



Log # 2022-0004155

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On September 27, 2022, the Chicago Police Department's Crime Prevention and Information Center (CPIC) notified the Civilian Office of Police Accountability (COPA) of an unintentional firearm discharge by an on-duty officer at approximately 12:12 pm at or near the address of 4631 W. Wrightwood Avenue.² On the date of the incident, Officers Andrew Rangel and Cassandra Maniatis were responding to a call of a suspicious vehicle at Wrightwood Avenue and Kostner Avenue, where two males, wearing ski masks, were trying to steal catalytic converters. Upon arrival at the scene, Officers Rangel and Maniatis observed two Black males removing a car jack from under a silver four-door sedan as well as a sawed-off catalytic converter on the ground. One of the males, ██████████ began to flee southbound on foot after seeing the officers, and the officers pursued him. ██████████ attempted to climb over a fence. Officer Rangel attempted to grab ██████████ off the fence with his left hand and accidentally discharged his firearm once, which was in his right hand.

Upon review of the evidence, COPA served allegations to both Officer Rangel and Officer Maniatis. COPA served four allegations to Officer Rangel, including, failing to complete a foot pursuit report, failing to timely activate his body worn camera (BWC), failing to notify OEMC of a firearm pointing incident, and inattention to duty for unintentionally discharging his firearm. COPA served two allegations to Officer Maniatis, including failing to complete a foot pursuit report and failing to activate her BWC in a timely manner. Following the investigation, COPA reached Sustained findings regarding the allegations of failing to timely activate their BWCs for both officers and the unintentional firearm discharge for Officer Rangel. COPA reached findings of Unfounded regarding the allegations of failing to complete a foot pursuit report for both officers and for failing to notify OEMC of a firearm pointing incident against Officer Rangel.

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 Pursuant to § 2-78-120 of the Chicago Municipal Code, COPA has a duty to investigate all incidents in which a Chicago Police Department member discharges their firearm. Therefore, COPA determined it would be the primary administrative investigative agency in this matter.

II. SUMMARY OF EVIDENCE³

On September 27, 2022, Officers Rangel and Maniatis were on routine patrol when they responded to a call of a catalytic converter theft in progress.⁴ When officers arrived at the scene, they observed a vehicle, a silver four-door Hyundai Sonata,⁵ that was jacked up. An unidentified Black male⁶ was underneath that vehicle, while another Black male⁷ was standing near the jack underneath the vehicle.⁸ Officers also observed a black Jeep parked in front of the Hyundai Sonata.⁹ Officer Rangel drove up and parked at an angle in front of the Jeep.¹⁰ As he drove up, one of the Black males, ██████ fled on foot, and the other Black male jumped into the back seat of the Jeep.¹¹ Officer Maniatis heard the Jeep go into gear and rev the engine, so she jumped out of the way. The Jeep struck the squad vehicle and fled the scene.¹²

Officer Rangel exited his squad vehicle and pursued¹³ ██████¹⁴ As Officer Rangel exited his squad car, he unholstered his firearm.¹⁵ ██████ ran into a gangway between two houses,¹⁶ and Officer Rangel followed him. While in the gangway, Officer Rangel pointed¹⁷ his gun at ██████¹⁸ Once inside the gangway, ██████ attempted to jump over a fence while Officer Rangel pointed his firearm at him and ordered ██████ to get down.¹⁹ As ██████ body was halfway over the fence, Officer Rangel grabbed ██████ with his left hand and simultaneously discharged his firearm²⁰ once.²¹ ██████ surrendered and was subsequently placed into handcuffs.²² While on the ground

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 body worn camera (BWC) footage, ██████ arrest report, event queries, tactical response reports (TRR), and officer interviews.

⁴ Att. 50 – Officer Rangel transcript, pg. 10, lns. 4 – 16; Att. 49 – Officer Cassandra Maniatis transcript, pg. 10, lns. 1 – 14.

⁵ Att. 6 – Crime Scene Processing Report.

⁶ The unidentified Black male wore dark clothing and a mask (Att. 50, pg. 13, lns. 16 – 18).

⁷ An unidentified Black male wearing a mask (Att. 49, pg. 11, lns. 15 – 24).

