

SUMMARY REPORT OF INVESTIGATION<sup>1</sup>

## I. EXECUTIVE SUMMARY

Date of Incident:	August 16, 2016
Time of Incident:	10:00 AM
Location of Incident:	5555 W. Grand Ave.
Date of COPA Notification:	August 22, 2016
Time of COPA Notification:	11:32 AM

On August 19, 2016, Probationary Police Officer ██████████ texted Sergeant Jorge Flores to ask him if it would be possible to be assigned to a different Field Training Officer (FTO). PPO ██████████ alleged that FTO Darryl Corter<sup>2</sup> continuously made offensive and disparaging remarks against African Americans while the two of them were in police vehicles. PPO ██████████ resigned from the Chicago Police Department on October 17, 2016.

IPRA interviewed PPO ██████████ and FTO Corter along with three PPOs trained by FTO Corter. Character references provided by three additional PPOs, submitted to IPRA by FTO Corter, were also considered in the analysis. At the time of the alleged misconduct, the 025<sup>th</sup> District was not equipped with Body Worn Cameras.<sup>3</sup>

## II. INVOLVED PARTIES

Accused Officer #1:	Darryl Corter, star #1045, employee ID# ██████████, Date of Appointment-September 6, 1994, rank Sergeant (was FTO at time of incident), Unit of Assignment 019, DOB ██████████, 1969, Male, White.
Witness Officer #1:	Jorge Flores, star #987, employee ID# ██████████, Date of Appointment-September 11, 2000, rank Sergeant, Unit of Assignment 124, DOB ██████████, 1969, Male, Hispanic.
Witness Officer #2:	Giuseppe Imburgia, star #8274, employee ID# ██████████, Date of Appointment-August 26, 2016, rank Police Officer

<sup>1</sup> On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. 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.

<sup>2</sup> During the course of this investigation, FTO Corter was promoted to Sergeant. Throughout most sections of this SRI, he will be referred to as FTO Corter.

<sup>3</sup> In-car camera footage for August 19, 2016 was reviewed; it contained only a single minute of footage, with no conversation relevant to the allegations.

(was PPO), Unit of Assignment 024, DOB [REDACTED], 1995, Male, White.

Witness Officer #3: Timothy Kelly, star #8664, employee ID# [REDACTED], Date of Appointment-August 29, 2016, rank PPO, Unit of Assignment 044, DOB [REDACTED], 1989, Male, White (Resigned August 15, 2017).

Witness Officer #4: Robert Kruzel, star #8481, employee ID# [REDACTED], Date of Appointment-August 29, 2016, rank Police Officer (was PPO), Unit of Assignment 014, DOB [REDACTED], 1985, Male, White.

Involved Officer #1: [REDACTED] star #1071034, employee ID# [REDACTED], Date of Appointment-December 14, 2015, rank PPO, Unit of Assignment 044, DOB [REDACTED], 1985, Male, Hispanic (Resigned October 17, 2016).

**III. ALLEGATIONS**

Officer	Allegation	Finding / Recommendation
Sergeant (FTO) Darryl Corter	1. It is alleged that on August 14, 2016, between the hours of 5:30 AM and 2:30 PM, while inside a police vehicle responding to Event #1622704932, FTO Darryl Corter stated words to the effect of, "Another Negro being saved", in violation of Rule 2.	SUSTAINED / 2-Day Suspension
	2. It is alleged that on August 14, 2016, between the hours of 5:30 AM and 2:30 PM, while inside a police vehicle, after hearing police calls on the radio, FTO Darryl Corter stated words to the effect of, "Another crazy Negro, some blacky", in violation of Rule 2.	SUSTAINED / 2-Day Suspension
	3. It is alleged that on August 19, 2016, between the hours of 5:30 AM and 2:30 PM, while inside a police vehicle, FTO Darryl Corter stated words to the effect of, "Well, people probably think I'm a nigger cause I have a Benz", in violation of Rule 2.	SUSTAINED / 2-Day Suspension

