LOG NO **TYPE** DATE OF REPORT **SUMMARY REPORT DIGEST** 1076889 CR 28-DEC-2017 **Civilian Office of Police Accountability** INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION. DEPUTY CHIEF ADMINISTRATOR, TO: CHIEF. Civilian Office of Police Accountability BUREAU OF INTERNAL AFFAIRS FROM - INVESTIGATOR'S NAME RANK STAR NO EMPLOYEE NO UNIT ASSIGNED UNIT DETAILED SCHAAF, GARRETT 9181 113 80 REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION) **INCIDENT ADDRESS:** CHICAGO, IL DATE / TIME 26-AUG-2015 19:08 **BEAT:** 1621 **ACCUSED** NAME RANK STAR NO EMP NO APPOINTED SWORN UNIT SEX/RACE DOB UNIT ON ASSIGNED DETAILED DUTY? DATE MC MANAMON, NICK J 9161 19992 020 M / WHI -1961 08-JUL-1996 NO YES **REPORTING PARTY** NAME ADDRESS* CITY STATE TELEPHONE SEX / RACE DOB / AGE CHICAGO, IL F/WHI 1966 / 51 VICTIMS NAME ADDRESS* CITY STATE **TELEPHONE** SEX / RACE DOB / AGE CHICAGO, IL F/WHI 1966 / 51 WITNESSES * IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX,

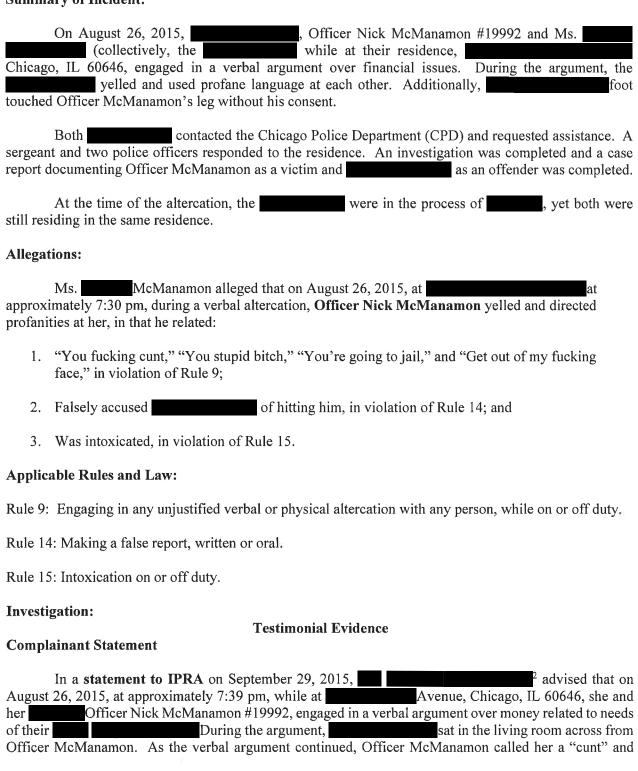
NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
MCMANAMON,		CHICAGO, IL		F/WHI	-1998 / 19

ALLEGATIONS

See Report Beginning on Page 3

SUMMARY				
	See Report Beginnin	g on Page 3		
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ATTACHMENTS				
NVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST STTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBE LIST ATTACHMENTS NUMBER:	RS(S) PHYSICAL EVIDEN LIST ATTACHMEN NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:	
			40	
FINDINGS - RECOMMENDA	ATIONS			
THOMAS - RECOMMENDA	ATIONS			
	See Report Beginnii	ng on Page 3		
DATE INITIATED DATE COMPLETED (E) (Date incident was received for investigation)		Date of this report)	ELAPSED TIME (Total time expressed in days)	
10-SEP-2015	28-DEC-2	2017 840		
Investigator will initiate the Command Chacompleting the Investigator's Section.	annel Review form by	INVESTIGATOR'S SIG	#80	

