

CIVILIAN OFFICE OF POLICE ACCOUNTABILITY

Log #1073601

INTRODUCTION:

This Log Number was initiated after Officer Zeyad Matlock #3891, who was working security at Henderson Elementary School while off duty, confronted the complainant, the juvenile student [REDACTED] who entered the school gym after he had been disallowed to do so. Officer Matlock ordered Mr. [REDACTED] to leave the gym and, in response, Mr. [REDACTED] swung his arm toward Officer Matlock. The officer, who at time had been cleaning his finger nails with a pocket knife, raised his left arm to block Mr. [REDACTED] punch. Mr. [REDACTED] then struck the tip of Officer Matlock's pocket knife, lacerating his hand.

ALLEGATIONS:

On 30 January 2015, at approximately 1617 hours, the Reporting Party, Lieutenant Anthony Escamilla #257 of Unit 007, contacted the Independent Police Review Authority (IPRA) and registered this complaint with Intake Aide Denise Stewart. It is alleged that on 30 January 2015, at approximately 1240 hours, inside Henderson Elementary School at 5650 S. Wolcott Avenue, Officer Zeyad Matlock #3891, while off duty:

- 1) Employed an inappropriate level of force in response to an assault by the complainant, [REDACTED] and
- 2) Was inattentive to duty when he utilized a knife during the encounter, resulting in injury to Mr. [REDACTED]

APPLICABLE RULES AND LAWS

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

Rule 10 – Inattention to Duty.

INVESTIGATION

In an **initiation report** dated 30 January 2015, Sergeant Darwin Butler #1683 stated he responded to a radio assignment at Henderson Elementary that a child was cut by a knife. Upon arrival, Sgt. Butler learned [REDACTED] was the student who was cut by a knife and taken to Holy Cross Hospital by Ambulance #49. Sgt. Butler further learned Mr. [REDACTED] was cut by Officer Zeyad Matlock's knife. Officer Matlock informed the sergeant he was working off-duty as a security officer for the school when he had a physical altercation with Mr. [REDACTED]. Officer Matlock gave Mr. [REDACTED] verbal direction not to enter a restricted area of the gym located on the fourth floor of the school. Mr. [REDACTED] became irate, yelled and screamed at Officer Matlock, disregarded the officer's verbal commands and proceeded past Officer Matlock. Officer Matlock put his arm up to block Mr. [REDACTED] path into the gym. Mr. [REDACTED] pushed Officer Matlock's arm away from him, "balled" his right hand up

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and threw a punch toward Officer Matlock. Officer Matlock, who was holding a knife in his left hand, threw up his left arm to defend himself against Mr. [REDACTED] punch, inadvertently cutting Mr. [REDACTED] right hand. Medical attention was immediately given as an ambulance was called to transport Mr. [REDACTED] to the hospital. Sgt. Butler also spoke to two student witnesses who were present when Mr. [REDACTED] hand was cut by Officer Matlock's knife. Courtney Wilson stated Mr. [REDACTED] was screaming at the officer, a confrontation ensued and Mr. [REDACTED] was cut by the knife. [REDACTED] stated he observed Officer Matlock trying to stop Mr. [REDACTED] with his arm and Mr. [REDACTED] pushed the officer's arm out of his way, and then the confrontation ensued. Sgt. Butler then relocated to Holy Cross Hospital where he learned Mr. [REDACTED] was receiving five stitches to his right middle finger and would be released after treatment. Sgt. Butler informed Mr. [REDACTED] mother, [REDACTED] Mr. [REDACTED] was going to be placed under arrest and charged with battery on a police officer. Sgt. Butler also requested an Evidence Technician to photograph Mr. [REDACTED] injuries and Officer Matlock's knife was inventoried. (Att. #4)

