

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	January 29, 2019
Time of Incident:	Approximately 12:32 p.m. to 2:32 p.m.
Location of Incident:	Via telephone
Date of COPA Notification:	January 30, 2019
Time of COPA Notification:	5:21 p.m.

At the time of this incident, Officer Emile Domer was separated from his [REDACTED]. [REDACTED] Officer Domer resided in Chicago while [REDACTED] resided at her parents' home in Campton Hills, Illinois with their two minor children. On January 26, 2019, from approximately 12:32 p.m. to 2:32 p.m., Officer Emile Domer called, [REDACTED] and threatened her by stating words to the effect that he would "shoot up" the residence and "I'm going to kill you." [REDACTED] also reported that she heard the zipper on a rifle bag as Domer told her that he was gathering up his guns to bring to the residence. [REDACTED] made an immediate outcry to her supervisor, [REDACTED] Police Sergeant Carlton Hughes, who immediately accompanied her to the residence in Kane County. Campton Hills Police responded and met the [REDACTED] separately at the residence. Officer Domer was brought to the station, where he spoke with [REDACTED] in the presence of police. Although Officer Domer denied the allegations made against him, the preponderance of the evidence indicates that it is more likely than not that Officer Domer made the threats alleged by [REDACTED] and these allegations are **SUSTAINED**.

II. INVOLVED PARTIES

Involved Officer #1:	Emile Domer, Star #112374, Employee # [REDACTED]; DOA: April 1, 2013; Police Officer; Unit 015; DOB: [REDACTED], 1986; Male; Black.
Involved Individual #1:	[REDACTED] DOB: [REDACTED], 1987; Female; White.
Involved Individual #2:	[REDACTED] Police Sergeant Carlton Hughes; DOB: [REDACTED], 1976; Male; Black.
Involved Individual #3:	Campton Hills Police Officer Matt Stastny; DOB: Unknown; Male; White.
Involved Individual #4:	Campton Hills Police Officer Daniel Hatt; Male; White.
Involved Individual #5:	Campton Hill Police Chief Steven Millar; Male; White.

III. ALLEGATIONS

Officer	Allegation	Finding
Officer Emile Domer, #112374	1. It is alleged that on or about January 29, 2019, between approximately 12:32 p.m. and 2:30 p.m., via telephone, the accused threatened ██████████ in that he stated words to the effect of that he was going to, “Shoot up the residence.”	Sustained
	2. It is alleged that on or about January 29, 2019, between approximately 12:32 p.m. and 2:30 p.m., via telephone, the accused threatened ██████████ in that he stated words to the effect of, “I’m going to kill you.”	Sustained

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
 2. Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
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V. INVESTIGATION

a. Interviews

██████████ a ██████████ Detective, declined to cooperate with this investigation. During a telephone call¹ with COPA on February 11, 2019, ██████████ described the incident as a “misunderstanding” that did not require investigation, despite 911 calls prompting the Campton Hills Police Department to respond to her mother’s residence. ██████████ stated that she called the Campton Hills Police Department to amend the police report. ██████████ did not respond to

¹ Att. 12.

questions asked by COPA about past abuse documented in the Campton Hills case report. Thus, COPA requested and obtained an affidavit override² to proceed with its investigation.

In an interview with COPA on August 1, 2019, **Carlton Hughes**,³ a [REDACTED] Police Detective Sergeant, stated that he supervised [REDACTED] one of three detectives under his command, for approximately two years. Prior to January 29, 2019, Hughes was aware of [REDACTED] [REDACTED] problems because she often left the office to take phone calls, and he previously walked into the office when she had been yelling into the phone. However, [REDACTED] did not confide in him or tell him of any specific [REDACTED] problems prior to January 29, 2019. Hughes was aware that the [REDACTED] were living separately from each other and that Officer Domer did not like that his [REDACTED] worked long hours in a unit that was completely staffed by men.