<p>4. It is alleged that on August 23, 2016, at approximately 9:34 AM, while parked in the 025th District Station parking lot, FTO Darryl Corter stated words to the effect of, "Some chimp ran away", in violation of Rule 2.</p>	<p>SUSTAINED / 2-Day Suspension</p>
<p>5. It is alleged that on August 23, 2016, at approximately 10:47 AM, while responding to a traffic accident, Event #1623604804, FTO Darryl Corter stated words to the effect of, "It's common sense, but the Negros don't have common sense, it's not in their being", in violation of Rule 2.</p>	<p>SUSTAINED / 2-Day Suspension</p>
<p>6. It is also alleged that on an unknown date, and time, while inside a police vehicle, FTO Darryl Corter stated words to the effect of, "Oh look at these two niggling it out", referring to two black males who were seated in a vehicle, in violation of Rule 2.</p>	<p>SUSTAINED / 2-Day Suspension</p>

**IV. APPLICABLE RULES AND LAWS**

Rules

1. **Rule 2** prohibits: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.

**COMMENT:** This Rule applies to both the professional and private conduct of all members. It prohibits any and all conduct which is contrary to the letter and spirit of Departmental policy or goals or which would reflect adversely upon the Department or its members. It includes not only all unlawful acts by members but also all acts, which although not unlawful in themselves, would degrade or bring disrespect upon the member or the Department, including public and open association with persons of known bad or criminal reputation in the community unless such association is in the performance of police duties. It also includes any action contrary to the stated policy, goals, rules, regulations, orders or directives of the Department.

## V. INVESTIGATION<sup>4</sup>

### a. Interviews

PPO ██████████

On September 9, 2016, PPO ██████████ provided a statement to IPRA regarding a situation that occurred over several days, starting on or about August 14, 2016. PPO ██████████ stated that he had been assigned to work with FTO Darryl Corter in District 025 and became uncomfortable with the racially charged language that he alleged FTO Corter used.

PPO ██████████ stated that on the first day, FTO Corter told him, “Hey, you know, if uh-- whatever is said in this car stays in this car.”<sup>6</sup> PPO ██████████ then stated that FTO Corter also said something to the effect of, “You know, you can motherfuck people in the car....but when you get out you gotta be professional.”<sup>7</sup> At this point PPO ██████████ felt awkward because he never heard an FTO speak in such a manner. Later, during the same tour, PPO ██████████ and FTO Corter answered a call involving a man who had some sort of mental issue, and who had gotten onto a roof.<sup>8</sup> After the event was over and the two officers were back in their police vehicle, FTO Corter said, “Another Negro being saved,”<sup>9</sup> or something to that affect. PPO ██████████ felt this was inappropriate and took exception to the use of the word Negro.

FTO Corter made racially inappropriate comments in response to radio calls. For example, on one occasion he said, “Yeah, another crazy Negro, some blacky.” PPO ██████████ mentioned that he never heard anyone else use this type of language.<sup>10</sup> On another day, PPO ██████████ mentioned, “people probably think I’m a nerd ‘cause I have a Versa,” to which FTO Corter replied, “Well, people probably think I’m a nigger ‘cause I have a Benz.”<sup>11</sup> PPO ██████████ felt these comments were inappropriate. He remembered being called a wet-back when he was younger and believed it was similar to being called a nigger, and he was uncomfortable.<sup>12</sup> On August 23, 2016, FTO Corter discussed the escape of an individual from the Cook County Sheriff’s Police with another officer and commented to PPO ██████████ “Some chimp ran away.”<sup>13</sup> PPO ██████████ stated that earlier the same day FTO Corter complained about being called to a car accident. A citizen asked for the police to be dispatched so they could make sure the parties had exchanged information correctly. FTO Corter said, “The Negroes have no common sense, so it’s not in their being.”<sup>14</sup> On an unspecified date, FTO Corter said, “Oh, look at these two niggling it out,” referring to their loud music.<sup>15</sup>

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<sup>4</sup> COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

<sup>5</sup> Attachment 15, Statement of PPO ██████████

<sup>6</sup> Attachment 15, page 6:1-3.

