

INTRODUCTION:

On April 18, 2017 at 12:35 PM, Officers Officer A #XXXXXX, Officer B#XXXXXX, Officer C#XXXX, and Officer D# XXXXX, responded to a domestic disturbance call at XXXX N. Monitor Avenue. Officers attempted to intervene in the domestic disturbance between Subject 1 and Subject 2. During the incident, Subject 1's brother, Subject 3, intervened in his brother's arrest and was arrested. Subject 3 alleges that Officers A, B, C and D used excessive force while taking him into custody.

ALLEGATIONS:

It is alleged that on April 18, 2017 at 12:35 PM, at XXXX N. Monitor, the accused, Officer A #XXXXXX,

1. Head-butted Subject 3; and
2. Grabbed him and pulled him out of the doorway; and
3. Did not complete a Tactical Response Report.

It is alleged that on April 18, 2017 at 12:35 PM, at XXXX N. Monitor, the accused, Officer B#XXXXXX,

1. Head-butted Subject 3; and
2. Grabbed him and pulled him out of the doorway; and
3. Did not complete a Tactical Response Report.

It is alleged that on April 18, 2017 at 12:35 PM, at XXXX N. Monitor, the accused, Officer C#XXXX,

1. Head-butted Subject 3; and
2. Grabbed him and pulled him out of the doorway.

It is alleged that on April 18, 2017 at 12:35 PM, at XXXX N. Monitor, the accused, Officer D#XXXX,

1. Head-butted Subject 3; and
2. Grabbed him and pulled him out of the doorway.

APPLICABLE RULES AND LAWS:

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

Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

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

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

- G03-02 Use of Force Guidelines
- G03-02-01 The Use of Force Model
- G03-02-02 Force Options
- G03-02-04 CLEAR Automated Tactical Response Report
- G03-02-05 Incidents Requiring the Completion of a Tactical Response

INVESTIGATION:

In an **interview with IPRA** conducted on April 21, 2017, complainant Subject 3 (“Subject 3”) stated that on April 18th, 2017 at approximately 5:00 PM, he was asleep in his bedroom when he was awakened by noises coming from the front porch. Subject 3 stepped out the front door onto the porch and saw two POs in uniform along with his father, Civilian 1, and his brother, Subject 1. Subject 3 described one PO as Hispanic and the other PO as Caucasian. The Caucasian PO was talking with Subject 1 who was sitting on a folding chair on the porch. Subject 3 described the interaction between his brother and the PO as a verbal argument in which Subject 1 was telling the PO that he wanted to talk to his “baby mother” because he wanted to know what was happening. Subject 1 was referring to Subject 2, a woman with whom he shares two children, and who called the police. Subject 3 stated that Subject 2 was inside with her mother during this argument, packing up her belongings. During this time, Subject 3 also stated that the Caucasian PO was yelling at Subject 1, telling Subject 1 that he needs to be quiet, and per Subject 3, repeatedly telling Subject 1 that he was “abusive”. Subject 3 recalled that Subject 1 repeatedly stood up to walk away and each time he stood up the PO placed his hands-on Subject 1 and “pushed” him back in the chair. Subject 3 recalled placing himself physically in between the PO and Subject 1 at one point, telling them that they were both mad and that the PO was provoking Subject 1. Per Subject 3, both the PO and Subject 1 eventually “calmed down” which was when Subject 3 stepped aside. Subject 3 stated that after he stepped aside the PO and Subject 1 went back to their verbal altercation and at one point Subject 1 walked towards the front door to go see his “baby mother” which was when the Caucasian PO pulled Subject 1 back into the chair. Subject 3 related that this verbal argument between Subject 1 and the PO lasted around five minutes, and included the PO calling Subject 1 “the b word” and Subject 1 calling the PO a “chicken nugget head”. The Caucasian PO then called for back-up. Subject 3 stated that three or four squad cars responded to the scene with around five additional POs in them, one of whom was a Sergeant that Subject 3 called “white shirt.” All the POs approached the porch and walked up the stairs. Subject 3 recalled that once the additional POs saw that the scene was calm, they started to walk back down the stairs. Now, Subject 2 and her mother exited the house with Subject 2’s belongings and walked down the stairs with the POs toward Subject 2’s vehicle. Subject 3 stated that Subject 1 began to walk down the stairs once Subject 2 reached her car across the street from the house and started placing her things inside. A neighbor, Civilian 2, came over at that time and began talking with Subject 1 on the sidewalk in front of the steps. Subject 3 recalled that Subject

1 and the PO were still arguing and calling each other names but no one else was on the porch except Subject 3. The Sergeant instructed the Caucasian PO to “get him,” meaning Subject 1.

