

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

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| Date of Incident: | March 29, 2022 |
| Time of Incident: | 7:17am |
| Location of Incident: | ████████████████████ |
| Date of COPA Notification: | March 29, 2022 |
| Time of COPA Notification: | 11:48am |

The complainant, ██████████, called the police on her son, ██████████, because he had a warrant. Officer Christopher Green, #13996, was one of the officers who responded to the scene and arrested ██████████. During the incident, Officer Green struck ██████████ on her left shoulder.

II. INVOLVED PARTIES

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| Involved Officer #1: | GREEN, Christopher; Star #13996; Employee # ██████████; Unit of Assignment: 005 th District; Date of Appointment: December 18, 2000; M/B. |
| Subject #1: | ████████████████████; DOB: ██████████/72; F/B. |

III. ALLEGATIONS

| Officer | Allegation | Finding |
|---------------------------|---|---------------|
| Officer Christopher Green | It is alleged hat on or about March 29, 2022, at approximately 7:17am, at or near ██████████ ██████████, Officer Christopher Green committed misconduct through the following acts or omissions by: 1) Pushing or Striking ██████████ without Justification. | Not Sustained |

IV. APPLICABLE RULES AND LAWS

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| Rules |
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1. Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 2. Rule 6: Disobedience of an order or directive, whether written or oral.
 3. Rule 8: Disrespect to or maltreatment of any person, while on or off duty.
 4. Rule 10: Inattention to duty.
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General Orders

1. G03-02: Use of Force
 2. G03-02-01: Response to Resistance and Force Options
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V. INVESTIGATION

a. Interviews

1. Complainant [REDACTED]

COPA interviewed Complainant [REDACTED]¹, on April 5, 2022. [REDACTED] stated that on the date of the incident she called the police at around 7:00a.m. to arrest her 14-year-old son, [REDACTED], who had an arrest warrant for violating curfew and was staying in her house. Multiple pairs of officers arrived and entered the front and back of her house, and [REDACTED] got upset that so many officers responded. Officers told [REDACTED] to get out of bed, and he started screaming. [REDACTED] went downstairs to get her phone and record the officers with her phone because she felt the officers were being too aggressive.

[REDACTED] got angry and told officers they were doing too much and told them to get out of her house. An officer—now known as Officer Green—walked past her in the living room and pushed her, telling her to get out of his way. [REDACTED] called 911 to report Officer Green. She then asked the responding officers for a Sergeant and told them that Officer Green had pushed her. [REDACTED] called 911 again, and a sergeant—later identified as Sergeant Hicks—responded. [REDACTED] explained what happened to Sergeant Hicks, who took her statement and initiated a COPA complaint.

2. Accused Officer Christian Green

COPA interviewed Accused Officer Christopher Green², on June 2, 2022. Officer Green was in uniform, driving a marked patrol car, accompanied by a temporary partner, Officer Luis Gonzalez, #18786. Officer Green stated that on the date of the incident he and Officer Gonzalez

¹ Attachment #6 – Audio Interview of [REDACTED]

² Attachment #1 – Audio Interview of Officer Green

responded to a call to assist arresting a minor (██████) with an arrest warrant at Davenport's home. Officers Green and Gonzalez walked through the front door of Davenport's home and walked up the back staircase. Davenport angrily asked Officers Green and Gonzalez why they had walked through the back door, then told them they needed to leave.

Officers Green and Gonzalez walked up the stairs to ████████ bedroom, then followed other officers who carried ████████ down the stairs. ████████ was only wearing jeans and was not wearing a shirt or shoes. Officer Green carried ████████ shoes as he followed behind them. ████████ was irate and was yelling at the officers and recording them with her cell phone. Officer Green asked ████████ if she had a coat for ████████ multiple times. ████████ yelled no and walked past him, and Officer Green told her to go back in the house. Officer Green motioned ████████ with his hand and incidentally touched her arm as they walked past each other. Officer Green was frustrated with ████████ and threw his hands up in frustration as she walked past. Officer Green stated that he did not intend to strike, push, or otherwise touch ████████.

b. Digital Evidence

COPA reviewed Body Worn Camera (BWC) footage³ from officers who responded to the scene.

