

**SUMMARY OF INCIDENT**

On January 16, 2016, Chicago police officers responded to a 911 report of threats by off-duty Chicago police officers at X Bar located at XXX S. Halsted Street, Chicago, Illinois.

**ALLEGATIONS**

The complainant, Subject 1, was identified via a Chicago Police Department (CPD) Bureau of Internal Affairs (BIA) Initiation Report regarding an incident that occurred on January 16, 2016 at approximately 2:48 a.m. Independent Police Review Authority (IPRA) personnel subsequently contacted Subject 1 and conducted an interview.

Subject 1 alleged that on January 16, 2016 at approximately 2:48 a.m. while at X Bar, located at XXX S. Halsted Street:

**Officer A, Star #XXXXX**

- Allegation 1:** engaged in an unjustified verbal altercation with Subject 1, in violation of Rule 2 and Rule 9.
- Allegation 2:** was in possession of his weapon while intoxicated, in violation of Rule 2; Rule 6 in relation to Chicago Police Department Directive, Uniform and Property U04-02; and Rule 15.
- Allegation 3:** stated words to the effect of "Do you want me to use this on you?" while placing his hand on his weapon, in violation of Rule 2 and Rule 9.
- Allegation 4:** displayed his weapon, in violation of Rule 2 and Rule 38.

**Officer B, Star #XXXX**

- Allegation 1:** verbally abused Subject 1, in violation of Rule 2, Rule 8, and 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 6** prohibits, "Disobedience of an order or directive, whether written or oral."
- 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, while on or off duty."
- Rule 15** prohibits, "Intoxication on or off duty."
- Rule 38** prohibits, "Unlawful or unnecessary use or display of a weapon."

**Chicago Police Department Directive, Uniform and Property U04-02**

This directive states "While sworn members are permitted to carry firearms during non-duty hours, they are instructed to refrain from doing so when there is a likelihood that they will be consuming alcoholic beverages or medications which may impair their physical and/or mental abilities."

**INVESTIGATION**

In an interview with IPRA on January 21, 2016, **Complainant Subject 1** stated that on January 16, 2016, he was at X Bar. While at X Bar, Subject 1 reported that he struck up a conversation with two men who were drinking at the bar (later identified as Officer A and Officer A's friend, Subject 2). Subject 1 claimed that Officer A threw his badge on the bar, stating he was a Chicago Police Officer. Next, a couple (later identified as Officer B, Jr. and Officer B's girlfriend, Subject 3) joined Officer A and Subject 2 while Subject 1 waited for his friend, Subject 4. The complainant stated that he offered Subject 3 his chair and warned her about personal property being stolen. According to Subject 1, Subject 3 eventually accepted the chair which resulted in Officer A stating something to the effect of, "you want me to take care of you" while displaying his firearm to Subject 1 by raising his shirt at his right hip where Officer A's gun was reportedly located. Subject 1 further reported that Officer A was intoxicated and was swaying.

After Officer A displayed his weapon, Subject 1 told the bar's security guard he was concerned about Officer A and was told to call 911. Subject 1 stated that he then went outside and called 911 nine times over the course of 10 minutes. When the police arrived, Subject 1 reportedly went to speak to the sergeant (later identified as Sergeant C) who then entered the bar and subsequently returned outside to ask Subject 1 what happened. According to Subject 1, while he was outside speaking with Sergeant C, Officer B threatened Subject 1 in Spanish, saying something to the effect of, "You gonna pay for this" and calling Subject 1 "maricon."<sup>1</sup> Subject 1 stated that after Officer B threatened him, Sergeant C grabbed Officer B and put him in a squad car. Furthermore, Subject 1 stated that once in the squad car, Officer B was displaying his middle finger to Subject 1. Subject 1 indicated that he told Sergeant C about the incident and then went inside the bar to point out Officer A to Sergeant C. Note that Subject 1 stated Subject 4 Subject 1 arrived at the bar at approximately the same time as Sergeant C. Subject 1 further stated that he and Subject 4 and Subject 1 went to the police station to sign a report. (Atts. 19, 65)