Subject 3 stated that Subject 1 then walked up the stairs and went into the house, closed and locked the door. Subject 3 recalled turning around and realizing that the door was locked. When Subject 3 turned back around he saw many POs “rushing” up the stairs and “ambushing” him into the door. After further explanation, Subject 3 stated that the Caucasian PO “head-butted” Subject 3 in the stomach on his way to the door which caused Subject 3 to fall backwards into the door. Subject 3 stated that he was then “grabbed and pulled” to the left of the porch in an effort for the POs to get to the door. Subject 3 also describes that he was then “pushed to the ground and handcuffed”. Subject 3 stated that he questioned the POs as to why he was being arrested and a female Hispanic PO responded by hitting him lightly in the face with her hand and telling him to shut up. Subject 3 stated that the Caucasian PO then kicked the front door open and went inside followed by the other POs in search of Subject 1. Subject 3 heard his brother Subject 1 “hollering and screaming” from inside the house while Subject 3 was still handcuffed on the ground. A little while later, the POs walked out of the house with Subject 1 in handcuffs and as they began walking down the stairs Subject 3 was escorted from the front porch to the police van. Subject 3 stated that after approximately four minutes in the van, he was transported from the house to the 25th District for processing.

Subject 3 later learned that he had been arrested for obstructing a police Officer A and resisting arrest and Subject 1 had been arrested for assault and battery of a police officer, resisting arrest and obstructing a police officer. As of the date of Subject 3’s IPRA statement, Subject 1 was still in custody. (Att# 5)

The **Office of Emergency Management and Communications (OEMC) Event Query 171081XXXX** indicates that on April 18, 2017 at 5:20 PM, Beats XXXX, XXXX, XXXX, XXXXX, and 2521 were at the location of XXXX N. Monitor Avenue in relation to assisting a citizen. (Att# 18)

The related **Original Case Incident Report RD# XXXXXXXX and Event# XXXXXXXXXX** documents that on April 18 2017, at the location XXXX N. Monitor Avenue at 5:30 PM, POs Officer B and Officer A responded to assist a citizen, Subject 2. Subject 2 related that on April 16, 2017, she had an argument with which became physical and resulted in her being struck in the face with a closed fist. Subject 2 reported she was unable to file a report that day, April 16, 2017. On April 18, 2017, Subject 2 related that she needed assistance retrieving her belongings from the residence and called the police for assistance. During this time, Subject 1 approached Subject 2 several times in an aggressive manner telling her she “did not need to talk to police POs”. While POs were getting complaints signed, Subject 1 stated “let me catch you out on the street” to Officer B. At this time, Officer B attempted to place Subject 1 in custody but he ran into the house. Subject 3, Subject 1’s brother, was awakened during this commotion and was standing on the porch in the doorway when Subject 1 fled into the house. Subject 3 blocked the doorway and after several verbal commands, Subject 3 was removed from the doorway and placed into custody.

Reporting POs were able to gain entry and performed an emergency takedown to place Subject 1 in custody. Subject 1 was flailing and kicking and struck Officer B in the left wrist. Officer A was

also scratched on the left forearm during this takedown. Subject 1 was struck two times in the right shin by Officer B with an asp. (Att# 16)

The **Arrest Report of Subject 3CB# XXXXXX** documents that on April 18 2017, at the location of XXXX N. Monitor Avenue at 5:30 PM; Subject 3 was arrested and charged with Resisting/Obstructing a Police Officer. The narrative of the Arrest Report indicates that Subject 3 was arrested while POs attempted to place his brother, Subject 1, in custody. Subject 3 stood in front of the door Subject 1 ran through and extended his arms with the intention to obstruct the arrest of his brother. Subject 3 was given several verbal directions to move away but did not. (Att# 10)

The **Arrest Report of Subject 1CB# XXXXXX** documents that on April 18, 2017, at the location XXXX N. Monitor Avenue at 5:30 PM; Subject 1 was arrested and charged with Aggravated Assault of a Police Officer, Domestic Battery, Battery, and Aggravated Assault of a Police PO with the victims reported as Subject 2. The narrative of the Arrest Report indicates that Subject 1 said, "Let me catch you on the street." This was directed at Officer B as he was attempting to get Subject 2 to sign the domestic complaint against Subject 1 for him punching her in the face on April 16, 2017. Subject 1 was placed in custody. He was flailing his arms and legs while being placed in custody and causing a laceration to Officer B's wrist. (Att # 13)

The **Tactical Response Report (TRR) of Officer C #XXXX** reports that Subject 3 was a passive resister (did not follow verbal direction and stiffened). Officer C utilized member presence, escort holds, and wristlock to subdue the subject. In the subject's statement regarding the use of force, Officer C reported that the arrestee related that "POs approached to arrest his brother. Arrestee related that he stood in the doorway because it's private property. Subject related that POs were quick, they pulled me onto porch and arrested me." (Att #11)

The **Tactical Response Report (TRR) of Officer D#XXXXX** reports that Subject 3 was a passive resister (did not follow verbal direction and stiffened). Officer D utilized member presence, verbal commands, escort holds, and wristlock to subdue the subject. In the subject's statement regarding the use of force, Officer D reported that the arrestee related that "POs approached to arrest his brother. Arrestee related that he stood in the doorway because it's private property. Subject related that POs were quick, they pulled me onto porch and arrested me". (Att# 12)

