

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	February 2, 2020, 8:38 p.m., [REDACTED] Chicago, Illinois
Date/Time of COPA Notification:	February 2, 2020
Involved Officer #1:	Richard Bednarek, Star #1174. Emp. # [REDACTED]; DOA: Sgt.; March 22, 1964: Male; White.
Involved Individual #1:	[REDACTED]; [REDACTED], 1958; Female; White
Involved Individual #2:	[REDACTED]
Involved Individual #3:	[REDACTED]
Case Type:	Domestic

I. ALLEGATIONS

Officer	Allegation	Finding
Sgt. Richard Bednarek	1. It is alleged that on or about February 2, 2020, at approximately 8:38 p.m., at or near the residence located at [REDACTED], the accused, Sgt. Richard F. Bednarek, #1174, slapped [REDACTED] on the face.	Sustained
	2. It is alleged that on or about February 2, 2020, at approximately 8:38 p.m., at or near the residence located at [REDACTED], the accused, Sgt. Richard F. Bednarek, #1174, verbally abused [REDACTED] in that he called her derogatory names such as, "Stupid bitch."	Not Sustained
	3. It is alleged that on or about February 2, 2020, at approximately 8:38 p.m., at or near the location of [REDACTED], the accused, Sgt. Richard F. Bednarek, #1174, threatened [REDACTED] in that he stated, "Pack your bags, baby, you're going to jail."	Not Sustained
	4. It is alleged that on or about February 2, 2020, at approximately 8:38 p.m., at or near the residence	Unfounded

located at [REDACTED], the accused, Sgt. Richard F. Bednarek, #1174, was intoxicated.

## II. SUMMARY OF EVIDENCE<sup>1</sup>

In the **Initiation Report**,<sup>2</sup> Sgt. James Desmond, #2060, documented that he initially responded to the [REDACTED] residence, [REDACTED], in response to Sgt. Richard Bednarek (hereafter Sgt. Bednarek) calling 911<sup>3</sup> to report that [REDACTED], [REDACTED] (hereafter [REDACTED] who had been drinking alcohol, hit him and then drove away. [REDACTED] was not on scene when Sgt. Desmond arrived. Sgt. Bednarek reported that [REDACTED] consumed four bottles of wine and trashed the kitchen by throwing things around. He initially stated [REDACTED] did not hit him but later stated she made incidental contact with his face as he attempted to stop her. He further reported that she struck his vehicle with her vehicle as she drove away. This was documented in **Case Reports, RD #JD1 [REDACTED] (Domestic Battery)<sup>4</sup> and RD #JD1 [REDACTED] (Hit and Run)<sup>5</sup>**. It was noted that there were no visible marks on Sgt. Bednarek.

The **Body-Worn Camera (BWC)** recordings from this initial response to the residence<sup>6</sup> records Sgt. Bednarek meeting responding officers and relating essentially the same information. Sgt. Bednarek further states that this was on-going situation and that he was an idiot because he never signed complaints and stayed with [REDACTED]. When asked if [REDACTED] hit him, Sgt. Bednarek stated, "In the past, yeah. Today, maybe, nothing," and motioned towards his head.<sup>7</sup> When asked again if [REDACTED] made contact with him, Sgt. Bednarek showed other pictures on his phone from earlier incidents, explaining that today was nothing like past incidents when she hit him.<sup>8</sup>

Approximately one hour later, Sgt. Bednarek called 911<sup>9</sup> again to report that [REDACTED] had returned and was drunk. Sgt. Desmond returned and met [REDACTED] in the driveway of [REDACTED]. Sgt. Desmond described her as appearing "distracted and intoxicated."<sup>10</sup> [REDACTED] stated that she drank wine while watching the Superbowl and that the accused also had two to three drinks. [REDACTED] had just returned home. [REDACTED] previously went to the 008<sup>th</sup> District Police Station, which was too busy, so she left. On her way back to the residence, she stopped at a 7-11 Store and asked them to call the police. A 911 call<sup>11</sup> was placed from the 7-11 Store at 6559 S. Archer for

<sup>1</sup>COPA conducted a full and complete investigation of this matter, including the interview of all pertinent civilian and officer witnesses, and the collection and review of digital, documentary, and forensic evidence. As part of COPA's ongoing efforts to increase case closure capacity, certain cases are summarized more succinctly in a Modified Summary Report of Investigation, pursuant to COPA Guideline Modified Summary Report of Investigation Template and Approvals, effective February 13, 2019.

