

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	Various, 2017 through March 5, 2020
Date/Time of COPA Notification:	March 12, 2020 at 5:27 p.m.
Involved Officer #1:	Burdett Griffin III, Star #19118, Employee ID# [REDACTED], Date of Appointment: May 26, 1998, Police Officer, Unit of Assignment: 005, DOB: [REDACTED], 1968, Male, Black
Involved Officer #2:	Eric White, Star #1856, Employee ID# [REDACTED], Date of Appointment: February 24, 2003, Sergeant, Unit of Assignment: 011, DOB: [REDACTED], 1977, Male, White
Involved Officer #3:	Marcus Griggs, Star #8086, Employee ID# [REDACTED], Date of Appointment: July 17, 2017, Police Officer, Unit of Assignment: 004, DOB: [REDACTED], 1987, Male, Black
Involved Officer #4:	Saul Avila, Star #12822, Employee ID# [REDACTED], Date of Appointment: March 16, 2017, Police Officer, Unit of Assignment: 004, DOB: [REDACTED], 1987, Male, White
Involved Individual #1:	[REDACTED] DOB: [REDACTED], 1973, Female, Black
Case Type:	Domestic Violence

Officer Burdett Griffin (Officer Griffin) was served with an Order of Protection on March 12, 2020 that was filed by [REDACTED] ([REDACTED] Officer Griffin and [REDACTED] engaged in a [REDACTED] for approximately four to five years. Throughout the relationship, there were multiple physical incidents that [REDACTED] alleged and reported to police.¹ This She alleged that Officer Griffin violated a court order by contacting her both via phone and in person. She also alleged an incident of sexual assault. Based on the totality of the evidence, COPA finds the allegations against Officer Griffin are **Sustained** in part. Allegations were discovered against responding Sgt. Eric White (Sgt. White) and Officer Marcus Griggs (Officer Griggs) regarding an incident that occurred on March 5, 2020. COPA finds the allegations against Officer Griggs to all be **Sustained**, and the allegations against Sgt. White are **Sustained** in part.

¹ COPA conducted a separate investigation into allegations alleged by [REDACTED] against Officer Griffin under Log #1092650. Those allegations are not addressed in this report.

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Burdett Griffin III	1. On or about June 18, 2019 through June 22, 2019 at or near [REDACTED] Officer Burdett Griffin III harassed [REDACTED] by sending her approximately forty text messages and/or sitting outside her residence for multiple hours and/or driving past her residence.	NOT SUSTAINED
	2. On or about February 18, 2020 at approximately 4:30 PM at or near [REDACTED] Officer Burdett Griffin III pushed [REDACTED] without justification.	NOT SUSTAINED
	3. On or about February 18, 2020 at approximately 4:30 PM at or near [REDACTED] Officer Burdett Griffin III took [REDACTED] keys without permission.	NOT SUSTAINED
	4. On or about March 5, 2020 at approximately 9:25 PM at or near [REDACTED] Officer Burdett Griffin III struck [REDACTED] about the face without justification.	NOT SUSTAINED
	5. On or about March 5, 2020 at approximately 9:25 PM at or near [REDACTED] Officer Burdett Griffin III pushed [REDACTED] without justification.	NOT SUSTAINED
	6. On or about March 5, 2020 at approximately 9:25 PM at or near [REDACTED] Officer Burdett Griffin III grabbed [REDACTED] about the body without justification.	NOT SUSTAINED
	7. On or about March 5, 2020 at approximately 9:25 PM at or near [REDACTED] Officer Burdett Griffin III threw a pair of [REDACTED] shoes without justification.	NOT SUSTAINED
	8. On an unknown date and time during 2017 at or near [REDACTED] Officer Burdett Griffin III drugged [REDACTED]	NOT SUSTAINED

	<p>9. On an unknown date and time during 2017 at or near [REDACTED] Officer Burdett Griffin III had sexual contact with [REDACTED] without her consent.</p> <p>10. On or about March 5, 2020 at approximately 9:25 PM at or near [REDACTED] Officer Burdett Griffin III associated with a convicted felon, [REDACTED] AKA [REDACTED]</p> <p>11. On or about March 5, 2020 at approximately 9:25 PM at or near [REDACTED] Officer Burdett Griffin III associated with a convicted felon, [REDACTED]</p> <p>12. On various dates and times between May 10, 2020 and September 28, 2020 Officer Burdett Griffin III attempted to contact [REDACTED] by making numerous phone calls, in violation of Circuit Court of Cook County Order of Protection case number [REDACTED]</p> <p>13. On various dates and times between May 10, 2020 and September 28, 2020 Officer Burdett Griffin III made in person contact with [REDACTED] [REDACTED] in violation of Circuit Court of Cook County Order of Protection case number [REDACTED]</p>	<p>NOT SUSTAINED</p> <p>SUSTAINED</p> <p>NOT SUSTAINED</p> <p>SUSTAINED</p> <p>SUSTAINED</p>
<p>Sgt. Eric White</p>	<p>1. On or about March 5, 2020, at approximately 9:25 p.m. at or near [REDACTED] [REDACTED] Sgt. Eric White failed to file an initiation report after receiving allegations of misconduct against Officer Burdett Griffin III.</p> <p>2. On or about March 5, 2020, at approximately 9:25 p.m. at or near [REDACTED] [REDACTED] Sgt. Eric White failed to fully capture an incident on body worn camera in violation of Special Order S03-14.</p> <p>3. On or about March 5, 2020, at approximately 9:25 p.m. at or near [REDACTED] Sgt. Eric White failed to conduct a thorough investigation, to wit, failed to order an Evidence</p>	<p>SUSTAINED</p> <p>SUSTAINED</p> <p>NOT SUSTAINED</p>

	<p>Technician and/or failed to thoroughly interview all parties.</p> <p>4. On or about March 5, 2020, at approximately 9:25 p.m. at or near [REDACTED] Sgt. Eric White failed to ensure the accurateness of the relevant case reports (RD# [REDACTED] RD# [REDACTED])</p>	<p>NOT SUSTAINED</p>
<p>Officer Marcus Griggs</p>	<p>1. On or about March 5, 2020 at approximately 9:25 p.m. at or near [REDACTED] Officer Marcus Griggs failed to fully capture an incident on body worn camera in violation of Special Order S03-14.</p> <p>2. On or about March 5, 2020 at approximately 9:25 p.m. at or near [REDACTED] Officer Marcus Griggs failed to properly document an incident.</p>	<p>SUSTAINED</p> <p>SUSTAINED</p>

II. APPLICABLE RULES AND LAWS

Rules

Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 8: Disrespect to or maltreatment of any person, while on or off duty.

Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

Rule 47: Associating or fraternizing with any person known to have been convicted of any felony or misdemeanor, either State or Federal, excluding traffic and municipal ordinance violations.

General Orders

1. Supervisory Responsibilities G01-09

2. Specific Responsibilities Regarding Allegations of Misconduct G08-01-02

Special Orders

1. Body Worn Cameras S03-14

III. SUMMARY OF EVIDENCE²

COPA received an **Initiation Report**³ on March 12, 2020, that documented Officer Burdett Griffin III (hereafter Officer Griffin) was served with an Emergency Order of Protection. The Order of Protection was filed on March 10, 2020, by [REDACTED] (hereafter [REDACTED]). In the order, [REDACTED] documented several incidents between herself and Officer Griffin, from June 18, 2019, to March 5, 2020.

COPA interviewed [REDACTED] on November 10, 2020, where she related that she and Officer Griffin have known each other for five years, and they began [REDACTED] in August of 2015. [REDACTED] explained that she and Officer Griffin broke up and began [REDACTED] again several times throughout the relationship. [REDACTED] related that on February 18, 2020,⁵ she and Officer Griffin had broken up and she asked him to leave her house. Officer Griffin called [REDACTED] to obtain personal items from her house. [REDACTED] agreed to allow him to obtain the items but asked him to call her when he was on his way to her home so she could make sure she was at home. Officer Griffin arrived with his cousin, [REDACTED] to help him carry his belongings. Officer Griffin did not call [REDACTED] like she requested but rather walked into her house without her permission. When inside [REDACTED] house, Officer Griffin tossed her belongings around, took items out of her drawers, and pushed [REDACTED] with both hands about her chest. When Officer Griffin pushed [REDACTED] they were facing each other within arm's reach, and she fell backward.⁶ [REDACTED] heard the commotion and walked into the room. Officer Griffin told his cousin that [REDACTED] had knocked his glasses off his face. Officer Griffin took [REDACTED] keys to her house and did not give them back when she asked for them.⁷ [REDACTED] related her 23-year-old daughter, [REDACTED] was at the residence during this incident and may have heard [REDACTED] and Officer Griffin arguing but did not witness the physical altercation. During this encounter, [REDACTED] ex-husband, [REDACTED] was in a vehicle outside of [REDACTED] house because he had been helping her move office furniture. [REDACTED] ex-husband drove away with [REDACTED] purse in the car.⁸ [REDACTED] later went to the police station to report Officer Griffin taking her house keys without her permission and her ex-husband taking her purse. [REDACTED] ex-husband returned her purse to her, but Officer Griffin never returned the keys to [REDACTED] and she changed the locks to her residence. Officer Griffin told [REDACTED] he threw her keys in the garbage.

[REDACTED] related that on March 5, 2020, she went to get a pair of her boots that were at Officer Griffin's residence with his permission. When [REDACTED] arrived at Officer Griffin's residence, he met her outside and she hugged him. As Officer Griffin was handing [REDACTED] her boots, he accidentally handed over her house keys as well. [REDACTED] turned around and walked away, and

²COPA conducted a full and complete investigation of this matter, including the interview of all pertinent civilian and officer witnesses, and the collection and review of digital, documentary, and forensic evidence.

³ Att. 3

⁴ Att. 6

⁵ [REDACTED] could not recall the exact dates of incidents throughout her statement, and the dates were confirmed through related CPD case reports.

⁶ Att. 26, page 31-32

⁷ Att. 26, page 6-7

⁸ Att. 41. COPA contacted [REDACTED] ex-husband, [REDACTED] who related that he was in the vehicle throughout the duration of the incident and did not witness any physical altercation between [REDACTED] and Officer Griffin.

Officer Griffin ran up behind her and began to wrestle her. He took the keys out of her hand forcefully and pushed her to the ground in the snow. Officer Griffin then threw [REDACTED] boots into the bushes. Officer Griffin then went back inside his residence and slammed the door. [REDACTED] got up from the ground and banged on the door. When Officer Griffin opened the door, he hit her on the forehead forcefully, pushed her out the door, and threatened to call the police if she did not leave his residence. Officer Griffin proceeded to call the police, and multiple officers and a supervisor arrived on scene. The supervisor then gave [REDACTED] and Officer Griffin a police report to document the incident. [REDACTED] left the scene and noticed she had Officer Griffin's glasses, so she immediately returned to the scene to give him his glasses, and the police were still present. [REDACTED] related that she knew Officer Griffin's roommate, [REDACTED] ([REDACTED]⁹) was at his house at the time of the incident, but she never saw him. [REDACTED] related that she thought [REDACTED] had recently been released from jail, and he may have been on house arrest or on parole while living at Officer Griffin's residence.

[REDACTED] friend took her to obtain an Emergency Order of Protection, which was filed on March 10, 2020. Many incidents were documented in the order, including the incidents in February and March of 2020, along with two incidents in June of 2019. [REDACTED] documented that on June 18, 2019, Officer Griffin was outside of her house for multiple hours and texted her over forty messages after they had broken up. [REDACTED] documented that on June 22, 2019, Officer Griffin drove up and down his block several times, and her daughter became suspicious and called to inquire if she was with him, which she was not.

[REDACTED] related that she previously filed for an Order of Protection against Officer Griffin in 2019 because he threatened to kill her.¹⁰ [REDACTED] discovered that Officer Griffin had filed an Order of Protection against her prior to her filing one against him. Both Orders of Protection were granted, and Officer Griffin was served with the order against him, but [REDACTED] was never served the order against her. Around the end of March, [REDACTED] and Officer Griffin began speaking to each other again, and Officer Griffin drove [REDACTED] to the courthouse to have her drop the Order of Protection so that he would be able to work again. However, they were unsuccessful in dropping the order due to the COVID-19 pandemic.

