

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

**I. EXECUTIVE SUMMARY**

Date of Incident:	October 5, 2016; July 16, 2016; Between April 1, 2015 and July 31, 2016
Time of Incident:	6:00 p.m.; Unknown; Unknown
Location of Incident:	3151 W. Harrison, Chicago, IL; 3151 W. Harrison, Chicago, IL; 1900 W. Jackson, Chicago Illinois
Date of COPA Notification:	October 5, 2019

Officers [REDACTED] and Robert Gorzelanny had an intimate relationship for approximately six months. The relationship ended in July 2015 after Officer [REDACTED] and discovered that Officer Gorzelanny was intimately involved with other women. They avoided each other while at work but Officer Gorzelanny harassed her between April 1, 2015 and July 31, 2016. Officer Gorzelanny laughed at her, stared at her, and verbally abused her. Officer [REDACTED] was hesitant to file a complaint until October 5, 2016, when Officer Gorzelanny stated, “You’re a fucking loser. Yeah, you heard me,” in the 011<sup>th</sup> District Parking Lot. COPA finds that the allegations are Sustained.

**II. INVOLVED PARTIES**

Involved Officer #1:	Robert Gorzelanny, Jr, Star #20556, Employee # [REDACTED], DOA: October 5, 2012; Detective, Unit 630; DOB: [REDACTED] 1981; Male; White.
Involved Officer #2:	[REDACTED] Star # [REDACTED], Employee # [REDACTED], DOA: December 12, 2012; Officer; Unit 011/142, DOB: [REDACTED] 1981, Female, Asian Pacific Islander.
Involved Officer #3:	David Del Pilar, Star #1616, Employee # [REDACTED], DOA; September 01, 2012, Sergeant, Unit 024, DOB: [REDACTED] 1971, Male, White Hispanic.

<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.

Involved Officer #4:	Elvis Espinoza, Star #21106, Employee # [REDACTED], DOA: November 30, 2012, Detective; Unit 630, DOB: [REDACTED], 1985, Female, White Hispanic.
Involved Officer #5:	Keith Karczewski, Star #18329, Employee # [REDACTED], DOA: October 10, 2000, Officer, Unit 011/059, DOB: [REDACTED], [REDACTED], 1969, Male, White.
Involved Officer #6:	George Howe III, Star #20576, Employee # [REDACTED], DOA: October 05, 2012, Detective, Unit 630, DOB: [REDACTED], 1976; Male White.
Involved Officer #7:	Denise Montalvo, Star #13864, Employee # [REDACTED], DOA: August 31, 2012, Officer, Unit 011, DOB: [REDACTED], 1982; Female, White Hispanic.
Involved Officer #8:	Rachel Drizner, Star #20955, Employee # [REDACTED], DOA: November 30, 2012, Detective, Unit 630, DOB: [REDACTED], [REDACTED], 1986, Female, White.
Involved Officer #9:	Scott Slechter, Star #1462, Employee # [REDACTED], DOA: March 05, 2013, Sergeant, Unit 189, DOB: [REDACTED] 1971; Male, White.
Involved Officer #10:	Timothy Whitmer, Star #21462, Employee # [REDACTED], DOA: March 05, 2013, Detective, Unit 610, DOB: [REDACTED], 1987, Male, White.

**III. ALLEGATIONS**

Officer	Allegation	Finding / Recommendation
Detective Robert Gorzelanny, #20556, Unit 630	1. It is alleged that on or about October 5, 2016, at approximately 6:00 p.m., at or near the parking lot of the 011 <sup>th</sup> District Station, located at 3151 W. Harrison, the accused stated words to the effect of, “You’re a fucking loser. Yeah, you heard me,” to Officer [REDACTED] in Violation of Rule 2, 8, and 9.	Sustained / 10-day Suspension
	2. It is alleged that on or about July 16, 2016, at an unknown time, at or near the processing area of the 011 <sup>th</sup> District Station, located at 3151 W. Harrison, the accused looked in the direction of [REDACTED] and stated words to	Sustained / 10-day Suspension

<p>the effect of, “I can fucking smell her ass,” in Violation of Rules 2, 8, and 9.</p>	
<p>3. It is alleged that between approximately April 1, 2015, and July 31, 2016, at unknown times, at various locations, including at or near the front desk of the 011<sup>th</sup> District, located at 3151 W. Harrison, at or near the 011<sup>th</sup> District hallways and common areas, and at or near Malcolm X College, located at 1900 W. Jackson, the accused harassed Officer ██████████ ██████████ in that he stared at her, glared at her, and/or laughed at her, in Violation of Rules 2, 8, and 9.</p>	<p>Sustained / 10-day Suspension</p>

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**IV. APPLICABLE RULES AND LAWS**

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Rules

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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 or off duty.
  3. Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

**V. INVESTIGATION**

**a. Interviews**

In a statement to IPRA on February 10, 2017, Officer ██████████ ██████████ stated that prior to June 17, 2015, she was involved in what she thought was an exclusive dating relationship with Officer Robert Gorzelanny, a fellow 011<sup>th</sup> District officer assigned to the Robbery Team.<sup>3</sup> Officer ██████████ ██████████. On June 17, 2015, Officer ██████████ received a telephone call from Officer ██████████ ██████████ informing her that Officer Gorzelanny was sexually involved with both herself, and another woman named ██████████

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<sup>2</sup> Att. 7 and 11.

<sup>3</sup> Officer Gorzelanny was promoted to the rank of Detective in April 2017. He will be referred to as Officer Gorzelanny, the rank he held at the time of these alleged incidents, throughout this summary.

██████████<sup>4</sup> The women realized that Officer Gorzelanny dated the three of them at the same time without telling them.<sup>5</sup> This discovery prompted Officer ██████████ to end her relationship with Officer Gorzelanny. Officer ██████████ stated that she texted Officer Gorzelanny once after ending the relationship, but other than this one text, she made a “conscious effort to stay away” from Officer Gorzelanny.<sup>6</sup> Officer ██████████ did not speak to Officer Gorzelanny and remained professional at work. However, shortly after June 17, 2015, Officer Gorzelanny did not act professionally toward Officer ██████████ who tired of his harassment and made this complaint on October 5, 2016.

