

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	May 7, 2018
Time of Incident:	4:20 PM
Location of Incident:	Dr. Martin Luther King Jr. College Preparatory High School, 4445 S. Drexel Blvd.
Date of COPA Notification:	May 10, 2018
Time of COPA Notification:	9:36 AM

Per the complainant, [REDACTED] on May 7, 2018, a Local School Council (LSC) meeting was held at Dr. Martin Luther King Jr. College Preparatory High School (KCP). Students were protesting the meeting and the police were called. [REDACTED] alleged that the responding officers picked up and moved female students and used excessive force against a male student. [REDACTED] also related that a sergeant observed the actions but did nothing. After reviewing [REDACTED] interview and watching Department video, COPA recommends all allegations be Exonerated. COPA’s findings are further discussed in the Analysis portion of this report.

II. INVOLVED PARTIES

Involved Officer #1:	Thurston Daniels, Star #1218, Employee ID# [REDACTED], Date of Appointment: June 21, 1999, Sergeant of Police, 2 nd District, Date of Birth: [REDACTED] 1970, Male, Black
Involved Officer #2:	Daniel Mondaine, Star #7938, Employee ID # [REDACTED] Date of Appointment: July 17, 2017, Police Officer 2 nd District, Date of Birth: [REDACTED] 1983, Male, Black
Involved Officer #3:	Donavan Foster, Star #9132, Employee ID # [REDACTED] Date of Appointment: June 27, 2016, Police Officer, 2 nd District, Date of Birth: [REDACTED] 1990, Male, Black
Involved Officer #4:	Armani Wilkerson, Star #9862, Employee ID # [REDACTED], Date of Appointment: June 27, 2016, Police Officer, 2 nd District, Date of Birth: [REDACTED] 1990, Male, Black
Involved Individual #1:	[REDACTED] Date of Birth: [REDACTED] 1962, Female, Black
Involved Individual #2:	[REDACTED] Date of Birth: [REDACTED] 2001, Male, Black

Involved Individual #3:	Unidentified Female Student #1
Involved Individual #4:	Unidentified Female Student #2

III. ALLEGATIONS

Officer	Allegation	Finding
Sergeant Daniels	1. Failed to supervise by not addressing subordinates' misconduct, in violation of Rule 3 and Rule 5.	Exonerated
Officer Mondaine	1. Forcibly opened a door on a male student, in violation of Rule 6 and Rule 9.	Exonerated
Officer Foster	1. Picked up and moved female students, in violation of Rule 6 and Rule 9.	Exonerated
Officer Wilkerson	1. Picked up and moved female students, in violation of Rule 6 and Rule 9.	Exonerated

IV. APPLICABLE RULES AND LAWS

Rules

1. **Rule 3:** Prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals.
2. **Rule 5:** Prohibits failure to perform any duty.
3. **Rule 6:** Prohibits disobedience of an order or directive, whether written or oral.
4. **Rule 9:** Prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

General Orders

1. **G03-02:** Use of Force.
2. **G03-02-01:** Force Options.

State Laws

1. **720 ILCS 5/21.2-2:** Interference with a public institution of education.

V. INVESTIGATION¹

a. Interviews

The complainant, ██████████ submitted a **web complaint** to COPA on May 8, 2018.² ██████████ related that on May 7, 2018, KCP students “were loudly voicing their disagreement with” a LSC decision to hire a new principal. LSC members were having a closed session and moving to a public meeting. Officers Mondaine, Wilkerson, and Foster, along with Sergeant Daniels, were outside of the room where the public meeting was held. ██████████ alleged that Officer Wilkerson and Officer Foster, “forcibly and inappropriately touched the female students, putting their arms around their bodies and lifting them off their feet,” while Sergeant Daniels watched. Officer Mondaine began “forcibly pulling open the large wooden door [...] intentionally hitting a KCP [s]tudent standing along the wall with the door, causing damage to the KCP [s]tudent’s phone and physical injury.”

