

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	December 31, 2017
Time of Incident:	3:58 PM
Location of Incident:	Resurrection Lutheran Church, 9349 S. Wentworth Ave.
Date of COPA Notification:	January 16, 2018
Time of COPA Notification:	2:03 PM

On December 31, 2017, the complainant, [REDACTED], attended a New Year’s Eve party at Resurrection Lutheran Church. Mr. [REDACTED] grandfather, Officer [REDACTED], also attended. Mr. [REDACTED] alleged Officer [REDACTED] threatened him by saying “I’m going to fuck you up.” After conducting interviews and reviewing available records, COPA recommends this allegation be Unfounded. This finding is further discussed in the Analysis portion of this report.

II. INVOLVED PARTIES

Involved Officer #1:	[REDACTED], Star [REDACTED], Employee ID [REDACTED], Date of Appointment: [REDACTED], Police Officer, Unit [REDACTED] (Police Documents Section), Date of Birth: [REDACTED], Male, Black
Involved Individual #1:	[REDACTED], Date of Birth: [REDACTED], Male, Black

III. ALLEGATIONS

Officer	Allegation	Finding
Officer [REDACTED]	1. Threatened [REDACTED] during a verbal altercation, in that he told him “I’m going to fuck you up,” in violation of Rule 8.	Unfounded

IV. APPLICABLE RULES AND LAWS

Rules
1. Rule 8: Prohibits disrespect to or maltreatment of any person, while on or off duty.

V. INVESTIGATION¹

a. Interviews

The complainant, ██████████, was interviewed by COPA on April 3, 2018.² On December 31, 2017, Mr. ██████████ went to Resurrection Lutheran Church after his friend, ██████████, texted him to the church while a New Year's Eve party was occurring. Mr. ██████████ stated he was not required to have a ticket. Mr. ██████████ knew his grandfather would be present. When ██████████ arrived, Officer ██████████ looked at him and proceeded to make a phone call. Mr. ██████████ kept walking towards ██████████ and neither man spoke. Later, Mr. ██████████ was walking towards the exit and Officer ██████████ told his grandson "I'm gonna fuck you up."³ Officer ██████████ said this quietly, so no one could hear, and Mr. ██████████ saw his grandfather mouthing the words. Mr. ██████████ responded by threatening to hit Officer ██████████ with a cane. The cane belonged to Mr. ██████████ grandmother, ██████████. ██████████ did not let Mr. ██████████ take the cane. Mr. ██████████ denied he raised the cane. The pastor and other parishioners then brought Mr. ██████████ into a separate room to talk to him. About 25 minutes later, CPD arrived and arrested Mr. ██████████. While he was escorted out, Mr. ██████████ told his grandfather "fuck you" and Officer ██████████ responded he would pray for Mr. ██████████.⁴

Officer ██████████ was interviewed by COPA on March 1, 2018.⁵ On December 31, 2017, Officer ██████████ was at Resurrection Lutheran Church. He was hosting a New Year's Eve party, to which a ticket was required. Officer ██████████ reported he is chairman of the congregation and on the elder board at the church. Mr. ██████████ appeared at the celebration and did not purchase a ticket. Mr. ██████████ walked past his grandfather without speaking. Mr. ██████████ emerged with a walking cane and threatened to "fuck [Officer ██████████] up."⁶ Mr. ██████████ was about 7 – 10 feet away from Officer ██████████ and holding the cane above his head with one hand. ██████████ was also present and told Mr. ██████████ to put the cane down. Officer ██████████ denied threatening, following, or approaching his grandson. Officer ██████████ went outside to call the police. When the officer returned inside, ██████████ told him Mr. ██████████ was speaking with the pastor in another room. The police arrived, and Officer ██████████ wanted to sign complaints because Mr. ██████████ threatened him. Per Officer ██████████, the only thing he said to his grandson was after that he would pray for Mr. ██████████.

