

INTRODUCTION:

On May 8, 2015, several officers responded to a battery in progress involving a group of people fighting in the street. When the officers arrived at the scene, they were met by several injured individuals. The responding officers requested an ambulance to render medical treatment. After two individuals received medical treatment, they identified Subject 1, as one of the persons who battered them. Subject 1 fled the scene and several officers chased him. Subject 1 alleged that several unidentified officers physically abused him during the course of his arrest.

ALLEGATIONS:

It is alleged that on May 8, 2015 at approximately 3:05 am, in the vicinity of XXXX S. Paulina Street; **several unidentified officer(s)**;

- 1) Kicked the victim, Subject 1, about his body, in violation of Rule 8.
- 2) Punched Subject 1 about his body, in violation of Rule 8.
- 3) Struck Subject 1 about his head with a metal stick, in violation of Rule 8.
- 4) Struck Subject 1 about his face with a metal stick, in violation of Rule 8.
- 5) Struck Subject 1 about his neck with a metal stick, in violation Rule 8.
- 6) Stated words to the effect of, "I'm kill your black ass," in violation Rule 2.

It is also alleged that on May 8, 2015, at approximately 4:00 am, via telephone at XXXX W. 63rd Street; an unidentified officer(s);

- 7) Refused to allow Subject 2 to speak with a supervisor, in violation Rule 10.
- 8) Hung up the telephone on Subject 2, in violation of Rule 10.
- 9) Stated words to the effect of, "Do you want your son to leave here in pieces," in violation of Rule 9.

APPLICABLE RULES AND LAWS:

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 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, on or off duty.

Rule 10: Prohibits inattention to duty.

SUMMARY OF INCIDENT:

On May 8, 2015, at approximately 3:00 am, several Chicago Police Officers were dispatched to XXXX S. Paulina to respond to a battery in progress involving a group of people fighting. Upon arrival to the location, the involved officers observed several injured individuals and requested an ambulance to render medical treatment. After two individuals, Witness 1 and Witness 2, received medical treatment they identified Subject 1 as one of the offenders who battered them. Subject 1 fled the scene and several officers chased after him. After a brief foot chase, Subject 1 was placed in custody and transported to XXXX Hospital for medical treatment.

INVESTIGATION:

In his interview with IPRA on May 8, 2015, **Subject 1** stated that on the date and time of the incident he returned home from the lakefront with his cousins, "Civilian 1" and Civilian 2, his friend Civilian 3 and his girlfriend, Civilian 4, when they were approached by a female, now known as Witness 2. Subject 1 stated that Witness's 2 boyfriend, now known as Witness 1, attempted to strike Civilian 2 on her body. Subject 1 stated that he then struck Witness 1 about his body. Subject 1 claimed that during the physical altercation no one struck him (Subject 1).

Subject 1 stated that after the physical altercation he proceeded to walk to his residence. Subject 1 stated that Civilian 2, Civilian 3 and Civilian 4 left the scene. Subject 1 stated that at some point, Witness 1 and Witness 2 came back to the scene with several unidentified uniformed officers. Subject 1 stated that Witness 1 and Witness 2 identified him (Subject 1) as the individual who was involved in a physical altercation with them. Subject 1 stated words to the effect of, "Ya'll not finna do me like XXXX XXXXX, ya'll can't do nothing to me." Subject 1 stated that the unidentified uniformed officers approached him and tried to grab him. Subject 1 fled from the involved officers, tripped over a brick and fell onto the grass.

Subject 1 stated that while he was on the ground, several unidentified officers punched and kicked him about his body. Subject 1 stated that the officers also struck him about his head, face and neck with a metal stick. Subject 1 contended that the involved officers stated words to the effect of, "We gone kill your black ass." Subject 1 stated that he was transported to XXXX Hospital via ambulance for medical treatment. Subject 1 stated that he sustained stitches to his face, staples on his head and bruises to his body as a result of his contact with the police. Subject 1 denied having injured himself when he fell to the ground. Subject 1 stated that prior to his contact with police, he consumed one cup of Hennessy and one Corona Beer. Subject 1 denied being intoxicated. Upon inquiry, Subject 1 stated that he would not be able to identify the accused officers via photographs. (Att. #17, 19)

In his statement to IPRA on May 14, 2015, **Witness 1** stated that on the date and time of the incident he and his girlfriend, Witness 2, were in the vicinity of XXXX S. Paulina Street attempting to purchase marijuana. Witness 1 stated that his cousin, Civilian 5, and a friend, Witness 3, were also in the vehicle with he and Witness 2.

