

II. INVOLVED PARTIES

Involved Member #1:	Officer Jared Kundra, Star #3872, Employee ID [REDACTED], DOA: November 16, 2017, Unit: 005, Male, White
Involved Member #2:	Officer Ryan Ritchie, Star #16368, Employee ID # [REDACTED] DOA: February 29, 2016, Unit: 005, Male, White
Involved Member #3:	Sergeant Majdi Shalabi, Star #2651, Employee ID [REDACTED] DOA: September 2, 1997, Unit: 005, Male, White
Involved Individual #1:	[REDACTED] Male, Black

III. ALLEGATIONS

Officer	Allegation	Findings / Recommendations
Officer Jared Kundra	It is alleged by the above [REDACTED] that, on or about February 20, 2022, at approximately 10:25 a.m., at or near [REDACTED] Officer Jared Kundra committed misconduct through the following acts or omissions, by: 1. Arresting [REDACTED] [REDACTED] without justification.	Exonerated
Officer Ryan Ritchie	It is alleged by the above [REDACTED] that, on or about February 20, 2022, at approximately 10:25 a.m., at or near [REDACTED], Officer Ryan Ritchie committed misconduct through the following acts or omissions, by: 1. Arresting [REDACTED] [REDACTED] without justification.	Exonerated
Sgt. Majdi Shalabi	It has been alleged by the Civilian Office of Police Accountability that, on or about February 20, 2022, at approximately 10:25 a.m., at or near [REDACTED] Chicago, IL 60628, Sgt. Majdi Shalabi committed misconduct through the following acts or omissions, by: 1. Failing to properly direct subordinates through a failure to ensure that the words spoken by Mr. [REDACTED] were	Sustained / Reprimand

	legally sufficient to constitute Simple Assault before Mr. ██████ was arrested by the responding officers.	
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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 3:** Any failure to promote the Department’s efforts to implement its policy or accomplish its goals.
3. **Rule 5:** Failure to perform any duty.
4. **Rule 6:** Disobedience of an order or directive, whether written or oral.
5. **Rule 11:** Incompetency or inefficiency in the performance of duty.

General Orders

1. **General Order G01-09,** Supervisory Responsibilities (effective May 10, 2021, to present).¹

State Laws

1. **720 ILCS 5/12-1:** Assault.²

V. INVESTIGATION³

a. Interviews

Complainant ██████ was interviewed by COPA investigators on June 6, 2022.⁴ ██████ recounted that on the morning of February 20, 2022, he was planning on taking his car to be worked on, so he drove a flatbed truck home from work. He recalled that it snowed that morning and there was snow on the flatbed truck, so he pulled to the side of the road to shovel the snow out of the truck onto the parkway. It was then that ██████ neighbor, ██████ came out of his house and began yelling. ██████ explained that he and ██████ have not gotten along in the past, and that ██████ has called the police on him several times before, but none of those incidents resulted in any arrests or charges. As ██████ was shoveling the snow off the truck, ██████ stated words to the effect of, “I shot your dog,” and, “What are you going to do?”

¹ Att. 16.

² Att. 17.

³ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

⁴ Att. 1.

referencing a past incident when ██████ shot ██████ dog.⁵ ██████ then stated his exact words to ██████ in response were, “I’ll have my day.”⁶ It was then that ██████ went back into his house and called the police.

When the police arrived, ██████ walked up to where the two responding officers were gathered with ██████ to see what they were talking about. He described the officers trying to stop him as he began to walk towards them, which he felt was unreasonable. At that time, ██████ saw ██████ take out his phone and show the officers a video recording of their earlier interaction. ██████ explained that ██████ had cameras all around his house, and the video footage is accessible through ██████ phone. After watching ██████ video, ██████ believed the officers were just going to make a report. However, ██████ did not want to give them his identification because he did not want his name on the report and because he believed that he did not threaten anybody. ██████ recounted that the officers then got angry over his refusal to give his identification, and it was then that they decided to arrest him. ██████ said that as he was being arrested, nothing was explained to him, but he felt that he was arrested because he refused to hand over his identification.

████████ stated that while he and the officers were in the squad car on their way to the 5th District station, he asked if they heard a threat on the video shown to them by ██████. He recalled that one of the officers told ██████ “I did not hear a threat,” and “I could not make out a threat.”⁷ ██████ specified that he believes it was the officer in the passenger seat that stated that he did not hear a threat. ██████ estimated he was at the police station for about 45 minutes before he was released without charging. He recalled that as he was being booked, the lieutenant on duty came into the room and told him he was no longer under arrest or being charged because the lieutenant did not hear a threat.

████████ lastly recounted that a sergeant was on scene during his arrest. ██████ recalled that the sergeant was present for almost the entire incident, and the sergeant was initially parked across the street before approaching the patrol vehicle where ██████ was seated. ██████ said that he attempted to speak to the sergeant several times throughout the incident and also asked the sergeant why he was being arrested, but the sergeant did not respond to him.

Officer Jared Kundrat was interviewed by COPA investigators on July 8, 2022.⁸ Officer Kundrat recalled that he and his partner, Officer Ryan Ritchie, were dispatched to a call of an assault in progress. After they arrived at ██████ they “encountered the victim [referring to ██████ who made allegations that the offender [referring to ██████ threatened his life and that he wished to have him arrested.”⁹ Officer Kundrat and Officer Ritchie then encountered ██████ who he described as “hostile and not cooperative with our investigation.”¹⁰ ██████ was then detained and placed in custody based on signed complaints by the victim for assault.

⁵ Att. 1 at 4:20.

⁶ Att. 1 at 10:32.

⁷ Att. 1 at 6:54.

⁸ Att. 6.

⁹ Att. 6 at 6:07.

¹⁰ Att. 6 at 6:14.

