

**SUMMARY REPORT OF INVESTIGATION**

Date/Time/Location of Incident:	September 24, 2020 / 9:05 AM / [REDACTED]
Date/Time of COPA Notification:	August 16, 2021 / 4:50 PM
Involved Officer #1:	Arnoldo Rivera, Star# 16152, Employee# [REDACTED], Date of Appointment: February 19, 2013, PO, Unit of Assignment: 193, DOB: [REDACTED], 1974, Male, Hispanic
Involved Officer #2:	Roberto Delcid, Star# 18067, Employee# [REDACTED], Date of Appointment: February 5, 2011, PO, Unit of Assignment: 193, DOB: [REDACTED], 1971, Male, Hispanic
Involved Individual #1:	[REDACTED] DOB: [REDACTED], 1991, Female, White
Involved Individual #2:	[REDACTED] DOB: [REDACTED], 1998, Male, Black

Case Type: Search warrant execution with allegations of excessive force and damage to property.

**I. ALLEGATIONS**

Officer	Allegation	Finding
Officer Arnoldo Rivera	It is alleged that on or about September 24, 2020, at or after approximately 09:05am, at [REDACTED] [REDACTED] Officer Arnold Rivera, Star # 16152, committed misconduct through the following acts or omissions:  1. Forcefully pushing [REDACTED] onto her couch without justification.	<b>Not Sustained</b>
	2. Causing excessive or unnecessary damage to the interior of [REDACTED] property while executing a search warrant.	<b>Not Sustained</b>

Officer Roberto Delcid	<p>It is alleged that on or about September 24, 2020, at or after approximately 09:05am, at ██████████</p> <p>██████████ Officer Delcid, Star # 19548, committed misconduct through the following acts or omissions:</p> <ol style="list-style-type: none"> <li>1. Forcefully pushing ██████████ onto her couch without justification.</li> <li>2. Causing excessive or unnecessary damage to the interior of ██████████ property while executing a search warrant.</li> </ol>	<p><b>Not Sustained</b></p> <p><b>Not Sustained</b></p>
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## II. SUMMARY OF EVIDENCE

COPA obtained a telephone statement from Ms. ██████████ on August 20, 2021. Ms. ██████████ related she was in her 2<sup>nd</sup> floor residence at ██████████ when she heard shouting emanating from downstairs. Officers then enter the front door of her residence without knocking with their guns in-hand while she yells that they have no right to be there. Ms. ██████████ then alleged that a Hispanic officer wearing a skull mask immediately grabbed her and pushed her face-first into her couch and forcefully placed her in handcuffs that were too tight. This officer also allegedly threatened to arrest her if she did not stop yelling. While Ms. ██████████ remained on the couch, she could observe several officers damaging doors and tossing her belongings around the residence during their search. Once the search concluded, the officers allegedly left without providing her the promised paperwork documenting the search and the items taken.

COPA conducted audio recorded interviews with Officer Armando Rivera and Officer Roberto Delcid on April 19, 2022.<sup>2</sup> According to both officers, Mr. ██████████ and his residence were the subject of this search warrant<sup>3</sup> based on information provided to them by an informant. The day they executed the warrant, they found Mr. ██████████ in the front yard and immediately detained him in handcuffs. Following this, they approached the door, knocking and announcing their office<sup>4</sup>, entered and conducted a systematic search of the residence and recovered several items of clothing and a handgun. Both officers described Ms. ██████████ as initially hostile<sup>5</sup> toward the team and even tried pushing multiple officers back outside of the residence before being handcuffed and escorted to her couch where she remained for the duration of the search. Once the search was completed Ms. ██████████ was provided a copy of the search warrant and paperwork regarding the items recovered by the search team. Officer Rivera was directly involved in the entry of the residence and had the best recollection of the Ms. ██████████ demeanor and the interactions between her and other officers. Officer Rivera stated that because of Ms. ██████████ initial hostility, she was

<sup>1</sup> Ms. ██████████ statement was taken telephonically due to the Covid-19 pandemic on August 20, 2021.

<sup>2</sup> These officers were the only two officers involved with this search warrant execution who are listed as Hispanic through their Chicago Police Department's personnel files found in CLEAR.

<sup>3</sup> RD# JD377552

<sup>4</sup> Both officers stated that they were in plain clothes but had their police shields along with other identifying markings to show their police office including names and star numbers.

