

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	May 1, 2018
Time of Incident:	3:00 AM
Location of Incident:	6360 S. Dr. Martin Luther King Jr. Dr., Chicago, IL 60637
Date of COPA Notification:	May 4, 2018
Time of COPA Notification:	4:33 PM

Department members, Sgt. Brandi Wright, Officers Jennifer Dodge, and Eric King (collectively “the Accused”) were assisting members of the Chicago Fire Department on an unrelated call for service when they encountered ██████████ was immediately argumentative and belligerent, demanding CFD personnel move their ambulance that was blocking her desired path of travel. After CFD personnel and the Accused completed their unrelated call for service, ██████████ was seen sitting in her parked car directly in front of the Ambulance, refusing to comply with uniformed security’s request to move her vehicle. As the Accused approached ██████████ she directed numerous profanities at Sgt. Wright while refusing to move her vehicle.

In response to ██████████ non-compliance, Sgt. Wright opened the driver’s door and ordered ██████████ to exit the vehicle. ██████████ did not comply. Officer King opened the front passenger’s door, leaned into the vehicle, and unbuckled ██████████ seat belt, all while she was refusing to exit the vehicle. ██████████ eventually exited and instructed the Accused on how she should be handcuffed, while refusing instructions to turn around. After numerous instructions to turn around, Officer King reached for and gained control of ██████████ left arm, which he secured in handcuffs behind her back. ██████████ refused to walk to the Department vehicle.¹ The Accused then carried ██████████ to secure her in the rear of a Department vehicle.

Upon arrival at the station, ██████████ demanded medical treatment but refused to allow CFD personnel to treat her because she claimed they are racists. After ██████████ was released from custody, she sought treatment for pain to her knee, back, neck and shoulders. ██████████ medical records detail her own admissions that she suffers from chronic back, neck, wrist, and shoulder pain. Additionally, the medical records reveal no signs of injury to ██████████

¹ ██████████ claimed her inability to walk was related to her physical disabilities, but her refusal occurred after she followed CFD personnel and the Accused around the complex on foot for several minutes.

II. INVOLVED PARTIES

Involved Sergeant #1:	Brandi Wright, Star #1241, Employee ID # [REDACTED], Date of Appointment: May 22, 2006, Sergeant of Police, Unit 180 (Bureau of Detectives), Date of Birth: [REDACTED], 1981, Female, Black
Involved Officer #1:	Jennifer Dodge, Star #17504, Employee ID # [REDACTED], Date of Appointment: October 31, 2016, Police Officer, 3 rd District, Date of Birth: [REDACTED], 1991, Female, White
Involved Officer #2:	Eric King, Star #15477, Employee ID # [REDACTED], Date of Appointment: December 16, 2009, Police Officer, Unit 716 (Community Safety Team), Date of Birth: [REDACTED], 1981, Male, Black
Involved Individual #1:	[REDACTED] Date of Birth: [REDACTED], 1990, Female, Black

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Sergeant Brandi Wright	1. Ordered [REDACTED] [REDACTED] to be arrested without justification.	Exonerated.
	2. Allowed officers to use verbally abusive language directed toward [REDACTED] [REDACTED]	Not Sustained.
	3. Allowed officers to use aggressive handcuffing despite being advised of [REDACTED] [REDACTED] previously injured shoulders.	Exonerated.
	4. Allowed Officer Eric King to continue to interact with [REDACTED] [REDACTED] despite [REDACTED] [REDACTED] alleging Officer King touched her inappropriately.	Unfounded.
	5. Searched and/or allowed officers to search [REDACTED] [REDACTED] vehicle without justification.	Sustained / 15-day suspension.
	6. Failed to report excessive force used against [REDACTED] [REDACTED]	Unfounded.

Officer Jennifer Dodge	1. Searched [REDACTED] [REDACTED] vehicle without justification.	Sustained / 10-day suspension and training.
Officer Eric King	1. Used excessive force against [REDACTED] [REDACTED] through the following acts, including but not limited to, twisted her arm, threw her, slammed a door on her, forced her chin to her chest, squeezed her neck, and dragged her.	Unfounded.
	2. Handcuffed [REDACTED] [REDACTED] behind her back despite being advised of an injury.	Exonerated.
	3. Grabbed and/or touched the breast of [REDACTED] [REDACTED]	Unfounded.
	4. Searched [REDACTED] [REDACTED] car without justification.	Sustained / 10-day suspension and training.

