

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	October 12, 2018
Time of Incident:	12:00
Location of Incident:	7519 N. Paulina St.
Date of COPA Notification:	October 16, 2018
Time of COPA Notification:	3:18 PM

Ms. [REDACTED] alleges that on October 12, 2018, she encountered Officer Timothy Grisby near the Paulina Red Line station, while on her way to an appointment with her therapist. Officer Grisby engaged her in what she believed to be an inappropriate conversation, which made her feel uncomfortable. Officer Grisby asked her out, invited her to visit his home, and asked her for her phone number. Ms. [REDACTED] felt uncomfortable when Officer Grisby subsequently called her on her cell phone. There was no dispute that Officer Grisby and Ms. [REDACTED] had a conversation on the date in question, or that they exchanged phone numbers. The dispute lies in what the conversation was and the propriety of Officer Grisby’s actions.

II. INVOLVED PARTIES

Involved Officer #1:	Timothy Grisby, star # 19741, employee ID# [REDACTED], Date of Appointment November 4, 1996, Police Officer, Unit of Assignment 008, DOB [REDACTED], 1967, Male, Black.
Involved Individual #1:	[REDACTED] DOB [REDACTED], 1981, Female, White Hispanic.

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Officer Timothy Grisby	1. It is alleged that on October 12, 2018, at around 12:00 PM, at 7519 N. Paulina Officer Timothy Grisby, while on duty, approached [REDACTED] a disabled person, as she approached the CTA station, and told her he wanted to take her to a movie and asked her to come to his home to meet his twelve year old	NOT SUSTAINED

	<p>daughter and his dog, which made her uncomfortable, in violation of Rule 2.</p> <p>2. It is alleged that October 12, 2018, at around 12:00 PM, at 7519 N. Paulina, Officer Timothy Grisby, while on duty, asked [REDACTED] a disabled person, for her phone number and then called her at 5:54 PM¹ and said he wanted Ms. [REDACTED] to leave her current boyfriend and be his girlfriend, which made her uncomfortable, in violation of Rule 2.</p> <p>3. It is alleged that on October 15, 2018, between 11:00 AM and 1:00 PM, at or near 1600 W. Jonquil Terrace, Officer Timothy Grisby asked [REDACTED] a disabled person, to come over to his parked vehicle as she came out of the Jonquil Hotel, which made her uncomfortable, in violation of Rule 2.</p>	<p>NOT SUSTAINED</p> <p>NOT SUSTAINED</p>
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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

V. INVESTIGATION³

a. Interviews

[REDACTED]

¹ It was later determined that the call actually occurred at 12:54 PM Central Time. The time that is used on the printout of Ms. [REDACTED] phone record is in Coordinated Universal Time (UTC) and is five hours ahead.

² COMMENT: This Rule applies to both the professional and private conduct of all members. It prohibits any and all conduct which is contrary to the letter and spirit of Departmental policy or goals or which would reflect adversely upon the Department or its members. It includes not only all unlawful acts by members but also all acts, which although not unlawful in themselves, would degrade or bring disrespect upon the member or the Department, including public and open association with persons of known bad or criminal reputation in the community unless such association is in the performance of police duties. It also includes any action contrary to the stated policy, goals, rules, regulations, orders or directives of the Department.

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

First Interview-October 19, 2018⁴

Ms. ██████ gave a recorded interview, conducted at 7725 N Paulina, on October 19, 2018. She was accompanied by ██████ the program manager of her group home and ██████ her therapist. Ms. ██████ reported that on October 12, 2018, she was approached by a black, male police officer in his 50's or 60's who told her his name was Tim.⁵ She said he had checkers on his hat, a blue uniform, a beard and a moustache.⁶ Ms. ██████ was near the entrance door to the Red Line station at Paulina while on the way to an appointment. The officer was not with a partner at the time and his police vehicle was parked nearby.

Ms. ██████ stopped and engaged in a conversation with the officer, now known as Timothy Grisby, which made her feel uncomfortable. During their short conversation, Officer Grisby offered to take Ms. ██████ out to the movies and invited her to his house to meet his 12-year-old daughter and his dog, and to listen to music.⁷ Officer Grisby also told Ms. ██████ that he wanted her to be his girlfriend. Ms. ██████ declined the invitations and told him she already had a boyfriend.

In addition, Officer Grisby asked her for her phone number.⁸ She gave him her number and he called her shortly thereafter. Ms. ██████ immediately deleted his number from her phone when the call was completed.