On 30 January 2015, at approximately 2100 hours at the Juvenile Intervention and Support Center at 3900 S. California Avenue, IPRA Investigator Frank Sheets obtained the **statement of the complainant**, [REDACTED]. Also present were Mr. [REDACTED] mother, [REDACTED] and his stepfather, [REDACTED]. Mr. [REDACTED] stated he and some other students were on their way to the fourth floor gym for recess, after leaving the lunch room on the first floor. Mr. [REDACTED] identified the other students as [REDACTED] now known as witness [REDACTED] and [REDACTED] now known as witness [REDACTED]. Mr. [REDACTED] could not name any other student present at the time of the incident. Mr. [REDACTED] admitted he was being loud and the security officer, now known as Officer Zeyad Matlock, grabbed him by the hood of his jacket and told him to stop goofing around. The officer then released him and Mr. [REDACTED] and his classmates entered the gym. Officer Matlock followed him inside. Mr. [REDACTED] was interested in playing three-on-three basketball but was not picked by the other players. He then picked up his book bag, and swung it over his right shoulder. Mr. [REDACTED] back was facing Officer Matlock at that point. Mr. [REDACTED] felt a pain in his right hand and saw blood on his right hand. Officer Matlock also saw the blood and ran downstairs with Mr. [REDACTED] to the washroom, where Officer Matlock washed out the wound and told Mr. [REDACTED] to place pressure on it. An assistant principal entered the washroom and asked what happened. Officer Matlock replied he was adjusting his knife and Mr. [REDACTED] hand "nicked" the knife. Mr. [REDACTED] stated he has never seen Officer Matlock's knife. Mr. [REDACTED] denied touching Officer Matlock and denied swinging his arm at the officer. An ambulance arrived and transported Mr. [REDACTED] to the hospital, where he received stitches to his hand. The police arrived at the hospital, placed him under arrest for battery and transported him to the police station. (Att. #'s 17-18, 35)

On 19 February 2015, at approximately 1108 hours, at 5542 S. Seeley Avenue, the Reporting Investigator obtained the **statement of the witness** [REDACTED]. Because Mr. [REDACTED] was a juvenile, also present was his mother, [REDACTED]. Mr. [REDACTED] stated that on the above date and time, he had finished lunch and was going upstairs to the gym for recess. He was accompanied by his friend, the complainant, [REDACTED] and another classmate, the witness [REDACTED]. Mr.

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█████ stated Mr. █████ was “screaming” as he was going up the stairs. Officer Matlock, who works security at the school, put his left arm up and stopped Mr. █████ on the stairs. Officer Matlock told Mr. █████ to be quiet and Mr. █████ complied, but he then grabbed and moved the officer’s arm and walked around the officer. Mr. █████ stated Officer Matlock did not have anything in his left hand and was holding his cell phone in his right hand. Mr. █████ Ms. █████ and Mr. █████ then continued upstairs and entered the gym. Officer Matlock also entered the gym, placed his cell phone in its holder on his pocket and approached Mr. █████ and began talking to him. Mr. █████ walked away from the officer to retrieve his book bag. He then walked back toward the officer and the two individuals who stood facing each other, with little distance between them. Mr. █████ stated that he was standing approximately fifteen feet away and did not observe anything in Officer Matlock’s hands. As Mr. █████ held his book bag in his right hand, he swung the bag over his right shoulder. Mr. █████ then ran out of the gym and Officer Matlock ran after him. Mr. █████ observed drops of blood on the floor, looked through the gym door window and saw Mr. █████ run down the stairs leaving a trail of blood on the floor. Mr. █████ added that Mr. █████ later told him Officer Matlock was holding his knife in his hand and that Mr. █████ cut his hand on the knife. Mr. █████ knew Officer Matlock possessed a knife because he had seen it on several occasions in a sheath on the officer’s left side. Mr. █████ did not observe the knife in the officer’s hands during the incident. Mr. █████ also told Mr. █████ that the officer accused Mr. █████ of swinging at him. Mr. █████ stated Mr. █████ never swung at Officer Matlock. (Att. #'s 29-30)

An **Attempt to Contact** the parent of the juvenile witness, ██████████, to schedule an interview of Ms. ██████ was unsuccessful. (Att. #23)

In a **Chicago Public Schools Incident Report** dated 04 February 2015, Officer Matlock reported that on 30 January 2015, at approximately 1240 hours, he was assigned to the gym for lunch/recess. The officer was standing in the southeast corner of the gym by the doors away from the children present in the gym during their recess. Officer Matlock reported he had been using a small knife to cut lint balls from his hoodie. Mr. █████ entered the gym and Officer Matlock immediately told him to leave because Mr. █████ had previously been instructed by security guard ██████████ not to go to the gym. Officer Matlock instructed Mr. █████ to leave and Mr. █████ replied, “Don’t talk to me, boy!”

