



Rahm Emanuel
Mayor

Department of Police · City of Chicago
3510 South Michigan Avenue · Chicago, Illinois 60653

Eddie T. Johnson
Superintendent of Police

13 December 2018

Sydney Roberts
Chief Administrator
Civilian Office of Police Accountability
1615 West Chicago Avenue, 4th Floor
Chicago, Illinois 60622

**Re: Log # 1089818 Accused: Captain David Harris #21
Non-Concurrence with COPA findings for Allegations #3, #4, and #5 for
Concurrence with COPA findings for Allegations #1 and #2
Non-concurrence with COPA penalty recommendation**

Dear Chief Administrator:

In reviewing the above mentioned Log Investigation:

The Department concurred with COPA's sustained findings for Allegations #1 and #2 that Captain Harris 1) moved traffic barricades without authorization and 2) engaged in an unjustified verbal altercation with the school security guard, [REDACTED]. These two allegations from Mr. [REDACTED] were corroborated by an independent witness, [REDACTED].

The Department believes there is insufficient evidence to prove or disprove the following allegations:

- Allegation #3: Captain Harris told [REDACTED], "Do you know who I am? I'm a cop." (Rule 4)
- Allegation #4: Captain Harris struck [REDACTED] with his vehicle. (Rule 1)
- Allegation #5: Captain Harris struck [REDACTED] with his vehicle having a CPD memorial plate. (Rule 2)

Regarding allegation #3, [REDACTED] told COPA investigators that she heard Captain Harris repeatedly shout at [REDACTED], "Do you know who I am?" [REDACTED] did not hear Captain



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Harris identify himself as a police officer. Captain Harris told COPA that he told [REDACTED] "You know who I am." Captain Harris stated that he was attempting to communicate to [REDACTED] that [REDACTED] knew Captain Harris was a parent of children at the school.¹ It should be noted that when [REDACTED] first reported his complaint to a Chicago Police Sergeant he originally reported Captain Harris's statement as:

"I am a police officer. I can do whatever I want."² Other than [REDACTED] allegation, there is no evidence this statement was made.

Furthermore, there is no evidence other than [REDACTED] allegation that Captain Harris identified himself as a police officer in an attempt to use his position for influence. The Department, therefore, believes this allegation should be classified as *Not Sustained*.

Allegations #4 and #5 are based on [REDACTED] complaint that Captain Harris "pushed" Mr. [REDACTED] with his vehicle, causing [REDACTED] to move "four to five steps backward." [REDACTED] described this event differently when she spoke to COPA Investigators.

[REDACTED] told COPA, "[Captain Harris] told [REDACTED] to get out of the way. [Captain Harris] swatted his hand at him cause [REDACTED] was...part of his body was in front of the car and the other was, like, closer to the window, so [REDACTED] was trying to prevent [Captain Harris] from driving away." [REDACTED] stated that Captain Harris told [REDACTED] to get out of the way twice and then hit the gas, so [REDACTED] had to jump out of the way of the car.³

COPA has alleged that Captain Harris struck [REDACTED] with his vehicle and his actions were a violation of the law (Rule 1). COPA's investigation did not cite a statute. [REDACTED] described this incident as Captain Harris leaving the scene when [REDACTED] attempted to block his vehicle with his body. [REDACTED] stated [REDACTED] jumped away from the vehicle when Captain Harris drove away. [REDACTED] did not report any injuries. There is no evidence corroborating [REDACTED] allegation that Captain Harris struck [REDACTED] with his vehicle; therefore, Allegations #4 and #5 should be classified as *Not Sustained*.

The Department believes that the evidence in this case taken in its entirety proved by a preponderance that Captain Harris unjustifiably moved street barricades when dropping his children off at school and unjustifiably engaged in a verbal altercation as a result. The Department concurs that Allegations #1 and #2 were properly sustained against Captain Harris.

¹ Statement of Captain Harris pg. 26

² Attachment #7 Initiation Report

³ Attachment #32 at 06:45



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Captain Harris has an exceptional complimentary history with the Department over his twenty-two (22) years with the Department. Captain Harris has also not had any sustained complaints in his career. Based upon this history, the Department believes that an appropriate penalty for Allegations #1 and #2 is a Reprimand.



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