

INTRODUCTION

Complainant alleged that Officer A, the father of three-year-old son, grabbed her by the neck, pulled her hair, punched her on the chest and knocked her down to the ground on 07 September 2015.¹

BACKGROUND

Complainant and Officer A have known each other for approximately five years and dated prior to the birth of their son, Juvenile 1, in June 2012. Complainant registered numerous complaints against Officer A beginning in August 2012, with three complaints in 2015. Officer A married Complainant in August 2013 and divorced her in April 2014.

On 24 September 2015, Civilian 1 provided statements to IPRA and recanted allegations she previously supported against Officer A. Civilian 1 reported that Complainant had been abusive to her and she was in the process of becoming emancipated from Complainant. In the past, Complainant instructed her on what to say to IPRA to corroborate Complainant's allegations against Officer A. Civilian 1 stated that she was coerced by Complainant to provide IPRA accounts, where she at times was not a witness, and failure to comply placed Civilian 1 in fear of receiving physical harm or being removed from the home. Civilian 1 did not recall all of the details of the incidents, but reported that to protect herself from additional abuse, she followed Complainant's instructions to lie to IPRA.

ALLEGATIONS

It is alleged that on 07 September 2015, at XXXX S. Winchester Avenue, the accused, **Officer A, #XXXX, Unit XXX:**

1. Grabbed and pulled Complainant by the hair in violation of Rule 8,
2. Pulled Complainant out of her vehicle in violation of Rule 8,
3. Grabbed Complainant by the neck in violation of Rule 8,
4. Punched Complainant on her chest in violation of Rule 8,
5. Grabbed Complainant's arms and pulled them behind her in violation of Rule 8,
6. Pushed Complainant against a fence in violation of Rule 8, and
7. Threatened Complainant, "Watch your back, I'm going to get you," in violation of Rule 9.

¹ Complainant has a lengthy history of providing false statements to 911, CPD and IPRA. Previous IPRA investigations established that Complainant made false allegations against Officer A. Complainant has registered approximately seven complaints against Officer A, including three in 2015. See Logs # 1056615, 1059216, 1065485 and 1075784.

APPLICABLE RULES AND LAW

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

Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

INVESTIGATION

In her statement to IPRA on 09 September 2015, **Complainant** alleged that upon her arrival on 07 September 2015 to the home that she shared with her daughter, Officer A opened the door of her truck, pulled her out by her hair, punched her on the chest, slammed her onto the ground and pinned her arms behind her back. Off-duty Officer A then told her she was under arrest and while holding her arms, stood her up and walked with her, and pushed her face-forward into a fence. On-duty officers arrived and arrested Complainant. Complainant sustained bruising about her chest, right shoulder, neck and both legs. She sought medical treatment at Hospital A. Complainant identified witnesses to the incident as Civilian 2, Civilians 3 and 4, her daughter Civilian 1 and Civilian 5. (Att. 47)

Witnesses to the incident **Civilian 2, Civilian 1, Civilian 4, Civilian 6** and **Civilian 5** did not support Complainant's description of the incident and denied that Officer A abused Complainant, but did see him place her under arrest. Additionally, **Civilian 1, Civilian 2** and **Civilian 4** stated that Complainant had personally told them that she had lied about Officer A in the past to the Police Department to get Officer A in trouble. (Atts. 38, 41, 51, 55, 59, 61, 67, 113, 114)

The **Medical Records** from Hospital A documented that Complainant sought treatment on 08 September 2015 for pain and was diagnosed with musculoskeletal pain. (Att. 33)

OEMC documented that several 911 calls were placed on 07 September 2015 involving Complainant reporting that she was locked out of her daughter's apartment; Civilian 1 reporting that her mother broke a window and stole money; and a battery-in-progress call when Civilian 1 reported that her intoxicated mother was yelling and being aggressive. (Atts. 8-11)

The **Arrest Report** documented that Complainant was arrested on 07 September 2015 at 1600 hours for Simple Assault of Civilian 1. Complainant reportedly lunged at Civilian 1 while swinging her arms, and then off-duty Officer A detained Complainant. (Att. 4)

The **Original Case Report (RD#HYXXXXXX)** documented that Complainant was arrested after she arrived at the scene, engaged in a verbal altercation with her daughter, Civilian 1 then lunged at Civilian 1 swinging her arms in an attempt to strike Civilian 1's face. Off-duty Officer A was at the scene and immediately stopped Complainant from battering Civilian 1 and detained Complainant for the officers. (Att. 6)

Evidence Technician Photographs document that Complainant displayed bruising on her shoulder, neck, legs and chest and an abrasion on her forehead.² (Att. 49)

In his statement to IPRA, **Officer A** admitted that in the course of arresting Complainant on 07 September 2015, he grabbed her arms and pulled them behind her. He reported that Complainant tried to attack Civilian 1 during a dispute over stolen rent money and he intervened and arrested her. Officer A denied the remainder of the allegations. (Att. 115)

CONCLUSION

The evidence established that Complainant's credibility is diminished. She has a felony conviction for making a false report to 911, and her daughter Civilian 1 reported that she was instructed to lie to IPRA in the past on behalf of her mother. Further, several witnesses stated that Complainant told them that she has lied to the Police Department in the past about Officer A in order to get him in trouble.

IPRA recommends a finding of **Unfounded** as it pertains to **Allegations #1-4** and **6-7** that Officer A physically abused Complainant on 07 September 2015 in violation of Rules 8 and 9. The witnesses accounts of the incident do not support any of the allegation of physical abuse by Officer A.

IPRA recommends a finding of **Exonerated** as it pertains to **Allegation #5** that Officer A grabbed Complainant's arms and pulled them behind her in violation of Rule 8. The evidence supports that Officer A was justified in arresting and detaining Complainant because she assaulted Civilian 1.

² At the time of the incident, Complainant was involved in a physically abusive relationship with Civilian 7, who subsequently fatally stabbed Complainant on 20 February 2016 (HZ-XXXXXX).