IV. INVESTIGATION²

a. Interviews

During her statement to COPA, [REDACTED] [REDACTED] explained that after dropping off a passenger at the Parkway Gardens Apartments, she attempted to exit the complex only to discover that a Chicago Fire Department Ambulance was blocking her vehicle’s path. After waiting several minutes, [REDACTED] observed CFD and Department personnel walking around the complex. [REDACTED] proceeded to follow the CFD and Department personnel on foot while requesting the Ambulance be moved, but she was ignored.

After several minutes, Sgt. Wright arrived at the scene but ignored [REDACTED] CFD personnel returned to the ambulance and [REDACTED] returned to her vehicle. The Ambulance then honked at [REDACTED] to move her vehicle, and a stand-off ensued. A Security Guard approached [REDACTED] and instructed her to move. [REDACTED] refused, explaining that the Ambulance was blocking her path. While [REDACTED] was speaking to the Security Guard, the Accused approached her vehicle and Sgt. Wright told her to move, but she did not. Sgt. Wright then opened the driver’s door, and Officer Huerta grabbed [REDACTED] arm. Officer King reached into the vehicle from the passenger side and unfastened [REDACTED] seatbelt. [REDACTED] then exited the vehicle. Officers again tried to grab her, and she announced that she had a disability and needed to be cuffed in front of her body. Officer King then grabbed [REDACTED] arm, “twisted it to the side and then back and over the [car] door...”⁴ [REDACTED] related she could not walk and was carried to the squad car. While Officer King was

² COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

³ Atts. 4 and 59

⁴ Att. 59, pg. 19.

carrying ██████ she stated his hand was on her breast. Officer King threw ██████ into the squad car and slammed the door on her knee. The Accused proceeded to search ██████ car.

Once at the police station, ██████ was carried inside the station. ██████ alleged that, while in a processing room, officers insulted ██████ and her appearance. ██████ requested medical assistance but when CFD arrived, she demanded different CFD personnel treat her.⁵ At one point, Officer King came in to adjust her cuffs, and she was upset that he was touching her. ██████ stated that while Officer King was adjusting the cuffs, in the presence of Sgt. Wright, he grabbed her neck, forced it downwards, twisted her arm, and dragged her.

During her statement to COPA, **Sergeant Brandi Wright**⁶ relayed that she responded to a request for a supervisor at E. 63rd St. and S. King Dr. Upon arrival she learned that CPD and CFD were on scene for unrelated matter when the interaction with ██████ began. CFD requested assistance with moving ██████ vehicle that was blocking the Ambulance's path. Sgt. Wright, a Security Guard, and other members asked ██████ to leave but she would not. Sgt. Wright then requested ██████ exit her vehicle. ██████ exited the vehicle and was instructed to turn around so she could be handcuffed. ██████ refused and insisted she could not be handcuffed behind her back because of a shoulder injury. While ██████ was refusing to turn around, Officer King handcuffed one of ██████ arms. Once ██████ was secured in handcuffs, members had to carry her to the Department vehicle. Upon arrival at the station, ██████ complained her shoulder hurt. Medical assistance was requested, but upon their arrival ██████ refused to be treated.⁷

Sgt. Wright explained that while on scene the Security Guard requested to sign complaints related to ██████ trespassing. Additionally, Sgt. Wright explained that throughout the entire interaction, ██████ was yelling, aggressive, belligerent, and unwilling to comply with instructions. Further, Sgt. Wright explained that ██████ was handcuffed behind her back because that is Department policy, and ██████ behavior created a concern for officer safety. However, when Sgt. Wright heard ██████ complaint of shoulder pain and the handcuffs being too tight, she adjusted ██████ position to reduce the stress of the handcuffs. Further, Sgt. Wright recounted ██████ alleging Officer King "rubbed against her breast."⁸ Sgt. Wright attempted to clarify with J█████ exactly what Officer King's actions were, but ██████ did not provide any details. Sgt. Wright then informed the Watch Operations Lieutenant, who had an extended conversation with ██████. Finally, Sgt. Wright denied seeing Officer King inappropriately touch ██████ squeeze ██████ neck, force her chin to her chest, grab her arm at the station, or drag ██████ nor did she see any member direct derogatory comments towards ██████

