

**SUMMARY REPORT OF INVESTIGATION**

**I. EXECUTIVE SUMMARY**

Date of Incident:	April 7, 2020
Time of Incident:	11:35 p.m.
Location of Incident:	████████████████████ Chicago, IL ██████
Date of COPA Notification:	April 8, 2020
Time of COPA Notification:	1:53 p.m.

On April 7, 2020, at around 10:49 p.m., Police Officers Genghis Harris (Officer Harris) and Brandon Randhawa (Officer Randhawa) responded to a domestic dispute call made by Ms. ██████ (██████ at ██████ in Chicago, Illinois. Ms. ██████ explained to the officers that she and her fiancée had gotten into an argument, and she wanted him out of the apartment. Upon entering the apartment, the officers encountered Mr. ██████ (Mr. ██████ Ms. ██████ fiancée. The officers informed Mr. ██████ that Ms. ██████ wanted him to leave the apartment and instructed him to gather some belongings. At the same time, Ms. ██████ repeatedly asked the officers to get her apartment door key from Mr. ██████ pockets. The officers explained to Ms. ██████ that they would not be retrieving a key from Mr. ██████ Ms. ██████ threatened to call the officers’ sergeant several times and attempted to step towards the entryway where Mr. ██████ was gathering his things, but the officers blocked her path and directed her back to the main living area of the apartment. Ms. ██████ was told several times throughout the encounter that the officers would not be getting a key from Mr. ██████ and that they did not have the authority to do so.

Ms. ██████ spoke with COPA on April 14, 2020. She alleged that the officers, in their attempts to keep her separated from Mr. ██████ pushed her up against a wall and pushed her into the fireplace. Ms. ██████ stated that the push into the fireplace caused a bruise on the upper part of her back and two small scratches on her chest. She explained that she has epilepsy and was having a flare up on the night of the incident and that she sought medical attention the next day. She further alleged that the responding officers failed to provide adequate service when they refused to retrieve her apartment door key from Mr. ██████

COPA investigated Ms. ██████ allegations and determined that the involved CPD members did not use force at any time during this incident. Further, COPA’s investigation revealed that Officer Harris and Officer Randhawa did not violate relevant Department directives when they did not retrieve Ms. ██████ house key from Mr. ██████ pockets.

**II. INVOLVED PARTIES**

Involved Officer #1:	Genghis Harris; Star #10207; Employee # [REDACTED]; Date of Appointment: August 27, 1990; Unit of Assignment: 012; Rank: Police Officer/Field Training Officer; Black; Male
Involved Officer #2:	Brandon Randhawa; <sup>1</sup> Star #18088; Employee # [REDACTED]; Date of Appointment: August 16, 2019; Unit of Assignment: 044; Rank: Police Officer; API; Male
Involved Individual #1:	[REDACTED] Date of Birth: [REDACTED], 1974; Black; Female

**III. ALLEGATIONS**

Officer	Allegation	Finding
Officer Genghis Harris	<p>It is alleged by Ms. [REDACTED] that on April 7, 2020, at approximately 11:35 p.m., at [REDACTED] Chicago, IL 60612, Officer Genghis Harris, Star #10207, committed misconduct through the following acts or omissions:</p> <ol style="list-style-type: none"> <li>1. Forcibly pushing Ms. [REDACTED] against the fireplace, without justification.</li> <li>2. Causing bruising to Ms. [REDACTED] upper back when pushing her against her fireplace.</li> <li>3. Failing to provide service to Ms. [REDACTED] when Officer Harris failed to retrieve her apartment keys from her fiancée, Mr. [REDACTED] after Ms. [REDACTED] repeatedly asked Officer Harris to do so.</li> </ol>	<p><b>Unfounded</b></p> <p><b>Unfounded</b></p> <p><b>Exonerated</b></p>
Police Officer Brandon Randhawa	<p>It is alleged by Ms. [REDACTED] that on April 7, 2020, at approximately 11:35 p.m., at [REDACTED] Chicago, IL 60612, Officer Brandon Randhawa, Star #18088, committed misconduct through the following acts or omissions:</p> <ol style="list-style-type: none"> <li>1. Forcibly pushing Ms. [REDACTED] against a wall, without justification.</li> </ol>	<p><b>Unfounded</b></p>

<sup>1</sup> Officer Randhawa separated from the Chicago Police Department effective May 6, 2021. See Attachment #5.