[REDACTED] related that Officer Griffin repeatedly texted and called her while the Order of Protection was in place. Officer Griffin reached out to [REDACTED] via text message, informing her that his coworker had committed suicide. [REDACTED] expressed that she felt that Officer Griffin was unstable, so she replied to him, which led to Officer Griffin informing her that he wanted to buy her a ring and marry her. [REDACTED] agreed and Officer Griffin proposed in approximately July 2020. The next day they had a court date for the Order or Protection, and Officer Griffin did not appear in court. Approximately one day after that, [REDACTED] changed her mind about the engagement, informed him she did not think it was going to work out, and blocked him on all social media platforms. The court case between [REDACTED] and Officer Griffin was reopened, and [REDACTED] told her attorney that she would agree to drop the Order of Protection in exchange for Officer Griffin attending counseling sessions. That agreement occurred in approximately October of 2020.

⁹ Att. 32 & 48, COPA attempted to contact [REDACTED] several times, including phone calls, letters via mail, and personal visits to his listed address. All attempts were unsuccessful.

¹⁰ It should be noted that this complaint was previously investigated by COPA under Log# 1092650.

█████ expressed that when she would not agree with Officer Griffin, he would force his will on her. When asked to explain, she related that whatever Officer Griffin wants, he forces it on her, including sex. She related that she thinks he drugged her in the summer of 2017.¹¹ Regarding this incident, █████ had gone to Officer Griffin's residence because he prepared barbeque. █████ ended up drinking with Officer Griffin and staying the night. She did not drink anything out of the ordinary or any more than she normally would. However, █████ struggled to get up the stairs to the restroom in his house by herself. She recalled him laying her on the bed, feeling like her entire body was paralyzed and him wanting to have sex with her. She recalled clearly telling him "no" and not giving consent. She woke up with one leg outside of her pants and underwear, only one shoe on, and her top still on. There was semen inside her vaginal area, and she does not recall any sexual activity. █████ felt like Officer Griffin had sexually assaulted her, and she cried and vomited multiple times the following morning. She confronted him about what he had done, and he told her that "she wanted it." █████ expressed that the incident that night was not the only time he had forced her to have sex with him. She related that there had been multiple other occasions when she did not provide consent and told him, "no," but that he would remove her clothing and have intercourse with her anyway. █████ had not reported any of these prior incidents.¹²

The incident that occurred on February 18, 2020, is documented in a **Case Report (RD# █████)**¹³. The report relates that █████ reported Officer Griffin pushed her with both hands open on the upper chest area. The report states █████ daughter, █████, was present when Officer Griffin pushed her.¹⁵ █████ also reported that her ex-husband drove away with her driver's license and credit cards, but at the time that she reported it, he had agreed to return her belongings.

During the course of the investigation, COPA contacted █████¹⁶ a cousin of Officer Griffin. █████ related that on February 18, 2020, he was helping Officer Griffin move belongings out of █████ residence. When they arrived, █████ greeted them outside and then went inside for a short time without them. When she came back outside, she looked different and smelled like liquor.¹⁷ They then all went inside to gather Officer Griffin's belongings. █████ was in the hallway when he heard Officer Griffin yell "let me go" from the bathroom, where █████ was blocking him from leaving with her body. When Officer Griffin tried to pull away, █████ kicked him about the leg area. █████ got in between █████ and Officer Griffin, and Officer Griffin ran outside. They were at █████ residence for approximately ten to fifteen minutes and left immediately after the incident occurred. █████ called Officer Griffin after they left her residence and informed him that she was going to tell the police that they had "beat her up".

¹¹ This is an approximate date.

¹² COPA contacted █████ to obtain an additional statement from her for more details on these incidents, but she declined.

¹³ Att. 14

¹⁴ COPA attempted to contact █████ via the contact information █████ provided, but was unsuccessful.

¹⁵ This is contrary to what █████ stated in her interview, which was that █████ did not witness or see the push, but she may have heard █████ and Officer Griffin speaking and arguing.

¹⁶ Att. 44

¹⁷ When asked to explain, █████ related that █████ demeanor had changed and she "looked spacey".

The March 5, 2020 incident is documented in two separate case reports. A **Case Report (RD# ██████████¹⁸** was generated for a Criminal Damage to Property report and lists Officer Griffin as the victim and ██████████ as the suspect. The report states ██████████ went to Officer Griffin's residence to pick up her boots and Officer Griffin struck her about the face area with an open hand and proceeded to kick her. The officers did not notice any visible injuries on ██████████. Officer Griffin told the officers that after he gave her the boots, she asked him for a hug. Officer Griffin alleged that in the process of giving her a hug, ██████████ bit him about the ride side of his neck. After she bit him, he pulled away, and ██████████ smacked him about the face area, knocking his glasses off his face. Officer Griffin then went back inside, and ██████████ left in her vehicle. About six minutes later Officer Griffin was in his bedroom, and he heard two loud bangs coming from the front door area and discovered that ██████████ had returned and kicked in his front door. The responding officers observed damage to the front door frame and a hole in the wall, which Officer Griffin related was done by the doorknob crashing into the wall when the door was kicked in. The responding officers also observed what appeared to be drywall debris on the floor directly under the hole. The officers did not observe any obvious signs of injury on Officer Griffin. ██████████ who resides at Officer Griffin's home, related that he heard two loud bangs coming from the front door area, and then observed Officer Griffin asking ██████████ to leave. ██████████ observed Officer Griffin continuously asking ██████████ to leave prior to calling 911. Officer Griffin refused to sign complaints in exchange of ██████████ leaving the scene, which she did. ██████████ then returned to the scene to place her boots and Officer Griffin's glasses at his front door, and a second responding unit, along with Sgt. Eric White (Sgt. White), was on scene. ██████████ left the scene again, and no complaints were signed.

