

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	July 19, 2020
Time of Incident:	3:50 p.m.
Location of Incident:	██████████ ██████████
Date of COPA Notification:	July 7, 2021
Time of COPA Notification:	1:27 p.m.

At approximately 4:00 p.m., July 19, 2020, Officers Craig Fagan (“Officer Fagan”), Star# 4971, and Joseph Scotoni, (“Officer Scotoni”), Star#7619, both assigned to the 2nd District, responded to ██████████ ██████████ on a battery that just happened. After a discussion with the victim, the officers went to talk with the involved parties to de-escalate the situation. Officer Scotoni knocked on the apartment door and was met by the complainant ██████████. ██████████, under no obligation to speak with Officer Scotoni, chose to close his apartment door. Frustrated that he refused to speak, Officer Scotoni grabbed the apartment door and slammed it shut. As he was doing so, ██████████ placed his right index finger between the door and the door jamb whereupon the tip of the finger was cut off. A civil suit was filed in the incident on June 10, 2021. COPA received notification of the filing from CPD on July 7, 2021.

II. INVOLVED PARTIES

Involved Officer #1:	Ruvalcaba, Gabriel A., Star# 872, Employee# ██████████, Date of Appointment: 09/25/2006, Sergeant, UOA: 2 nd District, DOB: ██████████1976, Male, Hispanic
Involved Officer #2:	Scotini, Joseph F., Star# 7619, Employee# ██████████, Date of Appointment: 08/16/2017, Police Officer, UOA: 2 nd District, DOB: ██████████ 1989, Male, White
Involved Individual #1:	██████████, ██████████/1979, Male, Black

III. ALLEGATIONS

Officer	Allegation	Finding Recommendation
Sergeant Ruvalcaba	<p>It is alleged that on or around July 19, 2020, at approximately 4:00 p.m., at or near [REDACTED], you:</p> <ol style="list-style-type: none"> <li data-bbox="532 520 1112 625">1. Inattention to duty by failure to conduct an investigation into the conduct of Officer Joseph Scotini. <li data-bbox="532 695 1144 835">2. Incompetency or inefficiency in the performance of duty by failure to conduct an investigation into the conduct of Officer Joseph Scotini. 	<p>Sustained/5-day suspension</p> <p>Sustained/5-day suspension</p>
Officer Scotini	<p>It is alleged that on or around July 19, 2020, at approximately 4:00 p.m., at or near [REDACTED], you:</p> <ol style="list-style-type: none"> <li data-bbox="532 1014 1122 1150">1. Showed disrespect to or maltreatment of [REDACTED], while on or off duty, in that he slammed and or closed the door on his person. <li data-bbox="532 1220 1144 1354">2. Engaged in any unjustified verbal or physical altercation with [REDACTED] while on or off duty, in that he slammed and or closed the door on his person. 	<p>Sustained/90-day suspension</p> <p>Sustained/90-day suspension</p>

IV. APPLICABLE RULES AND LAWS

Rules

1. **Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
2. **Rule 9:** Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
3. **Rule 10:** Inattention to duty.
4. **Rule 11:** Incompetency or inefficiency in the performance of duty.

Special Orders

1. **S03-14:** Body Worn Cameras

2. **S03-03-06:** District Field Sergeants

V. INVESTIGATION¹

At approximately 3:42 p.m., July 19, 2020, witness Police Officer Craig Fagan, Star# 4971, 2nd District, and his partner, accused Police Officer Joseph Scotoni, Star# 7619, responded to ██████ regarding a battery that had just occurred.²

a. Digital Evidence**The BWC of Officer Fagan**³

Officer Fagan's BWC showed that he and Officer Scotoni arrived at ██████ and met the ██████, a black female named ██████.⁴ Officer Scotoni asked her, "Are you okay?"⁵ She responded, "I'm fine."⁶ ██████ told the officers that an unidentified female assailant took two fingers to her forehead and pushed it backward, and then ██████ demonstrated that action for the officers. ██████ further explained that she had knocked on the apartment door of a male neighbor where the unidentified female answered the door and asked why she was there. ██████ told the woman that she was invited to the apartment by the male occupant of the apartment and that they were friends. ██████ described that the unidentified female then "got all in her face,"⁷ and so ██████ walked away back toward her own apartment. The unidentified female followed ██████ telling her, "Bitch, I'll fuck you up. Don't be messing with my man,"⁸ and proceeded to hit her with two fingers to the forehead. ██████ went inside her apartment and called the police.

