

**SUMMARY REPORT OF INVESTIGATION<sup>1</sup>****I. EXECUTIVE SUMMARY**

Date of Incident:	July 5, 2017
Time of Incident:	4:00 AM
Location of Incident:	[REDACTED]
Date of COPA Notification:	July 25, 2017
Time of COPA Notification:	10:15 AM

On July 5, 2017, the complainant, [REDACTED] was working as an emergency room nurse at [REDACTED] Medical Center. An intoxicated patient, [REDACTED] was brought in by ambulance and police. [REDACTED] alleged that one of the escorting officers, Officer [REDACTED] provided a false report, was inappropriate, engaged in a verbal altercation with [REDACTED] pushed [REDACTED] and failed to identify himself. When [REDACTED] called 911 and requested a supervisor, Sergeant [REDACTED] failed to take a complaint. COPA also alleged that Sergeant [REDACTED] provided COPA with false statements.

**II. INVOLVED PARTIES**

Involved Officer #1:	[REDACTED] Star # [REDACTED] Employee ID # [REDACTED] Date of Appointment: [REDACTED], 2003, Police Officer, 16 <sup>th</sup> District, Date of Birth: [REDACTED], 1975, Male, Hispanic
Involved Officer #2:	[REDACTED] Star # [REDACTED] Employee ID # [REDACTED] Date of Appointment: [REDACTED], 2012, Police Sergeant, 16 <sup>th</sup> District, Date of Birth: [REDACTED], 1965, Female, White, Date of Retirement: [REDACTED], 2018 <sup>2</sup>
Involved Individual #1:	[REDACTED] Date of Birth: [REDACTED], 1991, Female, 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> All details provided in this section were [REDACTED] most recent identifiers at the time of her COPA interviews.

### III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Officer [REDACTED]	1. Provided a false report to medical staff that you found [REDACTED] at a 7-11 convenience store, in violation of Rule 14.	Not Sustained
	2. Was inappropriately affectionate and physical with [REDACTED] in violation of Rule 2 and Rule 6.	Not Sustained
	3. Interfered with [REDACTED] ability to treat [REDACTED] as a hospital patient, in violation of Rule 2 and Rule 8.	Not Sustained
	4. Used your finger to mimic a penile erection while on duty and in uniform, in violation of Rule 2, Rule 6, and Rule 8.	Not Sustained
	5. Stated to [REDACTED] words to the effect of, "Oh, you wanna see me get excited, huh?" after she handed you her underwear, in violation of Rule 2, Rule 6, and Rule 8.	Sustained
	6. Stayed in [REDACTED] hospital room when [REDACTED] was not in police custody and you were performing no police function, in violation of Rule 8 and Rule 10.	Sustained
	7. Pushed [REDACTED] while [REDACTED] was attempting to escort [REDACTED] to her hospital room, in violation of Rule 9.	Sustained
	8. Told [REDACTED] words to the effect to, "This is why the fuck I told you you couldn't fucking send me home" in violation of Rule 6, Rule 8, and Rule 9.	Sustained
	9. Told [REDACTED] words to the effect of, "learn how to do you fucking job" in violation of Rule 6, Rule 8, and Rule 9.	Sustained
	10. Told [REDACTED] words to the effect of "be a better fucking nurse" in violation of Rule 6, Rule 8, and Rule 9.	Sustained

	<p>11. Refused to provide [REDACTED] with your name and star number when asked in violation of Rule 37.</p> <p>12. Had your name covered while in uniform in violation of Rule 6 and Rule 12.</p> <p>13. Failed to comply with Special Order S12-06, in violation of Rule 6.</p> <p>14. Continued yelling and swearing at [REDACTED] after [REDACTED] walked away, in violation of Rule 6, Rule 8, and Rule 9.</p>	Not Sustained Not Sustained Sustained Sustained
Sergeant [REDACTED]	<p>1. Conducted an improper/inadequate investigation of the complaint that Nurse [REDACTED] [REDACTED] verbalized to you against PO [REDACTED] in violation of Rule 3, Rule 6, and Rule 10.</p> <p>2. Failed to obtain a complaint register number for a complaint presented by Nurse [REDACTED] against PO [REDACTED] in violation of Rule 3, Rule 6, and Rule 10.</p> <p>3. Provided a false statement to COPA when she stated, "She never complained to me, she just wanted to make me aware of her observation with Officer [REDACTED] and what she was describing did not fulfill any credentials for making a complaint against the officer," in violation of Rule 14.</p> <p>4. Provided a false statement to COPA when she gave the following answer to the following question, in violation of Rule 14:</p> <p>Q. "What about dispatch, did you get anything from dispatch?</p> <p>A. "No. A lot of times I don't get anything. It's just a request for a supervisor."</p> <p>5. Provided a false statement to COPA when she gave the following answer to the following question, in violation of Rule 14:</p>	Close/Hold Status (Resigned)

Q. "Now, did the complainant ever mention something about the officer being aggressive to staff?

A. "No."

6. Provided a false statement to COPA when she gave the following answer to the following question, in violation of Rule 14:

Q. "So, from your recollection, she did not say anything about an officer being aggressive to staff?"

A. "No."

#### IV. APPLICABLE RULES AND LAWS

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##### Rules

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1. **Rule 2:** Prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
2. **Rule 3:** Prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals.
3. **Rule 6:** Prohibits disobedience of an order or directive, whether written or oral.
4. **Rule 8:** Prohibits disrespect to or maltreatment of any person, while on or off duty.
5. **Rule 9:** Prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
6. **Rule 10:** Prohibits inattention to duty.
7. **Rule 12:** Prohibits failure to wear the uniform as prescribed.
8. **Rule 14:** Prohibits making a false report, written or oral.
9. **Rule 37:** Prohibits 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. G02-01: Human Rights and Human Resources.<sup>3</sup>

2. G08-01-02: Specific Responsibilities Regarding Allegations of Misconduct.<sup>4</sup>

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Special Orders

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1. S12-06: Liaison with Hospitals, Detoxification Facilities and Mental Health Facilities.

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Uniform and Property

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1. U04-1: Personal Appearance, Uniform/Citizen Dress and Equipment.<sup>5</sup>

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**V. INVESTIGATION<sup>6</sup>**

**a. Interviews**

IPRA interviewed the complainant, [REDACTED] on July 26, 2017.<sup>7</sup> On July 5, 2017, [REDACTED] was working as a nurse in the [REDACTED] emergency room. An ambulance and two police officers brought in an intoxicated patient ([REDACTED]) described [REDACTED] as “touchy touchy with the police officers.”<sup>8</sup> Officer [REDACTED] told [REDACTED] he found [REDACTED] at a 7-11 convenience store. However, [REDACTED] related she was in a taxi and the ambulance reported [REDACTED] was found on the street. The officer referred to [REDACTED] by what the nurse thought was [REDACTED] real name, but it was subsequently discovered that [REDACTED] was registered at the hospital under an alias. The alias was also found on photo identification in [REDACTED] purse.<sup>9</sup> [REDACTED] observed that [REDACTED] was calm with the police officer. When [REDACTED] asked [REDACTED] if she had been drinking, [REDACTED] responded by cursing at [REDACTED] including threatening bodily harm. [REDACTED] also observed that the officer was “very touchy” with [REDACTED].<sup>10</sup> [REDACTED] elaborated that [REDACTED] was rubbing the officer’s arm and laid her head on his chest. Once [REDACTED] started cursing at [REDACTED] told [REDACTED] that medical staff was going to restrain her with straps. The officer then told [REDACTED] that [REDACTED] “needed to calm down” and should not talk to [REDACTED] “in that manner.”<sup>11</sup> [REDACTED] left the room and had a male nurse address [REDACTED] since [REDACTED] was responding better to men. Next, the police officer walked [REDACTED] to the bathroom with another nurse. [REDACTED] removed her bra and underwear and handed the undergarments to the officer.

