

SUMMARY REPORT OF INVESTIGATION<sup>1</sup>

## I. EXECUTIVE SUMMARY

Date of Incidents:	July 8, 2017/July 1, 2018
Time of Incidents:	6:00 pm/6:56 pm
Location of Incidents:	██████████ ██████████
Date of COPA Notification:	July 02, 2018
Time of COPA Notification:	1602 hrs.

This investigation involves ex-husband and wife Timothy and Melissa Uldrych. Timothy is an Officer with the Chicago Police Department (CPD), and Melissa is a Detective with the Department. The parties have one child together, ██████████, 13YOA. Officer Uldrych and his son ██████████ allege that on the above dates and times, that Detective Uldrych verbally and/or physically abused ██████████. Department of Children and Family Services (DCFS) and CPD UNFOUNDED their investigation regarding the above incidents. COPA finds the allegations against Detective Uldrych UNFOUNDED and NOT SUSTAINED.

## II. INVOLVED PARTIES

Involved Officer #1:	Timothy Uldrych, Star #5610, Employee #██████████, Date of Appointment: April 29, 2002, Police Officer, Unit of Assignment, 001 <sup>st</sup> District, DOB: ██████████, 1978, Male/White.
Involved Officer #2:	Melissa Uldrych, Star #21140, Employee #██████████, Date of Appointment: May 28, 2002, Detective, Unit of Assignment, Unit 620, DOB: ██████████, 1974, Female/White.
Involved Individual #1:	██████████, DOB: ██████████, 2005,

<sup>1</sup> On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

**III. ALLEGATIONS**

<b>Officer</b>	<b>Allegation</b>	<b>Finding / Recommendation</b>
Officer Melissa Uldrych, #21140	1. Physically abused your son [REDACTED] by grabbing him on or about his throat/jugular and causing him shortness of breath.  2. Were verbally abusive to your son [REDACTED] in that you directed profanity toward hm and referred to him in demeaning/derogatory terms (“snitch, fucking moron, idiot” etc.)	UNFOUNDED       NOT SUSTAINED

**IV. APPLICABLE RULES AND LAWS**

Rules

**RULE 8** – Disrespect to or maltreatment of any person, while on or off duty.

## V. INVESTIGATION

### a. Interviews

In his **statement** to COPA, ██████████ related he was eating dinner with his brother ██████████ (4YOA) and his mother/Detective Uldrych when she received a text message from his father/Officer Uldrych. The text message was in regard to Detective Uldrych having ██████████ do chores. After reading the message, Detective Uldrych instructed ██████████ to stop eating and assigned him a list of chores to do, which included cleaning the floors on his knees and hands. Per ██████████, Detective Uldrych referred to him as a “snitch, idiot, ass, and fucking moron.” This was ██████████’s first time cleaning the floor, it took him approximately 20 minutes. After completing his chores, ██████████ went to Detective Uldrych’s bedroom, where they had a talk. ██████████ did not recall the content of his conversation with Detective Uldrych. Thereafter, ██████████ fell asleep, and Detective Uldrych woke him and had him go to his bedroom for the night. The following morning, Officer Uldrych picked ██████████ up for his visitation and ██████████ informed Officer Uldrych about this incident.

██████████ related that prior to Detective Uldrych leaving for work on the morning of this incident, she had instructed him to take notes of trucks that were idling across the street from their home. Detective Uldrych called ██████████ during the day to see if he had done as instructed, but he had not. Thereafter, Detective Uldrych assigned ██████████ a list of chores to do. Per ██████████, Detective Uldrych usually disciplines him by not allowing him to play/use his X-Box, phone, computer or grounding him.