Officers Scotoni and Fagan asked ██████ if she wanted them to talk to the unidentified female. ██████ responded that she wanted the officers to talk to the unidentified female and the male neighbor and tell them to leave her alone. The victim explained that she had a special needs son and did not want retaliation from the unidentified female.

The officers and ██████ took the elevator to the 10th floor, where ██████ pointed out the apartment of the male neighbor and then retreated to her own apartment.

Officer Scotoni knocked on the male neighbor's apartment door stating, "Chicago Police."⁹ A female voice can be heard through the door saying, "Yes?"¹⁰ Officer Scotoni said, "We'd like to

¹ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

² Att. 16

³ Att. 7

⁴ Att. 7 at 7:20

⁵ *Id.*, at 6:26

⁶ *Id.*, at 6:29

⁷ *Id.*, at 7:18

⁸ *Id.*, at 7:30

⁹ *Id.*, at 12:09

¹⁰ *Id.*, at 12:12

talk,” and the female responded, “We good.”¹¹ Officer Fagan said, “All we want to do is talk to you for a minute or two. That’s it.”¹² The officers asked the person to come to the door. Officer Scotoni stated, “we’re just talking.”¹³

After a few moments of silence, Officer Scotoni again knocked on the door, and a few moments later, a black male, now known as complainant [REDACTED], opened it. Officer Scotoni informed [REDACTED] that they were there about the incident from earlier.¹⁴ [REDACTED] asked, “What incident?”¹⁵ Officer Scotoni asked about the identity of the female in the apartment. [REDACTED] told Officer Scotoni that nobody was in the apartment, asked if Officer Scotoni’s BWC was on, and stated, “Thank you, have a good rest of your day.”¹⁶

Officer Scotoni attempted to continue his interaction by letting [REDACTED] know that the neighbor does not want any problems, to which [REDACTED] responded, “I’m about to close my door. I want y’all to have a good day.”¹⁷ Officer Fagan stated, “We want the same. We want everybody to have a good day and live in a safe environment.”¹⁸ Officer Scotoni continued his attempt to engage, as [REDACTED] slowly started closing the door, telling the officer, “Do you see what I’m doing?”¹⁹ Officer Scotoni stepped back, and said in a raised voice said, “Close the door, close the door. Close the door.”²⁰ Officer Scotoni then placed his right hand on the apartment doorknob and pulled the door closed himself, slamming it shut.

[REDACTED] immediately yelled out, “Oh my God!”²¹ Officer Scotoni opened the door back up, and [REDACTED] stated, “Did you see what you just did?” as he displayed his right hand with a bloody index finger to Officer Scotoni.²²

Officer Scotoni told Officer Fagan to call for an ambulance. Officer Scotoni asked for paper towels and a towel, and then grabbed a shirt from the apartment to wrap around [REDACTED] fingers. Officer Scotoni directed [REDACTED] downstairs to await the ambulance.

After getting [REDACTED] outside, Officer Fagan requested an ETA (estimated time of arrival) for Ambulance 38 from zone dispatch. Officer Scotoni suggested they transport [REDACTED] to the hospital themselves. However, Officer Fagan advised him to wait for the ambulance. Officer Scotoni, donning rubber gloves, retrieved a first aid kit from their CPD-marked vehicle and applied a gauze bandage to [REDACTED] hand. [REDACTED] began lying on the ground, and the officers tried to sit him upright.

Ambulance 38 arrived, and the officers explained [REDACTED] injury to the paramedics. Officer Scotoni requested a supervisor. A paramedic gave Officer Fagan information on [REDACTED]. Sgt.

¹¹ *Id.*, at 12:15

¹² *Id.*, at 12:22

¹³ *Id.*, at 12:33

¹⁴ *Id.*, at 13:15

¹⁵ *Id.*, at 13:17

¹⁶ *Id.*, at 13:31

¹⁷ *Id.*, at 13:38

¹⁸ *Id.*, at 13:44

¹⁹ *Id.*, at 13:53

²⁰ *Id.*, at 13:55

²¹ *Id.*, at 14:02

²² *Id.*, at 14:00

Ruvalcaba arrived on the scene and spoke to Officer Scotoni. Officer Fagan went back to the apartment to retrieve the severed part of [REDACTED] finger but was unsuccessful.