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<sup>3</sup> The Human Rights and Human Resources policy referenced in this report was effective from July 4, 1992 until October 5, 2017 (Att. 102).

<sup>4</sup> The Specific Responsibilities Regarding Allegations of Misconduct General Order referenced in this report was effective from March 17, 2013 until May 4, 2018 (Att. 118).

<sup>5</sup> The Personal Appearance, Uniform/Citizen Dress and Equipment policy referenced in this report was effective from October 26, 2016 until December 18, 2017 (Att. 108).

<sup>6</sup> COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

<sup>7</sup> Att. 5

<sup>8</sup> Approximately 2:04 minute mark of Att. 5.

<sup>9</sup> Per documents provided by the Chicago Fire Department, [REDACTED] provided identification stating her name was [REDACTED] (Att. 78).

<sup>10</sup> Approximately 2:45 minute mark of Att. 5.

<sup>11</sup> Approximately 3:25 minute mark of Att. 5.

Officer [REDACTED] responded, "Oh, you wanna see me exited, huh?" and proceeded to point his finger at his penis.<sup>12</sup>

[REDACTED] was sedated but the officers were still in the room. Once triage was done, the officers remained. [REDACTED] returned to the room, [REDACTED] again had her head on the officer's chest. [REDACTED] confirmed that [REDACTED] was not in custody and asked the officers to leave. Officer [REDACTED] responded that he was waiting for [REDACTED] to fall asleep. [REDACTED] related [REDACTED] was sedated and would fall asleep. The officer then asked what medical staff would do if [REDACTED] ran out and [REDACTED] stated the hospital has security. The officers left the room but remained by the ambulance bay. [REDACTED] then ran out of her room. [REDACTED] and other staff members chased [REDACTED] and brought her back to her room. While [REDACTED] was escorting [REDACTED] Officer [REDACTED] pushed [REDACTED] off [REDACTED] and said, "This is why the fuck I told you you couldn't fucking send me home."<sup>13</sup> [REDACTED] elaborated that Officer [REDACTED] got in between [REDACTED] and [REDACTED] and put his hand on her arm to push her off [REDACTED]. Officer [REDACTED] told [REDACTED] to "learn how to do your fucking job," and was yelling at her.<sup>14</sup> [REDACTED] then also got upset. Per [REDACTED] was her responsibility, not the officer's.

The charge nurse instructed [REDACTED] to go into a room with Officer [REDACTED] to work out their dispute. Once alone in a room, Officer [REDACTED] cursed at [REDACTED] saying [REDACTED] needs "to learn how to do her fucking job," "be a better fucking nurse," "let things go," and asked what her problem was.<sup>15</sup> Officer [REDACTED] did not let [REDACTED] speak and talked over her. People outside the room could hear the officer yelling at [REDACTED]. [REDACTED] asked for his name and star number, which he refused. The officer only gave her a beat number. When [REDACTED] left the room, Officer [REDACTED] followed her and yelled at her, including asking [REDACTED] for her star number and name. [REDACTED] walked away and called 911 for a supervisor. A sergeant (Sergeant [REDACTED]) arrived, and [REDACTED] explained the situation. Sergeant [REDACTED] responded that Officer [REDACTED] was a great police officer then left.

COPA conducted a second interview with [REDACTED] on October 24, 2017.<sup>16</sup> [REDACTED] was no longer employed at [REDACTED] at the time of her COPA interview. [REDACTED] confirmed [REDACTED] threatened to beat up [REDACTED] in front of Officer [REDACTED]. [REDACTED] told the nurse to go back to Mexico or Ecuador. When [REDACTED] said neither country was her ethnicity, the officer got mad at [REDACTED]. The officer told [REDACTED] she had "no right" to talk to [REDACTED] "like that."<sup>17</sup> When [REDACTED] was taken to the bathroom, officers followed. [REDACTED] emerged from the bathroom and handed the officer her underwear, but she was still dressed. The officer seemed shocked then used his index finger to mimic an erect penis. [REDACTED] allowed Officer [REDACTED] to remain because [REDACTED] was calmer in his presence and it allowed [REDACTED] to do her job. However, once [REDACTED] was medicated, the officers needed to leave for privacy. [REDACTED] was unable to count how many times the officer swore at her because he did it many times. After their private discussion, Officer [REDACTED] followed [REDACTED] back to the ER and continued yelling at her. Further, the officer's

<sup>12</sup> Approximately 4:00 minute mark of Att. 5.

<sup>13</sup> Approximately 6:12 minute mark of Att. 5.

<sup>14</sup> Approximately 8:35 minute mark of Att. 5.

<sup>15</sup> Approximately 7:00 minute mark of Att. 5.

<sup>16</sup> Att. 14

<sup>17</sup> Approximately 8:24 minute mark of Att. 14.

nametag was covered. [REDACTED] believed the officer then remained in the squad car at the ambulance bay after she called 911. [REDACTED] stated the sergeant who responded was disinterested. Sergeant [REDACTED] did not talk to anyone but [REDACTED]

COPA completed a **telephone interview with [REDACTED]** on October 16, 2017.<sup>18</sup> [REDACTED] admitted to substance abuse and being intoxicated from alcohol and prescription medication on July 5, 2017. [REDACTED] hailed a cab to her home at [REDACTED]. The taxi was operated by an African immigrant (known to be [REDACTED]).<sup>19</sup> [REDACTED] stated the driver overcharged her, so she called 911, but her phone died. She then asked [REDACTED] to use his phone and he charged her \$5.00. [REDACTED] and [REDACTED] argued. She threw money at him and he threw her purse out of the cab window. When officers arrived, they spoke with [REDACTED] before letting him go. [REDACTED] boyfriend did not answer her calls from [REDACTED] phone and Officer [REDACTED] allowed her to use his phone. Her boyfriend still did not answer. The officers told [REDACTED] they could take her to a homeless shelter or hospital, and she chose hospital. [REDACTED] asked the officers to take her to a 7-11 convenience store first to buy a phone charger, but the officers declined. Once at [REDACTED] Hospital, [REDACTED] admitted to being difficult towards hospital staff and called [REDACTED] a “fucking spic” after the nurse commented on [REDACTED] drug abuse history. Officer [REDACTED] defended [REDACTED] against [REDACTED] judgement and told [REDACTED] not to speak to [REDACTED] like that. [REDACTED] recalled running from her hospital bed. [REDACTED] thought the officers did a great job and that [REDACTED] is a horrible nurse who does not know how to talk to people.

