

SUMMARY REPORT OF INVESTIGATION¹

I. EXECUTIVE SUMMARY

Date of Incident:	January 27, 2017
Time of Incident:	2:04 AM
Location of Incident:	2528 N. California
Date of COPA Notification:	January 27, 2017
Time of COPA Notification:	2:16 AM

On January 27, 2017, the complainants, [REDACTED] and [REDACTED] were arrested by Chicago Police Department (CPD) officers responding to a battery in progress and a report of 30-40 individuals fighting at 2528 N. California after an individual named [REDACTED] called 911 to report she had been battered. [REDACTED] and [REDACTED] accused the arresting officers of using excessive force, tasing both men without justification, and being too aggressive. After reviewing relevant Body Worn Camera (BWC) footage, COPA also brought allegations related to unnecessary verbal altercations by officers on scene. Interviews were completed with [REDACTED] witness officers, and accused officers. COPA’s findings are discussed in this report.

II. INVOLVED PARTIES

Involved Officer #1:	Elizabeth Marasigan, Star #18894, Employee # [REDACTED] Date of Appointment: December 5, 2005, Police Officer, 14 th District, Date of Birth: [REDACTED], 1975, Female, Asian
Involved Officer #2:	Melyssa LaPorte, Star #12077, Employee # [REDACTED], Date of Appointment: July 9, 2007, Police Officer, 14 th District, Date of Birth: [REDACTED], 1980, Female, Hispanic
Involved Officer #3:	Stephan Catalano, Star #15673, Employee # [REDACTED], Date of Appointment: February 23, 2015, Police Officer, 14 th District, Date of Birth: [REDACTED] 1989, Male, White
Involved Officer #4:	Nicholas Chrobot, Star #12748, Employee # [REDACTED], Date of Appointment: May 1, 2013, Police Officer, Unit 353 (Special Weapons and Tactics), Date of Birth: [REDACTED], 1983, Male White

¹ On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

Involved Officer #5: William Morales, Star #1030, Employee # [REDACTED], Date of Appointment: October 26, 1998, Sergeant of Police, 12th District, Date of Birth: [REDACTED], 1972, Male, Hispanic

Involved Officer #6: David Tellez, Star #12881, Employee # [REDACTED], Date of Appointment: June 29, 2015, Police Officer, 14th District, Date of Birth: [REDACTED], 1988, Male, Hispanic

Involved Officer #7: Jesus Navarro, Jr., Star #16078, Employee # [REDACTED], Date of Appointment: October 31, 2005, Police Officer, 14th District, Date of Birth: [REDACTED], 1974, Male, Hispanic

Involved Civilian #1: [REDACTED] Jr., Date of Birth: [REDACTED], 1996, Male, Black

Involved Civilian #2: [REDACTED] Jr., Date of Birth: [REDACTED], 1996, Male, Black

III. ALLEGATIONS

Officer	Allegation	Finding
Officer Elizabeth Marasigan	1. Failed to investigate by not getting a description of the offender or a statement from [REDACTED] before entering the upstairs apartment, in violation of Rule 2 and Rule 11.	Sustained
Officer Melyssa LaPorte	1. Used excessive force by tasing [REDACTED] in violation of Rule 6 and Rule 9.	Not Sustained
	2. Engaged in an unnecessary verbal altercation by shouting at [REDACTED] that all the officers had cameras on, in violation of Rule 8 and Rule 9.	Sustained
	3. Used unnecessary force by using [REDACTED] handcuffs for pain compliance while he was escorted out of the apartment, in violation of Rule 6 and Rule 9.	Exonerated
	4. Failed to provide her name to [REDACTED] when asked and responded, "you'll find out later," in violation of Rule 8, Rule 9, and Rule 37.	Sustained
	5. Engaged in an unnecessary verbal altercation by shouting at [REDACTED] on the street after [REDACTED] criticized the CPD response to her report of a battery, in violation of Rule 8 and Rule 9.	Sustained

<p>Officer Stephan Catalano</p>	<p>1. Failed to investigate by not getting a description of the offender or a statement from [REDACTED] before entering the upstairs apartment, in violation of Rule 2 and Rule 11.</p> <p>2. Used excessive force against [REDACTED] in the form of a chokehold, in violation of Rule 6 and Rule 9.</p> <p>3. Used excessive force against [REDACTED] with an emergency takedown, in violation of Rule 6 and Rule 9.</p> <p>4. Used excessive force by twisting [REDACTED] arms while escorting him out of the apartment after he was handcuffed, in violation of Rule 6, Rule 8, and Rule 9.</p> <p>5. Used excessive force by grabbing [REDACTED] mouth/chin/jaw area while escorting him out of the apartment, in violation of Rule 6, Rule 8, and Rule 9.</p> <p>6. Used excessive force by pushing [REDACTED] down the stairs while escorting him out of the apartment, in violation of Rule 6, Rule 8, and Rule 9.</p>	<p>Sustained</p> <p>Not Sustained</p> <p>Exonerated</p> <p>Exonerated</p> <p>Sustained</p> <p>Unfounded</p>
<p>Officer Nicholas Chrabot</p>	<p>1. Used unnecessary force against [REDACTED] to make entry to the apartment, in violation of Rule 6 and Rule 9.</p> <p>2. Provided a false report stating that [REDACTED] grabbed his arm and pulled him into the apartment, in violation of Rule 14.</p>	<p>Exonerated</p> <p>Unfounded</p>
<p>Sergeant William Morales</p>	<p>1. Failed to investigate by not getting a description of the offender or a statement from [REDACTED] before entering the upstairs apartment, in violation of Rule 2 and Rule 11.</p> <p>2. Inattention to duty in that he did not apprehend [REDACTED], the man [REDACTED] accused of hitting her, in violation of Rule 2 and Rule 10.²</p>	<p>Sustained</p> <p>Sustained</p>

² [REDACTED]'s identity was determined through Facebook. Source: [https://www.facebook.com/\[REDACTED\]](https://www.facebook.com/[REDACTED])

Officer David Tellez	1. Exhibited disrespect to ██████████ by pulling down his pants and exposing his buttocks, in violation of Rule 8 and Rule 9.	Not Sustained
Officer Jesus Navarro, Jr.	1. Engaged in an unnecessary verbal altercation by telling ██████████ to “put in an application by the end of the month and you can do our job too,” in violation of Rule 8 and Rule 9. 2. Engaged in an unnecessary verbal altercation by asking ██████████ if random men on the street were the individual who hit her, in violation of Rule 8 and Rule 9.	Sustained Sustained

IV. APPLICABLE RULES AND LAWS

Rules

1. **Rule 2:** Prohibits any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
2. **Rule 6:** Prohibits disobedience of an order or directive, whether written or oral.
3. **Rule 8:** Prohibits disrespect to or maltreatment of any person, while on or off duty.
4. **Rule 9:** Prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty
5. **Rule 10:** Prohibits inattention to duty.
6. **Rule 11:** Prohibits incompetency or inefficiency in the performance of duty.
7. **Rule 14:** Prohibits making a false report, written or oral.
8. **Rule 37:** Prohibits failure of a member, whether on or off duty, to correctly identify himself by giving his name, rank and star number when so requested by other members of the Department or by a private citizen.

General Orders

1. **General Order G03-02:** Use of Force Guidelines³

³ The version of General Order 03-02 referenced in this report was effective from October 2002 until October 2017. (Att.57)

2. General Order G03-02-02: Force Options⁴**3. General Order G03-02-07: Other Weapons Discharge Incidents⁵****V. INVESTIGATION⁶****a. Interviews**

COPA conducted an interview with ██████████ on January 18, 2018.⁷ ██████████ related that on January 27, 2017, he and his friends rented an Airbnb to have a party. ██████████ denied being under the influence during this incident. While the party was occurring, ██████████ heard a knock on the door, answered it, and saw the police. An officer (identified as Officer Chrabot) put his hand on the door. ██████████ stated that Officer Chrabot put his foot near the door so it could not be closed. ██████████ tried to close the door because the officer did not say anything to him and was trying to enter. Officer Chrabot yanked the door open, told ██████████ not to touch him, approached ██████████ and forced his way in. An officer (identified as Officer Catalano) grabbed ██████████ neck and multiple police officers grabbed ██████████ stated that he was grabbed around his neck and shoulders and he had difficulty breathing. ██████████ specified that his neck was in the crook of an officer's elbow with the officer pulling ██████████ back. ██████████ denied grabbing Officer Chrabot, touching Officer Chrabot, or pulling Officer Chrabot into the apartment. ██████████ asked the officers why they were present and detaining him, but they gave no response.

██████████ reported that he ended up on the ground, where he was tased and felt approximately four knees on his back. ██████████ recalled having taser wire wrapped around his arm and being tased in his palm. ██████████ related that because he was face down on the ground, he could not see which officers had their knees on him. ██████████ did not understand the situation, and a close friend of his had previously been killed by an officer with a taser.⁸ ██████████ stated that an officer was trying to get him to put his hands behind his back, but ██████████ was being held by two officers and could not move his arm behind his back. ██████████ acknowledged that he did not want to get handcuffed because he did not understand why the officers were being aggressive. ██████████ stated that after he was tased, officers tried to place him into handcuffs and an officer pulled down his pants, in what ██████████ believed was an attempt to make ██████████ uncomfortable. ██████████ continued to feel others' knees on his legs, placing pressure on ██████████

Once ██████████ approached and asked what was happening, officers proceeded to grab ██████████ and bring him to the ground. ██████████ related that he was on the ground and did not see

⁴ The Force Options policy referenced in this report was effective from January 2016 until October 2017. (Att. 58)

⁵ The Other Weapons Discharge Incidents policy referenced in this report was effective from October 2014 until October 2017. (Att. 59)

⁶ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

⁷ Att. 46

⁸ ██████████ friend was identified as ██████████. On May 7, 2014, ██████████ was tased by a CPD officer, causing ██████████ to fall into a light pole and then onto the ground. ██████████ died on May 20, 2014. Source: http://articles.chicagotribune.com/2014-06-06/news/chi-father-remembers-son-who-died-after-taser-20140606_1_taser-house-arrest-young-man.

