

**SUMMARY REPORT OF INVESTIGATION**

**I. EXECUTIVE SUMMARY**

Date of Incident:	November 12, 2017
Time of Incident:	5:00 am
Location of Incident:	025 <sup>th</sup> District Male Lock-Up
Date of COPA Notification:	November 13, 2017
Time of COPA Notification:	8:39 am

After learning that the previous watch had not posted arrestees’ mugshots on the bulletin board, Detention Aide Michael Santiago alleged that Detention Aide Kevin Casey referred to him as a “Fat lazy spic motherfucker.” During his statement to COPA, Detention Aide Casey alleged that Detention Aide Santiago referred to him as a Child Molester.

**II. INVOLVED PARTIES**

Involved Detention Aide #1:	Michael Santiago, Employee # [REDACTED] Date of Appointment: July 01, 2014, Detention Aide, 025 <sup>th</sup> District, Date of Birth: [REDACTED], 1965, Male, Hispanic.
Involved Detention Aide #2:	Kevin Casey, Employee # [REDACTED] Date of Appointment: July 22, 1982, Detention Aide, 025 <sup>th</sup> District, Date of Birth: [REDACTED], 1956, Male, White.
Witness#1:	Henry Willaby, Employee # [REDACTED] Date of Appointment: December 05, 2005, Detention Aide, 025 <sup>th</sup> District, Date of Birth: [REDACTED], 1967, Male, Black.

**III. ALLEGATIONS**

Officer	Allegation	Finding
Detention Aide Kevin Casey	1. Made a racial slur toward the Complainant, Detention Aide Michael Santiago, in violation of Rule 8.	Not Sustained
	2. Directed profanity toward the Complainant, Detention Aide Michael Santiago, in violation of Rule 8.	Sustained

Detention Michael Santiago	1. Referred to Detention Aide Kevin Casey as a Child Molester in violation of Rule 8.	Not Sustained
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**IV. APPLICABLE RULES AND LAWS**

Rules

**Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.

**V. INVESTIGATION<sup>1</sup>**

**a. Interviews**

COPA conducted **Detention Aide (D.A.) Michael Santiago’s audio statement** on April 17, 2018. D.A. Santiago’s race is Hispanic. During an informational shift change, D.A. Casey noticed that photographs of arrestees had not been posted on a bulletin board. D.A. Casey asked D.A. Santiago, “No pictures again?” D.A. Santiago stated, “No, we were quite busy.”<sup>2</sup> D.A. Santiago went on to inform Casey that at the instruction of his Supervisor, 1<sup>st</sup> Watch was no longer required to post arrestees’ mugshots. D.A. Casey, who was approximately 15 feet away from D.A. Santiago, turned in D.A. Santiago’s direction and stated, “Fat lazy spic motherfucker.”<sup>3</sup> D.A. Santiago exited lock-up without further incident.

Initially, D.A. Santiago related that he was uncertain if D.A. Casey had referred to him as a “spic.” However, after not being able to come up with a word similar in annunciation to “spic,” D.A. Santiago was certain that D.A. Casey had used the term. D.A. Henry Willaby was present, but approximately 25ft. away from him and D.A. Casey. There have been no further incidents between D.A. Santiago and D.A. Casey. D.A. Santiago described the current relationship between him and D.A. Casey as cordial. Prior to this incident, D.A. Santiago described the relationship between him and D.A. Casey as great. D.A. Santiago has been a Detention Aide for four years at the 025<sup>th</sup> district station.

COPA conducted **accused Detention Aide Kevin Casey’s audio statement** on April 23, 2018.<sup>4</sup> D. A. Casey has been a Detention Aide at the 025<sup>th</sup> district station for 34 years; his race is white. D.A. Casey had a discussion with D.A. Santiago regarding D.A. Santiago not posting mugshots of arrestees on the bulletin board. D.A. Santiago responded to D.A. Casey that he was too busy to post the mugshots of arrestees. D.A. Casey asked, “What do you mean too busy?” at which point D.A. Santiago called D.A. Casey a “Child molester.”<sup>5</sup> Admittedly, D.A. Casey became upset, “I may have used, the, but I’m not sure, but I called him lazy and fat, maybe. I

<sup>1</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>2</sup> Attachment 11 at the 5:02 audio mark.

<sup>3</sup> Attachment 11 at the 5:08 audio mark.

<sup>4</sup> Attachment 10.

<sup>5</sup> Attachment 10 at the 5:10 audio mark.

called him lazy, and probably a lazy asshole, but not sure, but.”<sup>6</sup> Thereafter, D.A. Santiago exited lock-up. D.A. Casey denied using the work “Spic,” during this incident. D.A. Casey believes D.A. Santiago referred to him as a “Child molester” based on his volunteer work with Boy Scouts and tutoring at risk children.

Per D.A. Casey, he and D.A. Santiago were facing each other during this incident, approximately 5-8 feet apart. Casey related that his co-worker D.A. Henry Willaby was present in lock-up at the time of incident, and believed that D.A. Willaby may have witnessed the incident. D.A. Casey spoke to D.A. Willaby briefly after the incident. Prior to this incident, D. A. Casey stated that he and D.A. Santiago had ongoing issues about procedures within lock-up, but nothing to this extent. D.A. Casey never informed management about the procedural issues, and attempted to resolve the issues between himself and D.A. Santiago.

