

<p>1. Physically maltreated your [REDACTED] by grabbing him about his shirt collar in violation of Rules 8 & 9.</p>	<p>Sustained</p>
<p>2. Physically maltreated your [REDACTED] by punching him on the head in violation of Rules 8 & 9.</p>	<p>Sustained</p>
<p>3. Physically maltreated your [REDACTED] by punching him about his body in violation of Rules 8 & 9.</p>	<p>Sustained</p>
<p>4. [REDACTED] a Chicago Police Officer by identifying yourself as a Chicago Police Officer in violation of Rule 4.</p>	<p>Sustained</p>
<p>It is alleged that on May 15, 2018 at an unspecified time at [REDACTED] Street that you:</p>	
<p>5. Threatened your [REDACTED] by stating words to the effect, "I'm going to make you bleed!" in violation of Rule 8.</p>	<p>Sustained</p>
<p>6. Swung an aluminum baseball bat at your [REDACTED] in violation of Rules 8 & 9.</p>	<p>Sustained</p>
<p>7. Punched your [REDACTED] about his head in violation of Rules 8 & 9.</p>	<p>Sustained</p>
<p>8. Punched your [REDACTED] about his face in violation of Rules 8 & 9.</p>	<p>Sustained</p>
<p>9. Punched your [REDACTED] about his body in violation of Rules 8 & 9.</p>	<p>Sustained</p>
<p>10. Stomped your [REDACTED] about his head in violation of Rules 8 & 9.</p>	<p>Sustained</p>
<p>11. Stomped your [REDACTED] about his body in violation of Rules 8 & 9.</p>	<p>Sustained</p>

IV. APPLICABLE RULES AND LAWS

Rules

Rule 4: Any conduct or action taken to use the official position for personal gain or influence.

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.

V. INVESTIGATION¹

a. Interviews

Witness ██████████ a Security Guard at ██████████ provided a handwritten statement and spoke to COPA regarding what he witnessed and his actions during this incident.² Mr. ██████████ was positioned in front of the school at dismissal time when he observed a father (now known to be D.A. Brooks) swinging and striking his ██████████ (now known to be ██████████). Mr. ██████████ intervened and separated D.A. Brooks from ██████████. An unknown parent also intervened in an attempt to calm D.A. Brooks. Mr. ██████████ made a statement to D.A. Brooks regarding calling the police. D.A. Brooks replied that he was C.P.D. (Chicago Police Department) and to let him control his business. Mr. ██████████ responded words to the effect of, "If you are the police, then you should know better." Per Mr. ██████████ the school does not have cameras positioned at the location of incident, and the school provided COPA with the only video they had, which was captured on a cellular telephone.

In an interview with COPA,³ Victim ██████████ related that as he exited school, he observed his father, D.A. Brooks, exiting his vehicle. ██████████ Biology teacher called D.A. Brooks regarding ██████████ behavior. In an angry tone, D.A. Brooks instructed ██████████ to approach him. At this moment, ██████████ realized that he was in trouble. D.A. Brooks proceeded to strike ██████████ with a closed fist on his jaw (left side), causing ██████████ to stumble backwards. D.A. Brooks continued to strike ██████████ approximately twelve more times about his torso. A school security guard and a parent intervened, by grabbing D.A. Brooks by his arms. The security guard told D.A. Brooks he would not tolerate his actions on school grounds and threatened to call the police. D.A. Brooks repeatedly stated that ██████████ was his ██████████. The parent told D.A. Brooks, "don't do it here."

D.A. Brooks instructed ██████████ to get in the car as D.A. Brooks spoke to the Security Guard and parent. The conversation lasted approximately 45 seconds, ██████████ had no knowledge of that conversation consisted. Thereafter, D.A. Brooks entered his vehicle, and he and ██████████ headed home. During the 10-minute ride, D.A. Brooks threatened ██████████ by stating, "I'm going to make you bleed!"

¹ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

² Att. 5, 6.

³ Att. 15. ██████████ mother, ██████████ was present during the interview of juvenile ██████████

Upon arriving home, D.A. Brooks grabbed an aluminum baseball bat, and instructed ██████ to go to his room. Instead, ██████ ran to his ██████ room. D.A. Brooks entered the bedroom and swung the bat toward ██████ left calf. ██████ grabbed ahold of the bat before it struck him. D.A. Brooks tossed the bat aside, and straddled ██████ who was laying on the floor with his back against the floor. D.A. Brooks began striking ██████ about the back of his head and torso with a closed fist repeatedly. D.A. Brooks then stood up and stomped on ██████ head/face twice as ██████ lay in a fetal position on the floor with his hands and or arm covering his face and head.

