

	<p>beat your ass," in violation of Rule 2 and Rule 9.</p> <p>2. Threatened ██████████ by placing your hand on your firearm, in violation of Rule 2, Rule 8, and Rule 38.</p> <p>3. Used your authority as a Chicago Police Officer in attempting to gain entry into the home of ██████████ without justification, in violation of Rule 2 and Rule 4.</p> <p>4. Used your authority as a Chicago Police Officer to intimidate ██████████ ██████████ in violation of Rule 2, Rule 4, and Rule 8.</p> <p>5. Wore articles of your Chicago Police uniform while off-duty against department policy (e.g., your vest or badge), in violation of Rule 2, Rule 4, Rule 6, and Rule 38.</p> <p>It is alleged that on February 15, 2019, at approximately 11:18 AM, at or near the Civilian Office of Police Accountability located at 1615 W. Chicago Ave., IL, Officer ██████████ ██████████ committed misconduct through one or more of the following acts or omissions:</p> <p>6. Officer ██████████ made one or more false, misleading, inaccurate, and/or inconsistent statement during her interview with COPA investigators when questioned, in that Officer ██████████ denied wearing articles of her Chicago Police Uniform on June 11, 2018 at approximately 9:24 PM, at or near ██████████ ██████████ ██████████, in violation of Rule 14.</p> <p>On June 11, 2018, at approximately 9:24 PM, at or near ██████████ ██████████</p>	<p>Sustained/180 Day Suspension</p> <p>Sustained/180 Day Suspension</p> <p>Sustained/Separation</p> <p>Sustained/180 Day Suspension</p> <p>Sustained/Separation</p>
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	<p>██████████, Officer ██████████ committed misconduct through one or more of the following acts or omissions:</p> <p>7. Officer ██████████ made one or more false, misleading, inaccurate, and/or inconsistent statement to a ██████████ police officer, in that, she told the officer she had just got off work, in violation of Rule 14.</p>	<p>Sustained/Separation</p>
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IV. APPLICABLE RULES AND LAWS

Rules

1. **Rule 2:** Prohibits any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
2. **Rule 4:** Prohibits any conduct or action taken to use the official position for personal gain or influence.
3. **Rule 6:** Prohibits disobedience of an order or directive, whether written or oral.
4. **Rule 8:** Prohibits disrespect to or maltreatment of any person, while on or off duty.
5. **Rule 9:** Prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
6. **Rule 14:** Prohibits making a false report, written or oral.
7. **Rule: 38:** Prohibits unlawful or unnecessary use or display of a weapon.

Uniform and Property

1. **U04-01:** Personal Appearance, Uniform/Citizen’s Dress and Equipment.¹

V. INVESTIGATION²

a. Interviews

██████████³

¹ This policy was effective from December 18, 2017 through January 30, 2020 (See Att. 42).

² COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

³ Att. 6

COPA conducted an interview with Mrs. [REDACTED] on June 13, 2018. Mrs. [REDACTED] told COPA investigators that on June 11, 2018, she and her husband, Mr. [REDACTED] had been arguing all day. During a phone call between Mr. and Mrs. [REDACTED] Mr. [REDACTED] expressed concern that Mrs. [REDACTED] would destroy his possessions. After arguing over the phone, Mrs. [REDACTED] went to bed at her home in [REDACTED]. At about 9:16 PM that same day, Mr. [REDACTED] and his sister, [REDACTED] ([REDACTED] entered Mrs. [REDACTED] bedroom to retrieve Mr. [REDACTED] belongings. Mrs. [REDACTED] daughter, [REDACTED] (“Miss [REDACTED] announced that Mr. [REDACTED] sister, Officer [REDACTED] (“Officer [REDACTED] was also in the home. Mrs. [REDACTED] exited her room and saw Officer [REDACTED] in the hallway. Mrs. [REDACTED] described Officer [REDACTED] as antagonistic towards her, and stated, “I’m Chicago Police and you [sic] not gunna touch me baby.”⁴ Mrs. [REDACTED] then announced she was going to call the CCHPD. Officer [REDACTED] responded that she had already called the police and two officers were waiting outside. Mrs. [REDACTED] questioned why the officers would be there, looked outside but saw no one, and called the police. Mrs. [REDACTED] then ordered Officer [REDACTED] out of her home and Officer [REDACTED] responded, “You know what? I’m gunna beat your ass,” while Officer [REDACTED] had her hand on her weapon.⁵ Officer [REDACTED] was in plain clothes, wore her ballistic vest with her badge affixed, and her gun at her waist.⁶ Mrs. [REDACTED] again told Officer [REDACTED] to leave and that she was out of her jurisdiction. At this point, Officer [REDACTED] was near the front door, and as Mrs. [REDACTED] tried to close it, Officer [REDACTED] pushed it back open. The two women struggled over the door before Mrs. [REDACTED] finally shut Officer [REDACTED] outside. Then, Mrs. [REDACTED] saw a police car slowly driving, as Officer [REDACTED] walked along and spoke with the officer(s) inside. Finally, Mrs. [REDACTED] repeated to COPA investigators that she was upset because Officer [REDACTED] entered Mrs. [REDACTED] home in CPD gear and gun, identified herself as CPD, and threatened Mrs. [REDACTED] Mrs. [REDACTED] was adamant that Officer [REDACTED] had on CPD gear while inside her home. Per Mrs. [REDACTED] Officer [REDACTED] parked her vehicle down the street,⁷ and [REDACTED] and Mr. [REDACTED] came in Mr. [REDACTED] vehicle.

