

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	August 10, 2019 / 10:05 a.m. / ██████████
Date/Time of COPA Notification:	November 11, 2019 / 01:38 p.m.
Involved Officer #1:	LaToya Williams, Star #10049, Employee # ██████████, Appointed 14 August 2000, Police Officer/FTO, Unit 011 Born 1977, Female, Black
Involved Officer #2:	Kenneth Hall, Star #7103, Employee # ██████████ Appointed 29 October 2018, Police Officer, Unit 016 Born 1993, Male, White
Involved Individual #1:	██████████ / Born 1975, Male, Black
Involved Individual #2:	██████████ / Born 1987, Male, Hispanic
Case Type:	False Arrest

I. ALLEGATIONS

Officer	Allegation	Findings
Officer Williams	<p>It is alleged that on or about 10 August 2019, at approximately 10:05 a.m., at or near ██████████ in Chicago, Officer Williams, Star #100449, committed misconduct in that:</p> <ol style="list-style-type: none"> 1. she arrested the complainant without justification; 2. she used excessive force while placing him in handcuffs by twisting his arm; and, 3. she failed to recover the complainant’s belongings from the site of his arrest. 	<p>Exonerated</p> <p>Exonerated</p> <p>Exonerated</p>

I. SUMMARY OF EVIDENCE¹

During its investigation, COPA obtained a statement from the complainant, video from the body-worn camera of the accused officer, and multiple records from the Chicago Police Department. This evidence shows that, on the day of the incident, ██████ engaged in a physical altercation with his ex-boyfriend (██████) while staying in the basement apartment at the latter's residence. ██████ contacted emergency services, and two officers (Officers Williams and Hall) went to the scene. Although ██████ placed the call to emergency services, he remained in the basement while ██████ went outside to speak to the officers. ██████ informed them that ██████ had attacked him and asked the officers to remove ██████ from the premises. Officer Williams observed bruises on ██████ head, and ██████ told her that ██████ had caused the injuries.

The officers ordered ██████ to exit the building. He complied, and the officers attempted to place him in custody. Initially, ██████ resisted, moving away from the officers and ignoring their orders to place his hands behind his back, but he eventually surrendered. The officers placed him in handcuffs and began to search his person. During the search, ██████ repeatedly questioned the reason for his arrest and made claims that ██████ was the aggressor in the altercation. In response, Officer Williams noted that, while ██████ had no visible injuries, ██████ was clearly bruised and bleeding.

As the search continued, ██████ became aggravated: he made profane and threatening remarks to Officer Williams, ignored orders to remain still, and grabbed at her hands. Officer Williams placed ██████ arm in a control hold to stop him from moving. Meanwhile, Officer Hall removed a backpack and several smaller items from ██████ person. Officer Hall put the smaller items inside ██████ backpack and then placed the backpack inside the residence. The officers obtained a signed complaint from ██████ and transported ██████ to the police station.

II. ANALYSIS AND CONCLUSION

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.

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 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.

Preponderance of evidence can be described as evidence indicating that it is **more likely than not** that the conduct occurred and violated Department policy.² 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 satisfied.

Clear and convincing evidence is a higher standard than a preponderance of the evidence but less demanding than “proof-beyond-a-reasonable-doubt” that applies in criminal cases.³ 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.”⁴

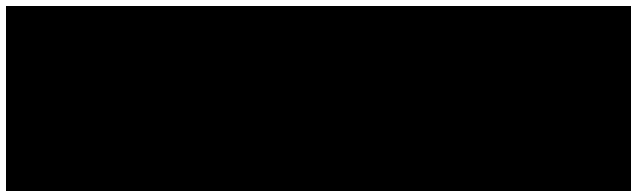
The allegations against Officer Williams are exonerated. First, ██████ accused Officer Williams of making an unlawful arrest. There is no dispute that ██████ and his ex-boyfriend engaged in a physical altercation, and there is clear and convincing evidence that Officer Williams acted reasonably in concluding ██████ was the aggressor: (1) she questioned ██████ about what happened when she arrived on the scene; (2) she observed that ██████ was injured and that ██████ was uninjured; and, (3) she obtained a signed complaint from ██████. Therefore, Officer Williams had probable cause to arrest ██████ and her decision to place him in custody was lawful.

██████ also accused Officer Williams of using excessive force. During his arrest, ██████ resisted: (1) he moved away from officers as they attempted to place him in handcuffs; (2) he disregarded orders to remain still; and, (3) he attempted to grab Officer William’s fingers. In response to these actions, Officer Williams only applied a control hold. Therefore, there is clear and convincing evidence that Williams used a minimum amount of force and ensured her actions were always proportionate to ██████ conduct.

Finally, ██████ complained that Officer Williams failed to recover his belongings from the site of his arrest. In fact, Officer Williams never handled ██████ belongings—Officer Hall did. Moreover, the decision to leave ██████ belongings at the scene was reasonable because the officers believed it was ██████ place of residence.

For these reasons, COPA finds all three allegations are allegations are exonerated.

Approved:



² 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 is found to be more probably true than not).

³ See e.g., *People v. Coan*, 2016 Ill. App. 2d 151036 (2016).

⁴ *Id.* at ¶ 28.

Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Assigned Investigative Staff

Squad#:	06
Investigator:	██████████
Supervising Investigator:	██████████
Deputy Chief Administrator:	Angela Hearts-Glass