

SUMMARY REPORT OF INVESTIGATION¹

I. EXECUTIVE SUMMARY

Date of Incident:	January 15, 2018
Time of Incident:	2:59 PM
Location of Incident:	██
Date of COPA Notification:	January 15, 2018
Time of COPA Notification:	6:21 PM

On January 15, 2018, Beat 661C (Officers Crot, Flores, and Deering) responded to the above location for a dispatch call of a man with a gun. The officers learned that the man posed as a postal worker, entered the residence and was holding the homeowner at gunpoint. The officers arrived on scene and entered the residence. Moments later, shots were fired between the offenders and police.

Officer Crot did not wear his Body Worn Camera (BWC) at the time of the incident. Officers Flores and Deering did not activate their BWCs until they took the suspect (██████████) into custody, long after the incident started.

II. INVOLVED PARTIES

Involved Officer #1:	Crot, Keith #11624; Employee #██████████; 5 years on CPD; PO; 35 years of age; male; White
Involved Officer #2:	Flores, Samuel ; #17305; Employee #██████████; 4 years on CPD; PO; 29 years of age; male; Hispanic
Involved Officer #3:	Deering, Danielle #13716; Employee #██████████; 5 years on CPD; PO; 30 years of age; female; White

III. ALLEGATIONS

Officer	Allegation	Finding
Officer Crot #11624	1. Failed to activate his BWC as prescribed in Special Order S03-14 III A. 2. a. and Rule 3.	Sustained
Officer Flores #17305	1. Failed to activate his BWC as prescribed in Special Order S03-14 III A. 2. a. and Rule 3.	Sustained

¹ This report is to be read in conjunction with COPA Log #1088133.

Officer Deering #13716	1. Failed to activate his BWC as prescribed in Special Order S03-14 III A. 2. a. and Rule 3.	Sustained
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IV. APPLICABLE RULES AND LAWS

Rules
1.Rule 3: Any failure to promote the Department’s efforts to implement its policy or accomplish its goals.
Special Orders
1.Special Order S03-14
State Laws
1.50 ILCS706/10-20

V. INVESTIGATION

COPA conducted a thorough and complete investigation. This incident was investigated in conjunction with Log 1088133. The following is a summary of the material evidence gathered and relied upon in our analysis.

a. Interviews

On March 28, 2018, **Officer Keith Crot #11624** was interviewed at COPA in reference to log 1088133². During the interview, Officer Crot said that he removed his vest to adjust it and failed to put his vest back on upon their arrival at [REDACTED] Officer Crot said his BWC was on his vest.

On April 25, 2018, **Officer Keith Crot #11624** was interviewed at COPA³ regarding the above allegation. Officer Crot acknowledged he was equipped with a BWC on January 15, 2018. He stated that on the date of the incident he was dressed in layers and became hot. Officer Crot took off his vest to remove one of the layers of clothing when the call was dispatched. Officer Crot said he was monitoring the radio and paying attention to traffic. He further stated that he failed to put his vest back on when they arrived at the scene. Officer Crot acknowledged his understanding of the requirement to have his vest and BWC on his person while responding to calls. Officer Crot said had he had his vest on, he would have activated his BWC at the scene.

² Att. 17

³ Att. 7, 18

On February 14, 2018, **Officer Samuel Flores #17305** was interviewed at COPA in reference to log 1088133⁴. During the interview, Officer Flores said he was equipped with a BWC and did not turn the camera on until he was taking ██████ into custody.

On May 30, 2018, **Officer Samuel Flores #17305** was interviewed at COPA⁵ regarding the above allegation. Officer Flores acknowledged he was equipped with a BWC on the date of incident. He further acknowledged that in his previous statement he said he was driving, listening to the radio and trying to determine tactics. Officer Flores said that the scene was chaotic and he failed to turn on the BWC. Officer Flores said that when they arrived on scene they heard screaming, he was grabbing for his radio and his weapon, and he did not think to turn on the camera. Officer Flores said he activated the BWC after he handcuffed ██████. Officer Flores said that before he handcuffed ██████ he exchanged gunfire with ██████ chased him from the residence and caught him in the street. Officer Flores said that after he handcuffed ██████ and things settled down, he realized the need to turn on the BWC. Officer Flores said he believed the policy on the BWC required them to activate the camera on their arrival. But due to the nature of the call, the lack of training, and not establishing the muscle memory he had with his other equipment, he did not activate the camera.

On February 14, 2018, **Officer Danielle Deering #13716** was interviewed at COPA in reference to log 1088133⁶. During the interview, Officer Deering said she was equipped with a BWC and did not activate the camera until the end of the incident. Officer Deering said they were responding to an in progress call. She also stated that she had not used the camera enough and did not think about activating the camera during the incident.