[REDACTED] [REDACTED] (“Miss [REDACTED]”⁸

Miss [REDACTED] was interviewed by COPA on June 13, 2018. On June 11, 2018, Miss [REDACTED] saw her father and [REDACTED] enter her home. Miss [REDACTED] attempted to close the door, when Officer [REDACTED] also entered the residence while wearing her vest, badge, and gun.⁹ Per Miss [REDACTED] Officer [REDACTED] took out phone and began recording after hiding in the hallway. Miss [REDACTED] heard her mother tell Officer [REDACTED] to leave, and in response, Officer [REDACTED] threaten Mrs. [REDACTED] and told Mrs. [REDACTED] that she is a police officer. Officer [REDACTED] also pushed the door open when Mrs. [REDACTED] tried to close it. Officer [REDACTED] told Mrs. [REDACTED] she had called the police. Mrs. [REDACTED] closed the front door and called the police herself. Police officers arrived and Mr. [REDACTED] left with some of his belongings.

⁴ Approximately 8:19 minute mark of Att. 6.

⁵ Approximately 9:16 minute mark of Att. 6.

⁶ Approximately 14:35 minute mark of Att. 6.

⁷ Approximately 14:56 and 21:30 minute marks of Att. 6.

⁸ Att. 9

⁹ Approximately 6:23 minute mark of Att. 9.

Officer ██████████ (“Officer ██████████”

COPA interviewed Officer ██████████ on February 15, 2019.¹⁰ Officer ██████████ told COPA investigators that on June 11, 2018, Officer ██████████ assisted her brother in collecting his belongings from Mrs. ██████████ home in Country Club Hills, IL. Officer ██████████ was at home when Mr. ██████████ called, and she arrived at Mrs. ██████████ approximately 10 – 15 minutes later. Officer ██████████ did not recall what she was wearing when she went to Mrs. ██████████ home. Mr. ██████████ entered the home, while Officer ██████████ stood in the foyer door and heard yelling. Officer ██████████ explained that she exited because Miss ██████████ announced Officer ██████████ presence and Officer ██████████ heard Mrs. ██████████ voice her displeasure. Officer ██████████ denied interacting with Mrs. ██████████ prior to exiting the dwelling, aside from hearing her voice. Officer ██████████ denied entering the dwelling any further than the entryway. Officer ██████████ then went outside and called the police. She waited outside and “flagged” a squad car on its arrival.¹¹ Two additional CCHPD squad cars also responded. Officer ██████████ stayed outside with an officer, while the other two went inside and Mr. ██████████ brought his things outside. Officer ██████████ told COPA that her vehicle was parked directly in front of Mrs. ██████████ home, and her brother’s truck was parked in the driveway.¹²

Officer ██████████ denied having a face-to-face interaction with Mrs. ██████████ on June 11, 2018. Officer ██████████ denied wearing her vest and gun and reiterated she was off duty. Officer ██████████ denied threatening Mrs. ██████████ invoking her status as a Chicago Police officer, or placing her hand on her gun. Officer ██████████ related, “I don’t remember what I had on specific, but I know that I was not in uniform and I did not have a gun on me.”¹³ Officer ██████████ was specifically presented with the allegation that she “wore articles of [her] Chicago police uniform while off duty against department policy. Example, [her] vest, badge, firearm, things along those lines.”¹⁴ Officer ██████████ responded no, but she clarified she had her badge “on [her] belt under [her] shirt.”¹⁵

COPA interviewed Officer ██████████ for a second time on February 18, 2020, after serving her with allegations that she made false, misleading, inaccurate, and/or inconsistent statements about this incident to both COPA and the Country Club Hills, Police Department (“CCHPD”).¹⁶ Officer ██████████ was presented with the statements she made during her February 15, 2019 interview.¹⁷ Officer ██████████ affirmed that she was off-duty on June 10th, 11th, and 12th of 2018, and that she was not engaging in any outside employment. When specifically asked about her previous statements in which she denied wearing articles of her CPD employment on June 11, 2018, Officer ██████████ stood by her previous statements but also stated that she did not recall. When asked about this inconsistency and whether she was changing her denials to not being able to remember, Officer

¹⁰ Atts. 24, 25

¹¹ Att. 25: Page 15, Line 7 – 8.

¹² Att. 25: Page 16, Line 21 – 24 & Page 17, Line 1.

¹³ Att. 25: Page 24: Line 12 – 14.

¹⁴ Att. 25: Page 25: Line 12 – 15.

¹⁵ Att. 25: Page 25: Line 16, 22 – 23.

