

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	June 28, 2020/ 8:00 pm/ 806 N. Michigan Ave.
Date/Time of COPA Notification:	June 29, 2020/ 1:54 pm
Involved Officer #1:	Unknown Officer #1
Involved Individual #1:	██████████, 1993, female, White
Case Type:	Excessive Force

I. ALLEGATIONS

Officer	Allegation	Finding
Officer #1	<p>It is alleged that on or about June 28, 2020, at approximately 8:00 pm, in the vicinity of 806 N. Michigan Ave., Officer #1, committed misconduct through the following acts or omissions, in violation of Department policy:</p> <ol style="list-style-type: none"> 1. Striking the left leg of ██████████ with the wheel of a bicycle, without justification. 	Not Sustained

II. BACKGROUND

In the wake of George Floyd’s death on May 26, 2020, large scale protests and demonstrations erupted around the nation calling for police reform. Chicago experienced a period of significant unrest which resulted in thousands of police and civilian encounters, many of which were fraught with emotion and hostility. Unfortunately, due to the chaotic nature of some of these interactions, incidents of alleged misconduct occurred where the identity of the involved officer is unknown to the complainant and difficult to determine. Significant investigative resources were expended to obtain such information and move these cases to conclusion.

This investigation, into an alleged incident of misconduct by a Chicago Police Department (“Department”) member relating to the protests, was initiated by a complaint brought by ██████████, who provided a sworn statement to COPA. In support of her complaint, ██████████ submitted pictures of injuries that she alleged were caused by the officer as well as a description of the officer. She also provided the star number of a different Department member, Officer James Francis (“Officer Francis”), whom she identified as being on scene. COPA used the information provided in ██████████ statement, as well as a careful review of available

Department records and Body Worn Camera (“BWC”) video, in its efforts to identify the officer involved. The following is a summary of the evidence COPA obtained and the ultimate outcome of this investigation.

III. SUMMARY OF EVIDENCE¹

On , July 1, 2020, ██████████ provided a statement to COPA investigators via telephone due to COPA protocols relating to the Covid-19 virus.²

On the day of the incident, ██████████ was among several people who gathered in a protest at the intersection of Pearson Avenue and Michigan Avenue. ██████████ said she was standing in a line of protesters that were facing a line of officers that were on bikes. She recalled that dozens of officers were present. The officers on bikes advanced on the protesters while telling protesters to move and get out of the way. The protestors did not move. ██████████ believed that the officers advanced on the protesters because the protestors were asking questions regarding a man that officers were taking into custody. An officer with a bike who was standing in front of ██████████ lifted his bike and hit ██████████ in the left leg with his front tire resulting in bruises to ██████████ leg. ██████████ believed the officer’s actions were intentional. At the time the officer struck ██████████ she was holding a cardboard sign.

██████████ was not able to identify the officer that struck her with his bike but described him as about 5’9, slim, white or Hispanic, and uniformed. ██████████ also provided COPA with a description of herself. ██████████ stated that at one point, protestors were taking pictures of badge numbers and she obtained a Star Number for Officer Francis. ██████████ said that Officer Francis was on the corner where the incident occurred, but she did not know if he was there at the same time.

COPA obtained a witness statement from Officer Francis on July 7, 2021.³ At the time of the incident, Officer Francis said he was assigned to the 1st District Foot Team and was riding a bike. Officer Francis stated that he was handling protests in the area around the time of the incident.⁴ He did not, however, recall seeing ██████████ and did not recall whether she interacted with officers on scene.

COPA obtained pod video that recorded the area in the vicinity of Pearson Avenue and Michigan Avenue on the day, and approximate time, of the incident.⁵ Based on the self-description provided by ██████████ COPA was able to identify ██████████ in the pod video, but the incident alleged by ██████████ was not captured. Using Department Attendance and Assignment records for the 1st

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 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. 1.

³ Att. 12.

⁴ Although 806 N. Michigan was in the 18th District, Officer Francis stated that protestors would sometimes start marching in 1st District and officers that were assigned to 1st District would follow the march to the 18th District.

⁵ Att. 17.

District and 18th District, COPA identified scores of officers who were in the vicinity of the incident. COPA then obtained and reviewed the available BWC of those officers in the vicinity of [REDACTED] around the time of the incident. However, as with pod video, none of the BWC video captured the incident.

IV. ANALYSIS AND CONCLUSION

COPA finds that the allegation against Officer #1 is **Not Sustained** because COPA was unable to identify the officer involved in the incident. COPA finds [REDACTED] credible and the photos of the injury she submitted to COPA close to the date of the incident support her claim that she was injured by a CPD officer. However, after a thorough view of the available evidence, COPA is unable to identify which officer, of the many officers present, caused [REDACTED] injury or witnessed the incident occur. Per CPD Special Order S08-01-01, a sustained finding can only be reached if the “accused was afforded an opportunity to respond to the allegation.”⁶ Because COPA was unable to determine the identity of the accused officer, the officer has neither been presented with or responded to the allegation against him.

This complaint and the information gathered in response to this complaint, in whole or in part, may be considered in conjunction with a future advisement/ report generated by COPA addressing CPD’s response to the widespread civil unrest and protest activity in the City of Chicago during late May and early June of 2020. Furthermore, this complaint may be shared or referred to another agency for investigative purposes.

Approved:

[REDACTED]

9-23-2021

Angela Hearts-Glass
Deputy Chief Investigator

Date

Appendix A

⁶ Special Order S08-01-01(II)(F)(17)(c).

Assigned Investigative Staff

Squad#:	12
Investigator:	Vanessa McClinton-Jackson
Supervising Investigator:	Andrew Dalkin
Deputy Chief Administrator:	Angela Hearts-Glass