

SUMMARY REPORT OF INVESTIGATION ¹

Date/Time/Location of Incident:	September 18, 2019 / 7:30 p.m. / 2320 East 93 rd Street, Chicago, Illinois 60617
Date/Time of COPA Notification:	October 3, 2019 / 1:03 p.m.
Involved Officer #1:	Officer Edward Rauba, Star #17208, Employee ID # [REDACTED], Date of Appointment: March 15, 2013, Rank: Police Officer, Gender: Male, Race: White, Unit of Assignment: 004, DOB: [REDACTED], 1984
Involved Officer #2:	Officer Brian Purtell, Star #3217, Employee ID# [REDACTED], Date of Appointment: June 4, 2007, Rank: Police Officer, Gender: Male, Race: White, Unit of Assignment:004, DOB: [REDACTED], 1981
Involved Individual #1:	[REDACTED] DOB: [REDACTED], 1960, Gender: Male, Race: Hispanic
Case Type:	Verbal Abuse

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Edward Rauba	<p>It is alleged by the complainant, [REDACTED] that on or about September 18, 2019, at approximately 8:00 pm, at or near 2320 East 93rd Street, Chicago, Illinois, Officer Edward M. Rauba (“PO Rauba”) committed misconduct through the following acts or omissions:</p> <ol style="list-style-type: none"> 1. Engaged in an unjustified verbal altercation with [REDACTED] and/or 2. Stated to [REDACTED] words to the effect of, “Trump was going to send you and all your ‘spic’ friends back to Mexico.” 	<p>Not Sustained</p> <p>Not Sustained</p>

¹ COPA investigated this complaint. 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, such as this one.

Officer Brian Purtell	<p>It is alleged by the complainant, [REDACTED] that on or about September 18, 2019, at approximately 8:00 pm, at or near 2320 East 93rd Street, Chicago, Illinois, Officer Brian P Purtell (“PO Purtell”) committed misconduct through the following acts or omissions:</p> <ol style="list-style-type: none"> 1. Engaged in an unjustified verbal altercation with [REDACTED]² and/or 2. Stated to [REDACTED] words to the effect of, “Trump was going to send you and all your ‘spic’ friends back to Mexico.” 	<p>Not Sustained</p> <p>Not Sustained</p>
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II. SUMMARY OF EVIDENCE ³

The Complainant, [REDACTED] (“[REDACTED]”) alleges that Officers Edward Rauba (“Officer Rauba”) and Brian Purtell (“Officer Purtell”) engaged in an unjustified verbal altercation with him. Specifically, on September 18, 2019, [REDACTED] sustained a laceration to the forehead in a domestic battery incident where he was transported to Trinity Hospital for treatment by Beat 432 (i.e. Officers Rauba and Purtell).⁴ At the hospital, [REDACTED] contends that the officers turned on Fox News in his room, and they got into a heated conversation about turning the channel.⁵ [REDACTED] recalls the officers making comments that they will come to his house, which made him afraid. Prior to the officers leaving his room, [REDACTED] alleges that one of the officers stated words to the effect of, “Trump was going to send you and all your ‘spic’ friends back to Mexico.”⁶ During his interview with COPA, [REDACTED] told investigators that he could not recall all of the officers’ statements because he was under the influence of pain medication and/or sedation.⁷

In his interview with COPA, Officer Purtell⁸ stated he was in the hospital room with [REDACTED] for approximately five to ten minutes. He maintains that [REDACTED] was yelling and screaming but he does not recall any specific conversations with him.⁹ In addition, Officer Purtell contends that neither him nor his partner, Officer Rauba, stated to [REDACTED] words to the effect of, “Trump was going to send you and all your ‘spic’ friends back to Mexico.”¹⁰

² The allegations served to Officer Purtell contained an error, stating that he engaged in an unjustified verbal altercation with himself, Brian Purtell, rather than [REDACTED]. However, during his statement, Officer Purtell was asked if he affirmed or denied the allegation with respect to [REDACTED] and Officer Purtell raised no concerns about the allegations or notice. *See* Attachment 15 at 15:10.

³ This section contains a summary of the material evidence gather during the investigation.

⁴ Attachment 7.

⁵ Attachment 5.

⁶ *Id.*

⁷ *Id.* at 17:22.

⁸ Attachment 15.

⁹ Attachment 15 at Mark 9:36-9:41;10:01.

¹⁰ *Id.* at Mark 11:06-11:23.

In his interview with COPA, Officer Rauba¹¹ maintains that ██████ was upset with him for watching the news and accused him of being a racist.¹² Officer Rauba informed COPA investigators that he was unsure as to why ██████ would make such an accusation.¹³ Additionally, Officer Rauba refutes stating to ██████ words to the effect of, “Trump was going to send you and all your ‘spic’ friends back to Mexico.”¹⁴

Despite having no body worn camera (“BWC”) footage inside the hospital, the **Original Case Incident Report**¹⁵ indicates that Officers Rauba and Purtell (i.e. Beat 432) transported ██████ to Trinity Hospital on September 18, 2019. Additionally, the **Event Query Report**¹⁶ indicates that Beat 432 assisted with the transport of ██████ to Trinity hospital at or around 7:39 p.m. (i.e. 19:39 hours) and was relieved by Beat 447R at or around 11:43p.m. (i.e. 23:43 hours). The **Medical Records**¹⁷ indicates that ██████ was in police custody and sought treatment for a facial laceration and lower back pain.

III. ANALYSIS AND CONCLUSION

a. Officer Edward Rauba

COPA recommends a finding of **NOT SUSTAINED** against Officer Rauba, in that he engaged in an unjustified verbal altercation with ██████ and/or stated to ██████ words to the effect of, “Trump was going to send you and all your ‘spic’ friends back to Mexico.” In his interview with COPA, Officer Rauba denied the allegations, which is different from the account given by ██████. Additionally, Officer Purtell denies hearing him make this comment. No other witnesses or video evidence exists to corroborate either account. Thus, there is insufficient evidence to prove or disprove these allegations made by ██████. For these reasons, COPA finds that these allegations against Officer Rauba are **NOT SUSTAINED**.

b. Officer Brian Purtell

COPA recommends a finding of **NOT SUSTAINED** against Officer Purtell, in that he engaged in an unjustified verbal altercation with ██████ and/or stated to ██████ words to the effect of, “Trump was going to send you and all your ‘spic’ friends back to Mexico.” Here, in his interview with COPA, Officer Purtell denied the allegations, which is different from the account given by ██████. No other witnesses or video evidence exists to corroborate either account. Thus, there is insufficient evidence to prove or disprove these allegations made by ██████. For these reasons, COPA finds that these allegations against Officer Purtell are **NOT SUSTAINED**.

¹¹ Attachment 13.

¹² Attachment 13 at Mark 6:31.

¹³ *Id* at Mark 12:06.

¹⁴ *Id* at Mark 8:08-8:15.

¹⁵ Attachment 7.

¹⁶ Attachment 8.

¹⁷ Attachment 11.

Approved:

A solid black rectangular box redacting the signature of the Deputy Chief Investigator.

Shayday Jackson
Deputy Chief Investigator-Chief Investigator

June 30, 2022

Date