

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	April 01, 2018 to May 31, 2018
Time of Incident:	00:00 – 23:59
Location of Incident:	██████████, Chicago, IL 60631
Date of COPA Notification:	September 22, 2018
Time of COPA Notification:	2:08 a.m.

██████████ (hereafter ██████████) outcried to Group Leader, ██████████ (hereafter Ms. ██████████) stating the Department of Child and Family Services (herein after DCFS) responded to her home because of allegations of abuse. ██████████ advised Ms. ██████████ there were all three types of abuse but did not provide details. Ms. ██████████ notified her Supervisors, and DCFS was contacted. During a Forensic Interview, ██████████ related that her stepfather, “Bob” (now known as Officer Robert Schaack, hereafter Officer Schaack), made her feel uncomfortable on multiple occasions. One incident occurred when the two of them were in the car alone, and Officer Schaack allegedly grabbed ██████████ backpack and hair when he became upset and shook her. Additionally, Officer Schaack allegedly made contact with ██████████ breasts while reaching to open a cabinet. The next incident allegedly occurred when Officer ██████████ was walking past the refrigerator, and his hand made contact with ██████████ buttocks. ██████████ further alleged that Officer Schaack shoved her mother, ██████████ (hereafter Ms. ██████████) against a wall. Ms. ██████████ and ██████████ (hereafter Mr. ██████████), ██████████ biological parents, were concurrently involved in a custody battle. Based on the totality of the evidence and a preponderance of the evidence standard, the Civilian Office of Police Accountability (COPA) finds the allegations against Officer Schaack are **Not Sustained**.

II. INVOLVED PARTIES

Involved Officer #1:	Robert Schaack, Star #13329, Employee ID#: ██████████ Date of Appointment: October 25, 1999 Police Officer, Unit of Assignment: 016 DOB: ██████████-1973, Male, White
Involved Individual #1:	██████████ DOB: ██████████-2005, Female, White
Involved Individual #2:	██████████ DOB: ██████████-1981, Female, White
Involved Individual #3:	██████████ DOB: ██████████-1977, Male, White

**III. ALLEGATIONS**

<b>Officer</b>	<b>Allegation</b>	<b>Finding / Recommendation</b>
Officer Robert Schaack	1. It is alleged by [REDACTED], a minor, that on or about an unknown date and time, during the winter months 2016-2017, at an unknown location while riding in the car on the way to school, the accused grabbed her by her hair and/or book-bag and shook her without justification in violation of Rules 8 & 9.	Not Sustained
	2. It is alleged by [REDACTED], a minor, that on or about April 01, 2018 - May 31, 2018, at or near [REDACTED], Chicago, IL, the accused made contact with her breast without justification in violation of Rules 2 & 8.	Not Sustained
	3. It is alleged by [REDACTED], a minor, that on or about April 01, 2018 - May 31, 2018, at or near [REDACTED], Chicago, IL, the accused made contact with her buttocks without justification in violation of Rules 2 & 8.	Not Sustained
	4. It is alleged by [REDACTED], a minor, that on or about an unknown date and time, at or near [REDACTED], Chicago, IL, the accused pushed [REDACTED] against a wall without justification in violation of Rules 2 & 8.	Not Sustained

**IV. APPLICABLE RULES AND LAWS**

Rules

2. Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.

3. Rule 8: Disrespect or maltreatment of any person, while on or off duty.

4. Rule 9: Engaging in any unjustified verbal or physical altercation with any person while on or off duty.

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## V. INVESTIGATION<sup>1</sup>

### a. Interviews

COPA Investigators visited the Chicago Children's Advocacy Center (hereafter Chicago CAC) located at 1240 S Damen Ave, Chicago, IL, on January 23, 2019, to observe the **Forensic Interview of** ██████<sup>2</sup> which was conducted on September 21, 2018. ██████ states she is 13 years old, and her birthday is August 17<sup>th</sup>. ██████ stated she temporarily lives with her biological father, Mr. ██████ her stepmom, and two half-sisters. ██████ stated her biological mother, Ms. ██████ has full custody, but she has been staying with her biological father the past week. ██████ demonstrated that she understands the difference between a truth and a lie and promised to tell the truth during the interview.