Officer ██████████ stated that on an unknown date in July 2015, she was assigned to the 011<sup>th</sup> District Desk. Officer ██████████ sat facing the Harrison Street entrance of the 011<sup>th</sup> District lobby when Officer Gorzelanny came to the desk area and glared at her as he used the telephone. Officer Gorzelanny stood approximately six to seven feet from Officer ██████████ who remained seated. Officer ██████████ did not initially look at Officer Gorzelanny, as was her custom, to avoid confrontation. However, she could feel him staring at her. She glanced at him twice during the approximately ten minutes that he was at the desk on the telephone and found him glaring at her both times.

Officer ██████████ found this action to be harassing, adding that there were multiple other telephones in the 011<sup>th</sup> District Station that he could utilize, and these telephones are very public, causing staff avoid using them due to the lack of privacy. Officer ██████████ did not know whom Officer Gorzelanny called and did not hear his conversation. Officer ██████████ stated that she approached Sergeant Del Pilar about Officer Gorzelanny being at the desk but did not pose it to him as a complaint. Officer ██████████ stated that she was hesitant to register a complaint because she did not want to face the backlash that comes with filing a formal complaint on a fellow officer. Sergeant Del Pilar confirmed to Officer ██████████ that he saw Officer Gorzelanny on the phone at the desk.

After the July 2015 incident, Officer ██████████ stated that she informally spoke with Sergeant Scott Slechter, Officer Gorzelanny’s direct supervisor. Officer ██████████ did not want to file a formal complaint against Officer Gorzelanny and requested that Sergeant Slechter tell Officer Gorzelanny to stay away from her. Officer ██████████ did not think Officer Gorzelanny’s actions at that time rose to the level of misconduct and thought that it was a one-time event since their breakup was still relatively fresh. Officer ██████████ stated that she did not think Sergeant Slechter was aware of the history between herself and Officer Gorzelanny, and she did not explain their involvement to him. Officer ██████████ described Sergeant Slechter as receptive, and she believed that he spoke to Officer Gorzelanny, because there were no further incidents with Officer Gorzelanny until 2016 at the Bernstein Detective Review Class at Malcolm X College.

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<sup>4</sup> On June 17, 2015, Ms. ██████████ made allegations against Officer Gorzelanny that IPRA investigated under Log #1075881. Officer ██████████ was interviewed as a witness in this investigation. See Attachment #6. Although this investigation is mentioned for context and because it is discussed by the witnesses throughout this report, COPA did not consider this investigation in any way when coming to its findings.

<sup>5</sup> Officer ██████████ and Officer Gorzelanny married in late 2015.

<sup>6</sup> Att. 11 at 7.

The Bernstein Detective Review Class at Malcolm X College ran from approximately February 2016 through early May 2016. The Detective Exam was given on May 6, 2016. The classes were held in a large tiered auditorium at Malcolm X College with approximately two hundred to three hundred police officers in attendance. These classes that were held every weekend on both Saturday and Sunday. Although the auditorium was very large and did not lack seats, Officer Gorzelanny typically sat three rows behind Officer ██████ and three seats to her right. Officer ██████ immediately wondered why he sat three rows behind her when there were hundreds of seats to pick from. Officer ██████ stated that she sat approximately fifteen rows from the very last row, putting Officer Gorzelanny in the twelfth row from the back. Although Officer Gorzelanny never spoke with her directly during these classes, she stated that he stared at her often, especially when they were dismissed for breaks or dismissed at the end of the day. Officer ██████ estimated that Detective Gorzelanny stared at her every weekend, and it made her uncomfortable.

On approximately April 9 or 10, 2016, at approximately 10:30 a.m. upon returning from a break, Officer Drizner was seated with Officer ██████ at the Bernstein Detective class, when Officer Gorzelanny looked directly at her as he walked up the stairs to his seat. Officer Gorzelanny continued to stare at her as he passed her and laughed at her. Officer ██████ asked Officer Drizner if she saw what had just happened. Officer Drizner advised her to ignore Officer Gorzelanny.

Additionally, Officer ██████ stated that Officer Gorzelanny stared at her on at least thirty separate occasions between August 1, 2015 and July 31, 2016, while at the 0011<sup>th</sup> District police station.<sup>7</sup> Officer ██████ stated that Officer Karczewski observed some of Officer Gorzelanny's behavior and told her that he was acting improperly and like a child. Officer ██████ also stated that her friends, Officer Rachel Drizner and Officer Denise Montalvo, heard things and were witnesses to certain incidents. On April 23, 2016, at an unspecified time, Officer Gorzelanny walked toward Officer ██████ as she entered the 011<sup>th</sup> District's back door and stared at her, again making her uncomfortable. As Officer ██████ checked her phone to ignore Officer Gorzelanny, he stepped into her path and chuckled at her, forcing her to walk around him. Officer Gorzelanny also raised his hands up and then slapped them against his thighs as he stepped into her direct routes and began laughing loudly. Officer ██████ thought that Officers Karczewski, Howe and Espinoza were nearby inside the processing room. Officer ██████ stated that Officer Gorzelanny continued to laugh loudly after she passed him, prompting her to turn back to him and tell him that he had "serious mental problems" and calling him "a fucking sociopath."<sup>8</sup> Officer ██████ then heard Officer Howe say words to the effect of "that's your friend" to Officer Gorzelanny.<sup>9</sup>

On July 16, 2016, at an unspecified time during the third watch, Officer Gorzelanny exited the sergeant's office in the 011<sup>th</sup> District, which is right next to the processing room. Officer ██████ was seated at the first computer inside the processing room, the one closest to the hallway door. Officer ██████ recognized Officer Gorzelanny's voice and did not look in his direction in the hall until he stated, "I can smell her ass from here," as he walked by.<sup>10</sup> Officer ██████ could not see who was walking in front of or behind Officer Gorzelanny but knew the comment was

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<sup>7</sup> Officer ██████ stated that she thought this was a possible means of intimidation regarding her appearing as a witness in Log #1075881.

