

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	December 30, 2019, at 6:45 pm, [REDACTED]
Date/Time of COPA Notification:	December 31, 2019, at 10:27 am
Involved Officer #1:	Waldemar B. Gorzcyca, Star #17160, Emp. ID# [REDACTED] Date of Appointment: October 26, 2015, PO, 010, Male, White
Involved Individual #1:	[REDACTED] 42 yoa, Male, White
Case Type:	Excessive Force

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Waldemar Gorzcyca	1. Grabbed and bent [REDACTED] thumb back during handcuffing.	Unfounded

II. SUMMARY OF EVIDENCE¹

On December 30, 2019, [REDACTED] went into the 010th District Station and filed a complaint with Sergeant A. Kadus #1238 and accused Officer Gorzcyca into coming to his home with his ex-girlfriend, [REDACTED] to serve him an order of protection. Officer Gorzcyca then kicked the front door in, attempted to place [REDACTED] under arrest and in the process of placing the handcuffs, Officer Gorzcyca grabbed [REDACTED] left thumb and placed it in a hand lock. Specifically, [REDACTED] alleged that he was wrestled to the ground, handcuffed, and escorted out of the home without justification. [REDACTED] was placed in the back of a police vehicle after being told that there was a possible warrant for his arrest. After further investigation, [REDACTED] was released without charges, served the Order of Protection obtained by [REDACTED] and told that he no longer could enter the residence. Sgt. Kadus offered [REDACTED] medical attention and asked if he would allow an Evidence Technician (E.T.) to take photos of any alleged injury, but [REDACTED] declined both requests.²

COPA learned that Officer Gorzcyca responded to a call to assist [REDACTED] in serving [REDACTED] with an order of protection and removing him from [REDACTED] home. Several attempts

¹COPA conducted a full and complete investigation of this matter, including the interview of all pertinent civilian and officer witnesses, and the collection and review of digital, documentary, and forensic evidence. As part of COPA’s ongoing efforts to increase case closure capacity, certain cases opened under IPRA are summarized more succinctly in a Modified Summary Report of Investigation, pursuant to COPA Guideline Modified Summary Report of Investigation Template and Approvals, effective February 13, 2019.

² Att. 5.

were made by Officer Gorczyca and his partner Officer Dorsey,³ to speak with [REDACTED] and have him open the door to the residence. After no avail, the officers requested the assistance of Lieutenant Alvarez and Sergeant Haro, who also attempted to speak with [REDACTED]. After not getting any cooperation from [REDACTED], [REDACTED] gave the officers permission to enter her home and remove [REDACTED]. The officers learned that [REDACTED] was possibly wanted on a warrant ([REDACTED]) and after getting permission from [REDACTED] they kicked open the door. After further investigation, Officer Gorczyca learned that [REDACTED] was not the individual sought in the order of protection ([REDACTED]) as someone else had used his identity. Officer Gorczyca searched the system for any other orders [REDACTED] claimed to have on [REDACTED] however the only order of protection found as [REDACTED] being the respondent against [REDACTED] was vacated on September 4, 2018. [REDACTED] also presented to the officers a case report⁴ against [REDACTED] for a stolen dog, however [REDACTED] order of protection ([REDACTED]) gave her the rights to the home and indicated that she had custody of the dog. The officers released [REDACTED] while at the scene, served him [REDACTED] order of protection, advised him not to return to the home and offered him transportation which he declined. Officer Gorczyca noted that Pasilla's order of protection precedents [REDACTED] order of protection ([REDACTED]) which he provided to the officers later at the police station.

In a statement to COPA on January 13, 2020,⁵ [REDACTED] stated that on December 29, 2019, he obtained an Order of Protection⁶ against his ex-girlfriend, [REDACTED] and filed a police report against her for taking his dog. [REDACTED] said that [REDACTED] had changed the locks of the house but left him a key. [REDACTED] stated that although the mortgage, taxes and utilities are all under [REDACTED] name, he contributes to and is also an owner to the property. On December 30, 2019, [REDACTED] called the police on him, accused him of changing the locks and refusing to allow her inside. [REDACTED] refused to open the door for the officers, the sergeant and lieutenant that were at the scene and spoke with them from the second-floor window. The officers kicked the door open; [REDACTED] showed the officers his order of protection and a police report against [REDACTED]. The officers grabbed his hand, bent back his thumb in a hand lock, placed him on the ground, handcuffed him then escorted him out of the property. [REDACTED] was placed in the police car and kept there for approximately one hour. Officer Gorczyca checked the system and learned that another individual was subject of the warrant not [REDACTED]. The officer released [REDACTED] without any charges and served him with [REDACTED] order of protection. [REDACTED] sustained a sprained thumb, red marks on his wrist and a scratch near the wrist. [REDACTED] related that he did not seek medical treatment, nor did he take any photographs of his injuries.

The witnesses: [REDACTED]⁷ [REDACTED]⁸ and [REDACTED]⁹ related that [REDACTED] took over [REDACTED] home and changed the locks without her authorization. On the date of the incident, [REDACTED] called the police to serve [REDACTED] an order of protection she obtained and to have him removed from her residence.

³ Officer Dorsey was not interviewed as he did not assist or was part of [REDACTED] arrest. Officer Dorsey was standing outside the home with [REDACTED]

⁴ Att. 2.

⁵ Att. 8.

⁶ Att. of

⁷ Att. 35.

⁸ Att. 28.

⁹ Att. 20.