Officer David Hodgerman, #11868, and Officer Brett Owens, #17628, respond to ████████ residence shortly after 7:00am. One of ████████ children open the door and let the officers in the house. Officers walk upstairs into ████████ bedroom, where ████████ is standing, yelling at ████████ to get out of bed because the police are there. ████████ says that he does not have clothes and ████████ says she will get him clothes. ████████ asks ████████ why she called the police, and she starts yelling at him. ████████ gets clearly upset as ████████ yells at him, and Officers Hodgerman and Owens attempt to calm him. Officers repeatedly ask ████████ to get clothes for ████████ and ████████ continues to yell. ████████ enters the room, hands ████████ a pair of jeans, and starts shouting at him again. She continues to yell at ████████ until he becomes upset enough that officers handcuff him. Officers attempt to calm ████████ and stop her from yelling at ████████, and she continues to yell. ████████ becomes irate and starts screaming that he does not want to go to the police station with the officers.

Officers Green and Gonzalez arrive at the house and walk upstairs. Officers Hodgerman and Owens continue to try to calm ████████ and convince to cooperate, as he continues to scream and cry. Officers Hodgerman and Owens escort ████████ downstairs and into a patrol car, as he struggles and screams, and as ████████ continues to yell at him. Officer Green and Gonzalez follow, and Officer Green carries ████████ shoes.

████████ stands on the front porch yelling at ████████ and the officers. Officer Green asks ████████ if she has a coat for ████████ twice. ████████ ignores Officer Green and continues to yell at ████████ in the patrol car, despite making eye contact with Officer Green as he asked. Officer Green asks ████████ again for a coat for her son and ████████ shouts no directly in Officer Green's face, then walks past him. Officer Green turns to his left as ████████ walks past, waiving

³ Attachments 2- 6

his left hand in a dismissive motion, appearing to strike ██████ softly on her left arm.⁴ ██████ repeatedly yells words to the effect of “this bitch just hit me!” ██████ continues to yell at officers and says that she is going to call 911 on Officer Green.

c. Documentary Evidence

1. Initiation Report of Sergeant Errol Hicks⁵

Sergeant Errol Hicks, #2554, responded to ██████ house at approximately 7:39am after a request for a supervisor. Sergeant Hicks spoke with ██████ who told her that Officer Green had pushed her with both hands while walking through her living room. Sergeant Hicks reviewed Officer Gonzalez’s BWC, which captured the incident, and determined that Officer Green did not push ██████. Sergeant Hicks documented that Officer Gonzalez’s BWC showed Officer Green standing on the porch of the residence as ██████ became loud and irate after Officer Green continued asking for the coat for the ██████ son, at which time Officer Green began to turn his body to point towards the front door and the back of Officer Green's hand made contact with the back of ██████.

VI. LEGAL STANDARDS

For each Allegation COPA must make one of the following findings:

1. Sustained - where COPA determines the allegation is supported by a preponderance of the evidence;
2. Not Sustained - where COPA determines there is insufficient evidence to prove the allegations by a preponderance of the evidence;
3. Unfounded - where COPA determines by clear and convincing evidence that an allegation is false or not factual; or
4. Exonerated - where COPA determines by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

An allegation is supported by a preponderance of the evidence when “it is more likely than not” that the facts alleged occurred.⁶ COPA must sustain such an allegation. Conversely, COPA cannot sustain an allegation when it is more likely than not that the facts alleged did not occur.⁷

⁴ Attachment 3 – Officer Luis’ BWC timestamped at 07:17:52.

⁵ Attachment #7

⁶ See, e.g., *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”).

⁷ See *id.*