Officer [REDACTED] was interviewed by COPA on October 12, 2018.<sup>20</sup> Officer [REDACTED] related that on July 5, 2017, he was partnered with Officer [REDACTED]. Officer [REDACTED] responded to a domestic disturbance at [REDACTED]. The officers encountered [REDACTED] in front of her building and she was conscious. The officers put [REDACTED] in their squad car, drove to the rear of her building, and knocked with no answer. The officers also brought [REDACTED] to a neighbor’s home, but she was denied entry. The officers then called an ambulance for [REDACTED] because she was under the influence of drugs. [REDACTED] told the officers her name and Officer [REDACTED] denied looking at her ID. Officer [REDACTED] denied driving [REDACTED] anywhere beside the rear of the building. Officer [REDACTED] denied having previously met [REDACTED].

The officers followed the ambulance to the hospital because [REDACTED] was uncooperative and behaving erratically. The officers escorted [REDACTED] to the emergency room and [REDACTED] began treatment. Officer [REDACTED] denied telling hospital staff the officers found [REDACTED] at a 7-11. Officer [REDACTED] was not aware that [REDACTED] provided multiple names for herself. The officers remained at the hospital after [REDACTED] was admitted because [REDACTED] had a “bad attitude.”<sup>21</sup> [REDACTED] called [REDACTED] names and argued with [REDACTED] such as calling her a “ho.”<sup>22</sup> [REDACTED] commented on [REDACTED] drug use, but Officer [REDACTED] could not recall what the comment was. [REDACTED] then got on the bed and “launched” at [REDACTED].<sup>23</sup> The officers restrained [REDACTED] and [REDACTED] acted like she wanted to fight [REDACTED] back. Officer [REDACTED] tried to talk with [REDACTED] and comfort her.

<sup>18</sup> Att. 13

<sup>19</sup> [REDACTED] telephone number was identified from a 911 call made by [REDACTED] on July 5, 2017 and he was identified as a taxi driver from additional, unrelated Department records (Atts. 7, 88, 89).

<sup>20</sup> Att. 112

<sup>21</sup> Approximately 8:47 minute mark of Att. 112.

<sup>22</sup> Approximately 9:33 minute mark of Att. 112.

<sup>23</sup> Approximately 9:44 minute mark of Att. 112.

[REDACTED] kept making remarks towards [REDACTED] so Officer [REDACTED] asked [REDACTED] if she could "please not do this right now."<sup>24</sup> Officer [REDACTED] denied yelling at [REDACTED] and asserted he was polite. Officer [REDACTED] acknowledged he could have spoken with [REDACTED] in private instead of saying this in front of hospital staff. Officer [REDACTED] held [REDACTED] arms in the hospital room to comfort her. Officer [REDACTED] denied that [REDACTED] had her head resting on his body. [REDACTED] needed to use the restroom, so the officers and hospital staff escorted her. [REDACTED] exited the bathroom topless, so Officer [REDACTED] told her to go put her hospital gown on. Officer [REDACTED] was present when this occurred, as was [REDACTED] and additional hospital staff. Officer [REDACTED] denied that [REDACTED] handed him her undergarments or that he used his finger to mimic an erection, stated he was excited, or pointed to his penis.

[REDACTED] went back to her bed and was given a sedation shot. [REDACTED] said she would run off if the officers left. Officer [REDACTED] told his partner they would stay at the hospital to prevent [REDACTED] from harming staff and so they would not have to return to arrest [REDACTED]. Per Officer [REDACTED] once [REDACTED] was sedated she was the responsibility of both hospital staff and the officers. Officer [REDACTED] denied obstructing hospital staff in their duties. [REDACTED] came into [REDACTED] room and told the officers they were not needed since [REDACTED] was not under arrest. The officers walked away but before they reached the exit, [REDACTED] ran down the hallway. Hospital staff chased her and so did the officers. Officer [REDACTED] and his partner caught [REDACTED] put her hands behind her back (but did not cuff her), and escorted [REDACTED] to her bed. While escorting [REDACTED] Officer [REDACTED] told [REDACTED] "This is why you don't dictate when my job is over. I'm here until I decide that I don't need to be here anymore."<sup>25</sup> The officers escorted [REDACTED] the entire time and [REDACTED] never took over or attempted to take [REDACTED] from the officers. Officer [REDACTED] denied pushing [REDACTED] or having any physical interaction with her. Officer [REDACTED] denied yelling at, or using profanity towards, [REDACTED]. Officer [REDACTED] brought [REDACTED] back to her bed and waited for the sedation to set in.

A male staff hospital member asked Officer [REDACTED] to go into a break room and resolve the issue with [REDACTED]. Officer [REDACTED] agreed and once in the room together, [REDACTED] yelled and cursed at Officer [REDACTED]. Officer [REDACTED] accused Officer [REDACTED] of being too friendly with [REDACTED] and wanting to have sexual relations with [REDACTED]. Officer [REDACTED] advised [REDACTED] to be professional and do her job. Officer [REDACTED] acknowledged he was yelling at [REDACTED] and pointing his finger at her during this conversation but denied using profanity. [REDACTED] grew more upset and asked the officer for his name and star number, which he provided. Officer [REDACTED] denied that his name tag was covered or that he had anything in pocket obstructing his nametag. [REDACTED] then left the room "screaming and yelling."<sup>26</sup> Officer [REDACTED] and Officer [REDACTED] left the emergency room. Officer [REDACTED] denied yelling at or following [REDACTED] out of the room. [REDACTED] said she would call a supervisor and the officers went outside to their police vehicle. Sergeant [REDACTED] told them via radio to wait outside of the hospital, so she could get their side of the story. They spoke to Sergeant [REDACTED] and the sergeant entered the hospital. Officer [REDACTED] did not report this incident with [REDACTED] because Sergeant [REDACTED] came back outside and told Officer [REDACTED] the nurse did not want to file a complaint and the issue was resolved. Officer [REDACTED] has not seen

<sup>24</sup> Approximately 10:36 minute mark of Att. 112.

<sup>25</sup> Approximately 17:27 minute mark of Att. 112.

<sup>26</sup> Approximately 20:45 minute mark of Att. 112.

[REDACTED] or [REDACTED] since this incident and denied returning to [REDACTED] Medical Center looking for [REDACTED]

COPA interviewed Officer [REDACTED] on December 19, 2017.<sup>27</sup> On July 5, 2017, Officer [REDACTED] was working in the 16<sup>th</sup> District and partnered with Officer [REDACTED]. Officer [REDACTED] responded to an intoxicated woman on [REDACTED] Ave (identified as [REDACTED]). [REDACTED] was awake when the officers arrived. [REDACTED] told the officers she got into a fight with her boyfriend and he would not allow her into their apartment. The officers first attempted knocking on the door, but no one answered. The officers also tried to get [REDACTED] into her friend's apartment next door, but [REDACTED] was not allowed in. Then, the officers called emergency medical services. [REDACTED] initially did not want to go to the hospital but had nowhere to go, so the officers spent time convincing her to get into the ambulance. An ambulance took [REDACTED] to [REDACTED] Medical Center. [REDACTED] had not committed a crime and was not in police custody. The officers followed the ambulance to the hospital. [REDACTED] was "back and forth with the paramedics."<sup>28</sup> Officer [REDACTED] did not recall getting [REDACTED] identity. Officer [REDACTED] denied taking [REDACTED] to a 7-11 convenience store. Officer [REDACTED] denied that the officers told hospital staff they got [REDACTED] from a 7-11. Officer [REDACTED] did not know why the Chicago Fire Department (CFD) reported [REDACTED] was found asleep or how CFD identified [REDACTED].