	<p>2. Failing to provide service to Ms. [REDACTED] when Officer Randhawa failed to retrieve her apartment keys from her fiancée, Mr. [REDACTED] after Ms. [REDACTED] repeatedly asked Officer Randhawa to do so.</p>	<p><b>Exonerated</b></p>
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#### IV. APPLICABLE RULES AND LAWS

##### Rules

The Chicago Police Department Rules of Conduct set forth expressly prohibited acts:

1. **Rule 2:** Any action which impedes the Department's efforts to achieve its policy and goals or brings credit upon the Department.
2. **Rule 5:** Failure to perform any duty.
3. **Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
4. **Rule 10:** Inattention to duty.
5. **Rule 11:** Incompetency in the performance of duty.

##### General Orders

1. **General Order G03-02:** De-Escalation, Response to Resistance, and Use of Force (effective date February 29, 2020).<sup>2</sup>
2. **General Order G03-02-01:** Use of Force (effective date February 29, 2020).<sup>3</sup>

#### INVESTIGATION<sup>4</sup>

##### a. Interviews<sup>5</sup>

**Complainant** [REDACTED] was telephonically interviewed by COPA investigators on April 14, 2020.<sup>6</sup> Ms. [REDACTED] recounted that on April 7, 2020, at around 11:30 p.m., she called police following a domestic dispute between her and her fiancée, [REDACTED]. Two officers reported to her fourth-floor residence at [REDACTED]. Ms. [REDACTED] described one

<sup>2</sup> Attachment #8.

<sup>3</sup> Attachment #9.

<sup>4</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>5</sup> Because all of the allegations in Ms. [REDACTED] complaint could be resolved based on her statement and the available BWC recordings, COPA did not interview the accused officers.

<sup>6</sup> Attachment #7.

officer as a tall Black male and the other as a shorter Hispanic male. Both officers were in regular police uniform. Ms. ██████ asked the officers to escort Mr. ██████ out of the residence and retrieve her apartment key. The officers told Ms. ██████ to back up, and Ms. ██████ recounted that the Hispanic officer pushed her up against the wall. Ms. ██████ described the push as “a bump,”<sup>7</sup> and stated that the officer did not use his hands to push her, but that the officer pushed her with his body. Ms. ██████ further described the bump as “like somebody walking right up to you, bumping you, and kept pushing you away with force. He kept pushing me backwards until I hit something.”<sup>8</sup> At that time, the Black officer was in the doorway with Mr. ██████

Ms. ██████ recounted that the Black officer then stated that they were going to get Mr. ██████ out of the apartment. Ms. ██████ stated that she repeatedly asked for the officers to retrieve her keys from Mr. ██████ and the Black officer then walked up to her, pushing her with his body. Ms. ██████ recalled that the Black officer pushed her with his body into the wall near the fireplace, and that her back hit a part of the fireplace that juts out of the wall, causing a bruise on the upper part of her back. Concurrently, the Hispanic officer was walking Mr. ██████ through the house and letting him gather his things. Ms. ██████ told the officers that Mr. ██████ owned the bicycle in the apartment, but that the rest of the things in the apartment were hers and offered to show the officers her lease. She recounted that as the officers walked Mr. ██████ out of the residence, she again asked the officers to retrieve her key. Ms. ██████ stated she then yelled out the window that she was going to call the officers’ captain.

Ms. ██████ recounted that she did call for a supervisor. Following the arrival of an officer who she described as a captain about twenty minutes later, Ms. ██████ explained to the captain that she had asked the officers to get her key from Mr. ██████ as they were escorting him out. Ms. ██████ asserted that the captain never entered her home. The captain further told her that he would not help her and then drove off. Ms. ██████ alleged that the captain told her, “Get away from my car. I’m not helping you. I’m about to retire.”<sup>9</sup> She further alleged that the captain raised his middle finger at her. Ms. ██████ did not know the name of the captain.<sup>10</sup>

Ms. ██████ mentioned several times throughout her statement that she has epilepsy and just had surgery. Ms. ██████ stated that she made the responding officers aware of the fact that she has epilepsy and was having a flare up. When she told the officers that she had epilepsy, Ms. ██████ recounted that the officers stated, “I don’t care,” and “get over there, shut up, get over

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<sup>7</sup> *Id.* at page 19, line 24.