Officer Kundrat recounted that upon their arrival, ██████ said “something along the lines of a dispute with his neighbor regarding a tow truck and snow removal, and that he had an ongoing dispute with this neighbor.”¹¹ Officer Kundrat further recalled that ██████ alleged that ██████ stated, “I’m going to have my day with you, your day is coming, not verbatim,”¹² and that these statements put ██████ “in fear of his life.”¹³ When asked if he recalled ██████ alleging that ██████ did anything else besides utter these words, Officer Kundrat replied that he did not.¹⁴ Officer Kundrat stated that the justification for ██████ arrest was “signed complaints by a victim . . . based on the statements that were made by him.”¹⁵

Officer Kundrat explained that he and Officer Ritchie approached ██████ for a field interview and asked for ██████ side of the story and for his identification, but ██████ said he did not have identification and did not provide a name.¹⁶ Officer Kundrat said, “It didn’t seem like he wanted to cooperate at all,” and it was then that ██████ was detained and placed in the squad car.¹⁷ He further recalled that was around this time that Sgt. Shalabi arrived. Officer Kundrat explained that Sgt. Shalabi just observed, and the sergeant only exited his car when ██████ became hostile.¹⁸ Officer Kundrat said that Officer Ritchie informed Sgt. Shalabi what had occurred, and further detailed “the statements that were made by the victim, at which point he [referencing Sgt. Shalabi] agreed with the process and the arrest.”¹⁹ Officer Kundrat recalled ██████ showing Officer Ritchie a video of the dispute on his phone, but Officer Kundrat did not believe that he viewed the video himself.²⁰ He further explained that Officer Ritchie told him later that it was difficult to hear what was said on the recording.²¹ When asked if there was sufficient probable cause to arrest ██████ based on words alone if the recording was mostly inaudible, Officer Kundrat said that there was, and further, “At this point we have to take the victim at his word, and he’s willing to sign a complaint to stand up in court and testify to statements that were made to him and him being in fear of receiving a battery.”²² ██████ was then arrested.

Following their arrival to the 5th District police station, Officer Kundrat and his partner completed the arrest report and the case report, which were approved, “and then went to the lieutenant [Lt. Kimble], who released [██████] without charges.”²³ Officer Kundrat emphasized that they had previously received approval on scene from Sgt. Shalabi, who confirmed “that these statements were sufficient to warrant an assault with a complainant/victim,” and that they had also received approval of the arrest and case reports from their desk sergeant.²⁴ When asked why ██████ was released without charges, Officer Kundrat explained that Lt. Kimble did not feel that

¹¹ Att. 6 at 6:43.

¹² Att. 6 at 7:00.

¹³ Att. 6 at 7:06.

¹⁴ Att. 6 at 16:56.

¹⁵ Att. 6 at 12:38.

¹⁶ Att. 6 at 8:08.

¹⁷ Att. 6 at 8:30.

¹⁸ Att. 6 at 11:57.

¹⁹ Att. 6 at 12:07.

²⁰ Att. 6 at 12:50.

²¹ Att. 6 at 13:00.

²² Att. 6 at 13:45.

²³ Att. 6 at 14:25.

²⁴ Att. 6 at 15:05.

there was a substantial threat. Officer Kundrat believed that Lt. Kimble said something along the lines of, “It’s not enough,” in reference to the statements made by ██████████²⁵

Officer Kundrat defined assault as “a threat placing somebody in reasonable apprehension of a receiving a battery, an imminent threat of receiving a battery.”²⁶ He explained that his understanding of the meaning of “reasonable apprehension,” as it is used in the Illinois assault statute, is whether “another person looking at the same set of circumstances, situation, believe that a crime has occurred.”²⁷ In terms of legal training on elements of offenses, he explained that as a recruit in police academy, he attended case law classes and read statutes in class. Officer Kundrat affirmed that he was of the opinion that words alone are legally sufficient to constitute an assault in Illinois.²⁸ He explained that he was basing his answer “on the statute that’s stating that said words relating ‘I’m going to do harm to a person’, and if that is something that places them in fear of receiving a battery, that’s an assault.”²⁹ Officer Kundrat further detailed that prior to this incident, he had previously made arrests for assault based on verbal threats.

Officer Ryan Ritchie was interviewed by COPA investigators on July 11, 2022.³⁰ Officer Ritchie recalled that he and his partner, Officer Kundrat, received an assault call on February 20, 2022. They met with the victim, ██████████ who told them that he was assaulted by his neighbor, ██████████³¹ Officer Ritchie explained that ██████████ alleged that the two neighbors had a disagreement over how ██████████ was shoveling snow off his truck,³² and that ██████████ told the officers that ██████████ said, “He’s gonna have his way with him and that his day is coming.”³³ Officer Ritchie explained that ██████████ also said that “he was in fear of receiving a battery because his neighbor is a convicted murderer,³⁴ and the two have had dealings in the past.”³⁵ Officer Ritchie described ██████████ as agitated, stating that the officers attempted to ask him for his identification and for his side of the encounter with ██████████ but that he was “very agitated and uncooperative.”³⁶ ██████████ was then handcuffed by the officers.

Officer Ritchie said that ██████████ told the officers that he wanted to sign a complaint for assault charges because he was in fear of receiving a battery from ██████████ Officer Ritchie explained that it was at this time that ██████████ detention became an arrest. Officer Ritchie also recalled speaking with a sergeant who had arrived on scene, Sgt. Shalabi. He recounted, “I said what the victim stated, saying that he felt that he was in fear of receiving a battery, and he [Sgt.

²⁵ Att. 6 at 15:30.

²⁶ Att. 6 at 7:14.

²⁷ Att. 6 at 17:41.

²⁸ Att. 6 at 8:55.

²⁹ Att. 6 at 19:05.

³⁰ Att. 7; *see also* Att. 8.

³¹ Att. 8 at 1:30.

³² Att. 8 at 2:20.

³³ Att. 8 at 2:30.

³⁴ Att. 8 at 2:40. Officer Ritchie mentioned ██████████ being a convicted murderer during his statement, and ██████████ alleged this during the incident as well, as seen on BWC footage. However, COPA did not locate any record of ██████████ being arrested, or convicted, for murder. *See* Att. 18.

³⁵ Att. 8 at 2:30.

³⁶ Att. 8 at 3:25.

