

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	February 18, 2019
Time of Incident:	2:21 A.M.
Location of Incident:	████████████████████
Date of COPA Notification:	February 25, 2019
Time of COPA Notification:	1:53 P.M.

During the arrest of ██████████ Sergeant Erik Ruhnke alleges Officers Ivan Razo and Eric Miranda were insubordinate and inattentive to duty. Officer Razo alleges Sergeant Ruhnke, without justification, commanded him and Officer Miranda to arrest ██████████ During a review of Officers Razo and Miranda’s Body Worn Cameras (BWC), Lieutenant Tiffany Gorman alleges Officer Razo made various disparaging statements and or remarks regarding Sergeant Ruhnke during the transport of ██████████

II. INVOLVED PARTIES

Involved Officer #1:	Ivan Razo, Star #11703, Employee # ██████████ Date of Appointment: April 17, 2017, Police Officer, Unit of Assignment: 007 th District, DOB: ██████████, 1982, Male, White Hispanic.
Involved Officer #2:	Eric Miranda, Star #17417, Employee # ██████████, Date of Appointment: August 31, 2015, Police Officer, Unit of Assignment: 007 th District, DOB: ██████████, 1984, Male, White Hispanic.
Involved Sergeant #3:	Erik Ruhnke, Star #1964, Employee # ██████████, Date of Appointment: September 27, 2004, Sergeant, Unit of Assignment: 007 th District, DOB: ██████████, 1980, Male, White.
Involved Individual #1:	██████████ DOB: ██████████ 1987, Female, Black.
Involved Individual #2:	██████████ DOB: ██████████, 1989, Female, Black.

III. ALLEGATIONS

Officer	Allegation	Finding
Officer Ivan Razo	It is alleged that on February 18, 2019, at 0221 hours at [REDACTED] that you:	
	1. Failed to provide police service to the Victim [REDACTED]	Sustained
	2. Initially disobeyed Sergeant Ruhnke’s verbal commands to place the Offender [REDACTED] in custody.	Sustained
	3. Were inattentive to duty in that Officer Razo failed to obtain the necessary information from the Victim [REDACTED] to support the arrest of Offender [REDACTED]	Sustained
	4. Were inattentive to duty in that Officer Razo failed to secure prisoner [REDACTED] while at the 007 th District Station.	Not Sustained
5. Made various disparaging statements and or remarks regarding Sergeant Ruhnke.	Sustained	
Officer Eric Miranda	It is alleged that on February 18, 2019, at 0221 hours at [REDACTED] that you:	
	1. Failed to provide police service to the Victim [REDACTED]	Sustained
	2. Initially disobeyed Sergeant Ruhnke’s Verbal commands to place the Offender [REDACTED] in custody.	Sustained
	3. Were inattentive to duty in that Officer Miranda failed to obtain the necessary information from the Victim [REDACTED] to support the arrest of Offender [REDACTED]	Sustained
4. Were inattentive to duty in that Officer Miranda failed to secure prisoner [REDACTED] while at the 007 th District Station.	Not Sustained	

<p>Sergeant Erik Ruhnke</p>	<p>It is alleged that on February 18, 2019, at 0221 hours at [REDACTED] Avenue that you:</p> <ol style="list-style-type: none"> Without justification, gave a verbal command for Officers Ivan Razo, #1703, and Eric Miranda, #17417, to place [REDACTED] in custody. Failed to activate and or wear your Body Worn Camera. 	<p>Unfounded</p> <p>Unfounded</p>
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IV. APPLICABLE RULES AND LAWS

RULES

- Rule 1: Violation of any law or ordinance.
- Rule 5: Failure to perform any duty.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 7: Insubordination or disrespect toward a supervisory member on or off duty.
- Rule 10: Inattention to duty.

