

SUMMARY REPORT OF INVESTIGATION**I. EXECUTIVE SUMMARY**

Date of Incident:	January 12, 2018
Time of Incident:	8:03 PM
Location of Incident:	Chicago Police Department District XXX XXXXXXXXXX
Date of COPA Notification:	January 16, 2018
Time of COPA Notification:	11:49 AM

On January 11, 2018, the complainant, Subject 1, was arrested for armed robbery, aggravated assault, and retail theft. Subject 1 alleged that while leaving an interrogation room on January 12, 2018, Detective A choked her and pushed her against a wall. Subject 1 also alleged that a second, unidentified officer handcuffed her too tightly. Subject 1 further alleged that Officers A and B placed Subject 1 in handcuffs and shackles too tightly. After reviewing available evidence, COPA determined that Subject 1 lacks credibility and her sworn affidavit is invalid. Therefore, all of Subject 1's allegations were Exonerated or Unfounded.

II. INVOLVED PARTIES

Involved Officer #1:	Detective A, Star #XXXXXX, Employee ID #XXXXXX, Date of Appointment: XXXXXX, Detective, Unit XXX, Date of Birth: XXXXXXXX, Male, White
Involved Officer #2:	Officer A, Star #XXXXXX, Employee ID #XXXXXX, Date of Appointment: XXXXXX, Field Training Officer, XXXX District, Date of Birth: XXXXXX, Black, Female
Involved Officer #3:	Officer B, Star #XXXX, Employee ID #XXXXXX, Date of Appointment: XXXXXXXX, Probationary Police Officer, XXXX District, Date of Birth: XXXXXXXX, Black, Female
Involved Officer #4:	Unidentified
Subject #1:	Subject 1, Date of Birth: XXXXXXXX, Black, Female ¹

¹ Available documents provided an alternate spelling of Subject 1's first name as [alternate spelling of Subject 1's name]. Since [spelling of Subject 1's name] was the variation used by Subject 1 herself, this is the spelling COPA adopted for this report.



III. ALLEGATIONS

Officer	Allegation	Finding
Detective A	1. Used unnecessary force by grabbing Subject 1 by the back of the neck, in violation of Rule 6, Rule 8, and Rule 9.	Exonerated
	2. Used unnecessary force by pushing Subject 1 towards the stairs, in violation of Rule 6, Rule 8, and Rule 9.	Exonerated
	3. Used unnecessary force by pushing Subject 1 into a wall, in violation of Rule 6, Rule 8, and Rule 9.	Exonerated
Officer A	1. Placed Subject 1 in handcuffs and shackles too tightly causing injury to Subject 1’s wrists and legs, in violation of Rule 6 and Rule 8.	Exonerated
Officer B	1. Placed Subject 1 in handcuffs and shackles too tightly causing injury to Subject 1’s wrists and legs, in violation of Rule 6 and Rule 8.	Exonerated
Officer Unidentified	1. Handcuffed Subject 1 too tightly after she was removed from the interrogation room, in violation of Rule 6 and Rule 8.	Unfounded

IV. APPLICABLE RULES AND LAWS

Rules
<ol style="list-style-type: none"> 1. Rule 6: Prohibits disobedience of an order or directive, whether written or oral. 2. Rule 8: Prohibits disrespect to or maltreatment of any person, while on or off duty. 3. Rule 9: Prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
General Orders
<ol style="list-style-type: none"> 1. G03-02, Use of Force (Effective Date: October 16, 2017)

V. INVESTIGATION²

a. Interviews

COPA interviewed the complainant, Subject 1, on January 17, 2018.³ According to Subject 1, on January 11, 2018, she went to the XXXX District after her aunt informed her that two Department members came to their home looking for Subject 1.⁴ Subject 1 called the XXXX District and Detective A told her that if she did not turn herself in, an arrest warrant would be issued and Subject 1's mother's car would be impounded. Subject 1 arrived at the XXXX District, was taken into custody by Detective A, and was transported to XXXX and XXXXXXXXXXXXXXX. Subject 1 related that the detective asked her about her friend Civilian 1, but she did not know what he was talking about and she denied to COPA that she knows Civilian 1. When Subject 1 arrived at XXXX and XXXXXXXXXXXXXXX, she was placed into an interview room. Detective A eventually entered the interview room and read Subject 1 her Miranda Rights. Subject 1 stated that while at XXXX and XXXXXXXXXXXXXXX, she did not feel well and was taken to Hospital 2. Subject 1 reported that she was hot and she dizzy. Subject 1 stated she was given a pain pill because her head hurt, but she did not want to take it.