The incident ended by ██████ going into his room and closing the door. D.A. Brooks sat on the couch and played a video game. ██████ four siblings were present went into other areas of the house. ██████ sustained swelling behind his left ear and soreness about his ribcage area. Two days after this incident, ██████ provided a statement to DCFS. At the request of DCFS, D.A. Brooks took ██████ for a medical evaluation.

In an **interview**⁴ with COPA on September 20, 2018, **D.A. Brooks** related he went to ██████ to pick up his ██████ which he does daily. Prior to picking up ██████ D.A. Brooks received emails from a school advisor informing him of ██████ behavior (not dressing appropriately, sleeping in class and not doing his homework). When D.A. Brooks encountered ██████ he questioned ██████ about his behavior. ██████ became irate and made statements that dismissed his advisors email. D.A. Brooks did not approve of ██████ responses, and became upset. D.A. Brooks described his demeanor during this incident as “hot headed.”

D.A. Brooks swung several times at ██████ with an open hand but did not contact ██████ D.A. Brooks grabbed ██████ by his shirt collar and told him that he did not approve of his behavior. A school security guard intervened and grabbed D.A. Brooks by his left bicep. D.A. Brooks pulled away from the security guards grasp, told the security guard not to grab him, and related that he was disciplining his ██████ The security guard threatened to call the police on D.A. Brooks. At which time D.A. Brooks replied, “Go ahead, call the police department, I work for the police department.” Per D.A. Brooks, his response meant that he was not doing anything wrong, so call the police department. An unknown parent stated to D.A. Brooks, “Don’t do that at school, calm down.” Thereafter, D.A. Brooks had ██████ get in the car, and they drove home. D.A. Brooks other two ██████ (18 and 12 years old) were also in the car.

█████ sat in a backseat during the ride home, and there was no conversation between him D.A. Brooks. Upon arriving home, D.A. Brooks grabbed an aluminum baseball bat and swung the bat at ██████ ducked and went down to the floor on his back. D.A. Brooks straddled ██████ and grabbed him by his collar, and told ██████ how displeased he was with his behavior. Thereafter, the incident concluded. ██████ notified DCFS regarding the incident that took place on school grounds. D.A. Brooks provided a statement to DCFS regarding this mater. At the request of DCFS, D.A. Brooks took ██████ for a medical evaluation. Per D.A. Brooks, the DCFS investigation was unfounded. D.A. Brooks admitted to grabbing ██████ by his shirt collar and swinging an aluminum bat at ██████ with the intent on striking him with the aluminum bat. ██████ denied all other allegations.

⁴ Att. 19

b. Digital Evidence

██████████ provided COPA with **video footage** that was obtained from a student's cellular telephone. The video shows D.A. Brooks holding ██████████ by his shirt and pushing ██████████ against a SUV. Mr. ██████████ is seen approaching D.A. Brooks as he pushes ██████████ against the SUV. The video does not capture audio between the involved parties.⁵

c. Documentary Evidence

The **Illinois Department of Children and Family Services (DCFS)** Unfound the allegations against D.A. Brooks. DCFS records note a knot behind ██████████ left ear.

██████████ statement to DCFS was consistent with the statement that he provided to COPA. The names of the witnesses interviewed by DCFS were redacted from the case file provided to COPA. However, the witness statements corroborated ██████████ account of the incident regarding what happened at the school.

██████████ 18 year old brother ██████████ related that he was present in the car at the school, but that he was on his telephone much of the time. However, he did observe ██████████ crying during the ride home as D.A. Brooks spoke to him (██████████). Upon arriving home, D.A. Brooks "whooped" ██████████ and ██████████ heard ██████████ crying. ██████████ did not visually observe the "whooping" as he was in his bedroom. ██████████ 19 year old older ██████████ related that upon arriving home, she heard D.A. Brooks speaking to ██████████ and she heard ██████████ crying. ██████████ did not observe any injury to ██████████ when she saw him later.

In his statement to DCFS, D.A. Brooks admitted that he was grabbing and punching ██████████ as a form of discipline for stealing at home and school; he denied that he beat or caused injury to ██████████. D.A. Brooks related that upon arriving home, he did get a baseball bat, but that he only moved the bat from one side of the room to the other. However, D.A. Brooks admitted to "hitting him (██████████) some more" thereafter. According to his statement, D.A. Brooks identified himself as a Chicago Police Officer in that he said, "I didn't beat him. I am the police. we in my district."

