

**SUMMARY REPORT OF INVESTIGATION**

**I. EXECUTIVE SUMMARY**

Date of Incident:	August 23, 2021
Time of Incident:	12:32 p.m.
Location of Incident:	1722 W. Devon Ave.
Date of COPA Notification:	August 23, 2021
Time of COPA Notification:	9:56 p.m.

Sergeant Syed Quadri #2406 and members of the 24<sup>th</sup> District Robbery/Burglary/Theft team were conducting surveillance of a person of interest wanted in connection with a stolen vehicle and an armed robbery. The person of interest, now known to be ██████████ had parked the stolen vehicle in the parking lot behind a residence at the above location and remained inside the vehicle. Sgt. Quadri ordered marked police vehicles to approach ██████████ then exited the vehicle and fled southbound as Sgt. Quadri and other officers pursued on foot. ██████████ ran into the westbound lane of Devon Avenue and was struck by a vehicle. ██████████ got up and continued to run until Officer Nickolas Capello #9030 conducted an emergency takedown. The Body-Worn Camera (BWC) of Officer Mariusz Chojnacki #10161 captured Sgt. Quadri and other officers as they attempted to handcuff ██████████ however, ██████████ kept his arms under his upper body. As some officers were pulling back ██████████ arms, Sgt. Quadri kicked ██████████ in the head. Sgt. Quadri then struck ██████████ four times on the side of his head with an open hand, ordering him to give the other officers his hands, while the officers placed handcuffs on ██████████ was transported to a hospital and received treatment for his injuries. At the 24<sup>th</sup> District Station, ██████████ alleged to Lieutenant Joseph Skala #297 that Sgt. Quadri kicked him and struck him on the head while ██████████ was being handcuffed and the lieutenant initiated a Log number. Although ██████████ via his attorney, declined to provide a statement to COPA, the investigation produced sufficient evidence to prove that the alleged actions occurred more likely than not; as a result, COPA finds ██████████ allegations against Sgt. Quadri to be Sustained.

**II. INVOLVED PARTIES**

Involved Officer #1:	QUADRI, Syed; star #2406; employee ID# ██████████; Date of Appointment: November 27, 2006; Sergeant; Unit: 024; DOB: ██████████, 1982; Male; Asian/Pacific Islander.
Involved Officer #2:	ZAIB, Zohaib; star #10988; employee ID# ██████████; Date of Appointment: March 5, 2013; Police Officer; Unit: 024; DOB: ██████████, 1984; Male; Asian/Pacific Islander.
Involved Individual #1:	██████████; DOB: ██████████, 1984; Male; White Hispanic.

**III. ALLEGATIONS**

Officer	Allegation	Finding / Recommendation
Sergeant Syed Quadri	1. It is alleged that on or about August 23, 2021, at approximately 12:32 p.m., in the vicinity of 1722 W. Devon Avenue, Sergeant Syed Quadri #2406 kicked ██████████ in the head, while ██████████ was being handcuffed.  2. It is alleged that on or about August 23, 2021, at approximately 12:32 p.m., in the vicinity of 1722 W. Devon Avenue, Sergeant Syed Quadri #2406 struck ██████████ on the head with a hand or fist, while ██████████ was being handcuffed.	Sustained / 90 Days Suspension  Sustained / 90 Days Suspension
Police Officer Zohaib Zaib	1. It is alleged that on or about August 23, 2021, at approximately 12:32 p.m., in the vicinity of 1722 W. Devon Avenue, Officer Zohaib Zaib #10988 placed his knee on ██████████ neck.	1

**IV. APPLICABLE RULES AND LAWS**

Rules

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 3 – Any failure to promote the Department’s efforts to implement its policy or accomplish its goals.
3. Rule 5 – Failure to perform any duty.

<sup>1</sup> Although ██████████ did not allege that Officer Zohaib Zaib #10988 employed excessive force against him, a review of related BWC video recording indicated that Officer Zaib may have placed his knee on ██████████ neck. However, per CPD records, Officer Zaib resigned from the CPD effective July 1, 2022, before any allegations were presented to him. Consequently, an interview of Officer Zaib was not feasible. This incident is nonetheless being noted in this report.

