

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	October 8, 2017
Time of Incident:	9:20 a.m.
Location of Incident:	[REDACTED]
Date of COPA Notification:	October 11, 2017
Time of COPA Notification:	12:27 p.m.

On the morning of October 8, 2017, neighbors [REDACTED] and off-duty CPD Officer Christopher Jackson engaged in a verbal and physical altercation on the sidewalk in front of Officer Jackson’s home. Mr. [REDACTED] initiated this confrontation because he was upset that Officer Jackson had been accusing him for months of burglarizing his garage. Several neighbors quickly gathered on the street when they heard the raised voices, and Officer Jackson also called 911 to report that he needed assistance. Several officers were dispatched to the scene, and as a result of the altercation, Mr. [REDACTED] was transported by ambulance to the hospital and treated for superficial injuries to his neck. He was later arrested for Aggravated Assault on a Peace Officer.¹ Mr. [REDACTED] filed a complaint to COPA three days later in which he accused Officer Jackson of harassing him, choking him by his collar, and making a racial comment to one of the responding officers.

Video footage from the In Car Camera systems in this case captured some of the comments made by the involved officers, and due to additional violations of Department policy discovered on this footage, allegations were brought against responding Officers Guzman and Szeszol by COPA. Other video footage from private security cameras also captured the initial confrontation of Officer Jackson and was used to generate the findings for the original allegations brought against him by Mr. [REDACTED]

II. INVOLVED PARTIES

Subject #1 (Reporting Party Victim):	[REDACTED] DOB [REDACTED], 1964, White Hispanic Male
Subject #2 (Witness):	([REDACTED] DOB [REDACTED], 1954, White Hispanic Female
Subject #3 (Witness):	[REDACTED] DOB [REDACTED], 1967, White Hispanic Male
Involved Officer #1 (Accused / Off Duty):	

¹ A search of the Cook County Clerk’s Criminal Database indicates that the Mr. [REDACTED] criminal case (17MC12147 [REDACTED]) case is set for trial on June 14, 2018.

Involved Officer #2 (Accused / On Duty):	Christopher Jackson , Star #3642, Employee # [REDACTED], Appointed April 28, 2003; Police Officer, Unit 124, DOB [REDACTED], 1967, Black Male
Involved Officer #3 (Accused / On Duty):	Jorge Guzman , Star #4206, Employee # [REDACTED], Appointed May 2, 1994; Police Officer/Field Training Officer, Unit 012, DOB [REDACTED], 1956, Hispanic Male
Involved Officer #4 (Witness / On Duty):	Glen Szeszol , Star #6183, Employee # [REDACTED], Appointed February 6, 1995; Police Officer, Unit 012, DOB [REDACTED], 1962, White Male
Involved Officer #5 (Witness / [REDACTED] of Accused): ²	David Magura , Star #17035, Employee # [REDACTED], Appointed December 16, 1991; Police Officer, Unit 012, DOB [REDACTED], 1966; White Male [REDACTED], No Star # (Academy Recruit), Employee # [REDACTED], Appointed November 16, 2017; Police Officer (Recruit), Unit 044 (Academy), DOB [REDACTED], 1991; Black Female

III. ALLEGATIONS

Officer Christopher Jackson	<p>1. The complainant alleged that Officer Jackson had been harassing him and falsely accused the complainant of breaking into Officer Jackson's garage, <i>in violation of Rules 2, 8, and 9.</i></p> <p>2. The complainant alleged that Officer Jackson grabbed him and twisted his shirt, choking him, <i>in violation of Rules 2, 8, and 9.</i></p> <p>3. The complainant alleged that Officer Jackson made a racial comment to Responding Officer Guzman when arriving, stating words to the effect of, "So it's a Mexican thing?" <i>In violation of Rules 2, 8, and 9.</i></p>	<p>1. Not Sustained</p> <p>2. Exonerated</p> <p>3. Sustained</p>
Officer Jorge Guzman	<p>1. COPA alleged that Officer Guzman failed to attach his In Car Camera microphone to his person, and therefore failed to audibly record the entire incident at [REDACTED] on 8 Oct 2017 (0925 hours) from</p>	<p>1. Sustained</p>

² [REDACTED] was enrolled in the CPD Academy on 11/16/17. She was a civilian at the time of this incident, but was a member of the Department at the time of this report, which is why she is indicated as an Involved Officer.

	start to finish, <i>in violation of Rules 2, 5, and 6 and Special Order 03-05.</i>	
Officer Glen Szeszol	1. COPA alleged that Officer Szeszol failed to audibly record the entire incident at [REDACTED] on 8 Oct 2017 (0925 hours) from start to finish, <i>in violation of Rules 2, 5, and 6 and Special Order 03-05.</i>	1. Sustained

IV. APPLICABLE RULES AND LAWS

RULES

Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 5: Failure to perform any duty.