<sup>8</sup> Id. at 43.

<sup>9</sup> Id.

<sup>10</sup> Id. at 60.

directed at her since she was within five feet of the doorway that Officer Gorzelanny walked past as he spoke. Officer ██████ did not recall whom she was with on July 16, 2016 and assumed Officer Howe was with Officer Gorzelanny because they were partners.

Officer ██████ stated that on October 5, 2016, at approximately 6:00 p.m., in the rear parking lot of the 011<sup>th</sup> District Station, Officer Gorzelanny looked at her as she walked past him and pushed his head forward as he stated, “You’re a fucking loser, yeah, you heard me.”<sup>11</sup> Officer ██████ was approximately ten feet from the rear District doors talking with Officers Elvis Espinoza and Keith Karczewski, both members of the Robbery Team, when she observed Officer Gorzelanny approaching with his partner, Officer George Howe. Officer ██████ stated that she began to walk away and into the station to avoid any confrontation with Detective Gorzelanny. Officer ██████ related that she habitually avoided any contact with Officer Gorzelanny so she would leave or walk away if she saw him. Officer Gorzelanny faced Officer ██████ and stood within five feet of her, Officer Espinoza, and Officer Karczewski when he called her a “fucking loser.” Officer ██████ said nothing to Officer Gorzelanny and described herself as “shaking,” while Officer Gorzelanny continued to turn around and look at her. Officer ██████ walked to an area outside the 011<sup>th</sup> District where there is an air vent, because Officer ██████ did not want anyone to see her crying.

After a few minutes, Officer ██████ calmed down and exited the area by the air vent. She encountered her friend, Officer Timothy Whitmer. Officer ██████ was crying and told Officer Whitmer that it was not a good time before entering the station and seeking out Sergeant Del Pilar. Officer ██████ who later told Officer Whitmer about the incident in the parking lot, stated that she could no longer tolerate Officer Gorzelanny’s behavior and felt that she needed to do something about it. Officer ██████ did not speak with Officer Espinoza about the incident but did speak with Officer Karczewski, who told her that he did not know what Officer Gorzelanny said exactly but knew that he said something. Sergeant Del Pilar instructed Officer ██████ to write a To-From Report. Officer ██████ stated that she had kept notes in her phone from earlier incidents with Officer Gorzelanny and referenced those for her report.

Officer ██████ stated that the culmination of these past incidents made her finally seek out Sergeant Del Pilar and file a complaint. Officer ██████ stated that after she registered her complaint, she did not see Officer Gorzelanny in the 011<sup>th</sup> District until he left in January 2017 to go to the Detective Training Academy. Officer ██████ felt that her complaint had the desired effect of forcing Officer Gorzelanny to leave her alone.<sup>12</sup>

In a statement on July 7, 2017, **Sergeant Scott Slechter**<sup>13</sup> stated that he was assigned to the 011<sup>th</sup> District for approximately seven months in 2015, from June 2015 to approximately January 2016. During that seven-month period, Sergeant Slechter was assigned to the general third watch, supervising Officer ██████ and the Robbery Team, including Officers Gorzelanny, Howe,

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<sup>11</sup> Id. at 8.

<sup>12</sup> In April 2016, Officer ██████ also received anonymous texts about Officer ██████ but did not think these were generated by Officer Gorzelanny. Officer ██████ also heard rumors that Officer Gorzelanny sent a letter to the Department alleging that she abused medical time ██████. However, Officer ██████ was never questioned or contacted by the Department regarding this. Therefore, this allegation was not given.

<sup>13</sup> Att. 27 and 36.

Karczewski, and Espinoza. Sergeant Slechter stated that he was not aware that Officer ██████ and Detective Gorzelanny dated until after someone told him that they had broken up. Sergeant Slechter stated that it was well known throughout the 011<sup>th</sup> District that Officers Gorzelanny and ██████ did not like each other after their breakup; however, he never observed them interact after their breakup.

Upon further inquiry, Sergeant Slechter stated that he did not involve himself in the personal lives of officers and cited his poor memory and the two-year period since being in the 011<sup>th</sup> District as the reason for his lack of information regarding conversations with Officer ██████. Sergeant Slechter had no specific recollection of Officer ██████ approaching him regarding Officer Gorzelanny but conceded that Officer ██████ “probably did talk to me, and I probably did talk to Gorzelanny about it too.”<sup>14</sup> Sergeant Slechter did not recall discussing this situation with Sergeant Del Pilar or any other Department personnel. Sergeant Slechter stated that had Officer ██████ requested to make a formal complaint, he would have done so.<sup>15</sup>

In a statement on July 19, 2017, **Sergeant David Del Pilar**<sup>16</sup> stated that he was assigned to the 011<sup>th</sup> District as a sergeant beginning in November 2013. Within six months of his arrival, Sergeant Del Pilar was exclusively assigned to the desk. Sergeant Del Pilar was familiar with both Officers ██████ and Gorzelanny, because they were both on the third watch in the 011<sup>th</sup> District. Sergeant Del Pilar stated that he was told of the relationship between Officers ██████ and Gorzelanny by Officer ██████ when she told him ██████. Sergeant Del Pilar did not recall how he became aware that the two broke up. Sergeant Del Pilar noted that both officers had different start times, and he believed this was implemented to keep them from seeing each other but could provide no proof or documentation of this theory.

Sergeant Del Pilar stated that prior to October 5, 2016, Officer ██████ did not come to him with a complaint or seeking advice about Officer Gorzelanny. He further stated that no officers informed him of any issues between Officer Gorzelanny and Officer ██████. Sergeant Del Pilar never observed any interactions between them. He stated that he believed that it must be difficult for the two officers to be working together, but he was not aware of any specific issues. Sergeant Del Pilar also stated that he did not have any conversations with Officer Gorzelanny about the situation with Officer ██████.

