

SUMMARY REPORT OF INVESTIGATION¹

I. EXECUTIVE SUMMARY

Date of Incident:	February 28, 2016
Time of Incident:	1:00 a.m. – 2:00 a.m.
Location of Incident:	251 E. Huron Street
Date of COPA Notification:	February 28, 2016
Time of COPA Notification:	1:57 p.m.

While at Northwestern Memorial Hospital on February 28, 2016, [REDACTED] was asked to leave the premises after he became verbally abusive to the security personnel. [REDACTED] refused to leave and became physical with the security personnel. [REDACTED] was taken into custody by the security personnel and Chicago Police were called to the scene. [REDACTED] was then charged with Criminal Trespass and transported to the 018th District for processing. Allegations were brought against two Chicago Police officers, but COPA's investigation determined those allegations were Unfounded.

II. INVOLVED PARTIES

Involved Officer #1:	Raymond Archuleta, Star #5137, Employee # [REDACTED] Date of Appointment May 1, 2013, Police Officer, Unit of Assignment 018, DOB: [REDACTED] 1982, Male, Hispanic
Involved Officer #2:	Unknown
Involved Civilian #1:	Ronald Lee [REDACTED] DOB: [REDACTED], 1986, Male Hispanic

III. ALLEGATIONS

Officer	Allegation	Finding
Officer Raymond Archuleta	1. “Slammed” [REDACTED] to the ground	Unfounded
	2. Failed to complete a Tactical Response Report (TRR) related to the incident.	Unfounded

¹ On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

Officer Unknown	1. Grabbed ██████ by his left arm & lifted it behind his back causing him pain.	Unfounded
	2. Placed a knee on ██████ back.	Unfounded
	3. Pushed ██████ face on the ground with a foot.	Unfounded

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
2. Rule 6: Disobedience of an order or directive, whether written or oral.
3. Rule 8: Disrespect to or maltreatment of any person, while on or off duty.
4. Rule 10: Inattention to duty

General Orders

1. G03-02-02, Force Options

V. INVESTIGATION

a. Interviews

In his **interview with IPRA on March 3, 2016, Complainant** ██████ stated that on the date of the incident, he went Northwestern Memorial Hospital to seek medical treatment as he was experiencing a hip problem from a recent accident. ██████ related that while at Northwestern Memorial Hospital, he walked to the second floor to eat and take a nap. ██████ stated that a black male security officer asked him to leave the hospital and ██████ refused and the black male security officer called the police.

██████ related that when police arrived, a white male uniformed officer grabbed his left arm and lifted it behind his back, causing him to feel pain. ██████ pulled away and the officer “slammed” him to the ground. ██████ stated while he was on the ground an unidentified officer placed his/her knee on his back. ██████ added that an unidentified officer also used his/her foot to push his face on the ground. ██████ stated that he sustained pain to his body, lacerations to

both sides of his face and a laceration to his right finger as a result of this incident. [REDACTED] obtained medical treatment at Rush University Hospital and Northwestern Memorial Hospital.²

In her statement with COPA on February 2, 2018, Witness Officer Robin Gonzales stated that on the date and time of the alleged incident she was assigned to Beat 1833R along with Officer Archulata. Officer Gonzales related that when she arrived at Northwestern Memorial Hospital [REDACTED] was lying on the ground and had been handcuffed by the security personnel. Officer Gonzales could not recall who she spoke with when she arrived at Northwestern Memorial Hospital nor the contents of the conversations. Officer Gonzales could not recall who removed the security personnel's handcuffs from [REDACTED]. Officer Gonzales could not recall who handcuffed [REDACTED]. Officer Gonzales stated that she could not recall if there were any additional units who responded to the incident. Officer Gonzales did not recall observing any injuries to [REDACTED]. Officer Gonzales did not recall [REDACTED] complaining of any pain and/or injuries. Officer Gonzales did not recall Officer Archulata and/or any Department member commit the acts alleged by [REDACTED].³

In his statement with COPA on February 13, 2018, Accused Officer Raymond Archulata stated that when he arrived at Northwestern Memorial Hospital [REDACTED] had been handcuffed by the security personnel and was laying on his stomach on the ground. Officer Archulata related that there were approximately three to four male security personnel standing around [REDACTED]. Officer Archulata stated that he did not recall who he spoke with when he arrived at Northwestern Memorial Hospital. Officer Archulata stated that he stood [REDACTED] up, removed the security personnel's handcuffs and placed his handcuffs on [REDACTED] wrist. Officer Archulata related that [REDACTED] was escorted to his assigned vehicle and transported to the 018th District for processing.

