

SUMMARY REPORT OF INVESTIGATION<sup>1</sup>

I. EXECUTIVE SUMMARY

Date of Incident:	August 1, 2017
Time of Incident:	10:50p.m.
Location of Incident:	██████████ Chicago IL
Date of COPA Notification:	August 2, 2017
Time of COPA Notification:	8:57a.m.

On August 1, 2017, Officer ██████████ along with two other officers<sup>2</sup> were working movie detail and were acting as additional security for a television company filming in the Chicago area. As the television crew was packing up the set to leave, a fight broke out near their truck between members of the community. Members of the production crew called security and officers to assist with crowd control. As the crowd was dispersing, ██████████ arrived on his bicycle and leaned up against the production equipment. Officer ██████████ walked up to ██████████ and attempted to escort him away from the equipment. Officer ██████████ placed his hand on ██████████ shoulder and requested he leave the area. As Officer ██████████ did this, ██████████ fell off his bicycle and ended up on the ground. Members of the community became unruly and accused Officer ██████████ of pushing ██████████. Officer ██████████ called for assist units and members of the ██████ district police department came to assist him.

II. INVOLVED PARTIES

Involved Officer #1:	██████ ██████████ Star ████████ Emp. ████████ DOA: ██████████ ██████████ 2007, Officer, Unit ██████ DOB: ██████████ 1984, Male, White
Involved Officer #2:	██████████ Star ████████ Emp. ████████ DOA: ██████████ ██████████ 2004, Sergeant, Unit ██████ DOB: ██████████ 1981, Male, Asian Pacific Islander
Involved Individual #1:	██████████ DOB: ██████████ 2005, Male, Hispanic

<sup>1</sup> 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.

<sup>2</sup> Officers ██████ ██████ & ██████████

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Officer [REDACTED]	<p>1. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near [REDACTED] you directed profanity at [REDACTED] by saying words to the effect of "come here, motherfucker."</p> <p>2. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near [REDACTED] you engaged in an unnecessary physical altercation with [REDACTED] by grabbing [REDACTED] and tossing him to the ground.</p> <p>3. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near [REDACTED] you did not identify yourself by providing your name when requested by a private citizen, [REDACTED]</p>	<p>Not sustained</p> <p>Not sustained</p> <p>Sustained/Three days suspension</p>
Sergeant [REDACTED]	<p>1. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near [REDACTED] you did not initiate an investigation when [REDACTED] told you that she wanted to report that a Chicago Police Department member had assaulted her son, [REDACTED]</p> <p>2. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near [REDACTED] you did not order Police Officer [REDACTED] to correctly identify himself after he did not do so when you heard [REDACTED] a private citizen, ask Officer [REDACTED] to identify himself by name.</p> <p>3. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near [REDACTED] you did not record a law-enforcement-related encounter with [REDACTED] by activating your body-worn camera.</p>	<p>Sustained/Three days suspension</p> <p>Sustained/Three days suspension</p> <p>Sustained/Three days suspension</p>

#### IV. APPLICABLE RULES AND LAWS

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##### Rules

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1. Rule 5: Failure to perform any duty
  2. Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
  3. Rule 37: Failure of a member, whether on or off duty, to correctly identify himself by giving his name, rank and star number when so requested by other members of the Department or by a private citizen.
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##### General Orders

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1. G08-01-02
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##### Special Orders

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1. S03-14

#### V. INVESTIGATION<sup>3</sup>

##### a. Interviews

###### Civilian Interviews

██████████ and ██████████ Interview- ██████████ (age 11) was interviewed in the presence of his mother ██████████ on August 3, 2017 at IPRA offices. According to ██████████ on the day of the incident he was outside riding his bike with his friends. There was also a production crew in the area filming a television show. The production crew called the police and two uniformed officers arrived. When the officers arrived, they told everybody outside to move around. As ██████████ was moving away from the production crew, one of the officers told him to “come here, motherfucker”. Both officers approached ██████████ and grabbed him from his arms and dropped him to the ground. According to ██████████ the officers were on both sides of him and each officer grabbed one of his arms and grabbed the back of his bicycle wheel. ██████████ described the officers as white males. When ██████████ was dropped to the ground he hurt his lower back.

