

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	August 23, 2015
Time of Incident:	6:18 AM
Location of Incident:	4801 N. Pulaski
Date of COPA Notification:	August 23, 2015
Time of COPA Notification:	5:28 PM

Off-duty Sergeant Frank Covello was involved in a physical altercation with Involved Individuals [REDACTED] and [REDACTED]. Based on Sergeant Covello’s account of the incident, Mr. [REDACTED] and Mr. [REDACTED] were arrested and charged with Aggravated Battery of a Peace Officer and Resisting/Obstruction of a Peace Officer. Surveillance video obtained from Jerez Mexican Restaurant unquestionably contradicted Sergeant Covello’s account of the incident, that resulted in Mr. [REDACTED] and Mr. [REDACTED] being released without charging. Responding Sergeant Rick Nigro, #2377, initiated a Complaint Register Number regarding this incident.

II. INVOLVED PARTIES

Involved Officer #1:	Frank Covello, Star #2166, Employee # [REDACTED], Date of Appointment, August 31, 1998, Sergeant, Unit of Assignment, 024 <sup>th</sup> District Station, DOB: [REDACTED], 1966, Male, White.
Involved Individual #1:	[REDACTED], DOB: [REDACTED], 1984, Male, White.
Involved Individual #2:	[REDACTED], DOB: [REDACTED], 1987, Male, White.

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Sergeant Frank Covello	1. Physically assaulted [REDACTED] by pushing and striking him about his body, face and head.	Sustained/Separation
	2. Had [REDACTED] falsely arrested.	Sustained/Separation
	3. Had [REDACTED] falsely arrested.	Sustained/Separation
	4. Committed a Rule 14 violation by stating you were ambushed and physically assaulted by [REDACTED] and [REDACTED].	Sustained/Separation

5. Committed a Rule 14 violation by stating you walked through the gangway at 3940 W. Lawrence Avenue seeking assistance after you were attacked by [REDACTED] and [REDACTED].	Sustained/Separation
6. Committed a Rule 14 violation by identifying [REDACTED] as an Assailant.	Sustained/Separation
7. Committed a Rule 14 violation by identifying [REDACTED] as an Assailant.	Sustained/Separation
8. Committed a Rule 14 violation by providing a false statement to Sergeant Rick Nigro, #2377, relative to the aforementioned allegations.	Sustained/Separation
9. Committed a Rule 14 violation by providing a false statement to Detective Joshua Weitzman, #20307, relative to the aforementioned allegations.	Sustained/Separation
10. At approximately 0610 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello, had a physical altercation with [REDACTED] by pushing and striking [REDACTED] with closed and/or open hand strikes about [REDACTED]'s body without justification.	Sustained/Separation
11. At approximately 0620 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello detained and/or caused the detention of [REDACTED] without justification.	Sustained/Separation
12. At approximately 0620 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello detained and/or caused the detention of [REDACTED] without justification.	Sustained/Separation
13. At approximately 0620 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello arrested and/or caused the arrest of [REDACTED] without justification.	Sustained/Separation

14. At approximately 0620 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello arrested and/or caused the arrest of [REDACTED] without justification.

Sustained/Separation

15. Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) on Officer Fernando Flores's Original Incident Case Report (RD #HY393960) related to the arrests of [REDACTED] and [REDACTED] on or about August 23, 2015, at or around 3940 W. Lawrence Ave., Chicago, Illinois. To wit: false, misleading, inaccurate, incomplete, and /or inconsistent statement(s) and /or fact(s) including a statement that [REDACTED] attacked Sergeant Farank Covello; a statement that [REDACTED] attacked Sergeant Frank Covello had initiated an altercation with [REDACTED]; and /or an omission that Sergeant Frank Covello used force in response to and or in initiating a physical altercation.

Sustained/Separation

16. Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) on Sergeant Frank Covello's Tactical Response Report in response to [REDACTED] (RD #HY393960) and related to the arrests of [REDACTED] and [REDACTED] on or about August 23, 2015, at or around 3940 W. Lawrence Ave., Chicago, Illinois. To wit: false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) including a statement that [REDACTED] attacked Sergeant Frank Covello; a statement that [REDACTED] attacked Sergeant Frank Covello with force likely to cause great bodily harm; an omission that Sergeant Frank Covello initiated any altercation with [REDACTED] a statement that Sergeant Frank Covello was jumped from

Sustained/Separation

behind and struck in face with closed fist&amp;amp;quot; by ██████████; and/or an omission that Sergeant Frank Covello Covello used force in responsen initiating a physical altercation.

17. Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) on Sergeant Frank Covello's Officer's Battery Report (RD #HY393960) related to the arrests of ██████████ and ██████████ on or about August 23, 2015, at or around 3940 W. Lawrence Ave., Chicago, Illinois. To wit: false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) including a statement that Sergeant Frank Covello was injured in an "Ambush-No Warning" situation; an omission that Sergeant Frank Covello initiated a physical altercation with ██████████ on August 23, 2015; and/or the statement that Sergeant Frank Covello was the victim of "aggravated battery, battery, aggravated assault, or assault" while performing a police function.

Sustained/Separation

18. Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) on Officer Steinle's Arrest Report (RD #HY393960) related to the arrest of ██████████ on or about August 23, 2015, at or around 3940 W. Lawrence Ave., Chicago, Illinois. To wit: false, misleading, inaccurate, incomplete and/or inconsistent statement(s) and/or fact(s) including a statement that Sergeant Frank Covello was on his way to his veicle when he was "attacked from behind" by ██████████; a statement that Sergeant Frank Covello was "knocked to the ground again" by ██████████; a statement that Sergeant Frank Covello was "punched numerous times in the face and head" by ██████████; a statement that while

Sustained/Separation

Sergeant Frank Covello was on the ground [REDACTED] "joined in" and began to punch and knee Sergeant Frank Covello; an omission that Sergeant Frank Covello initiated a physical altercation with [REDACTED] on August 23, 2015.

19. Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) on Officer Steinle's Arrest Report (RD #HY393960) related to the arrest of [REDACTED] on or about August 23, 2015, at or around 3940 W. Lawrence Ave., Chicago, Illinois.