Officer Matlock then reached out with his right hand to motion to Mr. █████ to leave, as he was holding the knife in his left hand and trying to place the knife in the case on the left side of his belt. Mr. █████ took an “aggressive fighting stance,” stated, “Don’t touch me, boy,” and swung in Officer Matlock’s direction with a closed right fist. Officer Matlock stated, in an attempt to defeat the punch, his natural reflex was to raise his arms up to protect his face. Mr. █████ then struck the tip of the knife in the officer’s left hand, causing a laceration to his right hand around the knuckle area. Mr. █████ immediately began to bleed from the injury. Officer Matlock applied pressure to the injury and guided Mr. █████ to the bathroom on the first floor.

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Mr. █████ entered the bathroom and asked what happened. Officer Matlock told him what happened and Mr. █████ asked if an ambulance was needed. Officer Matlock replied in the affirmative and Mr. █████ left to call 911. An ambulance arrived and transported Mr. █████ to Holy Cross Hospital. (Att. #24)

Mr. █████ Arrest Report and Original Case Incident Report (RD# HY134026) indicate that Officer Jeffrey Nosek #13533 and Sgt. Butler were given an assignment to meet an off-duty officer at Henderson School regarding an incident with a student. Upon arrival, Officer Nosek met with Officer Zeyad Matlock, who stated while working security on the fourth floor gym area, he told █████ not to go to a restricted area. Mr. █████ attempted to pass and Officer Matlock held his hands out to stop him. Mr. █████ then struck Officer Matlock's arms out of the way. Mr. █████ became loud and irate and began to yell. Mr. █████ then balled his hand into a fist and attempted to swing and punch Officer Matlock. Officer Matlock, who had his hand on a knife on his belt area, lifted his arm with the knife in his hand, as he attempted to duck out of the way. Mr. █████ fist then struck the blade of the knife. The knife cut Mr. █████ on top of the right hand above the middle finger.

Ambulance #49 transported Mr. █████ to Holy Cross Hospital, where he was treated and received five stitches. Officer Nosek proceeded to the hospital and placed Mr. █████ under arrest upon Officer Matlock's request. Officer Matlock did not sustain any injuries. Henderson Elementary School informed Officer Nosek there were no video cameras in the gym area. Sgt. Butler interviewed two student witnesses who provided the same information as described in the sergeant's initiation report. (Att. #'s 5, 7)

Officer Matlock's Tactical Response Report (TRR) and Officer's Battery Report indicate Mr. █████ was an imminent threat of battery to the officer and attacked him without a weapon. Officer Matlock responded by raising his left arm to defend himself against Mr. █████ fist. Officer Matlock provided in the "Additional Information" section of the TRR that Mr. █████ "swung at R/O with a closed fist placing him in fear or (*sic*) receiving a battery. R/O was holding a knife in his left hand. In an attempt to defeat the fist thrown R/O raised his left hand causing subject to inadvertently strike his fist on the knife." (Att. #'s 8-9)

Evidence Technician photographs of Mr. █████ indicate a sutured laceration just below the knuckle of the middle finger on the back of his right hand. (Att. #'s 25-26)

The **Chicago Fire Department (CFD) Ambulance Run Report** indicates CFD Ambulance #49 was dispatched and notified of a cut or laceration at 5650 S. Wolcott Avenue. Upon arrival, the paramedics observed █████ was ambulatory and holding direct pressure on his right hand after a laceration by a knife. Mr. █████ stated that he was "cut by a security guard's knife by accident." Mr. █████ appeared to have sustained a laceration to the back of his hand approximately half an inch in length. The paramedics wrapped the hand and held direct pressure. The ambulance then transported Mr. █████ to the hospital. (Att. #21)