██████████ mother, ██████████ asked one of the officers for his name but he refused to give it to her and covered his badge. The officer then called for back-up. A sergeant arrived on the scene and ██████████ spoke to the sergeant and informed the sergeant that she wanted to press charges against the officer. The sergeant directed her to go to the police station. When ██████████ arrived at the police station they informed her that they could not press charges on the officer and directed her to go back home and call 911 and ask

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

for a sergeant to come to her. She called 911 and they informed her that they would send a sergeant to speak with her. After speaking to the sergeant, she took her son to the emergency room.<sup>4</sup>

██████████ was interviewed on September 27, 2017 at COPA offices. According to ██████████ on the date of the incident he was working as a production assistant for a television show being filmed in the area. There were two uniformed officers that were assisting with security on the date of the incident. One of the officers first name was ██████████. When production was finishing up for the day, an argument started between people who were standing outside watching the filming. The film crew felt unsafe, so they called security over to tell the guys to calm down. Then the two police officers were called over to the area to assist the security guards. The crowd was originally gathered on the eastern side of the street, but then they moved to the western side of the street near the production truck. The officers asked the members of the crowd to disperse but the crowd was not obeying the officers' requests. ██████████ was not really paying that much attention because he was still talking to other co-workers, but the next thing he noticed is that the crowd doubled in size and three squad cars showed up.

According to ██████████ Officer ██████████ asked the crowd to leave the set, but the crowd was still not listening to him. ██████████ then saw the child on the bike and according to ██████████ it looked as if the child was trying to run over the officer's foot. The officer asked the kid on the bike what he was doing, and the kid fell off the bike. The neighborhood erupted after that. According to ██████████ from what he observed, he saw the kid veering toward the officers and then the kid lost control of the bike. It appeared to ██████████ that Officer ██████████ was trying to grab the bike handlebars to keep the bike balanced. The crowd started yelling at officer ██████████ asking him why he touched the kid. ██████████ described the kid as Hispanic, husky and 4'9 to 4'10. ██████████ was unsure as to if Officer ██████████ actually touched the kid. After the kid fell off the bike, the kid just got back up as if everything was fine. ██████████ did not observe any injuries to the kid. According to ██████████ he did not hear any officer say "come here, motherfucker" to the kid nor did he see any officer lift the kid from his bike and drop him to the ground. ██████████ does remember hearing people asking for Officer ██████████ name and badge number.<sup>5</sup>

██████████ was interviewed via telephone on September 29, 2017. On the date of the incident, ██████████ was working as a camera production assistant on the television show Shameless. At around 10:50p.m. there was a heated argument between the residents in the neighborhood. A camera crew member asked for security to come to the area. Security and police officers responded to the area and asked the guys to disperse, but they ignored the officers' requests. According to ██████████ the officers were in uniform and there were three officers. ██████████ described the most involved officer as a tall white fit male with dirty blonde hair. The tall white officer grabbed one of the males firmly by the shoulder and asked the male what he said. The male was holding on to a bicycle, he got flustered and tripped over his bike and fell to the ground. According to ██████████ there was no pushing involved, the male just fell to the ground. His shoulder hit the ground and his stomach area was on top of the bike. Both the male and the bicycle hit the ground. When the male fell to the ground, everybody around assumed the officer pushed the male and they started yelling that the officer pushed him to the

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<sup>4</sup> Att. 11.

<sup>5</sup> Atts. 48 & 106.

ground and that the male was only 11. [REDACTED] described the male that fell off the bike as Hispanic with brown hair. Everybody started coming out into the street and more officers arrived.

According to [REDACTED] the male who fell from the bike got up and told the officer that he just pushed him and cursed at the officer. The officers contained the male and would not let him leave the scene. The officers were holding the male by his arms. As neighbors came around the camera truck and started blaming the crew for what happened, [REDACTED] went inside the truck. When [REDACTED] came back outside the truck after five minutes, there were at least 20 officers there.<sup>6</sup>