¹⁶ Atts. 32, 33, 34, 35, 43

¹⁷ Att. 25

██████████ stated, “It’s been a year, it’s been two years since this incident, so I don’t recall. I just know I believe I had my badge, but as far as wearing a vest or anything else, I don’t recall.”¹⁸ She added, “Last year was closer, I thought it was over so I just put it out of my mind so I don’t recall.”¹⁹

After reviewing body worn camera (“BWC”) from CCHPD’s Officer ██████████ and asked why she told Officer ██████████ she had just gotten off work with CPD, Officer ██████████ stated, “I don’t know why that came out of my mouth. I was hysterical. I was trying to get the assistance [...] So now that I see the video, I didn’t have on my vest, initially, when I got to the house. When I called the police [...] I keep my vest in my car. So, I put it on to identify as an off-duty PO.”²⁰ Officer ██████████ elaborated, “Now, with me saying to the officer I just got off work, it’s just a mental hysterical. [...] You know, I’ll be honest. I don’t know why I said that. You know, I just was happy that [Officer ██████████ was there, and I just needed him to get my brother’s stuff so I can get out of there.”²¹ When asked to explain why she told Officer ██████████ something untruthful, Officer ██████████ asserted, “[...] that was a sense of excitement and it just came out because I had my vest on [...] I can’t even tell you why I said it. That’s my honest to God truth. So, I wasn’t trying to be dishonest by any means. I was just trying to get the help because as you can see in the video how irate and how snappy [Mrs. ██████████ was, and I just wanted to get out of it [...].”²²

Officer ██████████ clarified that she keeps her ballistics vest and her firearm in her vehicle, and she put on her vest after calling 911. She had forgotten she had her gun holstered at her waist until watching the CCHPD BWC, and Officer ██████████ could not recall when she put the gun on. Officer ██████████ denied wearing her gun and/or vest while inside Mrs. ██████████ home and denied threatening or trying to intimate Mrs. ██████████ Per Officer ██████████ it did not occur to her to call the police prior to arriving. Officer ██████████ stated that after police arrived, she and a CCHPD officer went by his car and she removed her vest and gun.

Officer ██████████ could not recollect what she said in her 911 call but knew she had identified herself as an off-duty officer. Initially, she did not recall telling dispatch she was coming from work. After listening to the audio from her 911 call, Officer ██████████ did recall making this statement to a dispatcher. Officer ██████████ did not recall why she said this. She related that she had earlier attempted to flag down a CCHPD squad car without success and made the comment to get CCHPD’s assistance and attention.

Per Officer ██████████ “To my recollection, I did not provide COPA with a false report because I didn’t know. I didn’t see the video at the time. I didn’t recall. So, I only could give you what I could remember. I never had any intentions on threatening [Mrs. ██████████ [...].”²³ Officer ██████████ did not think she lied to COPA, and she asserted her memory was flawed until she had the chance to review BWC. Officer ██████████ acknowledged that her decision to mislead CCHPD about just coming off work was “stupid.”²⁴

¹⁸ Att. 43: Page 10, Lines 3 – 6.

¹⁹ Att. 43: Page 11, Lines 2 – 4.

²⁰ Att. 43: Page 14, Lines 10 – 12 & 19 – 24.

²¹ Att. 43: Page 15, Lines 5 – 12.

²² Att. 43: Page 20, Lines 2 – 14.

²³ Att. 43: Page 17: Lines 2 – 8.

²⁴ Att. 43: Page 32, Lines 17 - 18.

b. Digital Evidence*Country Club Hills Police Department Body Worn Camera*²⁵**- Officer ██████████ BWC**

In summary, Officer ██████████ BWC began at approximately 9:24 PM. When Officer ██████████ arrives, two squad cars are parked in front of the residence, and no civilian cars are on the street. Officer ██████████ is initially in front of Mrs. ██████████ home, wearing a ballistic vest with her CPD star visible (see Photo 1 below), and speaking with CCHPD Officer ██████████

Officer ██████████ proceeds past Officer ██████████ and Officer ██████████ and into the residence. Once he was inside, Mrs. ██████████ announces, “His sister’s a police officer. She bring [sic] her raggedy ass, with her gun up in my house. That’s dirty! [...] I said, ‘you [sic] out your jurisdiction. Get out my house.’ [...] She pushes the door on me, when I’m trying to get her out my house. Then she threatened me.”²⁶ Per Mrs. ██████████ they struggled over the door before Officer ██████████ stated, “If you don’t stop moving me, [...] I’m a beat your ass.”²⁷ Mrs. ██████████ mentions multiple times that she was bothered by Officer ██████████ having, and touching, her firearm while in Mrs. ██████████ home.

When Mr. ██████████ overhears Mrs. ██████████ complaining about Officer ██████████ Mr. ██████████ states, “She didn’t [inaudible]. She didn’t do that.”²⁸ ██████████ and Mr. ██████████ tell Officer ██████████ that Mrs. ██████████ pushed Officer ██████████ out of the front door, while Officer ██████████ recorded video.²⁹ Mr. ██████████ then tells Officer ██████████ “I called my sisters because I didn’t want to be out here by myself. Now, it’s me, her, [trails off inaudibly].”³⁰

Later, Officer ██████████ approaches Officer ██████████ and says she saw Officer Mathew’s video. Officer ██████████ described that, per the video, once Mrs. ██████████ “realized that our off-duty was in the house, the off-duty started backing up towards the door.”³¹ Officer ██████████ also referenced the cell phone video a second time.³²

At approximately 10:09 PM, Mrs. ██████████ was concerned that someone, presumably Officer ██████████ was driving Mrs. ██████████ car while pointing off screen, and a CCHPD officer responded, “that’s her car.”³³

²⁵ Att. 16, 17, 29, 30

²⁶ Approximately 15:25 minute mark of Att. 16.