COPA completed an interview with ██████████ on May 17, 2018.³ ██████████ stated that on May 7, 2018 at about 6:00 PM, she was at the LSC meeting at KCP. LSC members, parents, students, and staff were present. The LSC members were moving from one room (Room 104) to another room (Room 105) for the closed session. During the closed session, some students “and possibly a parent” entered Room 105.⁴ ██████████ believed the people who entered the closed session were told to leave and did. However, they went in the hall outside of Room 105 and individuals were banging on the Room 105 door, triggering a LSC member to call the police. ██████████ believed this individual was the LSC chairman and she related that he calls the police frequently during LSC meetings.⁵ ██████████ could see Officer Mondaine, Officer Wilkerson, Officer Foster, and a fourth male officer (identified as Officer Duncan) walking towards Room 104 with students walking behind the officers.

The situation got louder, and a commotion ensued. ██████████ saw Officers Wilkerson and Foster grab two female students. The officers picked up the young women from behind to move them. ██████████ stated the officers were behind the girls with their hands in a bear hug position around the students’ torsos. The girls were able to get out of the officers’ grasps and get away. ██████████ did not hear Officer Wilkerson or Officer Foster asking the young women to move before grabbing them. At approximately the same time, Officer Mondaine was trying to open the door to Room 104 while about four students (including ██████████ daughter) were standing by the door.⁶ Sergeant Daniels was also nearby. Officer Mondaine got the door open and pushed it open against one of the students along the wall. The male student, who was sandwiched between the door and wall,

¹ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

² Att. 4

³ Att. 5

⁴ Approximately 4:52 minute mark of Att. 5.

⁵ Identified as ██████████. Source:

██████████
██████████

⁶ ██████████ was identified as ██████████ (last name unknown). Source:

██████████
██████████

announced he was being hurt. Sergeant Daniels and the other students moved out of the way. The male student began crying and walked away. ██████ stated that Officer Mondaine “without a doubt” knew there was a student between the wall and door when he pushed it.⁷ The male student also alleged Officer Mondaine grabbed his phone and tried to break it. ██████ stated the male’s phone is cracked, but she did not know how it was broken. Sergeant Daniels and Officers Mondaine, Wilkerson, Foster, and Duncan were present for the door incident. ██████ never saw an officer speaking to the male student.⁸

The LSC meeting was never re-convened. ██████ related that a LSC member named ██████ refused to re-enter the meeting because the police were hurting students.⁹ After the male student was injured and a second set of officers arrived, ██████ asked Sergeant Daniels if the officers were asked to stay at KCP. Sergeant Daniels told ██████ the Department members were ensuring everyone got home safely and the officers eventually left.

b. Digital Evidence

The following **In Car Camera (ICC)** and **Body Worn Camera (BWC)** footage was obtained related to the events on May 7, 2018.^{10 11}

Officer Wilkerson

Officer Wilkerson’s BWC started at about 6:23 PM. Officer Wilkerson spoke with a woman who identified herself as the charter network chief. She related the students should not be in a closed session. A LSC member asked the officers to remove the protesting students. At least some of the civilians also went into the hall. Civilians were arguing and at approximately 6:33 PM, ██████ and another woman started arguing. The situation between ██████ and the woman escalated, and Officers Mondaine and Wilkerson intervened.

At about 6:37 PM, Officer Wilkerson approached the room containing the LSC meeting. At least three students, including Mia, were blocking the door. Sergeant Daniels was heard telling the students they could not block the door. Officers Wilkerson and Mondaine then guarded a set of doors to the LSC meeting room at the sergeant’s direction.

At 8:12 PM, LSC members left the room the officers were standing in front of. At roughly 8:13 PM, Officer Foster was seen trying to get past ██████ (see Photo 4). Officer Wilkerson then walked towards the door that students (including ██████) were blocking. The officers asked the students to move. At about 8:14 PM, Officers Foster, Mondaine, and Wilkerson tried to move a teenage girl in a black shirt. Shortly after, Officer Wilkerson grabbed ██████

⁷ Approximately 43:20 minute mark of Att. 5.

⁸ This individual was identified as ██████ via Facebook. Source:

⁹ Identified as ██████. Source:

¹⁰ Att. 18

¹¹ In addition to the BWC in this report, BWC was obtained from Sergeant Joseph Stanula, Officer David Andrews, and Officer Nicholas Paulin - which recorded nothing of note.

arm while at least one additional officer (possibly Officer Mondaine) was also trying to move [REDACTED]. Another officer (possibly Officer Foster) tried to open the door [REDACTED] was blocking (see Photo 11). A scuffle ensued but BWC did not have a clear picture of what occurred. The door was opened at approximately 8:15 PM. [REDACTED] was heard stating the door was pushed on him and that his phone was broken.