<sup>7</sup> Attachment 15, page 6:19-21.

<sup>8</sup> Case Incident Report number HZ391457, Attachment 25.

<sup>9</sup> Attachment 15, page 8:5-6.

<sup>10</sup> Attachment 15, page 12:12-16.

<sup>11</sup> Attachment 15, page 13:23-14:4.

<sup>12</sup> PPO ██████████ was not certain, but he mentioned that this may have occurred on August 19, 2016.

<sup>13</sup> Attachment 15, page 21:6-7. This particular evidence had been documented by PPO ██████████ on his cell phone.

<sup>14</sup> Attachment 15, page 25:20-21

<sup>15</sup> Attachment 15, page 22:6-7.

PPO ██████ contacted Sergeant Jorge Flores to get advice on how to handle the situation.<sup>16</sup> Sergeant Flores stated that he was going to open a CR<sup>17</sup> and reassured PPO ██████ that he was doing the right thing.<sup>18</sup> PPO ██████ expressed that he believed FTO Corter's comments were evil and negative thoughts, and were racist.<sup>19</sup> He also mentioned that all of the aforementioned comments were made while inside a police vehicle.

On August 26, 2016, PPO ██████ and FTO Corter were called back to the station by a lieutenant. The lieutenant told PPO ██████ that he would be working the desk for the rest of that day and probably the next day as well. Later, PPO ██████ received a call from Chief of Patrol George Devoroe who advised him that they wanted to get him out of 025 in case there were any ill feelings toward him. He was transferred back to the 19<sup>th</sup> District.

### **Sergeant Jorge Flores<sup>20</sup>**

On April 24, 2017, Sergeant Jorge Flores provided a statement to IPRA regarding the situation that occurred over several days, starting on or about August 14, 2016. Sergeant Flores is an Academy Sergeant, the head of the Body Worn Camera Training Team in his District, and the head of CPR Training for the Academy. PPO ██████ was assigned to one of Sergeant Flores' classes, and was in his homeroom. On August 19, 2016, Sergeant Flores submitted an initiation report to IPRA after he was contacted by PPO ██████ via text message. The message alleged that FTO Corter made racial slurs during their tours. Sergeant Flores was out of town at the time but called PPO ██████ to get more details. He was obligated to report it as a workplace related matter and mentioned that he did not personally know FTO Corter.

PPO ██████ told Sergeant Flores that FTO Corter made racial comments and called people blackies during their tour. All the offensive comments made by FTO Corter were directed at other people, not toward PPO ██████. Sergeant Flores told PPO ██████ that he would create a Complaint Register number for the investigation, and to wait for further information. On August 23, 2016, PPO ██████ contacted Sergeant Flores again and reported that FTO Corter was still making the same comments. Sergeant Flores submitted his report to IPRA pursuant the instruction of Lieutenant Sesso.

Sergeant Flores stated that he knew PPO ██████ to be a respectful young man who got along with everyone. He also stated PPO ██████ had a medical condition that they tried to deal with on occasion. Other than that, he did everything he was supposed to do.

### **PPO Guisepe Imburgia<sup>21</sup>**

On May 9, 2017, PPO Guisepe Imburgia provided a statement to IPRA. PPO Imburgia trained under FTO Corter for about four weeks in Spring 2016. PPO Imburgia stated that FTO

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<sup>16</sup> PPO ██████ contacted Sergeant Flores because he knew him from the Academy.

<sup>17</sup> Complaint Register.

<sup>18</sup> This occurred on August 23, 2016 per Attachment 6.

<sup>19</sup> PPO ██████ mentioned he also mentioned the situation to Investigator Martin Rios of the CPD in a hypothetical way. Investigator Rios recommended PPO ██████ discuss the situation with FTO Corter. PPO ██████ did not feel comfortable doing that because he was on probation at the time.

<sup>20</sup> Attachment 31, Statement of Sergeant Jose Flores.