COPA interviewed ██████████ on January 23, 2018.⁷ On December 31, 2017, ██████████ was at Resurrection Lutheran Church for a New Year's Eve Party. ██████████ related one of Mr. ██████████ friend was at the party, called him, and Mr. ██████████ came to the church. ██████████ saw Mr. ██████████ walking and Officer ██████████ on his cellphone. ██████████ heard Officer ██████████ calling for police assistance and saw him pointing towards Mr. ██████████. ██████████ heard yelling between Mr. ██████████ and Officer ██████████ and asked Mr. ██████████ what happened. Her grandson related Officer ██████████

¹ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

² Att. 51

³ Approximately 9:23 minute mark of Att. 51.

⁴ Approximately 15:21 minute mark of Att. 51.

⁵ Att. 21

⁶ Approximately 6:30 minute mark of Att. 21.

⁷ Att. 14

threatened to “fuck up” Mr. [REDACTED].⁸ According to [REDACTED], she had a cane that Mr. [REDACTED] attempted to get from her, but he never actually had it. [REDACTED] denied that Mr. [REDACTED] attempted to harm or threatened his grandfather. A group of parishioners took Mr. [REDACTED] into a separate room and approximately 15 police officers arrived. Officer [REDACTED] told police Mr. [REDACTED] hit the officer with a cane. [REDACTED] explained to the police she had paperwork showing Officer [REDACTED] had a modified order of protection against him and should be arrested. Officers proceeded to arrest Mr. [REDACTED]. The officers told [REDACTED] that Officer [REDACTED] signed a complaint for simple assault against Mr. [REDACTED].

[REDACTED] was interviewed by COPA on March 7, 2018.⁹ On December 31, 2017, [REDACTED] was at a church party. Mr. [REDACTED] was not invited, due to past issues with Officer [REDACTED]. Mr. [REDACTED] came to the church. His grandmother and great-grandmother were already present, but he did not arrive with them. [REDACTED] stated she uses a cane and had it with her during this incident. Mr. [REDACTED] stated he was going to “bust his grandfather in the head” and reached for [REDACTED] walking cane.¹⁰ [REDACTED] told him not to touch [REDACTED] cane and Mr. [REDACTED] responded that he still intended to “bust [Officer [REDACTED]] in the head.”¹¹ Mr. [REDACTED] never got hold of the cane. [REDACTED] then brought Mr. [REDACTED] into a room. Officer [REDACTED] had called the police after he was threatened, and Mr. [REDACTED] was arrested.

COPA interviewed a witness, [REDACTED], on March 6, 2018.¹² On December 31, 2017, she was at Resurrection Lutheran Church and assisting with food service. Towards the end of the event, [REDACTED] saw Mr. [REDACTED] wave a walking cane with one hand, push chairs, and rant at Officer [REDACTED]. [REDACTED] heard Mr. [REDACTED] tell his grandfather, “I’m gunna bust you upside the head.”¹³ [REDACTED] saw no physical contact between Mr. [REDACTED] and Officer [REDACTED]. [REDACTED] was also cursing and ranting. [REDACTED] related the walking cane was [REDACTED].

[REDACTED] was interviewed by COPA on March 9, 2018.¹⁴ On December 31, 2017, [REDACTED] was at Resurrection Lutheran Church, attending a New Year’s Eve celebration. [REDACTED] recalled [REDACTED] was pacing around at the event and had a cane. Officer [REDACTED] told [REDACTED] that Mr. [REDACTED] was present and she should leave. [REDACTED] went to get her coat, when she heard Mr. [REDACTED] threaten to kill Officer [REDACTED]. Mr. [REDACTED] then grabbed and hugged [REDACTED]. [REDACTED] commented that Officer [REDACTED] was violating his restraining order and she was going to “get that mother fucker.”¹⁵ Officer [REDACTED] did not say anything. [REDACTED] got her coat and left.

COPA interviewed [REDACTED] on April 4, 2018.¹⁶ [REDACTED] was the pastor at Resurrection Lutheran Church. On December 31, 2017, there was a New Year’s Eve party at the church, which was a ticketed event. Officer [REDACTED] was at the event and Mr. [REDACTED] arrived after

⁸ Approximately 22:28 minute mark of Att. 14.