The BWC of Officer Scotoni²³

The BWC video of Officer Scotoni shows much of what can be seen on Officer Fagan's BWC video, from the initial contact with the victim, the interaction of the officers with [REDACTED] including the slamming of the door on [REDACTED] right front finger by Officer Scotoni, and the subsequent actions of the officers rendering aid and calling for a supervisor.

Additionally, Officer Scotoni's BWC video shows Officer Scotoni speaking with Sgt. Ruvalcaba. Officer Scotoni stated, "We're still live. There was an accident...so, had a little altercation at the door. The guy was closing his door. He was slowly closing it, so I grabbed the door handle, closed it, and part of his finger came off."²⁴ Sgt. Ruvalcaba instructed Officer Scotoni to fill out a hospitalization report, agreeing that the incident was an accident, not criminal. Officer Scotoni stated that he wanted to ensure he was taking all the right steps. Sgt. Ruvalcaba told Officer Scotoni that the officers should go to the hospital with [REDACTED] and notify the 2nd District desk and the lieutenant, as the incident was an accidental injury. Sgt. Ruvalcaba then determined that the continued discussion no longer required BWC recording.

The BWC of Sergeant Gabriel Ruvalcaba²⁵

The BWC video of Sgt. Ruvalcaba shows the same discussion between Officer Scotoni and him described above. No additional information was obtained.

b. Physical Evidence

Evidence Tech images²⁶ were taken on July 19, 2020, clearly showing the severed tip of the first digit of [REDACTED] right hand.

c. Documentary Evidence

The **Office of Emergency Management and Communications (OEMC) Event Query Report# 2020109410**²⁷ reflected that at approximately 3:42 p.m., July 19, 2020, Officers Fagan and Scotoni were dispatched to [REDACTED] [REDACTED] on a battery that had just happened. The report further reflected that the officers requested EMS and a patrol supervisor to their location.

The **CPD Supervisor's Management Log**²⁸ for Sgt. Ruvalcaba, reflected that at approximately 4:00 p.m., July 19, 2020, he responded to [REDACTED] [REDACTED] on a request for a supervisor from Officers Fagan and Scotoni. The log also reflected that the watch commander, **Lieutenant Robert Costello, ("Lt. Costello") S# 231**, then assigned to the 2nd District, and the

²³ Att. 11

²⁴ Att. 11 at 29:46

²⁵ Att. 10

²⁶ Att. 33

²⁷ Att. 16

²⁸ Att. 22

district station supervisor, **Sergeant James Beavers**, (“Sgt. Beavers”) S# 893, 2nd District, were notified of the incident.

The **Chicago Fire Department (CFD) Ambulance Report**²⁹ reflected that at approximately 4:11 PM, July 19, 2020, Unit #38 paramedics responded to [REDACTED] [REDACTED] on a battery victim. Upon arrival, they observed [REDACTED] sitting on the entrance step with Officers Fagan and Scotoni. The officers informed Unit #38 that [REDACTED] finger was caught in a slammed apartment door. The paramedics noted amputation to the tip of the right index finger, with the bone showing. [REDACTED] was transported to the University of Chicago Hospital.

OEMC Event Query Report# 2020110918³⁰ reflected that at approximately 5:45 p.m., July 19, 2020, a CPD Evidence Technician was dispatched to 5815 S. Maryland Ave., the University of Chicago Hospital to take photos of the right index finger of [REDACTED], at the request of Officers Fagan and Scotoni.

The **CPD Original Case Incident Report**³¹ reflected that at approximately 4:00 p.m., July 19, 2020, Officers Fagan and Scotoni responded to [REDACTED] [REDACTED], on a battery that had just occurred. The officers attempted to contact the involved offender in the incident and [REDACTED] to de-escalate the situation. After knocking on the involved party’s door, the officers were met by [REDACTED]. He was not cooperative with the officers in discussing the event. [REDACTED] began to slowly close his apartment door, saying, “Do you see what I am doing?” As this was occurring, Officer Scotoni repeatedly told [REDACTED] to close the door. When [REDACTED] stopped closing the door, Officer Scotoni grabbed the door handle and pulled the door shut himself, unaware [REDACTED] right index finger was in between the door and door jamb, thereby severing it.