The **Tactical Response Report (TRR) of Officer B #XXXXX** reports that Subject 1 was a passive resister (did not follow verbal direction), which was met with member presence, escort holds, and wristlock to subdue the subject. Subject 1 escalated to an active resistor (fled and pulled away) which Officer B reported he met with take down/emergency cuffing. Subject 1 then became an assailant (attack without a

weapon) and an impact weapon was used in response. In the subject's statement regarding the use of force, Officer B reported that the arrestee related that "he had a tussle/argument with his girlfriend on Sunday; the arrestee related that he ran in the house when POs came towards him, that the door was locked, but POs forced the door open. Arrestee related that he laid down on the floor, but denied kicking or resisting arrest". (Att# 14)

The **Tactical Response Report (TRR) of Officer A #XXXXX** reports that Subject 1 was a passive resister (did not follow verbal direction), which was met with member presence, verbal commands, escort holds, and wristlock to subdue the subject. Subject 1 escalated to an active resistor (fled and pulled away) which Officer A reported he met with take down/emergency cuffing. In the subject's statement regarding the use of force, Officer A reported that the arrestee related that "he had a tussle/argument with his girlfriend on Sunday; the arrestee related that he ran in the house when POs came towards him, that the door was locked, but POs forced the door open. Arrestee related that he laid down on the floor, but denied kicking or resisting arrest". (Att# 15)

No **Body-Worn Camera footage** was requested for this incident because no body-worn cameras are assigned to this district. No In-Car Camera footage was requested as this incident occurred on the front porch of a house which was not visible to police cars parked on street. (No Att.)

In an **interview with IPRA** conducted July 25, 2017, witness Officer E #XXXX, stated that on April 18th, 2017 at approximately 4 PM at XXXX N. Monitor Avenue, she responded to a call for assistance made by Officer B. When Officer E arrived on the scene and exited her vehicle, she witnessed Officer B walking towards the victim, now known as Subject 2, to get her to sign the complaint. Officer E then heard one of the offenders yelling out to Subject 2 stating things to the extent of "You don't have to listen to the P.O." and "don't sign the complaint." Officer E also heard the same offender engage in a verbal altercation with Officer B stating phrases to the extent of, "I'm going to beat your ass" and "I'm gonna get you on the street." Officer E recalled that at this point this offender, now known as Subject 1, started walking towards Subject 2 to which POs responding by telling him to stay away from her. Subject 1 responded to these remarks by 'yelling' "I'm gonna beat your ass." Officer E was standing away from the scene at this time but heard Lieutenant A state that Subject 1's words were verbal threats and Lieutenant A then commanded Officer B to arrest Subject 3. Officer E recalled Officer B moving to place Subject 1 into custody but Subject 1 ran into the house before Officer B had the chance to do so. At this time, Officer E witnessed Subject 1's brother, Subject 3, who had been standing on the porch, stand in front of the door with his arms stretched out in an effort to block Officer B's and Officer A's entry into the house. Officer E remembered Subject 3 kicking the POs and holding his hands up to resist arrest. Officer E also recalled that at one point Subject 3 was on the side of the building by the door and that Officer A was the primary arresting PO of Subject 3. Officer E stated that at this time she was standing on the porch assisting with the arrest of Subject 3; however, she did not recall how she assisted. Officer E stated that she may have guided the handcuffs onto Subject 3. The other PO, who Officer E believed was Officer A, was giving Subject 3 verbal commands to the extent of "stop resisting and stop moving." Once Subject 3 was handcuffed, Officer

E recalled peeking inside through the open door and seeing Officer B with Subject 1 in custody. Officer E was unsure of how Officer B gained entry into the house. (Att# 33)

In an **interview with IPRA** conducted July 25, 2017, witness Officer F#XXXXXX, stated that on April 18th, 2017 at approximately 4 PM at XXXX N. Monitor Avenue, Officer F was on duty. When Officer F arrived, he saw Officer B and another unknown PO talking to the female victim. Officer F and his partner Officer G observed the situation from afar. Officer F then spent ten minutes talking to the female victim. The offender, Subject 1, was yelling and screaming at the victim. There were several other civilian males on the porch. After Subject 1 threatened "I'm gonna get you in the street" to Officer B, Subject 1 ran inside full-speed. POs pursued Subject 1. Officer F was instructed by another unknown PO to "go back to the back of the building" to cover in case Subject 1 were to flee out the back. Officer F did not see anything but heard a commotion "stop resisting, stop resisting". Officer F went back to the front of the building and observed Subject 1 already handcuffed in the living room of the house at which time they took him to the wagon and transported him to District 25. Officer F did not have any involvement or knowledge of the arrest of Subject 3 because he was behind the house. He knew there was another arrestee because they transported two arrestees in the wagon. Officer F did not see the arrest but heard Subject 1 screaming and went back to the front of the house to assist but the POs had already gained control and cuffed Subject 1. Officer F's only contact with Subject 3 was in the transport. Officer F reported Officer B was the PO who arrested Subject 1. Officer F reported Officer B's partner assisted Officer B in the arrest but Officer F did not know Officer B's partner's name. (Att# 34)

