

SUMMARY REPORT OF INVESTIGATION¹

I. EXECUTIVE SUMMARY

Date of Incident:	May 30, 2017
Time of Incident:	11:00 a.m.
Location of Incident:	██████████ and; 3151 W. Harrison St., Chicago, IL
Date of COPA Notification:	May 31, 2017
Time of COPA Notification:	12:30 p.m.

At 11:00 a.m. on May 30, 2017, officers from the 11th District went to ██████████ to serve an arrest warrant on Juvenile ██████████. Upon their arrival, ██████████ fled to the second floor and hid in his mother’s bedroom closet. As Sgt. Edward Heidewald and Officers Raymond Urbanski and John Lipka pulled ██████████ from the closet, he was kicking and screaming. The officers attempted to place him in handcuffs on his mother’s bed. ██████████ continued to scream vulgarities, kick, bite, and spit at the officers as they attempted to arrest him. During the struggle, Sgt. Heidewald grabbed a pillow from the bed and held it in front of ██████████ face to shield himself from spit and ██████████ attempts to bite him. The officers subdued ██████████ and transported him to the 11th District station, where he continued to act belligerently and spat at Officer Andrew Neberieza. Officers took ██████████ to Stroger Hospital for medical clearance before he was released to a juvenile detention facility.

II. INVOLVED PARTIES

Involved Sergeant #1: ²	Edward Heidewald, Star #1160, Employee ID ██████████, DOA November 18, 1991, Sergeant, Unit 007, DOB ██████████ 1965, male, White
Involved Officer #2:	Raymond Urbanski, Star #6323, Employee ID ██████████ DOA May 2, 1994, Police Officer, Unit 701, DOB ██████████ 1969, male, White
Involved Officer #3	Ricky Page, Star #11349, Employee ID ██████████ DOA March 15, 2013, Police Officer, Unit 011, DOB ██████████ 1976, male, Black

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

² On May 30, 2017, Sgt. Heidewald maintained the rank of police officer. He has since been promoted to sergeant. For the purposes of this report, he shall be referred to by his current rank.

Involved Officer #4

Graylin Watson, Star #8250, Employee ID [REDACTED] DOA December 2, 2002, Police Officer, Unit 011, DOB [REDACTED] 1971, male, Black

Subject #1:

[REDACTED] August 23, 1999, male, Black

III. ALLEGATIONS

Officer	Allegation	Finding
Sgt. Edward Heidewald	1. It is alleged that on May 30, 2017, at [REDACTED] [REDACTED] Sgt. Heidewald placed a pillow over [REDACTED] face, in violation of Rules 8 and 9.	Exonerated
Officer Raymond Urbanski	1. It is alleged that on May 30, 2017, at [REDACTED] [REDACTED] Officer Urbanski placed a pillow over [REDACTED] face, in violation of Rules 8 and 9.	Unfounded
Officer Ricky Page	1. It is alleged that on May 30, 2017, at 3151 W. Harrison, Officer Page punched [REDACTED] in violation of Rules 8 and 9.	Unfounded
	2. It is alleged that on May 30, 2017, at 3151 W. Harrison, Officer Page struck [REDACTED] on the forehead, in violation of Rules 8 and 9.	Unfounded
	3. It is alleged that on May 30, 2017, at 3151 W. Harrison, Officer Page choked [REDACTED] in violation of Rules 8 and 9.	Unfounded
Officer Graylin Watson	1. It is alleged that on May 30, 2017, at 3151 W. Harrison, Officer Watson punched [REDACTED] in violation of Rules 8 and 9.	Unfounded
	2. It is alleged that on May 30, 2017, at 3151 W. Harrison, Officer Watson struck [REDACTED] on the forehead, in violation of Rules 8 and 9.	Unfounded
	3. It is alleged that on May 30, 2017, at 3151 W. Harrison, Officer Watson choked [REDACTED] in violation of Rules 8 and 9.	Unfounded