Officers Fagan and Scotoni rendered first aid to [REDACTED] and requested EMS and a supervisor, Sgt. Ruvalcaba. Officer Fagan attempted to retrieve the severed portion of [REDACTED] finger but was unable to gain entry to the apartment. [REDACTED] was transported to the University of Chicago Hospital by Ambulance #38. Lt. Costello, watch commander, and Sgt. Beavers, the 2nd District desk supervisor, were notified of the incident. Additionally, the officers requested an evidence technician. [REDACTED] was given a Victim Information Notice (VIN) at the hospital.

d. Interviews

Officer Fagan’s audio-recorded interview with COPA, October 13, 2021³²

Officer Fagan related that upon arrival at the apartment building, he and Officer Scotoni spoke with the caller/victim in the lobby of the apartment building. The victim ([REDACTED]) told the officers she went to the apartment of a neighbor on the same floor as her to speak with him. There, she was confronted by an unidentified female in the apartment who pushed her fingers into [REDACTED] forehead. To avoid a further incident, [REDACTED] left, returned to her apartment, and called the police. Officer Scotoni offered to document the incident in a report. Instead, Ms. Slater wanted the officers to de-escalate the situation by talking to the apartment’s occupants because she feared

²⁹ Att. 23

³⁰ Att. 44

³¹ Att. 43

³² Att. 47

for her and her special needs child's safety. The officers accompanied ██████ to her floor in the apartment building, where she pointed out the apartment unit in which she had last seen the unidentified female.

Officers Fagan and Scotoni approached the apartment, with Officer Scotoni knocking on the door. Officer Fagan heard an unidentified female voice inside the apartment.³³ A male occupant (██████) opened the door. Officer Scotoni attempted to de-escalate the incident that occurred between the victim and the occupants in ██████ apartment, but ██████ was "not really cooperative...it seemed he didn't really want to talk about what was going on with the previous incident."³⁴ ██████ began closing the apartment door and asked Officer Scotoni, "Do you see what I'm doing right now?"³⁵ When ██████ stopped closing the door, Officer Scotoni told ██████ several times to close the door "in a little bit louder than a normal tone."³⁶ Officer Scotoni then "grab[bed] the door handle and pulled it shut himself."³⁷ As a result, a portion of ██████ right index finger got caught between the door jamb and the door frame and was severed.³⁸ Officer Fagan described Officer Scotoni's action of pulling the door closed as "aggressive" and "forceful."³⁹ Officer Fagan was asked if he believed Officer Scotoni "seemed angry," and responded that Officer Scotoni "could have been perceived as angry," but Officer Fagan did not know if [he would] call it angry or a little aggressive."⁴⁰ Officer Fagan did not believe that Officer Scotoni intended to harm ██████, or that the interaction was at a point where "force was going to be used or anything like that, where he let anger get the best of him."⁴¹ However, Officer Fagan agreed that the door was "slammed."⁴²

Officer Fagan called for EMS as the officers escorted ██████ into the building elevator to the lobby and outside. Officer Scotoni suggested they transport ██████ to the hospital themselves; however, Officer Fagan told him EMS was on the way. Officer Fagan believed that EMS medics were better equipped to treat ██████. While outside and sitting on the ground, ██████ was not talkative and fell on his side onto the ground with his eyes closed. Officer Fagan lifted ██████ off the ground, having him sit upright.

Approximately five to eight minutes later, CFD paramedics arrived, rendered aid, and informed Officer Fagan that ██████ would be all right. Officer Fagan spoke with CFD paramedics regarding retrieving the severed portion of ██████ finger. Officer Fagan and a CFD paramedic went back to the apartment and knocked on the door, but no one answered.

Officer Scotoni requested a patrol supervisor through zone dispatch, and Sgt. Ruvalcaba arrived at the location. Initially, Sgt. Ruvalcaba spoke with Officer Scotoni while Officer Fagan was with EMS. Shortly thereafter, Officers Fagan and Scotoni spoke with Sgt. Ruvalcaba about the incident. Sgt. Ruvalcaba assisted the officers in determining the proper Uniform Crime

³³ Att. 47, pg. 15

³⁴ *Id.*, p. 14

³⁵ Att. 29 at 13:58

³⁶ Att. 47, pg. 19

³⁷ *Id.*, pg. 15.