<sup>2</sup> Att. 1

<sup>3</sup> Att. 13 & 25

<sup>4</sup> Att. 2

<sup>5</sup> Att. 41

<sup>6</sup> Att. 94 - 99

<sup>7</sup> Att. 96 at 2:50

<sup>8</sup> Id. at 7:10

<sup>9</sup> Att. 15 & 22

<sup>10</sup> Att. 1

<sup>11</sup> Att. 11, 90, 91

██████ at 8:33 pm. ██████ spoke with the OEMC call taker and said that Sgt. Bednarek assaulted her by slapping her face a half hour ago.

On scene, Sgt. Desmond observed a bloodied nose and lip on ██████ who alleged that Sgt. Bednarek slapped her on the face causing her injuries. Sgt. Desmond documented that Sgt. Bednarek stated ██████ arrived ██████ and boke liquor bottles in the kitchen, which Sgt. Desmond noted he observed.<sup>12</sup> This response was documented under a third **Case Report, RD #JD1█████** (Domestic Battery), and Sgt. Richard Bednarek was **arrested**<sup>13</sup> on ██████ signed complaint for Domestic Battery. The criminal case was dismissed, nolle prosequi, on October 14, 2020.<sup>14</sup> ██████ also obtained **Order of Protection #2█████**<sup>15</sup> against Sgt. Bednarek on February 19, 2020, which was vacated on October 14, 2020.<sup>16</sup>

**BWC footage** from the second police response<sup>17</sup> depicts essentially the same information. Additionally, ██████ repeatedly stated that she was tired of being slapped in the face.<sup>18</sup> At no time was ██████ face clearly visible on their body worn camera recordings. However, Sgt. Desmond notes that ██████ is bleeding from the mouth<sup>19</sup> and the responding officers note bruising and a bloody nose.<sup>20</sup> Sgt. Bednarek denied slapping ██████ adding that he would have started hitting her a long time ago if he was going to physically abuse her.<sup>21</sup> He later states, “Why would I beat her ass. I should beat her ass is what I should to, but I don’t I never have and I’m not gonna start now.”<sup>22</sup> Sgt. Desmond audibly indicated that he observed broken glass and walked into the kitchen to record the damage. However, there is no detailed views as Sgt. Desmond walked through the kitchen. ██████ stated Sgt. Bednarek may have had a couple of beers. Sgt. Bednarek denied being intoxicated, stating that he had no beers that day and demanded a Breathalyzer Test. Sgt. Desmond ultimately followed Sgt. Bednarek to the station in separate vehicles.<sup>23</sup>

A **Breathalyzer Test**<sup>24</sup> was administered to Sgt. Bednarek on February 3, 2020, at 0:36 a.m., over 3 hours from the initial police response. His Blood Alcohol Content was 00.00.

