

**INTRODUCTION:**

On 22 and 23 April 2015, Officer A was involved in a domestic altercation with Subject 1. Responding CPD Sergeants, Sergeant B and Sergeant A, initially failed to take the appropriate actions. After returning to the home multiple times Officer A was arrested and charged with Domestic Battery. This investigation has resulted in multiple sustained allegations of misconduct against Officer A, Sergeant A, and Sergeant B.

**ALLEGATIONS:**

It is alleged that on 22 April 2015, at approximately 2330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A, #XXXXX**

- 1) Was involved in a domestic altercation with Subject 1, in violation of the Rules and Regulations of the Chicago Police Department (CPD). Specifically, Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person.
- 2) Referred to Subject 1 as a “bitch,” in violation of the Rules and Regulations of CPD. Specifically, Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person.
- 3) Stated words to the effect of, “She ain’t shit and this bitch don’t do shit,” in violation of the Rules and Regulations of CPD. Specifically, Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person.
- 4) Was under the influence of alcohol, in violation of the Rules and Regulations of CPD. Specifically, Rule 15, which prohibits intoxication on or off duty.
- 5) Drove his vehicle while above the legal BAC limit of .08, in violation of the Rules and Regulations of CPD. Specifically, Rule 15, which prohibits intoxication on or off duty.
- 6) Failed to comply with directions given to him by Sergeant B to leave the residence and not return, in violation of the Rules and Regulations of CPD. Specifically, Rule 6, which prohibits disobedience of an order or directive, whether written or oral.
- 7) Was insubordinate to Sergeant B both by actions and by stating words to the effect of, “This is my house, you can’t tell me what to do,” in violation of the Rules and Regulations of CPD. Specifically, Rule 7, which prohibits insubordination or disrespect toward a supervisory member on or off duty.

It is further alleged that on 23 April 2015, at approximately 0330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A**

- 8) Failed to comply with directions given to him by Sergeant A and/or Sergeant B when told to stay in the bedroom and away from Subject 1, in violation of the Rules and Regulations of CPD. Specifically, Rule 7, which prohibits insubordination or disrespect toward a supervisory member on or off duty.
- 9) Was involved in a domestic altercation with Subject 1 wherein he grabbed her, threw her to the floor and placed his knee on her head, in violation of the Rules and Regulations of CPD. Specifically, Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person.
- 10) Damaged the cellular phone belonging to Civilian 2, in violation of the Rules and Regulations of CPD. Specifically, Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department, and Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person.
- 11) Caused a scratch on Subject 1's face, in violation of the Rules and Regulations of CPD. Specifically, Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty.
- 12) Caused a knot on Subject 1's head, in violation of the Rules and Regulations of CPD. Specifically, Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty.
- 13) Attempted to impede on an investigation when he text messaged words to the effect of "don't sign" to Subject 1's cellular phone after the incident and his subsequent arrest, in violation of the Rules and Regulations of CPD. Specifically, Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

It is also alleged that on various dates, times and locations Officer A,

- 14) Attempted to impede on an investigation when he requested that Subject 1 not cooperate with the IPRA investigation because he would lose his job, in violation of the Rules and Regulations of CPD. Specifically, Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

It is alleged that on 31 July 2015, at an unknown time, while at The Circuit Court of Cook County, **Officer A**

- 15) Pled guilty to a misdemeanor simple battery in a domestic incident, in violation of the Rules and Regulations of CPD. Specifically, Rule 1, which prohibits violation of any law or ordinance and Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- 16) Was found guilty of a misdemeanor simple battery in a domestic incident, in violation of the Rules and Regulations of CPD. Specifically, Rule 1, which prohibits violation of any law or ordinance and Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

It is alleged that between 22 April 2015, at approximately 2330 hours, to 23 April 2015, at approximately 0330 hours, while inside XXXX S. Prairie Avenue, **Officer A**

- 17) Failed to secure his weapon in accordance with the Department Policy, in violation of Rule 6, which prohibits disobedience of an order or directive, whether written or oral. Contrary to Uniform and Property (U04-02):

Section X, A, which mandates that sworn Department members will secure their prescribed duty firearm when the prescribed duty firearm is not on their person.

Section X, B, which mandates that sworn members are encouraged to secure any/all other firearms which may be in their possession or under their control as mandated by Illinois Compiled Statute (ILCS) entitled "Firearms; Child Protection" (720 ILCS 5/24-9).

Section X, C, which mandates that sworn Department members not carrying their prescribed duty firearm on their person and not having an alternate means to secure the prescribed duty firearm will place a locking device on their prescribed duty firearm.

It is alleged that on 22 April 2015, at approximately 2330 hours, in the vicinity of XXXX S. Prairie Avenue, **Sergeant B, #XXXX**

- 1) Failed to register a log number when she became aware that it was alleged that Accused Officer A was intoxicated/impaired, contrary to General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking to higher authority for such action, in violation of the Rules and Regulations of

CPD. Specifically, Rule 6, which prohibits disobedience of an order or directive, whether written or oral.

- 2) Failed to register a log number when she became aware that Officer A had been involved in a domestic incident, contrary to General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking to higher authority for such action, in violation of the Rules and Regulations of CPD. Specifically, Rule 6, which prohibits disobedience of an order or directive, whether written or oral.
- 3) Allowed an intoxicated officer to drive a vehicle, in violation of Rules and Regulations of CPD. Specifically, Rule 10, which prohibits inattention to duty.

It is also alleged that on 23 April 2015, at approximately 0046 hours, in the vicinity of XXXX S. Prairie Avenue, **Sergeant B**

- 4) Failed to register a log number when she became aware that it was alleged that Officer A was intoxicated/impaired, contrary to General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking to higher authority for such action, in violation of the Rules and Regulations of CPD. Specifically, Rule 6, which prohibits disobedience of an order or directive, whether written or oral.
- 5) Failed to register a log number when Officer A was insubordinate towards her when he stated, "You ain't gonna tell me what to do in my house," contrary to General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking to higher authority for such action, in violation of the Rules and Regulations of CPD. Specifically, Rule 6, which prohibits disobedience of an order or directive, whether written or oral.
- 6) Failed to register a log number when Officer A failed to follow a direct order, in that he returned to XXXX S. Prairie Avenue after agreeing to leave, contrary to General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives

without looking to higher authority for such action, in violation of the Rules and Regulations of CPD. Specifically, Rule 6, which prohibits disobedience of an order or directive, whether written or oral.

- 7) Failed to register a log number when she became aware that Officer A had been involved in a domestic incident, contrary to General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking to higher authority for such action, in violation of the Rules and Regulations of CPD. Specifically, Rule 6, which prohibits disobedience of an order or directive, whether written or oral.

It is alleged that on 23 April 2015, at approximately 0046 hours, in the vicinity of XXXX S. Prairie Avenue, **Sergeant A, #XXXX**

- 1) Failed to register a log number when he became aware that it was alleged that Accused Officer A was intoxicated/impaired, contrary to General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking to higher authority for such action, in violation of the Rules and Regulations of CPD. Specifically, Rule 6, which prohibits disobedience of an order or directive, whether written or oral .
- 2) Failed to register a log number when he became aware that Officer A was insubordinate to Sergeant B, contrary to General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking to higher authority for such action, in violation of the Rules and Regulations of CPD. Specifically, Rule 6, which prohibits disobedience of an order or directive, whether written or oral.
- 3) Failed to register a log number when he became aware that Officer A had been involved in a domestic incident, contrary to General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking to higher authority for such action, in violation of the Rules and Regulations of CPD. Specifically, Rule 6, which prohibits disobedience of an order or directive, whether written or oral.

- 4) Failed to register a log number when he became aware that Officer A failed to follow a direct order, in that he returned to XXXX S. Prairie Avenue after agreeing to leave, contrary to General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking to higher authority for such action, in violation of the Rules and Regulations of CPD. Specifically, Rule 6, which prohibits disobedience of an order or directive, whether written or oral.

**APPLICABLE RULES AND LAWS:**

Rule 1: Prohibits violation of any law or ordinance.

Rule 2: Prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 6: Prohibits disobedience of an order or directive, whether written or oral.

Rule 7: Prohibits insubordination or disrespect toward a supervisory member on or off duty.

Rule 8: Prohibits disrespect to or maltreatment of any person, while on or off duty.

Rule 9: Prohibits engaging in any unjustified verbal or physical altercation with any person.

Rule 10: Prohibits inattention to duty.

Rule 15: Prohibits intoxication on or off duty.

Chicago Police Department General Order, GO 08-01-02; Specific Responsibilities Regarding Allegations of Misconduct

Chicago Police Department Uniform and Property, U04-02; Department Approved Weapons and Ammunition

Illinois Compiled Statute (ILCS) entitled, "Firearms; Child Protection" (720 ILCS 5/24-9)

**SUMMARY OF THE INCIDENT:**

On 22 April 2015, while off duty, Officer A, #XXXXXX, consumed an unknown number of alcoholic beverages. Between 22 April 2015, from approximately 2330 hours

to 23 April 2015 at approximately 0330 hours, while in the vicinity of XXXX S. Prairie, Officer A engaged in several verbal altercations with his child's mother, Subject 1. Subject 1 telephoned 911 several times requesting assistance. Supervisors responded to the scene on two separate occasions and attempted to resolve the situation. Following the departure of the responding police officers, on 23 April 2015, at approximately 0330 hours, while at XXXX S. Prairie, Officer A engaged in a physical altercation with Subject 1. Patrol officers returned to the home in response to 911 calls reporting the physical altercation and Officer A was ultimately arrested and charged with Domestic Battery.

