

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	October 6, 2016 to September 20, 2017
Time of Incident:	Various
Location of Incident:	Various
Date of COPA Notification:	January 30, 2018
Time of COPA Notification:	11:04am

Complainant, [REDACTED], received information from [REDACTED] regarding allegations of child abuse. Ms. [REDACTED] then contacted the Department of Children and Family Services (DCFS) and reported child abuse allegations made by [REDACTED] (2 YOA). The accused, Officer Ricky Garcia is the [REDACTED] of [REDACTED] (4 YOA), and [REDACTED] is the [REDACTED] of both [REDACTED] and [REDACTED].

It was reported to DCFS that Officer Ricky Garcia had abused both [REDACTED] and [REDACTED]. Mr. [REDACTED] provided photographs that were taken in the summer of 2017 that showed bruises to the right eye of [REDACTED]. Mr. [REDACTED] alleged that [REDACTED] returned from a visit with Officer Garcia and had bruises covering his arms. Mr. [REDACTED] also provided photographs dated in 2016 that showed multiple bruises to the chest and waist of Ms. [REDACTED] and alleged that Officer Garcia caused these injuries. Mr. [REDACTED] was not interviewed.

II. INVOLVED PARTIES

Involved Officer #1:	Police Officer Ricky Garcia, Star #11788, Employee [REDACTED], Date of Appointment:02 July 2012, Unit 007, DOB:[REDACTED]1985, Male, Hispanic.
Subject #1:	[REDACTED] Female, Hispanic, Birth Date [REDACTED], 1993

III. ALLEGATIONS

Officer	Allegation	Finding
Officer Ricky Garcia	1. Struck the victims causing visible injuries, in violation of Rule 8.	Unfounded

¹ Atts. 3 & 15, Child Abuse Hotline Notification, Initiation Report of Sgt. Eduardo Agron #1670.

IV. APPLICABLE RULES AND LAWS

Rules

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

V. INVESTIGATION²

a. Interviews

In an **interview with COPA**³ on March 08, 2018, ██████████ refuted the child abuse allegations made by ██████████ against Officer Ricky Garcia. Ms. ██████████ related that Officer Garcia is the ██████████ of her 4-year-old ██████████, ██████████ and Mr. ██████████ is the father of her 2-year-old ██████████. Ms. ██████████ related the allegations of child abuse that Mr. ██████████ made are false and that Officer Garcia has never abused any of her ██████████. Ms. ██████████ related that she and Officer Garcia have an agreed mutual visitation schedule and monetary agreement.

Ms. ██████████ related that Mr. ██████████ was convicted of Domestic Battery against her and Battery to Officer Garcia that was investigated under RD ██████████. Ms. ██████████ related that Mr. ██████████ made these false allegations as retaliation for being arrested. Ms. ██████████ said that Mr. ██████████ is an alcoholic and drug user and has no respect for the law or anyone. Ms. ██████████ provided copies of an active Order of Protection against Mr. ██████████⁶. Ms. ██████████ provided information regarding two additional domestic incidents against Mr. ██████████ that were reported under ██████████ and ██████████.

b. Documentary Evidence

The **Original Case Incident Report for JB134566**,⁹ was initiated by the Child Abuse Hotline and it reported that a DCFS investigation was being conducted under ██████████. The report described photographs taken in the summer of 2017, that showed bruises to the right eye of ██████████. It was also reported that ██████████ had bruises covering his arms after returning from a visit with Officer Garcia. Pictures of Ms. ██████████ taken in 2016 showed multiple bruises to her chest and waist and it was alleged that Officer Garcia caused these injuries.

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 Att. 19, Audio Interview of ██████████

⁴ Mr. ██████████ was not interviewed based on the Unfounded evidence in the interview with Ms. ██████████ and obtained in DCFS and CPD investigations.

⁵ Atts.6-9, Arrest Report, Case Report, Detective Supplemental Report, Court Disposition.