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4. Rule 6 – Disobedience of an order or directive, whether written or oral.
  5. Rule 8 – Disrespect to or maltreatment of any person, while on or off duty.
  6. Rule 9 – Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
  7. Rule 10 – Inattention to Duty.
  8. Rule 11 – Incompetency or inefficiency in the performance of duty.
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#### General Orders

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1.G03-02-01: Response to Resistance and Force Options (effective April 15, 2021)

### V. INVESTIGATION<sup>2</sup>

#### a. Interviews<sup>3</sup>

In his **statement to COPA**<sup>4</sup> on July 6, 2022, **Sergeant Syed Quadri** stated that on August 23, 2021, members of his robbery/burglary team observed ██████████ driving a vehicle that had previously been reported stolen and maintained covert surveillance as ██████████ parked in a parking space behind a residence at 1722 W. Devon. Sgt. Quadri and his team decided that it was the safest time to try to effect an arrest. The sergeant brought in marked<sup>6</sup> units, including a wagon<sup>7</sup>. After approximately five to ten minutes, the marked police vehicles approached ██████████ who then exited the vehicle and began to flee. Sgt. Quadri, who was approximately fifteen to twenty feet away inside a covert vehicle, and Officer Nickolas Capello #9030, another team member, pursued ██████████ on foot as ██████████ ran southbound in a gangway toward Devon Avenue. ██████████ ran into the street and a westbound vehicle struck him. ██████████ landed approximately fifteen to twenty feet away. He then stood up and continued to run. Officer Capello caught up with ██████████ and performed an emergency takedown. Additional officers arrived and attempted to handcuff ██████████ but ██████████ held his arms underneath his body. Sgt. Quadri feared that ██████████ possessed a knife and was trying to retrieve it from his waistband. Sgt. Quadri classified ██████████ as an active resister who could have “quickly” turned into an assailant.<sup>8</sup> The sergeant then approached ██████████ right side and tried to pull his arm from underneath his body; the sergeant and other officers attempted to pull ██████████ arms for approximately thirty to forty-five seconds but were unsuccessful. Sgt. Quadri realized that the most effective way to deliver a stun to ██████████ was with his foot, so he repositioned himself to the front of ██████████ body and delivered a

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<sup>2</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>3</sup> ██████████ attorney did not make his client available for a statement to COPA (Att. 27). As a result, COPA obtained an affidavit override from the Bureau of Internal Affairs (BIA) to interview Sgt. Quadri, as required by the collective bargaining agreement of the PBPA (Att. 32).

<sup>4</sup> Att’s. 35-37.

<sup>5</sup> The sergeant explained that his team had identified ██████████ as a person of interest in the investigations of a stolen vehicle and an armed robbery (Att. 37, Pages 13-16).

<sup>6</sup> Sgt. Quadri stated that he wanted marked units present because he was working in a covert capacity and people do not often recognize him as a police officer (Att. 37, Page 17, Lines 2-5).

<sup>7</sup> Sgt. Quadri requested a wagon to ensure that a heavy vehicle was placed behind ██████████ vehicle to prevent a possible vehicular pursuit (Att. 37, Page 8, Line 20 – Page 9, Line 2).

<sup>8</sup> Att. 37, page 33, Lines 8-15.

“restrained use of force” with his foot with the intent to stun him.<sup>9</sup> The sergeant stated that his intention was to strike ██████ in the shoulder or neck area; however, Sgt. Quadri noticed that his foot grazed ██████ head. Consequently, the sergeant transitioned away from that technique and began delivering open-handed strikes to stun ██████. At the same time, Sgt. Quadri gave verbal direction to ██████ to “stop resisting.”<sup>10</sup> The sergeant stated that he observed ██████ hands come out from underneath his body and ceased the open-handed strikes. ██████ was then placed in custody and transported to the 024<sup>th</sup> District police station. Sgt. Quadri completed a Tactical Response Report and his supervisor, Lieutenant Joseph Skala #297, reviewed it. As part of his review, the lieutenant interviewed ██████ who alleged that the sergeant kicked ██████ in the head and struck him on the head with a hand or fist. Lt. Skala then informed Sgt. Quadri that he was obtaining a Log Number against him. The sergeant denied both alleged actions in his statement to COPA.