V. INVESTIGATION

a. Interviews

In a statement to COPA on August 15, 2019, **Police Officer Ivan Razo**¹ related he and Officer Miranda responded to a 911 call of a home invasion at [REDACTED]. Upon arriving at the scene, the officers encountered [REDACTED] who was standing on the porch. [REDACTED] informed the officers that her downstairs neighbor, [REDACTED] battered her and she wanted her arrested. After confirming [REDACTED] was not the 911 caller and [REDACTED] was the caller, the officers moved past [REDACTED] to locate [REDACTED]. The officers entered the address of the incident and identified [REDACTED]. Officer Miranda spoke to [REDACTED] and informed her that [REDACTED] was a victim of a home invasion. He advised her to seek a warrant for [REDACTED] arrest. Sergeant Ruhnke arrived at the scene. As Officers Razo and Miranda concluded their service to [REDACTED] Sergeant Ruhnke informed them that [REDACTED] had signed a complaint for [REDACTED] arrest. Officer Miranda related to Sergeant Ruhnke that he had already advised [REDACTED] on that matter. The officers stressed to Sergeant Ruhnke that [REDACTED] was a victim of a home invasion, and she should not be re-victimized. Sergeant Ruhnke proceeded to give Officers Miranda and Razo multiple verbal commands to handcuff [REDACTED]. Officer Razo did not understand why [REDACTED] was being arrested when she was the victim of a crime. Officers Razo and Miranda ultimately put [REDACTED] in custody. Officer Razo was “heated and emotional” regarding [REDACTED] arrest. During the transport of [REDACTED] to the 007th District, Officer Razo believed Sergeant Ruhnke’s command to arrest [REDACTED] was not justified. Upon arriving at the

¹ Attachment #6.

District Station, Officers Razo and Miranda placed ██████████ in a processing room. ██████████ fingerprints were taken, and Sergeant Ruhnke told Officer Miranda that ██████████ was all good. Officers Razo and Miranda interpreted that to mean ██████████ was free to go and released her from custody. ██████████ went to the front desk to retrieve her inventoried items. Lieutenant Gunnell later informed Officers Razo and Miranda that ██████████ paperwork was not complete. During his statement, Officer Razo read Lieutenant Gorman's Initiation Report regarding various disparaging statements and or remarks he made about Sergeant Ruhnke. Officer Razo stated the report was accurate and he stood by the contents of the report.

In a statement to COPA on August 16, 2019, **Police Officer Eric Miranda**² related he and his partner, Officer Razo, responded to ██████████ 911 call of a home invasion at ██████████ Avenue. Upon arriving at the scene, ██████████ upstairs neighbor ██████████ approached the officers. ██████████ informed the officers that ██████████ battered her a few weeks ago and she wanted ██████████ arrested. Officer Miranda advised ██████████ to seek a warrant for ██████████ arrest. Officer Miranda's priority was to locate ██████████ and ensure she and her family were safe. Approximately 15 minutes later Sergeant Ruhnke arrived at the scene. After Officers Miranda and Razo provided service to ██████████ Sergeant Ruhnke informed them ██████████ had signed a complaint for ██████████ arrest. Officer Miranda informed Sergeant Ruhnke that he had responded to the address on numerous occasions regarding ██████████ and ██████████ and that he had advised ██████████ to seek a warrant for ██████████ arrest. Officer Miranda believed that arresting ██████████ who was a victim of a home invasion, would be re-victimizing her. Sergeant Ruhnke gave Officer Miranda multiple commands to handcuff ██████████ After several commands, Officer Miranda placed ██████████ in custody. During the transport of ██████████ to the District, Officer Miranda stated he and Officer Razo were emotional regarding ██████████ arrest. Per Officer Miranda, Officer Razo verbally expressed his feelings about the matter.

After ██████████ was processed at the District, Sergeant Ruhnke told Officer Miranda ██████████ fingerprints cleared and she was ready to be bonded out. Officers Miranda and Razo released ██████████ from custody. She went to the District lobby to retrieve her inventoried items. Officers Miranda and Razo were later informed that ██████████ should have remained in custody until a Sergeant came to get her from lock-up. Per Officer Miranda, 2nd Watch handles the process for bonding arrestees differently from 1st Watch and he was not aware of that. Officer Miranda denied the allegations against him.

In a statement to COPA on September 25, 2019, **Sergeant Erik Ruhnke**³ essentially related the narrative of his To-From Report regarding this incident. In addition, Sergeant Ruhnke described Officers Miranda and Razo's demeanor during the arrest of ██████████ as dismissive. After ██████████ fingerprints cleared, Sergeant Ruhnke told Officer Miranda that ██████████ needed to be brought up for an I-bond. Sergeant Ruhnke was aware ██████████ was a victim of a home invasion but stated that it does not pardon her for her actions of battering ██████████ Sergeant Ruhnke believed Officer Miranda was grouping prior incidents between ██████████ and ██████████ with the current situation and not addressing each incident separately. Sergeant Ruhnke provided his BWC footage regarding this incident via Evidence.com. Sergeant Ruhnke denied the allegations against him.