Ms. ██████ reasoned for investigators that her condition rendered the conversation and the phone call inappropriate. Ms. ██████ stated that she has been diagnosed with an Intellectual/Developmental disability, depression, and anxiety and that she visited a therapist once a week.⁹ Ms. ██████ also said that she felt uncomfortable because she had never seen him before, and mentioned that the encounter occurred around the same time a pair of related shootings were reported in the Rogers Park area.¹⁰

Ms. ██████ encountered Officer Grisby again on October 15, 2018 at around 1:00 PM. Ms. ██████ left the Jonquil Hotel after a visit with her boyfriend and found Officer Grisby parked and alone inside his police vehicle outside the hotel.¹¹ Officer Grisby called her over to his vehicle. She did not approach the vehicle and told him she was on her way to therapy. She was by herself at the time and has not seen or heard from him since

⁴ Attachment 5.

⁵ Attachment 5 at 11:07.

⁶ Attachment 5 at 06:30.

⁷ Attachment 5 at 09:35, 10:16, 12:45, 15:13.

⁸ Attachment 5 at 12:14.

⁹ See exhibit c3 below.

¹⁰ It is believed Ms. ██████ was referring to the two men who had been shot in the Rogers Park neighborhood at the end of September and early October 2018, about thirty-six hours apart. Based on ballistics evidence, it was confirmed that the two murders were committed using the same gun; and it was believed the same person likely committed both crimes. There is more of an explanation about this incident in Ms. ██████ second interview.

¹¹ Attachment 5 at 17:05.

Second Interview-June 17, 2019¹²

A second interview with Ms. ██████ was conducted to gain clarity on what occurred on the date in question, with an emphasis on how and why Ms. ██████ and Officer Grisby exchanged phone numbers. ██████ is a 37-year-old woman, but according to ██████ a program manager and clinical social worker for Trilogy Behavioral Healthcare, was present for the interview. Ms. ██████ was diagnosed with, among other things, an unspecified intellectual disability.¹³ Ms. ██████ and Ms. ██████ stated that Ms. ██████ lived in one of the Trilogy locations where she received help and support, and saw a therapist on a weekly basis.^{14, 15} The lead investigator's impression of Ms. ██████ was that she appeared much younger than she actually was, and had a childlike voice and demeanor.¹⁶ Despite her disability, Ms. ██████ explained, Ms. ██████ had no history of making things up and was good with social cues.¹⁷

Ms. ██████ second recorded interview was conducted at 7725 N Paulina, on June 17, 2019. She was accompanied by ██████ the program manager of her group home. Ms. ██████ explained that Officer Grisby gave her his number because he wanted to date her. However, she could not remember how her number got into his phone.¹⁸ Officer Grisby called her on the day in question, after she attended her appointment, while she was in her room at home.¹⁹ She said she did not talk to him when he called, but hung up on him without speaking to him. The entirety of their conversation, she added, was at the train station, face to face.

When asked what their conversation was about, Ms. ██████ said that Officer Grisby asked her to identify the killer that was in the area at that time. Officer Grisby then started talking about going to the movies and shopping. Ms. ██████ became scared of Officer Grisby and told him no. She also told Officer Grisby that civilians and officers cannot date.²⁰ Officer Grisby replied that the other officers would not know about it. This part of the conversation occurred after she gave him her phone number. At some point in the conversation, Officer Grisby asked her if she liked

¹² Attachment 23.

¹³ Ms. ██████ state ID stated that she is disabled. Documentary Evidence #c3 below.

¹⁴ Trilogy Behavioral Healthcare is an organization that, among other things, helped people with mental illness recover and learn to live independently.

¹⁵ Ms. ██████ therapist was present during the first interview and assisted Ms. ██████ in filing this complaint. She was the first person Ms. ██████ reported this incident to, according to Ms. ██████

¹⁶ For example, she was known to carry stuffed toys with her, two of which she had with her during this interview.

¹⁷ Ms. ██████ stated these facts before Ms. ██████ second interview.

¹⁸ Ms. ██████ told investigators that Officer Grisby did not attempt to contact her by phone after October 12, 2019. However, at some time after her interview on October 19, 2018, Ms. ██████ encountered Officer Grisby again outside Sandy's convenience store on Howard Street where she went for a snack. Officer Grisby was in uniform and was alone in his police vehicle. According to Ms. ██████ Officer Grisby accused her of stealing, using street drugs and alcohol, which Ms. ██████ denied. She said Officer Grisby's exact words were, "You're stealing, you're drugging." He did not tell her what she allegedly stole. Ms. ██████ said that she told ██████ a case worker she used to work with, about the encounter. That was the only other time Officer Grisby spoke with her. The lead investigator spoke with ██████ over the phone on October 14, 2019 and he confirmed that Ms. ██████ indeed reported the matter to him, and his account was consistent with hers.