²⁷ Approximately 41:09 minute mark of Att. 16.

²⁸ Approximately 24:05 minute mark of Att. 16.

²⁹ Approximately 24:35 minute mark of Att. 16.

³⁰ Approximately 25:29 minute mark of Att. 16.

³¹ Approximately 41:49 minute mark of Att. 16.

³² Approximately 43:37 minute mark of Att. 16.

³³ Approximately 45:00 minute mark of Att. 16.

At about 10:13 PM, Officer ██████ told Mrs. ██████ that Officer ██████ removed her CPD gear while speaking with him³⁴ and that Officer ██████ “identified herself as being off-duty and just coming from work.”³⁵



Photo 1

- *Officer* ██████

Officer ██████ BWC began at about 9:22 PM. When Officer ██████ arrives, Officer ██████, he parks immediately in front of the home and Officer ██████ approaches from the direction of the dwelling. Officer ██████ tells Officer ██████ “Yea sir, so she’s been clowning [inaudible]. You know, so, I get off work, and my brother like,” at which point Officer ██████ interjects and confirms Officer ██████ was from CPD.³⁶ Officer ██████ is wearing a holstered firearm and her CPD ballistics vest (see Photo 2 below). Officer ██████ relates that she wants “no problems” and had entered the home after Miss ██████ greeted her.³⁷ As Officer ██████ and Officer ██████ walk towards the front door, Mrs. ██████ comes outside and announces she did not want Officer ██████ in her home. Officer ██████ agrees to wait outside, and Officer ██████ goes inside.

As Officer ██████ speaks with ██████ she suggests that Officer ██████ join them because Mrs. ██████ has been difficult in the past.³⁸ Mr. ██████ told Officer ██████ he came to get his belongings out of concern that Mrs. ██████ would destroy them,³⁹ and he brought his sister to avoid issues in retrieving his things.⁴⁰ When Mr. ██████ hears Mrs. ██████ shouting about Officer ██████ he tells Officer ██████ “No she thought she was about to fight her over my shit.”⁴¹

³⁴ Approximately 49:04 minute mark of Att. 16.

³⁵ Approximately 49:40 minute mark of Att. 16.

³⁶ Approximately 00:11 minute mark of Att. 17.

³⁷ Approximately 00:34 minute mark of Att. 17.

³⁸ Approximately 06:49 minute mark of Att. 17.

³⁹ Approximately 13:38 minute mark of Att. 17.

⁴⁰ Approximately 14:01 minute mark of Att. 17.

⁴¹ Approximately 17:36 minute mark of Att. 17.

Mrs. ██████ voices that she is upset that Mr. ██████ brought “his law enforcement sister, over here to man-handle me.”⁴² Mrs. ██████ says to Officer ██████ “My question to you is, his sister is [a] Chicago police officer, [...] did she have the right to come in my home with her weapon threatening me?”⁴³ Mrs. ██████ adds, “She told me she was gonna beat my ass if I push her out my doorway [...]”⁴⁴ Mrs. ██████ then tells Officer ██████ that she started calling 911 while Officer ██████ was still in her home.⁴⁵ Mrs. ██████ tells Officer ██████ that she was trying to get Officer ██████ to leave her home when Officer ██████ said, “If you don’t stop moving me [...] Imma beat your ass.”⁴⁶

Officer ██████ goes to his squad car at about 10:05 PM and the only vehicles on the street outside of Mrs. ██████ home were three CCHPD squad cars.

As the situation wraps up, Mrs. ██████ asks what she could do about Officer ██████ and she states, “She had her vest on and she had [...] her whole armor on in my house.”⁴⁷ Mrs. ██████ asks, “So she had the right to come up in here with stuff on?”⁴⁸ Mrs. ██████ asks Miss ██████ “She threatened me [...]. She had her hand on her gun, did she not?”⁴⁹ Miss ██████ replies, “yes she did.”⁵⁰ Mrs. ██████ continues, “She had her hand on her gun, and she said ‘[...] if you don’t move, and let my brother get his stuff, Imma beat your ass.’ That’s exactly what she said.”⁵¹ ⁵² Officer ██████ terminates his BWC at approximately 10:22 PM, while leaving Mrs. ██████ residence.



Photo 2

⁴² Approximately 19:39 minute mark of Att. 17.

⁴³ Approximately 26:00 minute mark of Att. 17.

⁴⁴ Approximately 26:13 minute mark of Att. 17.

⁴⁵ Approximately 26:29 minute and 42:45 marks of Att. 17.

⁴⁶ Approximately 43:10 minute mark of Att. 17.

⁴⁷ Approximately 43:27 minute mark of Att. 17.

⁴⁸ Approximately 47:45 minute mark of Att. 17.

⁴⁹ Approximately 48:11 minute mark of Att. 17.

⁵⁰ Approximately 48:14 minute mark of Att. 17.

⁵¹ Approximately 48:15 minute mark of Att. 17.

