



Superintendent David Brown
Chicago Police Department
3510 S. Michigan Avenue
Chicago, IL 60653

Via Electronic Mail
February 4, 2020

Re: Resolution Letter – Log No. 2020-2121

Dear Superintendent Brown,

On November 24, 2020, the Civilian Office of Police Accountability (“COPA”) received a non-concurrence letter regarding Log No. 2020-2121 from the Chicago Police Department (“Department”). In its non-concurrence letter, the Department concurred with COPA’s findings but disagreed with the recommended discipline to separate Officer Matthew Drinnan from the Department. Instead, a 270-day suspension was suggested as more appropriate. After careful consideration, COPA has agreed to modify the recommended discipline for Officer Drinnan to a suspension of 270 days.

However, please note that COPA does not concur entirely with the reasoning outlined in the Department’s non-concurrence letter. In particular, COPA believes that much of the precedent cited in the letter is not analogous to the conduct at issue by Officer Drinnan. In one example, the Department points to an appellate decision regarding the conduct of a tax fraud investigator who engaged in the verbal abuse of a civilian.¹ In another, the Department argues a case wherein a mental health technician struck a patient, partially in self-defense.² Neither example involved law enforcement officers, nor did they involve the kind of bigoted language used by Officer Drinnan.

A more suitable comparison contained in the non-concurrence involves a Sergeant suspended for 270 days who used a racial slur when referencing President Obama.³ Additionally, the Department appropriately points to Officer Drinnan’s commendations and lack of complaint history in support of a downward disciplinary adjustment from COPA’s original recommendation of separation. COPA finds the Department’s latter arguments more applicable than the former, and ultimately concurs that a suspension of 270 days for Officer Drinnan is reasonable.

Respectfully,

A solid black rectangular box redacting the signature of Christopher S. Reed.

Christopher S. Reed
Staff Attorney
Civilian Office of Police Accountability

¹ *Fox v. Civil Serv. Com.*, 66 Ill. App. 3d 381, 23 Ill. Dec. 174, 383 N.E.2d 1201 (1978)

² *Dep’t of Mental Health & Developmental Disabilities v. Civil Serv. Com.*, 103 Ill. App. 3d 954, 59 Ill. Dec. 573, 431 N.E.2d 1330 (1982)

³ COPA Log# 177812

cc: Andrea Kersten, Chief of Investigative Operations (COPA)
Kevin Connor, General Counsel (COPA)
Dana O'Malley, General Counsel (Chicago Police Department)
Lieutenant Joe Bird (Chicago Police Department)