¹⁹ This is inconsistent with her first interview. She originally said she was on her way to board the train when Officer Grisby called her phone. Ms. ██████ had difficulty remembering things during this interview

²⁰ Attachment 23 at 12:50.

dogs and told her that his daughter was sick.²¹ Officer Grisby also asked her about the hockey player doll she was holding, and then they talked about sports.

Ms. ██████ said the thing that upset her was she did not understand why he would want to invite her to his house for lunch and to meet his daughter and his dog.²²

Officer Timothy Grisby²³

Officer Grisby gave a recorded interview, conducted at 1615 W. Chicago Ave., on May 29, 2019. During his interview, Officer Grisby stated that on October 12, 2018 he was alone, in uniform and on patrol. During the day he often engaged with citizens in general conversations about the weather, directions, and sports. He believed it is good practice for officers to do so, but it is not required. He did not ask women for their phone numbers to go out on dates while he was on duty, but he did occasionally ask people for their phone numbers, usually when he wanted someone to act as an informant.²⁴ Officer Grisby gave out his personal cell number to citizens so they could call him if they ran into trouble. For example, if someone witnessed gangbanging or needed to complain about noise or fighting.

On the date in question, Officer Grisby was on foot patrol near the Red Line station at Paulina, on the Paulina side. He patrolled this area on a daily basis. During the thirty minutes he was outside of his vehicle, he was approached by a short female who wore a turquoise coat and carried a stuffed hockey player.²⁵ He later learned that her name was ██████ and mentioned that he saw her around the neighborhood about a dozen times, but never spoke with her.

Ms. ██████ said hi, and they engaged in a conversation about her stuffed hockey player and sports.²⁶ He also told her about his dog and his daughter. At the end of the conversation, Officer Grisby told Ms. ██████ that if anyone ever bothered her, she could call him on his personal cell phone.²⁷

Officer Grisby claimed that during this conversation, he never asked Ms. ██████ to come to his house to meet his dog and his 12-year-old daughter, and he never asked her to leave her boyfriend so she could be his girlfriend.²⁸ Officer Grisby said that she seemed like a nice person, but seemed a little slow, or a little off.²⁹ Officer Grisby then confirmed, however, that Ms. ██████ never said anyone had bothered her, either currently or in the past.

As he and Ms. ██████ stood there, he called her phone number and explained he often did that to verify each person had the right number. However, there was no phone conversation to the

²¹ Attachment 23 at 17:20.

²² Attachment 23 at 16:58.

²³ Attachment 16.

²⁴ Attachment 16 at 10:50.

²⁵ Attachment 16 at 11:40.

²⁶ Attachment 16 at 11:58.

²⁷ Attachment 16 at 09:54, 12:38.

²⁸ Attachment 16 at 22:05, 24:10.

²⁹ Attachment 16 at 14:50, 18:20.

best of his recollection. That was the only time he called Ms. [REDACTED] according to Officer Grisby.³⁰

Regarding the reported incident on October 15, 2018, Officer Grisby stated that he is usually in the area of the Jonquil Hotel to observe the activities at a nearby school or to park in a quiet space. He said he believed he was on duty that day but did not recall seeing Ms. [REDACTED]

b. Digital Evidence³²



This is a photo of Officer Grisby’s telephone, taken by investigators on the date of his recorded interview, which showed he still had Ms. [REDACTED] phone number and date of birth in his contact list.

c. Documentary Evidence

- 1. Officer Grisby’s CPD Watch Screen showing his reported home phone number.³³

Employee Details

Star No. 19741	Employee No. [REDACTED]	Sex M	Race BLK
Name GRISBY, TIMOTHY	Duty Status FULL DUTY		
PC No. [REDACTED]	Position Code 9161	Position Description POLICE OFFICER	

³⁰ During Officer Grisby’s interview, investigators asked him to confirm whether or not Ms. [REDACTED] phone number was still in his phone. Officer Grisby showed investigators that it was. Investigator’s noticed that Ms. [REDACTED] date of birth was also showing and Officer Grisby said that it auto populated. During Ms. [REDACTED] second interview she confirmed that Officer Grisby did not ask her for her date of birth, but because she no longer had the phone in question, investigators could not test the phone to see if her date of birth auto-populates when her phone number was added to another iPhone. Officer Grisby was also questioned if he inquired into whether Ms. [REDACTED] had Facebook, or other social media and he said no. Officer Grisby said he uses Facebook using an alias name and has but does not use his Instagram and Twitter accounts, also using aliases. Ms. [REDACTED] stated in her second interview that Officer Grisby never tried to contact her via social media.