⁹ Att. 36

¹⁰ Approximately 9:10 minute mark of Att. 36

¹¹ Approximately 9:44 minute mark of Att. 36

¹² Atts. 41, 42

¹³ Approximately 4:50 minute mark of Att. 42

¹⁴ Att. 46

¹⁵ Approximately 11:04 minute mark of Att. 46

¹⁶ Atts. 55, 56

it began. [REDACTED] was also present but did not arrive with Mr. [REDACTED]. At some point, the janitor told [REDACTED] there was a disturbance. [REDACTED] saw police officers, Mr. [REDACTED], Officer [REDACTED], and possibly some witnesses. Mr. [REDACTED] told Officer [REDACTED] he would fuck up his grandfather. Mr. [REDACTED] was upset and loud, so [REDACTED] had Mr. [REDACTED] and Officer [REDACTED] go into a separate room. The police arrested Mr. [REDACTED] and he was removed from the church.

b. Digital Evidence

No pertinent physical evidence was identified in association with the present investigation.

c. Physical Evidence

No physical evidence was obtained in relation to the present investigation.

d. Documentary Evidence

Mr. [REDACTED] **Arrest Report** was obtained from December 31, 2017 with **RD [REDACTED]**.¹⁷ Mr. [REDACTED] was arrested at approximately 5:00 PM and charged with misdemeanor domestic related simple assault. Officer [REDACTED] told responding officers Mr. [REDACTED] threatened the officer, "by saying 'I will knock you in the head.'" Officer [REDACTED] signed complaints and Mr. [REDACTED] was arrested.

An **Original Case Incident Report** was also obtained for **RD [REDACTED]**.¹⁸ Officers responded to an assist call at 9349 S. Wentworth and Officer [REDACTED] (who was off-duty) told them he had a verbal altercation with Mr. [REDACTED]. Mr. [REDACTED] threatened his grandfather and stated he was going to "knock" Officer [REDACTED] "in the head." A witness reported hearing Mr. [REDACTED] threat.

An **Case Supplementary Report** was also obtained for **RD [REDACTED]** that included no additional pertinent information.¹⁹

The following **Office of Emergency Management and Communications Event Query Reports** and **Audio** were located from the incident on December 31, 2017.²⁰

- **Event Number [REDACTED]** initiated when Officer [REDACTED] called for assisting officers at about 3:58 PM and provided his last name and star number.²¹ Officer [REDACTED] stated a black male in a tan jacket threatened him with a cane. At roughly 5:00 PM, Beat [REDACTED] reported going to the 6th District with one occupant (known to be Mr. [REDACTED]). Officer [REDACTED] told the 911 operator that Mr. [REDACTED] was threatening him with a cane at a church function. Dispatch asked Officer [REDACTED] if he is a police officer. Officer [REDACTED] said he yes and gave his star number.

¹⁷ Att. 9

¹⁸ Att. 10

¹⁹ Att. 11

²⁰ Atts. 60, 61

²¹ Atts. 16, 17

- **Event Number** [REDACTED] initiated at approximately 4:02 PM.²² Officer [REDACTED] called and stated that he was “being threatened inside the church.” Officer [REDACTED] stated that he was an off-duty officer at a church and wanted the police to respond immediately. Dispatch told Officer [REDACTED] multiple units were dispatched. Officer [REDACTED] said he wanted to sign complaints.
- **Event Number** [REDACTED] initiated at about 4:45 PM.²³ [REDACTED] requested a supervisor come to 9349 S. Wentworth. [REDACTED] stated there was a violation of a domestic special order involving an off-duty officer. [REDACTED] related Mr. [REDACTED] should not have been arrested and Officer [REDACTED] should have. Per [REDACTED], Officer [REDACTED] saw Mr. [REDACTED] walk in and called 911. [REDACTED] denied that Mr. [REDACTED] said or did anything to Officer [REDACTED]

