

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	October 3, 2019 / 2:55pm / 9224 S. Ashland Avenue
Date/Time of COPA Notification:	October 31, 2019 / 12:31pm
Involved Officer #1:	Marcus Turner, Star #14203, Employee ID# [REDACTED] Date of Appointment: 12/12/2016, Rank: PO, Unit of Assignment: 022; DOB: [REDACTED] 1986, Male, Black
Involved Individual #1:	[REDACTED] DOB: [REDACTED] 1953, Female, Black

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Turner	1. It is alleged that on October 3, 2019 at approximately 2:55pm, at or near 9224 S. Ashland Avenue, Officer Turner took [REDACTED] to the hospital for a mental evaluation against her will and without justification.	Exonerated
	2. It is alleged that on October 3, 2019 at approximately 4:44pm at or near 2701 W. 68 th Street, Officer Turner failed to complete a Petition for Involuntary Admission when admitting [REDACTED] to Holy Cross Hospital against her will.	Exonerated

II. SUMMARY OF EVIDENCE

On November 4, 2019, [REDACTED] provided a recorded statement to COPA¹ in which she alleged that Officer Turner dragged her out of a Dollar General and brought her to the hospital against her will. During its investigation, COPA reviewed **Officer Turner’s body worn camera footage**², [REDACTED] **medical records**³, and **police reports**⁴. COPA also conducted an audio recorded **interview of Officer Turner**⁵.

¹ Att. 10.
² Att. 12.
³ Att. 11.
⁴ Atts. 13 and 15.
⁵ Att. 14.

COPA found that on October 3, 2019, a Dollar General employee called 911 to report a female yelling and threatening staff members inside the store. Officer Turner was assigned to the call, which was categorized as a mental health disturbance. Upon arriving at the Dollar General, Officer Turner spoke with ██████ brother who stated ██████ suffers from bipolar disorder and had recently been released from a mental health facility. ██████ was sitting inside the store throwing items from her bag, lifting her shirt, and being combative with store employees. ██████ brother and daughter requested that Officer Turner transport ██████ for involuntary admission to a mental health facility. Officer Turner attempted to speak with ██████ but she refused to stand up or leave the store. Officer Turner rolled ██████ onto her stomach and placed her in handcuffs. Officer Turner then helped ██████ to her feet and escorted her out of the store and into the back of his squad car. Prior to transporting ██████ to Holy Cross Hospital for a mental health evaluation, Officer Turner confirmed that ██████ brother would follow and meet them there.

Officer Turner transported ██████ to the hospital where they met ██████ brother. Officer Turner signed a log-in sheet and provided hospital staff with the relevant report number. Officer Turner then left the hospital.

III. ANALYSIS AND CONCLUSION

██████ alleges that Officer Turner transported and admitted her to the hospital against her will. While it is true that Officer Turner transported ██████ to the hospital for an involuntary mental health admission, COPA finds that Officer Turner did so with proper justification.

Special Order 04-20-02(IV) states that an officer **must** take a person into custody and transport that person to a mental health intake facility for involuntary admission when the officer's personal observation of the individual provides "reasonable grounds to believe the person is in need of an immediate mental health evaluation to protect such person or others from physical harm". The order also provides, "When a department member receives information from a third party that a person has exhibited aberrant behavior, the member may consider this information as personal observation." During his statement to COPA, Officer Turner explained that he believed ██████ was in the middle of a mental health crisis based on his observations of her behavior – speaking incoherently, not answering questions, refusing to get off the ground of the store⁶ - as well as the information received from store employees, paramedics, and ██████ family members. Specifically, ██████ brother indicated that she suffers from Bipolar Disorder and may not have taken her medication. Further, ██████ daughter indicated she had just been released from a mental health facility seven days prior. One of the responding paramedics stated ██████ was extremely agitated and has a history of schizophrenia. Finally, store employees stated ██████ had been threatening staff and throwing items around the store.

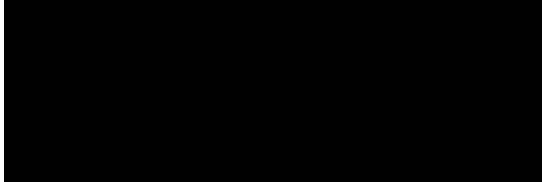
COPA finds that Officer Turner's observations (as verified by his body worn camera footage), as well as information he received from third parties, provided reasonable grounds to believe ██████ was in need of an immediate mental health evaluation to protect herself or others from harm. Therefore, COPA finds the allegation that Officer Turner improperly transported ██████ against her will to a mental health facility to be **Exonerated**.

⁶ *Id.* at 12:05.

The second allegation is that Officer Turner failed to complete a Petition for Involuntary Admission after transporting ██████ to the hospital against her will. Special Order 04-20-02(IV) provides that if an officer transports a person to a mental health intake facility for involuntary admission as a result of the officer’s personal observation of the individual, the officer will complete a Petition for Involuntary Admission. In a situation where an officer’s personal observations include third party information, an officer still must complete the Petition if the third party is unwilling or unable to do so him or herself. In this case, ██████ medical records from Holy Cross Hospital did not include a copy of a Petition for Involuntary Admission. Further, none of the police reports referenced a petition.

During his interview with COPA, Officer Turner acknowledged that he did not complete a Petition for Involuntary Admission. However, he stated that this was because ██████ brother was present at the hospital for intake and he was willing to fill out the Petition. Officer Turner stated he has filled out the petition on previous mental health transports, and he would have done so in this case if there had not been a willing third-party present to do so. COPA finds Officer Turner’s account to be credible and supported by the body worn camera footage, which depicts ██████ brother agreeing to follow Officer Turner and ██████ to the hospital. Because a third-party witness was present and willing to complete the Petition for Involuntary Admission, Officer Turner was not required to do so. Therefore, this allegation is **Exonerated**.

Approved:



Andrea Kersten
Deputy Chief Administrator – Chief Investigator

May 27, 2020

Date

Appendix A

Assigned Investigative Staff

Squad#:	4
Investigator:	Kerri Wyman
Supervising Investigator:	James Murphy-Aguilu
Deputy Chief Administrator:	Andrea Kersten