Hughes stated that on January 29, 2019, [REDACTED] was on the telephone and left the office for approximately twenty minutes. [REDACTED] was crying when she returned and asked to speak with Hughes privately. [REDACTED] told Hughes that she needed to go because Officer Domer threatened her life and the lives of their children. Specifically, Officer Domer was going to come to her workplace at the [REDACTED] and then go to her mother's residence in Elgin where their kids were and "possibly shoot up the house."⁴ [REDACTED] related that she heard the bag where her [REDACTED] kept his rifles being unzipped and then heard the magazine going into the rifle. She also heard him gathering his weapons. Hughes notified his superiors and then contacted the Campton Hills Department and the Chicago Police Department as he drove [REDACTED] to her mother's residence.⁵ Hughes estimated that [REDACTED] received four phone calls from Officer Domer before they left the station. During these calls, Officer Domer appeared to be asking [REDACTED] to come to his home in Mount Greenwood, and she refused. [REDACTED] would hang up and Officer Domer would call back.

Hughes related that as he drove and made calls regarding the situation, [REDACTED] conversed with Officer Domer, repeatedly asking where he was. Hughes could hear [REDACTED] but could not hear what Officer Domer said on the other end of the phone. Hughes did not hear Officer Domer make any threats over the phone. Hughes was notified that the Chicago Police Department had not been able to contact Officer Domer at his residence. Officer Domer heard Hughes while he was on the phone with [REDACTED] and became "even more angry" that she was in a vehicle with Hughes.⁶ [REDACTED] informed Hughes that Officer Domer wrongly believed that she was having extramarital affairs with both him and [REDACTED] Detective Giddings. [REDACTED] related that Officer Domer had two extramarital affairs and was questioning the paternity of their youngest child. Hughes estimated that it took approximately ninety minutes for them to drive to her mother's residence and that the Domers were talking on the phone with each other for most of the trip. Hughes described [REDACTED] as becoming more visibly upset as she spoke with her [REDACTED] Hughes observed [REDACTED] turn pale as she spoke with Officer Domer, adding that she was "just crying and shaking."⁷ Hughes had never seen [REDACTED] like that.

² Att. 25 & 26.

³ Att. 40 & 47.

⁴ Att. 47 at 9.

⁵ Hughes stated he contacted the Elgin Police Department, but he actually contacted the Campton Hills Police Department. Elgin is nearby.

⁶ Att. 47 at 13.

⁷ Id. at 17.

Upon their arrival at ██████ parents' home in Campton Hills, Officer Domer was not on scene, having already been taken to the police station. However, Officer Domer's truck was in a ditch on the side of the driveway. ██████ declined to have Hughes accompany her inside the residence to check on her mother, ██████ ██████ and the children. When she returned to the vehicle, ██████ called her father, who was out of town. Hughes heard ██████ state to her father via telephone that Officer Domer had threatened her life. Hughes did not hear what her father said on the other end, but stated "that's when she really, completely broke down. She just was sobbing at that point."⁸ Hughes drove ██████ to the Campton Hills Police Department. ██████ told Hughes that he could leave, but he stayed parked outside in case she needed anything from him. ██████ went inside and later came out to tell him to leave. Hughes then drove back to the ██████ alone.

When Hughes later attempted to obtain the Campton Hills Police Report, he was told that it would not be released to him at the request of ██████. Hughes understood this to mean that that she did not want help from the ██████ Police Department. Hughes also stated that ██████ was concerned that Officer Domer would lose his job because there had been such a serious threat reported with an equally large response from law enforcement.

Hughes stated that ██████ later told him that she took the incident out of context due to her heightened emotional state, adding that she said Officer Domer had never threatened to kill her or the kids, and never threatened to shoot up the house. Hughes related that he thought ██████ had been threatened, otherwise she would not have wanted to go to her mother's residence immediately, would not have been so worried, would not have been so pale, and would not have been shaking. Hughes also believed that Officer Domer threatened her, because she involved Hughes, her superior, in the situation, indicating that she believed her children were in danger. Hughes stated that after ██████ recanted the threat to him, he no longer knew how to take what she was saying regarding her relationship.

During a personal visit on August 19, 2019, ██████⁹ declined to cooperate with this investigation. However, ██████ stated that she did not encounter Officer Domer on January 29, 2019, and that he did not threaten her. ██████ also stated that she was not in fear of Officer Domer and did not fear for the safety of ██████. It should be noted that the Domers' children were with ██████ at the time COPA spoke with her.