██████████ initial interactions with the officers. Per ██████████ was tased two times. ██████████ believed the officers were trying to make him uncomfortable, including by putting ██████████ face on ██████████ buttocks. After ██████████ was placed into handcuffs, the officers escorted him out of the apartment and were pushing him. ██████████ stated that an officer (believed to be Officer Catalano) pushed him down the stairs. ██████████ reportedly told the officers he could not see because he had lost his glasses and he ended up falling down the stairs. ██████████ also related that he had difficulty walking because an officer had previously pulled his pants down. ██████████ stated that when he was falling, he hit a police officer, which was the basis of his criminal charge. He denied hitting the officer intentionally. ██████████ denied being aggressive or trying to fight any officers. ██████████ acknowledged that he had seen BWC footage of the incident.

On January 27, 2017, IPRA went to the District 19 Lock-up to interview ██████████⁹ ██████████ refused to be interviewed but provided the name of his attorney, ██████████. Additional attempts by COPA to interview ██████████ were unsuccessful.¹⁰

COPA interviewed **Officer Robert Amstadt** on February 22, 2018.¹¹ After reviewing his BWC video from this event, Officer Amstadt related that he went to the upstairs apartment and saw officers on the ground with ██████████ and ██████████ while officers were trying to handcuff ██████████ and ██████████

Sergeant Matthew Stevens was interviewed by COPA on February 27, 2018.¹² The sergeant stated he went to the upstairs apartment at 2528 N. California, where two subjects (██████████ and ██████████) were already on the ground and “quite a few” officers were trying to handcuff the men. According to Sergeant Stevens, the incident was a “high stress situation” with “a lot of screaming and yelling.” Sergeant Stevens recalled seeing Officer Catalano grabbing ██████████ mouth area on BWC video, but did not know what triggered this action from Officer Catalano.

On March 2, 2018, COPA interviewed **Sergeant Demetrios Haleas**.¹³ Sergeant Haleas recalled being at 2528 N. California on January 27, 2018.¹⁴ Sergeant Haleas saw an individual in the apartment not engaged with officers, so the sergeant attempted to be a guard officer. Sergeant Haleas related that it was difficult to see exactly what was occurring with the arrestees due to the number of officers surrounding them. Sergeant Haleas described both ██████████ and ██████████ as antagonistic and intoxicated. Sergeant Haleas described the arrestees as “trying to get a rise out of some officers.” According to Sergeant Haleas, he helped ██████████ stand up, stood with ██████████ on top of the stairs, and tried to calm down ██████████. Sergeant Haleas related that it was a dangerous situation on the stairs with the arrestees, due to their aggressive behavior. Sergeant Haleas did not remember seeing ██████████ falling down the stairs. Sergeant Haleas could not recall why he took ██████████ and ██████████ to the hospital.

⁹ Atts. 30

¹⁰ Att. 101

¹¹ Att. 60

¹² Att. 62

¹³ Att. 64

¹⁴ Sergeant Haleas was a police officer on the date of ██████████ allegations.

COPA interviewed **Officer Marasigan** on March 8, 2018.¹⁵ Per Officer Marasigan, on January 27, 2017, she was partnered with Officer Catalano and responded to 2528 N. California to a call of “battery in progress” with “about 30 to 40 people fighting.” Officer Marasigan did not see anyone fighting when she arrived. [REDACTED] approached and related she had been hit by a male. Officer Marasigan asked [REDACTED] if she needed medical attention, which [REDACTED] denied. Officer Marasigan did not obtain a description of the offender because [REDACTED] told the officers people were fighting upstairs and Officer Marasigan’s priority changed to addressing the alleged battery in progress. [REDACTED] was told to stay outside and Officer Marasigan went upstairs. Officer Marasigan related there were several officers between herself and Officer Chrabot, so she did not clearly see Officer Chrabot make entry into the apartment. Therefore, Officer Marasigan did not see the initial physical contact between [REDACTED] and Officer Chrabot. Once the officers entered, a “melee” ensued.

Officer LaPorte was interviewed by COPA on March 9, 2018.¹⁶ On January 27, 2017, Officer LaPorte was on duty and responded to 2528 N. California. Officer LaPorte had heard via Dispatch that 30 to 40 people were fighting. Officer LaPorte followed Sergeant Morales to the upstairs apartment. Officer LaPorte stated Officer Chrabot and [REDACTED] were talking. She then saw Officer Chrabot being jerked and telling [REDACTED] to stop touching him. Officer LaPorte did not see [REDACTED] hands, but she saw Officer Chrabot’s body being jerked towards the apartment. Once in the apartment, Officer LaPorte deployed her taser because [REDACTED] was trying to defeat [REDACTED] arrest and was being an assailant. Officer LaPorte targeted [REDACTED] with her taser but did not recall if [REDACTED] was also tased. Immediately after the incident, Officer LaPorte thought she had tased both men but after watching her BWC video, she thought only [REDACTED] had been tased. Officer LaPorte related her arm was injured when she tried to handcuff [REDACTED] because he pulled his arm away and she and [REDACTED] were engaged in a “tug of war” with the handcuff. Officer LaPorte related that she told [REDACTED] that all the officers’ cameras were on because [REDACTED] was asking to see the cameras. According to Officer LaPorte, she did not tighten [REDACTED] handcuffs while he was walking out of the apartment. Rather, Officer LaPorte claimed she was holding onto [REDACTED] handcuffs to walk him out of the apartment. Officer LaPorte stated [REDACTED] was resisting and she was trying to get control. Officer LaPorte stated that [REDACTED] had to be double-cuffed because he would not give officers his hands. Officer LaPorte saw [REDACTED] fall backwards. She believed [REDACTED] stiffened up and threw himself back. She did not see an officer push [REDACTED] Officer LaPorte told [REDACTED] he would find out her name later because [REDACTED] had asked all the officers for their names but had not asked Officer LaPorte directly. Per Officer LaPorte, there were many officers present and since [REDACTED] would be able to get their names later, she was focused on getting out of the apartment. Officer LaPorte related that she engaged in conversation with [REDACTED] to explain what had occurred.

On March 13, 2018, COPA interviewed **Officer Catalano**.¹⁷ Officer Catalano stated that on January 27, 2017, he was present at 2528 N. California after receiving a call through Dispatch of a battery in progress with about 30 – 40 individuals fighting. When Officer Catalano arrived, he spoke with [REDACTED] who told the officer she was punched in the face twice and people were fighting upstairs. Officer Catalano did not get a description of the offender from [REDACTED]

¹⁵ Att. 66

¹⁶ Att. 71

¹⁷ Att. 76

because he believed a fight was occurring inside. Officer Catalano related that he and other Department members did not make a plan prior to going to the upstairs apartment. Officer Catalano saw Officer Chrabot gain entry to the apartment and recalled Officer Chrabot stating something to the effect of “get your hands off me.” Due to where he was positioned, Officer Catalano could not see if [REDACTED] was physically engaged with Officer Chrabot.

When Officer Catalano entered the apartment and placed his hand on [REDACTED] stiffened his arms, pulled away, and ignored verbal commands. When shown Officer LaPorte’s BWC video from approximately 2:02 AM with [REDACTED] neck in the crook of Officer Catalano’s elbow, Officer Catalano related that he was moving to put his arm around [REDACTED] shoulder when [REDACTED] moved himself into that position. Officer Catalano stated that an emergency takedown was performed on [REDACTED] because [REDACTED] “put hands” on Officer Chrabot and ignored verbal commands. Officer Catalano did not know exactly how [REDACTED] physically engaged Officer Chrabot. While [REDACTED] was on the ground “fighting and resisting,” other officers came to assist and [REDACTED] was handcuffed. Officer Catalano believed he put one handcuff on [REDACTED] while another officer placed a handcuff on the other, with [REDACTED] eventually double-cuffed.

Officer Catalano did not see a taser deploy but believed [REDACTED] had been tased, not [REDACTED]. Officer Catalano did not recall seeing Officer Tellez holding [REDACTED] legs, nor did he recall seeing an officer pulling down Lester’s pants or seeing Lester’s exposed buttocks. After viewing Officer LaPorte’s BWC at about 2:05 AM – 2:06 AM, which depicted Officer Catalano escorting Lester out of the apartment, Officer Catalano stated he had [REDACTED] arms positioned at an uncomfortable angle because [REDACTED] was pushing and pulling away. Officer Catalano elaborated that he had his arm in [REDACTED] back to keep [REDACTED] close and since [REDACTED] was double-cuffed, he was still able to pull away. Officer Catalano related that he had his hand on [REDACTED] mouth because [REDACTED] was being combative and the officer wanted to prevent [REDACTED] from spitting on or head-butting him. Officer Catalano denied seeing Officer LaPorte grabbing [REDACTED] handcuffs while [REDACTED] was escorted out of the apartment. According to Officer Catalano, [REDACTED] fell down the stairs because he went limp and “threw himself down the stairs.” Officer Catalano denied that either himself or another officer pushed [REDACTED].

