

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	October 8, 2019/10:43 pm/ [REDACTED]
Date/Time of COPA Notification:	October 15, 2019/12:16 pm
Involved Officer #1:	[REDACTED] Star # [REDACTED], Employee ID# [REDACTED], Date of Appointment:, Police Officer, [REDACTED] District, Date of Birth:, Female, Hispanic
Involved Officer #2:	[REDACTED] Star # [REDACTED], Employee ID# [REDACTED], Date of Appointment:, Police Officer, [REDACTED] District, Date of Birth:, Female, Hispanic
Involved Individual #1:	[REDACTED], Date of Birth: [REDACTED], 1990, Female, Black
Case Type:	4 th Amendment

I. ALLEGATIONS

Officer	Allegation	Finding
Officer [REDACTED]	1. It is alleged that on October 8, 2019, you arrested [REDACTED] without justification.	Exonerated
Officer [REDACTED]	1. It is alleged that on October 8, 2019, you arrested [REDACTED] without justification.	Exonerated

II. SUMMARY OF EVIDENCE¹

On October 16, 2019, [REDACTED] filed a complaint with the Civilian Office of Police Accountability (COPA) alleging Chicago Police Officers, identified above, falsely arrested her on October 8, 2019. In her interview, [REDACTED], employed as a life counselor, stated she was having an ongoing verbal dispute with a resident at her place of employment. [REDACTED] said she called the police and spoke to a dispatcher and explained why she was calling but told the dispatcher the resident left the room and would call back if she needed.

[REDACTED] then stated the resident also called police and minutes later she observed from a television screen in her office the resident speaking with 4 officers in the building's vestibule area.

¹COPA conducted a full and complete investigation of this matter, including the interview of all pertinent civilian and officer witnesses, and the collection and review of digital, documentary, and forensic evidence. As part of COPA's ongoing efforts to increase case closure capacity, certain cases opened under IPRA are summarized more succinctly in a Modified Summary Report of Investigation, pursuant to COPA Guideline Modified Summary Report of Investigation Template and Approvals, effective February 13, 2019.

A review of BWC footage from the officers and arrest report shows 4 officers responded to calls for service by the resident and for an unrelated mental health disturbance. Once the officers arrive, they speak to the resident near the building's entrance who informs them of her encounter with [REDACTED] and expresses her willingness to sign a complaint against [REDACTED].

The officers then walk with the resident to [REDACTED] office where [REDACTED] is told why she is being placed under arrest and the resident completes paperwork for the signed complaint and the scheduled court date. A review of calls for service relating to [REDACTED] arrest did not show the call [REDACTED] said she made. However, there is a record of the resident's call indicating she is being threatened by workers of the facility where she resides.

III. 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.

IV. ANALYSIS AND CONCLUSION

COPA finds the **Allegations** against the officers **EXONERATED**. COPA reviewed all relevant reports including the arrest report, original case incident report, case supplementary

report, event queries, and calls for service. COPA also reviewed digital evidence provided by the officers' Body Worn Camera (BWC) footage.

The evidence is clear and convincing that [REDACTED] was arrested after the resident signed a complaint against her giving the officers probable cause to arrest the complainant. Although the complainant feels as if she did not commit the actions alleged by the resident, that is a question for the courts. Therefore, the allegations against the officers are **EXONERATED**.

Approved:

[REDACTED]

3-30-2020

Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Assigned Investigative Staff

Squad#:

Investigator:

Supervising Investigator:

Deputy Chief Administrator:

[REDACTED]

Angela Hearts-Glass