

INTRODUCTION:

On 25 May 2012, the Reporting Party, Subject 1 argued with her husband, Officer A #XXXX about his alleged infidelity. Subject 1, an OEMC dispatcher, then left for work. While at work, she received several text messages and voicemails from Officer A, indicating that he was upset about the allegations and that he may harm himself. Officer A attempted to reach Subject 1 by calling 911 and demanded to speak with her on the phone without success. Subject 1 left work and returned to her residence located at XXXX S. Komensky Avenue. Subject 1 went to sleep. Officer A continued to send text messages to Subject 1 during the night. At some point during the night, Officer A entered the residence, woke Subject 1 up, and told her that he did not want to live anymore. Officer A then took one of his handguns and chambered a round. Subject 1 fled the scene to summon the police. Responding officers found Officer A unharmed at approximately 0713 hours at his ex-wife's residence, located at XXXXX S. Merrill Avenue, by 004th District patrol cars.

On 28 May 2012, at approximately 1200 hours, Subject 1 was at her residence when she heard a knock on her front door. Subject 1 opened that door and observed her husband, Officer A, standing outside. Officer A wanted to talk with Subject 1 about their recent marital issues and attempted to enter the residence. Subject 1 refused to allow him in. Officer A became upset and kicked the front door, causing the glass to shatter. Officer A then grabbed Subject 1's arm and pulled it through the door, causing small cuts on her right arm. Subject 1 was able to free herself from Officer A and fled to a neighbor's house, where she called the police. Officer A was placed under arrest and transported to the 008th District Station.

On 29 May 2012, an Order of Protection (XXXXXXXXXX) was issued against Officer A by the Circuit Court of Cook County in response to a petition by Subject 1.

On 20 June 2012, starting at approximately 2325 hours, Officer A contacted Subject 1 by telephone several times. In doing so, Officer A violated the Order of Protection. During one of those conversations, Officer A threatened to take his own life.

ALLEGATIONS:

On 28 May 2012, at 1338 hours, Reporting Party, Subject 1 registered a complaint with Sergeant A #XXXX at the 008th District Station.

It is alleged that on 28 May 2012, at approximately 1200 hours, at the location of XXXX S. Komensky Avenue, Chicago, IL, **Officer A #XXXX, Unit XXX;**

- 1) Pulled her arm through the door, after he kicked and shattered the glass during a domestic altercation, in violation of Rule 9, and
- 2) Was arrested for Domestic Battery (RD #XXXXXXXXXX) on a signed complaint, in violation of Rule 1.

On 20 June 2012, at 2325 hours, Reporting Party, Subject 1 registered a complaint with Sergeant B #XXXX at XXXX S. Komensky Avenue.

It alleged that on 20 June 2012, at approximately 2325 hours, **Officer A #XXXX, Unit XXX;**

- 3) Violated an Order of Protection (XXXXXXXXXX) when he contacted Subject 1 by phone several times, threatening to take his life, in violation of Rule 1.

APPLICABLE RULES AND LAW

Rules:

- **Rule 09:** Prohibits engaging in any unjustified verbal or physical altercation with any person.
- **Rule 01:** Prohibits violation of any law or ordinance.

INVESTIGATION:

The related **Department Reports** (RD #XXXXXXXX, Event #1XXXXXXXXXXXX) document that, on 26 May 2012 at approximately 0640 hours, Sergeant C #XXXX and Officers B #XXXX and C #XXXXXX responded to a disturbance at XXXX S. Komensky Avenue regarding the well-being of Officer A #XXXX, who was on Injury On Duty (IOD) status and, according to his wife, was acting irrational. Officer A was located and transported to the 004th District, where he met and talked with Civilian 1 of the Employee Assistance Program (EAP). Sergeant C then interviewed Officer A, who voluntarily turned over his duty weapon to her. (Att. #23)

In an **Extraordinary Occurrence Report**, Sergeant C #XXXX documented that she responded to a Request for a Supervisor assignment regarding a domestic incident involving a Chicago Police Officer. Upon arrival, Sergeant C spoke with Subject 1, an OEMC Dispatcher, who provided the following information. On 25 May 2012, Subject 1 argued with her police officer husband, Officer A #XXXX about his infidelity. While at work, Subject 1 received several text messages and voicemails from Officer A, indicating that he was upset about the allegations of infidelity and threatened to harm himself. Additionally, Officer A attempted to reach Subject 1 by calling 911 and demanding to speak with her on the phone, without success. When Subject 1 arrived at home she went to sleep on the couch. As she slept, Subject 1's cell phone continued to receive messages from Officer A. At some point during the evening, Officer A entered the residence, woke Subject 1 up, told her that he did not want to live anymore, and said not to cremate him. Officer A then took four photo albums off of a shelf, and threw them

into the living room. Officer A grabbed one of his handguns and chambered a round. Subject 1 fled the scene to summon the police. While waiting outside of the residence for officers to arrive, Subject 1 observed Officer A drive northbound on Komensky Avenue and then eastbound on 79th Street.

