

SUMMARY REPORT OF INVESTIGATION¹

I. EXECUTIVE SUMMARY

Date of Incident:	December 31, 2015
Time of Incident:	7:12pm
Location of Incident:	XXXX West North Shore Avenue, Apt. No.X, Chicago 60626
Date of COPA Notification:	January 6, 2016
Time of COPA Notification:	11:22am

Complainant, CPD Crossing Guard Subject 1, permitted Civilian 1 to move into her apartment as a roommate. After two days, the living arrangement proved unworkable and a dispute arose over rent. Civilian 1 reported to the 24th District, where the Complainant was assigned, seeking assistance in removing his belongings from her apartment. Accused Detective A² and her partner were assigned to assist him. The Complainant objected to Civilian 1 removing his belongings, arguing that must first pay her rent. She alleged that, during the encounter, Detective A pushed her, which bruised her torso.

II. INVOLVED PARTIES

Involved Officer:	Detective A, Star #XXXX, Employee ID# XXXX; Date of Appointment XX XX, 2008, Unit of Assignment: XX; DOB: XX XX, 1981; FW
Subject:	CPD Crossing Guard Subject 1, Star #XXXX, Employee ID #XXXX; DOB: XX XX, 1966; FB

III. ALLEGATION

Officer	Allegation	Finding
Detective A	The Complainant alleged that on 31 December 2015, at approximately 1945 hours, at the location of XXXX W. North Shore Ave., XX, the accused pushed her in violation of Rules 8, and 9.	Unfounded

¹ On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

² At the time of this incident, Detective A was serving as a Police Officer with CPD.

IV. APPLICABLE RULES AND LAWS

CPD Rules of Conduct

1. Rule 8: Disrespect to or maltreatment of any person, while on or off duty.
 2. Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
-

V. INVESTIGATION³

a. Interviews

Complainant Crossing Guard Subject 1 (“Subject 1”) gave a recorded statement on February 8, 2016.⁴ Subject 1 stated that she allowed Civilian 1 to move into her apartment as a roommate. However, the situation proved unworkable and he moved out after two days. Civilian 1 reported to the 24th District Police Station, where the Complainant was assigned, seeking assistance in removing his belongings from the apartment. Subject 1 arrived at the station shortly after receiving a phone call from Civilian 1. Detective A and her partner (Officer A) were assigned to assist Civilian 1. Civilian 1 was transported to the Complainant’s apartment by the Officers, while the Complainant walked. At her apartment, Subject 1 objected to Civilian 1 removing his belongings because she believed that he still owed her rent. She acknowledged that she became upset and started cursing at Civilian 1 (but not the officers) during the incident. By her own account, she chose not to cooperate with the officers as they assisted Civilian 1. Subject 1 alleges that, as a result, Detective A pushed her, bruising her torso.

Witness Civilian 1 did not respond to IPRA’s attempts to contact him for a statement.

On October 17, 2016, **Accused Officer, Detective A** provided written responses to electronic interrogatories propounded by IPRA. Her responses are summarized as follows:

Detective A and her partner, Officer A, went to Subject 1’s apartment to assist Civilian 1 in removing his belongings. The officers advised Civilian 1 to not speak to Subject 1 and to follow their instructions. Detective A described Civilian 1 as calm during the incident. On the other hand, she described Subject 1 as “agitated, angry, [and] aggressive . . . and could not be reasoned with.” As Civilian 1 removed his possessions, Subject 1 became irate over the money she said she was owed and began shouting obscenities and telling him he could not take his belongings until she was paid. As Subject 1 approached Civilian 1, Detective A inserted herself between the two. At that time, Subject 1 “repeatedly pushed up against [her] chest bouncing off her several times while screaming and swearing while waving her hands in her face.” Detective A denied pushing Subject 1, did not observe Subject 1 sustaining an injury, and did not hear her complain of an injury. Detective A noted that, after the incident, Subject 1 called the station to express her

³ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

⁴ Attachment, 12.

disapproval about the outcome of the incident. During that call, she did not mention being pushed or injured.⁵

On October 17, 2016, **Witness Officer A, Star #XXXX**, provided written responses to electronic Interrogatories propounded by IPRA. Her responses are summarized as follows:

Officer A was partnered with Detective A during the incident at Subject 1's apartment and her version of events is consistent with the version provided by her partner. She stated that Subject 1 became enraged and, after Detective A stepped between her and Civilian 1, Subject 1 pushed against her chest while screaming and waving her hands in her face. Officer A stated that her partner did not push the Complainant, that the Complainant did not appear injured, and did not complain of any injuries. Although Civilian 1 complied with the officers' admonition not to speak to Subject 1, she shouted profanities at him and demanded money during the incident.⁶

b. Documentary Evidence

The **Original Case Incident Report**, prepared by Officer A on December 31, 2015, describes the officers' encounter with Subject 1. The report is consistent with the involved officers' written responses.⁷

VI. ANALYSIS

In her statement, Subject 1 said that she became upset and began cursing and demanding money from Civilian 1 while the Officers were present. She denied, however, cursing at the Officers. Detective A and Officer A described Subject 1 as agitated, angry, aggressive, and non-compliant. Both Officers stated that Detective A did not push the Complainant at any time during the incident. Rather, Detective A stated that she put herself between Subject 1 and Civilian 1 because she wanted to prevent Subject 1 from getting any closer to Civilian 1 as he gathered his things. Although Subject 1 claims she was pushed and bruised, she provided no evidence of injuries. If Detective A did push her, such an action would have been in self-defense or to create distance between her and Subject 1 given the officers' description of Subject 1 pushing the officer, putting her finger in her face, and screaming at her.

Based on the evidence, COPA finds that there is no factual basis for Subject 1's allegation. Accordingly, COPA finds that her Allegation is **Unfounded**.

VII. CONCLUSION

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

⁵ Attachment #21.

⁶ Attachment #22.

⁷ Attachment #4.

Officer	Allegation	Finding
Detective A	The Complainant alleged that on 31 December 2015, at approximately 1945 hours, at the location of XXXX W. North Shore Ave., XX, the accused pushed her in violation of Rules 8 and 9.	Unfounded

Approved:

COPA Personnel A
Acting Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Assigned Investigative Staff

Squad:	XX
Investigator:	COPA Investigator A
Supervising Investigator:	COPA Investigator B
Acting Deputy Chief Administrator:	COPA Personnel A