Once at the hospital, [REDACTED] was upset and told the officers not to leave her. The officers walked into the emergency room with [REDACTED] "was mad at the nurse," but Officer [REDACTED] did not know why.<sup>29</sup> [REDACTED] got a shot to sedate [REDACTED] and [REDACTED] told [REDACTED] she does not like needles. [REDACTED] responded asking why [REDACTED] does not like needles if she had track marks on her arm. Officer [REDACTED] responded by asking [REDACTED] to be professional. [REDACTED] then got upset and questioned why the officers supported [REDACTED] and not [REDACTED]. [REDACTED] gave [REDACTED] the sedative shot, and Officer [REDACTED] stated the officers would remain until [REDACTED] fell asleep. During this, [REDACTED] told the officers she was going to run out if the officers left. [REDACTED] told the officers they were not needed, and the hospital has security. The officers agreed and as they approached the exit, [REDACTED] ran out of her room. The officers ran after [REDACTED] and walked her back to her room. Officer [REDACTED] caught [REDACTED]. Hospital staff also ran after [REDACTED]. Officer [REDACTED] made a comment to [REDACTED] along the lines of "I told you", which upset the nurse. Officer [REDACTED] and [REDACTED] argued, and Officer [REDACTED] told [REDACTED] she should not tell him how to do his job. Officer [REDACTED] did not recall if Officer [REDACTED] used inappropriate or profane language. Officer [REDACTED] denied Officer [REDACTED] shoved or was physical with [REDACTED]. Officer [REDACTED] did not recall seeing [REDACTED] head on Officer [REDACTED] body or her holding Officer [REDACTED] hand. Officer [REDACTED] did not recall himself and Officer [REDACTED] escorting [REDACTED] to the bathroom but did not believe that happened. Officer [REDACTED] denied that [REDACTED] handed her underwear to Officer [REDACTED] and was topless. Officer [REDACTED] denied anything inappropriate occurred between [REDACTED] and Officer [REDACTED]. Officer [REDACTED] described [REDACTED] as "being sweet" and the officers as "being nice to her."<sup>30</sup> Officer [REDACTED] described [REDACTED] as unprofessional.

<sup>27</sup> Att. 24

<sup>28</sup> Approximately 15:15 minute mark of Att. 24.

<sup>29</sup> Approximately 17:00 minute mark of Att. 24.

<sup>30</sup> Approximately 26:15 of Att. 24.

After [REDACTED] went back to her room, a male hospital employee asked Officer [REDACTED] to resolve the situation with [REDACTED] Officer [REDACTED] and [REDACTED] went to another room to speak. About one minute later, [REDACTED] came out upset and asked Officer [REDACTED] for his star number and name. Officer [REDACTED] believed Officer [REDACTED] wrote down his name and star number for [REDACTED]. The officers left the hospital and heard a radio call requesting a supervisor, so they remained in the area. Sergeant [REDACTED] arrived and spoke to the officers in their squad car, outside the hospital. Officer [REDACTED] explained the situation to Sergeant [REDACTED] before she entered the hospital. Sergeant [REDACTED] came back out a few minutes later and spoke to Officer [REDACTED]. The sergeant said she smoothed over the situation with [REDACTED]. The officers then left the hospital.

[REDACTED] was interviewed by COPA on December 8, 2017.<sup>31</sup> [REDACTED] was a patient technician representative at [REDACTED] Medical Center on July 5, 2017. After reviewing [REDACTED] 911 call from July 5, 2017, [REDACTED] confirmed she was heard in the background stating she was a witness to the officer's aggressive behavior.<sup>32</sup> [REDACTED] related that on July 5, 2017, she escorted [REDACTED] to the restroom because [REDACTED] was intoxicated. Officers [REDACTED] and [REDACTED] were also present near the bathroom. [REDACTED] proceeded to open her top and expose her breasts. Officer [REDACTED] responded to the effect of, "Mm baby that looks good."<sup>33</sup> [REDACTED] then forced [REDACTED] into the bathroom. [REDACTED] had no recollection of either officer handling [REDACTED] underwear. She did not observe any further inappropriate behavior between [REDACTED] and the officers. Later, [REDACTED] was back in her room and [REDACTED] was in a neighboring patient's room. [REDACTED] saw [REDACTED] leaving her room, followed by nurses and the police officers. [REDACTED] saw [REDACTED] shrugging off an officer (believed to be Officer [REDACTED]) and telling him to let her go. Another nurse, [REDACTED] also told Officer [REDACTED] to let go of [REDACTED]. [REDACTED] recalled that [REDACTED] and [REDACTED] were walking with [REDACTED] and Officer [REDACTED] was trying to grab them. Afterwards, the charge nurse had [REDACTED] and the officers go into a separate room to resolve the situation. [REDACTED] left the room upset and was arguing with Officer [REDACTED]. [REDACTED] wanted the officer's badge number to complain and the officer was telling her "go ahead."<sup>34</sup> [REDACTED] stated Officer [REDACTED] has been at [REDACTED] Medical Center since this incident to use the bathroom.

COPA interviewed [REDACTED] on December 31, 2017.<sup>35</sup> [REDACTED] related that on July 5, 2017, she was employed as a nurse by [REDACTED] Medical Center. [REDACTED] saw [REDACTED] and Officer [REDACTED] arguing. Shortly after, [REDACTED] ran off, so Officer [REDACTED] and hospital staff chased her. Once staff caught [REDACTED], Officer [REDACTED] grabbed [REDACTED] "by the arms and kind of shoved her against the wall and told her 'I told you she was gunna leave! I told you she was gunna leave!'"<sup>36</sup> [REDACTED] clarified that Officer [REDACTED] initially grabbed [REDACTED] saw [REDACTED] grabbed [REDACTED] upper arms, and shoved [REDACTED] while yelling at her. [REDACTED] got upset and told Officer [REDACTED] to let go of [REDACTED] and he did. Later, the officer and [REDACTED] were speaking in a room. [REDACTED] saw Officer [REDACTED] and [REDACTED] yelling at each other while exiting the room and heard the officer ask [REDACTED] for her name.

<sup>31</sup> Att. 28

<sup>32</sup> Att. 10

<sup>33</sup> Approximately 5:50 minute mark of Att. 28.

<sup>34</sup> Approximately 14:35 minute mark of Att. 28.

<sup>35</sup> Att. 25

<sup>36</sup> Approximately 1:47 minute mark of Att. 25

[REDACTED] was interviewed by COPA on December 31, 2017.<sup>37</sup> [REDACTED] was a nurse at [REDACTED] Medical Center on July 5, 2017. [REDACTED] heard a commotion, and learned [REDACTED] ran from her room. [REDACTED] ran after [REDACTED] as did additional staff. [REDACTED] saw [REDACTED] was caught. He then saw Officer [REDACTED] holding [REDACTED] and having a verbal altercation with [REDACTED]. [REDACTED] observed Officer [REDACTED] was between [REDACTED] and [REDACTED]. [REDACTED] and Officer [REDACTED] were yelling at each other and the officer commented about [REDACTED] needing the officer's presence. [REDACTED] did not see a physical altercation between [REDACTED] and the officer.