### **INVESTIGATION:**

According to the **Initiation Report** dated 23 April 2015 and submitted by Sergeant B, #XXXX, on 23 April 2015 at approximately 0300 hours, officers were called to XXXX S. Prairie, the residence shared by Officer A and Subject 1. It is reported that Officer A was in a relationship with and has a child with Subject 1. It is also reported that Subject 1 related that, following a verbal altercation, Officer A grabbed her by her neck, threw her to the ground, and placed his knee on her head. It is further reported that Officer A pressed Subject 1's forehead into the floor. (Att. #4)

In a **Synoptic Report** dated 23 April 2015 and submitted by Sergeant C, #XXX, it is reported that Sergeant C received a telephone call from Officer B, #XXXX, regarding allegations of an on-going domestic dispute and arrest, along with allegations of intoxication while off duty, involving Officer A. Sergeant A initiated the complaint log number.

According to the information provided by Sergeant A, on 23 April 2015, Beat 214R had been assigned by OEMC to a "Domestic Disturbance" call at Officer A's residence. The responding officers met and spoke with Subject 1, who indicated that Officer A is the father of her child and that he was assigned to the XXX<sup>th</sup> District. Subject 1 related that she and Officer A had been engaged in a verbal altercation about their child being taken from the residence by Subject 1.

Subject 1 stated that the altercation turned physical with Officer A when he grabbed her by the throat and threw her to floor with his knee about her face and chest. Subject 1 sustained an abrasion on her face but refused medical treatment. Officer A was taken into custody on signed complaints, alleging that Officer A knowingly and intentionally caused bodily harm to Subject 1, in that he grabbed her, threw her to the floor and placed his knee on her head. Officer A was transported to the XXX<sup>nd</sup> District for processing. Sergeant A brought an additional allegation, that Officer A was intoxicated.

While at the XXX<sup>nd</sup> District Station on 23 April 2015, at 0617 hours, a breathalyzer test was conducted on Officer A. The results show Officer A to have a Blood Alcohol Content (BAC) of .085. Officer A was later reassigned to Unit XXX

(Alternate Response Section), pending the outcome of the Department investigation.  
(Att. #39)

## CIVILIAN STATEMENTS

### COMPLAINANT, Subject 1

In her statement to IPRA on 28 April 2015, **Complainant Subject 1** stated that she and Officer A had been in a relationship for several years. According to Subject 1, on 22 April 2015, she arrived at their residence and waited for Officer A to open the door for her as she did not have a key. Subject 1 stated that, once inside the residence, she and Officer A began arguing about photographs of their daughter, Civilian 1.

Based on Officer A's behavior, Subject 1 believed that he had consumed alcoholic beverages. Subject 1 stated that she attempted to leave the residence with her children<sup>1</sup> and Officer A would not allow her to. Subject 1 called 911 and requested police assistance. Subject 1 waited outside for the police to arrive. Subject 1 stated that, in response to her 911 call, Officers C and D<sup>2</sup> arrived, in uniform, and spoke with her. Subject 1 informed Officers C and D that Officer A was intoxicated.

Subject 1 stated that, while she was speaking with Officers D and C, Officer A came outside. Subject 1 recalled that Officer A identified himself as an officer to the responding officers and began talking to them about Subject 1. Referring to Subject 1, Officer A stated words to the effect of, "She ain't shit. This bitch don't do nothing." Officer C told Officer A to not disrespect Subject 1 in his presence. Subject 1 believed that Officer D requested a sergeant via the police radio.

Subject 1 indicated that a white female sergeant, now known as Sergeant B, arrived and spoke with the responding officers. Officer A continued to be rude and disrespectful to her in the presence of Sergeant B. Officers C and D informed Sergeant B that they smelled "liquor" coming from Officer A.

Subject 1 stated that Sergeant B asked Officer A to leave the residence. Officer A agreed to leave and not return to the residence for 24 hours. Soon after making the agreement, Officer A entered his personal vehicle and drove away from the scene. Sergeant B, Officer C and Officer D instructed Subject 1 to call 911 if Officer A returned before the 24 hour period elapsed. Sergeant B, Officer D and Officer C left the scene. Approximately ten minutes after the officers left, Officer A returned to the residence.

Subject 1 asked Officer A why he had returned to the residence and he replied that he wasn't "going anywhere." Subject 1 called 911 and reported that Officer A had returned to the residence. Officer C, Officer D and Sergeant B returned to the residence and attempted to speak with Officer A. According to Subject 1, Officer A began yelling

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<sup>1</sup> At the time of the incident, the ages of Subject 1's daughters were as follow; Civilian 2 12 YOA and Civilian 1 5 YOA.

<sup>2</sup> It should be noted that there is no relationship between Officer D and Subject 1.

at Sergeant B and informed her that she could not tell him what to do. Subject 1 added that Officer A stood close to Sergeant B and pointed his finger “in her face.”

Subject 1 stated that Sergeant B called for assistance and a black male uniformed sergeant, now known as Sergeant A, came to the residence. Sergeant B and Sergeant A spoke with each other, while Officers C and D were talking to Officer A inside the bedroom. Sergeant A walked inside the bedroom and spoke with Officer A. Sergeant B remained in the living room with Subject 1. Sergeant B informed Subject 1 that she smelled alcohol on Officer A’s person during her first visit but did not know that he was as intoxicated as he appeared to be now.

Sergeant A and Sergeant B spoke with Subject 1 and Officer A prior to leaving the residence. Sergeant A asked Subject 1 if she was comfortable with Officer A sleeping in one room and she would sleep in another room. Subject 1 and Officer A agreed to the instructions and the responding Department members left the residence.

Subject 1 stated that after the responding Department members left the residence Officer A came to the bedroom and knocked on the door. Officer A asked to speak with her and she opened the door. Officer A grabbed her by her sweater, pulled her out of room and led her into the bathroom. Officer A asked her why she had called the police. Subject 1 stated that, eventually, she was able to exit the bathroom.

Subject 1 left the residence and entered her vehicle. While inside her vehicle, Subject 1 noticed that she had missed several phone calls from her mother and Officer A’s mother. Subject 1 stated that while sitting in her vehicle, Officer A’s mother, Civilian 3, arrived in her vehicle. Civilian 3 approached her and asked her what was going on. Subject 1 explained that Officer A was intoxicated, was arguing with her, and had destroyed several boxes that her belongings were in during the course of the argument.

Civilian 3 told Subject 1 to come back into the residence with her. When Subject 1 and Civilian 3 entered the residence, Officer A began yelling again. Subject 1 went into her bedroom and locked the door. Officer A came to the door and demanded that Subject 1 come out of the bedroom. After Subject 1 refused, Officer A entered the children’s bedroom and picked up Subject 1’s oldest daughter, now known as Civilian 2 (12 YOA), from the bed, brought her to the bedroom door and stood Civilian 2 up at the door. Subject 1 became upset, opened the door and stated words to the effect, “I will kill someone over my kids.”

Subject 1 related that she began picking up her belongings, including her glass candle holder. Officer A lunged towards her and stated words to the effect of, “I’ll knock your ass out.” Subject 1 swung her glass candle holder up as she jumped back away from him. Officer A then grabbed her by the collar of her sweater, pushed her down on the floor, pushed her head on the floor and placed his knee on her back. The glass candle holder broke and there was glass on the floor. Subject 1 picked up a piece of glass from the floor and attempted to cut Officer A on his leg in an effort to get him off of her.

Subject 1 stated that she directed Civilian 2 to call the police. Subject 1 related that after Civilian 2 called 911, Officer A got up, grabbed Civilian 2's cellular phone and broke the screen with his hands. Subject 1 got up from the floor, ran inside the bathroom and called 911. Subject 1 related that Civilian 3 was present and witnessed this altercation take place.

Sergeant B responded to the residence for a third time and Sergeant A responded to the residence for a second time. Officer A was told that he was going to be taken to the XXX<sup>nd</sup> District Station. Subject 1 stated that this was Sergeant B's third time responding to the residence. Once Subject 1 arrived at the XXX<sup>nd</sup> District Station she spoke with several unidentified Department members regarding the incident with Officer A. Subject 1 stated that as she was completing the paperwork regarding the incident with Officer A, Officer A sent her a text message that stated, "Dnt sign."<sup>3</sup>

Subject 1 stated that since the incident on several occasions, Officer A has requested that she not cooperate with the IPRA investigation. Subject 1 could not be specific as to when, or how often, Officer A made these requests, though she stated that Officer A brought the topic up in conversation each time they talked. Officer A informed Subject 1 that if she cooperated with the IPRA investigation, he would lose his job. Subject 1 sustained a scratch on her face, a knot on her head and bruises about her body as a result of this incident. (Att. #21, 55)

### **WITNESS, Civilian 2**

Juvenile content redacted.

### **WITNESS, Civilian 3**

In her statement to IPRA on 04 May 2015 **Witness Civilian 3** stated that she is the mother of Officer A. Civilian 3 was at her son's residence on the date and time in question because she had received a phone call from Subject 1's mother, Civilian 4 who informed her that Subject 1 had called the police to Officer A's residence because she was having a problem with him. Civilian 3 informed Civilian 4 that she was going to go the residence.

Civilian 3 stated that, when she arrived to the location, Subject 1 was sitting inside her vehicle while Officer A was inside the residence with the children. Civilian 3 stated that she walked to Subject 1's vehicle to speak with her. Civilian 3 observed Subject 1 talking on her cellular phone. Civilian 3 could hear Officer A's voice through the speaker of the cellular phone. Civilian 3 told Officer A that she was coming into the residence to speak with him. Civilian 3 stated that Subject 1 walked upstairs with her and entered the residence.

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<sup>3</sup> During the standard booking process, an arrestee would not typically have access to his or her cell phone.