Rule 6: Disobedience of an order or directive, whether written or oral.

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

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

GENERAL ORDERS

Chicago Police Department Special Order **S03-05:** In-Car Video Systems.

V. INVESTIGATION³

a. Interviews

Complainant [REDACTED]

In his interview to COPA on October 11, 2017, Mr. [REDACTED] stated that Officer Christopher Jackson had been accusing him since April 2017 of burglarizing items from Officer Jackson’s

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 Atts 15, 16, & 18.

garage and giving them to another neighbor to sell. Prior to that, the two had a cordial relationship, and Mr. ██████ had even alerted Officer Jackson that his garage door was left open on some occasions. On the date of this incident, Mr. ██████ received a phone call from Officer Jackson while in his car, again accusing him of stealing. Mr. ██████ explained that in response, he then walked over to Officer Jackson's home and "went up to [Officer Jackson] on the 8th of October, and was yelling and screaming at him; telling him to stop accusing me of robbing his garage."⁵ Officer Jackson's ██████ also came outside; Mr. ██████ yelled and screamed at her, "Tell her ██████ to stop accusing me."⁶ Officer Jackson responded, "Don't talk to my ██████ in that way,"⁷ and then grabbed Mr. ██████ by the neck and began choking him. Mr. ██████ described that Officer Jackson grabbed his shirt, twisted it, and pulled his neck upwards, choking him. This lasted approximately a minute, and neighbors, including ██████ approached to break it up. Officer Jackson then called 911 and reported an officer in distress.

When at least five police vehicles arrived shortly after the 911 call, Mr. ██████ and Officer Jackson were already separated from each other. Mr. ██████ reported that officers did not speak with him. An ambulance was called at the request of responding officers, which transported Mr. ██████ to Saint Anthony Hospital where he was treated for pain in his neck and chest.⁸ Mr. ██████ was discharged with superficial wounds, and upon being released, he was arrested. He was taken to the 12th district police station and advised that he was being charged with Aggravated Assault against Officer Jackson. Mr. ██████ noted that a neighbor's surveillance camera captured the incident on video, but that the footage was incomplete and did not capture the officer choking Mr. ██████⁹

Mr. ██████ then explained that Officer Jackson was arguing with responding Officer Guzman, when he arrived on scene. Officer Guzman and some of the other responding officers were advising Officer Jackson to calm down or he would be arrested. At some point, Officer Jackson said to Officer Guzman, "Oh, it's a Mexican thing?"¹⁰ A supervisor appeared shortly after and resolved the situation, dismissing Officer Guzman from the scene. Officer Jackson made another complaint against Officer Guzman.¹¹

Neighbor / Witness ██████¹²

On January 26, 2018, COPA interviewed a neighbor who witnessed the incident, ██████ Ms. ██████ lived across the street from Mr. ██████ and has known him for approximately fifteen years, but did not know "the black guy" now identified as Officer Jackson. She explained that on the morning of the incident, she walked out of her home to pick up her

⁵ Statement of ██████ Att 16, 04:51.

⁶ *Id.* at 05:55.

⁷ *Id.* at 06:08.

⁸ Mr. ██████ advised the ambulance personnel that he had various health problems including diabetes, anxiety, and depression. He had taken his medication that morning, but was lucid at the time of the altercation.

⁹ A canvass was conducted on 1/19/18 and 2/8/18 (Att 20). The address of the neighbor with the video was determined to be ██████ Door cards were left at this home on both occasions, but no response was received.

¹⁰ Statement of ██████ Attachment #16, 24:14.

¹¹ The same day, Officer Jackson filed a complaint against Officer Guzman for acting unprofessionally. This is recorded under BIA Log #1087046 and was still pending at the time of this report. All audio interviews were reviewed by COPA, and no significant inconsistencies in the officers' statements to BIA and COPA were noted.