### b. Digital Evidence

A **Video Recording**<sup>11</sup> from the **Body-Worn Camera (BWC)** of Officer Mariusz Chojnacki #10161 depicts the officer driving a police wagon in traffic. The officer parks the wagon and activates his BWC at approximately 12:29:24 p.m. An officer reports over the radio that a white Dodge Ram van, occupied by a Hispanic male, is parked on Devon east of Hermitage and that there are enough units on scene to initiate a stop.<sup>12</sup> The same officer then requests “marked vehicles out of the way” and that no units approach the van until the officer says so.<sup>13</sup> At approximately 12:31:36 p.m., a voice outside the wagon says, “All right, go ahead,” and Officer Chojnacki’s partner says, “Go, go, go.”<sup>14</sup> Officer Chojnacki drives forward, enters an alley and stops behind an apartment building. Officer Chojnacki exits the wagon as several officers in uniform and civilian clothes appear to run toward the building’s gangway. Officer Chojnacki runs through the same gangway and arrives at a street. An unknown voice is heard saying, “Put your hands behind your back.” Officer Chojnacki approaches a group of three officers in civilian clothes over a suspect, now known to be ██████ who is lying face down on the street. ██████ is holding both hands under his shoulders as the officers are trying to pull his arms back. At approximately 12:32:53 p.m., an officer in civilian clothes, now known to be Sgt. Quadri, tells ██████ “Sir, I might Tase you. Put your hands behind your back!” At approximately 12:33:13 p.m., an unknown officer says, “I got his arm,” and the video recording captures an officer pulling ██████ left arm from underneath his shoulders. At approximately 12:33:20 p.m., another officer has pulled ██████ right arm behind his back and yells, “I got it! I got it!” The clicking of handcuffs can be heard. ██████ right arm has not been pulled completely back and is not yet handcuffed. At approximately 12:33:23 p.m., Sgt. Quadri kicks the left side of ██████ head with his right foot. The officers continue to struggle to pull ██████ left arm. At approximately 12:33:26 p.m., Sgt. Quadri repeatedly yells, “Give him your hands!” and strikes the left side of ██████ head with an open right hand. At approximately 12:33:30 p.m., an officer in civilian clothes who is on top of ██████ shoulders places his right hand on Sgt. Quadri and some officers are heard stating, “Got

<sup>9</sup> Att. 37, Page 20, Lines 18-19.

<sup>10</sup> Att. 37, Page 21, Lines 14-16.

<sup>11</sup> Att. 19 (Per BWC timestamp, the video recording begins at 12:27:24 p.m. and ends at 12:46:40 p.m.).

<sup>12</sup> Att. 19, 12:29:40 p.m. – 12:30:07 p.m.

<sup>13</sup> Att. 19, 12:30:10 p.m. – 12:30:20 p.m.

<sup>14</sup> Att. 19, 12:31:36 p.m. – 12:31:38 p.m.

him!” ██████ tells the officers that he was struck by a vehicle. ██████ is lifted off the ground and an unknown officer tells him that he will be going to the hospital. Officer Chojnacki returns to the wagon to retrieve shackles. Officer Chojnacki then enters the wagon and drives it from the alley to the street. At approximately 12:37:25 p.m., a fire engine arrives on the scene. Officer Chojnacki remains on the scene and conducts traffic control. The officer then enters the wagon and terminates the BWC at approximately 12:46:40 p.m.

