

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	Unknown Date, Early Summer 2019
Date/Time of COPA Notification:	August 26, 2019 at 2:25 PM
Involved Officer #1:	Luis Carrizal, Star # 915, Employee ID# [REDACTED], Date of Appointment 10/10/00, Rank SGT, Unit of Assignment 121, DOB [REDACTED]76, Male, White
Involved Individual #1:	[REDACTED], DOB: [REDACTED]07, Female, White
Case Type:	Domestic Abuse

I. ALLEGATIONS

Officer	Allegation	Finding
Sergeant Luis Carrizal	1. It is alleged that and an unknown date in Summer 2019 at or near [REDACTED], Chicago, IL, Sergeant Luis Carrizal grabbed [REDACTED] by the hair without justification.	Not Sustained
	2. It is alleged that and an unknown date in Summer 2019 at or near [REDACTED], Chicago, IL, Sergeant Luis Carrizal dragged [REDACTED] by the hair without justification.	Not Sustained
	3. It is alleged that and an unknown date in Summer 2019 at or near [REDACTED], Chicago, IL, Sergeant Luis Carrizal called [REDACTED] a "dumb ass."	Not Sustained

II. SUMMARY OF EVIDENCE¹

On August 26, 2019, COPA received notice of a child abuse complaint made to DCFS. The notice alleged that Sergeant Luis Carrizal (Sergeant Carrizal), after an argument with his 11-year-old daughter, ██████████ (██████████), about her grades grabbed ██████████ by the hair, dragged her across the room, and called her a “dumbass.”²

COPA investigators interviewed ██████████’s mother, Chicago Police Officer Jenelyn Figueroa (Officer Figueroa), on March 17, 2020³ and again on November 3, 2020.⁴ During these interviews, Officer Figueroa stated that Sergeant Carrizal is ██████████’s biological father, though she is the sole custodial parent. Officer Figueroa told investigators that she has not witnessed any abuse of ██████████ by Sergeant Carrizal, because she is never with them when they are together. However, after visits with Sergeant Carrizal ██████████ seems moody, withdrawn.

Officer Figueroa first learned of the alleged incident of physical abuse when ██████████’s therapist contacted her. The therapist met with Officer Figueroa and ██████████ jointly and informed Officer Figueroa of the abuse allegations. ██████████ did not deny the allegations. Officer Figueroa confirmed that a DCFS investigation found the alleged abuse had occurred. Since then, Officer Figueroa continues to allow ██████████ to visit with Sergeant Carrizal. Officer Figueroa is not present during the visits, but she now waits parked nearby until ██████████ is ready to leave.

Finally, Officer Figueroa refused to allow COPA to interview ██████████, nor would she sign a release for COPA to obtain applicable DCFS investigation.

In his statement to COPA, Sergeant Carrizal⁵ stated that he is ██████████’s father and that he and Officer Figueroa do not have a formal custody arrangement with the courts; however, Officer Figueroa is the primary custodial parent. Sergeant Carrizal visits in person with ██████████ about once a week. However, due to Covid-19 and his work schedule, it has been difficult lately to visit ██████████, but he talks or texts with her over the phone daily. He described their relationship as good, though he noted some increased tension since ██████████ become a teenager.

When asked about the abuse allegations, Sergeant Carrizal told investigators that he first became aware of the DCFS investigation when he received notice of the investigation during late August of 2019. Subsequently, when he was informed that the DCFS investigation had made a finding of “Indicated,” he filed for an appeal. After a brief hearing, the DCFS unfounded the case. Sergeant Carrizal supplied COPA with a copy of the final order from the hearing.⁶

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 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 Att. 1 & Att. 2

³ Att. 5

⁴ Att. 6

⁵ Att. 7

⁶ Att. 10

Sergeant Carrizal stated that the incident alleged in the DCFS investigation did not happen during the Summer of 2019; the incident happened early in 2018. Sergeant Carrizal explained that he had been monitoring ██████'s grades through the Chicago Public Schools' website. As such, he knew that progress reports or grades were due out. When ██████ came to visit him, he asked ██████ for her report card. She told him no. Later that evening, Sergeant Carrizal found a copy of ██████'s report card (which reported multiple failing grades) in her book bag. Sergeant Carrizal then confronted ██████ in her bedroom where he grabbed ██████'s hair near the side of her head. He grabbed a small amount of hair, just enough – a pinched between his index finger and thumb. He then walked her fifteen feet to the living room. During that time, ██████ did not cry out in pain or say anything. She also did not fall or drag her feet. He explained that he did this to discipline ██████, as he felt spanking or other physical discipline would have been inappropriate. He then verbally confronted her about lying to him and failing her classes. Finally, ██████ denied ever calling ██████ names and refused to sign a release for applicable DCFS investigation records.

III. ANALYSIS AND CONCLUSION

COPA finds Allegation 1 and 2 against Sergeant Luis Carrizal are Not Sustained. The evidence available to COPA in this case was limited. COPA was unable to interview ██████ or review any records related to the DCFS investigation of the incident. The only possible known witness COPA interviewed was Officer Figueroa. However, Officer Figueroa stated that she never witnessed any physical or verbal abuse towards ██████ by Sergeant Carrizal, nor has ██████ ever spoken to her directly about the incident. However, she did report that ██████ did not deny the alleged abuse/incident to her therapist

Based on Sergeant Carrizal's statement, he admittedly grabbed ██████ by the hair and walked her fifteen (15) feet from her bedroom to the living room. However, Sergeant Carrizal's description of the incident and his stated motivation for his actions describes conduct which *may have been* permissible parental discipline. In Illinois, courts consider a number of factors when determining if physical discipline rises to the level of abuse. Specifically, courts have considered whether there was injury, location of the physical punishment, context of the situation, and the state of mind of the parent.⁷

In this instance, a limited amount of evidence revealed no physical injury to ██████. The DCFS's finding was changed from Indicated to Unfounded. Furthermore, COPA was unable to interview ██████ or review records related to the DCFS's investigation. Based on this overall lack of evidence, COPA finds there is not clear and convincing evidence to support a finding of Exonerated. Conversely, this same lack of evidence also fails to establish physical abuse by a preponderance. Accordingly, allegations 1 and 2 are Not Sustained.

Finally, allegation 3 against Sergeant Carrizal is Not Sustained. Sergeant Carrizal denied allegations 3, and, equally important, there was a lack of evidence to establish by a preponderance that Sergeant Carrizal called ██████ a 'dumbass' or any other derogatory name

⁷ *In re F.W.*, 261 Ill.App.3d 894, 903, 634 N.E.2d 1123, 1128-1129 (Ill. App. Ct. 4th Dist. 1998).

Approved:



3/4/2021

Matthew Haynam
Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Assigned Investigative Staff

Squad#:	9
Investigator:	Ryan McPhail
Supervising Investigator:	Sharday Jackson
Deputy Chief Administrator:	Matthew Haynam