

SUMMARY REPORT OF INVESTIGATION<sup>1</sup>

## I. EXECUTIVE SUMMARY

Date of Incident:	January 2, 2020
Time of Incident:	12:29 p.m. / 12:50 p.m.
Location of Incident:	6005 W. Belden Avenue / 2714 N. [REDACTED] Street
Date of COPA Notification:	January 2, 2020 / January 13, 2020
Time of COPA Notification:	1:27 p.m. / 2:28 p.m.

On January 2, 2020, at approximately 12:29 p.m., Officers Christina Delgado, Daniel Doherty and Jesse Oeinck were on patrol when they observed a Mercury Grand Marquis heading westbound on Wellington Avenue. [REDACTED] was the driver of the Grand Marquis. His partner, [REDACTED] was the front seat passenger, and their four children were sitting in the back seat. The officers observed that the Grand Marquis did not stop at two stop signs, and they activated their vehicle's emergency equipment to conduct a traffic stop. [REDACTED] did not stop, but instead accelerated and headed southbound on Austin. The officers backed off the pursuit but continued to follow the Grand Marquis. [REDACTED] turned westbound onto Belden, ran off the road, hitting multiple vehicles before coming to a stop by crashing into a parked vehicle. [REDACTED] exited the Grand Marquis and ran. The three officers arrived at the scene of the crash and found only [REDACTED] and her children inside the vehicle. Officers Delgado and Doherty searched for [REDACTED] while Officer Oeinck detained [REDACTED]. Officer Doherty ran westbound on Belden, then southbound on [REDACTED] and observed [REDACTED] running into the south alley of Grand and holding his right side. Officer Doherty then lost sight of [REDACTED] in the west alley of [REDACTED]. Additional officers arrived in the area and searched the vicinity for [REDACTED] without success.

At approximately 12:46 p.m., a resident at [REDACTED] called 911 requesting police reporting an unknown individual was attempting to break into his basement apartment. Officer Patrick Dwyer, who was already in the vicinity searching for [REDACTED] arrived first and entered the backyard with Officer Soly Roman. Officer Dwyer observed [REDACTED] sitting in the basement well and holding a firearm. Officer Dwyer ordered [REDACTED] to put the gun down. [REDACTED] however, put the gun inside his mouth and pulled the trigger. [REDACTED] firearm did not discharge at that point. [REDACTED] cycled it several times in order to place a round in the chamber. Officer Dwyer continuously yelled at [REDACTED] to drop his weapon throughout this encounter. [REDACTED] again brought up the firearm to his mouth and fired one time. Almost simultaneously, Officer Dwyer, believing that [REDACTED] pointed the firearm at the officers as he brought it up to his mouth, discharged his firearm twice, striking [REDACTED] in the chest and arm. [REDACTED] was pronounced dead at the scene.

[REDACTED] was later interviewed by detectives and released without being charged.

<sup>1</sup> Log# 2020-0022 was initiated regarding the officer-involved shooting of [REDACTED] on January 2, 2020. Log# 2020-0208 was registered after [REDACTED] girlfriend, filed a complaint on January 13, 2020, regarding the alleged use of excessive force and unjustified detention. This report summarizes both investigations.

Any discharge of an officer’s firearm results in a mandatory notification to COPA. This investigation was initiated pursuant to such notification.<sup>2</sup> After review of all available evidence, COPA finds that the use of deadly force by Officer Dwyer was within Department policy.

**II. INVOLVED PARTIES**

Involved Officer #1:	DWYER, Patrick; <sup>3</sup> Star #12057; Employee ID# [REDACTED]; Date of Appointment: June 29, 1998; Police Officer; Unit of Assignment: 025; DOB: [REDACTED], 1965; Male; White.
Involved Officer #2:	DELGADO, Christina; Star #16725; Employee ID# [REDACTED]; Date of Appointment: December 14, 2015; Police Officer; Unit of Assignment: 025 (currently detailed to Unit 189 – Narcotics and Vice Division); DOB: [REDACTED], 1986; Female; Hispanic.
Involved Officer #3:	DOHERTY, Daniel; Star #10869; Employee ID# [REDACTED]; Date of Appointment: February 29, 2016; Police Officer; Unit of Assignment: 025 (currently detailed to Unit 716 – Community Safety Team); DOB: [REDACTED], 1983; Male; White.
Involved Officer #4:	OEINCK, Jesse; Star #12561; Employee ID# [REDACTED]; Date of Appointment: April 6, 2015; Police Officer; Unit of Assignment: 025 (currently detailed to Unit 716 - Community Safety Team); DOB: [REDACTED], 1988; Male; White.
Involved Individual #1:	[REDACTED]; DOB: [REDACTED], 1988; Male; Hispanic.
Involved Individual #2:	[REDACTED]; DOB: [REDACTED], 1990, Female; Hispanic.

**III. ALLEGATIONS**

Officer	Allegation	Finding
Police Officer Christina Delgado #16725	1. Pointed her firearm at [REDACTED] and her four children without justification.	Exonerated
	2. Detained [REDACTED] without justification.	Exonerated

<sup>2</sup> 2-78-120 (c)(i) &(d) Municipal Code of Chicago.

<sup>3</sup> Officer Dwyer retired from the CPD effective September 10, 2020. (Log# 2020-0022, Att. #50).

	3. Failed to complete an Investigatory Stop Report in violation of Special Order S04-13-09.	Sustained
Police Officer Daniel Doherty #10869	1. Pointed his firearm at ██████████ and her four children without justification.	Exonerated
	2. Detained ██████████ without justification.	Exonerated
	3. Failed to complete an Investigatory Stop Report in violation of Special Order S04-13-09.	Sustained
Police Officer Jesse Oeinck #12561	1. Pointed his firearm at ██████████ and her four children without justification.	Unfounded
	2. Detained ██████████ without justification.	Exonerated
	3. Failed to activate his body worn camera in violation of Special Order S03-14.	Unfounded
	4. Failed to complete an Investigatory Stop Report in violation of Special Order S04-13-09.	Sustained

**IV. APPLICABLE RULES AND LAWS**

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Rules<sup>4</sup>

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1. Rule 6: Disobedience of an order or directive, whether written or oral.
2. Rule 38: Unlawful or unnecessary use or display of a weapon.

