



Log # 2019-5247

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On December 26, 2019, the Civilian Office of Police Accountability (COPA) received a telephone complaint from Lieutenant (Lt.) Daniel O'Donnell, #572, on behalf of the complainant, [REDACTED] reporting alleged misconduct by members of the Chicago Police Department (CPD). [REDACTED] alleged that on April 21, 2019, Officers Dennis Hecker and Ryan Edwards falsely arrested him for disorderly conduct. [REDACTED] also alleged that Officer Hecker used excessive force by deliberately slamming on the squad car's brakes while transporting [REDACTED] causing [REDACTED] to strike his face against the squad car's partition.² Following its investigation, COPA reached Unfounded findings regarding the allegations of false arrest and a Not Sustained finding regarding the excessive force allegation.

II. SUMMARY OF EVIDENCE³

In the early morning hours of April 21, 2019, CPD members responded to a person shot at 7545 S Champlain Ave.⁴ As officers secured the crime scene, [REDACTED] [REDACTED] attempted to pass the crime scene tape and enter the crime scene.⁵ [REDACTED] entered the outer perimeter of the crime scene and approached the inner perimeter, where a detective was processing the scene.⁶ Officers gave [REDACTED] several commands to leave but he refused.⁷ [REDACTED] shouted racial slurs at the officers and said he would go wherever he wanted.⁸ [REDACTED] appeared to be intoxicated and

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 COPA noted that Officer Hecker failed to record the entire incident on Body Worn Camera (BWC) and failed to secure [REDACTED] with a seatbelt, while Officer Monica Mata, #3198, used vulgar language toward [REDACTED]. COPA did not serve additional allegations regarding these matters because Lt. O'Donnell had already admonished Officer Hecker and Officer Mata for the BWC and verbal abuse violations, respectively. Also, Lt. O'Donnell directed Sergeant (Sgt.) Timothy Balasz, #1799, to issue Summary Punishment Action Request (SPAR) #556444 against Officer Hecker for failure to secure [REDACTED] with a seatbelt and SPAR #556445 against Officer Edwards for failure to keep [REDACTED] under constant observation during transport. *See* Atts. 11 and 81.

³ The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including BWC footage, in-car camera (ICC) footage, police reports, civilian and officer interviews, and deposition testimony.

⁴ Atts. 44 and 96.

⁵ Atts. 7, 8, 11, and 81; Att. 18 at 0:00; Att. 20 at 0:00; Att. 94, pg. 13, ln. 13 to pg. 14, ln. 7; Att. 95, pg. 16, lns. 18 to 20, and pg. 18, lns. 22 to 24.

⁶ Att. 12 at 4:25 to 5:00.

⁷ Att. 95, pg. 15, lns. 1 to 11.

⁸ Att. 18 at 0:02 to 1:20.

became irate.⁹ ██████ told Officer Hecker that he had to catch a bus to work and Officer Hecker should pay him to go the other way.¹⁰ Hearing the commotion, Sgt. Timothy Balasz intervened and also ordered ██████ to leave.¹¹ ██████ disregarded the order and said he would check or confront the officers first before he left the scene.¹² Sgt. Balasz then handcuffed ██████ and placed him under arrest,¹³ and Officers Mata and Hecker placed ██████ in the rear of a squad car.¹⁴ Officer Mata attempted to place the seatbelt around ██████ but ██████ pulled away and told her not to fasten the seatbelt because he was a big man.¹⁵ Officer Mata obliged ██████ and opted not to fasten his seatbelt.¹⁶ The officers closed the squad car door and Officers Hecker and Edwards transported ██████ to the 6th district police station.

