

SUMMARY REPORT OF INVESTIGATION¹

I. EXECUTIVE SUMMARY

Date of Incident:	April 07, 2016
Time of Incident:	11:30 p.m.
Location of Incident:	████████████████████
Date of COPA Notification:	April 14, 2016
Time of COPA Notification:	09:05 a.m.

On April 7, 2016, in the vicinity of ██████████, the victim, ██████████, was involved in a physical altercation when an unidentified officer grabbed her and pushed her to the ground. COPA’s investigation resulted in a finding of Not Sustained.

II. INVOLVED PARTIES

Involved Officer #1:	Unidentified
Involved Individual #1:	██████████, Date of Birth: ██████████, 1994, Black female

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Unidentified Officer	1. Performed an emergency takedown on the victim, ██████████.	Not Sustained

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.

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
2. Rule 8: Disrespect to or maltreatment of any person, while on or off duty.

V. INVESTIGATION

a. Interviews

An interview of **Complainant** [REDACTED] was not obtained as she did not witness the alleged incident. [REDACTED] registered a complaint on behalf of her daughter, [REDACTED].²

In her interview with IPRA on April 19, 2016 [REDACTED] stated that on April 7, 2016, she went to the residence of [REDACTED] to pick up [REDACTED]. [REDACTED] related that [REDACTED] approached her vehicle and started arguing with her. [REDACTED] stated that she exited her vehicle and [REDACTED] attempted to punch her. [REDACTED] continued that she and [REDACTED] became involved in a physical altercation. [REDACTED] stated that during her physical altercation with [REDACTED] an unidentified male officer grabbed her by her waist, pushed her down to the ground and handcuffed her. [REDACTED] could not give a physical description of the officer who grabbed her and handcuffed her as he was behind her.

[REDACTED] stated that she did not hear anyone direct her to stop fighting. [REDACTED] admitted that she was participating in a physical altercation with [REDACTED] prior to her contact with the unidentified male officer. [REDACTED] related that she sustained swelling and bruising to her left knee as a result of her contact with the unidentified male officer. [REDACTED] did not obtain any medical treatment.³

On April 28, 2016, IPRA attempted to contact [REDACTED] at the listed phone number for [REDACTED] and [REDACTED].⁴ A female answered the call and identified herself as [REDACTED]. [REDACTED] stated that she witnessed the officers arrest [REDACTED]. [REDACTED] related that the arresting officers did not physically abuse [REDACTED]. Several attempts were made to

² Attachment 1

³ Attachments #17, 20

⁴ [REDACTED] was identified as a witness on the arrest report for [REDACTED].

schedule several appointments with [REDACTED] and [REDACTED], but both failed to cooperate with the investigation.⁵⁶

On April 28, 2016, and September 14, 2016, IPRA attempted to contact [REDACTED] and left a message on the voicemail. A follow-up letter was also sent to [REDACTED]. As of October 17, 2018, [REDACTED] failed to cooperate with the investigation.⁷

On April 28, 2016, IPRA contacted alleged witness [REDACTED] by phone. [REDACTED] was identified as a witness to the incident by [REDACTED]. During the phone call, a female identified herself as [REDACTED]. [REDACTED] stated that the officers pulled [REDACTED] from the fight and [REDACTED] fell to the ground. Several attempts were made to schedule a statement with [REDACTED]. [REDACTED] failed to cooperate with the investigation.⁸

In his interview with COPA on April 13, 2018, Witness Officer [REDACTED], stated that on the date and time of the alleged incident he was assigned to Beat [REDACTED] along with Officer [REDACTED]. Officer [REDACTED] stated that he responded to the location of the incident regarding an assault.

Officer [REDACTED] stated that as he approached the immediate area [REDACTED] and [REDACTED] became involved in a physical altercation. Officer [REDACTED] stated that he asked [REDACTED] and [REDACTED] to step back. Officer [REDACTED] then stepped in between [REDACTED] and [REDACTED] and pushed them apart. Officer [REDACTED] stated that he did not observe any Department member grab [REDACTED] by her waist and push her down to the ground. Officer [REDACTED] stated that he does not recall observing [REDACTED] on the ground at any time during her arrest. Officer [REDACTED] stated that he does not recall who handcuffed [REDACTED]. Officer [REDACTED] stated that he did not observe any injuries to [REDACTED]. Officer [REDACTED] related that [REDACTED] did not complain of any injuries.⁹

In his interview with COPA on April 19, 2018, Witness Officer [REDACTED], stated that on the date and time of the alleged incident he was assigned to Beat [REDACTED] along with Officer [REDACTED]. Officer [REDACTED] related that when he arrived at the location of the incident he observed an unruly crowd on the sidewalk. Officer [REDACTED] stated that he exited his assigned vehicle and attempted to calm the crowd. Officer [REDACTED] related that the crowd was directed to disperse.

