

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	June 6, 2020/ Time: Unknown/ [REDACTED] Chicago, IL
Date/Time of COPA Notification:	June 11, 2020/ 12: 34 a.m.
Involved Officer #1:	Nick Beckman, Star #16887, Employee ID # [REDACTED], Date of Appointment: 27-Sep-2004, Police Officer, Unit of Assignment: 277, DOB: [REDACTED]-1980, Male, White
Involved Individual #1:	[REDACTED] DOB: [REDACTED]-2010, Male, White
Case Type:	Domestic Battery – Minor Child

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Nick Beckman	1. It is alleged that on or about June 6, 2020 at an unknown time, at or near [REDACTED] Chicago, IL the accused struck [REDACTED] a minor, about the head.	Exonerated
	2. It is alleged that on or about June 6, 2020 at an unknown time, at or near [REDACTED] Chicago, IL the accused verbally abused a minor, [REDACTED]	Not Sustained

II. SUMMARY OF EVIDENCE

On June 6, 2020 Officer Nick Beckman (hereafter Officer Beckman) and his [REDACTED] [REDACTED] (hereafter [REDACTED]) were practicing baseball drills in the front yard of Officer Beckman’s residence. [REDACTED] became upset and threw the bat. Officer Beckman immediately struck [REDACTED] on the head with his hand while [REDACTED] was wearing a helmet. [REDACTED] (hereafter Ms. [REDACTED]) stepped between Officer Beckman and [REDACTED] and advised the two of them they needed to relax. After a brief period, Officer Beckman and [REDACTED] resumed baseball drills. After the incident, DCFS received an anonymous call on June 9, 2020, at approximately 10:41 a.m., reporting Officer Beckman hit [REDACTED] with enough force to knock him down to the ground, and Ms. [REDACTED] intervened by pushing Officer Beckman. The reporter also relayed that Officer Beckman is verbally abusive toward [REDACTED] in that he publicly threatens to disown [REDACTED] and tells [REDACTED] that he hates him.

On June 17, 2020, COPA Investigators documented a telephone conversation with Ms. ██████ in an **Investigative Report**.¹ During the conversation, Ms. ██████ relayed that she and Officer Beckman ██████ when ██████ was 4 months old. Ms. ██████ stated she was present for the incident which took place on June 6, 2020. ██████ and Officer Beckman were having batting practice when ██████ threw the bat out of frustration and Officer Beckman walked up and hit the top of ██████ helmet with his hand. ██████ began to cry, and Ms. ██████ pushed Officer Beckman away. After a brief cool-down period, the two resumed batting practice. Ms. ██████ stated she did not call DCFS and did not know who made the call. However, whoever made the call did her a favor because she “needed to wake up and do something.” ██████ recently told Ms. ██████, “Sometimes I wish ██████ would not come home.” Officer Beckman was angry when he learned a DCFS hotline report was filed against him and accused Ms. ██████ or someone from her family of making the call. Ms. ██████ wished to seek counsel before providing a formal statement to COPA.

On March 3, 2021, COPA Investigators conducted a Personal Visit to Ms. ██████ home located at ██████, Elmhurst, Illinois and documented the visit in an **Investigative Report**.² Ms. ██████ was not willing to provide a formal statement to COPA, however, she invited Investigators into her home. In addition to the information Ms. ██████ previously provided via telephone, she stated that shortly after the DCFS report was filed, ██████ began counseling through the Employee Assistance Program (EAP). ██████ has attended sessions since June 2020. Ms. ██████ stated that she has also attended ██████ counseling sessions. However, Officer Beckman refuses to attend. ██████ uses techniques learned in counseling to communicate effectively with Officer Beckman, and Officer Beckman is receptive to ██████ feedback.

██████ spends time with Officer Beckman regularly, and upon return it takes him a day or two to re-adjust from, what Ms. ██████ presumes to be, a weekend of yelling and aggressiveness with Officer Beckman. Ms. ██████ did not have concerns that Officer Beckman is physically abusive toward ██████. However, Officer Beckman is not emotionally intelligent and does not know how to express himself in a healthy manner. Ms. ██████ described Officer Beckman as “loud, aggressive, very authoritative, and intimidating.” Officer Beckman also yells and name calls when he is upset. On June 18, 2021 COPA obtained an **Affidavit Override**³ to continue with the investigation.