[REDACTED] was interviewed on October 10, 2017 at his home. On the date of the incident, [REDACTED] was working for a movie studio in Chicago. He was in charge of the camera truck. When the incident occurred, [REDACTED] was standing on the tailgate ramp of the camera trailer. The incident began when an older Hispanic male, around 30 years of age, began taunting a little kid on a bicycle. The child<sup>7</sup> was Hispanic and between 11-13 years old. [REDACTED] described the older male as being drunk. The kid on the bicycle threw his bicycle down and was attempting to fight the older male. Another older male intervened between the kid and the first male. A squad car then pulled up and asked everybody to go home. The kid on the bicycle started to take his bicycle in between the camera and the sound cart and the officer stopped him. He told the kid to go around. The officer grabbed the handle bars of the bicycle with both hands, not forcefully, and pushed the kid backwards. When the officer was pushing the kid back, the kid went up over the curb and fell off his bike. According to [REDACTED] the officer did not forcefully push him off the bike, he was just redirecting him around the equipment. The older Hispanic male started yelling he's a kid and you cannot push a little kid down. This got the crowd upset and the whole neighborhood started yelling at the officers. Other officers arrived to try to disperse the crowd.

According to [REDACTED] the child got up rather quickly and he did not seem to be injured. The child went across the street to the east side of the street. More officers started to arrive and eventually they dispersed the crowd. [REDACTED] does not recall hearing anybody ask for the officer's name and badge number, but he does recall bystanders asking the sergeant on scene about the officer's name. [REDACTED] does not remember if the officer used profanity toward the child.<sup>8</sup>

[REDACTED] was interviewed on December 6, 2017 at her residence. According to [REDACTED] she was attending a family gathering the night of the incident. When she arrived, there was filming going on for a show. The staff were unloading and loading up equipment. [REDACTED] is [REDACTED] godmother. On the night of the incident, [REDACTED] was outside when she observed police arrive due to some kind of confrontation. There was a group of kids across the street and [REDACTED] was there too. There were a group of kids on their bikes, including [REDACTED] and the officers firmly told them to leave and move. As the kids were picking up their bikes, the officer went toward [REDACTED] and lifted up the back wheel of his bike and threw [REDACTED] and the bike. [REDACTED] fell off his bike. [REDACTED] and other people from the neighborhood went toward the officer and asked the officer

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<sup>6</sup> Atts. 52 & 107.

<sup>7</sup> [REDACTED] later identified the child by looking at att. 28, which is a picture of [REDACTED]

<sup>8</sup> Atts. 57 & 110.

what was going on. [REDACTED] described the officer that pushed [REDACTED] as a male, Caucasian and very tall. She did not see his badge, but from what she could see his name started with an 'S'.

According to [REDACTED] she approached the officer and asked him why he pushed the child. Other members of the neighborhood started yelling at the officer. [REDACTED] asked the officer for his name and badge number, but the officer refused to talk and just put his head down. Other officers were called, and he just drifted into the crowd between other officers. [REDACTED] complained of back pain and he kept touching his back after he got up from the ground. After the incident, [REDACTED] went to the police station to file a report against the officer.<sup>9</sup>

### Officer Interviews

**Officer [REDACTED]** was interviewed on November 22, 2017 at COPA offices. On the night of the incident, Officer [REDACTED] was working movie detail for the movie Shameless. Officer [REDACTED] was working with several other officers that day, but he does not know them by name because this was his first time working with the officers. On the night of the incident, Officer [REDACTED] recalls there being a call asking for assistance regarding gang bangers hanging out around the equipment area. Several officers responded to the area, and Officer [REDACTED] heard people using profanity. One of the members of the production crew approached Officer [REDACTED] and asked him to assist. Officer [REDACTED] went over to the scene to assist. By the time Officer [REDACTED] arrived at the scene, the incident involving the child had already occurred. When Officer [REDACTED] arrived at the scene he observed a lot of commotion and people using profanity directed at the officers. The crowd eventually dispersed.<sup>10</sup>

**Officer [REDACTED]** was interviewed on November 9, 2017 at the COPA offices. According to Officer [REDACTED] on the night of the incident he was assigned to the movie detail. There were other officers working at the same scene, but Officer [REDACTED] did not know any of the other officers working that day. All the officers work in different districts and only met that day for the first time. On the night of the incident, Officer [REDACTED] was notified by the production crew that somebody was fighting near their equipment and he responded to the scene to assist. When Officer [REDACTED] arrived, he observed a commotion and a kid wearing a white shirt getting up with his bike from the grassy part of the sidewalk area. Officer [REDACTED] also observed Officer [REDACTED] near the kid.