Officer [REDACTED] stated that approximately 20 feet away from where he was standing he heard a group of people yelling. Officer [REDACTED] stated that he walked over and observed [REDACTED] and [REDACTED]

⁵ Attachments 21, 22, 41

⁶ On May 3, 2016, the R/I telephoned [REDACTED] to confirm her appointment. [REDACTED] rescheduled the appointment for her and [REDACTED] for May 10, 2016. On May 10, 2016 the R/I telephoned [REDACTED] to confirm her appointment. After the R/I identified herself [REDACTED] terminated the phone call. The R/I called [REDACTED] several times and left a voicemail message. The R/I also sent a letter to [REDACTED] and [REDACTED]. As of October 17, 2018, [REDACTED] and [REDACTED] have failed to cooperate with the investigation

⁷ Attachments 23, 41

⁸ Attachment 41

⁹ Attachment #38

handcuffed and arguing with each other. Officer ██████ stated that there were several additional units at the scene, but he does not know the officers by name. Officer ██████ related that he does not know who handcuffed ██████ and ██████. Officer ██████ denied observing any Department member grab ██████ by her waist and push her to the ground. Officer ██████ stated that he never observed ██████ on the ground. Officer ██████ stated that he did not have a conversation with ██████. Officer ██████ stated that he did not observe any injuries to ██████.¹⁰

b. Documentary Evidence

According to the **Initiation Report** submitted by Sergeant ██████, #█████, on April 13, 2016, the complainant, ██████ telephoned the ██████ District Station and stated that on April 7, 2016, an unidentified white male officer “slammed” her daughter, ██████ to the ground. ██████ related that ██████ sustained minor abrasions to her left knee as a result of this incident. ██████ added that ██████ informed her that she was also involved in a physical altercation at the time of the incident. ██████ continued that ██████ did not comply when the unidentified officers order her to stop fighting. ██████ did not seek medical treatment.¹¹

According to the **Arrest Reports (CB #█████, ██████) and Case Report (RD #█████)** ██████ and ██████s were arrested on April 07, 2016, at approximately 2330 hours, in the vicinity of ██████ and charged with two counts of Mob Action. The arresting officers were Officers ██████, #█████ and ██████, #█████.

It is reported that the arresting officers observed a large mob gathering conducting themselves in a disruptive order. The arresting officers instructed the individuals to disperse. The arresting officers observed ██████ and ██████ fighting each other. The arresting officers separated both parties and placed them into custody. According to the lock up screening logs ██████ and ██████ did not have any obvious pain or injuries.¹²

VI. ANALYSIS

Accused: Unidentified Officer
Allegation #1: Not Sustained

COPA recommends a finding of **Not Sustained** for **Allegation #1** that an unidentified officer performed an emergency take down on ██████. ██████ claimed that, while engaged physical altercation with ██████, an officer used excessive force by grabbing

¹⁰ Attachment #39

¹¹ Attachment #4

¹² Attachments #5, 7, 13

her waist and pushing her to the ground. However, [REDACTED] was unable to provide any description of that officer.

Officer [REDACTED] stated that he stepped in between [REDACTED] and [REDACTED] and pushed them apart. Officer [REDACTED] related that he did not recall who handcuffed [REDACTED], and further, that he did not observe any Department member grab [REDACTED] by her waist and push her to the ground. Officer [REDACTED] admitted that he did not observe the altercation between [REDACTED] and [REDACTED] or how they were handcuffed.

No other witnesses provided interviews to IPRA regarding the incident. Therefore, the evidence is insufficient to identify the specific officer or prove or disprove that the incident occurred as alleged. However, it should be noted that based on [REDACTED] description of her actions during the incident, an emergency takedown would have been within the guidelines of Department Rules and Regulations.

VII. CONCLUSION

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

Officer	Allegation	Finding / Recommendation
Unidentified Officer	1. Performed an emergency takedown on the victim, [REDACTED].	Not Sustained

Approved:

[REDACTED]

January 29, 2019

[REDACTED]
Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Assigned Investigative Staff

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