According to Civilian 3, once she was inside the residence Officer A he asked her why she had driven there. Civilian 3 explained that she received a telephone call from Civilian 4 stating that there was an issue at his residence. Civilian 3, Subject 1 and Officer A sat in the living room and began having a conversation about the conflicts between Subject 1 and Officer A.

According to Civilian 3, during that conversation, Subject 1 announced that she was going to move in with her mother, Civilian 4. Officer A asked Subject 1 how she was going to live with her mother when her mother was not capable of taking care of Subject 1 and her children. Civilian 3 recalled that Subject 1 became extremely upset, approached Officer A as he sat on the couch, stood over him, pointed her finger at him, and began yelling at him. Civilian 3 separated Subject 1 from Officer A and instructed them to go into separate bedrooms.

Civilian 3 stated that Subject 1 ran inside Officer A's bedroom, where she closed and locked the door. Officer A walked to the bedroom and knocked on the door. Subject 1 refused to open the door. Officer A walked into the second bedroom and picked up Subject 1 daughter, Civilian 2. Officer A carried her to the bedroom door, placed her on her feet, and had her stand in front of the door. Civilian 2 was crying while she was standing at the door. Subject 1 opened the door and threatened to "kill someone over (her) children."

Civilian 3 saw Subject 1 reach her hand inside the top drawer of a nearby dresser, at which time Officer A moved towards her and the two began to struggle. Civilian 3 saw Subject 1 go into the bathroom and emerge holding a candle encased in glass. Civilian 3 stated that Subject 1 lifted her arm up and back as if she was preparing to strike Officer A with candle, at which time Officer A grabbed Subject 1's arm. Subject 1 and Officer A fell to the floor and Subject 1 informed Civilian 2 to call the police.

According to Civilian 3, Officer A did not throw Subject 1 to the floor, rather, in her characterization of the physical contact, they both fell to the floor together. Civilian 3 stated that she did not observe Officer A commit any of the other actions alleged. Civilian 3 stated that when the police arrived Officer A left the residence and met the responding officers outside. (Att. #25, 96)

## EVIDENCE

The **Evidence Technician Photographs** of Subject 1 depict a scratch on the right side of her face, a mark on her bottom lip and a bruise on her forehead. (Att. #56)

According to the **Arrest and Case Reports** Officer A was arrested on 23 April 2015, at 0340 hours, at XXXX S. Prairie and charged with Domestic Battery. The arresting officers were Officers E, #XXXXX and F, #XXXX. It is reported that Officer A was arrested on signed complaints by Subject 1 in that Officer A grabbed her by her throat, threw her to the floor and placed his knee on her face and chest. Subject 1 reported that Officer A caused an abrasion to Subject 1's face. According to the lockup

screening log, Officer A was received into lockup on 23 April 2015 at 0758 hours. Officer A did not have any obvious pain or injury and did not appear to be under the influence of alcohol/drugs. (Att. #5, 7, 8)

According to documents from **The Circuit of Cook County** Officer A was charged with domestic battery, though the charge was later amended to battery on 31 July 2015. Officer A entered a plea of guilty to the amended charge of battery on 31 July 2015. (Att. #68 – 70)

An analysis of the **Chicago Police Department Event Queries and Transmissions** shows that the following relevant 911 calls and dispatch transmissions were made:

- 22 April 2015, at 2320 hours, a female, who identified herself as Subject 1, requested assistance from the police with her “children’s father who was drunk.” Subject 1 wanted to “get her children and their belongings.” Subject 1 related that she “did not know what was going on.”
- 22 April 2015, at 2322 hours, Beat 215R was dispatched to XXXX S. Prairie to “handle a child’s father who was drunk.” The incident was classified as a Domestic Disturbance.
- 22 April 2015, at 2327 hours, Beat 215R requested a sergeant; Sergeant B (Beat 210R) responded to the request and held herself en route.<sup>4</sup>
- 23 April 2015, at 0045 hours, Subject 1 related to the dispatcher that Officer A was told to leave by the initial responding officers, but had now come back to XXXX S. Prairie Avenue. Subject 1 requested police assistance.
- 23 April 2015, at 0047 hours, Beat 215R and Sergeant B responded again to the home.
- 23 April 2015, at 0101 hours, Sergeant A responded to the scene.
- 23 April 2015, at 0145, Sergeant A, Sergeant B, and Beat 215R clear the call as 1F.<sup>5</sup>
- 23 April 2015, at 0315 hours, Civilian 2 informed the dispatcher that a man was hitting her mother and pushing her mother on the floor. There was noise in the background and Civilian 2 was heard crying on the telephone.

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<sup>4</sup> The PCAD and OEMC records do not reflect that the officers cleared the initial call.

<sup>5</sup> 1F is the radio code for “Peace Restored.”

- 23 April 2015, at 0316 hours, Subject 1 called requesting police assistance. Subject 1 informed the operator that the father of her child was a police officer. Subject 1 informed the dispatcher that Officer A, “has his weapon on him, (and) put his hands on her.”
- 23 April 2015, at 0320 hours, Subject 1 informed the operator that she was involved in a “Domestic” with her child’s father, Officer A. Subject 1 also informed the operator that Officer A had been drinking.
- 23 April 2015, at 0322 hours, 215R, Sergeant B, and Sergeant A all respond back to XXXX S. Prairie Avenue.
- 23 April 2015, at 0407 hours, Beat 215R requested a report number for the arrest of Officer A.

(Att. #12 – 16, 81 – 89, 98)

A **photograph** submitted to IPRA via email from Subject 1 on 30 April 2015 depicted an unknown body part with a red mark. (Att. #34)

In a **screen shot of a text message** from Officer A to Subject 1, Officer A sent the message, “Dnt sign” at 5:05 AM on 23 April 2015.<sup>6</sup> (Att. 36)

On 05 May 2015, Subject 1 submitted **additional photographs** to IPRA that were taken by her on various dates. Subject 1 related that on 21 April 2015 she photographed the red mark on her left chest. On 23 April 2015, at 0105 hours, Subject 1 photographed the room of the apartment in which her belongings were. On 23 April 2015, at 0338 and 0339 hours, Civilian 2 photographed Subject 1’s injuries to her forehead, face and lip. The photographs depict what appears to be a bruise to Subject 1’s forehead, bottom lip and the right side of her face. On 23 April 2015, at 1611 hours, Subject 1 photographed the right side of her face. The photograph depicts a scratch on the right side of her face. (Att. #37)

According to the **Chicago Police Department Alcohol/ Drug Influence Report** on 22 April 2014, Officer A consumed chips, juice, and approximately three Long Island Ice Teas (alcoholic beverages) between 1930 hours and 0230 (23 April 2015). The Breath Analysis Test was conducted on 23 April 2015, at XXXX W. Wentworth, at 0611 hours. The Breath Test Results were .085. (Att. #42, 43)

According to the **Back Extrapolation** results from the Illinois State Police, the possible estimate of the blood alcohol concentration for Officer A on 22 April 2015 at 2321 hours was between 0.149 and 0.217 g/dL. (Att. #67)

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<sup>6</sup> In his statement to IPRA, Officer A acknowledged sending this text message as the arrest process was beginning, while he and Subject 1 were at the district, in separate locations.

According to the **Equipment Transaction Receipt** Officer A was relieved of his police powers pending the conclusion of the aforementioned log number. (Att. #46)

## **POLICE OFFICER STATEMENTS**

### **WITNESS OFFICER C**

In his statement to IPRA on 30 June 2015, **Witness Officer C, #10441**, stated that he and his partner, Officer D, were dispatched to XXXX S. Prairie Avenue concerning a domestic dispute involving an intoxicated male. Officer C stated that, when they arrived, they were met by Subject 1. Subject 1 informed them that the father of her child was intoxicated, arguing with her, and preventing her from leaving the house with her children.

Officer C stated that, while speaking with Subject 1, a black male exited the building and approached them. The black male identified himself as off duty Chicago Police Officer A. Officer A began yelling at Subject 1, referring to her as a “bitch” and a “whore.” Officer C told Officer A to stop being disrespectful to Subject 1. Officer C related that Officer A voluntarily informed him that he had consumed several alcoholic beverages. Officer C related that a supervisor was then called to the scene.

Officer C stated that Sergeant B arrived and spoke with him and Officer D. Sergeant B was informed that Officer A had consumed several alcoholic beverages and that he was disrespectful to Subject 1. After Sergeant B spoke with Subject 1 and Officer A, Officer A agreed to drive to his parent’s house in Matteson, Illinois and allow Subject 1 to stay at the residence with the children. Officer A also agreed not to return to the residence until the next day. Officer C observed Officer A enter his vehicle and leave the scene. Officer C directed Subject 1 to contact the police if Officer A returned.

Officer C could not recall how much time had passed, but recalled being dispatched to XXXX S. Prairie Avenue a second time. Officer C stated that upon arrival he, Officer D and Sergeant B entered the building and spoke with Subject 1. Officer C related that Subject 1 indicated that Officer A had returned and was irate.

Officer C stated that Officer A was defiant towards Sergeant B’s instructions to not to return to the residence. Officer C stated that Officer A said words to the effect of, “What do you mean? I can do what I want. This is my house;” “She’s a bitch;” “Who are you to tell me how to handle my situation?” Officer C stated that Officer A pointed his finger in Sergeant B’s face as he was yelling. Sergeant B appeared to be upset and called for an additional sergeant.