On January 12, 2018, Subject 1 was taken to the hospital by CPD. Subject 1 claimed hospital staff at Hospital 1 could not treat her because she was wearing chains and shackles and the police would not remove the restraints. Subject 1 specifically stated that hospital staff could not take her blood pressure because of her handcuffs. Subject 1 stated that the two female officers that transported her from XXXX and XXXXXXXXXXXXXXX to Hospital 1 (identified as Officers A and B) made the handcuffs and the leg shackles too tight. Subject 1 reported that she had marks on her arms and legs because her restraints were "extra tight." Subject 1 stated that she was not bleeding or swelling, but the restraints caused bruising and red marks. Subject 1 related that the officers denied her cuffs were too tight since they could stick a finger inside the restraints.

Subject 1 reported that later on January 12, 2018, she was in an interview room with Detective A. Subject 1 claimed that Detective A never told her what she was being charged with. Detective A asked Subject 1 if she wanted to answer questions. Subject 1 responded that she did not and she wanted to talk to her lawyer. Subject 1 alleged that as Detective A escorted Subject 1 out of the interview room, he grabbed her by the back of the neck with one hand as they were walking out of the door, pushed her towards the stairs, then pushed her into a wall. Subject 1 stated she was not in handcuffs at this time. Subject 1 was against the wall, started screaming for help, and asked Detective A to stop. Subject 1 stated that a large man grabbed Subject 1's arms, placed her in handcuffs, and she was escorted to lock-up. She further described this unidentified officer as Hispanic, approximately 5'3 – 5'4, approximately 200 pounds, and in a dress shirt. Subject 1 stated this officer handcuffed her too tightly. According to Subject 1, a Detention Aid and additional detectives were aware of what happened, but did not intervene. Subject 1 was taken to lockup and her handcuffs were removed. Subject 1 was able to call her aunt and told her aunt that she was going to the hospital. Subject 1 stated that she was not feeling well in part because she

² COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

³ Att. 7

⁴ Subject 1's aunt is believed to be Civilian 2. Civilian 2 reported Subject 1's claim to COPA on January 16, 2018.

had not been given anything to eat and also because of her physical interaction with Detective A. Subject 1 reported that her neck was injured and she also had a migraine and chest pains. Subject 1 told a Detention Aid she needed to return to the hospital and she was transported to Hospital 1 by a male and a female officer (identified as Officers C and D) on January 12, 2018. Subject 1 was given two Tylenol pills at the hospital, which she took. After again going to Hospital 1, Subject 1 returned to XXXX and XXXXXXXXXXXXX and was placed in lockup.

b. Digital Evidence

Video footage was obtained from while Subject 1 was in a CPD interview room on January 11 and 12, 2018.⁵ On January 11, 2018 at approximately 7:54 PM, Subject 1 is seen entered the interview room. At roughly 8:01 PM, Subject 1 began banging on the door. She then laid on the bench in the interview room until approximately 8:18 PM, when she appeared to be praying briefly before striking the door, shouting “hello,” and shouting that she needed help. This occurred until roughly 8:21 PM, when she said she was going to hang herself. A white male then entered and Subject 1 told him she was going to hurt herself because she could not stay in the room alone. The male also brought Subject 1 a bag of food and a can of pop when he entered the room. The white male said he could not stay with her and that he needed to get a female to assist. Subject 1 then started crying, screaming for help, and hitting the door. At approximately 8:23 PM, Subject 1 began eating French fries from the bag the man brought. Subject 1 was seen sitting on the bench before again banging on the door and threatening to kill herself.

