

**SUPPLEMENTAL SUMMARY REPORT OF INVESTIGATION**

This Supplemental Summary Report of Investigation expressly and fully incorporates the facts, analysis, and findings from COPA's prior Summary Report of Investigation for LOG# 2019-3507. This report was prepared to document the additional investigatory steps COPA has made in response to the Chicago Police Department's January 14, 2021 request<sup>1</sup> that COPA conduct additional investigation. The below is merely as summary of the additional investigative steps taken. The additional investigative steps COPA has taken have not changed COPA's original findings or recommendation. COPA originally found and still finds that all allegations, except Allegation #5, against Sgt. Edward Leighton, Star #1049, are Sustained, and COPA continues to recommend Separation.

**I. SUMMARY OF CASE HISTORY**

On October 30, 2020, the Civilian Office of Police Accountability (COPA) closed LOG #2019-3507 with Sustained findings against Sgt. Leighton, finding that he (1) kissed ██████ without her consent in violation of Rules 2,3, and 8, (2) grabbed ██████ by the neck in violation of Rules 2, 3, and 8, (3) touched ██████ breasts without her consent in violation of Rules 2, 3, and 8, (4) touched ██████ vagina, over her clothes, without her consent in violation of Rules 2, 3, and 8, (5) attempted to undo ██████ pants without her consent in violation of Rules 2, 3, and 8, (6) pulled ██████ bra down without her consent in violation of Rules 2, 3, and 8, (7) made unwanted sexual advances towards ██████ in that he stated words to the effect of, "Let me get a little taste of you," in violation of Rules 2, 3, and 8, (8) made unwanted sexual advances towards ██████ in that he stated words to the effect of, "Then you get a little taste of me," in violation of Rules 2, 3, and 8, and (9) consumed an alcoholic beverage while being in possession of his firearm in violation of Rule 6. The allegation that Sgt. Leighton touched ██████ buttocks without her consent in violation of Rules 2, 3, and 8, was determined to be Not Sustained.

On January 14, 2021, the Chicago Police Department (CPD) notified COPA in writing of its request for further investigation. Specifically, CPD requested that COPA determine what ██████ and the witness, ██████, told the detectives, the status of the criminal investigation, and ascertain if the accused, Sgt. Leighton, provided his account of the incident during the criminal investigation.

Based on CPD's request, COPA took the actions summarized below.

**II. ADDITIONAL INVESTIGATION**

After receiving CPD's request for further investigation COPA located and obtained **Supplemental Case Report ██████**.<sup>2</sup> It should be noted that despite ██████ informing CPD on December 17, 2019 that she did not want to prosecute,<sup>3</sup> the Supplemental Report was not approved

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<sup>1</sup> Att. 51

<sup>2</sup> Att. 52

<sup>3</sup> Id. Note, this is the last known investigative action taken in the criminal investigation.

until September 30, 2020, one month before COPA closed its initial investigation. Therefore, COPA was not aware of this report during its initial investigation, as it was not available until COPA's Summary Report was in its final stages of internal review and approval at COPA.

According to the report, the victim, [REDACTED] and the witness, [REDACTED], related essentially the same information as contained in the General Offense Case Report. The supplemental report did not summarize their statements, but rather noted that both interviews were electronically recorded (ERI). After Ms. [REDACTED] decided not to pursue criminal charges, the case was closed with a finding of "Exceptionally Cleared Closed (Complainant Failed to Prosecute)" on September 30, 2020.