³⁸ *Id.*, pg. 17

³⁹ *Id.*, at 18:20

⁴⁰ Att. 47, pg. 18

⁴¹ *Id.*, pg. 18-19

⁴² *Id.*, pg. 19

Reporting (UCR) code for the incident. The officers called for an evidence technician and went to the University of Chicago Hospital⁴³ to give ██████████ a VIN with instructions on how to obtain a copy of the incident report. Officer Fagan stressed he “felt bad for ██████████, for what happened. It shouldn’t have happened. It was, appeared to be, a legitimate accident.”⁴⁴ Officer Fagan believed Officer Scotini, “was very distraught about it.”⁴⁵

Sgt. Ruvalcaba’s audio-recorded interview with COPA, June 28, 2022⁴⁶

Sgt. Ruvalcaba related that at approximately 4:00 p.m., June 19, 2020, while assigned as a 2nd District Field Supervisor, he responded to a request for a supervisor at ██████████ ██████████. Upon arrival, Officers Fagan and Scotoni told him they had responded to a disturbance at the location and that one of the persons involved was screaming and yelling, and they were trying to de-escalate by getting everyone back into their apartment. Officer Scotoni was giving ██████████ “orders to shut the door, and he wouldn’t. [Officer Scotoni] grabbed the knob and shut the door. They stated the victim’s finger was caught in the doorway.”⁴⁷

Sgt. Ruvalcaba directed the officers to create a case report documenting the incident. EMS was on the scene, and he ensured that the officers went to the hospital to give ██████████ a Victim Information Notice. Sgt. Ruvalcaba did not speak with ██████████, any persons at the apartment building, or the EMS paramedics. He did not feel the incident required the completion of a Tactical Response Report because “It wasn’t direct force from the officer.”⁴⁸ Sgt. Ruvalcaba did not review the body-worn camera of Officer Scotoni from the incident after the shift because “The lieutenant does the one a day [review of BWC] the following day, but no one would be reviewing body-worn cameras [at end of the watch].”⁴⁹ Sgt. Ruvalcaba did not believe he was inattentive to duty because he “responded, conducted an investigation, made sure EMS was given, ensured the incident was documented and ensured the officers went to the hospital and a Victim’s Information Notice was given to ██████████ at that point. During my investigation, I believed [the incident] was accidental.”⁵⁰ Beyond his investigation at the scene, Sgt. Ruvalcaba did not believe that further investigation was warranted.

Officer Scotoni’s audio-recorded interview with COPA, July 14, 2022⁵¹

Officer Scotini related that at approximately 3:42 p.m., July 19, 2020, he and his partner, Officer Fagan, responded to ██████████ ██████████ ██████████ regarding a battery that had just occurred. Upon arrival, the officers spoke with the female caller (██████████) in the building lobby. ██████████ described the incident to the officers, where she had been either in or outside of complainant ██████████ apartment when a verbal altercation occurred with an unknown female. The unknown female had assaulted her by pushing her fingers into ██████████ lat ██████████ head. After further discussion,

⁴³ Att. 16, pg. 3

⁴⁴ Att. 29 at 31:00

⁴⁵ *Id.*, at 31:16

⁴⁶ Att. 49

⁴⁷ Att. 49, pg. 11

⁴⁸ *Id.*, pg. 22

⁴⁹ *Id.*, pg. 19

⁵⁰ *Id.*, pg. 18

⁵¹ Att. 48

Officer Scotoni believed that [REDACTED] wanted to resolve the incident by talking to the unknown female and [REDACTED].

The officers and Ms [REDACTED] took the elevator to her floor, where she pointed out the apartment for [REDACTED] and the unknown female. After knocking on the door, Officer Scotoni heard a female voice from inside the apartment, and shortly thereafter, [REDACTED] opened the apartment door. Officer Scotoni's intent "was to talk to [REDACTED] and try to mediate the situation, but I didn't have that opportunity."⁵² Officer Scotoni told [REDACTED] he wanted to talk to him, but "all signs were leading for me to believe...based off his...words and his actions...I thought he wanted to close the door."⁵³ Officer Scotoni stepped back and grabbed the door to close it. He did not know [REDACTED] finger was in the door, resulting in a piece of [REDACTED] finger falling to the ground.