<sup>21</sup> Attachment 37, Statement of PPO Guisepe Imburgia.

Cortez made a lot of comments, some derogatory, toward African Americans during their tours. FTO Cortez specifically used the word Negro and referred to people as Niggers. These comments and slurs were made in the police vehicle, never during a stop. He also recalled that FTO Cortez sent a PDT message regarding “ghetto dialect”;<sup>22</sup> PPO Imburgia was worried that he was going to get in trouble about the message. PPO Imburgia denied hearing some of the specific phrases identified in the allegations against FTO Cortez. PPO Imburgia never commented on the language because he did not want to say something that may reflect poorly on his evaluations. PPO Imburgia had a good relationship with FTO Cortez and did not have any other issues with him. He learned a lot from FTO Cortez but did not believe this behavior met the standards expected of a police officer.

### **PPO Timothy Kelly<sup>23</sup>**

On May 10, 2017 IPRA investigators interviewed PPO Timothy Kelly, who trained under FTO Cortez for about four weeks along with PPO Robert Kruzel in February-March of 2017.

PPO Kelly said he never heard FTO Cortez say anything derogatory regarding African Americans. He never heard FTO Cortez use the words Negro or Nigger, and never heard him refer to anyone as a crazy Negro or Blackie at any time. PPO Kelly never heard FTO Cortez make comments similar to those that were alleged. He never heard FTO Cortez say anything racially derogatory against African Americans, Hispanics or even white people. PPO Imburgia reported that FTO Cortez de-escalated situations well.

### **PPO Robert Kruzel<sup>24</sup>**

On May 12, 2017 IPRA investigators interviewed PPO Robert Kruzel, who trained under FTO Cortez for about four weeks along with PPO Timothy Kelly in February-March of 2017.

PPO Kruzel’s statement is consistent with that of PPO Kelly. He never heard FTO Cortez make derogatory remarks against African Americans and he never heard FTO Cortez make comments similar to those that were alleged.

### **FTO Darryl Cortez<sup>25</sup>**

On June 20, 2017, FTO Darryl Cortez provided a statement to IPRA regarding comments that he allegedly made over several days, starting on or about August 14, 2016. FTO Cortez had been a Field Training Officer for approximately four years. He trained probationary police officers, in three to five-week cycles, who had completed the academy training and were now performing duties on the streets.

On the dates in question, PPO [REDACTED] was assigned to FTO Cortez for what he believed to be PPO [REDACTED] second training cycle. They did not associate outside of work and maintained a professional, courteous relationship. Their daily conversations consisted of normal things, like how PPO [REDACTED] wanted to try boxing classes. FTO Cortez denied telling PPO [REDACTED] that if he wanted to “Motherfuck” somebody he had to express it inside the vehicle.

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<sup>22</sup> Attachment 37, page 16:24-26.

<sup>23</sup> Attachment 39, Statement of PPO Timothy Kelly.

<sup>24</sup> Attachment 41, Statement of PPO Robert Kruzel.

<sup>25</sup> Attachment 47, Statement of FTO Darryl Cortez.

FTO Corter also denied making the comments that were the basis of the allegations. FTO Corter told PPOs that while they were on the job, they were to remain professional at all times, whether responding to a traffic accident, a domestic or the mental health calls they get assigned to all the time. He also stated that he had worked in both predominantly white areas and black areas, where he treated everyone the same. FTO Corter maintained that there were no comments made about the race of people involved in any of the calls that they responded to.

PPO [REDACTED] was reassigned shortly after he filed his complaint about FTO Corter. FTO Corter reported that based on this complaint, FTO Corter was expected to attend a hearing before an FTO Panel. In preparation for the panel, FTO Corter solicited character references from previous Black PPOs he trained. FTO Corter provided these Character To/From Reports to Officer John Bernath, who ran the FTO program at the Academy.<sup>26</sup> The hearing before the FTO Panel was cancelled and FTO Corter received an email from Captain Pigget with the instruction that FTO Corter immediately be reinstated to train PPOs. FTO Corter reported that he was not assigned PPOs to train for approximately one and a half months following PPO [REDACTED] complaint. FTO Corter also stated that he was unaware of any issue PPO [REDACTED] was having with him until the day they were separated. As far as he knew, his relationship with PPO [REDACTED] had been fine.