Shalabi] agreed that once he [referencing ██████] signed the complaints, that he [referencing ██████] was under arrest.”³⁷

Officer Ritchie recalled that before ██████ was transported to the 5th District, he went back over to speak with ██████ who told him more specifics about the incident. Officer Ritchie agreed that the words said by ██████ to ██████ were along the lines of, “I’m gonna have my day with you,” and “You’re gonna get yours one day.”³⁸ Officer Ritchie did not recall ██████ alleging that ██████ did or said anything else. Further, Officer Ritchie remembered asking ██████ “He wasn’t coming at you, or anything like that, with fists?” and that ██████ had replied, “No.”³⁹ Officer Ritchie also recounted that ██████ showed him a video recording of the interaction on his phone, stating, “He attempted to show me the video, but it was completely . . . like the Wi-Fi was real spotty, so it was just in and out, I tried to look at the video but it wasn’t . . . plausible.”⁴⁰ Also, during transport to the 5th District police station, Officer Ritchie recalled that ██████ asked him and Officer Kundrat if either of them heard any threats on Matthew’s video recording.⁴¹ He agreed that he stated in response, “His video was hard to hear.”⁴²

Although he was unable to hear any threats on the video recording, Officer Ritchie explained that the officers still believed that they had probable cause to arrest ██████ solely based on what ██████ alleged, and because ██████ “was very agitated and aggressive and wasn’t listening to us on scene.”⁴³ Officer Ritchie explained that along with the verbal threats that ██████ alleged, the officers also considered ██████ demeanor to support his arrest for assault, stating that he was “irritated,” and “walking towards ██████”⁴⁴ He described probable cause generally as “reasonably, that [inaudible] committed a crime.”⁴⁵ Officer Ritchie further agreed that statements made by an eyewitness, by themselves, can supply probable cause.⁴⁶

Officer Ritchie said that after ██████ was brought to the 5th District police station, the arrest and case reports were approved by the sergeants, but, “When we got to the lieutenant, he denied the arrest.”⁴⁷ Officer Ritchie said that Lt. Kimble told him and Officer Kundrat that “there was not enough evidence for an assault charge.”⁴⁸ Officer Ritchie had previously affirmed that ██████ arrest for the simple assault of his neighbor was based on verbal threats alone.⁴⁹ ██████ was then released without charges.

Officer Ritchie said that he was familiar with the codified elements of assault, defining his understanding of the offense: “It could be words that make you believe that you’re in fear of

³⁷ Att. 8 at 5:00.

³⁸ Att. 8 at 6:35.

³⁹ Att. 8 at 5:58.

⁴⁰ Att. 8 at 7:12.

⁴¹ Att. 8 at 7:37.

⁴² Att. 8 at 7:42.

⁴³ Att. 8 at 7:55.

⁴⁴ Att. 8 at 11:50.

⁴⁵ Att. 8 at 8:35.

⁴⁶ Att. 8 at 8:57.

⁴⁷ Att. 8 at 5:32.

⁴⁸ Att. 8 at 6:00.

⁴⁹ Att. 8 at 9:36.

receiving a battery.”⁵⁰ He explained his understanding of the meaning of “reasonable apprehension,” as it is used in the Illinois assault statute, is, “What a reasonable person would believe to have an assault.”⁵¹ Officer Ritchie also explained that he has previously made arrests for assault solely based on a verbal threat.⁵² He also corroborated Officer Kundrat in explaining that they had legal training in the form of case law classes as recruits during their police academy training, as well as some online refresher classes as sworn members. Officer Ritchie affirmed that he was of the opinion that words alone, without an accompanying act, are sufficient to constitute an assault.⁵³

Sgt. Majdi Shalabi was interviewed by COPA investigators on July 18, 2022.⁵⁴ Sgt. Shalabi said that he arrived at the scene near the end of the incident, when ██████ was being led to the squad car. H explained that he was told by Officer Kundrat and Officer Ritchie that they were arresting ██████ for assault.⁵⁵ Sgt. Shalabi affirmed that he did interact with ██████ while on scene, explaining that after ██████ was placed in the squad car, “He told me that he was being arrested but that he didn’t do anything. It was back and forth but basically that was the gist of the conversation.”⁵⁶

Sgt. Shalabi recalled a conversation with Officer Ritchie while at the scene when Officer Ritchie explained what ██████ alleged ██████ said to him.⁵⁷ He also recalled responding with, “If he believes he’s going to take it a step in furtherance, then he’s got assault.”⁵⁸ Sgt. Shalabi explained his use of the phrase “take it a step in furtherance,” stating, “Words don’t mean anything by themselves, but his demeanor, his actions, was a step in furtherance.”⁵⁹ Sgt. Shalabi did not accompany the arresting officers to the 5th District police station and was unaware of the reason for ██████ release without charges.

Sgt. Shalabi defined his understanding of probable cause as “the facts that support arrest basically, the concrete steps taken towards a crime.”⁶⁰ He affirmed that statements made by an eyewitness, by themselves, can supply probable cause.⁶¹ When asked whether officers need to conduct any follow up or additional investigation in cases where probable cause is stemming solely from a witness account – as it did in this case – prior to making that arrest, Sgt. Shalabi replied, “Yes.”⁶² Sgt. Shalabi also defined his understanding of assault as “when a threat is made, and the person being threatened is in apprehension of that, those words.”⁶³ He explained that his understanding of “reasonable apprehension,” as it is used in the Illinois assault statute, means

⁵⁰ Att. 8 at 9:37.

⁵¹ Att. 8 at 10:22.

⁵² Att. 8 at 10:48.

⁵³ Att. 8 at 11:20.

⁵⁴ Att. 10.

⁵⁵ Att. 10 at 7:00.

⁵⁶ Att. 10 at 7:35.

⁵⁷ Att. 10 at 8:15.

⁵⁸ Att. 10 at 8:38.

⁵⁹ Att. 10 at 8:48.

⁶⁰ Att. 10 at 9:49.

⁶¹ Att. 10 at 10:20.

⁶² Att. 10 at 10:46.

⁶³ Att. 10 at 12:10.