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General Orders<sup>5</sup>

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1. G03-02: Use of Force (effective October 16, 2017 - February 28, 2020)
2. G03-02-01: Force Options (effective October 16, 2017 - February 28, 2020)

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Special Orders/Department Notices

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1. S04-13-09: Investigatory Stop System (effective July 10, 2017, to present)
2. S03-14: Body Worn Cameras (effective April 30, 2018, to present)
3. D19-01: Firearm Pointing Incidents (effective November 1, 2019, to present)

<sup>4</sup> Police Board of Chicago, *Rules and Regulations of the Chicago Police Department, Article V. Rules of Conduct* (April 15, 2015) <https://www.chicago.gov/dam/city/depts/cpb/PoliceDiscipline/RulesofConduct.pdf>

<sup>5</sup> Department general orders, special orders, uniform and property, and department notices also known as directives, “are official documents establishing, defining, and communicating Department-wide policy, procedures, or programs issued in the name of the Superintendent of Police.” Department Directives System, General Order G01-03 II.A.; *see also* Chicago Police Department Directives System, available at <http://directives.chicagopolice.org/directives/> (last accessed August 31, 2021).

## V. INVESTIGATION<sup>6</sup>

### a. Summary of Incident

*This summary utilized information from several different sources: CPD body-worn cameras,<sup>7</sup> GPS reports, OEMC communications,<sup>8</sup> police reports and witness interviews.*

On January 2, 2020, Officers Christina Delgado, Daniel Doherty and Jesse Oeinck were patrolling the 25<sup>th</sup> District in an unmarked police vehicle.<sup>9</sup> At approximately 12:27:14 p.m.,<sup>10</sup> while the officers were traveling westbound on Wellington, ██████████ was driving a Mercury Grand Marquis westbound in front of them.<sup>11</sup> ██████████ partner, ██████████ was the front seat passenger, and their four children<sup>12</sup> were sitting in the back seat.<sup>13</sup> After the Grand Marquis failed to stop at two stop signs,<sup>14</sup> Officer Delgado activated the vehicle's emergency equipment to pull over the Grand Marquis near the intersection of Austin and Wellington.<sup>15</sup> The Grand Marquis pulled over to the right but did not make a complete stop.<sup>16</sup> Instead, ██████████ turned left and accelerated southbound on Austin,<sup>17</sup> where he swerved into the oncoming northbound lane of Austin to pass other vehicles.<sup>18</sup> The officers could make out a driver and a passenger in the

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<sup>6</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>7</sup> The on-screen timestamp for these body-worn cameras is Coordinated Universal Time (UTC, also known as Zulu Military Time or Greenwich Mean Time). At the time of this incident, that time was six hours ahead of Central Standard Time ("CST"). This report uses CST time.

<sup>8</sup> OEMC recordings do not have timestamps. This report references how far into the recording the specific transmission took place.

<sup>9</sup> Officer Delgado's transcribed interview, Log# 2020-0208, Att. #12, Page 6, Line 3 - Page 7, Line 13. The officers' vehicle was not equipped with in-car cameras so there is no in-car camera video recording of the alleged traffic violations and subsequent police action.

<sup>10</sup> GPS indicated that at that time, the vehicle was near Wellington and Lotus. Log# 2020-208, Att. 26 & 28.

<sup>11</sup> Officer Delgado's transcribed interview, Log# 2020-0208, Att. #12, Lines 5-22.

<sup>12</sup> The children's ages were 13, 12, 10 and 8. (██████████ transcribed interview, Log# 2020-0208, Att. #9, Page 35, Lines 19-20).

<sup>13</sup> Log# 2020-0208, Att. #9, Page 10, Lines 8-21. ██████████ told detectives the driver was ██████████" and said she met him one week prior to this incident. She provided the same name to Officer Delgado. See CPD Detective File, Log #2020-0022, Att. 48, page 30; Officer Delgado's BWC, Log #2020-0208, Att. 22, starting at 2:08. The investigation revealed and she told COPA that ██████████ was the father of her children. (██████████ transcribed interview, Log# 2020-0208, Att. #9, Pages 10 & 48 & 51 & 69).

<sup>14</sup> Officer Delgado's interview (Log# 2020-0208, Att. #12, Pages 8 & 9) and Officer Doherty's interview (Log# 2020-0208, Att. #16, Page 8). ██████████ denied that ██████████ failed to come to a complete stop and believed they were pulled over because the vehicle looked suspicious because it had tints. (██████████ transcribed interview, Log# 2020-0208, Att. #9, Page 16, Lines 7-16 & Page 44). In the ISR, the officers indicated the vehicle failed to stop at a stop sign at Mason Avenue. (Log# 2020-0208, Att. #25). Officer Oeinck said the vehicle had not made a complete stop at one or two stop signs. (Log# 2020-0208, Att. #19, Page 7). ██████████ said Officer Delgado told her she was stopping them for "an improper stop." (██████████ transcribed interview, Log# 2020-0208, Att. #9, Page 43).

<sup>15</sup> Officer Delgado's transcribed interview, Log# 2020-0208, Att. #12, Page 8, Lines 9-12.

<sup>16</sup> Officer Delgado's transcribed interview, Log# 2020-0208, Att. #12, Pages 8 & 11. Officer Doherty said the Grand Marquis did stop, then took off. Log# 2020-0208, Att. #16, Page 8.

<sup>17</sup> Officer Delgado's transcribed interview, Log# 2020-0208, Att. #12, Page 8, Lines 13-14.

<sup>18</sup> *Id.*, Page 11, Lines 16-24. Officer Doherty reported to OEMC that the Grand Marquis was driving very erratically and had failed to stop when the officers activated their emergency equipment. (OEMC radio transmissions, Log# 2020-0022, Att. #46, Z12 1228-1328, 0:19 into recording.) The ISR reports the officers "observed the vehicle to begin to weave its way through traffic." (Log# 2020-0208, Att. #25).

vehicle.<sup>19</sup> When the police vehicle was north of Fullerton Avenue, Officer Delgado turned off the emergency equipment and backed off but continued to follow ██████ from a distance.<sup>20</sup> The Grand Marquis turned right, westbound, on Belden and the officers lost sight of it.<sup>21</sup> ██████ lost control of the vehicle as he made the turn onto Belden and struck a stop sign and a parked vehicle.<sup>22</sup> ██████ then exited the vehicle and started running.<sup>23</sup> ██████ jumped over to the driver's seat to close the door.<sup>24</sup>

At approximately 12:29:40 p.m., the three officers arrived at the scene of the crash and exited their vehicle with their firearms drawn.<sup>25</sup> Officer Delgado approached the passenger side of the Grand Marquis while her partners<sup>26</sup> approached the driver's side.<sup>27</sup> Officer Delgado observed that the front seat passenger was climbing into the driver's seat and pointed her firearm at the front windshield.<sup>28</sup> ██████ told Officer Delgado the only people in the car at that point were her and her children.<sup>29</sup> Officer Delgado asked, "Who ran? Who else was in the car?"<sup>30</sup> Officers Doherty and Delgado then ran around the area trying to find ██████ with Officer Doherty reporting directions over the radio as he ran.<sup>31</sup> Officer Doherty also reported over the radio that ██████ was

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<sup>19</sup> Officer Delgado's transcribed interview, Log# 2020-0208, Att. #12, Page 10.