Officer Duncan

Officer Duncan's BWC initiated at about 6:23 PM. The officers entered a hallway and were greeted by a man believed to be the principal. Officer Duncan approached a group of people where a fight between two women was occurring. Officer Duncan, and other Department members, proceeded to stand outside of a room near the protestors. Students (and believed parents) remained in the hallway, listening to music and dancing.

At approximately 7:59 PM, Officer Duncan was standing in a hallway/doorway with Officers Mondaine, Foster, and Wilkerson. A woman exiting the room told the officers it was going to get "rowdy." Officer Duncan followed his colleagues towards Room 104. A line of students was blocking the hallway to Room 104. Officer Foster moved [REDACTED] to gain access to the hallway (see Photo 2). Civilians and officers moved towards Room 104, with Officer Duncan remaining in the rear. Officers Wilkerson, Mondaine, and Foster moved a young woman in a black shirt who was blocking the door to Room 104. Officer Duncan moved closer to his fellow officers and his camera was mostly obstructed.

Officer Foster

Officer Foster's BWC began at about 6:25 PM. Officer Foster entered a classroom where Officers Wilkerson and Mondaine were already present. Students were protesting in the classroom. Several LSC members wanted the students removed. The officers then stood in the hall while civilians (both adults and minors) were upset and shouting at each other.

At about 6:36 PM, Officer Foster related to Sergeant Daniels that they were dealing with a situation similar to a previous incident at KCP. At about 6:39 PM, officers attempted to get civilians away from a room containing the LSC meeting. Officers Duncan and Foster remained outside of the door to the LSC members' room. At approximately 6:59 PM, Sergeant Daniels told Officer Foster the Department members had to remain at KCP until the LSC held their open vote. The civilian protestors moved down the hall at about 7:10 PM and the officers followed.

At roughly 8:13 PM, students formed a line, blocking access to the hallway leading to Room 104. Officer Foster went behind [REDACTED]. Sergeant Daniels told Officer Foster to "move [REDACTED] off the end." Officer Foster then told [REDACTED] he needed to move. [REDACTED] did not move, and Officer Foster grabbed him under the armpits. [REDACTED] struggled and eventually the officer moved him. [REDACTED] then walked away, towards Room 104. The remaining line members also proceeded towards Room 104, followed by Officer Foster. Officer Foster attempted to get between students who were barricading the door and the door itself at about 8:14 PM. Officer Foster proceeded to move a teenage girl in a black shirt out of the way. Officer Foster appeared to have his right hand on the girl's left arm, while Officer Wilkerson was holding her arms (see Photo

9). Officer Foster took out his handcuffs shortly thereafter. Officer Mondaine grabbed the girl in the black shirt's right wrist with his right hand to move her out of the way. The girl was reaching in the direction of Officer Mondaine's duty belt. The officers continued trying to move the students out of the way. At about 8:14 PM, Officer Wilkerson opened the door to Room 104, while students were between the door and the wall. The officer stood with his arm extended, holding the door open, while Officer Mondaine was pushing on the door – presumably to open it the entire way (see Photo 13). [REDACTED] was heard shouting that he was being squeezed by the officers. [REDACTED] was also shouting at Officer Mondaine that the officer had his phone. The door was open and the struggle over at about 8:15 PM.

Officer Mondaine

Officer Mondaine initiated his BWC at approximately 6:25 PM. LSC members asked the officers to remove students from a room for a closed session. Students left and argued with LSC members in the hallway. Parents/adults were also upset and arguing with LSC members. At roughly 6:33 PM, [REDACTED] began shouting with another woman. At about 6:36 PM, a young woman was shouting with a male member of the LSC. Officer Mondaine stood by and tried to separate them before an adult grabbed the woman's arm and walked her off. At about 6:36 PM, the girl in the green jacket walked back, continued yelling at the LSC member, and Officer Mondaine attempted to get the girl to walk away. Sergeant Daniels told the students they could not block the door and the LSC needed to have their meeting. Officers Mondaine and Wilkerson then left the room to stand guard at one of the room's doors. Protestors remained in the hall while the officers guarded the doors. At 8:12 PM, an adult woman stated, "They not letting us through and they don't have the legal right to block a public meeting." Another woman responded that "it's gunna get real bad in like five minutes." Shortly after, Officer Mondaine's BWC showed a group of civilians standing in front of a hallway leading to the LSC meeting (see Photo 1).