In an **interview with IPRA** conducted August 9, 2017, witness Officer B #XXXXXX, stated that on April 18th, 2017 at approximately 4 PM at XXXX N. Monitor Avenue, he was on-duty with Officer D when they were called to assist a citizen, Subject 2 ("Subject 2") and escort her to a man named Subject 1's ("Subject 1") house to retrieve her children and her belongings. Officer B recalled that Subject 2 and Subject 2's mother met Officer B down the street from Subject 1's house where Officer B and Subject 2 had a brief conversation about what Subject 2 needed to pick up from Subject 1's residence. Officer B recalled Subject 2 stating that Subject 1 was violent and had punched Subject 2 in the face two days earlier therefore she wanted assistance getting her belongings. Officer B recalled Subject 2 parking in front of Subject 1's house first, and Officer B parked behind her. Officer B knocked on the door of the residence with Officer D standing across from Officer B and Officer B told Subject 2 to stand on the steps in case Subject 1 got aggravated. Officer B recalled that when Subject 1 opened the door, Officer B introduced himself and told Subject 1 that Subject 2 wanted to grab her kids and her belongings and be on her way. Officer B recalled that almost immediately after the introduction, Subject 1 started yelling at Subject 2 saying things to the extent of, "Why did you bring these mother fuckers here." Subject 1 continuously said to Subject 2 "we need to talk about this" and Subject 2 stated things to the extent of, "just let me get my things." Officer B recalled that this interaction went back and forth for approximately three (3) to five (5) minutes.

Officer B then stated that a child came out of the house at this time and stood physically in between Subject 1 and the doorway. Subject 2 had taken several steps up the stairs and bent down to pick up the child which was when Subject 1 stood in front of the child and slightly "pushed" the child back while

swatting Subject 2's hand away and saying, "no we are going to talk about this." At this time, Officer B stated that he put his hand on Subject 1's stomach and stated something to the extent of, "do not interfere with her getting her child." Officer B clarified that Subject 1 and Subject 2 did not have a custody agreement therefore it was Subject 2's child. Officer B then stated that Subject 1 balled up his fists, put his chest against Officer B, cocked his head and stated something to the extent of, "you are on private property mother fucker, I will knock you the fuck out." Officer B recalled that at this time Subject 3, Subject 1's brother, exited the house and stood behind Officer D with his face extremely close to Officer D's neck, however Officer B did not recall seeing Subject 3 exit the house. Officer B stated that he then pulled out his taser and told Subject 1 to sit down because Subject 1 was being combative. Officer B then told Officer D to make sure that Subject 3 did not stand behind Officer D. Officer B also stated that at this time he looked inside the house and saw five to six adult males in the house and began to worry that this incident could become dangerous. Officer B then requested back up over the radio.

Officer B recalled Subject 1 "yelling" that he wanted to see Officer H who was the District Intelligence Officer. Officer B recalled getting stricter with Subject 1 saying something to the extent of, "he [Officer H] does not want to deal with this right now, this is between us." Officer B recalled Officer H responding to the residence and took Subject 1 inside the house to talk to him. It is unknown who called Officer H to the scene. Officer B recalled hearing part of the conversation between Officer H and Subject 1 and recalled Officer H saying something to the extent of, "you better do this or I can't protect you." When Subject 1 and Officer H came back outside, Subject 1 agreed to let Subject 2 collect her children and her belongings. At this time, Officer B recalled between three (3) and ten (10) squad cars showing up at the residence, including Lieutenant A. Officer B eventually walked down the steps to brief Lieutenant A on what was occurring at the time. Officer B stated that as everyone was beginning to leave, Subject 2 talked to Officer B near her vehicle about "signing a complaint" against Subject 1 with the police due to his behavior with the police and his own actions with Subject 2. Subject 1 then came off the porch and stated something to the extent of, "Hey Officer B, hey you chicken head motherfucker, wait till I catch you out on the fucking street." Lieutenant A was present during this encounter and said to Officer B something to the extent of, "Go lock him up. He is not going to threaten you in front of me." Officer B then turned and started running toward the house to which Subject 1 turned and ran back into the house and closed the front door. As Officer B and Officer A were making their way up the stairs, Subject 3 was on the side of the front door and as the POs got closer to the door Subject 3 stood in front of the door and "braced himself." The POs told Subject 3 to get out of the way while they were on their way up the stairs however Subject 3 did not move. Officers A and Officer B "removed" Subject 3 from the doorway by physically grabbing Subject 3 in a matter of seconds and removing him from the doorway and Officer B recalled seeing other POs with Subject 3 afterwards. Officer B then tried opening the front door to discover it was locked. Officer B then pulled out his ASP and stuck it in a crack between the door and the wall to try to get the door to open. When the door finally opened, Officer B saw a wall that Subject 1 had created to barricade the door. Officer B stated that once he entered the house he saw Subject 1 ball up his hands "like he's going to fight" and started walking backwards resulting in Subject 1 tripping and falling. At this time, Officer B stated that he then went to grab Subject 1 and Subject 1 started kicking and hitting Officer B. While Subject 1 was kicking, Officer B grabbed Subject 1's leg with Officer B forearm and hip. Subject 1 started kicking Officer A therefore Officer B struck Subject 1 twice in his right shin with Officer B's ASP. Officer B recalled trying to grab Subject 1's legs and Officer B was eventually able to handcuff Subject 1. Officer B recalled a Pitbull

exit the back-bedroom door and at this time Lieutenant A was also now in the room with the other Officers and Subject 1.