¹² Atts 23 & 24.

laundry when she heard raised voices and went to see what happened. She thought the voice sounded like [REDACTED] but was not sure. She crossed the street and observed [REDACTED] and Officer Jackson arguing. She inserted herself between the two gentlemen, attempting to separate them and stop an accident from happening because [REDACTED] was sick.

At some point during the altercation, Officer Jackson grabbed Ms. [REDACTED] by the loop on her jeans to move her aside while grabbing [REDACTED] with his other hand. Officer Jackson then called the police, and right after he completed the call, he grabbed [REDACTED] by the collar of his shirt and appeared to choke him. Ms. [REDACTED] grabbed Officer Jackson's hand in an attempt to make him stop. The police arrived a few minutes afterward while Ms. [REDACTED] and other neighbors were trying to break up the argument, but no other physical fighting occurred in the meantime. When the police arrived, Ms. [REDACTED] heard Officer Jackson say, "Here come my people."¹³ The officers spoke to those present, and an ambulance was called to the scene to transport [REDACTED] to the hospital.

Ms. [REDACTED] was not familiar with the previous relationship between [REDACTED] and Officer Jackson. She also could not identify any other witnesses to this incident, nor could she recall what [REDACTED] and Officer Jackson were saying to each other during the argument.

Neighbor / Witness [REDACTED]

In his statement to COPA on January 29, 2018, [REDACTED] a neighbor of Mr. [REDACTED] for more than twenty years, stated he witnessed some of the incident. He had seen the black gentleman, now known as Officer Jackson, before that day and had heard from neighbors that he was a police officer, but had never met him directly. Mr. [REDACTED] stated that he was outside in his garage having a garage sale when he heard yelling. Upon walking out to the street, he saw Mr. [REDACTED] and Officer Jackson yelling at each other while standing face-to-face. He then saw Officer Jackson grab Mr. [REDACTED] with both hands by his shirt near his neck, but he did not see either party strike the other at any time.

Mr. [REDACTED] approached the two males and attempted to break up the fight, along with several other neighbors. The neighbors quickly broke up the argument, and the police arrived. He heard Officer Jackson say to a Hispanic officer, "Don't give me that Mexican talk."¹⁵ Mr. [REDACTED] saw Mr. [REDACTED] taken away in an ambulance but did not see either party get arrested. He observed that Mr. [REDACTED] neck was red, and his shirt was also wrinkled at the collar. Officer Jackson went back into his home after Mr. [REDACTED] was removed from the area, and another black officer with a white shirt on followed him inside.

Witness Officer [REDACTED]¹⁶

In her interview with COPA on February 22, 2018, [REDACTED]¹⁷ confirmed that she was a civilian at the time of the incident because she had not yet started the academy. Ms. [REDACTED] explained that at the time she lived on the second floor of the same building as her [REDACTED], Officer

¹³ Att 24, *Id.* 11:09.

¹⁴ Atts 21 & 22.

¹⁵ Statement of [REDACTED] Attachment #22, 17:08.

¹⁶ Atts 27-29.

¹⁷ Since [REDACTED] was a civilian at the time of this incident and there are two Jackson's in this report, she will be referred to as "[REDACTED]" in this section.

Christopher Jackson. She was awakened from sleep by yelling outside and quickly recognized the first voice as Mr. [REDACTED]. She went outside about a minute later and observed that her [REDACTED] and Mr. [REDACTED] were standing very close together arguing, so she approached them to separate them. By then, many neighbors from the block were outside. Ms. [REDACTED] did not observe her [REDACTED] or Mr. [REDACTED] physically fighting; she only saw that their chests were touching.

Ms. [REDACTED] was aware that her [REDACTED] suspected Mr. [REDACTED] of burglarizing their garage and noted that the entire family supported these suspicions. This was because Mr. [REDACTED] was unemployed, frequently loitered in the alley behind their home, and would say “strange things” to them sometimes. Ms. [REDACTED] recalled Mr. [REDACTED] calling her [REDACTED] once in the past to tell him the garage door was open, but did not recall any occasion of her [REDACTED] harassing Mr. [REDACTED].

