

SUMMARY REPORT DIGEST

Civilian Office of Police Accountability

LOG NO
1076847

TYPE
CR

DATE OF REPORT
05-DEC-2017

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: CHIEF ADMINISTRATOR,
CIVILIAN OFFICE OF POLICE ACCOUNTABILITY

CHIEF,
BUREAU OF INTERNAL AFFAIRS

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
LEE, FRANCES	1255		██████████	113	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: 7040 S. COTTAGE GROVE AVE, CHICAGO, IL 60637	DATE / TIME: 24-AUG-2015 16:08	BEAT: 321
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
██████████	9161	11296	██████████	001		M / BLK	██████████-1964	25-AUG-2003	YES	YES

REPORTING PARTY

NAME	ADDRESS*	CITY	TELEPHONE	SEX / RACE	DOB / AGE
CIANNELLA, JAMES	RANK: 9171, STAR NO: 1068, EMP NO: ██████████			M / WHI	██████████ 1965 / 52

VICTIMS

NAME	ADDRESS*	CITY	TELEPHONE	SEX / RACE	DOB / AGE
CIANNELLA, JAMES	RANK: 9171 STAR NO: 1068, EMP NO# ██████████			M / WHI	██████████ 1965 / 52

WITNESSES

NAME	ADDRESS*	CITY	TELEPHONE	SEX / RACE	DOB / AGE
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* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX

ALLEGATIONS

See Report.

SUMMARY

See Report.

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
4, 5, 6, 7, 16			17

FINDINGS - RECOMMENDATIONS

Accused: Officer Kevyn Lott, #11296, Emp. [REDACTED]

Allegation #1: Sustained

Approved:

[REDACTED]
COPA Supervisor
[REDACTED]

DATE INITIATED
(Date incident was received for investigation)

24-SEP-2015

DATE COMPLETED (Date of this report)

05-DEC-2017

ELAPSED TIME
(Total time expressed in days)

803

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

SUMMARY OF INCIDENT

On August 24, 2015 at approximately 2:27PM, the accused, **Officer Kevyn Lott** reported that he inadvertently discharged his Taser as he was checking its battery level. Officer Lott was on-duty and the incident occurred in the foyer leading to the parking lot at the Chicago Police Department located at 7040 S. Cottage Grove Ave.

ALLEGATIONS

The complainant, Sergeant James Ciannella, contacted IPRA¹ to report that on 24 August 2015, Officer Kevyn Lott unintentionally discharged his taser.

It is alleged that on 24 August 2015 at or about 2:27 PM, at the police facility at 7040 S. Cottage Grove Ave., accused **Officer Kevyn Lott, Star #11296**, while on-duty:

1. Was inattentive to duty in that he did not properly handle his taser, causing it to discharge in violation of Rule 10.

APPLICABLE RULES AND LAWS

Rule 10: prohibits, "Inattention to Duty."

INVESTIGATION

Report of Rule Violation

Complainant, Sergeant James Ciannella, contacted IPRA via telephone to report that Officer Kevyn Lott unintentionally discharged his taser on 24 August 2015 at or about 2:27 PM. In the Original Case Incident Report, Sergeant Ciannella reported that Officer Lott was checking the battery strength of his taser before he started his tour of duty, at which time he unintentionally discharged his taser. Sergeant Ciannella also documented that Officer Lott was in between the two doors that led to the rear lot of the police facility; and that one prong struck the floor. No one was struck or injured. (Attachments 1, 6, and 16)

Interview of accused Officer Kevyn Lott

During a recorded interview on 24 October 2017 Officer Lott confirmed that he had read the allegations form and was aware of the specific allegation against him. Officer Lott then stated that on 24 August 2015 he had gone to the radio room to sign out a taser at the beginning of his shift. Officer Lott walked down the hallway and entered a foyer, situated between two doors, and attempted to test the battery strength of the taser. Officer Lott initially stated that when he turned

¹ When this investigation began, it was under the jurisdiction of the Independent Police Review Authority (IPRA). In September 2017, IPRA closed and a new agency, the Civilian Officer of Police Accountability (COPA), assumed jurisdiction. Therefore, this investigation was completed under COPA.

the taser on, he may have accidentally pulled the trigger. However, later in the interview he said he does not know how he could have pulled the trigger and does not remember whether he pulled the trigger or not. Officer Lott stated that he was facing the corner of the foyer when the taser discharged; with one probe striking the floor. Officer Lott was the only person in the foyer at the time and he was not hit or otherwise injured. Right after the incident Officer Lott reported the incident to his Sergeant. (Att. 16)

Officer Lott stated that his original taser training was in approximately 2012, and that he underwent taser recertification training when he recertified for a firearm less than a year ago. (Att. 16)

Department Reports and Records

A **TRR** was completed by Officer Lott on 24 August 2015 at 5:57 PM to report he accidentally discharged taser [REDACTED]. Lieutenant Teresa Williams also noted on the document that Officer Lott accidentally discharged his taser. (Att. 7)

A **Taser Deployment Data Sheet** dated 24 August 2015 indicated that at 14:47:16 (2:47 PM) taser [REDACTED] was deployed. (Att. 5)

The **Case Report** documented that Officer Lott inadvertently discharged his taser while checking the battery strength of the taser. (Att. 6)

CONCLUSION AND ANALYSIS

COPA recommends **Allegation #1**, that Officer Lott, was inattentive to duty in that he did not properly handle his taser causing it to discharge in violation of Rule 10, be **SUSTAINED**.

Officer Lott stated that he was aware of the specific allegation against him and admitted, in a recorded interview, that he unintentionally discharged his taser as he was attempting to check its battery level. Officer Lott also reported the incident to a Sergeant and a Taser Deployment Data Sheet was produced which confirmed the discharge.