Officer Chrabot was interviewed on March 15, 2018.¹⁸ Officer Chrabot stated that on January 27, 2017, he arrived at 2528 N. California and was met by an individual who stated she had been battered. Officer Chrabot did not recall speaking to [REDACTED] outside and had not gotten a description of the offender because [REDACTED] stated a fight was occurring upstairs. Per Officer Chrabot, no strategy was made before entering the upstairs apartment. When [REDACTED] opened the door, Officer Chrabot put his arm on the door so [REDACTED] could not close it on the officer. Next, [REDACTED] placed his hand on Officer Chrabot to push away the officer’s arm. Officer Chrabot told [REDACTED] not to touch him and the two men met in the doorway because the officer tried to enter and [REDACTED] tried to stop him. [REDACTED] put his other hand on Officer Chrabot’s vest and gave a “little pull.” Officer Chrabot elaborated that [REDACTED] did not “forcibly” drag the officer into the apartment. Rather, it was a “minor pull” that threw off the officer’s balance. Officer Chrabot stated that [REDACTED] battered him by pushing him out of the door and pulling his vest, so [REDACTED] was an assailant. Officer Chrabot related that Officer Catalano wrote in [REDACTED] arrest report that [REDACTED] dragged Officer Chrabot into the apartment because that was Officer Catalano’s “interpretation.” Officer Chrabot

¹⁸ Att. 81

did not think [REDACTED] was trying to drag Officer Chrabot into the apartment. Officer Chrabot did not see [REDACTED] takedown because he was focused on [REDACTED]. Officer Chrabot did not know if [REDACTED] had been tased at the time, but after watching BWC it appeared [REDACTED] got in the way of Officer LaPorte tasing [REDACTED] and [REDACTED] may have “caught a prong.” Once [REDACTED] was in custody, Officer Chrabot assisted in holding down [REDACTED] along with additional officers. Officer Chrabot stated that [REDACTED] was resisting the officers. Officer Chrabot did not remember seeing Officer Tellez holding [REDACTED] legs, nor did she recall seeing an officer pull down [REDACTED] pants or [REDACTED] exposed buttocks. Officer Chrabot believed [REDACTED] went limp on the stairs and did not believe an officer pushed [REDACTED]. However, Officer Chrabot did not see [REDACTED] until after he had fallen.

On March 15, 2018, COPA interviewed **Sergeant Morales**.¹⁹ Sergeant Morales related that on January 27, 2017, he was working as a sector sergeant and responded to 2528 N. California. Sergeant Morales did not believe he directly spoke with [REDACTED] but recalled she reported a male had struck her. Sergeant Morales did not get a description of the offender, aside from a male in the upstairs apartment. Per Sergeant Morales, the officers did not develop a strategy before entering the upstairs apartment, but went upstairs because that was where the offender may have been located and he believed there was fighting occurring upstairs. When [REDACTED] opened the apartment door, Officer Chrabot attempted to enter and speak to the occupants. [REDACTED] then committed a battery against Officer Chrabot. Sergeant Morales did not see [REDACTED] grab the officer, but saw pushing and pulling between [REDACTED] and Officer Chrabot. When officers made entry, [REDACTED] became an active resister. Sergeant Morales kept a white male from joining the “fray” while officers struggled with [REDACTED] and [REDACTED]. Sergeant Morales stated that [REDACTED] was resisting while officers tried to handcuff him. Sergeant Morales heard a taser deploy and believed just one offender was tased. Sergeant Morales did not remember seeing Officer Tellez holding [REDACTED] legs, he did not see an officer pull down [REDACTED] pants, and he did not recall seeing [REDACTED] exposed buttocks. When shown his BWC from the incident, Sergeant Morales was not aware that he had spoken with [REDACTED], the man [REDACTED] accused of battering her. Sergeant Morales related that LaRoche was allowed to leave because the sergeant focused on the chaos. Additionally, Sergeant Morales was unaware of the fact that he was speaking to the offender. Sergeant Morales stated that had the fight not occurred, he would have identified [REDACTED] batterer because other officers spoke with [REDACTED]. Sergeant Morales described [REDACTED] demeanor while leaving the apartment as upset, angry, profane, and belligerent. Sergeant Morales recalled one of the arrestees (identified as [REDACTED]) resisted and went limp down the stairs. Sergeant Morales did not know if an officer pushed [REDACTED] or if he fell on his own.

Officer Tellez was interviewed by COPA on March 15, 2018.²⁰ When Officer Tellez arrived at 2528 N. California on January 27, 2018, [REDACTED] told the officers she was punched in the face. Officer Tellez went to the upstairs apartment after he heard officers needed assistance. When he approached the hallway, Officer Tellez heard people yelling. Officer Tellez entered the apartment and Officer Catalano was on the ground with [REDACTED] so Officer Tellez helped detain [REDACTED]. Officer Tellez tried to cross [REDACTED] legs and bend them back while [REDACTED] was face down on the ground. Officer Tellez related that [REDACTED] was resisting and not following verbal commands. Officer Tellez stated that [REDACTED] was holding his arms in front of his chest to avoid

¹⁹ Att. 86

²⁰ Att. 91

being handcuffed and he tried to kick Officer Tellez. Officer Tellez denied pulling down [REDACTED] pants. Officer Tellez stated that while he was struggling with [REDACTED] he did not see [REDACTED] exposed buttocks. Officer Tellez did not know how [REDACTED] pants were pulled down. After watching Officer LaPorte's BWC, Officer Tellez believed just [REDACTED] was tased. Officer Tellez was inside the apartment when [REDACTED] fell down the stairs, so he did not see him fall or know how [REDACTED] fell.

COPA interviewed **Officer Navarro** on March 16, 2018.²¹ On January 27, 2017, Officer Navarro responded to 2528 N. California following an OEMC call for a battery in progress. When he arrived, Officer Navarro saw civilians "milling about" and several marked police vehicles. Officer Navarro was not certain if he entered the upstairs apartment because he was performing crowd control outside. After watching his BWC, Officer Navarro related that when he saw [REDACTED] on the stairs, [REDACTED] was already on the ground. Officer Navarro stated that his conversation with [REDACTED] started when he heard a woman yelling at the police. Officer Navarro related that since he came on the scene later, he thought the men in custody may have been the original offender(s) towards [REDACTED]. Officer Navarro told [REDACTED] to put in a CPD job application because officers have difficult jobs and she did not understand what the officers experienced in this situation. Officer Navarro did not believe [REDACTED] was accurate in stating the officers were not doing their job. Officer Navarro pointed out different men on scene because he could not arrest anyone without knowing who to arrest. Officer Navarro stated he was trying to be direct with [REDACTED] because intoxicated individuals can ramble and he wanted to know who hit her. Officer Navarro acknowledged he was "short" with [REDACTED]. Officer Navarro denied he was trying to antagonize [REDACTED] and he did not believe he was unprofessional.

b. Digital Evidence

Body Worn Camera (BWC) footage was obtained pertaining to the January 27, 2017 arrests of [REDACTED] and [REDACTED].^{22 23} That footage showed the following with respect to each officer.

Sergeant Morales

Sergeant Morales arrived on scene at approximately 1:59 AM²⁴, at which point [REDACTED] told Officer Catalano people were fighting inside the apartment. Sergeant Morales walked upstairs and knocked on the apartment door at approximately 2:00 AM. At 2:01 AM, [REDACTED] opened the door and Officer Chrabot moved towards [REDACTED]. Some sort of interaction occurred between [REDACTED] and Officer Chrabot, but the officer's body prevented seeing what happened. At 2:02 AM, Officer Chrabot entered the apartment, followed by Officer LaPorte, Officer Catalano, and then Sergeant Morales. At 2:02 AM, Officer Catalano was seen grabbing [REDACTED]. Sergeant Morales stayed out of the struggle with [REDACTED] and [REDACTED] and detained a white male (identified as [REDACTED]) in the kitchen.²⁵ At 2:05 AM, a black male with dread locks and glasses (later identified as [REDACTED])

²¹ Att. 96

²² Att. 32

²³ Per Lieutenant McDermott's Initiation Report, Officers Marasigan and Tellez were not assigned BWCs on January 27, 2017. (Att. 4)

²⁴ Times listed are Central Standard Time (CST) however as seen below on the screen shots the BWC records Greenwich Mean Time (GMT)

²⁵ [REDACTED] was identified via Facebook. Source: [https://www.facebook.com/\[REDACTED\]](https://www.facebook.com/[REDACTED])

██████████²⁶) is seen walking into the apartment (See Photo 11). ██████████ told Sergeant Morales he was getting his girlfriend and then leaving. Sergeant Morales said they could not leave and ██████████ said, “██████████ don’t worry about it.” ██████████ then exited the apartment without further conversation with Sergeant Morales. Sergeant Morales stayed upstairs while ██████████ and ██████████ were escorted downstairs.

Officer Chrabot

At approximately 1:59 AM, Officer Chrabot approached the scene and shortly after, walked up to the apartment. At roughly 2:00 AM, Sergeant Morales knocked on the door and announced, “Chicago Police.” At about 2:01 AM, ██████████ opened the door and Officer Chrabot engaged him with a greeting (See Photo 1). At about 2:02 AM, Officer Chrabot appeared to enter the apartment with ██████████ standing in his way. Shortly after, ██████████ arm was seen extended towards the officer but it is unclear what ██████████ was doing (See Photo 2). Officer Chrabot then grabbed ██████████ and a struggle ensued with ██████████ Officer Chrabot, and additional officers. Shortly after, also at 2:02 AM, ██████████ approached ██████████ and the officers. Officer Catalano took ██████████ to the ground. At about 2:02 AM, a taser laser dot was seen on ██████████ body. ██████████ attempted to stop officers from struggling with ██████████ and at 2:02 AM, Officer LaPorte deployed her taser at ██████████ Officer Chrabot then grabbed ██████████ and took him to the ground. At approximately 2:02 AM, Officer Chrabot’s BWC fell off, causing the image to go dark. At roughly 2:04 AM, the image was restored and Officer Chrabot apparently re-attached his BWC. Officer Chrabot then assisted in cuffing ██████████ who had taser wire on his hands. At about 2:05 AM, Officer Catalano escorted ██████████ out of the apartment and ██████████ arm was at an odd angle (See Photo 15). ██████████ appeared to be resisting as officers walked him downstairs. At approximately 2:06 AM, a white or Hispanic male was shouting about ██████████ arrest and trying to talk to or touch ██████████ Officer Stagen responded by pushing this male (believed to be named “██████████”) into a corner of a room and shouted at him for obstructing ██████████ arrest. Officer Chrabot also shouted at ██████████ for antagonizing the police and asked if he wanted to go to jail.²⁷ Officer Chrabot assisted in escorting ██████████ out of the apartment at about 2:07 AM. Officer Chrabot brought ██████████ to the squadrol at about 2:08 AM. At 2:11 AM, Officer Chrabot told officers that he put his arm in the door, but ██████████ tried closing the door on Officer Chrabot and pushed officers. At roughly 2:15 AM, Officer Chrabot searched ██████████ and collected his property for inventory. At 2:16 AM, Officer Chrabot loosened ██████████ right handcuff, after ██████████ said it was too tight. ██████████ pants appeared to be pulled down past his groin area at the time Officer Chrabot searched him.