In an interview with COPA on July 24, 2019, **Campton Hills Police Chief Steven Millar**¹⁰ stated that he heard the radio call of a "female, now known as ██████ who called "in hysterics,"¹¹ to report that her Chicago Police Officer ██████ now known as Domer, was possibly armed and on his way to her parents' home.¹² She was concerned that he would harm her and the children. Millar spoke with ██████ on the phone. He described her as "pretty excited."¹³ Millar was unable

⁸ Att. 47 at 22.

⁹ Att. 39.

¹⁰ Atts. 35, 44.

¹¹ Att. 44 at 4.

¹² Id.

¹³ Id. at 5.

to reach Officer Domer via telephone. ██████ stated they were having an argument and “she felt he was in a state of rage.”¹⁴ ██████ told him that he did not use words to say that he was going to harm her and the kids, but that in her mind, she “felt that she heard what sounded like the racking of a weapon.”¹⁵ ██████ later stated that she heard the pulling of a zipper that she thought was the zipper of a long-gun bag.

Millar sent officers out to ██████ parent’s house to wait for Officer Domer and instructed ██████ to come to the Campton Hills Police Station. Millar stated that ██████ came with her supervisor, now known as Hughes. Millar instructed ██████ to have Hughes wait outside. He spoke with ██████ whom he described as nervous. ██████ related that she and Officer Domer argued over infidelity issues, and that Officer Domer thought ██████ was having an affair with Hughes. ██████ never stated to Millar that Officer Domer verbally threatened to kill her. Millar then sent ██████ to check on her kids and mother, while Officer Domer was brought into the police station.

Millar described Officer Domer as calm when he arrived, adding that he did not speak with Officer Domer directly and was in and out of the room while Officer Domer was interviewed. No firearms were found in Officer Domer’s vehicle other than his duty weapon, which he surrendered. ██████ also requested to speak to Officer Domer one-on-one. They were later put in a room alone with the door left open. Millar stated that after observing them talking together, he was not surprised that she did not pursue anything further like signing complaints. However, Millar stated that in his law enforcement experience, this seemed like a bonafide domestic threat and raised concerns to him and the Campton Hills Police Department. Millar stated that he followed up with Officer Domer’s supervisor to ensure that CPD was aware and would offer follow-up services to Officer Domer. Millar stated that he did not release the report and information to Hughes because he did not feel comfortable doing so when ██████ asked him not to release it.

In an interview with COPA on July 24, 2019, **Campton Hills Police Officer Daniel Hatt**¹⁶ stated that was dispatched to ██████ in response to a report that a Chicago Police Officer had made threats that he was coming over to kill his ██████ and kids. Upon arrival, Hatt encountered ██████ who was alone with the children. The dispatcher advised that the caller had heard a gun being racked and the zipper to a gun case being zipped. ██████ related to him that she was aware of the situation and that her daughter had called to tell her not to let Officer Domer into the house. When Officer Domer was brought to the station, Hatt found him calm and cooperative. Hatt heard Officer Domer deny threatening to kill ██████ and the children. Officer Domer stated he simply wanted to see his children, which ██████ had forbidden. Officer Domer also said he believed that she was having an affair with her boss, now known as Hughes, and he wanted to take his kids because he was upset.

Hatt was not present while ██████ and Officer Domer spoke with each other. However, Hatt did hear ██████ say Officer Domer had battered her in the past, but she had not reported it. Hatt related ██████ also stated that she heard the slide to a gun being pulled back when she spoke to her ██████ Hatt related that ██████ said that Officer Domer actually stated that he would kill her and the kids.

¹⁴ Id.

¹⁵ Id. at 6.

¹⁶ Atts. 31, 45.

In an interview with COPA on July 24, 2019, **Campton Hills Police Officer Matt Stastny**¹⁷ recalled an unusual domestic incident in that the two involved parties were not at the residence when the call came in. ██████ called to report that Officer Domer was a police officer and had “made threats to kill the family and the children and take the children.”¹⁸ Stastny stated that dispatch told him ██████ heard him making racking noises with a rifle over the phone. ██████ arrived at the ██████ residence first and appeared worried to Stastny, and then relieved that there was a police presence. Stastny was present when Officer Domer arrived, adding that Officer Domer drove into a snowbank and ultimately had to be towed out. Officer Domer had his duty weapon on him, but Stastny could not recall if the weapon was holstered on his person or in the vehicle. Officer Domer was cooperative and allowed his vehicle to be searched. No rifles, shotguns, or other weapons were found. Officer Domer stated he was not there to hurt anyone and they were having marital problems. Officer Domer accompanied Stastny to the station.