During her interview, ██████ explained the instances when Officer Shaack touched her a few times at Ms. ██████ house. ██████ recalled two incidents that occurred during April or May when she was 12 years old. During the first instance, ██████ and Officer Shaack were in the kitchen reaching for a cabinet. ██████ states that Officer Shaack put his hand up and it lingered over her breast area. ██████ was reaching for cereal and Officer Shaack was reaching for crackers. ██████ explained that Officer Shaack's hand, "kind of stayed there and it didn't go right down." One of Officer Shaack's hands slowly went across her chest over her clothes and made her feel uncomfortable. She did not recall where his other hand was. She and Officer Shaack did not speak to one another when this happened. ██████ then walked away.

During the second instance, Officer Shaack touched ██████ as she stood by a kitchen cabinet. Officer Shaack walked by and put his hand out and touched her bottom/butt area. ██████ stood at the kitchen counter writing on a calendar and Officer Shaack's hand purposely went touch her bottom. On further explanation, ██████ was unsure if Officer Shaack meant to touch her, but she thought he did because his hands were out and not at his side. One of Officer Shaack's fingers touched her thigh, because ██████ was wearing shorts. Ms. ██████ was not home during this incident. Finally, Officer Shaack did not squeeze any part of her body during either instance.

██████ stated Officer Shaack drinks a lot. He has big wine glasses and fills them to the top with wine or beer, and during both instances he was drinking wine. ██████ affirmed she told her group leader at church, Ms. ██████ about the two times Officer Shaack touched her.

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<sup>1</sup> COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

<sup>2</sup> See Attachment #18. Due to Chicago CAC policy, COPA was not able to retrieve a copy of the recorded interview. COPA's observations of the Forensic Interview were documented in the Investigative Report in Att. 18.

█████ then indicted there was an additional incident with Officer Shaack in the car when she was in 6<sup>th</sup> grade. This incident began when Officer Shaack was driving █████ to school and stated that Mr. █████ was not there for her. At the time, █████ was in the passenger seat when Officer Shaack grabbed the top handle of her backpack, which was on her back, and shook it. Officer Shaack shook █████ body back and forth. The incident scared █████ and █████ exclaimed, “ow-ow.” Officer Shaack stopped and accused █████ of overreacting. The incident ending with █████ exiting the vehicle. Afterwards, █████ told her Ms. █████ about incident and Ms. █████ told █████ not to fight back.

█████ states Officer Shaack and her Ms. █████ have heated arguments often. During one particular argument, her mother threw a hard dog bone at Officer Shaack, which skinned Officer Shaack’s arm. Another argument occurred when █████ friend was sleeping over and Officer Shaack was drunk. During this incident Ms. █████ told Officer Shaack to be quiet. In response, Officer Shaack shoved Ms. █████ back with his hands and █████ ran downstairs. █████ explained that when Officer Shaack drinks he becomes aggravated, irritable, and sometimes angry and silly. One time, Officer Shaack kept putting his feet in █████ face. There was another time in which Officer Shaack threw a plate and it broke, which █████ picked up afterwards. Finally, █████ affirmed that nobody told her what to say during the interview, and the interview concluded.

COPA interviewed Ms. █████ on February 25, 2019 at approximately 2:45 p.m., at the Wheaton College Library in Wheaton, Illinois.<sup>3</sup> Ms. █████ told investigators she is a graduate student studying clinical psychology and is a small Group Leader at Elevate Willow Creek Community Church’s Youth Worship service. As a Group Leader, she leads a group of five to eight, eighth graders, ages 12-13 years old that meets after services conclude. █████ is part of her group and Ms. █████ has known █████ for approximately 18 months.

Ms. █████ has a good rapport with █████ █████ shared that her parents were divorced and had been going to court regarding her custody and that a Guardian ad Litem was assigned to represent █████ Additionally, █████ previously mentioned that she wanted to live with her biological father, Mr. █████ because she did not feel that her mother was adequately taking care of her. In a conversation with █████ on August 19, 2019, Ms. █████ asked how things were going at █████ mom’s (Ms. █████) house and further asked about the well-being of Ms. █████ █████ stated she was “fine.” However, █████ shrugged her shoulders when Ms. █████ inquired about █████ stepfather, Robert Schaack. █████ further explained that summer was going fine, except for the last two weeks in which she had to speak with a DCFS investigator regarding an incident of abuse that her biological father, Mr. █████ reported. Ms. █████ then asked the type of abuse and █████ replied, “all three types.” Ms. █████ stated she was unable to get more information, as █████ advised she no longer wanted to talk about the incident. Ms. █████ understood “all three types” to mean, physical, emotional, and sexual abuse. Ms. █████ described █████ at the time as fidgety, not making eye contact, shifting her weight around, and spoke very matter of fact and dismissive regarding the abuse.

