



Lori E. Lightfoot
Mayor

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

Eddie T. Johnson
Superintendent of Police

25 June 2019

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

Re: Log # 1082952
Non-Concurrence with COPA penalty recommendation for:
Police Officer Thomas Baker #14366

Dear Chief Administrator:

In reviewing the above mentioned Log Investigation:

The Department concurs that COPA's Investigation provided substantial evidence to sustain the following allegation:

- Allegation #1: On 11 November 2016, Officer Baker struck [REDACTED] on the head with his police radio.

The Department does not concur with COPA's penalty recommendation for a twenty-eight (28) day suspension and believes a ten (10) day suspension is more appropriate given the circumstances Officer Baker was facing in his attempt to arrest a violent assailant.

Pursuant to MCC 2-57-060(b), the Superintendent provides comment on the following when there is a disagreement to a penalty.

Officer's History

Officer Baker has been a Chicago Police Officer for 11 years. Officer Baker has received fifty (50) awards, including two (2) Life Saving Awards, two (2) Department Commendations, twenty-seven (27) Honorable Mentions, and fourteen (14) Complimentary Letters.

Officer Baker has had no sustained complaints in the last five (5) years.



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Superintendent's Professional Opinion

On 16 November 2016, Officer Baker and his partner, Officer Archuleta, responded to a call of trespass at a senior citizen building. Security told the officers that [REDACTED], a 52 year-old man, 6'04" and 180 lbs, was banned from the building. Officer Baker asked [REDACTED] to put his hands up. [REDACTED] turned and faced the officers. [REDACTED] was holding a cane and held the cane against the wall. [REDACTED] refused to put it down when the officers told him he was under arrest. [REDACTED] then pulled away from the officers when the officers attempted to grab him. [REDACTED] continued to resist as Officer Archuleta and [REDACTED] moved down a hallway.

Officer Archuleta grabbed [REDACTED] by the back of the neck and pulled [REDACTED] to the floor. [REDACTED] grabbed Officer Archuleta's face and scratched the officer's face. As Officer Baker attempted to control [REDACTED] free arm, [REDACTED] used his head to strike Officer Baker in the face. Officer Baker radioed for assistance and, while holding his radio, struck [REDACTED] on the head with his radio. [REDACTED] continued to resist and Officer Baker laid on [REDACTED] until assisting units arrived.

[REDACTED] was ultimately taken into custody and arrested for Aggravated Battery, Resisting, and Criminal Trespass. [REDACTED] sustained a laceration on his head requiring four stitches and a fractured right hand. Officer Baker sustained an abrasion to his right eye. Officer Archuleta sustained abrasions to his face and neck.

Court records indicated that on 16 May 2018, [REDACTED] was convicted of Aggravated Battery and sentenced to 4 years IDOC.

The Department agrees with COPA that Officer Baker's use of his radio to apply blunt force to the head of an arrestee was not an authorized force option. However, given the circumstances the officers were facing and Officer Baker's lack of prior discipline, the Department believes that a ten (10) day suspension is more appropriate. The Department will ensure that Officer Baker receives additional training on the use of force.

[REDACTED]
Eddie T. Johnson
Superintendent of Police
Chicago Police Department