

**SUMMARY REPORT OF INVESTIGATION<sup>1</sup>**

**I. EXECUTIVE SUMMARY**

Date of Incident:	June 9, 2016
Time of Incident:	9:00 AM
Location of Incident:	3814 W. Iowa St., Galapagos Elementary Charter School
Date of COPA Notification:	June 9, 2016
Time of COPA Notification:	5:00 PM

On June 9, 2016, the complainant, [REDACTED] attempted to bring her son to Galapagos Charter School. [REDACTED] was told to leave and the police responded. While CPD members were escorting [REDACTED] out of the school, she alleged Sergeant Murphy did not allow Officer Shean to provide her name and star number. [REDACTED] also alleged that Sergeant Murphy insulted her and her son. Further, [REDACTED] alleged that Officer Wolbers used a racial slur, which Sergeant Murphy ignored. Lastly, [REDACTED] alleged that Officer Wolbers insulted her son and honked his horn at her in a disrespectful manner. After reviewing available evidence and conducting interviews, COPA recommends the allegations be **Not Sustained**.

**II. INVOLVED PARTIES**

Involved Officer #1:	Adam Wolbers, Star #3023, Employee ID [REDACTED] Date of Appointment: September 29, 2003, Police Officer, 11 <sup>th</sup> District, Date of Birth: [REDACTED] 1977, Male, White
Involved Officer #2:	Gerard Murphy, Employee ID [REDACTED] Date of Appointment: [REDACTED] 1982, Sergeant of Police, 11 <sup>th</sup> District, Male, White <sup>2</sup>
Involved Civilian #1:	[REDACTED] Date of Birth: [REDACTED] 1979, Female, Black

**III. ALLEGATIONS**

Officer	Allegation	Finding
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<sup>1</sup> 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.

<sup>2</sup> Sergeant Murphy is no longer employed with the Chicago Police Department and was therefore not served with allegations.

<p>Officer Wolbers</p>	<p>1. Called ██████████ and her son “nigger,” in violation of Rule 2, Rule 6, Rule 8, and Rule 9.</p> <p>2. Told ██████████ words to the effect of her son would never “be anything,” in violation of Rule 2, Rule 8, and Rule 9.</p> <p>3. Told ██████████ words to the effect of her son would end up in jail, in violation of Rule 2, Rule 8, and Rule 9.</p> <p>4. Honked his horn at ██████████ while driving away, in violation of Rule 2 and Rule 8.</p>	<p>Not Sustained</p> <p>Not Sustained</p> <p>Not Sustained</p> <p>Not Sustained</p>
<p>Sergeant Murphy</p>	<p>1. Told Officer Shean to not give ██████████ her name and star number, in violation of Rule 8 and Rule 37.</p> <p>2. Insulted ██████████ and her son with words to the effect of “you’re ignorant and dumb [...] I see why your son act like that,” in violation of Rule 2, Rule 8, and Rule 9.</p> <p>3. Ignored Officer Wolbers’ use of a racial slur, in violation of Rule 2, Rule 6, Rule 8, Rule 9, and Rule 11.</p>	<p>Not Sustained</p> <p>Not Sustained</p> <p>Not Sustained</p>

**IV. APPLICABLE RULES AND LAWS**

Rules

1. **Rule 2:** Prohibits 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:** Prohibits disobedience of an order or directive, whether written or oral.
3. **Rule 8:** Prohibits disrespect to or maltreatment of any person, while on or off duty.
4. **Rule 9:** Prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
5. **Rule 11:** Prohibits incompetency or inefficiency in the performance of duty.
6. **Rule 37:** Prohibits failure of a member, whether on or off duty, to correctly identify himself by giving his name, rank and star number when so requested by other members of the Department or by a private citizen.

