

SUMMARY REPORT OF INVESTIGATION¹

I. EXECUTIVE SUMMARY

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|----------------------------|--|
| Date of Incident: | June 17, 2015 |
| Time of Incident: | 4:15 pm |
| Location of Incident: | 1104 W. 89 th Street, Chicago, IL 60620 |
| Date of COPA Notification: | June 17, 2015 |
| Time of COPA Notification: | 8:45 pm |

██████████ was arrested for burglary after he had been identified by witnesses. ██████████ brother, ██████████ went to the scene and asked ██████████ the victim of the burglary, for her contact information. Sergeant Christopher Liakopoulos² told ██████████ to leave ██████████ alone. When ██████████ persisted in questioning ██████████ Sergeant Liakopoulos arrested him. ██████████ and his mother made allegations about excessive force, false arrest, and verbal abuse.

II. INVOLVED PARTIES

| | |
|----------------------|--|
| Involved Officer #1: | Christopher Liakopoulos, star #2681; employee ID# ██████████; Date of Appointment: September 24, 2001; Sergeant; 38 YOA; Male; Hispanic. |
| Involved Officer #2: | James Zubeck, star #19491; employee ID # ██████████; Date of Appointment: March 18, 1996; Police Officer; 55 YOA; Male; white. |
| Involved Officer #3: | Dennis Noto; Employee # ██████████; Date of Appointment: June 29, 1998; Police Officer; Male; white |
| Subject #1: | ██████████ 20 YOA, Male, Black |
| Subject #2: | ██████████ 16 YOA, Male Black |

III. ALLEGATIONS

| Officer | Allegation | Finding |
|---------|------------|---------|
|---------|------------|---------|

¹ On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

² Sergeant Liakopoulos was a Field Training Officer at the time of the incident and has subsequently been promoted to Sergeant. This report will refer to him by his current title.

| | | |
|----------------------------------|--|--------------------------------|
| Sergeant Christopher Liakopoulos | 1. ██████ alleged that the accused officer arrested ██████ and ██████ without justification in violation of Rule 1. 2. ██████ alleged that the accused officer "threw" ██████ to the ground in violation of Rule 9. | UNFOUNDED EXONERATED |
| Officer James Zubeck | 1. ██████ alleged that the accused officer called him a "black ass" in violation of Rule 8. 2. ██████ alleged that the accused officer told him to "Shut the fuck up" in violation of Rule 8. | NOT SUSTAINED NOT SUSTAINED |
| Officer Dennis Noto | 1. ██████ alleged that the accused officer called him a "black ass" in violation of Rule 8. 2. ██████ alleged that the accused officer told him to "Shut the fuck up" in violation of Rule 8. | NOT SUSTAINED NOT SUSTAINED |

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 1 – Violation of any law or ordinance.
2. Rule 8 – Disrespect to or maltreatment of any person, while on or off duty.
3. Rule 9 – Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

Federal Laws

1. **United States Constitution, Amendment IV:** Prohibition against unlawful searches and seizures

V. INVESTIGATION³

a. Interviews

In a **statement** on June 20, 2015,⁴ **Victim** ██████ stated that he was at home on the date of the incident when unknown "girls" arrived and told him his younger brother, ██████ was being arrested for breaking into a house. ██████ went to the scene on behalf of their mother, ██████ because she was on house arrest. When ██████ got to the scene, he spoke to the victim of the burglary (now known to be ██████ about ██████ arrest. Sergeant Liakopoulos repeatedly told ██████ to leave the scene and to go across the street. ██████ continued talking to ██████ and asked for her contact information so ██████ could call her later. Sergeant Liakopoulos walked behind ██████ grabbed his arm, and tried to put the arm behind ██████ back. ██████ thought that Sergeant Liakopoulos was trying to make him fall onto the concrete, so ██████ moved so that he fell onto grass. Sergeant Liakopoulos handcuffed ██████ Officers put ██████ into

³ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

⁴ Attachment 22.

a second police car that arrived on the scene. According to ██████ stated that the officers in that car (now known to be Officers Zubeck and Noto) called him “black ass” and told him to “shut the fuck up” while they drove him to the 22nd District during the ride to the station.