Officer [REDACTED] also heard the child's mother ask Officer [REDACTED] for his badge number, but he is unsure if Officer [REDACTED] responded to the request or not. Officer [REDACTED] also heard the mother of the child state that she wanted to file a complaint. Officer [REDACTED] did not hear any officer use profanity toward the child, nor did he observe any officer lift the child up from the bike and drop him to the ground.<sup>11</sup>

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<sup>9</sup> Atts. 85 & 109.

<sup>10</sup> Atts. 75 & 111.

<sup>11</sup> Atts. 74 & 112.

Officer [REDACTED] was interviewed on January 10, 2018 at COPA offices. According to Officer [REDACTED] on the night of the incident, he was working as security for the show Shameless. Officer [REDACTED] was located near Ogden Avenue when a call came out that there was a fight a block away. Officer [REDACTED] jumped in the police vehicle with another officer and headed over to the scene of the fight. Officers [REDACTED] and [REDACTED] also responded to the scene with Officer [REDACTED]. When they arrived, there were approximately 10 to 15 male Hispanics arguing and screaming with the film crew. Officer [REDACTED] attempted to break up the argument and disperse the crowd. As he was doing this, one of the males in the group rolled up on a bicycle and leaned over a dolly, which was full of equipment. Officer [REDACTED] walked over to the male<sup>12</sup> on the bicycle and told him to leave the area and he grabbed his shoulder and tried to escort him out. The male and Officer [REDACTED] were facing the same direction which was north. The male's back was to Officer [REDACTED] as he grabbed him by the shoulder. As Officer [REDACTED] was touching the male's shoulder, the male fell to the ground/parkway. Officer [REDACTED] is not sure how the male fell. As Officer [REDACTED] was attempting to help the male up, the crowd that was arguing amongst each other, became angry and started yelling at him. Officer [REDACTED] backed off and called for assistance from other officers in the [REDACTED] district. Minutes later officers from the [REDACTED] district arrived to assist and disperse the crowd.

According to Officer [REDACTED] people from the crowd, including [REDACTED] asked him for his name and badge number and he provided that information to them multiple times. Officer [REDACTED] also stated that his name and badge number was also displayed on his vest which was never covered.<sup>13</sup>

Sergeant [REDACTED] was interviewed on January 18, 2018 at COPA offices. On the date of the incident, Sergeant [REDACTED] was a sergeant in the [REDACTED] District. On the night of the incident, Sergeant [REDACTED] responded to the scene to assist a fellow officer who called for help. When Sergeant [REDACTED] arrived at the scene, he observed a large unruly crowd using aggressive language and gestures. The crowd was screaming obscenities at the officers and threatening the officers' safety. Sergeant [REDACTED] approached a female who told him that an officer pushed her son to the ground on his bicycle. Sergeant [REDACTED] asked the female if he needed an ambulance and she responded no. He also asked the kid if he needed an ambulance and the child responded that he was fine.

Sergeant [REDACTED] then proceeded to speak to the involved officer and asked the officer if he was okay. After asking the officer if he was okay, Sergeant [REDACTED] went to speak to the female again. Sergeant [REDACTED] does not independently recall what the conversation was, but he watched bodycam footage of the event during his interview. After watching the video, Sergeant [REDACTED] stated that the female asked for the officer's name and he told her that they could handle the matter at the station and instructed the female to go to the station where they can look up the roster. According to Sergeant [REDACTED] he did not direct the officer to give his name because of the situation being unsafe. The crowd at the scene was unruly and he was focused on the safety of everyone, so he directed the female to go to the station where everything could be

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<sup>12</sup> Officer [REDACTED] described the male as Hispanic, approximately 14-15 years old and 5'4 to 5'6 inches tall. He described the male's weight as between 140 to 160 pounds. He was later identified as [REDACTED]

<sup>13</sup> Atts. 98 & 99.

safely initiated. The female and her family got into their vehicle and left the scene. Sergeant [REDACTED] remained on the scene to assist with the crowd.