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**General Orders**

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**1. G02-01: Human Rights and Human Resources<sup>3</sup>****V. INVESTIGATION<sup>4</sup>****a. Interviews<sup>5</sup>**

On June 9, 2016, COPA interviewed the complainant, ██████████<sup>6</sup> ██████████ stated that on this same date, she was at 3814 W. Iowa Street, at Galapagos Charter School. ██████████ child had been suspended for fighting and she wanted him reinstated. School staff would not allow ██████████ to speak with the principal and ██████████ decided to remain until the principal would talk to her. When ██████████ would not leave, the school staff called the police. The police entered “in attack mode” and would not listen to ██████████ followed school protocol to gain entry and did not understand why her presence was a problem. The white, female police officer (Officer Shean) and a male CPD supervisor (Sergeant Murphy) told her she had to leave. ██████████ claimed she was not being disorderly. Sergeant Murphy told ██████████ he did not have to give her a reason as to why she had to leave. Sergeant Murphy asked a school administrator, Ms. ██████████ if she wanted ██████████ arrested. When ██████████ was being escorted out, she asked Officer Shean for her badge number. Sergeant Murphy told ██████████ not to speak to the officer and said Officer Shean did not have to give ██████████ her badge number. A third police officer (Officer Wolbers) was outside and posed ██████████ “the biggest problem.” ██████████ and Officer Murphy were exiting the school when Sergeant Murphy told ██████████ “you’re ignorant and dumb [...] I see why your son act like that.” Next, ██████████ called Sergeant Murphy “white trash.” Officer Shean went to her car while Officer Wolbers got into his car and yelled “nigger” towards ██████████ and her son. According to ██████████ Sergeant Murphy heard the comment and did nothing. When ██████████ told Officer Wolbers she was going to press charges and send the officer to jail, he responded that ██████████ son would never “be anything” and would be the one going to jail. ██████████ became upset and Officer Wolbers drove off, honking his horn at ██████████ called 911 several times to complain and ask that another Sergeant go to the school. ██████████ then sat on the school steps for approximately three hours for another CPD supervisor who never arrived.

COPA interviewed **Officer Wolbers** on June 6, 2018.<sup>7</sup> Officer Wolbers recalled being at Galapagos Charter School on June 9, 2018. Per Officer Wolbers, when he arrived, Sergeant Murphy was engaged with an African American female (██████████) outside of the school. Officer Wolbers described ██████████ as yelling and agitated. He described Sergeant Murphy as professional. Officer Wolbers stood beside his sergeant until the situation concluded. ██████████ left school property and the Department members also left. Officer Wolbers reported seeing ██████████ leave on foot. Officer Wolbers did not recall speaking to ██████████ Officer Wolbers did not hear Sergeant Murphy

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<sup>3</sup> The Human Rights and Human Resources policy referenced in this report was effective from July 4, 1992 until October 5, 2017 (See Att. 21).

<sup>4</sup> COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

<sup>5</sup> Sergeant Murphy was not interviewed by COPA as he is no longer employed by CPD and therefore out of COPA’s jurisdiction.

<sup>6</sup> Att. 5

<sup>7</sup> Att. 22

insult [REDACTED] or her son. Officer Wolbers denied using the term nigger or honking his horn toward [REDACTED]. Officer Wolbers believed the district received a call from [REDACTED] seeking assistance with Galapagos Charter School later the same day. Officer Wolbers believed he and Sergeant Murphy responded a second time to the school but [REDACTED] was not present outside.

COPA interviewed **Officer Joyce Shean** on May 15, 2018.<sup>8</sup> Officer Shean stated that on June 9, 2016, she was assigned to respond to all school related calls in the district and responded to Galapagos Charter School. The principal reported a disturbance with a parent refusing to leave. Officer Shean remembered Sergeant Murphy was present. When the Department members told Lomax she had to leave, [REDACTED] was yelling and upset about her child. Officer Shean described Sergeant Murphy as professional and she did not believe he was upset during this incident. Officer Shean did not recall [REDACTED] asking for her name or star number. Officer Shean denied that Sergeant Murphy told her not to identify herself to [REDACTED]. Once [REDACTED] was escorted outside, she was told to leave. Officer Shean could not specifically recall, but believed [REDACTED] left the school property before the Department members left. Officer Shean recalled that Officer Wolbers was present and on-duty. Officer Shean did not hear Sergeant Murphy insult [REDACTED]. Officer Shean did not hear an officer state [REDACTED] son would never amount to anything and end up in jail. Officer Shean also denied hearing a Department member call [REDACTED] a nigger or honking a car horn at [REDACTED]. Officer Shean also stated that Officer Ruiz was present in an off-duty capacity as school security.<sup>9</sup>

#### b. Digital Evidence

**In-car camera (ICC)** footage was obtained from Beat 1178 on June 9, 2016.<sup>10</sup> No ICC was recorded of the incident in question.