IV. APPLICABLE RULES AND LAWS

Rules

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1. Rule 8: Disrespect to or maltreatment of any person, while on or off duty.
 2. Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
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General Orders

1. G03-02: Use of Force Guidelines (effective October 1, 2002 through October 15, 2017)

V. INVESTIGATION³

a. Interviews

In his September 7, 2017, statement to COPA,⁴ Subject ██████████ stated that on May 30, 2017, he was on the first floor of his family's house at ██████████. The police arrived to arrest him, so ██████████ ran upstairs and hid in his mother's bedroom closet. The officers ran after ██████████ and entered the bedroom with their Tasers drawn. The officers ordered him to come out of the closet with his hands up, and ██████████ complied. Once he exited the closet, the officers threw ██████████ face down on his mother's bed. ██████████ stated that he "talked mess" to the officers and called them "bitches." One of the officers took a bed pillow and placed it over ██████████ face. ██████████ uncle, ██████████ snatched the pillow away from the officers and told them that they did not have the right to do that. ██████████ said he could not breathe when the pillow was over his face. He also said he was already out of breath from running from the officers and had bronchitis at the time. ██████████ denied striking, kicking or spitting at any officer. The officers placed ██████████ in handcuffs and took him to the 11th District station.

Once they were at the station, the officers kept ██████████ handcuffed in a room while they processed his arrest. Two black officers came into the room with ██████████ called these officers "bitches and hos," then the taller officer punched ██████████ in the stomach, struck him on his forehead, scratched his chest, and choked him. ██████████ said he could barely breathe when the officer had his hands around ██████████ neck. ██████████ stated he threw up and was dehydrated and out of breath. Officers then transported ██████████ to Stroger Hospital for treatment. ██████████ added that an investigator from the Cook County Public Defender's office took photos of his injuries, which included a knot on his forehead and scratches on his chest. ██████████ did not know the names of any of the officers, including the officer who placed a pillow over his face or the tall, black officer who struck him at the station.

In her August 2, 2017, statement to COPA,⁶ Complainant ██████████ stated that on May 30, 2017, several police officers arrived at her family's house with an arrest warrant for her son, ██████████ ran from the officers and hid upstairs in ██████████ bedroom

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

⁴ Attachment 32

⁵ COPA made numerous attempts to interview Mr. ██████████ however these attempts were unsuccessful.

⁶ Attachment 24

closet. [REDACTED] and the officers followed [REDACTED] into her bedroom. [REDACTED] saw the police holding Tasers, so she told her son to come out of the closet and stop fighting. Once he exited the closet, [REDACTED] started to move around by twisting side to side. [REDACTED] told him to stop moving and let the police arrest him. [REDACTED] saw the officers “rough up” [REDACTED] throw him face up on her bed, and then smother him with a pillow. [REDACTED] brother [REDACTED] told the officers to get the pillow off [REDACTED] face. The officers turned [REDACTED] over onto his stomach, then placed him in handcuffs and took him out of the house. Later that day, [REDACTED] received a phone call from [REDACTED]. He told her that when he got to the police station, two black officers jumped him and hit him in the face and stomach. [REDACTED] went to the 11th District and filed a complaint against the officers. [REDACTED] did not know any of the officers’ names.

