

SUMMARY REPORT OF INVESTIGATION

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| Date/Time/Location of Incident: | August 4, 2020/ 7:05 pm/ 5899 W. Washington Boulevard |
| Date/Time of COPA Notification: | August 6, 2020/ 2:27 pm |
| Involved Officer #1: | JACKSON, Carla; Star #3481; Employee ID # [REDACTED]; Date of Appointment: June 19, 1991; Field Training Officer; Unit of Assignment: 015; Date of Birth: [REDACTED] [REDACTED], 1964; Female; Black. |
| Involved Officer #2: | HILLIARD, Paris; Star #17181; Employee ID# [REDACTED]; Date of Appointment: August 16, 2019; Police Officer; Unit of Assignment: 044/015; Date of Birth: [REDACTED] 1995; Male; Black. |
| Involved Officer #3: | PACOCHA, Onelia; Star #19287; Employee ID # [REDACTED]; Date of Appointment: May 1, 2013; Field Training Officer; Unit of Assignment: 015; Date of Birth: [REDACTED] 1973, Female; White. |
| Involved Officer #4: | RUIZ, Charles; Star #15332; Employee ID # [REDACTED]; Date of Appointment: June 25, 2018; Unit of Assignment: 015; Date of Birth: [REDACTED], 1992; Male, Hispanic. |
| Involved Individual #1: | [REDACTED]; [REDACTED], 1978; Male; Black. |
| Case Type: | Excessive Force |

I. ALLEGATIONS

| Officer | Allegation | Finding |
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| Officer Carla Jackson | 1. It is alleged that on August 4, 2020, at approximately 7:05 pm, at or about 5899 W. Washington Boulevard, Officer Jackson grabbed and punched [REDACTED] without justification. | Unfounded |
| | 2. It is alleged that on August 4, 2020, at approximately 7:05 pm, at or about 5899 W. Washington Boulevard, Officer Jackson handcuffed [REDACTED] without justification. | Exonerated |
| | 3. It is alleged that on August 4, 2020, at or about 5899 W. Washington Boulevard, Officer Jackson failed to conduct a thorough investigation. | Exonerated |

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| | 4. It is alleged that on August 4, 2020, at approximately 7:05 pm, at or about 5899 W. Washington Boulevard, Officer Jackson detained [REDACTED] without justification. | Exonerated |
| Officer Paris Hilliard | 1. It is alleged that on August 4, 2020, at approximately 7:05 pm, at or about 5899 W. Washington Boulevard, Officer Hilliard grabbed and punched [REDACTED] without justification. 2. It is alleged that on August 4, 2020, at or about 5899 W. Washington Boulevard, Officer Hilliard failed to conduct a thorough investigation. 3. It is alleged that on August 4, 2020, at approximately 7:05 pm, at or about 5899 W. Washington Boulevard, Officer Hilliard detained [REDACTED] without justification. | Unfounded Exonerated Exonerated |
| Officer Charles Ruiz | 1. It is alleged that on August 4, 2020, at approximately 7:05 pm, at or about 5899 W. Washington Boulevard, Officer Ruiz grabbed and punched [REDACTED] without justification. 2. It is alleged that on August 4, 2020, at or about 5899 W. Washington Boulevard, Officer Ruiz failed to conduct a thorough investigation. 3. It is alleged that on August 4, 2020, at approximately 7:05 pm, at or about 5899 W. Washington Boulevard, Officer Ruiz detained [REDACTED] without justification. | Unfounded Exonerated Exonerated |
| Officer Onelia Pacocha | 1. It is alleged that on August 4, 2020, at approximately 7:05 pm, at or about 5899 W. Washington Boulevard, Officer Pachoca grabbed and punched [REDACTED] without justification. 2. It is alleged that on August 4, 2020, at or about 5899 W. Washington Boulevard, Officer Pachoca failed to conduct a thorough investigation. 3. It is alleged that on August 4, 2020, at approximately 7:05 pm, at or about 5899 W. Washington Boulevard, Officer Pachoca detained [REDACTED] without justification. | Unfounded Exonerated Exonerated |
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II. SUMMARY OF EVIDENCE¹

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

In a statement to COPA [REDACTED] stated that he was involved in a vehicular accident near Washington Boulevard and Mayfield Avenue. Mr. [REDACTED] stated that when the police arrived, he provided his account of the incident. According to Mr. [REDACTED], a female officer, whom he identified as "Officer Johnson"², took out her handcuffs, causing the other officers to rush towards him. Mr. [REDACTED] reported that the officers grabbed him and punched him. After he was placed in handcuffs, the officers detained him without justification and placed him inside a police vehicle for twenty minutes. According to Mr. [REDACTED], the officers did not allow a male witness, whom he could not identify by name, to provide his account of the incident.

Body worn camera footage obtained as part of this investigation depicts the entire interaction between Mr. [REDACTED] and accused officers. Mr. [REDACTED] appears to be extremely agitated throughout the video, at times acting irate towards the officers and other civilian witnesses in the area. The video demonstrates Mr. [REDACTED] stiffening his body, preventing the officers from placing him in handcuffs. At one point, Mr. [REDACTED] informs the officers that he has a fractured arm. The officers then handcuff him at the front of his body. Mr. [REDACTED] is placed in the rear of a marked police SUV and is informed that he is being placed in the vehicle to help diffuse the situation.

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

Summary Report of Investigation, pursuant to COPA Guideline Modified Summary Report of Investigation Template and Approvals, effective February 13, 2019.

² Although Mr. [REDACTED] identified the officer as Officer Johnson, the Officer identified herself as Officer Jackson, #3481on BWC footage.

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 that the allegations against Officers Jackson, Hilliard, Ruiz and Pacocha are Unfounded. Mr. [REDACTED]’s allegation that the officers “roughed him up” is contrary to the video evidence. Upon arrival, Officer Ruiz calmly listened to Mr. [REDACTED]’s version of events. Officer Ruiz attempted to deescalate the tensions by reminding Mr. [REDACTED] that this was an “accident.” Mr. [REDACTED] appeared to become irate with other witnesses and bystanders causing all four officers to respond to Mr. [REDACTED]. While handcuffs could have, and probably should have been avoided in the instant case, the officers did not violate any department rules. Mr. [REDACTED]’s failure to follow verbal direction, stay calm and avoid conflict provided the officers reason to forcibly distance Mr. [REDACTED] from others. The handcuffing and detention were limited to calm Mr. [REDACTED] and gain control of the scene. Furthermore, contrary to Mr. [REDACTED]’s assessment none of the officers used force on Mr. [REDACTED]. For these reasons, the officers were justified on their actions. Finally, the video footage depicts officers getting a narrative of the incident from both involved parties including asking both parties if anyone else was in the car. Therefore, the allegations the officers failed to complete a thorough investigation is exonerated.

Approved: _____

[REDACTED]

James Murphy-Aguilu
Deputy Chief Administrator

12/10/20

Date

Appendix A

Assigned Investigative Staff

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| Squad#: | 2 |
| Major Case Specialist: | Chantall Morley |
| Supervising Investigator: | Bob Coleman |
| Deputy Chief Administrator: | James Murphy-Aguilu |