Summary of Incident:1



¹ 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. Thus, this investigation, which began under IPRA, was transferred to COPA on September 15, 201, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

² During her statement, was loud and verbally confrontational with the interviewing investigator.

said, "get the fuck out of my face." stood up and "grazed [Officer McManamon's] leg with [her] foot." In response to this contact, Officer McManamon stated, "you hit me, you are going to jail."
In response to Officer McManamon's statement, assistance. Upon the arrival of the officers, later identified as Sergeant Louis Danielson #1406 and Officers Steven Howski #12240 and Shylah Porrata #5765, an investigation was completed and a case report was generated. When a learned that the case report listed her as an offender, she demanded that the report be altered because she did not strike Officer McManamon. I added that Officer McManamon was intoxicated during this incident and smelled of alcohol. I also advised that witnessed the interaction. Additionally, the was in his bedroom but did not witness the incident. (Att. 19, 24.)
Witness Statement
In a statement to IPRA on September 29, 2015, advised that on August 26, 2015, she was in her bedroom doing homework when her bedroom and said "hi." While Officer McManamon was in her bedroom, are requested money to pay for her ACT class. Officer McManamon responded by asking why and not asked for the money. As and Officer McManamon were discussing her request for money, entered the hallway, outside of shedroom, to "see what was going on." When Officer McManamon observed in the hallway, he turned to and told her to "get the fuck outta here. Go sit down." Additionally, told to go sit down and that she could deal with Officer McManamon herself.
turned around and walked to the living room, with Officer McManamon and following her. Once in the living room, observed her parents engage in a verbal argument, during which both used profane language towards each other. observed stand up and "brush" Officer McManamon's leg with her foot. In response to the contact, Officer McManamon stated: "you're going to jail." Officer McManamon left the living room, went to the kitchen, and called CPD. Additionally, followed by went to sederoom and called CPD.
After contacting CPD, Officer McManamon exited the residence and sat outside. Upon their arrival, the CPD officers questioned Officer McManamon outside of the residence. ⁵ After the officers finished speaking with Officer McManamon, spoke to them. ⁶ (Atts. 20, 22.)
Accused Officer Statement
In a statement to IPRA on September 1, 2016, Officer Nick McManamon #19992 , advised that on August 26, 2015, while at his residence, located at a sked for money related to her ACT test, and he told her to go ask about the money. At

³ advised that she believed Officer McManamon had been drinking because "his face was red" and because she could smell "it" on his breath.

estimated that she was "not even a foot" away from and Officer McManamon during this incident.

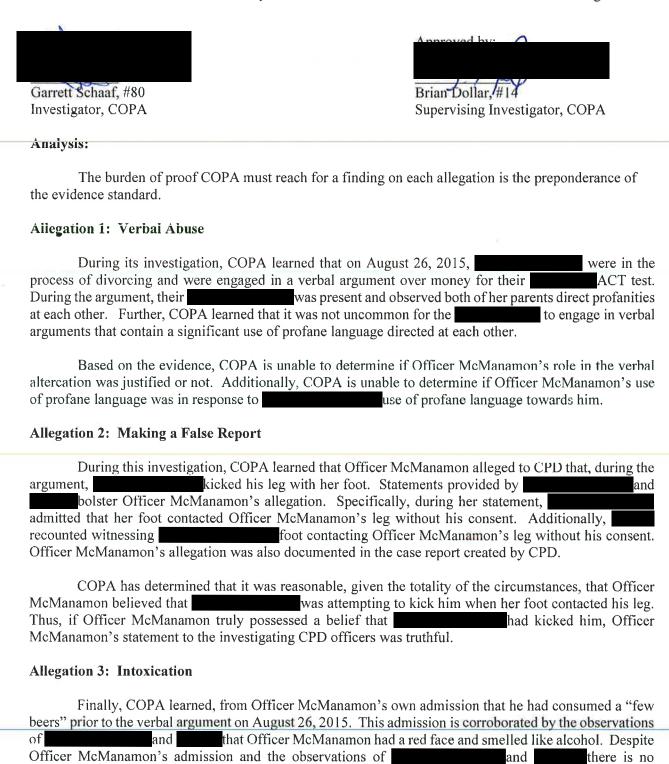
was inside of the residence when CPD was speaking to Officer McManamon, so she is unaware of what was being discussing.