Sustained/Separation

20. Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) during Sergeant Frank Covello's interview with Investigator Bowens at the Independent Police Review Authority, related to the arrests of [REDACTED] and [REDACTED] on or about 1311 hours, on or about March 18, 2016, at or near 1615 W. Chicago Avenue, Chicago, Illinois. To wit: false, misleading, inaccurate incomplete and/or inconsistent statement(s) and/or fact(s) including a statement that Sergeant Frank Covello sustained a concussion as a result of the August 23, 2015 altercation with [REDACTED]; a statement that Sergeant Frank Covello was unaware wheter he had spoken with Sergeant Nigro in regards to the incident; a statement that Sergant Frank Covello was unable to rember various events on August 23, 2015 due to memory loss as a result of a concussion; a statement that after Sergeant Frank Covello pushed [REDACTED], [REDACTED] responded by throwing a punch at Sergeant Frank Covello; an omission that Sergeant Covello pushed [REDACTED] because [REDACTED] was physically advancing on Sergeant Covello; an omission that [REDACTED] had stepped back in response to Sergeant

Sustained/Separation

Covello's push prior to Sergeant Covello throwing a punch at [REDACTED]; a statement that Sergeant Covello had not "ever contacted" anyone who was at the scene to discuss the altercation; a statement that Sergeant Covello had not viewed "the video footage;" a statement that video surveillance footage of the altercation "was false," in that it corroborates his "version of the events," a statement that Sergeant Covello "wouldn't know" if [REDACTED] had tried to walk away during the first physical altercation as Sergeant Covello was on his knees;" the statement "they found this (video) which was fine, because it corroborates that I was attacked by my car," the statement ([REDACTED]) knows I'm the police, and he stalked me down to ambush me "in reference to

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#### IV. APPLICABLE RULES AND LAWS

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Rule 1: Violation of any law or ordinance.

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

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

Rule 14: Making a false report, written or oral.

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

##### a. Interviews

In a **statement** to IPRA on August 26, 2015, [REDACTED] related that he and his friend/co-worker [REDACTED] were at the Admiral Theater. After paying the entrance fee, they were informed that the theater would be closing in 15 minutes. They requested and received their money back and headed toward the exit. An employee of the club, a Hispanic male<sup>2</sup> in a red jacket, pushed Mr. [REDACTED] on his back as he exited the theater. A verbal exchange ensued between the two. A male

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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> Now known to be [REDACTED]

white in a Hawaiian shirt approached the scene.<sup>3</sup> Mr. [REDACTED] and Mr. [REDACTED] then attempted to flag down an Uber. Mr. [REDACTED] stood at the front of the club and Mr. [REDACTED] walked to the corner of Lawrence and Pulaski Avenue. Mr. [REDACTED] observed Sergeant Covello on Pulaski Avenue, approximately 10 to 15ft. away. Sergeant Covello was standing next to a grey colored sedan<sup>4</sup> with the door open. Sergeant Covello made a threatening statement as he walked toward Mr. [REDACTED]; Mr. [REDACTED] did not recall the statement.

With both hands, Sergeant Covello pushed Mr. [REDACTED] on his chest and Mr. [REDACTED] pushed him back. Sergeant Covello took a swing at Mr. [REDACTED] and a physical altercation ensued. Mr. [REDACTED] eventually broke free of Sergeant Covello and stated, "It's over man, it's done, let it go, you lost!"<sup>5</sup> Mr. [REDACTED] walked back to the theater and informed Mr. [REDACTED] of the altercation. Moments later, unbeknown to Mr. [REDACTED] two security guards from the theater, Mr. [REDACTED] and Sergeant Covello approached him from behind. Another physical altercation ensued between Mr. [REDACTED] and Sergeant Covello, and Mr. [REDACTED] and the security guards. Mr. [REDACTED] attempted to place Sergeant Covello in a "bear hug"<sup>6</sup> to calm him, but Sergeant Covello continued to attack him. The security guards conducted a takedown of Mr. [REDACTED] and [REDACTED] and detained them until officers arrived.

Mr. [REDACTED] learned of Sergeant Covello being a Department member upon arriving at the 017<sup>th</sup> district station. Mr. [REDACTED] did not have any physical interaction with Sergeant Covello. Mr. [REDACTED] was intoxicated and believed Sergeant Covello was also. He believed this because Sergeant Covello had no cause to attack him. Mr. [REDACTED] believed theater personnel knew Sergeant Covello personally, as they referred to him by his first name. Mr. [REDACTED] sustained contusions to his left eye and ear but did not receive medical treatment.<sup>7</sup>

In a **statement** to IPRA on December 17, 2015, **Detective Josh Weitzman** related he was assigned the Aggravated Battery investigation of Sergeant Covello. In his interview of Sergeant Covello, Sergeant Covello related that upon leaving an establishment across the street,<sup>8</sup> he assisted security guards at the Admiral Theater who were having an issue with two patrons.<sup>9</sup> Sergeant Covello identified himself as a department member and displayed his Star. Sergeant Covello advised Mr. [REDACTED] and Mr. [REDACTED] to leave the area. Mr. [REDACTED] and Mr. [REDACTED] walked westbound on Lawrence Avenue. Minutes later, Sergeant Covello observed Mr. [REDACTED] "standing by his vehicle,"<sup>10</sup> on Pulaski Avenue. Mr. [REDACTED] "sucker punched"<sup>11</sup> Sergeant Covello and walked away. Upon returning to the theater, Sergeant Covello encountered Mr. [REDACTED] and Mr. [REDACTED] and another physical altercation ensued. Security guards from the theater intervened and detained Mr. [REDACTED] and Mr. [REDACTED] until officers arrived at the scene.

Detective Weitzman later learned a surveillance video was obtained that captured the altercation between Mr. [REDACTED] and Sergeant Covello on Pulaski Avenue. The video shows Sergeant

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<sup>3</sup> Now known to be Sergeant Frank Covello.

<sup>4</sup> Now known to be Sergeant Covello's vehicle, a 2004 Toyota Solara

<sup>5</sup> Att. 23, page 21, lines 23-25.

<sup>6</sup> Att. 23, page 7, line 13

<sup>7</sup> Att. 22, 23

<sup>8</sup> Bulgarian Restaurant (Plovdiv)

<sup>9</sup> Now known to be [REDACTED] and [REDACTED].

<sup>10</sup> Att. 45, page 7, line 24.

<sup>11</sup> Att. 45, page 7, line 26.