<sup>5</sup> Officer Rivera described this hostility as screaming and yelling profanities.

handcuffed without force by Officer Ruzak<sup>6</sup> and escorted to her couch where she sat for the duration of the search. Officer Rivera stated that at no point did Officer Ruzak push Ms. ██████ nor forcefully push her face into the couch. Officer Rivera also stated that he did not recall Officer Ruzak to be wearing any mask or specifically a skull mask as described by Ms. ██████ Officer Rivera and Delcid stated that the damage to the apartment or the mess made during the search was not excessive.<sup>7</sup> Both officers explained that based on their search being for a handgun, it's not uncommon to empty out drawers, cabinets, or flip mattresses to find these items.<sup>8</sup> Officer Rivera went as far to state that he believes the damage (not the mess) to have been done to the door frames and doors prior to the search. Officer Rivera stated that they did not use any force or tools to enter the residence or any rooms within the residence. Furthermore, if they were to use tools or force, it would be documented in their pre/post search report and there would have been pictures taken to document the damage as well.

There was no body-worn camera (BWC) footage or other digital evidence to corroborate Ms. ██████ allegations or the accused officers' statements. The team involved in executing this search warrant were exempt from wearing BWCs to protect the confidentiality of their informants. However, the warrant packet<sup>9</sup> did provide some valuable information for this investigation. Aside from confirming much of what Officer Delcid and Officer Rivera stated to COPA, it gave some insight into the detention of Ms. ██████ According to this report, Ms. ██████ was detained without incident upon entry, however, her dog attacked and bit the leg of Officer Ruzak while he was detaining Ms. ██████ This caused him and Ms. ██████ onto the couch prior to his team getting control of the dog.<sup>10</sup> It should also be noted that the search warrant makes mention that several officers from the FBI were in assistance during the execution of the search warrant.

### III. ANALYSIS AND CONCLUSION

Based on the evidence and interviews obtained, COPA finds that **Allegation 1 is Not Sustained for both officers.** Both officers similarly described Ms. ██████ as antagonistic and using profanities during their initial encounter. Officer Rivera, who was closest to Ms. ██████ while she was being detained, described her being handcuffed by Officer Ruzak as without any force and stated that Officer Ruzak did not use any force after handcuffing her. The warrant packet report sheds some light on what may have happened with Officer Ruzak falling down with Ms. ██████ into the couch due to her dog attacking him. In sum, COPA finds there is insufficient evidence to sustain Allegation 1 or to even determine what, if addy, force was used against Ms. ██████

Regarding **Allegation 2**, COPA finds this allegation to be **Not Sustained for both officers.** Ms. ██████ alleged that the search team damaged doors and door frames and ransacked the

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<sup>6</sup> It was decided by R/I and S/I that Officer Ruzak would not be brought in for interview due to lack of sustainable evidence.

<sup>7</sup> They were provided images of the residence (post search) captured by the complainant Ms. ██████ (Att. 8-14).

<sup>8</sup> Both officers claimed that, based on their experience, it is very common for weapons/narcotics to be hidden in these areas.

<sup>9</sup> Att. 39

<sup>10</sup> This dog bite is also documented in the Arrest Report (Att. 22) and Original Case Report (Att.7) but not Officer Ruzak and Ms. ██████ falling.

apartment leaving clothes and beds strewn throughout the residence. Although she provided pictures, those pictures do not definitely establish when the depicted damaged occurred. In contradiction to her claim, Officer Rivera stated that the team did not use any forceable entry for the execution of their warrant. Furthermore, if the team did damage any property or use forceable entry, both officers stated that such damage would have been documented via CPD reporting requirements. Both officers explained that the clothing and bedding may have been left disheveled or turned out, but it's not uncommon due to the nature of searching for weapons or narcotics in easily concealable areas such as drawers or mattresses. In sum, COPA finds there is insufficient evidence to sustain Allegation 2.

Approved:



4/4/2023

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Matthew Haynam  
*Deputy Chief Administrator – Chief Investigator*

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Date

**Appendix A**

Assigned Investigative Staff

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<b>Squad#:</b>	16
<b>Investigator:</b>	Kyle Caldwell
<b>Supervising Investigator:</b>	Deborah Talbert
<b>Deputy Chief Administrator:</b>	Matthew Haynam