

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	July 4, 2018 / 3:30 A.M. / 3315 W. Ogden Ave.
Date/Time of COPA Notification:	July 4, 2018 / 6:14 A.M.
Involved Officer #1:	Officer Johnathon Martinez / Star #17612 / Employee ID # [REDACTED] / DOA: 29 Sep 2014 / Unit: 010/189 / DOB: [REDACTED] 1991 / Male / White
Involved Individual #1:	[REDACTED] / DOB: [REDACTED] 1981 / Male / Hispanic
Case Type:	Excessive Force

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Johnathon Martinez	It is alleged by [REDACTED] that on or about July 4, 2018, at approximately 3:30 A.M., at or near 3315 W. Ogden Ave., Chicago, IL 60623, that you, Officer Johnathon Martinez committed misconduct through the following acts or omissions, by: 1. Struck [REDACTED] head against a wall, without justification.	Not Sustained

II. SUMMARY OF EVIDENCE

Mr. [REDACTED] was taken into custody by Officer Martinez and Officer Pezan for reckless conduct and the use of fireworks.¹ While being processed at 10th District lockup, [REDACTED] became uncooperative and verbally abusive towards Officer Martinez and slapped his shoes in close proximity to Officer Martinez’s face.² Officer Martinez rigidly guided [REDACTED] to the corner of the interview room where he was handcuffed to the wall and seated on a bench in front of a table.³ Officer Martinez and Officer Pezan left the interview room and returned shortly after upon hearing [REDACTED] screaming where they found him bleeding from his head. [REDACTED] alleged that Officer Martinez caused a laceration above his right eye by striking his head against a wall when he was escorted to the corner of the interview room.⁴ Sgt. Slawson created an initiation report⁵ based on [REDACTED] allegation and an Affidavit Override was approved by CPD BIA.⁶

¹ Att. 8

² Att. 29 – Officer Martinez III at 0:05

³ Att. 29 – Officer Martinez III at 0:26 – 0:35

⁴ Att. 29 – Officer Martinez III at 0:26 – 0:35

⁵ Att. 6

⁶ Att. 31

██████████ was transported by CFD Ambulance #34 for treatment where it is noted by CFD personnel that ██████████ was highly intoxicated.⁷ ██████████ was brought to St. Anthony Hospital where he was treated by Dr. ██████████ for a 2.5cm laceration above his right eye.⁸ St. Anthony Hospital records indicate the suspicion of⁹ and admission by ██████████ of previous alcohol use.¹⁰ ██████████ was discharged back into CPD custody after receiving treatment for the laceration.

Before being taken to St. Anthony Hospital by CFD, ET photos were taken of ██████████ person and of the interview room where the injury occurred.¹¹ Video of the processing area for the 10th District does not capture the injury to ██████████¹²

Officer Martinez¹³ and Officer Pezan¹⁴ both denied the accusation that Officer Martinez struck ██████████ head against the wall. Both officers stated that ██████████ told them that he was going to file a complaint against Officer Martinez to get the officer in trouble.¹⁵¹⁶ ██████████ threat of making a fictitious complaint against Officer Martinez for his head injury is detailed in the narrative section of the Original Case Incident Report.¹⁷ Stills of Officer Martinez's BWC video were captured in an attempt to identify any blood as a result of ██████████ guidance to the interview room's corner but there was no indication of blood at any point.¹⁸

III. ANALYSIS AND CONCLUSION

COPA finds the allegation that Officer Martinez struck ██████████ head against a wall, without justification is not sustained. Officer Martinez's BWC partially captures the moment when ██████████ alleges his head was struck against a wall by the officer. Video evidence reviewed does not validate ██████████ allegation but also does not objectively verify that Officer Martinez did not cause the injury. Photographs of ██████████ person and the interview room clearly show blood and that ██████████ did sustain an injury. How ██████████ sustained the injury cannot be indefinitely determined through video evidence, CPD reports, medical reports, photographs, or officer statements. The exact moment when ██████████ sustains the injury and the cause of the laceration is not objectively clear. COPA cannot unfound, exonerate, or sustain the allegation that Officer Martinez did strike ██████████ head against the interview room's wall based on the evidence gathered during the investigation. Therefore, the allegation that Officer Martinez struck ██████████ against a wall, without justification, is **NOT SUSTAINED**.

Approved:

██████████

12/27/2021

Matthew Haynam
Deputy Chief Administrator

⁷ Att. 24, page 3

⁸ Att. 23, page 12

⁹ Att. 23, page 10

¹⁰ Att. 23, page 14

¹¹ Att. 25

¹² Att. 27

¹³ Att. 36

¹⁴ Att. 35

¹⁵ Att. 35 at 10:39 – 10:44

¹⁶ Att. 36 at 12:54 – 13:09

¹⁷ Att. 7

¹⁸ Att. 34