



Log # 2021-0000212

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On January 16, 2021, the Civilian Office of Police Accountability (COPA) received an Initiation Report from Lieutenant McLain, who reported that [REDACTED] alleged that on January 16, 2021, Officer Shaun Jaudon used force against him, without justification.² Following its investigation, COPA reached an exonerated finding regarding the use of force allegation.

II. SUMMARY OF EVIDENCE³

On or about January 15, 2021, Illinois Department of Corrections Parole Agent Larry Manning learned that [REDACTED] the subject of an active arrest warrant, was residing at [REDACTED].⁴ On January 16, 2021, Agent Manning and Chicago Police Department (CPD) Officer Shaun Jaudon went to the apartment to execute the arrest warrant.⁵ Prior to arriving at the apartment, Officer Jaudon reviewed [REDACTED] criminal history and learned that [REDACTED] background included weapons offenses. When Officer Jaudon and Agent Manning arrived at the apartment, an occupant of apartment [REDACTED] escorted them to a small bedroom where [REDACTED] slept.⁶ When Officer Jaudon and Agent Manning entered the bedroom, they observed that [REDACTED] was unclothed and his girlfriend, [REDACTED] was dressed in a nightgown.⁷ The officers identified themselves then informed [REDACTED] that he was the subject of an arrest warrant. When Officer Jaudon asked [REDACTED] if there were any weapons in the apartment, [REDACTED] looked at Officer Jaudon then grabbed a pair of pants, clutched them tightly against his chest, then fell onto the floor in a fetal position.⁸ Officer Jaudon and Agent Manning explained that based on their experiences, they believed and feared that [REDACTED] was attempting to conceal a weapon.⁹ Officer Jaudon stated that [REDACTED] was ordered to show his hands, but he failed to

¹ Appendix A includes case identifiers such as the date, time, and location of the incident, the involved parties and their demographics, and the applicable rules and policies.

² One or more of these allegations fall within COPA's jurisdiction pursuant to Chicago Municipal Code § 2-78-120. Therefore, COPA determined it would be the primary investigative agency in this matter.

³ The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including BWC footage, police reports, civilian interviews, and officer interviews.

⁴ [REDACTED] was a protected address and [REDACTED] was not allowed at the location.

⁵ Agent Manning and Officer Jaudon are members of the U.S. Marshal Services' Fugitive Apprehension Team.

⁶ The occupant was identified by [REDACTED] as [REDACTED], her [REDACTED].

⁷ Att. 6 at 23:05 - 23:50

⁸ Att. 4 5:25 - 6:02

⁹ Att. 2 at 9:20 - 9:30 and Att. 4 at 5:26 - 5:36, 9:04 - 9:09

comply.¹⁰ As Agent Manning and Officer Jaudon struggled to release the pants from ██████ grasp and gain control of him, ██████ bit Officer Jaudon's hand.¹¹ Officer Jaudon explained that when ██████ bit him, his level of resistance transitioned from active resister to assailant.¹² Officer Jaudon stated that after ██████ bit him, he used stunning techniques to gain compliance.¹³ Officer Jaudon described stunning techniques as the application of pressure to points behind a subject's ears, and wristlocks.¹⁴ Officer Jaudon explained that using the stunning techniques was ineffective; however, he denied "striking" or "punching" ██████¹⁵

Agent Manning managed to request additional police assistance as he struggled with ██████. When assisting officers arrived, ██████ was restrained. However, he continued to be combative and verbally abusive.¹⁶ After ██████ was restrained, officers asked him where his clothes were. ██████ refused to tell them where his clothes were, and he instructed ██████ to withhold clothing from the officers.¹⁷ ██████ was escorted from the apartment to a squadrol wearing only undergarments due to his refusal to direct him officers to his clothes.¹⁸ As a precautionary measure, Mr. ██████ was transported to a local hospital, treated, and released.¹⁹ CPD Evidence Technician photographs of ██████ depict bruising and a small facial laceration covered with medical tape.²⁰

On June 23, 2021, COPA investigators spoke with ██████²¹ ██████ stated that when the officers arrived, they informed her and ██████ that they had a warrant for ██████ arrest.²² ██████ explained that ██████ was resistant, and he held his arms under his chest as the officers struggled with him.²³ During a July 23, 2021 telephone interview, ██████ explained that when ██████ reached for his pants, the officers would not allow it, probably because they thought there was a weapon in the pockets.²⁴

¹⁰ *Id.* at 11:15 -11:22

¹¹ *Id.* at 9:55-10:07 10:53 - 11:01, and Att. 11 at min 6:39 - 6:44

¹² *Id.* at 10:07-10:16

¹³ *Id.* at 10:58 -11:35

¹⁴ *Id.* at 31:21 - 31:40

¹⁵ *Id.* at 31:44 - 31:52

¹⁶ Att. 11 9:07 – 10:13

¹⁷ Att. 10 at 4:55 - 5:08

¹⁸ Att. 11 at 16:16 -16:52

¹⁹ Medical records from Thorek Memorial Hospital indicate that hospital personnel treated ██████ for lacerations on his right foot and right cheek. Medical personnel also conducted spine and head CT exams, and X-rays of ██████ ribs, chest, and right foot; all results were normal. See Att. 20.

²⁰ Att. 19.

