

SUMMARY REPORT OF INVESTIGATION¹

I. EXECUTIVE SUMMARY

Date of Incident:	July 9, 2016
Time of Incident:	Approximately 5:50 p.m.
Location of Incident:	12300 Block of S. Pulaski Rd., Alsip, IL 60803
Date of IPRA Notification:	July 26, 2016
Time of IPRA Notification:	Approximately 1:52 p.m.

On July 9, 2016, [REDACTED] [REDACTED] (“[REDACTED] and [REDACTED]”) (“[REDACTED]”) initiated a complaint with the Alsip Police Department (“APD”) regarding a “road-rage incident” that occurred between themselves and another vehicle in Alsip, Illinois. [REDACTED] and [REDACTED] alleged that while they were stopped at a red light, the driver of the vehicle next to them pointed a firearm at them. [REDACTED] reported the vehicle’s license plate to APD. APD ran the plate and identified the owner of the vehicle as Chicago Police Department (“CPD”) Officer Edward J. Kropp III (“Officer Kropp”).

APD Detective Curtis Raney (“Det. Raney”) notified CPD’s Bureau of Internal Affairs (“BIA”) of APD’s investigation into Officer Kropp for aggravated assault. BIA then initiated this investigation with the Independent Police Review Authority (“IPRA”).²

On August 3, 2016, Officer Kropp was charged with aggravated assault/use of deadly weapon. That same date, CPD relieved Officer Kropp of his police powers pending this investigation. On February 23, 2017, Officer Kropp’s criminal case was stricken off with leave to reinstate when the complaining witness, [REDACTED] was not in court.^{3,4}

COPA conducted an administrative investigation into Officer Kropp’s interaction with [REDACTED] and [REDACTED]. Upon concluding the investigation, COPA sustains all allegations against Officer Kropp.

¹ On September 15, 2017, the Civilian Office of Police Accountability (“COPA”) replaced IPRA as the civilian oversight agency of CPD. 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.

² Attachment (Atts.) 5 and 18.

³ In September of 2016, CPD found [REDACTED] dead in his home. Officials ruled his death a homicide. The homicide remains unsolved. (See Attachment 48)

⁴ Atts. 7, 22, and 38.

II. INVOLVED PARTIES

Involved Officer #1:	Edward J. Kropp III, Employee # [REDACTED] Date of Appointment: September 11, 2000, Police Officer assigned as Patrol Specialist, Assigned to Unit 008, Detailed to Unit 376 (Alternate Response Section), Date of Birth: [REDACTED], 1970, Male, Caucasian
Involved Individual #1:	[REDACTED] Date of Birth: [REDACTED], 1983, Male, Black
Involved Individual #2:	[REDACTED] Date of Birth: [REDACTED], 1996, Female, Black

III. ALLEGATIONS

Officer	Allegation	Finding/ Recommendation
Officer Edward Kropp	It is alleged by the complainant(s) that on or about July 9, 2016, at approximately 5:50PM, at or near 12300 S. Pulaski Rd. that Officer Edward Kropp committed misconduct through the following acts or omissions:	
	1. Stated words to the effect of "Bitch."	Sustained/ 5-day suspension
	2. Pointed a firearm at or in the direction of [REDACTED] and/or [REDACTED]	Sustained/ 20-day suspension
	3. Stated words to the effect of, "you are not so fucking tough now are you."	Sustained/ 5-day suspension
	It is alleged by the complaint(s) that on or about July 27, 2016, at approximately 11:30AM, during a phone conversation with Detective Curtis Raney of the Alsip Police Department Officer Edward Kropp committed misconduct through the following act or omissions:	
4. Willfully made a false material oral report to Detective Raney by denying that he pointed a gun at [REDACTED] and/or [REDACTED] on July 9, 2016.	Sustained/ Separation	
	It is alleged by the complaint that on or about May 17, 2017, at approximately 11:00AM, near	

	1615 W. Chicago Ave., Officer Edward Kropp committed misconduct through the following acts or omissions:	
	5. Willfully made a false material oral report to IPRA investigators by stating that [REDACTED] [REDACTED] pointed a firearm at or in the direction of an unknown motorist.	Sustained/ Separation
	6. Willfully made a false material oral report to IPRA investigators by stating that [REDACTED] [REDACTED] pointed a firearm at you or in your direction.	Sustained/ Separation

IV. APPLICABLE RULES AND LAWS

CPD Rules and Regulations

1. Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
2. Rule 8: Disrespect to or maltreatment of any person, while on duty or off duty.
3. Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
5. Rule 14: Making a false report, written or oral.
6. Rule 38: Unlawful or unnecessary use or display of a weapon.

V. INVESTIGATION⁵

a. Interviews

i. [REDACTED]

On July 27, 2016, IPRA interviewed [REDACTED] related that she and her boyfriend, [REDACTED] were traveling southbound on Pulaski Road. After passing a McDonald’s restaurant near 115th Street and noticing somebody behind her, [REDACTED] changed lanes from the non-curb side of traffic to the curb side. After traveling approximately a block and a half, [REDACTED] observed an individual, now known to be Officer Kropp, driving erratically behind her.⁷ [REDACTED] attempted to

⁵ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

⁶ Atts. 15 and 19.

⁷ The driver was honking the horn and following [REDACTED] lane movements.

move out the way, but each time [REDACTED] moved, the vehicle behind her moved with her. Eventually, the vehicle sped past her.

[REDACTED] then stopped next to the vehicle at a traffic light.⁸ [REDACTED] could see Officer Kropp sitting in the vehicle stopped to her left. Officer Kropp was moving his hands and speaking, but [REDACTED] could not decipher what Officer Kropp was saying. [REDACTED] asked [REDACTED] to roll down her window because [REDACTED] wanted to know what Officer Kropp was saying. Officer Kropp's passenger's side window was open. [REDACTED] heard Officer Kropp state "Bitch" and "What the fuck are you doing," along with other obscenities."⁹

As [REDACTED] asked Officer Kropp what he was doing, [REDACTED] looked over at Officer Kropp and saw a gun in Officer Kropp's hand. At this point, [REDACTED] had exited [REDACTED] vehicle, leaving [REDACTED] unable to drive away. Standing by the headlights at the front of [REDACTED] vehicle, [REDACTED] asked Officer Kropp, "Why do you have a gun?" According to [REDACTED] Officer Kropp replied with something to the effect of, "'oh, you're tough,' or something like that, like, antagonizing him," and "[. . .] see how tough you are now." With his arm up and extended, Officer Kropp waved the gun. Officer Kropp remained in his vehicle the entire time and never got out of the car.

Once the stop light turned green, Officer Kropp sped off and made a left onto Pulaski Road. [REDACTED] then called 911, and she and [REDACTED] drove to the APD. Aside from observing Officer Kropp briefly behind them again at some later point, no further interaction occurred.

ii. [REDACTED]

On July 27, 2016, IPRA interviewed [REDACTED] During the interview, [REDACTED] indicated that he and [REDACTED] drove southbound on Pulaski Road. Near 115th St. and Pulaski Road, as the stop light turned green, [REDACTED] heard [REDACTED] state, "What's your problem?" It was then that [REDACTED] noticed a vehicle behind them, now known to be Officer Kropp's vehicle, driving erratically. [REDACTED] signaled to switch lanes, and as she attempted to do so, Officer Kropp also attempted to switch lanes. [REDACTED] and [REDACTED] continued southbound until both vehicles stopped next to each other at a red light, with Officer Kropp in the lane near the median. At the light, [REDACTED] looked to see who the driver of the vehicle was and observed Officer Kropp "ranting or whatever," and "giving us the middle finger." [REDACTED] also stated that Officer Kropp said, "fuck you." Officer Kropp motioned with his hands for [REDACTED] to come over to him.