██████████ **medical records**⁶ from the office of Dr. ██████████ show ██████████ received medical treatment on May 24, 2018. The Chief Complaints section states ██████████ was present to receive an exam at the request of the DCFS. The narrative also relates ██████████ called D.A. Brooks and informed him that ██████████ was being sent home because he had gotten into trouble. Upon arriving on school grounds, D.A. Brooks pushed ██████████ by his shirt collar and hit and or punched ██████████ in his abdomen, chest area, and left side of his head. The routine examination of ██████████ revealed no abnormal findings. D.A. Brooks was informed to avoid corporal punishment of ██████████. DCFS Investigator ██████████ was informed of the examination results.

⁵ Att. 10

⁶ Att. 20

VI. ANALYSIS

COPA finds **Allegation #1**, that D.A. Brooks grabbed ██████████ by his shirt collar is **Sustained**. By his own admission, D.A. Brooks grabbed ██████████ about his shirt collar. The incident was corroborated by video footage and witnesses. Thus, the allegation is Sustained.

COPA finds **Allegations #2 and 3**, that D.A. Brooks physically maltreated his ██████████ by punching him on the head and about his body, are **Sustained**. D.A. Brooks admitted he swung at ██████████ several times but denied contacting ██████████. However, in his statement to DCFS, D.A. Brooks admitted to grabbing and punching ██████████. ██████████ related that D.A. Brooks struck him on the left side of his jaw and several times about his torso. ██████████ account of the incident is corroborated by School Security Guard ██████████ who related that he observed D.A. Brooks swinging and hitting ██████████. D.A. Brooks had to be separated from ██████████ by Mr. ██████████ and an unknown parent. Thus, based on the preponderance of the evidence, this allegation is Sustained.

COPA finds **Allegation #4**, that D.A. Brooks ██████████ a Chicago Police Officer by identifying himself as a Chicago Police Officer is **Sustained**. D.A. Brooks denied that he identified himself as a Chicago Police Officer. However, in his statement to DCFS, D.A. Brooks stated, "I didn't beat him. I am the police. We in my district." ██████████ and Mr. ██████████ related that D.A. Brooks identified himself as a Chicago Police Officer during this incident. Even more, D.A. Brooks' response can ██████████ be interpreted as him using his official position with the Department for ██████████ use, in that he was attempting to discourage Mr. ██████████ from calling the police. Given the totality of the circumstances, it is more likely than not the incident occurred as alleged, and the allegation is Sustained.

COPA finds **Allegations #5 through 11**, that D.A. Brooks threatened his ██████████ by stating words to the effect of, "I'm going to make you bleed," swung an aluminum baseball bat at ██████████ punched him about the head, face and body, and stomped him about the head and body, are **Sustained**. COPA finds ██████████ account more credible. ██████████ account of what happened on school grounds was corroborated by Mr. ██████████. There is no obvious ██████████ would lie or be untruthful about the events that continued to unfold as they left school and returned home. Rather, D.A. Brooks had ██████████ to minimize his conduct and gave inconsistent statements to DCFS and COPA. In fact, ██████████ provided accounts about this incident that D.A. Brooks omitted in his statement. Only when questioned about the omitted information from his statement, such as the aluminum bat, did D.A. Brooks confirmed some of the information.

D.A. Brooks denied speaking to ██████████ during the ride home. However, ██████████ related that D.A. Brooks did talk to ██████████ during the ride home. D.A. Brooks stated that he was "hot headed" during this incident. D.A. Brooks admitted that he swung an aluminum baseball bat at ██████████ with the intent to strike ██████████. D.A. Brooks stated that he straddled ██████████ as ██████████ lay with his back against the floor. D.A. Brooks spoke to ██████████ about his behavior but denied punching ██████████. However, in his statement to DCFS, D.A. Brooks admitted to "hitting him (█████████ some more" when they arrived home. ██████████ related that after D.A. Brooks tossed the bat aside, D.A. Brooks straddled him, and began striking him repeatedly about

the back of his head and torso with a closed fist. [REDACTED] protected himself by covering himself with his hands and or arms.