⁶ Att. 10, Order of Protection against ██████████ and other related domestic documents.

⁷ Atts. 13-14, ██████████.

⁸ Atts. 11-12, ██████████.

⁹ Att. 4, ██████████.

The **Case Supplementary Report for [REDACTED]**,¹⁰ authored by Detective Jose Diaz, details the investigation into the alleged incident, including summaries of interviews with Officer Ricky Garcia, [REDACTED] and her two [REDACTED], [REDACTED] and [REDACTED]. Detective Diaz reported that the allegations made by [REDACTED] were Unfounded. The child abuse allegations made by Mr. [REDACTED] against Officer Garcia were false and were in retaliation for being arrested for Battery to a Police Officer that was reported under [REDACTED]. Ms. [REDACTED] related that Officer Garcia has never abused any of her [REDACTED]. Furthermore, [REDACTED] related that he loves his [REDACTED] (Officer Garcia) and has never hit him, his [REDACTED] or his [REDACTED].

DCFS Investigator [REDACTED] related that Illinois Department of Children and Family Services (DCFS) conducted an investigation under SCR# [REDACTED]¹¹ against Officer Ricky Garcia that was Unfounded. Officer Garcia was accused of having abused [REDACTED] (2 yoa) and [REDACTED] (4 yoa). [REDACTED] who is the [REDACTED] of [REDACTED] and [REDACTED] related that the allegations against Officer Garcia were made in retaliation by her former [REDACTED] against whom she obtained a restraining order. Officer Garcia is the [REDACTED] of [REDACTED] and Mr. [REDACTED] is the [REDACTED] of [REDACTED]. [REDACTED] related that his [REDACTED] (Officer Garcia) has never hit him and feels safe with him because he is a police officer.

Ms. [REDACTED] described Mr. [REDACTED] as being abusive and violent towards her. Ms. [REDACTED] said that Mr. [REDACTED] had accessed her cell phone and stored photographs. Ms. [REDACTED] was shown a photograph of herself that depicted visible injuries. Ms. [REDACTED] said this photograph was used by Mr. [REDACTED] to file false allegations against Officer Garcia. Ms. [REDACTED] said the injuries in the photograph were caused by Mr. [REDACTED] and not Officer Garcia. Ms. [REDACTED] denied there being any incidents of domestic violence involving Officer Garcia and her [REDACTED], [REDACTED] and [REDACTED]. All attempts by DCFS to contact and interview [REDACTED] were met with negative results. Officer Garcia denied the allegations of domestic violence made against him. The report also indicated that CPD Detective Jose Diaz conducted a simultaneous criminal investigation and related that the findings against Officer Garcia were also Unfounded.

VI. ANALYSIS

COPA recommends a finding of **UNFOUNDED** for all allegations against Officer Garcia based on the interview with Ms. [REDACTED] and evidence obtained in the simultaneous investigations conducted by the Detective Division and Department of Children and Family Services (DCFS). The DCFS investigation revealed that Mr. [REDACTED] falsely accused Officer Garcia in retaliation for being arrested for battery to Officer Garcia and for Ms. [REDACTED] obtaining a restraining order against Mr. [REDACTED]. CPD Detective Jose Diaz conducted interviews with Ms. [REDACTED] and her [REDACTED] and concluded that the allegations made by Mr. [REDACTED] were false and were in retaliation for being arrested for battery against Officer Garcia.

VII. CONCLUSION

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

¹⁰ Att. 5, Case Supplementary Report.

¹¹ Att. 23, DCFS Investigation.

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

Officer	Allegation	Finding
Officer Rocky Garcia	1. Struck the victims causing visible injuries.	Unfounded

Approved:



Shannon Hayes
Acting Deputy Chief Administrator – Chief Investigator

5/30/18
Date

Appendix A

Assigned Investigative Staff

Squad#:	13
Investigator:	Roberto Soto
Supervising Investigator:	Andrew Dalkin
Acting Deputy Chief Administrator:	Shannon Hayes