<sup>20</sup> Officer Delgado's transcribed interview, Log# 2020-0208, Att. #12, Page 12, Lines 10-22 & Page 8. Officers Doherty and Oenick also said the police vehicle backed off.

<sup>21</sup> *Id.*, Page 12, Line 23 – Page 13, Line 5. The officers did not see the vehicle again until it after it crashed and ██████ fled from it.

<sup>22</sup> ██████ transcribed interview, Log# 2020-0208, Att. #9, Page 19, Lines 1-7. Based on the scene depicted on Officer Oenick's BWC, it appears three other vehicles were struck and the Grand Marquis drove off the road. Log# 2020-0208, Att. 23, throughout.

<sup>23</sup> ██████ transcribed interview, Log# 2020-0208, Att. #9, Page 47, Line 9 - Page 48, Line 19. ██████ speculated that ██████ ran away because he had an outstanding warrant regarding a domestic altercation between the two of them and did not want to be arrested in front of their children.

<sup>24</sup> *Id.*, Page 20, Lines 4-12.

<sup>25</sup> Officer Delgado's BWC, Log# 2020-0208, Att. #20, at 12:29:40 p.m.

<sup>26</sup> ██████ stated, "As soon as [the officers] jumped out, they had their guns out, and they were pointing it at the vehicle." ██████ transcribed interview, Log# 2020-0208, Att. #9, Page 26, Lines 11-13. In response to ██████ allegation that the officers pointed their firearms without justification at her and her children, Officers Delgado and Doherty stated that as they approached ██████ vehicle, they both observed movement in the front seat area and, out of fear for their safety, they pointed their firearms in the direction of the front compartment of the vehicle. (Officer Delgado's transcribed interview, Log# 2020-0208, Att. #12, Page 27, Lin 18 – Page 28, Line 11; Officer Doherty's transcribed interview, Log# 2020-0208, Att. #16, Page 28, Line 13 – Page 29, Line 5).

<sup>27</sup> Officer Delgado's BWC, Log# 2020-0208, Att. #20, at 12:29:44 p.m. In Officers Doherty's and Oenick's BWC video recordings, it appears upon approach Officer Doherty moved his firearm from pointing to the "low-ready" position, meaning he held the gun near chest level but pointing to the ground, after the driver's door was completely open and Officer Oenick was holding his firearm in the "low-ready" position. (Officer Doherty's BWC, Log# 2020-0208, Att. #21, at 12:29:55 p.m.; Officer Oenick's BWC, Att. #23, at 12:29:51 p.m.). Officer Doherty said that after the door opened and ██████ raised her arms, he placed his firearm in the "low-ready" position and didn't believe he pointed his firearm at the kids. (Log# 2020-0208, Att. #16, Page 28). Officer Oenick said that he was holding his firearm in a "low-ready" position and was not actively pointing his firearm at ██████ or her children. He added the driver's behavior and movement in the vehicle created a potentially violent situation. (Officer Oenick's transcribed interview, Log# 2020-0208, Att. #19, Pages 14 & 27).

<sup>28</sup> Officer Delgado's transcribed interview, Log# 2020-0208, Att. #12, Page 15, Lines 15-17; Page 17, Lines 7-23.

<sup>29</sup> *Id.*, Page 18, Lines 9-11.

<sup>30</sup> Officer Delgado's BWC, Log# 2020-0208, Att. #20, at 12:30:03 p.m.

<sup>31</sup> Officer Doherty's BWC, Log# 2020-0208, Att. #21, at 12:30:10 p.m.; Officer Delgado's BWC, Log# 2020-0208, Att. #20, at 12:30:27 p.m.; OEMC radio transmissions, Log# 2020-0022, Att. #46, Z12 1228-1328, 1:33-2:20 into recording.

holding his right side as he was running out of the alley between Austin and ██████ near Grand Avenue.<sup>32</sup> Other officers joined them to search the vicinity.<sup>33, 34</sup> In the meantime, Officer Oeinck remained on the scene of the crash with ██████ and her children.<sup>35</sup> Officer Oeinck handcuffed ██████ and placed her inside the unmarked police vehicle.<sup>37</sup>

At approximately 12:45:44 p.m., a civilian now known to be ██████<sup>38</sup> called 911 requesting the police because an unknown individual was trying to break into his back door basement apartment at ██████.<sup>39</sup> The OEMC dispatcher reported the incident as a burglary in progress at the above address.<sup>40</sup> At approximately 12:50:35 p.m., Officer Dwyer arrived at ██████ where Officer Soly Roman and Ford were standing outside the front of a residential two-floor building.<sup>41</sup> Officer Roman informed Officer Dwyer that Ford said there was a “guy back there.”<sup>42</sup> Ford unlocked the gate to the gangway so the officers could access the back yard. Officer Dwyer drew his firearm as he and Officer Roman walked down the gangway and announced “Chicago Police.”<sup>43</sup> At the end of the gangway, Officer Dwyer turned to his left

<sup>32</sup> OEMC radio transmissions, Log# 2020-0022, Att. #46, Z12 1228-1328, at 4:03 minutes. In his statement to COPA, Officer Doherty related that based on his experience as an officer, he believed that ██████ was holding a firearm on his right side. (Log# 2020-0208, Att. #16, Page 9, Lines 9-15.) COPA asked ██████ if she knew whether ██████ had a gun on him and she replied, “He might have. I don’t know.” (████████ transcribed interview, Log# 2020-0208, Att. #9, Page 71, Lines 7-10)

<sup>33</sup> Officer Doherty’s BWC, Log# 2020-0208, Att. #21, at 12:32:20 p.m. Officer Doherty reports over the radio that “the offender is somewhere between Meade and ██████”

<sup>34</sup> Officer Delgado’s BWC, Log# 2020-0208, Att. #20, at 12:31:29 p.m.; Officer Doherty’s BWC, Log# 2020-0208, Att. #21 at 12:31:05 p.m.