### c. Physical Evidence

**Medical Records**<sup>15</sup> from AMITA Health Saint Francis Hospital document that ██████ was running away from police custody when he was hit by a vehicle and landed on the hood of the vehicle. ██████ complained of pain to his sacrum<sup>16</sup> and sustained abrasions to his arms and bruising over his left eye. ██████ admitted to “EtOH”<sup>17</sup> use.<sup>18</sup>

### d. Documentary Evidence

████████████████████ **Arrest Report**<sup>19</sup> documents that the 24<sup>th</sup> District Robbery Burglary Theft (RBT) Mission Team observed a blue/white Dodge Ram van bearing IL plate ██████ in the vicinity of Clark and Devon and immediately conducted surveillance, utilizing covert vehicles as they had prior knowledge of said van being reported stolen under RD# JE307800. While conducting surveillance, the Arresting Officers were able to confirm the identity of the offender as ██████ ██████ based on tattoos observed on his left arm while he had his arm outside of the car window smoking a cigarette.<sup>20</sup> Officer Zohaib Zaib #10988 observed the vehicle parked in the alley at 1722 W. Devon with ██████ in the driver’s seat. Sgt. Quadri, assigned to Beat 2406, coordinated a takedown operation utilizing multiple beat cars and tactical units. When the Arresting Officers moved to initiate the takedown, they announced their office and gave direct orders to effect an arrest. ██████ fled on foot from the vehicle southbound in the gangway of 1722 W. Devon and ran into traffic. ██████ was then struck by a moving vehicle but regained his footing and attempted to flee westbound on Devon. Officer Nickolas Capello #9030 conducted an emergency takedown, but ██████ began resisting arrest. The Arresting Officers gave ██████ orders to stop his movements and give officers his hands. Sergeant Quadri #2406 utilized stunning techniques to gain compliance, while Officers Zaib and Austin Morgan #9702 utilized emergency handcuffing techniques to gain control of ██████ hands. ██████ was then successfully placed into custody.<sup>21</sup> ██████ was transported by ambulance to St. Francis Hospital for his injuries where he was treated and released. ██████ was charged with armed robbery, resisting arrest, driving on a revoked license and reckless conduct.<sup>22</sup>

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<sup>15</sup> Att. 29.

<sup>16</sup> A bone in the lower back.

<sup>17</sup> Medical abbreviation for ethyl or ethanol alcohol.

<sup>18</sup> Att. 29, Page 14.

<sup>19</sup> Att. 3.

<sup>20</sup> The Arresting Officers ascertained that the offender for the motor vehicle theft was also wanted for an armed robbery under RD# JE337591, based on the tattoos observed on the offender from surveillance video (Att. 3, Page 4).

<sup>21</sup> Att. 3, Page 4.

<sup>22</sup> Per Cook County Criminal Court records, ██████ pled guilty to robbery on March 3, 2022 (Case #21CR ██████).

The narrative section of Sgt. Quadri's **Tactical Response Report**<sup>23</sup> (TRR) states that the sergeant was working in a covert capacity and did not have his body-worn camera at the time of the incident. After [REDACTED] fled from Sgt. Quadri on foot and Officer Capello performed an emergency takedown, Sgt. Quadri issued numerous verbal instructions to [REDACTED] to release his hands from under his body. [REDACTED] was utilizing his hands to push upward from the ground and regain his footing to flee the arrest. As responding officers unsuccessfully struggled to pull [REDACTED] arms from under his body, Sgt. Quadri kicked [REDACTED] in the shoulder once to disorient him. The sergeant assessed the effectiveness of the kick and transitioned to delivering open-handed strikes to the side of [REDACTED] face. Sgt. Quadri delivered four open-handed strikes to the face while issuing verbal direction with each strike for [REDACTED] to give the officers his hands. The officers were able to gain control of [REDACTED] hands and place him in handcuffs, at which time the use of force was immediately terminated. [REDACTED] sustained swelling and redness to the head because of the sergeant's use of force.<sup>24</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
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.

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<sup>23</sup> Att. 5. Lt. Joseph Skala #297 initiated a Log Number (Att's. 1-2) after interviewing [REDACTED] and watching a BWC recording from the above incident. The lieutenant also checked the box indicating that the sergeant's use of force did not appear to follow Department policy and directives (Att. 5, page 3).