Sergeant Del Pilar recalled that Officer Drizner once referred to Officer Gorzelanny as a “jerk,” but that was the extent of her comments regarding him.<sup>17</sup> When questioned about the July 2015 incident at the 011<sup>th</sup> District Desk, Sergeant Del Pilar stated that Officer ██████ had not discussed it with him. After being provided a summary of Officer ██████ allegation that Officer Gorzelanny used the district phone to harass her, Sergeant Del Pilar stated that he was not present but found it unusual for an officer to make calls from the District Desk because it was not private and the assigned desk officers had to answer those phones when they rang. While there was a third

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<sup>14</sup> Att. 36 at 9.

<sup>15</sup> Upon further inquiry, Sergeant Slechter stated that he would have to consult Department Policy because he was unfamiliar with when he should register a complaint register when allegations or situations were brought to him. COPA did not bring allegations against Sergeant Slechter for failing to initiate a Complaint Register Number.

<sup>16</sup> Att. 30 and 37.

<sup>17</sup> Att. 37 at 14.

phone for felony review at the district desk, Sergeant Del Pilar reiterated that this phone was also rarely used by officers.

Sergeant Del Pilar completed an initiation report on behalf of Officer ██████ on October 5, 2016. Sergeant Del Pilar stated that when Officer ██████ approached him she was visibly upset and crying. Officer ██████ related that this was not the first incident and it was going on for a while. Sergeant Del Pilar had Officer ██████ write a To-From Report when she came to him on October 5, 2016, so there would be an accurate record of her allegations in her own words.

In a statement on May 10, 2016, **Officer Elvis Espinoza**<sup>18</sup> acknowledged that he worked on the 011<sup>th</sup> District Robbery Team with Officer Gorzelanny and worked on third watch with Officer ██████<sup>19</sup> Officer Espinoza described himself as friends with Officers Gorzelanny and Howe from the Robbery Team, while only friendly with Officers ██████ and Karczewski, his Robbery Team partner. Officer Espinoza stated that he was aware that there was an intimate relationship between Officers Gorzelanny and ██████ but did not think that they were dating or would identify each other as boyfriend/girlfriend, adding that he only found out about the relationship after they broke up. Officer ██████ was involved in an investigation<sup>20</sup> post breakup against Officer Gorzelanny. Subsequently, it appeared to Officer Espinoza that Officers Gorzelanny and ██████ avoided each other in the 011<sup>th</sup> District, adding that when they did see each other in the hall, they would “cross paths and look away.”<sup>21</sup>

Officer Espinoza stated that Officer Gorzelanny did tell him that a superior officer told him to avoid Officer ██████ but Officer Espinoza could provide no further information regarding this. Officer Espinoza stated that he never observed any instances of harassment, name calling, staring, verbal abuse, or mistreatment of Officer ██████ at the 011<sup>th</sup> District or the Bernstein Detective Class at Malcolm X College. Officer Espinoza noted instances when Officer Gorzelanny did not enter a room where Officer ██████ was or waited until she had left a room so they would not come into contact. Officer Espinoza stated that Officer Gorzelanny seemed more concerned about avoiding Officer ██████ because of the previous investigation rather than the breakup.

Officer Espinoza stated that he had no recollection of the October 5, 2016, incident and did not recall speaking with Officers ██████ and Karczewski in the 011<sup>th</sup> District Parking Lot when Detective Gorzelanny verbally abused Officer ██████ Officer Espinoza stated that it was highly unlikely for him to have been in conversation with both officers at the same time. When asked why he was named as a witness to these incidents and specifically why he was placed as being within two feet of Officer ██████ when Officer Gorzelanny verbally abused her on October 5, 2016, Officer Espinoza stated that he thought he was named because he was a member of the Robbery Team and worked closely with Office Gorzelanny.

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<sup>18</sup> Att. 20 and 34.

<sup>19</sup> Officer Espinoza was promoted to the rank to Detective in February 2017. He will be referred to as Officer Espinoza, the rank he held at the time of the alleged incidents.

<sup>20</sup> Log #1075881

<sup>21</sup> Att. 34 at 25.



In a statement on May 11, 2017, **Officer Keith Karczewski**<sup>22</sup> stated that he was on the Robbery Team with Officers Gorzelanny, Howe and Espinoza, whom he described as acquaintances, for approximately fourteen months, from late 2015 through 2016. Officer Karczewski stated that he does not like to socialize with fellow police officers because they only talk about work. Officer Karczewski described himself as a friend of Officer ██████ explaining that they were friends on social media and speak on the telephone. Officer Karczewski stated that he was surprised to learn that Officers Gorzelanny and ██████ were in a sexual relationship and only became aware of it when Officer Gorzelanny told him that Officer ██████ in May 2015. Officer Karczewski related that Officer Gorzelanny never mentioned his relationship with Officer ██████ during their many hours of work together on the Robbery Team.

After the breakup, Officers Gorzelanny and ██████ seemed to avoid each other. Officer Karczewski rarely, if ever, saw them near each other. Officer Karczewski stated that he never witnessed Officer Gorzelanny verbally or physically harass Officer ██████ but Officer ██████ told him that she “wanted it all to just end.”<sup>23</sup> Upon further inquiry, Officer Karczewski stated that Officer ██████ told him that Officer Gorzelanny was “badgering her.”<sup>24</sup> Officer ██████ told him that Officer Gorzelanny had harassed her in the hallways. He specifically recalled an incident where he was inside a processing room with Officer Espinoza, when he heard “this big laugh, like obnoxious laugh” that came from the hallway.<sup>25</sup> Officer ██████ later told him that Officer Gorzelanny laughed at her as they passed in the hallway outside the processing room. Officer Karczewski did not hear Officer ██████ tell Officer Gorzelanny that he was a sociopath or that he had mental problems, but she later told him that she had said that. He related that this incident was after June 2015 but could provide no further context for when this took place. Officer Karczewski stated he was not told about a different incident that occurred in the processing room on July 16, 2016.

