

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	September 29, 2019, 12:35 a.m., [REDACTED]
Date/Time of COPA Notification:	September 29, 2019, 2:01 a.m.
Involved Officer #1:	Michael G. Cochran, Star #21030, Employee ID#[REDACTED], Date of Appointment: 07-Aug-1995, Rank: Detective, Unit of Assignment: 620- Area 2, DOB: [REDACTED] 1967, Gender: Male, Race: Black
Involved Officer #2:	[REDACTED], Star # [REDACTED], Employee ID#[REDACTED], Date of Appointment: 17-Oct-2011, Rank: Police Officer, Unit of Assignment: 002, DOB: [REDACTED] 1976, Gender: Female, Race: Black
Case Type:	Domestic

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Michael Cochran	1. It is alleged that on or about September 29, 2019 at [REDACTED] Chicago, IL, at approximately 12:35 a.m., the accused was intoxicated while off duty.	Sustained/ 30-day Suspension
	2. It is alleged that on or about September 29, 2019 at [REDACTED] Chicago, IL, at approximately 12:35 a.m., the accused grabbed PO [REDACTED] by her arms without justification.	Not Sustained
	3. It is alleged that on or about September 29, 2019 at [REDACTED] Chicago, IL, at approximately 12:35 a.m., the accused pushed PO [REDACTED] on the bed without justification.	Not Sustained
	4. It is alleged that on or about September 29, 2019 at [REDACTED] Chicago, IL, at approximately 12:35 a.m., the accused placed his body on top of PO [REDACTED] causing her airway to be restricted.	Not Sustained
	5. It is alleged that on or about September 29, 2019 at [REDACTED] Chicago, IL, at	Not Sustained

<p>approximately 12:35 a.m., the accused grabbed PO [REDACTED] by her wrists without justification.</p>	
<p>6. It is alleged that on or about September 29, 2019 at [REDACTED] Chicago, IL, at approximately 12:35 a.m., the accused was intoxicated while in possession of his firearm.</p>	<p>Sustained/ 30-day Suspension</p>

II. SUMMARY OF EVIDENCE¹

On September 29, 2019 at approximately 12:35 a.m., Officer [REDACTED] (hereafter Officer [REDACTED]) called for police assistance because she and her husband Detective Michael Cochran (hereafter Det. M. Cochran) were involved in a physical altercation. In Officer [REDACTED] statement to COPA,² she related that on the evening of September 28, 2019, she and her husband attended a birthday party with friends and consumed alcoholic beverages. When they returned home, an argument ensued regarding infidelity. Officer [REDACTED] alleged that Detective M. Cochran grabbed her by the arms, turned her around face down on the bed while holding her wrists, and placed his body on top of hers, which restricted her airway. Officer [REDACTED] further alleged that she called out to [REDACTED] a friend of theirs who was sleeping in another room, for help. When [REDACTED] responded to the bedroom the physical altercation was over and he and Det. M Cochran went to the backyard. Officer [REDACTED] called 9-1-1³ after her husband and [REDACTED] were outside and informed them that her husband “put his hands on [her].” During the call, she informed the call taker that both she and Det. M. Cochran were drinking stating, “I’ve had a couple, but he’s had a lot.” When police arrived on scene, Officer [REDACTED] was waiting on the front porch.

It was documented in the **Case Report and Arrest Report for Domestic Battery⁴**, that on September 29, 2019 at approximately 12:37 a.m., officers responded to a call of a domestic battery involving two members of the Chicago Police Department. Upon arrival, officers spoke with Officer [REDACTED] who related essentially the same information she related to COPA. Det. M. Cochran was arrested and charged with Domestic Battery and bonded out at court. According to the Case Report, no injuries were noted to Officer [REDACTED] Det. M. Cochran had a scratch on his upper lip but was unsure how he received it. COPA also obtained **Body Worn Camera footage⁵** from the responding officers. The footage reveals that after Sergeant Habiak, Jr. returned to the front yard from talking with Det. M. Cochran, Officer [REDACTED] asked Sergeant Habiak, Jr., “Did he say I hit him first?”⁶ She also told the responding officers that Det. M. Cochran was “drunk.” Additionally, on body worn camera,⁷ [REDACTED] tells officers that he heard yelling and went to the bedroom. [REDACTED] denies hearing “bumping” or anything of that matter. Upon entering the

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.

² Att. 47

³ See Att. 4, 5, 28 & 29

⁴ Att. 2 & 3

⁵ Att. 18-26

⁶ See Att. 23

⁷ See Att. 25 at 1:09:00

room, he observed Det. M Cochran standing at the foot of the bed, and Officer ██████ visibly upset, seated in an upright position on the floor and leaning against the bed. Officer ██████ then told ██████ “Come get him.” ██████ and Det. M. Cochran relocated to the backyard.⁸ The body worn camera further captured that Det. M. Cochran was in possession of his firearm. The firearm is positioned inside a holster on his waist, on the right side of his body. Officer Nava reaches down toward Det. M. Cochran, who was seated, and removes the firearm from his waistband.

In **Det. M. Cochran’s statement to COPA**⁹ on June 25, 2020, he related to investigators that his birthday was September 28th and he and his wife, Officer ██████ went out for drinks. After arriving home, the two of them were in their bedroom and an argument ensued regarding Officer ██████ infidelity. He alleged that Officer ██████ pushed him,¹⁰ and when she attempted to push him a second time, he grabbed her arms to prevent further battery. In doing so, he grabbed her near her wrists and there was a “push, pull,”¹¹ causing the two of them to fall on the bed. Det. M. Cochran stated he immediately stood up and went outside to cool off. He further advised investigators that since the incident, they are no longer living together but are dating in an attempt to work on their marriage.