<sup>24</sup> Att. 5, Page 2.

## VII. ANALYSIS

Determinations regarding the potential use of excessive force - deadly or not - in the course of an arrest, investigatory stop, or other “seizure” are properly analyzed under the Fourth Amendment’s objective reasonableness standard. The question is whether the officers’ actions are “objectively reasonable” in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. *Graham v. Connor*, 490 U.S. 386, 397 (1989); *see Estate of Phillips v. City of Milwaukee*, 123 F.3d 586, 592 (7th Cir. 2003). Moreover, the reasonableness calculation “must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation.” *Graham*, at 396–97.

The applicable CPD order is General Order G03-02-01, IV-C-1, which defines an assailant as a “person who is using or threatening the use of force against another person or himself/herself which is likely to cause physical injury.”<sup>25</sup> The directive further specifies that an assailant can be a person whose actions are aggressively offensive with or without weapons but “whose actions do not constitute an imminent threat of death or great bodily harm.”<sup>26</sup> In response to such actions by an assailant, the general order authorizes a Department member to employ direct mechanical techniques, impact weapons and impact munitions. The directive defines direct mechanical techniques as “forceful, concentrated striking movements, such as punching and kicking, or focused pressure strikes and pressures.”<sup>27</sup> Sgt. Quadri stated that he believed that ██████ could have become an assailant toward the sergeant and other officers, based on his previous knowledge that ██████ had utilized a knife when he committed the armed robbery for which he was wanted. However, when the sergeant kicked ██████ in the head, ██████ had not yet risen to the level of assailant but remained an active resister. Based on the BWC video recording, Sgt. Quadri’s colleagues had obtained control of ██████ right arm and were in the process of pulling back his left arm, thus preventing the possibility of the suspect assailing the officers and negating the necessity of treating him as an assailant. The other officers had actually handcuffed ██████ right hand and an officer had appropriately announced it when he yelled out, “I got it!” Although Sgt. Quadri stated to COPA that he intended to stun ██████ with a kick to the shoulder, that action would have been more appropriate if ██████ had been acting as an assailant and had presented an imminent threat of death or great bodily harm to the officers. Instead, there is sufficient evidence to demonstrate that the sergeant’s use of a kick at that point exceeded the level of force authorized by the general order and, consequently, to find that ██████ first allegation be Sustained.

Furthermore, General Order G03-02-01, IV-B-2, defines an active resister as a person “who attempts to create distance between himself or herself and the member’s reach with the intent to avoid physical control and/or defeat the arrest.”<sup>28</sup> The general order states that “active resistance includes attempting to avoid apprehension and failing to comply with a sworn member’s orders to reveal themselves.”<sup>29</sup> In such situations, the directive authorizes a sworn member to utilize, in

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<sup>25</sup> Att. 30, IV-C (Page 6).

<sup>26</sup> Att. 30, IV-C-1 (Page 6).

<sup>27</sup> Att. 30, IV-C-1-a-1 (Page 6).

<sup>28</sup> Att. 30, IV-B-2 (Page 5).

<sup>29</sup> Att. 30, IV-B-2-b (Page 5).

addition to the options employed for cooperative persons and passive resisters, options such as stunning, OC spray, takedown, canines used by canine handlers, and Taser. The general order defines stunning as “diffused-pressure striking or slapping an active resister to increase control by disorienting an active resister and interfering with his or her ability to resist.”<sup>30</sup> In the matter at hand, Sgt. Quadri struck [REDACTED] on the head four times with an open hand. The sergeant admitted that he resorted to open hand strikes in order to force [REDACTED] to comply and to stop resisting. The BWC recording documented that the sergeant accompanied his strikes with the verbal direction to [REDACTED] to give his hands to the other officers. However, based on the available BWC video recording, it appears that Sgt. Quadri’s colleagues had overwhelmed [REDACTED] active resistance and were already in the process of handcuffing [REDACTED]. In fact, the officers had handcuffed his right hand and were close to handcuffing his left hand, when Sgt. Quadri began striking [REDACTED]. Contrary to the sergeant’s perception that [REDACTED] hands were still underneath his body when the sergeant began the strikes and that the strikes stopped when the hands emerged, the BWC recording indicated that [REDACTED] hands had already been pulled from underneath him by the other officers. Moreover, it is indicative of the force necessary to overcome [REDACTED] resistance that no other officer employed any additional force beyond emergency handcuffing. Based on the evidence above, it appears more likely than not that Sgt. Quadri employed excessive use of force when he utilized open hand strikes at the time that he did and, as a result, there is sufficient evidence to prove that [REDACTED] second allegation against the sergeant be Sustained.