Regarding the July 8, 2017 incident, ██████████ related he was eating dinner with his friend ██████████ (13YOA) when Detective Uldrych received a text message from his Officer Uldrych. After reading the message, Detective Uldrych yelled to ██████████ multiple times, “Am I a liar?” ██████████ told Detective Uldrych that he did not want to talk about it and continued to eat his food. Detective Uldrych grabbed ██████████ underneath his chin and lifted his head. ██████████ ran upstairs to his bedroom and Detective Uldrych followed behind him yelling. When ██████████’s grandmother came home, he informed her about the incident. As ██████████ was talking to his grandmother, Detective Uldrych began yelling at ██████████ and his grandmother stood between them and told Detective Uldrych to stop. The following morning ██████████ informed Officer Uldrych about the incident and they went to the 022<sup>nd</sup> District Station to file a report regarding the incident. ██████████ did not sustain any injury. (Att. 16).

In her **statement** to COPA, **Detective Uldrych** related that on July 8, 2017, ██████████ was at the table eating, when she questioned him about going away for the weekend with Officer Uldrych. Detective Uldrych instructed ██████████ several times to look at her as she spoke to him. ██████████ did not answer Detective Uldrych questions and refused to make eye contact with her as she spoke to him. With her hand, Detective Uldrych lifted ██████████’s chin for him to make eye contact with her. ██████████ rose from his seat and went upstairs, Detective Uldrych followed him. Detective Uldrych spoke to ██████████ in regard to him respecting her. Detective Uldrych related that she has and still disciplines ██████████ by taking away his X-Box, phone, and/or computer, she denies physically disciplining ██████████. Detective Uldrych described ██████████’s relationship with his father/Officer Uldrych as manipulative and controlling.

In regard to the incident on July 1, 2018, Detective Uldrych related that there is a trucking company across the street from her home, and she asked ██████ to document the trucks that were idling in front of their home. Upon returning home, Detective Uldrych learned that ██████ had not documented the trucks, he had been playing on his X-Box all day. Detective Uldrych explained to ██████ that he was older and it was time he contributed to household chores. Thereafter, Detective Uldrych assigned ██████ chores to do (clean floors on hands and knees, vacuum, clean room). Detective Uldrych related that she may have directed profanity toward ██████ during this incident, but she had no recollection of referring to ██████ in demeaning/derogatory terms. This was the first time ██████ had been instructed to clean the floors. Detective Uldrych stated that she always cleans the floors on her hands and knees. After ██████ completed his chores, ██████ joined Detective Uldrych and ██████ in her bedroom to watch tv. When ██████ fell asleep, Detective Uldrych woke him and he went to his bedroom for the night. Detective Uldrych and ██████ have received family counseling and she currently describes their relationship as good. Officer Uldrych refused to give consent to allow ██████ to receive individual counseling, which was recommended by DCFS. Officer Uldrych has visitation with ██████ 2 weekends a month. Detective Uldrych could not recall if she received a text message from Officer Uldrych on the date of incident but related that her assigning ██████ to do chores would not have been a result of her receiving a text message from Officer Uldrych. (Att. 21)

**b. Digital Evidence**

There is no digital evidence regarding this investigation.

**c. Physical Evidence**

There is no physical evidence regarding this investigation.

**d. Documentary Evidence**

In an **Initiation Report**, Sergeant Edward Nicol, #█████, related Department Members Detective Melissa Uldrych and Officer Timothy Uldrych share joint custody of their son ██████. ██████ informed Officer Uldrych that on July 01, 2018 at ██████, ██████, that Detective Uldrych verbally abused him, threatened him, and made him get on his hands and knees to clean floors and that he fears for his safety. Officer Uldrych registered a complaint with the DCFS and filed a Case Report. (█████). (Att. 4)

The **Original Case Incident Report** (█████) dated July 2, 2018, relates Detective Uldrych was having dinner with her sons ██████ and ██████ (4YOA) when she received a text message from Officer Uldrych, that was addressed to ██████. The text was sent via the Talking Parent Application. After reading the text message, Detective Uldrych called ██████ a “snitch, fucking moron and idiot.” Detective Uldrych told ██████ to stop eating dinner and instructed him to get on his knees and hands to scrub the floor. Detective Uldrych continued to belittle ██████ as he scrubbed the floor. Approximately a year ago, a similar incident occurred when Detective Uldrych received a text message from Officer Uldrych via the Talking Parent Application. During that incident, Detective Uldrych placed her hands-on ██████’s neck/throat and choked him. Detective’s Uldrych’s mother intervened and pulled Detective Uldrych off of