[REDACTED] asked [REDACTED] to put the window down. When [REDACTED] did, [REDACTED] heard Officer Kropp cursing at [REDACTED] Specifically, Officer Kropp said, "What the fuck is wrong with you all? Learn how to drive." [REDACTED] replied, "What's your problem? Like, you're the one drivin'[sic] crazy." [REDACTED] then asked [REDACTED] to unlock the door. [REDACTED] then proceeded to get out of the car, stood over the roof of the car, and stated to Officer Kropp, "What's your problem? Like, why is

⁸ This light was located at the intersection of 123rd and Pulaski. [REDACTED] indicated that she is familiar with the area, as she used to live there.

⁹ [REDACTED] stated there was glare that obstructed her view prior to her rolling her driver's side window down.

¹¹ Atts. 11 and 20.

[sic] you driving like that? You, you got nerve to, you know, curse us out, whatever the case may be.”

Officer Kropp then immediately pulled out a handgun, stretched across his passenger seat with a gun extended in his right hand and stated, “You’re not so fucking tough now, are you?”¹² [REDACTED] asked Officer Kropp, “What does tough have to do with anything? What do you need a gun for?” [REDACTED] stated that he began inching towards the hood of the car attempting to move [REDACTED] out from in between them. [REDACTED] stated that when he exited the vehicle, he did not have anything in his hands, that he did not move his hands or gesture, and that his hands were exposed to Officer Kropp with fingers spread and nothing in them. [REDACTED] stated he never raised his voice at Officer Kropp or threatened him. Officer Kropp pointed the gun directly at [REDACTED]. The gun appeared to be a black handgun. [REDACTED] told the APD “it had to be a .45 caliber.”

With the traffic light still red, Officer Kropp quickly sped off and turned left at 123rd St. and Pulaski Road. They obtained Officer Kropp’s license plate number, and [REDACTED] asked [REDACTED] to call the police. [REDACTED] estimated that the entire interaction, from when they were stopped at the red light to when Officer Kropp turned left at the light, lasted approximately two minutes. [REDACTED] also indicated that as they called the police on their way to the police station, [REDACTED] observed Officer Kropp’s vehicle behind them in traffic.¹³

iii. First Interview of APD Detective Curtis Raney¹⁴

On May 26, 2017, IPRA interviewed APD Det. Raney. In summary, Det. Raney confirmed that he was the detective assigned to [REDACTED] and [REDACTED] complaint, that APD obtained Officer Kropp’s identification from the license plate [REDACTED] and [REDACTED] provided when they made their complaint to APD, and that [REDACTED] and [REDACTED] made a positive identification of Officer Kropp from a photo lineup.

After determining Officer Kropp’s CPD affiliation, on July 27, 2016, Det. Raney contacted the 8th District and requested a call back from Officer Kropp. Officer Kropp returned Det. Raney’s call later that day. During their ensuing conversation, Officer Kropp recalled the incident that [REDACTED] and [REDACTED] reported, but he denied pointing a gun at [REDACTED] and [REDACTED]. The conversation ended with Det. Raney stating to Officer Kropp that he would call him back after speaking with his boss. Det. Raney explained that the purpose of his initial conversation with Officer Kropp was to obtain Officer Kropp’s side of the story.

After speaking with Officer Kropp, Det. Raney spoke with his boss and the decision was made to arrest Officer Kropp. Det. Raney called Officer Kropp back later that same day, informing him that he was identified in a photo line-up and would be charged with aggravated assault. Det. Raney asked Officer Kropp to turn himself in. Officer Kropp then recanted by telling Det. Raney

¹² [REDACTED] indicated that as he got out of the car, he observed Officer Kropp “digging” at the side of his pants, as if he had a holster. [REDACTED] did observe a holster.

¹³ [REDACTED] described Officer Kropp as Caucasian, not wearing a hat, black medium-length hair, with a “buzz cut” and facial hair, possibly late 30’s or early 40’s, wearing a white shirt, some sunglasses, and a black jersey or blazer. [REDACTED] also described Officer Kropp as having a kind of mark on his lip. He couldn’t recall the name of the facial marking but thought it might be “cleft palate.”

¹⁴ Attachments 33 and 34.

that he in fact did point his weapon for safety reasons when a black male approached his vehicle. Officer Kropp explained that he was trying to contact his union attorney to accompany him to the APD to provide a statement.

During their second conversation later that day, Officer Kropp asked if there was a BWC video of the incident or if either [REDACTED] or [REDACTED] had a cell phone video of the incident. Officer Kropp asserted that he was flustered during their initial phone call and did not understand what was happening.

On August 3, 2016, Officer Kropp surrendered at the APD accompanied by his attorney [REDACTED] asked to speak with Det. Raney in a separate room, where Det. Raney proceeded to provide [REDACTED] with the facts of the case. [REDACTED] then informed the detective that Officer Kropp would not be providing a statement.¹⁵

During his investigation of the incident Det. Raney did not identify any witnesses other than [REDACTED] and Officer Kropp. No video evidence was recovered. The criminal case against Officer Kropp was dismissed on February 23, 2017, which was also the date that Det. Raney learned of [REDACTED] death. Det. Raney ran [REDACTED] name through a police database and discovered a death notice. Det. Raney then “googled” [REDACTED] name and discovered articles discussing [REDACTED] September 2016 murder.

iv. Second Interview of APD Detective Curtis Raney¹⁶

Det. Raney was interviewed for a second time by COPA investigators on October 23, 2018. During the interview, Det. Raney confirmed he had no prior connection to Officer Kropp, [REDACTED] or [REDACTED]. Det. Raney stated that when authoring a report, he would document the relevant facts from an incident. In determining the relevant parts of an incident, Det. Raney would rely upon his sixteen years of law enforcement experience. Additionally, Det. Raney stated he would never document anything in a report that he knew to be false.

Det. Raney stated that [REDACTED] and [REDACTED] appeared to be truthful and sincere when telling their account of July 9, 2016 incident. Det. Raney stated his impression of [REDACTED] and [REDACTED] was formed by his experience as a police officer and the details of their stories. Det. Raney noted that neither [REDACTED] nor [REDACTED] minimized nor maximized their involvement in the road rage incident.

Det. Raney told investigators that when speaking with Officer Kropp his objective was to get Officer Kropp’s side of the story. Det. Raney’s description of the phones calls with Officer Kropp were consistent with his prior interview with IPRA investigators on May 26, 2017.

¹⁵ Atts. 33 and 34.

¹⁶ Att. 53

v. **First Interview of Officer Edward Kropp¹⁷**

On May 17, 2017, IPRA interviewed Officer Kropp. Officer Kropp stated that he was involved in a traffic dispute. The dispute initially began as he was driving behind [REDACTED] and [REDACTED]. There was a third vehicle in the lane next to [REDACTED] and [REDACTED] vehicle, which [REDACTED] and [REDACTED] were involved in a traffic altercation with. This altercation involved [REDACTED] and an unarmed male driver from the other vehicle yelling at each other. At one point, [REDACTED] pointed a black handgun out his window toward the unarmed driver. The barrel of the revolver stuck approximately two inches outside [REDACTED] window. When the stop light turned green, the unarmed male driver took off. Officer Kropp and the other drivers around him beeped their horns at [REDACTED] and [REDACTED] and [REDACTED] were in the traffic lane closest to the center double yellow lines, and Officer Kropp was directly behind them. Officer Kropp did not recall what type of vehicle the unarmed male driver had been in.