Officer LaPorte

Per Officer LaPorte’s BWC, she arrived on scene at approximately 1:59 AM. Officer LaPorte followed Sergeant Morales and Officer Chrabot to the apartment, after ██████████ stated the man who hit her was upstairs. Officer Chrabot was talking to ██████████ in the doorframe at roughly 2:04 AM. Shortly after, also at 2:04 AM, there was a jerking motion between Officer Chrabot and

²⁶ ██████████ gave Officers a description of the subject who hit her after Officers descend from the apartment with ██████████ and ██████████. The individual matching the description of ██████████ and referred to as “██████████” is seen on Sgt. Morales’ BWC.

²⁷ No allegation were brought against Officer Chrabot or Officer Stagen for their interactions with ██████████. However, both officers could have better de-escalated the situation and found a way to detain ██████████ in a more civil manner.

██████████ but it was not clearly visible in the video. Officer LaPorte told ██████████ to get his “fucking hands” off of Officer Chrabot at about 2:02 AM. Shortly after, also at roughly 2:02 AM, Officer Catalano had his right hand around the back of ██████████ neck and his left hand holding ██████████ left arm (See Photo 3). At roughly 2:02 AM, Officer Catalano had the crook of his right arm around ██████████ neck, as ██████████ glasses were knocked off (See Photo 4). ██████████ was jerked back shortly after. At the same approximate time, ██████████ entered the living room and approached ██████████ and Officer Catalano. Officer Catalano, and possibly additional officers, then took ██████████ to the ground. At about 2:02 AM, Officer LaPorte discharged her taser at ██████████ as ██████████ attempted to intervene with ██████████ (See Photo 5). Officer LaPorte appeared to discharge her taser at ██████████ a second time, seconds later (See Photo 6). Officer Chrabot then grabbed ██████████ and ██████████ was brought to the ground. Officers, including Officer LaPorte, attempted to get ██████████ in handcuffs and were struggling with the arrestees. At 2:04 AM, ██████████ buttocks were exposed while Officer Catalano was on top of ██████████ torso (See Photo 9). At about 2:05 AM, Officer LaPorte shouted at ██████████ that all the officers have their cameras on. At 2:05 AM, Officer Catalano escorted ██████████ out of the apartment while ██████████ arms are at an awkward angle (See Photos 13 and 14). At 2:06 AM, ██████████ appeared to try and reenter the apartment and Officer Catalano grabbed ██████████ bottom jaw/neck/mouth with his right hand (Photo 16). At about 2:06 AM, Officer LaPorte grabbed ██████████ handcuffs and twisted them (Photo 18). At approximately 2:06 AM, ██████████ fell backwards down the stairs while Officer Catalano was escorting ██████████. At about 2:07 AM, Officer LaPorte asked ██████████ for her name and she replied, “you’ll find out later.” At about 2:10 AM, Officer LaPorte began shouting at ██████████ while ██████████ and her friend were upset. Officer LaPorte again attempted to talk to ██████████ at roughly 2:11 AM, to explain why ██████████ and ██████████ were arrested. At roughly 2:15 AM, and then at about 2:16 AM, Officer LaPorte stated she tased each arrestee one time.

Officer Catalano

Officer Catalano’s BWC began at approximately 1:59 AM, with the officer asking ██████████ what happened and ██████████ telling him she got hit by “a dude.” Officer Catalano proceeded to the apartment with additional officers. Sergeant Morales pounded on the door and said, “Chicago Police.” At 2:02 AM, the apartment door opened and Officer Chrabot greeted the person who opened it (known to be ██████████). The officers entered the apartment. At approximately 2:02 AM, Officer Catalano was struggling with ██████████ and grabbed one of ██████████ hands. An unidentified officer was heard telling ██████████ to get on the ground. At approximately 2:02 AM, Officer Catalano took ██████████ to the ground. Officer Catalano’s BWC fell off shortly after and nothing could be seen until roughly 2:05 AM. While there was no image, officers were heard struggling with ██████████ and ██████████. At about 2:05 AM, an officer picked up Officer Catalano’s BWC and image was restored. At about 2:10 AM, the BWC was returned to Officer Catalano. At 2:15 AM, Officer Catalano began searching ██████████ and taking items out of his pockets. ██████████ told Officer Catalano that the officer put his knee in ██████████ neck and slammed ██████████ into the floor. However, it was unclear if ██████████ was referring to Officer Catalano specifically or to the CPD presence in general.

Officer Stagen

At approximately 1:59 AM, Officer Stagen arrived on scene. Officer Stagen told ██████ to point the offender out once he came outside. Officer Stagen remained outside while other officers entered the apartment. Officer Stagen entered the apartment at approximately 2:03 AM, while ██████ was yelling and a struggle could be heard. Officer Stagen was heard at approximately 2:03 AM stating, "taser, taser, taser! You wanna get tased?" while his taser was out and pointed at ██████ (See Photo 7). Officer Stagen re-holstered his taser at approximately 2:04 AM. At approximately 2:04 AM, Officer Stagen assisted in handcuffing ██████ along with Officer Chrabot (See Photo 10). At approximately 2:05 AM, ██████ exposed buttocks were seen, after he had been handcuffed (See Photo 12). At about 2:06 AM, Officer Stagen detained ██████ after ██████ tried to interfere with ██████ arrest. Officer Stagen pushed ██████ into a corner of the apartment and held him there briefly. At 2:08 AM, Officer Stagen again spoke with ██████ who complained "█████" had not been arrested. At approximately 2:13 AM, Officer LaPorte was talking to Officer Stagen, claiming the man who attacked ██████ was one of the arrestees.

Officer Parks

At about 2:02 AM, Officer Parks arrived and went upstairs to the apartment. When Officer Parks entered at about 2:03 AM, ██████ and ██████ were both on the ground and struggling with officers. Officer Parks stayed out of the situation until he assisted in escorting ██████ out of the apartment. Officer Parks stood with ██████ on top of the stairs. The image was then mostly obstructed by what is believed to be Officer Parks' arm. Officer Parks eventually escorted ██████ downstairs and into the squadrol. Officer Parks, as the passenger in squadrol, transported the arrestees. They arrived at the hospital at approximately 2:36 AM. Officer Parks escorted ██████ inside while additional officers escorted ██████. Taser wire could be seen on ██████ hand as ██████ was walking inside (See Photo 19). ██████ told Officer Parks that the tasing "tickled like a mother fucker." Officer Parks was patient, respectful, and answered ██████ questions. At about 2:54 AM, ██████ told a nurse that his chest hurt and the officers "tased the shit outta me." ██████ was unsure where he was tased, but told the nurse it may have been near his heart.

Officer Amstadt

Officer Amstadt's BWC began at approximately 2:02 AM. Officer Amstadt was outside before walking up to the apartment at roughly 2:03 AM. Officer Amstadt filmed Officer Tellez holding down ██████ legs, while additional officers were in a clump, struggling with both arrestees (See Photo 8). At about 2:05 AM, Officer Amstadt assisted in detaining ██████ while other officers handcuffed ██████. At about 2:06 AM, Officer Catalano was seen grabbing ██████ mouth area while ██████ was trying to shout to a civilian inside the apartment (See Photo 17).

Sergeant Sopikiotis

Sergeant Sopikiotis arrived on scene at roughly 2:03 AM. After walking around outside for several minutes, Sergeant Sopikiotis entered the apartment through the alley. Once Sergeant Sopikiotis entered the unit, ██████ was escorted out and could be heard yelling. Sergeant Morales told Sergeant Sopikiotis that when he and other officers first arrived, ██████ told them she was battered in the apartment upstairs. Sergeant Morales related that eventually the door was opened, the officers tried to "talk to the people involved," and a fight occurred.

Officer Zatora

At approximately 2:03 AM, Officer Zatora entered the apartment to approximately 8 – 12 officers huddled over ██████████ and/or ██████████ was kicking his legs and yelling. Once ██████████ and ██████████ were handcuffed, they were taken out of the apartment. ██████████ was pulling his handcuffed arms away as officers escorted him downstairs. At about 2:22 AM, Officer LaPorte told a supervisor that she “used both” of her taser cartridges from one taser on both men.

Sergeant Stevens

Sergeant Stevens’ BWC initiated at approximately 2:03 AM. Officer Stevens followed an officer up a flight of stairs into the apartment. A commotion was heard, with ██████████ yelling for officers to get off him. There were multiple officers inside the apartment, a white male civilian seated in the living room (identified as “██████████”), and a second white male civilian (identified as ██████████) standing near the living room. ██████████ was yelling at officers and saying he hoped they died. There were multiple officers over either ██████████ or ██████████ engaged in some sort of struggle. Eventually, both men were detained. At approximately 2:05 AM, Officer Catalano grabbed ██████████ face.

Sergeant Haleas

Sergeant Haleas approached the apartment at approximately 2:03 AM. When Sergeant Haleas entered the dwelling, both arrestees were on the ground. At about 2:05 AM, Sergeant Haleas attempted to escort ██████████ down the stairs, when ██████████ started yelling about how ██████████ was being grabbed. After ██████████ was brought downstairs, Sergeant Haleas walked with ██████████ ██████████ was irate and appeared to be resisting. At approximately 2:36 AM, Sergeant Haleas arrived at St. Mary’s Hospital. Sergeant Haleas, and at least three additional officers escorted the arrestees into the hospital.