**CPD Event Queries and OEMC transmissions** were located regarding the 911 calls Subject 1 made on 16 January 2016. Available documents related that at approximately 0246, Subject 1 called 911 regarding three males inside X Bar who had threatened Subject 1 and said they were police officers with guns. Subject 1 called again at 0252, stating he was still waiting for officers to respond to X Bar and complaining about, "police covering up for each other." Subject 1 made a third call to 911 at approximately 0253 and was reported as cursing and wanting an update on where the police were. (Atts. 15, 29, 30, 31, 32, 33, 42)

**Video footage from X Bar** was obtained that recorded relevant details on January 16, 2016 from approximately 2:00 AM until 3:30 AM. Camera 4 displays X Bar's dining room and bar. Camera 7 also shows X Bar's dining area and bar from a different angle. Camera 2 depicts the outside of X Bar on Halsted Street. The following table details noteworthy events seen in these videos, as well as the approximate time of occurrence and the camera(s) from which the respective images were captured.

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Maricon is a Spanish word that translates to fagot.

Camera	Time	Description of Event
4,7	2:03 AM	Subject 1 can be seen at the bar.
4,7	2:05 AM	Officer A and Subject 2 appear next to Subject 1 at the bar.
4,7	2:26 AM	Officer B and Subject 3 are seen arriving and joining Officer A and Subject 2 at the
4,7	2:38 AM	bar. Subject 1 is seen talking to Subject 3 at the bar off and on over the course of roughly 3 minutes.
4,7	2:40 AM	Officer B appears to be talking to Subject 1 and making what appears to be a dismissive motion towards Subject 1 with his right hand.
4	2:41 AM	Officer A is seen lifting his shirt on his right side and touching a black object near his waist that is believed to his firearm. Officer A appears to be leaning towards Subject 1. <b>(See the first set of the following screen captures.)</b>
7	2:42 AM	Officer A appears to be leaning towards Subject 1 while speaking. At approximately the same time, Officer B puts his hand on Subject 1's back, leans towards Subject 1, and appears to be speaking to Subject 1. While Officer B is seen speaking to Subject 1, Officer B alternates between making hand gestures and patting Subject 1's arm with his left hand.
4	2:43 AM	Subject 1 appears to be turned away from Officer A, Officer B, Subject 3, and Subject 2 and on his cell phone.
4	2:43 AM	Officer A is seen lifting his shirt on the right side and touching a black object near his waist that is believed to his firearm. Officer B, Subject 3, and Subject 2 all appear to be looking down towards Officer A's right hip at this time. <b>(See the second set of the following screen captures.)</b>
4,7	2:46 AM	Subject 1 appears to be speaking with the bouncer before exiting the bar through the front door.
4	2:48 AM	Officer A is seen standing near the bar and visible on his waistline are what appear to be his badge and his gun.
2	2:57 AM	A police car arrives outside of X Bar. Subject 1 approaches the vehicle and is seen speaking with the two officers who exit the car.
2	3:04 AM	Subject 4 is seen arriving outside of X Bar.
4,7	3:04 AM	Officer A, Officer B, Subject 2, and Subject 3 are seen taking a selfie on what is believed to be Officer B's <b>cellphone</b> .
7	3:04 AM	Officer A is seen removing a black object from his right hip area. It appears that Officer A un-holstered his gun and he held in front of his body briefly before he returned it to the holster. <b>(See the third set of the following screen captures.)</b>
4	3:05 AM	Officer A's gun appears to be holstered at his right side.
2	3:05 AM	Sergeant C is seen arriving outside of X Bar.
4,7	3:06 AM	Sergeant C and two uniform officers approach Officer A and his group inside the bar.
2,4,7	3:08 AM	The sergeant and uniform officers are seen escorting Officer A out of the bar's front door.
2	3:11 AM	An additional police car is seen arriving outside of X Bar.
2	3:14 AM	Officer B is seen shaking hands with one of the responding officers.
2	3:24 AM	Officer A was escorted into a CPD squad car that drove away shortly thereafter.
2	3:25 AM	Officer B and Subject 4 Subject 1 are seen speaking to each other for approximately one minute in front of X Bar.
7	3:31	Officer B and Subject 3 are seen leaving the bar and walking past Subject 1 and Subject 4 on the sidewalk. Subject 1 and Subject 4 turn their heads towards