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<sup>3</sup> See Attachment #22

On February 5, 2020, COPA Investigators traveled to Woodstock, Illinois to interview ██████████<sup>4</sup> Mr. ██████████ told investigators that he and Ms. ██████████ share joint custody of ██████████. However, he has been ██████████ primary parent since June 2019, and has only visited Ms. ██████████ three times since December 2019. Mr. ██████████ stated he believes the incident(s) possibly occurred but believed they were accidental or a mistake and ██████████ and Officer Schack maintained a friendly relationship as opposed to a parent/child relationship. Continuing, Mr. ██████████ told investigators that the Pastor of their church involved in a sexual harassment scandal around the same time ██████████ made the allegations against Officer Schaack. During this period, there were discussions at church regarding sexual assault and harassment. Mr. ██████████ believed that ██████████ heard those examples and then misinterpreted her interactions with Officer Schaack. Mr. ██████████ also stated that although ██████████ is 14 years old, she tests well below the normal social and emotional levels of other children her age. Due to her level of understanding, Mr. ██████████ doubted ██████████ was able to make those allegations independently. Lastly, Mr. ██████████ mentioned the custody battle between he and Ms. ██████████ stating ██████████ no longer wanted to live with her mother, and used the allegations as a way out but did not understand the gravity of alleging sexual misconduct.

COPA interviewed ██████████ on March 1, 2019 at approximately 11:10 a.m., at the Civilian Office of Police Accountability, located at 1615 W Chicago Ave, Chicago, Illinois.<sup>5</sup> Ms. ██████████ stated she and Officer Shaack have been married and lived together for almost 5 years. They do not have any children together. Ms. ██████████ stated she is ██████████ mother and the two of them share a close bond; however, ██████████ is a teenager and sometimes things are difficult. Ms. ██████████ stated that Mr. ██████████ causes conflict between her and her daughter.

Ms. ██████████ and Mr. ██████████ divorced in 2008 and the process was extremely difficult. Mr. ██████████ is very controlling, and since the divorce, he has attempted to control her life. Ms. ██████████ and Mr. ██████████ have been in and out of court for the past ten years fighting for sole custody of ██████████. Ms. ██████████ stated she feels that Mr. ██████████ has ██████████ spy on her by having ██████████ asking things like, "What did mommy do this weekend?"

Currently, ██████████ lives with her and Officer Schaack and Mr. ██████████ has visitation every other weekend. Officer Schaack works the afternoon shift, and Ms. ██████████ works 6:30 a.m. to 2:30 p.m. during the school year so that she can pick ██████████ up from school. Officer Schaack drops ██████████ off at school every morning. Ms. ██████████ stated that during April or May of 2018, ██████████ would have been staying at her home. Ms. ██████████ stated that ██████████ and Officer Schaack have a friendly relationship; however, sometimes ██████████ talks back to Officer Schaack, as she is a teenager. Ms. ██████████ stated that ██████████ sometimes treats Officer Schaack as a peer, and Ms. ██████████ feels as though there should be more respect. Ms. ██████████ stated that she is the disciplinarian regarding ██████████

The allegations damaged the relationship between Officer Schaack and ██████████ but it has since returned to normal. Ms. ██████████ stated that ██████████ and Officer Schaack are close. Ms. ██████████ asked ██████████ about the allegations and ██████████ denied the incident, but Ms. ██████████

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<sup>4</sup> See Attachment #34. Due to his schedule, it was not possible to conduct a recorded interview. Therefore, an Investigatory Report was written to summarize the conversation.

<sup>5</sup> See Attachment #28

advised [REDACTED] that should the allegations be true, she and [REDACTED] should not live with or be around Officer Schaack.

Ms. [REDACTED] stated a DCFS Investigator came to her home, which was when she became aware that there were allegations made against her husband, Officer Schaack. Ms. [REDACTED] stated that prior to the investigation into Officer Schaack, there were other DCFS investigations related to the custody battle between Ms. [REDACTED] and Mr. [REDACTED]. Ms. [REDACTED] stated she never believed [REDACTED] was being abused by Officer Schaack and that she believed Mr. [REDACTED] plotted to gain advantage in the custody battle. [REDACTED] never discussed with Ms. [REDACTED] that Officer Schaack touched her in an inappropriate manner. Prior to the outcry, [REDACTED] never acted differently towards Officer Schaack. Ms. [REDACTED] stated that [REDACTED] shared with her an incident regarding she and Officer Schaack when he took her to school during which he grabbed her backpack, shook it, and pulled her hair. [REDACTED] felt this incident was abuse and Ms. [REDACTED] spoke with Officer Schaack, asking him to handle such situations differently in the future.

