



Brandon Johnson
Mayor

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

Fred L. Waller
Interim Superintendent

July 19, 2023

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

Re: Superintendent's Non-Concurrence with Penalty Recommendation
Complaint Log No. 2021-0004491

Dear Chief Administrator Kersten:

After a careful review of the above referenced complaint log number, the Chicago Police Department (Department) concurs with all of the recommended sustained findings for Officer Ryan Trujillo # 16453 and Officer Roger Farias # 9942 but does not concur with the recommended penalties for both accused members.

The COPA investigation recommended a penalty of a 15-day suspension for Officer Ryan Trujillo after concluding that he:

1. Was unprofessional while interacting with a citizen;
2. Failed to complete an Investigatory Stop Report for the citizen.

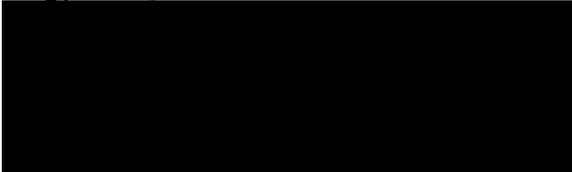
The COPA investigation also recommended a penalty of a 30-day suspension for Officer Roger Farias after concluding that he:

1. Searched the citizen without justification;
2. Was unprofessional while interacting with a citizen;
3. Failed to complete an Investigatory Stop Report for the citizen.
4. Retaliated against the citizen by ticketing the citizen after the citizen asked for the officers' names and star numbers.

The Department agrees that these allegations should be sustained. But the Department believes that a 15-day suspension for Officer Trujillo and a 30-day suspension for Officer Farias is excessive and recommends a 3-day suspension for Officer Trujillo and a 5-day suspension for Officer Farias. Pursuant to the Municipal Code of Chicago, the Department provides the following comments.

Regarding Officer Trujillo, the video shows that he was professional during the entire stop. The evidence shows that he did not threaten the citizen but simply stated that there were multiple reasons for the stop and that two citations could be written. However, he phrased it in a manner that when evaluated alone could be perceived as intimidating. But after viewing the total conversation, it is apparent that he was trying to inform the citizen but was not successful in relaying his message. This deficiency in his communication skills would be better addressed by additional training in Courtesy and Demeanor and Officer Safety-Tactical 9 step Communication. Re-training on the Investigatory Stop System will also be given to this member.

Regarding Officer Farias, the total situation makes it apparent that he would also benefit from additional training similar to Officer Trujillo. Regarding Allegation #4 of Retaliation against the citizen, the Department agrees that even though it cannot be definitively stated if Officer Farias would not have ticketed the citizen if he had not asked for their names and star numbers, Officer Farias statements could indicate his intention to make the citizen think he would receive a ticket if he continued to request their names and star numbers. This would best be address by the additional training. If the purpose of discipline is to correct errant behavior and modify future conduct, then this can be accomplished with a lesser suspension that would support the principal of progressive discipline. Officer Farias has a 1-day suspension and a 3-day suspension in his disciplinary history. Progressive discipline would support a 5-day suspension as opposed to going to a 30-day suspension. The Department looks forward to discussing this matter with you pursuant to MCC 2-78-130(a)(iii).



Fred L. Waller
Interim Superintendent
Chicago Police Department