

SUMMARY OF INCIDENT

Department of Children and Family Services (DCFS) initiated this complaint with IPRA on behalf of the victim, Juvenile 1. DCFS investigated and found merit to the allegation that CPD Officer A physically abused his son Juvenile 1 on February 20, 2015 when he grabbed Juvenile 1 and dragged him across the floor causing redness and injury to his back. Juvenile 1 was 9 years old at the time of the alleged incident. DCFS did not notify the Chicago Police Department to file a case report.

Civilian 1,¹ who is Juvenile 1's mother and Officer A's ex-wife, provided photographs that she took of Juvenile 1's injuries that allegedly occurred on February 20, 2015, which depict redness and apparent abrasions to Juvenile 1's back. However, Civilian 1² did not cooperate beyond providing pictures and declined to allow Juvenile 1 to be interviewed.

IPRA requested and obtained an affidavit override from the Bureau of Internal Affairs in order to complete this investigation.

ALLEGATIONS

It is alleged that on 20 February 2015, **Officer A, Star #XXXXXX**, while off duty:

1. Grabbed his son, Juvenile 1, and dragged him across the carpeted floor and caused injury to his back, in violation of Rule 8.
2. Failed to submit a report to his commanding officer indicating that he was under investigation by a governmental or lawful investigatory entity, in violation of Rule 6.
3. Failed to properly handle and secure his handguns and collection of weapons from his sons, in violation of Rule 2.

APPLICABLE RULES AND LAW

Rule 2: Any action or conduct which impedes the Departments efforts to achieve its policy and goals or brings discredit upon the Department.

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

Rule 8: Disrespect or maltreatment of any person while on or off duty.

Special Order 08-01-02, IV, A, Special situations involving allegations of misconduct: Department members will immediately submit a To-From-Subject report to their exempt unit commanding officer whenever they are under investigation by any outside law enforcement agency or governmental or lawful investigatory entity, or have knowledge that another member is under investigation by any law enforcement agency or governmental or lawful investigatory entity, regardless if the member has been contacted by that agency/entity.

¹ Officer A and Civilian 1 have known each other since grade school and were married in November of XXXX. They divorced on XXXX. They have two sons, Juvenile 1 and Juvenile 2, who were respectively nine and five years old at the time of the 2015 incident. The children primarily live with Civilian 1 and have visitation with Officer A, who resides with Officer B.

² Previously, on 20 April 2014, Civilian 1 initiated Log 1068697 and alleged that Officer A threatened her with a gun. On 11 January 2014, Civilian 1 initiated Log 1066973 and alleged that Officer A grabbed 4-year-old Juvenile 2 by his neck and lifted him up and yelled at him. Civilian 1 failed to cooperate with both these investigations. She also initiated Logs 1069778 and 1063144 in which she alleged that Officer A violated child visitation agreements; these investigations were Administratively Closed by the CPD Bureau of Internal Affairs.

INVESTIGATION

The redacted **DCFS investigation, SCR #XXXXXXX-X**, documented that DCFS investigated Alleged Perpetrator/Offender Officer A regarding allegations (11-Cuts Bruises Welts Abrasions and Oral Injuries) that he physically abused his son Juvenile 1 on 20 February 2015. DCFS interviewed Officer A, his sons Juvenile 1 and Juvenile 2, and his ex-wife Civilian 1. On 11 May 2015, DCFS closed the case with a finding of “Indicated” which means there was credible evidence that the abuse had occurred.³

DCFS received the complaint on 23 February 2015 from Civilian 1, who alleged that Officer A dragged his son Juvenile 1 by his legs across the carpet and over an extension cord, causing abrasions on Juvenile 1’s back. In the course of the investigation, Civilian 1 also reported that Officer A had been harsh with discipline in the past and had a history of suicide attempts, alcohol abuse and domestic violence.⁴ She also alleged that on the 27 February 2015, her son reported that he touched his father’s gun when he found it holstered on the floor of his father’s closet. Civilian 1 further reported that Officer A lives with Officer B who is also a Chicago Police Officer.⁵

Juvenile content redacted.

Juvenile content redacted.

Juvenile content redacted.

On an 18 April 2015 DCFS visit to Civilian 1’s home, she informed DCFS that Officer A’s visitation with his sons is now supervised visitation, and there have been no further incidents. Civilian 1 also complied with DCFS’s request and took Juvenile 1 for a medical examination with Doctor A and Doctor B. Both Juvenile 1 and Juvenile 2 reported to DCFS that they feel safe with their father and wanted to continue visiting him.

