



Log # 2022-0005382

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On December 21, 2022, the Civilian Office of Police Accountability (COPA) received a telephone complaint from ██████████ reporting alleged misconduct by a member of the Chicago Police Department (CPD). ██████████ alleged that on November 28, 2022, PO Christyana Zapata sent a text message to his phone containing racial slurs.² Upon review of the evidence, COPA served additional allegations that PO Christyana Zapata engaged in a domestic relationship with someone known to have been convicted of any felony or misdemeanor. Following its investigation, COPA reached sustained findings regarding the allegations of sending text messages containing racial slurs.

II. SUMMARY OF EVIDENCE³

██████████ provided COPA with a screenshot of the text message conversation between him and PO Zapata.⁴ The screenshot depicts a text message from PO Zapata to ██████████ stating “Fucking niggers just robbed more [people].”⁵ On June 21, 2023, COPA obtained an audio-recorded statement from PO Christyana Zapata regarding the allegations against her.⁶ In the audio-recorded statement, PO Zapata stated that she did send the text message and intended to say “niggaz” and not “niggers.” Specifically, when asked if she admitted to the allegation, PO Zapata stated, “No. I sent a text message that came out with another word due to a misspelling.”⁷ Additionally, PO Zapata denied knowing that ██████████ was a convicted felon when their relationship began. PO Zapata submitted a to/from report to the 010th District Commander, anticipating the potential allegations from possible claims made by her ██████████ ██████████ ██████████ ██████████ COPA submitted subpoenas to obtain the cellphone records of ██████████ related to the allegations and claims he made to COPA. The subpoena requested the cellphone records from November 23, 2022, through December 4, 2022.⁸ COPA attempted to contact ██████████ via

¹ Appendix A includes case identifiers such as the date, time, and location of the incident, the involved parties and their demographics, and the applicable rules and policies.

² One or more of these allegations fall within COPA’s jurisdiction pursuant to Chicago Municipal Code § 2-78-120. Therefore, COPA determined it would be the primary investigative agency in this matter.

³ The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, interviews, phone records, text messages and Department reports.

⁴ See Att. 2 Cellphone Screen Shot_██████████

⁵ See Att. 2 Cellphone Screen Shot_██████████

⁶ See Att. 18 COPA Audio Recorded Statement_PO Christyana Zapata

⁷ Att. 18 at 28:30.

⁸ See Att. 14 Cingular Subpoena 2

U.S. Certified Mail to interview him regarding his claims. COPA was unable to speak with him to obtain additional further information.⁹

III. ALLEGATIONS

PO Christyana Zapata:

1. Sending text messages containing racial slurs.
 - Rules 2, 6 and 8. Sustained.
2. Engaging in a domestic relationship with a person known to have been convicted of any felony and or misdemeanor.
 - Not Sustained.

IV. CREDIBILITY ASSESSMENT

This investigation did not reveal any evidence that caused COPA to question the credibility of PO Christyana Zapata, who provided a recorded statement. PO Zapata answered questions throughout the investigation.

V. ANALYSIS¹⁰

1. Sending text messages containing racial slurs.

██████████ provided COPA with a screenshot of the text message conversation between him and PO Christyana Zapata. In the text message, PO Zapata stated, “Fucking niggers just robbed more ppl.”¹¹ During her audio-recorded statement, she admitted to sending the text messages.¹² She explained that she meant to send a text message containing the word “niggaz” but the word “niggers” is what came out.¹³ PO Zapata further explained that the word “niggaz” was a slang word that she commonly used between her and her friends and that it was commonly used without any malicious intent in the neighborhood where she grew up.

In accordance with CPD General Order G02-04: Prohibitions Regarding Racial Profiling and Other Bias-Based Policing, COPA finds that PO Zapata’s actions violated Section II (B) 2 in that she admitted to sending a text message containing a racial slur. Based on the available evidence and PO Zapata’s statement, COPA recommends a finding of **Sustained**.

2. Engaging in a domestic relationship with a person known to have been convicted of any felony and or misdemeanor.

⁹ See Att. 13 Certified Mail Receipt

¹⁰ For a definition of COPA’s findings and standards of proof, *see* Appendix B.

¹¹ See Att. 2 Cellphone Screen Shot ██████████

¹² See Att. 18 COPA Audio Recorded Statement_PO Christyana Zapata 11:45

¹³ See att. 18 COPA Audio Recorded Statement_PO Christyana Zapata 12:05

During her audio-recorded statement, PO Zapata stated that she was in a romantic relationship with ██████████ for four years.¹⁴ She stated that during their relationship, they lived together at ██████████ residence. PO Zapata also said she was unaware of ██████████ prior misdemeanors or felonies. PO Zapata stated that she became aware of ██████████ arrest for Obstruction of an officer in July of 2021,¹⁵ which led to her breaking off the relationship, and he was later convicted.

