



Lori Lightfoot
Mayor

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

David O. Brown
Superintendent of Police

April 1, 2022

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 & Proposed Penalty
Complaint Register 2021-0002341
Police Officer Patrick Halloran #8245 (Employee No. [REDACTED])

Dear Chief Administrator:

After a review of the above referenced Complaint Register (CR) file, the Chicago Police Department (CPD) does not concur with the sustained investigative finding or the penalty recommendation of a sixty-day (60-day) suspension for Police Officer Patrick Halloran, Star #8245.

It is alleged that on August 15, 2020, Officer Halloran struck an unidentified female citizen with a baton without justification. COPA sustained this allegation and also sustained the allegations that Officer Halloran failed to activate his Body Worn Camera, failed to document his baton use on required CPD reports, failed to notify OEMC of his baton use and failed to request a supervisor to the scene of his baton use.

Officer Halloran was assigned to the intersection of Michigan Avenue and Wacker Drive to assist with crowd control during the civil unrest. On this date, the planned protest was to shut down the Dan Ryan Expressway. Officer Halloran's assignment was to prevent protestors from moving eastward on Wacker Drive in their attempt to shut down Lake Shore Drive.

As Officer Halloran and other officers stood in a line to prevent protestors from passing, the officers can be heard repeatedly telling the protestors to move back. The protestors can be heard repeatedly stating to each other that if in the front, to grab an umbrella and get as close as possible. As the protestors encroached on the officers, officers can still be heard telling the protestors to move back. Officer Halloran can clearly be seen in the video holding his baton with one hand at each end of the baton and holding the baton horizontal, consistent with CPD training on crowd control. At no time does Officer Halloran swing his baton with only one hand or in any

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type of baseball bat-type swing. Officer Halloran maintains two hands on the baton at all times despite the video evidence showing protestors swinging their umbrellas and throwing objects at Officer Halloran and other officers and attempting to grab Officer Halloran's baton. The contact made of the baton with the helmet of the unidentified female appears to be accidental and only incidental to his baton use as crowd control instrument. As such, this allegation should be "Not Sustained."

As Officer Halloran used his baton as a crowd control instrument and not as an impact weapon, there is no requirement to do a report to document the use of force nor is there a requirement to notify OEMC and/or a supervisor. Therefore, these three allegations should be "Not Sustained."

Regarding the failure to activate his body worn camera, Officer Halloran gives a plausible explanation that he did not activate his camera because he knew he would be working an extended tour of duty and that he did not want to wear down his battery because it was difficult to replace/recharge in the field. Although Officer Halloran should have had his camera activated, he was attempting to do the right thing and not attempting to hide any type of misconduct.

Based on the evidence and Officer Halloran's admission, the allegation that Officer Halloran failed to activate his bod worn camera should be "Sustained." With only four years of service, Officer Halloran has an exceptional complimentary history of 22 total awards, including 1 Department Commendation and 19 honorable mentions. Further, the only discipline imposed on Officer Halloran is two separate reprimands given in Summary Punishment for a preventable Traffic Crash and for leaving his duty assignment. However both these disciplinary actions occurred one year after the date of the incident in this investigation. Based on Officer Halloran's complimentary and disciplinary history as well as the overall time period of the civil unrest and the circumstances that Officer Halloran and other CPD members faced, the appropriate penalty for this violation is a Reprimand.

This investigation is very similar to the COPA investigation under Log No. 2020-0002368 in which COPA sustained an allegation against Officer Daniel Golden that he struck the complainant with a baton without justification. COPA also recommended a 60 day suspension for Officer Golden. After the CPD and COPA discussions concluded with no agreement, a Request for Review of this investigation was submitted to the Police Board. The decision of the Police Board member in 22 RR 01 was that the Superintendent met his burden that there was insufficient evidence that Officer Golden used force without justification. The Police Board made a finding of Not Sustained and stated "While engaging in crowd-control activities, Officer Golden used his baton horizontally across his chest consistent with his training to push a crowd back. This was done following verbal warning to the crowd to disperse and consistent with instructions by command. While Officer Golden may have made contact with the complainant, it does not appear that Officer Golden raised his baton to intentionally strike the complainant in the head area."

Sincerely,



David O. Brown
Superintendent of Police
Chicago Police Department