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<sup>12</sup> Att. 1

<sup>13</sup> Att. 4

<sup>14</sup> Att. 14

<sup>15</sup> Att. 17 & 18

<sup>16</sup> Att. 14

<sup>17</sup> Att. 81- 83

<sup>18</sup> Att. 81 at 14:10

<sup>19</sup> Att. 82 at 5:20

<sup>20</sup> Id. at 10:30

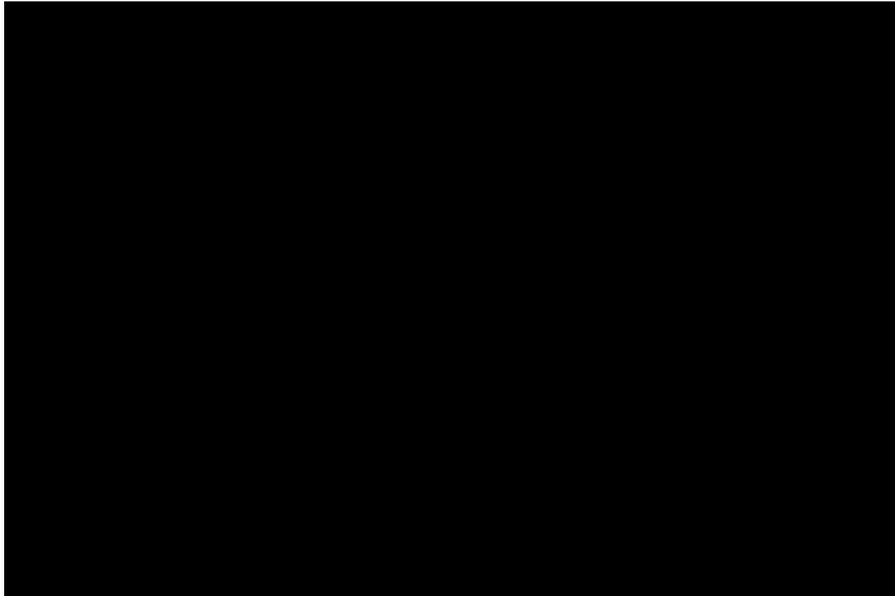
<sup>21</sup> Id. at 7:00

<sup>22</sup> Id. at 11: 25

<sup>23</sup> Due to time constraints & the totality of the circumstances, COPA elected not to serve Sgt. Desmond with failing to call a Lieutenant to the scene and allowing Sgt. Bednarek to drive himself to the police station. COPA notes that Sgt. Bednarek did not appear visibly intoxicated on BWC and breathalyzer results showed a Breath Alcohol Content of 00.00.

<sup>24</sup> Att. 49 & 100

**Evidence Technician photographs**<sup>25</sup> of ██████ were taken on February 2, 2020, at approximately 11:30 p.m., depicting the following injury to her nose.



Sgt. Bednarek submitted **photographs**<sup>26</sup> of damage caused to the rear passenger side of his truck. The pictures depict a smashed right rear bumper and passenger side bumper on the truck. Photographs of damage to ██████ rear bumper were also submitted. Sgt. Bednarek submitted photographs of four empty wine bottles from the first time he called the police, along with photographs of broken wine bottles on the same counter from the second time the police responded.

Sgt. Bednarek also submitted a twelve second **video**<sup>27</sup> from February 2, 2020, in which ██████ is seen leaving the residence through the kitchen door as she directed profanities at Sgt. Bednarek, including, “Goddamn piece of shit.” Chicken wings and other items were observed on the floor, as was a soda can knocked on its side on the counter.<sup>28</sup>

The **Medical Records**<sup>29</sup> for ██████ document that she sought treatment in the Emergency Room of Adventist La Grange Memorial Hospital on February 3, 2020, at 1:52 p.m. after being assaulted on February 2, 2020. The records document ██████ had minimal pain after receiving direct blows to the bilateral face.<sup>30</sup> Redness to the left side of her face was noted but no open wounds were observed.<sup>31</sup> There was no bleeding observed.<sup>32</sup> ██████ reported that her husband, Sgt. Bednarek, slapped her on both sides of the cheeks during an argument.

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<sup>25</sup> Att. 7

<sup>26</sup> Att. 51 – 60

<sup>27</sup> Att. 40

<sup>28</sup> Sgt. Bednarek submitted more than 175 exhibits including case reports, photos, videos, and various recordings from previous incidents and IPRA/COPA investigations. These exhibits can be found in the Working Attachments file in the COPA Case Management System (CMS).

<sup>29</sup> Att. 37 & 38

<sup>30</sup> Att. 37 at 6

<sup>31</sup> Id. at 23

<sup>32</sup> Id. at 6

Sgt. Bednarek submitted a **text message**<sup>33</sup> from ██████ that he received 1 year after this incident on, February 2, 2021. The text message read, "Happy Anniversary!!! I hope you've figured out I'm not a Stupid Bitch you should assault... Probably not ... I'm sorry for you Rich Very very sorry Ps There is nothing wrong with Black People There is something wrong with White People like you."<sup>34</sup>

In ██████ **interview**<sup>35</sup> with COPA on October 15, 2020, she related essentially the same information she related to police and medical personnel. ██████ stated that she was watching the Superbowl in the living room while Sgt. Bednarek was in the kitchen. ██████ stated that she drank wine while she watched the game but denied being intoxicated. However, she stated that Sgt. Bednarek will always accuse her of being intoxicated. She further denied drinking four bottles of wine. ██████ did not recall if she threw items in the kitchen but noted she may have thrown something in the dining room. However, ██████ noted the dining room is next to the kitchen and the wall is open. ██████ stated that Sgt. Bednarek is not a big drinker but that he had one or two beers during the game.