Witness 1 stated Witness 2 exited the vehicle to purchase the marijuana from an unknown individual. Witness 1 stated that Witness 2 was also carrying her puppy in her arms. Witness 1 stated that a black male, now known as Subject 1, was aggravating Witness 2's puppy and Witness 2 requested that Subject 1 leave her puppy alone. Witness 1 stated that at some point Witness 2 pushed Subject 1 away from her vicinity. Witness 1 stated that Witness 2 placed her puppy inside her vehicle and walked back to the location of the incident. Witness 1 stated that when Witness 2 approached the area, three unidentified females and Subject 1 began striking Witness 2. Witness 1 stated that he exited the vehicle and began to fight, in an attempt to get everyone off of Witness 2. Witness 1 stated that at some point an unidentified female began "swinging" a bat and made contact with his face and body with the bat. Witness 1 stated that the unidentified female was wildly swinging the bat and may have struck numerous other people involved with the bat.

Witness 1 stated that he, Witness 2, Witness 3 and Civilian 5 entered his vehicle and proceeded to leave the scene. When Witness 1 arrived to XXX and Paulina he observed several unidentified officers with their emergency lights on. Witness 1 and Witness 2 spoke with the officers and completed a police report. Witness 1 stated an ambulance arrived at the scene of incident and offered them medical treatment. Witness 1 and Witness 2 entered the back of the ambulance but later refused the medical treatment offered to them.

Witness 1 stated that as he exited the ambulance, he observed Subject 1 standing in the crowd of people. Witness 1 and Witness 2 informed the unidentified officers that Subject 1 was currently on scene and had battered them. Witness 1 stated that Subject 1 began to run and Witness 1, along with the unidentified officers chased Subject 1. Upon inquiry, Witness 1 stated that before Subject 1 ran from the police he was bleeding from his facial area and had swelling to his right eye.

Witness 1 stated that when the unidentified officers caught up to Subject 1, the officers tackled Subject 1 down to the ground. Witness 1 stated that Subject 1's first point of contact with ground was with his knees and then his chest area. Witness 1 stated that while on the ground, Subject 1 was moving his body around and attempting to get up while being handcuffed. Witness 1 stated that the unidentified officers eventually handcuffed Subject 1, picked him up and placed Subject 1 in the back of the police vehicle. Witness 1 stated that he then left the scene and drove to his residence.

Witness 1 denied observing any Department member kick and/or punch Subject 1 about his body. Witness 1 denied observing any Department member strike Subject 1 with an object. Witness 1 added that he punched Subject 1 on his face several times during their physical altercation. (Att. #51, 53)

In her statement to IPRA on May 14, 2015, **Witness 2** stated that on the date and time of the incident she and her boyfriend, Witness 1, were in the vicinity of XXXX S. Paulina Street attempting to purchase narcotics. Witness 2 stated that while at the location of the incident she began talking to a black male, now known as Subject 1. Witness 2 stated that Subject 1 accused her of being phony because she refused to "hook up with him." Witness 2 stated that Subject 1 began aggravating her puppy and she asked him to stop. Witness 2 stated that after Subject 1 refused to stop aggravating her puppy, she placed her puppy inside her vehicle.

Witness 2 stated that after she placed her puppy inside her vehicle, she returned to the area and continued her conversation with Subject 1. Witness 2 stated that moments later three unidentified females along with Subject 1 began to punch her about her face and body. Witness 2 stated that she defended herself by striking the individuals back with her fists. Witness 2 added that during the physical altercation an unidentified female was wildly swinging a bat and struck Witness 1 with the bat. Witness 2 does not know if anyone else was struck with the bat.

Witness 2 stated that moments later several unidentified police officers arrived at the scene along with an ambulance. Witness 2 stated that while she was seated in the back of the ambulance she noticed Subject 1 in the crowd of people. Witness 2 stated that she identified Subject 1 as the individual who physically abused her. Witness 2 stated that Subject 1 ran away from the scene and the police officers chased behind him. Witness 2 stated that she did not observe any Department member punch or kick Subject 1 about his body. Witness 2 stated that she did not observe any Department member strike Subject 1 about his body with an object. Witness 2 could not recall observing any injuries to Subject 1. (Att. #46, 47, 49)

Despite several attempts made to contact Witness 3 for a witness statement, as of November 28, 2016, **Witness 3** has not contacted IPRA regarding this investigation. (Att. #44)

During the **Canvass** Witness 4 stated that he observed the physical altercation involving Subject 1 prior to the arrival of the police. Witness 4 stated that he also observed several unidentified officers beat up Subject 1, no further description of the incident. Witness 4 refused to give a statement regarding his observations. No additional witnesses were located during the canvass. (Att. #43)

According to the **Arrest Report and Case Report** Subject 1 was arrested on 08 May 2015, at 0305 hours in the vicinity of XXXX S. Paulina Street and charged with two counts of Battery. The arresting officers were Officers A and Coleman, B. The assisting officers were Officer C, Officer D, Officer E and Officer F. It is reported that the arresting officers responded to a battery in progress call in the vicinity of XXXX S. Paulina Street and were flagged down by Witness 1.

