

SUMMARY REPORT OF INVESTIGATION¹

I. EXECUTIVE SUMMARY

Date of Incident:	August 17, 2018
Time of Incident:	3:55 AM
Location of Incident:	██
Date of COPA Notification:	August 27, 2018
Time of COPA Notification:	7:27 AM

On August 17, 2018, ██████████ (hereafter “████████”) and ██████████ (hereafter “████████”), off-duty police officers, and husband and wife, were having a verbal altercation. During the verbal altercation, ██████████ stated that her husband stated to her, “Do you want to lose your job, bitch?” and “Calm down, because you might lose your job ... the way you are acting.” ██████████ explicitly denied stating to ██████████, “Do you want to lose your job, bitch?” ██████████ did admit stating to ██████████ during the verbal altercation, “If you are not going to calm down, I’m going to call the police. There is a chance that we might lose our jobs.”

As the verbal altercation unfolded, ██████████ and ██████████ both called 911. Police officers arrived at their residence shortly upon the conclusion of their 911 calls. Upon the officers’ arrival, ██████████ approached the first responding officers, outside of her house, and told them “disregard.” The officers, having knowledge that an off-duty police officer was involved in a domestic disturbance, informed ██████████ that a Sergeant was already on the way. The officers and ██████████ then made their way into the house and the conversation was further had between ██████████ and the officers, and ██████████ and the officers. At no point, during the conversation with the officers, did ██████████ relay that ██████████ made the aforementioned statements. Sergeant ██████████ arrived on the scene and inquired upon ██████████ if she was okay. She answered in the affirmative. The officers and the then sergeant left. No arrests were made.

██████████ reported the incident to her Sergeant, Sergeant ██████████, approximately eight (8) days later. It was at this point, that she first informed another officer or superior that ██████████ stated to her, “Do you want to lose your job, bitch?” Sgt. ██████████ ordered ██████████ to write a To-From report and ██████████ referenced, in her report, her concern that ██████████ might do something that could affect her employment with the Chicago Police Department. Sgt. ██████████ also wrote a To-From report. He included the statement, “Do you want to lose your job, bitch?” in his report and relayed ██████████ concern about her employment.

II. INVOLVED PARTIES

Involved Officer #1:	██████████, Star ██████████, Employee ID ██████████, Date of Appointment: ██████████, Police Officer, Unit of
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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, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

Subject #1:	Assignment: [REDACTED], Date of Birth: [REDACTED], Male, White.
	[REDACTED], Date of Birth: [REDACTED], Female, White.

III. ALLEGATIONS

Officer	Allegation	Finding
Officer [REDACTED]	1. On August 17, 2018 at on or about 3:55 AM engaged in intimidating conduct by threatening [REDACTED], his wife, with the loss of her job, while he was off-duty, in violation of Rules 1, 2, 6, 8, and 9.	Not Sustained

IV. APPLICABLE RULES AND LAWS

Rules
<ol style="list-style-type: none"> 1. Rule 1: Violation of any law or ordinance. 2. Rule 2: Any action of conduct which impedes the Department’s efforts to achieve it policy and goals or brings discredit upon the Department. 3. Rule 6: Disobedience of an order of directive, whether written or oral. 4. Rule 8: Disrespect to or maltreatment of any person, while on or off duty. 5. Rule 9: 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. G04-04: Domestic Incident
Special Orders
<ol style="list-style-type: none"> 1. S04-04: Domestic Incident 2. S08-01-02: Special Situations Involving Allegations of Misconduct
State Laws
<ol style="list-style-type: none"> 1. 750 ILCS 60/301 et seq: Illinois Domestic Violence Act

V. INVESTIGATION²

a. Interviews

On September 28, 2018 COPA interviewed and obtained **an audio recorded statement of Witness Officer and Complainant** ██████████.³ On August 17, 2018, ██████████ resided at ██████████ in ██████████ with her son, ██████████, and her husband, ██████████. ██████████ stated that on August 17, 2018, ██████████ came home after work, came upstairs to the bedroom, and attempted to lie down in the bed.⁴ ██████████ told ██████████ that she did not want him in bed and to go downstairs.⁵ ██████████ replied that this was his bed, that he wanted to sleep there,⁶ and “Do you want to lose your job, bitch?”⁷ ██████████ also said that ██████████ stated, “Calm down, because you might lose the job... the way you are acting.”⁸ She indicated that ██████████ made a total of two statements regarding her job.⁹