After Ms. [REDACTED] inserted herself into the argument, her [REDACTED] called 911, and about six officers responded within a few minutes. When Officer Guzman arrived, he approached the neighbors first and spoke to them in Spanish. He then approached Officer Jackson and told him he was going to “lock his ass up,”¹⁸ to which Officer Jackson said, “For what?”¹⁹ Ms. [REDACTED] did not observe anyone being arrested at that time, but Mr. [REDACTED] was taken to the hospital in an ambulance. Ms. [REDACTED] recalled Mr. [REDACTED] holding his chest and saying his heart hurt, but did not recall seeing any injuries.

Ms. [REDACTED] provided the police with her identification and was told she might be a possible witness. After the police arrived, Ms. [REDACTED] observed her [REDACTED] going to the back of the house to put some things away. She did not observe her [REDACTED] grabbing Mr. [REDACTED] shirt at any time, nor did she see Mr. [REDACTED] put his hands on Officer Jackson at any time.

Ms. [REDACTED] did not see any surveillance cameras or video footage that captured the incident. She did hear neighbors mention to her [REDACTED], [REDACTED],²⁰ that they had footage of the incident but was not aware of what happened to this footage. This neighbor provided the video to the police, and her [REDACTED] had also seen the footage. Ms. [REDACTED] saw the footage later on her [REDACTED] phone, which was approximately three minutes long. It did not capture the entire incident because the parties moved out of frame during the incident. She did not witness her [REDACTED] discuss the video with anyone else.

Ms. [REDACTED] overheard her [REDACTED] say something similar to, “Is it because they’re Mexican?”²¹ to Officer Guzman. The neighbors also heard him say this and began calling Officer Jackson a racist. Ms. Jackson confirmed that her [REDACTED] filed a complaint against Officer Guzman regarding his behavior.

Witness / Accused Officer Jorge Guzman²²

¹⁸ Att 29, 17:10.

¹⁹ *Id.* 18:32.

²⁰ [REDACTED] was also present and witnessed the tail end of the argument. She she did not respond to COPA’s attempts to interview her.

²¹ Att 29, 36:44.

²² Atts 30-32 (Witness); Atts 44 & 46-47 (Accused). Officer Guzman is also a Field Training Officer responsible for training other officers on the proper use of Department equipment.

In his statement to COPA on February 22, 2018 regarding his capacity as a **Witness** to the allegations against Officer Jackson, Officer Guzman stated that he was the first to arrive on the scene after receiving a Priority 1A dispatch call of Officer in Distress. Officer Magura and Officer Szeszol were also dispatched to the scene, as well as Sergeant Hoy.²³ Officer Guzman had his In Car Camera activated during the incident.

When first arriving, a black male approached Officer Guzman's car immediately and said, "Lock this motherfucker up."²⁴ When Officer Guzman exited his car a few seconds later, two females were holding back the black male and one female was holding Mr. [REDACTED]. Officer Guzman was not aware that the black male who approached his car was a police officer until later, when he identified himself as Officer Jackson. After exiting his car, Officer Guzman approached Mr. [REDACTED] and observed marks on his neck consistent with a choking injury.

After Officer Guzman finished speaking to the neighbors and went to speak to Officer Jackson, Officer Jackson replied, "Are you playing the fucking Mexican shit? Why are you playing the Mexican shit?"²⁵ By this time, other responding officers had arrived. Officer Guzman indicated that Officers Szeszol and Magura were nearby when Officer Jackson made the Mexican comment, and he was fairly positive that they would have overheard it. Officer Guzman advised Officer Jackson that he would lock him up if he did not obey his verbal commands. At this time, Officer Guzman was not aware that Officer Jackson was an officer, but he had been told that Mr. [REDACTED] was choked and beat up by an officer. Officer Guzman observed that Mr. [REDACTED] shirt was unbuttoned, but not ripped, and he had scratches on his neck. Both Mr. [REDACTED] and Officer Jackson were very excited, and the responding officers were attempting to calm them. Sergeant Hoy dismissed Officer Guzman a few minutes later, saying he wanted to speak to the involved parties.

In his subsequent statement to COPA on March 20, 2018 in relation to his capacity as an **Accused Officer** regarding the allegation of failing to audibly record the incident with his In Car Camera, Officer Guzman admitted that he failed to remember to attach the camera's microphone to his person at the beginning of his beat that day. He left the microphone on the charging station inside the car, which is why there were no voices heard in the footage of this incident. He had not placed the microphone on his person until just after this incident when he recalled that he had forgotten.