<sup>35</sup> Officer Oeinck’s BWC, Log# 2020-0208, Att. #23, at 12:30:14 p.m. An initial search by COPA of BWC recordings under RD# ██████ and/or Event #2000206388 did not produce any recordings by Officer Oeinck’s BWC. In response to COPA’s allegation that he failed to activate his BWC in violation of Special Order S03-14, Officer Oeinck stated that he had turned on his BWC and had viewed his video recording prior to his statement at COPA (Officer Oeinck’s transcribed interview, Log# 2020-0208, Att. #19, Page 29, Lines 9-20). A subsequent search under the officer’s name revealed two BWC recordings for the incident, documented as Log# 2020-0208, Att. #'s 23-24.

<sup>36</sup> ██████ asked why she was being handcuffed if she was not being arrested and Officer Oeinck said for questioning. (████████ transcribed interview, Log# 2020-0208, Att. #9, Page 33).

<sup>37</sup> Officer Oeinck’s BWC, Log# 2020-0208, Att. #23, at 12:30:59-12:33:29 p.m. As Officer Oeinck was handcuffing her, ██████ stated that she was the one driving; Officer Oeinck said that he saw who was driving and that she was not driving. Officer Oeinck told the kids that their mom was okay and not to worry. He told ██████ that she was just being detained and said he was going to check her pockets. Prior to placing ██████ inside the police vehicle, Officer Oeinck asked if the handcuffs were too tight and ██████ replied, “No, they’re good.” A search by COPA indicated that no Investigatory Stop Report (ISR) had been completed on January 2, 2020, regarding ██████ detainment. In response to the COPA allegation that they failed to complete an ISR for ██████ in violation of Special Order S04-13-09, the three officers responded that Officer Oeinck completed an ISR on January 3, 2020. The officers explained that they proceeded to Area North to provide statements to CPD detectives regarding the officer-involved shooting and stayed until late in the night. Officer Oeinck estimated that they did not finish until 3:00 a.m. the following morning. (See Log# 2020-0208, Att. #25; Officer Delgado’s transcribed interview, Log# 2020-0208, Att. #12, Page 30, Lines 12-23; Officer Doherty’s transcribed interview, Att. #16, Page 30, Lines 3-17; Officer Oeinck’s transcribed interview, Att. #19, Page 30, Line 11 – Page 31, Line 2). ██████ believed the kids were sitting in their vehicle for 45 minutes to an hour. (████████ transcribed interview, Log# 2020-0208, Att. #9, Page 41).

<sup>38</sup> CPD Detective File, Log# 2020-0022, Att. #48, Page 30.

<sup>39</sup> OEMC 911 call, Log# 2020-0022, Att. #46, Event #2000206662.

<sup>40</sup> OEMC radio transmissions, Log# 2020-0022, Att. #46, Z12 1228-1328, at 20:21 minutes.

<sup>41</sup> Officer Dwyer’s BWC, Log# 2020-0022, Att. #26, at 12:50:36 p.m.

<sup>42</sup> *Id.*, at 12:50:42 p.m.

<sup>43</sup> *Id.*, at 12:51:10-12:51:22 p.m.

toward the rear stairwell and yelled, "Put your hands up!" and "Put the gun down!"<sup>44</sup> [REDACTED] was sitting at the bottom of the staircase, facing the officer and holding a firearm, Officer Dwyer pointed his firearm at [REDACTED] and told him to put the gun down.<sup>45</sup> A clicking is heard. [REDACTED] said, "okay, okay," but did not comply.<sup>46</sup> Officer Dwyer continued to yell, "Put the gun down!" and yelled, "He's cycling an empty weapon."<sup>47</sup> Officer Dwyer continued to yell multiple times, "Drop the gun!" and "Put the gun down!" and [REDACTED] repeated, "okay, okay."<sup>48</sup> [REDACTED] raised his hands to his face and a click was heard. [REDACTED] then lowered his hands and appeared to handle the firearm.<sup>49</sup> [REDACTED] repeated these actions several times.<sup>50</sup> [REDACTED] brought up the firearm to his mouth one more time and discharged his firearm.<sup>51</sup> At the same time, Officer Dwyer discharged his firearm twice.<sup>52</sup> Officer Dwyer said he stopped firing when he realized [REDACTED] arm had fallen to his side.<sup>53</sup> An unknown officer reported, "shots fired by the police."<sup>54</sup> Officer Dwyer then told other officers to call an ambulance and said [REDACTED] still had the gun in his hand.<sup>55</sup> Officer Dwyer descended the stairs, picked up [REDACTED] firearm, and handed it to another officer behind him.<sup>56</sup> As additional officers arrived on scene, someone escorted Officer Dwyer to a marked vehicle parked on [REDACTED].<sup>57</sup> Shortly after the shooting, Officer Doherty entered the yard, observed [REDACTED] lying on the ground, and identified him as the individual that the officers had been pursuing.<sup>58</sup>

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<sup>44</sup> *Id.*, at 12:51:32 p.m.

<sup>45</sup> *Id.*, at 12:51:40 p.m. [REDACTED] image in the video recording is obscured by shadows; however, COPA was able to lighten the image and the enhanced video is labeled "Log# 2020-0022, Att. #35."

<sup>46</sup> *Id.*, at 12:51:37 p.m.

<sup>47</sup> *Id.*, at 12:51:40 to 12:51:42 p.m. "Cycling" a firearm refers to pulling back on the slide on the top of a handgun, resulting in the ejection of a round or the insertion of a round in the chamber. (Officer Eric Mueller's transcribed interview, Log# 2020-0022, Att. #32, Page 12, Lines 13-16). At this point, [REDACTED] cannot be clearly seen on Officer Dwyer's BWC because the officer is at the top of a staircase and his BWC is not facing down toward [REDACTED] position at the bottom of the stairwell. Another officer climbs the backyard fence and starts approaching the stairwell with his gun drawn. A female officer is also heard saying "drop it."

<sup>48</sup> *Id.*, at 12:51:50-12:52:02 p.m.

<sup>49</sup> Officer Dwyer's enhanced/brightened BWC video, Log# 2020-0022, Att. #35 at 12:51:55 p.m.

