

**SUPPLEMENTAL SUMMARY REPORT OF INVESTIGATION****I. EXECUTIVE SUMMARY**

Date of Incident:	December 10, 2018
Time of Incident:	10:42 PM
Location of Incident:	803 W. 82 <sup>nd</sup> St.
Date of COPA Notification:	January 29, 2019
Time of COPA Notification:	10:10 AM

This **Supplemental Report**<sup>1</sup> reflects the agreement reached by COPA and the Superintendent of the Chicago Police Department (“CPD”) following discussions<sup>2</sup> regarding COPA’s disciplinary recommendations regarding **Police Officers Jeremiah Pentek**,<sup>3</sup> **Albert Rangel**,<sup>4</sup> and **Randy McCraney**.<sup>5</sup> In the Final Summary Report (“FSR”) dated August 29, 2022, COPA made several findings related to a strip search of ██████████ at the scene of a traffic stop.

Following COPA’s issuance of its FSR, COPA provided the final disciplinary file related to COPA’s recommendations to CPD. On November 28, 2022, pursuant to Municipal Ordinance 2-178-130(a), the Superintendent issued a non-concurrence with recommended findings and penalties. Among other things, the Superintendent challenged COPA’s Sustained findings that each of the officers improperly strip-searched ██████████ while he had taser barbs in his skin and removed ██████████ clothing without supervisor approval. The Superintendent also disagreed with COPA’s finding that Officer Penek failed to properly record ██████████ strip-search in the arrest report.<sup>6</sup>

Pursuant to 2-78-130(a)(iii), COPA and CPD engaged in discussions regarding the Superintendent’s response. Based on a discussion of CPD policy, the burden of proof, and the facts of this case, the parties agreed as follows:

<sup>1</sup> For a full summary of the evidence gathered during COPA’s investigation, refer to the FSR.

<sup>2</sup> City of Chicago Municipal Ordinance 2-78-130(a) (“Within ten business days after the submission of [the Superintendent’s] response that proposes no action or different action than that recommended by the Chief Administrator, the Superintendent and the Chief Administrator shall meet to discuss the Superintendent’s response.”).

<sup>3</sup> Star # 16474.

<sup>4</sup> Star # 5339.

<sup>5</sup> Star # 13257.

<sup>6</sup> The Superintendent also initially disagreed with certain other findings and penalties related to Sergeant Melissa Malm, Star # 1490, and Sergeant Lawrence Darko, Star # 1772. The Superintendent subsequently withdrew the non-concurrence with respect to those individuals. The Superintendent also withdrew the non-concurrence with respect to COPA’s recommended penalties.

- A. CPD agrees to a finding of Sustained for the allegation that each officer violated CPD policy by strip-searching [REDACTED] while he had taser barbs in his skin.<sup>7</sup>

Although the Superintendent initially disagreed with COPA’s findings, he subsequently agreed to a finding of Sustained with the caveat that his agreement under the facts of this specific case does not imply a CPD policy of a blanket prohibition of officers conducting strip-searches while taser barbs are embedded in an individual’s skin.<sup>8</sup>

- B. COPA agrees to a finding of Not Sustained for the allegations against Officer Pentek and Officer Rangel that each violated CPD policy by removing [REDACTED] clothing without supervisor approval.<sup>9</sup>

Upon review of the evidence, COPA agrees that it is more likely than not that Sergeant Malm approved the search of [REDACTED] including the removal of his clothing. Sergeant Malm admitted to COPA that she approved the search and can be seen and heard on the officer’s body worn camera at least tacitly approving the search by standing by as it occurred.<sup>10</sup> For these reasons, COPA finds Allegation #5 against Officer Pentek and Rangel **Not Sustained**.

- C. COPA agrees to a finding of Not Sustained for the allegation against Officer Pentek that he failed to properly record the strip search in [REDACTED] Arrest Report.

Upon review of the evidence, COPA agrees it is more likely than not that Officer Pentek included sufficient information to comply with CPD policy. Although COPA believes Officer Pentek’s description could have better explained the reasons for and description of the search, COPA finds his description likely satisfied policy requirements.<sup>11</sup> For these reasons, COPA finds Allegation #7 against Officer Pentek is **Not Sustained**.

Approved:

[REDACTED]

8-30-2023

\_\_\_\_\_  
 Angela Hearts-Glass  
 Deputy Chief Investigator

\_\_\_\_\_  
 Date

<sup>7</sup> Allegation #3 against Officer Pentek, Allegation #3 against Officer Rangel, and Allegation # 3 against Officer McCraney.

<sup>8</sup> COPA does not take a position at this time as the Superintendent’s statement on this issue.

<sup>9</sup> Allegation #5 against Officer Pentek and Allegation # 5 against Officer Rangel.

<sup>10</sup> See, e.g., Att. 14 19Malm at 03:39; Att. 14 30McCraney at 01:50.

<sup>11</sup> For example, Officer Pentek did not use the words “strip-search” but did describe retrieving narcotics from between [REDACTED] buttocks. Att. 3.