Then, as Officer Kropp continued on Pulaski Road, [REDACTED] and [REDACTED] sped up, then slowed down in front of Officer Kropp's vehicle, prompting Officer Kropp to brake. [REDACTED] and [REDACTED] then switched lanes to the right, resulting in their vehicle being positioned next to Officer Kropp's passenger side.¹⁹ Officer Kropp observed [REDACTED] yelling something toward him but, despite his window being down halfway, he could not recall what [REDACTED] said. As [REDACTED] yelled at him, Officer Kropp asked, "What are you doing?" [REDACTED] then leaned back in her seat and Officer Kropp saw that [REDACTED] had pulled out a black handgun. The gun was near the center console as [REDACTED] held it down low, such that the people behind [REDACTED] probably could not see it. Officer Kropp described [REDACTED] arm as being in a pointed position and at a 90-degree angle.²⁰ With his cell phone in hand, Officer Kropp then extended his right hand and phone towards [REDACTED] and [REDACTED] and said, "don't do it, don't do it." Next, Officer Kropp placed his cell phone on his passenger seat and proceeded to pull out his "star" from the left side of his belt, keeping his right hand on the steering wheel, and identified himself by stating, "I'm the police." Officer Kropp explained that he initially had his cell phone in his hand because he was getting ready to dial 911 and/or take a photograph. However, he was not able to do either because of traffic and the fact that he had to put his cell phone down to identify himself and eliminate the threat. The officer described his cell phone as roughly five inches by four inches long, no case, with a black face and silver back. After Officer Kropp identified himself, [REDACTED] and [REDACTED] "backed off" by decelerating, allowing Officer Kropp to move into the curb lane several cars ahead. Officer Kropp attempted to get their license plate but was unable to do so due to heavy traffic and sunny conditions.

As Officer Kropp came to a slow stop at 123rd Street, [REDACTED] and [REDACTED] again pulled up next to him. [REDACTED] swerved her vehicle toward the passenger side of his vehicle, which caused him to swerve left and drive across the center yellow line into the oncoming traffic lane. At this point, Officer Kropp felt stuck in traffic with [REDACTED] and [REDACTED] next to him. [REDACTED] was yelling

¹⁷ Atts. 29 and 30

¹⁸ Officer Kropp initially referred to the person pointing a handgun out the window as "Mr. [REDACTED]". As he continued in his statement, he switched to "Mr. [REDACTED]".

¹⁹ Officer Kropp stated that his vehicle sat higher than [REDACTED] and [REDACTED], and therefore he had a downward vantage point into their vehicle.

²⁰ In the statement, Officer Kropp's counsel, attorney [REDACTED] [REDACTED] provided a description of the officer's actions for the record.

and shouting. Officer Kropp then saw [REDACTED] reach under his seat, grab a handgun, and place it in his waistband. [REDACTED] exited the vehicle and Officer Kropp could not see [REDACTED] hands. [REDACTED] walked toward the front of his own car, then ran around the front of the car with his hand in his waistband while shouting.²¹ Being in fear of death or great bodily harm, Officer Kropp pulled out his firearm. Upon seeing Officer Kropp's gun, [REDACTED] yelled, "what's a fuckin' gun gonna do? What's the fuckin' gun gonna do?"²² [REDACTED] then returned to his vehicle and traffic began moving.

Officer Kropp stated that his window remained closed during this interaction²³ and he could barely hear [REDACTED] but [REDACTED] was yelling, shouting and screaming. Officer Kropp stated that he said nothing, only pointed his firearm.²⁴ [REDACTED] and [REDACTED] proceeded to turn right into an unknown parking lot, and he turned left into a parking lot, eventually proceeding on his way. Officer Kropp described himself as "all just shaken up." Officer Kropp relayed that he had only a general description of the vehicle, in that it was a maroon vehicle, with two black occupants and no plate information.

When asked to describe his firearm, Officer Kropp responded that he has a Smith & Wesson 5943, 9 mm, automatic, stainless steel that he purchased in 1995. Officer Kropp indicated that the slide is stainless steel, and the polymer grip is more plastic, but the same color as the slide.²⁵

Regarding his conversations with Det. Raney and the Rule 14 allegation, Officer Kropp recalled receiving a message to call the detective back on July 27, 2016. Officer Kropp also recalled speaking with the detective, although he did not recall the exact time.²⁶ Officer Kropp described parts of the conversation as follows:

[...] it was like did you get involved in an incident where you pulled out your firearm? I said what are you talking about. Who are you? Did you get involved in an incident in Alsip where you pulled out your firearm? I said yes. And I said, [not]²⁷ at first, I had pulled out my cell phone, I had my cell phone in my hand. There's an A, B, and C to this incident which I was never able to give my recollection of the incident. So, then I was followed up by what color is your cell

²¹ Later in his statement, Officer Kropp stated that when [REDACTED] reached the front of his vehicle he came running toward Officer Kropp with his right hand in the air and his left hand in his waistband, concealing a firearm.

²² Officer Kropp later stated that when [REDACTED] realized Officer Kropp had a firearm, he stopped, but continued yelling and shouting. Also, he stated that [REDACTED] never removed his left hand from his waistband area.

²³ In the same exchange, Officer Kropp responded "yes" when the IPRA investigator asked if his window was closed and stated that his "vehicle was still cracked from the initial incident."

²⁴ During the statement, the IPRA investigator asked Officer Kropp if he had to discharge his weapon, would he have shot through his closed window, to which Officer Kropp responded, "if he would've pulled out a gun, life or death [,] I would've had no choice."

²⁵ From CPD's CLEAR (CLEAR stands for Citizen and Law Enforcement Analysis and Reporting), IPRA identified the following firearms registered to Officer Kropp: (1) 9 mm caliber, semi-automatic, Smith & Wesson pistol, Model 5943, and (2) a 380 caliber, semi-automatic Ruger pistol with a two-tone finish, Model CLP. Officer Kropp acquired the former pistol in 2000 and the latter in 2010. See Att. 24 and 26.

²⁶ During his statement to IPRA, Officer Kropp was shown Att. 5, Det. Raney's supplementary report. Officer Kropp stated he had not previously seen this document.

²⁷ After a review of the audio recording of Officer Kropp's interview, the responding investigator finds that Kropp stated "not" as opposed to "now" as reflected in the transcript.

phone, black and silver. Did you pull out your gun? I said yes I did. At which time when Mr. [REDACTED] exited the passenger side of the vehicle he was armed, and he ran around the car towards my car approaching me with his hand, left hand in his waistband concealing a firearm.

Officer Kropp then explained that Det. Raney's reports were wrong, and that he never got to tell Det. Raney his side of the story. Instead, Det. Raney explained that he needed to talk to his boss to see if Officer Kropp would be charged. Officer Kropp indicated that he contacted Det. Raney again to explain his side, at which point he was informed that he would be charged. Officer Kropp then complained to Det. Raney that Det. Raney did not get his side of the story. Additionally, Officer Kropp disputed Det. Raney's report, stating to IPRA investigators, "I never falsely denied pulling out my firearm." Instead, Officer Kropp stated "I told 'em I pulled out my firearm. We were talkin' on the cell phone, at which point a lotta information was misconstrued."

