

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	November 30, 2019 / 5:00 p.m. – 5:30 p.m. / [REDACTED], Chicago, IL
Date/Time of COPA Notification:	November 30, 2019 / 8:53 p.m.
Involved Officer #1:	Rejeana Molina, Star #21301, Employee ID [REDACTED], Date of Appointment: 01-Aug-1994, Detective, Unit of Assignment: 620, DOB: [REDACTED]1965, Female, Black
Involved Individual #1:	[REDACTED], DOB: [REDACTED]2011, Female, Black
Involved Individual #2:	[REDACTED], DOB: [REDACTED]1991, Female, Black
Case Type:	Domestic Battery

I. ALLEGATIONS

Officer	Allegation	Finding
Detective Rejeana Molina	1. It is alleged that on or about November 30, 2019 between approximately 5:00 – 5:30 p.m., at or near [REDACTED], Chicago, IL, Detective Rejeana Molina, slapped [REDACTED], a minor, about the face.	Not Sustained
	2. It is alleged that on or about November 30, 2019 between approximately 5:00 – 5:30 p.m., at or near [REDACTED], Chicago, IL, Detective Rejeana Molina, grabbed [REDACTED], a minor, by the arm.	Not Sustained
	3. It is alleged that on or about November 30, 2019 between approximately 5:00 – 5:30 p.m., at or near [REDACTED], Chicago, IL, Detective Rejeana Molina, grabbed [REDACTED], a minor, by the face.	Not Sustained
	4. It is alleged that on or about November 30, 2019 between approximately 5:00 – 5:30 p.m., at or near [REDACTED], Chicago, IL, Detective Rejeana Molina, left [REDACTED], a minor, outside unattended.	Not Sustained

II. SUMMARY OF EVIDENCE¹

On November 30, 2019, COPA received an **Initiation Report**² documenting a complaint made by [REDACTED] ([REDACTED]) against her daughter's paternal grandmother, Detective Rejeana Molina (Detective Molina). According to the Initiation Report and **Case Report** [REDACTED],³ Detective Molina was babysitting [REDACTED]'s 8-year-old daughter [REDACTED] ([REDACTED]), when [REDACTED] called [REDACTED] and reported that Detective Molina slapped her across the face. When [REDACTED] picked up her daughters she called 911. Officers responded to [REDACTED] and spoke with [REDACTED]. [REDACTED] related to the responding officers that Detective Molina advised [REDACTED] to remove clothes from the dryer, and [REDACTED] had an attitude and folded her arms. Detective Molina became upset with [REDACTED] and grabbed [REDACTED] by the arm and escorted her to the covered patio/sunroom where Detective Molina slapped [REDACTED] with an open hand and instructed her to wait there. [REDACTED] reported that she asked Detective Molina if she slapped [REDACTED], and Detective Molina responded, "I sure did" and hung up the phone. [REDACTED] stated she called Detective Molina back and asked for an explanation, but Detective Molina related she did not need to explain anything to [REDACTED].

COPA obtained **Body Worn Camera (BWC)**⁴ which captures officers responding to [REDACTED]. BWC shows [REDACTED] reporting that Detective Molina slapped [REDACTED], put her outside of the house on the sidewalk, and grabbed her by the mouth when [REDACTED] started screaming.⁵ [REDACTED] further indicated that Detective Molina told her that "her anger overwhelmed everything," and she was tired of [REDACTED]'s "sassy mouth."^{6, 7} Additionally, Sergeant Kristen Donahue (Sergeant Donahue) uses her flashlight to examine [REDACTED] for any bruises or injuries to her face.⁸ No visible injuries to [REDACTED]'s face are apparent when viewing the BWC.

