

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	April 16, 2018
Time of Incident:	9:15 pm
Location of Incident:	████████████████████
Date of COPA Notification:	April 16, 2018
Time of COPA Notification:	10:54 pm

On the evening of April 16, 2018, Officer ██████████ and his girlfriend, ██████████ engaged in verbal altercation because Officer ██████████ was on his phone and talking to a former girlfriend. Ms. ██████████ became upset and followed Officer ██████████ throughout the apartment, yelling at him to get off his phone. After ending the phone conversation, Officer ██████████ pushed Ms. ██████████ out of this way as he entered the bedroom to retrieve his belongings. The incident escalated when Ms. ██████████ grabbed the cable box and pushed it behind the dresser. Officer ██████████ picked up a chair and swung in Ms. ██████████ direction and struck her on the side of head. Ms. ██████████ then pushed Officer ██████████ to the floor and held him down by placing her foot on Officer ██████████ neck and shoulder. After Ms. ██████████ removed her foot, Officer ██████████ got off the floor and began to punch Ms. ██████████ about her head and face. Officer ██████████ grabbed Ms. ██████████ in a bear hug and prevented her from accessing her cell phone. Officer ██████████ left the scene before responding officers arrived on the scene. Ms. ██████████ was transported to West Suburban Medical Center and was treated for her injuries. Evidence Technician took photographs of Ms. ██████████ injuries. Ms. ██████████ refused to press charges against Officer ██████████ and refused to provide a statement to COPA. However, in a brief telephone conversation and Body Worn Camera videos of the responding officers did capture Ms. ██████████ account of the incident. Ms. ██████████ refused to fully ██████████ and sign a sworn affidavit. An Affidavit Override¹ was requested and approved and hence this investigation proceeded.

II. INVOLVED PARTIES

Involved Officer #1:	██████████ Star # ██████ Employee ID# ██████ DOA: ██████ 03, Police Officer, Unit of Assignment ██████ District, DOB: ██████ 75, Male, Black.
Involved Individual #1:	██████████ DOB: ██████ 76, Female, Black.

¹ Attachment #27, Affidavit Override.

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Officer ██████ ██████	1. Pushed ██████ in violation of Rules 2 & 9. 2. Grabbed a chair and shoved it at ██████ in violation of Rules 2 & 9. 3. Punched ██████ about her face and head, in violation of Rules 2 & 9. 4. Grabbed ██████ in bear hug, in violation of Rules 2 & 9. 5. Engaged in a verbal altercation with ██████ in violation of Rules 2 & 9.	Sustained / 10 days Sustained / 10 days Sustained / 10 days Sustained / 10 days Exonerated

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
2. Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

V. INVESTIGATION

a. Interviews

Attempts made by COPA to schedule ██████ for an interview and sign a sworn affidavit were met with negative results. However, Ms. ██████ related in a telephone interview² with Inv. ██████ that she and Officer ██████ have been in on and off relationship for the past two years. While watching television in the bedroom, Officer ██████ received a phone call from another woman and walked into the living room to continue his conversation. At the same time, Ms. ██████ followed Officer ██████ and repeatedly questioned Officer ██████ about the other woman. After ending his conversation, Officer ██████ re-entered the bedroom to retrieve his belongings. The argument escalated when Officer ██████ grabbed and swung a chair in Ms. ██████ direction and struck Ms. ██████ on the face. Officer ██████ punched Ms. ██████ about the head and face and they both fell to the floor. While on the floor, Ms. ██████ held Officer ██████ down by placing her foot on his shoulder. After releasing her foot, Officer ██████ stood up and began to repeatedly punch her on the face. Ms. ██████ stated that Officer ██████ grabbed her in a bear hug and prevented her from accessing her cell phone. Ms. ██████ refused to press charges against Officer ██████ and refused to provide a statement to COPA. Ms. ██████

²Att. 9, Telephone interview of ██████ conducted by Investigator ██████

was taken to West Suburban Medical Center for medical treatment and an Evidence Technician took photographs of her injuries. An Affidavit Override³ was requested and approved and hence this investigation proceeded.

