



Lori E. Lightfoot
Mayor

Department of Police · City of Chicago
3510 S. Michigan Avenue · Chicago, Illinois 60653

David O. Brown
Superintendent of Police

June 7, 2020

Sydney Roberts
Chief Administrator
Civilian Office of Police Accountability
1615 West Chicago Avenue, 4th Floor
Chicago, IL 60622

RE: Superintendent's Non-Concurrence with COPA's Proposed Penalty
Complaint Register Number: #2019-0002386
Police Officer Jose Troche-Vargas 180-Day Suspension

Dear Chief Administrator:

The Department agrees with the sustained findings as submitted. However, the Department respectfully does not concur with the penalty recommendation of a 180-day suspension for Officer Troche-Vargas. According to the Municipal Code of Chicago, MCC 2-78-130, the Superintendent provides comments on the following when there is a disagreement as to the penalty.

A Chicago Police Department (CPD) Lieutenant initiated the investigation after viewing body-worn camera (BWC) footage of the incident that showed Officer Troche-Vargas verbally abuse [REDACTED] after [REDACTED] was detained in the police vehicle. Officer Troche-Vargas is captured verbally maltreating [REDACTED] on the body-worn camera belonging to his partner, Officer Perez, in that Officer Troche-Vargas made the following statements to [REDACTED] during the incident:

"You're lucky I have a camera on me or I would fuck you up"; "Motherfucker"; "Bitch"; "I don't need no fucking badge; I don't need no fucking gun; I will beat your motherfucking ass, bitch"; "Shut the fuck up"; "I'm not the one to fuck with, I'll tell you that right now n*gger."

It is gravely concerning when officers reference the camera or recording equipment in order to suggest to citizens that they are lucky the incident is being captured, thereby implying the officer would have committed more severe misconduct if not for the deterrent effect of the camera.

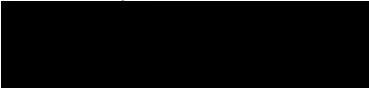
Two additional Rule violations that were not listed could be relevant in this case against Officer Troche-Vargas: Rule 2 - *Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department*, and Rule 3, *Any failure to promote the Department's efforts to implement its policy or accomplish its goals*.

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The undersigned respectfully believes that the recommended penalty of a 180-day suspension is insufficient and that a penalty recommendation of Separation is warranted.

Sincerely,

A solid black rectangular box redacting the signature of David O. Brown.

David O. Brown
Superintendent of Police
Chicago Police Department