² Attachment #5.

³ Attachment #7.

b. Digital Evidence

Officer Razo's BWC⁴ shows him and Officer Miranda arriving at the scene and exiting their vehicle. [REDACTED] walks out of the residence and is screaming to the officers that [REDACTED] hit her. Officer Razo asks [REDACTED] if she is [REDACTED] she responds that she is not. Officer Razo instructs [REDACTED] to step aside and not to speak to him. Officers Razo and Miranda give her a report number. Officer Razo walks to the vehicle and fills out a form and turns off his BWC. Officer Razo walks back into the apartment and turns back on his BWC, this captures the incident continuing from Officer Razo's BWC;⁵ Officer Razo talks with Sergeant Ruhnke and says, "She called, we are dealing with her, Criminal Damage to Property, I don't know what the fuck they are talking about."⁶ Sergeant Ruhnke gives him multiple verbal commands to Officer Miranda to handcuff [REDACTED] Officer Miranda places [REDACTED] in handcuffs. [REDACTED] puts on more clothing; they walk outside to the CPD vehicle. During the transport Officer Razo makes several disparaging remarks and statements regarding Sergeant Ruhnke. Officer Razo refers to Sergeant Ruhnke as a "Motherfucker,"⁷ he blames Sergeant Ruhnke for community relations being in the "fucking toilet."⁸ He says, "This is the stupidest shit ever and fucking ridiculous. All he wants is a fucking CB. This shit is fucking ridiculous."⁹ He also says, "Yes, this camera is fucking on. This is fucking ridiculous."¹⁰ They arrive at the District Station and place [REDACTED] in a holding area.

Officer Miranda's BWC¹¹ essentially shows the same footage as Officer Razo's BWC. In addition, when [REDACTED] walks out of her residence to talk to Officer Miranda regarding [REDACTED] [REDACTED] he tells her to return to her residence.

Sergeant Ruhnke's BWC¹² shows him and Officer Miranda approaching the address of the incident. [REDACTED] walks out of the residence, and she explains to Sergeant Ruhnke that she heard a lot of noise downstairs and that she went to see what was happening. [REDACTED] says that [REDACTED] pushed her. [REDACTED] tells Sergeant Ruhnke about an incident that happened two weeks ago, in which [REDACTED] struck her with a 2x4. [REDACTED] presents Sergeant Ruhnke with a report documenting the previous incident and states she wants to pursue charges against [REDACTED] Sergeant Ruhnke, Officer Miranda, and [REDACTED] walk in the hallway of the two-unit building, and [REDACTED] identified [REDACTED] Officer Razo tells Sergeant Ruhnke that [REDACTED] has nothing to do with what is happening with [REDACTED] Sergeant Ruhnke tells Officer Miranda to handcuff [REDACTED] Sergeant Ruhnke instructs Officer Miranda approximately five times to put handcuffs on [REDACTED] [REDACTED] puts on more clothing. She walks outside with the Officers and is put in a CPD vehicle. They drive to the 7th District. As Sergeant Ruhnke is

⁴ Attachment #23.

⁵ Attachment #22.

⁶ Attachment #22 at 2:53.

⁷ Attachment #22 at 12:26.

⁸ Attachment #22 at 12:39.

⁹ Attachment #22 at 12:20.

¹⁰ Attachment #22 at 12:28.

¹¹ Attachments #12 and #10.

¹² Attachment #8.

leaving the scene, ██████ asks him about her court date regarding ██████ arrest. Sergeant Ruhnke tells ██████ that Officers Miranda and/or Razo will contact her.¹³