<sup>8</sup> *Id.* at page 20, lines 10-14.

<sup>9</sup> *Id.* at page 8, lines 1-3.

<sup>10</sup> As a result of COPA’s investigation, the “captain” referenced by Ms. ██████ throughout her statement was later identified as Sgt. Jesus Enriquez, Star #1213. CPD Attendance and Assignment records document that Sgt. Enriquez was the sector sergeant at the time of Ms. ██████ calls for service. (Attachment 12.) OEMC records also document that Sgt. Enriquez was dispatched to Ms. ██████ call for a supervisor (Attachment 6), and GPS records indicate that Sgt. Enriquez’s assigned vehicle was driven to Ms. ██████ location shortly after the call was received. (Attachments 17, 18.) Because of COPA’s delay in identifying Sgt. Enriquez, coupled with serious concerns regarding Ms. ██████ credibility (as discussed below), COPA did not serve allegations against Sgt. Enriquez for verbal abuse or failure to provide police service. COPA is aware that Sgt. Enriquez did not record his encounter with Ms. ██████ using his body-worn camera (Attachment 19), but no allegations were served regarding Sgt. Enriquez’s compliance with the Department’s BWC directive because of the delay in the investigation and because of the applicable provisions of the collective bargaining agreement governing the sergeant’s employment and the conduct of complaint register investigations.

there.”<sup>11</sup> She further alleged that they told her, “You act like you are talking high. You know, you’re just drunk and high, there ain’t [sic] nothing wrong with you.”<sup>12</sup> Ms. ██████ reiterated that she was very weak and dizzy during the incident as a result of this flare up, as well as that her voice was hoarse. Ms. ██████ further stated that as a result of the officers pushing her, there was damage on the wall in her residence. She described the paint on the wall as “chipped a little, because it’s very delicate up in here.”<sup>13</sup> Ms. ██████ recounted that as a result of the physical contact with the officers, she had two small scratches on her chest from the officers’ body-worn cameras pressing on her chest when they attempted to move her back. She further disclosed that she had a small bruise on her back. Ms. ██████ did not take any pictures of the scratches or bruise. She further did not immediately seek any medical attention because she was waiting for the captain to arrive after the responding officers left. However, Ms. ██████ did go to a doctor the next day and received cough syrup, asthma medicine, and pain medicine because she lost her voice and for the bruise on her back. Ms. ██████ recounted that she received these prescriptions at Harrison Medical Center on South California Avenue.

### b. Digital Evidence

COPA obtained and reviewed the **Body Worn Camera (BWC) footage from both Officer Harris<sup>14</sup> and Officer Randhawa<sup>15</sup>** relative to this incident. Both video recordings begin at 10:49 p.m. The recordings depict the officers in a patrol vehicle arriving at ██████. Ms. ██████ meets the officers outside and leads them inside the apartment complex, up several flights of stairs, and into her apartment. Much of what Ms. ██████ says is unintelligible, as her voice is extremely hoarse, and she appears to be short of breath. The officers and Ms. ██████ enter the apartment. Officer Harris walks down a hallway and encounters Mr. ██████. Officer Harris tells Mr. ██████ that Ms. ██████ wants him to leave the apartment and instructs him to grab his things so he can leave. Mr. ██████ complies, and Officer Harris goes back into the entryway area of the apartment.

Officer Randhawa stays in the kitchen of the apartment with Ms. ██████. Ms. ██████ repeats several times that she has epilepsy. Ms. ██████ repeatedly asks the officers to retrieve her door key from Mr. ██████ pocket. Officer Randhawa tells her that the officers are not here to do that right now and that they need to get him [referencing Mr. ██████] out of the apartment. Ms. ██████ continues to ask the officers to get her key, then threatens to call the officers’ sergeant and begins dialing a number on her phone. Officer Harris explains to her that they will not be retrieving a key from Mr. ██████. When Ms. ██████ again threatens to call a sergeant, Officer Harris states that Ms. ██████ may do whatever she likes and the officers won’t argue with her, but that they will not be looking for a key on Mr. ██████. Throughout this exchange, Mr. ██████ is gathering his belongings in a hallway closet and takes his bicycle out to leave. Several times, Ms. ██████ takes steps towards the entryway, and Officer Randhawa puts his hand out and steps in front of her to block her path. Ms. ██████ continues to ask for her key and threatens to call a sergeant, and Officer Randhawa again tells her that the officers will not be retrieving a key. He

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<sup>11</sup> *Id.* at page 30, lines 11-12.