A **Case Report (RD# ██████████¹⁹** was generated as a Simple Domestic Battery report on March 5, 2020, and lists Officer Griffin as the victim and ██████████ as the suspect. The report was written by Officer Marcus Griggs (Officer Griggs). The report states similar facts as the previous case report from the same incident. This report stated that the officers observed visible marks on Officer Griffin's cheek where he stated ██████████ bit him, whereas the other report states the officers did not observe any obvious signs of injury on him. This report also states that upon explaining to ██████████ that she had to leave the premises, she alleged that Officer Griffin slapped her about the face and then kicked her. This is contrary to the other report, which states that upon arrival ██████████ alleged that Officer Griffin struck her about the face and kicked her.

COPA obtained **Body Worn Camera (BWC)** footage from the incident on March 5, 2020.²⁰ When Responding Officers Griggs and Avila arrive at the scene, it appears that Officer Griggs activates his BWC and Officer Avila announces the event number. Both officers approach the residence, and ██████████ informs them that she came to Officer Griffin's house to get her boots, at which point Officer Griffin started a physical altercation with her. ██████████ states she then drove away in her vehicle but came back to the scene to retrieve her boots. ██████████ relates that when she came back to his residence, he threw her boots at her, slapped her, and pushed her.²¹ Officer Griggs then deactivates his BWC while in the middle of a conversation with ██████████ and Officer Griffin.

¹⁸ Att. 11

¹⁹ Att. 10

²⁰ Att. 17-21

²¹ Att. 17 at 2:38-3:06

When Officer Griggs reactivates his BWC a short time later, he calls for a supervisor over the radio, as [REDACTED] was crying hysterically, and she and Officer Griffin were arguing verbally. [REDACTED] voices the physical allegations against Officer Griffin once again.²² Officer Griggs tells [REDACTED] that Officer Griffin stated she kicked his door in and bit him on the cheek. Officer Avila looked for injuries on [REDACTED] using his flashlight. Officer Avila relates to Officer Griggs that he may have seen a slight mark on Officer Griffin's cheek, where he stated [REDACTED] bit him.²³ Officer Griggs then deactivates his BWC again when Sgt. Eric White (Sgt. White) approaches the scene in his vehicle.

A few minutes later, Sgt. White exits his vehicle and speaks to [REDACTED] relates to him that Officer Griffin threw her boots at her, slapped her on her face, and pushed her.²⁴ She tells Sgt. White that Officer Griffin accused her of kicking his door in and that he was mad at her because she disagreed with how he was treating her. Sgt. White goes inside to speak to Officer Griffin, who relates that he had spoken to a lieutenant the week prior about his situation with [REDACTED] and that he was breaking up with her and she was making allegations against him.²⁵ Officer Griffin relates that [REDACTED] came over to retrieve her boots, and when he went outside to give them to her, she had given him a hug and bit his face.²⁶ Additionally, Officer Griffin alleges that [REDACTED] slapped his glasses off his face, left the residence, came back and kicked his door in.²⁷ Sgt. White looks at Officer Griffin's face with a flashlight to check for injuries and stated he did not see anything.²⁸ Sgt. White observes the door, which appeared to be kicked in, and a hole in the wall next to the door from the doorknob hitting it.²⁹ Officer Griffin relates that when he told [REDACTED] that he was going to call the police, she encouraged him to call and stated that she would tell them he put his hands on her.³⁰ Sgt. White then states that he needed to check something, walked outside and deactivated his BWC.

When Sgt. White reactivates his BWC about eleven minutes later,³¹ it appears that Officer Griffin was showing him some type of messages on his cell phone.³² Sgt. White then walks back outside and informs [REDACTED] that a report would be generated, and it would include both her and Officer Griffin's versions of events.³³ Sgt. White tells her he did not have any proof of injuries on either of them, and he did not have proof that it was [REDACTED] that damaged his front door.³⁴ [REDACTED] informs Sgt. White that the mother of Officer Griffin's child is the person that damaged his door,³⁵ and that she had proof of that information on a flash drive. Sgt. White informs her that she would be getting a copy of the police report to document the incident, and that there would likely be a

²² Att. 19 at 2:28-2:34

²³ Id. at 9:24-9:30

²⁴ Att. 20 at 3:14-3:28

²⁵ Id. at 5:07-5:41, 8:32-8:55

²⁶ Id. at 5:54-6:22

²⁷ Id. at 6:42-7:17

²⁸ Id. at 6:24-6:32

²⁹ Id. at 7:46-8:06

³⁰ Id. at 10:29-10:36

³¹ Officer Griggs also reactivated his BWC at this time, approximately 24 minutes after he deactivated his second BWC video from this incident.

³² Att. 18 – This is during the buffer period of the BWC, therefore it is absent audio.

³³ Att. 18 at 2:11-2:22

³⁴ Id. at 2:35-2:45

³⁵ Id. at 3:08-3:19

follow up investigation. Sgt. White informs Officer Griggs to pull a Records Division (RD) number for a case report and to use the Illinois Uniform Crime Reporting (I-UCR) code for both criminal damage to property and simple domestic battery.³⁶ He also tells Officer Griggs to include both sides of the story in the report. Officer Griggs asks dispatch for two separate RD numbers.

COPA obtained **phone records** for ██████ cell phone number through two subpoenas to Verizon.³⁷ The records reflect both incoming and outgoing calls between ██████ cell phone and Officer Griffin's cell phone between June 18, 2019 and June 22, 2019. Records were requested for the date ██████ Order of Protection was filed, March 10, 2020, through August 21, 2020. There were no calls between ██████ cell phone number and Officer Griffin's cell phone number between March 10, 2020 and April 2, 2020. On April 3, 2020, ██████ made five outgoing calls to his cell phone number. After that, there were both incoming and outgoing calls between both parties on various days every month through August 5, 2020. The records do not show any additional calls between them after that date.

COPA interviewed **Officer Griffin** on October 6, 2021.³⁸ Officer Griffin related that he and ██████ were in an off and on relationship for approximately four to five years, starting in late 2016.³⁹ The relationship was very volatile, and he felt that he was bullied into the relationship. On June 18, 2019, Officer Griffin was supposed to take ██████ to a store, and when he arrived at her residence, he parked in the front. They were texting back and forth, and she told him she had already gone with her daughter. He observed both their vehicles at the residence and believed that she was still inside and not ready yet. Officer Griffin stayed outside her house for about five to ten more minutes waiting for ██████ before he left to go home. He did not recall sending her a mass amount of text messages but did recall that she was responding to the messages, describing a two-way conversation. Officer Griffin related that the residence ██████ lived at in June 2019 involved a code to gain entry, not a physical key. ██████ gave him the code and he stayed there often, whether she was home or not. He related that he would not wait outside her residence for a long time, because he was able to enter the residence on his own and would never drive back and forth past her residence without visiting her.