Stastny stated Millar primarily interviewed both Officer Domer and ██████ separately while he was in and out of the room. Stastny did not recall if ██████ stated to him directly that Officer Domer had threatened to kill her. However, Stastny described ██████ as becoming very upset at the station after being told Officer Domer was there and denied what she said. ██████ stated Officer Domer abused her in the past. Stastny related they asked her what she would like done and she decided that she needed to speak to Officer Domer. Stastny was present but at a distance from the Domers. ██████ did most of the talking, telling her ██████ that this behavior had to stop, and he was quiet and agreed with her. Stastny stated the Domers agreed to go their separate ways and to handle things on their own later.

The next day, January 30, 2019, ██████ called Stastny to change the report. ██████ wanted to change what she had said because she did not want the statements Officer Domer made in the report. Stastny explained he could amend the report with new information but not change it. ██████ stated she had spoken with Chicago Police Department Lieutenant Cascone and wanted to amend the report.¹⁹

██████ then stated she did not really know if Officer Domer has threatened to kill the kids and do damage. She also stated she was not sure if she heard a gun being racked in the background. Stastny related this behavior was typical, in his experience as a police officer dealing with domestic incidents and it seemed to him that ██████ was “[...]trying to work it out between her and her ██████”²⁰ However, Stastny related ██████ was in fear for her life the day before and thought she was honest in what she had initially reported, including saying that this had happened before, and she had not reported it. Stastny also stated ██████ was surprised that no additional weapons were found in Officer Domer’s vehicle, adding she really thought Officer Domer had a rifle.

In an interview with COPA on July 20, 2021, **Officer Domer**²¹ stated he had been IOD (injury on duty) from April 19, 2019, through approximately May 20, 2021. Officer Domer stated

¹⁷ Atts. 29, 46.

¹⁸ Att. 46 at 5.

¹⁹ Lieutenant Cascone retired from the Chicago Police Department on July 1, 2022.

²⁰ Att. 46 at 21

²¹ Atts. 49, 51.

he and his ██████████ had been separated for approximately three years. While he was involved in an argument with ██████████ over the phone on January 29, 2019, he did not recall what they argued about. Officer Domer stated he went to the ██████████ residence to see ██████████ who was coming there from work. Officer Domer told her that he was coming and she said, “Okay.”²² When asked what the visitation agreement with their children was on January 29, 2019, Officer Domer stated he did not need a visitation schedule because he could see his children whenever he wanted.

Officer Domer argued with ██████████ on the phone prior to leaving his residence on January 29, 2019, and he did not speak with her on the phone as he drove to the ██████████ residence. Officer Domer did not recall what they argued about, adding they argued a lot at that time. He further claimed he did not recall the general topic of their arguments during that time period. Officer Domer recalled arriving at the ██████████ residence, where his truck slid into a ditch. The Campton Hills Police on scene tried to help him get it out and then he took a ride down to the police station. Officer Domer claimed he did not question why they were taking him to the police station.

At the station, Officer Domer had a “heart -to-heart” conversation with ██████████ but could not recall the specifics of the conversation other than it was about marriage. Officer Domer stated Millar was present for the conversation and talked to them both. Millar told Officer Domer, “Your ██████████ said she was afraid and that you were going to hurt her.”²³ Officer Domer told Millar that was false. Officer Domer denied the allegations, stating he never threatened ██████████ and did not threaten to shoot up the residence. Officer Domer also denied ever stating he would take the children. Officer Domer stated, “A lot of things get misconstrued during arguments with your ██████████ but I never said I was going to kill her.”²⁴