In an **interview with COPA**⁴ Officer ██████████ # ██████████ related that on April 16, 2018, he, along with his partner, Officer ██████████ # ██████████ responded to a domestic altercation involving off-duty, Officer ██████████ and his girlfriend, ██████████. Before the beginning the statement, Officer ██████████ viewed his and Officer ██████████ Body Worn Camera video footage. Officer ██████████ also viewed photographs of Ms. ██████████ that were taken by the Evidence Technician.

Upon arrival, Officer ██████████ met with Ms. ██████████ who was holding an ice pack to her head. Upon realizing that the accused was a Chicago Police Officer, Officer ██████████ requested a supervisor to the scene. Officer ██████████ related that Tact Sergeant ██████████ who was nearby, responded to scene first and then Sergeant ██████████. Ms. ██████████ related that she and Officer ██████████ got into a verbal altercation that escalated to being physical. The incident began when Officer ██████████ received a cell call from an ex-girlfriend. Ms. ██████████ felt disrespected that Officer ██████████ was talking to another woman and wanted him to hang up. Officer ██████████ refused to hang up and told Ms. ██████████ to leave him along. Officer ██████████ pushed Ms. ██████████ away and threw a chair towards the TV stand that struck Ms. ██████████ on the head. The altercation escalated and Officer ██████████ and Ms. ██████████ landed on the floor. Ms. ██████████ pinned Officer ██████████ to the floor by placing her foot on him. After Ms. ██████████ removed her foot, Officer ██████████ stood up and began to repeatedly punch Ms. ██████████ about the head. Officer ██████████ observed an abrasion to Ms. ██████████ left temple that was caused when Officer ██████████ threw the chair. Officer ██████████ was also observed an injury to Ms. ██████████ forehead that was caused when Officer ██████████ punched her. Officer ██████████ related that he and Officer ██████████ are assigned to the same district but have never spoken or worked with each other. Ms. ██████████ related that she did not want any problems or any retaliation from Officer ██████████. Ms. ██████████ only wanted to document the incident and did not want Officer ██████████ arrested.

In an **interview with COPA**⁵ Officer ██████████ # ██████████ related that on April 16, 2018, he and his partner, Officer ██████████ responded to a domestic altercation and discovered it involved off-duty, Officer ██████████ and his girlfriend, ██████████. Officer ██████████ viewed his and Officer ██████████ Body Worn Camera video footage and ET photographs of Ms. ██████████. Upon arrival, Officer ██████████ met with Ms. ██████████ who holding what appeared to be an ice pack to her forehead. Ms. ██████████ related that she and Officer ██████████ got into a verbal altercation that escalated to being physical. Ms. ██████████ became upset and felt disrespected that Officer ██████████ had received a phone call from a former girlfriend while in her apartment. Ms. ██████████ repeatedly told Officer ██████████ to get off the phone, but he refused. The verbal altercation escalated when Officer ██████████ pushed Ms. ██████████. At that point, Ms. ██████████ defended herself by grabbing Officer ██████████ and pinning him against the floor with her foot. Ms. ██████████ released her foot, Officer ██████████ stood up and to punch Ms. ██████████ about her about the face and head. Ms. ██████████ related that Officer ██████████ threw a chair at the television that intentionally struck her

³ Attachment #27, Affidavit Override.

⁴ Attachment #57, Transcription interview of Officer ██████████

⁵ Attachment #56, Transcription interview of Officer ██████████

on her face. Officer ██████ then gathered his belongings and left the house. Officer ██████ observed an abrasion to Ms. ██████ face and a lump to her forehead that was caused when Officer ██████ punched her. Ms. ██████ was transported to West Suburban Hospital for medical treatment and was photographed by an Evidence Technician. Ms. ██████ refused to file a complaint against Officer ██████ and did not want to cause him any trouble.

In an **interview with COPA**⁶ Sergeant ██████ # ██████ related that on April 16, 2018, while on RDO, he received a call from Sergeant ██████ who informed him that Officer ██████ had been involved in an off-duty domestic altercation. Sgt. ██████ attempted to contact Officer ██████ by phone and text messages. Sgt. ██████ related that Officer ██████ did not reply to any of his messages. However, on the following day, Sgt. ██████ briefly spoke to Officer ██████ who referred to the allegations and made by Ms. ██████ as being false.