⁵² This comment was also captured on Officer ██████ BWC (Att. 16, approximately 46:10 minute mark).

c. Documentary Evidence**██████████ Police Department Incident Report**⁵³

This report documents that on June 11, 2018 at approximately 9:22 PM, CCHPD police officers respond to Mrs. ██████████ home at ██████████ ██████████. CCHPD describe Officer ██████████ as an armed CPD officer. Officer ██████████ “[flags] down” Officer ██████████ upon his arrival and Officer ██████████ is “in plain clothes with vest and [...] weapon.” Officer ██████████ tells the CCHPD officer that there is a “disturbance” between Mr. ██████████ and Mrs. ██████████. The CCHPD officer has Officer ██████████ wait outside and he enters the dwelling. Mrs. ██████████ “[is] visibly upset,” and she relates that “she [does] not want her husband’s sisters [...] to be in her home.” Mrs. ██████████ also tells CCHPD that “she [is] upset [Officer ██████████ [is] at her residence in her police gear,” and she “had to escort [Officer ██████████ out of the residence.” Per CCHPD, Officer ██████████ “[is] wearing an outer carrier ballistic vest and [identifies] herself as an off-duty Chicago Police Officer that [is] armed.” Officer ██████████ also tells CCHPD she “left her equipment on for identification purposes.” A CCHPD officer, believed to be Officer ██████████ documents that Officer ██████████ showed him a cell phone video from the altercation, in which Officer ██████████ was “standing in the interior hallway recording as [██████████ [is] trying to talk to [Mrs. ██████████]”

Computer Aided Dispatch (“CAD”)^{54 55}

Mrs. ██████████ calls the police, stating her sister-in-law was a CPD officer, armed, and “she threatened” Mrs. ██████████. At roughly 9:24 PM, Officer ██████████ calls and identifies herself as a police officer. Shortly after, dispatch reports that Mrs. ██████████ was “not answering questions,” and was “saying ‘you came in my house with a weapon.’” Mrs. ██████████ is also reported as saying, “Don’t put your hands on me.” Finally, the CAD reports that it “sounds like arguing.”

911 – Audio⁵⁶

Mrs. ██████████ calls 911 to report her sister-in-law, a Chicago Police officer, would not leave Mrs. ██████████ home.⁵⁷ Mrs. ██████████ relates that Officer ██████████ is armed and threatened her. Mrs. ██████████ is heard telling someone to “get out of my house” and shouting, including “[inaudible] up my house with her weapon and shit, too?”⁵⁸ Officer ██████████ then tells dispatch that Officer ██████████ was inside of a red truck in Mrs. ██████████ driveway.⁵⁹ At about the 2:40 minute mark of the call, Mrs. ██████████ states that Officer ██████████ is approaching a squad car outside before Mrs. ██████████ is heard arguing with someone. The call ended shortly after.

⁵³ Att. 11

⁵⁴ Att. 11

⁵⁵ The times reported on this document do not appear to be accurate, when compared to the time stamps on the BWC from CCHPD.

⁵⁶ Atts. 13, 14, 15

⁵⁷ Att. 14

⁵⁸ Approximately 1:59 minute mark of Att. 14.

⁵⁹ Approximately 2:20 minute mark of Att. 14.

Officer ██████ tells 911 that she is an off-duty officer and needs police response for an incident between her brother and his girlfriend.⁶⁰ Officer ██████ tells dispatch, “I’m looking at the police car out here. I was trying to get the young man, the officer’s attention before he ran inside.”⁶¹ Officer ██████ wants help getting her brother peacefully out of the home and relates, “I just came from work. I came straight from work. So, I’m still in [...] my uniform, basically.”⁶² She also identifies herself as “Officer ██████”⁶³ When dispatch asks Officer ██████ if she sees an officer, she replies, “No, I’m standing [...] right by his, um, squad car. Cause I’m trying to, I didn’t knock on the door. I said, ‘let me call 911,’ because I want a recording.”⁶⁴ Then, at about the 3:15 minute mark, Officer ██████ is heard greeting an officer who had apparently arrived on scene, and the call ends shortly after.

Attendance and Assignment (“A&A”) Records⁶⁵

Officer ██████ A&A Records revealed that she was off duty on June 11-12, 2018. She was on furlough on June 10, 2018.

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;
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.

⁶⁰ Att. 13

⁶¹ Approximately 00:35 minute mark of Att. 13.

⁶² Approximately 1:14 minute mark of Att. 13.

⁶³ Approximately 2:18 minute mark of Att. 13.

⁶⁴ Approximately 2:49 minute mark of Att. 13.

⁶⁵ Att. 12

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

Allegation 6

Allegation 6 against Officer ██████ that she made one or more false, misleading, inaccurate, and/or inconsistent statement during her interview with COPA investigators on June 11, 2018, is sustained. Based on Mrs. ██████ statements to 911, CCHPD, and COPA, COPA finds that Officer ██████ had on her CPD ballistics vest and a holstered weapon when she arrived at Mrs. ██████ residence on June 11, 2018. COPA finds that this was material and willful misconduct, because Officer ██████ was intentionally dishonest to conceal her initial misconduct of threatening Mrs. ██████ without a lawful purpose. This conduct violates Rule 14 of the Chicago Police Department's Rules and Regulations, prohibiting making a false report, written or oral.