Officer Archulata did not recall observing injuries to [REDACTED]. Officer Archulata stated that [REDACTED] did not recall hearing [REDACTED] complain of injuries. Officer Archulata denied "slamming" [REDACTED] on the ground. Officer Archulata denied performing an emergency takedown on [REDACTED]. Officer Archulata stated that he did not complete a Tactical Response Report (TRR) regarding his contact with [REDACTED] because his level of contact with [REDACTED] did not require him to do so. Officer Archulata denied observing any Department member commit the acts alleged by [REDACTED].⁴

The assigned investigator made multiple attempts to interview witness Security Officer Brandon Alexander. Alexander refused to cooperate with the investigation.⁵

b. Digital Evidence

Photographs of [REDACTED] were taken on March 3, 2016, at 6:34 p.m., at IPRA (1615 W. Chicago Ave.) by Inv. James Lukas. The photographs of [REDACTED] depict what appears to be a

² Attachments #10, 13

³ Attachment #30

⁴ Attachment #34

⁵ Attachments #38 – 42

mark on the right side of [REDACTED] face, a mark on his left hand and a mark on his right pinky finger.⁶

c. Physical Evidence

According to the **Medical Reports** obtained from Northwestern Memorial Hospital, [REDACTED] was admitted to the emergency room and discharged on February 28, 2016 at 2:03 a.m. There were no complaints or diagnosis notated in the reports.

On March 1, 2016, [REDACTED] was admitted to Northwestern Memorial Hospital emergency room at 12:06 am and discharged at 7:28 a.m. [REDACTED] complained of pain to his head, left leg and back. [REDACTED] informed the hospital personnel that he was injured by the police approximately 3 days prior to his visit to the emergency room. [REDACTED] was diagnosed with vomiting.⁷

According to the **Medical Reports** obtained from Rush University Medical Center [REDACTED] was admitted to the emergency room on February 28, 2016 at 8:22 a.m. and discharged on February 28, 2016 at 12:20 p.m. [REDACTED] complained of pain to his head and the left side of his body. [REDACTED] informed the hospital personnel that the police threw him to the ground onto the left side of his body while he was at Northwestern Memorial Hospital. [REDACTED] also stated that the police placed their foot on the back of his head and his lower back. [REDACTED] was diagnosed with head injury, contusion to his left hip, an abrasion to his left hand, headache, bipolar disorder, and anxiety disorder.⁸

d. Documentary Evidence

In his **Initiation Report**, Sgt. Lambert, #1572, related that on February 28, 2016, he responded to Rush University Hospital regarding a battery victim. Upon Sgt. Lambert's arrival, he met with [REDACTED] who informed him that unknown Chicago Police Officers "slammed" him to the ground and one officer put his/her foot on his head causing pain. [REDACTED] complained of pain to his head and right hip area. [REDACTED] refused to stay at the hospital to be photographed by an evidence technician. Sgt. Lambert documented that he did not observe any visible marks on [REDACTED]⁹

According to the **Arrest and Case Report** ([REDACTED]) [REDACTED] was arrested on February 28, 2016, at 1:52 a.m., at 251 E. Huron Street (Northwestern Memorial Hospital) and charged with Criminal Trespass to Land. It is reported that [REDACTED] was arrested on signed complaints by Security Officer Brandon Alexander, in that [REDACTED] knowingly and intentionally remained on the property of Northwestern Hospital after being asked to leave numerous times. [REDACTED] was placed into custody on scene prior to the arrival of the arresting officers by hospital security personnel. [REDACTED] was transported to the 018th District for further processing. According to the

⁶ Attachment #15

⁷ Attachment #18

⁸ Attachment #25

⁹ Attachment #4

Lockup Screening Log, ██████ did not have any obvious pain/injury. ██████ appeared to be under the influence of alcohol/ drugs.¹⁰

According to the **Office of Emergency Management and Communications Event Query Report** (██████ and ██████) on February 28, 2016 at 1:44 a.m. personnel from Northwestern Memorial Hospital telephoned 911 and complained that a black male was causing a disturbance and refused to leave. Beat 1833R and Beat 1820R responded to Northwestern Memorial Hospital. Beat 1833R transported one person to the 18th District at approximately 1:52 a.m.¹¹