“where a reasonable person believes that they may be battered.”⁶⁴ Sgt. Shalabi affirmed that based on his training and experience, he was of the opinion that that words or verbal threats alone are legally sufficient to constitute an assault.⁶⁵

Lt. Ronald Kimble was interviewed by COPA investigators on July 15, 2022.⁶⁶ Lt. Kimble said that on February 20, 2022, he was the watch commander on duty at the 5th District police station. He recalled that he “received an inbox notification for an arrest report, and that the arresting officers stated that they wanted to approve an arrest for an assault.”⁶⁷ However, Lt. Kimble explained that after he read the arrest report and spoke with the arresting officers, he believed that “the criteria did not meet my definition for an assault, so I released the subject they had in custody without charges.”⁶⁸ He recounted that he released ██████ “because of what was written . . . there was no threat. He just said, ‘I’ll have my day with you.’”⁶⁹ Lt. Kimble further explained, “That [referencing ██████ statement] was ambiguous to me, you didn’t threaten bodily harm, you didn’t threaten you were going to do something personal to him or his property, so that’s why I released him without charging.”⁷⁰ Lt. Kimble recalled that he specifically told the arresting officers that “the words ‘I’m gonna have my day with you’ do not necessarily mean that he’s going to batter this person or do harm to him, and that it didn’t meet the criteria, as far as I’m concerned, as being a physical threat to that individual.”⁷¹

Lt. Kimble defined his understanding of assault as “when you threaten bodily harm to someone, by use of force or implied force, or by hand, or by a weapon.”⁷² When asked if words alone were sufficient to establish an assault in Illinois, Lt. Kimble explained that they can in some instances, but he agreed that this determination is fact-specific and dependent on the situation.⁷³ He further agreed that it was widely understood within CPD that whether words by themselves constitute an assault is a fact-specific situation.⁷⁴ Lt. Kimble then gave several examples of accompanying factors that, when coupled with words or verbal threats, may constitute an assault. These included “situations where a person is physical and their demeanor is threatening, hostile, it can be face-to-face, it can be pointing in their face, can be invading . . . very close in proximity to them, where they would reasonably believe that you are physically about to do harm to them.”⁷⁵

Sgt. William Bokowski was interviewed by COPA investigators on July 18, 2022.⁷⁶ Sgt. Bokowski was the desk sergeant on duty at the 5th District on both February 20 and February 21, 2022. He explained that he did not encounter ██████ on the day of the arrest, but he reviewed the arrest report.⁷⁷ Sgt. Bokowski explained the process of approving or denying an arrest report, and

⁶⁴ Att. 10 at 12:40.

⁶⁵ Att. 10 at 13:40.

⁶⁶ Att. 5.

⁶⁷ Att. 5 at 4:19.

⁶⁸ Att. 5 at 4:30.

⁶⁹ Att. 5 at 5:23.

⁷⁰ Att. 5 at 5:31.

⁷¹ Att. 5 at 9:18.

⁷² Att. 5 at 5:45.

⁷³ Att. 5 at 6:25.

⁷⁴ Att. 5 at 6:55.

⁷⁵ Att. 5 at 7:08.

⁷⁶ Att. 9.

⁷⁷ Att. 9 at 4:27.

further, why his name was on the report under the section titled “Released Without Charging Approval”: “When an arrest is brought to the desk sergeant, they review it, they click the button that says review and it goes to the watch commander, they approve probable cause. On this one, Lt. Kimble came out of his office and said it didn’t meet the burden, whatever he said along those lines. I asked him – because we have authority to go in the review, and do certain actions that the Watch Commander can do – I asked him, ‘do you want me to do it, or you want to do it?’ And he said, ‘you can go ahead and do it,’ which is why my name appears.”⁷⁸ Sgt. Bokowski explained that he did not have a say in the decision to release ██████ and that such a decision is solely for the watch commander.⁷⁹ Sgt. Bokowski did recall briefly speaking with Lt. Kimble on February 20th, explaining that Lt. Kimble said that ██████ was going to be released “because he did not think it met the burden of assault, something along those lines.”⁸⁰ When asked if words, statements, or verbal threats, by themselves, are enough to constitute an assault, Sgt. Bokowski stated, “Each incident is different in its own right, it depends on what was said, and what the person was doing, how they were acting . . . each situation is different.”⁸¹ He agreed that whether words alone can establish an assault is fact-specific and dependent on the situation.⁸²

Sgt. Bokowski also recalled briefly interacting with ██████ the following day, February 21st, when ██████ returned to the 5th District police station to file a complaint.⁸³ He further recalled filing an initiation report regarding ██████ complaint that he had been falsely arrested.⁸⁴

b. Digital Evidence

COPA obtained and reviewed the **Body Worn Camera (BWC) footage from Officer Kundrat,⁸⁵ Officer Ritchie,⁸⁶ and Sgt. Shalabi⁸⁷** relative to this incident. The video recordings begin at 10:35 a.m. The recordings depict Officer Kundrat and Officer Ritchie arriving at ██████ where ██████ meets them on the sidewalk. ██████ says that his neighbor [referring to ██████] was shoveling the snow off the flatbed of his truck onto his property, and when ██████ asked him to stop, ██████ replied, “You can’t tell me what to do.” He further explained that he and ██████ “have history.” ██████ continued by explaining that about two years ago, ██████ dog came into his backyard and bit his dogs, so ██████ shot ██████ dog. ██████ then said that ██████ threatened him by saying, “I’m going to have my day with you,” and, “Your day is coming,” which put ██████ in fear of his life. He also told the officers that he had a video recording of the interaction on his phone. Officer Kundrat and Officer Ritchie explained to ██████ that while the shoveling of the snow into his yard may have been rude and disrespectful, it was not illegal.

⁷⁸ Att. 9 at 11:45.

⁷⁹ Att. 9 at 8:50.

⁸⁰ Att. 9 at 5:40.

⁸¹ Att. 9 at 10:10.

⁸² Att. 9 at 10:25.

⁸³ Att. 9 at 6:10.

⁸⁴ Att. 9 at 6:10.

⁸⁵ Att. 2.

⁸⁶ Att. 3.

⁸⁷ Att. 4.

Officer Ritchie and Officer Kundrat then walked down the sidewalk and approached [REDACTED]. The officers instructed [REDACTED] to stop, but he continued to walk down the sidewalk. The officers again asked him to stop, and they explained that he would be detained if he did not stop. They asked him what happened between himself and [REDACTED] and [REDACTED] explained that he pulled his truck up onto the street and shoveled the snow off the flatbed. Officer Kundrat asked if [REDACTED] had his identification on him, and [REDACTED] replied that he did not and further said that he was not going to give the officers his name. [REDACTED] began to walk away from the officers, and the officers told him that he can either provide them with identification or they will handcuff him. Officer Kundrat then grabbed [REDACTED] right arm and began to handcuff him. Officer Kundrat told [REDACTED] that he was being handcuffed because [REDACTED] wanted to press charges against him for assault. Officer Kundrat began to lead a handcuffed [REDACTED] towards the squad car. Officer Ritchie went back to [REDACTED] who said that he would like to press charges against [REDACTED]. Officer Ritchie explained that he would bring over the papers for [REDACTED] to sign. [REDACTED] then showed Officer Ritchie a video recording of the interaction between himself and [REDACTED] on his phone.