Officer Navarro

At about 2:05 AM, Officer Navarro arrived outside of 2528 N. California. Officer Navarro walked up to the apartment, while ██████████ could be heard shouting that ██████████ was being abused. At about 2:06 AM, Officer Navarro assisted Officer Catalano in carrying ██████████ down the stairs and ██████████ was laying limp on the stairs. At roughly 2:08 AM, Officer Navarro approached ██████████ who was upset that LaRoche was not arrested, and Officer Navarro told ██████████ to “put an application in by the end of the month and you can do our job too.” Officer Navarro proceeded to ask ██████████ where the offender was and ask her if every man on the street was the man they were looking for.

Officer Putrow

At about 2:10 AM, Officer Putrow made a comment about ██████ and her friends being “women yelling about nothing.”²⁸

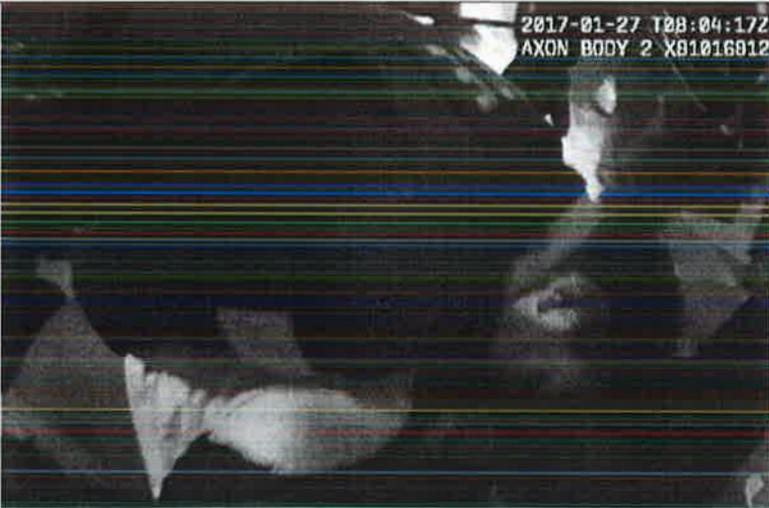
The following chart depicts key moments from the respective officers’ BWC videos.

Photo Number	Approx. Time	Officer’s BWC	Image
1	2:01 AM	Officer Chrabot	
2	2:02 AM	Officer Chrabot	

²⁸ An allegation was not brought against Officer Putrow for making this comment, as it was made out of civilian ear shot. However, this comment is problematic as it belittles ██████ experience and could be perceived as Officer Putrow exhibiting gender bias.

3	2:02 AM	Officer LaPorte	 A close-up photograph of a Chicago Police Officer, identified as Officer LaPorte, wearing a dark uniform with a badge and a "CHICAGO POLICE" patch. He is looking down at something in his hands. The timestamp in the top right corner reads "2017-01-27 T08:02:17Z AXON BODY 2 X81016812".
4	2:02 AM	Officer LaPorte	  Two photographs are shown. The top photograph shows a room interior with a desk, a chair, and a framed picture on the wall. The timestamp in the top right corner reads "2017-01-27 T08:02:21Z AXON BODY 2 X81016812". The bottom photograph is a close-up, somewhat blurry image of a person's face, likely the same individual seen in the top photograph.

5	2:02 AM	Officer LaPorte	 <p>2017-01-27 T08:02:35Z AXON BODY 2 X91016812</p>
6	2:02 AM	Officer LaPorte	 <p>2017-01-27 T08:02:41Z AXON BODY 2 X91016812</p>
7	2:03 AM	Officer Stagen	 <p>2017-01-27 T08:03:33Z AXON BODY 2 X91007264</p>

8	2:03 AM	Officer Amstadt	 <p>2017-01-27 T08:03:56Z AXON BODY 2 X81016070</p>
9	2:04 AM	Officer LaPorte	 <p>2017-01-27 T08:04:17Z AXON BODY 2 X81016012</p>
10	2:05 AM	Officer Stagen	 <p>2017-01-27 T08:05:10Z AXON BODY 2 X81007264</p>

11	2:05 AM	Sergeant Morales	 <p>2017-01-27 T08:05:14Z AXON BODY 2 X81012763</p>
12	2:05 AM	Officer Stagen	 <p>2017-01-27 T08:05:16Z AXON BODY 2 X81007264</p>
13, 14	2:05 AM	Officer LaPorte	 <p>2017-01-27 T08:05:54Z AXON BODY 2 X81016812</p>

			
15	2:05 AM	Officer Chrabot	
16	2:06 AM	Officer LaPorte	

17	2:06 AM	Officer Amstadt	 <p>2017-01-27 T08:06:06Z AXON BODY 2 X81015976</p> <p>A black and white body camera recording showing a police officer in profile, wearing a dark uniform with a 'CHICAGO POLICE' patch on the back. He is facing a person whose face is obscured by a black redaction box. The scene is indoors, possibly in a hallway or room.</p>
18	2:06 AM	Officer LaPorte	 <p>2017-01-27 T08:06:20Z AXON BODY 2 X81016812</p> <p>A black and white body camera recording showing a close-up of a person's arm being held by a police officer. The officer is wearing a dark uniform. The person's face is partially visible but obscured by a black redaction box. The background is dark and indistinct.</p>
19	2:37 AM	Officer Parks	 <p>2017-01-27 T08:37:54Z AXON BODY 2 X81012658</p> <p>A black and white body camera recording showing a person's hands behind their back, held by a police officer. The person is wearing a dark jacket with a striped cuff. The officer is wearing a dark uniform. The scene is indoors, with a white door or wall visible in the background.</p>

c. Physical Evidence

Per St. Mary's Hospital, there were no records located for either [REDACTED] or [REDACTED] from January 27, 2017.²⁹

d. Documentary Evidence

An **Arrest Report** was located for [REDACTED], Jr. from January 27, 2017 with **RD #JA121486**.³⁰ According to this report, officers responded to a battery in progress at 2528 N. California. Once the officers entered the apartment, [REDACTED] "charged" at the officers while "shouting in a loud voice." [REDACTED] also tried to stop Officer Catalano from arresting [REDACTED] "by pushing and grabbing" Officer Catalano's "left arm while continuing to shout in a loud manner." When Officer Chrobot attempted to push [REDACTED] back from Officer Catalano, [REDACTED] responded by charging at Officer LaPorte. Officer LaPorte then "discharged two taser [cartridges] with no effect." Officer Chrobot performed an emergency takedown on [REDACTED] during which [REDACTED] struck Officer Marasigan on "the nose and mouth area." Michell continued to resist officers and ignored verbal commands until he was eventually placed into custody. [REDACTED] was transported to St. Mary's Hospital. [REDACTED] was reportedly under the influence of alcohol.

According to **court records**, [REDACTED] pled guilty to misdemeanor battery and aggravated battery to a police officer in case number 17 CR 0267702.³¹

A January 27, 2017 **Arrest Report** was obtained for [REDACTED] also with **RD #JA121486**.³² After officers responded to 2528 N. California, [REDACTED] became "physically aggressive," pushed Officer Chrobot, and dragged Officer Chrobot into the residence by the arm. [REDACTED] then resisted "arrest by stiffening up and pulling his arms away." [REDACTED] was given verbal commands and an emergency takedown was performed. Officer LaPorte got one handcuff on [REDACTED] who continued to stiffen and pull his arms away. While pulling his arms away, [REDACTED] yanked Officer LaPorte's "right arm away from her torso and injur[ed] said arm." [REDACTED] was eventually placed into custody and officers tried to "relocate arrestee to the squadrol for transport." However, while on the stairs [REDACTED] "went limp and fell, at which time P.O. LaPorte attempted to hold arrestee up thus injuring P.O. LaPortes [sic] right arm." A bag believed to contain cannabis was found on [REDACTED] was transported to St. Mary's Hospital and then to the 19th District.

According to **court records**, [REDACTED] pled guilty to misdemeanor battery in case number 17 CR 026701.³³

A **CPD Incident Report** was identified for **RD #JA121486** for an aggravated battery to a peace officer with hands and no/minimal injury.³⁴ The responding officers saw the original

²⁹ Atts. 36, 37

³⁰ Att. 5

³¹ Atts. 42-46

³² Att. 6

³³ Atts. 42-46

³⁴ Att. 33

complainant, ██████████ who related that the man who punched her in the face was upstairs, where multiple people were fighting.³⁵ The officers heard bottles breaking and pounding feet as they went to the upstairs apartment, in addition to smelling cannabis. ██████████ eventually opened the apartment door. Officer Chrabot, “placed his hand/arm against the door so that it would not be closed and he could complete the investigation.” ██████████ then reportedly “impeded the investigation by standing in the way of R/O Chrabot then pushed [Officer Chrabot] with his left arm and then began to drag Nicholas Chrabot [...] by the arm into the apartment.” ██████████ attempted to defeat arrest and ██████████ tried to intervene by pushing Officer Catalano “in the chest and grabbing his arm.” When Officer Marasigan attempted to assist, ██████████ struck her “in the face with a closed fist.” Next, Officer LaPorte tased ██████████ two times to no effect and “a large scrum ensued.” While officers were escorting ██████████ downstairs, he “went limp and proceeded to act as if he had passed out” which “caused severe stress to A/O LaPorte and injured her right arm.”

A **Detective Supplementary Report** was found for **RD #JA121486**.³⁶ The report related that Officer LaPorte sustained injuries to her arm and wrist. Officer Marasigan reportedly sustained injuries to her face including “minor redness and swelling.” Per this report, ██████████ “shoved” Officer Chrabot and “grabbed him by the arm in an insulting/provoking manner, as to pull him into the apartment.” Further, when Officer LaPorte attempted to assist in handcuffing ██████████ he “pulled his arm away with one cuff thereby yanking [Officer LaPorte’s] right arm (as she then held the un-applied handcuff in her right hand) away from her torso.” It was also reported that ██████████ punched Officer Marasigan in the face and pushed Officer Catalano in the chest, in addition to grabbing Officer Catalano’s arm.

