

**SUMMARY REPORT OF INVESTIGATION**

Date/Time/Location of Incident:	June 04, 2019/11:55 P.M./ 5701 W. Madison Street
Date/Time of COPA Notification:	June 05, 2019/2:08 A.M.
Involved Officer #1:	Nichole Garfield, Star No. 16246, Employee No. [REDACTED], Date of Appointment: February 2, 2015, Rank: Police Officer, Unit of Assignment: 015, DOB: [REDACTED], 1987, Female, White
Involved Individual #1:	[REDACTED] DOB: [REDACTED], 1991, Trans Male, Hispanic
Case Type:	Failure to Properly Search/Failure to Comply with Police Directive

**I. ALLEGATIONS**

<b>Officer</b>	<b>Allegation</b>	<b>Finding / Recommendation</b>
Officer Nichole Garfield	1. It is alleged that on June 04, 2019 at approximately 11:55 A.M. at or near 5701 W. Madison Street, Chicago, Illinois Officer Nichole Garfield #16246 committed misconduct through the following acts or omissions: failing to conduct a proper search of [REDACTED]	Exonerated
	2. It is alleged that on June 04, 2019 at approximately 11:55 P.M. at or near 5701 W. Madison Street, Chicago, Illinois Officer Nichole Garfield #16246 committed misconduct through the following acts or omissions: failing to comply with ETB 17-06 by leaving [REDACTED] unattended in Processing Room #1 of the 015 <sup>th</sup> District Station.	Exonerated

## I. SUMMARY OF EVIDENCE<sup>1</sup>

On June 5<sup>th</sup>, 2019 at approximately 2:08 A.M., the Civilian Office of Police Accountability received via email a Crime Prevention and Information Center (CPIC) Notification stating that an arrestee “attempted to hang herself in the 015<sup>th</sup> District Processing Room.”<sup>2</sup> On June 5<sup>th</sup>, 2019 at approximately 9:40 A.M., COPA received via fax from the Chicago Police Department a Report of Extraordinary or Unusual Occurrences.<sup>3</sup> That report stated an arrestee identified as [REDACTED] [REDACTED] “was searched and immediately placed in interview room #1,” and that, “[a]t approximately 1202 a.m. officers observed above subject attempting to choke herself with a string and immediately recovered said string from the subject.” The report continues that [REDACTED] was transported to Loretto Hospital for medical treatment and mental evaluation. An Original Case Incident Report for this incident states that the officers who had transported [REDACTED] to the 015<sup>th</sup> District “[l]eft the processing area to retrieve documents from the front desk and requested P.O. Garfield #16246 supervise [REDACTED] [ . . . ] [a]t approximately 0002HRS on 05JUN19 P/O Garfield looked up and observed victim/prisoner with what looked like a black necklace around the victim/ prisoners [*sic*] neck in an attempt to choke himself.”<sup>4</sup>

COPA initiated an investigation of this incident to determine if CPD misconduct had resulted in [REDACTED] ( [REDACTED] ) [REDACTED] (hereinafter, [REDACTED] having access to the item, or having the opportunity to place the item around the neck while in police custody. Specifically, CPD General Order G06-01-02(IV)(B) states “Department members [ . . . ] accepting custody from other Department members will be responsible for conducting a thorough search and ensuring that the persons are appropriately restrained to prevent escape or injury.” Further, CPD Education and Training Bulletin ETB17-06 on Temporary Detention Rooms states, “Unless placed in a holding cell, detainees will not be left unattended at any time while in temporary detention,” specifying that “[t]emporary detention rooms consist of [ . . . ] booking rooms, holding cells, processing rooms and secure Interview/Interrogation rooms.

In reaching its factual findings, COPA reviewed in addition to the above-cited documents [REDACTED] June 04, 2019 Arrest Report,<sup>5</sup> Police Observation Device video footage from outside the 015<sup>th</sup> District Processing Room on June 4<sup>th</sup> and June 5<sup>th</sup>, 2020,<sup>6</sup> an Office of Emergency Management and Communications Event Query Report for the incident,<sup>7</sup> an Office of Emergency Management and Communications Event Query Report for EMS response to the incident,<sup>8</sup> the CPD Watch Incident Log,<sup>9</sup> 015<sup>th</sup> District CPD Inventory Reports corresponding to [REDACTED] custody,<sup>10</sup> and other related documents. On May 15, 2020, COPA Investigators conducted an interview of Officer Nichole Garfield, Star No. 16246, about the incident under investigation.

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<sup>2</sup> Attachment 4.

<sup>3</sup> Attachment 5.

<sup>4</sup> Attachment 2.

<sup>5</sup> Attachment 1.

<sup>6</sup> Attachment 3.

<sup>7</sup> Attachment 7.

<sup>8</sup> Attachment 8.

<sup>9</sup> Attachment 9.

<sup>10</sup> Attachment 10.

