



Lori E. Lightfoot
Mayor

Department of Police · City of Chicago
3510 S. Michigan Avenue · Chicago, Illinois 60653

David O. Brown
Superintendent of Police

December 13, 2021

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

RE: Superintendent's Non-Concurrence with COPA's investigative finding and proposed penalty
Complaint Register #2020-0002638
Police Officer Daniel Golden, Star #10964; Employee # [REDACTED]

Dear Chief Administrator:

After a review of the above-referenced Complaint Register (CR) file, the Chicago Police Department (CPD) respectfully does not concur with the sustained investigative finding or the penalty recommendation of a sixty-day (60-day) suspension for Police Officer Daniel Golden, Star #10964.

It was alleged that, on May 30, 2020, Officer Golden struck [REDACTED] with a baton without justification, causing her to have a fractured nose. COPA sustained one allegation that Officer Golden committed misconduct by striking [REDACTED] with a baton without justification and recommended a sixty-day (60-day) suspension. However, the evidence fails to support this sustained investigation finding; therefore, the allegation should be classified as Not Sustained.

Officer Golden was assigned to various areas downtown to assist with crowd control during the civil unrest. When he arrived in the vicinity of Trump Tower, he observed a large and extremely violent crowd throwing objects at officers and setting on fire cars and buildings. Officer Golden described the event as follows:

"They were attacking officers – or striking officers, beating officers, they were attempting to take their weapons, they tried to take their weapons, I mean firearms, and batons. They threw objects, threw fireworks, they did not disperse, they failed to listen to officers' multiple verbal commands."

Officer Golden stated that the command instructed the officers to disperse the crowd. Command and officers continually gave to the crowd verbal warnings to disperse and move back. However, the crowd refused, disobeying these lawful orders. Instead, as the complainant, [REDACTED], described to COPA, the crowd locked arms for stability in an effort to refuse the warnings to disperse. The presence of uniform sworn officers giving lawful, verbal commands was futile. After that, the officers formed a skirmish line, moved in one sequence as a unit, and attempted to direct the crowd back. Officer Golden stated he held his baton horizontally across his chest with both hands while pushing the crowd back, consistent with his training in crowd control and behavior.

Additionally, the witnesses, including the complainant, supported Officer Golden's recollection of how he utilized the baton. Officer Golden unequivocally told COPA that he never raised his baton up to strike someone in his or her head area.

COPA even concluded, "COPA recognizes that Officer Golden might not have intentionally struck Navar in the face with impact pressure." However, in Officer Golden's description of the event, he also denied recalling having any contact with [REDACTED]. He explained that he worked for more than 16 hours and that none of the thousands of protesters indicated to him during that time that they were injured. [REDACTED] even mentioned in her statement that she left the area without reporting.

Assuming arguendo that an officer pushed [REDACTED] in the head unintentionally, as COPA concedes, then no misconduct occurred in the striking "with a baton without justification." Further, the injury to Navar is also consistent with being struck by one of the projectiles thrown by the violent protesters.

Officer Golden has an exceptional complimentary history. The file provided Officer Golden has received ninety-nine (99) total awards, including ninety (90) honorable mentions, one (1) Arnold Mireles Special Partner award for making a significant impact upon the quality of life within their community by identifying and resolving problems, one (1) Top Gun Arrest Award, and one (1) Traffic Stop of the Month Award. The number of awards Officer Golden has received in his five years with the Chicago Police department is exceptional. Further, Officer Golden has no sustained discipline.

The Consent Decree, Line 466 (b), provides that COPA and BIA, when determining credibility, must "critically evaluate all statements, like any other evidence, giving no automatic preference to, or discounting, any statement solely due to its source, including statements made by CPD members." However, after reviewing the evidence and statements and considering how COPA failed to even interview the officers who had been on either side of Officer Golden to see if they had witnessed a person unintentionally be struck, it is clear that COPA failed to conduct a thorough investigation and prove the allegation. It is unreasonable to sustain an allegation against Officer Golden.

The Consent Decree requires the concepts of what is fair and equitable be applied even to police officers and especially to one like Officer Golden, who has such an exceptional complimentary history and no sustained discipline. Therefore, the evidence supports a finding of Not Sustained.

Sincerely,

[REDACTED]
David O. Brown
Superintendent of Police
Chicago Police Department