



Lori Lightfoot
Mayor

Department of Police • City of Chicago
3510 South Michigan Avenue • Chicago, Illinois 60653

David O. Brown
Superintendent of Police

February 24, 2022

Andrea Kersten
Interim Chief Administrator
Civilian Office of Police Accountability
1615 West Chicago Avenue, 4th Floor
Chicago, IL 60622

Re: Superintendent's Non-Concurrence with COPA's Proposed Penalties
Complaint Register 2019 - 0002761
Police Officer Ryan A. Chulumovich #4513 (Employee No. [REDACTED])
Police Officer Kevin Hasenfang # 15085 (Employee No. [REDACTED])

Dear Interim Chief Administrator:

The Chicago Police Department ("Department") has reviewed the Report and Recommendation from COPA for Log # 2019 – 0002761. The Department agrees with the recommended findings for both of the officers in that the officers search the complainant's person and vehicle without justification and detained the complainant without justification. However, the Department does not agree with the recommended penalty of a 15 day suspension for both officers.

The reason for this disagreement is that the Report and Recommendation states that both Officer Chulumovich and Officer Hasenfang did not have complimentary histories. This is not an accurate statement and the fact that this statement was made indicates that their respective complimentary histories were not considered during the process for making the recommendations for discipline.

Officer Chulumovich has an exceptional complimentary history. Officer Chulumovich has received sixty (60) total awards, including fifty-five (55) honorable mentions, two (2) Department Commendations, one (1) Emblem of Recognition – Physical Fitness, and one (1) Unit Meritorious Performance Award. The number of awards Officer Chulumovich has received in his six (6) years with the Department is

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Likewise, Officer Hasenfang also has an exceptional complimentary history. Officer Hasenfang has received sixty-nine (69) total awards, including fifty-eight (58) honorable mentions, one (1) Honorable Mention Ribbon Award, three (3) Department Commendations, four (4) Emblem of Recognition – Physical Fitness, one (1) Unit Meritorious Performance Award and one (1) Attendance Recognition Award. The number of awards Officer Hasenfang has received in his six (6) years with the Department is also exceptional. And as the Report and Recommendation has noted, the only discipline imposed on Officer Hasenfang is Summary Punishment for two separate preventable Traffic Crashes.

The Complimentary History issue is important because of a recent Binding Summary Opinion (BSO) issued earlier this month for Grievance # 025-21-008, in which an accused member was found by COPA to be in violation of Rule 2 and Rule 6 for conducting a pat-down search without justification and searching the inside of a citizen's vehicle without justification. The Arbitrator stated that "(E)ven if the arbitrator was to determine the search was outside policy, a ten day suspension for an officer with a history of service and commendation such as Officer Oppedisano was excessive and arbitrary." The Arbitrator went on to state that "(C)oupled with her rather impressive record of twenty-five years of service with more than 200 awards and no relevant discipline, it is unfathomable how COPA could have concluded a ten-day suspension was in order."

The Department believes that that the Arbitrator's statement would also be applicable to the two affected members in this investigation. As such, the Department believes that a penalty of a five (5) day suspension for each member would be more appropriate and in the best interests of the Department.

Sincerely,



David O. Brown
Superintendent of Police
Chicago Police Department