COPA conducted an **accused** interview of **Detention Aide Michael Santiago** on May 18, 2018. D.A. Santiago related that later in the year of 2017, he overheard co-workers having a discussion in which it was stated that D.A. Casey was a Scout Master with the Boy Scouts. D.A. Santiago did not engage in the conversation. D.A. Santiago did not recall if he overheard the information regarding D.A. Casey prior to their incident. D.A. Santiago denied directing profanity toward D.A. Casey or referring to D.A. Casey as a child molester, or other derogatory term.<sup>7</sup>

COPA conducted a **witness** statement of **Detention Aide Henry Willaby** on May 23, 2018.<sup>8</sup> D.A. Willaby was present at work, but he did not witness the incident between D.A. Santiago and D.A. Casey. On the day of incident, D.A. Casey informed D.A. Willaby about the incident by stating that he and D.A. Santiago exchanged words, but did not provide details. D.A. Willaby merely responded, “Really?”<sup>9</sup> They had no further discussion about the incident. D.A. Willaby could not provide anything further about the incident. D.A. Willaby currently works with D.A. Casey, and has done so for the past two years. He also worked two years with D.A. Santiago. D.A. Willaby described his relationship with both individuals as okay.

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

In an **Initiation Report**, Sergeant Sean Ronan related that D.A. Santiago approached him on November 12, 2017, at 2320 hours, and informed him of an incident that took place between him and D.A. Casey on November 12, 2017 at 0500 hours. After a conversation during shift change regarding booking photos of subjects in custody, D.A. Santiago alleged D.A. Casey called him a “Lazy fat spic motherfucker.”<sup>10</sup>

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<sup>6</sup> Attachment 10 at the 5:29 mark.

<sup>7</sup> Attachment 15.

<sup>8</sup> Attachment 16.

<sup>9</sup> Attachment 16 at the 04:11 audio mark.

<sup>10</sup> Attachment 4.

## VI. ANALYSIS

### 1. Detention Aide Kevin Casey

COPA recommends a finding of **Not Sustained** for **Allegation #1**, that **D.A. Kevin Casey** made a racial slur toward D.A. Michael Santiago, in violation of Rule 8. It is essentially D.A. Santiago's allegation against the denial by D.A. Casey. There were no witnesses to this incident. By his own description, D.A. Santiago himself was initially unsure if Casey actually used the racial slur. There is insufficient evidence to either prove or disprove this allegation.

COPA recommends a finding of **Sustained** for **Allegation #2**, that **D.A. Kevin Casey** directed profanity toward D.A. Michael Santiago, in violation of Rule 8. D.A. Casey admitted that he probably directed profanity toward Santiago by referring to him as a "Lazy asshole!" in response to D.A. Santiago calling him a "Child molester."

### 2. Detention Aide Michael Santiago

COPA recommends a finding of **Not Sustained** for **Allegation #1**, that Santiago referred to Detention Aide Kevin Casey as a "Child molester," in violation of Rule 8. Although Casey appeared forthcoming and credible during his statement, it is essentially Casey's word against the word of Santiago. Santiago denied the allegation. There were no witnesses to this incident. There is insufficient evidence to either prove or disprove this allegation.

## VII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

### a. Detention Aide Kevin Casey

#### i. Complimentary and Disciplinary History

1. **Complimentary:** 1 Democratic Nation Convention Award, 1 Presidential Election Deployment Award 2008, 2 Attendance Recognition Awards, 1 2004 Crime Reduction Ribbon, 1 Honorable Mention, 6 Complimentary Letters, 1 NATO Summit Service Award, 1 2009 Crime Reduction Award.
2. **Disciplinary:** None.

#### ii. Recommended Penalty, by Allegation

##### 1. Allegation No. 1: Reprimand

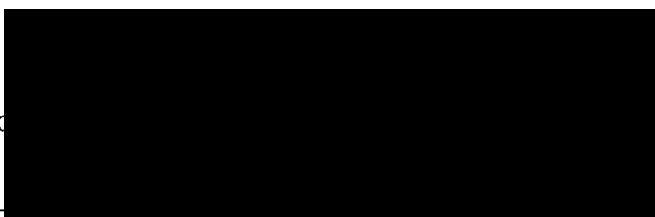
Detention Aide Kevin Casey admitted that the allegation that he directed profanity at Detention Aide Michael Santiago probably occurred.

**VIII. CONCLUSION**

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

Officer	Allegation	Finding
Detention Aide Kevin Casey	1. Made a racial slur toward the Complainant, Detention Aide Michael Santiago, in violation of Rule 8: Disrespect to or maltreatment of any person, while on or off duty.  2. Directed profanity toward the Complainant, Detention Aide Michael Santiago, in violation of Rule 8: Disrespect to or maltreatment of any person, while on or off duty.	Not Sustained  Sustained
Detention Aide Michael Santiago	1. Referred to Detention Aide Kevin Casey as a Child Molester in violation of Rule 8.	Not Sustained

Appro



9/19/18

*Deputy Chief Andrea Kersten*

Date

Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	2
<b>Investigator:</b>	Darren Bowens
<b>Supervising Investigator:</b>	Sherry Daun
<b>Deputy Chief Administrator:</b>	Andrea Kersten