SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	August 14, 2016
Time of Incident:	8:30 p.m.
Location of Incident:	7600 S. Central Park Ave.
Date of COPA Notification:	August 15, 2016
Time of COPA Notification:	10:48 a.m.
neighborhood when they noticed the officer driving waved at was driving around the neighborhoofficers became confrontational and got out of the vehicle and arrest. One of the officers belittled was heard saying "My badge doesn	
Involved Officer #1: James Haworth	James Haworth, Star# 10742, Employee ID# , Date of Appointment: August 29, 2005, Police Officer, Unit 025, Birthdate: 1969, white male
Involved Officer #2: Zachary Gammonley	Zachary Gammonley, Star# 15808, Employee ID# , Date of Appointment: February 23, 2015, Police Officer, Unit 006, Birthdate: 1992, white male
Involved Individual #1:	Birthdate: , 1994, black male

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Officer James Haworth	1. Handcuffed too tightly, causing injuries in violation of Rules 2, 3, 8 and 9.	Sustained / 15 Days Suspension
	2. Inappropriately stated "Are you crying, little man?" to in violation of Rules 2, 3, 8 and 9.	Sustained / 15 Days Suspension
	3. Verbally abused in violation of Rules 2, 3, 8 and 9.	Sustained / 15 Days Suspension
3	4. Inappropriately stated "My badge doesn't come off asshole," in violation of Rules 2, 3, 8 and 9.	Sustained / 15 Days Suspension
	5. Choked in violation of Rules 2, 3, 8 and 9.	Sustained / 15 Days Suspension
	6. Purposely and unnecessarily slammed on the brakes while transporting causing him to hit his face against the partition in the police vehicle, in violation of Rules 2, 3, 8 and 9.	Not Sustained
	7. Slammed head into the roof of the CPD vehicle in violation of Rules 2, 3, 8 and 9.	Not Sustained
	8. Brought discredit upon the Department with conduct unbecoming a police officer during a traffic stop in violation of Rules 2, 3, 8 and 9.	Sustained / 15 Days Suspension
Officer Zacahry Gammonley	1. Observed and/or had knowledge of misconduct on the part of another department member and failed to report it, in violation of Rules 3 and 10.	Not Sustained

IV. APPLICABLE RULES AND LAWS

Rules

- Rule 02: Prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 03: Prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 08: Prohibits disrespect to or maltreatment of any person, while on or off duty.
- Rule 09: Prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 10: Prohibits inattention to duty.

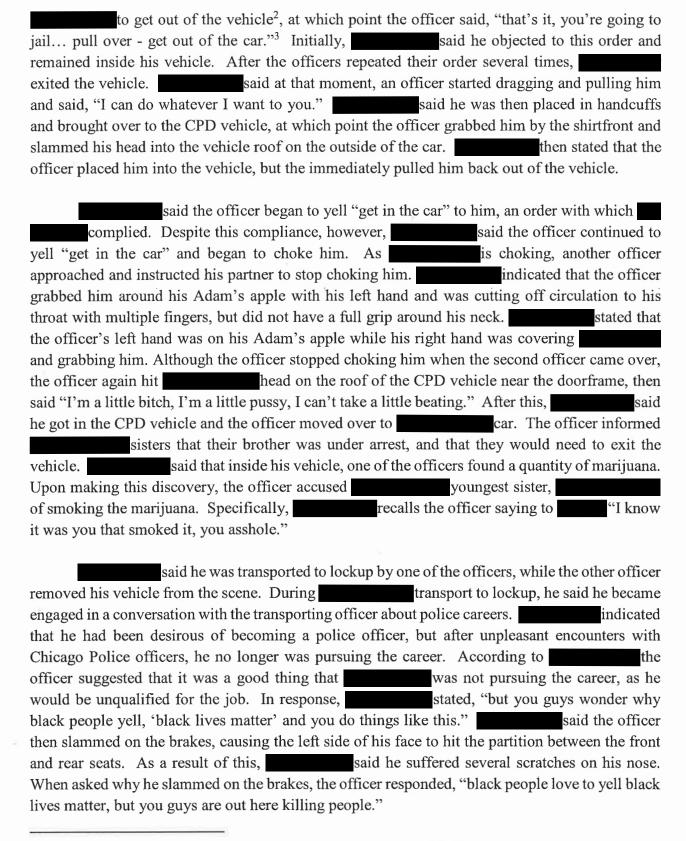
V. INVESTIGATION

IPRA, and subsequently the Civilian Office of Police Accountability (COPA) investigated this incident.¹ The following is a summary of the most relevant evidence, including interviews of involved officers, witness officers, civilian witnesses, documentary evidence, and medical evidence.