Ms. [REDACTED] told investigators that [REDACTED] complains to her about everything regarding Officer Schaack. Ms. [REDACTED] stated [REDACTED] bosses Officer Schaack around a little and that there are arguments within the household pertaining to cleanliness; however, there was never an incident in which Officer Schaack threw a plate, shattered it into pieces.

Finally, Ms. [REDACTED] denied that Officer Schaack was ever verbally or physically abusive towards her or [REDACTED]. Ms. [REDACTED] stated she never advised Mr. [REDACTED] it was unsafe for [REDACTED] to live with Officer Schaack. Ms. [REDACTED] stated that Officer Schaack does not have a bad temper and only drinks every other weekend. However, she recalled a couple days during the summer when he was stressed and drank too much, but she denied he had a drinking problem. Ms. [REDACTED] stated she believed that her daughter is a victim of a terrible custody battle. Ms. [REDACTED] stated she is financially independent and would not remain in a relationship with Officer Schaack if he was abusing Ms. [REDACTED].

COPA obtained a statement from **Officer Schaack**<sup>6</sup> on August 25, 2020 at approximately 1:19 p.m., on the fourth floor of COPA offices located at 1615 W Chicago Ave, Chicago, Illinois. Officer Schaack told investigators he and Ms. [REDACTED] dated for two years and then married in 2014. The two of them, along with [REDACTED] moved in together shortly after being married. Officer Schaack was responsible for taking [REDACTED] to school, and he would sometimes drop her and her friends off to various locations such as the mall. He was not responsible for disciplining [REDACTED]. Ms. [REDACTED] had talks with [REDACTED] when she became “mouthy,” but did not believe in physical discipline.

Officer Schaack stated [REDACTED] behavior changed during the custody battle between Mr. [REDACTED] and Ms. [REDACTED] in that she began to act out towards himself and Ms. [REDACTED] by throwing tantrums and being confrontational. During the custody battle, things in the home became stressful. During Officer Schaack’s work week, himself and [REDACTED] are only alone together for the drive to school. They do not have any interaction with one another outside of that. [REDACTED] is in bed asleep when he arrives home at night. Officer Schaack stated because he and [REDACTED] lived together,

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<sup>6</sup> Officer Schaack appeared with his attorney, [REDACTED], who was present during the interview. Officer Schaack’s interview is incorporated as Attachment #35.

the two of them could have been in the kitchen alone together but no single incident stands out. Officer Schaack did not recall any incidents in which he contacted [REDACTED] breasts or buttocks. Due to the allegations, Officer Schaack was arrested and taken to the district for questioning. However, he was released without charges and was not required to go to court regarding the incident.

Officer Schaack recalled an incident when he drove [REDACTED] to school and was waiting in the drop-off lane. Officer Schaack believes that he put the vehicle in park because [REDACTED] refused to go to school and refused to get out of the vehicle. He stated, "I took her book-bag to get her out of the car, and I guess I got maybe some of her hair with it."<sup>7</sup> As Officer Schaack attempted to exit the vehicle with the book-bag in hand, [REDACTED] simultaneously exited the vehicle. Officer Schaack denied shaking [REDACTED] during the incident. Officer Schaack and Ms. [REDACTED] discussed [REDACTED] behavior the night of the incident. Ms. [REDACTED] then had a separate conversation with [REDACTED] and Officer Schaack was not present.

Officer Schaack believed the abuse allegations were brought up toward the end of the custody battle due to Mr. [REDACTED] "losing every day in court."<sup>8</sup> Mr. [REDACTED] used DCFS as a tactic to gain sole custody of [REDACTED] Officer Schaack did not have any conversations with [REDACTED] regarding the allegations.

Finally, Officer Schaack stated he and Ms. [REDACTED] argued from time to time. However, there were no physical altercations between the two. Alcoholic beverages are kept in the home and they consume beer or wine occasionally with dinner or while watching football games. Typically, he and Ms. [REDACTED] try not to argue in [REDACTED] presence. However, it may happen from time to time. Officer Schaack stated entire situation was stressful for he and Ms. [REDACTED] and is still stressful for the two of them.