Prior to October 5, 2016, Officer ██████ informed Officer Karczewski that she asked one of the sergeants to speak with Officer Gorzelanny about leaving her alone. During this time frame, Officer Karczewski related that he also spoke to Officer Gorzelanny and told him to just let it go and forget about Officer ██████ whom Officer Gorzelanny thought caused him problems by participating in a previous investigation. Officer Karczewski also recalled instances where Officer Gorzelanny was in conversation with Officer Howe in the front seat of the Robbery Team vehicle and “[made] disparaging comments, but he never really said her [Officer ██████ by name.”<sup>26</sup> Officer Karczewski heard Officer Gorzelanny say, “Fuck that bitch,” and assumed it was about Officer ██████<sup>27</sup> Officer Karczewski related that Officer Gorzelanny knew that he was friends with Officer ██████ so he would not talk about her by name in front of him. While Officer Karczewski did not attend the Bernstein Detective Class at Malcolm X College in 2016, Officer ██████ told him that Officer Gorzelanny made a point to sit a few rows behind her and point at her while making derogatory comments. Officer Karczewski did not recall what the derogatory comments were.

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<sup>22</sup> Att. 21 and 32

<sup>23</sup> Att. 32 at 16.

<sup>24</sup> Id.

<sup>25</sup> Id. at 17.

<sup>26</sup> Id. at 14.

<sup>27</sup> Id.

Officer Karczewski stated that on October 5, 2016, he was in the parking lot of the 011<sup>th</sup> District, walking away from the station and toward the Robbery Team vehicle. Officers Gorzelanny, Howe and Espinoza were three to four feet behind Officer Karczewski, who had the keys to the car and walked slightly ahead of them. The four members of the Robbery Team were all within two to three feet of each other. Officer ██████ stood by the wall near the back door. Approximately fifty to sixty feet past the brick wall, Officer Karczewski heard Officer Gorzelanny say, “You fucking cunt,” loud enough for Officer ██████ to hear it.<sup>28</sup> Officer Karczewski told Officer Gorzelanny to grow up and Officer Gorzelanny agreed with him. Upon further inquiry, Officer Karczewski stated that Officer Gorzelanny could have said “fucking loser” instead of “fucking cunt.” Because he walked ahead with the keys, Officer Karczewski described himself as an auditory witness and stated he did not see the body language or gestures made by Officer Gorzelanny. Later that night, Officer ██████ spoke with Officer Karczewski and told him that she had registered a complaint.

In a statement on May 19, 2017, **Officer George Howe III**<sup>29</sup> stated that he was on the Robbery Team in 011<sup>th</sup> District for approximately four years.<sup>30</sup> He described himself as a close friend of Officers Gorzelanny and Espinoza, and a friend of Officer Karczewski. Officer Howe stated that he was aware of a “sexual fling” between Officers Gorzelanny and ██████ that began at a barbeque he attended.<sup>31</sup> When Officer Gorzelanny spoke to him about it, Officer Howe stated that he cut him off and told him that he did not want to hear about it, adding that he despises workplace relationships because they inevitably end, leaving a tense and negative workplace. Officer Howe stated that the entire district knew something happened between Officers Gorzelanny and ██████ following their breakup in June 2015, adding that he directed curious coworkers to speak with Detective Gorzelanny instead of asking him about it.

In June 2015, while in the Education and Training Academy for CIT (Crisis Intervention Training), a visibly distraught and crying Officer ██████ approached him and asked if he knew that Officer Gorzelanny had a girlfriend and inquired about her. Officer Howe stated that he was surprised and listened to Officer ██████ who asked him how he could remain a friend of Officer Gorzelanny. He related that he and Officer Gorzelanny never spoke in depth about Officer ██████ or what had happened.<sup>32</sup>

Officer Howe stated that Officers Gorzelanny and ██████ avoided each other, adding that third watch officers seemed to choose sides, favoring either Officer Gorzelanny or ██████. Officer Howe also recalled Officer Gorzelanny telling him that their robbery sergeant had advised him to stay away from Officer ██████ immediately prior to starting Detective School on January 2, 2017. Officer Howe attended the Bernstein Detective Class in 2016, often sitting with Officer Gorzelanny in the back row of the auditorium. He recalled Officer ██████ typically sitting approximately ten

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<sup>28</sup> Id. at 25.

<sup>29</sup> Att. 22 and 38

<sup>30</sup> Officer Howe III was promoted to Detective in February 2017. However, he will be referred to as Officer, the rank he held in the 11<sup>th</sup> District at the time these incidents were alleged to have occurred.

<sup>31</sup> Att. 38 at 19.

<sup>32</sup> Id. at 22.

rows in front of them. Officer Howe stated that he did not witness any interactions between them, adding that he was focused on learning and did not pay attention to the activities of others.

In Fall 2016, Officer Howe called Officer ██████ to confront her about rumors going around the 011<sup>th</sup> District. Officer Howe heard that Officer ██████ was saying that he was verbally abusive to her and calling her profane names. Officer ██████ denied saying this. Officer Howe believed her and cut their conversation off when Officer ██████ began to talk about Officer Gorzelanny's dating life and his treatment of her when they were involved. According to Officer Howe, he and Officer ██████ agreed to stay away from each other in the 011<sup>th</sup> District. Officer Howe stated that he did not witness Officer Gorzelanny stare, laugh at, step into the path of, or verbally abuse Officer ██████ adding that he personally avoided Officer ██████ due to the tension from her breakup with Officer Gorzelanny.