[REDACTED] yelled that he did not do anything, that [REDACTED] is the one that initially came out to talk to him, and that all he did was clean the snow off his truck. Officer Kundrat again asked [REDACTED] for identification, and [REDACTED] replied that he did have identification on his person, but he did not consent to a search. Officer Kundrat reached into [REDACTED] pockets several times, retrieving keys and a phone. Officer Ritchie also reached into the pockets of [REDACTED] sweatpants, retrieved his wallet, and removed his identification.

[REDACTED] continued to insist that he did not do anything. Officer Kundrat stated, "You're going to jail,"⁸⁸ and Officer Ritchie opened the door to the squad car. Officer Ritchie went back over to stand with [REDACTED]. Sgt. Shalabi arrived at the scene and approached the squad car. [REDACTED] called out to Sgt. Shalabi and said, "I didn't do anything to this guy," and, "They're arresting me for something I didn't do."⁸⁹ Sgt. Shalabi responded that if [REDACTED] believed it was for nothing, then he would have his day in court.

Officer Ritchie explained to [REDACTED] where [REDACTED] needed to sign the complaint to indicate that he wanted to press charges. Officer Kundrat also went to [REDACTED] asked for his driver's license, and brought it back to the vehicle. Officer Ritchie asked [REDACTED] to tell him exactly what [REDACTED] said to him. [REDACTED] responded that [REDACTED] said, "You're gonna get yours one day, one day you gonna get yours,"⁹⁰ and, "I'm gonna have my day one day."⁹¹ Officer Ritchie asked [REDACTED] to describe [REDACTED] demeanor, and [REDACTED] replied, "He had a look in his eye, he had a serious look that he meant what he said."⁹² [REDACTED] further explained that [REDACTED] was not coming at him or approaching him when he made these statements.

[REDACTED] then called Sgt. Shalabi over to the window of the patrol vehicle and asked why he was being locked up. Sgt. Shalabi replied that he did not know the particulars of the case, but that the officers had reason to believe that he assaulted [REDACTED]. Officer Kundrat, from inside

⁸⁸ Att. 2 at 8:38.

⁸⁹ Att. 4 at 2:30.

⁹⁰ Att. 3 at 13:09.

⁹¹ Att. 3 at 13:37.

⁹² Att. 3 at 14:25.

the squad car, said that ██████ refused to cooperate with them when he refused to give them his identification or tell his side of the story. Officer Kundrat also said that he only had one side of the story, and the victim willing to sign complaints.⁹³ Sgt. Shalabi then told ██████ that he had been hostile with the officers throughout the entire interaction. Officer Ritchie discussed the specifics of the incident with Sgt. Shalabi, explaining to him exactly what ██████ said to ██████. Specifically, Officer Ritchie stated that ██████ said, “I’m going to have my day with you,” and, “You’re going to get yours,” and that ██████ was in fear of receiving a battery.⁹⁴ Sgt. Shalabi responded, “That’s fine.”⁹⁵ Officer Ritchie explained that he just wanted to make sure, and Sgt. Shalabi responded, “If he [referencing ██████] believes that he [referencing ██████] was going to take it a step in furtherance, then you’ve got an assault.”⁹⁶

While being driven to the police station, ██████ exclaimed, “I’m gonna beat the fuck out that motherfucker one day.”⁹⁷ Also while in the vehicle, ██████ asked the officers if either of them heard him make an actual threat to ██████ in the video recording that they saw. Officer Ritchie responded, “His video was hard to hear.”⁹⁸ Upon arrival at the 5th District police station, ██████ was led into a room with Officer Ritchie. Officer Kundrat’s BWC recording ended at 11:07 a.m., and Officer Ritchie’s BWC recording ended six minutes later, after he took ██████ personal property for inventory.

c. Documentary Evidence

An **Original Case Incident Report** names ██████ as the victim of a simple assault on February 20, 2022, at 10:25 am, at ██████.⁹⁹ The offender is named as ██████. The report documents that Officer Kundrat and Officer Ritchie arrived on scene in response to an assault call and met with ██████ who informed them that he was involved in an argument with his neighbor, ██████ and that he felt threatened and in fear of receiving a battery. ██████ said that ██████ stated words in essence of, “I’m going to have my day with you, and one day you’re going to get yours.” ██████ also said that he and ██████ had an ongoing dispute. ██████ said that he wished to sign a complaint, and the officers placed ██████ into custody. The report also documents that during transport to the police station, ██████ said, “I’m going to beat the fuck out of him one day.”

A **Cook County Circuit Court Misdemeanor Complaint** dated February 20, 2022, alleges that ██████ committed the offense of simple assault, in violation of 720 ILCS 5/12-1-A, when he “without lawful authority, knowingly made verbal threats thereby placing Erza [sic] ██████ in reasonable apprehension of receiving a battery.”¹⁰⁰ The complaint was signed by Mathews, and Officer Ritchie also signed the bottom of the complaint as the law enforcement officer.

⁹³ Att. 4 at 6:07.

⁹⁴ Att. 3 at 15:53.

⁹⁵ Att. 3 at 16:10.

⁹⁶ Att. 4 at 7:59.

⁹⁷ Att. 3 at 23:28.

⁹⁸ Att. 2 at 28:43.

⁹⁹ Att. 15.

¹⁰⁰ Att. 12.

An **Initiation Report** submitted by Sgt. William Bokowski on February 21, 2022, documents that at 9:45 am, ██████ walked into the 5th District police station to make a complaint.¹⁰¹ ██████ told the sergeant that he was falsely arrested for simple assault on February 20th, and that “there was no investigation conducted into his claim of no threat delivered.” The report lastly documents that Sgt. Majdi Shalabi was on scene during the incident as a witness, and Officer Ryan Ritchie and Officer Jared Kundrat are named as the accused officers.

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 a proposition is proved.¹⁰² For example, if the evidence gathered in an investigation establishes that it is more likely that the conduct complied with CPD 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. 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.”¹⁰³

¹⁰¹ Att. 13.

¹⁰² See *Avery v. State Farm Mut. Auto. Ins. Co.*, 216 Ill. 2d 100, 191 (2005) (“A proposition proved by a preponderance of the evidence is one that has been found to be more probably true than not true.”).