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Medical Records from Holy Cross Hospital reflect Mr. [REDACTED] was admitted to the hospital on 30 January 2015, at approximately 1500 hours, accompanied by his mother. Mr. [REDACTED] complained of a laceration to his right hand and stated he was “cut with a knife at school.” The medical records describe Mr. [REDACTED] as right hand dominant and state the laceration is on the dorsal surface of the hand and vertical in direction. Mr. [REDACTED] received sutures and was released to police custody. (Att. #32)

On 01 September 2016, at approximately 1617 hours, at the IPRA office, the Reporting Investigator obtained the **statement of accused Officer Zeyad Matlock**. Officer Matlock stated he had been working as a security officer at Henderson School for approximately six months and had started work on 30 January 2015 at approximately 1100 hours. At the time of the incident, Officer Matlock was assigned to the 007th District, but was detailed at Unit 212 (the Office of the Area Deputy-South) and was scheduled to work 3rd Watch that day. On 30 January 2015, Officer Matlock had been assigned by head of security, [REDACTED] to oversee the younger students playing in the gym area on the fourth floor during the recess periods. Officer Matlock had taken out a small black knife with a “stiff blade” he kept holstered on his belt and was cutting off the pelt from his clothing. As he stood by the main doors to the gym, Officer Matlock observed Mr. [REDACTED] and other students enter the gym. Officer Matlock stated he had earlier observed Mr. [REDACTED] and the principal order Mr. [REDACTED] to stay out from the gym because Mr. [REDACTED] had been “acting out.” That put Officer Matlock on notice that Mr. [REDACTED] was not supposed to be in the gym. Officer Matlock stated:

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A: So, when he immediately came through the doors, uh, I told him, “[REDACTED] you gotta go.” And, uh, as he was walking by, I went to secure the knife. I don’t recall if I was able to put it in, or if I was attempting to put it in, because I didn’t wanna take him off, my eyes off of him, because I know he, I haven’t had any personal interaction with him, but I’ve seen him interact with other faculty, and he’s known to be combative. So, I told him, he couldn’t be here. He’s like, “Don’t talk to me.” So, I reached out with my right hand, and I kinda motioned to him, “[REDACTED] you gotta get outta here.” And then, that’s when he swung at me and said, “Don’t touch me, boy.” And, he swung, and in the motion, I kind of, reflex came up, and he inadvertently made contact on the top of his right hand with the knife.

Upon inquiry, Officer Matlock stated he raised both hands with the palms out and that the knife was pointing outward. Officer Matlock felt Mr. [REDACTED] fist touch his knife and then observed blood dripping from Mr. [REDACTED] hand. Officer Matlock immediately applied pressure on the wound and escorted Mr. [REDACTED] to the first-floor bathroom where he washed out Mr. [REDACTED] wound. Mr. [REDACTED] entered the bathroom and asked what happened. When Officer Matlock described what happened, Mr. [REDACTED] inquired whether an ambulance was needed and Officer Matlock replied in the affirmative. Mr. [REDACTED] called 911 and an ambulance arrived to transport Mr. [REDACTED] to Holy Cross Hospital. Officer Matlock then requested a supervisor to come to the school and when Sgt. Butler arrived, Officer Matlock told him what happened. Officer Matlock then proceeded to the 007th

District Station where he completed a Tactical Response Report and an Officer's Battery Report.

In response to Allegation #1, that he employed an inappropriate level of force in response to the assault by Mr. [REDACTED] Officer Matlock admitted that the level of force that he used was inappropriate, but added that he did not intend to use such force against Mr. [REDACTED] In response to Allegation #2, that he was inattentive to duty when he utilized a knife during the encounter, Officer Matlock denied that allegation. Officer Matlock explained that he did not intend to use his knife to cut Mr. [REDACTED] and described the incident as accidental. Officer Matlock added that he attempted to secure the knife and only had time to react to Mr. [REDACTED] punch. Once he realized that his knife had cut Mr. [REDACTED] Officer Matlock rendered aid to the student and initiated all the notifications. (Att. #'s 37-38)

Submitted:

[REDACTED]
Thomas Kalantzis #149
Investigator

Approved:

[REDACTED]
Supervising Investigator, Mark A. Javier #17

CONCLUSION

Accused# 1 Officer Zeyad Matlock

Allegation #1: Unfounded —Officer Matlock stated he did not intend to use such force against Mr. [REDACTED] and described the injury to Mr. [REDACTED] hand as an “accident.” Mr. [REDACTED] stated he did not observe the knife in Officer Matlock’s hand. The witness, [REDACTED] also stated he did not observe the knife in the officer’s hand. In fact, both students were not aware why Mr. [REDACTED] hand was bleeding until Officer Matlock announced his knife had cut Mr. [REDACTED] hand. Finally, neither student alleged Officer Matlock intentionally cut Mr. [REDACTED] hand. Further, Mr. [REDACTED] stated to EMS personnel that he was cut by “accident.”

In his statement to IPRA, Mr. [REDACTED] reported he was “bending down to pick up his backpack” and his “hand was swinging” when he “had contact with the officer’s knife.” While this explanation is not particularly credible, it is noteworthy that Mr. [REDACTED] never alleged Officer Matlock used any modicum

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of force against him, nor does he allege Officer Matlock brandished the knife against him or used it to intentionally cut him. In fact, Mr. [REDACTED] characterizes this event as an accident.

Mr. [REDACTED] description of the event does not appear to be plausible, but the fact that he does not make an allegation against Officer Matlock tends to support Officer Matlock's version of what occurred.

Based on all the available evidence, it is more likely than not that Officer Matlock unintentionally cut Mr. [REDACTED] hand with his knife.

Regarding the actual force used by Officer Matlock, COPA finds that the "blocking" maneuver he reportedly used to stop the strike being delivered by Mr. [REDACTED] would have been appropriate. COPA therefore recommends this allegation against Officer Matlock be **Unfounded**.

Allegation #2: Sustained — Regarding the allegation Officer Matlock was inattentive to duty when he utilized a knife during the encounter with Mr. [REDACTED] Officer Matlock denied being inattentive, stating he did not intend to use the knife against Mr. [REDACTED] but did so as a reaction to Mr. [REDACTED] punch. Officer Matlock stated he was using the knife to cut the lint from his clothing when Mr. [REDACTED] entered the gym against Officer Matlock's orders. When Mr. [REDACTED] ignored the officer's commands to leave, Officer Matlock began to put his knife away and extended his right hand toward Mr. [REDACTED] Mr. [REDACTED] then told Officer Matlock not to touch him and attempted to punch the officer. Officer Matlock stated he reflexively raised his hand and Mr. [REDACTED] fist contacted the knife's blade, resulting in a laceration. Officer Matlock added he then immediately rendered aid to Mr. [REDACTED] and initiated all relevant notifications.

While the physical interaction as described by Officer Matlock and by Mr. [REDACTED] does not, in and of itself, appear to rise to the level of misconduct, it remains that Officer Matlock chose to confront Mr. [REDACTED] before securing his knife. Officer Matlock admitted he was aware Mr. [REDACTED] had been combative with teachers. When Mr. [REDACTED] walked past Officer Matlock into the gym, Officer Matlock correctly gave the student verbal commands to exit the gym. When Mr. [REDACTED] ignored the officer's commands, Officer Matlock escalated the confrontation by reaching out to Mr. [REDACTED] with his hand, without first securing the knife on his belt. At that point, Mr. [REDACTED] said, "Don't touch me, boy!" and attempted to punch the officer, forcing the officer to raise his hands in defense.

While it is more likely than not that Officer Matlock did not intend to use the knife against Mr. [REDACTED] he was inattentive to duty in that he engaged in contact with Mr. [REDACTED] while he was holding his knife. Given the potential for an edged weapon to cause significant, if not life-threatening injuries, Officer Matlock should have exercised more care with the weapon before engaging with Mr. [REDACTED]

Based on all the available evidence, Officer Matlock elected to engage Mr. [REDACTED] while he was still holding his knife; consequently, there is sufficient evidence to prove the allegation that Officer

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Matlock was inattentive to duty when he utilized the knife in his encounter with Mr. [REDACTED] COPA recommends that this allegation be **Sustained** against Officer Matlock.

[REDACTED]
Deputy Chief Administrator, Joshua Hunt #7
COPA