COPA obtained a statement from **Detective Molina**⁹ on December 15, 2020 at approximately 2:27 p.m., on the 4th floor of COPA offices located at 1615 W Chicago Ave., Chicago, Illinois. Detective Molina stated that on the date of the incident she was babysitting six of her grandchildren. When it was time to get the grandchildren ready to go home to their parents, she asked [REDACTED] to assist her younger sister with gathering her belongings. However, [REDACTED] refused, folded her arms, and stated, "it's not my stuff, you can't tell me what to do."¹⁰ Detective Molina felt [REDACTED]'s response was disrespectful, and that [REDACTED] was "performing" for her siblings. Detective Molina took [REDACTED] by the arm and escorted her to the vestibule, where [REDACTED] began screaming.

¹ COPA 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.

² Att. 1

³ Att. 3

⁴ Att. 7, 8, 10 & 11

⁵ Att. 10 at 3:19

⁶ Att. 8 at 1:43.

⁷ It should be noted that [REDACTED] relates her story to the responding officers while in the vehicle. [REDACTED]'s account is difficult to fully hear due to wind and background noise

⁸ Att. 8 at 3:44

⁹ Detective Molina appeared with her attorney, [REDACTED], who was present during the interview. Detective Molina's interview is incorporated as Att. 22.

¹⁰ Att. 22 at 27:07

Detective Molina stated that she wrapped her arms around ██████ to calm her down, as she was screaming very loud. ██████ then began flailing her arms and legs, fell to the floor, and kicked Detective Molina.¹¹ Detective Molina also stated she grabbed ██████ by the face to get her attention and to “get her to stop screaming.”¹² However, ██████ continued to scream. Detective Molina advised ██████ to remain in the vestibule.¹³ ██████ then called ██████ to tell her about the incident. ██████ and Detective Molina had a brief conversation in which ██████ asked repeatedly, “What’s going on?” Detective Molina advised ██████ that the incident was over. Detective Molina stated she had never saw ██████ behave in that way before and was shocked by her behavior. Detective Molina described ██████’s behavior as “totally uncooperative.”¹⁴ Detective Molina stated she has never been “abusive or neglectful to any of [her] grandchildren and has even taken care of a child who is not a relative.”¹⁵

COPA obtained a statement from **Sergeant Donahue** on January 13, 2021 at approximately 8:42 a.m., on the 4th floor of COPA offices located at 1615 W Chicago Ave., Chicago, Illinois.¹⁶ Sergeant Donahue provided information consistent with that contained in the Initiation Report and Case Report.

According to **Case Report ██████**¹⁷ Detective Molina was babysitting several children and dropped them off at ██████, Chicago, Illinois. Upon arrival, ██████ was waiting out front at the location. Detective Molina and ██████ engaged in a verbal dispute, and ██████ became irate and hit Detective Molina on the right side of her face with a closed fist causing injury. Detective Molina then went to Advocate Urgent Care Center located at 95th & Western Ave, where she was treated by a physician.

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

¹¹ *Id.* at 17:30

¹² *Id.* at 17:20

¹³ COPA obtained a photograph of residence at ██████, Chicago, Illinois, the photo reveal a two-story home with an enclosed front porch. Att. 25

¹⁴ Att. 19 at 33:40

¹⁵ Att. 22 at 1:02:19

¹⁶ Sergeant Donahue appeared with her attorney, ██████, who was present during the interview. Sergeant Donahue’s interview is incorporated at Att. 23.

¹⁷ Att. 24

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** is evidence indicating that it is **more likely than not** that the conduct occurred and violated Department policy.¹⁸ 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.¹⁹ Clear and convincing is 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.”²⁰

IV. ANALYSIS AND CONCLUSION

COPA finds **Allegations 1 & 4** alleging that Detective Molina slapped [REDACTED] about the face and left her outside unattended are **Not Sustained**. COPA made several attempts to speak with the both [REDACTED] and [REDACTED] regarding this incident with negative results. According to BWC, [REDACTED] reports that Detective Molina slapped [REDACTED] and put her outside of the house on the sidewalk. Additionally, according to case report [REDACTED], there were no visible injuries to [REDACTED]’s face, and when responding Sergeant Donahue used a flashlight to observe [REDACTED]’s face, the minor’s face appeared to be clear.²¹ During her statement, Detective Molina denied slapping [REDACTED]. She further stated she put [REDACTED] in the vestibule not outside. Therefore, COPA find the evidence conflicting and insufficient to support findings. Accordingly, COPA finds both allegations are **Not Sustained**.