¹⁰³ *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4th ed. 2000)).

VII. CREDIBILITY ASSESSMENT

This incident was recorded on the accused officers' BWCs, and the complainant's account and the officers' accounts are consistent with each other and with the available recordings. This investigation did not reveal any evidence that caused COPA to question the credibility of any of the individuals who provided statements.

VIII. ANALYSIS

a. Allegations against Officer Jared Kundrat and Officer Ryan Ritchie

It has been alleged that Officer Jared Kundrat and Officer Ryan Ritchie arrested ██████████ without justification. Here, ██████████ was arrested for the simple assault of his neighbor, ██████████ arrest was solely based on verbal threats he allegedly made towards ██████████¹⁰⁴ Specifically, ██████████ alleged that ██████████ stated to him, "I'm gonna have my day with you," and "you're gonna get yours one day."¹⁰⁵ ██████████ did not allege that ██████████ did anything else besides utter these statements.¹⁰⁶

i. Words Alone are Insufficient to Establish an Assault in Illinois

Per the Illinois Compiled Statutes, a person commits an assault when, without lawful authority, he or she knowingly engages in conduct which places another in reasonable apprehension of receiving a battery.¹⁰⁷ The element of "reasonable apprehension" is judged by an objective standard and may be inferred based on the conduct of both the victim and accused.¹⁰⁸

It has consistently been held by Illinois courts that words alone are not enough to constitute an assault, and some action or condition must accompany those words before there is a violation of the statute.¹⁰⁹ "Ever since the fourteenth century, assault whether civil or criminal has involved (1) a threatening *gesture*, or an otherwise innocent gesture made threatening by the accompanying words, that (2) creates a reasonable apprehension of an *imminent* battery."¹¹⁰ Therefore, a mere verbal threat of indefinite action in the indefinite future is not an assault.¹¹¹ A victim's "reasonable apprehension," as the phrase is used in the statute, must be of an immediate or imminent battery, not just of an indeterminate future harm.¹¹² "A threat of future violence is obviously insufficient for an assault, because it is neither an attempt to commit a battery nor an act placing the other in

¹⁰⁴ Att. 12.

¹⁰⁵ Att. 8 at 6:35; see also Att. 6 at 7:00.

¹⁰⁶ Att. 3 at 14:44; see also Att. 8 at 5:58, 6:40.

¹⁰⁷ Att. 17.

¹⁰⁸ See *People v. Taylor*, 2015 IL App (1st) 131290, ¶ 14.

¹⁰⁹ See *People v. Floyd*, 278 Ill. App. 3d 568, 570-71 (1996) ("[W]ords alone are not usually enough to constitute an assault. Some action or condition must accompany those words before there is a violation of the statute.") (citing *People v. Ferguson*, 181 Ill. App. 3d 950 (1989)).

¹¹⁰ *Kijonka v. Seitzinger*, 363 F.3d 645, 647 (7th Cir. 2004).

¹¹¹ See *People v. Kettler*, 121 Ill. App. 3d 1, 6 (1984).

¹¹² See *People v. Vanhoose*, 2020 IL App (5th) 170247, ¶ 26.

apprehension of receiving an *immediate* battery.”¹¹³ Further, “the offense of assault ‘does not reach the apprehension of a battery as a result of some threat of harm at an unspecified future date.’”¹¹⁴

Here, the misdemeanor complaint signed by ██████ stating that ██████ assaulted him, and ██████ subsequent arrest, was solely based on the verbal threats that ██████ alleged were made by ██████.¹¹⁵ Officer Kundrat told COPA that ██████ account of the words spoken to him by ██████ provided the justification for ██████ arrest.¹¹⁶ Further, Officer Ritchie explained that ██████ did not allege that ██████ did anything else in conjunction with the alleged statements.¹¹⁷ Officer Ritchie specifically recalled asking ██████ “He [referencing ██████] wasn’t coming at you, or anything like that, with fists?” and ██████ answered “no.”¹¹⁸ There is no other evidence indicating that ██████ made any physical gestures or other actions towards ██████ and ██████ told the officers that ██████ was not coming at him or approaching him when ██████ made the alleged threats.¹¹⁹ In fact, ██████ specifically denied that ██████ words were accompanied by any further action.¹²⁰ ██████ statements, by themselves and without any accompanying action, gesture, or condition, were insufficient to establish an assault.

Also, there was a lack of an imminent harm based on ██████ statements alone. The apprehension of battery cannot be reached solely as a result of some threat of future harm at an unspecified date.¹²¹ Rather, ██████ “reasonable apprehension” of receiving a battery, as the phrase is used in the assault statute, must be of an imminent battery. Based on the statements ██████ alleged were said by ██████ which were words along the lines of “you’re gonna get yours one day,” “I’m gonna have my day one day,” and “your day is coming,” it is apparent that there was no imminent threat immediately pending. The use of the phrase “one day” clearly references a future, unspecified date.

Police officers, even though they are not lawyers, are “charged with a knowledge of well-established legal principles as well as an ability to apply the facts of a particular situation to these principles.”¹²² This is particularly true with regard to common offenses such as assault and includes the widely held precedent in the state of Illinois that words alone are insufficient to constitute an assault. It is apparent that the arresting officers here misunderstood of the elements of the assault statute.¹²³ Therefore, Officer Ritchie and Officer Kundrat were incorrect in their belief that ██████ words, by themselves and without any accompanying action or threat of imminent harm, were sufficient to support an arrest for assault.

¹¹³ People v. Vanhooose, 2020 IL App (5th) 170247, ¶ 31, quoting *Kettler*, 121 Ill. App. 3d at 6.

¹¹⁴ People v. Vanhooose, 2020 IL App (5th) 170247, ¶ 31, quoting *Kettler*, 121 Ill. App. 3d at 6.

¹¹⁵ Att. 12.

¹¹⁶ Att. 6 at 12:38.

¹¹⁷ Att. 6 at 12:38; *see also* Att. 8 at 5:58.

¹¹⁸ Att. 8 at 5:58.

¹¹⁹ Att. 3 at 14:44.

¹²⁰ Att. 3 at 14:44.

¹²¹ People v. Kettler, 121 Ill. App. 3d 1, 6 (1984).