#### **b. Documentary Evidence**

##### **Initiation Report<sup>27</sup>**

Sergeant Jorge L. Flores submitted an Initiation Report dated 22 August 2016. PPO [REDACTED] sent Sergeant Flores a text message, "I have a question if an FTO is making racial slurs while you work with him and its offensive can you get a new FTO." PPO [REDACTED] further reported to him that FTO Darryl Corter made statements along the lines of "Blackies" during their tours.

##### **Email from PPO [REDACTED] to IPRA<sup>28</sup>**

PPO [REDACTED] sent an email to IPRA on September 9, 2016, which outlined racist comments allegedly made by FTO Corter. He provided a date and time for two of the comments:

August 23, 2016 at 9:34 am, "some chimp ran away while talking to another PO when PO asked what happened."

August 23, 2016 at 10:47 am, "The negros have no common sense, it's not in there being responding to a traffic call."

##### **Original Case Incident Report<sup>29</sup>**

This report was written in relation to an incident on PPO [REDACTED] first day with FTO Corter. They responded to a call of a man who had not taken his medication and needed to be

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<sup>26</sup> FTO Corter agreed to send these To/From Reports to IPRA; see Attachments 49-51.

<sup>27</sup> Attachment 4

<sup>28</sup> Attachment 16

<sup>29</sup> Attachment 25

coaxed off a roof. The man was eventually convinced to come down and was taken to West Suburban Hospital for psychological evaluation.

### **Email regarding FTO Corter's supervision rights<sup>30</sup>**

On June 20, 2017, FTO Corter forwarded an email to IPRA. The original email, dated September 20, 2016, from Captain Pigott to FTO Darryl Corter and various other individuals stated, in short, that FTO Corter was to be assigned a PPO to train ASAP and that a final determination would be made at the end of the CR process, with a hearing being conducted if necessary.

### **Character References regarding FTO Darryl Corter**

FTO Corter mentioned in his interview that he asked three past PPOs to write character reference To/From Reports for him to present at his FTO Panel hearing. None of the To/From Reports are signed.

PO Emmanuel McKinnie wrote a To/From Report with a third person point of view. He wrote that PO McKinnie was an African American police officer who had the pleasure of being trained by FTO Corter during the summer of 2014. He described FTO Corter as being skilled in de-escalation, being well liked, and being one of the finest training officers in the CPD. He also stated that he could not recall a single instance where FTO Corter was disrespectful or unprofessional.<sup>31</sup>

PO Nolan Fletcher wrote a To/From Report that stated FTO Corter provided excellent training and displayed fairness, professionalism and impeccable character.<sup>32</sup>

PO Raymond Lockett wrote a To/From Report and stated that at no time did he feel threatened or misguided by FTO Corter while he trained under him. FTO Corter took the time to make sure he understood what he was being taught and that the CPD truly benefited by having FTO Corter instruct probationary officers.<sup>33</sup>

## **VI. LEGAL STANDARD**

For each Allegation COPA must make one of the following findings:

1. Sustained - where it is determined the allegation is supported by a preponderance of the evidence;
2. Not Sustained - where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;
3. Unfounded - where it is determined by clear and convincing evidence that an allegation is false or not factual; or

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<sup>30</sup> Attachment 48

<sup>31</sup> Attachment 49

<sup>32</sup> Attachment 50

<sup>33</sup> Attachment 51



4. Exonerated - where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

A **preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that the conduct occurred and violated Department policy. *See Avery v. State Farm Mutual Automobile Insurance Co.*, 216 Ill. 2d 100, 191 (2005), (a proposition is proved by a preponderance of the evidence when it has found to be more probably true than not). If the evidence gathered in an investigation establishes that it is more likely that the misconduct occurred, even if by a narrow margin, then the preponderance of the evidence standard is met.

