

INTRODUCTION:

On June 25, 2015, at approximately 0706 hours, the complainant, Subject A, exited her home located at XXXX S. King Drive, 3rd Floor. She was accompanied by the two children (Minor A and Minor B that she has in common with her ex-husband, accused Officer A. Upon exiting, she observed Officer A, parked behind her vehicle. Officer A was there to take their son, Minor B to summer camp registration. As Subject A walked down the stairs to the lot, she called the police. Subject A explained that her vehicle was parked in a secured parking lot, but the gate was broken and anyone could access the lot. Subject A asked Officer A to move his vehicle, but he refused because he thought they were going to have a conversation about their son. Subject A and Officer A exchanged words as Subject A entered her vehicle. Officer A then entered his vehicle and a short time later the police arrived. The sergeant that arrived on the scene, now believed to be Sgt. A, asked Officer A to move his vehicle and he complied. Subject A then left for work, with both children, with no further incident.

ALLEGATIONS:

It is alleged that on 25 June 2015, at approximately 0730 hours, while at the location of XXXX S. Dr. Martin Luther King Drive (Parking Lot), while off-duty, **Officer A #XXXX**:

- I) Blocked Subject A's vehicle with his vehicle and refused to move the vehicle, in violation of Rule 9 — engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

INVESTIGATION:

In the **initiation report** submitted by Sgt. A, it was reported by Subject A that her ex-husband, Officer A blocked her vehicle with his vehicle. It is alleged that Subject A asked Officer A to move his vehicle and he refused. According to Subject A, Officer A came to her home without permission, to pick up their children too early. Officer A told Sgt. A that he called Subject A, but she did not respond. Officer A subsequently arrived early to pick up the children due to no school and to register their son to summer camp. (Att. #4)

In an interview with IPRA on June 25, 2015, **Complainant, Subject A** indicated that prior to June 25, 2015, she and her ex-husband, Officer A, had a disagreement about taking their son to enroll in summer camp. Officer A sent a text to Subject A on June 24, 2015, indicating that he would be picking up their son on the morning of June 25, 2015 to take him to camp. Subject A replied back via text that she was taking their son to work with her that day (June 25, 2015) and he could pick him up afterwards (4:00 p.m.).

According to Subject A, on June 25, 2015, at approximately 0730 hours, she and her two children (Minor A and Minor B) were walking down the stairs from her third floor unit to her car which was parked in a private parking lot. She then observed Officer A parked behind her vehicle. Subject A indicated that the security gate was broken and anyone could enter the private parking lot. Subject A related that their kids ran to Officer A's vehicle and she remained on the stairs. Subject A then called her current husband, who was still in the unit, and informed him that Officer A was parked behind her vehicle. Her husband told Subject A to call the police and she complied.

After calling the police, Subject A told her kids to get into her the car. She then asked Officer A why he was there. Officer A responded, "You won't communicate with me." At some point during this conversation, Subject A told Officer A to move his car and he replied, "No, we need to talk." Subject A explained to Officer A that she sent him a text message telling him to pick up their son at 4:00 p.m. Officer A told Subject A that he wanted to take the kids with him at that time and she refused. According to Subject A, Officer A began to raise his voice. Subject A entered her vehicle to avoid an argument and locked the door. During that time, the desk sergeant called Subject A and informed her that they were on the way.

Subject A related that Officer A sat in the vehicle and did not move the vehicle. Several officers finally arrived on the scene including the sergeant. Subject A exited her vehicle and explained the situation to the sergeant. The sergeant told Officer A to move his car and he complied. The sergeant then told Subject A to go to work so she won't be late and he would call her with the complaint information. Subject A entered her vehicle and left the scene with both children. Subject A indicated that she spoke to the sergeant when

she got to work and obtained her complaint information.

Subject A indicated that she had never had any domestic issues with Officer A prior to June 25, 2015. Subject A explained that she and Officer A have joint custody, but they do not have a legal child custody agreement. (Att. #7)

In an interview with IPRA on November 25, 2015, **Accused, Officer A**, indicated that on June 25, 2015, he ended his tour of duty at approximately 4:00 a.m. and went home. Officer A related that at approximately 6:00 a.m., he went to the home of Subject A (Officer A's ex-wife). According to Officer A, he came to Subject A's home to pick up their son (Minor B) and register him for summer camp. Officer A indicated that Subject A knew about his plans to pick up their son, prior to June 25, 2015. Officer A sent Subject A several text messages but Subject A had not communicated with him. When Officer A arrived to XXXX S. King Drive he parked behind Subject A car, which was parked in a secured parking lot. According to Officer A, the parking lot was not secured, because the gate was broken and open to the public.

Officer A stated he fell asleep and was awakened by his daughter knocking on his window. At this time, Subject A informed him that she was taking their daughter to school and their son to her job. Subject A told Officer A that he could pick up their son after work at 4:30 p.m. Officer A reported that he did not think that was feasible since Subject A works at Cook County Jail and he was available to take him to camp registration.

Officer A exited his vehicle to speak with Subject A and she said, "Get from behind my car." During this time, the police arrived on the scene. Officer A stated that he had no idea that Subject A called the police. When officers arrived on the scene, Officer A spoke to the sergeant who asked him to move his vehicle to which Officer A complied. Subject A immediately left the scene with the children with no further incident. Officer A related that he did not move his car when Subject A initially exited her home, because he thought they would have a conversation. The sergeant informed Officer A that he would call him if Subject A initiated a complaint, but the sergeant never called.

Officer A indicated that he had not spoken to Subject A prior to June 25, 2015, although he sent her several text messages. Officer A further related that he showed up that morning, because they had already agreed to him taking their son to camp. Officer A explained that they have a court issued custody agreement, but they agreed to handle details of the agreement without a judge. Officer A related he and Subject A never had a domestic dispute during the time they were married. Officer A denied the allegation made against him. (Att. #15)

CONCLUSION:

IPRA recommends a finding of **Unfounded** for allegation #1, against Officer A. During the interview with Subject A, she stated when she observed Officer A blocking her vehicle; she called her husband, who told her to call the police. Subject A admitted that she called the police before she told Officer A to move his car. Officer A admitted to parking behind Subject A's vehicle and indicated that he did not move it immediately because he thought they were going to have a conversation about their son. Officer A indicated that he moved his vehicle once the sergeant asked him to do so. Officer A denied intentionally impeding Subject A from leaving the scene. Also, since Officer A and Subject A do not have a steadfast custody agreement, neither party violated any court orders. Furthermore, Subject A and Officer A both indicated that they never had any domestic issues. There was no evidence to show that Subject A was ever in any physical danger or believed that she was. The conversation that Subject A and Officer A had, while a disagreement, did not rise to the level of an unjustified verbal altercation. Moreover, there was never a physical altercation alleged and the evidence supports the fact that none occurred. Therefore, the allegation was not based on the facts revealed through the investigation. IPRA recommends an **Unfounded** finding.