In his March 26, 2018, statement to COPA,⁷ **Accused Sgt. Edward Heidewald** stated that on May 30, 2017, he went to [REDACTED] with Officers Raymond Urbanski and John Lipka⁸ to serve an arrest warrant on [REDACTED]. Sgt. Heidewald waited at the front of the house while Officers Urbanski and Lipka went around back. A few moments later, [REDACTED] opened the front door and directed Sgt. Heidewald upstairs to her bedroom. When Heidewald arrived on the second floor, he heard Officers Urbanski and Lipka yelling at [REDACTED] to stop resisting and show them his hands. Once he entered the bedroom, Sgt. Heidewald saw [REDACTED] half out of his mother’s closet, flailing his arms at Officers Urbanski and Lipka. Sgt. Heidewald helped the officers remove [REDACTED] from the closet. They moved [REDACTED] to his mother’s bed and placed him in handcuffs in the front of his body. Sgt. Heidewald stated that the bedroom was very small and that the officers and [REDACTED] were very close together when they were on the bed. [REDACTED] continued to flail and then started spitting at the officers. Sgt. Heidewald placed his hand between himself and [REDACTED] mouth to block the spit, which prompted [REDACTED] to try to bite Sgt. Heidewald. To prevent [REDACTED] from biting him or the other officers, Sgt. Heidewald grabbed a bed pillow with his fist and held it in front of [REDACTED] face. Sgt. Heidewald further stated that he was very close to [REDACTED] when he held the pillow between himself and [REDACTED] mouth. He estimated that he used the pillow as a shield for approximately one and a half seconds until Officer Lipka rolled [REDACTED] onto his stomach. [REDACTED] then kicked Sgt. Heidewald as the officers restrained [REDACTED] until help arrived. Sgt. Heidewald said it took about one minute to get [REDACTED] out of the closet, onto the bed, and under control.

Officers transported [REDACTED] to the 11th District station, where Sgt. Heidewald conducted a custodial search. He related that [REDACTED] was yelling and screaming at officers at the station. Once Sgt. Heidewald left the room, [REDACTED] continued yelling and screaming. Officer Andrew Neberieza went into the room with [REDACTED] and [REDACTED] responded by spitting a wad of saliva and phlegm at him. An Evidence Technician photographed [REDACTED] Officers Urbanski and Lipka, and the filing cabinet spattered with saliva.

In his March 16, 2018, **statement to COPA**,⁹ **Accused Officer Raymond Urbanski** provided essentially the same account as Sgt. Heidewald. He added that while he and Officer

⁷ Attachment 69

⁸ Officer John Lipka retired from the Chicago Police Department on July 16, 2017, before allegations were brought against officers in this case. Because he is no longer employed by the Chicago Police Department, he is not required to address the allegations against him. (Attachment 38)

⁹ Attachment 48

Lipka attempted to extricate [REDACTED] from his mother's closet, [REDACTED] struck both officers around their faces and necks. Officer Urbanski sustained scratches and bruising on his face, neck, arms and hands. He also witnessed [REDACTED] spitting at and attempting to bite Sgt. Heidewald. Officer Urbanski did not see Sgt. Heidewald smother [REDACTED] with a pillow, but he did observe Sgt. Heidewald use a pillow as a shield to stop [REDACTED] from spitting at and biting the officers. Officer Urbanski denied placing a pillow over [REDACTED] face.

In his March 19, 2018, **statement to COPA**,¹⁰ Accused Officer Ricky Page stated that on May 30, 2017, he responded to a 10-1 call¹¹ at [REDACTED]. Officer Page and his partner, Officer Graylin Watson, were one of the last cars to arrive on scene and did not have any direct interaction with [REDACTED]. Officers Page and Watson returned to the 11th District station and Officer Page offered to assist the arresting officers with paperwork in their office. Officer Page saw [REDACTED] handcuffed to a bench in the adjoining room. After helping with paperwork, Officers Page and Watson went back to their normal duties. Officer Page explained that there was no reason for them to stay at the station since it was not their case. Officer Page said he never entered the adjoining room when [REDACTED] was being held. He denied having any physical contact with [REDACTED] at the 11th District station.

In his March 19, 2018, **statement to COPA**,¹² Accused Officer Graylin Watson provided essentially the same account as Officer Page. He denied having any physical contact with [REDACTED] at the 11th District station.