At about 8:12 PM, Sergeant Daniels asked if any adults had a child present and announced it is illegal to protest at Chicago Public Schools. At about 8:13 PM, Officer Foster was seen trying to get into a hallway the teens were blocking. The teens would not let Officer Foster through and Officer Foster grabbed [REDACTED] under the arms (see Photo 3). [REDACTED] continued to struggle and Officer Mondaine grabbed [REDACTED] arm. Eventually [REDACTED] broke free and walked off. Officers Wilkerson, Mondaine, and Foster were able to get through the hall and walk towards a door at the opposite end. A group of students was blocking the door, and the officers asked them to move (see Photo 5). At about 8:14 PM, Officer Wilkerson was seen grabbing a young woman in a black shirt around the waist to move her. Officers Mondaine and Foster appeared to be assisting Officer Wilkerson (see Photo 6). The young woman resisted and would not move. At about 8:14 PM, Officer Foster grabbed the arm of a young woman in blue t-shirt and Officer Mondaine assisted (see Photo 10). One of the officers stated they were going to start handcuffing students. The young women in the blue t-shirt and black shirt then moved out of the way. Officer Mondaine continued trying to get towards the door and telling people to move. [REDACTED] was seen holding onto the door handle and trying to prevent the officers from gaining entry. [REDACTED] and additional students were putting their weight on the door to keep it from opening (see Photo 12). Eventually, Officer Mondaine was able to get the students off the door. At approximately 8:14 PM, [REDACTED] stated Officer Mondaine broke his phone. [REDACTED] also appeared to be grabbing the arm of an officer (possibly Officer Foster or Duncan). At 8:14 PM, Officer Mondaine opened the door and said,

“watch out.” [REDACTED] was in between the door and the wall when the officer did this. [REDACTED] was heard complaining about the situation. At 8:16 PM, a woman in a white shirt told the officers they broke [REDACTED] phone. [REDACTED] was also seen on camera at this approximate time. She stated she was going to call Commander Hicks [phonetic] and instructed [REDACTED] on filing a lawsuit.¹²

Sergeant Daniels

Sergeant Daniels’ BWC started at approximately 6:36 PM. Sergeant Daniels and Officer Foster entered the school, where there was a group of civilians in the hallway. Some of the civilians were arguing and upset. At about 6:38 PM, Sergeant Daniels told students that they could either go to jail or allow the LSC to have their meeting. When a young woman asked what they would go to jail for, the sergeant replied that students could not protest or block the door. At approximately 6:39 PM, Sergeant Daniels entered the room containing the LSC members. Officer Mondaine and Officer Wilkerson also entered the room shortly after. An LSC member asked the sergeant to have officers stand outside the door so no one could enter the closed session. At about 6:41 PM, a female LSC member in a sequin shirt told the officers that protestors had already broken one of the doors. Sergeant Daniels left the room and stood in the hallway.



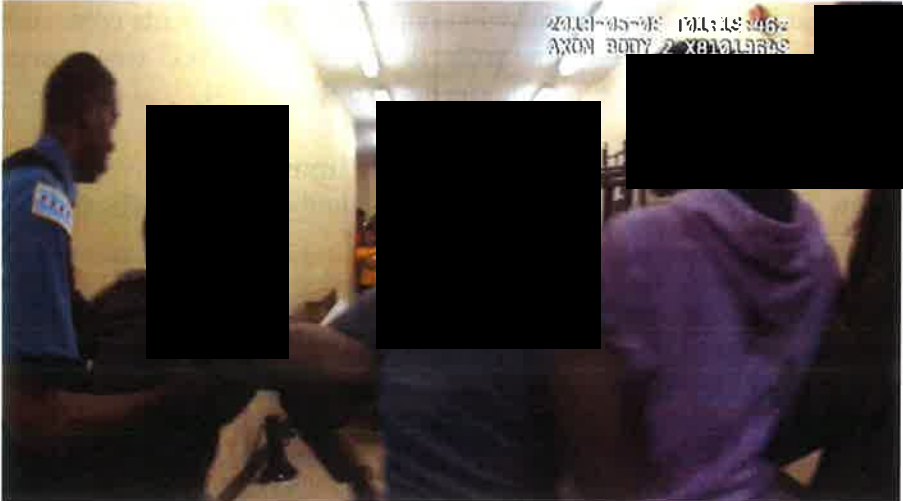
At roughly 6:48 PM, Sergeant Stanula and Officers Andrews and Paulin entered the school. Sergeant Daniels explained the situation to Sergeant Stanula and related he did not want to arrest any students. Sergeant Daniels went on his radio at about 6:57 PM, stating Dispatch could “release 21” but he might need them later for backup.