and Subject 3. Subject 4 starts walking after Officer B and Subject 3 with her arm extended in a pointing motion and she appears to be upset. The two couples then walk towards each other. They are no longer in view of the camera at that point due to the placement of a window frame. Then, Subject 1 and Officer B appear to be talking to each other as Sergeant C walks up and appears to separate them. **(See the following fourth, fifth, and sixth sets of screen captures.)**

Please see the following screen captures from Cameras 4 and 7. (Atts. 16, 28)

The first set of pictures depicts X Bar where Officer A appears to display his holster while leaning towards Subject 1 and touching his firearm. A close-up of Officer A from this image can be found to the right.



The second set of pictures, similar to the set above, shows Officer A displaying his holster and touching his firearm.



The third set of images shown below of X Bar shows Officer A holding his weapon in front of his body.



The fourth, fifth, and sixth sets of images shown below depict Subject 1 and Subject 4 Subject 1 in a confrontation with Officer B and Subject 3.





From left to right in the red circles above: Officer B, Subject 1, Sergeant C.

From left to right in

In an **interview with IPRA** on June 2, 2016, **Officer A** reported that on January 15, 2016, after getting off work at approximately 11:00 PM, he drove to a bar named X (located at XXXX W. 18th Street, Chicago, Illinois), met his friend Subject 2, and consumed beer. Subsequently on January 16, 2016 at approximately 2:00 AM, Officer A reported that he then drove to X Bar with Subject 2. Officer A stated that once at X Bar, individuals he knew walked in named Officer B, and Subject 3, and that these two individuals joined him and Subject 2 in socializing and drinking alcoholic beverages. Officer A could not recall the exact number or types of drinks he consumed while at X Bar. Officer A also stated that he had been drinking but did not believe he was intoxicated.

Officer A reported that Subject 1 was repeatedly attempting to talk to Subject 3 so both he and Officer B told Subject 1 to leave Subject 3 alone. According to Officer A, he and his three companions stayed at the bar when eventually a sergeant approached Officer A and asked him to step outside. Officer A stated that the sergeant (identified as Sergeant C) told him that Subject 1 reported that Officer A had threatened him and pulled his gun on Subject 1, which Officer A denied.

Officer A stated that he could not recall placing his hand on his weapon or threatening Subject 1 with his firearm. Officer A did state that he had his weapon on him at this time and that he usually keeps his weapon behind his right hip. According to Officer A, he does not normally take his gun to a bar but on the date of the incident, he had just gotten off of work and did not want to leave his weapon in his vehicle in case it got broken into. Officer A further related that he did not remember ever taking his weapon out of the holster at X Bar. According to Officer A, the reason he was seen touching his weapon in the bar's security footage was because he was adjusting his belt to prevent his weapon from pinching his side. Officer A also related that he did not recall informing Subject 1 that he is a police officer. Furthermore, Officer A stated that in the bar's security footage video of him and his companions taking a selfie photo, he was uncertain if he was holding his weapon or his black cellphone and that he did not recall removing his weapon from his holster.

Additionally, Officer A stated that he received medical treatment on the night of this incident at X Hospital. During his IPRA interview, Officer A reported that an ambulance transported him to X Hospital because Sergeant C was concerned after Officer A spit out blood. Officer A also stated that he was required to take an alcohol breath test which resulted in a blood alcohol level over ".008." According to Officer A, he was not intoxicated to the point where he was stumbling, falling, or slurring his words.