When interviewed on February 15, 2019, Officer ██████ outright denied the allegations that she had been wearing CPD articles on June 11, 2018. Specifically, she told COPA, "I don't remember what I had on specific [sic], *but I know that I was not in uniform and I did not have a gun on me.*"⁶⁶ In response to the allegation that she "wore articles of [her] Chicago police uniform while off duty against department policy, i.e., [her] vest, badge, firearm, things along those lines,"⁶⁷ Officer ██████ responded no, but clarified that she had her badge "on [her] belt under [her] shirt."⁶⁸ When shown BWC evidence on February 18, 2020 which discredited these initial denials, she argued that she had misremembered. As detailed in this report, Officer ██████ without question, had her CPD ballistic vest on and a weapon holstered at her waist while at Mrs. ██████ home on June 11, 2018. Therefore, she did not tell COPA the truth on February 15, 2019 when she stated she was not armed and only had on her badge.

It is noteworthy that Officer ██████ did not claim any lapse in memory when she categorically denied the allegations on February 15, 2019. Then, on February 18, 2020, when confronted with being untruthful, she was claimed to be unable to remember what occurred on June 11, 2018, and she also claimed she had not remembered on February 15, 2019 either. Officer ██████ was unable to satisfactorily explain why she denied the claims in the first place.

Officer ██████ was unable to articulate a convincing reason why she was wearing her ballistics vest and holstered weapon. Officer ██████ told COPA that she did not remember when she put on her holstered weapon. This lack of explanation could be because she put it on prior to arriving at Mrs. ██████. Officer ██████ told COPA that she put her vest on after calling 911, in order to identify herself to CCHPD. However, she was not there in her capacity as a Chicago police officer. As such, her identity as CPD was irrelevant. Even if she did identify as CPD to get the

⁶⁶ Att. 25: Page 24: Line 12 – 14.

⁶⁷ Att. 25: Page 25: Line 12 – 15.

⁶⁸ Att. 25: Page 25: Line 16, 22 – 23.

police response she wanted, it is still misconduct. She cannot invoke her status as CPD to get preferential treatment from a suburban district during when she is not involved in her capacity as a police officer.

In contrast, Mrs. [REDACTED] version of events stayed consistent between her 911 calls, statements to CCHPD, and her COPA interview. In 911 audio, Mrs. [REDACTED] stated that Officer [REDACTED] was in her home with a gun and had threatened Mrs. [REDACTED]. When CCHPD arrived, their BWC captured Mrs. [REDACTED] again complaining that Officer [REDACTED] had her gun and vest on in Mrs. [REDACTED] home.⁶⁹ Mrs. [REDACTED] also provided COPA with a statement, reiterating she was upset that Officer [REDACTED] had a gun, threatened Mrs. [REDACTED] and was wearing CPD articles while in Mrs. [REDACTED] home. Miss [REDACTED] interview, and statements captured on BWC, further supported Mrs. [REDACTED] narrative. CCHPD BWC also showed conversation between [REDACTED] and Mr. [REDACTED] in which they implied that Officer [REDACTED] was there to give her brother assistance by invoking her CPD status. By contrast, Officer [REDACTED] narrative shifted in self-serving ways after she was presented with evidence that contradicted her original claims.

COPA finds that Mrs. [REDACTED] began the 911 call while Officer [REDACTED] was in Mrs. [REDACTED] home, and as Officer [REDACTED] moved from the house to Mr. [REDACTED] car in the driveway. COPA believes Officer [REDACTED] waited in Mr. [REDACTED] car, based on Mrs. [REDACTED] statements to both 911 and to COPA. While Mrs. [REDACTED] was still on the phone with dispatch, Officer [REDACTED] arrived. Upon his arrival, at roughly at 9:22 PM, his BWC recorded Officer [REDACTED] in her vest and with a holstered weapon. It appears that Officer [REDACTED] proceeded into the home and Officer [REDACTED] then made her own call to 911.⁷⁰ Officer [REDACTED] stated she did not call 911 or put on her vest until she left Mrs. [REDACTED] home, and CCHPD documentation indicates that Officer [REDACTED] called 911 after Mrs. [REDACTED] did. When Officer [REDACTED] arrived at 9:24 PM, Officer [REDACTED] had her vest on and was speaking with Officer [REDACTED] on the front porch. COPA does not believe Officer [REDACTED] would have had time to put on her vest after she left Mrs. [REDACTED] home and before she encountered Officer [REDACTED]. Additionally, if she keeps her vest and gun in her car, she would not have been able to access them from Mr. [REDACTED] vehicle.

Officer [REDACTED] told COPA that she put on her vest because when she first tried to get an officer's attention, he ignored her. She also told dispatch that an officer was present but had gone past her and into Mrs. [REDACTED] home. Based on BWC, this was Officer [REDACTED] and Officer [REDACTED] was already wearing her vest while speaking to Officer [REDACTED]. She said she put on her vest after she called 911, but she spoke with Officer [REDACTED] before she called 911. She told COPA that the reason she told 911 she had just come off work was because she wanted police assistance, but Officer [REDACTED] was already inside of Mrs. [REDACTED] home and addressing the situation. Officer [REDACTED] explanation as to why she had on the vest is nonsensical. What does make sense is that she wore her CPD vest and gun to intimidate Mrs. [REDACTED] then told COPA multiple false statements to conceal her abuse of authority.