**Clear and convincing evidence** is a higher standard than a preponderance of the evidence but lower than the "beyond-a-reasonable doubt" standard required to convict a person of a criminal offense. *See e.g., People v. Coan*, 2016 IL App (2d) 151036 (2016). Clear and Convincing can be defined as a "degree of proof, which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true." *Id.* at ¶ 28.

## VII. ANALYSIS

COPA finds **Allegation #1** against **FTO Darryl Corter**, that on August 14, 2016, between the hours of 5:30 AM and 2:30 PM, while inside a police vehicle responding to Event #1622704932, FTO Darryl Corter stated words to the effect of, "Another Negro being saved," in violation of Rule 2, is supported by a preponderance of the evidence and is **Sustained**.

The dispute in this case is whether FTO Corter used racially charged language to describe African Americans during his tours with PPO [REDACTED] FTO [REDACTED] provided six specific examples of when FTO Corter made comments that included racial slurs, two of which he documented with a date and time. PPO [REDACTED] allegations were supported by the sworn statement provided by PPO Guisepe Imburgia, who also said he heard FTO Corter use the words Negro and Nigger while on tour.

FTO Corter said in his sworn statement that he never made comments about the race of people involved in the calls that he and PPO [REDACTED] responded to. He also categorically denied making any of the comments that served as the basis of the allegations against him, and he denied ever using derogatory words when referring to African Americans. FTO Corter attempted to support this claim when he submitted three character references provided to him by former PPOs. These character references, however, are unconvincing because they were all written by African American PPOs; it is unlikely FTO Corter would have used the racial slurs in their presence. Similarly, the statements from PPOs Kelly and Kruzel that denied that they ever heard FTO Corter make denigrating racial comments are unpersuasive; FTO Corter trained PPOs Kelly and Kruzel after he was on notice that he was under investigation for using inappropriate racial language.<sup>34</sup>

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<sup>34</sup> COPA is encouraged that subsequent PPOs trained by FTO Corter did not report being subjected to inappropriate language. COPA considered this information when recommending discipline.

Because there is credible witness corroboration that FTO Corter used racial slurs while on duty, it is more likely than not that he made the comments as alleged by PPO [REDACTED]

COPA finds **Allegation #2** against **FTO Darryl Corter**, that on August 14, 2016, between the hours of 5:30 AM and 2:30 PM, while inside a police vehicle, after hearing police calls on the radio, FTO Darryl Corter stated words to the effect of, "Another crazy Negro, some blacky," in violation of Rule 2, is supported by a preponderance of the evidence and is **Sustained**.

The analysis for Allegation #2 is consistent with the analysis for Allegation #1.

COPA finds **Allegation #3** against **FTO Darryl Corter**, that that on August 9, 2016, between the hours of 5:30 AM and 2:30 PM, while inside a police vehicle, FTO Darryl Corter stated words to the effect of, "Well, people probably think I'm a nigger cause I have a Benz," in violation of Rule 2, is supported by a preponderance of the evidence and is **Sustained**.

The analysis for Allegation #3 is consistent with the analysis for Allegation #1.

COPA finds **Allegation #4** against **FTO Darryl Corter**, that on August 23, 2016, at approximately 9:34 AM, while parked in the 025th District Station parking lot, FTO Darryl Corter stated words to the effect of, "Some chimp ran away," in violation of Rule 2, is supported by a preponderance of the evidence and is **Sustained**.

The analysis for Allegation #4 is consistent with the analysis for Allegation #1.

COPA finds **Allegation #5** against **FTO Darryl Corter**, that on August 23, 2016, at approximately 10:47 AM, while responding to a traffic accident, Event #1623604804, FTO Darryl Corter stated words to the effect of, "It's common sense, but the Negroes don't have common sense, it's not in their being," in violation of Rule 2, is supported by a preponderance of the evidence and is **Sustained**.

The analysis for Allegation #5 is consistent with the analysis for Allegation #1.