On October 5, 2016, Officer Howe recalled that he walked fifteen feet ahead of Officers Gorzelanny, Espinoza, and Karczewski as they walked from their vehicle in the parking lot of the 011<sup>th</sup> District toward the building. Officer Howe passed Officer ██████ in the middle of the parking lot as she walked away from the building and he walked toward it. Officer Howe did not see or hear any interaction between Officers Gorzelanny and ██████ adding that he thought he was going through the door when they encountered each other. Officer Howe repeatedly stated that his back was turned away from Officers ██████ and Gorzelanny and he saw nothing. When questioned why he was named as a witness to almost every instance of harassment alleged by Officer ██████ Officer Howe related that he was Officer Gorzelanny's partner and was typically in the area doing work but not directly next to him or monitoring his behavior.

In a statement on July 2, 2019, **Officer Timothy Whitmer**<sup>33</sup> stated that he is friends with Officer ██████ and was friends with Officer Gorzelanny when they both started in 2013 but now considers him an acquaintance. He described his relationship to Officers Espinoza, Howe, and Karczewski as acquaintances. Officer Whitmer stated that in 2015 it was public knowledge in the 011<sup>th</sup> District that Officers ██████ and Gorzelanny were in a relationship that ended badly but he did not know any details about that relationship or its ending. Officer Whitmer stated that he was aware of there being some "animosity" between Officers Gorzelanny and ██████ but could not recall a specific instance that he witnessed or was told about prior to October 5, 2016.<sup>34</sup>

Upon further inquiry, Officer Whitmer stated that Officers Gorzelanny and ██████ never wanted to be near each other. Officer Whitmer attended the Bernstein Detective Class in 2016 and typically sat by Officers Drizner and ██████ but recalled no instances of Officer Gorzelanny staring or laughing at Officer ██████ Officer Whitmer stated that he had no recollection of Officer ██████ ever telling him that she was being harassed by Officer Gorzelanny or made uncomfortable by him. On October 5, 2016, Officer Whitmer remembered encountering Officer ██████ outside the side door of the 011<sup>th</sup> District on his way to the parking lot. Officer ██████ was upset and he recalled her possibly crying. Officer Whitmer stated that he may have comforted her but did not recall why she was upset or what happened to her.

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<sup>33</sup> Att. 52 and 56.

<sup>34</sup> Att. 56 at 23.

In a statement on July 18, 2017, **Officer Denise Montalvo**<sup>35</sup> stated that she had previously worked with Officer ██████ at Cook County for fifteen years, and that they joined the Chicago Police Department together. Officer Montalvo was a frequent partner of Officer ██████ in the 011<sup>th</sup> District prior to becoming a Tactical Officer in summer 2016. Officer Montalvo stated that she knew Officer Gorzelanny from working in the 011<sup>th</sup> District but had no relationship with him. Officer Montalvo was aware of the relationship between Officers Gorzelanny and ██████ and that it imploded when Officer ██████ discovered that Officer Gorzelanny was sexually involved with multiple women, including another police officer. Officer Montalvo recalled Officer ██████ found out while at a training and was really upset. After the breakup, Officer ██████ told Officer Montalvo that Officer Gorzelanny was harassing her by making comments about her in front of other members of the Robbery Team, staring at her, and calling her names.

In Summer 2015, Officer ██████ told Officer Montalvo that she went to Sergeant Slechter and asked him to speak with Officer Gorzelanny about leaving her alone. Officer Montalvo stated that she witnessed Officer Gorzelanny harass Officer ██████ in 2015 while Officer ██████ was assigned to the desk. Officer Montalvo stated that she was at the desk when Officer Gorzelanny stood approximately two feet away from Officer ██████ while he waited to use the phone. Officer Gorzelanny stared at Officer ██████. When he left, Officer ██████ asked Officer Montalvo if she saw what happened. Officer Montalvo confirmed that she saw Officer Gorzelanny staring at Officer ██████ and advised her not to let him intimidate her. Officer ██████ stated that she did not know why he had to use that desk phone when there were many other phones available to use. Officer Montalvo stated that she felt Officer Gorzelanny acted inappropriately and like a “bully” but did not report it because she did not think that the staring rose to the level of needing to be reported.<sup>36</sup> Officer Montalvo also stated that she wanted to be neutral and stay out of people’s relationships.

Officer Montalvo recalled that on an unknown date in summer 2016, she encountered a crying Officer ██████ who told her that Officer Gorzelanny made rude comments about her. Officer Montalvo did not know exactly what the comments were but thought that Officer ██████ said he called her a “something bitch.”<sup>37</sup> Officer Montalvo stated that she witnessed no instances of harassment while attending the Bernstein Detective class in 2016, but Officer Gorzelanny sat approximately four rows behind Officer ██████. Officer Montalvo was not surprised when Officer ██████ filed a complaint in November 2016, because she observed a list of incidents that Officer ██████ kept in her phone. Officer ██████ asked Officer Montalvo if she thought she was exaggerating how Officer Gorzelanny was acting, and Officer Montalvo told her that she was not and should not be intimidated at work. Officer Montalvo stated that Officer ██████ told her about many incidents involving Officer Gorzelanny, but she could not keep them straight and only personally witnessed the incident at the front desk with the phones. Officer Montalvo stated that while Officer Gorzelanny’s harassment of Officer ██████ was known on the third watch in the 011<sup>th</sup> District, no one said anything because Officer ██████ was not ready to say anything.

In a statement on July 7, 2017, **Officer Rachel Drizner** stated that she was a friend of Officer ██████ but worked more with Officer Gorzelanny when she was on the Robbery Team

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<sup>35</sup> Att. 29 and 33

<sup>36</sup> Att. 33 at 20.

<sup>37</sup> Att. 33 at 15.

with him. Officer Drizner stated that she was aware of the dating relationship between Officers ██████ and Gorzelanny, adding that it came to a bad end in June 2015. Officers ██████ and Gorzelanny continued to work the same watch in the same district but seemed to avoid each other. Officer Drizner stated that she was present more than five times, when Officer Gorzelanny snickered at Officer ██████ as she walked past with Officer Drizner. Officer Drizner stated that Officer Gorzelanny was within ten to fifteen feet of them and that this snickering occurred on the first floor. Officer Drizner stated that other officers were around but did not specifically recall anyone other than herself, the Robbery Team, Officer Gorzelanny, and Officer ██████. Officer Drizner described the snickering as loud enough to carry down the hallway, adding that she would usually grab Officer ██████ and keep her moving so other officers would not see Officer ██████ upset. Officer ██████ spoke with Sergeant Slechter about Officer Gorzelanny's behavior but Officer Drizner did not know when this occurred.