c. Documentary Evidence

In an **Initiation Report**,¹⁴ Lieutenant Tiffany Gorman, #455, related during the viewing of Officers Razo and Miranda's BWC she observed numerous acts of insubordination by Officer Razo concerning Sergeant Ruhnke. The insubordination occurred during the transport of ██████. Officer Razo referred to Sergeant Ruhnke as a "Motherfucker," he blamed Sergeant Ruhnke for community relations being in the "fucking toilet," he stated Sergeant Ruhnke commanding the arrest of ██████ is "the stupidest shit ever and fucking ridiculous," and he referred to Sergeant Ruhnke as a "racist ass fucking Sergeant." Officer Razo stated he was aware that his actions were being recorded. Lieutenant Gorman assumed Officer Razo's verbal tirade was in response to Sergeant Ruhnke commanding him and Officer Miranda to arrest ██████. Officers Razo and Miranda responded to ██████ 911 call of Criminal Damage to Property. Moments later, Sergeant Ruhnke arrived at the scene and spoke to ██████ neighbor, ██████. ██████ related to Sergeant Ruhnke that ██████ committed a Battery against her, and she wanted to sign a complaint for ██████ arrest. At that time, Sergeant Ruhnke gave Officers Razo and Miranda several verbal commands to place ██████ in custody.

In an **Initiation Report**,¹⁵ Lieutenant Erich Rashaan, #406, identified Officers Miranda, Razo, and Sergeant Ruhnke as accused. Sergeant Ruhnke is listed as the complainant against Officer Razo for insubordination and Inattention to Duty and against Officer Miranda for Inattention to Duty. Officer Razo is listed as the complainant against Sergeant Ruhnke for Improper Arrest (██████). The narrative relates that Officers Razo and Miranda responded to a call of a person with a gun at ██████. During their preliminary investigation, Officers Razo and Miranda were approached by ██████. ██████ alleged ██████ battered her, and she wanted to sign a complaint for ██████ arrest. Officers Razo and Miranda dismissed ██████ complaint. Thereafter, ██████ called 911 and requested a supervisor to the scene; Sergeant Ruhnke responded. Sergeant Ruhnke determined probable cause existed to arrest ██████. Officers Razo and Miranda ignored multiple commands by Sergeant Ruhnke to place ██████ in custody. Eventually, Officers Razo and Miranda placed ██████ in custody and transported her to the 7th District. After ██████ was processed, Officers Razo and Miranda placed her in an unsecured public waiting area. Sergeant Carlos Ferrer, the acting District Station Supervisor (DSS), observed ██████ and informed Sergeant Ruhnke of the matter. Sergeant Ruhnke secured ██████ until her bond was complete.

Officer Razo submitted a **To-From Report**¹⁶ regarding Sergeant Ruhnke's Summary Punishment Action Request (SPAR) of him and Officer Miranda. Officer Razo disputed the arrest of ██████ and stated, "It was not determined beyond any evidence, nor at the slightest reasonableness, that a crime has/had been committed by offender/Patton."

¹³ Attachment #8 at 14:58.

¹⁴ Attachment #17.

¹⁵ Attachment #19.

¹⁶ Attachment #21.