Officer Domer stated ██████████ came to his residence, on January 31, 2019, and apologized for calling the police on him. She also told him she had also contacted the Campton Hills Police Department to recant her statement. Officer Domer further stated they were not in divorce proceedings and were “fine”²⁵ despite living separately, adding they often spent times together with their children.²⁶

b. Digital Evidence

In a **911 call** to the Kane County Sheriff, ██████████ reported that she had a domestic issue with her Chicago Police Officer ██████████ who “was getting his guns together” and coming to their children who were at her parents’ home. She reported that her ██████████ had made threats against her and her children’s lives and that he was on his way to “shoot up the residence.” She stated that her ██████████ had numerous firearms, including a rifle and a shotgun. She identified herself as a ██████████ Police Officer and stated that she would be coming to the residence as soon

²² Att. 51 at 11.

²³ Id. at 14.

²⁴ Id. at 20.

²⁵ Id. at 22.

²⁶ Domer referenced Log #2020-000108, a complaint he filed against Cascone for making false allegations against Domer. This log number involves a November 3, 2019, incident that is not related to this incident

as she finished the call. Dispatch directed her to leave her duty weapon in her vehicle when she arrived.²⁷

c. Documentary Evidence

The **Initiation Report** written by Lieutenant Cascone documented that Campton Hills Police Department Chief Millar notified him on January 29, 2019, that Officer Domer was accused of making verbal threats against ██████████. Officer Domer was not taken into custody and his weapon was returned to him. Both Officer Domer and ██████████ were advised to seek counseling through the Employee Assistance Program (EAP) for their ██████████ issues.²⁸

The **Campton Hills Police Department Incident Report**²⁹ completed by Officer Matt Stastny documented that he and Hatt were dispatched on January 29, 2019, to ██████████ for a domestic. ██████████ reported speaking to Officer Domer, from whom she is separated, via text, during which Officer Domer said that he was going to “shoot up the residence”³⁰ on ██████████ and was gathering his guns. ██████████ stated Officer Domer threatened her life and the lives of their children in the past. Both ██████████ from her job at the ██████████ Police Department, and Officer Domer, a Chicago Police Officer, from their Chicago address, were enroute to the ██████████ residence, where ██████████ and the children had been staying with her family.

Upon arrival, Stastny and Hatt spoke with ██████████ who identified herself as ██████████ mother. ██████████ was aware that Officer Domer was coming and could be armed. Millar then contacted Stastny to tell him that ██████████ heard Officer Domer “racking rounds” and unzipping his rifle bag as they spoke on the phone.³¹ Millar stated he could not make contact with Officer Domer because his phone was broken and he was using his Apple watch. ██████████ stated ██████████ was going to take her and the children someplace safe when she arrived. Stastny returned to the station, where he attempted to contact Officer Domer, leaving messages for him to call the Campton Hills Police Department. Stastny returned to ██████████

Officer Domer arrived, sliding his truck into a snowdrift. Officer Domer cooperated with commands and surrendered his Glock handgun. Officer Domer was transported to the station while Stastny waited for ██████████ at the ██████████ residence. Stastny documented that ██████████ stated, “Emile must have flown here,” and that he told her, “I’m going to kill you.”³² ██████████ checked Officer Domer’s truck for additional weapons such as a shotgun and/or rifle but found no additional weapons.

At the station, ██████████ spoke with Millar and Stastny. She repeated that Officer Domer had threatened her and the kids in the past, as well as “rage blackouts.”³³ She related he hit her in the past but had never reported any of these incidents to the Chicago Police Department. or Officer Domer’s supervisors. ██████████ and Officer Domer then spoke together under the watch of Millar

²⁷ Atts. 13 – 20.

²⁸ Att. 4.

²⁹ Att. 5.

³⁰ Att. 5 at 3.

³¹ Id.

³² Id.

³³ Id. at 4.

and Stastny. ██████ did not want any charges and indicated that she knew how to get an Order of Protection. After speaking via telephone with Lieutenant Cascone from the Chicago Police Department, Millar had the Glock returned to Officer Domer. Officer Domer's truck was removed from the snow drift and brought to the station.³⁴ Officer Domer was allowed to leave after being informed he was to have no contact with ██████ and was not to return to ██████

Stastny noted that on January 30, 2019, ██████ called him to amend the report after she spoke with Lieutenant Cascone. ██████ stated Officer Domer did not threaten her and the kids, explaining she stated that he was going to "take" the kids, not "kill" then.³⁵ She also stated she had misinterpreted the background noises and now did not think that they were weapon related.