COPA obtained **DCFS Reports**⁴ which documented the incident on June 6, 2020 and subsequent investigation regarding the alleged child abuse. DCFS reported that the allegations against Officer Beckman were “Unfounded.” During the investigation, ██████ Ms. ██████, Officer Beckman, and his mother, ██████, were interviewed. ██████ stated that he feels safe at home with his mom. However, he feels afraid at his ██████ house when he yells. ██████ stated that his ██████ and ██████ (██████████) yell at each other all the time. On the date of the incident, ██████ was nervous and frustrated while playing baseball. ██████ gave up and his ██████ became upset and hit him on the head while he was wearing his baseball helmet. At the time,

¹ See Att. 3

² See Att. 4

³ See Att. 11

⁴ See Att. 12

⁵ Id. at 35

the strike hurt, but he was no longer in pain. The police have never responded to their home. █████ stated his █████ yells a lot if he does something wrong, and the yelling makes him afraid. █████ stated his mother hit his █████ in the chest three times after █████ was hit in the head and stated, “It’s time to go.”

DCFS spoke with Ms. █████⁶ who essentially provided the same account to COPA. Additionally, Ms. █████ stated sometimes it is hard for Officer Beckman to channel his emotions when it comes to █████ wanting to give up on sports, since she and Officer Beckman are both athletic and were involved in sports in college.

DCFS spoke with Officer Beckman⁷ who stated that he and Ms. █████ have █████. On the date of the incident, Officer Beckman stated he had just gotten off a long shift at work and wanted to get █████ to bat for a little bit. █████ threw a tantrum and threw the bat because he was frustrated with being corrected by Officer Beckman. █████ threw the bat a total of three times. Officer Beckman stated he disciplined him by hitting him on the helmet with his hand and advised █████ not to throw the bat. Officer Beckman denied pushing █████ to the ground. Ms. █████ separated them and stated Officer Beckman needed to get some rest. Officer Beckman stated he is hard on █████ because he does not want him to fall through the cracks when he gets older. █████ was emotional, and Ms. █████ wanted to take him home. However, after everyone calmed down, █████ and Officer Beckman continued batting.

Officer Beckman stated sometimes he disciplines █████ by hitting him on the butt or the hand with [his] hand. However, this is a rare occurrence, and Officer Beckman could not recall the last time it happened. Usually, if █████ misbehaves, the Play Station 4 is taken away. Officer Beckman denied █████ mentioning self-harm and publicly disowning or threatening █████. Officer Beckman is hard on █████ because he wants the best for him.

DCFS spoke with █████ (hereafter Ms. █████),⁸ Officer Beckman’s █████, who stated that Officer Beckman is a great provider and gives █████ anything he needs. Officer Beckman wants what is best for █████. Officer Beckman “may be a little too much as far as staying on █████ and correcting him and telling him how to do something.”⁹ Ms. █████ has not seen Officer Beckman hit █████ to the point of hurting him, as [he] is not an abusive parent. █████ has stated, “sometimes █████ is a little hard on him.”

DCFS visited █████ multiple times and during the last visit. █████ stated his relationship with his father improved and they were spending more time together. █████ reported feeling safe with his father. There were no visible marks or bruises on █████ during any of DCFS’s visits.

COPA obtained a statement from **Officer Beckman** on July 27, 2021. Officer Beckman essentially provided the same account to COPA as he provided to DCFS. Officer and Ms. █████ have been █████ and have not █████. █████ has played baseball since he was two years old. On the date of the incident, Officer Beckman and █████ were

⁶ Id. at 36

⁷ Id. at 32-33

⁸ Id. at 34

⁹ Id.

practicing in the yard when ██████ threw his bat. ██████ actions caused Officer Beckman to become upset and he “tapped on the helmet,”¹⁰ in response. Since the incident, Ms. ██████ wanted ██████ to attend counseling sessions at through EAP. Officer Beckman stated, ██████ has related that he doesn’t want to go to these sessions.”¹¹ Officer Beckman described ██████ as a typical kid who gets emotional and cries, and if told “no,” he will push the envelope. Officer Beckman stated everyone knows the sacrifices he makes for ██████

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 is false or not factual; or
4. Exonerated - where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

