

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	July 1, 2020 / 10:20 a.m. / 3100 S. Wells Street
Date/Time of COPA Notification:	July 1, 2020 / 7:37 p.m.
Involved Officer #1:	Erik Saldana, Star No.:11303, Employee ID# [REDACTED], Date of Appointment December 14, 2012, Rank Police Officer/Field Training Officer, Unit of Assignment 009, DOB [REDACTED] 1982, Male, WWH
Involved Officer #2:	David Perez, Star No. 14864, Employee ID # [REDACTED], Date of Appointment April 1, 2013, Rank Police Officer, Unit of Assignment 009, DOB [REDACTED] 1988, Male, Spanish
Involved Officer #3:	Christopher Martin, Star No. 1393, Employee ID # [REDACTED], Date of Appointment August 29, 2005, Rank Sergeant of Police, Unit of Assignment 009, DOB [REDACTED] 1974, Male, Black
Involved Individual #1:	[REDACTED] DOB [REDACTED] 1992, Male, Black
Involved Individual #2:	[REDACTED] DOB [REDACTED] 1977, Male, Unknown
Case Type:	Use of force

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Erik Saldana	It is alleged by [REDACTED] that on or about July 1, 2020 at approximately 10:20 a.m. at or near 3100 S. Wells Street, Officer Erik Saldana Star No.: 11303, committed misconduct through the following act or omissions, by: 1. using force against [REDACTED] during a detention without justification.	EXONERATED

II. SUMMARY OF EVIDENCE¹

On July 1, 2020 at approximately 10:20 a.m., Chicago Police Department Officers Erik Saldana (“Officer Saldana”) and David Perez (“Officer Perez”) responded to an OEMC dispatch call of a disturbance located at or near 3100 S. Wells Street. Both officers arrived at the incident location after an alleged assault occurred between [REDACTED] ([REDACTED] and [REDACTED] ([REDACTED]. During the investigation [REDACTED] provided a statement and requested a sergeant respond to the location. Sergeant Christopher Martin (Sgt. Martin”) arrived on scene as [REDACTED] discussed the details with the officers. While [REDACTED] attempted to walk towards the sergeant, Officer Saldana placed his hand on [REDACTED] chest/shoulder. Following the incident, [REDACTED] filed a complaint with the Civilian Office of Police Accountability (COPA) alleging that Officer Saldana attempted to impede [REDACTED] travel.

The **Initiation Report**² filed by Sergeant Jennifer Saladino, related information filed by [REDACTED] as a complaint against [REDACTED] whom he believed to be an off duty officer and aggressor in the incident. [REDACTED] also alleged Officer Saldana impeded his travel when he placed his hand on [REDACTED] chest during this incident and Officer Perez acted in an unprofessional manner. A data warehouse search revealed no officer named [REDACTED] is a member of CPD. Case report JD282047 is referenced.

The **Investigative Stop Report (ISR)**³ detailed the event as a body worn camera activated event in which officer responded to a battery in progress. The [REDACTED] related to officers that during the verbal altercation [REDACTED] stated he would shoot him and proceeded to his vehicle. The search of [REDACTED] vehicle, with his consent, yielded negative results for any weapons.

Body Worn Camera (BWC) videos⁴ from Officers Saldana and Perez captured the interactions with [REDACTED]. Officer Saldana interviews [REDACTED] on scene. Officer Perez stands nearby as [REDACTED] recounts the event. [REDACTED] asks Officer Perez to call a sergeant. Officer Perez responds by telling him to call one himself and asks why he needs a sergeant. [REDACTED] tells the officer that he has a right to have a sergeant on scene. [REDACTED] is visibly upset and speaking with an elevated voice.

As Sgt. Martin arrives at the scene [REDACTED] lifts his right arm above his head, seemingly to get Sgt. Martin’s attention. [REDACTED] asks Sgt. Martin if he could talk to him. [REDACTED] then steps between Officers Saldana and Perez and towards Sgt. Martin as Sgt. Martin approaches. Officer Saldana tells [REDACTED] to calm down and put his hands up, touching [REDACTED] on the chest/shoulder. [REDACTED] reacts by pushing the hand away and tells Officer Saldana not to touch him. Officers converge toward [REDACTED] and Officer Saldana as the Sgt. Martin pulls [REDACTED] away from the group. Finally, BWC captures [REDACTED] verbal consent to the search of his vehicle.

¹COPA conducted an investigation of this matter, including interview(s) 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.

² Attachment # 4

³ Attachment #2

⁴ Attachment # 7, 9 and 10

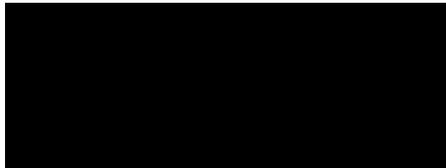
██████████ provided an **interview statement with COPA**⁵. In summary, ██████████ described the verbal confrontation as it quickly turned into a physical altercation. ██████████ recalled ██████████ stated that he was a member of law enforcement. While surrounded by officers, ██████████ stated Officer Perez was disrespectful and refused to call for a sergeant when requested. Upon Sergeant Martin’s arrival, two officers led ██████████ in his direction, and Officer Saldana impeded his way of travel by putting his hands on his chest to block his way.

III. ANALYSIS AND CONCLUSION

██████████ alleged Officer Saldana’s use of force to impede his way of travel was unjustified. After examining the available BWC videos, the audio recording of the complainant’s interview statement and related documentary evidence, COPA has determined by clear and convincing evidence that the accused officer’s actions did not constitute misconduct.

BWC footage exhibited that ██████████ was animated and aggravated with the situation at times. When Sgt. Martin arrived and approached, ██████████ spoke with an elevated tone and walked toward the approaching Sgt. Martin. Officer Saldana’s actions putting his arms up and asking ██████████ to calm down are not excessive force. Upon review of the BWC, COPA finds Officer Saldana’s actions were taken in an attempt to control and defuse emotions and with the aim to deescalate the scene. The officer’s action was not forceful and in no way cause any injury. Accordingly, COPA finds allegation 1 against Officer Saldana exonerated.

Approved:



1/17/2021

Matthew Haynam
Director of Investigations

Date

⁵ Attachment #3

Appendix A

Assigned Investigative Staff

Squad#:	14
Investigator:	Emmily Stokes
Supervising Investigator:	Jessica Ciacco
Deputy Chief Administrator:	Matthew Haynam