

SUMMARY REPORT OF INVESTIGATION¹

I. EXECUTIVE SUMMARY

Date of Incident:	June 13, 2013
Time of Incident:	11:30 a.m.
Location of Incident:	Gwendolyn Brooks College Preparatory High School, located at 250 East 111th Street
Date of COPA Notification:	June 14, 2013
Time of COPA Notification:	9:05 p.m.

On June 13, 2013, while off-duty, Officer Henry Morrison, Jr. was working, secondary employment, as a Safety and Security Guard at the Gwendolyn Brooks College Preparatory High School. Officer Morrison was on lunchroom duty when two female students engaged in a physical altercation. Officer Morrison, with assistance, separated the two female students and ended the confrontation. Officer Morrison, reportedly, observed a male student, now known as ██████ use a cell phone to record the confrontation. When Officer Morrison asked for the cell phone, ██████ refused. Officer Morrison, reportedly, made multiple attempts to retrieve the phone from ██████ and struggled with ██████ over possession. Officer Morrison did not gain possession of the cell phone. Officer Morrison escorted ██████ from the lunchroom out into the rotunda, where ██████ was turned over to Assistant Principal ██████ was not placed under arrest during this incident.

II. INVOLVED PARTIES

Involved Officer #1:	Henry Morrison, Jr., Star #15062, Employee ██████ 8 Years on Force, Police Officer, 43 Years of Age, Male, Black
Subject #1:	██████████ 16 Years of Age, Male, Black

III. ALLEGATIONS

Officer	Allegation	Finding
Officer Henry Morrison, Jr.	1. Choked ██████ in violation of Rule 2, 8 and 9.	1. Not Sustained

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 recommendations set forth herein are the recommendations of COPA.

2. Slammed ██████ against the table, in violation of Rule 2, 8 and 9.	2. Not Sustained
3. Failed to properly document his encounter with ██████ in violation of Rule 10.	3. 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 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.

Rule 10: Inattention to duty.

General Orders

General Order G03-02-01, “The Use of Force Model,” Effective May 16, 2012 through October 14, 2017:

II. Department Policy: The Department utilizes a Use of Force Model to provide guidance on the appropriate amount of force to be used to effect a lawful purpose. The Use of Force Model employs the progressive and reasonable escalation and de-escalation of member-applied force in proportional response to the actions and level of resistance offered by a subject. Such response may progress from the member’s actual presence at the scene to the application of deadly force.

General Order G03-02-02, “Force Options,” Effective May 16, 2012 through March 11, 2015:

I. Purpose: This directive explains the various level of force options that are appropriate for Department members to use when interacting with cooperative subjects, resistive subjects (“resisters”), and assailants.

III.B. Resister: a person who is uncooperative. Resisters are further subdivided into two categories:

1. Passive Resister: a person who fails to comply (non-movement) with verbal or other direction. In addition to the response options listed in Item III-A, the following response options are appropriate when dealing with a passive resister:

a. Holding Techniques: Holding consists of techniques such as a firm grip, grabbing an arm, wristlocks, and come-along holds (i.e., escort holds that

are not elevated to pain compliance techniques), as well as any combination of the above. Holding may result in conforming behavior.

2. Active Resister: a person whose actions attempt to create distance between that person and the member's reach *with the intent to avoid physical control and/or defeat the arrest*. This type of resistance includes gestures ranging from evasive movement of the arm, through flailing arms, to full flight by running. In addition to the response options listed in Item III-A and III-B-1, the following response options are appropriate when dealing with a passive resister:
 - a. Stunning: Stunning is diffused-pressure striking or slapping and is an attempt to increase control by disorienting the subject and interfering with the subject's ability to resist.

General Order G03-02-05, "Incidents Requiring the Completion of a Tactical Response Report," Effective October 1, 2002 through October 30, 2014:

II.A. The Tactical Response Report will be used to document the following incident:

2. all incidents which involve a subject fitting the definition of an active resister except for incidents in which:
 - a. the subject's only action of resisting is fleeing; and,
 - b. the member's actions did not extend beyond verbal commands and/or control holds utilized in conjunction with handcuffing and searching techniques which do not result in injury or allegations of injury.
3. incidents involving a subject fitting the definition of a passive resister or a cooperative subject when the subject is injured or alleges injury resulting from the member's use of a force option.