Officer ██████ was treated by Emergency Medical Technicians on scene for chest pain. The **Chicago Fire Department Report**,¹² documented that she did not complain of any other pain and appeared “very upset but in mild distress.” Subsequent to his arrest, Det. M. Cochran was given a **breathalyzer test**¹³ and registered a blood alcohol level of .144. Officer ██████ was also given a **breathalyzer test**,¹⁴ but no alcohol was detected.

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

⁸ COPA attempted to interview ██████ but was unsuccessful. See Att. 48

⁹ Att. 45 & 46

¹⁰ Att. 45 at 5:15. It should be noted that Det. M. Cochran related that he was not attempting to make a complaint against Officer ██████

¹¹ Id. at 12:15

¹² Att. 13

¹³ Att. 34

¹⁴ Att. 39

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 is has found to be more probably true than not). If the evidence gathered in an investigation establishes that it 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. *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 the proposition ... is true” *Id.* at 28

IV. ANALYSIS AND CONCLUSION

COPA finds **Allegation #1** that on or about September 29, 2019 at ██████████ Chicago, IL, at approximately 12:35 a.m., the accused was intoxicated while off duty is **SUSTAINED**. Officer ██████████ called 9-1-1 and informed them that Det. M. Cochran had been drinking. Additionally, Body Worn Camera (BWC) revealed Officer ██████████ informed Sergeant Habiak Jr. that Det. M. Cochran had been drinking and was “drunk.” Furthermore, during her statement to COPA, she again informs investigators that he was drinking the night of the incident. During his statement to COPA Det. M. Cochran admitted to having several alcoholic beverages on the night of the incident. Finally, a breathalyzer was conducted, and Det. M. Cochran’s breathalyzer results revealed that on September 29, 2020 at 4:29 a.m., Det. M. Cochran’s blood and alcohol level was a .144. Therefore, COPA finds the allegation is **SUSTAINED** based on a preponderance of the evidence presented.

COPA finds **Allegations #2, 3, 4, and 5** that on or about September 29, 2019 at ██████████ ██████████ Chicago, IL, at approximately 12:35 a.m., the accused grabbed Officer ██████████ by her arms without justification, pushed her on the bed without justification, placed his body on top of her, causing her airway to be restricted, and grabbed her by her wrists without justification are all **NOT SUSTAINED**. COPA took statements from both Officer ██████████ and Det. M. Cochran, and they each alleged that the other was the aggressor. Additionally, Officer ██████████ question to Sgt. Habiak, about whether Det. M. Cochran was alleging she hit him first, raises questions about the sequence of events. No injuries were observed on Officer ██████████ but a minor scratch was observed on Det. M. Cochran’s upper lip area. Furthermore, in Det. M. Cochran’s statement, he admitted to grabbing her by the arms but only in self-defense. He further stated that when he grabbed her arms, the two of them lost their footing and both fell on top of the bed, causing him to fall on top of her. However, he immediately stood up, grabbed his belongings

and exited the room. COPA finds both accounts are plausible. Therefore, COPA finds the allegations are **NOT SUSTAINED**, as there is insufficient evidence to prove or disprove the incident occurred as alleged.

COPA finds **Allegation #6** that on or about September 29, 2019 at [REDACTED] Chicago, IL, at approximately 12:35 a.m., the accused was intoxicated while in possession of his firearm is **SUSTAINED**. As previously discussed, COPA finds that Det. M. Cochran was intoxicated. Additionally, body worn camera revealed that Det. M. Cochran was in possession of his firearm. Furthermore, in his statement to COPA, Det. M. Cochran admitted to having possession of his firearm while in his backyard, stating that he lives in Englewood. Therefore, COPA finds the allegation is **SUSTAINED** based on a preponderance of the evidence.

V. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. Detective Michael Cochran

i. Complimentary and Disciplinary History

1. **Complimentary:** 3 Crime Reduction Awards (2004, 2009, 2019), 1 Attendance Recognition Award, 5 Complimentary Letters, 1 Democratic National Convention Award, 3 Department Commendations, 13 Physical Fitness Emblems of Recognition, 33 Honorable Mentions, 1 Joint Operations Award, 1 NATA Summit Service Award, 1 Presidential Election Deployment Award (2008), 1 Unit Meritorious Performance Award
2. **Disciplinary:** 1 Reprimand (Indebtedness to the City)

ii. Recommended Penalty

COPA has considered the allegation and the complimentary and disciplinary history of Det. M. Cochran. COPA has considered the nature of the sustained allegations and Det. M. Cochran's explanation of his actions. In mitigation, Det. M. Cochran was very forthright and willing to accept responsibility for his actions. However, the allegation of being intoxicated, while in possession of a firearm, is particularly serious in nature. Accordingly, COPA recommends a 30 day suspension.

Approved:

[REDACTED]

September 30, 2020

Andrea Kersten
Chief of Investigative Operations

Date

Appendix A

Assigned Investigative Staff

Squad#:	9
Investigator:	██████████
Supervising Investigator:	██████████
Chief of Investigative Operations:	Andrea Kersten