## VIII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

### a. Sergeant Syed Quadri

#### i. Complimentary and Disciplinary History

Sergeant Quadri’s Complimentary History<sup>31</sup> includes one 2009 Crime Reduction Award, one 2019 Crime Reduction Award, sixteen Complimentary Letters, eleven Department Commendations, one Emblem of Recognition-Physical Fitness, one hundred thirty-five Honorable Mentions, one Honorable Mention Ribbon Award, one Joint Operations Award, one Life Saving Award, one NATO Summit Service Award, one Police Officer of the Month Award, one Presidential Election Deployment Award 2008, five Problem Solving Awards, one Recognition/Outside Governmental Agency Award, one Special Commendation, one Superintendent’s Award of Tactical Excellence, two Superintendent’s Honorable Mention, and three Unit Meritorious Performance Awards, for a total of 184 Awards.

Sergeant Quadri’s Disciplinary History<sup>32</sup> indicates that, as of September 12, 2022, the sergeant has no Sustained Complaints and no SPAR Sustained Findings.

It is noted that under the Rules and Regulations of the Chicago Police Department, Article IV, Section B (Regulations establishing the Duties of Supervisory Members), a member in a supervisory role such as Sergeant Quadri, includes but is not limited to, leading, directing,

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<sup>30</sup> Att. 30, IV-B-2-c-1 (Page 5).

<sup>31</sup> Att. 39, Page 4.

<sup>32</sup> Att. 39, Pages 1-3.



supervising and guiding members in their assigned duties. When viewed in this regulatory light, Sergeant Quadri’s actions are more egregious and deserve accentuated penalty recommendations.

**ii. Recommended Penalty, by Allegation**

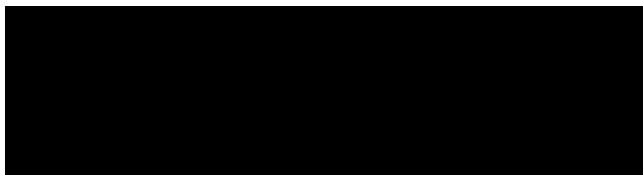
COPA recommends a penalty of 90 Days Suspension for Sergeant Quadri. Sergeant Quadri kicked [REDACTED] and struck him multiple times with his hand while [REDACTED] was being restrained. Sergeant Quadri did this in the presence of officers. Sergeant Quadri is held to a higher standard and should have used more restraint in dealing with [REDACTED]

**IX. CONCLUSION**

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

Officer	Allegation	Finding / Recommendation
Sergeant Syed Quadri	1. It is alleged that on or about August 23, 2021, at approximately 12:32 p.m., in the vicinity of 1722 W. Devon Avenue, Sergeant Syed Quadri #2406 kicked [REDACTED] in the head, while [REDACTED] was being handcuffed.  2. It is alleged that on or about August 23, 2021, at approximately 12:32 p.m., in the vicinity of 1722 W. Devon Avenue, Sergeant Syed Quadri #2406 struck [REDACTED] on the head with a hand or fist, while [REDACTED] was being handcuffed.	Sustained / 90 Days Suspension  Sustained / 90 Days Suspension

Approved:



1-31-2023

Angela Hearts-Glass  
Deputy Chief Investigator

Date