V. INVESTIGATION²

In his **Initiation Report**, dated June 14, 2013, **Sergeant Patrick Medrano, Star No. 878**, documented that complainant, [REDACTED] with his guardian, [REDACTED] [REDACTED] alleged that on June 13, 2013 at 250 E 111th Street, [REDACTED] was in the Gwendolyn Brooks College Preparatory High School lunchroom when off-duty Officer Henry Morrison, #15064, choked and pushed him against a table because [REDACTED] was filming a fight with his cell phone. [REDACTED] alleged that Officer Morrison worked security for the Chicago Public Schools.³

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 Attachment 4.

a. Interviews**1. Civilian Statements**

In an **interview with IPRA** on June 17, 2013, [REDACTED] accompanied by his legal guardian, [REDACTED] stated that, around 11:30 a.m. on June 13, 2013, a fight broke out between two girls in the lunchroom of his school, Gwendolyn Brooks College Preparatory High School. [REDACTED] began to record the fight, but he was not the only one in the crowd taking photos or recording. About a minute later, Officer Morrison, who [REDACTED] could easily recognize by the badge Officer Morrison wore around his neck, came over to break up the fight. Officer Morrison separated the two girls from each other, confirmed they were done fighting, and ran over to [REDACTED] with his hands out stretched in a choking manner. [REDACTED] stated that Officer Morrison said, "You're going to record the fight and not break it up," then choked and slammed [REDACTED] into a lunchroom table. [REDACTED] stated that he received two scratches to the back of his neck as a result of Officer Morrison grabbing him by the neck. While still holding on to [REDACTED] Officer Morrison walked [REDACTED] out of the lunchroom, about fifty yards, until Assistant Principal [REDACTED] saw them and told Officer Morrison to let [REDACTED] go.

Assistant Principal [REDACTED] took [REDACTED] to her office, sat him down and told him to calm down. [REDACTED] was upset and had been yelling at Officer Morrison, who did not respond and remained standing in the same location where he turned [REDACTED] over to Assistant Principal [REDACTED]. Around 11:45 a.m., [REDACTED] called his mother from the school's office. The Principal arrived on scene about the time Officer Morrison let go of [REDACTED] but the Principal did not immediately talk to [REDACTED] because the Principal had to deal with the two girls that were fighting and other fights that happened that day. The Principal spoke with [REDACTED] for a while and told [REDACTED] "it would be taken care of because [Officer Morrison's] actions were unacceptable." [REDACTED] was in the school office for approximately three hours before he was told to go back to class. Assistant Principal [REDACTED] spoke to [REDACTED] mother when she called her around 6:00 p.m., which is the time his mother got off work.

[REDACTED] told IPRA that he took photographs of his injuries after the incident.⁴ An IPRA investigator observed a small mark on [REDACTED] back. [REDACTED] did not seek medical attention for his injuries.⁵

In a **phone conversation with IPRA** on September 12, 2013, Gwendolyn Brooks College Preparatory High School **Principal** [REDACTED] stated that he was informed of the incident involving [REDACTED] and Officer Morrison by Assistant Principal [REDACTED] and that he does not have any first-hand knowledge of the incident.⁶

In a **phone conversation with IPRA** on September 14, 2013, Gwendolyn Brooks College Preparatory High School **Assistant Principal** [REDACTED] stated that she did not witness the incident between [REDACTED] and Officer Morrison. Assistant Principal [REDACTED] wrote the CPS Incident Report, Event Number 1013383, based on information provided by [REDACTED]. Assistant Principal [REDACTED] observed that [REDACTED] shirt was ripped, but does not know how the shirt was ripped. Following the

⁴ On the day of his interview, [REDACTED] said he would email the photographs taken of his alleged injuries to IPRA. Several attempts were made to obtain these photographs. As of the date of this report, the photographs have not been received.

⁵ Attachments 11, 12.

⁶ Attachment 27.

incident, Assistant Principal ██████ took ██████ to her office because he was upset. Assistant Principal ██████ contacted ██████ guardian and notified Principal ██████ about the incident.⁷

IPRA did not conduct interviews of **student witnesses** listed in CPS Event Detail Report completed by Assistant Principal ██████. Summaries of interviews of the student witnesses taken by a CPS investigator follow in the Documentary Evidence portion of this report below.