According to Sergeant [REDACTED] he did not initiate a complaint for the female because the scene was unsafe. He also did not go back to the station with the female when she went to make a complaint. He stated that there were multiple supervisors at the station who could assist the female. Sergeant [REDACTED] acknowledged that he knew the female wanted to make a complaint. Sergeant [REDACTED] also stated that he was wearing a body-worn camera during the night of the incident but did not activate it because it was not the first thing on his mind given how chaotic the scene was. Sergeant [REDACTED] also stated that he has worked a decade without a body-worn camera and it is something new to him, so he activates it when he remembers.<sup>14</sup>

#### **b. Digital Evidence**

**In-car camera footage** as well as **body-worn camera footage** was requested in the present case. The relevant footage is the body-worn footage from Officer [REDACTED] camera. The footage shows Officer [REDACTED] walking up to the scene. There are several other officers and a sergeant already present on the scene. There is also a crowd of civilians gathered at the scene. A woman<sup>15</sup> can be heard at 1:37 asking an officer for his name. The officer replies that he already gave it to her. She reiterates that the officer did not give her his name and the officer states again that he already gave it to her. The sergeant chimes in at 1:50 and tells the woman that they will tell her at the station. The woman told the sergeant that she is asking for the officer's name and the sergeant told her that the station has a roster and she can figure it out there. The woman then walked away.<sup>16</sup>

#### **c. Physical Evidence**

According to **medical records** obtained from Mount Sinai Hospital, [REDACTED] was seen at the hospital on August 2, 2017 at 2:54a.m. [REDACTED] told hospital personnel that he was riding his bike when the police told him to stop. According to [REDACTED] he did not know the police were talking to him, so he did not stop. The police then grabbed the back of his bike and he fell off the bike onto his back. Hospital personnel examined him and found nothing remarkable, so they gave him Tylenol for pain. No imaging was done due to the risks of radiation and the benign nature of the symptoms and exam according to hospital records. [REDACTED] was discharged and directed to take Tylenol or Ibuprofen for pain.<sup>17</sup>

#### **d. Documentary Evidence**

**Original Case Report** [REDACTED] documents that officers were called to assist crew members filming a television show near 2300 S. Sacramento. The film crew was packing up their set when an argument and fight broke out near their truck. Upon arrival, officers observed multiple males involved in an argument with the production crew and each other. Responding

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<sup>14</sup> Atts. 105 & 108.

<sup>15</sup> Now known as [REDACTED]

<sup>16</sup> Att. 32.

<sup>17</sup> Att. 21.

officers attempted to disperse the crowd. As the group was dispersing, one male Hispanic arrived on his bicycle and leaned on the production equipment. Officer [REDACTED] walked up to the male and attempted to escort him away from the crew members and the equipment. Officer [REDACTED] touched the male's shoulder and requested that he stop leaning on the equipment and move away from the scene. The male subject tripped over his bicycle or the wires on the ground and fell to the ground. Officer [REDACTED] immediately attempted to assist the male to his feet, but the crowd became unruly and started approaching the officer in an aggressive manner. The male walked away from the immediate scene under his own power. The officer was unable to assess a need for medical assistance due to the crowd being unruly. Officer [REDACTED] requested assistance from the [REDACTED] district.<sup>18</sup>

## VI. ANALYSIS

Officer [REDACTED]

1. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near [REDACTED] [REDACTED] you directed profanity at [REDACTED] by saying words to the effect of "come here, motherfucker."

COPA finds this allegation **Not Sustained**. According to [REDACTED] one of the officers on scene told him to "come here, motherfucker". Officer [REDACTED] denied saying this to [REDACTED]. Several other witnesses at the scene also deny hearing Officer [REDACTED] use profanity toward [REDACTED]. There is no independent witness or video that identifies the officer using profanity. As such, COPA finds this allegation **Not Sustained**.

2. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near [REDACTED] [REDACTED] you engaged in an unnecessary physical altercation with [REDACTED] [REDACTED] by grabbing [REDACTED] and tossing him to the ground.

COPA finds this allegation **Not Sustained**. According to [REDACTED] officers grabbed him from his arms and dropped him to the ground. Officer [REDACTED] denied doing this. According to Officer [REDACTED] he approached [REDACTED] and told him to leave the area and he grabbed [REDACTED] shoulder and attempted to escort him out and [REDACTED] fell to the ground. Officer [REDACTED] is unsure what caused [REDACTED] to fall. He also stated that [REDACTED] was leaning over a dolly which was full of equipment and he was attempting to get [REDACTED] to move from where the equipment was located. [REDACTED] stated that she observed an officer lift up the back wheel of the bike and throw [REDACTED] and the bike. However, several civilian witnesses working with the production crew also observed the encounter between Officer [REDACTED] and [REDACTED] and they all deny seeing Officer [REDACTED] toss [REDACTED] to the ground. There is no independent video that shows the incident. As such, COPA finds this allegation **Not Sustained**.