In response to Subject 1's call, Sergeant C, Officers B #XXXX and C #XXXXX, arrived at Subject 1's residence where they interviewed Subject 1. While Sergeant C was conducting the interview, Subject 1 received a telephone call from Officer A's former wife, Civilian 2, who stated that she received a call from Officer A, and that he was en route to his former wife's residence. Sergeant Dowling contacted Zone X and requested that a 004th District car and a Sergeant respond to Civilian 2 residence, located at XXXX S. Merrill Avenue. Beats XXX, XXX and XXX responded and found Officer A engaged in a conversation with Civilian 2 on the front porch. Officer A was taken to the 004th District.

Sergeant C went to the 004th District and contacted the Employee Assistance Program (EAP). EAP representative Civilian 1 contacted Officer A via telephone. During this phone conversation, Officer A acknowledged that he told his wife that he would rather kill himself than live with her and that he sent several text messages threatening personal harm to himself. Officer A insisted that he acted this way in an effort for his spouse to know he was serious about terminating their relationship. Civilian 1 made arrangements to meet with Officer A at the EAP offices on Tuesday, 29 May 2012, and advised him to seek a temporary residence until after the planned meeting. EAP also requested that the Chicago Police Department take possession of Officer A's weapon. Officer A agreed to turn over the weapon to Sergeant C. Sergeant C took possession of Officer A's 9 millimeter Beretta Model 92D with one magazine. Officer A acknowledged that the magazine was a spare magazine that was not fully loaded. Officer A further acknowledged that he originally had seven (7) rounds, but one round fell on the floor in his home when he cycled the weapon to ensure it was loaded prior to leaving the residence. (Att. #22)

An **Initiation Report** completed by Sergeant A #XXXX, documents that on 28 May 2012, he responded to a "Battery in Progress" call at XXXX S. Komensky Avenue. Upon arrival, Sergeant A met with the complainant, Subject 1, who informed him that her husband was a Chicago Police Officer, and they have been going through some problems due to his infidelity. Subject 1 stated she was preparing to leave for work when she heard a knock on her door and observed Officer A, who wanted to talk to her. Subject 1 refused to allow Officer A to enter the residence. Officer A became upset and kicked the front door, causing the glass to shatter. Officer A continued to pull on the door and was able to get it open. Officer A then grabbed Subject 1's arms and pulled them through the door, causing small cuts on her right arm. Subject 1 was able to free herself from Officer A and fled to a neighbor's house, where she called the police. Officer A was placed under arrest and transported to the 008th District Station. (Att. #4)

The related **Department Reports** (RD #XXXXXXXXX, Event #XXXXXXXXXX)

document in essence, similar information that was reported in the Initiation Report completed by Sergeant A. Officer A #XXXX was arrested on signed complaints, in that he kicked open Subject 1's house door, breaking the glass and causing the glass to cut her right arm. Officer A then reached in and grabbed Subject 1's right arm pulling her out of the house. Officer A was transported to the 008th District Station for processing. Officer A was relieved of his police powers and was instructed to appear at the Internal Affairs Office on 29 May 2012. (Atts. #5, 6)

An **Initiation Report** completed by Sergeant B #XXXX, documents that on 20 June 2012, at approximately 2325 hours, at XXXX W. 99th Street, Officer A #XXXX violated an Order of Protection by contacting Subject 1 via telephone and repeatedly making threats of taking his life. (Att. #38)

The related **Departmental Reports** (RD# XXXXXXXXX, Event# XXXXXXXXXXXX) document that, on 20 June 2012 at approximately 2325 hours, Officer D #XXXXX (Beat XXXXX) responded to a possible suicide attempt in a garage located at XXXX W. 99th Street. Upon arrival, Officer D did not hear an engine running, nor did he observe a vehicle inside the garage. Officer D requested a call back and a short time later, the 911 caller, Subject 1, arrived on scene. Subject 1 produced a valid order of protection which showed that there was to be no contact by any means between her and her husband, Officer A #XXXX. (Att. #39)