Covello and Mr. ■■■ approaching each other on the sidewalk and standing chest to chest. Sergeant Covello chest bumped Mr. ■■■ and swung at him and a physical altercation ensued. Mr. ■■■ eventually disengaged from Sergeant Covello and walked away. Per Detective Weitzman, Surveillance video obtained from the theater “Really didn’t show anything.”<sup>12</sup> Detective Weitzman attempted to interview Mr. ■■■ and Mr. ■■■ but they invoked their 5<sup>th</sup> Amendment Right.<sup>13</sup>

In a **statement** to IPRA on February 19, 2016, **Sergeant Rick Nigro** related he responded to a call to assist an off-duty officer who was the victim of a Battery. Upon arriving at the scene, Sergeant Nigro observed security guards detaining Mr. ■■■ and Mr. ■■■. Sergeant Nigro then spoke to Sergeant Covello, who related Mr. ■■■ and Mr. ■■■ were engaged in a verbal altercation with security guards at the theater, at which time he advised them to leave the area. As Sergeant Covello was walking to his vehicle, Mr. ■■■ and Mr. ■■■ ambushed him from behind. As he was walking back to the theater, Mr. ■■■ and Mr. ■■■ attacked him again. Security guards intervened and detained Mr. ■■■ and Mr. ■■■ until officers arrived.

Based on Sergeant Covello’s account of the incident, his visible injuries and security guards corroborating his account of the incident, Mr. ■■■ and Mr. ■■■ were placed in custody. Sergeant Covello was transported to the hospital for medical treatment. Later, Sergeant Nigro was requested at Jerez Mexican Restaurant to view a surveillance video. The inaudible video showed Sergeant Covello and Mr. ■■■ exchanging words. Sergeant Covello struck Mr. ■■■ and a physical altercation ensued. After viewing the video, Sergeant Nigro concluded that the video did not corroborate Sergeant Covello’s account of the incident. Prior to viewing the video, Sergeant Nigro had completed several Department reports based on Sergeant Covello’s account of the incident.

Sergeant Nigro informed District Commander Eli Voulgaris, Detective Weitzman and Assistant State Attorney Jill Anselmo of the video. It was agreed that Mr. ■■■ and Mr. ■■■ would be released without charging. Commander Voulgaris instructed Sergeant Nigro to initiate a Complaint Register Number regarding Sergeant Covello providing a false report. Sergeant Nigro informed Sergeant Covello that his account of the incident was not corroborated by the surveillance video; Sergeant Covello did not respond. Sergeant Nigro believed that Sergeant Covello had consumed alcohol prior to this incident, as he smelled of alcohol. However, Sergeant Covello was not administered a breathalyzer. Sergeant Nigro reported Sergeant Covello was not armed during this incident.<sup>14</sup>

Attempts to obtain an interview from ■■■ were unsuccessful<sup>15</sup>. Attempts to obtain an interview from Admiral Theater personnel, including ■■■, were unsuccessful.

Interviews of responding Officers Fernando Flores, Gerald Steinle, David Pfest, and Sergeant Pang essentially provided information already known<sup>16</sup>.

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<sup>12</sup> Att. 45, page 11, lines 27-29.

<sup>13</sup> Att. 39, 45

<sup>14</sup> Att. 55, 56

<sup>15</sup> Att. 51, 52

<sup>16</sup> Att. 40, 41, 42, 43, 46, 47, 48, 49



In a **statement** to IPRA on March 18, 2016, **Accused Sergeant Frank Covello** related prior to this incident, he was at a Bulgarian Night Club across the street from the Admiral Theater for approximately 5½ hours. During that time Sergeant Covello consumed Vitamin Water and 10-12 shots of Jack Daniel’s Whiskey. Sergeant Covello stated he “Had a little buzz going.”<sup>17</sup> Upon leaving the club he observed ██████████<sup>18</sup> speaking with Mr. █████ and █████. Mr. █████ and Mr. █████ had been removed from the theater for being rude to a waitress. Mr. █████ threatened to call the police, at which time Sergeant Covello intervened. Sergeant Covello identified himself as a Sergeant of the Chicago Police Department, displayed his Star, and advised Mr. █████ and Mr. █████ to leave the area. Sergeant Covello and Mr. █████ then entered the theater. Mr. █████ and █████ were in front of the theater looking for an Uber. Minutes later, Sergeant Covello exited the side door of the theater that led to a gangway and walked to his vehicle on Pulaski Avenue.

Mr. █████ and █████ observed Sergeant Covello as he exited the theater and confronted him on Pulaski Avenue. Sergeant Covello was standing next to his vehicle with the door open when Mr. █████ approached him and stated, “You fucking Cop, you should have minded your own business, you got no right interfering with what we’re fucking doing!”<sup>19</sup> Mr. █████ stood behind Mr. █████. Sergeant Covello stated words to the effect to Mr. █████ and Mr. █████, “Get the fuck out of here!” Sergeant Covello pushed Mr. █████ on his chest with both hands and Mr. █████ punched him on the face. Sergeant Covello fell to one knee, stood to his feet, gathered belongings that fell from his person, entered his vehicle and drove away. With his eye swelling and vision impaired, Sergeant Covello parked his vehicle in the theater parking lot. Sergeant Covello informed Mr. █████ of the incident, and they walked to the theater via the gangway. Upon exiting the gangway onto Lawrence Avenue, Sergeant Covello and Mr. █████ were ambushed by Mr. █████ and █████.

Sergeant Covello was kicked in the head and became disoriented. Security guards intervened and detained Mr. █████ and Mr. █████ until officers arrived at the scene. Sergeant Covello was armed but did not draw his weapon during this incident. Sergeant Covello was transported for medical treatment, and upon being discharged, he reported to the 17<sup>th</sup> District station. Sergeant Covello was interviewed by Detective Weitzman and provided his account of the incident. Sergeant Covello had no recollection of speaking to Sergeant Nigro regarding this incident. Assisting Arresting Officer Fernando Flores informed Sergeant Covello that there was a video of the altercation and that he had lied about the location of the attack. Days later, Sergeant Covello reached out to Officer Flores via text messaging and asked if they could talk. Officer Flores responded, “Tell the truth, I don’t have anything to do with it.”<sup>20, 21</sup> It should be noted that during the course of his statement, Sergeant Covello used a printed Google Map to identify the locations of incidents regarding this matter.

On July 13, 2020, the Civilian Office of Police Accountability (COPA) conducted a second interview of Sergeant Frank Covello. Sergeant Covello was presented with additional allegations and asked clarifying/follow-up questions regarding his interview with the Independent Police

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<sup>17</sup> Att. 64, page 52, lines 18-19

<sup>18</sup> ██████████. Sergeant Covello knows Mr. █████ and other theater personnel from his time of working in the district.