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<sup>18</sup> Att. 4.

3. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near [REDACTED] [REDACTED] you did not identify yourself by providing your name when requested by a private citizen, [REDACTED]

COPA finds this allegation **Sustained**. According to rule 37, an officer has to correctly identify himself by giving his name and star number when requested by a department member or a private citizen. According to [REDACTED] she asked the officer for his name, but he refused to give it to her and covered his badge. Officer [REDACTED] stated that he provided his name to multiple people, including [REDACTED] multiple times. Several witnesses heard people asking for Officer [REDACTED] name, but they were unsure if he responded to their requests or not. There is body-worn camera footage from Officer [REDACTED] camera which depict [REDACTED] asking for Officer [REDACTED] name to which Officer [REDACTED] replies that he already gave it to her. [REDACTED] reiterates that he never gave it to her, and Officer [REDACTED] responds again stating that he already gave it to her. Given the fact that it is clear [REDACTED] asked for Officer [REDACTED] name and that Officer [REDACTED] failed to provide it, irrespective and regardless of whether he provided it previously, COPA finds the allegation **Sustained**.

Sergeant [REDACTED]

1. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near [REDACTED] [REDACTED] you did not initiate an investigation when [REDACTED] told you that she wanted to report that a Chicago Police Department member had assaulted her son, [REDACTED]

COPA finds this allegation **Sustained**. General order 08-01-02 states that when misconduct is observed, or an allegation of misconduct is received by supervisory or command personnel, they will initiate a complete and comprehensive investigation in accordance with this and other directives without looking to higher authority for such action. When Sergeant [REDACTED] arrived at the scene he met with [REDACTED] who informed him that an officer pushed her son to the ground on his bicycle. [REDACTED] can also be seen and heard on Officer [REDACTED] body-cam stating she wants to press charges against the officer. During the interview at COPA, Sergeant [REDACTED] stated that he did not initiate a complaint for [REDACTED] because the scene was unsafe. He also acknowledged that he knew she wanted to make a complaint. According to Sergeant [REDACTED] when he arrived at the scene he observed a large unruly crowd using aggressive language and gestures. Footage from Officer [REDACTED] depict a crowd gathered but the officers had the crowd under control at the time Sergeant [REDACTED] directed [REDACTED] to go to the station to file her complaint. According to Sergeant [REDACTED] he did not go back to the station with [REDACTED] because there were multiple supervisors at the station who could assist her. Sergeant [REDACTED] made no attempt either in person or back at the station, to file a complaint on behalf of [REDACTED] after being asked to do so. He did not take her name, number, or otherwise heed her complaint

against the officer, regardless of its nature and past “chaotic scene”. As such, COPA finds this allegation **Sustained**.

2. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near [REDACTED] you did not order Police Officer [REDACTED] to correctly identify himself after he did not do so when you heard [REDACTED] a private citizen, ask Officer [REDACTED] to identify himself by name.

COPA finds this allegation **Sustained**. [REDACTED] can be heard on Officer [REDACTED] body-worn camera asking for Officer [REDACTED] name several times and Sergeant [REDACTED] can also be seen in the footage responding to [REDACTED] request. Sergeant [REDACTED] told [REDACTED] to just go to the station and that they had a roster. According to Sergeant [REDACTED] he did not direct Officer [REDACTED] to give his name because the situation was unsafe. Sergeant [REDACTED] stated the crowd was unruly and he was focused on the safety of everyone and that is why he directed the female to go to the station where everything could be safely initiated. The footage from Officer [REDACTED] body-camera shows multiple officer on scene and the crowd under control. Sergeant [REDACTED] acknowledges that he heard the woman ask for the officer’s name and he did not direct the officer to answer her. The sergeant’s ignoring of the request took nearly as much time as simply requesting the officer to inform [REDACTED] of his name and badge number. As such COPA finds the allegation **Sustained**.

3. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near [REDACTED] you did not record a law-enforcement-related encounter with [REDACTED] by activating your body-worn camera.

COPA finds this allegation **Sustained**. Under Special order 03-14, department members will activate the system to event mode at the beginning of an incident and will record the entire incident for all law-enforcement related activities. If circumstances prevent activating the BWC<sup>19</sup> at the beginning of an incident, the member will activate the BWC as soon as practical. The decision to record a law-enforcement related encounter is mandatory, not discretionary, except where specifically indicated. Sergeant [REDACTED] was equipped with a body-worn camera on the night of the incident but did not activate it. According to Sergeant [REDACTED] he did not activate his camera because it was not the first thing on his mind given how chaotic the scene was. Sergeant [REDACTED] described the scene as unruly and the crowd was using aggressive language and gestures. Sergeant [REDACTED] further stated that he has worked a decade without a body-worn camera and it’s something new to him, so he activates it when he remembers. However, several other officers who responded to the scene activated their body-worn camera. Further even when the crowd was under control, Sergeant [REDACTED] still failed to activate his body-worn camera. As such, COPA finds this allegation **Sustained**.

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<sup>19</sup> Body-worn camera.

**VII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS****a. Officer [REDACTED]****i. Complimentary and Disciplinary History**

Officer [REDACTED] does not have any outstanding complimentary or disciplinary history.

**ii. Recommended Penalty, by Allegation****1. Allegation No. 3**

COPA recommends a penalty of three days suspension. COPA considered the fact that the complainant asked numerous times and the officer failed to identify himself. This interaction is also depicted on body camera footage from the date of the incident.

**b. Sergeant [REDACTED]****i. Complimentary and Disciplinary History**

Sergeant [REDACTED] does not have any outstanding complimentary or disciplinary history.

**ii. Recommended Penalty, by Allegation****1. Allegation No. 1**

COPA recommends a penalty of three days suspension. COPA considered the fact that Sergeant [REDACTED] acknowledged the fact that he was aware that the complainant wanted to make a complaint but failed to assist her.

**2. Allegation No. 2**

COPA recommends a penalty of three days suspension. COPA considered the fact that Sergeant [REDACTED] acknowledged the fact that he heard the complainant ask for the officer's name and he did not direct the officer to provide his information. This interaction is also depicted on body camera footage from the date of the incident.

**3. Allegation No. 3**

COPA recommends a penalty of three days suspension. COPA considered the fact that Sergeant [REDACTED] acknowledged the fact that he was wearing a body worn camera but failed to activate it.

**VIII. CONCLUSION**

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

Officer	Allegation	Finding / Recommendation
Officer ██████████	<p>1. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near ██████████ ██████████ you directed profanity at ██████████ by saying words to the effect of "come here, motherfucker."</p> <p>2. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near ██████████ ██████████ you engaged in an unnecessary physical altercation with ██████████ ██████████ by grabbing ██████████ and tossing him to the ground.</p> <p>3. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near ██████████ ██████████ you did not identify yourself by providing your name when requested by a private citizen, ██████████</p>	<p>Not sustained</p> <p>Not sustained</p> <p>Sustained/Three days suspension</p>
Sergeant ██████████	<p>1. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near ██████████ ██████████ you did not initiate an investigation when ██████████ told you that she wanted to report that a Chicago Police Department member had assaulted her son, ██████████</p> <p>2. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near ██████████ ██████████ you did not order Police Officer ██████████ to correctly identify himself after he did not do so when you heard ██████████ a private citizen, ask Officer ██████████ to identify himself by name.</p> <p>3. It is alleged that on August 1, 2017, at approximately 10:50 p.m., near ██████████ ██████████ you did not record a law-enforcement-related encounter with ██████████ ██████████ by activating your body-worn camera.</p>	<p>Sustained/Three days suspension</p> <p>Sustained/Three days suspension</p> <p>Sustained/Three days suspension</p>

Approved:

\_\_\_\_\_  
Angela Hearts-Glass  
*Deputy Chief Administrator – Chief Investigator*

\_\_\_\_\_  
Date

Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	█
<b>Investigator:</b>	██████████
<b>Supervising Investigator:</b>	██████████
<b>Deputy Chief Administrator:</b>	Angela Hearts-Glass