██████ confronted Sgt. Bednarek about the \$150,000.00 debt that they owed for ██████ ██████.<sup>36</sup> Sgt. Bednarek walked into the dining room and stepped in front of her, blocking her, and slapping her face back and forth on the left and right sides of her cheeks repeatedly while telling her that she was a "stupid bitch."<sup>37</sup> He used his right and his left hand. ██████ did not remember how many times that she was slapped but thought it was more than ten times. ██████ related that she did not touch Sgt. Bednarek.

██████ stated that she just wanted to leave so she drove to the 008<sup>th</sup> District Station, stating she damaged his vehicle when she hit it with her vehicle as she drove away. ██████ did not stay at the 008<sup>th</sup> District because she did not see anyone working and was scared. ██████ stated that her phone was dead, so she stopped at the 7-11 Store to have them call 911 for her. When ██████ returned to the residence, Sgt. Bednarek stated, "Pack your bags, baby, you're going to jail."<sup>38</sup>

When asked about the cut on her nose, ██████ stated that Sgt. Bednarek caused it when he slapped her. ██████ stated that she had photographs of black and blue marks on her cheeks that appeared a few days later that were also seen by her supervisor, ██████.<sup>39</sup> Although COPA requested them, ██████ did not provide the photographs of the bruises on her face that she stated appeared days after February 2, 2020, incident.

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<sup>33</sup> See Att. 32 -33

<sup>34</sup> Att. 33

<sup>35</sup> Att. 8 & 9. ██████ initially declined to provide a statement to COPA until October 2020, eight months after the incident. Due to the Covid-19 pandemic, ██████ was interviewed via telephone.

<sup>36</sup> Att.9 at 10

<sup>37</sup> Id. at 11

<sup>38</sup> Id. at 16

<sup>39</sup> ██████ refused to provide the name of her supervisor, the department she was employed at or any further information regarding this supervisor. She also vehemently did not want COPA to contact her place of employment because she did not want her workplace involved or her career affected.

In Sgt. Bednarek's interview<sup>40</sup> with COPA on January 25, 2021, he stated that when [REDACTED] is sober, they have a civil relationship like other couples [REDACTED]. However, when she drank, she became a different person who was verbally and physically abusive, especially toward him. Sgt. Bednarek stated that they went about their daily lives separately but estimated that she was intoxicated four to five times a week in the months leading up to February 2, 2020. He stated that he obtained case reports for when she trashed the house while intoxicated and battered him on November 30, 2019 and January 3, 2020.

Sgt. Bednarek stated that he worked overtime on February 2, 2020, and [REDACTED] was drunk when he arrived home at 3:30 p.m. He walked the dogs and then prepared pizza and wings to snack on during the Superbowl. [REDACTED] speech was slurred as she called him names and insulted his family. Sgt. Bednarek stated that this was very typical behavior that he did not respond to. He went downstairs to the basement and watched the game while [REDACTED] sat in the reclining chair upstairs, drinking wine until she passed out. He confirmed that she was asleep in the recliner when he went upstairs to get more food. Sgt. Bednarek stated that he did not consume any alcohol.

At approximately 7:26 p.m., he knew [REDACTED] was up because he heard her throwing things around the house, which he also described as her usual pattern when intoxicated. He went upstairs where [REDACTED] called him more names and continued throwing things, such as knocking the air fryer on its side. She asked him if he was going to call the police and he said that he was. She then hit him on the side of the head but did not leave any injuries. He related that he remained stationary and did not touch her at any time. [REDACTED] then went to her car and drove away, striking his vehicle as she drove off. He called 911 and requested the police, who provided him with two case reports. Sgt. Bednarek stated that he never described [REDACTED] hitting him as incidental contact, as was described in the police report.