#### c. Physical Evidence

No physical evidence was identified in association with the present investigation.

#### d. Documentary Evidence

**CPD Event Query** reports were identified related to [REDACTED] June 9, 2016 interaction with the police.<sup>11</sup>

- Event #1616103676 related that a caller named Ms. [REDACTED] had an issue with the mother of a suspended student at approximately 8:40 AM. The mother was reportedly “yelling & using profanity around other students & refusing to leave.”
- According to Event #1616103882, [REDACTED] called at about 8:59 AM, reporting that police used “racial names [...] when removing her from the school.” [REDACTED] requested a supervisor.

<sup>8</sup> Att. 19

<sup>9</sup> Officer Julio Ruiz, Star #5143, has not been interviewed as he is on medical leave. Due to the fact that he is unavailable for a timely interview, was a witness, and may not have been present for the allegations, this investigation was closed without his interview.

<sup>10</sup> Att. 16

<sup>11</sup> Att. 10

- Per Event #1616103974, ██████ called again at roughly 9:03 AM, stating she had a dispute with the supervisor on scene. ██████ related that she wanted another supervisor because the initial one uses “racial slurs [...] against her and her son” and she felt threatened.
- Event #1616104502 related that ██████ called a third time at about 9:49 AM, requesting a supervisor and reporting officers being disrespectful.
- Event #1616105017 stated that ██████ called again at approximately 10:25 AM. ██████ stated she was waiting for over two hours, but no one had responded.

**VI. ANALYSIS**

The allegations against Officer Wolbers and Sergeant Murphy are **Not Sustained**. Based on the testimony gathered, the lack of physical or other documentary evidence, there is insufficient evidence to confirm or refute ██████ allegations against Officer Wolbers or Sergeant Murphy. Officer Shean denied hearing Officer Wolbers or Sergeant Murphy insult ██████ and her son. Officer Shean denied observing her fellow Department members engaged in any misconduct. Officer Wolbers denied insulting ██████ and her son or using racial slurs. Further, Officer Wolbers denied observing Sergeant Murphy engage in misconduct. Finally, Sergeant Murphy denied the allegations against him. Moreover, all three department members provided consistent accounts of the events, each remembering the encounter but denying the misconduct occurred.



On the other hand, OEMC records show that ██████ made her complaints immediately that day, and further ██████ provided IPRA a statement the same day. However, neither ██████ nor the officer’s statements were impeached nor does any independent evidence exist to support either version of the events. In the instant case, COPA cannot come to a conclusive determination and therefore all allegations are **Not Sustained**.

**VII. CONCLUSION**


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

Officer	Allegation	Finding
Officer Wolbers	1. Called ██████ and her son “nigger,” in violation of Rule 2, Rule 6, Rule 8, and Rule 9.	Not Sustained
	2. Told ██████ words to the effect of her son would never “be anything,” in violation of Rule 2, Rule 8, and Rule 9.	Not Sustained

	3. Told [REDACTED] words to the effect of her son would end up in jail, in violation of Rule 2, Rule 8, and Rule 9.	Not Sustained
	4. Honked his horn at [REDACTED] while driving away, in violation of Rule 2 and Rule 8.	Not Sustained
Sergeant Murphy	1. Told Officer Shean to not give [REDACTED] her name and star number, in violation of Rule 8 and Rule 37.	Not Sustained
	2. Insulted [REDACTED] and her son with words to the effect of "you're ignorant and dumb [...] I see why your son act like that," in violation of Rule 2, Rule 8, and Rule 9.	Not Sustained
	3. Ignored Officer Wolbers' use of a racial slur, in violation of Rule 2, Rule 6, Rule 8, Rule 9, and Rule 11.	Not Sustained

Approved:   


Andrea Kersten  
Deputy Chief Administrator – Chief Investigator

  
Date

**Appendix A**

Assigned Investigative Staff

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<b>Squad#:</b>	Four
<b>Investigator:</b>	Kelsey Fitzpatrick, #61
<b>Supervising Investigator:</b>	James Murphy-Aguilu, #19
<b>Deputy Chief Administrator:</b>	Andrea Kersten