In his March 19, 2018, **statement to COPA**,¹³ Witness Officer Andrew Neberieza stated that he encountered [REDACTED] at the 11th District station after his arrest. [REDACTED] was being kept in a holding room next to the office where Officer Neberieza was filling out unrelated paperwork. [REDACTED] was yelling and screaming. Officer Neberieza thought that talking with someone new might calm [REDACTED] so he went into the holding room and asked [REDACTED] if he was okay. [REDACTED] didn't respond, so Officer Neberieza stood next to a filing cabinet and waited. [REDACTED] resumed screaming and cursing, stood up, cleared his throat, and spit a wad of phlegm and saliva towards Officer Neberieza. The saliva landed on the filing cabinet. Officer Neberieza then walked out of the room and went to another office to complete his paperwork. Officer Neberieza added that he believed Officers Page and Watson may have been in the office with him for a short while, but he did not observe either officer enter the holding room or have contact with [REDACTED].

b. Digital Evidence

Evidence Technician ("ET") Photos of Officer Urbanski¹⁴ depict bruising on his face and neck, as well as scratches on his arms and hands. **ET Photos of Officer Lipka**¹⁵ shows scratches on his arm. **ET Photos of [REDACTED]**¹⁶ show him handcuffed to a bench. There

¹⁰ Attachment 58

¹¹ 10-1 is code for "officer needs assistance".

¹² Attachment 53

¹³ Attachment 63

¹⁴ Attachment 21

¹⁵ Attachment 20

¹⁶ Attachment 18

is a red mark on his forehead. **ET Photos of a filing cabinet**¹⁷ depict a wad of saliva and phlegm resting on its top surface.

Photos of [REDACTED] taken by Cook County Public Defender employee [REDACTED] on May 31, 2017, show scratches on his arms, and a laceration on his right wrist and clavicle.

c. Physical Evidence

Medical records¹⁹ from Stroger Hospital reveal that [REDACTED] was brought to the hospital on May 30, 2017, around 1:30 p.m. to obtain medical clearance before going to a detention facility. [REDACTED] recounted to hospital staff that he had gotten into a scuffle with the police. He said he struck his head while scuffling, which caused dizziness. He also revealed that he sustained abrasions on his ribs and right shoulder during the scuffle. [REDACTED] denied any direct blows to his body and stated that he had smoked K2²⁰ earlier in the day. [REDACTED] was released with an albuterol inhaler to treat his asthma.

d. Documentary Evidence

The **related CPD reports**²¹ provide essentially the same account of the events as the officers' statements.

OEMC Event Query 1715006299²² reveals that on May 30, 2017, at 11:00 a.m. Beat 1163D (Officer Urbanski) radioed dispatch with a 10-1, relating that officers required assistance with a combative arrestee at [REDACTED].

VI. ANALYSIS

COPA recommends a finding of **EXONERATED** for Allegation #1 against Sgt. Heidewald, and **UNFOUNDED** for all allegations against Officers Urbanski, Page, and Watson.

The evidence shows that on May 30, 2017, Sgt. Heidewald and Officer Urbanski served an arrest warrant and brought [REDACTED] into custody. Although [REDACTED] denied striking, spitting at, or kicking the officers, his own mother's testimony indicates that he physically resisted. Furthermore, the photographic evidence shows that Officers Urbanski and Lipka suffered scratches and bruising throughout their upper bodies, which supports the officers' claim that [REDACTED] was fighting against them. The photos also document [REDACTED] spitting at a police officer later in the day, which bolsters Sgt. Heidewald's and Officer Urbanski's claim that [REDACTED] spit at them. It is clear from Sgt. Heidewald's and Officer Urbanski's statements that it was Sgt. Heidewald who held a pillow in front of [REDACTED] face. Therefore, Allegation #1

¹⁷ Attachment 19

¹⁸ Attachment 36

¹⁹ Attachment 37

²⁰ K2 is a synthetic cannabinoid whose side effects include rapid heart rate, vomiting, agitation, profuse sweating, confusion, and hallucinations. (<https://www.drugs.com/illicit/synthetic-marijuana.html>)

²¹ Attachments 4-13.