<sup>50</sup> *Id.*, at 12:52:12 p.m. The firearm is not clearly visible in [REDACTED] hands even in the enhanced video. Officer Dwyer also told COPA that believed he used de-escalation techniques such as verbal control and time before he fired at [REDACTED] Officer Dwyer's transcribed interview, Log# 2020-0022, Att. #28, Page 25, Lines 7-9.

<sup>51</sup> Officer Dwyer's enhanced/brightened BWC video, Log# 2020-0022, Att. #35, at 0:52 minutes.

<sup>52</sup> In his statement to COPA, Officer Dwyer related that [REDACTED] pointed the firearm in the direction of the officers as he brought it to his face, creating an imminent threat of bodily harm to the officer (Officer Dwyer's transcribed interview, Log# 2020-0022, Att. #28, Page 16, Lines 10-22; Page 20, Lines 1-4).

<sup>53</sup> Officer Dwyer's transcribed interview, Log# 2020-0022, Att. #28, Page 26, Lines 11-14.

<sup>54</sup> Officer Dwyer's BWC, Log# 2020-0022, Att. #26, at 12:52:18 p.m.

<sup>55</sup> *Id.*, at 12:52:40 p.m.

<sup>56</sup> *Id.*, at 12:53:07 p.m. Officer Nieves #4931 secured [REDACTED] firearm, a Cobra Patriot .380 semi-automatic pistol, in the rear of CPD vehicle #7576. The firearm was eventually inventoried under # [REDACTED] (Crime Scene Processing Report, Log# 2020-0022, Att. #21, Pages 2,5).

<sup>57</sup> *Id.*, at 12:54:21 p.m.

<sup>58</sup> Officer Doherty's transcribed interview, Log# 2020-0208, Att. #16, Page 18, Lines 11-23.

Detectives subsequently interviewed ██████ around 3:15 p.m. inside another police vehicle at the scene of the crash.<sup>59</sup> After being questioned, officers drove her home without pursuing criminal charges.<sup>60</sup>

## b. Physical Evidence

*Summarization of the review of CPD Inventory Reports and Crime Scene Processing Reports, Illinois State Police (ISP) reports, Medical Examiner Reports, and Evidence Technician Photos.*

CPD Evidence Technicians recovered one fired cartridge case head stamped “WIN 9mm Luger +P” from the sidewalk near the porch in the rear yard area of ██████<sup>61</sup> One fired bullet and one metal fragment were also recovered from the rear basement entrance.<sup>62</sup> Illinois State Police (“ISP”) laboratory reports concluded that the fired cartridge case, fired bullet, and metal fragment had been discharged from Officer Dwyer’s firearm.<sup>63</sup> Two live cartridges and one fired cartridge case head stamped “FC .380 Auto” were recovered from the rear basement entrance.<sup>64</sup> Additional ISP testing determined that this fired cartridge case and a bullet recovered from ██████ skull during the postmortem examination (see below) had been discharged from ██████ firearm.<sup>65</sup>

The Cook County Medical Examiner postmortem examination revealed that ██████ sustained three gunshot wounds (“GSW”):

- A self-inflicted GSW entered in the roof of his mouth, traveled upward, and exited the top of his skull.<sup>66</sup>
- A GSW that entered the right side of his chest, traveled back and downward, and exited the upper right back.<sup>67</sup>
- A GSW that entered the front of the right arm, traveled backward and fragmented, with fragments recovered from the arm and two partial exit wounds to the back of the arm.<sup>68</sup>

<sup>59</sup> Detective File, Log# 2020-0022, Att. 48 Pages 30-31 and 109; Officer Delgado’s transcribed interview, Log # 2020-0208, Att. #12, Page 24; ██████ transcribed interview, Log# 2020-0208, Att. #9, Pages 69 – 70. ██████ remained inside the police vehicle until CPD detectives arrived and interviewed her inside their own vehicle. They then drove her home. (Officer Delgado’s transcribed interview, Log # 2020-0208, Att. #12, Page 24, Lines 21-24; ██████ transcribed interview, Log# 2020-0208, Att. #9, Page 69, Line 24 – Page 70, Line 1.) In response to ██████ allegation that they detained her without justification, the three officers responded that ██████ vehicle had committed multiple felony traffic violations and all the occupants were detained while the officers conducted their investigation. (Officer Delgado’s transcribed interview, Log# 2020-0208, Att. #12, Page 29, Line 6 – Page 30, Line 11; Officer Doherty’s transcribed interview, Att. #16, Page 29, Line 12 – Page 30, Line 2; Officer Oeinck’s transcribed interview, Att. #19, Page 28, Line 12 – Page 29, Line 8).

<sup>60</sup> ██████ believed she was in the police car about four hours. (██████████ transcribed interview, Log# 2020-0208, Att. #9, Page 50).

<sup>61</sup> Crime Scene Processing Report, Log# 2020-0022, Att. #21, Pages 2, 5; Inventory # ██████. Despite multiple searches of the area immediately surrounding the discharge, CPD personnel was unable to find a second cartridge case that could be attributed to Officer Dwyer’s firearm.

<sup>62</sup> Crime Scene Processing Report, Log# 2020-0022, Att. #21, Pages 2, 5; Inventory # ██████.

<sup>63</sup> Log# 2020-0022, Att. #43, Pages 1-2.

<sup>64</sup> Crime Scene Processing Report, Log# 2020-0022, Att. #21, Pages 2, 5; Inventory # ██████ and # ██████.

<sup>65</sup> Log# 2020-0022, Att. #53, Pages 1-2.

<sup>66</sup> Medical Examiner Report of Postmortem Examination, Log #2020-0022, Att. #49, Page 2, Paragraph 1. There was black soot to the skin around this entrance wound, indicating close range of fire to this wound.

<sup>67</sup> *Id.*, Page 2, Paragraph 2. There was no evidence of close range of fire to this wound.

<sup>68</sup> *Id.*, bottom of Page 2 to top of Page 3. There was no evidence of close range of fire to this wound.

Due to the multiple gunshot wounds, including self-inflicted intraoral gunshot wound to the head, the Medical Examiner determined the manner of death was homicide.<sup>69</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** a proposition is true.<sup>70</sup> For example, 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.<sup>71</sup> Clear and Convincing can be defined as a “degree of proof, which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true.”<sup>72</sup>

**VII. ANALYSIS**

***A. COPA Finds Officer Dwyer’s Use of Deadly Force Was Authorized under Department Policy.***

Chicago Police Department policy states that the “use of deadly force is a last resort that is permissible only when necessary to protect against an imminent threat<sup>73</sup> to life or to prevent great bodily harm to the member or another person. Consistent with this requirement, a sworn Department member may use deadly force only when such force is necessary to prevent:

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<sup>69</sup> *Id.* Page 5.