Witness 1 stated that he was parked in his vehicle at XXXX S. Paulina Street with Witness 2, Witness 3 and Civilian 5 when Witness 2 exited the vehicle and was approached by Subject 1 and several unidentified individuals. Witness 2 became involved in a verbal altercation with Subject 1 and the unidentified individuals. Moments later, Subject 1 and the unidentified

individuals struck Witness 2 about her face and body with closed fists causing severe bruising and lacerations to her lip and eye. Witness 1, Witness 3 and Civilian 5 exited the vehicle to assist Witness 2 and were struck about their face and body with closed fist by Subject 1 and the unidentified individuals causing lacerations and bruising to their body.

Witness 1, Witness 3, Civilian 5 and Witness 2 entered Witness's 1 vehicle and left the scene and were met by the responding officers. Subject 1 and the unidentified individuals fled the scene on foot in the opposite direction. An ambulance was requested to render medical treatment to the victims. Witness 1 and Witness 2 entered the ambulance and received medical treatment. The responding officers were approached by Subject 1, who appeared to be highly intoxicated and belligerent.

It is reported that Subject 1 stated words to the effect of, "All Ya'll bitches," "fuck the police," "ya'll can't do shit to me," "this ain't XXXX XXXXX," and "pussy ass cops." At some point, Witness 1 and Witness 2 exited the ambulance and identified Subject 1 as one of the offenders. The responding officers observed Subject 1 to have blood on his shirt and hands. The responding officers approached Subject 1 and Subject 1 fled on foot. While fleeing in the alley, the responding officers observed Subject 1 lose his balance and trip on a gravel patch causing him to fall abruptly to the pavement. Subject 1 was taken into custody.

It is also reported that Subject 1 sustained lacerations to his face and abrasions to his body as a result of falling to the ground. Subject 1 was transported to XXXX Hospital. According to the Lockup Screening Log, Subject 1 was received in lockup after obtaining medical treatment at XXXX Hospital for lacerations. (Att. #5, 6)

The **Central Booking (CB) photographs** of Subject 1 depict a bandage to the left and right side of Subject 1's face, swelling to Subject 1's right eye, blood on Subject 1's white shirt, bruising to the right side of Subject 1's face, stitches (staples) to the back right side of Subject 1's head and bruising to Subject 1's right shoulder area. (Att. #5)

According to the **Chicago Police Event Query and OEMC Transmissions** several Department members responded to the vicinity of XXXX S. Paulina Street regarding a battery in progress call. Additional units were requested for the purpose of crowd control. Beat XXXX transported Subject 1 to XXXX Hospital. (Att. #8 — 13, 33 — 40)

The **Evidence Technician (ET) Photographs** of Witness 2 depict what appears to be swelling and bruising to Witness 2's face, eyes, arms, legs and lips. (Att. #28)

The **ET Photographs** of Witness 1 depict what appears to be bruising and swelling to Witness's 1 face and bruising to his arms and back. (Att. #29)

The **ET Photographs** of the scene depict what appears to be blood on the ground. (Att. #30)

The **ET Photographs** of Subject 1 depict swelling to his face, bandages on the left and right side of his face and blood on his white t-shirt. The photographs also depict, what appear to be, stitches on his head and lacerations and abrasions to his face and body. (Att. #31)

According to the **City of Chicago Fire Department Report** EMS 2 responded to XXXX S Paulina regarding a female (now known as Witness 2) who had been assaulted with fist and a bat. Witness 2 sustained bruising and abrasions throughout her upper body and face. Witness 2 refused to be transported to the hospital. (Att. #41)

According to the **City of Chicago Fire Department Report** EMS 2 responded to XXXX S. Paulina regarding a male (now known as Witness 1) who had been assaulted with fist and a bat. Witness 1 sustained bruising and abrasions throughout his upper body and nose. Witness 1 refused to be transported to the hospital. (Att. #42)

According to the **City of Chicago Fire Department Report** EMS 2 responded to XXXX S. Paulina regarding a battery victim (now known as Subject 1). It is reported that upon the arrival of the responding paramedics, Subject 1 was found in CPD custody and refusing medical treatment. Subject 1 had multiple facial lacerations after being involved in a fight. Subject 1 told the paramedics not to touch him. Subject 1 was transported to XXXX Hospital and released to CPD and hospital custody. It is reported that Subject 1 was verbally abusive. (Att. #88)

According to the **Medical Records** from XXXX Hospital Subject 1 was admitted to the emergency room on May 8, 2015, at approximately 0354 hours, in police custody. The chief complaint for Subject 1 was facial injury. It is reported that Subject 1 informed the medical personnel that the police beat him up (no further information). It is further reported that the police stated that Subject 1 fell while running from the police.