A **Tactical Response Report (TRR)** was completed by **Officer David Tellez**.³⁷ Officer Tellez reported that on January 27, 2017, ██████████ did not follow verbal direction and stiffened his body. ██████████ pulled away and a takedown/emergency handcuffing was performed. Officer Tellez “secured offenders [*sic*] legs.” ██████████ was not armed. ██████████ was categorized as a Passive Resister and as an Active Resister.³⁸ Once in Area North lockup, ██████████ told CPD that the “Officers were to [*sic*] aggressive and used to [*sic*] much force arresting him.”³⁹ ██████████ admitted to drinking and believed he was tased but did not know where on his body. ██████████ admitted to being drunk and stated he “had a lot of adrenaline going [and] that’s why he was able to pull out the tasers.”

A similar **TRR** was completed by **Officer James Stagen**.⁴⁰ Officer Stagen reported that on January 27, 2017, he used a wristlock and armbar on ██████████ Officer Stagen also did a takedown/emergency handcuffing on ██████████ was reported as pulling his stiff arm into the officer.

³⁵ An Original Case Incident Report was identified with RD #JA131491 which stated ██████████ received a simple battery from an assailant identified as ██████████ at approximately 1:55 AM while at 2528 N. California on January 27, 2017. (Att. 51)

³⁶ Att. 35

³⁷ Att. 7

³⁸ ██████████ was categorized as a Passive Resister and an Active Resister in the TRRs for Officer Tellez, Officer Stagen, and Officer Laporte.

³⁹ The subjects’ statement of events was identical in all of the officers’ TRRs detailed in this report.

⁴⁰ Att. 8

Officer Melyssa LaPorte completed a **TRR** related to her use of force against ██████████⁴¹ Officer LaPorte reported using pressure tactics and a takedown/emergency handcuffing on ██████████. Lester was again reported as pulling his stiff arm into the officer. Officer LaPorte also completed a **TRR** for ██████████. Officer LaPorte reported discharging her taser at ██████████ two times. Similarly, Officer LaPorte completed **Officer Battery Reports (OBR)**. In her OBRs, Officer LaPorte related that on January 27, 2017, she and two other officers received a battery that involved two offenders. Officer LaPorte stated that one offender, believed to be ██████████ “pulled away from cuffing.” The report states that while the Responding Officers “were trying to control the situation,” an offender (identified as ██████████ “began interfering with an arrest.” Officer LaPorte asked ██████████ to “stay back several times” but ██████████ refused and Officer LaPorte tased him. Officer LaPorte reported her injuries as “non-fatal – minor.” Similarly, a **Taser Download Report** was obtained from Officer LaPorte indicating on January 27, 2017, she armed her taser at 2:02:13 AM. She deployed cartridge 1 at 02:02:31 AM and cartridge 2 at 02:02:37 AM. The taser was in safe mode at 02:06:03 AM.

A **TRR** was obtained from **Officer Elizabeth Marasigan**.⁴² Officer Marasigan reported that on January 27, 2017, ██████████ presented an imminent threat of battery and attacked the officer without a weapon. Officer Marasigan reported engaging ██████████ in a takedown/emergency cuffing. **Officer Marasigan** also completed an **OBR** relating that she was attacked by manner of “struck/blunt force (including actual attempt)” from ██████████.

Next, a **TRR** was completed by **Officer Nicholas Chrabot**, which stated that ██████████ pushed the officer and tried to close a door on Officer Chrabot.⁴³ Officer Chrabot reported grabbing ██████████ arm “to gain control.” In addition to categorizing ██████████ as a Passive Resister and Active Resister, this report stated ██████████ was an Assailant – Battery. Officer Chrabot also completed a **TRR** for ██████████. Officer Chrabot reported using a wristlock and takedown/emergency cuffing on ██████████. An **OBR** was also identified from Officer Chrabot relating that on January 27, 2017, he was struck by an offender believed to be ██████████. The action by ██████████ was reported as drug related.

A **TRR** was completed by **Officer Stephan Catalano**, which reported that ██████████ pulled away, presented an imminent threat of battery, and attacked without a weapon.⁴⁴ Officer Catalano responded with escort holds and pressure tactics. In addition to categorizing ██████████ as a Passive Resister, Active Resister, Assailant – Battery, Officer Catalano described ██████████ as Assailant – Assault because ██████████ posted an imminent threat of battery. Officer Catalano reported engaging in a continued emergency handcuffing, escort holds, and pressure tactics. ██████████ was described as pulling his stiff arms back from the officers. Officer Catalano also completed a **TRR** for ██████████. Officer Catalano reported using no response against ██████████ aside from member presence. Officer Catalano completed an **OBR** which related that on January 27, 2017, an offender believed to be ██████████ attacked Officer Catalano with hands/fists and the officer sustained no apparent injuries.

⁴¹ Atts. 9, 10, 38, 53, 54

⁴² Atts. 11, 12

⁴³ Atts. 13, 14, 55

⁴⁴ Atts. 15, 16, 56

Office of Emergency Management and Communications (Query Reports were obtained from January 27, 2017).⁴⁵

- A report with Event Number 1702701006 stated that at approximately 2:04 AM, there was what sounded like a “big fight going on” near The General Bar, a saloon located at 2528 N. California Ave.
- An OEMC Event Report for Event Number 1702701514 related that at approximately 3:32 AM, a fight involving 30 – 40 people was reported outside of The General Bar.
- Lastly, an OEMC Event Report was obtained for Event Number 1702701579. According to this report, Officer LaPorte deployed her taser and OEMC was notified.

VI. ANALYSIS

Allegation 1 against Officer Chrabot, that he used unnecessary force against ██████████ ██████████ to make entry into the apartment, is Exonerated. While there is not clear BWC video of the physical contact between Officer Chrabot and ██████████ an obvious push and pull occurred between the two men. ██████████ clearly had his hand on Officer Chrabot; however, ██████████ demeanor and actions were not threatening. Rather, it seems ██████████ was trying to distance himself from the officer and close the door. Nonetheless, Officer Chrabot immediately used ██████████ touching him as an opportunity to engage with ██████████ placing his hands on ██████████. Additional officers then entered the apartment, ██████████ became involved, and a melee ensued. Pursuant to General Order 03-02-02, ██████████ could reasonably be characterized as an active resister at the point Officer Chrabot placed his hands on ██████████.⁴⁶ General Order 03-02-02 allows an officer to use, *inter alia*, holding techniques, pain compliance, and stunning when interacting with an active resister. Accordingly, Officer Chrabot’s use of force was within policy, and Allegation 1 is Exonerated.

Notwithstanding the foregoing, we must emphasize that General Order 03-02-02 also specifically requires CPD members to use the principles of Force Mitigation during all use of force incidents. Pursuant to these principles, “Department members will determine if the seriousness of the situation requires an immediate response or whether the member can employ other force options [...]” General Order G03-02-02 also states that the Department “expects members to develop and display the skills and abilities that allow them to regularly resolve confrontations *without resorting to force*... or by using the least amount of appropriate force.” (Emphasis added). In addition, CPD members are required to “use de-escalation and verbal control techniques in an attempt to reduce confrontations prior to, during, and after the use of physical force,” and “[w]henever reasonable,” CPD members are to “exercise persuasion, advice, and warning prior to the use of physical force.”

Here, Officer Chrabot made little attempt to de-escalate the situation with verbal techniques before placing his hands on ██████████. Officer Chrabot said only, “don’t shut the door on me” and

⁴⁵ Atts. 18, 19, 20, 51

⁴⁶ See General Order 03-02-02(B)(2) (defining an active resister as “a person whose actions attempt to create distance between that person and the member’s reach with the intent to avoid physical control and/or defeat the arrest”).

“don’t put your hands on me.” He then immediately reached out toward [REDACTED] jumping to using force with [REDACTED]. In doing so, Officer Chrabot set into motion a chaotic situation that was dangerous for officers and civilians and ultimately allowed the individual who allegedly struck [REDACTED] to exit through the backdoor. Had Officer Chrabot attempted to talk to [REDACTED] and deescalate using the principles outlined in General Order 03-02-02 before immediately jumping to force, the officers may have been able to obtain the necessary information to arrest [REDACTED] and may also have been able to avoid using the amount of force they had to use, which ultimately led to two young men being arrested solely for the scuffle with the officers and not because they had committed any independent crimes. Thus, while Officer Chrabot’s use of force was within policy, the principles of Force Mitigation outlined in General Order 03-02-02 suggest Officer Chrabot should have done more to try to de-escalate the situation before using physical force.

Allegation 2 against Officer Catalano, that he used excessive force against [REDACTED] in the form of a chokehold, is Not Sustained. [REDACTED] told COPA that an officer had his or her elbow around [REDACTED] neck. BWC footage shows Officer Catalano with the crook of his elbow on [REDACTED] neck. Officer Catalano related that he was trying to put his arm around [REDACTED] shoulders, but [REDACTED] moved and positioned himself into a chokehold. There is no question that Officer Catalano put his arm around [REDACTED] neck. Additionally, [REDACTED] complained that his airflow was restricted, therefore the question is whether Officer Catalano’s action was an authorized use of force.

[REDACTED] was an active resister at this point in the incident, as seen in BWC footage. [REDACTED] was not listening to verbal commands and his movements suggested he was trying to pull away from Officer Catalano. Officer Catalano can be seen with his right hand on the back of [REDACTED] neck while he held [REDACTED] left arm with his right hand. As [REDACTED] kept struggling, Officer Catalano, in one sharp movement, moved his right arm so his elbow was directly around [REDACTED] neck. Officer Catalano’s movement appeared decisive and intentional, with no movement towards [REDACTED] shoulders, as Officer Catalano described in his statement.⁴⁷ Per General Order G03-02-02, a “chokehold is defined as applying direct pressure to a person’s trachea [...] or airway [...] with the intention of reducing the intake of air.” While Officer Catalano’s intention cannot be proven, he clearly had his right arm applying pressure to the front of [REDACTED] neck while pulling [REDACTED] backwards into a takedown. A chokehold is considered deadly force and is an inappropriate measure on active resisters. Officer Catalano’s move is quick and he immediately took [REDACTED] to the ground. Had Officer Catalano used the same move but not pulled [REDACTED] by the neck, the take down would clearly be within policy. Based on the take down itself COPA cannot determine if Officer Catalano intentionally performed a chokehold when he wrapped his arms around [REDACTED] neck to reduce his breathing or rather in the moment simply grabbed the neck are because it provided the easiest leverage to take [REDACTED] down. Under the plain language of GO3-02-02, the officer must intend to restrict breathing to be administering a chokehold. While COPA finds performing a takedown using a subjects neck is dangerous, COPA does not find enough evidence to establish that Officer Catalano intended to administer a chokehold and therefore this allegation is Not Sustained.