The related **Detective Supplementary Report** (RD# XXXXXXXXX) documents that the Reporting Detectives received information on 28 June 2012 regarding officers responding to a possible suicide attempt in the garage of XXXX W. 99th Street on 20 June 2012. The Reporting Detectives spoke to Subject 1 on 30 June 2012, who stated that she did not want to pursue any charges against Officer A. Subject 1 only reported this incident because she felt Officer A was crying out for help, and wanted him to seek help, or for the police department to offer him help. Subject 1 stated that 20 June 2012 was the first time Officer A contacted her since the order of protection was issued on 29 May 2012. The Detective Supplementary Report also documented that "on 20 June 2012 the Offender left several voice messages on her voice mail with one message stating, the Offender would end his life by running the engine to his vehicle in a garage located at XXXX W. 99th Street. Reporting Officers verified the information on the victim's voice mail." Subject 1 added that she wanted Officer A to get treatment and did not want him to lose his job. (Att. #10)

The **OEMC** and **PCAD Reports** were collected and made part of this case file. An analysis of said documents showed no information that is inconsistent with the facts as related by the reporting officers and department reports. (Atts. #26, 27, 52, 54)

In a statement with IPRA on 31 May 2012, **Reporting Party Subject 1** stated that she married Officer A #XXXX on 01 June 2011. In September of 2011, Subject 1 learned through various voicemails, text messages, and emails that Officer A was committing adultery. Subject 1 confronted Officer A, who began acting erratic and threatened to kill himself. The next day,

Officer A suffered a seizure and was admitted to Christ Hospital for evaluation. During his evaluation, the doctors were made aware of his suicidal threats and that he owned weapons. Officer A was then enrolled in the Department's Employee Assistance Program (EAP) and attended counseling sessions.

Several months later, Subject 1 learned that Officer A was continuing to speak to other women. On 25 May 2012, Subject 1 was at work when she began having an argument over the phone with Officer A about his adultery. During the argument, Officer A agreed to leave their residence. Subject 1 worked until the early hours of 26 May 2012. Subject 1 arrived at her residence, at which point she began receiving threatening text messages from Officer A, stating that he was going to "pour gasoline on himself" and "set himself on fire."¹ Subject 1 located Officer A's cell phone, wedding ring, and keys to the residence on top of the kitchen counter. Subject 1 also observed that Officer A's clothing was removed from the closet. Subject 1 then went to sleep.

At approximately 0430 hours, Subject 1 heard Officer A outside the residence, placing a key into the mailbox and then slamming the mailbox shut. At approximately 0600 hours, Subject 1 heard Officer A at the front door. Subject 1 approached the front door and asked Officer A what he was doing. Officer A replied that he wanted to retrieve some of his items from inside the residence. Officer A entered the residence, retrieved some photo albums, and then a verbal argument occurred. The argument resulted in Officer A throwing several picture frames at Subject 1. Subject 1 was hit in the shoulder blade and in the eye. Subject 1 attempted to make her way to the front door, but Officer A stopped her. Officer A attempted to hug Subject 1 and tell her that he loved her, but Subject 1 turned and ran out of the house.

Subject 1 ran to Restaurant A at 79th Street and Pulaski Road. Subject 1 called 911 to get a squad car to her residence. While she was doing this, Subject 1 observed Officer A drive by her. Subject 1 began to make her way back to her house, but at the same time tried to hide from Officer A in case he was following her. Subject 1 made her way to her residence, approached the front door and, realized that it was locked. Subject 1 then observed Officer A driving down the street towards the residence. Subject 1 ran to the convenience store at 79th Street and Komensky Avenue, where she tried to get help. At the same time, Officer A drove up and yelled, "I just wanna talk to you." Subject 1 told Officer A to leave.

Subject 1 looked down 79th Street and observed a squad car approach her. Subject 1 flagged down the squad car, explained what was happening and then returned to her residence. Subject 1 told the officers what occurred between her and Officer A earlier in the morning. As she was informing the officers, Subject 1 received a telephone call from Officer A's ex-wife, Civilian 1. Civilian 1 told Subject 1 that she received a telephone call from Officer A, who called

¹ Subject 1, Attachment 29, Page 8, Lines 17-18.

to say goodbye to his children and threatened to take his life. Officers called for additional units to respond to Civilian 1's residence, where they encountered Officer A and took him to the 004th District Station.

While at the 004th District Station, Officer A was instructed not to contact Subject 1 and to report to EAP on Tuesday morning. Subject 1 stated Officer A continued to text and call her after he was instructed not to do so.