Officer C and Officer D took Officer A to another room and Sergeant A walked in and began talking with Officer A. Sergeant A informed Officer A that his behavior was unacceptable. Officer C related that Sergeant A spoke with Officer A and Subject 1. Officer A and Subject 1 agreed to sleep in separate rooms and not speak to each other. After Subject 1 went into a bedroom with her children and locked the door, he, Officer D

and Sergeants A and B left the residence. Officer C smelled alcohol on Officer A's person but did not know that he was intoxicated. (Att. #57, 92)

### **WITNESS OFFICER D**

In his statement to IPRA on 01 July 2015, **Witness Officer D, #XXXXXX**, stated that he was dispatched to XXXX S. Prairie Avenue concerning a domestic dispute involving an intoxicated male. Officer D recalled that the dispatch mentioned children and that the male may have been refusing to let the complainant in the residence or remove belongings from the residence. Upon arrival, Officer D and Officer C were met outside by Subject 1. Subject 1 informed them that she wanted to take her children to her mother's house the father of her child was intoxicated, arguing with her, and preventing her from leaving the house with her children. Officer D described Subject 1 as frustrated and a little bit scared. Subject 1 made no allegations of a physical altercation.

Subject 1 informed Officers D and C that Officer A was a CPD member. Based on his training, Officer D called over the radio for a Sergeant. Officer D noted that he did not specify why he needed a Sergeant.

Officers C and D then separated Subject 1 and Officer A, who was now outside, as well. Officer C stayed with Subject 1 and Officer D stayed with Officer A. Officer D described Officer A as seeming OK, at first. He informed Officer D that he had just come back from having a couple of drinks, that Subject 1 wanted to take the children, and that he wanted to kick her out of the apartment. Officer D indicated that Officer A was disrespectful and derogatory towards Subject 1, calling her a bitch a couple of times. Subject 1 appeared hurt upon hearing Officer A state, "This bitch don't do nothing." Officer A did not appear intoxicated to the point of falling down, but may have been a little buzzed. Officer D noted that he could smell alcohol on Officer A's breathe a little bit. Officer D got the impression that Officer A knew what was happening. Officer A did not specifically tell Officer D what or how much he drank. Other than seeing Officer A in passing at the district, this was Officer D's first time meeting Officer A.

Sergeant B responded to Officer D's request for a Sergeant. Officer D told Sergeant B that Officer A was a police officer, that the incident was a domestic involving an intoxicated male on the premises, it involved a child, and that Subject 1 wanted to go to her mother's house. Officer D believed that he may have also told Sergeant B that Officer A told him that he had a couple of drinks. Sergeant B indicated that she wanted to talk to Officer A and, after doing so, she regrouped with Officers D and C, at which point they attempted to negotiate a resolution. Officer A did not want Subject 1 to leave with the children. Officer D stated that Officer A said he would go to his mother's house, and Sergeant B instructed him to do that. Subject 1 was then instructed to call the police if Officer A returned.

Somewhere between 10 to 20 minutes later, Officer D recalled receiving a dispatch indicating Officer A had returned. Upon arriving at the scene, Officer D recalled speaking first with Officer A. Officer A gave Officer D the impression that

everything was OK and that he had returned because he decided he did not want to drive all the way out to his mother's house in Matteson, Illinois. Rather, he just wanted to return home to sleep.

Officer D assumed that Sergeant B heard the dispatch regarding Officer A's return, because she also came back to the scene, arriving at about the same time as Officers D and C. Officer D described Officer A's demeanor as confrontational with Sergeant B, and Sergeant B ultimately called another Sgt. (Sergeant A) to respond to the scene. By the time Sergeant A arrived, Officer A had stopped being confrontational with Sergeant B. Although he could not recall specifically, Officer D noted that Sergeant A may have warned Officer A about being insubordinate. Sergeant A instructed Officer A and Subject 1 to stay in separate rooms for the night. Officer D got the impression that Officer A had calmed down and that he would be good and the separate room resolution would keep him from crossing paths with Subject 1.

Officer D did not recall being directed to draft a To/From regarding the incident.

Two and three hours later, Officer D recalled hearing via the radio that one of the children called and indicated that Officer A had kicked down at a door at the residence. There was also some mention of Officer A's weapon, but Officer D could not recall specifically whether the weapon was out or on Officer A. Officer D could not recall if what he heard on the radio mentioned whether Subject 1 had been struck.

Officer D did not know if Officer A was given a breathalyzer test. (Att. #58, 93)

### **ACCUSED SERGEANT B**

In her statement to IPRA on 20 August 2015, **Accused Sergeant B, #XXXX**, stated that, on the date of the incident, she responded to XXXX S. Prairie Avenue in response to a request for a supervisor. Upon her arrival, Sergeant B spoke with the responding officers and learned that the male involved in the domestic dispute was an off-duty police officer, Officer A. Sergeant B spoke to Subject 1 and was informed that Subject 1 "did not like Officer A's tone of voice," and had called the police only to prevent an argument. Sergeant B was not informed that there had been an argument between Subject 1 and Officer A.

Sergeant B stated that she was only called to the location because the responding officers were informed that an off-duty officer was present. Sergeant B related that the responding officers never informed her that they were responding to a call of an intoxicated male who was involved in a domestic disturbance. Sergeant B did not recall anyone informing her that Officer A was impaired and/or intoxicated. Sergeant B denied knowing, on her initial response to XXXX S. Prairie Avenue, that Officer A was involved in a domestic disturbance. Sergeant B related that Subject 1 informed her that she wanted to take her children and leave the residence.

Sergeant B stated that Officer A did not show any signs of being impaired and/or intoxicated during her contact with him. Sergeant B also stated that Subject 1 never informed her that Officer A was intoxicated. Sergeant B did state that Officers C and D informed her Officer A had admitted to consuming alcoholic beverages. Officer A informed Sergeant B that he had consumed “a couple of beers after work.” Sergeant B contended that she did not have any evidence that Officer A was intoxicated.

Sergeant B described Officer A as being calm and quiet during her interaction with him. Officer A informed Sergeant B that when he and Subject 1 entered the residence he asked Subject 1 a question, at which time Subject 1 became upset and walked outside.

Sergeant B stated that Officers C and D had not informed her about the interaction between Officer A and Subject 1 prior to her arrival. Sergeant B denied having been informed by the responding officers that Officer A referred to Subject 1 as a “Bitch.”

Sergeant B related that she did not instruct Officer A to leave the residence. Officer A volunteered to go to his mother’s house and allow Subject 1 and the children to stay in order to prevent a domestic incident. Officer A obtained several items from his residence, entered his vehicle and left the scene. Officer A did not appear to be intoxicated and/or impaired. Sergeant B related that she did not give Officer A a time limit as to when he could come back to the residence, as she did not order him to leave.

Sergeant B stated that after Officer A left the scene, she and the responding officers left the scene. Approximately 30 minutes later she was dispatched to return to Officer A’s residence. Sergeant B was informed that Officer A had returned but was not clear as to why the police had been called. Sergeant B was met at XXXX S. Prairie Avenue by Officers D and C. Subject 1 was also standing outside when she arrived. Subject 1 informed Sergeant B that Officer A had returned to the residence, laid down on his bed and acted as if nothing had occurred. Subject 1 told Officer A that he was not supposed to be at the residence. Subject 1 exited the residence and called the police.

Sergeant B, Officers C and D, walked up to the residence and were met by Officer A at the doorway. Sergeant B asked Officer A why he had returned to the residence. Officer A told Sergeant B that he returned because he did not feel that he should have to leave his residence. Sergeant B related that at some point, Officer A raised his voice and began to point his finger in her direction. Officers C and D stood between her and Officer A, and then escorted Officer A to a bedroom to speak with him. Sergeant B informed Officer A that Subject 1 was going to leave the residence and take her children with her. Officer A argued with Sergeant B about the decision. Officer A stated that if Subject 1 left with his child then he was going to take Subject 1’s belongings and throw them in the front yard. Sergeant B told Officer A that she “did not care.” Officer A stated words to the effect of, “you don’t care because it’s not your shit.”

Sergeant B stated that she contacted Sergeant A for his assistance with Officer A and Subject 1. Sergeant B related that when Sergeant A arrived he spoke with Officer A

and Subject 1. Sergeant B was not present during the conversation between Officer A and Sergeant A. Sergeant B related that Sergeant A asked Subject 1 if Officer A had physically abused her and if she was in fear for her safety regarding Officer A. Subject 1's answers to the questions were "no." Sergeant B related that she and Sergeant A spoke with Subject 1 and Officer A separately. Subject 1 and Officer A agreed to stay in the same residence for the night in separate bedrooms, without having contact with each other.

Sergeant B stated that several hours after she, Sergeant A, Officers C and D left the residence, a twelve year old female telephoned 911 stating that a man was fighting her mother. Sergeant B she responded to the location along with Sergeant A and two responding officers. Sergeant B recalled that, when she walked inside the residence, she observed glass in the hallway of the residence. Sergeant B spoke with Civilian 3 (Officer A's mother) to obtain her account of the incident.

Sergeant B stated that Civilian 3 informed her that she came to the residence because Officer A was supposed to come to her house but he never made it there. Civilian 3 knew that Officer A and Subject 1 were not getting along and had been having a verbal argument. When Civilian 3 arrived to the residence Subject 1 was sitting in her vehicle. Civilian 3 spoke with Subject 1 and then brought Subject 1 upstairs with her. Civilian 3 attempted to mediate a reconciliation between Officer A and Civilian 4.

Sergeant B stated that Civilian 3 informed her that during the argument between Officer A and Subject 1, Subject 1 entered Officer A's bedroom and closed the door. Officer A approached the door and asked Subject 1 to open the door and come out. Civilian 3 stated that Officer A woke up Subject 1's daughter, Civilian 2, because Civilian 4 refused to open the door. Civilian 3 related that Subject 1 opened the door and Officer A and Subject 1 began to physically fight. Civilian 3 stated that Subject 1 attempted to hit Officer A with an object. As Subject 1 and Officer A were on the ground Officer A was attempting to hold Subject 1 down. Subject 1 told Civilian 2 to call the police.