At approximately 8:30 p.m., [REDACTED] returned to the residence and smashed wine bottles in the kitchen. He went upstairs, where she called him names such as "piece of shit."<sup>41</sup> She also talked about the student loan debt that the family owed, which he stated occurred often when she was intoxicated. He called 911 and told [REDACTED] that the police were coming back. He also told her that he would sign complaints this time because she had gone too far. He then went downstairs to watch the game. When the police arrived, he was made aware of the allegations and went to the 008<sup>th</sup> District, where he was given a Breathalyzer and arrested for Domestic Battery.

Sgt. Bednarek denied all the allegations. He further stated, "I did not slap [REDACTED] at any time, and if I were to slap [REDACTED], you would have interviewed her when she woke -- came -- woke up from unconsciousness in the emergency room. I've never struck [REDACTED]"<sup>42</sup> When shown the Evidence Technician photographs of [REDACTED] Sgt. Bednarek stated that he did not cause the injury on the side of her nose and thought that it appeared to be scabbed. He denied the allegations made against him and requested that COPA speak with [REDACTED] regarding [REDACTED]

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<sup>40</sup> Att. 27, 28, & 31

<sup>41</sup> Att. 31 at 39

<sup>42</sup> Att. 31 at 49-50

In ██████ interview<sup>43</sup> with COPA on January 29, 2021, she stated she has resided in Nashville full-time since June 2018. She described the relationship with Sgt. Bednarek as good, while she enacted limited contact with ██████ due to her “abusive habits” when ██████ drank.<sup>44</sup> ██████ described ██████ as an alcoholic who became “vindictive” and “mean” when intoxicated.<sup>45</sup> ██████ receives communication from her mother but rarely responds or initiates contact.

█████ stated that she knew ██████ obtained an Order of Protection against ██████. She stated ██████ should have obtained an Order of Protection against her mother a long time ago because she regularly physically abused him when she was drunk. ██████ related that ██████ has had to restrain ██████ from attacking her in the past, but to her knowledge, ██████ never hit ██████ or returned her physical abuse. ██████ also stated that she believed that ██████ intent was to get COPA to fire Sgt. Bednarek, so he would be forced to retire and she could collect his pension much sooner.

In ██████ interview<sup>46</sup> with COPA on February 2, 2021, related that on February 2, 2020, she was in Nashville with ██████ when she received drunken text messages from ██████ that she did not respond to. ██████ stated that Sgt. Bednarek called her to tell her that he was arrested for Domestic Battery. On February 3, 2020, Sgt. Bednarek picked her up from the airport and dropped her off at the corner of their family residence. ██████ stated that she was very angry at ██████ over her having ██████ arrested and she would not speak to her. ██████ screamed at her, “█████ beat the shit out of me, you don’t care.”<sup>47</sup> ██████ related ██████ had no marks, no bruising, and no indication of being beaten less than twenty-four hours after the alleged incident. ██████ stated that she thought that there was liquid and broken glass all over the kitchen when she returned on February 2, 2020 but added that there was often broken glass and liquid in the kitchen after a night of ██████ drinking.

█████ stated that she was going to accompany ██████ for the court date after ██████ returned from her cruise. When ██████ realized that ██████ was going to support ██████, ██████ got very angry and told ██████ that she would keep the charges going.

█████ stated that she was at the ██████ residence in November or December 2020 when her mother asked for help with her phone. ██████ stated that she observed a text message sent by ██████ in which she wrote that she wanted Sgt. Bednarek fired so she could collect his pension sooner instead of waiting another seven years to get her half when he stopped working.<sup>48</sup>

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<sup>43</sup> Att. 104

<sup>44</sup> Id. at 6

<sup>45</sup> Id. at 8

<sup>46</sup> Att. 29 & 105

<sup>47</sup> Att. 105 at 17

<sup>48</sup> ██████ obtained Order of Protection #20OP█████ against ██████ on March 17, 2020, in which she alleged excessive use of alcohol, property damage, emotional abuse and verbal abuse. This order was vacated on July 7, 2020. See Attachments 34, 106 & 107.

