

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	January 1, 2018
Time of Incident:	12:40 am
Location of Incident:	XXXX W. XX th Street
Date of COPA Notification:	January 3, 2018
Time of COPA Notification:	2:13 pm

The complainant, Subject 1, called the police to her home after she and her husband had a domestic dispute. She reported that her husband damaged property in the house and set clothes on fire. However, her husband, Civilian 1, told the responding officers that Subject 1 caused the small house fire when she threw his jacket on the stove. Ultimately, CPD arrested Subject 1 on signed complaints and, upon release, she made allegations of being falsely arrested.

II. INVOLVED PARTIES

Involved Officer #1:	Unidentified Officers
Subject #1:	Subject 1, DOB: Jan 1, 1989, Female, Black

III. ALLEGATIONS

Officer	Allegation	Finding
Unidentified Officers	1. It is alleged that several unidentified officers arrested Subject 1 without justification in Violation of Rule 1.	Unfounded

IV. APPLICABLE RULES AND LAWS

Rules
1. Rule 1 – “Violation of any law or ordinance.”
Federal Laws
1. Fourth Amendment of the Constitution.

V. INVESTIGATION

a. Interviews

In a digitally recorded interview on January 4, 2018, **Subject 1** related that she and her husband, Civilian 1, were in a heated argument about his infidelity. During the argument, she alleged that Civilian 1 grabbed her clothes out of the closet, poured gasoline on them, and set the items on fire in the kitchen. He then slammed her television sets on the floor. Subject 1 ran down the street to her mother's house, called 911, and reported that Civilian 1 set her clothes on fire. Subject 1 returned to her home to check on her four children (ranging in age from one to seven) and waited for the police and fire department. She asserted that, when the police arrived, the officers did not want to listen to her account of the incident. Rather, the officers were laughing and joking amongst themselves and she felt that they had already decided to side with Civilian 1. Although she did not go into detail, Subject 1 stated that sergeant was trying to confuse her by asking her multiple questions.¹ Subsequently, Subject 1 was arrested and transported to the district station. Subject 1 now alleges that she was arrested without justification.²

b. Digital Evidence

Body Worn Camera Footage from the responding officers depicts several police officers, a sergeant, and CFD personnel speaking to both Subject 1 and her husband, Civilian 1. The footage shows both Subject 1 and Civilian 1 providing their accounts of the incident and where the sergeant on the scene decided to arrest Subject 1.³

According to the **OEMC Recording**, Subject 1 called and requested police service at her residence. She reported that her husband tried to burn her and her kids with "fire off the stove." Subject 1 said that she put the fire out as much as she could but the apartment was still smoky. She also stated that her husband was no longer on the scene and that she had left her kids in the house while she went to her aunt's house to call the police.⁴

c. Physical Evidence

Evidence Technician Photos were taken of the couple's apartment and burnt clothing.⁵

d. Documentary Evidence

According to **Department Reports**, on Jan 1, 2017, at approximately 3:00 am, the police responded to a call of arson at XXXX W. XXth Street. After evacuating the children from the smoky apartment, CFD Battalion Chief XX related to the police that Subject 1 told him that, during a heated verbal altercation, her husband damaged several items inside the home, threw some gasoline on some clothing, and threw the clothing on a stove.

¹ In her interview with COPA, Subject 1 stated that, prior to the incident, she and her husband went to a party where she consumed 2 glasses of champagne and a cocktail called a "blue motherfucker."

² Attachment 7

³ Attachments 25, 26

⁴ Attachments 15-24,

⁵ Attachment 28

The ranking CPD member on scene, Sergeant A reported that, when he spoke with Subject 1, her account of the incident changed drastically and she provided inconsistent accounts. Subject 1 told Sergeant A that she threw Civilian 1’s jacket on the stove and it caught on fire. Subject 1 did not accuse Civilian 1 of a setting the fire and stated that she just wanted him removed from the house. On the other hand, Civilian 1 reported that Subject 1 lit a paper towel on fire, used it to set his jacket on fire, and then placed his jacket on the stove. Police observed several clothing items on the stove and noted that some items had been doused with an accelerant. After being on the scene for over two hours, the police arrested Subject 1 on signed complaints for Criminal Damage to Property. DCFS was also contacted.⁶

e. Additional Evidence

On Jan 16, 2018, Subject 1’ criminal case was “Stricken Off – Leave to Reinstate.”⁷

VI. ANALYSIS

COPA recommends a finding of **Unfounded** against the **Unidentified Officers**. Although Subject 1 alleged that she was arrested without justification, this investigation revealed that such allegation is not factual. As seen on the BWC footage, officers responded to the scene and conducted a preliminary investigation as required in General Order G04-01 titled “Preliminary Investigation.” Sergeant A and the responding officers listened to accounts provided by both Subject 1 and Civilian 1. After assessing the situation, Sergeant A instructed the officers to arrest Subject 1. Further, Civilian 1 signed a criminal complaint against Subject 1, which contradicts her allegation that she was arrested without justification. Because this allegation is clearly unfounded, it is not necessary for any officer to address it in any way.

VII. CONCLUSION

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

Officer	Allegation	Finding
Unidentified Officers	1. It is alleged that several unidentified officers arrested Subject 1 without justification in Violation of Rule 1.	Unfounded

Approved:

Acting COPA Deputy Chief Administrator – Chief Investigator

Date

⁶ Attachments 9,10

⁷ Attachment 27

Acting Deputy Chief Administrator – Chief Investigator

Appendix A

Assigned Investigative Staff

Squad#:	XX
Investigator:	COPA Investigator
Supervising Investigator:	COPA Supervising Investigator
Deputy Chief Administrator:	Interim DC/ Acting COPA Deputy Chief Administrator – Chief Investigator