According to the medical report, Subject 1 was very combative towards the staff and officer, spitting and harmful to himself. Subject 1 was placed in restraints and given medication to prevent him from harming himself and others. Subject 1 sustained a laceration to the right side of his face and received 15 nylon sutures. Subject 1 was diagnosed with facial laceration, alcohol intoxication, blunt head injury, contusions and abrasions. (Att. #54)

During statement to **IPRA** on December 22, 2015, **Witness Officer A**, stated that he was in the vicinity of the alleged incident on the date and time in question responding to a battery in progress call. Officer A stated when he and Officer B arrived in the vicinity of XXXX S. Paulina they were flagged down by several individuals who were inside a vehicle. Officers A and B spoke with the driver, now known as Witness 1. Witness 1 stated that he and his three passengers were victims of a battery. The passengers were Witness 2, Civilian 5 and Witness 3.

Witness 1 explained that Witness 2 exited the vehicle and spoke with several unidentified males. Witness 2 became involved in a physical altercation with the unidentified males. Witness 1, Civilian 5 and Witness 3 exited the vehicle to assist Witness 2. Officer A stated that he observed severe bruising to Witness's 2 eye and lip. Officer A added that Witness 1, Civilian 5 and Witness 3 also had injuries to their faces. Officer A stated that an ambulance was called to the scene.

Officer A stated that Civilian 5 and Witness 3 refused medical treatment. Witness 1 and Witness 2 entered the ambulance to obtain medical treatment. Officer A stated that Sergeant A and Sergeant B instructed him to interview Civilian 5 and Witness 3. Officer A added that as he was speaking with Civilian 5 and Witness 3 a male, now known as Subject 1, approached the scene and stood next to Sergeants B & A.

Officer A described Subject 1 as highly intoxicated and belligerent. Officer A stated that Subject 1 was wearing a white t-shirt and jeans. Officer A added that there was blood on Subject 1's shirt. Officer A stated that an unidentified officer asked Subject 1 about the blood on his shirt. Officer A reported that Subject 1 stated words to the effect of, "Ya'll can't do shit," "Fuck the police," "Ya'll can't do shit to me," "This ain't XXXX XXXXX," and "Pussy ass cops." Officer A stated that Sergeants B and A instructed Subject 1 to leave the scene. Officer A stated that he did not observe any injuries to Subject 1 as he was a great distance away and the lighting conditions were not bright.

Officer A stated that Witness 1 and Witness 2 exited the ambulance and identified Subject 1 as the offender who battered them. Officer A reported that Subject 1 fled the scene and Officers A and B chased Subject 1. Officer A stated that Subject 1 ran into an alley, lost his balance and fell onto a patch of rocks. Officer B caught up to Subject 1 and placed a handcuff on Subject 1's wrist. Officer A stated that he placed the second handcuff onto Subject 1's wrist.

Officer A stated that Subject 1 was escorted to the Department vehicle without incident. Officer A stated that he observed several lacerations to Subject 1's face after he fell on the rocks. Officer A stated that Subject 1 was transported to the hospital by a different unit.

After viewing the evidence technician photographs Officer A stated that he observed the same lacerations and abrasions to Subject 1's face and body while at the scene. Officer A added that he assumed that the injuries were from Subject 1 falling to the ground. Officer A added that some of the injuries that Subject 1 sustained may have come from the physical altercation that he was involved in with Witness 2 and Witness 1. Officer A stated that he was not totally sure as he did not see Subject 1's face and head clearly prior to his arrest. Officer A denied observing any Department member commit the acts alleged by Subject 1 and Subject 2. (Att. #55, 72)

During his statement to IPRA on December 22, 2015, **Witness Officer B**, stated that he was in the vicinity of the alleged incident on the date and time in question responding to a battery in progress call. Officer B stated when he and Officer A arrived in the vicinity of XXXX S. Paulina they canvassed the area in search of the victims. Officer B stated that they met several individuals now known as, Witness 1, Witness 2, Civilian 5 and Witness 3. Officer B informed them that they had been physically attacked by several unknown males. Witness 2, Witness 1, Civilian 5 and Witness 3 informed Officer B that they attempted to fight back in self-defense, but were overwhelmed by the unknown males.

Upon inquiry, Officer B stated that Witness 1, Civilian 5, Witness 2 and Witness 3 explained that they had been punched and kicked by the unknown males. Officer B did not recall if the aforementioned individuals informed him that objects had been used during the course of the physical altercation with the unknown males.

Officer B stated that Witness 1, Civilian 5, Witness 2 and Witness 3 sustained bruising and lacerations on their faces as a result of the physical altercation with the unknown males. Officer B stated that one of the females was severely injured, but he could not recall whether it was Witness 2 or Witness 3. Officer B stated that an ambulance was requested to treat the aforementioned individuals. Officer B stated that additional officers arrived at the scene but he did not recall the names of the officers who were on scene.

Officer B stated that while Witness 3 and Witness 1 were inside the ambulance receiving treatment a male, now known as Subject 1, approached the scene. Officer B described Subject 1 as being, highly intoxicated and having poor balance. Officer B stated that Subject 1 began screaming obscenities towards the police. Subject 1 stated words to the effect of, "Ya'll can't do shit," "Fuck the police," "Ya'll can't do shit to me," "This ain't XXXX XXXXX," and "Pussy ass cops." Officer B stated that he could detect a strong odor of alcohol on Subject 1's breath. Officer B stated that Subject 1 was directed to leave the scene.

