

## INTRODUCTION

On 14 October 2012, at approximately 2314 hours, the Merrionette Park (MP) Police Department responded to a 911 call at XXXXX S. Meadow Lane, in Merrionette Park, Illinois. MP Police Officer A responded and was met by the 911 caller who requested to be anonymous. The police report completed by MP Officer A indicated that the 911 caller observed a blue Ford Crown Victoria with municipal plates parked in front of XXXXX Meadow Lane in Merrionette Park, IL. The 911 caller observed a white male approach a black Ford with license plate #XXXXXXXX that was parked in front of XXXXX Meadow Lane. The 911 caller observed the white/male lying on the ground next to the passenger side of the vehicle and reach underneath it. The white male then entered the blue Ford Crown Victoria and left the scene.

Based on that information, MP Officer A located and interviewed the owner of the black Ford, Subject 1. According to MP Officer A's report of the interview, Subject 1 told the officer that she believed the person seen by her vehicle was most likely her former boyfriend, Chicago Police Detective A. Subject 1 said that she and Detective A ended a sixteen-year romantic relationship a year prior to the interview. MP Officer A's report included additional information from Subject 1 about Detective A's prior behavior toward Subject 1, which included allegations of stalking and other harassing activities. Subject 1 told MP Officer A that she never reported those activities because she did not want Detective A to get in trouble. MP Officer A reported this matter to CPD Sergeant A, who initiated a complaint with IPRA on behalf of Subject 1.

## ALLEGATIONS

On 15 October 2015, at 0107 hours, Sergeant A, Star #XXXX, initiated this complaint on behalf of the victim, Subject 1.

The victim, Subject 1, alleged that on 14 October 2012, at about 2314 hours, at XXXXX Meadow Lane, Merrionette Park, IL., that (ex-boyfriend) **Detective A, Star #XXXXX, Unit XXX**, while on duty:

- 1) Tampered with her vehicle in that he was observed exiting his unmarked squad car and kneeling down and reaching underneath her vehicle, in violation of Rule 2; and

The victim, Subject 1, further alleged that (ex-boyfriend) **Detective A, Star #XXXXX, Unit XXX**:

- 2) Stalked her which leads her to believe that she is under surveillance, in violation of Rule 2; and
- 3) Harassed her by sending her unwanted emails and text messages, in violation of Rule 2; and

IPRA Investigator A further alleged that on 14 October 2012 at about 2314 hours, at XXXXX Meadow Lane, Merrionette Park., IL., that **Detective A, Star #XXXXX, Unit XXX**, while on duty:

- 4) Drove his assigned police vehicle #4241 beyond the City of Chicago limits without justification, in violation of Rule 6 and Rule 30.

#### **APPLICABLE RULES AND LAW**

- **Rule 2:** Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- **Rule 6:** Disobedience of an Order/Directive, Whether Written or Oral.
- **Rule 30:** Leaving Duty Assignment without being Relieved/Authorization.
- **Uniform and Property U02-01-01 Vehicle Assignment, Allocation and Operation.** Section III, C, 1. Members may operate Department vehicles beyond the City of Chicago limits when:
  - A. Conducting an investigation of a police related matter, and
  - B. Performing an approved Department assignment.

#### **INVESTIGATION**

The **Initiation Report**, completed by Sergeant A #XXXX, documented that on 14 October 2012, she responded to a request for a supervisor by the Merrionette Park Police Department. Sergeant A responded to an incident involving Detective A #XXXXX and his former girlfriend, Subject 1.

Upon arrival, Sergeant A met with Merrionette Park Police Officer B #XXX and Subject 1. Sergeant A was informed that the Merrionette Park Police received a 911 call from an anonymous caller of a suspicious person, now known to be Detective A. The 911 caller observed a blue Ford Crown Victoria with municipal license plates stop near the residence located at XXXXX Meadow Lane, Merrionette Park., IL. The 911 caller claimed to have observed Detective A exit the vehicle, approach Subject 1's vehicle, reach underneath it and then leave. Subject 1 identified Detective A as her former boyfriend of sixteen years. Subject 1 accused Detective A of harassing and stalking her since the end of their relationship approximately one year ago. Subject 1 also alleged that Detective A had been emailing and texting her daily with information about her whereabouts which led her to believe that she was under surveillance by the detective. Subject 1 further alleged receiving phone calls from Detective A and stated that he was having her followed and left items inside her locked vehicle. (Att. 4)

The **Incident Report #XX-XXXX** from the Merrionette Park Police Department essentially provided the same account as the Initiation Report of CPD Sergeant A #XXXX. Subject 1 told the MP Officer that she had a file with all the emails and text messages that Detective A had sent her. However, the MP Officer did not view the emails. (Att 15).

On 19 October 2012, IPRA Supervising Investigator A conducted a telephone with Subject 1. During that interview, Subject 1 stated that she and Detective A had been in a sixteen-year relationship which ended the prior year. Subject 1 said that she and Detective A own two homes and are in the processes of liquidating them. Subject 1 suspects that her vehicle has a tracking device on it because Detective A knows too much about her whereabouts. Subject 1 also reported that she and Detective A share a joint checking account, and she suspected that he learned of some of her whereabouts by monitoring her debit card activity. Subject 1 agreed to provide a formal statement to IPRA.