COPA finds **Allegation #6** against **FTO Darryl Corter**, that on an unknown date and time, while inside a police vehicle, FTO Darryl Corter stated words to the effect of, "Oh look at these two niggering it out," in violation of Rule 2, is supported by a preponderance of the evidence and is **Sustained**.

The analysis for Allegation #6 is consistent with the analysis for Allegation #1.

## **VII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS**

### **a. Sergeant Darryl Corter**

#### **i. Complimentary and Disciplinary History**

##### **Complimentary History**

Problem Solving Award, 1  
Democratic National Convention Award, 1  
Attendance Recognition Award, 4  
Presidential Election Deployment Award 2008, 1  
Honorable Mention, 59  
Department Commendation, 6  
2004 Crime Reduction Ribbon, 1  
Complimentary Letter, 11  
NATO Summit Service Award, 1  
2009 Crime Reduction Award, 1

### **Disciplinary History**

None.

## **ii. Recommended Penalty, by Allegation**

### **1. Allegation No. 1**

COPA recommends that Sergeant Corter receive a two-day suspension for his on-duty use of inappropriate, racial language.

### **2. Allegation No. 2**

COPA recommends that Sergeant Corter receive a two-day suspension for his on-duty use of inappropriate language and racial slurs.

### **3. Allegation No. 3**

COPA recommends that Sergeant Corter receive a two-day suspension for his on-duty use of inappropriate language and racial slurs.

### **4. Allegation No. 4**

COPA recommends that Sergeant Corter receive a two-day suspension for his on-duty use of inappropriate language and racial slurs.

### **5. Allegation No. 5**

COPA recommends that Sergeant Corter receive a two-day suspension for his on-duty use of inappropriate, racial language.

### **6. Allegation No. 6**

COPA recommends that Sergeant Corter receive a two-day suspension for his on-duty use of inappropriate language and racist slurs.

## VIII. CONCLUSION

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

Officer	Allegation	Finding / Recommendation
Sergeant (FTO) Darryl Corter	1. It is alleged that on 14 Aug 16, between the hours of 5:30 AM and 2:30 PM, while inside a police vehicle responding to Event #1622704932, FTO Darryl Corter stated words to the effect of, "Another Negro being saved", in violation of Rule 2.	SUSTAINED / 2-Day Suspension
	2. It is alleged that on 14 Aug 16, between the hours of 5:30 AM and 2:30 PM, while inside a police vehicle, after hearing police calls on the radio, FTO Darryl Corter stated words to the effect of, "Another crazy Negro, some blacky", in violation of Rule 2.	SUSTAINED / 2-Day Suspension
	3. It is alleged that on 19 Aug 16, between the hours of 5:30 AM and 2:30 PM, while inside a police vehicle, FTO Darryl Corter stated words to the effect of, "Well, people probably think I'm a nigger 'cause I have a Benz", in violation of Rule 2.	SUSTAINED / 2-Day Suspension
	4. It is alleged that on 23 August 16, at approximately 9:34 AM, while parked in the 025th District Station parking lot, FTO Darryl Corter stated words to the effect of, "Some chimp ran away", in violation of Rule 2.	SUSTAINED / 2-Day Suspension
	5. It is alleged that on 23 August 16, at approximately 10:47 AM, while responding to a traffic accident, Event #1623604804, FTO Darryl Corter stated words to the effect of, "It's common sense, but the Negros don't have common sense, it's not in their being", in violation of Rule 2.	SUSTAINED / 2-Day Suspension
	6. It is also alleged that on an unknown date, and time, while inside a police vehicle, FTO Darryl Corter stated words to the effect of, "Oh look at these two niggling it out", referring to two black males who were seated in a vehicle, in violation of Rule 2.	SUSTAINED / 2-Day Suspension

Approved:



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Angela Hearts-Glass  
Deputy Chief Administrator

12-13-19

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Date

Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	2
<b>Investigator:</b>	Frances Lee
<b>Supervising Investigator:</b>	Sherry Daun
<b>Deputy Chief Administrator:</b>	Angela Hearts-Glass