Witness / Accused Officer Szeszol²⁶

In his interview with COPA on February 26, 2018 regarding his capacity as a **Witness** to the allegations against Officer Jackson, Officer Szeszol explained that he responded to a dispatch call of a police officer needing an assist. He was originally given the incorrect address, but he shortly received the correct address from Officer Guzman, who had already arrived on scene. Upon arrival, the scene was chaotic, so Officer Szeszol ensured that Officer Guzman was safe since he was speaking to a large number of civilians. Once it was established that he was in no danger, Officer Szeszol spoke to Officer Jackson and explained that Sergeant Hoy was on his way. Officer

²³ A statement was not obtained from Sergeant Hoy by COPA.

²⁴ Officer Guzman's In Car Camera captured video of the incident, but only audio of a male saying "Lock this motherfucker up." There was no other speaking caught on the footage.

²⁵ Att 32, 08:27.

²⁶ Atts 33-35 (Witness); Atts 45 & 48-49 (Accused).

Jackson was agitated because he had just been assaulted. Officer Guzman came over to speak to Officer Jackson, and at the same time, Officer Szeszol went to speak to the civilians. During the short period that all three officers were interacting, Officer Szeszol did not hear any words exchanged between Officer Jackson and Officer Guzman.

When asked a second time about whether Officer Szeszol overheard Officer Jackson use the word “Mexican” at any time, he said he did not. When presented with the third party testimony, he again denied hearing Officer Jackson say this. He also did not observe any injuries on any parties, but noted that Mr. [REDACTED] was highly agitated and claimed to have medical issues, so an ambulance was called. Mr. [REDACTED] was not placed under arrest immediately. A video²⁷ was then obtained from the neighbors, and Officer Szeszol was asked to assist in arresting Mr. [REDACTED]. A patrol car escorted Mr. [REDACTED] to the hospital, but Officer Szeszol remained on scene. He did not interact with Officer Jackson further, and he did not recall any further discussions by Officer Jackson to other officers.

When interviewed by COPA as an **Accused Officer** on March 20, 2018, Officer Szeszol denied purposely muting his In Car Camera microphone during his conversation with Officer Cullotta²⁸ while on scene. He stated he was not aware of a mute button on the microphone, but that officers can manually disengage the microphone by way of buttons on the device. He explained that it is possible he accidentally disengaged the microphone while it was attached to his uniform, but that this was not intentional.

Witness Officer Magura²⁹

In his interview with COPA on March 1, 2018, Officer Magura confirmed that he was called to a disturbance involving an off-duty officer. When he arrived at the scene, he approached Officer Jackson first because he believed him to be the officer involved. Officer Jackson was not speaking to any officers at the time and appeared calm. Shortly after, Officer Guzman came over and asked if they were both okay. Officer Magura confirmed they were and suggested that Officer Guzman continue to speak with the neighbors because they were Hispanic. Officer Jackson then got very upset at this and “fixated” on Officer Guzman. Officer Jackson did not mention to Officer Magura why he was upset, but explained to Officer Magura the circumstances surrounding the incident.

Officer Magura went on to explain that he viewed the surveillance video at the station and observed Officer Jackson pushing Mr. [REDACTED] to the ground toward the end.³⁰ He could not pinpoint the origin of the video. When Sergeant Hoy arrived, the tape surfaced, and Mr. [REDACTED] was taken to the hospital. No injuries were observed on either party by Officer Magura.

When asked if Officer Magura heard Officer Jackson use the word “Mexican” at any time, he did not recall hearing such a comment. His In Car Camera was turned on and functional, but

²⁷ Officer Szeszol confirmed that he had viewed the entire video later at the station.

²⁸ Cullotta was one of the responding officers, but there is no indication that she witnessed anything relating to the allegations; therefore, she was not interviewed by COPA.

²⁹ Atts 39-41.