COPA does not find that this conduct is within the limits of reasonable corboaral punishment. Reasonableness is, ultimately, a heavily fact-specific determination. *People v. Karen P. (In the Interest of J.P.)*, 294 Ill. App. 3d 991, 1002 (1st Dist. 1998) (“cases involving the adjudication of abuse, neglect, and wardship are sui generis; that is, each case must be decided on its own distinct set of facts and circumstances”) (citing *In re Edricka C.*, 276 Ill. App. 3d 18, 25 (1995)). But courts have relied on several factors in corporal punishment reasonableness analyses, including: “the likelihood of future punishment which may be more injurious” (*People v. West (In re F.W.)*, 261 Ill. App. 3d at 903); “the fact any physical injury resulted from the discipline” (*id.*); “the psychological effects of the discipline on the child” (*id.*); “the circumstances surrounding the ‘discipline,’ including whether the parent was calmly attempting to discipline the child or whether the parent was lashing out in anger” (*id.*); whether the discipline was “vicious or for other than disciplinary reasons” (*In the Interest of Aaronson*, 65 Ill. App. 3d 729, 732 (3rd Dist. 1978)); whether the child “appeared happy and unaffected after being disciplined” (*People v. Karen P. (In the Interest of J.P.)*; 294 Ill. App. 3d at 1005); whether alternate ways to correct the minor’s behavior have been exhausted (*People v. McClendon (In re S.M.)*, 309 Ill. App. 3d 702, 704 (4th Dist. 2000) (holding that a “whooping” with a belt that left extensive bruising on the arms and upper thighs was not excessive in light of the minor’s incorrigible delinquent behavior, her parents’ attempts to curb it in other ways, and the fact that the punishment was “given in a concerned, caring manner” rather than in “vengeance”)).

In this case, DCFS records note an injury to [REDACTED] namely swelling behind his left ear. Additionally, it is clear that D.A. Brooks was not calmly attempting to discipline [REDACTED] Rather, by his own admission of being “hot headed,” he was lashing out at [REDACTED] in anger. Furthermore, D.A. Brooks continued the physical attack after having the opportunity to speak with [REDACTED] in the car. He resumed striking him upon returning home and utilized an object, an aluminum bat, to make further physical contact.

Thus, based on the totality of the evidence and credibility of the witnesses, COPA finds the allegations are Sustaiend by a preponderance of the evidence.

VII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

Detention Aide Lindsay Brooks

i. Complimentary and Disciplinary History

- 1. Complimentary:** (1) 2019 Crime Reduction Award, (1) Attendance Recognition Award, (3) Complimentary Letter, (2) Honable Mention, (1) NATO Summit Service Award and (1) Unit Meritorius Performance Award. Total (9) Awards.
- 2. Disciplinary:** 2 Day Suspension 10J-Neglect of Duty/Conduct Unbecoming On Duty. No SPAR history.

ii. Recommended Penalty, by Allegation

1. **Allegation No. 1:** 45 day Suspension, Parenting & Anger Management Classes
2. **Allegation No. 2:** 45 day Suspension, Parenting & Anger Management Classes
3. **Allegation No. 3:** 45 day Suspension, Parenting & Anger Management Classes
3. **Allegation No. 4:** 45 day Suspension, Parenting & Anger Management Classes
4. **Allegation No. 5:** 45 day Suspension, Parenting & Anger Management Classes
5. **Allegation No. 6:** 45 day Suspension, Parenting & Anger Management Classes
6. **Allegation No. 7:** 45 day Suspension, Parenting & Anger Management Classes
7. **Allegation No. 8:** 45 day Suspension, Parenting & Anger Management Classes
8. **Allegation No. 9:** 45 day Suspension, Parenting & Anger Management Classes
9. **Allegation No. 10:** 45 day Suspension, Parenting & Anger Management Classes
10. **Allegation No. 11:** 45 day Suspension, Parenting & Anger Management Classes

D.A. Brooks committed multiple offenses of misconduct, chief among them was engaging in physical abuse against his minor [REDACTED] that was unjustified. D.A. Brooks struck [REDACTED] repeatedly using his fists, kicked him, and struck him with an aluminum bat. His conduct caused physical injury to [REDACTED] and occurred over a period of time, even after D.A. Brooks would have had an opportunity to calm down (during the car ride home). This conduct is further aggravated by the fact that a portion of this incident occurred in public, causing members of the public to intervene to stop D.A. Brooks from further abusing his [REDACTED]. Even further, D.A. Brooks invoked his employment with the Department with members of the public during the incident, bringing further discredit to the Department. Additionally, he stated he was “hot headed” during this incident. COPA recommends a 45 day suspension, anger management and parenting classes appropriate.

Approved:

[REDACTED]

Deputy Chief Administrator of Investigations

January 31, 2022

Date