During their statements to COPA, **Officers Jennifer Dodge**⁹ and **Eric King**¹⁰ relayed essentially the same information as Sgt. Wright. Additionally, Officer King recalled that once ██████ was out of the vehicle, he reached through the driver's side door and grabbed control of ██████ arm to placed a handcuff on her. Officer King then moved ██████ handcuffed arm

⁵ The CFD personnel at the station was the same personnel at the location of the incident.

⁶ Atts. 35 and 58.

⁷ The responding CFD personnel were the same personnel on scene during the incident.

⁸ Att. 58, pg. 29.

⁹ Atts. 39, 40 & 57

¹⁰ Atts. 44 & 56

behind her back and handcuffed her free arm behind her back. Further, Officer King recalled [REDACTED] had to be carried by Officers Medina, Huerta, Dodge, and King to the Department vehicle.

After [REDACTED] was secured in the Department vehicle, Officers Dodge and King searched [REDACTED] vehicle for weapons, contraband, and evidence that would explain [REDACTED] behavior. Officers Dodge and King did not tow [REDACTED] vehicle from the location.¹¹ [REDACTED] was then transported to the district station. While enroute [REDACTED] remained belligerent and repeatedly kicked the Department vehicle's window. Upon arrival at the station, [REDACTED] was carried into the station while complaining that her shoulder hurt. Both Officers Dodge and King denied making or hearing any other members make derogatory comments towards [REDACTED]. While Officer Dodge recalled [REDACTED] claims about Officer King's contact, she could not recall the specific details. Officer King denied using excessive force against [REDACTED] or touching her breast.

b. Digital Evidence

Body Worn Camera¹² details the arrival of Officers Huerta and Medina at the apartment complex, with the CFD Ambulance already on scene. The officers enter an apartment and speak with a male who has apparently taken drugs and is confused. Officers Huerta and Medina exit the building and discover [REDACTED] car is parked in front of the Ambulance. As the officers and CFD are still trying to address the male, [REDACTED] is heard shouting and demanding that the Ambulance be moved; however, the Ambulance is not moved. [REDACTED] then follows the officers on foot throughout the complex, shouting at them while recording on her phone. The officers and CFD personnel ignore [REDACTED] while they are searching for the male who has walked away.

Sgt. Wright arrives and is briefed by officers on scene, while [REDACTED] continues to shout and interrupt. CFD personnel inform Sgt. Wright that the male needed medical attention. After several minutes, the Accused and CFD personnel are unable to locate the male, and they return to the Ambulance. As the Accused approach the Ambulance, [REDACTED] car is parked on the roadway blocking the Ambulance's path. [REDACTED] accuses the CFD personnel of being racists while shouting insults at them. Sgt. Wright approaches [REDACTED] vehicle and is immediately called a racist and bitch by [REDACTED].

Sgt. Wright instructs [REDACTED] to move her vehicle. [REDACTED] refuses and claims the Security Guard is opening a gate for her. Sgt. Wright orders [REDACTED] out of her car. Initially, [REDACTED] does not comply and instead argues with Sgt. Wright. After several moments [REDACTED] exits the car while exclaiming that she is disabled and needs to be handcuffed in the front of her body. Sgt. Wright tells [REDACTED] to turn around, and multiple officers reach towards [REDACTED] pulls away. Officer King grabs [REDACTED] right arm, puts a handcuff around her right wrist, and moves [REDACTED] right arm behind her back.¹³ [REDACTED] again exclaims that she cannot be handcuffed behind her back; however, her exclamations are not heeded and she is secured with the handcuffs behind her back. Once in handcuffs [REDACTED] refuses to walk and instructs the officers to carry her. [REDACTED] becomes dead weight and Officers King and Huerta carry her to the Department vehicle.

