

Lori E. Lightfoot Mayor

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

David O. Brown Superintendent of Police

September 28, 2020

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

Re: Log #1075644

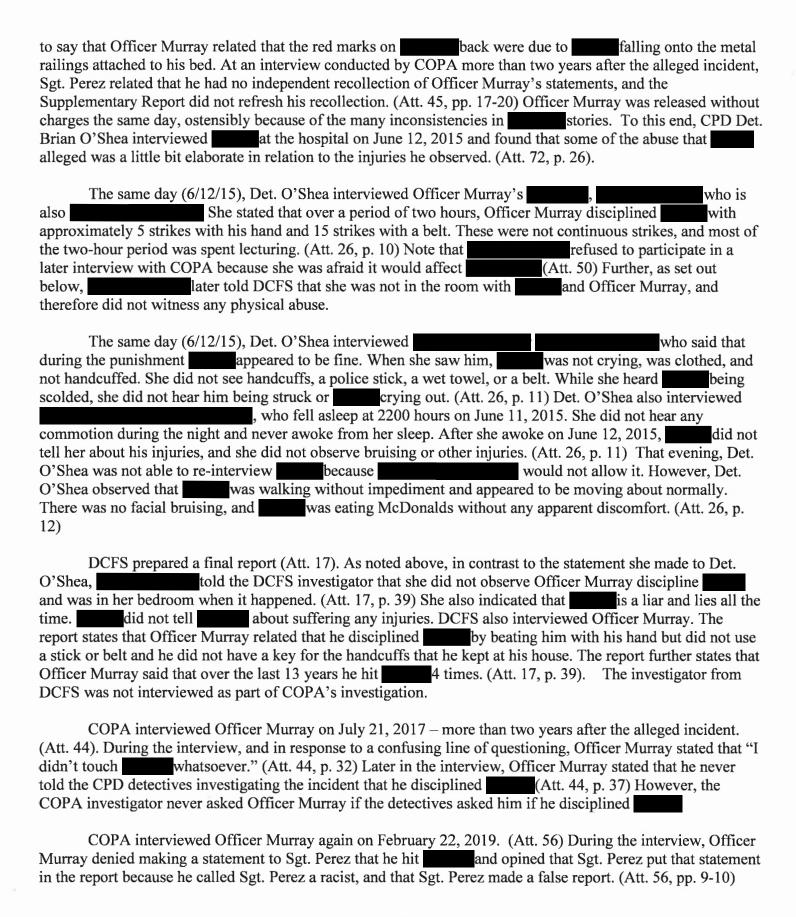
Non-Concurrence with Findings and Penalty

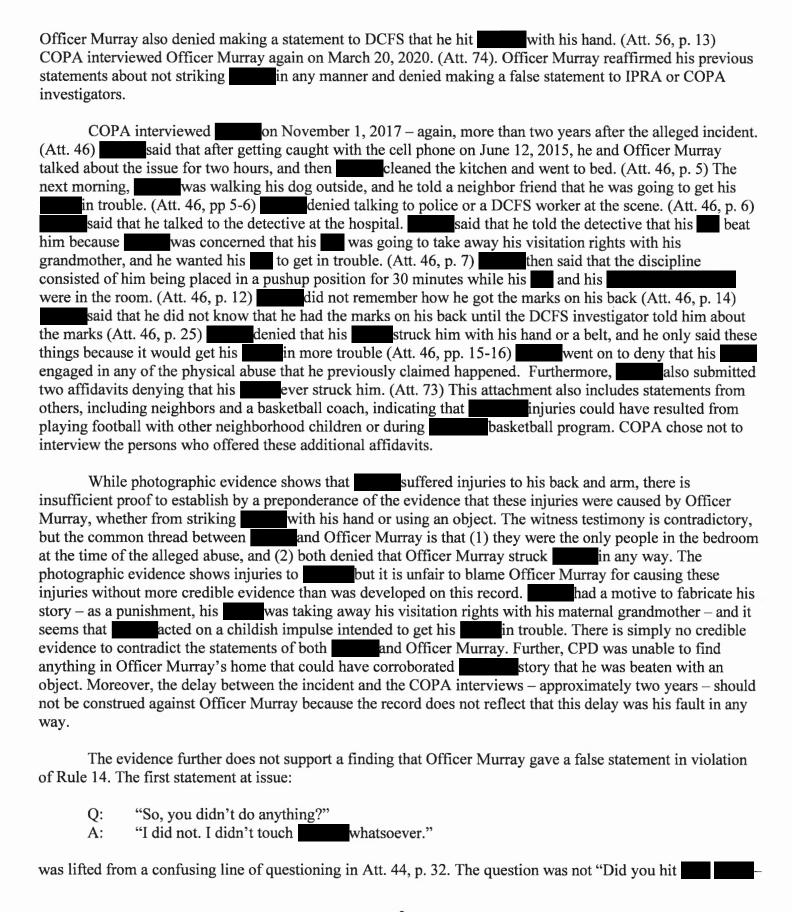
Officer Reginald Murray #18567

Dear Chief Administrator Roberts:

After a review of the above-referenced complaint register file (CR), the Department does not concur with the recommended findings or penalties for Officer Reginald Murray. Officer Murray's accused his of engaging in child abuse on June 12, 2015, arising out of a dispute over a cell phone that was not supposed to be using. As set out more fully below, the record developed during the five-year investigation of this CR does not support a finding, by the preponderance of the evidence, that Officer Murray struck in any way or made false statements to IPRA or COPA investigators in violation of Rule 14.
Statements made about the alleged abuse remain inconsistent throughout the various investigations into Officer Murray's actions. Depending on the person to whom he was speaking on June 12, 2015, accused Officer Murray of abusing him in one or more of the following ways: striking him in the buttocks with an open hand; striking him about the body several times with a belt; wiping his back with a wet towel and then striking him with a belt, punching him about the body several times; handcuffing him and sitting on his arms; striking him on the buttocks and back with a baton; grabbing him by the neck and dragging him on the floor; kicking him in the jaw and his body, forcing him to hold a pushup position for long periods of time, and directing profanity at him. Following this alleged abuse, contacted his grandmother, who contacted DCFS. DCFS contacted the Chicago Police Department ("CPD") to assist, and the Chicago Fire Department took to the hospital, where CPD evidence technicians took photographs of arm and back, which both showed injuries consistent with being struck. (Att. 10 and Att. 17) The pictures of back in the DCFS report show lash marks of some sort. (Att. 17, pp. 116-17). The pictures of taken by a CPD evidence technician show similar injuries to both arm and back (Att. 10, pp. 8-16) Hospital records diagnosed the injuries as "child physical abuse" but do not attribute that abuse as having been committed by any particular individual. (Att. 9)
The Department investigated the allegations made at the time of the incident and found multiple

The Department investigated the allegations made at the time of the incident and found multiple inconsistencies in the statements made by the witnesses. CPD Sgt. Adrian Perez went to Officer Murray's home on the date of the alleged incident, and prepared a Supplementary Report (Att. 21) that stated, in part, that Officer Murray related at the scene that he spanked with his hand and nothing else. The report went on





was stating that he didn't do anything?" There was no time period established for when Officer Murray was stating that he didn't touch whatsoever. Clarifying questions could have established what Officer Murray meant – was this during the time that the abuse was alleged to have occurred? Or was this while was cleaning the kitchen? Or was it while was asleep, or even the next morning when he went to walk the dog? This question, in isolation, is simply too vague to establish, by a preponderance of the evidence, that Officer Murray violated Rule 14.
Notwithstanding, there is otherwise insufficient proof to establish, by a preponderance of the evidence, that Officer Murray made a false statement at all. As noted above, only and Officer Murray were in the bedroom when the alleged abuse took place. Both have denied that that Officer Murray struck in any way. The statement in Sgt. Perez's report cannot be cross examined, and it did not refresh Sgt. Perez's recollection of what was said on June 12, 2015. It is statement to Det. O'Shea that she observed the physical abuse is not credible because she later contradicted herself in her DCFS interview by saying that she was not in the room when the abuse happened. The DCFS report of an interview with Officer Murray is hearsa and inadmissible, and Officer Murray denied making a statement about striking during the DCFS interview.
The second statement at issue:
Q: "You never told them [investigating Chicago Police Department personnel] that you disciplined him [in any kind of form or fashion?" A: "I never told him I discipline
was also lifted from a confusing line of questioning in Att. 44, p. 37. During the interview, COPA did not ask Officer Murray if the investigating CPD personnel asked about whether he had disciplined If Officer Murray was never asked by CPD if he disciplined then the fact that he did not affirmatively state that he disciplined isn't a false, incomplete, inaccurate, or misleading statement. Moreover, mere discipline isn at issue in this case – the underlying allegation was that Officer Murray physically abused The interviewer did not establish an appropriate foundation for this line of questioning, and therefore Officer Murray's answer does not establish, by a preponderance of the evidence, that he violated Rule 14.
As a result of the above analysis, the Department also disagrees with the recommended penalties of a 180-day suspension and separation. The Department does not believe that the record demonstrates, by a preponderance of the evidence, that Officer Murray struck with his hand or an object, or that Officer Murray made a false statement to investigators in violation of Rule 14.
As mandated by the Municipal Code of Chicago, I look forward to discussing this further with you.
Sincerely,
David O. Brown Superintendent of Police Chicago Police Department