Officer Griffin recalled a day where he and his cousin, ██████ were moving his belongings out of ██████ residence.⁴⁰ He and ██████ had gotten in a fight, and he left. Then, he called her to inform her he was coming back to gather his belongings. He related that he brought his cousin with him as a precautionary measure in case an incident occurred with ██████ was home when he arrived, and he also had a key to her residence at that time.⁴¹ Officer Griffin went to the bedroom to gather his items, and she grabbed items out of his hands and tried to prevent him from leaving. She pulled on him, and he tried to pull away. He called for ██████ to come and help him. ██████ got in between them, so Officer Griffin was able to exit the residence. After he left,

³⁶ Att. 21 at 16:10-16:23

³⁷ Att. 36-37, 46-47

³⁸ Att. 43 and 45

³⁹ It should be noted that COPA previously investigated allegations brought forth by ██████ regarding an alleged incident that occurred on February 7, 2019, under Log# 1092650. Officer Griffin provided a statement to COPA regarding that investigation on November 24, 2020.

⁴⁰ Officer Griffin could not recall what day the incident occurred, but it was most likely February 18, 2020.

⁴¹ Officer Griffin related that the residence ██████ was in at that time had a physical key to gain access, not a keypad code. He was unsure if he used the key he had or if ██████ opened the door for him to enter the residence.

█████ asked him for the keys he had to her residence, and he told her he would throw them away.⁴² █████ later told Officer Griffin that her ex-husband was there that day, but he never saw him.

On March 5, 2020, █████ informed him that she had left a pair of shoes at her house. They argued because he said he would call her about it when he got off work but texted her instead. He planned to bring the shoes to her home, but she came over unexpectedly. He gave her the shoes, and she put them in her vehicle. She then grabbed his hand, and they wrestled over the keys in his hand. She grabbed the glasses off his face. He went inside his residence and locked the door and a few minutes later, heard her kick his front door in. He called the police, and when they arrived, they asked if he wanted to have her arrested. He told them he only wanted her to leave. Shortly after █████ left the scene, she returned, and the shoes were left at his door. Officer Griffin denied ever striking her, pushing her, grabbing her, or throwing her shoes during this incident. He stated that he only made contact with her hand when she tried to take his keys, and he never made contact with any other part of her body.

A friend named █████ stopped by Officer Griffin's house on March 5, 2020 to get mail. He stated that █████ was one of his closest friends. █████ was living with him from approximately 2010 to 2014. About a year after he moved out, he disappeared, and Officer Griffin later learned that he had gone to jail. He told Officer Griffin he got in trouble and fought police officers. █████ informed Officer Griffin that he had just left a halfway house. He asked if he could use him as a reference to get a job and use his address as a mailing address. Officer Griffin agreed. Officer Griffin admitted his association with █████

Officer Griffin denied that he was aware that █████ is a convicted felon. He did not recall ever having a conversation with her regarding expungement of criminal records, stating that he speaks to people about that regularly. He admitted that █████ informed him that she has been arrested in the past, but she never discussed being charged with a felony.

Officer Griffin related that he obtained an Order of Protection against █████ on March 6, 2020,⁴⁴ after he was advised to by colleagues to do so. █████ was never served with the order, and she later obtained an Order of Protection against him, which he was served with on March 12, 2020. █████ contacted him and informed him that she intended to drop the order and requested that he drive her to the courthouse. He drove her to court but was informed that they were unable to drop the order at that time and would need to wait for their next scheduled date in court. █████ continued to initiate contact with Officer Griffin, and he responded both via text messages and phone calls. He stated he responded under duress, in fear of being placed in a no-pay status again, as he was after █████ filed an Order of Protection against him in 2019. They later began contact in person again. They took a trip to Wisconsin together in the summer and got engaged in early August 2020. █████ told Officer Griffin that she contacted her attorney to drop the order, and he

⁴² Officer Griffin related that he was only in possession of the keys that he had with her permission prior to this incident, and at no point did he have two sets of keys or pick up █████ set of keys.

⁴³ █████ used various aliases, including █████

⁴⁴ Att. 45 pg. 114, █████, attorney for Officer Griffin, provided during the statement the case number of the order that was granted on behalf Officer Griffin, case █████.

trusted her word, although he was never officially notified.⁴⁵ They eventually went to court to end the order.

Officer Griffin denied any nonconsensual sexual contact with [REDACTED]. He also denied ever drugging her or giving her any kind of substance. He would drink alcohol with her, and they mixed drinks regularly. He could not recall a time when [REDACTED] was sick and vomiting at his residence.⁴⁶ She has never confronted him about a nonconsensual sexual encounter.

COPA interviewed **Sgt. Eric White** on August 17, 2021.⁴⁷ Sgt. White did not have any independent recollection of the incident on March 5, 2020 and could only provide information based on what he viewed on his BWC videos prior to the interview. Regarding the incident, Sgt. White explained that it was a situation where they had to listen to both sides of the story, as the male and female parties were both making allegations against each other. Sgt. White looked for injuries on both parties but did not observe any. Sgt. White related that if he had, he would have ordered an Evidence Technician. When asked about ordering an Evidence Technician to document the property damage to the front door of Officer Griffin's home, Sgt. White explained that the damage was captured on his BWC, so it did not occur to him to order one to document the property damage. There was another male in the home that was a witness, and Sgt. White believed he spoke to him. However, since it was not caught on his BWC, he was not sure if he had or had not.

Sgt. White could not recall ever responding to a domestic incident that involved an off-duty officer other than on March 5, 2020. He related that when allegations are made against an officer, the procedure for supervisors is to initiate a complaint register, which he acknowledged he failed to do. Sgt. White stated he had the intention of completing an initiation report, and he is unaware of why he did not complete one. He also acknowledged that he told [REDACTED] multiple times that there would be a follow-up investigation into the incident, and by that he meant completing an initiation report.