a. Interviews

The complainant, was interviewed by IPRA Investigators on August
16, 2016. During his interview, elaborated on the details of his August 14, 2016
interaction with Chicago Police officers. On the evening in question,
driving around his neighborhood with his two sisters,
time a Chicago Police vehicle began to follow his car. After several blocks of following
an officer in the CPD vehicle waved to in order to pull him over.
said the officers inquired as to why he was driving around in circles, to which
noted that he was attempting to rid his gas tank of low-grade fuel. At this time, one of
the officers asked for identification, which was unable to provide.
admitted he was driving without proper identification.
Once it was apparent that was driving without identification, the officers
nformed that they were searching for four homicide suspects, and that they would
need proof of identity in order to eliminate him as one of the suspects. According
a dispute arose between him and one of the officers concerning the officers asking

¹ On September 15, 2017, COPA replaced IPRA as the civilian oversight agency of the Chicago Police Department. Thus, 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.

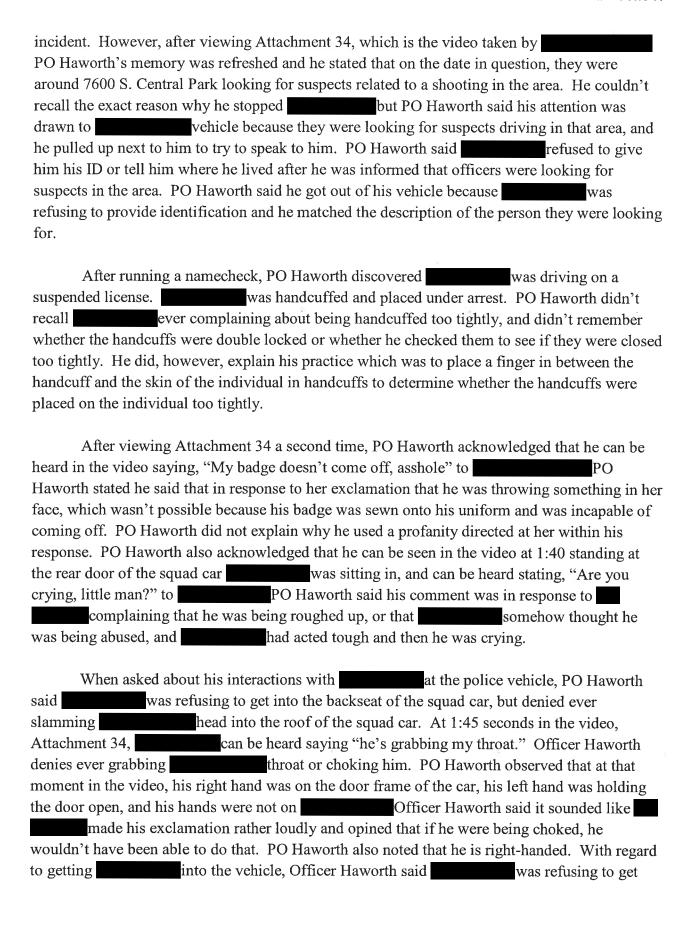


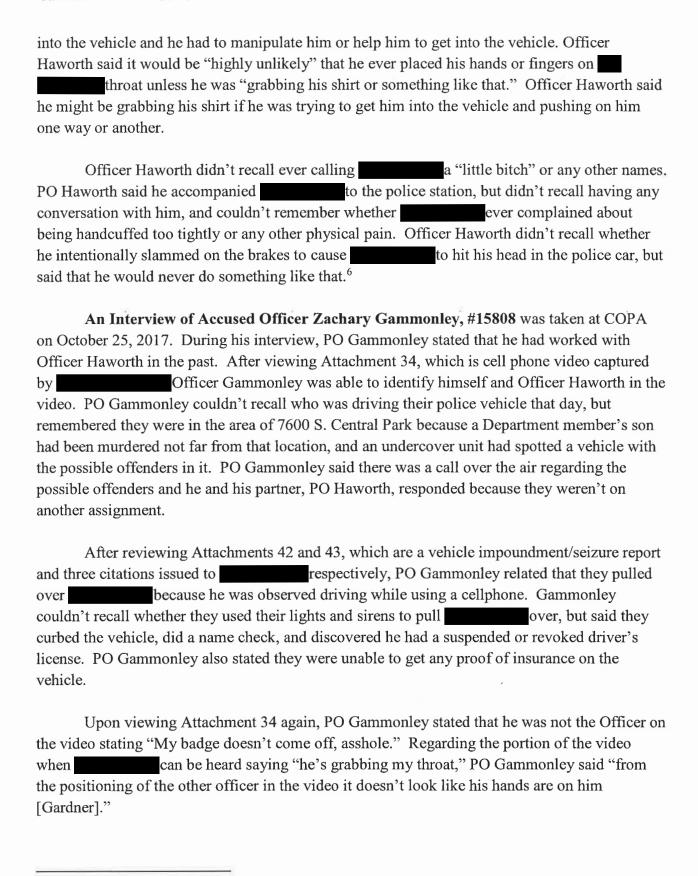
² Through our investigation it was determined this was Officer Haworth, #10742.

³ All quotations of statements are made by the COPA investigator, from either audio or video recordings.

While in the car, said he complained to the officer that his handcuffs were
too tight on his wrists, causing him to lose circulation. The officer explained that he was
precluded by law from remedying the situation while was still in transit, and that the
issue would have to be remedied once they arrived at lockup. Once at lockup, the officer's
partner loosened the handcuffs, but estimates they had been on too tight for 30-40
minutes. was emphatic that the partner was very cordial; the partner's star number
was obtained from a traffic citation that received August 14, 2016. As a result of