³⁰ This portion was not substantiated by any other witness testimony or video footage. The complainant never claimed to have been pushed to the ground.

was manually turned off after Officer Magura felt that the scene had calmed down and a supervisor was on their way.³¹

Accused Officer Christopher Jackson³²

In his interview to COPA on February 23, 2018, Officer Christopher Jackson confirmed that his [REDACTED] and two [REDACTED], [REDACTED] J [REDACTED], [REDACTED] lived with him and that Mr. [REDACTED] was their neighbor. He had concerns about Mr. [REDACTED] being near his garage in the past and felt that he had burglarized it, but denied texting or calling Mr. [REDACTED] about these suspicions. Officer Jackson admitted that Mr. [REDACTED] had alerted him to his garage door being open in the past, and their relationship had been cordial prior to this incident. However, Officer Jackson had filed a police report with the CPD Burglary Team at the 012th District as a result of the burglaries.³³

On the morning of the incident, Officer Jackson was off duty outside his home sweeping the sidewalk. Mr. [REDACTED] approached him and began shouting in close proximity about being falsely accused of stealing. A neighbor appeared and attempted to push Mr. [REDACTED] away, and about three minutes later, Officer Jackson called 911 because he felt uncomfortable and threatened. The first police officer to arrive was Officer Guzman; Officer Jackson identified himself as a police officer, and told Officer Guzman to “lock [Mr. [REDACTED]] ass up.”³⁴ Officer Jackson pointed out that when Officer Guzman arrived, it appeared that the neighbors knew him by name and spoke to him in Spanish.³⁵ When Officer Jackson tried to tell Officer Guzman what happened, Officer Guzman instructed Officer Jackson to get back on the sidewalk and went to speak to the neighbors first. After a few moments, Officer Guzman returned to Officer Jackson and said, “Brother, you’re the one going to jail.”³⁶ Officer Guzman and Officer Jackson then spoke for several minutes using heightened voices while other responding officers were nearby.

Officer Jackson admitted to being upset that Officer Guzman spoke to the neighbors before obtaining his statement. He also admitted to grabbing Mr. [REDACTED] by the shirt with both hands for approximately five seconds, telling him to get out of his face. Mr. [REDACTED] did not verbally indicate that he was choking or in pain, and no injuries on any party were noted by Officer Jackson. When asked if he made any type of comment about Mexicans, Officer Jackson admitted to saying to Officer Guzman, “So you go over there to the Mexicans and now the black guy’s wrong?”³⁷ He denied using the word in any other context.

Officer Jackson obtained the security camera video from his neighbor, [REDACTED] who lived in the first house to the west and had the camera attached to his home. Mr. [REDACTED]

³¹ The ICC footage from Officer Magura’s vehicle was not obtained. He had not seen the video.

³² Atts 36-38.

³³ This report was not obtained by COPA.

³⁴ Att 38, 21:07 and 26:04.

³⁵ It was noted by witnesses that Officer Guzman was very familiar with the area and the families residing on that street.

³⁶ Att 38, 26:40.

³⁷ Att 38, 37:15.

provided the video to the police on scene.³⁸ Officer Jackson provided a lengthened version of the video to COPA, which was approximately two and a half minutes in length.³⁹

Officer Jackson went to the station later that day to fill out his Tactical Response Report and saw Mr. [REDACTED] there. He also filed a complaint against Officer Guzman that same day due to that officer's alleged unprofessional behavior.

b. Digital Evidence

The **Home Security Video**⁴⁰ from [REDACTED] showed Officer Jackson sweeping leaves on the sidewalk when Mr. [REDACTED] approached him on foot. Mr. [REDACTED] was seen making pointing hand gestures in the video and appeared to be shouting at Officer Jackson. His face was within inches of Officer Jackson's face for several seconds, and Officer Jackson was seen briefly placing his hand on Mr. [REDACTED] chest.⁴¹ A female (later confirmed to be [REDACTED]) approached shortly after the argument began and inserted herself between the two parties to separate them. While Ms. [REDACTED] was facing Mr. [REDACTED] and holding her arms up for him to back away, Officer Jackson was also speaking aggressively and pointing fingers at Mr. [REDACTED]. As other individuals appeared in the footage, Officer Jackson was seen making a call on his cell phone. They exchanged more words, and the video ended. Neither party was observed striking the other at any time in this fragment of footage.