In the **Campton Hills Police Department Supplement Report**,³⁶ Millar documented essentially the same details as the Incident Report, adding that Officer Domer stated to him that he and ██████ had a heated argument on the telephone. Officer Domer stated that he said he was going to ██████ to take the kids because he believed ██████ was not actually staying there and he wanted the kids with him. Officer Domer further stated they both made statements out of anger over the phone but adamantly denied ever threatening the children, adding that he would never harm them. ██████ was "shaken-up" and related that they had many domestic disputes, but she did not report them.

In the ██████ **Police Report for Simple Assault**³⁷ dated January 30, 2019, Hughes documented that on January 29, 2019, at approximately 11:30 a.m., ██████ received a personal phone call and exited the Investigation Office. Approximately fifteen minutes later, ██████ returned to the Investigations Office looking visibly upset. ██████ requested to speak with Hughes in private, telling him that she had just been arguing with Officer Domer and he "actively threatened her life."³⁸ Hughes wrote ██████ "appeared scared."³⁹ Officer Domer demanded she come to their residence, and she declined because she was at work. Officer Domer then threatened to come to her work, the ██████ Police Department. ██████ stated Officer Domer, who was angry because she and the children were staying at her parents due to marital issues, threatened to kill her.

Officer Domer stated that if she did not come home to him, he would go to her parents' home and wait on her with the kids. Officer Domer stated he would shoot up the house. ██████ felt that this was a direct threat on her life and the lives of her children and heard Officer Domer loading his rifle while they were on the phone. ██████ was "distracted" and stated she needed to go home to check on her children because she feared for their safety. Hughes notified the authorities where ██████ parents lived, Chicago Police Department's 002nd District and 911 for a well-being check on Officer Domer. Hughes was directed to accompany ██████ to her parents' residence because of "Domer's clear distress." Officer Domer continued calling ██████ as they drove. Officer Domer became upset and accused ██████ of having an affair with Hughes when he

³⁴ Lt. Cascone retired from the Chicago Police Department on July 1, 2022.

³⁵ Att. 5 at 4.

³⁶ Att. 6.

³⁷ Att. 23.

³⁸ Att. 23 at 3.

³⁹ Id.

heard hm in the car. Hughes could hear Officer Domer's voice through the phone and "it was obvious he was becoming more and more hostile."⁴⁰ It was further documented that ██████ was crying and shaking.

Hughes remained in the vehicle at both the parents' residence and the police station, while ██████ spoke with police. Hughes was instructed to leave after approximately one hour and was later informed that Officer Domer was released without charging. On January 30, 2019, Campton Hills Police informed Hughes they would not release their police report him because ██████ had requested that they not release it to him. Hughes called ██████ who refused to speak with Hughes further or provide a statement. Hughes wrote she sounded like she had been crying and she believed she was emotionally heightened the day before and had taken the incident out of context.

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;
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.

⁴⁰ *Id.* at 3.

VII. ANALYSIS

COPA finds that **Allegations #1 and 2**, against Officer Domer, that on January 29, 2019, between approximately 12:32 p.m. and 2:32 p.m., via telephone, he threatened ██████ in that he stated words to the effect of that he was going to, “Shoot up the residence;” and “I’m going to kill you,” are **Sustained**. COPA finds by a preponderance of the evidence that ██████ initial account to Hughes and the Campton Hills Officers is credible. Additionally, COPA does not find her subsequent statements stating she overacted are reliable or credible. Furthermore, COPA finds Officer Domer’s account is not credible or reliable.

First, ██████ account remained consistent in her reporting to Hughes, the Kane County Emergency Call Taker, and Campton Hills officers. ██████ related Officer Domer threatened to kill her and related he was going to gather his guns and shoot up the residence where her children were present. She also reported hearing what sounded like Officer Domer gathering his weapons and the zipper of a bag. Hughes related that when ██████ notified him of what was happening, she appeared upset. He further related she did not typically discuss issues in her marriage with him despite him being her immediate supervisor who had worked with her for years. Her initial response to her conversation with Officer Domer indicates that this was a heightened event that caused ██████ actual fear and concern. ██████ immediately left the ██████ Police Department and went directly to the residence.