Furthermore, Officer A stated that he was drinking alcohol on January 16, 2016 and that he was in possession of his weapon while drinking alcoholic beverages but he denied engaging in an unjustified verbal altercation with Subject 1. Officer A also reported that he did not hear Officer B threaten Subject 1 or refer to Subject 1 as a "maricon".<sup>2</sup> (Atts. 64, 71)

A **Chicago Police Department Alcohol/Drug Influence** report was completed for Officer A regarding the incident at X Bar on 16 January 2016. According to this report, Officer A stated that he did not drink alcohol at X Bar but had been drinking earlier in the night at an establishment named X. Furthermore, the results from Officer A's **Breath Analysis** were obtained. This test was administered on January 16, 2016 at approximately 0707 with results of 0.183 blood alcohol content. The test was administered over three hours after Officer A was seen leaving X Bar in the bar's security camera footage. (Atts. 8, 9)

A **City of Chicago Fire Department Ambulance Report** was obtained for Officer A from January 16, 2016. This report indicated that Officer A was vomiting in a bathroom and blood was observed in his vomit. According to this report, Officer A was speaking incomprehensibly. (Att. 41)

According to X Hospital **Medical Records** from January 16, 2016, Officer A was an emergency patient at the X Hospital of Cook County (located at XXXX W. Ogden Avenue in Chicago, Illinois) and was diagnosed with alcohol intoxication. These records state that Officer A endorsed "drinking craft beer" earlier in the night and that he was slurring his speech. Similarly, an Emergency Department Patient Discharge Summary from January 16, 2016 was located for Officer A from X Hospital of Cook County. Officer A's medical condition at the time, per this report, was alcohol intoxication. (Atts. 14, 47)

In an interview with IPRA on May 31, 2016, **Officer B** stated that on January 16, 2016, he was off duty and at X Bar. Officer B reported that prior in the night, he had gone to dinner with his girlfriend, Subject 3, at X (which has an address XXX N. Michigan Avenue, Chicago, Illinois) and consumed an alcoholic beverage there before going to X Bar at an unknown time. According to Officer B, his acquaintance, Officer A, was also at X Bar with one or two friends. Officer B indicated that he and Subject 3 joined Officer A in sitting at the bar and that the complainant, Subject 1, joined in the group's conversation but they did not know Subject 1. Officer B went on to state that Subject 3 informed him Subject 1 was bothering her so he told Subject 1 to leave her and their group alone. According to Officer B, Subject 1 left them alone while they stayed at the bar socializing. Officer B reported that he did not recall Officer A confronting Subject 1 or himself talking to Subject 1 after Officer A did so. Officer B also stated that he did not recall Officer A stating something of the effect of "do you want me to [...] handle you with this" nor did he recall observing Officer A pull up his shirt and display his weapon to Subject 1 or remove his weapon from the holster. Officer B stated that Officer A did not appear to be intoxicated but he did observe Officer A drinking beer.

Next, Officer B reported that a sergeant entered and approached him and his companions and informed Officer B that Subject 1 made allegations against Officer A. Officer B stated that he did not recall conversing with Subject 1 outside of X Bar. Officer B also reported that while he was outside of X Bar, a woman arrived who said she was Subject 1's wife and Officer B spoke to her briefly before the sergeant had Officer B sit in a squad car. Officer B denied threatening to beat up Subject 1, using profanities against Subject 1, or calling him a "maricon."<sup>3</sup> (Atts. 60, 72)

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In an interview with IPRA on February 4, 2016, **Sergeant C** stated that on January 16, 2016, he was on-duty and dispatched to XXX S. Halsted Street via radio after a supervisor was requested at this location. Beat XXXX pointed out Subject 1 and informed Sergeant C that Subject 1 complained about three men inside X Bar who were police officers that had threatened Subject 1. Sergeant C approached Subject 1, who informed Sergeant C that a police officer in the bar threatened him with a gun by showing the weapon at his side and asking Subject 1 something to the effect of "You wanna get shot."