In a **To-From Report**, Sergeant Ruhnke¹⁷ related ██████████ called 911 requesting a supervisor because the officers at the scene refused to arrest ██████████ who attacked her. Upon arriving at the scene, Sergeant Ruhnke spoke with Officer Miranda who informed Sergeant Ruhnke that he has responded to the address of the incident on numerous occasions and that it was all nonsense. Sergeant Ruhnke proceeded to speak to ██████████ who informed Sergeant Ruhnke that her downstairs neighbor, ██████████ battered her. Sergeant Ruhnke asked ██████████ if she wanted to pursue charges against ██████████ and she responded that she did. Sergeant Ruhnke, accompanied by ██████████ entered the address of the incident and ██████████ positively identified ██████████. Immediately, Officer Razo stated, “She called in reference to criminal damage to property. I don’t know what the fuck they are talking about. They don’t need to be involved with what she’s got going on. They didn’t call the cops.” In the presence of Officers Miranda and Razo, ██████████ reasserted that she had been battered by ██████████. Sergeant Ruhnke ordered Officer Miranda to place ██████████ in custody; Sergeant Ruhnke gave the order a total of 6 times before Officer Miranda complied. As ██████████ was being placed in custody her mother asked why she was being arrested. Officers Razo and Miranda responded, “That’s on Sarge, he’s ordering us to do this, it’s on him, not on us.” The officers made the statement despite hearing ██████████ relate that she was a victim of a crime and she wanted to pursue charges against ██████████. Without speaking to ██████████ to obtain sufficient information to support the arrest of ██████████ Officers Razo and Miranda left the scene and transported ██████████ to the 7th District for processing. Upon arriving at the District Station, Sergeant Ruhnke admonished Officers Miranda and Razo for failure to properly provide police service to ██████████. Sergeant Ruhnke explained to the officers “When a complainant reports a criminal act has been committed, states they want to pursue charges and an identified offender is on the scene, enforcement action is all but required barring some reasonable information refuting said allegation.” Officer Razo responded words to the effect, “That was all you Sarge, I didn’t know nothing about that, they told you.” Sergeant Ruhnke reiterated ██████████ arrest was based on a signed complaint, not on a crime he was alleging, and the arrest was necessary. Officer Razo responded, “It was not necessary, it’s just that some people are CB hungry.” Sergeant Ruhnke directed ██████████ to Officer Razo, so she could provide him with the information he failed to obtain at the scene and to obtain a court date regarding ██████████ arrest. During a review of the General Offense Case Report (██████████),¹⁸ Sergeant Ruhnke did not believe Officers Miranda and Razo needed to document they were ordered by him to effect the arrest because the arrest was based on a signed complaint by ██████████. As a result, Sergeant Ruhnke rejected the report and informed Officers Miranda and Razo that he would SPAR them for the infraction. Officers Miranda and Razo stated the report was an accurate account of what occurred. Sergeant Ruhnke instructed the officers to resubmit their report for approval and told them they would receive a SPAR. After ██████████ fingerprints cleared, Sergeant Ruhnke informed Officers Miranda and Razo that ██████████ was ready to be bonded out. Later, Sergeant Ferrer informed Sergeant Ruhnke that ██████████ was seated in the lobby of the District Station not secure. Sergeant Ruhnke approached ██████████ and informed her that she had to return to a secured area until she was bonded out. ██████████ complied and was later bonded out.

¹⁷ Attachment #19.

¹⁸ Attachment #14.

According to [REDACTED] **Arrest Report**,¹⁹ she was charged with battery. Arresting Officers Razo and Miranda responded to [REDACTED] 911 call of men with guns. Four unknown males with guns and wearing masks kicked in [REDACTED] front door claiming she owed rent. During the Officers' preliminary investigation, [REDACTED] upstairs neighbor, [REDACTED] called 911 and requested a supervisor to the scene. [REDACTED] informed Sergeant Ruhnke that before Officers Razo and Miranda's arrival, [REDACTED] came to her apartment and accused her of being responsible for her apartment being invaded. A verbal altercation ensued between the two, which led to [REDACTED] pushing [REDACTED] signed a complaint against [REDACTED] for battery and Sergeant Ruhnke ordered Officers Razo and Miranda to place [REDACTED] in custody.

The **Original Case Incident Report** essentially related the same account as the Arrest Report, RD# [REDACTED].²⁰

An **Original Case Incident Report**, RD# [REDACTED],²¹ was generated for [REDACTED] Criminal Damage to Property by Officer Razo.

The **Case Supplementary Reports** for the above RD numbers did not provide any additional information.²²

An **Event Query** shows [REDACTED] called 911 and requested a supervisor after Officer Razo and Officer Miranda refused to arrest the offender, [REDACTED] for Battery.²³

d. Other Evidence

The initial **BWC Request**²⁴ response stated Sergeant Ruhnke's BWC was shared, but it was not. The second request informing Sergeant Ruhnke's BWC was not shared. A response was received regarding the BWC, which read, "Correction, no BWC found on Ruhnke." As a result, Sergeant Ruhnke has received an allegation for failure to activate and or wear his BWC. During his statement to COPA, Sergeant Ruhnke accessed his BWC on Evidence.com and played the video footage regarding this incident.

VI. LEGAL STANDARD

For each Allegation COPA must make one of the following findings:

1. Sustained - where it is determined the allegation is supported by a preponderance of the evidence;
2. Not Sustained - where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;

¹⁹ Attachment #27.

²⁰ Attachment #15.

²¹ Attachment #14.

²² Attachment #13.

²³ Attachment #18.

²⁴ Attachment #20.

3. Unfounded - where it is determined by clear and convincing evidence that an allegation is false or not factual; or
4. Exonerated - where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

A **preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that the conduct reviewed complied with Department policy. *See Avery v. State Farm Mutual Automobile Insurance Co.*, 216 Ill. 2d 100, 191 (2005), (a proposition is proved by a preponderance of the evidence when it has found to be more probably true than not). If the evidence gathered in an investigation establishes that it is more likely that the conduct complied with Department policy than that it did not, even if by a narrow margin, then the preponderance of the evidence standard is met.