Finally, Officer Kropp explained that he did not report the incident to anyone because he had no license plate or other information on the vehicle, and since [REDACTED] and [REDACTED] left the scene, he figured the incident had ended.

iv. Second Interview of Officer Edward Kropp²⁸

Officer Kropp was interviewed for a second time by COPA investigators on November 5, 2018. Prior to this interview, Officer Kropp was presented with a copy of Det. Raney's case report (which included the detective's summary of his prior phone conversations with Officer Kropp) and a transcript of his prior interview from May 17, 2017. Officer Kropp was provided an opportunity to review both documents with counsel prior to the interview. During the interview, Officer Kropp was informed of the pending Rule 14 violations against him and the importance of the accuracy of his statements and the documents he reviewed prior to the interview. COPA investigators asked Officer Kropp if there was anything he would like correct from either document he reviewed with counsel. Officer Kropp stood by his statement from May 17, 2017 without any corrections. Officer Kropp reiterated his issues with Det. Raney's summary of their phone conversations as memorialized in Det. Raney's case supplementary report.

b. Digital Evidence

i. 911 Call by [REDACTED] and [REDACTED]

COPA obtained the 911 call made by [REDACTED] on the incident date. [REDACTED] stated to dispatch that a motorist pulled a gun at him at 123rd and Pulaski Rd., then turned left and headed eastbound towards Kedzie Ave. [REDACTED] provided to dispatch the Illinois license plate [REDACTED] and a description of the vehicle.

[REDACTED] continued that "they," referring to him and [REDACTED] (who can be heard in the background), were driving, and:

²⁸ Atts. 56 and 57.

²⁹ Att. 39.

he was cutting us off in traffic, and he was tailgating then my girlfriend stopped the car, and he stuck up the middle finger, and I told her to roll down the window, and I asked him what was he doing that for, and I stepped out the vehicle because he was making some kind of hand gesture, and I stepped out the vehicle and stood on my the side of the vehicle, and he pulled out a handgun, and said, 'shut the fuck up, stop talking to me, before I fucking shoot you or something' he said.

██████ described the handgun as silver and black. ██████ indicated to the dispatcher that the incident had just occurred. As ██████ was receiving instructions to come to the police station, ██████ informed the dispatcher that he saw the man again, right next to him, and that the man was merging onto the expressway toward Indiana.

c. Documentary Evidence

i. Village of APD Incident Report³¹

The incident report, completed by APD Officer Josh Spencer ("Officer Spencer"), indicated that ██████ and ██████ were involved in a road rage incident with Officer Kropp on July 9, 2016, between 5:50 p.m. and 6:00 p.m. It stated that the incident occurred at 123rd Street and Pulaski Road in Alsip, IL, and involved Officer Kropp pointing a handgun at them, after which Officer Kropp fled east on 123rd St.³²

Prompted by an APD dispatcher, ██████ and ██████ filed a report with the APD on the incident date. The report's narrative documented that a light blue Kia Sorrento ("Kia") had been tailgating and speeding. The driver was a "white male, in his late 40's to early 50's, with slicked back black hair," and "wearing a black in color blazer with a white tee shirt." The incident started at 119th Street and Pulaski Road in front of the McDonalds. According to ██████ the driver of the Kia flashed hand signals at ██████ while they were driving south on Pulaski Road. At 123rd Street and Pulaski Road, the Kia's driver pulled out a black, large caliber, semi-automatic hand gun and pointed it at both ██████ and ██████. Once the Kia's driver observed ██████ on his cell phone, he drove east on 123rd Street towards Kedzie. On their way to the APD, ██████ and ██████ observed the same Kia a few cars behind them. The same Kia ultimately took the Interstate 294 southbound entrance ramp towards Indiana.

██████ provided Officer Spencer with the vehicle's license plate, ██████. The APD identified Officer Edward J. Kropp III with listed date of birth ██████, 1970, from the provided license plate.

³¹ Att. 4.

³² The incident report lists the incident location as the 12300 block of S. Pulaski Road. The location of 123rd Street and Pulaski Road is obtained from the incident report's narrative.

ii. APD Supplementary Report³³

Det. Curtis Raney is the reporting officer for the case supplementary report. [REDACTED] is listed as the victim and [REDACTED] as a witness. The report details the arrest of Officer Kropp for aggravated assault, case # 16-012960.

Per the narrative, on July 12, 2016, [REDACTED] and [REDACTED] positively identified Officer Kropp from an administered photo line-up, which was subsequently inventoried. Det. Raney's report details [REDACTED] and [REDACTED] account of the incident as follows.

[REDACTED] stated that while driving southbound on Pulaski Road, and shortly after changing lanes, the Kia, license plate [REDACTED] "drove up real close to her rear bumper." [REDACTED] stated that the driver, identified as Officer Kropp, "became agitated and switched lanes to the median lane and sped past [REDACTED] and [REDACTED]"

Then at the red light at 123rd Street and Pulaski Road, [REDACTED] and Officer Kropp's vehicle were stopped directly next to one another, with Officer Kropp in the median lane and [REDACTED] in the curb lane. Officer Kropp gave [REDACTED] and [REDACTED] the "finger." With his front passenger-side window down, Officer Kropp yelled at [REDACTED] [REDACTED] asked [REDACTED] to roll her window down, and he asked Officer Kropp, "What is your problem?" Officer Kropp replied, "Fuck you. Why are you driving all stupid?" [REDACTED] then stated, "You almost hit me. What are you talking about?" Officer Kropp then said, "Fuck you bitch." Next, [REDACTED] opened his front passenger door and stood up with his body partially in the vehicle and partially out. [REDACTED] proceeded to ask Officer Kropp, "What is your point?" Per [REDACTED] and [REDACTED] Officer Kropp then pulled out a handgun and pointed it at them. The report indicates that [REDACTED] believed the handgun to be silver and black, and a large caliber. After pulling out the handgun, Officer Kropp stated, "You're not so fucking tough now are you?" In response, [REDACTED] walked toward the front of [REDACTED] vehicle in an effort for the gun to be pointed at him and not [REDACTED] put his arms out and stated to Officer Kropp, "A gun doesn't make you tough. What do you need a gun for? Put the gun down." Officer Kropp then drove southbound on the median and turned east onto 123rd Street. It was at this point that [REDACTED] obtained Officer Kropp's license plate.

Det. Raney's report further documents that he contacted CPD's 8th District on July 27, 2016, at approximately 11:00 a.m. and requested to speak with Officer Kropp. Officer Kropp contacted Det. Raney on the same date at approximately 11:30 a.m. and provided a statement regarding the July 9, 2016 incident. Officer Kropp told Det. Raney that he had been cut off by a vehicle containing a female black driver and a male black passenger causing him to swerve left and go around the vehicle. When stopped in traffic, the male black passenger exited his vehicle and advanced towards Officer Kropp's vehicle while "motherfucking" him. Officer Kropp told the male black passenger to "stay back," and that he identified himself as an officer. Officer Kropp denied that he had pointed a gun at either occupant of the vehicle. Officer Kropp then told Det. Raney that he had a black cell phone enclosed in a silver case. Finally, Officer Kropp related that he should have contacted the police, but at the time he was more concerned with getting away.

³³ Att. 5.

Later that day, on July 27, 2016, Det. Raney re-contacted Officer Kropp at approximately 1:00 p.m., this time to advise him that he would be charged with aggravated assault. When Det. Raney asked Officer Kropp if he would turn himself in to the APD, Officer Kropp stated to him, "he was in fear for his safety when the male black approached his vehicle, so he pointed his gun at the subject." Officer Kropp then informed Det. Raney that he was attempting to contact his union attorney and inquired as to whether he could provide a statement at APD.