Sgt. White could not recall why he deactivated his BWC, or what he did while the BWC was deactivated. When Sgt. White directed Officer Griggs and Officer Avila to document the incident in a case report, he intended for them to complete one case report with two I-UCR codes on it and include both sides of the story in the narrative. He could not recall if he told them who to document as the victim and who to document as the offender on the case report. Sgt. White explained that their job is to determine who the primary aggressor is in domestic situations where allegations are made against both parties. He stated it was difficult to determine who the primary aggressor was in this situation, and he thought Officer Griffin should be listed as the victim due to the evidence of property damage.

Sgt. White related that is it possible he never read the two case reports on the night of the incident. He explained that because he was on the scene of the incident does not mean he is the designated supervisor to approve those reports. Any supervisor on the watch can access the queue

⁴⁵ Att. 45 pg. 113, Officer Griffin agreed that as an officer he understands the stipulations of following an Order of Protection.

⁴⁶ Officer Griffin could only recall one incident during the time he knew [REDACTED] when she was sick and vomiting, and it occurred at her residence.

⁴⁷ Att. 30

of reports throughout their tour and review and approve those reports when they are available. Therefore, it was not his specific responsibility to approve the reports from that incident simply because he was present at the scene. At the end of his interview, Sgt. White admitted and apologized for his mistakes, referring to his failure to file an initiation report and deactivating his BWC without justification.

COPA interviewed **Officer Marcus Griggs** on August 26, 2021.⁴⁸ Officer Griggs related that he did not have any independent recollection of the incident on March 5, 2020 and could only provide information based on what he viewed from his BWC video and the case report he wrote. He did not recognize [REDACTED] or Officer Griffin when he first arrived on the scene. As Officer Griggs stepped inside the residence, he recalled that he had seen Officer Griffin around the police station during his probationary cycles. Officer Griggs related that he was not aware he had three separate BWC videos for this incident. When asked why he deactivated his BWC the first time, Officer Griggs related that he thought he and Officer Avila were coming straight from another service call to this scene, and he may have thought he was activating it at that time. A portion of Officer Griggs' second BWC video was played, and he acknowledged that he was verbally alerting everyone at the scene that his camera was activated. Officer Griggs then related that he deactivated his BWC when Sgt. White arrived on scene because he was giving him an update on what was occurring at the scene and did not believe that was something that needed to be captured on camera. He could not recall what he did during the approximate twenty-four minutes after that where his BWC remained deactivated.

Officer Griggs was not aware that his partner wrote an additional case report regarding the incident. He was also not aware that he requested two separate Records Division (RD) numbers relating to this incident. He appeared to think the report written by Officer Avila acted as a supplementary report to his report because it documented that [REDACTED] came back to the scene after they left. He related that he typically writes case reports under the category that the call came out as over the radio, and therefore he wrote everything in a Domestic Battery report because that is the category they received the service call as. When asked about conflicting information between his report and Officer Avila's report, he related that he received information from the other officers and Sgt. White on scene as to what to write in the report. He related that he was outside the residence while most of that information was being gathered inside by other department members on scene.

Officer Griggs related that he typically does not review his BWC footage while writing reports and did not review it for this incident. He acknowledged when watching his first BWC video, [REDACTED] made allegations against Officer Griffin. When asked why his report was written in a way that appeared that [REDACTED] did not make allegations against Officer Griffin until after she was asked to leave the premises, Officer Griggs related that is the way he recalled the scene when writing the report.⁴⁹

⁴⁸ Att. 34 and 38

⁴⁹ Officer Griggs related it is most likely that he and Officer Avila went to the district straight after leaving the scene to write the report.

COPA interviewed **Officer Saul Avila** on September 28, 2021.⁵⁰ Officer Avila related that he did not have any independent recollection of the incident and could only provide information based on what he reviewed from the case reports. He believed that March 5, 2020 was his first shift in the fourth district, and he was not issued a BWC on that day. Officer Avila did not recall if he was aware on the night of the incident that both he and Officer Griggs were completing separate case reports regarding the same incident. He did not recall being instructed to request two separate RD numbers relating to the incident. Officer Avila viewed a portion of Officer Griggs' first BWC video and identified that it was his voice that stated the event number when Officer Griggs activated his BWC. He stated that he likely tried to activate his BWC as well out of habit, but he was not yet issued a camera in the fourth district.

IV. LEGAL STANDARD

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 reviewed complied with Department policy. *See 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). If the evidence gathered in an investigation establishes that it is more likely that the conduct complied with Department policy than that it did not, even if by a narrow margin, then the preponderance of the evidence standard is met.

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. See *e.g., People v. Coan*, 2016 IL App (2d) 151036 (2016). 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." *Id.* at ¶ 28.

⁵⁰ Att. 40

V. ANALYSIS AND CONCLUSION

Officer Burdett Griffin

COPA finds **Allegation 1**, that on or about June 18, 2019 through June 22, 2019 at or near [REDACTED] [REDACTED] Officer Burdett Griffin III harassed [REDACTED] by sending her approximately forty text messages and/or sitting outside her residence for multiple hours and/or driving past her residence is **Not Sustained**. [REDACTED] alleged that Officer Griffin sent her a mass amount of text messages, whereas Officer Griffin stated that they were having a conversation and texting back and forth. Telephone records reflect both incoming and outgoing calls between [REDACTED] cell phone and Officer Griffin's cell phone between June 18, 2019 and June 22, 2019.

In addition, [REDACTED] alleged that Officer Griffin waited outside of her residence and drove back and forth past her residence. However, Officer Griffin stated that he knew the key code to her residence, and therefore, there would be no reason for him to wait outside her residence rather than entering on his own. As there are no photos or other evidence to corroborate or discredit the contents of this allegation, the allegation is not sufficiently supported. For the reasons stated above, COPA finds that this allegation cannot be proven by a preponderance of evidence and is **Not Sustained**.