In an **interview with COPA**⁷ Sergeant ██████ # ██████ related that on April 16, 2018, he responded to a request for a supervisor. Before the interview, Sgt. ██████ was allowed to view his Body Worn Camera and Evidence Technician photographs taken of ██████ Upon arrival, Sgt. ██████ discovered that Sgt. ██████ was already on scene and interviewing Ms. ██████ Sgt. ██████ also interviewed Ms. ██████ who said that she and Officer ██████ got into a verbal altercation over a phone call that he received from a from another woman. During the altercation, Ms. ██████ tried to grab Officer ██████ cell phone away from him. The incident escalated when Officer ██████ picked up a chair and struck Ms. ██████ on the side of her face with one of the chair legs. Ms. ██████ became upset and physically held Officer ██████ down onto floor. After being released, Officer ██████ stood up began to punch Ms. ██████ about the body and head. Ms. ██████ telephoned 911 and Officer ██████ left before the responding officers arrived. Sgt. ██████ observed a lump to Ms. ██████ forehead and abrasions and swelling to her face. Ms. ██████ essentially wanted the incident to be documented and did not want file an official complaint against Officer ██████

In an **interview with COPA**⁸ Sergeant ██████ # ██████ related that on April 16, 2018, he responded to a domestic battery involving Officer ██████ and his girlfriend, ██████ who sitting on a bed and crying. Ms. ██████ related that she and Officer ██████ were in bed eating and watching TV when Officer ██████ received a phone call from former girlfriend. Ms. ██████ became upset and felt disrespected that Officer ██████ was having a conversation with another woman inside her apartment. Ms. ██████ began to yell at Officer ██████ and followed him throughout the apartment. Officer ██████ got upset and pushed Ms. ██████ away while entering the bedroom to gather his belongings and leave. Officer ██████ attempted to take his cable box and Ms. ██████ said no and pushed the cable box behind the dresser. Officer ██████ grabbed a chair and waved it towards the TV and struck Ms. ██████ on the face with the chair. Ms. ██████ grabbed Officer ██████ and they began to fight each other. Ms. ██████ pushed Officer ██████ to the floor and placed her foot on his neck. While on the floor, Officer ██████ became upset and repeatedly told Ms. ██████ to remove her foot off his neck. After Ms. ██████ removed her foot, Officer ██████ stood up and began to repeatedly strike Ms. ██████ about her head. Ms. ██████ was able to get away from Officer ██████ and called

⁶ Attachment #58, Transcription of Sergeant ██████

⁷ Attachment #55, Transcription of Sergeant ██████

⁸ Attachment #54, Transcription of Sergeant ██████

police to report the incident. Ms. ██████ stated that Officer ██████ left before the police arrived on the scene. Sgt. ██████ related that Sgt. ██████ also responded to the scene and they both observed visible swelling to Ms. ██████ forehead. Ms. ██████ was transported to the hospital and photographs of her injuries were taken. Ms. ██████ only wanted to document the incident and have no further contact with Officer ██████

In an interview with COPA⁹ Officer ██████ # ██████ described his relationship with ██████ as being on and off but have been exclusive since January 2018. Officer ██████ related that on April 16, 2018, after spending a weekend together with Ms. ██████ he received a phone call from an old High School female friend. Ms. ██████ became upset and jealous and repeatedly told Officer ██████ to stop talking to that “fucking woman” and to get out of her house. Officer ██████ told Ms. ██████ to calm down, but she continued to curse and throw items throughout her apartment. Officer ██████ gathered his personal items while Ms. ██████ continued throwing items throughout her apartment. As Officer ██████ left the apartment, Ms. ██████ pushed him once on his back and slammed the door shut. Officer ██████ entered his vehicle and drove away with no further incident. Officer ██████ described the allegations made against him by Ms. ██████ as being false. Officer ██████ denied pushing and/or punching Ms. ██████ about her head and body. Officer ██████ denied striking Ms. ██████ with a chair and did not prevent her from using her cell phone. Officer ██████ related that at no time did Ms. ██████ push him to the floor and/or place her foot on his neck and shoulder.

