

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	November 27, 2021 / approximately 11:30 a.m. / [REDACTED] [REDACTED]
Date/Time of COPA Notification:	November 27, 2021 at approximately 3:29 p.m.
Involved Officer #1:	Cassius Horton, Star #10497, Employee ID# [REDACTED], Date of Appointment: May 5, 1997, Police Officer, Unit of Assignment: 544, DOB: [REDACTED], 1970, male, black
Involved Officer #2:	Iris Houston Hinkle, Star #2214, Employee ID# [REDACTED], Date of Appointment: September 11, 2000, Sergeant, Unit of Assignment: 006, DOB: [REDACTED], 1974, female, black
Involved Officer #3:	Phillip Flannagan, Star #8257, Employee ID# [REDACTED], Date of Appointment: February 6, 1995, Police Officer/FTO, Unit of Assignment: 006, DOB: [REDACTED], 1962, male, black
Involved Individual #1:	[REDACTED] DOB: [REDACTED], 1985, female, black
Case Type:	Domestic Violence

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Cassius Horton	1. On or about November 27, 2021, at approximately 11:30 a.m., at or near [REDACTED] [REDACTED], Officer Cassius Horton put his hand(s) on or around [REDACTED] neck and/or pushed and/or pinned her down without justification.	Not Sustained
	2. On or about November 27, 2021, at approximately 11:30 a.m., at or near [REDACTED] [REDACTED], Officer Cassius Horton struck [REDACTED] about the back of the head with a closed fist without justification.	Not Sustained
	3. On or about November 27, 2021, at approximately 11:30 a.m., at or near [REDACTED]	Not Sustained

██████████, Officer Cassius Horton attempted to discourage ██████████ from calling the police by stating words to the effect of “No, don’t do that. I’m going to get fired, I’ll never work again.”

II. SUMMARY OF EVIDENCE¹

COPA was notified of an incident involving ██████████ (hereafter ██████████) and Chicago Police Officer Cassius Horton (hereafter Officer Horton) via an **Initiation Report**² on November 27, 2021. Both the Initiation Report and the **Original Case Incident Report (RD# JE458337)**³ relate that ██████████ and Officer Horton ██████████ and engaged in a verbal altercation that turned physical. ██████████ pushed Officer Horton several times. In retaliation, Officer Horton pushed ██████████ down with an open hand around her neck causing slight bruising. Officer Horton then exited the room and ██████████ followed him to the hallway where another verbal altercation took place. As ██████████ turned around to leave the area, Officer Horton struck her in the back of the head with a closed fist, causing her to fall to the floor. Officer Horton left the residence before police arrived. Responding officers observed visible bruises around ██████████ neck area.

An **OEMC Event Query**⁴ and **911 call**⁵ further document that on November 27, 2021, at approximately 12:45 p.m., ██████████ call 911 to report she and ██████████ got in an argument and he punched her in the back of the head causing her to fall to the floor. She further related that Officer Horton told her she cannot call the police because they will not believe her.

A **Case Supplementary Report (RD# JE458337)**⁶ documents that detectives spoke to ██████████ at approximately 6:22 p.m. on the same day of the incident at her residence. ██████████ related facts to the detectives that were consistent with what she originally reported. She stated that she pushed Officer Horton first. She further related that this was the first time any verbal altercation with ██████████ had gotten physical. ██████████ added she and Officer Horton have been together for 10 years and been ██████████ for 8 years. They have ██████████ in common, ██████████. When asked if ██████████ witnessed the incident, she stated they did not, as one was sleeping and one was playing in a different part of the house. ██████████ was asked about her injuries from the incident. She related she had some marks earlier around her lower neck area that were no longer there. The detectives did not see any visible marks during the interview. ██████████ related she refused to have photos taken by an Evidence Technician, although the Sergeant offered it.

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.

² Att. 1

³ Att. 2

⁴ Att. 4

⁵ Att. 5

⁶ Att. 7

COPA spoke to ██████████ for a **phone conversation**⁷ on November 30, 2021. ██████████ related she and ██████████ feel ██████████ is in a place where they are no longer able to save it. She related she told responding officers the truth about the domestic incident. She further related she would never file a false police report. ██████████ related they have been arguing a lot lately and cannot get along. ██████████ refused to provide a formal statement to COPA or cooperate with the investigation.

COPA obtained **Body Worn Camera (BWC)**⁸ footage from the incident. Upon the arrival of the responding officers, ██████████ tells them that she had somewhere to go that day, and Officer Horton wanted to go to the hospital to visit his sister. She further relates that this led to a verbal altercation that turned physical. She began to push him, and he placed his hand on her neck and pushed her down. ██████████ stated Officer Horton grabbed her by the neck to push her down rather than to attempt to cause her to lose consciousness. The responding officers turn the lights on in the house and point to the side of ██████████ neck, stating it looks a little red. Yarbrough further states that the physical altercation moved to the kitchen, and she continued to push him. She relates that Officer Horton then swung back and punched her in the back of the head, causing her to fall backwards. She states that her head is throbbing as a result. ██████████ relates that Officer Horton said, "If you call the police, I'm going to tell them you started it." She then appears to read a text message conversation she had with Officer Horton on her cell phone out loud to the responding officer.⁹ In the texts she reads aloud, she accuses Officer Horton of punching her in the back of the head, and he accuses her of slapping him in the face with her fist.