COPA finds that on the night of June 4<sup>th</sup>, 2019, at or near 11:22 P.M., Chicago Police Department 015<sup>th</sup> District Officers Piotr Pawlowski, Star No. 16155, and Gregory Bacon, Star No. 16904, traveled to the Bellwood, Illinois Police Department to transport ██████ to the 015<sup>th</sup> District due to a City of Chicago warrant, Warrant No. ██████. Once arrived at the 015<sup>th</sup> District station, ██████ was searched by Officer Nichole Garfield, Star No. 16246, due to CPD policy requiring searches to be performed by an officer of the same sex as the arrestee being searched. Officer Garfield's search included searching ██████ pockets, waistband, shoes, and patting down ██████ person. Officer Garfield returned ██████ to the custody of the Arresting Officers, Officers Pawlowski and Bacon, who placed ██████ in Processing Room #1 of the 015<sup>th</sup> District Processing area for temporary holding at approximately 11:55 P.M. Officer Garfield left Processing Room #1 and returned to her workstation located approximately 4 workstations away. Officers Pawlowski and Bacon left Processing Room #1, as well, asking Officer Garfield to supervise ██████ while they left the Processing area. Officer Garfield agreed to supervise ██████. For the next approximately 18 minutes, ██████ was left in the Processing Room.

The door to Processing Room #1 has large, transparent windows, and the room is positioned opposite a row of several adjoining officer workstations. During the 18 minute period ██████ was alone in the Processing Room, several officers were located in the Processing area, seated by, standing near, or walking past Processing Room #1 in view of ██████. At all times, up to four officers were positioned in view of ██████ with at least one officer seated directly across from Processing Room #1 for the duration of the 18-minute period.

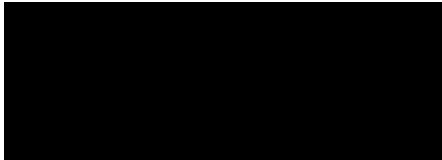
At approximately 12:14 A.M., while assisting two officers with paperwork—Officer Nathan Gonzalez, Star No. 6672, and former Officer John Creely, former Star No. 5221—who were seated directly across from the Processing Room, Officer Garfield saw ██████ with what appeared to be a necklace placed around the neck. Officer Garfield and four other officers entered the Processing Room. The officers removed the ligature from ██████ neck, which turned out to be a shoelace. Multiple officers remained near or directly in front of the room until, at 12:23 A.M., the officers placed ██████ at a workstation located between two to three officers, including Officer Garfield, who all continued to supervise ██████. At approximately 12:30 A.M., ██████ was transported by ambulance to Loretto Hospital and was later released from police custody without charges.

In her interview with COPA Investigators, Officer Garfield stated that, prior to entering the Processing Room, she performed a complete pat down of ██████ person, that all pockets and ██████ waistband were checked, and that ██████ was not wearing shoelaces when brought to the Processing Room. Officer Garfield further stated that she saw ██████ seated holding the ligature around the neck looking at Officer Garfield, that ██████ did not gesture in any particular manner, and did not do or say anything further. Officer Garfield stated that she did not perform a search of the Processing Room prior to ██████ entrance because she had only been asked to perform the search of ██████ person due to their shared biological sex, which she did before transferring ██████ back into the custody of the Arresting Officers. Officer Garfield further stated that it is the District's usual practice that all officers present in the Processing area help supervise detainees.

**II. ANALYSIS AND CONCLUSION**

COPA finds that Officer Nichole Garfield's search of [REDACTED] person prior to being placed in Processing Room #1 was within policy, and that Officer Garfield did not leave [REDACTED] unattended in the Processing Room. The record shows that Officer Garfield searched [REDACTED] prior to [REDACTED] being placed in the Processing Room, doing so per CPD policy because she shared the same biological sex as [REDACTED]. Officer Garfield's search of [REDACTED] person was thorough, including searching [REDACTED] pockets, waistband, shoes, and patting down [REDACTED] person. After transferring [REDACTED] back into custody of the Arresting Officers, Officer Garfield agreed to the Arresting Officers' request to supervise [REDACTED] while they attended to matters outside of the Processing area. During the period from when the Arresting Officers left [REDACTED] under Officer Garfield's supervision and when [REDACTED] was seen holding the ligature (described as a black necklace or string), several officers were present in the immediate vicinity of Processing Room #1, with between one and four officers at all times located in front of the Processing Room having a direct view through the large windows into the room. Officer Garfield looked inside Processing Room #1 and viewed [REDACTED] holding the ligature. Officer Garfield and other officers immediately responded, removed the ligature, and continued to directly supervise [REDACTED] before [REDACTED] transport to Loretto Hospital. Due to the thoroughness of Officer Garfield's search and the presence of several officers, including Officer Garfield, directly in front of Processing Room #1 before and at the moment [REDACTED] was seen by Officer Garfield holding the ligature, Officer Garfield's actions were within policy and the allegations are exonerated.

Approved:



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Andrea Kersten  
*Deputy Chief Administrator – Chief Investigator*

May 27, 2020

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Date

**Appendix A**

Assigned Investigative Staff

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<b>Squad#:</b>	Four
<b>Investigator:</b>	Daniel Thetford
<b>Supervising Investigator:</b>	James Murphy-Aguilu
<b>Deputy Chief Administrator:</b>	Andrea Kersten