<sup>12</sup> *Id.* at page 30, lines 23-24.

<sup>13</sup> *Id.* at page 24, line 7.

<sup>14</sup> Attachment #4.

<sup>15</sup> Attachment #3.

motions for her to step back into the main area of the apartment. Officer Randhawa repeats that that the officers are not here to take care of that [referencing the key] and that they are only here to see Mr. ██████ out of the apartment. Ms. ██████ opens a kitchen drawer and shows the officers what she describes as her apartment lease. She continues to ask the officers to get her key from Mr. ██████. Officer Harris responds that they will not wrestle anyone for keys and that they do not have the authority to take a key from Mr. ██████. Officer Harris tells Ms. ██████ that the officers cannot search for a key in Mr. ██████ pockets unless he gives them a reason. Officer Harris instructs Ms. ██████ to step back and explains that he will handcuff her if she refuses to do so.

Mr. ██████ finishes collecting his belongings and begins to steer his bike out of the apartment and down the stairs. The officers follow him as he takes his bicycle down the stairwell and rides off down the street. Ms. ██████ follows the officers down the street and continues to both ask for her key and threaten to call for a sergeant. The officers return to their patrol vehicle and terminate their BWC recordings. The recordings end at 10:56 p.m.

### c. Documentary Evidence

An **Original Case Incident Report**<sup>16</sup> documents that ██████ and her fiancée, ██████ were involved in a heated verbal argument where Ms. ██████ called the police. The narrative section of the report details that Mr. ██████ later left the property without incident, in possession of the keys to Ms. ██████ house. Ms. ██████ related that she was in fear for her life and personal safety. The report further details that Ms. ██████ was informed on how to obtain a warrant for Mr. ██████ arrest, and that instructions on how to obtain an order of protection would be sent to her. Charges listed on the report are Simple Assault, with Mr. ██████ listed as the Suspect and Ms. ██████ listed as the Victim. The document's occurrence date is listed as April 8, 2020, at 12:03 a.m., and the address of occurrence is listed as ██████.

A **Case Supplementary Report**<sup>17</sup> submitted on April 8, 2020, at 8:38 a.m., further documents CPD's response to the domestic dispute call by ██████. The incident is described as a domestic incident, listing the Victim as Ms. ██████ and the Suspect as Mr. ██████. The report documents that the victim was advised of both the order of protection and warrant process, as well as that a referral was offered. The offense classification is listed as Simple Assault. Per the report, the date of occurrence is listed as April 8, 2020, at 12:03 a.m., and the address of occurrence is listed as ██████.

**OEMC Event Query Reports**<sup>18</sup> detail 19 separate calls for service that took place over a period of time between 10:53 p.m. on April 7, 2020, and 12:31 a.m. on April 8, 2020. On April 7, 2020, at 10:53 p.m., ██████ placed a call requesting service to ██████. It further documents that at 10:55 p.m., Ms. ██████ placed a second call to OEMC, this time requesting a supervisor to the same address. The Event Chronology relays that Ms. ██████ was upset with the service provided by responding officers for their refusal to get her door key back from the offender. The Event Chronology further details Ms. ██████ repeated calls

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<sup>16</sup> Attachment #1 at page 1-2.

<sup>17</sup> *Id.* at page 3-4.

<sup>18</sup> Attachment #6.

requesting to speak to a police supervisor, as well as complaining that Mr. ██████ returned to the residence, up until 12:31 a.m. The report further documents that ██████ also placed a call to OEMC at 11:46 p.m., requesting police assistance retrieving his items from Ms. ██████ residence.

