Hospital depict Subject 1 was diagnosed with conjunctival hemorrhage³, swelling of the eye, concussion, and a contusion. Subject 1 told medical personnel she had no recollection of events leading up to the arrest. (Attachment 36)

IPRA Investigators canvassed the area near XXXXX South Michigan Avenue for any potential witnesses and/or businesses equipped with surveillance cameras. The canvass did not yield any leads. (Attachment 16)

IPRA Investigators obtained video from Police Observation Device (POD) #XXXXXXXX, located near XXXXX South Michigan Avenue, for 25 June 2015 from 0130 hours to 0230 hours. At approximately 0157 the video depicts a female, believed to be Subject 1⁴, standing in the middle of the street and appears to be yelling and flailing her arms as vehicles change their path of travel to avoid her. Shortly thereafter, Subject 1 exits camera view as two unmarked police vehicles approach. The POD did not capture any interaction between Subject 1 and CPD officers. (Attachments 25 through 27)

On 21 January 2016 the Reporting Investigator conducted a **telephone interview of Civilian 3**. Civilian 3 stated she did not witness the incident because she went home early. Civilian 3 said she was later informed by Civilian 2 that Subject 1 was jumping on top of cars and that she punched a female police officer about the face as the officer approached Subject 1. Civilian 3 also stated Subject 1 was tased. (Attachment 32)

Subject 1 was contacted via telephone on 21 January 2016 in an attempt to obtain contact information for Civilian 2 and Civilian 4 Subject 1 stated she did not have contact information for either witness. Additionally, Subject 1 once more stated she was informed by Civilian 2 she initiated physical contact with Sergeant A by striking her about the face when Sergeant A approached on the early morning of 25 June 2015. (Attachment 33)

Several attempts to obtain contact information for Civilian 2 and Civilian 4 from Civilian 1 and Subject 1 were made throughout the course of this investigation; however, both Civilian 1 and Subject 1 have been uncooperative in this respect. Civilian 3 was also unable to provide contact information for Civilian 2 and/or Civilian 4. (Attachments 32, 33, and 37)

CONCLUSION:

Subject 1's statement does not support the allegation that she was "beaten⁵" by the arresting officers. Subject 1 told investigators that according to Civilian 2 she initiated contact by fighting with Sergeant A on the night of 25 June 2015. Furthermore, during a phone interview, Civilian 3 indicated Subject 1 struck a female police officer about the face as the officer approached. Although IPRA investigators were unable to interview Civilian 2, Subject 1's and Civilian 3's statement about what Civilian 2 told them is consistent with the officers' account of the incident.

IPRA investigators did not find any evidence, neither in Department reports nor in medical records, supporting the allegation that Subject 1 was tased by the arresting officers. Although the arresting officers used force to subdue Subject 1, the officers did not beat Subject 1 as alleged.

³ Conjunctival hemorrhage refers to a broken blood vessel in the eye (www.mayoclinic.org).

⁴ The female believed to be Subject 1 matches the description and clothing worn by Subject 1 at the time of her arrest

⁵ Attachment #1, Page

Department reports along with Subject 1's and Civilian 3's statement support the officers' use of force.

The Reporting Investigator recommends a finding of **UNFOUNDED** on **Allegation #1 and #2** against the accused officers in accordance with Special Order 08-01, Addendum 1, Section II (C)(10), which states that an investigation should be terminated "when it is determined at any time that the complaint is unfounded or the member exonerated." Based on the available evidence, the allegations against the accused officers must be unfounded. Should additional evidence and/or witnesses become available, this investigation may be re-opened.

FINDINGS:

Accused #1: Sergeant A Star #XXXX

Accused #2: Officer A Star #XXXXXX

Accused #3: Officer B Star #XXXX

Allegation #1 UNFOUNDED

Allegation #2 UNFOUNDED