Sgt. Iris Houston-Hinkle (hereafter Sgt. Houston-Hinkle) then responds to the scene. ██████████ explains the incident in more detail to her. Yarbrough relates that she got upset when she asked Officer Horton if he could take ██████████ to the hospital with him and he said no. She explained that she has something to do later that day, and she knew he would not be back in time. She then started pushing him, and he pushed her down with his hand on her neck while they were on the bed.¹⁰ ██████████ explains that the physical altercation continued. She kept pushing him, she accidentally hit him in the lip, and she ripped his shirt. When the altercation moved to the kitchen area, she continued to push him and then he punched her in the back of the head, causing her to fall backwards.¹¹ She relates she then reached for a phone to call the police and he said to her, "No, don't do that. I'm going to get fired, I'll never work again."¹² After the incident, she told Officer Horton to leave the house and stay with his mom or friend, and he left out the side door.

██████████ relates to responding officers that her relationship with ██████████ is toxic. She states that she told Officer Horton she does not feel safe in the house with him anymore.

⁷ Att. 3

⁸ Att. 8-14

⁹ Att. 8 at 11:02-11:37, ██████████ reads the text message conversation out loud to the responding officer. The messages she reads are never shown to the responding officer or in the view of the BWC. She reads the text conversation out loud again at 29:50-30:23.

¹⁰ Att. 8 at 12:56-13:12, ██████████ demonstrates the position that Officer Horton's hand was in by placing her hand on the front of her neck area.

¹¹ Att. 8 at 13:57-14:06, ██████████ demonstrates the punching motion that she alleges Officer Horton made. She bends her arm at the elbow, makes a closed fist, and swings her arm from behind her body and then straightening her arm in front of her.

¹² Att. 8 at 14:06-14:12

██████████ says, “It’s never gotten to this point where he really puts his hands on me.”¹³ She relates the incident took place at approximately 11:30 a.m. ██████████ expresses that she does not want this to affect Officer Horton’s job, and Sgt. Houston-Hinkle explains that there is a protocol they must follow. Sgt. Houston-Hinkle asks ██████████ if she has any marks or scars on her, and ██████████ tells her she has light skin. Sgt. Houston-Hinkle looks at the back of her neck and says she sees a mark.¹⁴ ██████████ is asked multiple times if they can call for an Evidence Technician to come and take photos of her injuries, and she declines. ██████████ also declined medical attention. The officers provide her resources and explain how to obtain an order of protection.

COPA interviewed **Officer Phillip Flannagan**¹⁵ (hereafter Officer Flannagan) on February 24, 2022. Officer Flannagan related essentially the same information included in the Original Case Incident Report. He explained that he saw two red colored bruises on ██████████. He observed one on the right side of her neck, and the other in the center on the back of her neck. He canvassed the area for Officer Horton but did not see him.

COPA interviewed **Sgt. Iris Houston-Hinkle**¹⁶ on April 13, 2022. Sgt. Houston Hinkle did not have any independent recollection of the incident, and she related essentially the same information included in the Initiation Report. Sgt. Houston-Hinkle reviewed her BWC video and stated she could not view the bruising she pointed out on the complainant’s neck on the video. She stood by her Initiation Report, stating that on the day of incident she observed bruising around ██████████ neck area, but she could not recall any more details about the bruising.

COPA interviewed **Officer Cassius Horton**¹⁷ on August 15, 2022. Officer Horton related that he has ██████████ to ██████████ for approximately nine years. On the date of the incident, Officer Horton was planning to visit his sister who was sick in the hospital. ██████████ wanted him to take ██████████ with him, but he related he could not because they were too young, therefore they would not be allowed to enter. They were both located upstairs in their residence, and ██████████ was in their bedroom while Officer Horton was in a different room watching television. ██████████ came into the room he was in and again told him to take ██████████ with him, to which he replied he was not going to. Officer Horton was standing near the edge of the bed, and ██████████ then grabbed him by his neck using one or two of her hands.¹⁸ Officer Horton fell backwards onto the bed and ██████████ was then positioned on top of him on the bed. He repeatedly told her “Stop.” He tried to get her hands off his neck and push her away from him. He was able to remove her hands from his neck by extending his arms out. He got up and quickly exited the room, and he was unsure how ██████████ was positioned at that point. He related there was never a change in position on the bed, and he was never on top of her.¹⁹ He denied ever pushing or pinning her down on the bed, stating that once he removed her from on top of him, he got up to

¹³ Att. 8 at 16:55-16:59

¹⁴ Att. 11 at 11:25-11:50, The mark that Sgt. Houston-Hinkle appears to point out is not visible on camera.

¹⁵ Att. 15-16

¹⁶ Att. 17-18

¹⁷ Att. 19-21

¹⁸ Att. 21, page 60, Officer Horton stated that his airway was not restricted when ██████████ had her hand(s) on his neck.