## V. LEGAL STANDARD

### a. Use of Force

The main issue in evaluating every use of force is whether the amount of force used by the officer was objectively reasonable in light of the totality of the circumstance faced by the officer; necessary; and proportional to the threat, actions, and level of resistance offered.<sup>19</sup> The analysis of the reasonableness of an officer's actions must be grounded in the perspective of a reasonable officer on the scene, in the same or similar circumstances, and not with benefit of the 20/20 hindsight.<sup>20</sup>

The factors to be considered in assessing the reasonableness of force include, but are not limited to: (1) whether the person is posing an imminent threat to the officer or others; (2) the risk of harm, level of threat, or resistance presented by the person; (3) the person's proximity or access to weapons; (4) whether de-escalation techniques can be employed or would be effective; and (5) the availability of other resources.<sup>21</sup> In all uses of force, the goal of a Department member's response is to act with the foremost regard for the preservation of human life and the safety of all persons involved."<sup>22</sup>

### b. Standards of Proof

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 that the conduct occurred and violated Department policy.<sup>23</sup> 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.

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<sup>19</sup> See General Order G03-02: De-Escalation, Response to Resistance, and Use of Force at (III)(B)(1).

<sup>20</sup> *Id.* at (II)(D)(1).

<sup>21</sup> *Id.* at (III)(B)(1).

<sup>22</sup> *Id.* at (II)(A).

<sup>23</sup> See *Avery v. State Farm Mut. Auto. Ins. Co.*, 216 Ill. 2d 100, 191 (2005) ("A proposition proved by a preponderance of the evidence is one that has been found to be more probably true than not true.").

**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>24</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>25</sup>

## VI. ANALYSIS

### a. Allegations Against Officer Genghis Harris, Star #10207

#### i. Officer Harris's Use of Force

It has been alleged that Officer Genghis Harris pushed Ms. ██████ against a fireplace without justification, and as a result of that force, caused injury in the form of a bruise on her back. In her statement to COPA, Ms. ██████ alleged that Officer Harris walked up to her and pushed her with his body into the wall where the fireplace was located, and that her back hit a part of the fireplace that juts out of the wall, causing a bruise.<sup>26</sup> However, it is apparent from Officer Harris's body-worn camera recording and from Officer Randhawa's body-worn camera recording that Officer Harris never made physical contact with Ms. ██████. While the recordings depict Officer Harris and Ms. ██████ verbally interacting, it is apparent that Officer Harris never pushed Ms. ██████ into the fireplace; in fact, Officer Harris never entered the living area of the apartment where the fireplace is located, nor did he make physical contact with Ms. ██████ in any way.<sup>27</sup>

Further, Ms. ██████ alleged that she suffered injury as a result of this interaction. Specifically, in her statement to COPA, Ms. ██████ alleged that she received a bruise on her upper back after Officer Harris allegedly pushed her into the fireplace.<sup>28</sup> She recounted that she did not immediately seek medical attention because she was waiting for a supervisor to arrive after the responding officers left, but that she did go to Harrison Medical Center the day after the incident on April 9, 2020.<sup>29</sup> Ms. ██████ received cough medicine, asthma medicine, and pain medicine at the clinic.<sup>30</sup> She stated that she received these medications as a result of her interaction with Officer Harris, explaining that she had pain in her back and that she lost her voice and suffered from anxiety and high blood pressure.<sup>31</sup> However, no evidence of injury to Ms. ██████ was documented or photographed. Most significantly, as stated above and as shown by body-worn camera recordings, Ms. ██████ and Officer Harris never made physical contact at any point during this interaction.<sup>32</sup> Because the available BWC recordings significantly contradict Ms. ██████ allegations, COPA does not find Ms. ██████ to be credible as to her account of the incident under investigation.

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<sup>24</sup> See, e.g., *People v. Coan*, 2016 IL App (2d) 151036.

<sup>25</sup> *Id.* ¶ 28.

<sup>26</sup> Attachment #7 at page 21.

<sup>27</sup> Attachment #4.

<sup>28</sup> Attachment #7 at page 21.

<sup>29</sup> *Id.* at page 25.

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> Attachment #4.

All known evidence indicates that Officer Harris did not push Ms. [REDACTED]. Because Officer Harris did not push Ms. [REDACTED] she could not have sustained an injury as a result the alleged push. COPA therefore finds by clear and convincing evidence that **Allegations #1 and #2** against Officer Genghis Harris are **Unfounded**.