██████████ observed ██████████ call 911, at approximately 3:55 AM.¹⁰ She became nervous as she did not know what ██████████ was telling the 911 operator.¹¹ She subsequently called 911 and informed the operator that she was having “trouble” with her husband.¹² After they both finished their phone calls with 911, the verbal altercation stopped.¹³

Officers eventually arrived on the scene; ██████████ approached the officers and told one officer, “disregard, we are just fighting about basically nothing.”¹⁴ The officers then followed ██████████ into the house and spoke with ██████████. ██████████ does not recall the nature or contents of the conversation between the officers and ██████████. A Sergeant arrived approximately five minutes after the officers had arrived in the house and inquired if ██████████ was okay.¹⁵ ██████████ stated to the sergeant, “Yes, I’m good. Thanks, Sarge.”¹⁶

██████████ reported this incident to Sgt. ██████████, on August 25, 2018.¹⁷ ██████████ indicated that she waited to speak Sgt. ██████████ because she did not take the statement seriously, but after the incident, she indicated she stopped speaking with her husband, and did not know what to expect from him.¹⁸

She stated that she told Sgt. ██████████ that she got in an argument with her husband, that her husband had called the police on her, and that she was going through a divorce.¹⁹ Sgt. ██████████

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 Attachment 18. *See Also* Agreement between the City of Chicago Department of Police and the Fraternal Order of Police (FOP) Chicago Lodge No. 7, Appendix L (4).

⁴ Attachment 18 at 10:50.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.* at 13:52, 14:05.

⁸ *Id.* at 27:13.

⁹ *Id.* at 30:00.

¹⁰ Attachment 18 at 8:50.

¹¹ *Id.*

¹² *Id.* at 9:35, 9:50. ██████████ indicated that by “trouble” she was referring to having a verbal argument with ██████████.

¹³ *Id.* at 17:23.

¹⁴ *Id.* at 16:56.

¹⁵ *Id.* at 19:15, 19:30.

¹⁶ *Id.* at 20:26.

¹⁷ *Id.* at 20:40, 21:10.

¹⁸ *Id.* at 24:44.

¹⁹ *Id.* at 22:22.

replied that they would speak about this incident later and she subsequently returned to her assignment.²⁰ She then stated that on either August 25, 2018 or August 26, 2018, Sgt. [REDACTED], Lt. [REDACTED], and she, had a conversation together.²¹ She informed Lt. [REDACTED] that she was going through a divorce, that “it’s a little bit crazy in [her] house and that she gets into arguments with her husband.”²² Lt. [REDACTED] ordered her to write a To-From report.²³ In the report she stated that her home life had become a “little disruptive”, which [REDACTED] explained that meant she was going through a divorce and there was less communication with her husband.²⁴

In regards to the statement, “Do you want to lose your job, bitch?”, [REDACTED] stated that she did not know what [REDACTED] meant it.²⁵ She iterated that when [REDACTED] gets mad and angry he “may” not say accurate things, so she “let the statement go.”²⁶ She took the statement as a joke.²⁷ [REDACTED] further explained that during the verbal altercation, “[she] took this serious [at first], what he said, but I knew, I just knew, he [was] not going to do anything at [that] point.”²⁸