2. Police Statement

In an **interview with IPRA** on November 10, 2015, **Officer Henry Morrison, Jr., Star No. 15062**, stated that on June 13, 2013 he was working secondary employment as a Safety and Security Guard for CPS, at Gwendolyn Brooks College Preparatory High School. Officer Morrison had worked in this capacity for CPS for two years prior to this incident. Officer Morrison described his duties as a person that ensures student and staff safety by monitoring school visitors, ensuring students are in class and not participating in any illegal activity, and to work in conjunction with other school security personnel. Officer Morrison works in civilian clothes and wears an ID around his neck that allows him to readily be identified by students as security.

The day of the incident, at approximately 11:30 a.m., Officer Morrison was working lunchroom duty, which included checking student identification cards at the door to confirm they were present at the correct lunch period. Officer Morrison stated that two lunchroom staff members told him that two female students were fighting, which Officer Morrison later learned was a “preplanned event on social media.” Officer Morrison stated that he approached the area, separated the two females with the assistance of a female staff member, ██████ and the fight ended. Afterward, Officer Morrison could hear someone in the background continuing to incite the girls to fight, saying, “Whoop that chick, come on keep doing this.” Officer Morrison scanned the crowd and saw a gentleman, now known as ██████ videotaping the fight on his cell phone.⁸ Officer Morrison requested that ██████ put down the phone and cease recording. Officer Morrison stated that not only did ██████ refuse his request, but ██████ continued to incite the females to fight and excite the crowd. Officer Morrison approached ██████ and attempted to apprehend the cell phone, but was unsuccessful. Officer Morrison made a second attempt to retrieve the phone and was able to move ██████ arm downward in such a way that ██████ could no longer use the phone to record. Officer Morrison did not take possession of the cell phone. Officer Morrison, per standard protocol, escorted ██████ out of the lunchroom into the lobby, where Officer Morrison turned ██████ over to the Assistant Principal. The school wanted to handle discipline “in-house” and did not want to have ██████ arrested for reckless conduct. Officer Morrison had no further contact with ██████ and is unaware whether ██████ was given any form of discipline. Officer Morrison noted that this incident was his first interaction with ██████ but that he was aware of ██████ prior disciplinary issues.⁹

Officer Morrison confirmed that it was standard procedure that an individual inciting students in the lunchroom would be removed from the lunchroom. Officer Morrison described ██████ demeanor as “angry, loud and sarcastic.” While Officer Morrison admitted to having

⁷ Attachment 27.

⁸ Officer Morrison noted that it is against CPS policy for a student to be in possession of a cell phone on campus. However, Officer Morrison stated that the rule is not normally enforced.

⁹ COPA is unaware of what specific disciplinary issues Officer Morrison was referencing.

physical contact with [REDACTED] he believed his actions were proportional reactions to the actions taken by [REDACTED] who is approximately the same height and weight as Officer Morrison. When asked how [REDACTED] shirt was ripped, Officer Morrison initially stated that it happened at some point when [REDACTED] was resisting. Later, Officer Morrison indicated that he did not recall how [REDACTED] shirt was ripped, but that he did not rip the shirt. Additionally, Officer Morrison did not recall scratching [REDACTED] on his shoulder and does not know how [REDACTED] shoulder would have been scratched. Officer Morrison confirmed that had he scratched [REDACTED] then he would have filled out a report.

Officer Morrison believed his contact with [REDACTED] was minimal and did not require him to fill out a Tactical Response Report (TRR). As the incident did not result in an arrest, Officer Morrison did not fill out any paperwork on the day of the incident. However, at the request of Assistant Principal [REDACTED] Officer Morrison filled out an Incident Report for CPS on June 17, 2013.¹⁰

b. Digital Evidence

A July 11, 2013 letter from the Board of Education of the City of Chicago Law Department indicates there is **no surveillance video** footage of the incident that occurred on June 13, 2013 at Gwendolyn Brooks College Preparatory High School involving [REDACTED]

Video footage from the cell phone used by [REDACTED] captured a portion of the altercation between the two female students, but did not capture the incident involving Officer Morrison and [REDACTED]. The video shows two female students that engage in a verbal altercation that escalates into a physical altercation. Officer Morrison is observed attempting to separate the two students.¹²

A **photograph**, included in the CPS Investigatory Report, File No. 6698, depicts [REDACTED] left shoulder and neck area. [REDACTED] t-shirt is torn and there are red marks on his skin.¹³

¹⁰ Attachments 24, 25.