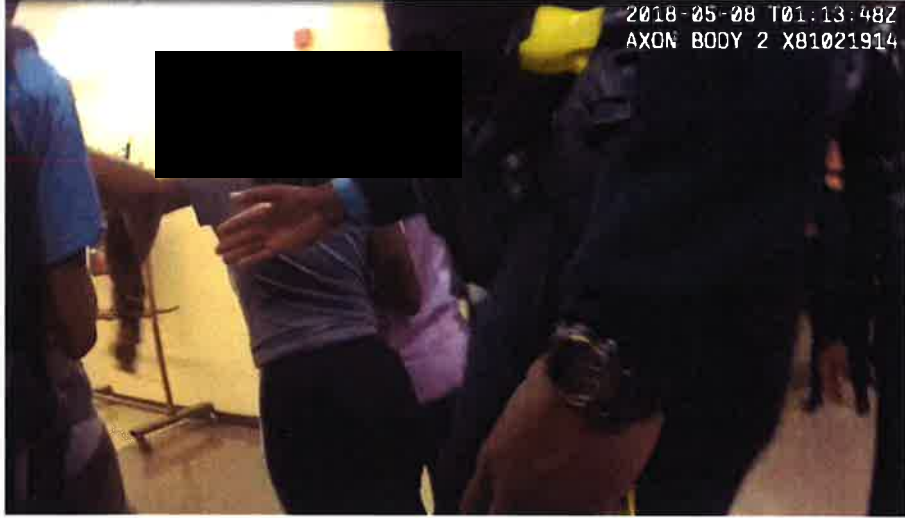
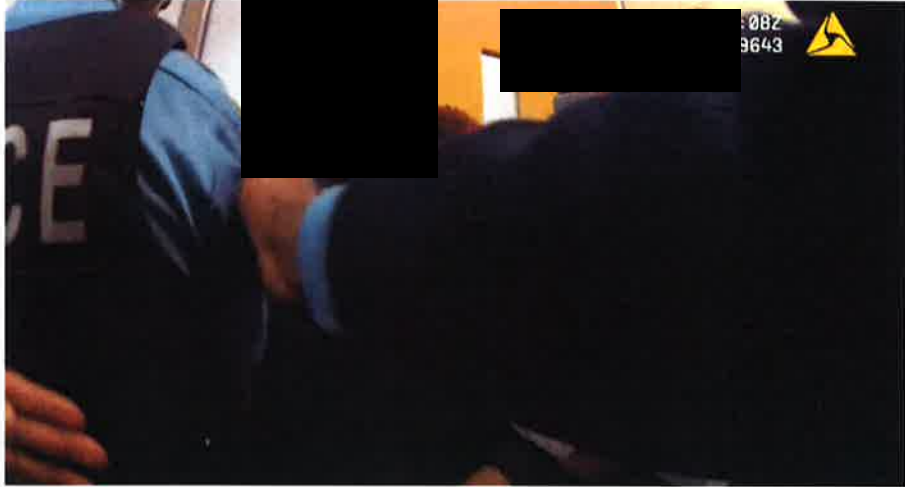

At about 8:11 PM, Sergeant Daniels told students they do not have the right to protest in Chicago Public Schools, but he was allowing them to “express” themselves. The sergeant then announced to the adults that it is illegal to protest in a Chicago Public School and he would handcuff the students if needed. At roughly 8:13 PM, Officer Foster attempted to break through a line of students blocking a hallway, but [REDACTED] would not move. Once Officer Foster and additional officers got through, Sergeant Daniels and LSC members followed. Sergeant Daniels also recorded Officers Wilkerson, Mondaine, and Foster moving the teenage girl in the black shirt away from the door to Room 104 (see Photos 7 and 8). At about 8:14 PM, Sergeant Daniels was telling the students they had to move. Shortly after, the students in between Sergeant Daniels and the door jerked but it is unclear what happened. The students continued resisting and refusing to move from the door. The view from the sergeant’s BWC was obscured, presumably from the scuffle with the students blocking the door to Room 104.