#### b. Documentary Evidence

The **Original Case Incident Report**<sup>9</sup> completed on September 21, 2018 describes that during an interview for a prior DCFS investigation, [REDACTED] disclosed that her stepfather, Officer Schaack " 'brushed up' against her chest and butt area on 3 occasions" during April and May 2018 and that this was not accidental. Police received the call via a hotline notification which was assigned SCR #1802307C.

The **Arrest Report**<sup>10</sup> completed on October 12, 2018 at approximately 9:30 a.m., summarized the arrest of Officer Robert Schaack who was charged with Felony Aggravated Criminal Sex Abuse with a victim under the age of 13. Felony charges were denied by Cook County State's Attorney's Office (CCSAO), and Officer Schaack was released without charges.

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<sup>7</sup> See Attachment #35, *Id.* at 22:12.

<sup>8</sup> *Id.* at 32:49

<sup>9</sup> See Attachment #5

<sup>10</sup> See Attachment #8

COPA requested the **Detectives File**<sup>11</sup> pertaining to the log. The detective file includes the arrest report, case report, supplemental reports, DCFS report and general progress reports. The file contains a letter from Ms. ██████ which explains why she believes Mr. ██████ filed the report to full custody of their daughter. According to the supplemental report, Det. Sean McCabe, the assigned detective, also interviewed Mr. ██████ Ms. ██████ and Mr. ██████ who all related essentially the same information as they did to COPA.<sup>12</sup> Det. McCabe also interviewed Officer Shaack,<sup>13</sup> who denied the incident, adding that ██████ has never been uncomfortable with him and he walks around on eggshells with her. The criminal investigation was closed after felony charges were denied by CCSAO.

COPA obtained a copy of **Illinois Department of Children and Family Services (DCFS) Report SCR#1802307B**<sup>14</sup> which reveals there was an investigation opened on August 15, 2018 after it was reported that ██████ was afraid to go home because Officer Shaack has a temper. ██████ alleged Officer Shaack grabbed her by the backpack while she was in the car and slapped her on the arm when she tried to get away. She also alleged that Officer Shaack and Ms. ██████ yell and throw things at one another and shove one another. She further alleged that Officer Shaack abuses alcohol.

DCFS interviewed Robert Schaack and he admitted that he grabbed hair by accident in the car and told her he was sorry.<sup>15</sup> DCFS interviewed Ms. ██████ and Mr. ██████ who related essentially the same information as related to COPA. DCFS ultimately unfounded the allegations.

COPA obtained a copy of **DCFS Report SCR#1202307C**<sup>16</sup> which was opened on September 16, 2018, after ██████ disclosed that Officer Shaack touched her inappropriately on three occasions since April 2018. Officer Shaack was interviewed by DCFS regarding this incident and denied the allegations. Ms. ██████ was also interviewed by DCFS and related she did not believe the allegations, noting that she and Officer Shaack were on vacation in April 2018. Mr. ██████ related ██████ did not disclose the sexual abuse allegations to him, and he learned of the allegations when contacted by DCFS. DCFS relied on ██████ statements during the Forensic Interview for their investigation. Ultimately, the DCFS case was unfounded.

### c. Additional Evidence

COPA received a printout of **Text Messages**<sup>17</sup> between ██████ and ██████. During the conversation, Mr. ██████ stated words to the effect of “if you’re not gonna be honest, I am going to be very dangerous. Just wait till I have my conversation with Bob.” Throughout all the text messages, Mr. ██████ tone is aggressive toward both Ms. ██████ and ██████ in that if the two of them do not comply with his wishes, he will retaliate against them.

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<sup>11</sup> See Attachment #10

<sup>12</sup> *Id.* at 164-165

<sup>13</sup> *Id.* at 165-166

<sup>14</sup> See Attachment #33

<sup>15</sup> *Id.* at page 7

<sup>16</sup>

<sup>17</sup> See Attachment #29, page 11

In the **Case Log COPA** created for the investigation, Investigator Webber logged the following on January 15, 2019: ██████████ told Inv. Weber and McPhail that he would be surprised if Robert Schaack committed alleged acts.

## VI. Applicable Legal Standards

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 allegation 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** is 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 than not 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. *See e.g., People v. Coan*, 2016 IL App (2d) 151036 (2016). 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." *Id.* at ¶ 28.