<sup>19</sup> Page 20, lines 21-23.

<sup>20</sup> Att. 64, Page 31, lines 20-23.

<sup>21</sup> Att. 61, 64

Review Authority (IPRA) on March 16, 2016. Sergeant Covello attested that based on his memory, his interview with IPRA was an accurate account of the incident that occurred on August 23, 2015. Prior to his 2<sup>nd</sup> interview, Sergeant Covello viewed video surveillance from Jerez Mexican Restaurant. Sergeant Covello essentially stood by his initial statement to IPRA. Sergeant Covello had no recollection of speaking to responding Officers and providing them with a narrative for Department reports completed on his behalf. Sergeant Covello stated he did not write, approve, or review any of the Department reports regarding this incident. Sergeant Covello described a “buzz” as consumption of alcohol and feeling the effects of being inebriated. Sergeant Covello admitted that he was intoxicated at the time of these incidents.<sup>2223</sup>

### b. Digital Evidence

**Surveillance Video from Jerez Mexican Restaurant<sup>24</sup>** shows Mr. ■■■ and Sergeant Covello on Pulaski Avenue. Mr. ■■■ is on the sidewalk and Sergeant Covello is in the street near his vehicle. The parties appear to exchange words and walk toward each other, Mr. ■■■ stays on the sidewalk and Sergeant Covello steps onto the sidewalk. The parties come face to face and continue to exchange words. Sergeant Covello steps forward and pushes Mr. ■■■ about his chest area with both hands and then swings at Mr. ■■■. They begin to wrestle and Mr. ■■■ throws Sergeant Covello to the ground. Mr. ■■■ strikes Sergeant Covello about his head and face numerous times. Mr. ■■■ allows Sergeant Covello to stand to his feet and Mr. ■■■ walks away. Sergeant Covello immediately approaches Mr. ■■■ and they exchange punches. Mr. ■■■ backs away from Sergeant Covello with his hands raised, but Sergeant Covello continues to throw punches. Mr. ■■■ strikes Sergeant Covello on his face and knocks him to the ground. Mr. ■■■ walks out of the camera’s view. Sergeant Covello rises to his feet and follows in the direction of Mr. ■■■. Moments later, Sergeant Covello returns in view, retrieve his belongings from the sidewalk, enters his vehicle and drives away<sup>25</sup>.

**Surveillance Video from the Admiral Theater** captures Sergeant Covello initially entering the theater through the main entrance.<sup>26</sup> Approximately 7 minutes later, Sergeant Covello exits the side door of the theater<sup>27</sup> that leads out to a gangway. Approximately 4 minutes later, Sergeant Covello is observed walking through the gangway with Mr. ■■■<sup>28</sup> after the incident with Mr. ■■■ on Pulaski Avenue. Video captures Mr. ■■■ approaching Mr. ■■■, who is standing

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<sup>22</sup> Att. 68, 69

<sup>23</sup> IPRA and COPA both declined to serve an allegation pertaining to Sergeant Covello’s intoxication. First, while there was certainly evidence to indicate he had consumed alcohol prior to this incident, there was no breathalyzer administered with which to accurately assess his level of intoxication and Department rules merely prohibit intoxication, not consumption while off-duty. Second, it is clear that his impairment was not severe enough to prevent him from communicating and participating fully in his interviews with law enforcement immediately following the incident. If anything, Sergeant Covello had reason to exaggerate his level of intoxication as a means of lessening his culpability for his actions and false accounts.

<sup>24</sup> The video is approximately 8 minutes and 30 seconds, the physical altercation occurred in the first two minutes of the video. The video is inaudible.

<sup>25</sup> Att. 63

<sup>26</sup> Camera 8, 6:08:50 mark.

<sup>27</sup> Camera 7, 6:16:00 mark.

<sup>28</sup> Camera 7, 6:20:37 mark.

in front of the theater on Lawrence Avenue, Mr. [REDACTED] shows Mr. [REDACTED] his hands and appears to be telling Mr. [REDACTED] about the incident with Sergeant Covello.<sup>29</sup> Moments later, the camera captures the feet of several individuals who appear to be in a scuffle on Lawrence Avenue;<sup>30</sup> now known to be Sergeant Covello, Mr. [REDACTED], Mr. [REDACTED], and Mr. [REDACTED]. Seconds later, several security guards exit the theater and run in the direction of the scuffle. Sergeant Covello is observed entering the theater and returning outside seconds later. Responding officers arrive at the scene and approach Sergeant Covello. Per Detective Weitzman's reports, Sergeant Covello had no interaction with Mr. [REDACTED] and Mr. [REDACTED] inside the theater.<sup>31</sup>

**Evidence Technician photographs** of [REDACTED] display swelling to his left eye and abrasions about his face. Photos of [REDACTED] display abrasions to his knees and elbow. Photos of Sergeant Covello display swelling to his eyes and abrasions to his face<sup>32</sup>.

### c. Physical Evidence

The **Chicago Fire Department Emergency Medical Services Report** relates during a physical altercation, Sergeant Covello was punched on the face. Sergeant Covello was alert and oriented, he complained of pain and swelling to his eyes. Sergeant Covello was provided an icepack and transported to Swedish Covenant Hospital by Chicago Fire Department (CFD) Ambulance 46.

CFD Ambulance 32 responded to the 017<sup>th</sup> District Station to transport Mr. [REDACTED] to Swedish Covenant Hospital after he complained of head and leg pain. Mr. [REDACTED] related he was beaten about the head during a physical altercation.<sup>33</sup>

**Mr. [REDACTED]'s medical records** from Weiss Memorial Hospital relate he was struck multiple times as someone restrained him to the ground by placing their foot on him. Mr. [REDACTED] was diagnosed with a closed head injury and left knee abrasion. Mr. [REDACTED] was discharged in stable condition.<sup>34</sup>

**Sergeant Covello's medical records** relate he was punched several times about the face during a Battery. Per the National Emergency X-Ray Utilization Study<sup>35</sup> criteria, Sergeant Covello was intoxicated. Sergeant Covello was diagnosed with a medial orbital wall fracture and multiple abrasions; he was discharged in good condition. Sergeant Covello was on medical leave from the Department from August 23, 2015, through November 4, 2015.<sup>36</sup>

### d. Documentary Evidence

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<sup>29</sup> Camera 4, 6:20:26 mark.

