

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO
1077172TYPE
CRDATE OF REPORT
19-JAN-2018

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: ☐ CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORIT☐ CHIEF,
BUREAU OF INTERNAL AFFAIRS

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
PIERCE, EMILY	9181			113	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS:	DATE / TIME:16-SEP-2015 17:09	BEAT: 234
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
KINDLE, SEAN J	9161			002		M / BLK	-1967	07-JUL-1997	YES	YES
BROWN, ANTHONY	9161	17639		002		M / BLK	-1963	14-AUG-2000	YES	YES

REPORTING PARTY

NAME	ADDRESS*	CITY	TELEPHONE	SEX / RACE	DOB / AGE
				F / BLK	-1994 / 23

VICTIMS

NAME	ADDRESS*	CITY	TELEPHONE	SEX / RACE	DOB / AGE
UNKNOWN				M / BLK	/

WITNESSES

NAME	ADDRESS*	CITY	TELEPHONE	SEX / RACE	DOB / AGE
				F / BLK	1994 / 23

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

See Summary

SUMMARY

See Summary

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:

FINDINGS - RECOMMENDATIONS

See Summary

DATE INITIATED
(Date incident was received for investigation)

25-SEP-2015

DATE COMPLETED (Date of this report)

19-JAN-2018

ELAPSED TIME
(Total time expressed in days)

847

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

INTRODUCTION

On September 16, 2015, at approximately 4:55 PM, at 1430 East 52nd Street, Chicago, IL, the accused, Officers Sean Kindle, Star 14370 and Anthony Brown, Star 17639, allegedly grabbed [REDACTED] by the hair, slammed him to the ground and arrested him with no probable cause. COPA is investigating these allegations¹.

ALLEGATIONS

It is alleged that on September 16, 2015, at approximately 4:55 PM, at 1430 East 52nd Street Chicago, IL, the accused, PO Sean Kindle, Star # 14370:

1. Pulled O [REDACTED] to the ground.
2. Arrested [REDACTED] without probable cause.

It is alleged that on September 16, 2015, at approximately 4:55 PM, at 1430 East 52nd Street Chicago, IL, the accused, PO Anthony Brown, Star # 17639:

1. Grabbed [REDACTED] by the hair and slammed him to the ground.

APPLICABLE RULES AND LAWS

Rule 8: Disrespect to or maltreatment of any person, while on or off duty.

Rule 9: Engaging in an unjustified verbal or physical altercation with any person, while on or off duty.

G03-02 Use of Force Guidelines
G03-02-01 The Use of Force Model
G03-02-02 Force Options
G03-02-04 CLEAR Automated Tactical Response Report
G03-02-05 Incidents Requiring the Completion of a Tactical Response

INVESTIGATION

The alleged victim, [REDACTED] stated that on September 16, 2015, he was outside his school, Kenwood Academy, with his friends [REDACTED] and [REDACTED]. He stated that two of his friends who are former students, [REDACTED] and [REDACTED], approached. He stated that Chicago Police Officers Brown and Kindle asked the former students to leave because they were not allowed on school property. [REDACTED] reported he and [REDACTED] left and shortly after saw [REDACTED] and [REDACTED]

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. Thus, 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.

were being arrested. [REDACTED] stated that he began to inquire as to why [REDACTED] and [REDACTED] were being arrested and Officer Brown asked him to "move along." [REDACTED] stated he again asked why [REDACTED] and [REDACTED] were being arrested and [REDACTED] stated that Officer Brown responded by grabbing his hair and slamming his head to the ground. [REDACTED] was arrested for obstruction. [REDACTED] and [REDACTED] were arrested for criminal trespass and obstruction. A review of [REDACTED] Arrest Report shows [REDACTED] with a bandage above his right eye in his mugshot.

The ET photographs also show [REDACTED] with a bandage over his right eye, Officer Brown with a scratch on his left hand and Officer Kindle with a scratch on his left knee.

A Tactical Response Report completed by Officer Brown indicates that he had to execute an emergency takedown because [REDACTED] pulled away from him.

ANALYSIS/CONCLUSION

While [REDACTED] does have a bandage above his eye in his mugshot, the bandage is not an indication of the excessive force alleged. There is no other evidence to support the allegations that excessive force was used. No medical records were obtained, despite IPRA's efforts. There is no video of the incident. There is no school incident report for this case². Officer Brown's Tactical Response Report reports that [REDACTED] pulled away so PO Brown executed an emergency takedown.

There is no corroborating information to support [REDACTED] allegations.³ COPA's burden of proof is based on the preponderance of evidence standard.

As such, COPA recommends that Allegation # 1, that accused PO Sean Kindle, Star # 14370, pulled [REDACTED] to the ground, be **Unfounded**, as he is not the officer that brought [REDACTED] to the ground. COPA recommends that Allegation # 2 that accused PO Sean Kindle, Star # 14370, arrested [REDACTED] without probable cause, be **Unfounded**, as [REDACTED] interfered in the arrest of the former students which was enough probable cause for his arrest.

COPA recommends that Allegation # 1, that accused officer PO Anthony Brown, Star # 17639, Grabbed [REDACTED] by the hair and slammed him to the ground, be **Not Sustained**. Although there is evidence that he executed an emergency takedown to effectuate [REDACTED] arrest, it cannot be proved or disproved whether he did so by grabbing him by the hair.

[REDACTED]
Inv. Emily Pierce, Star #77

[REDACTED]
Supervising Inv. Erica Sangster

² IPRA attempted to obtain an Incident Report from Kenwood Academy, but none exists.

³ COPA attempted to contact the witnesses in this case to no avail.