COPA could not find evidence that PO Zapata had any prior knowledge of ██████████ previous criminal charges or convictions. COPA does not find sufficient evidence that PO Zapata's actions violated CPD Rule 47, prohibiting Department Members from associating or fraternizing with a person known to have been convicted of a felony or misdemeanor. Based on the available evidence, COPA recommends a finding of Not Sustained.

VI. DISCIPLINARY RECOMMENDATION

a. PO Christyana Zapata #18345

i. Complimentary and Disciplinary History¹⁶

Officer Zapata has received fourteen awards, including one Department Commendation and twelve Honorable Mentions. Officer Zapata has no disciplinary history.

ii. Recommended Discipline

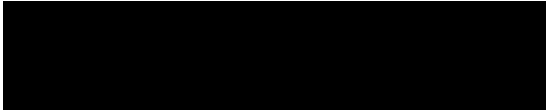
COPA has considered Officer Zapata's complimentary and lack of disciplinary history. Here, COPA has found that PO Zapata has violated GO 02-04 by sending text messages with racial slurs, in which she wrote, "Fucking niggers just robbed more ppl." PO Zapata admitted to sending the text message but alleged that she misspelled the racial slur "niggers." According to PO Zapata, she intended to send the word "niggaz," believing that the word's context changed. PO Zapata's actions were inexcusable, and the word is negative in meaning no matter how she intended to spell it. Furthermore, COPA finds that PO Zapata's use of the word in reference to subjects she was investigating in accordance with her duties as a police officer, particularly egregious. As a result, COPA recommends a significant suspension up to 180 days and Implicit Bias/Racial Sensitivity training.

¹⁴ See Att. 18 COPA Audio Recorded Statement_PO Christyana Zapata 6:50

¹⁵ See Att. 6 Chicago Police Department on 10-MAR-2023

¹⁶ Attachment 20.

Approved:



Sharday Jackson
Deputy Chief Administrator – Chief Investigator

October 30, 2023

Date

Appendix A

Case Details

Date/Time/Location of Incident:	November 28, 2022/ 18:26/ Via Text Message
Date/Time of COPA Notification:	December 21, 2022/ 10:57AM
Involved Officer #1:	Christyana Zapata, Star #: 18345, Employee ID#: [REDACTED] Date of Appointment: 02/18/2020, Unit of Appointment: 010, Female, Hispanic
Involved Officer #2:	
Involved Individual #1:	[REDACTED] Male, Hispanic

Applicable Rules

- Rule 2:** Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3:** Any failure to promote the Department’s efforts to implement its policy or accomplish its goals.
- Rule 5:** Failure to perform any duty.
- Rule 6:** Disobedience of an order or directive, whether written or oral.
- Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9:** Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 10:** Inattention to duty.
- Rule 14:** Making a false report, written or oral.
- Rule 38:** Unlawful or unnecessary use or display of a weapon.
- Rule 47:** Associating or fraternizing with any person known to have been convicted of any felony or misdemeanor, either State or Federal, excluding traffic and municipal ordinance violations.

Applicable Policies and Laws

- G01-01: Vision, Mission Statement, and Core Values (effective May 21, 2019 to Present)
- G02-04: Prohibitions Regarding Racial Profiling and Other Bias-Based Policing (effective January 30, 2022 to February 01, 2023)

- G03-01: Communications Systems and Devices (effective May 30, 2014 to Present)

Appendix B

Definition of COPA’s Findings and Standards of Proof

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.¹⁷ For example, 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. 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.”¹⁸

¹⁷ 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 is found to be more probably true than not).

¹⁸ *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4th ed. 2000)).

Appendix C

Transparency and Publication Categories

Check all that apply:

- Abuse of Authority
- Body Worn Camera Violation
- Coercion
- Death or Serious Bodily Injury in Custody
- Domestic Violence
- Excessive Force
- Failure to Report Misconduct
- False Statement
- Firearm Discharge
- Firearm Discharge – Animal
- Firearm Discharge – Suicide
- Firearm Discharge – Unintentional
- First Amendment
- Improper Search and Seizure – Fourth Amendment Violation
- Incidents in Lockup
- Motor Vehicle Incidents
- OC Spray Discharge
- Search Warrants
- Sexual Misconduct
- Taser Discharge
- Unlawful Denial of Access to Counsel
- Unnecessary Display of a Weapon
- Use of Deadly Force – other
- Verbal Abuse
- Other Investigation