According to the **Office of Emergency Management and Communications Event Query Report** (#██████ and #██████) on February 28, 2016 at 11:25 a.m. and at 12:20 a.m., an emergency room nurse telephoned 911 to report that ██████ informed the medical staff that he had been battered by Northwestern Security and Chicago Police the day before.¹²

According to the **Incident Report** obtained from Northwestern Memorial Hospital Security, on February 27, 2016¹³, at approximately 1:36 a.m. ██████ was barred from Northwestern Memorial Hospital because he had been verbally abusive to the staff. Security Officers Alexander, Brooks, T. Gonzalez and Cook County Sheriff Officer Pavlik attempted to escort ██████ down the escalators and ██████ fled towards the warming center. As the security personnel attempted to escort ██████ out of the door, ██████ became physical. The security personnel restrained ██████ while CCSO Pavlik “handicapped” ██████ Chicago Police were called at 1:45 a.m. and Officers Archulata and Gonzales arrived at 1:46 a.m. ██████ was arrested for Criminal Trespassing. All units cleared at 1:48 a.m.¹⁴

VI. ANALYSIS

1. Officer Raymond Archulata

COPA recommends a finding of **Unfounded** for all **Allegation**. No Chicago Police Officers were present during the takedown or conduct alleged by ██████ ██████ alleged to both the hospital staff at Rush University Medical Center and IPRA that he was physically abused by several unidentified Chicago Police Officers and security personnel while at Northwestern Hospital approximately on February 28, 2016. According to the Chicago Police Department Report and the Incident Report from Northwestern Memorial Hospital, ██████ became physical with the Northwestern Memorial Hospital Security and was placed in custody prior to Officer Archulata’s arrival. Both officers Archuleta and Gonzales stated that when they arrived ██████ was already restrained by Northwestern Security in handcuffs, they switched handcuffs on ██████ and simply transported him from the hospital. Further confirming Chicago Police Officers were not involved in the force used to arrest ██████ incident reports from Northwestern Hospital detail that ██████ was physically restrained after he became irate with hospital security

¹⁰ Attachments #5, 28, 29

¹¹ Attachments #19, 20

¹² Attachment #6

¹³ Error on report as related information regarding the incident is dated February 28, 2016

¹⁴ Attachment #37

and specifically, Sherriff's Officer Pavlik "handicapped" [REDACTED] before he was placed in cuffs. Therefore, COPA finds none of the force alleged was used by any Chicago Police Officer and thus no TRRs were necessary. All the allegations are Unfounded.

COPA recommends a finding of **Unfounded** for **Allegation #2**, that Officer Archulata failed to complete a Tactical Response Report (TRR) related to the incident, in violation of Rule 10, "Inattention to duty." Officer Archulata stated that when he arrived at Northwestern Memorial Hospital [REDACTED] was in custody and laying on his stomach on the ground. Officer Archulata related that he stood [REDACTED] up, removed the security officers' handcuffs and placed his handcuffs on [REDACTED] wrist. Officer Archulata then escorted [REDACTED] to his vehicle and transported him to the 018th District for processing. Officer Archulata stated that he did not complete a TRR regarding his contact with [REDACTED] because it was not required. Based on the available evidence, Officer Archulata was not required to complete a TRR regarding his contact with [REDACTED]

2. Unknown Officer

COPA recommends a finding of **Unfounded** for **Allegations #1, 2 and 3** that an unknown officer grabbed [REDACTED] by his left arm & lifted it behind his back causing him pain, placed a knee on [REDACTED] back, and pushed [REDACTED] face on the ground with a foot. Based on the hospital's incident report COPA finds that the officer described by [REDACTED] was either Northwestern Security officer or Cook County Sherriff Pavlick. Therefore, as COPA has no jurisdiction over these individuals we close our investigation related to these allegations.

VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding
Officer Raymond Archulata	1. "Slammed" [REDACTED] to the ground.	Unfounded
	2. Failed to complete a Tactical Response Report related to the incident.	Unfounded
Officer Unknown Officer	1. Grabbed [REDACTED] by his left arm & lifted it behind his back causing him pain.	Unfounded
	2. Placed a knee on [REDACTED] back.	Unfounded
	3. Pushed [REDACTED] face on the ground with a foot.	Unfounded

Approved, [REDACTED]

Andrea Kersten
Deputy Chief Administrator – Chief Investigator

7/25/18

Date

Appendix A

Assigned Investigative Staff

Squad#:	4
Investigator:	Lakeisha Davis
Supervising Investigator:	James Murphy-Aguilu
Deputy Chief Administrator:	Andrea Kersten