¹¹ Attachments 14, 15.

¹² Attachment 30. COPA received a copy of the video from CPS in response to a subpoena COPA sent on November 20, 2017.

¹³ Attachment 31. The CPS file does not contain any information indicating when, where, or by whom the photograph was taken. COPA received the photograph from CPS in response to a subpoena COPA sent on November 20, 2017.



Exhibit 1, Photograph of [REDACTED] left shoulder.

c. Documentary Evidence

A **CPS Event Detail Report**, Event No. 1013383, dated June 13, 2013, prepared by Assistant Principal [REDACTED] reflects that on June 13, 2013 at approximately 11:40 a.m., a fight started between two females. A security/off-duty police officer broke up the fight while [REDACTED] taped the fight. The security officer noticed [REDACTED] recording the incident with a cell phone, and asked [REDACTED] for the phone. [REDACTED] refused to give up the phone. According to [REDACTED] and another unidentified student, the security officer “choked” [REDACTED] while attempting to retrieve the phone from [REDACTED]. The security officer moved [REDACTED] out to the rotunda where the Assistant Principal saw the security officer holding the student. The Assistant Principal requested that the security officer release [REDACTED]. [REDACTED] was angry, his shirt was ripped and he had scratches on his shoulder. [REDACTED] went to the Assistant Principal’s office to calm down. [REDACTED] parent and DCFS were contacted.¹⁴

A **CPS Incident Report** dated June 17, 2013, completed by Officer Morrison, reflects Officer Morrison’s account of the incident. The information provided in this report is consistent with Officer Morrison’s statement to IPRA. In the report, however, Officer Morrison provided additional details. Per officer and student safety, Officer Morrison attempted to apprehend the phone from [REDACTED] with no success. When [REDACTED] “snatched away” from Officer Morrison, physically pulled away and refused to comply, Officer Morrison physically restrained [REDACTED] and escorted him out of the lunchroom, where he was turned over to Assistant Principal [REDACTED].¹⁵

A **CPS Investigative Report** dated November 6, 2013, details the full investigation conducted by a CPS Investigator into the allegation of physical abuse Officer Morrison. The report reached findings regarding five allegations regarding the June 13, 2013 incident:

- (1) credible evidence does exist to support the allegation that [REDACTED] was videotaping a fight on a cellular phone in the Gwendolyn Brooks High School cafeteria;

¹⁴ Attachment 16.

¹⁵ Attachment 25.

- (2) credible evidence does exist to support that █████ refused to surrender the cellular phone to Officer Morrison;
- (3) credible evidence does exist to support that Officer Morrison attempted to remove a cellular phone from █████ hands;
- (4) credible evidence does not exist to support that Officer Morrison choked █████ and
- (5) credible evidence does exist that Officer Morrison grabbed █████ about the upper shoulders and neck when removing █████ from the cafeteria.

The following is a summary of the investigative steps taken by the CPS Investigator:

In an **interview with the CPS Investigator** on June 20, 2013, **Assistant Principal █████** stated that she did not observe the fight or the any portion of the incident that occurred inside the cafeteria. While Assistant Principal █████ was in the rotunda area of the school, she observed Officer Morrison walking █████ from behind and holding both of his shoulders. Assistant Principal █████ stated that █████ was upset, his shirt was ripped and he had scratches on his shoulder. Assistant Principal █████ told him to calm down. Officer Morrison told Assistant Principal █████ that █████ was instigating a fight, that the cell phone █████ used to videotape the fight belonged to another student, and that █████ would not give her the cell phone. However, █████ later gave the cell phone to Principal █████

In an **interview with the CPS Investigator** on June 20, 2013, **Principal █████** stated that he did not arrive to the cafeteria until after the incident was over. █████ was informed that █████ recorded the fight on a cell phone and that he refused to hand it over to Officer Morrison and Assistant Principal █████ After several requests, █████ gave the cell phone to Principal █████ and explained that he did not give up the cell phone because it was not his. Principal █████ asked the student who owned the cell phone to unlock it Principal █████ viewed the video of the females fighting. A copy of the video was made and the video was deleted from the cell phone. The student who owned the cell phone did not explain why someone else had his cell phone, but it appeared that the fight could have been pre-planned. Principal █████ stated that █████ had minor scratches around his shoulder and his shirt was torn.