<sup>30</sup> Camera 4, 6:20:54 mark.

<sup>31</sup> Att. 62

<sup>32</sup> Att. 29, 30, 31

<sup>33</sup> Att. 27, 37

<sup>34</sup> Att. 28

<sup>35</sup> A clinical clearance protocol for the exclusion of cervical spinal injury.

<sup>36</sup> Att. 44

In an **Initiation Report**, Sergeant Nigro related Sergeant Covello was involved in a physical altercation in which he identified [REDACTED] and [REDACTED] as the offenders. Sergeant Covello sustained a broken eye socket. Based on Sergeant Covello's narrative of the incident Mr. [REDACTED] and Mr. [REDACTED] were taken into custody. Sergeant Nigro completed numerous Department reports based on Sergeant Covello's account of the incident. Surveillance video later obtained did not corroborate Sergeant Covello's account, which resulted in Mr. [REDACTED] and Mr. [REDACTED] being released without charging.<sup>37</sup>

**Attendance & Assignment Records** show Sergeant Covello worked 3<sup>rd</sup> Watch, with a start time of 1400 hours on August 22, 2015.<sup>38</sup>

[REDACTED]'s **Arrest Report** states he was charged with Aggravated Battery to a Peace Officer and Resisting/Obstruction of a Peace Officer on signed complaints by Sergeant Covello. The narrative relates Sergeant Covello defused a situation outside the Admiral Theater involving Mr. [REDACTED], Mr. [REDACTED] and personnel from theater. As he walked to his vehicle, Mr. [REDACTED] approached Sergeant Covello ambushed Sergeant Covello from behind. Sergeant Covello fought off Mr. [REDACTED] and walked back to the theater seeking assistance. Before making it to the theater, Mr. [REDACTED] attacked Sergeant Covello again, knocking him to the ground and punching him numerous times about his face and head; Mr. [REDACTED] assisted Mr. [REDACTED] by punching and kneeing Sergeant Covello about his face and head. Responding officers placed Mr. [REDACTED] and Mr. [REDACTED] in custody. Sergeant Covello sustained swelling, cuts, and bruises to his face and head, he received medical treatment at Swedish Covenant Hospital. The Release Without Charging Section states, "further investigation revealed no charges, rejected per ASA Jill Anselmo," and Mr. [REDACTED] was released without charging.<sup>39</sup>

[REDACTED]'s **Arrest Report** essentially related the same narrative as Mr. [REDACTED]'s.<sup>40</sup>

**Tactical Response Reports** identified Mr. [REDACTED] and Mr. [REDACTED] as Assailant's/Deadly Force, their actions consisted of attack without weapon and use of force likely to cause death or great bodily harm, in that they attacked Sergeant Covello from behind and struck him on the face with a closed fist. Per the report, Sergeant Covello had no response to the Offenders actions.<sup>41</sup>

The **Original Case Incident Report** essentially related the same narrative as the Arrest Reports. In addition, the report related Sergeant Covello was walking in the alley of 4821 N. Pulaski when Mr. [REDACTED] attacked him and fled in an unknown direction.<sup>42</sup>

The **Officer's Battery Report** relates Sergeant Covello was off duty at the time of incident, dressed in civilian clothing, and ambushed without warning. The manner of attack was struck/blunt force.<sup>43</sup>

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<sup>37</sup> Att. 4

<sup>38</sup> Att. 54

<sup>39</sup> Att. 10

<sup>40</sup> Att. 11

<sup>41</sup> Att. 13, 14

<sup>42</sup> Att. 12

<sup>43</sup> Att. 15

A **Supplementary Report** relates a surveillance video retrieved from Jerez Mexican Restaurant during a canvass was viewed by Sergeant Nigro, Detective Weitzman, and Officer Flores. After viewing the video, it was determined that Sergeant Covello's account of the incident was not corroborated by the video; which resulted in Mr. [REDACTED] and Mr. [REDACTED] being released without charging<sup>44</sup>.

In a **Case Supplementary Report**, Detective Weitzman documented his interview of Admiral Theater Manager [REDACTED]. At approximately 6:00 am, Mr. [REDACTED] and Mr. [REDACTED] were asked to leave the establishment due to their rude behavior to a waitress. Mr. [REDACTED] escorted Mr. [REDACTED] and Mr. [REDACTED] from the theater onto Lawrence Avenue. Sergeant Covello who was across the street, approached Mr. [REDACTED] and Mr. [REDACTED]. Sergeant Covello identified himself as a Chicago Police Sergeant and displayed his Star. Mr. [REDACTED] and Mr. [REDACTED] stated they were waiting for an Uber and proceeded to walk westbound on Lawrence Avenue. Mr. [REDACTED] and Sergeant Covello entered the theater; minutes later Sergeant Covello exited the theater. At approximately 6:20 am, Mr. [REDACTED] heard via security radio that security was needed outside. Upon exiting the theater Mr. [REDACTED] observed Sergeant Covello in a physical altercation with Mr. [REDACTED] and Mr. [REDACTED]. Security guards detained Mr. [REDACTED] and Mr. [REDACTED] until officers arrived. Video obtained from the theater did not capture any interaction between Sergeant Covello, Mr. [REDACTED] and Mr. [REDACTED]<sup>45</sup>

## 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

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<sup>44</sup> Att. 16

<sup>45</sup> Att. 35, 50

“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

### Sergeant Frank Covello, #2166

COPA makes a finding of **SUSTAINED** for **Allegation #1**, that Sergeant Frank Covello Physically assaulted [REDACTED] by pushing and striking him about his body, face and head. Surveillance video from Jerez Mexican Restaurant shows indisputable evidence that Sergeant Covello was the aggressor. Sergeant Covello admitted that he initiated the physical contact by pushing Mr. [REDACTED] on the chest. Thereafter, a physical altercation ensued between the two that resulted in Sergeant Covello striking Mr. [REDACTED] about his body, face and head.

COPA makes a finding of **SUSTAINED** for **Allegation #2**, that Sergeant Frank Covello, #2166, had [REDACTED] falsely arrested. Sergeant Covello provided a false narrative to Sergeant Nigro and Detective Weitzman that resulted in Mr. [REDACTED] and Mr. [REDACTED] being arrested. Video from Jerez Mexican Restaurant provided indisputable evidence that neither Mr. [REDACTED] nor Mr. [REDACTED] attacked or ambushed Sergeant Covello from behind, nor “sucker punched” him, as initially reported by Sergeant Covello. After viewing the video, Sergeant Nigro, Detective Weitzman, and ASA Jill Anselmo mutually agreed that no charges would be sought against Mr. [REDACTED] and Mr. [REDACTED], and they were released without charging.