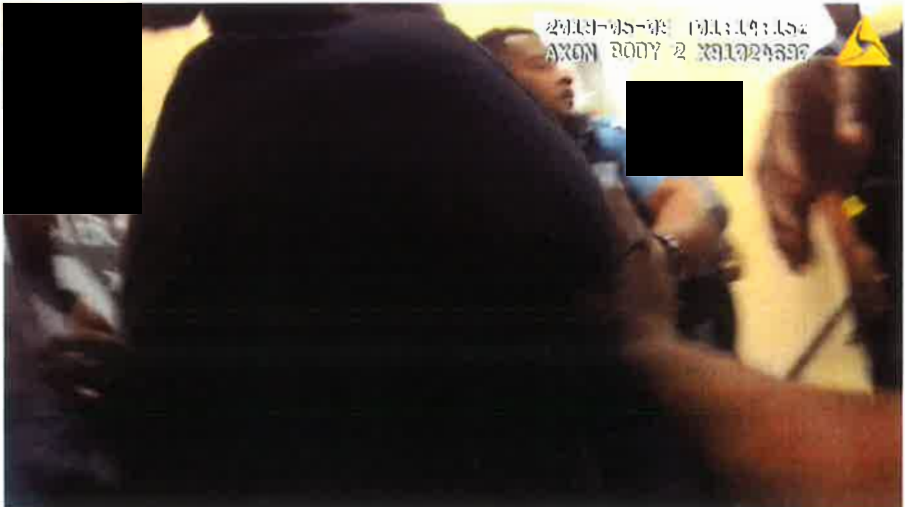
The following chart contains photos from the four involved Department members BWC footage. The images are specified by photo number and the officer who recorded it.




Photo 1	Officer Mondaine	
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¹² COPA was unable to locate a current CPD commander with the last name Hicks or Hix.

		
Photo 2	Officer Duncan	
Photo 3	Officer Mondaine	

<p>Photo 4</p>	<p>Officer Wilkerson</p>	
<p>Photo 5</p>	<p>Officer Mondaine</p>	
<p>Photo 6</p>	<p>Officer Mondaine</p>	

<p>Photo 7</p>	<p>Sergeant Daniels</p>	
<p>Photo 8</p>	<p>Sergeant Daniels</p>	
<p>Photo 9</p>	<p>Officer Foster</p>	

<p>Photo 10</p>	<p>Officer Mondaine</p>	
<p>Photo 11</p>	<p>Officer Wilkerson</p>	
<p>Photo 12</p>	<p>Officer Mondaine</p>	

<p>Photo 13</p>	<p>Officer Foster</p>	
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Video surveillance from KCP was obtained of the incident in question.¹³ However, the file was damaged and COPA was unable to review the footage at this time.

c. Physical Evidence

No relevant physical evidence was obtained pertaining to the present investigation.

d. Documentary Evidence

The following relevant **Office of Emergency Management and Communication (OEMC) Event Query Reports** were located.¹⁴

- Event Number [REDACTED] began on May 7, 2018 at about 6:19 PM. A caller named [REDACTED] reported “a group of 30 students and parents [...] causing a dist[urbance] at a school meeting, refusing to leave.”¹⁵ These 30 individuals were reportedly protesting the local school council president. Beat 222 (Officers Wilkerson and Duncan) was dispatched at roughly 6:20 PM. Beat 233 (Officers Mondaine and Foster), Beat 220 (Sergeant Daniels), Beat 221 (Officers Andrews and Paulin), Beat 230 (Sergeant Stanula), Beat 240 (Sergeant Nalls), and Beat 214 (Officers Fagan and Mendez) were all also called to assist between 6:25 PM and 8:17 PM.
- Event Number [REDACTED] was initiated at about 6:35 PM. Per this report, Beat 222 requested a supervisor to come to the scene.

¹³ Att. 20

¹⁴ Att. 13

¹⁵ Identified as [REDACTED] Source:

[REDACTED]

OEMC Audio was also obtained.¹⁶ At about 6:19 PM, OEMC stated a caller named [REDACTED] complained about a disturbance at 4445 S. Drexel with students and parents.