¹⁹ Att. 21, page 60, Officer Horton related that ██████████ was never positioned on her back on the bed.

leave the room. He also denied ever placing his hand on her neck while on the bed, stating that if he did make contact with her neck it was simply from him extending his arms to get her off him.

When Officer Horton went to leave the room, ██████████ grabbed his shirt and ripped it.²⁰ Officer Horton then went downstairs and retrieved another shirt from the stair railing. ██████████ followed him, and Officer Horton went to the kitchen to get his water mug and leave the house. Another physical altercation then took place in the kitchen. ██████████ began to try to grab Officer Horton and hit him on his shoulder and side of his face with an open hand. Officer Horton was able to get ██████████ off him by straightening his arms out, and then he exited the residence out a door near the kitchen. He denied striking ██████████ in the back of the head with a closed fist, and he stated he never made closed fists with his hands. When asked if she ever turned her back to him in the kitchen, he related he did not know. He also related that to his knowledge, she never fell to the ground. Officer Horton repeatedly stated that he simply wanted to leave the residence to get away from ██████████ and end the altercation.

When asked if he heard ██████████ call the police, he related he did not, although he thought she may because she has called police in the past. When asked if there was any talk about calling the police before he left the house, he responded that he may have said words to the effect of, "Let me go before you call the police." Officer Horton denied ever saying words to the effect of, "No, don't do that. I'm going to get fired, I'll never work again." He related that he felt that was no reason for her to call the police on him, as she was the aggressor and the one who attacked him.

Officer Horton went to the hospital to visit his sister and returned home a few hours later. ██████████ was home when he returned, and she told him that she had called the police. At some point in the weeks after the incident she also told him that she related to the police that she was the aggressor. Officer Horton never saw any marks or injuries on ██████████. He recalled her saying her head hurt but related that he did not think it was from the incident as she has a history of having headaches. Officer Horton related this was the first time ██████████ has ever become physically aggressive with him.

III. ANALYSIS AND CONCLUSION

COPA finds **Allegation 1** that on or about November 27, 2021, at approximately 11:30 a.m., at or near ██████████, Officer Cassius Horton put his hand(s) on or around ██████████ neck and/or pushed and/or pinned her down without justification is **Not Sustained**. ██████████ described to responding officers that she started pushing Officer Horton, and he pushed her down with his hand on her neck while they were on the bed. In Officer Horton's statement to COPA, he related that ██████████ was the aggressor in that she put her hand(s) on his neck. He denied placing his hand(s) on her neck, stating that if he did make contact with her neck, it was simply from him extending his arms out to get her off him. He also denied ever pushing or pinning her down on the bed, stating she was on top of him, and once he removed her he got up to leave the room. Although responding officers observed redness to ██████████ neck, there is not sufficient evidence to corroborate or discredit how she sustained the redness. COPA finds that

²⁰ Att. 21, page 47, Officer Horton related he believed he was wearing a short sleeve button-up shirt.

the allegation cannot be proven by a preponderance of the evidence, and thus, the allegation is Not Sustained.

COPA finds **Allegation 2** that on or about November 27, 2021, at approximately 11:30 a.m., at or near [REDACTED], Officer Cassius Horton struck [REDACTED] about the back of the head with a closed fist without justification is **Not Sustained**. [REDACTED] related on BWC that when the altercation continued in the kitchen, Officer Horton struck her in the back of the head, causing her to fall to the floor. Officer Horton denied striking her with a closed fist and stated that she was the one hitting him. He related that he never made closed fists during the altercation, and he only extended his arms out to push her away from him and to stop her from hitting him. He was unsure if she ever turned her back to him in the kitchen, but stated that as soon as he was able to get her off him he exited the residence. Although responding officers observed a mark on the back of [REDACTED] neck, there is not sufficient evidence to corroborate or discredit how she sustained the mark. COPA finds that the allegation cannot be proven by a preponderance of the evidence, and thus, the allegation is Not Sustained.

COPA finds **Allegation 3** that on or about November 27, 2021, at approximately 11:30 a.m., at or near [REDACTED], Officer Cassius Horton attempted to discourage [REDACTED] from calling the police by stating words to the effect of “No, don’t do that. I’m going to get fired, I’ll never work again” is **Not Sustained**. [REDACTED] made this allegation to responding officers on BWC. Officer Horton explained that he thought [REDACTED] may call police, and he may have said words to the effect of, “Let me go before you call the police.” He repeatedly stated that he wanted to leave the residence to end the altercation and get away from [REDACTED]. He denied ever saying words to the effect of, “No, don’t do that. I’m going to get fired, I’ll never work again.” He also denied mentioning anything about calling the police in relation to affecting his job. As there are no witnesses or other evidence to corroborate or discredit the allegation, the allegation is not sufficiently supported. Therefore, COPA finds that this allegation cannot be proven by a preponderance of the evidence and is Not Sustained.

Approved:

[REDACTED]

Sharday Jackson
Deputy Chief Administrator

January 25, 2023

Date