██████████. Per Officer Uldrych, ██████████ is afraid to go to Detective Uldrych's home and he fears for his safety; Officer Uldrych is also concerned about ██████████'s well-being. (Att. 7)

The **Original Case Incident Report** (██████████) dated, July 9, 2017, relates Officer Uldrych and ██████████ went to the 022<sup>nd</sup> District Station and filed a Case Report against Detective Uldrych. Both parties allege that Detective Uldrych choked/strangled ██████████. Sergeant Smith, #1449 interviewed both parties and concluded that Detective Uldrych grabbed ██████████ by his skin/throat area in an attempt to discipline him. ██████████ did not have any visible signs of injury or complaint of injury. The case was closed non-criminal. (Att. 11).

On July 03, 2018, Officer Uldrych **Petitioned for an Order of Protection** on behalf of ██████████. Detective Uldrych is listed as the Respondent. Officer Uldrych cited the incidents referenced in the Original Case Incident Report. In addition to the incident on July 1, 2018, Officer Uldrych related that Detective Uldrych stated to ██████████, "I'm going to have to go back to court because of you." In addition to the incident on July 8, 2017, Officer Uldrych related that Detective's Uldrych's mother lied and related that the incident never happened. A handwritten note on the petition states that Detective Uldrych told ██████████ that he is causing her problems, destroying her life and she does not want him living with her anymore. Detective Uldrych told ██████████ that he could live with Officer Uldrych until the end of summer. ██████████ was also offered the opportunity to go stay with his Grandmother in Wisconsin, from July 3<sup>rd</sup> – 8<sup>th</sup> due to recent family issues. (Att. 8)

In a To-From Report dated July 2, 2018, Detective Uldrych notified the Department that she was the Subject of a DCFS investigation regarding child abuse. (Att. 6).

In a To-From Report dated July 03, 2018, Detective Uldrych notified the Department that she was the respondent of an Order of Protection but she had not been served yet. (Att. 5).

The Petition for Order of Protection against Detective Uldrych was transferred to Divorce Court. (Att.8 )

Detective Mary Willis Ivy's, # ██████████ **Case Supplementary Report** (██████████) states the findings against Detective Uldrych were UNFOUNDED. Detective related the choking incident involving Detective Uldrych and ██████████ referenced in RD # ██████████ was investigated and closed on July 9, 2017 by Sergeant Smith. DCFS Investigator Busola Ogunkoya, informed Detective Ivy that the July 2, 2018, incident appeared to be a child custody issue and that she was not implementing a Safety Plan. Investigator Ogunkoya informed Officer Uldrych to return ██████████ to Detective Uldrych per the terms of their Visitation Order. Ogunkoya stated she would make referrals for family counseling for Detective Uldrych, ██████████ and ██████████, and individual counseling also for ██████████.

In their interview with Detective Ivy, Officer Uldrych and ██████████ essentially related the same account of the incident as they did in their statement to COPA and Department reports. In addition, it was related that Detective Uldrych also instructed ██████████ to vacuum, take out garbage, put away his and his brother's clothing and clean his room. ██████████ related that he has told Detective Uldrych that he dislikes it when she involves him in custody disputes that with Officer

Uldrych. Since DCFS and the police are involved, ██████ is afraid to go home, because he believes Detective Uldrych will probably “go nuts” and possibly hit him. Per ██████, Detective Uldrych has never hit/struck him.