COPA interviewed [REDACTED] on December 31, 2017.<sup>38</sup> [REDACTED] was working as a nurse at [REDACTED] Medical Center on July 5, 2017. [REDACTED] was yelling at and insulting [REDACTED] which [REDACTED] heard. [REDACTED] recalled [REDACTED] was flirting with Officer [REDACTED] which he allowed. [REDACTED] ran from her room and staff followed. [REDACTED] recalled Officer [REDACTED] also chased [REDACTED] tripped while running after [REDACTED] and once she was back up, Officer [REDACTED] had his hand around [REDACTED] arm. The officer was yelling at and arguing with [REDACTED]. [REDACTED] did not recall seeing the officer push [REDACTED]. [REDACTED] heard a coworker tell Officer [REDACTED] not to push [REDACTED].

[REDACTED] was interviewed by COPA on October 5, 2017.<sup>39</sup> On July 5, 2017, [REDACTED] was in the [REDACTED] Emergency room, working as a nurse. Since [REDACTED] was not cooperating with [REDACTED] assisted. Officer [REDACTED] became offended at how [REDACTED] was speaking to [REDACTED]. [REDACTED] could not recall what [REDACTED] said to [REDACTED]. Officer [REDACTED] was "hands on" with [REDACTED] by holding her down, putting her on the bed, and staying with her.<sup>40</sup> Later, [REDACTED] ran out of her room and [REDACTED] went after [REDACTED]. Officer [REDACTED] grabbed [REDACTED] from [REDACTED] and stated, "This is the reason why I told you I should've stood in the room."<sup>41</sup> After that, a charge nurse named [REDACTED] had [REDACTED] and Officer [REDACTED] go into a room. When they left the room, [REDACTED] heard Officer [REDACTED] say, "I'm done with you" and [REDACTED] responded, "Fine, you can go. I didn't want to talk to you anyways."<sup>42</sup> [REDACTED] denied hearing any vulgar language. The officers then left the emergency room.

Sergeant [REDACTED] was interviewed by COPA on November 30, 2017.<sup>43</sup> Sergeant [REDACTED] recalled being at [REDACTED] Medical Center on July 5, 2017, responding to a call for a supervisor. Sergeant [REDACTED] arrived but did not recall if she met with Officer [REDACTED] before seeing [REDACTED]. Sergeant [REDACTED] met with [REDACTED] and [REDACTED] told the sergeant that Officer [REDACTED] was with a female patient ([REDACTED]). [REDACTED] related [REDACTED] was leaning her head on Officer [REDACTED] and holding the officer's hand, which [REDACTED] thought was inappropriate. [REDACTED] believed Officer [REDACTED] enjoyed the physical contact with [REDACTED]. Sergeant [REDACTED] denied that [REDACTED] complained about anything else. After reviewing [REDACTED]

<sup>37</sup> Att. 26

<sup>38</sup> Att. 27

<sup>39</sup> Att. 103

<sup>40</sup> Approximately 18:55 minute mark of Att. 103.

<sup>41</sup> Approximately 6:38 minute mark of Att. 103.

<sup>42</sup> Approximately 11:58 minute mark of Att. 103.

<sup>43</sup> Atts. 15, 16, 17, 29

911 call seeking a supervisor, Sergeant [REDACTED] denied that [REDACTED] complained to the sergeant.<sup>44</sup> Sergeant [REDACTED] asserted that, "What she was describing did not fulfill any credentials for making a complaint against the officer."<sup>45</sup> Sergeant [REDACTED] did not recall [REDACTED] saying Officer [REDACTED] was rude, used inappropriate language, or was aggressive. Sergeant [REDACTED] did not believe [REDACTED] was making a valid complaint. When shown Office of Emergency Management and Communications (OEMC) Event Query from [REDACTED] 911 call, Sergeant [REDACTED] acknowledged it said [REDACTED] was "having a dispute with [...] a [sic] officer that brought in a patient, said he was very aggressive towards her and her staff, wants to make a report [...]."<sup>46</sup> <sup>47</sup> Sergeant [REDACTED] related that what is written on OEMC messages is not always what is related on scene. Sergeant [REDACTED] again denied that [REDACTED] told the sergeant anything that rose to the level of misconduct. Sergeant [REDACTED] denied that [REDACTED] told her Officer [REDACTED] was aggressive towards hospital staff. After Sergeant [REDACTED] left the hospital, she spoke with Officer [REDACTED] near the hospital. Sergeant [REDACTED] commended him for being compassionate and comforting [REDACTED]. The sergeant also advised Officer [REDACTED] to be aware of the perception of his conduct in public. Throughout her COPA interview, Sergeant [REDACTED] asserted Officer [REDACTED] should be commended.

Sergeant [REDACTED] was interviewed by COPA a second time on March 16, 2018.<sup>48</sup> Sergeant [REDACTED] was presented with her previous interview transcript from November 30, 2017.<sup>49</sup> Sergeant [REDACTED] stood by the statement she gave on November 30, 2017 that [REDACTED] did not complain to her and what [REDACTED] told her did not constitute a complaint. Per Sergeant [REDACTED] "to the best of her recollection," Dispatch did not provide the nature of the call on July 5, 2017.<sup>50</sup> Sergeant [REDACTED] again denied that [REDACTED] stated Officer [REDACTED] was aggressive towards hospital stated.<sup>51</sup>

COPA completed a **telephone interview with [REDACTED]** on October 13, 2017.<sup>52</sup> <sup>53</sup> [REDACTED] recalled that on July 5, 2017, an unknown woman flagged him down and asked to use his cellphone. [REDACTED] was initially hesitant but she offered to pay him \$10 and he agreed. At first the woman was grateful but after she made the 911 call, she became verbally abusive. The woman (known to be [REDACTED]) took back her \$10, cursed at him, and insulted his African ethnicity. [REDACTED] suspected [REDACTED] was intoxicated. Two officers arrived and briefly spoke with [REDACTED] before he left. [REDACTED] declined to give COPA a formal, recorded interview or provide further cooperation.

<sup>44</sup> Att. 10

<sup>45</sup> Approximately 2:18 minute mark of Att. 16.

<sup>46</sup> Att. 6

<sup>47</sup> Approximately 7:55 minute mark of Att. 16.

<sup>48</sup> Att. 33

<sup>49</sup> Att. 29

<sup>50</sup> Approximately 4:40 minute mark of Att. 33.

<sup>51</sup> During the second interview, Sergeant [REDACTED] was not presented with her November 30, 2017 statement to COPA of, "She never complained to me, she just wanted to make me aware of her observation of Officer [REDACTED] and what she was describing did not fulfill any credentials for making a complaint against the officer." However, this complaint was included in her allegations signed March 16, 2018.

<sup>52</sup> Att. 12

<sup>53</sup> [REDACTED] telephone number was identified from a 911 call made by [REDACTED] on July 5, 2017 and he was identified as a taxi driver from additional, unrelated Department records (Atts. 7, 88, 89).

Chicago Fire Department (CFD) employees [REDACTED] and [REDACTED] were interviewed.<sup>54</sup> These individuals were dispatched to [REDACTED] at [REDACTED] and largely recalled no pertinent details relevant to the present investigation. However, [REDACTED] recalled [REDACTED] was upset and belligerent. [REDACTED] also related that individuals sometimes provide CFD with aliases, and that may be why CFD reported two different names for [REDACTED].

#### b. Digital Evidence

A request to CPD for Body Worn Camera and In Car Camera related to this incident was met with negative results.<sup>55</sup> COPA notes that the 16<sup>th</sup> District did not have Body Worn Camera until November 20, 2017.