Later that evening, Officer ██████ related that he spoke to Sergeant ██████ who informed him about his involvement in a domestic complaint involving Ms. ██████. Officer ██████ told Sgt. ██████ that he did not know what he was talking about and was unaware that Ms. ██████ had made allegations against him or that she had been taken to the hospital. During the interview, Officer ██████ was informed that Sergeant ██████ and Sergeant ██████ both responded Ms. ██████ residence, and that both reported observing swelling to Ms. ██████ face and a lump to her forehead. Officer ██████ was shown Evidence Technician photographs of Ms. ██████ injuries and was informed that Ms. ██████ had accused him of causing the injuries that required medical treatment. Officer ██████ was shown the photographs and observed bruising to Ms. ██████ face and redness to her forehead. However, Officer ██████ denied causing these injuries to Ms. ██████ and had no knowledge on how Ms. ██████ sustained those injuries. Officer ██████ related that Ms. ██████ did not have any injuries when he left her apartment that evening.

Officer ██████ admitted that he and Ms. ██████ have had verbal disagreement in the past but have never been physical with each other. Officer ██████ was asked if he could explain why Ms. ██████ accused him of domestic violence and causing injuries to her. Officer ██████ replied, “Like I said, I don’t know if she was high, or what. I don’t know what was going on with her, but like I said, I never seen her act that irate before. I never seen that side of her at all.”¹⁰ Officer ██████ believes that Ms. ██████ is using marijuana and believes that might have contributed to her initiating this complaint. However, Officer ██████ stated that he has never Ms. ██████ use marijuana or any drugs.

⁹ Attachment #53, Transcription interview of Officer ██████

¹⁰ Attachment #53, Transcription of Officer ██████ Page 44, lines 3-6

Officer ██████ described his relationship with Ms. ██████ now as being “distance” but continues to care for her and believes that she is in need of some type of counseling. Officer ██████ was told by Ms. ██████ that she was sorry but has never admitted to making false allegations against him. Officer ██████ stated that Ms. ██████ sent him apologizing text messages and provided copies for this investigation.

b. Digital Evidence

Body Worn Camera (BWC)¹¹ video shows Ms. ██████ holding what appears to be an ice pack to her head. Ms. ██████ told Officer ██████ that she and Officer ██████ had engaged in a verbal and physical altercation while inside her apartment. Ms. ██████ felt disrespected because Officer ██████ was talking to another woman while in her presence. After Officer ██████ ended his call, Ms. ██████ told him to leave her apartment. Officer ██████ shoved Ms. ██████ back and requested his cable box back. Ms. ██████ grabbed the cable box and threw it behind the television. Officer ██████ became upset and grabbed a chair and shoved at Ms. ██████ in the direction. Ms. ██████ described as one of the chair legs striking her on the face and causing an abrasion. The incident escalated when Ms. ██████ and Officer ██████ began to tussle with each other. Ms. ██████ pushed Officer ██████ to the floor and pinned him down by placing her foot on his shoulder. After Ms. ██████ removed her foot, Officer ██████ stood up and began to repeatedly punch her about the head and sustained abrasions and a knot to her head. The injuries to Ms. ██████ are clearly observed in the BWC video.

Body Worn Camera (BWC)¹² video showed Ms. ██████ explaining to Sergeant ██████ that she and Officer ██████ were sitting on the bed when Officer ██████ received a phone call from another woman. Ms. ██████ felt disrespected that Officer ██████ was talking to another woman while in her presence. As Officer ██████ walked out of the bedroom, Ms. ██████ followed him and told him to leave her apartment. Officer ██████ tried to explain that it was a friend and shoved Ms. ██████ back against a wall. Officer ██████ requested to take his cable box with him, and Ms. ██████ responded by grabbing and throwing the cable box behind the television to prevent Officer ██████ from taking it. Officer ██████ grabbed chair and swinging towards Ms. ██████ and one of the chair legs struck her on the face. Ms. ██████ rushed towards Officer ██████ and they began to punch each other. Officer ██████ fell over the side of the bed and landed on the floor. Ms. ██████ placed her foot on Officer ██████ and pinned him down against the floor. Officer ██████ repeatedly told Ms. ██████ to let him go and eventually Ms. ██████ removed her foot off Officer ██████. Officer ██████ stood up and began to repeatedly punch Ms. ██████ on the back of her head. Ms. ██████ called Officer ██████ mother and asked her to tell Officer ██████ to leave her apartment. Ms. ██████ heard Officer ██████ phone ring and heard him state that he was gathering his things to leave. The BWC video clearly showed a lump to Ms. ██████ forehead and abrasions and swelling to her face.