⁴⁷ A Rule 14 allegation was not brought against Officer Catalano regarding his statements about having his arm around [REDACTED]. Officer Catalano did not deny the action occurred, and as explained, his intent cannot be proven. Accordingly, it cannot be proven that Officer Catalano willfully made a false statement of material fact.

Allegation 3 against Officer Catalano, that he used excessive force against [REDACTED] with an emergency takedown, is Exonerated. As detailed above, [REDACTED] was an active resister at the time of the emergency takedown. [REDACTED] was apparently trying to defeat his arrest and by his own admission he did not want to be handcuffed. Accordingly, he could be categorized as an active resister. Per General Order G03-02, officers are instructed to “use an amount of force reasonably necessary based on the totality of the circumstances to perform a lawful task, effect an arrest, overcome resistance, control a subject, or protect themselves from injury.” Further, although the version of General Order 03-02-02 in effect at the time of this incident did not explicitly allow for emergency takedowns, it did allow for holding techniques, stunning, and even the use of a Taser. Accordingly, Officer Catalano’s use of a takedown was clearly within the type of permissible force envisioned by General Order 03-02-02. We note, in addition, that the version of General Order 03-02-02 currently in effect does explicitly allow for emergency takedowns to be used when an officer responds to an active resister. This further supports a finding that the version of General Order 03-02-02 at the time of this incident was meant to allow officers to use emergency takedowns such as the one that Officer Catalano performed. Accordingly, as [REDACTED] was not following verbal commands and was attempting to evade arrest, Officer Catalano was justified in performing an emergency takedown on [REDACTED] and this allegation is Exonerated.

Allegation 4 against Officer Catalano, that he used excessive force by twisting [REDACTED] arms while escorting him out of the apartment, is Exonerated. [REDACTED] remained an active resister after he was handcuffed and being escorted out of the apartment. [REDACTED] was yelling, pulling away from Officer Catalano, and trying to return to the apartment. Officer Catalano stated he was using a holding technique to maintain control over [REDACTED] which is an authorized use of force against an active resister. It is unclear from the video footage if [REDACTED] was the one who positioned his arms at an uncomfortable angle or if Officer Catalano was doing so. Officer Catalano had his left arm under [REDACTED] right armpit and was lifting his arm up, causing [REDACTED] shoulders to be uneven as he was walking out of the apartment. This awkward positioning appears to be more of pain compliance on [REDACTED] shoulder, rather than a holding technique. However, as [REDACTED] was an active resister, pain compliance was also an acceptable use of force. Accordingly, this allegation is Exonerated.

Allegation 5 against Officer Catalano, that he used excessive force by grabbing [REDACTED] mouth/chin/jaw area while escorting him out of the apartment after he was handcuffed, is Sustained.

Officer Catalano told COPA that he performed this action to prevent [REDACTED] from spitting on or headbutting Officer Catalano. Officer Catalano also described [REDACTED] as combative. However, COPA finds that Officer Catalano’s decision to grab [REDACTED] face was not reasonable based on the totality of the circumstances. See *Graham v. Connor*, 490 U.S. 386, 397 (1989) (the question in use of force cases is whether the officer’s actions are objectively reasonable in light of the facts and circumstances confronting them).

First, CPD’s directives do not list grabbing somebody’s mouth/chin/jaw as an acceptable use of force. Moreover, grabbing somebody near the mouth area is an invasive tactic and potentially dangerous, to the extent it could injure an individual’s neck or impede their ability to breathe. Further, although [REDACTED] did initially turn toward Officer Catalano, he then turned away

from Officer Catalano as he was pushed toward the door. At the next point that Officer Catalano's hand can be seen on [REDACTED] jaw, [REDACTED] was trying to talk to a civilian inside the apartment. Nonetheless, Officer Catalano continued to hold [REDACTED] jaw while pulling him towards the doorway. It would have been impossible for [REDACTED] to spit on or headbutt Officer Catalano in that position.⁴⁸ Accordingly, under the totality of the circumstances, it was unreasonable for Officer Catalano to hold [REDACTED] face; therefore, Allegation 5 against Officer Catalano is Sustained.

Allegation 6 against Officer Catalano, that he used excessive force by pushing [REDACTED] down the stairs while escorting him out of the apartment, is Unfounded. As seen in Officer LaPorte's BWC video, [REDACTED] was standing on the top of the staircase with his back towards the stairs. Officer LaPorte was on the stairs holding [REDACTED] handcuffs while Officer Catalano was on the landing holding [REDACTED] upper arms. [REDACTED] was still struggling and having the two officers holding him in different directions likely caused [REDACTED] to lose his balance. In fact, Officer Catalano was seen trying to hold [REDACTED] up to prevent him from falling. The pain compliance used by Officer LaPorte with [REDACTED] handcuffs also may have caused him to lose balance. Based on video evidence, this allegation is Unfounded.

Allegation 3 against Officer LaPorte, that she used unnecessary force by using [REDACTED] handcuffs for pain compliance while he was escorted out of the apartment, is Exonerated. According to Officer LaPorte, she did not tighten Lester's handcuffs while he was walking out of the apartment. Rather, Officer LaPorte told COPA she was holding onto Lester's handcuffs to walk him out of the apartment because [REDACTED] was resisting. However, her BWC video clearly shows Officer LaPorte tightening [REDACTED] handcuffs and a clicking noise can be heard at roughly 2:06 AM.⁴⁹ Officer LaPorte's BWC depicts [REDACTED] shouting, trying to go back into the apartment, and struggling with officers. After tightening the handcuffs, Officer LaPorte released them, indicating she had completed her goal and Officer Catalano then escorted [REDACTED] out of the apartment. Whether Officer LaPorte tightened the handcuffs intentionally or not, that point [REDACTED] was an active resister. As such, Officer LaPorte was authorized to use pain compliance per General Order G0-02-02. Therefore, this allegation against Officer LaPorte is Exonerated.

Allegation 1 against Officer Marasigan, Officer Catalano, and Sergeant Morales is Sustained. This allegation states that Sergeant Morales and Officers Marasigan and Catalano failed to investigate by not getting a description of the offender or a statement from [REDACTED] before entering the upstairs apartment. When these three Department members arrived on scene, they were met by [REDACTED] who related she had been battered by a male. While [REDACTED] was upset and belligerent, the officers made little effort to determine who had hit her. In fact, they did not obtain any kind of physical description of the person who struck [REDACTED] told Officer Catalano that people were fighting "inside." She then said the "dude" who hit her was "in there" while motioning toward the apartment building. The officers did not ask any follow up questions, such as what the male's name was, what he looked like, what he was wearing, who he was with,

⁴⁸ A Rule 14 allegation was not brought against Officer Catalano regarding his statements about grabbing [REDACTED] mouth. Officer Catalano did not deny the action occurred and his intent cannot be proven. Accordingly, it cannot be proven that Officer Catalano willfully made a false statement of material fact.

⁴⁹ Though the sound of handcuff's being tightened by LaPorte is heard in the BWC a Rule 14 allegation was not brought against Officer LaPorte, as an absence of evidence exists establishing Officer LaPorte willfully made a false statement of material fact.

or where he was in the apartment. Instead, they immediately proceeded through the alley and upstairs to the apartment—passing at least two men inside the apartment building along the way without stopping to ask those men any questions about striking [REDACTED]. Even if [REDACTED] had let the officers in without incident and no fight had ensued, the officers and sergeant would have had no way of determining who they were looking for without a description of the suspect or his name.

As the supervisor on scene, Sergeant Morales had an obligation to be a leader and to ensure his subordinates properly did their jobs. In fact, Officer LaPorte stated that she did not speak to [REDACTED] because she followed the sergeant's lead up to the apartment. It is not unreasonable to assume officers would trust their sergeant, follow his example, and assume he had adequate information to complete the assignment at hand. However, Sergeant Morales told COPA that he did not get information from [REDACTED] because he believed other officers had spoken to her. While the officers had spoken to [REDACTED] they did not get a statement from [REDACTED] or a description of the offender. Further, Sergeant Morales' BWC footage does not show him asking any questions of officers on scene before going up the stairs; thus, even if those officers had obtained a description of the offender, they did not give that description to Sergeant Morales before Sergeant Morales proceeded up the stairs.

Regarding Officers Catalano and Marasigan, they spoke to [REDACTED] but the conversation was brief and without substance. They had the opportunity to obtain information about the suspect but failed to do so. All three Department members failed to investigate and therefore allowed [REDACTED] alleged assailant, [REDACTED], to walk away from the scene without arrest. Accordingly, Allegation 1 against Sergeant Morales and Officers Marasigan and Catalano is Sustained.

Similarly, **Allegation 2 against Sergeant Morales**, that he was inattentive to duty by not apprehending [REDACTED], is Sustained. Had Sergeant Morales known who he was looking for, he could have questioned and possibly arrested [REDACTED]. Instead, the sergeant did not know who he was looking for, was unaware he was speaking to the suspect, and let [REDACTED] leave.

Allegation 1 against Officer LaPorte, that she used excessive force by tasing [REDACTED] is Not Sustained. [REDACTED] believed he was tased while on the ground and told COPA he was tased on the hand. BWC video shows taser wire on [REDACTED] hand as well. However, in Officer Parks' BWC footage, [REDACTED] thought he was tased on his chest and stated the tasing "tickled." Further, in TRRs completed for this incident, it was reported that [REDACTED] did not know where on his body he was tased. Officer LaPorte told COPA she was not sure if she tased both men or just [REDACTED]. From Officer LaPorte's BWC footage, it looks like only [REDACTED] was tased, but Officer Chrabot opined that [REDACTED] may have been hit by a taser probe as well. Additional officers on scene thought only [REDACTED] had been tased. However, immediately after the incident, Officer LaPorte thought she had tased each arrestee.