<sup>70</sup> *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).

<sup>71</sup> *See e.g., People v. Coan*, 2016 IL App (2d) 151036 (2016).

<sup>72</sup> *Id.* at ¶ 28.

<sup>73</sup> Use of Force General Order G03-02 III.C.2. (“Definition of Imminent Threat. A threat is imminent when it is objectively reasonable to believe that: a. the subject's actions are immediately likely to cause death or great bodily harm to the member or others unless action is taken; and b. the subject has the means or instruments to cause death or great bodily harm; and c. the subject has the opportunity and ability to cause death or great bodily harm.”).

- a. death or great bodily harm from an imminent threat posed to the sworn member or to another person.
- b. an arrest from being defeated by resistance or escape, where the person to be arrested poses an imminent threat of death or great bodily harm to a sworn member or another person unless arrested without delay.”<sup>74</sup>

Members may only use force that is (1) objectively reasonable, (2) necessary, and (3) proportional to ensure a person’s safety, make an arrest, control a subject or prevent escape.<sup>75</sup> “Objectively reasonable” force is based on the “totality of the circumstances faced by the officers on the scene.”<sup>76</sup> Factors to consider include but are not limited to (a) “whether the subject is posing an imminent threat” (b) “the risk of harm, level of threat, or resistance presented by the subject” and (c) “the subject’s proximity or access to weapons.”<sup>77</sup> “Necessary” force is “only the amount of force required under the circumstances to serve a lawful purpose.”<sup>78</sup> “Proportional” force is proportional to the “threat, actions, and level of resistance offered by a subject.”<sup>79</sup>

Based upon the below factors, COPA finds there is sufficient evidence to show that Officer Dwyer reasonably believed that ██████ posed an imminent threat of death or great bodily harm.

First, it was not unreasonable for Officer Dwyer to believe that ██████ actions were immediately likely to cause death or great bodily harm to Officer Dwyer or his fellow officers. When Officer Doherty pursued ██████ on foot, he observed that ██████ was holding his side, which indicated to the officer that ██████ may have been armed with a firearm, and Officer Doherty reported this observation over the radio. Officer Dwyer participated in the search of the vicinity for ██████ hid in the back staircase of a residential building and was reported by the resident of attempting to break into an apartment. Officer Dwyer responded to the call for the attempted break-in and unholstered his firearm when he entered the gangway. When Officer Dwyer encountered ██████ was holding a firearm. Officer Dwyer ordered ██████ to put down the firearm. ██████ did not comply and instead raised the firearm in the direction of Officer Dwyer before bringing it to his face and pulling the trigger. When the firearm did not discharge, ██████ proceeded to repeatedly cycle the firearm to place a live round in the chamber, then raise the firearm to his face and pull the trigger. Officer Dwyer continues to repeatedly yell to put the gun down while another officer approached with his firearm pointed and others yell to put the gun down. Despite saying “okay” multiple times, ██████ is seen manipulating the firearm several times

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<sup>74</sup> Use of Force General Order G03-02 III.C.3. (October 17, 2017). Use of deadly force is only authorized on an “assailant” whose “actions constitute an imminent threat of death or great bodily harm to a person.” Force Options General Order G03-02-01 IV.C.2 & Force Options General Order G03-02-01 IV.C. (An “assailant” is “a subject who is using or threatening the use of force against another person or himself/herself which is likely to cause physical injury.”).

<sup>75</sup> See Use of Force order III.B.

<sup>76</sup> Use of Force order III.B.1.

<sup>77</sup> Use of Force order III.B.1. (a)-(c)

<sup>78</sup> Use of Force order III.B.2.

<sup>79</sup> Use of Force order III.B.3. “This may include using greater force or a different type of force than that used by the subject. The greater the threat and the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be necessary to overcome it. When or if the subject offers less resistance, however, the member will decrease the amount or type of force accordingly.”

to cycle it and clicking is heard. These actions indicate that ██████ likely intended to arm the gun, placing Officer Dwyer and other officers in immediate danger of being shot by ██████ as the firearm was raised. When ██████ raised the firearm one final time and discharged and, Officer Dwyer as a last resort, almost simultaneously discharged his firearm twice.

Second, it was objectively reasonable for Officer Dwyer to believe that ██████ had the means or instruments to cause death or great bodily harm. ██████ possessed a firearm that he raised in the direction of Officer Dwyer, brought it to his face and pulled the trigger but it didn't discharge. ██████ cycled his weapon apparently to place a live round in the chamber and repeated this pattern a number of times, so any observer could reasonably infer that ██████ believed it was loaded. Consequently, Officer Dwyer was directly aware that ██████ sought to arm his gun so that it would have the means to cause death or great bodily harm to Officer Dwyer or others in the vicinity.

Third, it was not unreasonable for Officer Dwyer to believe that ██████ had the opportunity and ability to cause death or great bodily harm. When Officer Dwyer observed ██████ in the basement stairwell, he immediately ordered him to put down the firearm. ██████ did not comply with the officer's order but attempted to shoot himself. When ██████ firearm did not discharge, he began to cycle his firearm to place a live round in the chamber, continuing to refuse direction from the officers to put the gun down. ██████ continual attempts to load his firearm while officers had their firearms pointed at him and were yelling to put the gun down, showed he was seeking to use his firearm. ██████ location and arming of the firearm created an ability to pose a deadly threat to Officer Dwyer or nearby officers.

COPA finds by a preponderance of the evidence that the totality of the circumstances permitted Officer Dwyer's use of deadly force against ██████<sup>80</sup> Accordingly, COPA finds Officer Dwyer's actions within Department policy.

**B. ██████ allegations against Officers Delgado, Doherty and Oeinck**

**1. COPA Finds ██████ Allegations of Improper Firearm Pointing Unfounded or Exonerated.**

Under Department policy, "members may only point a firearm at a person when it is objectively reasonable to do so under the totality of the circumstances faced by the member on the scene."<sup>81</sup> When determining reasonableness, members may consider factors including but not limited to 1) the nature of the incident, 2) the risk of harm to the member or others, and 3) the level of threat or resistance presented or maintained by the person.<sup>82</sup>

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<sup>80</sup> ██████ actions made him an "assailant," namely raising his apparently armed firearm constituted an imminent threat of death or great bodily harm to a person. Additionally, COPA finds Officer Dwyer's use of force by use of a firearm was objectively reasonable and necessary as defined under Department policy. COPA also finds Officer Dwyer's use of force proportional, as defined under Department policy, to the level of threat ██████ presented. In particular, Officer Dwyer fired just twice in response to ██████ actions and stopped shooting once he realized ██████ arm had fallen by his side.