Detective Ivy conducted a second interview of ██████, without the presence of either parent. ██████ related that Detective Uldrych does not physically discipline him, she disciplines him by not allowing him to play his X-Box, use his cellular telephone or computer. ██████ related that Officer Uldrych physically disciplines him with a spanking. ██████’s weekly chore is doing laundry, he does not have a set of chores that he does on a weekly basis. ██████ cleaned the floors for the first time recently, and thought it was weird since he had never been told to clean them before. ██████ believed cleaning the floors was a form of punishment. Detective Uldrych told ██████ that he is going to learn not to tell Officer Uldrych what goes on in their household and referred to him as an idiot and moron. ██████ does not like it when Detective Uldrych calls him out of his name. ██████ was able to finish his dinner the night that he had to clean the floors and finished other assigned chores. After completing his chores, ██████ went to lay in Detective Uldrych’s bed along with his younger brother ██████ in an attempt to redeem himself. ██████ admitted that he is jealous of ██████ because he doesn’t have to do chores and he doesn’t get disciplined. ██████ believes Detective Uldrych speaks badly of him to her friends, and that they don’t want him around. ██████ admitted that Detective Uldrych spoiled and treated him in the same manner as ██████ when he was ██████ age. ██████ feels as if Detective Uldrych loves ██████ more than she does him. ██████ stated that he was not coached by anyone as to what to say during his statement and these are his true feelings.

In her **statement with Detective Ivy, Detective Uldrych** related that on the noon of July 1, 2018, she instructed ██████ to document the times that trucks were idling (across the street) in front of their home. Upon arriving home, ██████ had not done as he was instructed to do. Detective Uldrych was upset because she knew that ██████ had been playing on his X-Box and computer all day. Half-way through dinner, Detective Uldrych informed ██████ that he was going to do some chores. Detective Uldrych instructed ██████ to get the cleaning supplies and to clean the floors. Detective Uldrych stated that she always cleans the hardwood floors on her hands and knees and that this was the first time the ██████ had been instructed to do so. ██████ was also instructed to clean his room, vacuum, and to do his laundry. ██████ continued to eat from his dinner plate as he cleaned the floors. Detective Uldrych admitted that she spoils her children, but she believes ██████ is old enough to help with chores.

██████ has expressed to Detective Uldrych that he feels that she loves his younger brother ██████ more than him. Detective Uldrych constantly tells ██████ that she loves him and ██████ equally and that because ██████ is younger (4YOA) he can only do so much. After ██████ completed his chores, he was not allowed to get on his computer or X-Box. Thereafter, Detective Uldrych and her sons laid in her bed, watched television, and fell asleep. The following morning, Officer Uldrych picked ██████ up for his visitation. Later that day, Detective Uldrych received a call from DCFS regarding this incident. Detective Ivy questioned Detective Uldrych about a choking incident regarding ██████, that happened approximately a year ago from the previous incident. Detective Uldrych related that a she was talking to ██████ he was not looking at her (head down). Detective Uldrych touched ██████ on his chin for him to raise his head and to look at her as she spoke to him. ██████ responded by stating Detective Uldrych was attempting

to choke him and ran to his room. Detective Ivy UNFOUNDED her investigation, there was no evidence to show that Detective Uldrych physically abused [REDACTED]. [REDACTED] communicated that he is jealous of [REDACTED] and that he feels he is being punished when he has to do chores. Detective Ivy did not find anything criminal in [REDACTED], a teenager, being assigned chores. (Att. 17).

## 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 reviewed complied with 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 conduct complied with Department policy than that it did not, 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 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

COPA makes a finding of **UNFOUNDED** for **Allegation #1** that Detective Melissa Uldrych, #21140 physically abused her son [REDACTED] by grabbing him on or about his throat/jugular and causing him shortness of breath. [REDACTED] related Detective Uldrych grabbed him underneath his chin and lifted his head. Detective Uldrych related that with her hand, she lifted [REDACTED]'s chin so that he would be making eye contact with her as she spoke to him. There is no evidence to support the allegation that Detective Uldrych grabbed [REDACTED] by his throat/jugular. [REDACTED] did not sustain any injury, complain of injury, or have shortness of breath. Detective provided a credible account of this incident to all investigating agencies she spoke with. Furthermore, [REDACTED] related that Detective Uldrych does not physically discipline him, she disciplines him by taking away his phone, X-Box, and computer.



Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	12
<b>Investigator:</b>	Darren Bowens, #50
<b>Supervising Investigator:</b>	Andrew Dalkin
<b>Deputy Chief Administrator:</b>	Angela Hearts-Glass