

## SUMMARY OF INCIDENT

On June 20, 2017 at approximately 6:30 pm, Officer A, Star No. XXXXX, and Officer B, Star No. XXXXX, responded to a call at the address of XXXX S. Bell Avenue. The officers were called out by the owner of the home. She reported that her tenant, Subject (the complainant) was breaking things in the house and being unruly. The officers arrived on scene and had interactions with Subject that resulted in the officers escorting Subject to Hospital, XXXX S. Michigan Avenue. No arrest was made. Subject subsequently made a complaint to the Independent Police Review Authority ("IPRA"), alleging that five unknown officers battered him at the hospital.

## APPLICABLE RULES AND LAW

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

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

## ALLEGATIONS:

It is alleged that on June 20, 2017 at Hospital, XXXX S. Michigan Avenue, an unknown officer:

1. Hit, stomped and dragged Subject, causing injury.

It is alleged that on June 20, 2017 at Hospital, XXXX S. Michigan Avenue, an unknown officer:

2. Hit, stomped and dragged Subject, causing injury.

It is alleged that on June 20, 2017 at Hospital, XXXX S. Michigan Avenue, an unknown officer:

3. Hit, stomped and dragged Subject, causing injury.

It is alleged that on June 20, 2017 at Hospital, XXXX S. Michigan Avenue, an unknown officer:

4. Hit, stomped and dragged Subject, causing injury.

It is alleged that on June 20, 2017 at Hospital, XXXX S. Michigan Avenue, an unknown officer:

5. Hit, stomped and dragged Subject, causing injury.

## INVESTIGATION

The complainant, Subject, gave an **audio recorded interview** with IPRA on June 26, 2017. Subject states that he was at his residence on June 23, 2017, at XXXX S. Bell Avenue, arguing with his sister when two uniformed police officers came to the residence at approximately 3 pm. He states that he does not know who called the police. He further states that the officers were polite to him in the home and then transported him to Hospital in a transport van. He reports that no one informed him that he was going to the hospital and that he had no idea why he was being taken to the hospital. Subject indicates that once he arrived at the Hospital parking lot, he asked the transporting officers about Superintendent, whom he referred to as the "Top Dog." At that point, the complainant states the two officers began striking him about the body. He then states that three more officers arrived and began stomping him and striking him several times, causing injuries all over his body. Subject also states that these blows caused bleeding to his face and body. He further states that the officers dragged **him** on the ground and then left him lying on the ground outside of the hospital. After the police left, Subject states that he did not enter the hospital, but instead walked away. He then was able to get some money from a female passerby and he took the CTA to his residence and relaxed. Subject, states that he did not go to the hospital for his injuries and intended to go on June 27, 2017. (Attachment 16)

**OEMC Event Queries** show that Event Number XXXXXXXXXXXX was initiated on June 20, 2017 at 6:30 pm. The remarks for the call and the audio from the 911 call indicate that there was a complaint that someone was inside the location of XXXX S. Bell Avenue destroying the house. Beat 913 was dispatched to the location. The Event Query also indicates that Beat 913 relocated to Hospital. Event Queries did not return any results for June 23, 2017 for any officers dispatched to XXXX S. Bell Avenue. (Attachments 6, 10, 25 and 26)

**Attendance & Assignment Records** from June 20, 2017, 3<sup>rd</sup> Watch, indicate that Officer A, Star No. XXXXX and Officer B, Star No. XXXXX, were the beat officers assigned to Beat 913, with Officer C, Star No. XXXX, assigned as the beat relief officer. (Attachment 4)

**Hospital Surveillance Video** from June 20, 2017 shows that at approximately 7:34:08 pm, Subject is escorted into the Hospital Emergency Room entrance by two uniformed officers (nka A and B). Officer B is holding Subject by the arm and has a hand on Subject' back. Subject' face and body is visible in the video. (Attachment 27)

**Body Worn Camera ("BWC") Footage** from both Officers A and B show the officers driving to XXXX S. Bell Avenue. Both officers' BWC show their interaction with Subject and the homeowner (nka as "Civilian") from their respective vantage points. The footage further shows that the officers interact with the two residents for several minutes. At the conclusion of the footage, the officers are seen taking Subject to their vehicle and then driving away. Subject's person is able to be seen throughout the footage. (Attachments 19 and 20)

**Evidence Technician ("ET") Photos** were taken at IPRA on June 26, 2017 at IPRA's request. The photos show several scabbed over injuries to Subject 1s' face and body. (Attachment 20)

The photos show several scabbed over injuries to Subject' face and body. (Attachment 20)

**Medical Records** obtained from Hospital from June 20, 2017 indicate that Subject was admitted at 7:39 pm and left the hospital on June 21, 2017 against medical advice at 8:17 am. The records further state that Subject presented with an "altered mental state" and appeared "intoxicated" and that Subject admitted to drinking alcohol to triage, but denied that he had been drinking when speaking to medical personnel. Subject denied any falls and stated that he received the bruises that he presented with after "fighting with some woman." Moreover, the medical records indicate that Subject underwent several tests while admitted. (Attachment 24)

## **CONCLUSION**

In Subject's interview, his description of what occurred was inconsistent and contradictory to the evidence gathered through IPRA's investigation. Although Subject says that five officers beat and stomped him, there is no evidence to support that contention. The BWC footage of the officers that responded to his residence shows that Subject was incoherent and unsteady as he moved around. Moreover, the footage does not ever show Officers A or B strike him or mistreat him. Additionally, some of the injuries to Subject' body are visible during his interaction with the officers in his home.

The surveillance video from Hospital shows Subject as he is in fact walked into the hospital by Officers A and B. This is in stark contrast to the assertion by Subject that the officers beat and stomped him and left him in the parking lot of Hospital. Although Subject says that he was battered and bleeding, as he is walked into the hospital by the officers, the video shows no evidence of bleeding or injury to Subject. Moreover, Subject stated in his IPRA interview that he never went into Hospital. He said that after the police beat him and left him in the parking lot, he did not go into the hospital, but instead went home and relaxed. As evidenced in the Hospital medical records, Subject stayed overnight, underwent a battery of tests, and left in the morning, against medical advice.

The ET photographs show a variety of injuries to Subject, however based on his statement to medical personnel and the evidence in the BWC footage, these injuries cannot be causally linked to Officers A or B or any other CPD officers.

Based on all of these factors, IPRA recommends a finding of Unfounded for the allegations against **any and all Chicago Police Department members, known unknown.**