Officer Fagan called for EMS, and Officer Scotoni tried to keep [REDACTED] finger covered and administered aid. The officers escorted [REDACTED] downstairs to wait for EMS to arrive. During this time, [REDACTED] was alert and talking to the officers. Once outside, they sat him down and continued waiting for EMS. Officer Scotoni believed that maybe because of shock from the incident, [REDACTED] may have passed out. He requested a supervisor, and Sgt. Ruvalcaba responded to the location. Sgt. Ruvalcaba was told what had occurred and gave the officers guidance. Sgt. Ruvalcaba also told the officers to request an evidence technician to the hospital. Officer Scotoni remembered hospital staff saying an unidentified female brought the missing part of [REDACTED] finger to the hospital. Prior to transporting [REDACTED] to the hospital, Officer Fagan and an EMS paramedic attempted to retrieve the missing part of his finger from his apartment, but the door was locked.

Officer Scotoni acknowledged that [REDACTED] was within his rights not to speak to the police, but admitted he was frustrated and raised his voice because he just wanted the opportunity to mediate the situation between neighbors, especially where the victim had a special needs child.⁵⁴ Overall, he tried to do everything he could to handle the situation correctly once it happened.⁵⁵ He stated: "it's tough, and you try to do the best you can to try to fix it. I've learned from it."⁵⁶

D. 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

⁵² *Id.*, pgs.16-17

⁵³ *Id.*, pgs. 16-17

⁵⁴ *Id.*, pgs. 16-18, 20.

⁵⁵ *Id.*, pg. 31

⁵⁶ *Id.*, pg. 31

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 been 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.

DI. ANALYSIS

Officer Scotini

Allegation #1, *Disrespect to or maltreatment to [REDACTED], while on or off duty, in that he slammed and or closed the door on his person*

Officers Fagan and Scotoni responded to [REDACTED] [REDACTED], on a battery that had just happened. After discussing the incident with the victim, a decision was made by the officers and the victim to talk with the involved parties to de-escalate the situation. Officer Scotoni knocked on the involved party's apartment door, answered by [REDACTED]. Officer Scotoni attempted to interact with [REDACTED], but he refused. Given the lack of reasonable articulate suspicion to detain, or probable cause to arrest, and that the victim of the battery identified an unknown female as the assailant, not [REDACTED] any contact [REDACTED] chose to have with Officer Scotoni was voluntary.

[REDACTED] chose not to engage with Officer Scotoni and began to close his door. Officer Scotoni grabbed [REDACTED] apartment door, slamming it himself, thereby causing the amputation to the tip of the right index finger. Based upon the preponderance of the evidence, the allegation of disrespect to or maltreatment to [REDACTED] [REDACTED], while on or off duty, in that he slammed and or closed the door on his person against Officer Scotoni is **Sustained**.

Allegation #2, *Engaged in an unjustified verbal or physical altercation with [REDACTED] while on or off duty, in that he slammed and or closed the door on his person.*

Acknowledging in his COPA interview that [REDACTED] wanted to close the door, Officer Scotoni stepped back and, admittedly frustrated, grabbed the door and closed it, thereby causing the amputation to the tip of the right index finger. Based upon the preponderance of the evidence, the allegation of engaging in an unjustified verbal or physical altercation with [REDACTED], while on or off duty, in that he slammed and or closed the door on his person against Officer Scotoni is **Sustained**.

Sgt. Ruvalcaba

Allegation # 1, *Inattention to duty by failure to conduct an investigation into the conduct of Officer Scotoni*; and **Allegation #2**, *Incompetency or inefficiency in the performance of duty into the conduct of Officer Joseph Scotoni*

CPD requires that District Field Supervisors direct the response and supervise the investigation when a person is seriously injured by a police officer.⁵⁷ Further, supervisors are required to view recordings to “Investigate a complaint against an officer or a specific incident to which the officer was involved.”⁵⁸

In his COPA interview, Sgt. Ruvalcaba denied that he was inattentive to duty because he “responded, conducted an investigation, made sure EMS was given, ensured the incident was documented and ensured the officers went to the hospital and a Victim’s Information Notice was given to [REDACTED].”⁵⁹ Beyond what Sgt. Ruvalcaba considered this initial investigation at the scene, he did not believe any further investigation was warranted.⁶⁰ At no time did Sgt. Ruvalcaba review BWC from Officer Scotini from the incident.,

COPA believes that although Officers Scotini and Fagan reported to Sgt. Ruvalcaba that the incident was accidental, the seriousness of the injury should have alerted Sgt. Ruvalcaba to, at least, review the BWC of the incident to objectively determine what happened.