COPA requested and attempted to obtain the ERI<sup>4</sup> of victim [REDACTED] and witness [REDACTED] from CPD's Record Service but the ERI could not be located. COPA also sought the assistance Detective Russell Sutherland, the assigned detective, to locate the ERI, but he was unsuccessful. Therefore, COPA conducted an interview with Detective Sutherland on April 7, 2021.<sup>5</sup>

Detective Sutherland related that he was assigned to investigate RD# [REDACTED] involving the victim, [REDACTED], and the offender, Sgt. Edward Leighton. Detective Sutherland independently recollected his interview with [REDACTED] on November 1, 2019. [REDACTED] related that she met Sgt. Leighton on a dating app, and after having several phone conversations with Sgt. Leighton, they agreed to meet at Open Outcry. The two of them had two or three drinks, and she recalled that Sgt. Leighton stated that he could not be out late because he had to go to work early the next day. When they left Open Outcry, they walked to her car. [REDACTED] was parked on 110th Street between Western and Artesian. Sgt. Leighton told her that his car parked on 109th and Western and asked if she could give him a ride back to his car. She agreed to do so. As they were walking, they kissed a little and then got in the car. [REDACTED] was in the driver's seat and Sgt. Leighton was in the passenger's seat. Sgt. Leighton kissed her again but this time she described it as being more passionate in that he used a "lot of tongue."<sup>6</sup> [REDACTED] drove around the corner to take him to his vehicle which was parked north of Open Outcry and Home Run Inn Pizza. Detective Sutherland described the location as being a driveway that takes you to the rear where you can park your car.

When [REDACTED] parked her vehicle, Sgt. Leighton grabbed her breasts and her crotch, over her clothing, and she pushed his hands off her. Sgt. Leighton asked if he could go to her place. [REDACTED] responded no and reminded him that he said he had to be at work early. Sgt. Leighton then asked if he could taste her, and she said no. Sgt. Leighton then leaned back, unzipped his pants, and asked [REDACTED] if she wanted to taste him. [REDACTED] replied, "No. That's not happening either." [REDACTED] told Detective Sutherland that when Sgt. Leighton leaned back, she observed his gun, but he did not display it. Sgt. Leighton then placed his hand on her neck and tried to pull her head down, and again, she told him no. [REDACTED] stated that she saw people walking down the alley and headed to the

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<sup>4</sup> Att. 54, 55, 57, 58

<sup>5</sup> Att. 53, 56

<sup>6</sup> Att. 56 at 11

restaurant and warned Sgt. Leighton that people were approaching and suggested that he just get in his car and leave.

After Sgt. Leighton exited her vehicle, she immediately drove to ██████████'s home, told her what occurred, and they called the police. Detective Sutherland related that he interviewed ██████████ immediately after ██████████ and she related essentially the same information as ██████████. She also told him that she could tell that ██████████ was upset when she arrived at her home. At the time of the interview, ██████████ was unsure if she wanted to pursue criminal charges, and Detective Sutherland told her that she did not have to decide right away. He stated that ██████████ contacted him later in November or December and told him that she did not wish to pursue criminal charges. Without interviewing Sgt. Leighton, Detective Sutherland terminated the investigation and closed the case with a finding of "Exceptionally Cleared Close (Complainant Failed to Prosecute.)"

Detective Sutherland related that he electronically recorded both interviews with their consent but was unable to locate the ERIs in CPD's database. He explained, at the time of the interviews, he did not have access to Evidence.com, so another detective had to log him in. Detective Sutherland does not know the detective's name and stated that the detective is no longer assigned to his unit. Detective Sutherland related that he and other Department Members attempted to search for the ERI's using the victim's name and the RD number but were met with negative results. COPA also requested Detective Sutherland's general progress notes (GPRs) documenting his conversations with ██████████ and/or ██████████ but he was unable to provide any.

### III. CONCLUSION

COPA stands by its original findings for all allegations against Sgt. Leighton as articulated in its Summary Report.<sup>7</sup> Although the ERI of the victim and witness could not be located, COPA interviewed Detective Sutherland who gave a detailed account of his interviews with ██████████ and ██████████. The details that both provided were consistent with their accounts to responding officers and COPA thereby strengthening their credibility and further supporting COPA's original findings. Due to ██████████ unwillingness to pursue criminal charges, Detective Sutherland closed and cleared the criminal investigation without interviewing the accused, Sgt. Leighton, thus making COPA unable to further assess his credibility or lack thereof.

Approved:

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Andrea Kersten  
*Chief of Investigative Operations*

May 4, 2021

Date

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<sup>7</sup> Att. 49