¹¹ Officer King explained that he believed Parkway Garden Apartment Security had [REDACTED] vehicle towed from their parking lot.

¹² Atts. 13 to 22 and 54.

¹³ Att. 21 at 04:06.

Officer King puts ██████ in the rear seat of the Department vehicle, pushes her legs inside, and closes the door. Officer King announces ██████ vehicle will be towed, and he and Officer Dodge proceed to search the vehicle. After the search Officer King moves ██████ car to a parking space. While ██████ waits in the Department vehicle, she is emotional and insists the Ambulance was blocking her in, not the other way around.¹⁴ The Security Guard relays that he told ██████ she was trespassing, and she did not leave when he asked her to.¹⁵ Additionally, ██████ kicks, or otherwise pushes, the car door from the inside.

Upon arrival at the station, Officers Dodge, Huerta, and Medina carry ██████ inside. ██████ begins screaming in apparent pain as she enters the building. ██████ sits on a bench in a processing room, and she continues crying as officers handcuff her to the wall. Several minutes later, ██████ calls Officer King a “pedophile,” “dick-head bitch,” and other insults, and she accuses him of grabbing her breast.¹⁶ Officer Huerta asked ██████ if she needs medical attention. She responds that she does, but she does not want treatment from the paramedics who are present.¹⁷ Later, Sgt. Wright asks ██████ if she needs to go to the bathroom, to which ██████ replies that she does. Sgt. Wright escorts ██████ to the bathroom, where ██████ argues about whether the door will be closed, threatens to urinate on the floor, and apparently makes good on that threat.

c. Documentary Evidence

████████ Arrest Report¹⁸ and an Original Case Report¹⁹ detail that officers responded to a possible overdose at Parkway Gardens. After completing that incident, the officers observed ██████ car blocking an Ambulance. They instructed ██████ to move her vehicle but she refused, becoming belligerent and agitated. ██████ was arrested for resisting and on a signed complaint of trespassing.

Officer King completed a Tactical Response Report²⁰ (“TRR”) following ██████ arrest. ██████ alleged injury but refused medical treatment. The TRR states ██████ did not follow verbal directions and was dead weight. Officer King responded with member presence, verbal direction, tactical positioning, presence of additional members, escort holds, and regular handcuffing. ██████ told Sgt. John Dal Ponte that she had a “pre-existing shoulder injury and complained of pain and discomfort after being handcuff[ed];” however, Sgt. Dal Ponte confirmed that ██████ refused medical treatment. Lt. Michael Murzyn detailed that ██████ believed the Ambulance should have moved for her, and she refused medical care “because they were ‘white.’”

████████ Medical Records²¹ detail that she was treated at Northshore University Health System in Evanston, IL. ██████ was diagnosed with pain in her neck, both arms, and right knee, and musculoskeletal pain. ██████ complained of worsening chronic pain after a reported physical

¹⁴ Att. 13 at 07:09.

¹⁵ *Id.* at 07:09.

¹⁶ Att. 17 at 42:52.

¹⁷ Att. 18 at 00:28.

¹⁸ Att. 5.

¹⁹ Att. 24.

²⁰ Atts. 9 and 25.

²¹ Att. 45

assault by police. Hospital staff noted that [REDACTED] was tender on exam with no obvious signs of trauma.²² [REDACTED] was given Norco for her pain. An x-ray was done on her knee, spine, shoulder, and wrists, all with normal findings.

Event Queries²³ detail that the Department responded a report of a male who overdosed. The queries also detail CFD requesting police assistance because [REDACTED] vehicle was blocking the Ambulance.

V. LEGAL STANDARD

For each Allegation COPA must make one of the following findings:

1. Sustained - where it is determined the allegation is supported by a preponderance of the evidence;
2. Not Sustained - where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;
3. Unfounded - where it is determined by clear and convincing evidence that an allegation is false or not factual; or
4. Exonerated - where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

A **preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that the conduct occurred and violated Department policy.²⁴ If the evidence gathered in an investigation establishes that it is more likely that the misconduct occurred, even if by a narrow margin, then the preponderance of the evidence standard is met.

