

SUPPLEMENTAL SUMMARY REPORT OF INVESTIGATION

This Supplemental Summary Report of Investigation expressly and fully incorporates the facts, analysis, and findings from COPA's prior Summary Report of Investigation for Log 1061914, with the exception of Allegation #5 against Officer Villarreal, which is now Not Sustained.¹ This report was prepared to document the additional investigatory steps and amended findings COPA has made in response to the Chicago Police Department's (CPD) September 9, 2019 request that COPA conduct additional investigation. The below is merely a summary of the additional investigative steps taken, and descriptions of how those impact COPA's findings.

I. SUMMARY OF CASE HISTORY

On June 5, 2019, the Civilian Office of Police Accountability (COPA) closed Log #1061914 with Sustained findings against Officer Jason Villarreal, Star #16534, finding that he (1) violated Rule 9 in that he directed profanities at [REDACTED] (2) violated Rule 8 in that he pushed [REDACTED] (3) violated Rule 14 in that he provided a false report to responding officers regarding [REDACTED] (4) violated Rule 2 in that he had [REDACTED] falsely arrested, and (5) violated Rule 9 in that he directed profanities at [REDACTED]

On September 9, 2019, CPD notified COPA in writing of its request for further investigation. Specifically, CPD requested that COPA: 1) obtain the transcript of the court proceedings from Mr. [REDACTED] guilty plea; and, 2) seek to interview [REDACTED] a potential witness.

Based on CPD's request, COPA took the actions summarized below.

II. ADDITIONAL INVESTIGATION

COPA has obtained a copy of the Circuit Court of Cook County transcript² from August 22, 2013, the date of Mr. [REDACTED] guilty plea. On that date, Mr. [REDACTED] plead guilty to resisting the arrest of Officer Moe, Star #15832. The remaining charges were all Stricken with Leave to Reinstate (SOL). Mr. [REDACTED] received twenty-eight (28) days in the Cook County Department of Corrections, receiving credit for fourteen (14) days already served. There was a stipulation to the facts alleged in the complaint, but the facts surrounding the charges against Mr. [REDACTED] were not read into the record. Specifically, when the Assistant State's Attorney (ASA) was asked by the Court what charge Mr. [REDACTED] was pleading guilty to, the ASA responded that he was pleading guilty to one count of resisting against Officer Moe and that the remaining charges were motion state SOL.³ Later, the Court asked, "Is there a stipulation to the facts alleged in the complaint, testimony of each of the complaining witnesses of which would substantiate a conviction waiving any formal defects, if any? So stipulated?" Both the ASA and the Assistant Public Defender for Mr. [REDACTED] responded, "So stipulated."⁴ No specific facts were read into the record.

CPD also requested that COPA seek to interview [REDACTED] COPA previously sought to interview Mr. [REDACTED] on several occasions prior to completing its investigation. Specifically, telephone calls were made on May 20, 2013, June 4, 2013, and June 5, 2013. COPA left messages for Mr. [REDACTED] with [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED]. On May 20, 2013, COPA also made personal visits to various locations and witnesses who knew Mr. [REDACTED] and inquired about his

¹ Note that Allegation #5 against Officer Villarreal, that he directed profanities at [REDACTED] [REDACTED] was previously Sustained. COPA now finds that this allegation is Not Sustained.

² Att. 150.

³ Id. at 2.

⁴ Id. at 4.

whereabouts. However, COPA was unable to locate Mr. [REDACTED] on that date. All attempts to contact Mr. [REDACTED] were documented in the Investigative Case Log.⁵ All attempts were unsuccessful.

III. CONCLUSION

COPA stands by its original findings and recommendations for Allegations 2, 3, and 4 against Officer Villarreal as articulated in its Summary Report.⁶ While CPD properly notes that in some cases, when a defendant pleads guilty, the entire factual background is read into the record and the defendant stipulates to all the facts, that was not the case here. Mr. [REDACTED] plea was limited to one count of resisting the arrest of Officer Moe. The guilty plea to resisting arrest is not inconsistent with his statements to COPA. In fact, Mr. [REDACTED] admitted to COPA that he resisted his arrest, which he believed was wrongful based upon Officer Villarreal’s false report to his fellow CPD officers. Mr. [REDACTED] willingness to be forthcoming about his actions only makes his account more credible. Therefore, the transcript reveals nothing that causes COPA to come to any finding other than as set forth in its initial Summary Report and **Allegations 2, 3 and 4 against Officer Villarreal are Sustained.**

As to Allegation #5, that Officer Villarreal directed profanities at [REDACTED] COPA has conducted a further review of this allegation and amends its finding to Not Sustained. CPD has asked COPA to interview Mr. [REDACTED] COPA did attempt to interview Mr. [REDACTED] prior to concluding its investigation but was unsuccessful. It was clear from all witnesses that Officer Villarreal was using profanities on scene. Officer Villareal, though denying this specific allegation, also stated that the scene was hostile. However, given the lack of corroborating witnesses to this specific allegation, that the profanities were directed at Ms. [REDACTED] and Mr. [REDACTED] unavailability, COPA now determines that there is insufficient evidence to sustain this allegation. Therefore, **Allegation #5 is Not Sustained.**

Approved:

[REDACTED]

 Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

3-20-2020
 Date

[REDACTED]

 Sydney Roberts
Chief Administrator

3-20-2020
 Date

⁵ Att. 147.

⁶ Att. 149.

Appendix A

Assigned Investigative Staff

Squad#:	9
Investigator:	Maira Webb
Supervising Investigators:	Sharday Jackson
Deputy Chief Administrator:	Angela Hearts-Glass