## VII. ANALYSIS

COPA finds **Allegation #1** alleged by ██████████, a minor, that on or about an unknown date and time, during the winter months 2016-2017, at an unknown location while riding in the car on the way to school, the accused grabbed her by her hair and/or book bag and shook her without justification is **Not Sustained**. ██████████ provided the same account of the incident to both the Forensic Interviewer and her Ms. ██████████ however, she told DCFS that Officer Shaack also slapped her arm. During his statement to COPA, Officer Schaack recalled the incident, and admitted that he grabbed the book bag. Officer Shaack denied shaking ██████████ during the incident. At the time of the incident, Officer Schaack stated that ██████████ hair was approximately shoulder length. Officer Shaack told DCFS that he grabbed her hair by accident. Given the length of her hair and the placement of the book bag, it is likely that ██████████ hair was pulled when Officer Schaack grabbed the book-bag. However, there is insufficient information to prove that Officer

Shaack shook [REDACTED] or intentionally grabbed her hair. For these reasons, COPA finds the allegation is Not Sustained.

COPA finds **Allegations #2 and #3** alleged by [REDACTED], a minor, that on or about April 01, 2018 - May 31, 2018, at or near [REDACTED], Chicago, IL, the accused made contact with her breast without justification, made contact with her buttocks without justification, and pushed [REDACTED] against a wall without justification are **Not Sustained**. In her statement to COPA, Ms. [REDACTED] “assumed” one of the types of abuse was sexual. [REDACTED] never went into detail with Ms. [REDACTED] regarding any of the allegations of abuse. However, [REDACTED] made these specific allegations during a forensic interview. Ms. [REDACTED] asked [REDACTED] directly about the allegations and [REDACTED] denied the incidents occurred. Mr. [REDACTED] related that he believed Officer Shaack may have only made accidental contact with [REDACTED] breasts and buttocks. Mr. [REDACTED] added that [REDACTED] may have misinterpreted the contact due to the allegations against their church Pastor at the time.

According to both Ms. [REDACTED] and Mr. [REDACTED] [REDACTED] behavior was the same both before and after the outcry. Furthermore, the only person [REDACTED] shared the incident with was the forensic investigator. None of the other parties interviewed were able to provide an account of the alleged sexual abuse. Officer Schaack was unable to recall any incident in the kitchen between he and [REDACTED] However, he did state the two of them lived together and it was possible for them to be in the kitchen as the same time as they typically at dinner together, and he was responsible for preparing [REDACTED] lunch for school.

Therefore, COPA finds the allegations are Not Sustained as there is insufficient evidence to prove the allegations by a preponderance of the evidence.

COPA finds **Allegations #4** alleged by [REDACTED], a minor, that on or about an unknown date and time, at or near [REDACTED], Chicago, IL, the accused pushed [REDACTED] against a wall without justification is **Not Sustained**. During her statement to COPA, Ms. [REDACTED] denied that Officer Schaack was physically abusive toward her. However, she did admit the two of them argued as the custody battle was a stressor in their marriage. Additionally, [REDACTED] admitted several times that she never saw Officer Schaack and her mom engage in physical altercations other than an incident where Officer Shaack shoved Ms. [REDACTED] Officer Shaack denied the allegation. No other evidence exists to corroborate this allegation. Therefore, COPA finds the allegation is Not Sustained as there is insufficient evidence to prove the allegations by a preponderance of the evidence.

**VIII. CONCLUSION**

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

Officer	Allegation	Finding / Recommendation
Officer Robert Schaack	1. It is alleged by [REDACTED], a minor, that on or about an unknown date and time, during the winter months 2016-2017, at an unknown location	Not Sustained

	<p>while riding in the car on the way to school, the accused grabbed her by her hair and/or book-bag and shook her without justification.</p> <p>2. It is alleged by [REDACTED], a minor, that on or about April 01, 2018 - May 31, 2018, at or near [REDACTED]t, Chicago, IL, the accused made contact with her breast without justification.</p> <p>3. It is alleged by [REDACTED], a minor, that on or about April 01, 2018 - May 31, 2018, at or near [REDACTED], Chicago, IL, the accused made contact with her buttocks without justification.</p> <p>4. It is alleged by [REDACTED], a minor, that on or about an unknown date and time, at or near [REDACTED], Chicago, IL, the accused pushed [REDACTED] against a wall without justification.</p>	<p>Not Sustained</p> <p>Not Sustained</p> <p>Not Sustained</p>
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Approved:

[REDACTED]

5/5/2021

\_\_\_\_\_  
Matthew Haynam  
Deputy Chief Administrator – Chief Investigator

\_\_\_\_\_  
Date

Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	9
<b>Investigator:</b>	Shakira Nubern
<b>Supervising Investigator:</b>	Sharday Jackson
<b>Deputy Chief Administrator:</b>	Matthew Haynam