A **preponderance of evidence** is evidence indicating that it is **more likely than not** that the conduct occurred and violated Department policy.¹² If the evidence gathered in an investigation establishes that it is 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.¹³ Clear and convincing is defined as a “degree of proof, which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true.”¹⁴

IV. ANALYSIS AND CONCLUSION

COPA finds that **Allegations 1** that Officer Beckman struck ██████ about the head is **Exonerated**. While it is clear from DCFS reports, COPA’s conversations with Ms. ██████, and Officer Beckman’s own statement that Officer Beckman made contact with ██████ about the head, reasonable corporal punishment is not unlawful or violative of Department Rules. Therefore,

¹⁰ See Att. 10 39:29

¹¹ 21:13

¹² 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 been found to be more probably true than not).

¹³ See e.g., *People v. Coan*, 2016 IL App (2d) 151036 (2016).

¹⁴ *Id.* at ¶ 28.

COPA must determine if said conduct was an unjustified or unreasonable method of corporal punishment violative of Department Rules.

Reasonableness is, ultimately, a heavily fact-specific determination. *People v. Karen P. (In the Interest of J.P.)*, 294 Ill. App. 3d 991, 1002 (1st Dist. 1998) (“cases involving the adjudication of abuse, neglect, and wardship are sui generis; that is, each case must be decided on its own distinct set of facts and circumstances”) (citing *In re Edricka C.*, 276 Ill. App. 3d 18, 25 (1995)). But courts have relied on several factors in corporal punishment reasonableness analyses, including: “the likelihood of future punishment which may be more injurious” (*People v. West (In re F.W.)*, 261 Ill. App. 3d at 903); “the fact any physical injury resulted from the discipline” (*id.*); “the psychological effects of the discipline on the child” (*id.*); “the circumstances surrounding the ‘discipline,’ including whether the parent was calmly attempting to discipline the child or whether the parent was lashing out in anger” (*id.*); whether the discipline was “vicious or for other than disciplinary reasons” (*In the Interest of Aaronson*, 65 Ill. App. 3d 729, 732 (3rd Dist. 1978)); whether the child “appeared happy and unaffected after being disciplined” (*People v. Karen P. (In the Interest of J.P.)*); 294 Ill. App. 3d at 1005); whether alternate ways to correct the minor’s behavior have been exhausted (*People v. McClendon (In re S.M.)*, 309 Ill. App. 3d 702, 704 (4th Dist. 2000) (holding that a “whooping” with a belt that left extensive bruising on the arms and upper thighs was not excessive in light of the minor’s incorrigible delinquent behavior, her parents’ attempts to curb it in other ways, and the fact that the punishment was “given in a concerned, caring manner” rather than in “vengeance”)).

When analyzed utilizing the above factors, the facts in this case do not support that an unreasonable use of corporal punishment occurred. By all accounts, ██████ was struck once about the head. Additionally, no direct contact was made with his body, as he was wearing a helmet at the time. Officer Beckman used his hand to strike ██████ rather than another object. No injuries were reported. Additionally, ██████ and Officer Beckman continued to play together, suggesting that ██████ was not extremely affected after being disciplined. Furthermore, there is not indication that future punishment that could be more injurious might occur, as there were no further incidents reported during the DCFS investigation and no accounts reflect a concern for physical abuse or a habitual use of physical discipline. Thus, although the conduct occurred as alleged, the conduct was lawful and not violative of Department Rules. Therefore, this allegation is Exonerated.

In addition, COPA also finds that **Allegation 2**, which alleges that Officer Beckman verbally abused ██████ is **Not Sustained**. Although the accounts provided to DCFS from ██████ Ms. ██████, and Ms. ██████ suggest that Officer Beckman’s verbal communication with ██████ is problematic, there is insufficient evidence to conclude that verbal abuse occurred on or about June 6, 2020 as alleged. While Ms. ██████ related that Officer Beckman made negative comments to ██████ it is unclear what those comments were. The DCFS records did not provide clarification, and Officer Beckman did not make any admissions regarding his communication with ██████ on that date. Thus, there is insufficient evidence for COPA to find that the conduct occurred as alleged, and the allegation is Not Sustained.

Approved:


Sharday Jackson

Deputy Chief Administrator – Chief Investigator

January 25, 2022

Date