Officer B stated that when the victims exited the ambulance they identified Subject 1 one of the males who had attacked them. Subject 1 fled from the scene and Officer B pursued Subject 1 for approximately one minute. Officer B stated that as Subject 1 ran in a "full sprint," Subject 1 appeared to be holding his waist area with both hands. Officer B stated that Subject 1 ran in an alley and fell to the ground, head first, into a pot hole that contained rocks. Subject 1 attempted to get up from the ground and fell a second time. Officer B caught up to Subject 1 and handcuffed his left wrist. Officer B stated that an unidentified officer assisted with placing the handcuff on Subject 1's right wrist.

Officer B stated that he did not assist in picking Subject 1 up from the ground as he stepped to the side to catch his breath. Officer B stated that he did not observe injuries to Subject 1 as he had stepped to the side to catch his breath. After reviewing the photographs of **Subject 1**, Officer B stated that the injuries may have come from the fall and/or the physical altercation. Officer B explained that he was standing approximately 30 yards away from Subject 1 at night (with artificial lighting) and did not recall observing any injuries to Subject 1 or blood on his shirt during his initial contact with Subject 1.

Officer B denied having an asp in his possession during the course of this arrest, noting that he does not own an asp. Officer B denied having a baton in his possession during the course of this arrest. Officer B denied observing any Department member commit the acts that were alleged by Subject 1 and Subject 2. (Att. #56, 73)

During his statement to IPRA on December 23, 2015, Witness Officer G, stated that he was in the vicinity of the alleged incident in response to a call via radio for assistance. Officer G stated that he did not have any independent recollection of being present in the vicinity of the alleged incident. After reviewing the Arrest Report regarding Subject 1's arrest, Officer G stated that he did not recall any of the circumstances surrounding Subject 1's arrest. After reviewing photographs of Witness 1 and Witness 2; Officer G denied having any seen the individuals on the night of the alleged incident. Officer G denied observing any Department member commit the acts alleged by Subject 1 and Subject 2. (Att. #58, 74)

During his statement to IPRA on December 22, 2015, **Witness Officer H,** stated that he was in the vicinity of XXXX S. Paulina responding to a call via radio for assistance. Officer H stated that when he arrived to the location the actual incident appeared to be over. Officer H observed several officers standing around and talking to each other. Officer H stated that he did not recall the name of the officers who were at the scene. Officer H did not recall hearing anything regarding the incident. Officer H added that he did not recall seeing Subject 1 at the scene and therefore, did not observe any injuries to Subject 1. After reviewing photographs of Subject 1, Officer H stated that he did not know how Subject 1 sustained the injuries. Officer H denied observing any Department member commit the acts alleged by Subject 1 and Subject 2. (Att. #57, 75)

During her statement to IPRA on December 23, 2015, **Witness Officer I,** stated that she did not have any independent recollection of being at the scene of the alleged incident. After reviewing the control booking photograph of Subject 1 and evidence technician photographs of Witness 2 and Witness 1, Officer I stated that she had no recollection of having contact with them. Officer I stated that if she had contact with the individuals she would have recalled, because of the extent of their injuries. Officer I denied observing any Department member commit the acts alleged by Subject 1 and Subject 2. (Att. #59, 76)

During his Statement to IPRA on December 23, 2015, **Witness Sergeant A,** stated that he was in the vicinity of the location of the alleged incident on the date and time in question responding to a battery in progress call. Sergeant A added that there may have been weapons involved but he was not certain. Sergeant A stated that he vaguely recalled someone mentioning a baseball bat being involved in the battery.

Sergeant A stated that when he arrived in the vicinity of the alleged incident he observed a vehicle with four occupants driving southbound on Paulina Street. Sergeant A recalled a female occupant, now known as Witness 2, had blood and swelling to her face. Sergeant A stated that a male occupant, now known as Witness 1, had blood on his face. Sergeant A called for an ambulance via his Department radio.

Sergeant A stated that when the ambulance arrived, Witness 1 and Witness 2 obtained medical treatment. Sergeant A stated that moments later a male, now known as Subject 1, approached the scene and began yelling obscenities. Sergeant A stated that Subject 1 was wearing a white t-shirt with blood on it. Sergeant A recalled asking Subject 1 about the blood on his shirt, but Subject 1 refused to answer and continued yelling obscenities. Sergeant A stated that Subject 1 was asked to leave the scene, but Subject 1 refused.

Sergeant A stated that he entered his assigned vehicle and began writing reports regarding the incident. Sergeant A stated that moments later he heard a call of a foot chase in the area via his Department radio. Sergeant A exited his vehicle in search of Witness 1 and Witness 2. Sergeant A stated that as he was searching for Witness 2 and Witness 1, he observed one of the officers (possibly Officer C) escorting Subject 1 from the alley to a Department vehicle.