In an **interview with the CPS Investigator** on June 21, 2013, █████ gave a statement that was consistent with what he said during his interview with IPRA. However, █████ provided additional details that were not covered in his interview with IPRA. █████ stated that he did not give the cell phone to Officer Morrison because it was not his cell phone. The cell phone belonged to the boyfriend of one of the females involved in the fight, who asked █████ to hold the phone prior to the start of the fight.

In a **phone interview with the CPS Investigator** on August 15, 2013, student █████ stated that, on the date of the incident, she was walking into the cafeteria and observed that Officer Morrison had █████ against a table and was choking him. █████ stated that █████ had a ripped shirt and scratches around his neck. At this time, the fight between the two girls was over. █████ stated that the cell phone used to record the fight was not █████ phone.

In an **interview with the CPS Investigator** on August 28, 2013, **Officer Morrison** gave a statement that was consistent with what he said during his interview with IPRA.

In an **interview with the CPS Investigator** on August 28, 2013, [REDACTED], a member of the custodial staff at Gwendolyn Brooks College Preparatory High School, stated that she alerted Officer Morrison to the fight between the two female students. [REDACTED] refused to give Officer Morrison the cell phone. Officer Morrison attempted to get the cell phone, but then a crowd formed around Officer Morrison and [REDACTED] and Stoll did not see anything further.

In a **phone conversation with the CPS Investigator** on August 28, 2013, [REDACTED] a DCFS Investigator, stated that she conducted an investigation regarding this incident on behalf of DCFS. [REDACTED] stated that [REDACTED] had a history of disciplinary incidents at the school, that he was violating school policy by using an electronic device in school, he knew that Officer Morrison was a school security officer, and he refused to comply with Officer Morrison's requests. [REDACTED] stated that Officer Morrison was not trying to hurt [REDACTED] but rather he was trying to restrain [REDACTED] and regain order in the cafeteria. Therefore, [REDACTED] concluded the investigation as "unfounded."¹⁶

In an **interview with the CPS Investigator** on September 17, 2013, student [REDACTED] stated that she handed her purse and a cell phone belonging to her friend to [REDACTED] right before she got into a physical altercation with another student. [REDACTED] stated that Officer Morrison broke up the fight and saw that [REDACTED] was videotaping the fight on a cell phone. Officer Morrison told [REDACTED] to give him the cell phone, and then he ran into and pushed [REDACTED] into a table. Officer Morrison was unable to get the cell phone.

In an **interview with the CPS Investigator** on September 17, 2013, [REDACTED], the other female student involved in the physical altercation, saw [REDACTED] with the cell phone in his hands, but [REDACTED] did not know who handed the cell phone to [REDACTED] stated that Officer Morrison broke up the fight, and then pushed [REDACTED] into the table.

In an **interview with the CPS Investigator** on September 17, 2013, student [REDACTED] the owner of the cell phone used to record the fight between the two female students, stated that he was not present in the cafeteria during the physical altercation. [REDACTED] gave his phone to a female student earlier in the day, at her request. [REDACTED] stated that he did not arrange for [REDACTED] to record the fight, and that he did not know why [REDACTED] recorded the fight.¹⁷

VI. ANALYSIS

Allegation #1: On June 13, 2013, at approximately 11:30 a.m., at Gwendolyn Brooks College Preparatory High School, located at 250 East 111th Street, accused Officer Henry Morrison, Jr. choked [REDACTED] in violation of Rule 2, 8 and 9;

With regard to Allegation #1, COPA recommends a finding of **Not Sustained**. According to General Order G03-02-01, the Chicago Police Department utilizes a Use of Force Model to provide guidance on the appropriate amount of force to be used to effect a lawful purpose. The

¹⁶ On November 15, 2017, in a phone conversation with COPA, Senior Public Service Administrator [REDACTED] from DCFS indicated that DCFS retains files between one and three years depending on the type of allegation and the outcome. DCFS had no record of this incident, which [REDACTED] indicated meant either (1) there was no investigation or report done for this incident; or (2) an investigation was completed and there was a finding of unfounded and the case has been expunged from the registry. Attachment 29.