Clear and convincing evidence is a higher standard than a preponderance of the evidence but lower than the “beyond-a-reasonable doubt” standard required to convict a person of a criminal offense.²⁵ Clear and convincing can be defined as a “degree of proof, which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true.”²⁶

²² *Id.*, pg. 9.

²³ Atts. 6 - 8

²⁴ *Avery v. State Farm Mutual Automobile Insurance Co.*, 216 Ill. 2d 100, 191 (2005) (a proposition is proved by a preponderance of the evidence when it has found to be more probably true than not).

²⁵ *People v. Coan*, 2016 IL App (2d) 151036 (2016).

²⁶ *Id.* at ¶ 28.

VI. ANALYSIS / CONCLUSION

a. Arrest Allegation

COPA finds that Allegation #1 against Sgt. Wright is **exonerated**. An officer must have probable cause to arrest a subject.²⁷ “Probable cause to arrest exists where the police have knowledge of facts that would lead a reasonable person to believe that a crime has occurred and that the subject had committed it.”²⁸ The reasonable basis of any arrest “should be considered from the perspective of a reasonable officer at the time” of the arrest.²⁹ Additionally, in Illinois, drivers are required to yield the right of way to emergency vehicles.³⁰ Further, it is unlawful for a person to knowingly resist or obstruct the performance of a peace officer or firefighter when they are acting in their official capacity.³¹

Here, it is undisputed that the Accused and CFD personnel were acting in their official capacity when they instructed ██████ to move her vehicle. Not only were ██████ assertions regarding her right-of-way incorrect, but they also call her credibility into question. ██████ was violating both well-known law and societal convention by refusing to move for the Ambulance. Further, ██████ had several other paths she could have taken to get around the Ambulance, but she seemingly chose to have a confrontation instead. ██████ decision to violate Illinois law by failing to yield the right of way to an emergency vehicle, specifically a CFD Ambulance, combined with her failure to comply with several opportunities to move her vehicle, gave Sgt. Wright probable cause to arrest ██████³²

b. Handcuffing Allegations

COPA finds Allegation #3 against Sgt. Wright and Allegation #2 against Officer King are **exonerated**. Department policy instructs members to handcuff arrestees behind their backs, if feasible.³³ Additionally, this policy states, “The fact that an arrestee is physically disabled does not preclude the use of restraining devices....”³⁴

Here, ██████ asserted she had such limited physical mobility that she needed to be handcuffed in front of her body and could not walk once she was handcuffed. However, BWC shows ██████ walking steadily and swiftly on foot, unaided and without her cane, prior to her arrest. Additionally, ██████ was given, and ignored, multiple orders before she was handcuffed. Officer King did not use excessive force when he handcuffed ██████ and his actions were not aggressive. ██████ did tell CPD she had an injury and requested to be handcuffed in front of her body, but officers were not required to accommodate her request. ██████ did not do or say anything to suggest she was in pain at the time she was handcuffed, aside from voicing her

²⁷ *People v. Johnson*, 408 Ill. App. 3d 107 (citing *Beck v. Ohio*, 379 U.S. 89, 91, (1964)).

²⁸ S04-13-09 II(D), Investigatory Stop System (effective July 10, 2017 to current).

²⁹ S04-13-09 II(D).

³⁰ 625 ILCS 5/11-907(a)(1).

³¹ 720 ILCS 5/31-1(a)(1).

³² Additionally, the signed complaint of trespassing received from the Security Guard established independent probable cause to arrest ██████

³³ G06-01-02 V(A)(1), Restraining Arrestees (effective December 8, 2017 to current).

³⁴ G06-01-02 V(A)(2)(b).

displeasure with being arrested and claiming to be disabled. Medical records indicate the injury from the handcuffing, if any, was minimal.

c. Vehicle Search Allegations

COPA finds that Allegation #5 against Sgt. Wright, Allegation #1 against Officer Dodge, and Allegation #4 against Officer King are **sustained**. Department members are permitted to search a vehicle when: (1) there is probable cause to believe evidence of a crime in present;³⁵ (2) there is reasonable suspicion the vehicle contains a weapon and that the occupants are armed and dangerous;³⁶ (3) an arrest is made, provided there is reasonable suspicion that the vehicle contains evidence of the crime for which the arrest is made;³⁷ (4) a vehicle is being impounded by the Department;³⁸ or (5) consent is obtained. Finally, supervisory members of the Department are responsible for ensuring “adherence to the Department Rules, Regulations, Policies, Orders and Procedures.”³⁹