Sergeant A stated that upon inquiry, he was informed that Witness 1 and Witness 2 exited the ambulance and identified Subject 1 as one of the offenders. Subject 1 looked in the officers' direction and fled the scene. Several officers chased after Subject 1. During the foot chase, Subject 1 lost his balance and fell on the gravel causing injuries to his body. Sergeant A stated that he was also informed that Subject 1 was handcuffed without incident. Sergeant A stated that he directed the several Department members to transport Subject 1 to the hospital for medical treatment. Sergeant A also requested an Evidence Technician to photograph Subject 1, Witness 2, Witness 1 and the location where Subject 1 fell.

Sergeant A stated that he did not recall observing injuries to Subject 1 prior to his arrest, only blood on his shirt. Sergeant A contended that he was informed that Subject 1 sustained injuries when he fell on the gravel. Sergeant A could not explain how Subject 1 sustained his injuries as he did not Witness Subject 1's arrest. Sergeant A denied observing any Department members commit the acts alleged by Subject 1 and Subject 2. (Att. #60, 83)

During his statement to IPRA on December 29, 2015, **Witness Officer C**, stated that he responded to the location of the alleged incident in response to a call for assistance. Officer C stated that while at the location of the alleged incident he may have participated in the foot chase regarding Subject 1. Officer C had no independent recollection of Subject 1's arrest. Officer C contended that he did not physically assist with placing Subject 1 in custody. Officer C stated that he and Officer F may have transported Subject 1 to the hospital. Officer C stated that he recalled sitting with Subject 1 while he received medical treatment at the hospital.

Officer C stated that while at the hospital Subject 1 became belligerent and yelled obscenities. Officer C stated that Subject 1 had to be strapped to his bed by hospital personnel. Officer C stated that while sitting with Subject 1 at the hospital he observed lacerations to Subject 1's temples. Officer C did not witness how Subject 1 sustained his injuries. Officer C stated that according to Department Reports, Subject 1 sustained his injuries after he lost his balance and fell to the ground. Officer C stated that he did not hear Subject 1 tell the medical personnel how he sustained his injuries. Officer C stated that Subject 1 never made a complaint of physical abuse or verbal abuse to him regarding the arresting officers. Officer C denied observing any Department member commit the acts alleged by Subject 1 and Subject 2. (Att. #61, 78)

During his statement to IPRA on December 29, 2015, **Witness Officer F**, stated that he and Officer C responded to the location of the alleged incident in response to a call for a battery in progress involving a large group of people fighting. Officer F stated that when they arrived, he observed a male (now known as Witness 1) and female (now known as Witness 2) with bruises to their faces. Officer F stated that when the ambulance arrived Witness 1 and Witness 2 entered the ambulance to obtain medical treatment.

Officer F stated that a black male, now known as Subject 1, approached the scene and began yelling. Officer F stated that Sergeant B approached Subject 1 and asked him questions about the blood on his shirt. Officer F stated that Subject 1 yelled obscenities and refused to answer any questions. Officer F stated that Subject 1 was instructed to leave the scene, but he refused.

Officer F stated that when Witness 1 and Witness 2 exited the ambulance, they identified Subject 1 as the offender. Subject 1 looked in the officers' direction and fled the scene. Officer F stated that Officers A, B and C chased after Subject 1.

Officer F stated that at some point, he ran behind Officers A, B and C. When Officer F arrived to the alley, he observed Subject 1 on the ground with the initial officers handcuffing Subject 1. Officer F stated that an ambulance was called for Subject 1 because they observed lacerations to Subject 1's face.

Upon inquiry, Officer F stated that he did not witness the entire foot chase involving Subject 1. Officer F stated that he was informed by the involved officers that during the foot chase, Subject 1 lost his balance and fell on the gravel. Officer F denied observing any Department member commit the acts alleged by Subject 1 and Subject 2. (Att. #62, 77)

During her statement to IPRA on December 30, 2015, **Witness Officer D**, stated that when he and Officer E arrived at the scene Subject 1 was in custody and seated in the back seat of a marked Department vehicle. Officer D stated that he and Officer E assisted in clearing citizens from the scene. Officer D denied having physical contact with Subject 1. Officer D stated that he did not witness Subject 1's arrest. Officer D denied observing any Department member commit the acts alleged by Subject 1 and Subject 2. (Att. #63, 79)

During his statement to IPRA on December 30, 2015, **Witness Officer J**, stated that when he and his partner arrived at the scene Subject 1 was in custody and seated in the back seat of a marked Department vehicle. Officer J denied having any physical contact with Subject 1. Officer J contended that he did not see Subject 1 at any time during his tour of duty. Officer J stated that he and his partner assisted in clearing citizens from the scene. Officer J stated that he did not witness Subject 1's arrest. Officer J denied observing any Department member commit the acts alleged by Subject 1 and Subject 2. (Att. #64, 80)