¹¹ Attachment #17, Body Worn Camera (BWC) video.

¹² Attachment #17, Body Worn Camera (BWC) video

The **Crime Processing Report¹³** and **Evidence Technician photographs¹⁴** taken of ██████████ depicted swelling to her forehead and a laceration to the left side of her head. (Atts. 11, 22)

c. Documentary Evidence

The **Initiation Report¹⁵**, authored by Sergeant ██████████ detailed the initial investigation into a Domestic Incident Report that involved ██████████ and Officer ██████████ who had left the scene. Sgt. ██████████ was informed by Ms. ██████████ that Officer ██████████ had received a telephone call from another woman and wanted him to get off the phone. After Officer ██████████ hung up the phone, he and Ms. ██████████ became upset and exchanged words at each other. While entering the bedroom, Officer ██████████ pushed Ms. ██████████ in order to gather his items and a cable box. Ms. ██████████ grabbed the cable box and pushed it behind the dresser. Officer ██████████ picked up a chair and began to wave it towards Ms. ██████████ and struck her on the head with it. Ms. ██████████ pushed Officer ██████████ to the floor and placed her foot on his neck and shoulder while attempting to access her cell phone. After releasing Officer ██████████ he jumped on Ms. ██████████ and began to repeatedly strike her about the back of her head. Ms. ██████████ telephoned Officer ██████████ mother and asked her to tell Officer ██████████ to leave her house. Ms. ██████████ dialed “911” and reported the incident. Sgt. ██████████ reported that he along with Sgt. ██████████ # ██████████ observed a knot to Ms. ██████████ forehead and swelling to her face.

The **Original Case Incident Report¹⁶** and **Case Supplementary Report¹⁷** for ██████████ authored by Detective ██████████ described a Domestic Battery investigation involving ██████████ and Officer ██████████. The investigation was classified as Exceptionally Cleared Closed because Ms. ██████████ refused to prosecute. Details into the incidents, included a summary interview of Ms. ██████████ who stated having an on and off again dating relationship with Officer ██████████. Ms. ██████████ was satisfied with documenting the incident only and refused to file any criminal charges against Officer ██████████. Ms. ██████████ was advised on how to obtain an Order of Protection but did not want to obtain one at this time.

CPD Event Query Report # ██████████¹⁸ indicated ██████████ called 911 to report that her boyfriend, Officer ██████████ had struck her on the face.

Medical Records from West Suburban Medical Center¹⁹ indicated that ██████████ was transported by the Chicago Police to the hospital. The report indicated that Ms. ██████████ was a victim of a physical assault and was struck multiple times on the head by her boyfriend, Officer ██████████. Ms. ██████████ complained of pain and swelling was observed

¹³ Attachment #10, Crime Processing Report.

¹⁴ Attachment #22, Evidence Technician photograph take of ██████████

¹⁵ Attachment #4, Initiation Report of Sgt. ██████████

¹⁶ Attachment #5, Original Case Incident Report, ██████████

¹⁷ Attachment #6, Case Supplementary Report, ██████████

¹⁸ Attachment #7, CPD Event Query # ██████████

¹⁹ Attachment #13, West Suburban Medical Center reports of ██████████

to her forehead. Ms. ██████ sustained multiple contusions and abrasions to her face and forehead. The reports indicated that Ms. ██████ had a 3x3 cm hematoma to her forehead, a 3x2 cm superficial abrasion to the left side of her face and a 4x4 cm hematoma to her scalp.