COPA recommends a finding of **SUSTAINED** for **Allegation #3**, that Sergeant Frank Covello, had [REDACTED] falsely arrested. This allegation is sustained based on the analysis for Allegation #2.

COPA makes a finding of **SUSTAINED** for **Allegation #4**, that Sergeant Frank Covello committed a Rule 14 violation by stating he was ambushed and physically assaulted by [REDACTED] and [REDACTED]. Video from Jerez Mexican Restaurant provides unquestionable evidence that Mr. [REDACTED] and Mr. [REDACTED] did not ambush Sergeant Covello as he alleged in his narrative of the incident to Sergeant Nigro and Detective Weitzman.

COPA makes a finding of **SUSTAINED** for **Allegation #5**, that Sergeant Frank Covello committed a Rule 14 violation by stating he walked through the gangway at 3940 W. Lawrence Avenue seeking assistance after he was attacked by [REDACTED] and [REDACTED]. Sergeant Covello did return to the Admiral Theater via the gangway. However, Sergeant Covello was not attacked by [REDACTED] and [REDACTED] as he alleged. Surveillance Video from Jerez Mexican Restaurant does not corroborate Sergeant Covello’s account of the incident.

COPA makes a finding of **SUSTAINED** for **Allegation #6**, that Sergeant Frank Covello committed a Rule 14 violation by identifying [REDACTED] as an Assailant. Video from Jerez Mexican Restaurant captures Mr. [REDACTED], prior to the physical altercation with Sergeant Covello, which clearly shows he does not initiate the fight, in fact, Sergeant Covello is the initial aggressor. Without any lawful justification, Sergeant Covello approached and initiated the physical contact

with Mr. [REDACTED]. Sergeant Covello was the aggressor. Mr. [REDACTED] merely defended himself from Sergeant Covello.

COPA makes a finding of **SUSTAINED** for **Allegation #7**, that Sergeant Frank Covello committed a Rule 14 violation by identifying [REDACTED] as an Assailant. This allegation is sustained based on the analysis for Allegation #6.

COPA makes a finding of **SUSTAINED** for **Allegation #8**, that Sergeant Frank Covello committed a Rule 14 violation by providing a false statement to Sergeant Rick Nigro, relative to the aforementioned allegations. In providing his account of the incident to Sergeant Nigro and Detective Weitzman, Sergeant Covello stated that he was “sucker punched” and ambushed by Mr. [REDACTED] and Mr. [REDACTED]. Neither is true. Sergeant Covello’s false narrative resulted in Mr. [REDACTED] and Mr. [REDACTED] being arrested, and the drafting of false Department reports. Surveillance video from Jerez Mexican Restaurant did not corroborate Sergeant Covello’s account of the incident. Sergeant Covello fabricated a narrative that made it appear as if he was the victim in this incident, but he was actually the aggressor.

COPA makes a finding of **SUSTAINED** for **Allegation #9**, that Sergeant Frank Covello committed a Rule 14 violation by providing a false statement to Detective Joshua Weitzman, #20307, relative to the aforementioned allegations. This allegation is sustained based on the analysis for Allegation #8.

COPA makes a finding of **SUSTAINED** for **Allegation #10**, that at approximately 0610 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello, had a physical altercation with [REDACTED] by pushing and striking [REDACTED] with closed and/open hand strikes about [REDACTED]’s body without justification. Sergeant Covello related that Mr. [REDACTED] placed him in fear of receiving a battery and described his actions as justifiable. Surveillance video from Jerez Mexican Restaurant shows unarguable evidence that Sergeant Covello’s actions were unjustified and that he was the initial aggressor, which totally contradicts his account of the incident. Sergeant Covello admitted that he initiated the physical contact by pushing Mr. [REDACTED] on the chest, which led to their altercation during which Sergeant Covello struck Mr. [REDACTED] about the body with closed and/or open hand strikes.

COPA makes a finding of **SUSTAINED** for **Allegation #11**, that at approximately 0620 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello detained, and/or caused the detention of, [REDACTED] without justification. Sergeant Covello provided a false narrative to multiple responding Department members (Sergeant Nigro, Detective Weitzman, Officers Flores and Steinle) that resulted in unjustifiable detention and arrest of Mr. [REDACTED]. Video from Jerez Mexican Restaurant shows indisputable evidence that Mr. [REDACTED] did not attack or ambush Sergeant Covello or “sucker punch” him as Sergeant Covello related. After viewing the video, Sergeant Nigro, Detective Weitzman and ASA Jill Anselmo mutually agreed that no charges would be sought against Mr. [REDACTED] and he was released without charging.

COPA makes a finding of **SUSTAINED** for **Allegation #12**, that at approximately 0620 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello detained,

and/or caused the detention of, [REDACTED] without justification. This allegation is sustained based on the analysis for Allegation #11.

COPA makes a finding of **SUSTAINED** for **Allegation #13**, that 0620 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello arrested, and/or caused the arrest of, [REDACTED] without justification. This allegation is sustained based on the analysis for Allegation #11.

COPA makes a finding of **SUSTAINED** for **Allegation #14**, that at approximately 0620 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello arrested and/or caused the arrest of [REDACTED] without justification. This allegation is sustained based on the analysis for Allegation #11.

COPA makes a finding of **SUSTAINED** for **Allegation #15**, that Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) on Officer Flores's Original Incident Case Report (RD #HY393960) related to the arrests of [REDACTED] and [REDACTED] on or about August 23, 2015, at or around 3940 W. Lawrence Avenue., Chicago, Illinois. Sergeant Covello related that he was not present when Officer Flores completed the Case Report and that he had no recollection of providing Officer Flores with a narrative. Sergeant Covello did provide a narrative to Officer Flores's, but failed to relate that he initiated the physical altercation with Mr. [REDACTED], that he pursued and struck Mr. [REDACTED] after Mr. [REDACTED] disengaged and walked away from him, that he had been drinking prior to the altercations, that he was intoxicated at the time of the incidents, and that he provided a false statement that Mr. [REDACTED] and Mr. [REDACTED] confronted him and that Mr. [REDACTED] "sucker punched" him. Officer Flores's narrative was solely based on the narrative he obtained from Sergeant Covello, which was false, misleading, inaccurate, and incomplete. Sergeant Covello provided a false statements to multiple responding Department members, including Sergeant Nigro, Detective Weitzman, Officers Flores and Steinle, that resulted in the unjustifiable detention and arrest of Mr. [REDACTED] and Mr. [REDACTED] and multiple false Department reports being generated.