⁶ The interviewing investigator did not ask what the contents of the conversation between and the CPD officers was.

officer McManamon advised that he may have said to "you fucking cunt" and "you stupid bitch." Officer McManamon advised that if he did say "you fucking cunt" or "you stupid bitch" to it was because he was upset and likely had received a barrage of profane statements from her. During the argument, got in Officer McManamon's face and, at some point, she kicked him in the leg. After being kicked, Officer McManamon contacted CPD and requested assistance.
Once Sgt. Danielson and Officers Porrata and Howski arrived at the home, they began their investigation. During the investigation, they spoke to the Additionally, one of the officers, spoke with about her observations. After the investigation, it was determined that had kicked Officer McManamon and a case report was generated.
Officer McManamon advised that it was possible that he had consumed a "few beers" but he denied being intoxicated. Additionally, Officer McManamon advised that consuming wine. (Atts. 35, 39.)
Documentary Evidence CPD Records(s)
An Original Case Incident Report for HY398731, detailed that on August 26, 2015, Sergeant Danielson and Officers Porratta and Howski responded to Avenue in response to a domestic incident. The report lists Officer Nick McManamon as the victim and as Suspect #1. The narrative details that the were engaged in a verbal argument about ACT fees and that, during the argument, kicked Officer McManamon's leg with her foot. The report indicates that Officer McManamon neither required nor requested medical treatment. (Att. 6.)
OEMC Record(s)
An OEMC Event Query and Audio Recording for 1523814718 , detailed that on August 26, 2015, at 7:55 pm, called and reported a domestic disturbance with her Officer Nick McManamon #19992, at their residence, located at Additionally, the report detailed that Beats 1623, later identified as Officers Porrata and Howski, and 1610, later identified as Sgt. Danielson, were dispatched. (Atts. 7, 11, 23.)
An OEMC Event Query and Audio Recording for 1523814733 , detailed that on August 26, 2015, at 7:56 pm, Officer Nick McManamon called and reported that his had kicked him in the knee. Additionally, the query details that Officer McManamon advised that both he and had been drinking. Finally, the query details that Officer McManamon's call is related to call. (Atts. 9, 12, 23.)
⁷ Officer McManamon advised that it was not uncommon for to seek him out and attempt to engage him in arguments. Officer McManamon estimated that this has happened at least fifty (50) times during the divorce. ⁸ In his interview, Officer McManamon did not specifically recall saying those exact words to initially, Officer McManamon did not recall the August 26, 2015 incident. After reviewing the case report, Officer McManamon recalled the incident but not the exact details.

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Based on the evidence, COPA is unable to determine if Officer McManamon was intoxicated on August 26, 2015.

evidence to support that Officer McManamon had consumed sufficient alcohol to reach an intoxicated

¹⁰ Responding CPD personnel neither administered a field sobriety test to Officer McManamon, nor did they note either party's state of inebriation in their Case Incident Report.

Conclusion:

COPA recommends the finding of **Not Sustained** for Allegations 1 and 3 against Officer Nick McManamon #1992, that on August 26, 2015, he yelled and directed profanities at specifically "You fucking cunt," "you stupid bitch," "you're going to jail," and "get out of my fucking face;" and that he was intoxicated while off duty.

COPA recommends the finding for **Unfounded** for Allegation 2 against Officer Nick McManamon #19992, that on August 26, 2015, he falsely accused for hitting him.

Josh Hunt #5
Deputy Chief Administrator, COPA

Findings:

Officer Nick McManamon #19992

Allegation 1 – Not Sustained

Allegation 2 – Unfounded

Allegation 3 – Not Sustained

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