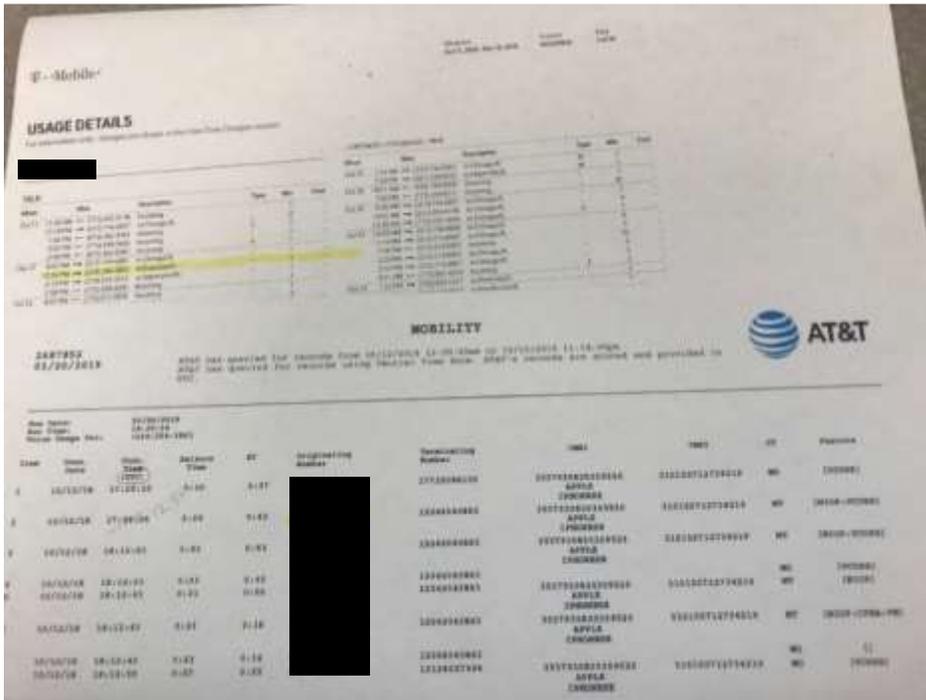
³¹ According to the A&A sheet for October 15, 2018, Officer Grisby was not on duty, however, Ms. [REDACTED] reported he was in his police vehicle. It is possible this occurred on a different date, but his attendance could not be verified.

³² Attachment 18.

³³ Attachment 13.

Appointment Date 04-NOV-1996 Seniority Date 04-NOV-1996 Date of Birth [REDACTED]-1967
 Address [REDACTED] Home Phone No. [REDACTED] District of Residence 008
 Assigned Unit 024 - DISTRICT 024 Unit of Detail -
 Detailed Date Modified Date 07-JAN-2019

2. Excerpt from Officer Grisby’s phone bill from the date and time in question.³⁴



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;

³⁴ Attachment 18.

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.

VII. ANALYSIS

COPA finds that **Allegation 1**, that on October 12, 2018, at around 12:00 PM, at 7519 N. Paulina Officer Timothy Grisby, while on duty, approached ██████████ a disabled person, as she approached the CTA station, and told her he wanted to take her to a movie and asked her to come to his home to meet his twelve year old daughter and his dog, which made her uncomfortable, is not supported by enough evidence to determine whether the event occurred in the manner alleged by ██████████ and is **Not Sustained**..

Based on what Ms. ██████████ reported in her interviews, it seemed fair to say that she was aware of her condition and was able to reason that certain things are inappropriate when her disability is considered. Officer Grisby also acknowledged that he was aware that Ms. ██████████ seemed to be operating with a diminished capacity.

Both of their accounts of the incident were consistent, in that, Officer Grisby spoke with Ms. ██████████ about her doll, sports, Officer Grisby's dog and his daughter and that Officer Grisby, asked to exchange personal phone numbers with Ms. ██████████ while on duty. According to Officer Grisby, the exchange of numbers was for the purpose of providing Ms. ██████████ with his number in case she ran into trouble. While on duty, Officer Grisby also divulged personal information about his home life to Ms. ██████████ as though they had or could have some sort of personal relationship, when in fact, they had just met that day.