On October 1, 2018, COPA interviewed and obtained an **audio recorded statement of Witness Officer [REDACTED]**.²⁹ Officer [REDACTED] was called to [REDACTED] to assist another unit investigating a domestic disturbance. When Officer [REDACTED] first arrived she observed Officer [REDACTED] speaking with [REDACTED]. She described the demeanor of [REDACTED] as normal; [REDACTED] did not appear upset and was not crying. Officer [REDACTED], [REDACTED], and Officer [REDACTED] converged and walked into the house together. Upon entering the house she observed [REDACTED] who appeared slightly upset. [REDACTED] spoke to Officer [REDACTED], fluctuating between [REDACTED] and [REDACTED]. [REDACTED] indicated to Officer [REDACTED] that his wife had filed for divorce, she “was looking for a way out”, and “looking to jam him up or locked up.”³⁰ [REDACTED] further explained that it was his wife that was trying to get him fired.³¹ Additionally, Officer [REDACTED] stated that [REDACTED] did not appear intoxicated. Officer [REDACTED] was not able to identify the primary aggressor and no one was arrested on scene, as [REDACTED] stated that she did not want anything done, rather she just wanted to get some sleep.³²

On October 25, 2018 COPA interviewed and obtained an **audio recorded statement of Witness Sergeant [REDACTED]**.³³ On August 26, 2018 Sgt. [REDACTED] was working in the [REDACTED] District as the District Station Supervisor when [REDACTED] approached him to inform him of a domestic disturbance that was occurring between herself and her husband. [REDACTED] indicated that the issue was verbal in nature.³⁴ Because the matter was not physical, Sgt. [REDACTED] asked [REDACTED] to come

²⁰ *Id.* at 24:35.

²¹ *Id.* at 23:05.

²² *Id.* at 23:30.

²³ *Id.* at 22:48.

²⁴ *Id.* at 26:30.

²⁵ *Id.* at 14:35.

²⁶ *Id.* at 14:42.

²⁷ *Id.* at 15:08.

²⁸ *Id.* at 15:30.

²⁹ Attachment 19.

³⁰ *Id.* at 8:53.

³¹ *Id.* at 10:15, 10:23.

³² *Id.* at 12:10, 12:40.

³³ Attachment 23.

³⁴ *Id.* at 3:42.

back later in the day to further speak about the matter. █████ returned later that day, but the conversation was continued until the next day, so as to involve Lieutenant █████ in the discussion.

On August 27, 2018, Lt. █████ Sgt. █████ and █████ met to discuss the domestic disturbance. █████ relayed that she and her husband were having marital problems, and her husband had stated to her, “Do you want to lose your job, bitch?”³⁵ Sgt. █████ inquired upon █████ as to what she thought that statement meant. She relayed that she thought he might jeopardize her job.³⁶ Sgt. █████ instructed her to write a To-From report.

On October 16, 2018, COPA interviewed and obtained an **audio recorded statement of Accused Officer █████**.³⁷ On August 17, 2018 █████ resided with his wife, █████, and his son, █████, at █████ in █████.³⁸ █████ called 911 on August 17, 2018 because he was having a verbal altercation with his wife, in the bedroom; and he was attempting to deescalate the argument.³⁹ He expounded upon this and stated that the verbal altercation was about █████ being agitated.⁴⁰ As he was speaking with 911, he stated that he observed █████ also call 911.⁴¹ After calling 911, his son woke up, and he took his son downstairs and waited until the police arrived.⁴² █████ spoke with one officer in both █████ and in █████.⁴³ He stated to this officer that his wife did not appreciate what he was doing for her.⁴⁴ █████ further discussed that he and █████ were having marriage problems and that █████ accused him of not spending enough time with the family.⁴⁵ █████ stated he heard █████ have a conversation with the officer and stated that █████ did not make enough time for her and █████.⁴⁶

█████ denied making the statement, “Do you want to lose your job, bitch?”⁴⁷ █████ explicitly denied threatening his wife with the loss of her job.⁴⁸ █████ did admit to stating to █████, “If you are not going to calm down, I’m going to call the police; there is a chance that we might lose our jobs.”⁴⁹ Additionally, █████ admitted to consuming one beer after arriving home on August 17, 2018.⁵⁰

b. Digital Evidence

³⁵ *Id.* at 8:15.

³⁶ *Id.* at 8:32.

³⁷ Attachment 22.

³⁸ *Id.* at 6:50.

³⁹ *Id.* at 7:05.

⁴⁰ *Id.* at 9:36.

⁴¹ *Id.* at 10:55.

⁴² *Id.* at 11:53.