At the Bernstein Detective Class, Officer Drizner sat with Officer ██████ approximately three rows from the back. On one unknown date between January and April 2016, Officer Gorzelanny paused in front of Officer ██████ as he was walking to his seat behind them. He looked directly at Officer ██████ and laughed at her loudly before continuing to his seat. Officer Drizner described Officer ██████ as visibly upset, adding that she told her to ignore Officer Gorzelanny. Officer Drizner took Officer ██████ for a quick walk outside before class started. Officer Drizner stated that she did not observe Officer Gorzelanny stare at Officer ██████ during the Bernstein course and did not recall who sat by Officer Gorzelanny.

Officer Drizner stated that she was not a witness to other instances of harassment but Officer ██████ told her Officer Gorzelanny stepped into her path and blocked her way, prompting Officer ██████ to call him a "fucking sociopath." Officer ██████ also told her that in July 2016, Officer Gorzelanny stated, "I can smell her fucking ass from here," as he walked past her in the hallway outside the processing room.<sup>38</sup> Officer Drizner counseled Officer ██████ to just ignore him. Officer ██████ also told Officer Drizner about the October 5, 2016 incident in the parking lot. Officer ██████ told her that she went to Sergeant Del Pilar about Officer Gorzelanny and expressed concern about being stigmatized for making a complaint against another officer. While Officer Drizner initially counseled Officer ██████ to ignore Officer Gorzelanny because his actions were an immature response to a bad breakup, the fact that he continued more than a year after the breakup made her think that he was harassing her inappropriately.

In a statement on July 11, 2019, **Officer Robert Gorzelanny, Jr.**<sup>39</sup> stated that he and Officer ██████ were involved in a sexual relationship from late 2015 through June 2015. Officer Gorzelanny stated that Officer ██████ was never his girlfriend, and he considered their relationship to be that of "friends with benefits."<sup>40</sup> In May 2015, Officer ██████ informed Officer Gorzelanny that ██████. Officer Gorzelanny stated that he was involved with two other women while he was seeing Officer ██████ and his relationship with Officer ██████ ended in June 2015, when the women found out about each other. Officer Gorzelanny stated that he was "upset" that he was the accused in an investigation stemming from the three women that he was dating,

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<sup>38</sup> Att. 35 at 24-25.

<sup>39</sup> Att. 55 and 57

<sup>40</sup> Att. 57 at 14.

including Officer ██████ Officer Gorzelanny stated that he was more “frustrated” than mad and tried to avoid Officer ██████<sup>41</sup> Officer Gorzelanny stated that he would take different routes if possible when he saw her. However, there were times when they had to pass each other or be in the same area.

Officer Gorzelanny stated that at different times, Sergeant Egan and Lieutenant Baio asked him to avoid Officer ██████ Officer Gorzellany believed these orders were due to the prior investigation but did not recall either of them specifying why they told him this. Officer Gorzelanny did not recall that Sergeant Slechter told him to stay away from Officer ██████ When presented with the allegations made against him, Officer Gorzelanny did not deny the allegations. Rather, Officer Gorzelanny stated that he did not recall and did not know if he had verbally abused or harassed Officer ██████ He further stated that he did not recall staring, glaring, or laughing at Officer ██████ Officer Gorzelanny related that he used the phone at the front desk of the 011<sup>th</sup> District regularly in the past, stating he recalled other phones were not always working. However, he did not recall if he used the phone at the front desk while Officer ██████ was there and stated he would likely avoid her if she was at the desk. Officer Gorzelanny also stated that he considered the current investigation to be a form of retaliation from Officer ██████

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

The **Initiation Report**<sup>42</sup> completed by Sergeant Del Pilar on October 5, 2016, documents that Officer ██████ approached Sergeant Del Pilar while visibly upset and crying and reported that Officer Gorzelanny verbally abused her in the parking lot of the 011<sup>th</sup> District by stating, “You’re a loser. Yeah, you heard me.” It was further noted that Officer ██████ alleged previous incidents of verbal harassment that were documented in a To-From Report by Officer ██████

In a **To-From Report**<sup>43</sup> dated October 5, 2016 and entitled “Hostile Work Environment,” Officer ██████ wrote that she made every effort to avoid Officer Gorzelanny since their relationship ended on June 17, 2015, but he harassed her by glaring at her as he used the phone at the District desk in July 2015, staring at her repeatedly through 2015 and 2016 at both the 011<sup>th</sup> District and the Bernstein Detective Class, making comments toward her on March 26, 2016, laughing at her on April 9<sup>th</sup> or 10<sup>th</sup>, 2016, laughing at her on April 23, 2016, making lewd comments toward her on July 16, 2016, and verbally abusing her on October 5, 2016.

**Arrest Reports**<sup>44</sup> for July 16, 2016, documented that Officers Howe, Espinoza and Gorzelanny were in the 011<sup>th</sup> District processing the arrest of ██████ sometime after 3:43 p.m., while Officer ██████ was also in the 011<sup>th</sup> District processing the arrest of ██████ sometime after 3:48 p.m.

## **VI. LEGAL STANDARD**

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

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<sup>41</sup> Att. 57 at 25.

<sup>42</sup> Att. 4.

<sup>43</sup> Att. 5.