⁶⁹ CCHPD also documented in their reports that Mrs. [REDACTED] complained that Officer [REDACTED] had on her firearm and CPD identification.

⁷⁰ Officer [REDACTED] comments to dispatch suggested that Officer [REDACTED] was inside of [REDACTED] and she was waiting by his squad car. When

Lastly, COPA believes Officer [REDACTED] has, or had, her own cell phone video, depicting Officer [REDACTED] inside Mrs. [REDACTED] home while armed and wearing her CPD ballistics vest. The video was referenced to by [REDACTED] Mr. [REDACTED] and Officer [REDACTED] while on BWC, and in a CCHPD report. They described the video as showing Officer [REDACTED] inside Mrs. [REDACTED] home. Miss [REDACTED] also told COPA that Officer [REDACTED] had been recording. The fact that Officer [REDACTED] showed the video to CCHPD, but failed to provide it to COPA, further suggests that her dishonesty was an intentional attempt to conceal misconduct. In her COPA interviews, Officer [REDACTED] denied having any altercation with Mrs. [REDACTED] or entering beyond the foyer, but apparently, she showed a CCHPD officer a cell phone video of herself having an encounter with Mrs. [REDACTED]

Allegation 7

Allegation 7, that Officer [REDACTED] made one or more false, misleading, inaccurate, and/or inconsistent statement to a [REDACTED] police officer, in that, she told the officer she had just got off work, is sustained. As with Allegation 6, this conduct violates Rule 14.

COPA finds that Mrs. [REDACTED] called 911 because Officer [REDACTED] threatened her. In turn, it appears Officer [REDACTED] called 911 to record of her own narrative. Officer [REDACTED] was wearing articles of her CPD employment and had to justify this to CCHPD. She told both dispatch and CCHPD that she had just gotten off work. We know, from attendance records and from Officer [REDACTED] statements to COPA, that she was not on her way home from work. Officer [REDACTED] claimed that her telling Officer [REDACTED] that she was just off work was an excited utterance, but she repeated the claim to dispatch shortly after. Officer [REDACTED] was also under the impression that Officer [REDACTED] had just come from work, suggesting she also made this claim to him. That appears to be an effort to conceal, not an excited utterance. As stated above, Officer Mathew's excuse that she put on her vest identify herself as CPD lacks credibility. Officer [REDACTED] told Officer [REDACTED] a false statement, and she told 911 the same false statement, and then she presumably also told the same false statement to Officer [REDACTED] making the conduct willful. The false statement was material, because it was told to conceal the true reason Officer [REDACTED] was wearing her CPD ballistics vest and a holstered weapon. Because there is no question Officer [REDACTED] made a false statement to CCHPD, and the falsehood was willful and material, this allegation is sustained.

Allegations 1 – 5

COPA has reached a sustained finding for Allegations 1 – 5 against Officer [REDACTED] that she: threatened [REDACTED] by stating words to the effect of "I am going to beat your ass,"; threatened [REDACTED] by placing her hand on her firearm; used her authority as a Chicago Police Officer in attempting to gain entry into the home of [REDACTED] without justification; used her authority as a Chicago Police Officer to intimidate [REDACTED] and wore articles of her Chicago Police uniform while off-duty against department policy (e.g., your vest or badge).

While there is no BWC or audio of Officer [REDACTED] threatening Mrs. [REDACTED] or of Officer [REDACTED] placing her hand on her firearm, we find Mrs. [REDACTED] complaint credible. Mrs. [REDACTED] told both COPA and CCHPD that Officer [REDACTED] engaged in these actions. Mrs. [REDACTED] also told 911 that Officer [REDACTED] made a non-specified threat, and Mrs. [REDACTED] made a specific complaint that

Officer ██████ came to her home with a gun. CCHPD BWC also captures Miss. ██████ confirming the threats made by Officer ██████. Because the preponderance of the evidence suggests Officer ██████ told Mrs. ██████ words to the effect of, “I am going to beat your ass,” while placing her hand on her firearm, coupled with Officer ██████ diminished credibility, Allegations 1 and 2 are sustained.

As detailed earlier in this report, Officer ██████ was, while off duty, wearing a holstered gun and a CPD ballistics vest, including her CPD star. CPD policy U04-01 prohibits officers from wearing “the prescribed star/badge [...] or any identifiable uniform garment while off duty unless authorized by the Superintendent of Police.”⁷¹ Officer ██████ was in violation of this policy, as she was wearing her ballistics vest, including her name and star, while off-duty and with no valid law enforcement purpose. Therefore, Allegation 5 is Sustained.

Instead of a valid law enforcement purpose, the evidence suggests that it is likely that Officer ██████ wore her vest and weapon to gain entry to the dwelling and to intimidate Mrs. ██████. Mrs. ██████ alleged that Officer ██████ specifically mentioned her employment with CPD while touching her weapon. Not only did Officer ██████ invoke her police status to Mrs. ██████ but also to multiple CCHPD officers and to dispatch. As explained earlier, this was inappropriate regardless of Officer ██████ justifications. Officer ██████ failed to provide a logical or complete explanation as to why she had her CPD vest on, and BWC evidence disputes Officer ██████ claim that she put on her vest after calling 911. If she had not put on her vest to identify herself to CCHPD, then reasoning follows that she had put it on before entering Mrs. ██████ home, to gain entry and abuse her power during a domestic dispute. Due to the repeated false, omitted, misleading, and inaccurate facts provided by Officer ██████ to COPA, and due to Mrs. ██████ consistent, logical, and credible account, there is no reason to doubt any of Mrs. ██████ allegations. Therefore, Allegations 3 and 4 are also Sustained.