On 28 May 2012, Subject 1 was getting ready for work when she was informed by her neighbor that Officer A was standing outside of her residence. Subject 1 made her way through the residence, where she heard Officer A "fumblin'" at the door. Subject 1 heard Officer A place a key into the front security door, attempting to get inside the residence. Subject 1 was still on the phone with her neighbor and instructed her neighbor to call the police. Subject 1 grabbed on to the inner door knob and held the door in an attempt to deter Officer A from entering the residence. Officer A then "turned around, and took his foot, and kicked the glass in"² of the security door. Shattered glass went everywhere inside the front foyer. Officer A reached in and grabbed Subject 1's arm and pulled it through the opening of the window. She sustained small cuts along her right hand and thumb. Subject 1 stated they were struggling and she was able to pull away from Officer A. Officer A then grabbed the wrought iron bar of the door and began pulling at it until he pulled the door completely out of the lock. Officer A pulled the door out with such force that it knocked him back and gave Subject 1 the opportunity to run out of the door and flee to her neighbor's house.

Once inside the neighbor's house, Subject 1 called 911. Several minutes later, the police arrived and found Officer A cleaning up the broken glass with a broom and dustpan.

On 21 June 2012, IPRA learned of the 20 June 2012 incident via an Initiation Report from Sergeant B. IPRA assigned Log #1054933 to the incident and initiated an investigation. On 14 August 2012, an IPRA investigator emailed Subject 1 in an attempt to interview her about this incident. On 15 August 2012, Subject 1 replied to the email stating that she wished to no longer pursue her complaint against Officer A. (Atts. #25, 29)

Evidence Technician (E.T.) Photographs document injuries Subject 1 sustained and damage to the front glass screen door at XXXX S. Komensky Avenue. (Att. #55)

In a statement with IPRA on 28 October 2015, **Accused Officer A #XXXX** stated that, prior to 26 May 2012, allegations of infidelity were made against him by his then wife, Subject 1. Prior to 26 May 2012, he engaged in a verbal altercation with Subject 1 at XXXX S. Komensky Avenue. Officer A denied ransacking the residence, but admitted to throwing a photo album towards Subject 1, although it did not strike her. Between 25 May 2012 and 26 May 2012,

² Subject 1 (Att. #29), Page 21, Lines 18-19.

Officer A admitted to sending several text messages, voicemails, and emails to Subject 1, wishing to speak with her. Officer A stated he called 911 on 25 May 2012 at approximately 2000 hours and asked to speak to Subject 1, but did not speak with her at that time. On 26 May 2012, Officer A stated he and Subject 1 had an argument at their residence located at XXXX S. Komensky Avenue. The argument escalated to the point that Officer A left with his loaded duty weapon, a Beretta 92F 9 millimeter. Officer A confirmed that he left his cell phone and wedding ring on the counter before he left. Officer A denied making any threats of harming himself, pouring gasoline on himself or threatening to shoot himself. Officer A relocated to his former spouse's residence, located at 100th Street and Merrill Avenue. Approximately 20 minutes later, officers from the 004th District arrived and transported Officer A to the district station. While at the district station, Officer A spoke with Civilian 1 from the EAP. Civilian 1 instructed Officer A not to return to XXXX S. Komensky Avenue. Officer A relocated to Hotel A off of I-294.

Later in his statement, Officer A denied having an argument with Subject 1 on 26 May 2012. Officer A denied chambering a round in his duty weapon. Officer A further related he relocated to Civilian 2's residence after she asked him to come over.

On 28 May 2012, Officer A stated that Subject 1 contacted him by phone and asked if they could talk. Officer A arrived at XXXX S. Komensky Avenue and stood on the porch. Subject 1 invited Officer A into the residence, but he refused and an argument escalated because of this. Officer A stated he attempted to open the front screen door to the house and Subject 1 said, "Oh, no, no, you ain't coming in here." Officer A started pulling on the door while Subject 1 was pulling the door in the opposite direction. After a brief struggle with the door, Officer A said, "Forget it," and slammed the door, causing the glass to break. Subject 1 pulled out her phone and began to call the police. Officer A reached in through the opening in the door and pulled Subject 1's arm through the opening, causing injuries to her wrists. Officer A let go of Subject 1's arm and she exited the residence.

Officer A entered the residence, obtained a broom and dustpan and began cleaning up the broken glass. Several minutes later, a squad car arrived and the officers informed Officer A that Subject 1 signed complainants against him. Officer A was arrested and transported to the 008th District Station. Officer A stated he was served with an order of protection to keep away from Subject 1 after he was arrested.