¹⁷ Attachment 26.

primary objective of the use of force is to ensure control of a subject with the reasonable force necessary based on the totality of the circumstances. Department members must escalate or de-escalate the amount of force which is reasonably necessary to overcome the subject's resistance and to gain control over the subject.

G03-02-02, Force Options, further explains the various level of force options that are appropriate for Department members to use when interacting with cooperative subjects, resistive subjects, and assailants.¹⁸ A passive resister is defined as a person who fails to comply, by non-movement, to verbal and other direction. An active resister is defined by action taken, including evasive movement of the arm, to create distance between the individual and the Department member in an attempt to avoid physical control.

According to both [REDACTED] and Officer Morrison, on June 13, 2013 around 11:30 a.m., there was a physical altercation between two female students in the Gwendolyn Brooks College Preparatory High School lunch room. [REDACTED] had a cell phone out and was recording the fight. After Officer Morrison broke up the fight, he approached [REDACTED] to retrieve the cell phone. [REDACTED] refused to surrender the cell phone to Officer Morrison. It is at this point where Officer Morrison and [REDACTED] accounts conflict.

In his June 17, 2013 statement to IPRA, [REDACTED] stated that after Officer Morrison confirmed the female students were done fighting, Officer Morrison came after him with his hands outstretched in a choking manner and choked him. [REDACTED] further claims that he received scratches on his neck and a ripped t-shirt as a result of Officer Morrison choking him. Conversely, in his November 10, 2015 statement to IPRA, Officer Morrison denied choking [REDACTED] and explained that he asked [REDACTED] to put his cell phone down and cease recording. When [REDACTED] refused to comply, he would have been considered a resister under CPD directives, permitting Officer Morrison to use some level of physical force.¹⁹

Officer Morrison explained that he was unsuccessful in securing the phone from [REDACTED] but he was able to place [REDACTED] arm in a downward position so that he could no longer record. Officer Morrison then escorted [REDACTED] out of the lunchroom. Officer Morrison stated that his contact with [REDACTED] was minimal while trying to get the cell phone from [REDACTED] and while walking [REDACTED] out of the lunchroom. Additionally, Officer Morrison believed that his actions were proportional reactions to [REDACTED] who he described as angry, sarcastic and approximately the same height and weight as himself. When Officer Morrison was asked how [REDACTED] shirt was ripped, he initially stated that it occurred while [REDACTED] was resisting. Officer Morrison later went on to say that he did not recall how the shirt was ripped, but indicated that he did not rip the shirt. Officer Morrison also did not recall scratching [REDACTED] Officer Morrison stated that had he scratched [REDACTED] or had any physical contact of the nature alleged, he would have filled out a TRR.

There is no video surveillance footage that could be used to corroborate the incident as described by [REDACTED] or Officer Morrison. The photograph included in CPS's investigative file depicts [REDACTED] with a torn t-shirt around the collar and red markings on his left shoulder. The photograph does not clearly depict any injury or marks on [REDACTED] neck. Principal [REDACTED] and

¹⁸ The version of General Order G03-02-02, "Force Options," effective May 16, 2012 and rescinded on March 11, 2015, governs Officer Morrison's conduct in this matter.

¹⁹ G03-02-02, III.B. Resister: a person who is uncooperative.

Assistant Principal ██████ who were not present for the incident, stated that ██████ had scratches on his shoulder following the incident, but neither identified injury to ██████ neck.²⁰ COPA reviewed several statements provided to CPS from both students and staff that indicated they witnessed portions of this incident. As with the statements provided by ██████ and Officer Morrison, the witness accounts agreed on how the incident started (*i.e.* ██████ refusing to hand over a cell phone), but they diverge regarding the nature and severity of the physical contact that subsequently occurred between the two. For example, though one student indicated to CPS that she observed scratches around ██████ neck, it is unclear whether the student was actually referring to the scratches in the photograph that appear on ██████ shoulder.²¹ Though we do believe that there is sufficient evidence to support that scratches on ██████ shoulder were caused by contact with Officer Morrison, witness statements lack specificity regarding Officer Morrison's hands being placed on or around ██████ neck during the encounter. Since there is insufficient evidence to determine by a preponderance that Officer Morrison choked ██████ this allegation should be **Not Sustained**.