VIII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. Officer ██████

i. **Complimentary and Disciplinary History:** Problem Solving Award, 1; Emblem of Recognition – Physical Fitness, 2; Attendance Recognition Award, 1; Honorable Mention, 9; Complimentary Letter, 1; 2019 Crime Reduction Award, 1; NATO Summit Service Award, 1; Joint Operations Award, 1.

ii. Recommended Penalty, by Allegation

1. **Allegation No. 1:** Threatened ██████ by stating words to the effect of “I am going to beat your ass.” COPA recommends a 180 day suspension due to the nature of the threat and the surrounding circumstances.

⁷¹ Att, 42, Page 22

2. **Allegation No. 2:** Threatened ██████████ by placing your hand on your firearm. COPA recommends a 180 day suspension due to the seriousness of implying the use of a deadly weapon.
3. **Allegation No. 3:** Used your authority as a Chicago Police Officer in attempting to gain entry into the home of ██████████ COPA recommends a 180 day suspension.
4. **Allegation No. 4:** Used your authority as a Chicago Police Officer to intimidate ██████████ COPA recommends separation, as this action is a severe misuse of the privilege of being a sworn law enforcement officer.
5. **Allegation No. 5:** Wore articles of your Chicago Police uniform while off-duty against department policy (e.g., your vest or badge). COPA recommends a 180 day suspension. While this allegation is not among the most serious, when viewed in the context of these circumstances it has significant impact. Specifically, it was the misuse of her uniform that assisted her in attempting to intimidate and threaten Mrs. ██████████
6. **Allegation No. 6:** Officer ██████████ made one or more false, misleading, inaccurate, and/or inconsistent statement during her interview with COPA investigators when questioned, in that Officer ██████████ denied wearing articles of her Chicago Police Uniform on June 11, 2018 at approximately 9:24 PM, at or near ██████████. COPA recommends separation. Officer ██████████ owed a duty of candor and truthfulness to COPA investigators during this misconduct investigation, which she violated.
7. **Allegation No. 7:** Officer ██████████ made one or more false, misleading, inaccurate, and/or inconsistent statement to a ██████████ ██████████ police officer, in that, she told the officer she had just got off work. COPA recommends separation. Officer ██████████ owed a duty of candor and truthfulness to her fellow law enforcement officers, which she violated.

Officer ██████████ actions demonstrate a profound lapse in judgment, a misuse of her status as a sworn law enforcement officer, and a willingness to lie in an effort to conceal her own misconduct. First, Officer ██████████ choice to insert herself in her brother's marital issues led to the escalation of an already tense situation. During that escalation, Officer ██████████ threatened Mrs. ██████████ and attempted to use her law enforcement status to intimidate Mrs. ██████████ and benefit her brother. Furthermore, Officer ██████████ told multiple lies to both the responding ██████████ ██████████ Police officers as well as COPA investigators, which clearly demonstrates she knew her conduct was wrong and she attempted to cover it up. These actions show a complete disrespect

for her position as a sworn law enforcement officer and also disqualify her from being able to discharge her duties effectively. Therefore, COPA recommends separation from the Department.

IX. CONCLUSION

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

Officer	Allegation	Finding / Recommendation
Officer [REDACTED]	<p>It is alleged that on or about June 11, 2018, at approximately 9:22 p.m., in the vicinity of [REDACTED], Officer [REDACTED] committed misconduct through the following acts or omissions:</p> <ol style="list-style-type: none"> 1. Threatened [REDACTED] by stating words to the effect of "I am going to beat your ass," in violation of Rule 2 and Rule 9. 2. Threatened [REDACTED] by placing your hand on your firearm, in violation of Rule 2, Rule 8, and Rule 38. 3. Used your authority as a Chicago Police Officer in attempting to gain entry into the home of [REDACTED] without justification, in violation of Rule 2 and Rule 4. 4. Used your authority as a Chicago Police Officer to intimidate [REDACTED] in violation of Rule 2, Rule 4, and Rule 8. 5. Wore articles of your Chicago Police uniform while off-duty against department policy (e.g., your vest or badge), in violation of Rule 2, Rule 4, Rule 6, and Rule 38. <p>It is alleged that on February 15, 2019, at approximately 11:18 AM, at or near the Civilian Office of Police Accountability located at 1615 W. Chicago Ave., IL, Officer [REDACTED] committed misconduct through one or more of the following acts or omissions:</p>	<p>Sustained / 180 Day Suspension</p> <p>Sustained / 180 Day Suspension</p> <p>Sustained / 180 Day Suspension</p> <p>Sustained/ Separation</p> <p>Sustained/ 180 Day Suspension</p>

Appendix A

Assigned Investigative Staff

Squad#:	██████
Investigator:	████████████████████
Supervising Investigator:	████████████████████
Deputy Chief Administrator:	Andrea Kersten