At approximately 8:25 PM, Detective A entered. Subject 1 asked the detective to talk to her and he responded he needed to read her rights before he could do so. Subject 1 stated she needed to go to the hospital because she was going to hurt herself. He said that could be arranged, but she would still be under arrest. At about 8:29 PM, Detective A read Subject 1 her Miranda Rights. Subject 1 asked what she was being charged with and Detective A responded, “you are being charged with retail theft, [...] misdemeanor aggravated assault, and you’ve been identified in a robbery.” Subject 1 asked the detective to make a phone call and he related she could once she returned to lock-up, but she was going to go to the hospital before lock-up since she threatened to hurt herself. Detective A also told Subject 1 that she was identified as entering a store on Clybourn Street in video surveillance and she was seen initiating a stun gun, followed by her and two others grabbing merchandise and fleeing in a vehicle registered to Subject 1’s mother. Subject 1 then said she did not have a stun gun but had her phone. When the detective stated she was seen on video with her sequin purse and on Facebook selling goods, Subject 1 repeated she did not have a stun gun. The detective said he saw a spark from the stun gun in surveillance video and she responded by asking what her other charges were. Detective A stated that she and Civilian 1 went into Store 1 and grabbed purses. Subject 1 then asked to see the video. Subject 1 stated she wanted to end the arrest process quickly, but Detective A told her he was legally obligated to send her to the hospital since she threatened to hurt herself. She responded that she was lying, but Detective A stated she had to go the hospital because of her statements. Subject 1 also asked if Civilian 1 was incarcerated. Subject 1 then stated she did not want to go to the hospital and wanted to talk to the detective. The detective reiterated that she had to go to the hospital but he would talk to her when she returned.

⁵ Att. 20

At approximately 8:52 PM, Detective A was heard saying Subject 1 no longer wanted to go to the hospital. Subject 1 responded that she was refusing to go to the hospital and Detective A said he had to talk to his sergeant. Subject 1 stated that she does not eat the food they provided and only eats ice. The detective stated that her theft from Store 1 with Civilian 1 was a felony and Subject 1 responded “okay.” Subject 1 proceeded to ask the detective about her charges and what the process would be. Subject 1 asked if Civilian 1 bonded out and the detective told her he did. At 9:01 PM, Detective A stated he had to leave to go speak with his partner and he exited the room. At roughly 9:02 PM, Subject 1 grabbed the food bag and was seen eating fries. At about 9:06 PM, Detective A reentered the room and showed Subject 1 a photo he stated was from Store 1 of Subject 1 with Civilian 1, but Subject 1 denied it was her. Later, Subject 1 said she has a twin sister when asked by Detective A. When the detective asked her about the merchandise she is selling on her Facebook, she reported she does not have a Facebook. Subject 1 asked the detective to call her aunt so the aunt knew to get Subject 1’s children and he said he would. At 9:27 PM, Subject 1 again ate food from the bag.

At 9:33 PM Subject 1 again began banging on the door and shouting for about four minutes until an unidentified white male entered. Subject 1 said she was going to keep knocking until Detective A returned. When Detective A returned, he reiterated Subject 1 had to go to the hospital and he was waiting on a transport. At roughly 9:44 PM, Detective A stated that transport was there. At about 9:45 PM, Subject 1 left the room and the Detective told her to take “short steps” so she would not fall. Everyone was off camera by 9:46 PM.

On January 12, 2018, Subject 1 was again seen entering an interview room at about 6:08 PM. At roughly 6:09 PM, Detective A entered the room and read Subject 1 her Miranda Rights. Subject 1 told Detective A she did not want to talk to him and wanted to talk to a lawyer. At roughly 6:11 PM, the detective told Subject 1 she was going to go back to lock-up. Subject 1 asked Detective A what she was charged with and he told her it was a robbery investigation before leaving the room. At approximately 6:13 PM, Detective A told Subject 1 to come with him and she exited the room. Subject 1 was upset that she did not know what she was being charged with and told the detective not to touch her. At about 6:14 PM, Subject 1 is heard yelling “stop grabbing me,” and then crying and screaming. Subject 1 is heard continuing to plead with Detective A off-camera until about 6:15 PM.