The **In Car Camera Footage**⁴² from **Officer Guzman** captured his vehicle arriving at the location; when the vehicle stopped, a male voice was heard saying, "Lock this motherfucker up." The video continued to show only the front view from inside the police vehicle. There was no further audio footage of Officer Guzman or the neighbors speaking. **Officer Szeszol's In Car Camera** captured both video and audio of the incident. Upon arriving to the scene, a male voice was heard saying, "I was out here cleaning up and this motherfucker came up and spit on me man. Talking shit. Lock this motherfucker up." The same male voice was also heard saying briefly after, "I did not choke you. Get the Sergeant." Throughout the video, there were several voices yelling, and Officer Szeszol was heard speaking to Mr. [REDACTED] to calm him down.⁴³ Mr. [REDACTED] also told Officer Szeszol that Officer Jackson said "Fucking Mexicans" to him. Shortly after this, Officer Szeszol was speaking to female responding officer⁴⁴ about the incident that was audible through his microphone. The female officer is heard saying to Officer Szeszol, "[Officer Jackson] just got a CR number on Guzman."⁴⁵ Officer Szeszol responds to her a few seconds later with, "It seems like the cop was the aggressor."⁴⁶ Three seconds later, Officer Szeszol's microphone was shown

³⁸ Mr. [REDACTED] refused to cooperate with the COPA investigation.

³⁹ Officer Jackson admitted to the video not depicting the entire incident, but could not explain why this was.

⁴⁰ Atts 9 & 25-26. Video only (no audio).

⁴¹ Contrary to Mr. [REDACTED] allegation, this contact was exceedingly brief, and did not appear to include any movement that could reasonably be construed as twisting [REDACTED] collar, choking him, or lifting him upwards.

⁴² Atts 42 & 43.

⁴³ The COPA investigator identified [REDACTED] [REDACTED] voice on the audio. He was not in view.

⁴⁴ Officer Cullotta.

⁴⁵ Officer Szeszol's In Car Camera footage, 19:46 minutes in.

⁴⁶ *Id.* 20:05.

on the video screen as being muted.⁴⁷ There was no further audio captured for the remaining 26 minutes of the footage.

c. Physical Evidence

Medical Records⁴⁸ from Saint Anthony Hospital were obtained by COPA which documented that Mr. [REDACTED] was treated on October 8, 2017 for a superficial neck injury; specifically, a contusion (bruising).

d. Documentary Evidence

The **Arrest Report** and **Case Reports**⁴⁹ obtained from the Chicago Police Department detailed that Mr. [REDACTED] walked up to Officer Jackson and shouted at him in a threatening manner, and pushed his chest into the victim. Mr. [REDACTED] was arrested for Aggravated Assault to PC Officer/Volunteer, a class A misdemeanor. No injuries or weapons were indicated on the reports.

The **OEMC Event Queries**⁵⁰ confirmed that an off-duty officer requested police due to a male assaulting him.

The **Tactical Response Report** and **Officer Battery Report**⁵¹ detailed that Officer Jackson responded to the offender with member presence and verbal commands, and also grabbed him by the collar. No injuries were indicated on the reports, but the subject was transported to Saint Anthony complaining of tightness in his chest.⁵²

VI. ANALYSIS

Officer Jackson: Allegation #1

COPA recommends that the allegation regarding Officer Jackson harassing Mr. [REDACTED] about the suspected burglarizing of his garage, in violation of Rules 2, 8, and 9, be **Not Sustained**. There is insufficient evidence to refute or support this claim, and Mr. [REDACTED] did not provide any proof of texts, emails, or phone calls received from Officer Jackson that were threatening or harassing in nature. Mr. [REDACTED] also provided no witnesses to the alleged harassment, and Officer Jackson denied these claims in his statement. Further, Officer Jackson's [REDACTED] [REDACTED] did not testify to witnessing any harassment.

⁴⁷ This occurred 20:09 minutes into the footage. An allegation of misconduct was brought by COPA against Officer Szeszol for this action. It was not addressed in the CR with BIA.

⁴⁸ Atts 10 & 11. The Ambulance Report was requested by COPA from CFD via subpoena on two occasions; however, no response was received at the time of this report.

⁴⁹ Atts 4, 5, & 19.

⁵⁰ Atts 12-13.

⁵¹ Atts 6 & 7.

⁵² There is also a Service Request Summary Report (Att #17) with no additional information.