Officer B stated that he did not recall “head-butting” Subject 3 intentionally but did not state whether Officer B ’ head contacted Subject 3. Officer B stated that if he did inadvertently head-butt Subject 3 it would not have been graphic or violent enough to sustain any injuries. (Att# 59)

In an **interview with IPRA** conducted August 4, 2017, witness Officer A #XXXXXX, stated that on April 18th, 2017 at approximately 4 PM at XXXX N. Monitor Avenue, Officer A was on duty on Beat 2521 and responded to a call for “more cars” and assistance by Officer B. When Officer A arrived, there were several officers already on scene. Officer A observed Officer B speaking to the female victim (Subject 2) in the middle of the street in front of the house. Officer B was walking the female victim to her car. Officer A observed the offender (Subject 1) was pacing up and down on the steps yelling at Officer B and yelling at the victim. Subject 1 was yelling at Subject 2 to not talk to the police and yelling at Officer B to leave Subject 2 alone. Officer A overheard Subject 1 say “let me catch you on the streets” to Officer B. Officer A reported he recalled civilians on the porch. At this time, Lieutenant A who was on scene directed officers to “go get him”. At this time, Officer A reports he and Officer B were the first ones to run from the streets up the stairs into a full running speed in pursuit of Subject 1 at which time Subject 3 jumped into the doorway. Subject 3 crouched down and pushed his hands into the front of his body. At this time, Officer B is to Officer A’s right and they are facing the doorway. Officer A stated that he said “MOVE, MOVE, GET OUT THE WAY” and grabbed Subject 3’s right arm and pulled him out of the way and passed him to the officers behind him. Officer A demonstrated how he grabbed Subject 3 for the record by holding the right wrist of an IPRA Investigator and placing his left hand on his left shoulder. Officer A reported Officer B was on his Officer A’s right side and Officer A does not recall but assumed Officer B grabbed him on his left arm. Officer A reported his head never came in contact with Subject 3’s body and Officer A did not recall if Officer B’s head came into Subject 3’s body. Officer A reported neither himself nor Officer B had to kneel to move Subject 3. Officer A reported he and Officer B were crouched down to match Subject 3’s crouch but were never kneeling or on the ground. Officer A reported he believes they damaged the door. Officer A reported he was not one hundred percent sure but believed he passed Subject 3 to Officer C and Officer E. Officer A reported he did not head-butt Subject 3.

Officer A said he did not complete a TRR for the contact he had with Subject 3 but he did complete a TRR for the arrest of Subject 1. Officer A reported he did not see the arrest of Subject 3 or hear any commands given to Subject 3. Officer A stated he and Officer B then began working the door to gain entry to arrest Subject 1. Officer A reported the door was never locked but Subject 1 stood behind the door trying to close it. Officer A reports he and Officer B were pushing the door and it opened partially at which time Officer B put his baton in the crack of the doorway to gain entry. Officer A reported he and Officer B were able to gain entry and as they entered, Subject 1 ran to the living room and tripped and fell. Officer A reported he and Officer B get on top of him. Officer A reported he struggled to get control of Subject 1’s right arm. Officer A reported both he and Officer B sustained injuries. Officer A reported he sustained a scratch to his left forearm and Officer B sustained a scratch to his left wrist. Officer A reported the injuries sustained by him and Officer A were during the arrest of Subject 1. Officer A reported he and Officer B were the officers who put Subject 1 under arrest. Officer A reported he did not see Officer B strike Subject

3 with the baton. Officer A referred to the arrest report to recall where Officer B struck Subject 3. Officer A recalls learning about the strikes from Officer B after the arrest. Officer A reported the approximately forty seconds elapsed between him moving Subject 3 from the doorway and placing Subject 1 under arrest. Officer A recalled walking Subject 1 out and taking him to the squad car but he did not recall seeing anything else. Officer A did not recall if Subject 3 was on the porch when he walked Subject 1 out. Officer A recalled walking past Lieutenant A. Officer A could not recall whether he transported Subject 3 or Subject 1. Officer A reported the police wagon was on scene and when people are resisting they typically are transported in the wagon. Officer A again recalled that no one was ever involved in an on the ground scuffle with Subject 3 and Subject 3 was never on the ground. Officer A reported there were no injuries to Subject 1 or Subject 3. Officer A reported no ambulances came to the scene, Subject 1 and Subject 3 refused treatment. (Att# 45)