Allegation #2: On June 13, 2014, at approximately 11:30 a.m., at Gwendolyn Brooks College Preparatory High School, located at 250 East 111th Street, accused Officer Henry Morrison, Jr. slammed ██████ against the table, in violation of Rule 2, 8 and 9; and

With regard to Allegation #2, COPA recommends a finding of **Not Sustained**. In his June 17, 2013 statement, ██████ stated that, after Officer Morrison broke up a fight between two female students, Officer Morrison slammed him against a lunchroom table.

As indicated *supra*, in his November 10, 2015 statement to IPRA, Officer Morrison denied having any physical contact with ██████ beyond what he says was incidental to attempting to retrieve the cell phone from ██████ which Officer Morrison described as moving ██████ arm in a downward motion. There is no video surveillance footage that could be used to corroborate the incident as described by ██████ or Officer Morrison. While two students indicated to CPS that they saw Officer Morrison push ██████ into a table, the statements lack specificity regarding what the students meant by "push," what was happening at the time this occurred, or where the students were standing in relation to Officer Morrison and ██████

As discussed below in more detail, ██████ was classified as a resister during this incident, and in response Officer Morrison was within CPD policy to use certain holding and pain compliance techniques, including grabbing an arm, firm grip, or escort holds, to gain control of ██████²² Officer Morrison admitted that after ██████ "snatched away" from him, he physically restrained ██████²³ As Officer Morrison was concerned that ██████ was continuing to incite the females to fight and excite the gathering crowd, Officer Morrison had a lawful purpose to remove ██████ from the cafeteria. It is possible that witnesses could have perceived Officer Morrison pushing ██████ when Officer Morrison could have been using an authorized control technique to control ██████ and ultimately escort him away from the crowd. Additionally, the photograph included in CPS's investigative file depicts ██████ with a torn t-shirt around the collar and red

²⁰ Attachment 26, page 2.

²¹ Attachment 26, page 3.

²² G03-02-02, Item III-B.

²³ Attachment 25.

markings on his left shoulder, but the photograph does not show how it happened. Though we do believe that there is sufficient evidence to support that that Officer Morrison used physical force against █████ upon encountering him and subsequently escorting him from the lunchroom, the physical evidence and witness statements lack specificity regarding what type of force Officer Morrison used against █████. Since there is insufficient evidence to determine by a preponderance that Officer Morrison slammed █████ against the table, this allegation should be **Not Sustained**.

Allegation #3: On June 13, 2013, at approximately 11:30 a.m., at Gwendolyn Brooks College Preparatory High School, located at 250 East 111th Street, accused Officer Henry Morrison, Jr. failed to properly document his encounter with █████ in violation of Rule 10.

With regard to Allegation #3, COPA recommends a finding of **Sustained**. In his November 10, 2015 statement to IPRA, Officer Morrison believed that his contact with █████ was minimal and did not require him to complete a TRR. Furthermore, since the incident did not result in an arrest, Officer Morrison did not complete any paperwork initially following the incident.

General Order G03-02-05 dictates that a TRR must be completed to document all incidents which involve a subject fitting the definition of an active resister, unless an exception applies.²⁴

A. █████ was an active resister.

An active resister is “a person whose actions attempt to create distance between that person and the member’s reach *with the intent to avoid physical control and/or defeat the arrest.*”²⁵ According to Officer Morrison’s incident report, which he wrote on June 17, 2013, he stated that when he attempted to apprehend the cell phone from █████ “snatched away.” █████ physically pulled away from Officer Morrison and refused to comply. Although there is no video surveillance footage that captured this incident, █████ and the witnesses corroborate that █████ refused to comply with Officer Morrison’s request to give him his cell phone, and that █████ successfully evaded Officer Morrison’s attempts to grab the cell phone from █████. Thus, based on witness statements and Officer Morrison’s own statements, a preponderance of the evidence establishes that █████ was an active resister.

B. No exception to completing a TRR was met.

General Order G03-02-05 describes two instances when a department member would not have to fill out a TRR for an incident involving a subject categorized as an active resister: (1) when the subject’s only action of resisting is fleeing; or (2) when the member’s actions did not extend beyond verbal commands and/or control holds utilized in conjunction with handcuffing and searching techniques which do not result in injury or allegations of injury.