Sergeant B denied observing Sergeant A commit the acts alleged against him. Sergeant B also denied committing the acts alleged against her. Sergeant B maintained that Officer A did not appear to be intoxicated. Sergeant B denied having knowledge that Officer A was involved in a domestic incident with Subject 1 during her initial two visits to Officer A's residence. Sergeant B contended that Officer A was not insubordinate toward her during the incident. (Att. #66, 95)

### **ACCUSED SERGEANT A**

In his statement to IPRA on 05 August 2015, **Accused Sergeant A, #XXXX**, stated that, on 23 April 2015, Sergeant B telephoned him on his cellular phone and requested his assistance with a domestic involving an off-duty Chicago Police Officer at XXXX S. Prairie Avenue. Sergeant A stated that, when he arrived, Sergeant B informed him that Officer A and Subject 1 were involved in an argument over their child. Subject

1 wanted to leave the residence and take her children with her. Officer A did not want Subject 1 to take their child out of the house.

Sergeant B explained to Sergeant A that she had previously responded to the home and Officer A had agreed to leave the residence and return the next day. Sergeant B explained that Officer A had left the residence, but had returned approximately 10 minutes later. Sergeant A stated that he walked inside the residence and spoke with Officer A about the situation. Sergeant A stated that he explained the various consequences to Officer A if he became involved in a domestic incident with Subject 1. Sergeant A related that Officer A appeared to have understood and agreed to stay at the residence inside of his bedroom and to avoid contact with Subject 1.

Sergeant A stated that he also spoke with Subject 1, who informed him that she was not in fear for her safety. Subject 1 also agreed to stay in the residence inside a locked bedroom with her children and to avoid contact with Officer A. Sergeant A related that after Subject 1 entered the bedroom and locked the door, he and the other responding Department members left.

Sergeant A stated that, approximately an hour later, two patrol officers were dispatched to Officer A's residence regarding a domestic dispute. Sergeant A stated that he arrived, entered the residence, and informed Officer A that he was being arrested. Sergeant A entered the bedroom, located Officer A's weapon inside his dresser drawer, secured, unloaded, and inventoried Officer A's weapon. Officer A was transported to the district for processing by the responding patrol officers.

Sergeant A stated that he spoke with Civilian 3 who related the same information she gave to Sergeant B.

Sergeant A described Officer A and Subject 1 as being amiable during his initial visit to the residence. Sergeant A agreed that Officer A may have been technically under the influence of alcohol, as Officer A admitted to having consumed alcoholic beverages, although he did not appear to be intoxicated. Sergeant A acknowledged that he failed to register a complaint log number after he became aware that Officer A was impaired. Sergeant A denied committing any other acts alleged against him. (Att. #62, 94)

### **ACCUSED OFFICER A**

In his statement to IPRA on 14 September 2015, **Accused Officer A, #XXXXX**, stated that, on the evening of 22 April 2015, he went to a local bar and consumed an unknown number of alcoholic beverages. Officer A stated that he received a telephone call from Subject 1 requesting that he come home to unlock the door for her and her children, as she did not have a key to the residence. Officer A stated that when he arrived at his residence he opened the door for Subject 1 and her children. Officer A stated that he and Subject 1 had a conversation regarding photographs that their child had taken. Officer A wanted to know where the pictures were so that he could give one to his mother. Officer A claimed that Subject 1 lied to him about the location of the pictures.

Officer A described the conversation between himself and Subject 1 as being calm. Officer A denied having a verbal altercation with Subject 1.

Officer A stated that he walked inside a bedroom that contained boxes that belonged to Subject 1. The boxes were torn and the contents were already in disarray. Officer A emptied the belongings on the floor and then placed the items inside of a plastic bag. As Officer A was placing the items inside the plastic bags Subject 1 exited the residence.

Officer A stated that several moments later he walked outside to find Subject 1 outside talking to Officers C and D. Officer A asked the officers why they had responded to his home. Officer A stated that one of the uniformed officers called for a supervisor via radio, after he informed them that he was an off-duty Chicago Police Officer. Officer A stated that, when Sergeant B arrived, she spoke with him and Subject 1 separately. Officer A was informed that Subject 1 called the police because she and Officer A had an argument.

Officer A stated that in order to prevent having further trouble, he volunteered to allow Subject 1 to stay at his residence, while he would drive to his mother's house in Matteson, Illinois. Officer A stated that as he was driving to the expressway, he changed his mind about going to Matteson and drove back to his residence. Officer A related that he entered his residence and walked into his bedroom so that he could go to sleep. Officer A did not say anything to Subject 1. Subject 1 did not say anything to him and she exited the residence.

Moments later, Subject 1, Sergeant B, Sergeant A, Officer C and Officer D came to his residence. Officer A had a conversation with Sergeant A, who informed him that having a domestic investigation against him could affect his career with the Chicago Police Department in a negative manner. Officer A, Subject 1 and Sergeant A came to an agreement that he and Subject 1 would stay in the residence for the remainder of the night in separate locked bedrooms.

Officer A stated that, when the responding Department members left the residence, he knocked on the bedroom door that Subject 1 and her children were in, to talk to her. Officer A related that he wanted to ask her why she called the police a second time. Officer A stated that Subject 1 told him that the officers had instructed her to call if Officer A returned to the residence. Officer A related that he and Subject 1 had a calm conversation regarding the incident and Subject 1 walked out of the residence.

Officer A stated that, moments later, Subject 1 and his mother, Civilian 3, came inside his residence. Officer A, Subject 1 and Civilian 3 sat inside the living room and had a conversation. During the conversation, Subject 1 became upset, walked into Officer A's bedroom, and locked the door. Officer A knocked on the bedroom door and told Subject 1 to come out of the bedroom, but Subject 1 refused.

Officer A walked inside the children's bedroom, picked up Subject 1 daughter, Civilian 2, from her bed, carried her to his bedroom door and stood her up in front of the door. Officer A related that the child was crying because he had woken her up from her sleep. Subject 1 opened the bedroom door and stated that she would "kill a motherfucker over (her) children."

Officer A stated that Subject 1 opened the dresser drawer in his room and attempted to grab his firearm that was stored there. Officer A related that he placed his hand over Subject 1's hand to prevent her from taking hold of his weapon. Officer A related that once he freed Subject 1's hand from his weapon, Subject 1 walked into the bathroom and began collecting some of her belongings, including a melted candle inside of a glass container. Officer A related that as Subject 1 exited the bedroom she raised the glass candle container as if she was going to strike Officer A with it.

Officer A wrestled with Subject 1 as she lunged at him. Officer A related that he and Subject 1 fell to the floor and the glass container broke. Officer A placed his knee on the center of Subject 1 back to hold her down. Officer A also kicked the broken glass away with his left foot, as Subject 1 attempted to cut his leg with the broken glass. Subject 1 told Civilian 2 to call the police. Officer A related that several moments later he got up from the floor, took Civilian 2's cellular phone, broke it in half, and walked downstairs to meet with the responding officers.

Officer A related that he was met downstairs by Sergeant A, Sergeant B and two unidentified officers. Officer A did not have a conversation with any of the responding Department members. Officer A remained downstairs with Sergeant B and the two unidentified officers. Officer A related that Sergeant A came downstairs with Officer A's weapon and he was transported to the XXX<sup>nd</sup> District for processing.

Officer A denied having any argument with Subject 1. Officer A explained that prior to the last time that Subject 1 called the police they were both calm and had a discussion about several issues. Officer A denied being intoxicated and/or impaired. Officer A denied having a conversation with Sergeant B during her second visit to his residence. Officer A denied that he informed the responding Department members that he had consumed alcoholic beverages, stating that it was irrelevant to the circumstances initially.

Officer A admitted to being involved in a domestic altercation with Subject 1 and damaging the cellular phone belonging to Civilian 2. Officer A did not recall referring to Subject 1 as a "bitch" and did not recall stating words to the effect of, "She ain't shit" or "this bitch don't do shit." Officer A related that if he had committed the acts he would have remembered doing so.

Officer A denied being under the influence of alcohol and stated that he did not know that his blood alcohol content was above the legal limit of .08 when he drove his vehicle away from his home. Officer A denied failing to comply with directions given to him by Sergeant B to leave the residence and not return, disputing that Sergeant B ever

ordered him to do so. Officer A contended that he volunteered to leave the residence but later changed his mind and returned.

Officer A denied being insubordinate to Sergeant B, as he stated that he did not recall saying words to the effect of, "This is my house, you can't tell me what to do." Officer A denied failing to comply with directions given to him by Sergeant A and/or Sergeant B when he was told to stay in the bedroom and away from Subject 1, as he stated that it was an agreement and not a directive. Officer A denied grabbing Subject 1, throwing her to the floor and placing his knee on her head. Officer A related that he and Subject 1 fell to the floor and that he placed his knee on her back to prevent from being injured by her. Officer A denied causing a scratch to Subject 1 face and causing a knot on her head.

Officer A admitted that he damaged the cellular phone belonging to Civilian 2, stating that he was frustrated about the entire situation. Officer A stated that he asked Civilian 2 to hand him the phone before damaging it.

Officer A denied attempting to impede on an investigation when he text messaged Subject 1 words to the effect, "don't sign." Officer A admitted that he sent the text message, and related that he did not want Subject 1 to cooperate with the criminal investigation as he feared he may lose his job if she did. Officer A claimed that he did not know that he was impeding on an investigation.