COPA makes a finding of **SUSTAINED** for **Allegation #16**, that Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) on Sergeant Covello's Tactical Response Report in response to Mr. [REDACTED] (RD# HY393960) and related to the arrest of [REDACTED] and [REDACTED] on or about August 23, 2015, at or around 3940 W. Lawrence Avenue, Chicago, Illinois. Sergeant Covello had no recollection of providing a narrative of the incident to Sergeant Nigro. Sergeant Covello did provide Sergeant Nigro with a narrative that led Sergeant Nigro to complete a false, misleading, and inaccurate TRR solely based on Sergeant Covello's narrative. The TRR related Sergeant Covello was attacked with force likely to cause death or great bodily harm. It omitted that Sergeant Covello initiated the physical altercation with Mr. [REDACTED] and that Sergeant Covello used force in response to and/or initiating the physical altercation. Once again, video surveillance from Jerez's Mexican Restaurant shows unarguable evidence that Sergeant Covello's account of the incident totally false. Sergeant Covello stated that he did not attest, view, approve or use his PC number to complete any Department Reports related



to this incident. Sergeant Covello provided a false narrative to multiple responding Department members (Sergeant Nigro, Detective Weitzman, Officers Flores and Steinle) regarding this incident, that resulted in multiple false Department reports being generated.

COPA makes a finding of **SUSTAINED** for **Allegation #17**, that Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) on Sergeant Covello's Officer's Battery Report (RD #HY393960) related to the arrests of Mr. [REDACTED] and Mr. [REDACTED] on or about August 23, 2015, at or around 3940 W. Lawrence Avenue, Chicago, Illinois. Sergeant Covello provided a false narrative to multiple responding Department members (Sergeant Nigro, Detective Weitzman, Officers Flores and Steinle) regarding this incident, that resulted in multiple false Department reports being generated. This allegation is sustained based on the analysis for Allegation #15.

COPA makes a finding of **SUSTAINED** for **Allegation #18**, that Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate incomplete, and/or inconsistent statement(s) and/or fact(s) on Officer Steinle's Arrest Report (RD# HY393960) related to the arrest of Mr. [REDACTED] on or about August 23, 2015, at or around 940 W. Lawrence Avenue, Chicago, Illinois. Sergeant Covello provided a false narrative to multiple responding Department members (Sergeant Nigro, Detective Weitzman, Officers Flores and Steinle) regarding this incident, that resulted in multiple false Department reports being generated. This allegation is sustained based on the analysis for Allegation #15.

COPA makes a finding of **SUSTAINED** for **Allegation #19**, that Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate incomplete, and/or inconsistent statement(s) and/or fact(s) on Officer Steinle's Arrest Report (RD# HY393960) related to the arrest of Mr. [REDACTED] on or about August 23, 2015, at or around 940 W. Lawrence Avenue, Chicago, Illinois. Sergeant Covello provided a false narrative to multiple responding Department members (Sergeant Nigro, Detective Weitzman, Officers Flores and Steinle) regarding this incident, that resulted in multiple false Department reports being generated. This allegation is sustained based on the analysis for Allegation #15.

COPA makes a finding of **SUSTAINED** for **Allegation #20**, that Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) during Sergeant Frank Covello's interview with Investigator Bowens at the Independent Police Review Authority, related to the arrests of Mr. [REDACTED] and Mr. [REDACTED] on or about 1311 hours, on or about March 18, 2016, at or near 1615 W. Chicago Avenue. Sergeant Covello provided an account of the incident that was totally contradicted by the indisputable surveillance video from Jerez Mexican Restaurant. Sergeant Covello failed to relate in his interview with IPRA and to responding Officers that he initiated the physical altercation with Mr. [REDACTED], omitted the facts that he pursued and struck Mr. [REDACTED] after Mr. [REDACTED] disengaged and walked away from him, that he had been drinking prior to the physical altercations and was intoxicated at the time of the incidents, that he provided false testimony in stating that Mr. [REDACTED] and Mr. [REDACTED] confronted him after he sought assistance and

initiated a second physical incident, and that Mr. [REDACTED] “sucker punched” him and that the video surveillance footage of the altercation “was false” in that it corroborates his account of the incident.

**RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS**

**a. Sergeant Frank Covello, #2166**

**i. Complimentary and Disciplinary History**

1. Sergeant Covello has received thirty (30) Honorable Mentions, four (4) Department Commendations, twelve (12) Complimentary Letters, three (3) Life Saving Awards and six (6) additional Department awards.
2. Sergeant Covello does not have any prior disciplinary history.

**ii. Recommended Penalty**

Sergeant Covello’s unjustified physical attack of Mr. [REDACTED] and subsequent attempts to cover up his actions constitute grave misconduct. Sergeant Covello attempted to use his office and the inherent deference he was given by fellow law enforcement, to have Mr. [REDACTED] and Mr. [REDACTED] charged for the crime he himself committed. His statements to Department members regarding this incident were false, material, and willfully made. This kind of misconduct flies in the face of Sergeant Covello’s sworn duties to uphold the law and renders him unfit to serve as a police officer. COPA recommends SEPARATION from the Department.

**VIII. CONCLUSION**

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

<b>Officer</b>	<b>Allegation</b>	<b>Finding / Recommendation</b>
Sergeant Frank Covello	1. Physically assaulted [REDACTED] by pushing and striking him about his body, face and head.	Sustained/Separation
	2. Had [REDACTED] falsely arrested.	Sustained/Separation
	3. Had [REDACTED] falsely arrested.	Sustained/Separation
	4. Committed a Rule 14 violation by stating you were ambushed and physically assaulted by [REDACTED] and [REDACTED].	Sustained/Separation