First, there is no evidence that suggests █████ attempted to flee from Officer Morrison before coming into contact with Officer Morrison. To the contrary, Officer Morrison stated, in each of his statements, that █████ not only refused to surrender his cell phone but was also inciting the girls to continue fighting and exciting the crowd. Additionally, there was no indication from

²⁴ The version of General Order G03-02-05, “Incidents Requiring the Completion of a Tactical Response Report,” effective October 01, 2002 and rescinded on October 30, 2014, governs Officer Morrison’s conduct in this matter.

²⁵ G03-02-02, Item III-B-2.

█████ or any of the witness statements that █████ tried to leave the lunchroom or run away from Officer Morrison. Second, there is no evidence to suggest that Officer Morrison attempted to or did handcuff or search █████. According to his November 10, 2015 statement, Officer Morrison escorted, again described as with minimal physical contact, █████ out of the lunchroom where he handed █████ over to Assistant Principal █████. There are no witness statements that indicate Officer Morrison handcuffed or searched █████. Officer Morrison never stated that he used handcuffs on █████ or that he searched █████. In fact, Officer Morrison explained that this incident did not result in an arrest of █████ and that the school wanted to handle any discipline “in-house.” Thus, based on witness statements and Officer Morrison’s statements of the event, a preponderance of evidence establishes that there was no exception to completing a TRR for this incident.

In sum, based on witness statements and physical evidence, a preponderance of the evidence establishes that █████ was an active resister, that █████ did not try to flee from Officer Morrison, and that Officer Morrison did not attempt to handcuff or search █████. Therefore, this allegation should be **Sustained**.

General Order G03-02-05 dictates that a TRR must be completed to document all incidents which involve a subject fitting the definition of passive resister or a cooperative subject when the subject is injured or alleges injury resulting from the member’s use of force.²⁶

A. In the alternative, █████ was a passive resister.

G03-02-02, defines a passive resister as “a person who fails to comply (non-movement) with verbal or other direction.”²⁷ It is undisputed, among █████, Officer Morrison and each witness, that when Officer Morrison requested █████ to give him the cell phone, █████ refused to comply and did not give Officer Morrison the cell phone. Thus, in the alternative, █████ was a passive resister.

B. █████ was injured and he alleged his injuries were a result of Officer Morrison’s use of force option.

A photograph shows █████ torn t-shirt revealing injuries to his shoulder. Witnesses to the incident, Assistant Principal █████ and Principal █████ stated that they observed scratches to █████ shoulder. Thus, based on witness statements and physical evidence, █████ had identifiable injuries.

In each of his statements, █████ stated that he received scratches as a result of the Officer Morrison’s use of force, choking and slamming him against a lunchroom table.²⁸ Additionally, Assistant Principal █████ wrote in the Event Detail Report that █████ was angry that his shirt was torn and that he received scratches because Officer Morrison choked him.²⁹ Thus, based on █████ statements and CPS report, a preponderance of the evidence establishes that █████ alleged injury resulting from Officer Morrison’s use of force option. Thus, even if █████ was a passive resister

²⁶ G03-02-05, Item II-A-3.

²⁷ G03-02-02, Item III-B-1.

²⁸ Attachments 11,12, and 26.

²⁹ Attachment 16.

who alleged injuries, a TRR should have been completed. Therefore, this allegation should be Sustained.

VII. CONCLUSION

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

Officer	Allegation	Finding
Officer Henry Morrison, Jr.	1. choked [REDACTED] in violation of Rule 2, 8 and 9.	1. Not Sustained
	2. slammed [REDACTED] against the table, in violation of Rule 2, 8 and 9.	2. Not Sustained
	3. failed to properly document his encounter with [REDACTED] in violation of Rule 10.	3. Sustained

Approved:

[REDACTED]
Jay Westensee
Deputy Chief Administrator – Chief Investigator

7/18/18
Date

Appendix A

Assigned Investigative Staff

Squad#:	Fifteen
Investigator:	Elizabeth Brett
Supervising Investigator:	Anthony Becknek
Deputy Chief Administrator:	Jay Westensee