During his statement to **IPRA** on December 30, 2015, **Witness Officer E**, stated that he and Officer D were in the vicinity of the alleged incident in response to a call requesting additional officers for assistance. Officer E stated that when he and Officer D arrived at the scene Subject 1 was in custody and seated in the back seat of a marked Department vehicle. Officer E denied having any physical contact with Subject 1. Officer E contended that he did not see Subject 1 at any time during his tour of duty. Officer E stated that he and Officer D assisted in clearing citizens from the scene. Officer E stated that he did not witness Subject 1's arrest. Officer E denied observing any Department member commit the acts alleged by Subject 1 and Subject 2. (Att. #65, 81)

During his statement to IPRA on May 19, 2016, **Witness Officer K**, stated that he was not present during Subject 1's arrest as he had not started his tour of duty. Officer K stated that during his tour of duty on the date and time in question, he was assigned to prisoner guard detail for Subject 1 while at XXXX Hospital. Officer K stated that he did not recall having any verbal conversations with Subject 1. Officer K did not observe any interaction between Subject 1 and the arresting officers as he was not present during the course of Subject 1's arrest. (Att. #66, 82)

During his statement to IPRA on August 4, 2016, **Witness Officer L**, stated that he did not recall being in the vicinity of the alleged incident on the date and time in question. After reviewing the Chicago Police Event Query, Officer L stated that he was dispatched to the location of the alleged incident. Officer L stated that after reviewing the Arrest and Case Report regarding Subject 1's arrest, he did not recall the alleged incident. Officer L denied observing any Department member commit the acts alleged by Subject 1 and Subject 2. (Att. #67, 84)

During his statement to IPRA on August 4, 2016, **Witness Officer M**, stated that she did not recall being in the vicinity of the alleged incident on the date and time in question. After reviewing the Arrest and Case Report of regarding Subject 1, Officer M stated that she did not recall the alleged incident. After reviewing photographs of Subject 1, Witness 2 and Witness 1, Officer M stated that she did not recall having seen the individuals in the photographs. Officer M denied observing any Department member commit the acts alleged by Subject 1 and Subject 2. (Att. #68, 85)

During his statement to IPRA on September 8, 2016, **Witness Officer N** stated that he and Officer H were at the location of the alleged incident in response to a call for assistance regarding a battery in progress. Officer N stated that he recalled several Department vehicles and an ambulance at the scene when he arrived. Officer N stated that he spoke with Sergeant A but could not recall the details of his conversation with Sergeant A. Officer N stated that while at the scene of the incident he never exited his vehicle.

After reviewing photographs of Subject 1, Witness 1 and Witness 2, Officer N stated that he did not see the individuals on the date and time in question. Officer N denied having any contact with Subject 1, Witness 1 and Witness 2. Officer N denied observing any Department member commit the acts alleged by Subject 1 and **Subject 2**. (Att. #71, 86)

During his statement to IPRA on August 5, 2016, **Witness Sergeant B**, stated that he was in the vicinity of the location of incident on the date and time in question in response to a call for disturbance. Sergeant B stated that when he arrived, he observed several Department vehicles and approximately two victims. Sergeant B could not give a physical description of the victims. After reviewing the evidence technician photographs, Sergeant B stated that he could not independently recall observing Witness 1 and Witness 2 at the scene of the alleged incident.

Sergeant B stated that while at the location of the alleged incident a black male, now known as Subject 1, approached the scene and began yelling obscenities. Sergeant B stated that he did not recall observing blood on Subject 1's shirt. Sergeant B stated that based on Subject 1's actions, he assumed that Subject 1 was intoxicated and had not been involved in the battery. Sergeant B stated that Subject 1 was told to leave the scene, but Subject 1 refused.

Sergeant B stated that when Witness 1 and Witness 2 exited the ambulance they identified Subject 1 as the offender. Sergeant B stated that Subject 1 looked in the direction of the officers and fled the scene towards an alley. Sergeant B stated that several Department members ran after Subject 1. Sergeant B entered his assigned vehicle and drove northbound on Paulina in order to keep a track on Subject 1's path. Sergeant B stated that by the time he reached the alley way, several officers were escorting Subject 1 to a Department vehicle.

Sergeant B stated that he saw Subject 1 from a distance and did not observe injuries to Subject 1. Sergeant B stated that he spoke with Sergeant A, who informed him that during the brief foot chase Subject 1 trip in a pot hole and fell on gravel. Sergeant B stated that Sergeant A also informed him that Subject 1 was going to be transported to XXXX Hospital. Sergeant B stated that Sergeant A had not described Subject 1's injuries.