Officer A was interviewed on 23 April 2015 at his home, and admitted he grabbed Juvenile 1 by the waist and dragged him across his carpeted floor, causing Juvenile 1’s back to bruise. Officer A reported that his sons were fighting behind the couch, near a lamp, and he wanted them to stop. Juvenile 2 was crying after Juvenile 1 hit him. Juvenile 1 almost knocked over the lamp, so Officer A pulled Juvenile 1 away from the lamp. Investigator A reported that Officer A showed him a photo that displayed profound redness covering Juvenile 1’s entire back, waist to shoulders and side to side.

Officer A reported that he never allowed his sons to touch his guns or knife and bow and arrow collection, but showed DCFS the collection, which was in locked cases. (Att. 14).

³ Officer A became required to have third-party supervision during his sons’ visitation due to the DCFS investigation.

⁴ BIA Commander A was notified of the alleged suicidal tendencies, and a copy of the DCFS investigation was forwarded to BIA Commander A. Information related to Officer A’s alleged suicide/alcohol abuse is not summarized in this report. (Att. 25).

⁵ Civilian 1 also initiated Log #1069702 in which she alleged that Officer B screamed at her and called her a “fucking bitch” on 07 June 2014.



JUVENILE CONTENT REDACTED

On 14 May 2015, **Civilian 1** emailed **IPRA** the above **digital photographs of Juvenile 1**. Civilian 1 said that the photograph on the left was taken the night Juvenile 1 came home following the 20 February 2015 incident. Civilian 1 said the photograph on the right was taken the next morning and was scabbing over. (Att. 8)

Hospital A medical reports documented that on 05 March 2016, at 0938 hours, Civilian 1 requested an appointment to see Doctor B. Civilian 1 reported that Juvenile 1 still had traces of redness on his back and was told by DCFS to have Juvenile 1 examined for rug burns. During the examination later that day, Civilian 1 reported that on 20 February 2015, Juvenile 1 was visiting his father, Officer A, and after the visit, Civilian 1 noticed red marks on Juvenile 1's back. Juvenile 1 related that Officer A had pulled him across a carpet on the floor and over a vacuum cleaner cord. It was further reported that on 23 February 2015, Juvenile 1 met with his therapist, who suggested that Civilian 1 file a report about the incident with DCFS.

During an examination on 05 March 2016, Juvenile 1 was evaluated for a rug burn; his condition was diagnosed as mild, and documented as, "Three distinct areas of redness on upper/mid back, extending horizontally across, each somewhat linear in appearance, height measuring 1.0-1.5cm for each discolored area."

On 27 March 2015, Civilian 1 provided an update that the court ordered supervised visitation based on the abuse issue. (Att. 26)

In an **interview with IPRA** on 30 January 2017, **Officer B** said that she and Officer A are in a relationship and reside together. Officer B described herself as having a good relationship with Juvenile 1 and Juvenile 2. On 20 February 2015, Officer B remembered seeing Juvenile 2 standing over Juvenile 1 and kicking and hitting him on the face. Officer A attempted to separate his sons, but Juvenile 2 refused to stop hitting and kicking Juvenile 1. At that point, Officer A grabbed Juvenile 1 by the leg and pulled him away from Juvenile 2. Juvenile 1 was not wearing a shirt at the time, and Officer B subsequently observed a red spot on Juvenile 1's back. Officer B believed that Juvenile 1's injury was caused by the carpeted floor, and that Officer A did not intend to harm Juvenile 1. Officer A treated Juvenile 1's injury by placing ice on his back. Officer A took photos of Juvenile 1's back the following day when they were at a swimming pool. Officer B did not know what Officer A did with the photos.

When Officer A's sons visit, she and Officer A lock their weapons in their gun safes. Since this incident, she and Officer A installed three security cameras throughout the house. The cameras were installed in order to protect them from false allegations of abuse or sexual abuse that could be made by Civilian 1. (Att. 29)

In an **interview with IPRA** on 13 September 2016, **Accused Officer A** stated that on 20 February 2015 during visitation at his home, his sons got involved in a physical altercation with each other behind an ottoman. Officer A observed Juvenile 1 and Juvenile 2, who were near the glass door and bumping into the table lamp. Officer A feared that they would break the lamp and get injured. Although Juvenile 2 was fully behind the ottoman, Juvenile 1's lower legs were protruding from behind the ottoman. Officer A grabbed Juvenile 1 by both of his legs, below his knees and dragged him on his back until Officer A was able to get his hands under Juvenile 1's arms to pick him up. Officer A then removed Juvenile 2 from behind the ottoman. Juvenile 1 told him that his back was scraped, and Officer A observed a red mark on Juvenile 1's back, which was caused while dragging him across the carpet. The injury to Juvenile 1 was unintentional as Officer A was just trying to prevent Juvenile 1 from becoming injured in his struggle with his brother. A DCFS investigator asked Officer A about an electrical cord on the rug that may have also caused the injury to Juvenile 1's back. To the best of Officer A's recollection, he told the DCFS investigator that it was possible, but Officer A was not certain about what he told the DCFS investigator.