During transport, ██████ told Officer Hecker, the driver of the squad car, to slow down.¹⁷ Moments later, Officer Hecker applied the brakes and stopped at a red light at 75th St. and Vincennes Ave.¹⁸ Simultaneously, there was a loud thump and ██████ immediately groaned.¹⁹ Officer Hecker apologized and continued driving to the station.²⁰ When the officers arrived at the station and prepared to escort ██████ from the squad car, ██████ was leaned forward with his head against the partition and his eyes closed.²¹ The officers spoke to ██████ but he was unresponsive. The officers observed a laceration on ██████ lip and requested an ambulance.²² ██████ suddenly became alert and told the officers they would pay for what they did to his lip.²³ Officers Hecker and Edwards notified Sgt. Balasz that ██████ said he was injured during transport. Sgt. Balasz attempted to speak with ██████ but ██████ refused. ██████ later told Chicago Fire Department (CFD) personnel that he said something “crazy”, and Officer Hecker hit the brakes and “bust” his mouth open.²⁴ A CFD ambulance transported ██████ to St. Bernard Hospital for medical attention. Officers Hecker and Edwards completed Tactical Response Reports

⁹ Atts. 11 and 81.

¹⁰ Att. 94, pg. 14, lns. 8 to 17.

¹¹ Att. 12 at 4:25 to 5:43.

¹² Att. 12 at 5:43 to 6:10.

¹³ Sgt. Balasz was in charge of the crime scene and designated Officers Hecker and Edwards the arresting officers. Att. 12 at 20:30 to 20:40.

¹⁴ Att. 18 at 2:45.

¹⁵ Att. 95, pg. 20, ln. 17 to pg. 21, ln. 5; Att. 18 at 3:18 to 3:31. ██████ Illinois identification card lists him as 6’0” tall, 225 lbs. Att. 2.

¹⁶ Att. 94, pg. 25, ln. 20 to pg. 26, ln. 20.

¹⁷ Att. 34 at 45:02 to 45:05.

¹⁸ Atts. 11 and 81; Att. 34 at 45:09 to 45:19; Att. 94, pg. 31, ln. 4 and pg. 34, lns. 14 to 24; Att. 95, pg. 26, ln. 4 to pg. 27, ln. 15.

¹⁹ The squad car’s dash cam video captures the road, although extremely blurry, and audio within the squad car. Efforts to secure the rear seat video were unsuccessful due to an unknown technical fault within the hard drive. Atts. 11, 80, and 82.

²⁰ Att. 34 at 45:12; Att. 94, pg. 39, lns. 14 to 24. Officer Hecker did not recall if there was traffic at the intersection of 75th and Vincennes when he hit the brakes. Att. 94, pg. 35, lns. 6 to 9.

²¹ Att. 15 at 0:47 to 1:40; Att. 16 at 0:00 to 1:00.

²² Att. 94, pg. 50, lns. 11 to 18.

²³ Att. 94, pg. 51, ln. 22 to pg. 52, ln. 8.

²⁴ Att. 22 at 5:15 to 5:20.

(TRRs) to document [REDACTED] injury.²⁵ The reports note that Lt. O'Donnell tried to interview [REDACTED] as part of the TRR approval process, but [REDACTED] was intoxicated, belligerent, uncooperative, and refused to speak to him.

Officer Hecker said his actions were not malicious and he did not deliberately slam on the squad car's brakes to injure or hurt [REDACTED].²⁶ GPS records reflect that Officer Hecker traveled at normal speeds while transporting [REDACTED] to the station.²⁷

Medical records note that [REDACTED] told medical personnel that he was riding in the back of a squad car when an officer slammed on the brakes. [REDACTED] added that his face struck the steel divider, cutting his lip.²⁸ [REDACTED] sustained a laceration to the inside of his lower lip, which was repaired with absorbable sutures.²⁹

On February 26, 2021, [REDACTED] filed a civil suit against Officers Edwards, Hecker, and other members of CPD alleging that they unlawfully arrested him and used excessive force against him.³⁰ COPA obtained and reviewed deposition testimony relative to the civil suit.³¹ Sgt. Balasz and Officers Edwards and Hecker provided accounts that were consistent with their statements to COPA.³²

III. ALLEGATIONS

Officer Dennis Hecker:

1. Falsely arresting [REDACTED] for Disorderly Conduct.
 - Exonerated
2. Deliberately slamming on the squad car's brakes, causing injury to [REDACTED] [REDACTED].
 - Not Sustained

Officer Ryan Edwards:

1. Falsely arresting [REDACTED] for Disorderly Conduct.
 - Exonerated

IV. CREDIBILITY ASSESSMENT

COPA finds all the individuals (sworn and unsworn) who provided statements credible, to the extent that they are consistent with the video recordings.