Later that same day, Attorney [REDACTED] of the [REDACTED] Law Firm in Chicago, IL, contacted Det. Raney regarding Officer Kropp and the pending charges. On August 2, 2016, Attorney [REDACTED] also of [REDACTED] Law Firm, advised Det. Raney, via voicemail, that Officer Kropp would turn himself in to the APD on August 3, 2016.

VI. ANALYSIS

Upon the conclusion of this investigation, COPA sustains all allegations against Officer Kropp.

a. Credibility Assessment

While some facts are consistent among the accounts of [REDACTED] and Officer Kropp (e.g., where and when the incident occurred), other material facts are entirely divergent. Officer Kropp described a longer encounter and stated that [REDACTED] possessed a firearm and pointed his firearm at an unidentified motorist and then at Officer Kropp. In contrast, [REDACTED] and [REDACTED] stated that [REDACTED] was unarmed, that Officer Kropp was the aggressor during the traffic dispute, that [REDACTED] did not possess a firearm, and that Officer Kropp used abusive language and pointed a firearm in their direction without justification.

The credibility of an individual relies primarily on two factors: 1) the individual's truthfulness and 2) the reliability of the individual's account. The first factor addresses the honesty of the individual making the statement, while the second factor speaks to the individual's ability to accurately perceive the event at the time of the incident and then accurately recall the event from memory. In this case, Officer Kropp's and [REDACTED] and [REDACTED] accounts are so divergent that the variances can only be explained by either Officer Kropp or [REDACTED] and [REDACTED] purposefully lying and misrepresenting the facts of the incident.

i. [REDACTED] and [REDACTED] Accounts

A preponderance of the evidence demonstrates that [REDACTED] and [REDACTED] accounts are credible.

First, [REDACTED] and [REDACTED] statements are materially consistent.³⁵ [REDACTED] and [REDACTED] accounts were consistently reported multiple times: [REDACTED] and [REDACTED] immediately reported the event to the 911 dispatcher, they immediately reported the event in person to the APD, and also reported the event to IPRA investigators. Each time [REDACTED] and [REDACTED] shared their accounts, the crux and progression of their accounts remained the same. Moreover, there is no evidence to

³⁵ See Atts. 4, 5, 19, 20.

suggest that [REDACTED] and [REDACTED] colluded to concoct a false story. While [REDACTED] and [REDACTED] described the same details of the incident, they described the incident from their own perspectives without mimicking each other's word choices and phrasing. For example, [REDACTED] described how he moved forward from the passenger side of [REDACTED] car to the front of [REDACTED] car in response to Officer Kropp pointing his weapon to protect [REDACTED] by getting her out of the line of fire.³⁶ [REDACTED] similarly described this detail of the incident in her own words and noted that [REDACTED] actions made her upset and angry because she believed they put [REDACTED] at risk.³⁷ COPA finds such consistent details between [REDACTED] and [REDACTED] accounts compelling evidence of both reliability and truthfulness.

Second, [REDACTED] and [REDACTED] accounts were plausible and consistent with common-sense and human experience. [REDACTED] and [REDACTED] actions and reactions were consistent with a road rage incident and with Officer Kropp pointing a firearm at them. Det. Raney, a trained police detective with years of criminal investigative experience, specifically noted that he found [REDACTED] and [REDACTED] accounts to be truthful and credible. Furthermore, [REDACTED] and [REDACTED] actions, as documented in ADP reports, do not reflect that they were nervous or otherwise acted suspiciously when reporting the incident.³⁸

Third, [REDACTED] and [REDACTED] promptly reported the incident. They immediately called 911 and then drove to the APD station.³⁹ [REDACTED] and [REDACTED] actions after the incident were a predictable, logical reaction of victims of a road-rage incident that culminated with Officer Kropp pointing a firearm at them. Although certainly not impossible, it is unlikely that [REDACTED] and [REDACTED] would have called 911 had [REDACTED] pointed a firearm at another motorist and then Officer Kropp for concern of their own criminal liability.

ii. Officer Kropp's Account

A preponderance of the evidence demonstrates that Officer Kropp's statement is not credible.

First, Officer Kropp's account is inconsistent with how a reasonable police officer with police training would approach the situation. Officer Kropp alleged that, in response to witnessing [REDACTED] point a firearm at another motorist (i.e. witnessing an aggravated assault with a firearm), he simply continued to drive without unholstering his own firearm or taking any other action. A reasonable police officer with police training would immediately alert 911, make all reasonable efforts to obtain the license plate number, and demonstrate concern for the welfare of the other motorist and the public generally.

Moreover, after personally witnessing an armed assault by [REDACTED] only moments before, Officer Kropp allegedly asked [REDACTED] what she was doing at the next traffic light, resulting in [REDACTED] allegedly pointing a firearm at him.⁴⁰ A reasonable officer with police training would not

³⁶ Att. 20 at 25

³⁷ Att. 19 at 6-7.

³⁸ Atts. 4 & 5.

³⁹ Atts. 4 & 39.

⁴⁰ Att. 30 at 15.

ask the driver of a vehicle involved in an aggravated assault with a firearm “what she was doing.” Rather, a reasonable officer with police training would either command the driver and occupant to stop, exit the vehicle with their hands visible, trail the vehicle from a safe distance to obtain additional information and tactically assess the situation, or call 911.

According to Officer Kropp, ██████ responded to his inquiry by extending his black and silver cell phone toward ██████ and pleading with ██████ to not shoot him. Officer Kropp then alleged he pulled out his police star and identified himself as a police officer to “eliminate the threat.” However, pulling out a police star in response to an individual pulling a firearm is entirely inconsistent with police training. That the events occurred as alleged by Officer Kropp is implausible. Again, a similarly trained Chicago police officer would have reacted differently to ██████ brandishing a firearm, e.g., following ██████ vehicle, immediately contacting on-duty law enforcement officers and/or by brandishing his or her own firearm and attempting to arrest ██████. Indeed, even under Officer Kropp’s version of events, he later pulled out his firearm and pointed it at ██████ in response to ██████ purportedly approaching his vehicle with a firearm concealed in his waistband even though ██████ alleged firearm would have posed far less of an imminent threat to him at this point of the encounter.

If Officer Kropp’s account of the incident is true, Officer Kropp observed ██████ commit multiple crimes and knew that ██████ posed a serious threat to the public. However, Officer Kropp did not report the incident to the APD or other law enforcement after the incident. Officer Kropp reported the incident only after Det. Raney contacted him on July 27, 2016, *eighteen days* after the incident.⁴¹ Officer Kropp stated that he did not contact law enforcement because he was unable to obtain ██████ vehicle license plate number and the incident was over.⁴² However, Officer Kropp clearly knew material information such as a description of ██████ and ██████ (e.g. physical characteristics and clothing), the approximate location of the incident, ██████ and ██████ last known location and the direction they were traveling, a description of ██████ firearm, and a basic description of ██████ and ██████ vehicle. As a Chicago police officer, Officer Kropp was required to, at an absolute minimum, contact law enforcement when he observed ██████ commit multiple crimes in his presence.⁴³ Officer Kropp had access to a cell phone and therefore had the

⁴¹ Att. 5. As explained below, Officer Kropp did not accurately report the incident to Det. Raney.

⁴² Officer Kropp stated he could not obtain ██████ license plate number because of the weather conditions and traffic. Att. 30 at 22. However, ██████ and ██████ were able to obtain Officer Kropp’s license plate.