#### c. Physical Evidence

A Chicago Fire Department (CFD) Run Sheet was obtained from [REDACTED] ambulance transportation on July 5, 2018.<sup>56</sup> [REDACTED] was reported as [REDACTED] 24-year-old Hispanic female with a Schaumburg, IL address. CFD responded to a domestic battery at [REDACTED] and was on scene at about 3:34 AM. [REDACTED] was diagnosed with alcohol abuse and described as agitated, angry, and restless. [REDACTED] was reportedly “found sleeping on the sidewalk” by police. [REDACTED] was described as “verbally abusive” towards CFD and was “refusing to cooperate.” [REDACTED] had “No visible signs of trauma.” CFD arrived at the hospital at about 3:43 AM. Per a CFD Non-Transport document, [REDACTED] was reportedly intoxicated and had taken cocaine. CPD Beat [REDACTED] (Officers [REDACTED] and [REDACTED]) was also on scene with [REDACTED].

[REDACTED] medical records were received from her treatment at [REDACTED] Medical Center on July 5, 2017.<sup>57</sup> [REDACTED] was admitted into the emergency room at about 3:51 AM. Her final diagnosis was psychoactive substance abuse, in addition to restlessness and agitation. [REDACTED] told hospital staff she was drinking and got into a fight with her boyfriend. [REDACTED] noted CFD stated [REDACTED] “was found in the streets,” but CPD said she was found at a 7-11, and [REDACTED] related “she was in a taxi.” A nurse noted [REDACTED] was a “poor historian” and provided “multiple stories” of where she was found. [REDACTED] was described as combative, agitated, and “verbally abusive to staff.” It was also noted she attempted to “abscond.” [REDACTED] had no evidence of trauma. [REDACTED] toxicology was positive for benzodiazepine, cocaine, and opiate. [REDACTED] was given antipsychotic and calming medication. [REDACTED] was discharged to home at approximately 7:50 PM on July 5, 2017.

#### d. Documentary Evidence

The following relevant Office of Emergency Management and Communications (OEMC) Event Query Reports and OEMC Audio were located.

<sup>54</sup> Atts. 18, 19, 20, 21, 22, 23

<sup>55</sup> Att. 92

<sup>56</sup> Att. 78

<sup>57</sup> Att. 80

- **Event Number** [REDACTED] was initiated at about 2:22 AM.<sup>58</sup> A caller (known to be [REDACTED]) called 911 because she was having a dispute with her boyfriend. Beat [REDACTED] was dispatched at about 2:24 AM. Beat [REDACTED] went to [REDACTED] Medical Center at roughly 3:41 AM. The call was closed at approximately 4:45 AM. The audio from the 911 call included [REDACTED] stating her boyfriend at [REDACTED] was holding her possessions hostage.<sup>59</sup>
- **Event Number** [REDACTED] initiated at roughly 3:19 AM.<sup>60</sup> Emergency medical services were requested by Beat [REDACTED] to [REDACTED] “for a battery victim” and Ambulance 32 was dispatched. [REDACTED] was taken to [REDACTED] Hospital at approximately 3:37 AM.
- **Event Number** [REDACTED] was initiated on July 5, 2017 at approximately 4:43 AM.<sup>61</sup> An Emergency Room nurse at [REDACTED] Medical Center (known to be [REDACTED]) called 911 and requested a supervisor. [REDACTED] reported a dispute with an “officer that brought in a patient” and the officer “was very aggressive towards her and her staff.” Dispatch indicated [REDACTED] wanted “to make a report.” Beat [REDACTED] (Sergeant [REDACTED]) was dispatched at approximately 4:46 AM. The sergeant disposed the call at about 5:14 AM. The audio from this call to 911 included [REDACTED] announcing herself as a [REDACTED] Medical Center emergency room nurse.<sup>62</sup> [REDACTED] asked for the commander and told Dispatch she had an issue with a police officer in the hospital. [REDACTED] stated the officer was “very rude” and “aggressive.” A second female was heard in the background saying she was a witness. [REDACTED] related the officer brought in a patient who was not in police custody. [REDACTED] asked the officer to exit and the situation escalated. The dispatcher asked if [REDACTED] wanted to file a report and [REDACTED] said she did.

**Sergeant [REDACTED] Supervisor’s Management Log** was obtained from July 5, 2017.<sup>63</sup> Per this document, Officers [REDACTED] and [REDACTED] were dispatched to [REDACTED] at about 2:55 AM. Nothing was noted regarding the sergeant responding to [REDACTED] at [REDACTED] Medical Center.

**[REDACTED] Medical Center Security Incident Report** was obtained from July 5, 2017.<sup>64</sup> On this date, a hospital director notified security about an incident with CPD. An officer brought in “an alcoholic female.” [REDACTED] “was very upset at the way she was treated by a CPD officer [...] who allegedly yelled at her and physically pushed her out of the way.”<sup>65</sup>

<sup>58</sup> Att. 7

<sup>59</sup> Att. 9

<sup>60</sup> Att. 8

<sup>61</sup> Att. 6

<sup>62</sup> Atts. 10, 11

<sup>63</sup> Att. 92

<sup>64</sup> Att. 107

<sup>65</sup> This report refers to the officer as [REDACTED]. COPA believes this is a misunderstanding of Officer [REDACTED] beat assignment at the time, [REDACTED] in which the [REDACTED] is sometimes stated as [REDACTED]

### e. Additional Evidence

Sergeant [REDACTED] retired from CPD effective April 1, 2018.<sup>66</sup> Sergeant [REDACTED] was 54-years-old at the time of her retirement, forfeiting retirement health care benefits to which she would have been eligible at 55. The sergeant requested her retirement on [REDACTED], 2018.

## VI. ANALYSIS

### a. Officer [REDACTED]

**Allegation 1** against Officer [REDACTED] that he provided a false report to medical staff that [REDACTED] was found at a 7-11 convenience store is **Not Sustained**. Officer [REDACTED] denied telling this to hospital staff, as did his partner. Both officers also denied taking [REDACTED] to a 7-11. While [REDACTED] documented in [REDACTED] medical records that CPD told hospital staff they found [REDACTED] at a 7-11, there is not enough evidence to determine whether Officer [REDACTED] made this statement. It is possible [REDACTED] misunderstood or misheard the officers. [REDACTED] herself stated she asked the officers to take her to 7-11 but they denied her request. Because there is insufficient evidence to determine if Officer [REDACTED] made this claim, this allegation is Not Sustained.

**Allegation 2** against Officer [REDACTED] that he was inappropriately affectionate and physical with [REDACTED] is **Not Sustained**. [REDACTED] reported [REDACTED] rubbed the officer's arm and laid her head on Officer [REDACTED] chest. Sergeant [REDACTED] related [REDACTED] told her that [REDACTED] held Officer [REDACTED] hand and laid her head on Officer [REDACTED]. Officer [REDACTED] acknowledged he attempted to comfort [REDACTED] as she was belligerent. Per Officer [REDACTED] this included holding [REDACTED] arms. Officer [REDACTED] denied that [REDACTED] rested her head on him. Officer [REDACTED] denied anything inappropriate occurring between [REDACTED] and Officer [REDACTED]. [REDACTED] a nurse, recalled Officer [REDACTED] allowed [REDACTED] to flirt with him. Another nurse, [REDACTED] related Officer [REDACTED] was unusually hands on with [REDACTED]. Ultimately, [REDACTED] did not complain about the officer's conduct and in fact commended him. There is insufficient evidence to determine if Officer [REDACTED] was inappropriately affectionate with [REDACTED]. Therefore, this allegation is Not Sustained.