COPA attempted to obtain video footage from the hallways and/or stairwells outside of the interview rooms but was told by CPD that there was no camera in these locations.⁶

c. Physical Evidence

Medical records were obtained from **Subject 1 from Hospital 2**. Subject 1 was taken by CPD to Hospital 2 on January 11, 2018 at approximately 10:05 PM. Per these records, Subject 1 wanted a prescription for Xanax for her anxiety. When hospital staff told Subject 1 they could not write her a prescription but could give her one pill, Subject 1 related she did not want it and she wanted to leave the hospital. Subject 1 denied having any medical problems while she was at Hospital 2. Subject 1 left in CPD custody on January 11, 2018 at 11:59 PM.

⁶ Att. 10

Subject 1's medical records were obtained from **Hospital 1**.⁷ According to these records, Subject 1 was brought to Hospital 1 in police custody on January 12, 2018 at about 12:47 PM. Subject 1 complained of a migraine headache but refused treatment. It was also noted that Subject 1 refused to have her temperature taken. Subject 1 was reported as being at a low risk for suicide. This report states that Subject 1 was "refusing to answer any more questions. Just wants to have her handcuffs off." Subject 1 was released in police custody at roughly 1:30 PM. It does not appear she was given any medications.

Subject 1 was again brought to Hospital 1 by CPD on January 12, 2018 at approximately 8:45 PM. Subject 1 was again complaining of a headache and she was again identified as a low suicide risk. At 9:00 PM, hospital staff reported that Subject 1 was "resting well." Subject 1 was given Tylenol at 9:24 PM. At 9:45 PM, Subject 1 had "no acute concerns" and was released into police custody.

d. Documentary Evidence

Subject 1's arrest report from January 11, 2018 with RD #XXXXXXX was obtained.⁸ Subject 1 was charged with felony armed robbery, misdemeanor aggravated assault, and felony retail theft. Subject 1 turned herself in to CPD on January 11, 2018. The narrative portion of this report states that Subject 1 was identified through a photo array as the wanted offender in three different cases.⁹ Subject 1 was arrested and transported to 5101 S. XXXXXXXXXXXXX. Subject 1 went to the XXXX District lock-up on January 12, 2018 at approximately 12:25 AM. At approximately 12:20 PM on January 12, 2017, Subject 1 was transported to Hospital 1. Subject 1 returned to the XXXX District at about 6:03 PM and it was noted that she refused treatment at the hospital. At approximately 8:58 PM, Subject 1 was again brought to Hospital 1.

A Detective Supplementary Report was located for Subject 1 with RD #XXXXXXX.¹⁰ Per this report, on January 23, 2018, Subject 1 and Civilian 1 were identified by complainants as wanted shoplifters.

VI. ANALYSIS

COPA determined that Subject 1's affidavit is invalid after reviewing available evidence and identifying discrepancies between evidence and Subject 1's COPA interview. These discrepancies are detailed below. Due to these discrepancies, Subject 1 lacks credibility and her affidavit cannot be considered true and accurate. As stated In CPD General Order G08-01, a sworn affidavit is a, "written statement by a non-Department member certifying that the statement is true and correct." All of Subject 1's allegations are Exonerated or Unfounded.

⁷ Att. 19

⁸ Att. 11

⁹ Subject 1 was identified as the wanted offender for RD #'s XXXXXXXXXXX, XXXXXXXX, and XXXXXXX. The Original Case Incident Report for RD #XXXXXXX can be found in Att. 12. Similarly, a Supplementary Report for RD #XXXXXXX can be found in Att. 13. The Original Case Incident Report for RD #XXXXXXX can be found in Att. 17 and its Detective Supplementary Report is Att. 29. The Original Case Incident Reports for RD #XXXXXXX can be found in Atts. 15 and 28.

¹⁰ Att. 16

First, Subject 1 related to COPA that she does not know who Civilian 1 is. However, as seen in video footage from her interview with Detective A, she asked the detective if Civilian 1 was incarcerated and if Civilian 1 received bond. Further, when Detective A told Subject 1 about the evidence against her and Civilian 1, she clearly knew what the detective was talking about. Throughout her interview with Detective A, Subject 1 would alter her story, including Subject 1's statements about Civilian 1, when Detective A would present Subject 1 with various facts and evidence.