Next, Sergeant C entered X Bar and asked Subject 1 to point out the individual who threatened him. Sergeant C then approached Officer A and his companions. Officer A appeared to be upset, was acting like he had been drinking alcohol, had red eyes, and was stumbling. Sergeant C also indicated that Officer B introduced himself as a police officer. According to Sergeant C, he had Officer A leave the bar. Sergeant C reported that when he asked Officer A about the allegations Subject 1 made, Officer A denied them but did not speak much. Sergeant C also stated that he observed Officer A's weapon on his right side. Furthermore, Sergeant C stated that Officer B eventually came outside and he observed Officer B talking to Subject 1. However, Sergeant C stated that he was in his car with his window up at this time, so he did not hear the content of the conversation between Officer B and Subject 1. Once he exited the car, Sergeant C stated that Subject 1 told him that Officer B had cursed at Subject 1 and called him a "bitch." Sergeant C related that he did not hear Officer B specifically curse at Subject 1 but he did hear Officer B state profanities.

According to Sergeant C, he had the initial responding officers transport Officer A to the XX District in a squad car with one of the officers seated in the backseat with Officer A. Sergeant C said that Officer A had possession of his weapon during this transportation. Sergeant C related that Officer A began vomiting blood while at the XX District and was taken to the hospital via ambulance. (Atts. 38, 67)

In an interview with IPRA on February 4, 2016, **Officer D** related that on January 16, 2016, he was on patrol on Beat XXXXR with his partner, Officer E, when they were dispatched to XXX S. Halsted Street for an assault in progress at a bar involving police officers. Officer D stated that they met Subject 1 in front of the bar and he told them that Officer A had identified himself as a police officer and shown Subject 1 his gun. Officer D related that Subject 1 appeared to be intoxicated and that Subject 1 told him that Officer A had pointed his weapon at Subject 1. Furthermore, Officer D related that he and his partner had to call a supervisor and they waited outside X Bar until Sergeant C arrived. Once Sergeant C arrived at the scene, Officer D stated that he and Sergeant C entered the bar while Officer E stayed outside with Subject 1. Once Officer A was identified, he was brought outside. Officer D stated that Officer A had trouble standing, was slurring his words, and had red eyes. According to Officer D, he never heard Subject 1 state that Officer A threatened to shoot him, nor did he observe a conversation between Subject 1 and Officer B. Additionally, Officer D related that Officer A denied to him having displayed his weapon to Subject 1 or displaying his weapon in the bar but Officer A did admit having his weapon on him.

Officer D reported that he and Officer E transported Officer A to the XX District police station while a third officer sat in the backseat with Officer A. Officer D indicated that he observed Officer A's weapon and that he was the one who took Officer A's weapon away once they were at the police station. According to Officer D, once at the station, Officer A threw up and an ambulance was called that took Officer A to the hospital. (Atts. 39, 66)

In an interview with IPRA on February 11, 2016, **Officer E** related that while working on January 16, 2016, he and his partner, Officer D, were dispatched to XXX S. Halsted via radio. According to Officer E, upon their arrival, he and Officer D called a sergeant and obtained information from Subject 1, who was reportedly standing outside. Officer E stated that Subject 1 told him a police

officer had threatened him with a gun and that Subject 1 appeared to be slightly intoxicated. After Sergeant C arrived, Officer E related that he and his partner explained the situation to the sergeant. Officer E further related that it was mostly Sergeant C and Officer D who interacted with Officer A while Officer E mostly dealt with Subject 1. However, Officer E reported that Officer A was intoxicated because Officer A was slurring his speech and being loud, in addition to Officer D having to help him walk. According to Officer E, Officer B also appeared to be intoxicated but not to the extent that Officer A was. Furthermore, Officer E reported that he did not hear Officer B verbally threaten Subject 1. Additionally, Officer E indicated that he and Officer D transported Officer A to the XX District while a third officer rode with Officer A in the backseat. Once at the XX District, Officer E related that an ambulance had to be called for Officer A and he believed it was because Officer A was vomiting blood. (Atts. 43, 68)