Officer A denied asking Subject 1 not to cooperate with the IPRA investigation.

Officer A admitted that he pleaded guilty to a misdemeanor simple battery in a domestic incident and that he was found guilty of the same. Officer A pleaded guilty because he did not want to risk being convicted on more serious charges.

In his statement to IPRA on 05 November 2015 **Officer A** admitted that he failed to secure his weapon in accordance to Department Policy on the date and time of the incident. Officer A removed his holstered weapon from his waistband and placed his holstered weapon in an unsecured dresser drawer. (Att. #75, 79 – 80)

## CONCLUSION:

<b>Accused#1:</b>	<b>Officer A, #XXXXXX</b>
<b>Allegations #1 – 5, 7 – 16:</b>	<b>Sustained</b>
<b>Allegations #6:</b>	<b>Not Sustained</b>

As to **Allegation #1**, that Officer A was involved in a domestic altercation with Subject 1, in violation of Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person, the R/I recommends a finding of **Sustained**. In their statements to IPRA, Subject 1, Civilian 2, Civilian 3 and Officer A, described the acts that took place on the date, time and location of the incident. Subject 1 gave a thorough description of Officer A's actions throughout the night of the incident. Officer A

admitted to having a domestic altercation with Subject 1. There is more than a preponderance of evidence that Officer A was involved a domestic altercation with Subject 1.

As to **Allegation #2**, that Officer A referred to Subject 1 as a “bitch,” and as to **Allegation #3**, that Officer A stated words to the effect of, “She ain’t shit and this bitch don’t do shit,” in violation of Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person, the R/I recommends a finding of **Sustained**. In their statements to IPRA, Subject 1, Officer C and Officer D heard Officer A make these statements. Officer C’s and Officer D’s independent observations support the allegation made by Subject 1. The preponderance of the evidence shows that it is more likely than not that Officer A made the statements.

As to **Allegation #4**, that Officer A was under the influence of alcohol, in violation of Rule 15, which prohibits intoxication on or off duty, the R/I recommends a finding of **Sustained**. In his statement to IPRA, Officer A admitted that he had consumed several alcoholic beverages prior to this event taking place. The breathalyzer test conducted subsequent to Officer A’s arrest and approximately seven hours after the initial incident, showed his Blood Alcohol Content (BAC) to be a .085. According to the back extrapolation conducted by the Illinois State Police, Officer A’s BAC at the time of the incident would have been between 0.149 to 0.217. The preponderance of the evidence shows that Officer A was under the influence while off duty.

As to **Allegation #5**, that Officer A drove his vehicle while above the legal BAC limit of .08, in violation of Rule 15, which prohibits intoxication on or off duty, the R/I recommends a finding of **Sustained**. In his statement to IPRA, Officer A admitted that he had consumed several alcoholic beverages. Officer A also admitted to driving his vehicle on the date and time of the incident. Officer A stated that he drove his vehicle because he did not feel impaired and/or intoxicated. The breathalyzer test conducted subsequent to Officer A’s arrest showed his Blood Alcohol Content (BAC) to be a .085. According to the back extrapolation conducted by the Illinois State Police, Officer A’s BAC at the time of the incident would have been between 0.149 to 0.217. The preponderance of the evidence shows that Officer A drove his vehicle while above the legal BAC limit of .08.

As to **Allegation #6**, that Officer A failed to comply with directions given to him by Sergeant B to leave the residence and not return, the R/I recommends a finding of **Not Sustained**. In his statement to IPRA, Officer A denied that Sergeant B directed him to leave the residence and not return. Officer A explained that he offered to leave the residence to prevent having an argument with Subject 1. Though Sergeant B denies that she gave Officer A a directive to leave the residence, Subject 1 contends that Sergeant B specifically instructed Officer A to leave. Officer C did not recall if Sergeant B directed Officer A to leave, but stated that he believed that Officer A volunteered to leave the residence. Officer D recalled Officer A offering to leave the residence and then Sergeant B subsequently instructing him to do so. There is insufficient evidence to prove or disprove the allegation, thus it must be not sustained.

As to **Allegation #7**, that Officer A was insubordinate to Sergeant B both by actions and by stating words to the effect of, "This is my house, you can't tell me what to do," in violation of Rule 7, which prohibits insubordination or disrespect toward a supervisory member on or off duty, the R/I recommends a finding of **Sustained**. In her statement to IPRA, Subject 1 related that when Sergeant B arrived to the residence a second time, Officer A was belligerent and yelled at Sergeant B. Subject 1 stated that Officer A also pointed his finger in Sergeant B's face. In their statement to IPRA, Officers D and C corroborated that Officer A was confrontational with Sergeant B. In her statement to IPRA, Sergeant B related that she did not feel as if Officer A was insubordinate. However, Sergeant B's submissions regarding this event lack credibility as she has consistently minimized Officer A's actions, contrary to the available statements and evidence. Officer A stated that he did not recall committing the acts alleged against him. The preponderance of the evidence shows that Officer A was insubordinate to Sergeant B.

As to **Allegation #8**, that Officer A failed to comply with directions given to him by Sergeant A and/or Sergeant B when told to stay in the bedroom and away from Subject 1, in violation of Rule 7, which the R/I recommends a finding of **Sustained**. In her statement to IPRA, Subject 1 related that Sergeant A directed her and Officer A to go into separate bedrooms for the remainder of the night. Subject 1 stated that, after the Department members left the residence, Officer A came to the bedroom and asked to speak with her. Subject 1 stated that she agreed to speak with him as he would not stop knocking on the bedroom door. In their statements to IPRA, Officers C and D related that Sergeant A directed Subject 1 and Officer A to stay in separate bedrooms for the remainder of the night. In her statement to IPRA, Sergeant B stated that Sergeant A told Subject 1 and Officer A to stay in separate bedrooms for the remainder of the night. In his statement to IPRA, Sergeant A confirmed that he directed Subject 1 and Officer A to stay in separate bedrooms for the remainder of the night. Officer A admitted that he failed to stay in a separate bedroom for the remainder of the night, as he had been directed to do. The preponderance of the evidence shows that Officer A failed to comply with directions given to him by Sergeant A and/or Sergeant B when told to stay in the bedroom and away from Subject 1.

As to **Allegation #9**, that Officer A was involved in a domestic altercation with Subject 1 wherein he grabbed her, threw her to the floor and placed his knee on her head, in violation of Rule 9, which prohibits engaging in any unjustified altercation with any person, the R/I recommends a finding of **Sustained**. Subject 1 related that Officer A grabbed her by her neck area, threw her to the floor and placed his knee on her head. In her statement to IPRA, Civilian 2 related that Officer A pushed Subject 1 on the floor and placed his knee on her back.

Though Officer A denied committing the act alleged against him by Subject 1 in his statement to IPRA, Officer A pled guilty in the Circuit Court of Cook County specifically to language that mirrors these allegations. The preponderance of the evidence shows that it is more likely than not that Officer A committed the acts as alleged.

As to **Allegation #10**, that Officer A damaged the cellular phone belonging to Civilian 2, in violation of Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department, and Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person, the R/I recommends a finding of **Sustained**. In his statement to IPRA Officer A admitted that after Civilian 2 telephoned the police he damaged her cellular phone. Officer A explained that he asked Civilian 2 to hand him the phone and then damaged the phone out of frustration. Civilian 2, however, explained that Officer A took her phone from her, and she tried to use her strength to get it back, but Officer A subsequently broke the phone. The preponderance of the evidence shows that Officer A damaged Civilian 2's cellular phone.

As to **Allegations #11 and #12**, that Officer A caused a scratch on Subject 1's face and a knot on Subject 1's head, in violation of Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty, the R/I recommends a finding of **Sustained**. Though Officer A denied committing the act alleged against him by Subject 1 in his statement to IPRA, Officer A pled guilty in the Circuit Court of Cook County specifically to language that mirrors the allegations of physical contact listed above. Injuries as a result of said physical contact are therefore attributed to being caused by Officer D. The preponderance of the evidence shows that Officer A caused a scratch on Subject 1's face and a knot on Subject 1's head.

As to **Allegation #13**, that Officer A attempted to impede an investigation when he text messaged words to the effect of, "don't sign," to Subject 1's cellular phone after the incident and his subsequent arrest, in violation of Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department, the R/I recommends a finding of **Sustained**. In his statement Officer A admitted that he sent the aforementioned message to Subject 1's cellular phone because he did not want Subject 1 to sign any complaint forms against him. The preponderance of the evidence shows that Officer A attempted to impede an investigation.

As to **Allegation #14**, that Officer A attempted to impede an investigation when he requested that Subject 1 not cooperate with the IPRA investigation because he would lose his job, in violation of Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department, the R/I recommends a finding of **Not Sustained**. In her statement to IPRA Subject 1 related that during several conversations with Officer A, he asked her not to cooperate with the IPRA investigation as he could lose his job. In his statement to IPRA, Officer A denied the allegation against him.

There is no direct evidence pertaining to this specific allegation. Subject 1 could not provide specific instances when these conversations occurred, nor could she provide witnesses to the conversations. In evaluating the investigation based on a preponderance of the evidence standard, the available information does meet the burden of proof

required to substantiate, or refute, the allegation. The reporting investigator therefore recommends a finding of Not Sustained.

As to **Allegations #15 and #16**, that Officer A pleaded guilty to a misdemeanor simple battery in a domestic incident, and that he was found guilty of the same charge, in violation of Rule 1, which prohibits violation of any law or ordinance and Rule 2, which prohibits any action or conduct which impedes on the Department's efforts to achieve its policy and goals or brings discredit upon the Department, the R/I recommends a finding of **Sustained**. In his statement Officer A admitted that he pleaded guilty to a misdemeanor simple battery and found guilty of the same charge. Officer A explained that he pleaded guilty because he did not want to "go through a trial."