Next, Subject 1 stated to COPA that she was taken to Hospital 2 on January 11, 2018 because she was hot and she dizzy. Subject 1 stated that she was given a pain pill because her head hurt, but she did not want to take the pill. Video depicts that Subject 1 was taken to the hospital because she was threatening to kill herself, not because she was ill. Subject 1 was seen on camera multiple times threatening to kill herself. In fact, in the video Subject 1 told Detective A she was lying about wanting to hurt herself after he said she would still be under arrest if she went to the hospital. According to medical records from Hospital 2, Subject 1 told the staff she wanted Xanax, not that she was suicidal. Further hospital staff offered Subject 1 one Xanax for anxiety, not a pain pill. According to medical records, when hospital staff told Subject 1 they could not write her a prescription, Subject 1 wanted to leave the hospital. Subject 1 denied having any medical problems while she was at Hospital 2.

Subject 1 also stated that hospital staff could not treat her during her first visit to Hospital 1 on January 12, 2018 because she was wearing chains and shackles and the police would not remove the restraints. Subject 1 also reported that restraints made marks and bruising on her arms and legs. According Hospital 1 medical records from her first visit on January 12, 2018, Subject 1 complained of having a migraine. Records related that Subject 1 refused treatment, not that the hospital refused to treat her. The medical records also stated that Subject 1 was refusing to answer questions and just wanted her handcuffs off, not that the officers refused to remove the handcuffs. This medical report also lacked any mention of redness, scrapes, bruising, etc. on Subject 1's arms and legs.

Subject 1 stated during her COPA interview that she went to Hospital 1 a second time because she was not feeling well due to not eating and because of her physical interaction with Detective A. However, a Department member brought Subject 1 a bag of food at approximately 8:21 PM on January 11, 2018, disproving her claim that she was not given anything to eat. Subject 1 was also seen on camera eating from this bag of food. According to medical records from Subject 1's second trip to Hospital 1 on January 12, 2018, Subject 1 was complaining of a headache and she was identified as a low suicide risk. Again, this reported lacked any mention of redness, scrapes, bruising, etc. on Subject 1's arms and legs. Further, Subject 1 made no complaints to hospital staff of an assault by a Department Member.

There were multiple, smaller identified instances of Subject 1 being untruthful. During her filmed interview with the detective, Subject 1 told Detective A that she does not have a Facebook. COPA determined that to be untrue following a review of Subject 1's recent Facebook posts. Additionally, Subject 1 claimed to COPA that Detective A never told her what she was being charged with. At multiple points in Department video, Detective A can be seen and heard telling

Subject 1 what she was accused of. Further, video footage calls into question Subject 1’s claim that Detective A grabbed her by the back of the neck with one hand as they were talking out of the interview room. This is simply not seen in the video footage.

VII. CONCLUSION

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

Officer	Allegation	Finding
Detective A	1. Used unnecessary force by grabbing Subject 1 by the back of the neck, in violation of Rule 6, Rule 8, and Rule 9.	Exonerated
	2. Used unnecessary force by pushing Subject 1 towards the stairs, in violation of Rule 6, Rule 8, and Rule 9.	Exonerated
	3. Used unnecessary force by pushing Subject 1 into a wall, in violation of Rule 6, Rule 8, and Rule 9.	Exonerated
Officer A	1. Placed Subject 1 in handcuffs and shackles too tightly causing injury to Subject 1’s wrists and legs, in violation of Rule 6 and Rule 8.	Exonerated
Officer B	1. Placed Subject 1 in handcuffs and shackles too tightly causing injury to Subject 1’s wrists and legs, in violation of Rule 6 and Rule 8.	Exonerated
Officer Unidentified	1. Handcuffed Subject 1 too tightly after she was removed from the interrogation room, in violation of Rule 6 and Rule 8.	Unfounded

Approved:

Deputy Chief Administrator – Chief Investigator

 Date

Appendix A

Assigned Investigative Staff

Squad#:	
Investigator:	
Supervising Investigator:	
Deputy Chief Administrator:	