In an interview with IPRA on February 16, 2016, **Subject 2**, a witness to the incident, reported that on January 16, 2016, he was at X Bar with his friend, Officer A, and they also met Subject 3 and Officer B at X Bar. According to Subject 2, he and Officer A had been at a bar named X earlier in the evening, where they each consumed one or two alcoholic beverages. Subject 2 stated that he and Officer A rode in an Uber from X to X Bar. Subject 2 related that Subject 1 was seated at the bar and was attempting to talk to Subject 3, so Officer B told Subject 1 to leave Subject 3 alone. Subject 2 related that he did not observe Officer A talking to Subject 1, he did not hear Officer A threaten Subject 1, and he did not observe Officer A displaying his weapon. Furthermore, Subject 2 said that he did not remember talking a selfie with Officer A, Officer B, and Subject 3 while at the bar. According to Subject 2, Officer A was not intoxicated. Subject 2 stated that a police sergeant walked into the bar at some point, approached Officer B, and Officer B and Officer A went outside with the responding police officers. Subject 2 stated that, at the time, he was unaware as to why there were police officers at X Bar. (Atts. 49, 69)

In an interview with IPRA on March 9, 2016, **Subject 3**, a witness to the incident, related that on January 16, 2016, she was at X Bar with Officer B, Officer A, and Subject 2 and that she is friends with the three men. Subject 3 reported that she arrived at X Bar with Officer B and that earlier in the night, she and Officer B had been at X and a bar named X. (located at XXXX S. Halsted Street, Chicago, Illinois). Subject 3 stated that she consumed alcohol beverages at both establishments. According to Subject 3, when she and Officer B walked into X Bar, Officer A and Subject 2 were already seated at the bar. Subject 3 further indicated that Subject 1 was next to her group and he offered her his chair, which she eventually accepted. Subject 3 stated that Subject 1 was talking to her so her three companions told Subject 1 to leave her alone, which Subject 1 did. Subject 3 related that there was not an argument and Subject 1 just stopped talking to her. According to Subject 3, Officer B and Officer A never identified themselves as police officers to Subject 1, she did not observe Officer A displaying his weapon to Subject 1 or threatening Subject 1, and she did not observe Officer A un-holstering his weapon. Subject 3 reported that she did not recall taking a selfie photo with Officer B, Officer A, and Subject 2 at X Bar. Subject 3 also related that Officer A did not appear to be intoxicated. According to Subject 3, later on, a sergeant walked into the bar with about three police officers, started talking to Officer B and/or Officer A, and escorted Officer A outside. Subject 3 stated that she did not observe Officer B speaking with Subject 1 while they were outside. (Atts. 54, 70)

In an interview with IPRA on January 21, 2016, **Subject 4**, a witness to the incident, related that on January 16, 2016 at approximately 2:55 AM, she went to meet Subject 1 at X Bar. According to Subject 4, when she arrived at X Bar, she observed Subject 1 outside with a uniform police officer and Subject 1 told her that an off-duty officer had threatened him by displaying his handgun and asking Subject 1 if he wanted to get shot. Subject 4 indicated that both Officer A and Officer B were intoxicated because they were slurring their words and could not stand. Subject 4 also reported that Officer B threatened her and

Subject 1 in front of the responding officers by stating something to the effect of, "you are going to pay for what you have done, you messed with the wrong person" and calling Subject 4 a "bitch." (Atts. 24, 27)

## CONCLUSION

IPRA recommends a finding of **Sustained** for **Allegations 1-4** against **Officer A, Star #XXXXXX**, that he engaged in an unjustified verbal altercation with Subject 1, was in possession of his weapon while intoxicated, stated words to the effect of "Do you want me to use this one you?" while placing his hand on his weapon, and displayed his weapon.