⁴³ *Id.* at 13:13.

⁴⁴ *Id.* at 13:15.

⁴⁵ *Id.* at 13:55. █████ also stated that his wife had pushed him during the altercation. █████ later clarified that by push he meant his wife bumped into him on two occasions, while entering and exiting the bathroom, during █████ phone call to 911. █████ did not believe █████ action of bumping to be intentional. *Id.* at 16:00, 16:25, 17:05, 20:35.

⁴⁶ Attachment 22 at 14:45.

⁴⁷ *Id.* at 9:10.

⁴⁸ *Id.* at 19:05.

⁴⁹ *Id.* at 9:20.

⁵⁰ *Id.* at 8:30.

Body worn camera videos⁵¹ were obtained from Officers [REDACTED], [REDACTED], [REDACTED], and Sgt. [REDACTED]. The videos depicted the arrival of the officers on the scene and [REDACTED] stating to the officers upon arrival to “disregard.”⁵² While in the house, [REDACTED] and [REDACTED] were both observed relaying to the officers, in both [REDACTED] and [REDACTED], that they had been involved in a verbal altercation.⁵³ Near the end of the body worn camera videos, Sgt. [REDACTED] inquired upon [REDACTED] if she was okay, and [REDACTED] responded in the affirmative. The officers and the sergeant then left the scene and the videos ended shortly thereafter.

COPA obtained the **911 call for Event Query** [REDACTED].⁵⁴ The transmission contained audio of [REDACTED] stating to the 911 operator that he was having a problem with his wife and that his wife was always threatening him. [REDACTED] also admitted to consuming two beers to the 911 operator.

COPA obtained the **911 call for Event Query** [REDACTED].⁵⁵ The transmission contained audio of [REDACTED] stating to the 911 operator that she was having a problem with her husband. She indicated that she was an off-duty police officer. She told the 911 operator that [REDACTED] was concurrently calling 911 and everything he was saying was a lie. She informed the 911 operator that [REDACTED] was a little bit drunk.

c. Documentary Evidence

A **To-From Report**⁵⁶ authored by [REDACTED] stated that she was currently married to [REDACTED], but had filed for divorce. She stated that she informed her “chain of command” that [REDACTED] “made comments during the heat of discussion, regarding our situation, that he might try to causing [sic] issues with my current job as of [sic] Chicago Police Officer.”

A **To-From Report**⁵⁷ authored by Sgt. [REDACTED] stated that [REDACTED] approached him after Roll Call on August 26, 2018 to obtain “advise [sic] on how to proceed with her domestic home life issues.” Sgt. [REDACTED] relayed that [REDACTED] reported that on August 17, 2018 at 3:55 AM, [REDACTED] stated to [REDACTED], “Do you want to lose your job, bitch[?]” Sgt. [REDACTED] expressed that [REDACTED] was worried that [REDACTED] might try to jeopardize her job with the Chicago Police Department.

An **OEMC Event Query Report for Event Number:** [REDACTED]⁵⁸ stated that [REDACTED] called OEMC to report a domestic disturbance occurring at [REDACTED]. OEMC received this call on August 17, 2018 at 3:55 AM. Dispatch reported that [REDACTED] indicated that his wife was threatening him. An **OEMC Event Query Report for Event Number:** [REDACTED]⁵⁹ stated that [REDACTED] called OEMC to report a domestic disturbance occurring at [REDACTED]. OEMC received this call on August 17, 2018 at 3:56 AM. Dispatch reported that [REDACTED] indicated that she

⁵¹ Attachment 6.

⁵² Attachment 6, [REDACTED] at 6:30 PM.

⁵³ See Attachment 12 Partial translation of the polish conversation.

⁵⁴ Attachment 24, EV# 02032.mp3.

⁵⁵ Attachment 25, EV# 02043.mp3.

⁵⁶ Attachment 5.

⁵⁷ *Id.*

⁵⁸ Attachment 14.

⁵⁹ Attachment 13.

was an off-duty police officer who was having an issue with her husband, who had been drinking. She indicated that her husband was also an off-duty police officer.