On April 25, 2018 **Officer Danielle Deering #13716** was interviewed at COPA⁷ regarding the above allegation. Officer Deering acknowledged receiving and signing the notification of allegations, her administrative rights and her right to counsel forms. Officer Deering said she activated her BWC after the offender was handcuffed. Officer Deering said there was a lot going on and she did not have the muscle memory to turn the camera on because they were relatively new to the district. Officer Deering said she was concentrating on her other equipment, she had her weapon out and had to contend with the incident. Officer Deering said she stood on her previous statement that she did not activate the camera until the end of the incident.

⁴ Att. 15, 16

⁵ Att. 9

⁶ Att. 13, 14

⁷ Att. 6

b. Digital Evidence

Officer Deering's BWC⁸ was activated when she was assisting Officer Flores in taking [REDACTED] into custody.

Officer Flores BWC⁹ was activated as he approached [REDACTED] in the street and started to take him into custody.

VI. ANALYSIS

Special Order S03-14 governs Department members' use of Body Worn Cameras. According to the order, officers are to activate their BWC at the beginning of an incident.¹⁰ Calls for service are listed as law-enforcement-related activities that require the use of BWC.¹¹

Officers Crot, Flores and Deering responded to a dispatched call in which they were informed of an armed subject who had entered the residence and held a victim at gun point. This dispatch certainly qualifies as a call for service that warranted the use of BWC.

Officer Crot admitted that he was removing layers of clothing when the call was dispatched and due to those circumstances, he did not put his vest back on, which had his BWC. Officer Crot said he would have turned the camera on had he had his vest. Officer Crot's reason for not activating his BWC is insufficient to excuse his actions.

Officer Flores admitted that he did not turn on his BWC prior to arriving at the scene. Officer Flores stated that the call was an "in-progress" call and he was concentrating on driving and determining the tactics to use upon their arrival. Officer Flores said he was reaching for his weapon and radio and had not established the muscle memory for the BWC, as he had for his other equipment. Officer Flores said he believed the lack of training on the BWC was a contributing factor in his failure to activate the camera as prescribed in the order. Officer Flores' reason for not activating his BWC is insufficient to excuse his actions.

Officer Deering admitted that she did not turn on her BWC until [REDACTED] was placed in handcuffs. Officer Deering said there was a lot going on because of the nature of the call and she had not created the muscle memory to activate the BWC. She stated the BWC's were relatively new to the district and she was concentrating on her other equipment. Officer Deering's reason for not activating her BWC is insufficient to excuse her actions.

⁸ Att. 12

⁹ Att. 11

¹⁰ S03-14(III)(2)

¹¹ *Id.*

VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding
Officer Crot #11624	1. Failed to activate his BWC as prescribed in Special Order S03-14 III A. 2. a. and Rule 3.	Sustained
Officer Flores #17305	1. Failed to activate his BWC as prescribed in Special Order S03-14 III A. 2. a. and Rule 3.	Sustained
Officer Deering #13716	1. Failed to activate his BWC as prescribed in Special Order S03-14 III A. 2. a. and Rule 3.	Sustained

VIII. Discipline Recommendation¹²**Officer Keith Crot**

Officer Crot responded to a home invasion that resulted in an OIS. Although there is a violation of policy, Officer Crot was faced with an extremely volatile and rapidly evolving situation. Officer Crot has no prior violations related to BWC use and he could benefit from additional training.

On March 13, 2015, Officer Crot violated Department policy when he failed to comply with Department directive S04-01-03, IV-A.

Therefore, COPA recommends **Violation Noted**.

Officer Danielle Deering

Officer Deering responded to a home invasion that resulted in an OIS. Although there is a violation of policy, Officer Deering was faced with an extremely volatile and rapidly evolving situation. Officer Deering has no prior violations related to BWC use and he could benefit from additional training. Officer Deering has no notable complimentary or disciplinary history.

Therefore, COPA recommends **Violation Noted**.

Officer Samuel Flores

Officer Flores responded to a home invasion that resulted in an OIS. Although there is a violation of policy, Officer Flores was faced with an extremely volatile and rapidly evolving

¹² See Appendix B for complete complimentary and disciplinary history for all officers.

situation. Officer Flores has no prior violations related to BWC use and he could benefit from additional training. Officer Flores has no notable complimentary or disciplinary history.

Therefore, COPA recommends **Violation Noted**.

Approved: 


Erica Sangster
Acting Deputy Chief Administrator – Chief Investigator

Date 8/15/2018

Appendix A

Assigned Investigative Staff

Squad#:	7
Major Case Specialist:	Mark Mitchell
Supervising Investigator:	Mark Javier
Acting Deputy Chief Administrator:	Erica Sangster