²¹ Att. 6

²² *Id.* at 13:30-13:40 and 17:18 – 17:58

²³ *Id.* at mi 24:35-25:15

²⁴ Att. 7

III. ALLEGATIONS

Officer Shaun Jaudon:

1. It is alleged by Lt. Scott McClain that on or about January 12, 2021, at approximately 9:02 AM, at or near ██████████, that you, Shaun Jaudon #12119, committed misconduct through the following acts or omissions by:
 - Using force against ██████████ without justification.
 - Exonerated

IV. CREDIBILITY ASSESSMENT

COPA's investigation did not reveal evidence calling into question the credibility of any of the individuals who provided a statement regarding this incident.

V. ANALYSIS²⁵

CPD defines an active resister as “a person who attempts to create distance between himself or herself and the member's reach with the intent to avoid physical control and/or defeat the arrest.”²⁶ This type of resistance includes “a subject who is attempting to avoid apprehension and who fails to comply with a sworn member's orders to reveal themselves.”²⁷ Under the Department's Response to Resistance and Force Options directive, an assailant is defined as “a subject who is using or threatening the use of force against another person or himself/ herself which is likely to cause physical injury.”²⁸ Officers are permitted to numerous force options on assailants, including stunning techniques and wristlocks.²⁹

Here, the evidence shows that ██████████ was an assailant when Officer Jaudon utilized force against him. In her statement to COPA, ██████████ confirmed that ██████████ was resistant, and he struggled with the officer. ██████████ statement was corroborated by Officer Jaudon's and Agent Manning's COPA statement. Officer Jaudon and Agent Manning described ██████████ as a known weapons offender whose level of resistance rapidly escalated from active resister to assailant after he bit Officer Jaudon.

In his statement to COPA, Officer Jaudon acknowledged that he employed stunning techniques to gain control of ██████████ as ██████████ fought with him and Agent Manning during their attempt to secure the concealed pants and effect an arrest. Given that ██████████ was unclothed when he thrust himself onto a carpeted floor in confined quarters, then engaged in a vigorous struggle, COPA finds that it is more likely than not that ██████████ combative behavior and continued resistance contributed to any injuries he sustained.

²⁵ For a definition of COPA's findings and standards of proof, see Appendix B.

²⁶ General Order G03-02-01 IV(B)(2)

²⁷ General Order G03-02-01 IV(B)(2)(b)

²⁸ General Order G03-02-01 IV(C)

²⁹ *Id.*

CPD authorizes the use force when it is reasonable, necessary, and proportional to the resistance of the subject.³⁰ Based on the totality of the circumstances, COPA finds that Officer Jaudon used the necessary force to overcome a resistant and combative [REDACTED]. Therefore, the allegation that Officer Shaun Jaudon used force against [REDACTED] without justification is **EXONERATED**.

Approved:

[REDACTED]

Sharday Jackson
Deputy Chief Administrator – Chief Investigator

March 31, 2023

Date

³⁰ General Order G03-02-01 II (C)

Appendix A

Case Details

Date/Time/Location of Incident:	January 16, 2021 /9:00 am/ [REDACTED] [REDACTED]
Date/Time of COPA Notification:	January 16, 2021/ 4:57 pm
Involved Member #1:	Shaun Jaudon/Star #12119/Employee ID # [REDACTED] DOA: August 1, 2012/ Unit: 606 / Male Black
Involved Individual #1:	[REDACTED] Male, Hispanic

Applicable Rules

- Rule 2:** Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3:** Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 5:** Failure to perform any duty.
- Rule 6:** Disobedience of an order or directive, whether written or oral.
- Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9:** Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 10:** Inattention to duty.
- Rule 14:** Making a false report, written or oral.
- Rule 38:** Unlawful or unnecessary use or display of a weapon.
- Rule __:** *[Insert text of any additional rule(s) violated]*

Applicable Policies and Laws

- General Order G03-02-01: Response to Resistance and Force Options (effective December 4, 2020 – April 15, 2021)

Appendix B

Definition of COPA's Findings and Standards of Proof

For each Allegation, COPA must make one of the following findings:

1. Sustained – where it is determined the allegation is supported by a preponderance of the evidence;
2. Not Sustained – where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;
3. Unfounded – where it is determined by clear and convincing evidence that an allegation is false or not factual; or
4. Exonerated – where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

A **preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that a proposition is proved.³¹ For example, if the evidence gathered in an investigation establishes that it is more likely that the conduct complied with CPD policy than that it did not, even if by a narrow margin, then the preponderance of the evidence standard is met.

Clear and convincing evidence is a higher standard than a preponderance of the evidence but lower than the “beyond-a-reasonable doubt” standard required to convict a person of a criminal offense. Clear and convincing can be defined as a “degree of proof, which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true.”³²

³¹ See *Avery v. State Farm Mutual Automobile Insurance Co.*, 216 Ill. 2d 100, 191 (2005) (a proposition is proved by a preponderance of the evidence when it is found to be more probably true than not).

³² *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4th ed. 2000)).

Appendix C

Transparency and Publication Categories

Check all that apply:

- Abuse of Authority
- Body Worn Camera Violation
- Coercion
- Death or Serious Bodily Injury in Custody
- Domestic Violence
- Excessive Force
- Failure to Report Misconduct
- False Statement
- Firearm Discharge
- Firearm Discharge – Animal
- Firearm Discharge – Suicide
- Firearm Discharge – Unintentional
- First Amendment
- Improper Search and Seizure – Fourth Amendment Violation
- Incidents in Lockup
- Motor Vehicle Incidents
- OC Spray Discharge
- Search Warrants
- Sexual Misconduct
- Taser Discharge
- Unlawful Denial of Access to Counsel
- Unnecessary Display of a Weapon
- Use of Deadly Force – other
- Verbal Abuse
- Other Investigation