



Brandon Johnson
Mayor

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

Fred L. Waller
Interim Superintendent

June 21, 2023

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

Re: Superintendent's Partial Non-Concurrence with Penalty Recommendation
Complaint Log No. 2019-0005198

Dear Chief Administrator Kersten:

After a careful review of the above referenced complaint log number, the Chicago Police Department (Department) concurs with the findings for both accused members and concurs with the recommended penalty for Officer Joel Soto # 19351 but does not concur with the recommended penalty for Officer Vincent Ryan # 12351.

The COPA investigation recommended a penalty of a 30-day suspension for Officer Ryan after concluding that he:

1. Failed to give a citizen an Investigatory Stop Receipt until the citizen demanded one;
2. Engaged in an unnecessary verbal altercation with a citizen;
3. Used a racial epithet in his statement to the citizen.

The COPA investigation also recommended a penalty of a Reprimand for Officer Soto after concluding that he:

1. Failed to give a citizen an Investigatory Stop Receipt until the citizen demanded one.

The Department agrees with all the sustained findings and with the penalty recommendation for Officer Soto. But the Department believes that a 30-day suspension is excessive for Officer Ryan and recommends a 15-day suspension. Pursuant to the Municipal Code of Chicago, the Department provides the following comments.

The Department agrees that the racial epithet used in this situation is universally recognized as a

derogatory and racially biased word, and should never be used. But in this case, the Department believes the penalty should be mitigated further based on the same factors identified by COPA in its summary report. Officer Ryan did not direct this word at any particular person. And although the officer's belief that he was simply mirroring the statement of the citizen is not objectively reasonable, it seems that Officer Ryan is now aware that there is no justification for using racially epithets as he has admitted that his word choice was inappropriate.

Considering that Officer Ryan has an impressive complimentary history and only one disciplinary suspension for an off-duty incident, then progressive discipline would not go from a Reprimand to a 30-day suspension. If the purpose of discipline is to correct errant behavior and modify future conduct, then this can be accomplished with a lesser suspension, especially as it seems that Officer Ryan now knows not to use this term in the future. It is the Department's position that a 15-day suspension is sufficient to accomplish this goal. The Department looks forward to discussing this matter with you pursuant to MCC 2-78-130(a)(iii).



Fred L. Waller
Interim Superintendent
Chicago Police Department