Because of the chaos of the situation, the inconsistent facts, and the lack of clarity, COPA could not make a conclusive determination for this allegation against Officer LaPorte. Accordingly, it is Not Sustained.

Allegation 1 against Officer Tellez, that he exhibited disrespect to [REDACTED] by pulling down his pants, is Not Sustained. BWC footage clearly shows that [REDACTED] pants were pulled down past his buttocks. What is unclear is how his pants came to be this way. There is not enough evidence to determine if Officer Tellez willfully pulled down [REDACTED] pants or if they were pulled down as part of the struggle in which [REDACTED] was engaged. Since there is not enough evidence, this allegation is Not Sustained.

Allegation 2 against Officer LaPorte, that she engaged in an unnecessary verbal altercation by shouting at [REDACTED] that all the officers had cameras on, is Sustained. Similarly, **Allegation 4 against Officer LaPorte**, that she failed to provide her name to [REDACTED] when asked and responded, “you’ll find out later,” is also Sustained.

At the time Officer LaPorte made both of the comments in Allegations 2 and 4, she was in a stressful situation with difficult arrestees. COPA acknowledges that in such conditions, it is human nature to be frustrated. That being said, Department members agree to a code of conduct that is in place for officer and civilian safety and respect. Indeed, General Order 02-01 requires that CPD members “treat all persons with the courtesy and dignity which is inherently due every person as a human being” and that CPD members “act, speak and conduct themselves in a professional manner... and maintain a courteous, professional attitude in all contacts with the public.” In addition, GO3-02-02 states that “officers will de-escalate [...] whenever possible and appropriate,” and “members will maintain a courteous and professional demeanor when dealing with the public.”

While [REDACTED] and [REDACTED] were disrespectful and uncooperative, yelling at them and being short did nothing to calm them down and make them compliant. Notably, at the time Officer LaPorte made both comments, the officers still had to escort the arrestees down a flight of stairs and into the squadrol. It would have been wise to try to calm [REDACTED] and [REDACTED] down to make the escorting of them to the squadrol easier. But instead of calming the situation down, Officer LaPorte’s comments only escalated an already tense situation. Comments like LaPorte’s also erode public trust in CPD and foster disrespect, in direct opposition to General Order 02-01’s recognition that “[t]he daily interaction of Department members with citizens presents a unique opportunity to strengthen police-community relations.”

With regard to Officer LaPorte failing to give her name to [REDACTED] when asked, Rule 37 of the CPD Rules and Regulations specifically states that officers must identify themselves by name, rank, and star number when requested. While Officer LaPorte had a valid point that she was focused on completing the arrest and [REDACTED] could get the information later, it would have taken Officer LaPorte the same amount of time to say her name as it did to say, “you’ll find out later.” Further, as stated above, the arrest could have gone more smoothly if de-escalation was employed instead of making these comments to [REDACTED]

In sum, Officer LaPorte failed to adhere to Rule 37 and CPD’s standards for dealing with the public when she made the comments outlined in Allegations 2 and 4; accordingly, Allegations 2 and 4 are Sustained.

Next, **Allegation 5 against Officer LaPorte and Allegations 1 and 2 against Officer Navarro** are Sustained. It was alleged that Officers LaPorte and Navarro engaged in unnecessary verbal altercations with [REDACTED]. As with Allegations 2 and 4 against Officer LaPorte, the conduct of the officers failed to de-escalate a tense situation and caused distress to civilians present. [REDACTED] may have been disrespectful, possibly intoxicated, and verbally abusive to the officers, but officers are required to “treat all persons with the courtesy and dignity which is inherently due every person as a human being” and to “act, speak and conduct themselves in a professional manner... and maintain a courteous, professional attitude in all contacts with the public.” Thus, as a CPD officer, Officer LaPorte was expected to maintain her composure despite [REDACTED] behavior. Yet instead of doing so, Officer LaPorte blamed [REDACTED] for the officers’ failure to arrest the person who hit [REDACTED] telling [REDACTED] that the officers had no idea who the offender was because [REDACTED] did not come upstairs with the officers into the apartment. [REDACTED] then explained to the officers that the person who hit her was a skinny black man with glasses and dreads. Referring to either [REDACTED] or [REDACTED] Officer LaPorte responded to [REDACTED] in a mocking tone, “oh, that guy has dreads, and glasses, and he was black, but that’s not the guy?” Of course, neither [REDACTED] nor [REDACTED] had all the characteristics that [REDACTED] described her offender as having. [REDACTED] had glasses, but not dreadlocks, while [REDACTED] had dreadlocks, but not glasses. Yet even if [REDACTED] or [REDACTED] *did* have all of the characteristics [REDACTED] said that her attacker had, [REDACTED] did not deserve to be yelled at or mocked by Officer LaPorte.

As to Officer Navarro, he twice instructed [REDACTED] to “put in an application” for the officers’ job. He then repeatedly asked her “where’s the guy?” and started pointing to every man on the street saying, “is it that guy? Is it that guy?” and “which guy is it then?” Again, although [REDACTED] was yelling and cursing at the officers, CPD officers agree to a code of conduct that civilians are not obligated to meet. As stated above, these minor transgressions by CPD officers and acts of disrespect are detrimental to public trust and only serve to erode community-police relations rather than strengthening them.

Based on the foregoing, Allegation 5 against Officer LaPorte and Allegations 1 and 2 against Officer Navarro are Sustained.

Allegation 2 against Officer Chrabot, that he provided a false report stating [REDACTED] grabbed his arm and pulled him into the apartment, is Unfounded. Officer Chrabot did not write [REDACTED] arrest report; Officer Catalano did. As Officer Chrabot stated, what Officer Catalano wrote was his interpretation of Officer Chrabot’s narrative. Further, although “drag” is more severe than a “minor pull,” the word “drag” could be used to describe [REDACTED] actions. Therefore, this allegation is Unfounded.

VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding
Officer Elizabeth Marasigan	1. Failed to investigate by not getting a description of the offender or a statement from [REDACTED]	Sustained

	<p>before entering the upstairs apartment, in violation of Rule 2 and Rule 11.</p>	
<p>Officer Melyssa LaPorte</p>	<p>1. Used excessive force by tasing [REDACTED] in violation of Rule 6 and Rule 9.</p> <p>2. Engaged in an unnecessary verbal altercation by shouting at [REDACTED] that all the officers had cameras on, in violation of Rule 8 and Rule 9.</p> <p>3. Used unnecessary force by using [REDACTED] handcuffs for pain compliance while he was escorted out of the apartment, in violation of Rule 6 and Rule 9.</p> <p>4. Failed to provide her name to [REDACTED] when asked and responded, "you'll find out later," in violation of Rule 8, Rule 9, and Rule 37.</p> <p>5. Engaged in an unnecessary verbal altercation by shouting at [REDACTED] on the street after [REDACTED] criticized the CPD response to her report of a battery, in violation of Rule 8 and Rule 9.</p>	<p>Not Sustained</p> <p>Sustained</p> <p>Exonerated</p> <p>Sustained</p> <p>Sustained</p>
<p>Officer Stephan Catalano</p>	<p>1. Failed to investigate by not getting a description of the offender or a statement from [REDACTED] before entering the upstairs apartment, in violation of Rule 2 and Rule 11.</p> <p>2. Used excessive force against [REDACTED] in the form of a chokehold, in violation of Rule 6 and Rule 9.</p> <p>3. Used excessive force against [REDACTED] with an emergency takedown, in violation of Rule 6 and Rule 9.</p> <p>4. Used excessive force by twisting [REDACTED] arms while escorting him out of the apartment after he was handcuffed, in violation of Rule 6, Rule 8, and Rule 9.</p> <p>5. Used excessive force by grabbing [REDACTED] mouth/chin/jaw area while escorting him out of the apartment, in violation of Rule 6, Rule 8, and Rule 9.</p>	<p>Sustained</p> <p>Not Sustained</p> <p>Exonerated</p> <p>Exonerated</p> <p>Sustained</p>

	6. Used excessive force by pushing ██████ down the stairs while escorting him out of the apartment, in violation of Rule 6, Rule 8, and Rule 9.	Unfounded
Officer Nicholas Chrobot	1. Used unnecessary force against ██████ to make entry to the apartment, in violation of Rule 6 and Rule 9.	Exonerated
	2. Provided a false report stating that ██████ grabbed his arm and pulled him into the apartment, in violation of Rule 14.	Unfounded
Sergeant William Morales	1. Failed to investigate by not getting a description of the offender or a statement from ██████ before entering the upstairs apartment, in violation of Rule 2 and Rule 11.	Sustained
	2. Inattention to duty in that he did not apprehend ██████, the man ██████ accused of hitting her, in violation of Rule 2 and Rule 10.	Sustained
Officer David Tellez	1. Exhibited disrespect to ██████ by pulling down his pants and exposing his buttocks, in violation of Rule 8 and Rule 9.	Not Sustained
Officer Jesus Navarro, Jr.	1. Engaged in an unnecessary verbal altercation by telling ██████ to “put in an application by the end of the month and you can do our job too,” in violation of Rule 8 and Rule 9.	Sustained
	2. Engaged in an unnecessary verbal altercation by asking ██████ if random men on the street were the individual who hit her, in violation of Rule 8 and Rule 9.	Sustained

Approved: 

 Deputy Chief Administrator – Chief Investigator

Date 6/22/18

Appendix A

Assigned Investigative Staff

Squad#:	Four
Investigator:	Kelsey Fitzpatrick, #61
Supervising Investigator:	James Murphy-Aguilu, #19
Deputy Chief Administrator:	Andrea Kersten