²² Attachment 60

against Officer Urbanski is **Unfounded**. As for Sgt. Heidewald, he offered a reasonable explanation for placing a pillow in front of [REDACTED] face. Namely that [REDACTED] was spitting and attempting to bite officers, and Sgt. Heidewald wanted to shield himself and the others from [REDACTED] attack. The scuffle in [REDACTED] bedroom took place quickly and in very tight quarters, so it is understandable that a bystander might mistake Sgt. Heidewald’s actions as smothering instead of holding a pillow in front of [REDACTED] face for protection. [REDACTED] bronchitis and/or asthma, and the fact that he had just run up a flight of stairs and engaged in a physical struggle, can explain his claim that he could not breathe when the pillow was over his face. Given the totality of the circumstances, Sgt. Heidewald’s use of a pillow was an appropriate defense tactic and Allegation #1 against him is **Exonerated**.

Regarding all allegations against Officers Page and Watson, the evidence casts light on the veracity of [REDACTED] claim that a tall black officer punched, choked, and struck him on the forehead. Medical records from that afternoon document [REDACTED] version of events to medical staff, wherein he recounted that he had been in a scuffle with police, bumped his head during the scuffle (which explains the red mark on his forehead), and then denied any direct blows to his body. Further, [REDACTED] admitted that he smoked K2 that day, which is an illicit drug that can cause vomiting, agitation, confusion, and hallucinations. [REDACTED] claim to COPA that he vomited, was dehydrated, and had trouble breathing while at the police station may be attributable to his K2 use and asthma diagnosis. Officer Neberieza was present while [REDACTED] was in the holding room and he denied witnessing any officer strike [REDACTED] Additionally, Officers Page and Watson were consistent with one another, and offered a plausible version of events when they explained that they were at the 11th District station briefly before going back out on duty. Because [REDACTED] denied any direct blows to his body to medical staff, in addition to his belligerent behavior and intoxicated state, the officers’ version of events is more credible and the allegations against Officers Page and Watson are therefore **Unfounded**.

VII. CONCLUSION

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

Officer	Allegation	Finding
Sgt. Edward Heidewald	1. It is alleged that on May 30, 2017, at [REDACTED] [REDACTED] Sgt. Heidewald placed a pillow over [REDACTED] face, in violation of Rules 8 and 9.	Exonerated
Officer Raymond Urbanski	1. It is alleged that on May 30, 2017, at [REDACTED] [REDACTED] Officer Urbanski placed a pillow over [REDACTED] face, in violation of Rules 8 and 9.	Unfounded
Officer Ricky Page	1. It is alleged that on May 30, 2017, at 3151 W. Harrison, Officer Page punched [REDACTED] in violation of Rules 8 and 9.	Unfounded Unfounded

	<p>2. It is alleged that on May 30, 2017, at 3151 W. Harrison, Officer Page struck [REDACTED] on the forehead, in violation of Rules 8 and 9.</p> <p>3. It is alleged that on May 30, 2017, at 3151 W. Harrison, Officer Page choked [REDACTED] in violation of Rules 8 and 9.</p>	<p>Unfounded</p>
<p>Officer Graylin Watson</p>	<p>1. It is alleged that on May 30, 2017, at 3151 W. Harrison, Officer Watson punched [REDACTED] in violation of Rules 8 and 9.</p> <p>2. It is alleged that on May 30, 2017, at 3151 W. Harrison, Officer Watson struck [REDACTED] on the forehead, in violation of Rules 8 and 9.</p> <p>3. It is alleged that on May 30, 2017, at 3151 W. Harrison, Officer Watson choked [REDACTED] in violation of Rules 8 and 9.</p>	<p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p>

Approved:

[REDACTED]

Mark Javier
Acting Deputy Chief Administrator – Chief Investigator

6-25-18
 Date

Appendix A

Assigned Investigative Staff

Squad:	9
Investigator:	Jessica Ciacco
Supervising Investigator:	Shannon Hayes
Acting Deputy Chief Administrator:	Mark Javier