<sup>81</sup> Firearm Pointing Incidents Department Notice D19-01 I.I.E. (effective November 1, 2019). Rule 38 also prohibits unlawful or unnecessary use or display of a weapon.

<sup>82</sup> Firearm Pointing Incidents Department Notice D19-01 I.I.E.

Regarding the allegation that Officers Delgado and Doherty pointed their firearms at ██████████ and her children without justification, COPA finds they are exonerated. ██████████ admitted that when ██████████ ran away after their vehicle had crashed, she moved to the driver's seat to close the door. This is consistent with the movement in the front area inside the vehicle Officers Delgado and Doherty said they saw when they arrived on the scene and approached the vehicle, which is why the officers said they drew their weapons.<sup>83</sup> Upon facing occupants of a vehicle that had driven in a manner causing an accident to evade a traffic stop and continuing to move within the vehicle, it was reasonable for the officers to draw and point their firearms at the vehicle out of concern for their safety. Once officers determined that ██████████ was unarmed, the officers lowered or holstered their firearms. Because the officers had already observed the vehicle commit numerous traffic violations in an attempt to evade them from a traffic stop, it became reasonable for them to approach the vehicle with caution. Therefore, the evidence is clear and convincing that the officers were justified in pointing their firearms at the vehicle until it was determined that the occupants did not pose a risk of harm or continued resistance.

Regarding, the allegation that Officer Oeinck pointed his firearm at ██████████ and her children without justification, COPA finds the allegation to be unfounded. Officer Oeinck denied that he pointed his weapon at any of the vehicle's occupants, maintaining that he held his firearm in the "low-ready" position.<sup>84</sup> Video recordings from the officers' body-worn cameras corroborate Officer Oeinck's depiction: his firearm was displayed but in a "low-ready" manner.<sup>85</sup> Therefore, the evidence is clear and convincing that the alleged conduct of officially "pointing" a firearm did not occur.

## 2. COPA Finds the Officers Did Not Improperly Detain ██████████

The Fourth Amendment to the United States Constitution provides that "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated . . . ."<sup>86</sup> As noted by the United States Supreme Court, "[n]o right is held more sacred, or is more carefully guarded, by the common law, than the right of every individual to the possession and control of his own person, free from all restraint or interference of others, unless by clear and unquestionable authority of law."<sup>87</sup>

A police officer may temporarily detain an individual for an investigatory stop when "the officer's decision is based on specific, articulable facts which warrant the investigative stop intrusion."<sup>88</sup> "The police officer must have an 'articulable suspicion' that the person has committed or

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<sup>83</sup> Officer Doherty also said he was scared the occupant would use a weapon when the driver's side door swung open.

<sup>84</sup> Department policy also distinguishes between pointing the firearm at a person versus having the firearm in a ready or low-ready position. See Firearm Pointing Incidents Department Notice D19-01 II.B.

<sup>85</sup> But COPA notes that displaying his firearm in a low-ready position while standing and opening the vehicle's door revealing a child passenger sitting in the back seat did result in the firearm nozzle being directed at the child. COPA acknowledges the fear this would create in a person, particularly a child. However, Department policy is directed at intentional firearm pointing under an objective standard.

<sup>86</sup> U.S. Const., amend. IV.

<sup>87</sup> *Union Pac. R. v. Botsford*, 41 U.S. 250, 251 (1891),

<sup>88</sup> *People v. Moore*, 286 Ill. App. 3d 649, 653 (3d Dist. 1997) (citing *Terry v. Ohio*, 392 U.S. 1, 21, (1968)); *People v. Stewart*, 242 Ill. App. 3d 599, 605 (1993).

is about to commit a crime.<sup>89</sup> An officer may not detain an individual based on mere hunches or unparticularized suspicions.<sup>90</sup> Once a person is detained, the seizure may last as long as is necessary to confirm or dispel the reasonable suspicion.<sup>91</sup>

COPA finds that Officers Delgado, Doherty and Oeinck are exonerated from the allegations that they detained ██████ without justification. The officers observed ██████ vehicle fail to stop at stop signs and attempted to pull over the vehicle. ██████ who was driving, did not stop and instead accelerated in an apparent attempt to evade the police. ██████ lost control of the vehicle, which crashed into other vehicles before stopping on the sidewalk. ██████ admitted in her statement that after ██████ ran away, she moved to the driver's seat to close the door. Upon approaching the vehicle, it became apparent to the officers that the driver had fled, as they had all initially seen a driver and an occupant in the front seats. ██████ claimed to Officer Oeinck that she was the driver of the vehicle, which he told her was not true. Officer Oeinck was the only officer on the scene interacting with various owners of the damaged vehicles.

Based upon these circumstances, it was reasonable for Officer Oeinck to handcuff and detain ██████ in the officers' vehicle as part of the investigation into the evading, traffic violations and crash. ██████ initial answers to questions about the driver made it reasonable to suspect she had more knowledge than she was sharing about the identity and motive of the driver while the officers were searching for him and sharing information with victims of the crash.

After ██████ died, Officer Delgado and detectives returned to question ██████ more about ██████ name and had reason to believe the name she had given was incorrect. Even though it resulted in ██████ being detained a few hours, it was reasonable for officers to continue to detain ██████ after he died to determine ██████ identity and conduct a death investigation. Therefore, the evidence is clear and convincing that the officers had justification to initially detain ██████ and continue to detain in these circumstances.

### ***C. Officer Oeinck's BWC was Properly Activated.***

To increase transparency and improve the quality and reliability of investigations, CPD policy mandates all law-enforcement-related encounters to be electronically recorded on the officers' body worn camera ("BWC").<sup>92</sup> Law-enforcement-related encounters include, but are not limited to, foot and vehicle pursuits, arrests, use of force incidents, high risk situations, emergency driving situations and emergency vehicle responses where fleeing suspects or vehicles may be captured on video leaving the crime scene.<sup>93</sup> The recording of law-enforcement-related encounters is mandatory.<sup>94</sup> Officers must activate their BWCs at the beginning of an incident and record the

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<sup>89</sup> *Moore*, 286 Ill. App. 3d at 653 (citations omitted).