## ii. Officer Harris's Failure to Provide Service

It has next been alleged that Officer Genghis Harris failed to provide adequate service to Ms. [REDACTED]. Specifically, Ms. [REDACTED] alleged that Officer Harris failed to provide service when he refused to retrieve her apartment keys from the pockets of her fiancée, Mr. [REDACTED]. In general, seizures of personal property are unreasonable unless a search warrant has been issued based on probable cause or a lawful arrest has been effected,<sup>33</sup> after which a search incident to arrest may take place.<sup>34</sup> Police officers may also conduct a pat-down search for weapons in a stop pursuant to *Terry v. Ohio* where they reasonable suspect there is a danger of attack.<sup>35</sup> Thus, absent a search warrant or following a lawful arrest, Officer Harris would not have the authority to search or reach into Mr. [REDACTED] pockets to retrieve Ms. [REDACTED] apartment key.

In her statement to COPA, Ms. [REDACTED] explained that she wanted the responding officers to go into Mr. [REDACTED] pocket and take the key.<sup>36</sup> She was then asked by investigators, "Did any officers tell you that they did not have authority to go in his pocket, take the keys away? Did they tell you that?"<sup>37</sup> Ms. [REDACTED] responded that the officers did not relate this, and she further told investigators that the officers stated to her that they did not want to retrieve the keys.<sup>38</sup> However, body-worn camera records show otherwise: Throughout the interaction, Officer Harris stated that he and Officer Randhawa did not have authority to retrieve the apartment door key from Mr. [REDACTED]. Specifically, Officer Harris stated, "We don't wrestle people for keys,"<sup>39</sup> "I'm not going in his [Mr. [REDACTED] pocket,"<sup>40</sup> and "I'm not going in his pocket, ma'am, unless he gives me a reason, a lawful reason to do so."<sup>41</sup>

Because all known evidence indicates that Officer Harris related to Ms. [REDACTED] that he did not have the authority to search for and retrieve Ms. [REDACTED] key from the pockets of Mr. [REDACTED] COPA finds by clear and convincing evidence that **Allegation #3** against Officer Genghis Harris is **Exonerated**.

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<sup>33</sup> *Illinois v. McArthur*, 531 U.S. 326 (2001); *see also* 725 ILCS 5/108-3 and 725 ILCS 5/108-4.

<sup>34</sup> 725 ILCS 5/108-1.

<sup>35</sup> *Terry v. Ohio*, 392 U.S. 1 (1968); *see also* 725 ILCS 5/108-1.01.

<sup>36</sup> Attachment #7 at page 36.

<sup>37</sup> *Id.* at page 40.

<sup>38</sup> *Id.*

<sup>39</sup> Attachment #4 at 5:17 (Harris BWC).

<sup>40</sup> *Id.* at 6:02.

<sup>41</sup> *Id.* at 6:09.

**b. Allegations Against Officer Brandon Randhawa, Star #18088****i. Officer Randhawa's Use of Force**

It has been alleged that Officer Brandon Randhawa pushed Ms. ██████ against a wall, without justification. In her statement to COPA, Ms. ██████ alleged that Officer Randhawa walked up to her and pushed her with his body into a wall.<sup>42</sup> However, it is apparent from both Officer Randhawa's body-worn camera recording and from Officer Harris's body-worn camera recording that Officer Randhawa did not push Ms. ██████ into a wall. The recordings depict Officer Randhawa and Ms. ██████ verbally interacting and also depict Officer Randhawa using his body to stand in front of Ms. ██████ to prevent her from walking towards Mr. Blakely several times. The recordings also depict Officer Randhawa verbally directing Ms. ██████ to move away. At one point, Officer Randhawa uses his body to stand in front of Ms. ██████ to keep her from going near Mr. ██████ but she continues to walk forward, and they do make brief physical contact when Ms. ██████ steps forward.<sup>43</sup> Nonetheless, this was not a "push," as Ms. ██████ alleges. Rather, it appears that Officer Randhawa was engaged in what is known as "police presence," which is established through identification of authority and proximity to the subject, as well as utilizing verbal directions, in directing Ms. ██████ away from Mr. ██████<sup>44</sup>

Because the available BWC recordings significantly contradict Ms. ██████ allegations, COPA does not find Ms. ██████ to be credible as to her account of the incident under investigation. All known evidence indicates that Officer Randhawa did not push Ms. ██████. Because Officer Randhawa did not push Ms. ██████ she could not have sustained an injury as a result the alleged push. COPA finds by clear and convincing evidence that **Allegation #1** against Officer Brandon Randhawa is **Unfounded**.