the incident, wrists were scratched and bruised. ⁴
An interview of was taken by IPRA investigators on August 16, 2016.
In her interview, noted that on the evening of the incident, she and
were taking a ride in car. While drove around the neighborhood,
said she observed a police vehicle tailing car. After the CPD vehicle
followed said the driving officer waved
to the side of the road. Once was pulled over, the CPD officers approached
and explained that they were looking for suspects in a recent homicide.
that one of the officers asked for identification, which was unable to
produce. From memory, and one of the officers began to dispute
why was pulled over.
In response to lack of cooperation, the officer ordered to exit
the vehicle. Once exited the vehicle, the officer became very rude to
and placed in handcuffs. said the officer walked over to
the squad car, at which point continued to contest the basis for his handcuffing.
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eventually placed in the rear of the police vehicle, at which point the officer ordered
and her younger sister to exit vehicle. As exited the vehicle, she was
holding her cellphone in her right hand, so as to record the incident.
informed her that an investigation is ongoing, and that she couldn't record the scene.
related that to prevent her from recording, the officer grabbed phone and
threw it on vehicle. In the process of grabbing the phone, the officer bent back
pinky finger, which caused her to experience pain. ⁵
An Interview of Accused Officer James Haworth, #10742 was taken at COPA on
November 1, 2017. After reviewing Attachment 42, the vehicle impoundment/seizure report,
and Attachment 43, which are three citations issued to Officer Haworth recalled
that he had worked with Officer Gammonley in the past, but couldn't recall any specifics of this

⁴ As summarized from Attachment 18, which is the audio recorded statement of ⁵ As summarized from Attachment 24, which is the audio recorded statement of





⁶ As summarized from Attachments 59 and 60, which are the audio recorded statement of Officer Haworth.