Here, none of the five reasons to search a vehicle were present. While Officer King may have had reasonable articulable suspicion that ██████ was on drugs, he did not have probable cause to search her vehicle for narcotics. The officers did not see ██████ take narcotics, nor did they articulate any evidence that she was intoxicated, aside from her belligerent behavior. There are no indications that any member was concerned that ██████ vehicle contained a weapon. Neither of the crimes ██████ committed, trespassing and obstruction, would reasonably have evidence related to those crimes inside ██████ vehicle. In other words, the officers could not search her vehicle for further evidence of her crimes. Additionally, CPD did not impound ██████ vehicle or otherwise take it into CPD possession. They left the vehicle at the Parkway Gardens Apartments and allowed private security to deal with it. Finally, the Accused did not receive ██████ consent to search her vehicle. Because Officers King and Dodge lacked any of the five reasons to search a vehicle, their search was improper and in violation of Rules 2, 3, and 6. Additionally, Sergeant Wright’s failure to intervene during the search was also improper and in violation of Rules 2, 3, and 6.

d. Excessive Force Allegation

COPA finds that Allegation #6 against Sgt. Wright and Allegation #1 against Officer King are **unfounded**. Department members are permitted to use force to overcome resistance.⁴⁰ Additionally, members are required to handcuff a subject who is being arrested. Here, BWC video captures Officer King’s interactions with ██████ as he placed her into custody. The footage shows that Officer King did not use excessive force in handcuffing ██████ or in carrying her to the Department vehicle after she refused to cooperate. The BWC also refutes ██████ claims that Officer King improperly twisted her arm, touched her breast, threw her into the Department vehicle, and slammed a door on her during her arrest at Parkway Gardens.

³⁵ *Maryland v. Dyson*, 527 U.S. 465 (1999).

³⁶ *Michigan v. Long*, 463 U.S. 1032 (1983).

³⁷ *Arizona v. Grant*, 556 U.S. 332 (2009).

³⁸ *South Dakota v. Oppeman*, 428 U.S. 364 (1976).

³⁹ Section IV(B) of the Rules and Regulations of the Chicago Police Department.

⁴⁰ See G03-02-01, generally.

After [REDACTED] was transported to the station, she alleged that Officer King twisted her arm, squeezed her neck, forced her chin to her chest, and dragged her while she was handcuffed inside a processing room. Although there is limited video from [REDACTED] time at the station, none of the video that does exist captures the alleged excessive force. Additionally, Officer King denied [REDACTED] claims, and both Sgt. Wright and Officer Dodge stated they did not observe Officer King use the force [REDACTED] alleged. There is no evidence, apart from [REDACTED] own assertions, that demonstrates Officer King used excessive force during the incident. Given [REDACTED] overall lack of credibility, COPA finds the alleged excessive force did not occur. Since Officer King did not engage in excessive force, Sgt. Wright was not required to report any misconduct.

e. Verbal Abuse Allegations

COPA finds that Allegation #2 against Sgt. Wright is **not sustained**. Department members are required to “treat all persons with courtesy and dignity which is inherently due every person as a human being,” and do so while “speak[ing] ... in a professional manner and maintain[ing] a courteous attitude in all contacts with the public.”⁴¹ Here, BWC confirms that [REDACTED] was belligerent, insulting, and verbally abusive towards CPD and CFD. While the preponderance of the evidence suggests CPD remained professional, there is not video of [REDACTED] entire police encounter. Therefore, the potential exists that members met [REDACTED] behavior in kind and made derogatory or insulting comments towards [REDACTED] that were not captured on video. As a result, COPA finds there is not clear and convincing the alleged misconduct did not occur. Because COPA lacks sufficient evidence to determine whether the misconduct occurred, COPA cannot determine Sergeant Wright should have reported it or intervened.