In a **statement** on June 20, 2015,⁵ Witness ██████ stated that she observed the incident from about fifty feet away on the other side of some railroad tracks. ██████ stated that she saw a black male (now known to be ██████ talking with a white male officer (Sergeant Liakopoulos) and an unknown female. ██████ could not hear what the people were saying. Sergeant Liakopoulos grabbed ██████ arm and put it behind his back with his right hand while he grabbed the back of ██████ neck with his left hand. Sergeant Liakopoulos then pushed ██████ to the ground, got out his handcuffs, and handcuffed ██████ then left the scene.

In a **statement** on February 4, 2016,⁶ Witness Sabrina ██████ stated that she witnessed the incident from across a set of railroad tracks. ██████ stated that she observed a black male (now known to be ██████ yelling at a male officer (Sergeant Liakopoulos). ██████ could not remember what ██████ yelled and could not hear anything Sergeant Liakopoulos may have said back to ██████ Sergeant Liakopoulos put ██████ hands behind his back and handcuff him standing up against a car. ██████ noted that there were a lot of people outside due to the nice weather and speculated that those people would have done or said something if Sergeant Liakopoulos was doing something wrong to ██████

In a **statement** on 24 March 2016,⁷ **Accused Sergeant Liakopoulos** denied the allegations against him. He stated that he responded to a Burglary call and spoke with ██████ Sergeant Liakopoulos saw ██████ on the scene near a television that was identified as being taken in the burglary. Two witnesses⁸ waved Sergeant Liakopoulos over and identified ██████ as one of the neighborhood boys they had seen on the porch at ██████ house ringing the doorbell and trying the door. Sergeant Liakopoulos arrested ██████ and, about the same time, ██████ arrived on the scene. ██████ questioned Sergeant Liakopoulos and ██████ about what happened and about ██████ personal information. Sergeant Liakopoulos told ██████ to cool off and leave ██████ alone. Sergeant Liakopoulos moved his squad car to try to give ██████ a chance to cool off. Sergeant Liakopoulos asked ██████ if she was okay and she indicated that she did not want to be left alone with ██████ was still upset and Sergeant Liakopoulos repeated his request that ██████ leave the scene. Sergeant Liakopoulos stated that ██████ took a “bladed stance” and made a fist with his right hand. In response, Sergeant Liakopoulos took ██████ to the ground by wrapping his arms around ██████ waist and pushing forward. Sergeant Liakopoulos stated that he thought ██████ buttocks were the first part of his body to make contact with the ground. Sergeant Liakopoulos stated that ██████ became compliant almost immediately after he went to the ground, so he handcuffed ██████ and helped him stand up. Sergeant Liakopoulos put ██████ in Officers Noto and Zubeck’s car when they arrived and they transported him to the 22nd District.

⁵ Attachment 27.

⁶ Attachment 36.

⁷ Attachment 39.

⁸ ██████ and ██████ per the General Offense Case Report that Sergeant Liakopoulos completed following the incident.

In a **statement** on December 7, 2017,⁹ **Accused Police Officer James Zubeck**, denied the allegations against him. Officer Zubeck stated that he had no independent recollection of the incident. Officer Zubeck denied calling ██████ a “black ass” and denied telling ██████ to “shut the fuck up.” Officer Zubeck stated that Officer Noto did not use the language alleged by the complainant.

Burglary Victim ██████ refused to provide a statement regarding this investigation but stated on the telephone on January 27, 2016, that ██████ repeatedly tried to talk to ██████ and a police officer told him to leave her alone. An officer put his hand on ██████ shoulder to bring him across the street but ██████ shrugged the officer’s hand off of his shoulder. ██████ fought with officers and an officer “slammed” ██████ and handcuffed him. ██████ stated that, in her opinion, officers did not use excessive force in taking ██████ into custody.