VI. ANALYSIS

The burden of proof COPA must reach for a finding on the allegation is the preponderance of the evidence standard.

It is alleged that Officer ██████ engaged in intimidating conduct by threatening his wife, ██████, a police officer, with the loss of her job.

The evidence shows that ██████ and ██████ had engaged in a verbal altercation in the early morning hours of August 17, 2018. During the verbal altercation, ██████ stated that ██████ made two comments in reference to her job. The two comments were, 1: “Do you want to lose your job, bitch?” and 2: “Calm down, because you might lose the job... the way you are acting.”⁶⁰ ██████ initiated a call to 911 shortly after the altercation began.

The police arrived shortly after 911 was contacted and immediately upon the officers’ arrival ██████ told the police to disregard. The officers and ██████ relocated into the house and into the presence of ██████. The body worn camera videos of the responding officers do not show that ██████, at any time, indicating that ██████ had threatened her job or made either of the aforementioned statements.

█████ waited until August 26, 2018 to report to her Sergeant, Sgt. ██████, that she was having an issue with her husband. Based upon this information, Sgt. ██████ told ██████ to speak with him and Lt. ██████ about the matter on August 27, 2018. ██████ re-reported the incident to Sgt. ██████ and Lt. ██████ as directed on August 27, 2018. A conversation was had between the three and ██████ reported that ██████ had made the comment, “Do you want to you lose your job, bitch?” Sgt. ██████ then ordered ██████ to complete a To-From report. ██████ completed a To-From report but did not include that ██████ made this statement to her. Rather, she indicated that ██████ “made comments during the heat of discussion, regarding our situation, that he might try to causing [sic] issues with my current job as of [sic] Chicago Police Officer.” Sgt. ██████ also authored a To-From report, indicating that ██████ reported to her that ██████ made the statement, “Do you want to lose your job, bitch?” ██████ waited until her interview with COPA to claim, for the first time, that ██████ said, “Calm down, because you might lose the job... the way you are acting.”

█████ indicated that she did not take the statement “Do you want to lose your job, bitch?” statement seriously, but after the incident, she stopped communication with her husband. She stated she delayed reporting the statement to Sgt. ██████ because she did not know what to expect from ██████ since she filed for divorce.

█████ affirmatively denied making either of these statements. ██████ did admit to stating to ██████, “If you are not going to calm down, I’m going to call the police; there is a chance that we might lose our jobs.” ██████ at no point during the investigation indicated that ██████ made such a statement.

There were no witnesses to statement, “Do you want to lose your job, bitch?”. ██████ failed to inform the 911 operator that ██████ stated this. ██████ failed to tell the reporting

⁶⁰ *Id.* at 27:13.

officers that [REDACTED] stated this. [REDACTED] failed to inform the reporting Sergeant that [REDACTED] stated this. [REDACTED] waiting for approximately eight (8) days to report this alleged statement to her superior. When ordered to write a To-From report, she omitted this statement that [REDACTED] allegedly stated. [REDACTED] explicitly denied making this statement. With respect to the “Calm down, because you might lose the job ... the way you are acting” statement, this statement does not appear in the 911 event query, was not relayed to the 911 operator, not mentioned to any of the officers, and not mentioned in any To-From Report.

Based upon a thorough investigation, COPA is unable to determine if Officer [REDACTED] made this statement to Officer [REDACTED] on August 17, 2018 and therefore COPA recommends a finding of NOT SUSTAINED.

VII. CONCLUSION

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

Officer	Allegation	Finding
Officer [REDACTED]	1. On August 17, 2018 at on or about 3:55 AM engaged in intimidating conduct by threatening [REDACTED], his wife, with the loss of her job, while he was off-duty, in violation of Rules 1, 2, 6, 8, and 9.	Not Sustained

Approved:

 [REDACTED]
 Deputy Chief Administrator – Chief Investigator

 Date

Appendix A

Assigned Investigative Staff

Squad#:	█
Investigator⁶¹:	████████
Supervising Investigator:	████████████████
Deputy Chief Administrator:	████████████████████████████

⁶¹ If a major case specialist, change title to "Major Case Specialist".