**Allegation 3**, that Officer [REDACTED] interfered with [REDACTED] ability to treat [REDACTED] as a hospital patient, is **Not Sustained**. Officer [REDACTED] admitted to criticizing how [REDACTED] was doing her job. Officer [REDACTED] may have contributed to [REDACTED] distrust of and belligerence to [REDACTED] by making this comment. However, by [REDACTED] own admission she was upset, antagonistic, and intoxicated. [REDACTED] was unquestionably a difficult patient. [REDACTED] was frustrated while dealing with [REDACTED] and Officer [REDACTED] was frustrated at how [REDACTED] spoke to [REDACTED]. However, there is insufficient evidence to determine whether Officer [REDACTED] actions specifically impeded [REDACTED] ability to treat her patient. As such, this allegation is Not Sustained.<sup>67</sup>

**Allegation 4** against Officer [REDACTED] that he used his finger to mimic an erection while on duty and in uniform, is **Not Sustained**. [REDACTED] is the only witness to report seeing this action

<sup>66</sup> Att. 101

<sup>67</sup> The push is addressed below in Allegation #7.

and Officer [REDACTED] denied engaging in this behavior. Accordingly, there is insufficient evidence to prove or disprove whether this allegation occurred. Allegation 4 is Not Sustained.

**Allegation 5**, that Officer [REDACTED] stated to [REDACTED] words to the effect of, "Oh, you wanna see me get excited, huh?" after she handed him her underwear, is **Sustained**. Both [REDACTED] and [REDACTED] stated [REDACTED] removed clothing and Officer [REDACTED] responds indicated he found the situation sexually appealing. While the specifics of what [REDACTED] and [REDACTED] recount have some factual differences, they both report hearing Officer [REDACTED] make an inappropriate comment after [REDACTED] got undressed. Officer [REDACTED] partner, Officer [REDACTED] did not recall the officers escorting [REDACTED] to the bathroom when this event allegedly occurred, nor did he recall [REDACTED] removing underwear or being topless. Officer [REDACTED] recalled [REDACTED] being topless but denied making a sexual comment. However, since [REDACTED] allegation is supported by an additional witness's recollection, this allegation is Sustained.

**Allegation 6** against Officer [REDACTED] that he stayed in [REDACTED] hospital room when [REDACTED] was not in police custody and he was performing no police function, is **Sustained**. By all accounts, [REDACTED] was not under arrest or in police custody. Officer [REDACTED] stated the officers remained with [REDACTED] because she was belligerent and they wanted to be present if [REDACTED] acted out and did not want to return to arrest her. [REDACTED] explained to Officer [REDACTED] that hospital security could resolve any potential issues with [REDACTED] and the police were not needed. Furthermore, in her COPA interview [REDACTED] articulated her concerns that the officers' presence, in the absence of a lawful police purpose, violated [REDACTED] privacy rights. Ultimately, it is undisputed that Officer [REDACTED] had no reason for remaining in [REDACTED] hospital room and he refused to leave when asked by [REDACTED]. Therefore, this allegation is Sustained.

**Allegation 7** against Officer [REDACTED] that he pushed [REDACTED] while [REDACTED] was attempting to escort [REDACTED] to her hospital room, is **Sustained**. Officer [REDACTED] denied any physical interaction with [REDACTED] and Officer [REDACTED] denied seeing his partner push [REDACTED]. However, available evidence indicates Officer [REDACTED] did push [REDACTED]. In addition to [REDACTED] claiming Officer [REDACTED] pushed her, additional hospital staff saw or heard the altercation between [REDACTED] and Officer [REDACTED]. [REDACTED] observed [REDACTED] shrugging the officer off and heard another nurse, [REDACTED], tell Officer [REDACTED] to let go of [REDACTED]. [REDACTED] saw Officer [REDACTED] grab and shove [REDACTED]. A nurse, [REDACTED], heard [REDACTED] telling Officer [REDACTED] to not push [REDACTED]. Another nurse, [REDACTED], saw Officer [REDACTED] grab [REDACTED] from [REDACTED] despite Officer [REDACTED] denying there was a struggle. Accordingly, a preponderance of the evidence establishes that Officer [REDACTED] pushed [REDACTED] and this allegation is sustained.

**Allegations 8, 9, and 10**, that Officer [REDACTED] told [REDACTED] words to the effect to, "This is why the fuck I told you you couldn't fucking send me home," "learn how to do you fucking job," and "be a better fucking nurse," are **Sustained**. Officer [REDACTED] admitted to making substantially similar comments to what was alleged in Allegations 8 – 10. However, Officer [REDACTED] denied using profanity. While he may or may not have used profanity, Officer [REDACTED] admitted to yelling at [REDACTED] and pointing his finger at her. Per CPD General Order G02-01, officers "will not exhibit a condescending attitude or direct any derogatory terms toward any person in any manner." Officer [REDACTED] was not courteous or professional towards [REDACTED]. By

pointing his finger at [REDACTED] questioning her ability to do her job, and insulting her, Officer [REDACTED] acted outside of policy and these three allegations are Sustained.

**Allegations 11**, that Officer [REDACTED] refused to provide [REDACTED] with his name and star number, is **Not Sustained**. [REDACTED] denied that Officer [REDACTED] gave his name and star, but the officer asserted he did. Per [REDACTED] Officer [REDACTED] only gave his beat number, which was provided in a [REDACTED] Medical Center Security Incident Report. This lends credence to the fact that he only provided his beat as [REDACTED] would have presumably given his name and star number if she had it. She also presumably would have provided the information to Dispatch when she called 911. It is possible, however, that [REDACTED] did not hear Officer [REDACTED] provide his name or star number. Because it is [REDACTED] word against Officer [REDACTED] with no additional evidence, this allegation is Not Sustained.

**Allegations 12**, that Officer [REDACTED] had his name covered while in uniform, is **Not Sustained**. [REDACTED] stated Officer [REDACTED] name was covered but he denied that. No other witnesses were able to support either Officer [REDACTED] or [REDACTED] account. There is insufficient evidence to prove or disprove this allegation and it is Not Sustained.

**Allegation 13**, that Officer [REDACTED] failed to comply with Special Order S12-06, is **Sustained**. Officer [REDACTED] related he did not document the incident because Sergeant [REDACTED] spoke to [REDACTED] and he believed the incident had been resolved. However, Special Order S12-06 mandates that when “there is a misunderstanding between medical [...] personnel and Department members, the officer(s) involved will [...] notify his immediate supervisor,” and “submit a To-From-Subject report [...]” While Officer [REDACTED] immediate supervisor was made aware of the situation after [REDACTED] called 911, the officer failed to fulfil the second portion of the special order by writing a To-From-Subject report. As such, this allegation is Sustained.

**Allegation 14** against Officer [REDACTED] that he continued yelling and swearing at [REDACTED] after [REDACTED] walked away, is **Sustained**. [REDACTED] saw Officer [REDACTED] and [REDACTED] yelling at each other while exiting the room and heard the officer ask [REDACTED] for her name. Similarly, [REDACTED] heard Officer [REDACTED] tell [REDACTED] he was “done” with her before leaving the emergency room. Based on available evidence and Officer [REDACTED] course of conduct throughout the incident, it is more likely that not that Officer [REDACTED] continued yelling and swearing at [REDACTED] and this allegation is Sustained.

b. Sergeant [REDACTED]

Sergeant [REDACTED] resigned under investigation from the Department, effective April 1, 2018. Because Sergeant [REDACTED] resigned, COPA does not have jurisdiction over and will not address final disposition on these allegations unless and until Sergeant [REDACTED] attempts to return to the Department.