Without manifesting any indication that she had cause to be untruthful, Ms. ██████████ expressed that her interaction with Officer Grisby, who operated from a position of power, left her both uncomfortable and afraid, even to the point that the matter was reported to her therapist. Ms. ██████████ never met Officer Grisby before the day in question and there is every indication that she

legitimately and reasonably, considering her disability, did not understand why he would invite her to his home.

What is most bothersome about this interaction is that Officer Grisby engaged in a fairly personal conversation with a female stranger, who appeared to be much younger than she actually was, and who clearly displayed some sort of mental or intellectual disability. As a result, Ms. ██████ walked away from the conversation not only uncomfortable and afraid, but likely confused as well.

Although there appeared to be a lack of judgement on the part of Officer Grisby in this case, there was little evidence that Officer Grisby, in fact, asked Ms. ██████ to come to his home or asked her out. Therefore, because the preponderance of the evidence standard has not been met, the allegation is Not Sustained.

COPA finds that **Allegation 2**, that October 12, 2018, at around 12:00 PM, at 7519 N. Paulina, Officer Timothy Grisby, while on duty, asked ██████ a disabled person, for her phone number and then called her at 5:54 PM, and said he wanted Ms. ██████ to leave her current boyfriend and be his girlfriend, which made her uncomfortable, is not supported by enough evidence to determine whether the event occurred in the manner alleged by ██████ and is **Not Sustained**.³⁵

Although there is no dispute that Officer Grisby and Ms. ██████ exchanged phone numbers, or that Officer Grisby called Ms. ██████ on the date in question, Ms. ██████ admitted that she willingly gave Officer Grisby her phone number. Furthermore, based on phone records and the statements given by Officer Grisby and Ms. ██████ there is little to no conclusive evidence that there was ever an actual phone conversation.

COPA finds that **Allegation 3**, that on October 15, 2018, between 11:00 AM and 1:00 PM, at or near 1600 W. Jonquil Terrace, Officer Timothy Grisby asked ██████ a disabled person, to come over to his parked vehicle as she came out of the Jonquil Hotel, is not supported by enough evidence to determine whether the event occurred in the manner alleged by ██████ and is **Not Sustained**.

The Attendance and Assignment records for the date in question confirmed that Officer Grisby was not on duty on October 15, 2018. Furthermore, it seemed unlikely that investigators would have been able to ascertain the correct date of occurrence during Ms. ██████ second interview considering, at least at that time, she was having some difficulty recalling details of the incidents being discussed. However, even if Ms. ██████ had been able to provide the correct date, without more, Officer Grisby's actions likely did not amount to misconduct.

VIII. CONCLUSION

³⁵ It was later determined that the call actually occurred at 12:54 PM. The time that is used on the printout of Ms. ██████ phone record is in Coordinated Universal Time (UTC) and is five hours ahead.

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

Officer	Allegation	Finding / Recommendation
Officer Timothy Grisby	1. It is alleged that on October 12, 2018, at around 12:00 PM, at 7519 N. Paulina Officer Timothy Grisby, while on duty, approached [REDACTED] a disabled person, as she approached the CTA station, and told her he wanted to take her to a movie and asked her to come to his home to meet his twelve year old daughter and his dog, which made her uncomfortable, in violation of Rule 2.	NOT SUSTAINED
	2. It is alleged that October 12, 2018, at around 12:00 PM, at 7519 N. Paulina, Officer Timothy Grisby, while on duty, asked [REDACTED] a disabled person, for her phone number and then called her at 5:54 PM ³⁶ and said he wanted Ms. [REDACTED] to leave her current boyfriend and be his girlfriend, which made her uncomfortable, in violation of Rule 2.	NOT SUSTAINED
	3. It is alleged that on October 15, 2018, between 11:00 AM and 1:00 PM, at or near 1600 W. Jonquil Terrace, Officer Timothy Grisby asked [REDACTED] a disabled person, to come over to his parked vehicle as she came out of the Jonquil Hotel, which made her uncomfortable, in violation of Rule 2.	NOT SUSTAINED

Approved:

[REDACTED]

9-28-2020

Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

Date

³⁶ It was later determined that the call actually occurred at 12:54 PM. The time that is used on the printout of Ms. [REDACTED] phone record is in Coordinated Universal Time (UTC) and is five hours ahead.

Appendix A

Assigned Investigative Staff

Squad#:	12
Investigator:	██████████
Supervising Investigator:	██████████████████
Deputy Chief Administrator:	Angela Hearts-Glass