COPA finds **Allegations 2 and 3**, that on or about February 18, 2020 at approximately 4:30 PM at or near [REDACTED] Officer Burdett Griffin III pushed [REDACTED] without justification and took [REDACTED] keys without permission are **Not Sustained**. [REDACTED] described an incident in which Officer Griffin entered her home without her permission, tossed her belongings around, took items out of her drawers, and pushed [REDACTED] with both hands about her chest area. However, Officer Griffin denied pushing [REDACTED] Both he and [REDACTED] described an incident in which [REDACTED] was the aggressor. In addition, Officer Griffin stated that the only keys he took were keys he already had in his possession with her permission. For the reasons stated above, COPA finds that the allegations cannot be proven by a preponderance of evidence and thus, the allegations are **Not Sustained**.

COPA finds **Allegations 4, 5, 6, and 7**, that on or about March 5, 2020 at approximately 9:25 PM at or near [REDACTED] Officer Burdett Griffin III struck [REDACTED] about the face without justification, pushed [REDACTED] without justification, grabbed [REDACTED] about the body without justification, and threw a pair of [REDACTED] shoes without justification are **Not Sustained**. [REDACTED] made these allegations in her statement to COPA and on BWC the night of the incident. Officer Griffin denied ever striking her, pushing her, grabbing her, or throwing her shoes during the incident. Officer Griffin stated he only made contact with [REDACTED] hand when she tried to take his keys and that he never made contact with any other part of her body. He stated he gave her the shoes and she put them in her vehicle, and they were never thrown. He also related that if he had pushed her and she fell to the ground, there would have been mud on her clothing, which there was not. The responding officers did not observe any obvious signs of injury on [REDACTED] or Officer Griffin, and no injuries can be seen on BWC. The allegations could not be proven by a preponderance of evidence, and the allegations are **Not Sustained**.

COPA finds **Allegations 8 and 9** that on an unknown date and time during 2017 at or near [REDACTED] Officer Burdett Griffin III drugged [REDACTED] and had sexual contact with [REDACTED] without her consent are **Not Sustained**. Officer Griffin denied ever putting a drug or substance into [REDACTED] drink and/or having sexual contact with [REDACTED] without her consent. Officer Griffin stated there was never a time where [REDACTED] stated “no” or “stop” to him during a sexual encounter. He stated he has never been confronted by her about any kind of nonconsensual sexual encounter. He also could not recall a time where she was sick and vomiting at his residence. There are no photos, witnesses, or other evidence to corroborate or discredit the allegations. There is also insufficient evidence for COPA to make a credibility determination regarding the allegations. COPA attempted to gain more information from [REDACTED] regarding these allegations but was unsuccessful. For the reasons stated above, COPA finds that the allegations could not be proven by a preponderance of evidence, and therefore, the allegations are **Not Sustained**.

COPA finds **Allegation 10**, that on or about March 5, 2020 at approximately 9:25 PM at or near [REDACTED] Officer Burdett Griffin III associated with a convicted felon, [REDACTED] AKA [REDACTED] is **Sustained**. [REDACTED] was listed as a witness on a case report for the incident on March 5, 2020, with Officer Griffin’s residence listed as his address. [REDACTED] shared with him that he went to jail for fighting with officers, and he had just left a halfway house. Officer Griffin stated that [REDACTED] lived with him before he went to jail, and he denied living with him after he served his jail sentence. However, Officer Griffin admitted to associating with him by allowing [REDACTED] to use him as a reference to obtain employment and his address to receive mail. Therefore, based on a preponderance of evidence, this allegation is **Sustained**.

COPA finds **Allegation 11**, that on or about March 5, 2020 at approximately 9:25 PM at or near [REDACTED] Officer Burdett Griffin III associated with a convicted felon, [REDACTED] is **Not Sustained**. Officer Griffin submits that he was unaware that [REDACTED] is a convicted felon. He did not recall ever having a conversation with her regarding expungement of criminal records and explained that he speaks to people about this issue regularly. [REDACTED] informed him that she has been arrested in the past, but she never discussed being charged with a felony with him. There is insufficient evidence to prove or disprove that Officer Griffin was aware that [REDACTED] was a convicted felon at the time he was associating with her. Therefore, COPA finds that this allegation could not be proven by a preponderance of the evidence and thus, the allegation is **Not Sustained**.

COPA finds **Allegations 12 and 13** that at various dates and times between May 10, 2020 and September 28, 2020, Officer Burdett Griffin III attempted to contact [REDACTED] by making numerous phone calls and made in person contact with [REDACTED] in violation of Circuit Court of Cook County Order of Protection case number [REDACTED] are **Sustained**. Both Officer Griffin and [REDACTED] related in their statements that they were communicating via text message and phone calls during the time the Order of Protection was in place. Officer Griffin stated that [REDACTED] initiated the contact, and he responded. Phone records from Verizon reflect numerous incoming and outgoing calls between the two parties throughout the time the court order was in place. Officer Griffin agreed that as an officer, he understands the conditions of following an Order of Protection. In addition, he admitted to driving her to the courthouse to have her drop the order. He also admitted to going on a trip to Wisconsin with her, proposing to her, and getting

engaged, all while the order was still in place. Therefore, COPA finds these allegations are **Sustained**.

Sgt. Eric White

COPA finds **Allegation 1**, that on or about March 5, 2020, at approximately 9:25 p.m. at or near [REDACTED] Sgt. Eric White failed to file an initiation report after receiving allegations of misconduct against Officer Burdett Griffin III is **Sustained**. Sgt. White acknowledged that he told [REDACTED] multiple times that there would be a follow-up investigation into the incident, meaning he would complete an initiation report. He had the intention of completing an initiation report, and he is unsure why he did not do so. Sgt. White admitted to his mistake and took full responsibility. Therefore, COPA finds this allegation is **Sustained**.

COPA finds **Allegation 2** that on or about March 5, 2020, at approximately 9:25 p.m. at or near [REDACTED] Sgt. Eric White failed to fully capture an incident on body worn camera in violation of Special Order S03-14 is **Sustained**. Per *Special Order 03-14- Body Worn Camera*, Department members are to activate their BWC “at the beginning of an incident and will record the entire incident for all law-enforcement-related activities.” The investigation revealed that Sgt. White’s BWC did not fully depict the service call in its entirety. Sgt. White was unaware why he deactivated his BWC or what he did while it was deactivated. He admitted that he made a mistake and took responsibility for his actions. Therefore, COPA finds this allegation is **Sustained**.