Later that same day (19 October 2012), Subject 1 phoned IPRA and informed IPRA Investigator B that she changed her mind about providing a statement to IPRA because she did not want Detective A to face disciplinary action. Subject 1 stated that she believed that Detective A's actions were taken because he was still in love with Subject 1. (Atts. 9, 13)

**GPS Report and Attendance & Assignment reports** established that on 14 October 2012, Detective A was on-duty and assigned to Beat #XXXXX and vehicle #4241. The GPS report revealed that at 2247 hours, Detective A drove his police vehicle from the location of XXXX W. Diversey Parkway and drove southbound on the Kennedy Expressway. At 2310 hours, Detective A stopped for about 30 seconds in the vicinity of XXXXX-XXXXX Meadow Lane, Merrionette Park, IL. At 2322 hours, Detective A drove northbound on the Dan Ryan Expressway and at 2338 hours stopped at XXXX N. Western Ave. (Atts. 7, 11, 12, 21, 28)

An **Affidavit Override** was requested based on the GPS evidence that confirmed that Detective A drove his police vehicle out of the city limits without permission or police related matter. (Att.16)

In a **statement to IPRA** dated 22 June 2016, accused **Detective A** was shown an affidavit override and informed that it was obtained based on him driving his assigned vehicle #4241 out of the boundaries of the City of Chicago for no police purpose.

Detective A admitted to violating the Department's policy when he drove his police vehicle to the residence of his former girlfriend, Subject 1, who lives in Merrionette Park, Illinois.

Detective A said that, at the time, he and Subject 1 had been separated for a year, after ending a sixteen-year relationship. Detective A said that he went to drop off some personal belongings. Upon arrival, Detective A said he approached Subject 1's vehicle and attempted to gain access inside by entering the password to the keyless entry lock of her vehicle. Detective A said that the vehicle entry password did not work, so he left. Detective A admitted that on other earlier occasions he entered Subject 1's vehicle using the same password. Detective A said that he never told Subject 1 that he was visiting and admitted that he did not have permission to enter her vehicle. Detective A was shown the police report which stated, "This male white was seen laying on the ground next to the passenger side of this vehicle reach under it and then get back in his vehicle and leave."<sup>1</sup> Detective A acknowledged being there on the date of that incident. In recalling the incident, Detective A explained that something fell out his

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<sup>1</sup> Att. 15, Merrionette Park Police Case #12-3037, pg. 2.

hand, and he knelt down to pick it up, but he denied tampering with or reaching underneath Subject 1's vehicle. Detective A admitted that he attempted to enter Subject 1's vehicle on that occasion without her permission, but claimed he was just dropping off legal papers for Subject 1. Detective A was asked why did he not mail the papers and he responded, "I just thought it'd be, I thought it'd be better just drop 'em off."<sup>2</sup> Detective A denied the allegations of stalking, conducting surveillance, harassing or sending Subject 1 unwanted emails and text messages.

## CONCLUSION

It is recommended that **Allegation #1**, that on 14 October 2012 at about 2314 hours, at XXXXX Meadow Lane, Merrionette Park., IL., Detective A tampered with Subject 1's vehicle, in that he was observed exiting his unmarked police vehicle, kneeling down and reaching underneath her vehicle, in violation of Rule 2, be **NOT SUSTAINED** due to the insufficient evidence to prove or disprove the allegation. Subject 1 did not fully cooperate with this investigation or sign a sworn affidavit. Although, Detective A admitted that he attempted to gain access into Subject 1's vehicle, he denied tampering with Subject 1's vehicle.

It is recommended that **Allegation #2**, that Detective A is stalking Subject 1 and leads her to believe that she is under surveillance, in violation of Rule 2, be **NOT SUSTAINED** due to the insufficient evidence to prove or disprove the allegation. Subject 1 did not fully cooperate with this investigation or sign sworn affidavit. Due to the lack of specific alleged incidents of stalking to investigate, and the parties' joint ownership of property and bank accounts, the evidence does not establish whether Detective A's contact with Subject 1 constituted stalking.

It is recommended that **Allegation #3**, that Detective A is harassing Subject 1 her by sending her unwanted emails and text messages, in violation of Rule 2, be **NOT SUSTAINED** due to the insufficient evidence to prove or disprove the allegation. Subject 1 did not cooperate or provide the alleged messages. Without her cooperation, the evidence does not establish whether Detective A's messages constituted harassment.

It is recommended that **Allegation #4** that on 14 October 2012, at about 2314 hours, at XXXXX Meadow Lane, Merrionette Park., IL., Detective A drove his assigned police vehicle #4241 beyond the City of Chicago limits without justification, in violation of Rules #6 and 30, be **SUSTAINED**. Detective A violated Uniform and Property, U02-01-01, Section III, C, 1a and 1b, when he operated department vehicle #4241 beyond the City of Chicago limits without justification. Detective A admitted that he left the city limits without a departmental purpose when he drove to Subject 1's home on 14 October 2012.

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<sup>2</sup> Att. 37, Transcription statement of Detective A, pg. 15, lines 29-30.

**FINDINGS:**

**ACCUSED**                      **Detective A, Star #XXXXXX, Unit XXX**

**Allegation #1-3**                **Not Sustained**

**Allegation #4**                **Sustained**

**Count #1**                      **Violation of Rule 6**, “Disobedience of an order or directive, whether written or oral,” in that Detective A, Star #21252, Unit 630, while on duty, violated Uniform and Property, U02-01-01, Section III, C, 1a and 1b, when he operated department vehicle #4241 beyond the City of Chicago limits without justification.

**Count #2**                      **Violation of Rule 30**, “Leaving duty assignment without being properly relieved or without authorization,” in that Detective A, Star #21252, Unit 630, while on duty, drove his assigned police vehicle #4241 beyond the City of Chicago limits without any justification or authorization.