⁴³ See, e.g., U04-02(II)(P) (“While sworn members are permitted to carry firearms during non-duty hours Nothing in this policy statement is to be construed as diminishing a sworn member’s responsibility to take appropriate police action, which can be as little as summoning the police for help, when observing a crime in progress.”); E01-11 (“If a sworn member was performing an action required to be taken by an off-duty officer rather than an action required as a condition of secondary employment (effecting the arrest of an offender who has committed a criminal act in their presence, etc.) even though the Department member was engaged in secondary employment at the time the injury was sustained, the circumstances attendant to the injury will be evaluated by the Department to determine the member’s eligibility to be classified as Injured on Duty.”; General Order 01-01(III)(2) (“Our obligation is a requirement to take action, be that action either legal or moral. It is a compulsion; we are compelled to act. As police officers, we have the legal obligation to serve and protect the residents of the City of Chicago, and the legal requirement to preserve order and uphold the law. However, our obligation runs deeper than just legal requirements. For us, there is an obligation to service that is tied directly to personal honor. We act not just because of our legal authority, but because of our personal duty.”)

means to call 911. Taken together, Officer Kropp's account of the incident is implausible and inconsistent with how a reasonable officer with police training would have handled the incident.

Second, Officer Kropp's explanation of his inconsistent reporting of the incident to Det. Raney, IPRA and COPA lacks credibility. Det. Raney documented his conversations with Officer Kropp in a report.⁴⁴ According to Det. Raney, while Officer Kropp told him that he recalled an encounter with [REDACTED] and [REDACTED] Officer Kropp initially denied that he ever pointed his weapon at anyone.⁴⁵ According to Det. Raney, later the same day, Officer Kropp's story changed. When informed he would be arrested, Officer Kropp then admitted to Det. Raney that he did pull his gun and pointed it at a black male who approached his vehicle. Officer Kropp claimed that he pulled his gun because he was in fear of his safety and asked if he could provide a statement at the APD station.⁴⁶ Then, in a subsequent interview with IPRA, Officer Kropp's story was far more extensive than what he originally reported to Det. Raney or anything [REDACTED] or [REDACTED] reported.⁴⁷

Officer Kropp told IPRA investigators the following:

- That Officer Kropp first observed [REDACTED] and [REDACTED] when [REDACTED] pointed a gun, specifically the barrel of a revolver, at an unknown, unarmed driver in another vehicle. Officer Kropp stated that [REDACTED] was also yelling obscenities at the motorist. Officer Kropp responded by continuing to drive.⁴⁸
- [REDACTED] and [REDACTED] proceeded southbound and Officer Kropp proceeded in the same direction as [REDACTED] and [REDACTED] vehicle eventually ended up alongside Officer Kropp's own vehicle.⁴⁹
- [REDACTED] then yelled at Officer Kropp and [REDACTED] pointed a firearm at Officer Kropp.⁵⁰ [REDACTED] responded by pointing the cell phone he was holding at [REDACTED] and telling him "don't do it." [REDACTED] then pulled out his police star and identified himself as a police officer to "eliminate the threat."⁵¹
- Officer Kropp then proceeded forward. [REDACTED] and [REDACTED] re-engaged Officer Kropp near 123rd and Pulaski Road. [REDACTED] continued to yell obscenities at Officer Kropp⁵²

⁴⁴ Att. 5.

⁴⁵ *Id.*

⁴⁶ *Id.* Officer Kropp asserted his Fifth Amendment right against self-incrimination and refused to provide a statement at the APD.

⁴⁷ Compare Att. 5 with Att. 30.

⁴⁸ Att. 30 at 7, 11-14

⁴⁹ *Id.* at 14.

⁵⁰ *Id.* at 14-21. Officer Kropp did not provide a reason for [REDACTED] yelling at him or for [REDACTED] pointing a firearm at him.

⁵¹ *Id.* at 14-21. Officer Kropp did not provide a reason for [REDACTED] yelling at him or for [REDACTED] pointing a firearm at him.

⁵² *Id.* at 21-22.

- Next, [REDACTED] while concealing a firearm in his waistband, exited his vehicle as he screamed obscenities at Officer Kropp, and walked toward Officer Kropp's vehicle.⁵³
- Officer Kropp deterred [REDACTED] from escalating the encounter by silently pointing a firearm at him. Officer Kropp stated he did not say anything to [REDACTED] at this point of the encounter.⁵⁴

That Officer Kropp did not provide this level of specificity to the investigative Detective is not only inconsistent with his training but also inconsistent with the level of specificity anyone would provide had they been the victim of road rage or witness to an armed aggravated assault. Almost none of the above details are documented in Det. Raney's supplemental report and Det. Raney did not reference Officer Kropp notifying him about any of these alleged details in his statements to IPRA and COPA investigators.⁵⁵ As noted earlier, Officer Kropp's purported actions, as alleged by Officer Kropp to IPRA and COPA investigators, are also inconsistent with a how reasonable police officer would have reacted under the same circumstances.

When confronted, Officer Kropp could not adequately explain the inconsistencies between his account to IPRA investigators and Det. Raney's supplemental report. Officer Kropp stated Det. Raney misconstrued the information he provided, and that Det. Raney's report was wrong.⁵⁶ However, Det. Raney specifically noted that consistent with his training he would have included these types of details in his report had they been told to him. Officer Kropp also implied that Det. Raney may have mistakenly believed he denied pulling his firearm during the incident because he was speaking on a cell phone during their conversations. However, neither Det. Raney nor Officer Kropp specifically reported static during the phone calls, complained about the connection or inability to hear or understand the other, referenced background noise, or stated that the calls were disconnected or otherwise dropped. Det. Raney documented the phone calls in his supplemental report.

Officer Kropp also asserted that Det. Raney would not let him provide his account of the incident. However, as noted above, it is unlikely that Det. Raney, a trained law enforcement officer, would have been unwilling to listen to Officer Kropp's version of events. Indeed, Det. Raney stated his entire purpose in calling Officer Kropp was to get Officer Kropp's version of events.⁵⁷ Det. Raney stated that he told Officer Kropp that he was the detective assigned to the case, explained the nature of his investigation, and told Officer Kropp that he had been identified in a photo lineup.⁵⁸ It is also unlikely that Det. Raney would falsely write in his supplemental report that Officer Kropp denied ever pointing a firearm in the initial phone call and completely leave out of his report extremely important details altogether, such as [REDACTED] possessing a firearm during the incident. Clearly, whether Officer Kropp did or did not point a firearm at [REDACTED] and [REDACTED] was

⁵³ *Id.* at 22-25.

⁵⁴ *Id.*

⁵⁵ Att. 5; Att. 34.

⁵⁶ Att. 30 at 30-37.

⁵⁷ Att. 34 at 8.