PO Gammonley said he didn't recall whether PO Haworth called bitch" or any other names during the traffic stop, and said he did not observe PO Haworth choke PO Gammonley stated he did not observe PO Haworth ever slam head into the CPD vehicle. PO Gammonley said he couldn't recall whether he and PO Haworth were the officers who transported to the station. PO Gammonley didn't recall ever complaining of any injuries or asking for medical attention.⁷ b. Digital Evidence Video recording made by on August 14, 2016. A video of the August 14, 2016 encounter between and CPD officers was taken by a copy of which provided to IPRA on August 16, 2016. This video was captured on cellphone and lasts two minutes twenty-two seconds. The video begins inside vehicle, capturing a verbal exchange between and CPD Officer 18. can be heard saying, "I'm gonna go back to my house," to which Officer 1 responds, "that's it, you're going to be arrested!" inquires, "they can't arrest me, for what? ... excuse me, I did nothing wrong, you can't arrest me." Officer 29 tells "just put the car in park, we're not going to arrest you." ordered by Officer 1 to exit the vehicle, to which objects. At this point, Officer 1 notes, "you have to get out of the car, it's the law." While continues to object to Officer 1's orders, Officer 2 says, "listen dude, just cooperate and you'll be fine." Officer 1: "See, this is all you." "What the hell am I getting arrested for?" Officer 1: "You're not, but you got to comply with my direction." As vehicle, the vantage point of the video moves to the outside of the car. shouts, "you grabbed me for no reason" at which point the sound of handcuffs clicking can be heard. Officer 2 says, "hey man, just chill out," to which continues to object to the detention. can be heard saying, "I have to record this, it's my brother," to which an officer says, "make sure you get that right there," referencing his police star. shouts out, "OK sir, why are you throwing it in my face?" At this point, asks what happened, to which responds, "he just threw his badge in my face!" what the hell is wrong with y'all?" Officer: "My badge doesn't come off, asshole." The camera then moves to capture and an officer next to a CPD vehicle, with Officer 1 shouting, "get in the car." Officer 2 asks if she has insurance, which moves to locate. Given that the documents are inside vehicle, the camera angle shifts back to the interior of car. Once locates some

⁷ As summarized from Attachment 55, which is the audio recorded statement of Officer Gammonley.

⁸ Through our investigation, we determined Officer 1 is Officer Haworth, #10742.

⁹ Through our investigation, we determined Officer 2 is Officer Gammonley, #15808.

documentation, the camera angle moves back to the squad car; Officer 1 stands outside the vehicle, while appears to be sitting inside the rear of the car. Officer 1 appears to say, "are you crying little man?" after which point shouts, "what? Hey, he just called me a fucking" shouts out, "what did you call him?" and shouts, "he's grabbing my throat!" Officer 1 continues to order to get in the squad car.
Once is in the car, Officer 1 turns his attention back to car and orders everyone to get out. The video ends with asking for names and badge numbers; an officer responds, "I'm doing an investigation" the camera shakes and goes dark. A second video provided by appears to be taken in a hospital, lasting 14 seconds. The video shows some light markings on wrists, which may have come from the handcuffing. 10
A Video clip of Travon Gardner. A 14 second video captured on phone shows wrists, with a hospital band around his right wrist, apparently taken at Holy Cross Hospital where was admitted for his injuries. The clip shows that his left and right wrists both have minor abrasions. 11
Photographs of taken at IPRA on August 16, 2016. The photographs of show a scratch on his left nostril, abrasions on his inside right wrist, and abrasions on his outside left wrist. 12
Photographs of taken at IPRA on August 16, 2016. Photographs of right hand and pinky finger don't depict any visible signs of injury. 13
c. Physical Evidence
Summary of Medical Records from Holy Cross Hospital for detail superficial abrasions to wrists - left wrist not tender, right wrist tenderness; right wrist pain, numbness and tingling reported. X-rays revealed no fracture or dislocation. The patient was also complaining of a headache; there was no physical evidence of trauma to the head. ¹⁴
d. Documentary Evidence
CLEAR Map of Police Observation Devices (PODs). A map was obtained through CLEAR which shows the area of the incident and any PODs in the vicinity. The closest POD is

¹⁰ Attachment 34.

¹¹ Attachment 34.
12 Attachment 44.
13 Attachment 44.

¹⁴ Attachment 45.

located at S. Lawndale Ave. and W. 79th Street, a half a mile away from the incident and out of range of the location of the incident.¹⁵

Summary of **OEMC GPS Data** for CPD vehicles near 7600 S. Central Park Ave. on the date and time of the incident. GPS data shows units 805 and 848 were at the location of the incident during the relative time period. ¹⁶

Attendance and Assignment Records for Unit 008 and Unit 005 show that Officer Haworth was assigned to Beat 848 along with Officer Gammonley; Officer Gammonley had been detailed to Unit 005, but had the day off from that assignment and is the officer who signed the citations issued to the complainant.¹⁷

CPD Event Queries for beat 848 on the date and time in question show there was a traffic stop conducted at 8:33p.m. at 7600 S. Central Park and a name check inquiry for Gardner, Travon. 18

Vehicle Impoundment/Seizure Report detailing that the car driven by was impounded on 14 August 2016 at 8:57p.m. from the location 7600 S. Central Park. The report is signed by Officer Haworth, Star #10743, unit 008 and beat of assignment 848. ¹⁹