██████████ missed several appointments to provide a statement.¹¹

b. Physical Evidence

Medical Records from ██████ treatment at Little Company of Mary Hospital¹² indicate that ██████ went to the hospital on 18 June 2015. ██████ complained of pain to his left shoulder and lower back following an altercation with police. Emergency Department personnel diagnosed ██████ with a shoulder strain and a lower back strain.

c. Documentary Evidence

Arrest Reports for ██████ and ██████¹⁴ and the **General Offense Case Report** for **RD #HY305602**¹⁵ reveal that ██████ was arrested for Residential Burglary and ██████ was arrested for Aggravated Assault to PO, Resist/Obstruct PO, and Walking along the Roadway. The narrative of the reports contains the same information as Sergeant Liakopoulos provided in his statement.

Sergeant Liakopoulos completed a **Tactical Response Report**¹⁶ in which he described ██████ as an Assailant: Assault because he put Sergeant Liakopoulos in fear of receiving a Battery, and pulled away. Sergeant Liakopoulos responded to ██████ actions with Takedown/Emergency Handcuffing. The TRR indicates that ██████ was not injured and did not complain of injury.

VI. ANALYSIS

⁹ Attachment 41.

¹⁰ Attachment 34.

¹¹ Attachments 46 and 50.

¹² Attachment 33.

¹³ Attachment 6.

¹⁴ Attachment 4.

¹⁵ Attachment 8.

¹⁶ Attachment 9.

COPA recommends a finding of **UNFOUNDED** for Allegation #1 against Sergeant Christopher Liakopoulos, that he arrested [REDACTED] and [REDACTED] without justification. [REDACTED] was identified by witnesses as being at the scene of a burglary and was in possession of property that was stolen in a burglary. [REDACTED] was attempting to obtain personal information from the victim of that burglary, an act that could reasonably be seen as obstructing an investigation. [REDACTED] was told to leave [REDACTED] alone and did not do so.

COPA recommends a finding of **EXONERATED** for Allegation #2 against Sergeant Christopher Liakopoulos, that he threw [REDACTED] to the ground. As cited above, [REDACTED] was resistant to the lawful order to leave [REDACTED] alone. Sergeant Liakopoulos described [REDACTED] as an Assailant: Assault in his Tactical Response Report and responded with a Takedown/Emergency Handcuffing technique. Sergeant Liakopoulos’s response to [REDACTED] actions was well within the Department’s use of force policy.

COPA recommends a finding of **NOT SUSTAINED** for Allegations #1 and 2 against Officer James Zubeck, that he called [REDACTED] a “black ass” and told him to “shut the fuck up.” [REDACTED] made the allegations and Officer Zubeck denied saying it. There is insufficient available evidence to either sustain or refute these allegations.

COPA recommends a finding of **NOT SUSTAINED** for Allegations #1 and 2 against Officer Dennis Noto that he called [REDACTED] a “black ass” and told him to “shut the fuck up.” Officer Noto died during the pendency of this investigation and did not have an opportunity to address the allegations against him. There is insufficient available evidence to either sustain or refute these allegations.

VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

| Officer | Allegation | Finding |
|----------------------------------|---|---------------|
| Sergeant Christopher Liakopoulos | 1. [REDACTED] alleged that the accused officer arrested [REDACTED] and [REDACTED] without justification in violation of Rule 1. | UNFOUNDED |
| | 2. [REDACTED] alleged that the accused officer "threw" [REDACTED] to the ground in violation of Rule 9. | EXONERATED |
| Officer James Zubeck | 1. [REDACTED] alleged that the accused officer called him a "black ass" in violation of Rule 8. | NOT SUSTAINED |
| | 2. [REDACTED] alleged that the accused officer told him to “Shut the fuck up” in violation of Rule 8. | NOT SUSTAINED |
| Officer Dennis Noto | 1. [REDACTED] alleged that the accused officer called him a "black ass" in violation of Rule 8. | NOT SUSTAINED |
| | 2. [REDACTED] alleged that the accused officer told him to “Shut the fuck up” in violation of Rule 8. | NOT SUSTAINED |

Approved:



Joshua Hunt
Deputy Chief Administrator – Chief Investigator

31 Jan 2018
Date

Appendix A

Assigned Investigative Staff

| | |
|------------------------------------|--------------------|
| Squad#: | 9 |
| Investigator: | Daniel Kobel, #67 |
| Supervising Investigator: | Shannon Hayes, #15 |
| Deputy Chief Administrator: | Joshua Hunt, #5 |