⁵⁸ Att. 34 at 9

central to confirming or dispelling probable cause for the charge of aggravated assault and not a detail Det. Raney, or any reasonable officer with police training, would be likely to gloss over and fail to document properly. Officer Kropp also admitted that he understood that Det. Raney was asking him about the road rage incident that occurred with [REDACTED] and [REDACTED] on July 9, 2016.⁵⁹

To find Officer Kropp's version of events credible, COPA would have to find that Det. Raney either purposefully or at an absolute minimum was grossly negligent in the reporting of his conversations with Officer Kropp, in his official police reports and then again during his interview with IPRA and /COPA investigators. COPA has not obtained any reliable evidence to demonstrate or suggest that Det. Raney had any reason to maliciously pursue a criminal prosecution against Officer Kropp such as a pre-existing relationship with either Officer Kropp, [REDACTED] or [REDACTED]

Third, no evidence corroborates Officer Kropp's assertions that [REDACTED] possessed and brandished a firearm. For example, there is no evidence that any other motorist called 911 to report [REDACTED] brandishing a firearm at them or anyone else. Moreover, Officer Kropp made suspicious, unprompted comments during his statement to attempt to explain why no such corroborating evidence exists. For example, Officer Kropp stated that [REDACTED] firearm may have only been visible to him because of the way [REDACTED] was holding it.⁶⁰

Fourth, to find Officer Kropp's account of the incident credible would inevitably require finding that [REDACTED] and [REDACTED] both lied about the incident to APD officers and IPRA investigators. As explained above, [REDACTED] and [REDACTED] are credible witnesses who provided logical, consistent, and plausible accounts of the incident.

For these reasons, the evidence demonstrates that the incident did not occur as Officer Kropp alleged. Based upon an analysis of the evidence as reflected above, Officer Kropp's statements to Det. Raney and IPRA/COPA are so inconsistent with the facts and the actions of a reasonable officer that they reflect a material misrepresentation of the incident for the purpose of shielding his culpability or liability from the incident.

b. Allegations

- i. A preponderance of the evidence demonstrates that Officer Kropp stated words to the effect of "Bitch" to [REDACTED] and words to the effect of "you are not so fucking tough now are you" to [REDACTED] in violation of Rules 2, 8 and 9.**

Both [REDACTED] and [REDACTED] told investigators that Officer Kropp stated "bitch" and/or directed the word "bitch" toward [REDACTED].⁶¹ [REDACTED] specifically stated that she recalled hearing Officer Kropp say "bitch" and "what the fuck are you doing."⁶² In their statements to APD, [REDACTED] and

⁵⁹ Att. 30 at 33.

⁶⁰ Att. 30 at 18. Officer Kropp also made suspicious comments to Det. Raney during their phone calls. For example, Officer Kropp asked Det. Raney if there was any video of the incident. Att. 34 at 8.

⁶¹ Att. 19 at 5; Att. 20 at 5-6.

⁶² Att. 19 at 5.

█████ indicated that Officer Kropp said, “fuck you bitch” to ██████ Officer Kropp denied stating words to the effect of “bitch” to ██████

In their statements to APD, ██████ and ██████ related that Officer Kropp stated, “you’re not so fucking tough now are you?”⁶³ ██████ told IPRA investigators that after Officer Kropp pulled out a handgun, he said, “you’re not so fucking tough now, are you?”⁶⁴ Similarly, ██████ told IPRA investigators that she recalled hearing Officer Kropp saying words to the effect of “see how tough you are now,” and “oh, you’re so tough.”⁶⁵ Officer Kropp denied stating words to the effect of, “you’re not so fucking tough now are you.”⁶⁶

As explained above, the evidence demonstrates that ██████ and ██████ accounts of the incident are credible and Officer Kropp’s account of the incident is not credible. Based on this credibility finding, a preponderance of the evidence demonstrates that it is more likely than not that Officer Kropp did direct words to the effect of “bitch” to ██████ and words to the effect of “you are not so fucking tough now are you” to ██████ Officer Kropp’s profane language towards ██████ was not justified. Therefore, COPA Sustains Allegation 1 and Allegation 3.

ii. A preponderance of the evidence demonstrates that Officer Kropp pointed his firearm at ██████ in violation of Rules 2, 8, 9, and 38

Officer Kropp admitted that he pointed his firearm at ██████ but asserted that he was justified because ██████ had previously pointed a firearm at him and was approaching his vehicle with a concealed firearm in his waistband. However, as explained above, Officer Kropp’s account of the incident is not credible and ██████ and ██████ accounts of the incident are credible.

A preponderance of the evidence demonstrates that ██████ did not possess a firearm during the incident and did not point a firearm at Officer Kropp or anyone else during the incident. A preponderance of the evidence demonstrates that Officer Kropp was the aggressor during the incident and escalated the confrontation by using abusive language and hand gestures and driving in a reckless, aggressive manner. While a preponderance of the evidence demonstrates that ██████ did in fact exit ██████ vehicle and talk to Officer Kropp across the roof of ██████ vehicle, ██████ actions did not justify Officer Kropp pointing a firearm at ██████ Officer Kropp had no basis to believe that ██████ was armed or that ██████ posed an imminent threat to him. Therefore, COPA Sustains Allegation 2.

iii. A preponderance of the evidence demonstrates that Officer Kropp falsely denied pointing a firearm at or in the direction of ██████ and/or ██████ to Det. Raney in their initial phone call.

Rule 14 of CPD’s rules of conduct prohibits making a false report, written or oral. To constitute a Rule 14 violation, the false statement must be willful and pertain to a material fact. The pertinent issue is whether Officer Kropp denied pointing his firearm at or in the direction of

⁶³ Att. 5.

⁶⁴ Att. 20 at 19.

⁶⁵ Att. 19 at 7.

⁶⁶ Att. 30 at 25.

██████████ and/or ██████████ to Det. Raney. As discussed above, the evidence demonstrates that Officer Kropp's account of the incident, including his phone calls with Det. Raney are not credible. While Detective Raney did not personally witness the road rage incident between Officer Kropp and ██████████ and ██████████ he investigated the incident after that and authored reports relating to the incident. A preponderance of the evidence demonstrates that Det. Raney's account of his conversations with Officer Kropp is credible and that Officer Kropp falsely denied pointing a firearm at or in the direction of ██████████ and/or ██████████ in his initial phone call with Det. Raney.

Officer Kropp spoke to Det. Raney regarding the incident on the telephone on at least two occasions on July 27, 2016. Det. Raney wrote in his supplemental report that Officer Kropp denied pointing a gun at either the male black passenger or female black driver in their initial phone call.⁶⁷ Det. Raney also wrote in his supplemental report that Officer Kropp admitted to pointing a firearm at ██████████ in their subsequent telephone call after Det. Raney informed Officer Kropp that he would be charged with aggravated assault.⁶⁸ Det. Raney's statement to IPRA/COPA investigators regarding the phone calls with Officer Kropp was consistent with his supplemental report. In contrast, Officer Kropp asserted that he told Det. Raney that he pulled out his firearm and pointed it at ██████████ when ██████████ exited the vehicle and moved toward Officer Kropp's vehicle with his left hand in his waistband (concealing a weapon).⁶⁹ Officer Kropp asserted Det. Raney misconstrued the information he provided and that Det. Raney's report did not accurately reflect their conversations.⁷⁰

The question of whether Officer Kropp pointed a firearm at ██████████ and/or ██████████ was a critical issue for Det. Raney to resolve to determine whether Officer Kropp committed aggravated assault with a firearm. It is extremely unlikely that Det. Raney, a trained police officer, would not have (a) addressed the issue of whether Officer Kropp pointed a firearm at anyone in detail, (b) ensured that Officer Kropp provided a clear, unambiguous answer to whether he pointed a firearm at anyone; and (c) accurately documented the conversation in his supplemental report. Furthermore, as explained above, Officer Kropp account of the incident is not credible. For these reasons, a preponderance of the evidence demonstrates that Officer Kropp falsely denied pointing a firearm at ██████████ and/or ██████████

Next, Officer Kropp's false oral report is clearly material. Indeed, whether Officer Kropp in fact pointed a firearm at ██████████ was central to Det. Raney's criminal investigation into the incident and is also central to this administrative investigation.