VI. ANALYSIS

Allegation 1 against Officer Foster and Officer Wilkerson, that they picked up and moved female students, is **Exonerated**. Similarly, Allegation 1 against Officer Mondaine, that he forcibly opened a door on a male student, is **Exonerated**.

Per Illinois law 720 ILCS 5/21.2-2, it is illegal to interfere with a public institution of education. Interference includes restricting movement, use of property or facilities, or the right of ingress/egress to a school board member or invitee of an institution. The law also defines interference as impeding, obstructing, or interfering with the performance of institutional duties by a school board member. Lastly, interfering includes remaining after due notice to depart. BWC clearly showed the officers instructed the students to move the door they were blocking. Instead of arresting the students for blocking the door, the Department members sought compliance. Per CPD General Orders G03-02 and G03-02-01, when the students would not move, they were passive resisters. Holding techniques are authorized when dealing with passive resisters. Once the officers attempted come-along holds and the young women pulled back to avoid physical control, they became active resisters. A takedown would have been authorized in this instance (in addition to more invasive tactics). However, the officers elected to move the students. While the officers did not perform takedowns, their actions were significantly similar to, and used for the same reasons as, a takedown. Those reasons being to, "limit physical resistance, prevent escape, or increase the potential for controlling the subject." It appears the officers wisely mitigated their force as they were dealing with minors. As such, neither Officer Foster or Wilkerson acted outside of policy by moving the female students and these allegations are Exonerated.

With regards to Officer Mondaine, the male student (identified as [REDACTED] was told to move and refused. [REDACTED] knew the officers were trying to open the door and he intentionally blocked it. [REDACTED] refused to exercise due caution, disobeyed state law, and disobeyed lawful police commands to move. Officer Mondaine was enforcing the law and [REDACTED] was a passive resister by not moving. As seen in BWC, [REDACTED] was then seen holding onto the door handle and putting his weight on the door, making him an active resister. The officers could have arrested or tased [REDACTED] but instead simply sought access to the room. If [REDACTED] did not want to be in between the door and wall when the door opened, he had opportunity to follow the officers' commands and move. Officer Mondaine's actions were reasonable as [REDACTED] was asked to move but refused. Officer Mondaine's actions were necessary as the students were breaking the law and the officer was ensuring the LSC accessed to the room. Officer Mondaine's actions were proportional to [REDACTED] actions. [REDACTED] was putting his weight on the door and Officer Mondaine used force to counteract [REDACTED] actions. Since Officer Mondaine was engaged in lawful police action, this allegation is Exonerated.

Allegation 1 against Sergeant Daniels, that he failed to supervise by not addressing subordinates' misconduct, is **Exonerated**. As stated above, Officers Foster, Wilkerson, and

¹⁶ Att. 21

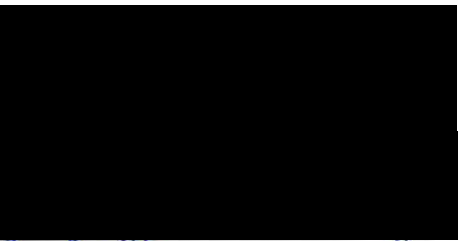
Mondaine acted within policy. As such, Sergeant Daniels had nothing to report and this allegation is Exonerated.

VII. CONCLUSION

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

Officer	Allegation	Finding
Sergeant Daniels	1. Failed to supervise by not addressing subordinates' misconduct, in violation of Rule 3 and Rule 5.	Exonerated
Officer Mondaine	1. Forcibly opened a door on a male student, in violation of Rule 6 and Rule 9.	Exonerated
Officer Foster	1. Picked up and moved female students, in violation of Rule 6 and Rule 9.	Exonerated
Officer Wilkerson	1. Picked up and moved female students, in violation of Rule 6 and Rule 9.	Exonerated

Approved


Andrea Kersten
Deputy Chief Administrator – Chief Investigator

9/27/11
Date

Appendix A

Assigned Investigative Staff

Squad#:	Four
Investigator:	Kelsey Fitzpatrick, #61
Supervising Investigator:	James Murphy-Aguilu, #19
Deputy Chief Administrator:	Andrea Kersten, #7