In an **interview with IPRA** conducted August 4, 2017, accused Officer C #XXXX, stated that on April 18th, 2017 at approximately 4 PM at XXXX N. Monitor Avenue, he was on duty and him and his partner, Officer A, responded to a call for assistance from Officer B at XXXX North Monitor Avenue. Officer C reported a lot of POs were on scene and the original offender, Subject 1, was making a scene and yelling at Officer B. Subject 1 yelled a threat to Officer B in front of the field Lieutenant and the field Lieutenant ordered Officer B to arrest him. Officer C then made his way to arrest Subject 1 and Subject 1 ran into house. At that time, Subject 3, blocked the door by putting his hands on the door frame and stiffens up in the doorway. Officer C followed officers onto porch and the officers in front push past Subject 3 and as the officers pushed past Subject 3, Officer C grabbed Subject 3's arm and pulled him to the side. Officer C does not remember which arm he grabbed. Officer C admitted to grabbing and pulling Subject 3 out of the doorway. Officer C denied head-butting and pulling Subject 3 to the ground. Officer C reported Officer E assisted him in arresting Subject 3. Officer E is a female officer. Officer C reported Officer E only held Subject 1's arm while Officer C placed the cuffs on Subject 3. Officer C reported the arrest took approximately 10 seconds. Officer C reported the situation did not warrant the completion of a TRR. Officer C did not recall that he did complete a TRR. Officer C reported there were no injuries. Officer C reported he did not recall completing the TRR. Officer C did not recall what verbal commands he gave Subject 3. Officer C reported when Subject 1 entered the house, the door did not close completely. Officer C reported he did not know who arrested Subject 1. Officer C reported at least ten officers were on scene and conditions were clear. Officer C reported he an Officer E arrested Subject 3 for Obstruction. Officer C reported at no time was he himself, Subject 3, or Officer E on the ground. Officer C reported that he did not recall what verbal directives were given but typically in this kind of scenario he speculated that he would have said "get out of the doorway". Officer C recalled that the porch was approximately five feet by five feet. Officer C reported he did not recall any furniture on the porch. Officer C reported he never saw any officers head come in contact with Subject 3's body. Officer C recalled he never saw Subject 3 seated on the porch on any steps or furniture. Officer C reported he did not recall any officer touching Subject 3's face. Officer C reported the only physical contact Officer E had with Subject 3 was holding the arm of Subject 3 as Officer C placed the cuffs on Subject 3. Officer C did not recall which arm he or Officer E held. Officer C reported he did not recall any one at the scene recording or watching the incident. (Att# 41)

In an **interview with IPRA** conducted August 9, 2017, accused Officer D#XXXXX, stated that on April 18th, 2017 at approximately 4 PM at XXXX N. Monitor Avenue, he was on-duty with Officer B. Officer D and Officer B met with a young woman named Subject 2 (“Subject 2”) and her mother on the corner of Monitor and North Avenue because Subject 2 had been involved in a domestic incident that occurred a few days prior. Officer D stated that Subject 2 did not intend to press charges at that time but she wanted her belongings and her children from XXXX Monitor, which was Subject 1’s (“Subject 1”) residence. Officer D recalled parking in front of XXXX Monitor and Officer B and Subject 2 went up to the door and spoke with Subject 1. Officer D stated that this encounter quickly became an argument between Subject 1 and Subject 2 to which Subject 1 said something to the extent that he was upset Subject 2 involved the police. Subject 1 would not respond to Officer B who attempted to intervene to diffuse the situation. Officer D then recalled Officer B moving closer to Subject 1 to talk to him which was when Subject 1 “bucked his chest up” and clenched his fist at Officer B. Officer B took out his taser in response to this and Officer D recalled that Officer B and Subject 1 were near in the doorway. Officer D stated that he then grabbed Subject 1 by one arm and Officer B grabbed Subject 1’s other arm and the officers removed Subject 1 from the doorway and sat him on a chair to the right of the door on the porch. Subject 2 then began to gather her belongings from the house. Officer D stated that at this time Subject 1 was still arguing by shouting in the house and arguing a bit with the Officers. Officer D stated that Subject 3 may also have moved from the chair a few times but their main concern was to make sure Subject 2 could get her things without being in contact with each other. At that time, Officer D stated that he was standing in the doorway watching Subject 1 with his back facing the doorway, while Officer B stood close to the stairs, also watching Subject 1. At that time, Officer D recalled that Subject 3 (“Subject 3”) came out of the residence and stood behind Officer D near his hip. Officer D stated that Officer B saw this encounter and decided to call for more assistance. Officer D then moved into a different position that way he could see both Subject 3 and Subject 1. Assistance arrived quickly after and by that time Subject 2 had finished gathering her belongings and her children. During this time, Subject 1 was continuously asking for a specific Officer that Subject 1 knew. This Officer, later to be known as Officer H, eventually arrived on scene and began attempting to calm Subject 1 down by taking Subject 1 inside the residence to talk with him. At this point, Officer D recalled leaving the porch and moved to the side walk with Officer B to talk with Lieutenant A. Officer D recalled that Subject 2 was at her vehicle and the Sargent arrived on the scene. Officer D recalled that Subject 2 needed to grab one more bag from inside the house therefore Officer D, Officer B and Lieutenant A walked with Subject 2 to the side walk and Subject 2 proceeded to grab her last bag and move off the porch. At this time, Subject 1 verbally threatened Officer B and to which Lieutenant A stated that he wanted Subject 1 arrested. Officer D stated that he believed Subject 1 heard the Lieutenant say this which was why Subject 1 ran inside the residence and Officer A and Officer B ran after Subject 1 into the house with Officer D and Officer C following. Officer D recalled Subject 1 slammed the front door shut and was holding it shut while Subject 3 stood in the doorway, blocking the officers from getting inside the residence. Officer D recalled the officers in front of him, Officer B and Officer A, asking Subject 3 to move but Subject 3 did not. Officer D recalled either Officer A or Officer B “handing” Subject 3 off to Officer D. Officer D recalled grabbing Subject 3 from the Officers. While Officer D and Officer C attempted to arrest Subject 3, Subject 3 was stiffening his arms while leaning against the chair and wouldn’t give Officer D his wrists. Officer D recalled that he and Officer C put Subject 3 in a wrist lock with Officer D holding Subject 3’s left arm and Officer C had Subject 3’s right arm. Officer D also recalled giving Subject 3 verbal direction such as “hands behind your back,” “let me see your wrist,” and “stop flexing” which Subject 3 did not follow. Officer D stated that Officer C officially handcuffed Subject 3. Officer D also recalled that Officer E was