<sup>90</sup> *Id.* (citations omitted).

<sup>91</sup> *See United States v. Sharpe*, 470 U.S. 675, 686 (1985); *see also* Investigatory Stop System Special Order S04-13-09 II.A. (effective July 10, 2017) "The suspect may be detained only for the length of time necessary to confirm or dispel the suspicion of criminal activity."

<sup>92</sup> Special Order S03-14. II. A (Eff. April 30, 2018)

<sup>93</sup> Special Order S03-14.III.2 (Eff. April 30, 2018)

<sup>94</sup> Special Order S03-14.III.1 (Eff. April 30, 2018)

entire incident.<sup>95</sup> If there are circumstances preventing the activation of the BWC at the beginning of an incident, the officer “will activate the BWC as soon as practical.”<sup>96</sup>

COPA finds the allegation that Officer Oeinck failed to activate his body worn camera in violation of Special Order S03-14 be Unfounded. COPA’s initial search for BWC recordings did not produce any recordings by Officer Oeinck.<sup>97</sup> In his statement to COPA, Officer Oeinck related that he had viewed his BWC recordings from the date of the incident. A subsequent COPA search revealed that he had in fact activated his BWC. Therefore, there is clear and convincing evidence that the facts alleged did not occur.

***D. Officers Delgado, Doherty and Oeinck Failed to Timely Complete an Investigatory Stop Report***

When a member detains a person, the member must complete an investigatory stop report.<sup>98</sup> “Sworn members are responsible for entering all Investigatory Stop Reports created during their tours of duty into the electronic system as soon as possible but no later than the end of their tours of duty [..]”<sup>99</sup>

COPA sustains the allegations that the officers failed to complete an Investigatory Stop Report in violation of Special Order S04-13-09. The three officers responded to the allegation by stating that Officer Oeinck completed the report regarding [REDACTED] stop during their tour of duty on the following day. The officers added that after the incident, they proceeded to Area North to provide statements to CPD detectives who were investigating the officer-involved shooting and remained at that location until late that night. Although the officers were in a CPD facility and could access a computer to complete their report, they did not comply with the mandate to complete the report by the end of their tours of duty. COPA is mindful that they were participating as witnesses in the death investigation of [REDACTED] and the officer-involved shooting by Officer Dwyer, but this does not absolve them of the requirement to complete the Investigatory Stop Report in a timely manner. As a result, this allegation should be found to be Sustained.

**VIII. CONCLUSION**

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

<b>Officer</b>	<b>Allegation</b>	<b>Finding</b>
Police Officer Christina Delgado	1. Pointed her firearm at [REDACTED] and her four children without justification.	Exonerated

<sup>95</sup> Special Order S03-14.III.2 (Eff. April 30, 2018)

<sup>96</sup> Special Order S03-14.III.2 (Eff. April 30, 2018)

<sup>97</sup> As a result of BWC coding and/or search terms used, COPA’s initial search of Officer Oeinck’s BWC did not completely capture all applicable videos.

<sup>98</sup> See Investigatory Stop System Special Order S04-13-09 III. C (“Sworn members who conduct an Investigatory Stop are require to complete an Investigatory Stop Report.”).

<sup>99</sup> Investigatory Stop System Special Order S04-13-09 VII.B.4.

	2. Detained [REDACTED] without justification.	Exonerated
	3. Failed to complete an Investigatory Stop Report in violation of Special Order S04-13-09.	Sustained
Police Officer Daniel Doherty	1. Pointed his firearm at [REDACTED] and her four children without justification.	Exonerated
	2. Detained [REDACTED] without justification.	Exonerated
	3. Failed to complete an Investigatory Stop Report in violation of Special Order S04-13-09.	Sustained
Police Officer Jesse Oeinck	1. Pointed his firearm at [REDACTED] and her four children without justification.	Unfounded
	2. Detained [REDACTED] without justification.	Exonerated
	3. Failed to activate his body worn camera in violation of Special Order S03-14.	Unfounded
	4. Failed to complete an Investigatory Stop Report in violation of Special Order S04-13-09.	Sustained

**I. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS**

**a. Officer Christina Delgado**

**i. Complimentary and Disciplinary History**

Officer Delgado has been a member of the Chicago Police Department since December 14, 2015. In that time, she has received 74 Honorable Mentions, 1 Honorable Mention Ribbon Awards, 2 Department Commendations, and 2 Complimentary Letters. In the last five years, she has not received any discipline.

**ii. Recommended Penalty, by Allegation**

For the allegation that Officer Delgado failed to complete an Investigatory Stop Report in violation of Special Order S04-13-09, COPA recommends **Violation Noted**.

**b. Officer Daniel Doherty**

**i. Complimentary and Disciplinary History**

Officer Doherty has been a member of the Chicago Police Department since February 29, 2016. In that time, he has received 75 Honorable Mentions, 1 Honorable Mention Ribbon Award, 2 Complimentary Letters, and 2 Department Commendations. In the last five years, he has not received any disciplinary history.

**ii. Recommended Penalty, by Allegation**

For the allegation that Officer Delgado failed to complete an Investigatory Stop Report in violation of Special Order S04-13-09, COPA recommends **Violation Noted**

**c. Officer Jesse Oeinck**

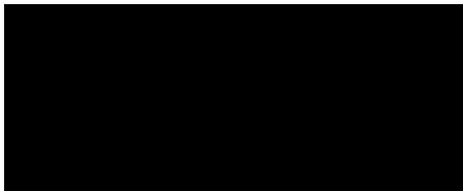
**i. Complimentary and Disciplinary History**

Officer Oeinck has been a member of the Chicago Police Department since April 6, 2015. In that time, he has received 80 Honorable Mentions, 1 Honorable Mention Ribbon Award, 1 Superintendent Award of Valor, and 1 Department Commendation. In the last five years, he has not received any disciplinary history.

**ii. Recommended Penalty, by Allegation**

For the allegation that Officer Oeinck failed to complete an Investigatory Stop Report in violation of Special Order S04-13-09, COPA recommends **Violation Noted**.

Approved:



11/29/2021

Matthew Haynam  
*Deputy Chief Administrator – Chief Investigator*

Date



11/29/2021

Andrea Kersten  
*Interim Chief Administrator*

Date

Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	1
<b>Major Case Specialist:</b>	Thomas Kalantzis
<b>Supervising Investigator:</b>	Shannon Hayes
<b>Deputy Chief Administrator:</b>	Matthew Haynam