Clear and convincing evidence is a higher standard than a preponderance of the evidence but lower than the "beyond-a-reasonable doubt" standard required to convict a person of a criminal offense. *See e.g., People v. Coan*, 2016 IL App (2d) 151036 (2016). Clear and Convincing can be defined as a "degree of proof, which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true." *Id.* at ¶ 28.

VII. ANALYSIS

Officer Ivan Razo, #11703

COPA finds **Allegation #1**, is **SUSTAINED**, that Officer Razo failed to provide police service to [REDACTED] Officer Razo responded to [REDACTED] 911 call of a home invasion and correctly addressed that matter first. However, after providing service to [REDACTED] Officer Razo did not provide any service to [REDACTED] alleged she was battered by [REDACTED] and was willing to sign a complaint while [REDACTED] was at the scene. However, Officer Razo told [REDACTED] not to speak to him. He did not listen to her complaint. He did not refer [REDACTED] to other officers at the scene, nor did he request a supervisor to the scene for assistance/guidance. Officer Razo had no intention of providing [REDACTED] with service because he believed that arresting [REDACTED] would be re-victimizing her. Officer Razo's failure to provide service to [REDACTED] resulted in [REDACTED] calling 911 and requesting a supervisor to the scene. Sergeant Ruhnke determined that probable cause existed to arrest [REDACTED] Sergeant Ruhnke had to give several verbal commands to Officer Razo before he complied and placed [REDACTED] in custody. Thus, the allegation is Sustained.

COPA finds **Allegation #2**, is **SUSTAINED**, that Officer Razo initially disobeyed Sergeant Ruhnke's verbal commands to place [REDACTED] in custody. Sergeant Ruhnke's BWC shows indisputable evidence of him giving multiple commands to handcuff [REDACTED] before Officer Razo complied and placed [REDACTED] in custody. Thus, this allegation is Sustained.

COPA finds **Allegation #3**, is **SUSTAINED**, that Officer Razo was inattentive to duty in that he failed to obtain the necessary information from the Victim [REDACTED] to support the arrest of [REDACTED] Per Officer Razo, [REDACTED] arrived at the District Station and provided him with an in-depth narrative regarding the incident between her and [REDACTED] which

affirms Officer Razo left the scene without obtaining pertinent information to support the arrest of [REDACTED]. Thus, this allegation is Sustained.

COPA finds **Allegation #4**, is **NOT SUSTAINED**, that Officer Razo was inattentive to duty in that he failed to secure [REDACTED] while at the 7th District Station. Based on the information obtained during this investigation, it is reasonable to believe that there was a misunderstanding and a difference in watch procedures that resulted in [REDACTED] being not secure in the District lobby. There is insufficient evidence to support the allegation that Officers Razo and Miranda were inattentive to duty in securing [REDACTED]. Thus, the allegation is Not Sustained.

COPA finds **Allegation #5**, is **SUSTAINED**, that Officer Razo made various disparaging statements and/or remarks regarding Sergeant Ruhnke. Officer Razo's BWC provides indisputable audio evidence of the aforementioned. After Officer Razo read Lieutenant Gorman's Initiation Report regarding the remarks/statements concerning Sergeant Ruhnke, Officer Razo stated the report was accurate. Thus, this allegation is Sustained.

Officer Eric Miranda, #17417

COPA finds **Allegation #1**, is **SUSTAINED**, that Officer Miranda failed to provide police service to [REDACTED]. Officer Miranda responded to [REDACTED] 911 call of a home invasion and correctly addressed that matter first. However, after providing service to [REDACTED] Officer Miranda did not provide service to [REDACTED] alleged she was battered by [REDACTED]. She as willing to sign a complaint, and [REDACTED] was at the scene. However, Officer Miranda dismissed her complaint and advised her to seek a warrant. Officer Miranda did not refer [REDACTED] to other officers at the scene nor did he request a supervisor to the scene for assistance/guidance. Officer Miranda had no intention of providing [REDACTED] with service, because he believed arresting [REDACTED] would be re-victimizing her. Officer Miranda's failure to provide service to [REDACTED] resulted in [REDACTED] calling 911 and requesting a supervisor to the scene. Sergeant Ruhnke responded to the scene and determined probable cause existed to arrest [REDACTED]. Sergeant Ruhnke had to give several verbal commands to Officer Miranda before he complied and placed [REDACTED] in custody. Thus, this allegation is Sustained.