COPA finds **Allegations #2 & 3** alleging that Detective Molina grabbed [REDACTED] by the arm and by the face in violation of Rule 9 are **Not Sustained**.

These allegations rise to the level of misconduct if they are a violation of Rule 9, which prohibits officers from engaging in an *unjustified* physical altercation. Therefore, COPA must determine if this conduct was unreasonable corporal punishment. Reasonableness is, ultimately, a heavily fact-specific determination. *People v. Karen P. (In the Interest of J.P.)*, 294 Ill. App. 3d 991, 1002 (1st Dist. 1998) (“cases involving the adjudication of abuse, neglect, and wardship are sui generis; that is, each case must be decided on its own distinct set of facts and circumstances”) (citing *In re Edricka C.*, 276 Ill. App. 3d 18, 25 (1995)). But courts have relied on several factors in corporal punishment reasonableness analyses, including: “the likelihood of future punishment which may be more injurious” (*People v. West (In re F.W.)*, 261 Ill. App. 3d at 903); “the fact any physical injury resulted from the discipline” (*id.*); “the psychological effects of the discipline on the child” (*id.*); “the circumstances surrounding the ‘discipline,’ including whether the parent was

¹⁸ 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 been found to be more probably true than not).

¹⁹ See e.g., *People v. Coan*, 2016 IL App (2d) 151036 (2016).

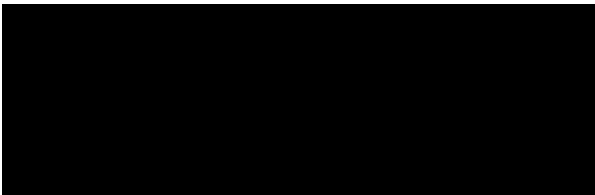
²⁰ *Id.* at ¶ 28.

²¹ Att. 8 at 3:52

calmly attempting to discipline the child or whether the parent was lashing out in anger” (*id.*); whether the discipline was “vicious or for other than disciplinary reasons” (*In the Interest of Aaronson*, 65 Ill. App. 3d 729, 732 (3rd Dist. 1978)); whether the child “appeared happy and unaffected after being disciplined” (*People v. Karen P. (In the Interest of J.P.)*; 294 Ill. App. 3d at 1005); whether alternate ways to correct the minor’s behavior have been exhausted (*People v. McClendon (In re S.M.)*, 309 Ill. App. 3d 702, 704 (4th Dist. 2000) (holding that a “whooping” with a belt that left extensive bruising on the arms and upper thighs was not excessive in light of the minor’s incorrigible delinquent behavior, her parents’ attempts to curb it in other ways, and the fact that the punishment was “given in a concerned, caring manner” rather than in “vengeance”)).

Based on Detective Molina’s account, her actions may have been reasonable corporal punishment. However, ██████ related that Detective Molina told her that “her anger overwhelmed everything” and she was tired of ██████’s “sassy mouth.”²² Without a firsthand account of the incident from ██████ or other witnesses, COPA does not have sufficient information to determine whether the conduct was reasonable or unjustified. Furthermore, COPA needs clear and convincing evidence to exonerate Detective Molina’s conduct. Therefore, COPA finds that these allegations are Not Sustained.

Approved:



Matthew Haynam
Deputy Chief Administrator – Chief Investigator

3/25/2021

Date

²² Att. 8 at 1:43.

Appendix A

Assigned Investigative Staff

Squad#:	9
Investigator:	Shakira Nubern
Supervising Investigator:	Sharday Jackson
Deputy Chief Administrator:	Matthew Haynam