



Lori E. Lightfoot
Mayor

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

David O. Brown
Superintendent of Police

October 26, 2020

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

RE: Superintendent's Non-Concurrence with COPA's Proposed Finding, in part, and Penalty
Complaint Register Number: #1091843/ Police Officer Cedric Taylor #18426

Dear Chief Administrator:

After a review of the above-referenced Complaint Register (CR) file, the Chicago Police Department (CPD) concurs with the sustained findings for allegation #4 and #6, but CPD respectfully does not concur with the sustained finding for allegation #5, or with the penalty recommendation of a one hundred eighty (180) day suspension.

On November 25, 2018, at approximately 6:40 p.m., Officers Taylor and Quinn-Munoz responded to a call of a "robbery just occurred" at approximately 800 S. State Street. The Office of Emergency Management and Communications broadcasted a flash message over the police radio, providing Officers Taylor and Quinn-Munoz with a description of the two offenders. Upon arriving at the scene, the officers spoke with a citizen who witnessed the robbery. Officers Taylor and Quinn-Munoz had begun touring the area looking for the offenders when they responded to a radio call of "officers need assistance" at the CTA Red Line platform located at 1167 S. State.

As there had been an established pattern of escape in previous similar robbery incidents, Officers Roman and Rodriguez, working beat 167D, who had also responded to the "robbery just occurred," immediately directed their attention to the Red Line stop located at 1167 S. State. Upon arrival at the CTA Red Line platform, Officers Roman and Rodriguez encountered a subject, now identified as [REDACTED] who fit the physical and clothing description as described in the radio flash message on Zone 4.

Officers Roman and Rodriguez approached [REDACTED] to conduct a field interview. Third-party video captures [REDACTED] failing to comply with their verbal commands and actively resisting by flailing his arms, stiffening his body, and yelling verbal threats at Officers Roman and Rodriguez. Officers Roman and Rodriguez attempted to de-escalate the situation using verbal commands but had negative results and called for assistance on the radio; Officers Taylor and Quinn-Munoz responded. At this time, [REDACTED] was an active resister. In order to effect a lawful arrest, Officers Roman and Rodriguez, with the assistance of Officer Taylor, utilized an emergency takedown. As [REDACTED] continued to actively resist, Officer Taylor applied several palm-heel strikes to [REDACTED]

COPA sustained three allegations:

- Allegation #4: Striking ██████ around or about the shoulders with handcuffs in hand without justification (recommending a 180-day suspension);
- Allegation #5: Forcefully taking ██████ to the ground without justification (recommending a 180-day suspension); and
- Allegation #6: Failing to comply with Special Order S03-14 by failing to activate his body-worn camera to record law enforcement-related activity (recommending a 3-day suspension).

As with any situation, the totality of circumstances must be taken into account not just when actively engaging in law enforcement action but also when reviewing said action after the fact. Officer Taylor, after responding to a “robbery just occurred,” must immediately respond to an “officers need assistance” call where ██████ is actively resisting a lawful arrest on a CTA platform. Because the CTA platform is also an active train station, trains may be approaching in either direction at any time on tracks that include an electrified third rail; both the trains and the electrified rail could cause death or great bodily harm to all involved. These factors drive the urgency to both control and secure an active resister as quickly as possible.

Officer Taylor, recognizing ██████ as an active resister, utilized an emergency takedown to effect a lawful arrest and control ██████ as quickly as possible in accordance with General Order G0-03-02-01, Force Options. As noted in the Command Channel Review, the video evidence shows ██████ actively resisting as well as grabbing Officer Taylor's arm at one point, becoming an assailant. Together, Officer Taylor's use of an emergency takedown in accordance with directive G03-02-01 and the video evidence supports not COPA's sustained finding but rather exoneration for Allegation #5.

In regard to the sustained finding that Officer Taylor struck ██████ with handcuffs in his hand without justification, a review of the video (BWC, CTA) does show that Officer Taylor had handcuffs in his hand while struggling with ██████ who is actively resisting by flailing his arms and stiffening his body. At one point, ██████ becomes an assailant when he grabs onto Officer Taylor's arm. The video footage shows Officer Taylor utilizing stunning in an attempt to control ██████ as an Active Resister in accordance with G0-03-02-01.

In his attempt to stun ██████ Officer Taylor utilizes only the base of his hand, not the handcuffs, and he appropriately de-escalates his use of force after the emergency takedown. Further, ██████ never complained of any injury. However, to avoid any potential injury to ██████ Officer Taylor should have re-holstered his handcuffs. Therefore, CPD concurs with a sustained finding for Allegation #4 but believes, when considering the totality of the circumstances, that the 180-day suspension is excessive. Lastly, CPD also concurs with the sustained finding that Officer Taylor failed to activate his BWC following S0-03-14.

When considering Officer Taylor's complimentary and disciplinary histories, as well as the effective workings of progressive discipline, this violation warrants a 10-day suspension.

Sincerely,

████████████████████
David O. Brown
Superintendent of Police
Chicago Police Department