COPA finds **Allegation #2**, is **SUSTAINED**, that Officer Miranda initially disobeyed Sergeant Ruhnke's verbal commands to place [REDACTED] in custody. Sergeant Ruhnke's BWC shows indisputable evidence of him giving Officer Miranda multiple commands to handcuff [REDACTED] before Officer Miranda complied and placed [REDACTED] in custody. Thus, this allegation is Sustained.

COPA finds **Allegation #3**, is **SUSTAINED**, that Officer Miranda was inattentive to duty in that he failed to obtain the necessary information from the [REDACTED] to support the arrest of [REDACTED] reported to the District and provided Officer Razo with a narrative regarding the incident with [REDACTED] that affirms Officer Razo left the scene without obtaining pertinent information to support the arrest of [REDACTED]. Thus, this allegation is Sustained.

COPA finds **Allegation #4**, is **NOT SUSTAINED**, that Officer Miranda was inattentive to duty in that he failed to secure prisoner [REDACTED] while at the 7th District Station. Based

on the statements of Sergeant Ruhnke and Officers Miranda and Razo, it is reasonable to believe there was a misunderstanding between the aforementioned parties and a difference in how things are handled on the 1st and 2nd Watch that resulted in [REDACTED] being left unsecured in the District lobby. There is insufficient evidence to support the allegation that Officers Razo and Miranda were inattentive to duty in securing [REDACTED]. Thus, this allegation is Not Sustained.

Sergeant Erik Ruhnke, #1964

COPA finds **Allegation #1**, is **UNFOUNDED**, that Sergeant Ruhnke without justification, gave verbal commands for Ivan Razo, #1703, and Eric Miranda, #17417, to place [REDACTED] in custody. After speaking to [REDACTED] Sergeant Ruhnke determined probable cause existed to arrest [REDACTED] proceeded to identify [REDACTED] as the individual who battered her and signed a complaint for [REDACTED] arrest. Based on the aforementioned information, Sergeant Ruhnke's actions were justified and withing policy. This was captured on body worn camera, and thus, this allegation is Unfounded.

COPA finds **Allegation #2**, is **UNFOUNDED**, that Sergeant Ruhnke failed to activate and or wear his Body Worn Camera. During his statement to COPA, Sergeant Ruhnke accessed Evidence.com and provided COPA with his BWC regarding this incident. Thus, this allegation is Unfounded.

VIII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. Officer Ivan Razo

i. Complimentary and Disciplinary History

1. Complimentary: 1 2019 Crime Reduction Award, 1 Complimentary Letter, 4 Emblem of Recognition- Physical Fitness, 3 Honorable Mentions, and 1 Unit Meritorious Performance Award.
2. Officer Razo has one Reprimand in April of 2021.

ii. Recommended Penalty: Suspension up to 30 days

Officer Razo failed to provide service to the victim, initially disobeyed Sgt. Ruhnke's verbal commands to place the offender in custody and was inattentive to duty by not obtaining necessary information from the victim to support the arrest of the offender. Officer Razo also made various disparaging statements and or remarks regarding Sgt. Ruhnke. COPA recommends a suspension up to 30 days.

b. Officer Eric Miranda

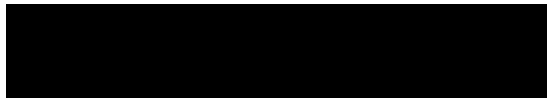
i. Complimentary and Disciplinary History

1. Complimentary: 1 Crime Reduction Award, 1 Complimentary Letter, 1 Department Commendation, 11 Honorable Mentions, 1 Unit Meritorious Performance Award
2. Disciplinary: None

ii. Recommended Penalty: Suspension up to 30 days

Officer Miranda failed to provide service to the victim, initially disobeyed Sgt. Ruhnke’s verbal commands to place the offender in custody; and for being inattentive to duty by not obtaining necessary information from the victim to support the arrest of the offender. COPA recommends a suspension up to 30 days.

Approved:



Sherray Jackson
Deputy Chief Administrator – Chief Investigator

January 9, 2023

Date