Citations Issued to was issued three citations signed by Officer Gammonley, star #15808. The three citations were for use of a mobile phone while driving, driving on a suspended or revoked license, and operating an uninsured vehicle.²⁰

VI. ANALYSIS

COPA recommends a finding of <u>Sustained for Allegation #1 against Officer James Haworth #10742</u>, in that on August 14, 2016, Officer Haworth handcuffed too tightly, causing injuries. Pursuant to the Rules and Regulations of the Chicago Police Department, 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. Rule 3 prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals. Rule 8 prohibits disrespect to or maltreatment of any person, while on or off duty. Rule 9 prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

¹⁵ Attachment 4.

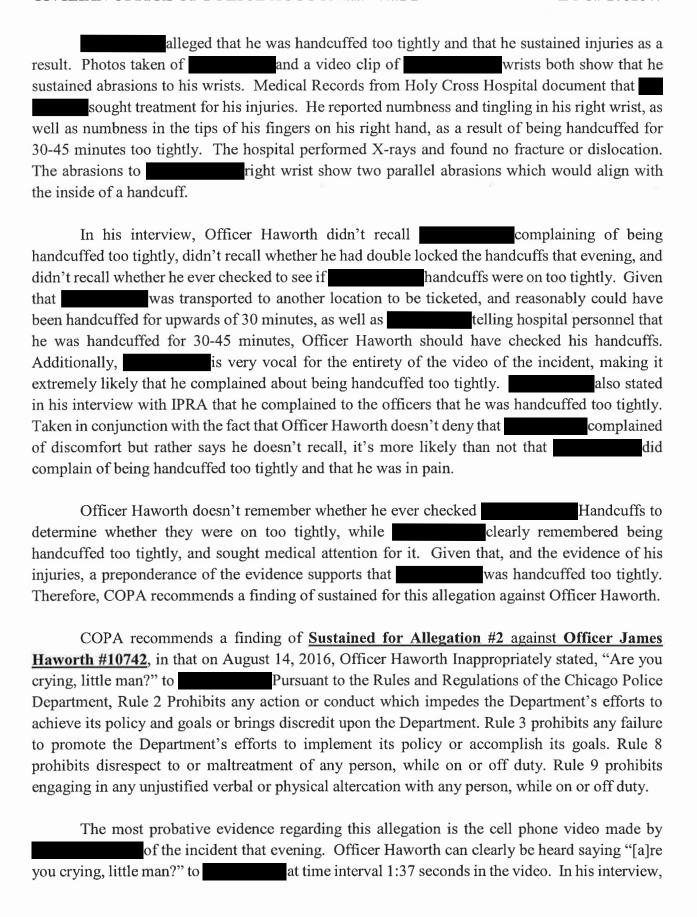
¹⁶ Attachment 5.

¹⁷ Attachments 12, 26, 27, 42 and 43.

¹⁸ Attachments 7 and 8.

¹⁹ Attachment 42.

²⁰ Attachment 43.



Officer Haworth admits that he can be heard saying this and claims his remarks were because had earlier been acting tough but was later crying, in a turn of events. Any change in behavior from doesn't warrant a reaction or commentary that is belittling toward a citizen. Whatever the reason for Mr. Haworth's comment, it's an unacceptable way to communicate with members of the public. Even if Officer Haworth perceived to be uncooperative and combative, it's Officer Haworth's responsibility to act with the proper level of professionalism and decorum towards members of the public, as mandated by the Department's Rules of Conduct. For the foregoing reasons, COPA recommends a finding of sustained for this allegation.

COPA recommends a finding of Sustained for Allegation #3 against Officer James Haworth #10742, in that on August 14, 2016, Officer Haworth verbally abused Pursuant to the Rules and Regulations of the Chicago Police Department, 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. Rule 3 prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals. Rule 8 prohibits disrespect to or maltreatment of any person, while on or off duty. Rule 9 prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

As we've established, in the cell phone video recorded by Haworth can clearly be heard saying "[a]re you crying, little man?" Officer Haworth also readily conceded that he made this comment, as well as a profanity directed at which is allegation 4. The tone of his comment to is extremely condescending and intended to make feel inferior, even with the word choice of "little," and insinuating that crying is something to be ashamed of, especially for a man. This is the exact type of attitude and language which the Rules of Conduct and Standards of Conduct prohibit. Standard of Conduct 6 states in part:

While the urgency of a given situation would demand firm action, discourtesy or disrespect shown toward a citizen is indefensible. The practice of courteous and respectful conduct by a member is not a manifestation of weakness; it is, on the contrary, entirely consistent with the firmness and impartiality that characterizes a professional police officer.