Officer Jackson: Allegation #2

In regard to the allegation about Officer Jackson grabbing Mr. [REDACTED] by the collar of his shirt and choking him, in violation of Rules 2, 8, and 9, COPA recommends that Officer Jackson be **Exonerated**. The witnesses described Mr. [REDACTED] initiating an argument with Officer Jackson in an attempt to confront him about his accusations. By Mr. [REDACTED] own admission, it was he who initiated the altercation with Officer Jackson, and Officer Jackson grabbed his shirt collar and twisted it in reaction. The video footage provided to COPA also clearly showed Mr. [REDACTED] being the initiator and approaching Officer Jackson in an aggressive manner. Officer Jackson admitted that he grabbed Mr. [REDACTED] shirt collar in response to Mr. [REDACTED] aggressive behavior. The video footage demonstrated that the Officer Jackson used only minimal force when he briefly touched Mr. [REDACTED]. The contact by Officer Jackson as depicted in the video footage was reasonable and within CPD policy, therefore COPA recommends that this allegation be Exonerated. COPA further notes that there was no credible evidence that Officer Jackson choked Mr. [REDACTED] as alleged.

Officer Jackson: Allegation #3

COPA recommends that the final allegation of Officer Jackson making an inappropriate racial comment be **Sustained**. Officer Jackson himself admitted to using the word “Mexican” in front of witnesses, in violation of Rules 2, 8, and 9. Although Officers Szeszol and Magura did not recall hearing this comment, [REDACTED] and [REDACTED] attested to hearing it. There is also no challenge to Mr. [REDACTED] credibility in this case overall; in fact, he is audibly heard on the In Car Camera footage reporting this comment immediately to responding officers. The preponderance of the evidence suggests that Officer Jackson did in fact use a racial comment inappropriately while in the presence of other officers and the public.

Officer Guzman: Allegation #1

COPA recommends that the allegation against Officer Guzman for not attaching his In Car Camera microphone to his person in order to audibly record the entire incident in violation of Rules 2, 5, and 6 and Special Order 03-05, be **Sustained**. The Department Directives clearly state that an incident must be audibly and visually recorded in full, and Officer Guzman failed to do so. Had he attached his microphone to his person, the “Mexican” comment made by Officer Jackson would have been recorded on the footage. Although COPA has sufficient evidence to sustain that allegation against Officer Jackson via witness testimony, the recorded evidence was an essential component of this investigation. By his own admission, Officer Guzman neglected his duty to attach the microphone to his person during the first part of his beat that day.

Officer Szeszol: Allegation #1

COPA recommends that the allegation against Officer Szeszol for muting his microphone while on scene, in violation of Rules 2, 5, and 6 and Special Order 03-05, be **Sustained**. Although Officer Szeszol denied this allegation and demonstrated in his interview how the button to disengage the microphone could accidentally be pressed while making arm movements, this speculation is not adequately compelling to disprove that he purposefully muted his microphone. The microphone was muted three seconds after the responding officers began discussing that a CR was being initiated by Officer Jackson against fellow responding Officer Guzman.

VII. CONCLUSION

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

<p>Officer Christopher Jackson</p>	<p>1. The complainant alleged that Officer Jackson had been harassing him and falsely accused the complainant of breaking into Officer Jackson's garage, <i>in violation of Rules 2, 8, and 9.</i></p> <p>2. The complainant alleged that Officer Jackson grabbed him and twisted his shirt, choking him, <i>in violation of Rules 2, 8, and 9.</i></p> <p>3. The complainant alleged that Officer Jackson made a racial comment to Responding Officer Guzman when arriving, stating words to the effect of, "So it's a Mexican thing?" <i>In violation of Rules 2, 8, and 9.</i></p>	<p>1. Not Sustained</p> <p>2. Exonerated</p> <p>3. Sustained</p>
<p>Officer Jorge Guzman</p>	<p>1. COPA alleged that Officer Guzman failed to attach his In Car Camera microphone to his person, and therefore failed to audibly record the entire incident at 1528 W 19th Street on 8 Oct 2017 (0925 hours) from start to finish, <i>in violation of Rules 2, 5, and 6 and Special Order 03-05.</i></p>	<p>1. Sustained</p>
<p>Officer Glen Szeszol</p>	<p>1. COPA alleged that Officer Szeszol failed to audibly record the entire incident at 1528 W 19th Street on 8 Oct 2017 (0925 hours) from start to finish, <i>in violation of Rules 2, 5, and 6 and Special Order 03-05.</i></p>	<p>1. Sustained</p>

Appro

Andrea Kersten
 Deputy Chief Administrator – Chief Investigator

5/30/18

Date

Appendix A

Assigned Investigative Staff

Squad#:	2
Investigator:	Jessica Beckman, #49
Supervising Investigator:	Sherry Daun
Deputy Chief Administrator:	Andrea Kersten