Sergeant B stated that he did not hear Subject 1 say anything as he was being escorted to the Department vehicle. Sergeant B stated that he did not witness the arrest of Subject 1. Sergeant B denied observing any Department member commit the acts alleged by Subject 1 and Subject 2. (Att. #69, 70, 87)

CONCLUSION:

Accused #1: Unidentified Officer(s)
Allegations #1 — 9: Not Sustained

It is alleged that an unidentified officer kicked Subject 1 about his body. The possible witness, Witness 4, refused to give a statement to IPRA regarding his observations. The witnesses, Witness 1 and Witness 2 denied observing the responding officers commit the act alleged against them. Witness 1 also stated that an unknown individual was using a bat during the physical altercation prior to the officers' arrival. The witness officers denied observing any Department member commit the act alleged by Subject 1. Subject 1 was involved in a physical altercation prior to his contact with the responding officers. There is not enough evidence to prove that Subject 1's injuries were caused during his contact with the responding officers. There is insufficient evidence to prove and/or disprove the allegation, therefore the R/I recommends that **allegation #1 be, Not Sustained.**

It is alleged that an unidentified officer punched Subject 1 about his body. The possible witness, Witness 4, refused to give a statement to IPRA regarding his observations. The witnesses, Witness 1 and Witness 2 denied observing the responding officers commit the act alleged against them. Witness 1 also stated that an unknown individual was using a bat during the physical altercation prior to the officers' arrival. The witness officers denied observing any Department member commit the act alleged by Subject 1. Subject 1 was involved in a physical altercation prior to his contact with the responding officers. There is not enough evidence to prove that Subject 1's injuries were caused during his contact with the responding officers. There is insufficient evidence to prove and/or disprove the allegation, therefore the R/I recommends that **allegation #2 be, Not Sustained.**

It is alleged that an unidentified officer struck Subject 1 about his head with a metal stick. The possible witness, Witness 4, refused to give a statement to IPRA regarding his observations. The witnesses, Witness 1 and Witness 2 denied observing the responding officers commit the act alleged against them. Witness 1 also stated that an unknown individual was using a bat during the physical altercation prior to the officers' arrival. The witness officers denied observing any Department member commit the act alleged by Subject 1. Subject 1 was involved in a physical altercation prior to his contact with the responding officers. There is not enough evidence to prove that **Subject 1's** injuries were caused during his contact with the responding officers. There is insufficient evidence to prove and/or disprove the allegation, therefore the R/I recommends that **allegation #3 be, Not Sustained.**

It is alleged that an unidentified officer struck Subject 1 about his face with a metal stick. The possible witness, Witness 4, refused to give a statement to IPRA regarding his observations. The witnesses, Witness 1 and Witness 2 denied observing the responding officers commit the act alleged against them. Witness 1 also stated that an unknown individual was using a bat during the physical altercation prior to the officers' arrival. The witness officers denied observing any Department member commit the act alleged by Subject 1. Subject 1 was involved in a physical altercation prior to his contact with the responding officers. There is not enough evidence to prove that Subject 1's injuries were caused during his contact with the responding officers. There is insufficient evidence to prove and/or disprove the allegation, therefore the RA recommends that **allegation #4 be, Not Sustained.**

It is alleged that an unidentified officer struck Subject 1 about his neck with a metal stick. The possible witness, Witness 4, refused to give a statement to IPRA regarding his observations. The witnesses, Witness 1 and Witness 2 denied observing the responding officers commit the act alleged against them. Witness 1 also stated that an unknown individual was using a bat during the physical altercation prior to the officers' arrival. The witness officers denied observing any Department member commit the act alleged by Subject 1. Subject 1 was involved in a physical altercation prior to his contact with the responding officers. There is not enough evidence to prove that Subject 1's injuries were caused during his contact with the responding officers. There is insufficient evidence to prove and/or disprove the allegation, therefore the R/I recommends that **allegation #5 be, Not Sustained.**

It is alleged that an unidentified officer stated words to the effect of, "I'm kill your black ass." The possible witness, Witness 4, refused to give a statement to IPRA regarding his observations. The witnesses, **Witness 1** and Witness 2 denied observing the responding officers commit the act alleged against them. The witness officers denied observing any Department member commit the act alleged by Subject 1. There is insufficient evidence to prove and/or disprove the allegation, therefore the R/I recommends that **allegation #5 be, Not Sustained.**

It is alleged that an unidentified officer refused to allow Subject 2 to speak with a supervisor. There are no witnesses to corroborate Subject 2's allegation. The witness officers denied observing any Department member commit the act alleged by Subject 2. There is insufficient evidence to prove and/or disprove the allegation, therefore the R/I recommends that **allegation #6 be, Not Sustained.**

It is alleged that an unidentified officer hung up the telephone on Subject 2. There are no witnesses to corroborate Subject 2's allegation. The witness officers denied observing any Department member commit the act alleged by Subject 2. There is insufficient evidence to prove and/or disprove the allegation, therefore the R/I recommends that **allegation #7 be, Not Sustained.**

It is alleged that an unidentified officer stated words to the effect of, "Do you want your son to leave here in pieces?" There are no witnesses to corroborate Subject 2's allegation. The witness officers denied observing any Department member commit the act alleged by Subject 2. There is insufficient evidence to prove and/or disprove the allegation, therefore the R/I recommends that **allegation #7 be, Not Sustained.**