Officer Haworth's remarks are wholly unwarranted and fly in the face of the objectives of the Police Department and undermine the credibility of the Department's officers. As Standard of Conduct 6 so aptly states, "discourtesy breeds contempt and resistance." Had Officer Haworth handled this situation differently, may have been more cooperative. But again, whether was argumentative or not does not excuse verbal abuse or the use of profanity towards members of the public. For these reasons, COPA recommends a finding of sustained for allegation 3 against Officer Haworth.

COPA recommends a finding of <u>Sustained for Allegation #4</u> against <u>Officer James Haworth #10742</u>, in that on August 14, 2016, Officer Haworth Inappropriately stated, "My badge doesn't come off asshole." Pursuant to the Rules and Regulations of the Chicago Police Department, 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. Rule 3 prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals. Rule 8 prohibits disrespect to or maltreatment of any person, while on or off duty. Rule 9 prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

In attachment #34, which is the video taken by _______Officer Haworth can be heard saying "My badge doesn't come off asshole," to _______at time interval 1:02 seconds. This was in response to _______exclaiming that Officer Haworth was throwing his badge in her face. In his Interview with COPA, Officer Haworth conceded that he is the one making this statement directed at _______and attempted to explain his comment by stating that his badge is sewn onto his vest, so it's literally impossible for the badge to come off or for him to have thrown it. However, Officer Haworth was unable to explain the use of profanity or the rude nature of his remark. Again, this type of attitude is not acceptable and undermines the Department's efforts to maintain a trust with the public. COPA recommends a finding of sustained for allegation #4.

COPA recommends a finding of Sustained for Allegation #5 against Officer James Haworth #10742, in that on August 14, 2016, Officer Haworth choked Pursuant to the Rules and Regulations of the Chicago Police Department, 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. Rule 3 prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals. Rule 8 prohibits disrespect to or maltreatment of any person, while on or off duty. Rule 9 prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

alleged in his statement to IPRA that Officer Haworth was ordering him inside of the CPD vehicle, and despite his compliance, Officer Haworth choked him. The video evidence captures the time frame of this occurrence and the verbal exchange between and Officer Haworth, which is consistent with the statement that gave to IPRA. Officer Haworth can be seen standing at the driver-side rear door of the squad car, and cannot be seen, but his voice can be clearly heard. It is presumably seated in the back, driver-side of the squad car. Officer Haworth is yelling at him to "get in the car," and the backseat. Can then be heard saying "he's grabbing my throat." His voice sounds muffled and distressed. Officer Haworth is still standing at the door of the backseat, his right hand is on the door frame. At 1:43 seconds, he appears to move his left hand from the door to another position, likely inside of the vehicle. Simultaneously his body position changes and he shifts his

body weight. This is occurring at the same time a smacking sound is heard, and then can be heard exclaiming "[h]e's grabbing my throat. Treonia, he's grabbing my throat."

In his interview with COPA, Officer Haworth watched the video attachment 34 and said he thought it looked as though both of his hands were outside of the vehicle during the relevant frames, and also noted that he is right-handed. Officer Haworth's right hand can be seen on the outside of the squad car for the duration of this sequence. Officer Haworth added that wouldn't be able to speak if he were being choked. While a complete lack of oxygen and compression of the throat would disable a person from vocalizing, other amounts of pressure to the throat or windpipe would still allow for sound to come out. voice does sound distressed and unusual when he exclaims "he's grabbing my throat," lending credence to his claim that he was being choked or grabbed around the neck. The CPD defines a chokehold as "applying direct pressure to a person's trachea (windpipe) or airway (the front of the neck) with the intention of reducing the intake of air."