<sup>44</sup> Att. 19 and 50

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
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 reviewed complied with 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 conduct complied with Department policy than that it did not, 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**, that on October 5, 2016, at approximately 6:00 p.m., at or near the parking lot of the 011<sup>th</sup> District Station, located at 3151 W. Harrison, Officer Robert Gorzelanny verbally abused Officer ██████████ in that he stated words to the effect of, "You're a fucking loser. Yeah, you heard me" is **Sustained**. Officer Gorzelanny stated that he did not recall saying this. However, he did not deny that he stated this. Officers Espinoza and Howe had no recollection of this incident. Officer ██████████ account is corroborated by Officer Karczewski, Officer Witmer, and Sergeant Del Pilar. Officer Karczewski stated that he believed Officer Gorzelanny stated either "fucking cunt" or "fucking loser." Officer Whitmer recalled encountering an upset and as possibly crying Officer ██████████ as he exited the station. Officer ██████████ made immediate outcry to Sergeant Del Pilar, stating that this was finally the incident that compelled her to report Officer Gorzelanny. Sergeant Del Pilar stated that when Officer ██████████ approached him she was visibly upset and crying. Therefore, the preponderance of the evidence leads COPA to find that this allegation is **Sustained**.

COPA finds **Allegation #2**, that on July 16, 2016, at an unknown time, at or near the processing room area of the 011<sup>th</sup> District Station, Officer Robert Gorzelanny looked in the direction of Officer ██████████ and stated words to the effect of, "I can fucking smell her ass" is **Sustained**. Arrest Reports from July 16, 2016, documented that Officer ██████████ would have been in the processing area with an arrestee while Officer Howe was processing another arrestee

within the same time frame. Officer Gorzelanny was listed as an Assisting Officer to Officer Howe. This evidence puts them in the same area at the same time. Officer Gorzelanny did not deny this allegation, instead stating that he did not recall or remember if he stated, "I can fucking smell her ass." Officer Montalvo recalled Officer ██████ telling her about being called a profane name by Officer Gorzelanny while in the processing area in July 2016. Officer Drizner also recalled Officer ██████ telling her that in July 2016, Officer Gorzelanny stated, "I can smell her fucking ass from here," as he walked past her in the hallway outside the processing room. Therefore, the preponderance of the evidence leads COPA to find that this allegation is **Sustained**.

COPA finds **Allegation #3**, that between approximately April 1, 2016 and July 31, 2016, at unknown times, at various locations including at or near the front desk of the 011<sup>th</sup> District, and at or near Malcom X College, Officer Robert Gorzelanny harassed Officer ██████ in that he stared at her, glared at her, and/or laughed at her. Officers Drizner, Montalvo and Karczewski all witnessed incidents where Officer Gorzelanny stared or laughed at Officer ██████ at the 011<sup>th</sup> District Desk, in the hallways of the 011<sup>th</sup> District, and at the Bernstein Detective class at Malcolm X College. Officer Gorzelanny did not deny these allegations, instead stating that he did not recall if he performed these actions. Officer Gorzelanny also stated that he was angry over the previous investigation. Officers Espinoza and Howe stated that they witnessed no instances of harassment; however, that does not mean they did not occur. Officer ██████ sought out supervisory help from Sergeant Slechter, requesting that he tell Officer Gorzelanny to leave her alone. In his interview with COPA Sergeant Slechter had no specific recollection of Officer ██████ approaching him regarding Officer Gorzelanny but conceded that it was likely that she did talk to him and he most likely spoke to Gorzelanny. The observations of Officers Drizner, Montalvo and Karczewski leads COPA to find that this allegation is more likely to have occurred as alleged than not, and therefore, it is **Sustained**.

## VIII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

### a. Detective Robert Gorzelanny, #20556, Unit 630

#### i. Complimentary and Disciplinary History

1. **Complimentary:** 2 Physical Fitness, 2 Attendance, 1 Department Commendation, 34 Honorable Mentions
2. **Disciplinary:** None

#### ii. Recommended Penalty, by Allegation

1. **Allegation No. 1:** 10-day Suspension
2. **Allegation No. 2:** 10-day Suspension
3. **Allegation No. 3:** 10-day Suspension

COPA finds that Officer Gorzelanny engaged in a repeated pattern of harassment towards Officer ██████. Officer Gorzelanny neither admitted nor denied these allegations. COPA has



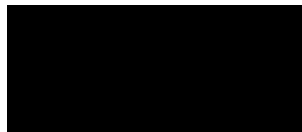
considered the nature of the allegations and the duration of the investigation in determining its recommendation. COPA recommends a 10-day Suspension.

**IX. CONCLUSION**

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

<b>Officer</b>	<b>Allegation</b>	<b>Finding / Recommendation</b>
Detective Robert Gorzelanny, #20556, Unit 630	1. It is alleged that on or about October 5, 2016, at approximately 6:00 p.m., at or near the parking lot of the 011 <sup>th</sup> District Station, located at 3151 W. Harrison, the accused stated words to the effect of, “You’re a fucking loser. Yeah, you heard me,” to Officer ██████████ in Violation of Rule 2, 8, and 9.	Sustained / 10-day Suspension
	2. It is alleged that on or about July 16, 2016, at an unknown time, at or near the processing area of the 011 <sup>th</sup> District Station, located at 3151 W. Harrison, the accused looked in the direction of ██████████ and stated words to the effect of, “I can fucking smell her ass,” in Violation of Rules 2, 8, and 9.	Sustained / 10-day Suspension
	3. It is alleged that between approximately April 1, 2015, and July 31, 2016, at unknown times, at various locations, including at or near the front desk of the 011 <sup>th</sup> District, located at 3151 W. Harrison, at or near the 011 <sup>th</sup> District hallways and common areas, and at or near Malcolm X College, located at 1900 W. Jackson, the accused harassed Officer ██████████ in that he stared at her, glared at her, and/or laughed at her, in Violation of Rules 2, 8, and 9.	Sustained / 10-day Suspension

Approved:



December 28, 2019

Andrea Kersten  
 Deputy Chief Administrator – Chief Investigator

Date

**Appendix A**

Assigned Investigative Staff

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<b>Squad#:</b>	9
<b>Investigator:</b>	Jeanne Goodwin
<b>Supervising Investigator:</b>	Sharday Jackson
<b>Deputy Chief Administrator:</b>	Andrea Kersten