COPA finds **Allegation 3** that on or about March 5, 2020, at approximately 9:25 p.m. at or near [REDACTED] Sgt. Eric White failed to conduct a thorough investigation, to wit, failed to order an Evidence Technician and/or failed to thoroughly interview all parties is **Not Sustained**. Sgt. White related in his statement that he did not observe injuries on either [REDACTED] or Officer Griffin, and if he had, he would have ordered an Evidence Technician to document that. The property damage was clearly captured on his BWC, so it was not necessary to order an Evidence Technician for that as well. Sgt. White related that he believed he spoke to the male witness who was in the home, and although it was not captured on his BWC video, the witness was included in the case report. There is insufficient evidence to prove or disprove that Sgt. White failed to thoroughly interview all parties, and therefore this allegation is **Not Sustained**.

COPA finds **Allegation 4** that on or about March 5, 2020, at approximately 9:25 p.m. at or near [REDACTED] Sgt. Eric White failed to ensure the accurateness of the relevant case reports (RD# [REDACTED] RD# [REDACTED]) is **Not Sustained**. Sgt. White explained that because he was on the scene of the incident does not mean he is the designated supervisor to approve the relative reports. Any supervisor on the watch can access the queue of reports throughout their tour and review and approve those reports when they are available to. Therefore, it was not his specific responsibility to approve the reports from that incident simply because he was present at the scene. For the reasons stated above, COPA finds that the allegation could not be proven by a preponderance of evidence and the allegation is **Not Sustained**.

Officer Marcus Griggs

COPA finds **Allegation 1** that on or about March 5, 2020 at approximately 9:25 p.m. at or near [REDACTED] Officer Marcus Griggs failed to fully capture an incident on body worn camera in violation of Special Order S03-14 is **Sustained**. Per *Special Order 03-14- Body Worn Camera*, Department members are to activate their BWC “at the beginning of an incident and will record the entire incident for all law-enforcement-related activities.” The investigation revealed that Officer Griggs’ BWC did not fully depict the service call in its entirety. Officer Griggs related that when he deactivated his BWC the first time during the incident he may have been attempting to activate it because he was going from one call for service straight to another. However, when Officer Griggs first activated his BWC when arriving on the scene, Officer Avila verbally stated the correct event number. Officer Griggs made a comment to Officer Avila about activating his BWC because Officer Avila had not yet been issued a camera. Therefore, Officer Griggs acknowledged that he activated his BWC prior to exiting his vehicle on the scene. Additionally, he could not recall what he did during the approximate twenty-four minutes he was on scene and his BWC was deactivated or why he did not have it activated during that time. Officer Griggs failed to capture the entire incident on his BWC. Therefore, COPA finds this allegation is **Sustained**.

COPA finds **Allegation 2** that on or about March 5, 2020 at approximately 9:25 p.m. at or near [REDACTED] Officer Marcus Griggs failed to properly document an incident is **Sustained**. Officer Griggs acknowledged that [REDACTED] made allegations against Officer Griffin when he first arrived on the scene. He related that he wrote his report based off his recollection, without viewing his BWC. He also acknowledged that he has access to and can view his BWC when writing reports, but he chose not to. [REDACTED] made allegations against Officer Griffin at least three times in the presence of Officer Griggs while his BWC was activated, none of which appear to be times after she was asked to leave the premises, unlike the way that Officer Griggs documented the incident in his report. The way Officer Griggs wrote his report made it seem as if [REDACTED] did not allege any misconduct against Officer Griffin until she was asked to leave, which is not how the incident occurred as captured on his BWC. Officer Griggs failed to properly document the incident as it occurred. Therefore, COPA finds this allegation is sustained.

VI. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. Officer Burdett Griffin III

i. Complimentary and Disciplinary History

As of November 3, 2021, Officer Griffin’s Complimentary History comprises of twenty-one (21) awards, including twelve (12) Honorable Mentions. As of November 3, 2021, Officer Griffin has one (1) sustained complaints against him for a Rule 6 violation in that he disobeyed an order or directive and received a 2-day suspension.

ii. Recommended Penalty, by Allegation

1. Allegation No. 10: Written Reprimand

2. Allegation No. 12: 20-day suspension

3. Allegation No. 13: 20-day suspension

Officer Griffin knowingly associated with a known felon. However, COPA has considered the long friendship history between the two in coming to its recommendation, and thus, recommends a written reprimand. Officer Griffin knowingly violated a court order. COPA has considered the fact that the contact during this time appears to have been mutual. Nevertheless, Officer Griffin is responsible for following court orders as a sworn Department member. Thus, COPA recommends a 20-day suspension.

b. Sgt. Eric White

i. Complimentary and Disciplinary History

As of November 3, 2021, Sgt. White's Complimentary History comprises of eighty-nine (89) awards, including fifty-four (54) Honorable Mentions. As of November 3, 2021, Sgt. White has zero (0) sustained complaints against him.

ii. Recommended Penalty, by Allegation

1. Allegation No. 1: 5- day suspension

2. Allegation No. 2: Written Reprimand

Sgt. White accepted responsibility for his violations of Department orders. Furthermore, based on his comments and conduct that was captured on BWC, his violations appear to be oversights rather than willful violations. However, creating an initiation report is a highly important responsibility. COPA also considers Sgt. White's rank in making its recommendations. Thus, COPA recommends a 5-day suspension for this violation. COPA recommends a written reprimand for failing to capture the entirety of the incident on BWC.

c. Officer Marcus Griggs

i. Complimentary and Disciplinary History

As of November 3, 2021, Officer Griggs' Complimentary History comprises of nine (9) awards, including six (6) Honorable Mentions. As of November 3, 2021, Officer Griggs has zero (0) sustained complaints against him.

ii. Recommended Penalty, by Allegation

1. Allegation No. 1: Violation Noted

2. Allegation No. 2: 3-day suspension

Officer Griggs' violations appear to be oversights rather than willful violations. Thus, COPA recommends a violation noted for failing to capture the incident on BWC and a 3-day suspension for failing to properly document the incident.

Approved:



Sharday Jackson
Deputy Chief Administrator – Chief Investigator

Date