As to **Allegation #17**, that Officer A failed to secure his weapon in accordance to the Department Policy, in violation of Rule 6, which prohibits disobedience of an order or directive, whether written or oral, the R/I recommends a finding of **Sustained**. According to the Department Uniform and Property Policy, "Sworn Department members will secure their prescribed duty firearm when the prescribed duty firearm is not on their person." It is also written that, "Sworn members are encouraged to secure any/all other firearms which may be in their possession or under their control as mandated by Illinois Compiled Statute (ILCS) entitled, "Firearms; Child Protection." (720 ILCS 5/24-9). Lastly, "Sworn Department members not carrying their prescribed duty firearm on their person and not having an alternate means to secure the prescribed duty firearm will place a locking device on their prescribed duty firearm." In his statement to IPRA, Officer A admitted that he failed to secure his weapon in accordance to the Department policy. There were also two minor children, ages 5 and 12, inside the household at the time of the incident.

<b>Accused #2:</b>	<b>Sergeant A, #XXXX</b>
<b>Allegations #1 &amp; 3:</b>	<b>Sustained</b>
<b>Allegations #2 &amp; 4:</b>	<b>Not Sustained</b>

As to **Allegation #1**, that Sergeant A failed to register a log number when he became aware that it was alleged that Officer A was intoxicated/impaired, in violation of Rule 6, which prohibits disobedience of an order or directive, whether written or oral, the R/I recommends a finding of **Sustained**. According the General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking for higher authority for such actions.

In her statement to IPRA, Subject 1 related that she informed all responding Department members that Officer A had consumed alcohol and was intoxicated. According to the Chicago Police Event Query, when Subject 1 requested police assistance she informed the operator that the father of her child (Officer A) was intoxicated. In their statements to IPRA, Officers D and C stated that Officer A informed them that he had consumed alcoholic beverages. Officers D and C also stated that they

informed the responding sergeants that they were responding to a call of an intoxicated male. Although Sergeant A stated that he did not recall having knowledge of Officer A's condition, the preponderance of the evidence shows that it is more likely than not that Sergeant A was well aware of the allegation of intoxication against Officer A when he responded to the address.

As to **Allegation #2**, that Sergeant A failed to register a log number when he became aware that Officer A was insubordinate to Sergeant B, the R/I recommends a finding of **Not Sustained**. In her statement to IPRA, Sergeant B stated that Officer A was not insubordinate. In their statements to IPRA, Officers D and C stated that they did not have any knowledge as to whether Sergeant B informed Sergeant A about Officer A's actions. In his statement to IPRA, Sergeant A stated that Sergeant B telephoned him and requested his assistance with the situation involving Officer A. Sergeant A related that he did not recall anyone informing him of Officer A's actions towards Sergeant B. However, Subject 1 specifically contends that Sergeant A was informed of Officer A's actions towards Sergeant B. There is insufficient evidence to prove and/or disprove the allegation, and as such it must be not sustained.

As to **Allegation #3**, that Sergeant A failed to register a log number when he became aware that Officer A had been involved in a domestic incident, in violation of Rule 6, which prohibits disobedience of an order or directive, whether written or oral, the R/I recommends a finding of **Sustained**. According the General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking for higher authority for such actions.

In his statement to IPRA, Sergeant A explained that he relied on his discretion when he advised Officer A and Subject 1 to stay in separate bedrooms. Sergeant A admitted that he should have registered a log number when he initially arrived. The preponderance of evidence along with Sergeant A's admission shows that Sergeant A failed to register a log number when he became aware that Officer A had been involved in a domestic incident.

As to **Allegation #4**, that Sergeant A failed to register a log number when he became aware that Officer A failed to follow a direct order, in that he returned to XXXX S. Prairie Avenue after agreeing to leave, the R/I recommends a finding of **Not Sustained**. In his statement to IPRA Sergeant A stated that he was not aware of any direct orders given Officer A prior to his arrival to the scene. Sergeant B related that she did not give Officer A a direct order to leave the residence. Officer C did not recall if Sergeant B directed Officer A to leave, but stated that he believed that Officer A volunteered to leave the residence. Officer D recalled Officer A offering to leave the residence and then Sergeant B subsequently instructing him to do so. However, Subject 1 contends that she specifically informed Sergeant A that Officer A had been given the order to leave by Sergeant B. There is insufficient evidence to prove and/or disprove the allegation, and as such it must be not sustained.

**Accused #3:** Sergeant B, #XXXX  
**Allegations #1 – 5, 7:** Sustained  
**Allegation #6:** Not Sustained

As to **Allegation #1**, that on 22 April 2015 Sergeant B failed to register a log number when she became aware that Officer A was intoxicated/impaired, in violation of Rule 6, which prohibits disobedience of an order or directive, whether written or oral, the R/I recommends a finding of **Sustained**. According the General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking for higher authority for such actions.

In her statement to IPRA, Subject 1 stated that each time that the Department members responded she informed them that Officer A was intoxicated. In their statements to IPRA, Officers C and D stated that they informed Sergeant B that they were responding an incident that involved an intoxicated male. In her statement to IPRA Sergeant B stated that she did not recall anyone informing her that Officer A was intoxicated, however she does recall that Officer A admitted to consuming several alcoholic beverages. According to the Chicago Police Department Event Queries, Subject 1 informed the call taker that Officer A was intoxicated. Although Sergeant B stated that she did not recall having any knowledge of Officer A's condition, the preponderance of the evidence shows that it is more likely than not that Sergeant B had knowledge that Officer A was intoxicated/impaired.

As to **Allegation #2**, that on 22 April 2015 Sergeant B failed to register a log number when she became aware that Officer A had been involved in a domestic incident, in violation of Rule 6, which prohibits disobedience of an order or directive, whether written or oral, the R/I recommends a finding of **Sustained**. According the General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking for higher authority for such actions.

In their statements to IPRA, Subject 1, Officer C and Officer D stated that they informed Sergeant B that Officer A had been involved in a verbal altercation with Subject 1. According to the Chicago Police Event Queries, Subject 1 had informed the call taker that she was having problems with the father of her child who was intoxicated. The preponderance of the evidence shows that Sergeant B failed to register a log number when she became aware that Officer A had been involved in a domestic incident.

As to **Allegation #3**, that Sergeant B allowed an intoxicated officer to drive a vehicle, in violation of Rule 10, which prohibits inattention to duty, the R/I recommends a finding of **Sustained**. In her statement to IPRA Subject 1 stated that she informed Sergeant B that Officer A was intoxicated. In her statement to IPRA, Sergeant B related

that Officer A informed her that he had consumed several alcoholic beverages. According to the Illinois State Police Back Extrapolation test, Officer A was over the legal BAC limit when Sergeant B allowed him to drive his vehicle. The preponderance of the evidence shows that Sergeant B allowed an intoxicated officer to drive a vehicle.

As to **Allegation #4**, that on 23 April 2015 Sergeant B failed to register a log number when she became aware that Officer A was intoxicated/impaired, in violation of Rule 6, which prohibits disobedience of an order or directive, whether written or oral, the R/I recommends a finding of **Sustained**. According the General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking for higher authority for such actions.

In her statement to IPRA, Subject 1 stated that each time that the Department members responded she informed them that Officer A was intoxicated. In their statements to IPRA, Officers C and D stated that they informed Sergeant B that they were responding an incident that involved an intoxicated male. In her statement to IPRA Sergeant B stated that she did not recall anyone informing her that Officer A was intoxicated, however she does recall that Officer A admitted to consuming several alcoholic beverages. According to the Chicago Police Department Event Queries, Subject 1 informed the call taker that Officer A was intoxicated. Although Sergeant B stated that she did not recall having any knowledge of Officer A's condition, the preponderance of the evidence show that Sergeant B failed to register a log number when she became aware that it was alleged that Officer A was intoxicated/impaired.

As to **Allegation #5**, that Sergeant B failed to register a log number when Officer A was insubordinate towards her when he stated, "You ain't gonna tell me what to do in my house," in violation of Rule 6, which prohibits disobedience of an order or directive, whether written or oral, the R/I recommends a finding of **Sustained**. According the General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking for higher authority for such actions.

In their statements to IPRA Subject 1, Officer C and Officer D all stated that when Sergeant B returned to the residence a second time, Officer A was confrontational and disrespectful to Sergeant B. Officer C stated that Officer A yelled at Sergeant B and pointing his finger in her face. Subject 1, Officer C and Officer D stated that Officer A stated words to the effect of, "You ain't gonna tell me what to do in my house." Officer A stated that he did not recall yelling at Sergeant B nor pointing his finger in her face. Sergeant B stated that Officer A was not disrespectful and explained that Officer A was simply upset about his situation. Sergeant B related that she did not feel as if Officer A was insubordinate. However, Sergeant B's submissions regarding this event lack credibility as she has consistently minimized Officer A's actions, contrary to the other

available statements and evidence. The preponderance of the evidence shows that Sergeant B failed to register a log number when Officer A was insubordinate.

As to **Allegation #6**, that Sergeant B failed to register a log number when Officer A failed to follow a direct order, in that he returned to XXXX S. Prairie Avenue after agreeing to leave, the R/I recommends a finding of **Not Sustained**. In their statement to IPRA, Officer C did not recall if Sergeant B directed Officer A to leave, but stated that he believed that Officer A volunteered to leave the residence. Officer D recalled Officer A offering to leave the residence and then Sergeant B subsequently instructing him to do so. Sergeant B stated that she did not give Officer A an order, and that he had volunteered to leave the residence. However, in her statement to IPRA, Subject 1 specifically related that Sergeant B told Officer A to go to his mother's house and to not return until the morning. There is insufficient evidence to prove and/or disprove the allegation, and thus it must be not sustained.