standing behind Officer D and Officer C while they handcuffed Subject 3 and did not have any contact with Subject 3. Officer D stated that after placing Subject 3 under arrest, Officer D was sent by one of the Sargent's to keep Subject 2 away from the scene during this time.

Officer D also recalled Subject 3 and Subject 1' father was present at the scene as well as some civilians in the alley. Officer D did not recall additional people in the house except possibly one friend moving in and out of the house. Officer D also stated that at the station Subject 3 mentioned that he stood in front of the door because the residence was private property. (Att# 58)

In a **field interview** conducted during a canvass at XXXX N. Monitor Avenue on July 24, 2017 at 10:30 AM Subject 3 reported he no longer wanted to pursue the complaint against the police. Subject 3 reported he pled guilty to an amended charge (he was originally charged with resisting/obstructing police) and has not had any contact with police POs since the incident. Subject 3 reported no one head butted him during the incident but rather removed him from the doorway to gain access to the home. Subject 1 reported he does not want to pursue a complaint against the police. Subject 1 reported he is the husband of Subject 2 and she does not want to pursue an Order of Protection against him. Subject 1 reported Subject 2 does not want not participate in the police misconduct investigation either. Neither Subject 3 nor Subject 1 would provide Subject 2's phone number. A CLEAR search of Subject 2 only produced the XXXX N. Monitor Avenue address. (Att# 30)

CONCLUSION/ANALYSISⁱ:

COPA's burden of proof is based on the preponderance of evidence standard. As such, IPRA recommends that Allegation # 1 that Officer A #XXXXXX, head-butted Subject 3, be Unfounded. During his complainant interview with IPRA, Subject 3 reported he was head-butted during the takedown. However, in the field interview conducted July 24, 2017, Subject 3 reported he was not head-butted but rather removed from the doorway while police were trying to apprehend his brother and that he no longer wanted to pursue any allegations of misconduct against the POs involved. During the interview with accused Officer A, Officer A reported he did not head-butt Subject 3. There is no video or photographic evidence available from this incident to corroborate the officers' or Subject 3's version of events.

COPA recommends that Allegation #2, that Officer A #XXXXXX, grabbed Subject 3 and pulled him out of the doorway, be Exonerated. Subject 1 ran into the house to evade police apprehension. Subject 3 admitted that police had to remove him from the doorway to apprehend Subject 1. It is permissible under Chicago Police Department's Use of Force Guidelines (G03-02) to grab and pull an individual if they are blocking the apprehension of someone being legally detained. The officers had a legal right to both arrest Subject 1 and to remove Subject 3 from blocking the doorway through which Subject 1 fled. Further, Subject 3 was arrested for obstruction but then pled to an amended charge. Moreover, there is no video or photographic evidence available from this incident that would suggest the officer(s) violated any departmental policy.

COPA recommends that Allegation #3, that accused Officer A #XXXXXX, did not complete a TRR be Exonerated. This investigation revealed that Officer A was the first one up the stairs in pursuit of Subject 1. Subject 3 stood in the doorway and blocked the doorway with his hands. Officer A grabbed Subject 3 and pulled him out of the doorway, passing him to Officers C and Officer E who then handcuffed Subject 3 and placed him under arrest. This action does not warrant the completion of Tactical Response Report as it surmounts to simple contact that does not qualify as a use of force.