¹²² *See* United States v. Koerth, 312 F.3d 862, 869 (7th Cir. 2002), quoting United States v. Brown, 832 F.2d 991, 995 (7th Cir.1987); *see also* United States v. Adames, 56 F.3d 737, 747 (7th Cir. 1995); United States v. Mykytiuk, 402 F.3d 773, 777 (7th Cir. 2005).

¹²³ Att. 6 at 7:14; *see also* Att. 8 at 9:37.

ii. There Was a Lack of Probable Cause to Arrest ██████ for Assault and Further Investigation was Required by the Officers

An officer has probable cause to arrest a person if, “at the time of the arrest, the facts and circumstances within the officer's knowledge . . . are sufficient to warrant a prudent person, or one of reasonable caution, in believing, in the circumstances shown, that the suspect has committed, is committing, or is about to commit an offense.”¹²⁴ Statements made by a witness can “supply probable cause when the statements, if true, show that a crime has occurred.”¹²⁵ However, “when . . . the police know that the accuser may harbor a grudge against the accused . . . or when it is doubtful that the allegations (even if true) add up to a crime, then some follow-up may be required to make an arrest ‘reasonable.’”¹²⁶

Here, the probable cause justification for ██████ arrest was based on statements made to the officers by ██████ alleging verbal threats directed at him by ██████. Neither Officer Kundrat nor Officer Ritchie witnessed the dispute between ██████ and ██████. While ██████ claimed to have a video recording of the interaction and attempted to show the recording to Officer Ritchie, Officer Ritchie told COPA that he was unable to make out what was shown.¹²⁷ This interaction is also visible on Officer Ritchie’s body-worn camera footage.¹²⁸ Likewise, Officer Kundrat recalled ██████ attempting to show Officer Ritchie the recording, but he did not view the recording himself.¹²⁹ Because the officers did not witness the incident, and because they were unable to view the proffered video recording, their probable-cause basis for ██████ arrest was solely based on ██████ account of what allegedly occurred. Also, both Officer Kundrat and Officer Ritchie, in their statements to COPA, acknowledged that they were aware of the fact ██████ and ██████ had a dislike for each other, referencing that the men “had an ongoing dispute,”¹³⁰ and “have had words in the past.”¹³¹ ██████ admitted this to the officers when they arrived. He stated that he and ██████ “have history,” and further recounted to them a previous incident in which he shot ██████ dog.¹³² Sgt. Shalabi was also cognizant of their history, as he was informed about it by Officer Ritchie.¹³³

While it is true that ██████ signed a misdemeanor complaint against ██████ the fact that the arresting officers understood that this disagreement between the two neighbors was ongoing demonstrated that they should have been wary of that conclusory complaint and its sufficiency was in question. Also, even taken as true, the officers should have realized that it was doubtful that ██████ allegations against ██████ added up to a crime. Officer Kundrat and Officer Ritchie should have conducted further investigation due to reasonable suspicions about the

¹²⁴ Gonzalez v. City of Elgin, 578 F.3d 526, 537 (7th Cir. 2009), quoting Michigan v. DeFillippo, 443 U.S. 31, 37 (1979).

¹²⁵ Askew v. City of Chicago, 440 F.3d 894, 895 (7th Cir. 2006), citing Gramenos v. Jewel Companies, Inc., 797 F.2d 432 (7th Cir. 1986).

¹²⁶ Askew, 440 F.3d at 895 (citations omitted).

¹²⁷ Att. 8 at 7:12.

¹²⁸ Att. 3 at 7:30.

¹²⁹ Att. 6 at 12:50.

¹³⁰ Att. 6 at 6:43.

¹³¹ Att. 8 at 2:00.

¹³² Att. 2; *see also* Att. 3.

¹³³ Att. 10 at 7:45.

veracity of the evidence supporting their probable cause determination. A reasonably prudent officer, with knowledge of the history between the purported victim and the accused, would have investigated further before concluding there was sufficient probable cause to handcuff and arrest ██████ solely based on ██████ account.

██████ words by themselves, without any accompanying action or conduct, are insufficient to constitute an assault. There was further a lack of probable cause to arrest ██████ solely based on ██████ account, and the sufficiency of the misdemeanor complaint was at issue. Officer Kundrat and Officer Ritchie should have conducted a further investigation due to reasonable suspicions about the veracity of the evidence supporting their probable cause determination prior to effecting the arrest. However, in making their arrest, the officers sought guidance from a supervisor, Sgt. Shalabi. This is evident from Officer Ritchie's conversation with Sgt. Shalabi at the scene when he related the details of the incident and asked if there was sufficient grounds to arrest ██████ for assault. Specifically, Officer Ritchie, after describing the circumstances of ██████ detention, stated that he "just wanted to make sure," and Sgt. Shalabi responded, "If he [referencing ██████] believes that he [referencing ██████] was going to take it a step in furtherance, then you've got assault."¹³⁴

It is clear from this conversation that the officers reasonably relied on the judgement and guidance provided by Sgt. Shalabi, and his specific instructions, when they made the ultimate decision to arrest ██████. Thus, while the arrest of ██████ was not justified, the CPD member responsible for the arrest was Sgt. Shalabi, and COPA finds that **Allegation #1** against Officer Jared Kundrat, and **Allegation #1** against Officer Ryan Ritchie are **Exonerated**.

b. Allegations against Sgt. Majdi Shalabi

It has been alleged that Sgt. Majdi Shalabi failed to properly direct subordinates through a failure to ensure that the words spoken by ██████ were legally sufficient to constitute assault before ██████ was arrested by the responding officers.

Supervisors of all ranks are accountable for the performance of subordinate members directly observed or under their direct command.¹³⁵ Supervisors must be knowledgeable about the law, CPD policies, and unit-level directives which apply to their positions, duties, and responsibilities in order to be a resource to other CPD members.¹³⁶

Here, Sgt. Shalabi was briefed on the details of the incident by Officer Ritchie. Specifically, Officer Ritchie stated, "Basically what he said to him was, 'I'm gonna have my day with you, you're gonna get yours,' and he said he was in fear of receiving a battery."¹³⁷ Sgt. Shalabi responded, "That's fine," before then stating, "If he believes that he's gonna take it a step in furtherance, then you've got assault."¹³⁸ Sgt. Shalabi explained to COPA what he meant by the phrase "take it a step in furtherance," stating that "words don't mean anything by themselves, but

¹³⁴ Att. 4 at 7:59.