As to **Allegation #7**, that on 23 April 2015 Sergeant B failed to register a log number when she became aware that Officer A had been involved in a domestic incident, in violation of Rule 6, which prohibits disobedience of an order or directive, whether written or oral, the R/I recommends a finding of **Sustained**. According the General Order 08-01-02, Section II, B, 2, when misconduct is observed or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking for higher authority for such actions.

In their statements to IPRA, Subject 1, Officer C, and Officer D all stated that they informed Sergeant B that Officer A had been involved in a verbal altercation with Subject 1. In her statement to IPRA, Sergeant B stated that she did not recall being informed about a verbal altercation between Subject 1 and Officer A. The preponderance of the evidence shows that it is more likely than not that Sergeant B was notified of the domestic incident.

## **FINDINGS:**

**ACCUSED #1:** **OFFICER A, #XXXXX**

**Allegation #1:** **Sustained – Violation of Rule 9**, “Engaging in any unjustified verbal or physical altercation with any person while on or off duty,” in that on 22 April 2015, at approximately 2330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A, #XXXXX**, was involved in a domestic altercation with Subject 1.

**Allegation #2:** **Sustained – Violation of Rule 9**, “Engaging in any unjustified verbal or physical altercation with any person while on or off duty,” in that on 22 April

2015, at approximately 2330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A, #XXXXX**, referred to Subject 1 as a “bitch.”

- Allegation #3:** **Sustained – Violation of Rule 9**, “Engaging in any unjustified verbal or physical altercation with any person while on or off duty,” in that on 22 April 2015, at approximately 2330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A, #XXXXX**, stated words to the effect of, “She ain’t shit and this bitch don’t do shit.”
- Allegation #4:** **Sustained – Violation of Rule 15**, “Intoxication on or off duty,” in that on 22 April 2015, at approximately 2330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A, #XXXXX**, was under the influence of alcohol.
- Allegation #5:** **Sustained – Violation of Rule 1**, “Violation of any law or ordinance,” in that on 22 April 2015, at approximately 2330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A, #XXXXX**, drove his vehicle while above the legal BAC limit of .08.
- Allegation #6:** **Not Sustained**
- Allegation #7:** **Sustained – Violation of Rule 7**, “Insubordination or disrespect toward a supervisory member on or off duty,” in that on 22 April 2015, at approximately 2330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A, #XXXXX**, was insubordinate to Sergeant B both by actions and by stating words to the effect of, “This is my house, you can’t tell me what to do.”
- Allegation #8:** **Sustained – Violation of Rule 7**, “Insubordination or disrespect toward a supervisory member on or off duty,” in that on 23 April 2015, at approximately 0330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A, #XXXXX**, failed to comply with directions given to him by Sergeant A and/or Sergeant B when told to stay in the bedroom and away from Subject 1.
- Allegation #9:** **Sustained - Violation of Rule 9**, “Engaging in any unjustified verbal or physical altercation with any

person,” in that on 23 April 2015, at approximately 0330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A, #XXXXXX**, was involved in a domestic altercation with Subject 1 wherein he grabbed her, threw her to the floor and placed his knee on her head

**Allegation #10:**

**Sustained – Violation of Rule 2**, “Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department,” in that on 23 April 2015, at approximately 0330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A, #XXXXXX**, damaged the cellular phone belonging to Civilian 2.

**Sustained – Violation of Rule 9**, “Engaging in any unjustified verbal or physical altercation with any person,” in that on 23 April 2015, at approximately 0330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A, #XXXXXX**, damaged the cellular phone belonging to Civilian 2.

**Allegation #11:**

**Sustained – Violation of Rule 8**, “Disrespect to or maltreatment of any person, while on or off duty,” in that on 23 April 2015, at approximately 0330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A, #XXXXXX**, caused a scratch on Subject 1’s face.

**Allegation #12:**

**Sustained – Violation of Rule 8**, “Disrespect to or maltreatment of any person, while on or off duty,” in that on 23 April 2015, at approximately 0330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A, #XXXXXX**, caused a knot on Subject 1’s head.

**Allegation #13:**

**Sustained – Violation of Rule 2**, “Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department,” in that on 23 April 2015, at approximately 0330 hours, in the vicinity of XXXX S. Prairie Avenue, **Officer A, #XXXXXX**, attempted to impede on an investigation when he text messaged words to the effect of, “don’t sign,” to Subject 1’s cellular phone after the incident and his subsequent arrest.

**Allegation #14:**

**Not Sustained – Violation of Rule 2,** “Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department,” in that on various dates, times and locations, **Officer A, #XXXXXX,** attempted to impede on an investigation when his requested that Subject 1 not cooperate with the IPRA investigation because he would lose his job.

**Allegation #15:**

**Sustained – Violation of Rule 1,** “Violation of any law or ordinance,” in that on 31 July 2015, at an unknown time, while at The Circuit Court of Cook County, **Officer A, #XXXXXX,** pled guilty of a misdemeanor simple battery in a domestic incident.

**Sustained – Violation of Rule 2,** “Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department,” in that on 31 July 2015, at an unknown time, while at The Circuit Court of Cook County, **Officer A, #XXXXXX,** pled guilty of a misdemeanor simple battery in a domestic incident.

**Allegation #16:**

**Sustained – Violation of Rule 1,** “Violation of any law or ordinance,” in that on 31 July 2015, at an unknown time, while at The Circuit Court of Cook County, **Officer A, #XXXXXX,** was found guilty of a misdemeanor simple battery in a domestic incident.

**Sustained – Violation of Rule 2,** “Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department,” in that on 31 July 2015, at an unknown time, while at The Circuit Court of Cook County, **Officer A, #XXXXXX,** was found guilty of a misdemeanor simple battery in a domestic incident.

**Allegation #17:**

**Sustained – Violation of Rule 6,** “Disobedience of an order or directive, whether written or oral,” in that on 22 April 2015, at approximately 2330 hours to 23 April 2015, at approximately 0330 hours, while inside XXXX S. Prairie Avenue, **Officer A, #XXXXXX,** violated U04-02, X, C, of the

Department Orders, when he failed to secure his weapon in accordance to the Department Policy.

**ACCUSED #2:** **SERGEANT A, #XXXX**

**Allegation #1:** **Sustained – Violation of Rule 6**, “Disobedience of an order or directive, whether written or oral,” in that on 23 April 2015, at approximately 0046 hours, in the vicinity of XXXX S. Prairie Avenue, **Sergeant A, #XXXX**, violated G08-01-02, II, B, 2, when he failed to register a log number when he became aware that it was alleged that Officer A was intoxicated/impaired.

**Allegation #2:** **Not Sustained**

**Allegation #3:** **Sustained – Violation of Rule 6**, “Disobedience of an order or directive, whether written or oral,” in that on 23 April 2015, at approximately 0046 hours, in the vicinity of XXXX S. Prairie Avenue, **Sergeant A, #XXXX**, violated G08-01-02, II, B, 2, when he failed to register a log number when he became aware that Officer A had been involved in a domestic incident.

**Allegation #4:** **Not Sustained**

**ACCUSED #3:** **SERGEANT B, #XXXX**

**Allegation #1:** **Sustained – Violation of Rule 6**, “Disobedience of an order or directive, whether written or oral,” in that on 22 April 2015, at approximately 2330 hours, in the vicinity of XXXX S. Prairie Avenue, **Sergeant B, #XXXX**, violated G08-01-02, II, B, 2, when she failed to register a log number when she became aware that it was alleged that Officer A was intoxicated/impaired.

**Allegation #2:** **Sustained – Violation of Rule 6**, “Disobedience of an order or directive, whether written or oral,” in that on 22 April 2015, at approximately 2330 hours, in the vicinity of XXXX S. Prairie Avenue, **Sergeant B, #XXXX**, violated G08-01-02, II, B, 2, when she failed to register a log number when she became aware that Officer A had been involved in a domestic incident.

- Allegation #3:** **Sustained – Violation of Rule 10**, “Inattention to duty,” in that on 22 April 2015, at approximately 2330 hours, in the vicinity of XXXX S. Prairie Avenue, **Sergeant B, #XXXX**, allowed an intoxicated officer to drive a vehicle.
- Allegation #4:** **Sustained – Violation of Rule 6**, “Disobedience of an order or directive, whether written or oral,” in that on 23 April 2015, at approximately 0046 hours, in the vicinity of XXXX S. Prairie Avenue, **Sergeant B, #XXXX**, violated G08-01-02, II, B, 2, when she failed to register a log number when she became aware that it was alleged that Officer A was intoxicated/impaired.
- Allegation #5:** **Sustained – Violation of Rule 6**, “Disobedience of an order or directive, whether written or oral,” in that on 23 April 2015, at approximately 0046 hours, in the vicinity of XXXX S. Prairie Avenue, **Sergeant B, #XXXX**, violated G08-01-02, II, B, 2, when she failed to register a log number when Officer A was insubordinate towards her when he stated, “You ain’t gonna tell me what to so in my house.
- Allegation #6:** **Not Sustained**
- Allegation #7:** **Sustained – Violation of Rule 6**, “Disobedience of an order or directive, whether written or oral,” in that on 23 April 2015, at approximately 0046 hours, in the vicinity of XXXX S. Prairie Avenue, **Sergeant B, #XXXX**, violated G08-01-02, II, B, 2, when she failed to register a log number when she became aware that Officer A had been involved in a domestic incident.