As such, based upon the preponderance of the evidence, the allegations of inattention to duty by failure to conduct an investigation into the conduct of Officer Scotoni against Sgt. Ruvalcaba, and incompetency or inefficiency in the performance of duty into the conduct of Officer Joseph Scotoni, are **Sustained**.

DII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS**a. Sergeant Gabriel Ruvalcaba****i. Complimentary and Disciplinary History**

Sgt. Ruvalcaba was awarded a 2009 and 2019 Crime Reduction Award, five Attendance Recognition Awards, nine Complimentary Letters, five Department Commendations, and thirty-six Honorable Mentions. He was also awarded a Life-Saving Award, a NATO Summit Service Award, a 2008 Presidential Election Deployment Award, and a Special Commendation.

Sgt. Ruvalcaba has no SPAR History or reported Sustained Complaint History.

⁵⁷ Att. 45, Chicago Police Department, Special Order S03-03-06, *District Field Sergeants*, Section IV., 3c.

⁵⁸ Chicago Police Department, Special Order S03-14, *Body Worn Cameras*, Section VI., 2a.

⁵⁹ Att. 41 at 16:27

⁶⁰ Att. 49, pgs. 16-17

ii. **Recommended Penalty:**

5-day suspension

b. **Officer Joseph Scotoni**

i. **Complimentary and Disciplinary History**

Officer Scotoni was awarded a 2019 Crime Reduction Award, ten Honorable Mentions, and one Life-Saving Award.

Officer Scotoni has one sustained complaint in the Operation/Personnel Violations Inadequate/Failure to Provide Service category resulting in a one-day suspension.

ii. **Recommended Penalty**

In mitigation, COPA will consider that Officer Scotini did not intend to cause any physical harm to [REDACTED]. Although the act of slamming the door was done out of anger or frustration Both Officer Scotini and Officer Fagan believed that the harm to [REDACTED] finger was unintentional and a “legitimate accident.”⁶¹

Also in mitigation, COPA will consider Officer Scotini’s conduct after the incident were he immediately requested that Officer Scotini call for an ambulance and tried to provide medical assistance to [REDACTED] until one arrived. Further, Officer Scotini called for a supervisor to ensure all he took all the correct actions and that the correct reports would be submitted.⁶²

Finally in mitigation, COPA will consider that Officer Scotini took responsibility for his actions. Officer Fagan described Officer Scotini as “very distraught”⁶³ about the incident. Officer Scotini described being in the situation as “tough,” and stated he tried to fix it the best he could, and felt he had “learned from it.”

In aggravation, Officer Scotini did intend to Slam the door. At the time, Office Scotini was engaged in a consensual with [REDACTED], which [REDACTED] attempted to discontinue. Officer Scotini’s anger/frustration arose form little, if any, provocation and resulted in permanently disfigurement of [REDACTED] hand.

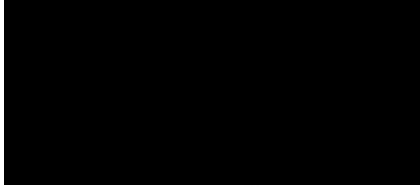
COPA recommends a 90-day suspension

⁶¹ Att. 47, pg. 29; Att. 48, pg. 23

⁶² Att. 11 at 16:17:15-16:18:05; Att. 48, pg. 31

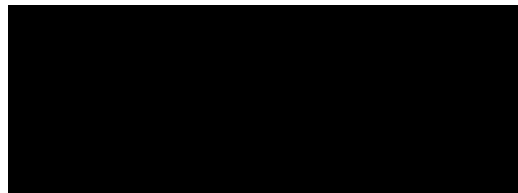
⁶³ Att. 47, pg. 30

Approved:



Matthew Haynam
Deputy Chief Administrator

Date: 1/18/2023



Andrea Kersten
Chief Administrator

Date: 1/18/2023