Finally, a preponderance of the evidence demonstrates that Officer Kropp willfully falsely denied pointing a firearm at or in the direction of ██████████ and/or ██████████ to Det. Raney in their initial phone call. It is extremely unlikely that Officer Kropp would forget or become confused regarding whether he pointed a firearm at ██████████ and/or ██████████ during an incident that occurred only eighteen days previously. A road rage incident which required Officer Kropp, while off-duty, to unholster and brandish his firearm would be an unusual and memorable occurrence. As explained above,

⁶⁷ Att. 5.

⁶⁸ *Id.*

⁶⁹ Att. 30 at 31.

⁷⁰ Att. 30 at 26-43.

Officer Kropp admitted that he recalled the incident and that he knew that Det. Raney was asking about the July 9, 2016, incident. Moreover, Officer Kropp's behavior during the phone calls with Det. Raney is circumstantial evidence that he was purposefully attempting to cover up his wrongdoing. Specifically, Officer Kropp (a) asked Det. Raney whether any video existed, (b) referenced his cell phone in the initial statement where he denied ever pointing a firearm,⁷¹ and (c) then admitted that he pointed his firearm at ██████ "in fear of his safety" only after Det. Raney told him he would be charged with assault. While each of Officer Kropp's suspicious actions alone could have innocuous explanations, the totality of his actions demonstrates a willful attempt to cover up the incident.

Accordingly, COPA **Sustains** Allegation 4.

- iv. **A preponderance of the evidence demonstrates that Officer Kropp made a false material oral report to IPRA Investigators by stating that ██████ pointed a firearm at or in the direction of an unknown motorist and stating that ██████ pointed a firearm at or in the direction of Officer Kropp.**

As explained above, Officer Kropp's version of events is not credible. A preponderance of the evidence demonstrates that ██████ did not point a firearm at anyone during the incident as Officer Kropp alleged.

Whether ██████ pointed a firearm at another motorist or at Officer Kropp is material to this administrative investigation. Specifically, whether ██████ pointed a firearm at anyone during the incident is relevant to evaluating whether Officer Kropp was justified in pointing a firearm at ██████

Finally, a preponderance of the evidence demonstrates that Officer Kropp willfully and falsely stated to IPRA investigators that ██████ pointed a firearm at or in the direction of an unknown motorist and Officer Kropp. Det. Raney credibly asserted that Officer Kropp never informed him that ██████ possessed a firearm or that ██████ pointed a firearm at anyone. In addition, the willfulness of Officer Kropp's statement becomes evident when considering that investigators provided multiple opportunities to Officer Kropp to correct, clarify, or explain his prior statement and he had the opportunity to review his prior statement with counsel of his choosing. As explained above, the divergence between Officer Kropp's account of the incident and ██████ and ██████ cannot be attributed to a mistake in perception or ability to accurately recall the incident.

Accordingly, COPA **Sustains** Allegation 5 and 6.

⁷¹ Det. Raney specifically stated that Officer Kropp referenced his cell phone as an explanation for why ██████ and ██████ would accuse him of pointing a firearm. See Att. 53

VII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS**a. Officer Edward J. Kropp III****i. Complimentary and Disciplinary History:**

Officer Kropp's complimentary history includes the following: Presidential Election Deployment Award 2008, 1; Attendance Recognition Award, 3; Honorable Mention, 31; 2004 Crime Reduction Ribbon, 1; Department Commendation, 2; Complimentary Letter, 6; NATO Summit Service Award, 1; 2009 Crime Reduction Award, 1; Unit Meritorious Performance Award, 1. Officer Kropp has no sustained findings within the past 7 years.

ii. Recommended Penalty, by Allegation

Allegation 1) It is alleged that on or about July 9, 2016, at approximately 5:50p.m., at or near 12300 S. Pulaski Rd., Officer Edward Kropp committed misconduct through the following acts or omission(s): State words to the effect of "Bitch."

Penalty – Suspension 5 Days

Allegation 2) It is alleged that on or about July 9, 2016, at approximately 5:50p.m., at or near 12300 S. Pulaski Rd., Officer Edward Kropp committed misconduct through the following acts or omission(s): Pointed a firearm at or in the direction of [REDACTED] and/or [REDACTED]

Penalty – Suspension 20 Days

Allegation 3) It is alleged that on or about July 9, 2016, at approximately 5:50p.m., at or near 12300 S. Pulaski Rd., Officer Edward Kropp committed misconduct through the following acts or omission(s): Stated words to the effect of, "you are not so fucking tough now are you."

Penalty – Suspension 5 Days

Allegation 4) It is alleged that on or about July 27, 2016, at approximately 11:30a.m., during a phone conversation with Detective Curtis Raney of the Alsip Police Department Officer Edward Kropp committed misconduct through the following act or omission(s): Willfully made a false material oral report to Detective Raney by denying that he pointed a gun at [REDACTED] and/or [REDACTED] on July 9, 2016.

Penalty – Separation

Allegation 5) It is alleged that on or about May 17, 2017, at approximately 11:00a.m., near 1615 W. Chicago Ave., Officer Edward Kropp committed misconduct through the following act or omission(s): Willfully made a false material oral report to IPRA investigators by stating that [REDACTED] pointed a firearm at or in the direction of an unknown motorist.

Penalty - Separation

Allegation 6) It is alleged that on or about May 17, 2017, at approximately 11:00a.m., near 1615 W. Chicago Ave., Officer Edward Kropp committed misconduct through the following act or omission(s): Willfully made a false material oral report to IPRA investigators by stating that [REDACTED] pointed a firearm at you or in your direction.

Penalty - Separation

VIII. CONCLUSION

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

Officer	Allegation	Finding/ Recommendation
Officer Edward Kropp	It is alleged by the complainant(s) that on or about July 9, 2016, at approximately 5:50PM, at or near 12300 S. Pulaski Rd. that Officer Edward Kropp committed misconduct through the following acts or omissions:	
	1. Stated words to the effect of "Bitch."	Sustained/ 5-day suspension
	2. Pointed a firearm at or in the direction of [REDACTED] and/or [REDACTED]	Sustained/ 20-day suspension
	3. Stated words to the effect of, "you are not so fucking tough now are you."	Sustained/ 5-day suspension
	It is alleged by the complaint(s) that on or about July 27, 2016, at approximately 11:30AM, during a phone conversation with Detective Curtis Raney of the Alsip Police Department Officer Edward Kropp committed misconduct through the following act or omissions:	
	4. Willfully made a false material oral report to Detective Raney by denying that he pointed a gun at [REDACTED] and/or [REDACTED] on July 9, 2016.	Sustained/ Separation
	It is alleged by the complaint that on or about May 17, 2017, at approximately 11:00AM, near 1615 W. Chicago Ave., Officer Edward Kropp committed misconduct through the following acts or omissions:	

	5. Willfully made a false material oral report to IPRA investigators by stating the [REDACTED] [REDACTED] pointed a firearm at or in the direction of an unknown motorist.	Sustained/ Separation
	6. Willfully made a false material oral report to IPRA investigators by stating that [REDACTED] [REDACTED] pointed a firearm at you or in your direction.	Sustained/ Separation

App [REDACTED]

Sydney Roberts
Chief Administrator

[REDACTED]

Andrea Kersten
Deputy Chief Investigator

2/17/19
Date

2/19/19
Date

Appendix A

Assigned Investigative Staff

Squad#:	3
Supervising Investigator:	Matthew Haynam
Deputy Chief Administrator:	Andrea Kersten