<p>5. Committed a Rule 14 violation by stating you walked through the gangway at 3940 W. Lawrence Avenue seeking assistance after you were attacked by [REDACTED] and [REDACTED].</p>	<p>Sustained/Separation</p>
<p>6. Committed a Rule 14 violation by identifying [REDACTED] as an Assailant.</p>	<p>Sustained/Separation</p>
<p>7. Committed a Rule 14 violation by identifying [REDACTED] as an Assailant.</p>	<p>Sustained/Separation</p>
<p>8. Committed a Rule 14 violation by providing a false statement to Sergeant Rick Nigro, #2377, relative to the aforementioned allegations.</p>	<p>Sustained/Separation</p>
<p>9. Committed a Rule 14 violation by providing a false statement to Detective Joshua Weitzman, #20307, relative to the aforementioned allegations.</p>	<p>Sustained/Separation</p>
<p>10. At approximately 0610 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello, had a physical altercation with [REDACTED] by pushing and striking [REDACTED] with closed and/or open hand strikes about [REDACTED]'s body without justification.</p>	<p>Sustained/Separation</p>
<p>11. At approximately 0620 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello detained and/or caused the detention of [REDACTED] without justification.</p>	<p>Sustained/Separation</p>
<p>12. At approximately 0620 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello detained and/or caused the detention of [REDACTED] without justification.</p>	<p>Sustained/Separation</p>
<p>13. At approximately 0620 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello arrested and/or caused the arrest of [REDACTED] without justification.</p>	<p>Sustained/Separation</p>

<p>14. At approximately 0620 hours on August 23, 2015, at or near 4803 N. Pulaski Avenue, Sergeant Frank Covello arrested and/or caused the arrest of [REDACTED] without justification.</p>	Sustained/Separation
<p>15. Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) on Officer Fernando Flores's Original Incident Case Report (RD #HY393960) related to the arrests of [REDACTED] and [REDACTED] on or about August 23, 2015, at or around 3940 W. Lawrence Ave., Chicago, Illinois. To wit: false, misleading, inaccurate, incomplete, and /or inconsistent statement(s) and /or fact(s) including a statement that [REDACTED] attacked Sergeant Farank Covello; a statement that [REDACTED] attacked Sergeant Frank Covello had initiated an altercation with [REDACTED]; and /or an omission that Sergeant Frank Covello used force in response to and or in initiating a physical altercation.</p>	Sustained/Separation
<p>16. Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) on Sergeant Frank Covello's Tactical Response Report in response to [REDACTED] (RD #HY393960) and related to the arrests of [REDACTED] and [REDACTED] on or about August 23, 2015, at or around 3940 W. Lawrence Ave., Chicago, Illinois. To wit: false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) including a statement that [REDACTED] attacked Sergeant Frank Covello; a statement that [REDACTED] attacked Sergeant Frank Covello with force likely to cause great bodily harm; an omission that Sergeant Frank Covello initiated any altercation with [REDACTED]; a statement that Sergeant Frank Covello was jumped from behind and struck in face with closed</p>	Sustained/Separation

fist&amp;amp;quot; by ██████████; and/or an omission that Sergeant Frank Covello Covello used force in responsen initiating a physical altercation.

17. Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) on Sergeant Frank Covello's Officer's Battery Report (RD #HY393960) related to the arrests of ██████████ and ██████████ on or about August 23, 2015, at or around 3940 W. Lawrence Ave., Chicago, Illinois. To wit: false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) including a statement that Sergeant Frank Covello was injured in an "Ambush-No Warning" situation; an omission that Sergeant Frank Covello initiated a physical altercation with ██████████ on August 23, 2015; and/or the statement that Sergeant Frank Covello was the victim of "aggravated battery, battery, aggravated assault, or assault" while performing a police function.

Sustained/Separation

18. Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) on Officer Steinle's Arrest Report (RD #HY393960) related to the arrest of ██████████ on or about August 23, 2015, at or around 3940 W. Lawrence Ave., Chicago, Illinois. To wit: false, misleading, inaccurate, incomplete and/or inconsistent statement(s) and/or fact(s) including a statement that Sergeant Frank Covello was on his way to his veicle when he was "attacked from behind" by ██████████; a statement that Sergeant Frank Covello was "knocked to the ground again" by ██████████; a statement that Sergeant Frank Covello was "punched numerous times in the face and head" by ██████████; a statement that while Sergeant Frank Covello was on the ground

Sustained/Separation

██████████ "joined in" and began to punch and knee Sergeant Frank Covello; an omission that Sergeant Frank Covello initiated a physical altercation with ██████████ on August 23, 2015.

19. Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) on Officer Steinle's Arrest Report (RD #HY393960) related to the arrest of ██████████ on or about August 23, 2015, at or around 3940 W. Lawrence Ave., Chicago, Illinois.

Sustained/Separation

20. Sergeant Frank Covello made, caused to be made, adopted, approved and/or attested to one or more false, misleading, inaccurate, incomplete, and/or inconsistent statement(s) and/or fact(s) during Sergeant Frank Covello's interview with Investigator Bowens at the Independent Police Review Authority, related to the arrests of ██████████ and ██████████ on or about 1311 hours, on or about March 18, 2016, at or near 1615 W. Chicago Avenue, Chicago, Illinois. To wit: false, misleading, inaccurate incomplete and/or inconsistent statement(s) and/or fact(s) including a statement that Sergeant Frank Covello sustained a concussion as a result of the August 23, 2015 altercation with ██████████; a statement that Sergeant Frank Covello was unaware wheter he had spoken with Sergeant Nigro in regards to the incident; a statement that Sergant Frank Covello was unable to rember various events on August 23, 2015 due to memory loss as a result of a concussion; a statement that after Sergeant Frank Covello pushed ██████████, ██████████ responded by throwing a punch at Sergeant Frank Covello; an omission that Sergeant Covello pushed ██████████ because ██████████ was physically advancing on Sergeant Covello; an omission that ██████████ had stepped back in response to Sergeant Covello's push prior to Sergeant Covello

Sustained/Separation

throwing a punch at [REDACTED]; a statement that Sergeant Covello had not "ever contacted" anyone who was at the scene to discuss the altercation; a statement that Sergeant Covello had not viewed "the video footage;" a statement that video surveillance footage of the altercation "was false," in that it corroborates his "version of the events," a statement that Sergeant Covello "wouldn't know" if [REDACTED] had tried to walk away during the first physical altercation as Sergeant Covello was on his knees;" the statement "they found this (video) which was fine, because it corroborates that I was attacked by my car," the statement ([REDACTED]) knows I'm the police, and he stalked me down to ambush me "in reference to

Approved:

[REDACTED]

6-28-2021

Angela Hearts-Glass  
Deputy Chief Investigator

Date

[REDACTED]

6-28-2021

Andrea Kersten  
Interim Chief Administrator

Date

Appendix A

Assigned Investigative Staff

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