Video evidence from the X Bar depicts Officer A engaging in what appears to be a verbal exchange with Subject 1 while Officer A placed his hand on his weapon. All identified parties acknowledged that there was a situation at X Bar between Subject 1 and the group that included Officer A. However, the exact content and nature of this conversation varied by reporting party. After this confrontation occurred, Officer B is seen in security footage apparently talking to Subject 1, followed by Subject 1 leaving the bar shortly after and calling 911.

Furthermore, details provided by Officer A, Officer B, Subject 2, and Subject 3 were contradicted by both video and physical evidence, rendering their statements less credible. For example, all four reported that Officer A was not intoxicated which is significantly contradicted by every other witnesses' account, as well as by the physical evidence. In addition, while all parties admit a conversation between Subject 1, Officers A, and B occurred, it was reported by Officer B, Subject 2, and Subject 3 that they did not see Officer A display his weapon. The video evidence and above captured screen shots clearly show these witnesses present as Officer A moves his shirt and places his hands on his sidearm and holster, as well as these individuals all posing for a picture while Officer A has his weapon drawn from the holster.

The responding police officers confirmed that Officer A was intoxicated and in possession of his weapon upon their arrival. A breath alcohol analysis of Officer A revealed a blood alcohol concentration of 0.183 and medical records for Officer A further confirmed he was treated for alcohol intoxication. Note that Officer A's alcohol breath analysis was administered over three hours after he left X Bar, indicating he likely would have been more intoxicated during the time of the incidents than what the analysis reported.

Additionally, Subject 1's account of the event is credible and corroborated by the video and physical evidence. As asserted above, video footage confirmed that Officer A raised his shirt and touched his side arm and holster while talking to Subject 1 at the bar. Moreover, Subject 1 immediately sought assistance from the bar's bouncer and eventually made several phone calls to 911 asserting the same complaint. Finally, Subject 1's account of the events was unchallenged and corroborated by 911 dispatch records, the responding officers, Sergeant C, and Subject 1's interview with IPRA.

In sum, by a preponderance of the evidence Officer A engaged in an unjustified verbal altercation with Subject 1, possessed his weapon while intoxicated, displayed his weapon, and stated words to the effect of "do you want me to use this on you," all in violation of Chicago Police rules and policy.

IPRA recommends a finding of Sustained for Allegation 1 against Officer B , Star #XXXX, that he verbally abused Subject 1. Video evidence from X Bar shows that after exiting the bar at approximately 3:31 AM on January 16, 2016, Officer B and Subject 3 walked past Subject 1 and Subject 4 on the sidewalk. The video evidence suggests that the two couples engaged in an argument and were upset. Neither of the responding officers was still on scene and therefore would not have been able to hear any statements Officer B made at this time. Additionally, Officer B and Subject 3 both lack credibility due to inconsistencies between their interviews with IPRA and video evidence. Conversely, Subject 1 maintains credibility because his statements were able to be verified through video evidence. Additionally, while not seen in the video, it is likely that Subject 2 was also near the two couples when their exchange occurred and Subject 2 also lacks credibility due to discrepancies between his IPRA interview and identified facts.

Furthermore, X Bar security video depicts Sergeant C walking in front of his squad car and separating Subject 1 and Officer B before the video footage cuts off. In his interview, Sergeant C related that he saw Subject 1 and Officer B conversing but did not hear the content of that conversation. Sergeant C also stated that he heard Officer B using profanities, though none directed specifically at Subject 1.

The video evidence clearly shows that an altercation occurred between Officer B and Subject 4. While what is said cannot be heard, Subject 1 and Subject 4 gave credible accounts of the incident which are corroborated by video evidence. Based on the participant's body language, Sergeant C's actions of separating the individuals, and Sergeant C's decision to remove Officer B from the scene, there is sufficient evidence to sustain the allegation that Officer Officer B violated Chicago Police rules and policy by verbally abusing Subject 1.

**FINDINGS**

**Officer A**

Allegation 1 — Sustained

Allegation 2 — Sustained

Allegation 3 — Sustained

Allegation 4 — Sustained

**Officer B**

Allegation 1 — Sustained