



Lori E. Lightfoot
Mayor

Department of Police · City of Chicago
3510 S. Michigan Avenue · Chicago, Illinois 60653

David O. Brown
Superintendent of Police

January 14, 2021

Sydney Roberts
Chief Administrator
Civilian Office of Police Accountability
1615 West Chicago Avenue, 4th Floor
Chicago, IL 60622

RE: Log Number 2019-3507 - Request Further Investigation

Dear Chief Administrator Roberts:

The Department has conducted a review of the above-referenced CR and believes the evidence is incomplete. As the decision to sustain and the legal sufficiency of the evidence hinges almost entirely upon the various statements of the complainant and the accused, the omission of the results of the criminal investigation or any review of the detectives' records, investigation, findings, etc. renders COPA's findings premature and their investigation incomplete. The Department, therefore, respectfully requests that Log Number 2019-3507 be further investigated by COPA to address the issues spelled out in greater detail below.

In COPA's credibility assessment it states that the complainant's account "remained consistent" and "in each recounting of her experience, ██████ remained consistent." These retellings, according to COPA, include statements to responding officers the night of the incident, to COPA, to complainant's friend/outcry witness and in her petition for an order of protection. Not considered in this assessment, however, is any statement made to the investigating detectives. This is despite the fact that COPA notes in their summary that "████████ accompanied ██████ to speak with the detective the following week." This omission is important because the decision to sustain the allegations rests on the competing statements of the complainant and the accused and a determination on the relative credibility/plausibility of said versions of events.

As COPA has omitted any reference to the criminal investigation or any record therefrom, a final determination on the legal sufficiency of this investigation cannot be made. It is unknown if the statement(s) complainant and witness made to the investigating detectives are similarly consistent, thereby further bolstering complainant's credibility, or if there are inconsistencies that perhaps emerge. It is also unknown if the accused made any statements in the course of the criminal investigation. If he has, these too would be useful to test the consistency or lack thereof within his accounts and to gauge the plausibility/credibility of his statements. The statements made and evidence uncovered in the criminal investigation may not change the calculus at all with regard to credibility and legal sufficiency, but the complete omission of this potentially large body of evidence is fatal to this investigation as it currently stands. For these reasons, the Department requests that COPA further investigate Log Number 2019-3507 to cure these deficiencies.

Sincerely,

████████████████████
David O. Brown
Superintendent of Police
Chicago Police Department