COPA's burden of proof is based on the preponderance of evidence standard. As such, COPA recommends that Allegation #1 that Officer B #XXXXXX, head-butted Subject 3, be Unfounded. During his complainant interview with IPRA, Subject 3 reported he was head-butted during the takedown. However, in the field interview conducted July 24, 2017, Subject 3 reported he was not head-butted but rather removed from the doorway while police were trying to apprehend his brother and that he no longer wanted to pursue any allegations of misconduct against the POs involved. During the interview with accused Officer B, Officer B reported he did not head-butt Subject 3. There is no video or photographic evidence available from this incident to corroborate the officers' or Subject 3's version of events.

COPA recommends that Allegation #2, that Officer B #XXXXXX, grabbed Subject 3 and pulled him out of the doorway, be Exonerated. Subject 3 admitted that police had to remove him from the doorway to apprehend Subject 1. It is permissible under Chicago Police Department's Use of Force Guidelines (G03-02) to grab and pull an individual if they are blocking the apprehension of someone being legally detained. The officers had a legal right to both arrest Subject 1 and to remove Subject 3 from blocking the doorway through which Subject 1 fled. Further, Subject 3 was arrested for obstruction but then pled to an amended charge. Moreover, there is no video or photographic evidence available from this incident that would suggest the officer(s) violated any departmental policy.

COPA recommends that Allegation #3 which alleges that accused Officer B #XXXXXX did not complete a TRR be Exonerated. This investigation revealed that Officer A was the first one up the stairs in pursuit of Subject 1. Subject 3 stood in the doorway and blocked the doorway with his hands. Officer A grabbed Subject 3 and pulled him out of the doorway, passing him to Officers Officer C and Officer E who then handcuffed Subject 3 and placed him under arrest. Officer B did not have physical contact with Subject 3 and therefore would not be required to complete a TRR.

COPA's burden of proof is based on the preponderance of evidence standard. As such, IPRA recommends that Allegation # 1 that Officer C #XXXX, head-butted Subject 3, be Unfounded. During his complainant interview with IPRA, Subject 3 reported he was head-butted during the takedown. However, in the field interview conducted July 24, 2017, Subject 3 reported he was not head-butted but rather removed from the doorway while police were trying to apprehend his brother and that he no longer wanted to pursue any allegations of misconduct against the POs involved. During the interview with accused Officer C, Officer C reported he did not head-butt Subject 3. There is no video or photographic evidence available from this incident to corroborate the officers' or Subject 3's version of events.

COPA recommends that Allegation #2 that Officer C, #XXXX, grabbed Subject 3 and pulled him out of the doorway, be Exonerated. Subject 3 admitted that police had to remove him from the doorway to apprehend Subject 1. It is permissible under Chicago Police Department's Use of Force Guidelines (G03-02) to grab and pull an individual if they are blocking the apprehension of someone being legally detained.

The officers had a legal right to both arrest Subject 1 and to remove Subject 3 from blocking the doorway through which Subject 1 fled. Further, Subject 3 was arrested for obstruction but then pled to an amended charge. Moreover, there is no video or photographic evidence available from this incident that would suggest the officer(s) violated any departmental policy.

COPA's burden of proof is based on the preponderance of evidence standard. As such, COPA recommends that Allegation #1, that Officer D #XXXXXX, head-butted Subject 3, be Unfounded. During his complainant interview with IPRA, Subject 3 reported he was head-butted during the takedown. However, in the field interview conducted July 24, 2017, Subject 3 reported he was not head-butted but rather removed from the doorway while police were trying to apprehend his brother and that he no longer wanted to pursue any allegations of misconduct against the POs involved. During the interview with accused Officer D, Officer D reported he did not head-but Subject 3. There is no video or photographic evidence available from this incident to corroborate the officers' or Subject 3's version of events.

COPA recommends that Allegation #2 that Officer D #XXXXXX, grabbed Subject 3 and pulled him out of the doorway, be Exonerated. Subject 3 admitted that police had to remove him from the doorway to apprehend Subject 1. It is permissible under Chicago Police Department's Use of Force Guidelines (G03-02) to grab and pull an individual if they are blocking the apprehension of someone being legally detained. The officers had a legal right to both arrest Subject 1 and to remove Subject 3 from blocking the doorway through which Subject 1 fled. Further, Subject 3 was arrested for obstruction but then pled to an amended charge. Moreover, there is no video or photographic evidence available from this incident that would suggest the officer(s) violated any departmental policy.

COPA did not bring allegations against Officer E. Although initially Subject 3 that Officer E hit him in the face, he later recanted that story and reported that she "just brushed him lightly in the face". In an interview with Officer E, Officer E stated that "she did not recall how she assisted." Officer E stated that she may have "guided the handcuffs onto Subject 3." Because of the vacillation in stories by Subject 3 and no further corroborating evidence that any contact between he and Officer E occurred, no allegations were brought against Officer E.

ⁱ Subject 3 was unable to provide the names of any officers who allegedly used excessive force or arrested him. Reporting Investigator (R/I) called two witness officers who allegedly did not arrest Subject 3 to clarify who may have used excessive force during the arrest, the witness officers Officer F and Officer E provided inconsistent information. Therefore, allegations were brought against all officers reported as arresting officers in the arrests of Subject 3 and Subject 1.