f. Inappropriate Physical Contact Allegations

COPA finds that Allegation #4 against Sgt. Wright and Allegation #3 against Officer King are **unfounded**. [REDACTED] told COPA that Officer King touched her breast while carrying her to the Department vehicle. [REDACTED] resisted officers and refused to walk, which required members to physically carry her. Officer King’s BWC captured [REDACTED] entire chest area as he helped carry her to the Department vehicle. Officer King’s hands appeared to be under [REDACTED] back, and Officer Dodge’s BWC confirms that Officer King had his left arm around [REDACTED] legs and his right arm under her back. [REDACTED] made no comments or complaints about being touched inappropriately as she was put in the Department vehicle. BWC both refutes [REDACTED] allegation and further calls her credibility into question. Since COPA determined the alleged conduct did not occur, Sgt. Wright’s decision to allow Officer King to further interact with [REDACTED] was reasonable.⁴²

⁴¹ G02-01 III (B), Human Rights and Resources (effective October 15, 2017 to current); G02-04 II (C), Prohibition Regarding Racial Profiling and Other Bias Based Policing (effective December 1, 2017 to current).

⁴² Once Sgt. Wright learned of [REDACTED] allegations, she attempted to clarify with [REDACTED] specifically what Officer King’s actions were, but [REDACTED] rebuffed the questions. Sgt. Wright also informed the Watch Operations Lieutenant of the allegations, there by meeting any reporting requirements.

VII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. Sergeant Brandi Wright

i. Complimentary and Disciplinary History

Sgt. Wright has received 19 various awards. In the last five years, Sgt. Wright has received one reprimand for failing to secure her weapon.

ii. Recommended Penalty

Here, it is undisputed that a search of [REDACTED] vehicle occurred. However, COPA could not locate any evidence that justified the search of the vehicle. Further, when COPA questioned Sgt. Wright, she explained that a search was required because the vehicle was in the immediate vicinity of [REDACTED] but the sergeant could not recall who or what parts of [REDACTED] vehicle were searched.⁴³ Since Sgt. Wright was the supervisor on scene, she was obligated to ensure that any members present complied with Department policies and the law. Sgt. Wright's failure to prevent the search of [REDACTED] vehicle was unacceptable but is at least partly attributable to a lack of training. Finally, the search was limited and did not result in additional enforcement action. It is for these reasons COPA recommends a **15-day suspension** and **training on vehicle searches**.

b. Officer Jennifer Dodge

i. Complimentary and Disciplinary History

Officer Dodge has received 39 various awards. Officer Dodge has no disciplinary history in the last five years.

ii. Recommended Penalty

Here, it is undisputed a search of [REDACTED] vehicle occurred. However, COPA could not locate any evidence that justified the search of the vehicle. In fact, Officer Dodge could not even recall searching [REDACTED] vehicle,⁴⁴ despite her BWC footage clearly showing her participation in the search. While Officer Dodge could not recall her reasons for searching [REDACTED] vehicle, the information provided by Officer King, discussed below, is the likely reason the search occurred. Finally, while the search was improper, the intrusion was limited and did not result in additional enforcement action. It is for these reasons that COPA recommends a **1-day suspension** and **training on vehicle searches**.

a. Officer Eric King

i. Complimentary and Disciplinary History

⁴³ Att. 58, pgs. 21 and 22.

⁴⁴ Att. 57, pg. 12.

Officer King has received 93 various awards. In the last five years, Officer King has received two reprimands for failing to secure his weapon.

ii. Recommended Penalty

Here, it is undisputed a search of [REDACTED] vehicle occurred. However, COPA could not locate any evidence that justified the search of the vehicle. While Officer King may have believed he was permitted to search [REDACTED] vehicle based on mere suspicion that she was under the influence of an unknown substance, his belief was unreasonable and erroneous. Finally, while the search was improper the intrusion was limited and did not result in additional enforcement action. It is for these reasons that COPA recommends a **10-day suspension** and **training on vehicle searches**.

Approved:

[REDACTED]

10/21/2021

Matthew Haynam
Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Assigned Investigative Staff

Squad#:	Six
Investigator:	Kelsey Fitzpatrick
Supervising Investigator:	Steffany Hreno / Garrett Schaaf
Deputy Chief Administrator:	Matthew Haynam