VI. LEGAL STANDARD

For each Allegation COPA must make one of the following findings:

1. Sustained - where it is determined the allegation is supported by a preponderance of the evidence;
2. Not Sustained - where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;
3. Unfounded - where it is determined by clear and convincing evidence that an allegation is false or not factual; or
4. Exonerated - where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

A **preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that the conduct occurred and violated Department policy. *See Avery v. State Farm Mutual Automobile Insurance Co.*, 216 Ill. 2d 100, 191 (2005), (a proposition is proved by a preponderance of the evidence when it has found to be more probably true than not). If the evidence gathered in an investigation establishes that it is more likely that the misconduct occurred, even if by a narrow margin, then the preponderance of the evidence standard is met.

Clear and convincing evidence is a higher standard than a preponderance of the evidence but lower than the "beyond-a-reasonable doubt" standard required to convict a person of a criminal offense. *See e.g., People v. Coan*, 2016 IL App (2d) 151036 (2016). Clear and Convincing can be defined as a "degree of proof, which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true." *Id.* at ¶ 28.

VI. ANALYSIS

Ms. ██████ refused to provide a formal statement and/or a sign sworn affidavit. However, in a brief telephone conversation with COPA, Ms. ██████ described being upset and feeling disrespected because Officer ██████ had received a phone call from another woman while in her presence. The telephone conversation and the Body Worn Camera video captured Ms. ██████ describing the verbal and physical altercation between her and Officer ██████. The Body Worn Camera video and Evidence Technician photographs depicted swelling to Ms. ██████ forehead and a laceration to her head. Ms. ██████ was transported to the hospital and medical records revealed that she sustained several lacerations to the head. The primary diagnosis²⁰ in the medical records indicated that Ms. ██████ was a victim of a physical assault and sustained a hematoma to

²⁰ Attachment #13, West Suburban Medical Center reports of ██████ page 17.

her scalp and multiple contusions and abrasions to her face and forehead. Based, on this evidence an Affidavit Override was requested and approved and hence this investigation proceeded.

Although, Officer ██████ denies the allegations against him, the evidence obtained (BWC video, medical records and ET photos) clearly indicate that Officer ██████ did physically abuse Ms. ██████ and therefore, **Allegations #1 - #4 must be Sustained.** Ms. ██████ stated that she was upset at Officer ██████ and admitted to initiating a verbal altercation with Officer ██████ because of his phone conversation with another woman. Officer ██████ denied engaging in a domestic verbal altercation with Ms. ██████ therefore, **Allegation #5 against Officer ██████ is Exonerated.**

VII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

c. Officer ██████

i. Complimentary and Disciplinary History

ii. Recommended Penalty, by Allegation

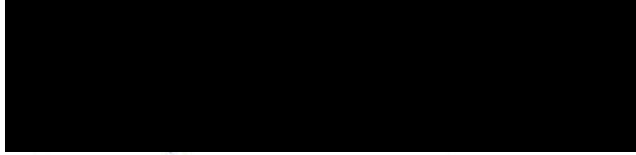
1. **Allegation No. 1,** Officer ██████ **denied** in his statement to pushing Ms. ██████
2. **Allegation No. 2,** Officer ██████ **denied** grabbing a chair and shoving it at Ms. ██████ causing one of the chair legs to strike her on the face.
3. **Allegation No. 3,** Officer ██████ **denied** in his statement that punched Ms. ██████ about her face and head, causing injury.
4. **Allegation No. 4,** Officer ██████ **denied** grabbing Ms. ██████ in a bear hug.
5. **Allegation No. 5,** Officer ██████ **denied** in his statement engaging into a domestic verbal altercation with Ms. ██████

VIII. CONCLUSION

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

Officer	Allegation	Finding / Recommendation
Officer ██████	1. Pushed ██████ in violation of Rules 2. Grabbed a chair and shoved it at ██████ in violation of Rules 2 & 9. 3. Punched ██████ about her face and head, in violation of Rules 2 & 9. 4. Grabbed ██████ in bear hug, in violation of Rules 2 & 9. 5. Engaged in a verbal altercation with ██████ in violation of Rules 2 & 9	Sustained / 10 days Sustained / 10 days Sustained / 10 days Sustained / 10 days Exonerated

Approved by:



Angela Hearts-Glass
Deputy Chief Administrator

9-11-19

Date

Appendix A

Assigned Investigative Staff

Squad#:	
Investigator [REDACTED]	
Supervising Investigator [REDACTED]	
Deputy Chief Angela Hearts-Glass	