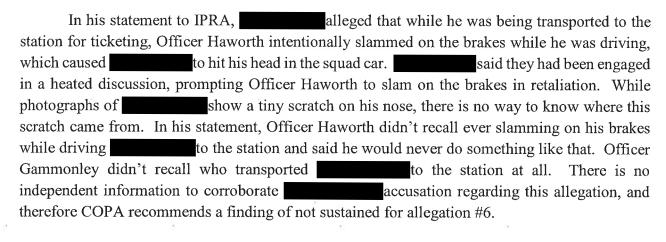
Officer Haworth said in his interview that it's "highly unlikely" that he ever placed his fingers or hands on or near throat; however, he said that if he was trying to get into his vehicle, it's possible he pushed or grabbed his shirt to get him into the car. Said that he was choked by Officer Haworth, which stopped when Officer Gammonley approached the vehicle. This is corroborated by the video evidence in that you can hear a smacking sound, see Officer Haworth's position changing, hear straining to articulate that he was being choked, and Officer Gammonley approaching the squad car which stops this exchange. Although Officer Haworth says that he is right-handed, that wouldn't preclude him from using his left hand to do this.

account of what transpired during this incident is largely supported by the video evidence, making his account of what happened credible. Taken in conjunction with what we can see and hear on the video, Officer Haworth's tacit admission that he could have pushed or grabbed him by the shirt, having physical contact with him, make it more likely than not that Officer Haworth choked as defined by the CPD Directives. For the foregoing reasons, COPA recommends a finding of sustained for allegation #5.

COPA recommends a finding of Not Sustained for Allegation #6 against Officer James

Haworth #10742, in that on August 14, 2016, Officer Haworth purposely and unnecessarily slammed on the brakes while transporting causing him to hit his face against the partition in the police vehicle. Pursuant to the Rules and Regulations of the Chicago Police Department, 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. Rule 3 prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals. Rule 8

prohibits disrespect to or maltreatment of any person, while on or off duty. Rule 9 prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.



COPA recommends a finding of Not Sustained for Allegation #7 against Officer James

Haworth #10742, in that on August 14, 2016, Officer Haworth slammed head into
the roof of the CPD vehicle. Pursuant to the Rules and Regulations of the Chicago Police
Department, 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. Rule 3 prohibits any failure
to promote the Department's efforts to implement its policy or accomplish its goals. Rule 8
prohibits disrespect to or maltreatment of any person, while on or off duty. Rule 9 prohibits
engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

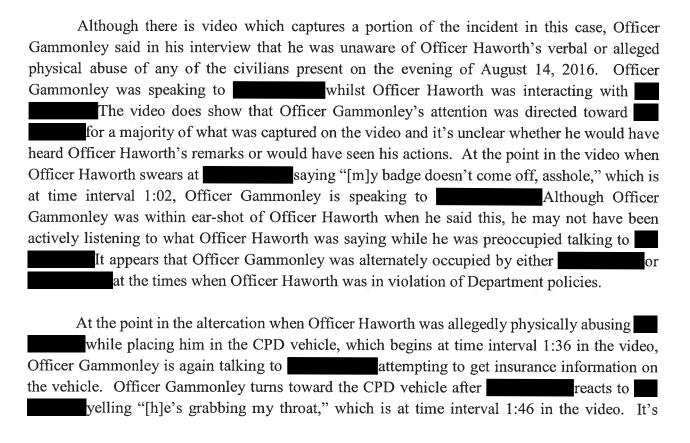
In his statement to IPRA, said that Officer Haworth slammed his head into the CPD vehicle twice while he was being put in the backseat. Officer Haworth said he never slammed head into the squad car and Officer Gammonley said he didn't see that either. The video evidence captures a portion of time when Officer Haworth is putting into the squad car, but the video shifts from that vantage point to another and doesn't capture head ever being slammed into the squad car. In the video you can hear some kind of commotion in the distance, but it's unclear what's happening. Once the vantage point switches back to the squad car, is already seated in the vehicle. Upon viewing the video attachment, Officer Haworth said he had to manipulate to get him into the backseat, but denied ever slamming his head into anything. Based on the foregoing, COPA recommends a finding of not sustained for this allegation.

COPA recommends a finding of <u>Sustained for Allegation #8 against Officer James Haworth #10742</u>, in that on August 14, 2016, Officer Haworth brought discredit upon the Department with conduct unbecoming a police officer during a traffic stop. Pursuant to the Rules and Regulations of the Chicago Police Department, 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. Rule 3 prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals. Rule 8 prohibits disrespect to or maltreatment of any person, while on or off duty. Rule 9 prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

Considering our determinations on the previous allegations, Officer Haworth's actions and conduct throughout the course of this stop are unbecoming a Police Officer and reflect badly on the Department as a whole. The Rules of Conduct as well as the Standards of Conduct prohibit the physical and verbal abuse of citizens, and actions which undermine the Department's efforts to establish and maintain trust in the communities served. Officer Haworth's actions are in stark contrast to the goals of the Department and reflect badly on other officers who are doing their hardest to uphold the values of the Police Department. For these reasons, COPA recommends a finding of sustained for this allegation.