¹³⁵ Att. 16, G01-09(III)(B), Supervisory Responsibilities (effective May 10, 2021, to present).

¹³⁶ Att. 16, G01-09(III)(A)(5).

¹³⁷ Att. 4 at 7:45.

¹³⁸ Att. 4 at 7:56.

his demeanor, his actions, was a step in furtherance.”¹³⁹ Sgt. Shalabi further affirmed that based on his training and experience, he was of the opinion that that words or verbal threats alone are legally sufficient to constitute an assault.¹⁴⁰

As a supervisor, Sgt. Shalabi was expected to be familiar with the law and with CPD policies and directives,¹⁴¹ and he was accountable for the performances of subordinate members directly observed or under his command.¹⁴² Police officers are generally held responsible with having knowledge of well-established legal principles.¹⁴³ As discussed above, Sgt. Shalabi’s approval of an arrest for assault based on words alone directly contradicts Illinois precedent in defining the elements of assault. COPA also notes that a more senior police supervisor, Lt. Kimble, immediately recognized that the facts alleged in ██████ arrest report did not meet the statutory elements of the charged offense.

Also, Sgt. Shalabi told COPA that while he believed that statements by a witness by themselves may supply probable cause, he agreed that an officer would need to conduct additional investigation prior to conducting an arrest.¹⁴⁴ Here, he did not direct Officer Kundrat or Officer Ritchie to conduct any additional investigation, even though ██████ statement alone provided the probable cause basis for ██████ arrest. Sgt. Shalabi was further aware of the history between ██████ and ██████ and the fact that they had been involved in prior conflicts.¹⁴⁵ As explained above, police officers that have reason to question a victim’s statement may lack probable cause.¹⁴⁶ As a supervisor, Sgt. Shalabi had a responsibility to direct his officers to investigate further in a situation where the probable cause basis for an arrest was solely based on the account of a someone who had a history of disputes with the accused.

Consequently, Sgt. Shalabi’s approval of ██████ arrest was misplaced, as was his belief that ██████ words, by themselves, and without any accompanying action or threat of imminent harm, were sufficient to support an arrest for assault. As a supervisor, it was his responsibility to be well-informed and up to date on basic legal principles in order to better direct his subordinates. Also, as a supervisor, Sgt. Shalabi was responsible for directing Officer Kundrat and Officer Ritchie to investigate further when their probable cause basis for an arrest was based on a witness account alone, particularly where there was reason to question the witness’s account and where, even if true, it was doubtful that what the witness described added up to a crime. Therefore, COPA finds that **Allegation #1** against Sgt. Majdi Shalabi is **Sustained**, and COPA finds that Sgt. Shalabi’s failure to properly direct his subordinates violated CPD policy and Rules 2, 3, 5, 6, and 11.

¹³⁹ Att. 10 at 8:48.

¹⁴⁰ Att. 10 at 13:40.

¹⁴¹ Att. 16, G01-09(III)(A)(5).

¹⁴² Att. 16, G01-09(III)(B).

¹⁴³ See cases cited *supra* note 122.

¹⁴⁴ Att. 10 at 10:46.

¹⁴⁵ Att. 10 at 7:45.

¹⁴⁶ See cases cited *supra* notes 125 and 126.

IX. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. Sergeant Majdi Shalabi

i. Complimentary and Disciplinary History¹⁴⁷

Sgt. Shalabi has received the Life Saving Award, two Problem Solving Awards, fifteen Department Commendations, thirteen Complimentary Letters, 101 Honorable Mentions, and 11 other awards and commendations. Sgt. Shalabi has no disciplinary history within the time period contemplated by the applicable collective bargaining agreement.

ii. Recommended Penalty

COPA has found that Sgt. Shalabi violated Rules 2, 3, 5, 6, and 11 when he failed to properly direct subordinate officers, leading to the arrest of [REDACTED] without probable cause to believe that [REDACTED] had committed the crime of assault. Sgt. Shalabi did not act out of malice, but he did not properly understand the underlying legal issues at a level appropriate for a police supervisor, and he did not seek additional information or guidance when he should have recognized that the facts presented to him by the arresting officers did not give rise to probable cause for [REDACTED] arrest. Sgt. Shalabi’s error was discovered promptly by Lt. Kimble, limiting the time that [REDACTED] spent in custody and limiting the damage caused by Sgt. Shalabi’s error. Nonetheless, a member of the public was subjected to an unjustified arrest, causing damage to CPD’s efforts to achieve its policies and goals. Considering the nature of Sgt. Shalabi’s misconduct, combined with his complimentary and disciplinary history, COPA recommends that Sgt. Shalabi receive a **reprimand**.

X. CONCLUSION

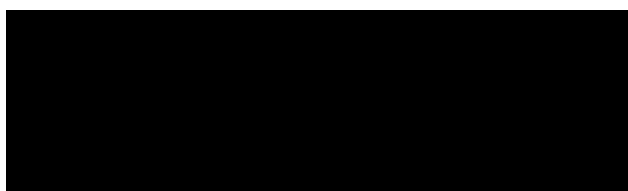
Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Findings / Recommendations
Officer Jared Kundra	It is alleged by the above [REDACTED] that, on or about February 20, 2022, at approximately 10:25 a.m., at or near [REDACTED], Officer Jared Kundra committed misconduct through the following acts or omissions, by: 2. Arresting Mr. [REDACTED] without justification.	Exonerated
Officer Ryan Ritchie	It is alleged by the above [REDACTED] that, on or about February 20, 2022, at approximately 10:25 a.m., at or near [REDACTED]	

¹⁴⁷ Att. 39.

	<p>████████████████████, Officer Ryan Ritchie committed misconduct through the following acts or omissions, by:</p> <p>2. Arresting ██████████ without justification.</p>	Exonerated
Sgt. Majdi Shalabi	<p>It has been alleged by the Civilian Office of Police Accountability that, on or about February 20, 2022, at approximately 10:25 a.m., at or near ██████████ ██████████, Sgt. Majdi Shalabi committed misconduct through the following acts or omissions, by:</p> <p>2. Failing to properly direct subordinates through a failure to ensure that the words spoken by ██████████ were legally sufficient to constitute Simple Assault before ██████████ was arrested by the responding officers.</p>	Sustained / Reprimand

Approved:



Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

June 29.2023

Date