When he returned the children to his ex-wife Civilian 1 following the visit when the 20 February 2015 incident occurred, Officer A told Civilian 1 about what happened to Juvenile 1. Officer A was aware that Civilian 1 took photographs of Juvenile 1's back following the incident.

After IPRA showed Officer A photographs of Juvenile 1's back, Officer A said the mark he observed on Juvenile 1's back was only about 2-3 inches wide and not as large as the photographs shown to him depicted.

Officer A noted that Juvenile 1's skin tone is pale and his skin tends to discolor easily. Officer A denied that he photographed Juvenile 1's injuries and denied telling DCFS that he took photographs of Juvenile 1's injuries. Officer A confirmed that there were no other photos of Juvenile 1's injuries besides the ones that he viewed during his statement with IPRA.

Officer A owns a collection of guns and a knives, which includes the following duty weapons: Glocks 17, 19, 26, 380, and an AR15 rifle, which is securely locked at the district. Officer A also owns a Remington 870 Shotgun, three full tang knives, six folding knives and a compound bow and arrow. Officer A showed the DCFS investigator his weapons and how they were securely locked in boxes and cases. Officer A has heard on occasion that one of his sons had allegedly grabbed one of his weapons. Officer A admitted he showed Juvenile 1 his unloaded weapon, but has never allowed him to handle the weapon. Officer A has explained to Juvenile 1 the dangers of guns and knives and has shown him how to properly use a knife while cooking. Officer A denied the allegation that he failed to properly handle and secure his handguns and collection of weapons from his sons.

Officer A admitted that he failed to submit a To-From report to his commanding officer to notify the Department that he was under investigation by DCFS. Officer A believes he addressed this allegation with the Bureau of Internal Affairs over a year ago, but he was unable to provide the name of the CPD

supervisor who served him that allegation. Officer A also failed to produce a copy of the associated To-From report that addressed that allegation.⁶ (Att. 22)

CONCLUSION

IPRA recommends a finding of **Sustained** for **Allegation #1** against **Officer A** that on 20 February 2015, he grabbed his son, Juvenile 1, and dragged him across the carpeted floor and caused injury to his back, in violation of Rule 8.

The evidence obtained during this investigation established that Juvenile 1's injuries were caused by Officer A's action of dragging Juvenile 1 across the carpet. Officer A admitted it to DCFS and to IPRA, though he downplayed his role in the injury in his interview with IPRA. IPRA does not accept Officer A's contention that his actions in moving Juvenile 1 across the floor were minimal and were, in part, the fault of Juvenile 1's pale skin tone that tends to discolor easily when disturbed.

IPRA recommends a finding of **Sustained** for **Allegation #2** against **Officer A** that he failed to submit a To-From report to his commanding officer indicating that he was under investigation by a governmental or lawful investigatory entity, in violation of Rule 6 and Special Order 08-01-02, IV, A. Officer A admitted that he failed to notify his commanding officer in a To-From report that he was under investigation by DCFS for child abuse.

IPRA recommends a finding of **Not Sustained** for **Allegation #3** against **Officer A** that he failed to properly handle and secure his handguns and collection of weapons from his sons, in violation of Rule 2. Though Juvenile 1 reportedly told his mother and DCFS that on one occasion he handled his father's weapon without supervision, DCFS's report is minimal and lacks the specificity IPRA would prefer in making its finding. Since Civilian 1 would not allow her sons to be interviewed by IPRA, IPRA does not believe it has the evidence to sustain against the officer on this allegation.

FINDINGS

ACCUSED

Officer A, Star #XXXXXX

Allegation #1

Sustained - Violation of Rule 8, "Disrespect or maltreatment of any person, while on or off duty," in that Officer A dragged Juvenile 1 across the carpeted floor and caused injury to his back.

Allegation #2

Sustained - Violation of Rule 6, "Disobedience of an order or directive, whether written or oral," in that failed to submit a To-From report to his commanding officer indicating that he was under investigation by a governmental or lawful investigatory entity, in violation of Special Order 08-01-02, IV, A.

Allegation #3

Not Sustained

⁶ Inquiries to CPD, Bureau of Internal Affairs Division and Human Resources yielded no record that Officer A was served this allegation. (Atts. 24, 26).