Officer A stated that, between 28 May 2012 and 20 June 2012, Subject 1 continuously sent email and text messages to him. However, he did not provide any of these messages to IPRA pursuant to this investigation. According to Officer A, he did not reply to any of Subject 1's messages because he did not want to violate the order of protection. On 21 June 2012, Officer A was contacted by an officer from the 022nd District, who told him that they were looking for him the night before at XXXX W. 99th Street, because they believed that he was going to commit suicide. Officer A told the officer that he would go to EAP and talk to Civilian 1. While at EAP, Officer A told Civilian 1 that he did not have any contact with Subject 1 and

accused her of hacking into his email account and writing threatening emails. Civilian 1 instructed Officer A to stay away from Subject 1. Officer A denied violating the order of protection by contacting Subject 1 by telephone several times and threatening to take his life. Officer A further denied threatening to commit suicide in the garage located at XXXX W. 99th Street.

Officer A added in his statement that on 26 May 2012, he spoke with Sergeant C at the 008th District, but denied ever stating that he would rather kill himself than live with Subject 1. Officer A denied ever stating to Sergeant C that he threatened to harm himself. Officer A denied ever sending several text messages threatening harm to Subject 1. Officer A denied kicking the door in and breaking the glass, but admitted to slamming the door in which the glass broke. Officer A stated he and Subject 1 divorced in October 2013. (Atts. #62, 63)

CONCLUSION:

The Reporting Investigator recommends a finding of **Sustained** for **Allegation #1** against Officer A #XXXX, in that, on 28 May 2012, he pulled Subject 1's arm through the door, after he kicked and shattered the glass during a domestic altercation. Pursuant to the Rules and Regulations of the Chicago Police Department, Rule 09 prohibits an officer from "engaging in any unjustified verbal or physical altercation with any person, while on or off duty." Officer A denied kicking in the door to the residence at XXXX S. Komensky Avenue, but admitted to slamming the door in which the glass shattered. Further, Officer A admitted to pulling Subject 1's arm through the opening of the shattered glass, causing injuries to her wrists. Evidence Technician photographs documented shattered glass inside the front hallway of XXXX S. Komensky Avenue and small cuts to Subject 1's right hand. There is more than a preponderance of evidence showing that Officer A engaging in an unjustified verbal or physical altercation with the complainant, therefore, Allegation #1 is Sustained.

The Reporting Investigator recommends a finding of **Sustained** for **Allegation #2** against Officer A #XXXX, in that, on 28 May 2012, he was arrested for Domestic Battery (RD #XXXXXXXXXX) on signed complaints. Pursuant to the Rules and Regulations of the Chicago Police Department, Rule 01 prohibits an officer from committing a "violation of any law or ordinance." Officer A admitted to the incident happening on 28 May 2012 and that he was arrested on signed complainants from Subject 1. Several department reports documented the incident and Officer A's arrest. Based on the totality of the circumstances and evidence provided, Allegation #2 is Sustained.

The Reporting Investigator recommends a finding of **Sustained** for **Allegation #3** against Officer A #XXXX, in that, on 20 June 2012 he violated an Order of Protection (XXXXXXXXXX) when he contacted Subject 1 by phone several times, threatening to take his life. The Detective Supplementary Report (XXXXXXXXXX) documented that "on 20 June 2012

the Offender left several voice messages on her voice mail with one message stating, the Offender would end his life by running the engine to his vehicle in a garage located at XXXX W. XXth Street. Reporting Officers verified the information on the victim's voice mail." Subject 1 stated that 20 June 2012 was the first time since the Order of Protection was issued that Officer A had contacted her. The Order of Protection specifically ordered Officer A to have no contact by any means with Subject 1. Officer A denied committing the allegation. Based on the totality of the circumstances and evidence provided, Allegation #3 must be Sustained.

FINDINGS:**Accused:****Officer A #XXXX, Unit XXX****Allegation #1:****Sustained – Violation of Rule 09**, “Engaging in any unjustified verbal or physical altercation with any person, while on or off duty,” in that on 26 May 2012, at the location of XXXX S. Komensky Avenue, Chicago, IL 60652, Officer A pulled Subject 1’s arm through the door, after he kicked and shattered the glass during a domestic altercation.**Allegation #2:****Sustained – Violation of Rule 01**, “Violation of any law or ordinance,” in that on 26 May 2012, Officer A was arrested for Domestic Battery (RD #XXXXXXXXXX) on signed complaints from Subject 1.**Allegation #3:****Sustained – Violation of Rule 01**, “Violation of any law or ordinance,” in that on 20 June 2012, Officer A violated the order of protection by contacting Subject 1 via telephone and leaving several voice messages.