**ii. Officer Randhawa's Failure to Provide Service**

It has next been alleged that Officer Brandon Randhawa failed to provide adequate service to Ms. ██████. Specifically, Ms. ██████ alleged that Officer Randhawa failed to provide service when he refused to retrieve her apartment keys from the pockets of her ██████, Mr. ██████. However, for the reasons explained above, Officer Randhawa did not have the authority to search or reach into Mr. ██████ pockets to retrieve Ms. ██████ apartment key. Further, body-worn camera recordings show that both officers informed Ms. ██████ that they did not have the authority to retrieve the apartment door keys from Mr. ██████. Specifically, Officer Randhawa stated, "We're not here to do that,"<sup>45</sup> "We don't do that, ma'am,"<sup>46</sup> and "We're not here to take care of that, we're getting him out."<sup>47</sup> Further, as mentioned in a previous section, Officer Harris also made Ms. ██████ aware of the fact that the officers lacked authority to go into Mr. ██████ pockets.

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<sup>42</sup> Attachment #7 at page 5.

<sup>43</sup> Attachment #3 at 5:41.

<sup>44</sup> Attachment #9 at (IV)(A).

<sup>45</sup> Attachment #3 at 4:48.

<sup>46</sup> *Id.* at 5:20.

<sup>47</sup> *Id.* at 5:33.

Because all known evidence indicates that Officer Randhawa told Ms. [REDACTED] that he did not have the authority to search for and retrieve her apartment key from the pockets of Mr. [REDACTED] COPA finds by clear and convincing evidence that **Allegation #2** against Officer Brandon Randhawa is **Exonerated**.

**VII. CONCLUSION**

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

Officer	Allegation	Finding
Officer Genghis Harris	<p>It is alleged by Ms. [REDACTED] that on April 7, 2020, at approximately 11:35 p.m., at [REDACTED] Chicago, IL 60612, Officer Genghis Harris, Star #10207, committed misconduct through the following acts or omissions:</p> <ol style="list-style-type: none"> <li data-bbox="599 835 1143 905">1. Forcibly pushing Ms. [REDACTED] against the fireplace, without justification.</li> <li data-bbox="599 947 1203 1016">2. Causing bruising to Ms. [REDACTED] upper back when pushing her against her fireplace.</li> <li data-bbox="599 1058 1192 1230">3. Failing to provide service to Ms. [REDACTED] when Officer Harris failed to retrieve her apartment keys from her fiancée, Mr. [REDACTED] after Ms. [REDACTED] repeatedly asked Officer Harris to do so.</li> </ol>	<p><b>Unfounded</b></p> <p><b>Unfounded</b></p> <p><b>Exonerated</b></p>
Police Officer Brandon Randhawa	<p>It is alleged by Ms. [REDACTED] that on April 7, 2020, at approximately 11:35 p.m., at [REDACTED] Chicago, IL 60612, Officer Brandon Randhawa, Star #18088, committed misconduct through the following acts or omissions:</p> <ol style="list-style-type: none"> <li data-bbox="599 1528 1198 1598">1. Forcibly pushing Ms. [REDACTED] against a wall, without justification.</li> <li data-bbox="599 1640 1182 1812">2. Failing to provide service to Ms. [REDACTED] when Officer Randhawa failed to retrieve her apartment keys from her fiancée, Mr. [REDACTED] after Ms. [REDACTED] repeatedly asked Officer Randhawa to do so.</li> </ol>	<p><b>Unfounded</b></p> <p><b>Exonerated</b></p>

Approved:



6/6/2022

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Matthew Hayman  
*Deputy Chief Administrator – Chief Investigator*

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Date

Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	3
<b>Investigator:</b>	Marisa Tisbo
<b>Supervising Investigator:</b>	Greg Masters
<b>Deputy Chief Administrator:</b>	Matthew Hayman