



Lori E. Lightfoot
Mayor

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

David O. Brown
Superintendent of Police

January 27, 2023

Andrea Kersten
Chief Administrator
Civilian Office of Police Accountability
1615 W. Chicago Ave., 4th Floor

Re: Superintendent's Concurrence as to Part and Non-Concurrence as to Part of COPA's Findings
Log #1091882
Sergeant Fred Coffey #1438, Officer Joseph Landini #10264 and Officer Karina Salgado #6921

Dear Chief Administrator Kersten:

Based on a review of the above-referenced complaint register (CR), the Chicago Police Department (CPD) concurs with the recommended findings and penalties for Sergeant Fred Coffey. As such, the Department will begin the process for imposing the 180 day suspension for Sgt. Coffey.

However, as will be detailed below, CPD does not concur with the investigative findings and penalty recommendations for Officer Landini and Officer Salgado. In accordance with Municipal Code of Chicago, MCC 2-78-130, the Superintendent provides the following comments when there is a disagreement as to the investigative findings and proposed penalty.

The identical allegations against Landini and Salgado should not be sustained, save for the allegation of failing to maintain their BWC activated during transport. For the sustained allegation regarding the deactivation of their BWC, the undersigned would impose a penalty of a 30 day suspension.

The evidence presented does not support sustaining the allegation that Officers Landini and Salgado arrested [REDACTED] and [REDACTED] without probable cause. On the contrary, Officers Landini and Salgado arrested [REDACTED] and [REDACTED] on signed complaints of the property owner, Sgt. Coffey. An unidentified third party witness verified Sgt. Coffey as the owner. Officers Landini and Salgado attempted to verify [REDACTED] and [REDACTED] assertions that they were authorized to access Sgt. Coffey's property, but were unable to do so based on the information presented to them. The information that Officers Landini and Salgado had at the time of arrest, coupled with the criminal complaints signed and sworn to by the victim (Sgt. Coffey) provided them with probable cause to arrest Mr. [REDACTED] and Mr. [REDACTED].

As to the allegation that Officers Landini and Salgado failed to "call a supervisor upon learning that another police supervisor was involved in the incident," COPA has failed to identify a policy violation upon which to base the allegation. In the Summary Report of Investigation (SRI), COPA points to G04-01 III(C) for the proposition that Officers Landini and Salgado were required to call a supervisor. Putting aside the fact that upon arrival Landini and Salgado were met with an on-duty CPD supervisor in the person of Sgt. Coffey, the

mandate of G04-01 III(C) is that Department members are prohibited from investigating an incident when they themselves have a personal or financial interest. COPA correctly sustained allegations of violating G04-01 III(C) against Sgt. Coffey. Officers Landini and Salgado had no personal or financial interest in Sgt. Coffey's abandoned home, therefore the provisions of G04-01 III(C) are inapplicable to them. COPA also cites to G04-04 for the proposition that "it is in the Department's interest" that an independent supervisor respond to the scene. While this may be the case from a "best practices" perspective, for purposes of sustaining this allegation against Officers Landini and Salgado, it must be pointed out that G04-04, entitled "Domestic Incidents," refers specifically to, domestic incidents. The alleged trespassing at Sgt. Coffey's was not a domestic incident; this order is also inapplicable to Officers Landini and Salgado in this instance.

Upon arrival on the scene, Officers Landini and Salgado, a probationary police officer at the time, encountered an on-duty Sergeant of Police – the accused Sgt. Fred Coffey – with two subjects handcuffed and in custody. From beginning to end, Sgt. Coffey, the highest ranking police official on the scene with as much time on the job as Landini and Salgado combined, was in command of this incident. Coffey directed Landini and Salgado's actions, indicated that [REDACTED] and [REDACTED] should be arrested upon his signed complaint, and, when Landini expressed misgivings and indicated that [REDACTED] and [REDACTED] seemed legitimate, Sgt. Coffey told Landini that he himself, Sgt. Coffey, would continue the investigation and ensure that the charges are proper and if not that the case be dismissed in court. Given these facts, the evidence is insufficient to sustain allegations against Landini and Salgado that they lacked probable cause for the arrests or that they should have called another supervisor to the scene.

Officers Landini and Salgado failed to keep their BWC's activated during the transport of Mr. [REDACTED] and Mr. [REDACTED]. Given the importance of adherence to the Chicago Police Department's BWC policy, it is the belief of the undersigned that a serious penalty should be imposed. A penalty of a 30 day suspension for both Landini and Salgado is fair and appropriate.

Sincerely,

[REDACTED]

David O. Brown
Superintendent of Police
Chicago Police Department