COPA recommends a finding of Not Sustained for Allegation #1 against Officer Zachary Gammonley #15808, in that on August 14, 2016, Officer Gammonley observed and/or had knowledge of misconduct on the part of another department member and failed to report it. Pursuant to the Rules and Regulations of the Chicago Police Department, Rule 3 prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals, and Rule 10 prohibits inattention to duty.



unclear whether Officer Gammonley turns around because he hears yelling or because is reacting to her brother yelling. In either case, it appears Officer Gammonley was not in a position to see what was happening at the squad car. Additionally, in his interview, Officer Gammonley maintained that he had no knowledge of any wrongdoing on the part of Officer Haworth. Based on a totality of the evidence in this case, there is insufficient evidence to determine whether Office Gammonley had actual knowledge of any wrongdoing on the part of Officer Haworth. Therefore, COPA recommends a finding of not sustained.

VII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. Officer James Haworth

i. Complimentary and Disciplinary History

Officer James Haworth has no relevant, sustained disciplinary history and no outstanding complimentary history.

ii. Recommended Penalty, by Allegation

1. Allegation No. 1.

COPA recommends a penalty of 15 days suspension. In reaching this recommendation, COPA considered the injuries sustained by the complainant, and the length of time was handcuffed too tightly without having his handcuffs checked.

2. Allegation No. 2.

COPA recommends a penalty of 15 days suspension. In reaching its recommendation, COPA considered the context in which Officer Haworth made these statements and the officer's conduct throughout the course of the stop.

3. Allegation No. 3.

COPA recommends a penalty of 15 days suspension. In reaching its recommendation, COPA considered the nature of the verbal abuse and Officer Haworth's conduct throughout the course of this stop.

4. Allegation No. 4.

COPA recommends a penalty of 15 days suspension. In reaching its recommendation, COPA considered the use of profanity, the context in which Officer Haworth made the statement, and Officer Haworth's conduct throughout the course of the stop.

5. Allegation No. 5.

COPA recommends a penalty of 15 days suspension. In reaching its recommendation, COPA considered the severity of the unnecessary force and the lack of necessity of any use of force.

6. Allegation No. 8.

COPA recommends a penalty of 15 days suspension. In reaching its recommendation, COPA considered Officer Haworth's demeanor and overall conduct throughout the course of the stop, including the other sustained findings in this case.

VIII. CONCLUSION

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

Officer	Allegation	Finding /
		Recommendation
Officer James Haworth	1. Handcuffed too tightly, causing	Sustained / 15
	injuries in violation of Rules 2, 3, 8 and 9.	Days Suspension
	2. Inappropriately stated "Are you crying, little	Sustained / 15
	man?" to in violation of Rules 2, 3, 8 and 9.	Days Suspension
	3. Verbally abused in violation of	Sustained / 15
	Rules 2, 3, 8 and 9.	Days Suspension
	4. Inappropriately stated "My badge doesn't	Sustained / 15
*	come off asshole," in violation of Rules 2, 3, 8 and 9.	Days Suspension
	5. Choked in violation of Rules 2,	Sustained / 15
	3, 8 and 9.	Days Suspension
	6. Purposely and unnecessarily slammed on the brakes while transporting causing him to hit his face against the partition in the police vehicle, in violation of Rules 2, 3, 8 and 9.	Not Sustained
	7. Slammed head into the roof of the CPD vehicle in violation of Rules 2, 3, 8 and 9.	Not Sustained

	8. Brought discredit upon the Department with conduct unbecoming a police officer during a traffic stop in violation of Rules 2, 3, 8 and 9.	Sustained / 15 Days Suspension
Officer Zachary Gammonley	1. Observed and/or had knowledge of misconduct on the part of another department member and failed to report it, in violation of Rules 3 and 10.	Not Sustained
Approved:	10=24-18	

Date

Deputy Chief Administrator – Chief Investigator

Appendix A

Assigned Investigative Staff

Squad#: 15

Investigator: Linda Wyant

Supervising Investigator: Anthony Becknek

Deputy Chief Administrator: Angela Hearts-Glass