### III. ANALYSIS AND CONCLUSION

COPA finds that **Allegations #1** against Sgt. Bednarek, that on February 2, 2020, at approximately 8:38 p.m., he slapped ██████████ on the face, is **Sustained**. There were no witnesses present during this incident. However, BWC recordings document responding officers noting visible injuries on ██████████ face and bleeding from her nose and mouth. Evidence Technician photographs of ██████████ further depict bleeding near her nose. ██████████ stated Sgt. Bednarek caused the cut on her nose when he slapped her multiple times. Additionally, ██████████ consistently reported being slapped numerous times about the face to the 911 call taker, responding officers, medical personnel, and COPA.

Although ██████████ may have been intoxicated and thrown items around the residence, COPA does not find that this is evidence that she was not slapped about the face as she reported. ██████████ admitted to throwing things and drinking. Neither these actions nor Sgt. Bednarek's account provide another possible cause for her injuries. Similarly, neither ██████████ prior conduct or alcoholism, as reported by Sgt. Bednarek and his daughters, are evidence that this incident did not occur as alleged. COPA must consider the evidence as it pertains to solely this incident. Thus, based on the preponderance of the evidence, COPA finds that this allegation is Sustained.

COPA finds that **Allegations #2 and 3** against Sgt. Bednarek, that he called ██████████ Bednarek derogatory names such as "stupid bitch" and threatened ██████████ in that he stated, "Pack you bags, baby, you're going to jail," are **Not Sustained**. There are no witnesses to these statements. ██████████ did not raise these allegations with the same consistency as her allegations that she was slapped, only raising them during her interview with COPA. Thus, there is insufficient evidence available to determine if these allegations did or did not occur as alleged, and these allegations are Not Sustained.

COPA finds that **Allegations #4** against Sgt. Bednarek, that he was intoxicated, is **Unfounded**.<sup>49</sup> Sgt. Bednarek denied the allegation. Although ██████████ alleged that Sgt. Bednarek consumed alcohol while watching the Superbowl, the Breathalyzer administered to him, though hours after he allegedly consumed alcohol, was 00.00. BWC footage did not reveal signs of intoxication. Therefore, this allegation is Unfounded.

### IV. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

#### a. Sgt. Richard Bednarek

##### i. Complimentary and Disciplinary History<sup>50</sup>

1. **Complimentary:** 3 Crime Reduction Awards (2004, 2009, 2019), 4 Attendance Recognition Awards, 8 Complimentary Letters, 1

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<sup>49</sup> It should be noted that COPA did not initially serve Sgt. Bednarek with this allegation. When Sgt. Bednarek arrived for his statement with COPA, he requested that he be served with this allegation, stating he was initially served with this allegation by BIA under this log number when he was initially arrested and asked to submit to a Breathalyzer. Therefore, Sgt. Bednarek was served with the allegation and given the opportunity to respond to it during his COPA statement. See Att. 31 at 8- 12.

<sup>50</sup> Att. 109 & 110

DNC Convention Award, 4 Department Commendations, 1 Emblem of Recognition (Appearance), 13 Emblems of Recognition (Physical Fitness), 39 Honorable Mentions, 1 Life Saving Award, 1 NATO Summit Service Award, 1 Presidential Election Deployment Award (2008)

- 2. **Disciplinary:** 3-day Suspension Neglect of Duty/Conduct Unbecoming, 2 Sustained Domestic Incidents Pending Accused Appeal (1085650 & 1087478)

**ii. Recommended Penalty, by Allegation**

**1. Allegation No. 1: 60-day Suspension**

Domestic violence is a serious offense, especially when committed by a sergeant responsible for upholding the law and supervising other officers. Sgt. Bednarek did not take responsibility for his actions. Therefore, COPA recommends a 60-day Suspension.

Approved:



7/27/2021

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Matthew Haynam  
*Deputy Chief Administrator – Chief Investigator*

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Date

**Appendix A**

Assigned Investigative Staff

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<b>Squad#:</b>	9
<b>Investigator:</b>	Jeanne Alyse Goodwin
<b>Supervising Investigator:</b>	Sharday Jackson
<b>Deputy Chief Administrator:</b>	Matthew Haynam