## VII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. Officer [REDACTED]

i. Complimentary and Disciplinary History

COPA reviewed Officer [REDACTED] complimentary and disciplinary history. Officer [REDACTED] has no relevant disciplinary history.

## ii. Recommended Penalty, by Allegation

### 1. Allegation No. 5

Officer [REDACTED] behaved unprofessional in several ways. In the instant allegation, Officer [REDACTED] made sexual charged comments toward a patient in the presence of at least two hospital employees. While COPA found that we lacked enough evidence to support the other allegations of sexually charged behavior with the patient, it is clear Officer [REDACTED] actions were not professional. Moreover, it appears Officer [REDACTED] treatment of the patient led, in part to the confrontation between nurse [REDACTED] and Officer [REDACTED]. Making sexual advances, sexual comments or sexual innuendos toward another person while on duty is unprofessional and brings discredit to the Department. In this case, it also led the nurse to feel that Officer [REDACTED] interfered with her treatment. In sum, COPA recommends a suspension of 8 days.

### 2. Allegation No. 7

Several witnesses confirmed [REDACTED] allegation that she was pushed by Officer [REDACTED]. Officer [REDACTED] was not justified in making physical contact with [REDACTED]. COPA finds the circumstances surrounding the unjustified physical contact to be aggravating. Specifically, that Officer [REDACTED] committed this conduct against a medical professional, in a hospital, as she was attempting to perform her duties as a nurse. COPA recommends a suspension of 15 days for pushing [REDACTED].

### 3. Allegation No. 8

Officer [REDACTED] explained that he foresaw that a problem with the patient and hospital staff was likely and believed it made sense to stay and assist, rather than be called return later. His explanation is reasonable; however, his actions in the moment were not that of a reasonable officer. Instead of deescalating a potential issue, he contributed to it. His overall demeanor toward [REDACTED] was aggressive. COPA recommends a suspension of 2 days and de-escalation training.

### 4. Allegation No. 9

For the reasons stated above. COPA recommends a suspension of 2 days and de-escalation training.

### 5. Allegation No. 10

For the reasons stated above. COPA recommends a suspension of 2 days and de-escalation training.

### 6. Allegation No. 13

Officer [REDACTED] had reason to believe the situation was handled after meeting with Sergeant [REDACTED] however he was in direct violation of a special order he is obligated to know and follow. COPA recommends a violation noted for this allegation.

### 7. Allegation No. 14

For the reasons stated above in allegations 8,9, and 10. COPA recommends a suspension of 2 days and de-escalation training

#### b. Sergeant [REDACTED]

##### i. Complimentary and Disciplinary History

COPA reviewed Sergeant [REDACTED] complimentary and disciplinary history.

##### ii. Recommended Penalty, by Allegation

###### 1. Allegation No. 1-6

Sergeant [REDACTED] decided to retire while this investigation was pending. At this time COPA will place the incident in closed/hold status.

## VIII. CONCLUSION

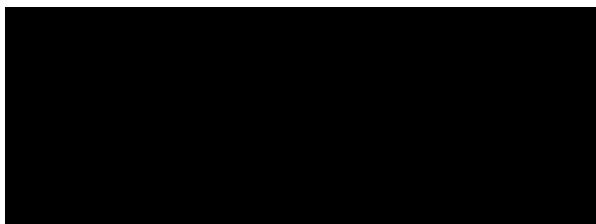
Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding / Recommendation
Officer [REDACTED]	1. Provided a false report to medical staff that you found [REDACTED] at a 7-11 convenience store, in violation of Rule 14.  2. Was inappropriately affectionate and physical with [REDACTED] in violation of Rule 2 and Rule 6.  3. Interfered with [REDACTED] ability to treat [REDACTED] as a hospital patient, in violation of Rule 2 and Rule 8.  4. Used your finger to mimic a penile erection while on duty and in uniform, in violation of Rule 2, Rule 6, and Rule 8.  5. Stated to [REDACTED] words to the effect of, "Oh, you wanna see me get excited, huh?" after she handed	Not Sustained  Not Sustained  Not Sustained  Not Sustained  Sustained

	<p>you her underwear, in violation of Rule 2, Rule 6, and Rule 8.</p> <p>6. Stayed in [REDACTED] hospital room when [REDACTED] was not in police custody and you were performing no police function, in violation of Rule 8 and Rule 10.</p> <p>7. Pushed [REDACTED] while [REDACTED] was attempting to escort [REDACTED] to her hospital room, in violation of Rule 9.</p> <p>8. Told [REDACTED] words to the effect to, "This is why the fuck I told you you couldn't fucking send me home" in violation of Rule 6, Rule 8, and Rule 9.</p> <p>9. Told [REDACTED] words to the effect of, "learn how to do you fucking job" in violation of Rule 6, Rule 8, and Rule 9.</p> <p>10. Told [REDACTED] words to the effect of "be a better fucking nurse" in violation of Rule 6, Rule 8, and Rule 9.</p> <p>11. Refused to provide [REDACTED] with your name and star number when asked in violation of Rule 37.</p> <p>12. Had your name covered while in uniform in violation of Rule 6 and Rule 12.</p> <p>13. Failed to comply with Special Order S12-06, in violation of Rule 6.</p> <p>14. Continued yelling and swearing at [REDACTED] after [REDACTED] walked away, in violation of Rule 6, Rule 8, and Rule 9.</p>	Sustained
Sergeant [REDACTED]	<p>1. Conducted an improper/inadequate investigation of the complaint that Nurse [REDACTED] verbalized to you against PO [REDACTED] in violation of Rule 3, Rule 6, and Rule 10.</p> <p>2. Failed to obtain a complaint registry number for a complaint present by Nurse [REDACTED] against PO [REDACTED] in violation of Rule 3, Rule 6, and Rule 10.</p>	Close/Hold Status (Resigned)

3. Provided a false statement to COPA when she stated, “She never complaint to me, she just wanted to make me aware of her observation with Officer [REDACTED] and what she was describing did not fulfill any credentials for making a complaint against the officer,” in violation of Rule 14.
4. Provided a false statement to COPA when she gave the following answer to the following question, in violation of Rule 14:
- Q. “What about dispatch, did you get anything from dispatch?
- A. “No. A lot of times I don’t get anything. It’s just a request for a supervisor.”
5. Provided a false statement to COPA when she gave the following answer to the following question, in violation of Rule 14:
- Q. “Now, did the complainant ever mention something about the officer being aggressive to staff?
- A. “No.”
6. Provided a false statement to COPA when she gave the following answer to the following question, in violation of Rule 14:
- Q. “So, from your recollection, she did not say anything about an officer being aggressive to staff?”
- A. “No.”

Approved:



February 13, 2019

\_\_\_\_\_  
Date

*Deputy Chief Administrator – Chief Investigator*



**Appendix A**

## Assigned Investigative Staff

<b>Squad#:</b>	Four
<b>Investigator:</b>	[REDACTED]
<b>Supervising Investigator:</b>	[REDACTED]
<b>Deputy Chief Administrator:</b>	[REDACTED]