²⁵ Atts. 11 and 81.

²⁶ Att. 94, pg. 62, lns. 17 to 22 and pg. 63, lns. 6 to 9.

²⁷ Atts. 86 and 87.

²⁸ Att. 78. [REDACTED] also reported having pain and numbness in his hands from the handcuffs.

²⁹ Att. 77.

³⁰ The civil suit also alleges that on numerous occasions between 2017 and 2021, 6th District police officers have harassed [REDACTED] and threatened to arrest him. Att. 30.

³¹ Atts. 50 to 74.

³² Atts. 51, 55, 61, and 63.

V. ANALYSIS³³

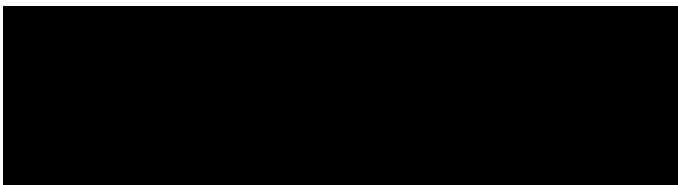
a. False arrest allegation

Based on the video recordings, CPD reports, and testimonial evidence, officers were actively processing a crime scene where a person was shot when ██████ tried to enter the crime scene. Officers attempted to redirect ██████ and repeatedly told him to find another route; however, ██████ disregarded the officers' verbal commands, refused to leave, and argued with the officers. Sgt. Balasz, the supervisor in charge of the scene, subsequently placed ██████ into custody, and at his direction Officers Hecker and Edwards arrested ██████. Therefore, COPA finds that it is highly probable that the conduct described in the allegation occurred, but it was lawful and proper, and the false arrest allegations against Officers Hecker and Edwards are **Exonerated**.

b. Force allegation

The evidence is clear that ██████ sustained an injury to his mouth after Officer Hecker applied the brakes and stopped at a red light. In question is whether Officer Hecker's actions were deliberate. ██████ refused to allow an officer to secure him with a seatbelt, and Officer Hecker was aware that ██████ was not properly restrained in the squad car. Officer Hecker applied the brakes approximately four seconds after ██████ told him to slow down. ██████ later suggested that he believed Officer Hecker's actions were in retaliation for something he said. Officer Hecker denied that he intentionally injured ██████ and GPS records do not demonstrate that Officer Hecker was driving at unusual speeds. Without any additional evidence, COPA cannot conclude by a preponderance of the evidence that Officer Hecker deliberately slammed on the squad car's brakes, causing injury to ██████ and this allegation is **Not Sustained**.

Approved:



Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

12-29-23

Date

³³ For a definition of COPA's findings and standards of proof, see Appendix B.

Appendix ACase Details

Date / Time / Location of Incident:	April 21, 2019 / 3:09 am / 7536 S Champlain Ave.
Date /Time of COPA Notification:	December 26, 2019 / 11:36 am
Involved Member #1:	Police Officer Dennis Hecker, Star #8652, Employee ID #████████, DOA: August 29, 2016, Unit: 006, Male, Black
Involved Member #2:	Police Officer Ryan Edwards, ³⁴ Star #19672, Employee ID #████████, DOA: February 20, 2018, Unit: 006, Male, Black
Involved Individual #1:	██████████ Male, Black

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.

Applicable Policies and Laws

- **U02-01-08,** Vehicles Equipped with Protective Dividers (effective February 7, 1985, to June 26, 2019)
- **Fourth Amendment to the United States Constitution:** Guarantees protection from unlawful arrest and unreasonable search and seizure to all persons in this country.

³⁴ Officer Edwards was a Probationary Police Officer at the time of the incident.

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.³⁵ 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.”³⁶

³⁵ 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).

³⁶ *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