During their drive to ██████ Hughes observed repeated calls from Officer Domer to ██████ and observed her shaking, pale, and crying. Hughes also heard ██████ call her father and tell him Domer had threatened her. ██████ emotional disposition and immediate outcry support her reliability. Hughes and Millar both found the ██████ fear of Officer Domer’s threats to be bonafide. Stastny reported to COPA that he found her recantation to be typical and he found her initial report to be honest and credible. Stastny also reported ██████ was surprised when no other weapons were found in Domer’s vehicle because she really thought he had a rifle. Three law enforcement officers from two different police departments sated to COPA that they found the initial account of threats by ██████ to be credible.

Next, ██████ subsequent recantation in which she asserted that she was emotional and had not heard what she heard, instead reporting that Officer Domer said he would get the children and that it had been a “misunderstanding” between herself and Officer Domer, is typical of domestic violence victims but not credible. COPA recognizes that domestic violence victims often recant their accounts after the immediate threat has passed. Domestic violence recantations are made to minimize the potential financial, professional, and social damage to the perpetrator, victim, and their family unit. This incident is not different. COPA also recognizes that a domestic violence victim’s failure to cooperate with COPA by giving a statement is not indicative that an incident did not occur.

Lastly, COPA does not find Officer Domer’s denials and lack of memory credible. Officer Domer stated he told ██████ that he was going to the residence and that she expected him. However, ██████ was at work left abruptly and was visibly upset. Her reported demeanor does not indicate that she was okay with meeting Officer Domer at the residence, as he reported. Furthermore, Officer Domer also stated he did not speak to ██████ while driving to the ██████

Road residence. However, Hughes observed him repeatedly calling ██████ as they drove to ██████ and there is no evidence to suggest that Hughes would have a motive to fabricate these details.

Additionally, Officer Domer did not recall what he and ██████ argued about and did not recall the specifics of the details of the event except that he did not make the threats that were alleged and that ██████ had apologized and recanted. While COPA recognizes the passage of time between the January 2019 incident and the July 2021 interview, it is not plausible that an incident of this magnitude that involved two other police departments would leave Domer's memory blank with no recollection of any conversation. Furthermore, his lack of memory is not sufficient to refute the available evidence in this case. COPA does not find this account credible.

Therefore, based on the totality of the evidence, COPA finds ██████ initial account credible, and does not find Domer credible. Therefore, based on the preponderance of the evidence, COPA finds it more likely than not that the incident occurred as alleged, and allegations #1 and 2 are **Sustained**.

VIII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. Officer Emile Domer, #17294, Employee # ██████

i. Complimentary and Disciplinary History

1. **Complimentary:** 1 Problem Solving Award, 2 Superintendent Honorable Mentions, 1 Attendance Award, 2 Traffic Stop of the Month Awards, 116 Honorable Mentions, 4 Department Commendations, 1 Crime Reduction Award (2019), 4 Complimentary Letters, 1 Honorable Mention Riboon, 3 Top Gun Arrest Awards, 2 Joint Operations Awards, 4 Unit Meritorious Performance Awards
2. **Disciplinary:** 3-day Suspension 2020 Search Warrant Damage Property

ii. Recommended Penalty: Significant Suspension up to 365 days

COPA finds that Officer Domer threatened the life and physical safety of his ██████. Additionally, COPA has considered Officer Domer's complimentary and disciplinary histories. Threats to a spouse's life are serious in nature, especially threats made by police officers with access to weapons. Officer Domer clearly caused ██████ a law enforcement officer, to have real fear and concern for her safety and the safety of her children. Furthermore, the evidence suggests that Officer Domer not only verbally threatened ██████ but also took action to meet her at ██████ where some confrontation may have occurred without police intervention. Officer Domer's conduct involved two other law enforcement agencies and their resources. This conduct is unbecoming of a Department member and brings discredit to the Chicago Police Department. Thus, COPA recommends a significant suspension up to 365 days.

Approved:



Sharday Jackson
Deputy Chief Administrator

November 28, 2022

Date