An **Initiation Report** was completed by Sergeant [REDACTED] on January 1, 2018.²⁴ Mr. [REDACTED] was arrested on December 31, 2017 and told Department members at the 6th District he had “an active order of protection” against his grandfather. Staff was unable to confirm the order of protection. When [REDACTED] arrived at the 6th District to collect Mr. [REDACTED], she provided “a copy of a court order titled ‘Order For Special Conditions of Bail’ [...]” Sergeant [REDACTED] “was unable to determine whether or not a crime had been committed just based on the conditions of bail form presented by the witness,” and he “instructed desk personnel to create a Non-Criminal case report [...]” On December 31, 2017 Officer [REDACTED] had a domestic disturbance with Mr. [REDACTED] at Resurrection Lutheran Church and told Mr. [REDACTED], “I’m going to fuck you up.” Mr. [REDACTED] tried to leave the room but Officer [REDACTED] “followed him and both parties engaged in a verbal altercation.” The two men were separated, and the police were called.

COPA obtained a copy of the **Order for Special Conditions of Bail filed under** [REDACTED].²⁵ This case was filed after Officer [REDACTED] was arrested on August 4, 2017 for domestic battery on signed complaints from Mr. [REDACTED]. Officer [REDACTED] provisions included surrendering his Firearm Owner’s Identification Card; surrendering firearms; not possessing a dangerous weapon; not contacting Mr. [REDACTED]; and not entering Mr. [REDACTED] home, work or school. Avoiding Mr. [REDACTED] church was not specified.

A docket was obtained for Cook County Circuit Court **Case Number** [REDACTED].²⁶ On January 5, 2018, Mr. [REDACTED] was charged with misdemeanor simple assault. The case was stricken off with leave to reinstate on January 29, 2018.

A Docket and additional details were obtained for Cook County Circuit Court **Case Number** [REDACTED].²⁷ Officer [REDACTED] filed a petition for independent protection order on January 3, 2018 and an emergency order of protection was allowed. One of the court ordered remedies was for Mr. [REDACTED] to stay at least 25 feet away from Officer [REDACTED] when at Resurrection Lutheran

²² Att. 17

²³ Att. 18

²⁴ Att. 4

²⁵ Atts. 15, 30

²⁶ Att. 35

²⁷ Atts. 32, 62

Church. The protection order was extended several times until September 14, 2018, when the case was dismissed for want of prosecution.

VI. ANALYSIS

Allegation 1 against Officer [REDACTED], that he threatened [REDACTED] during a verbal altercation, in that he told him “I’m going to fuck you up,” is **Unfounded**. Mr. [REDACTED] arrived at the event even though he knew his grandfather would be present. Mr. [REDACTED] was the only one to hear Officer [REDACTED] threaten him. In fact, Mr. [REDACTED] stated his grandfather mouthed the threat and said it quietly. Based on witness statements, Mr. [REDACTED] initiated the altercation. Based on available evidence, only the complainant heard Officer [REDACTED] threat, but multiple witnesses heard Mr. [REDACTED] threaten his grandfather and saw him threaten Officer [REDACTED] with a cane. Mr. [REDACTED] himself admitted to threatening Officer [REDACTED]. As such it appears Mr. [REDACTED] instigated the altercation and there is no evidence Officer [REDACTED] threatened Mr. [REDACTED]. As such, this allegation is Unfounded.

VII. CONCLUSION

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

Officer	Allegation	Finding
Officer [REDACTED] [REDACTED]	1. Threatened [REDACTED] during a verbal altercation, in that he told him “I’m going to fuck you up,” in violation of Rule 8.	Unfounded

Approved:

[REDACTED]

[REDACTED]
Deputy Chief Administrator – Chief Investigator

12/19/18
Date

Appendix A

Assigned Investigative Staff

Squad#:	[REDACTED]
Investigator:	[REDACTED]
Supervising Investigator:	[REDACTED]
Deputy Chief Administrator:	[REDACTED]