⁸ Att. 50, pg. 13, lns. 20 – 22.

⁹ Att. 50, pg. 12, lns. 18 – 20; pg. 13, lns. 1 – 4 and Att. 49, pg. 11, lns. 12 – 13.

¹⁰ Att. 50, pg. 14, lns. 3 – 11.

¹¹ Att. 50, pg. 14, lns. 16 – 20.

¹² Att. 6, a catalytic converter was observed and recovered from the ground at 4638 W. Wrightwood.

¹³ Att. 46 – Foot Pursuit Report completed by Officer Rangel.

¹⁴ Att. 9 – Officer Rangel BWC, at 01:52 to 02:02.

¹⁵ Att. 9 at 01:52 to 01:55; Att. 50, pg. 16, lns. 6 – 9.

¹⁶ The gangway between 4631 and 4633 W. Wrightwood Avenue (Att. 1).

¹⁷ Att. 51 – Event Query Report, Officer Rangel notified OEMC of him pointing his gun at ██████

¹⁸ Att. 9 at 02:02 to 02:06.

¹⁹ Att. 9 at 02:04 to 02:07.

²⁰ Att. 6 – Crime Scene Processing Report, Officer Rangel’s firearm was a Smith & Wesson, model M & P9C, 9mm, semi-automatic, Serial # ██████. There was one round recovered from the chamber and fourteen rounds recovered from the magazine, all Win 9mm Luger +P. His firearm capacity was fifteen plus one in the chamber.

²¹ Att. 9 at 02:07 to 02:10; Att. 50, pg. 17, lns. 10 – 18, According to Officer Rangel, when he grabbed ██████ with his left hand, his right hand squeezed the trigger of his firearm.

²² Att. 9 at 02:18 to 03:16.

handcuffed, ██████ told Officer Rangel that he almost shot him and asked Officer Rangel why he shot him.²³

██████ was subsequently transported by ambulance²⁴ to Community First Medical Center for a laceration to his thigh. According to medical records, ██████ informed staff that he was jumping a metal fence when a spike cut his thigh.²⁵ ██████ stated that he fell from the fence, hit his head, and blacked out for a few seconds. ██████ was diagnosed with a laceration to the left thigh and discharged.

Both officers were wearing BWCs during the interaction with ██████. Officer Rangel thought he had activated his camera while in the squad vehicle. However, upon exiting the squad vehicle and chasing ██████, Officer Rangel realized his BWC was not activated, so he activated it.²⁷ Officer Maniatis believed she activated her BWC right away. Officer Maniatis stated that she tried to activate it multiple times, but her BWC did not activate until she was already in the gangway.²⁸ Officer Maniatis stated that she had no trouble activating her camera before the incident.²⁹ Both officers Rangel and Maniatis completed a foot pursuit report regarding the incident.³⁰

III. ALLEGATIONS

Officer Andrew Rangel:

1. Failed to complete a foot pursuit report in violation of G03-07.
 - Unfounded
2. Failed to timely activate his body worn camera in violation of S03-14.
 - Sustained, Violation of Rules 2 & 6.
3. Failed to notify OEMC of a firearm pointing incident in violation of D19-01.
 - Unfounded
4. Was inattentive to duty in that his weapon, Smith & Wesson, M&P, 9MM, semiautomatic pistol, Serial # ██████, unintentionally discharged.
 - Sustained, Violation of Rules 2 & 10.

²³ Att. 9 at 03:37 to 04:07.

²⁴ Att. 37 – Ambulance Run Report.

²⁵ Att. 21 – ██████ Medical Records.

²⁶ Att. 38 - COPA attempted to interview ██████ but his attorney denied the request; Att. 55 – Case Supplementary Report, ██████ spoke with CPD detectives and stated that when he fled on foot and tried to get over a fence, and a police officer grabbed him. ██████ stated it was at that time Officer Rangel's gun discharged. ██████ stated that he was not shot, but his left leg was injured when he attempted to climb over the fence.

²⁷ Att. 50, pg. 25, Ins. 4 – 8.

²⁸ Att. 49, pg. 21, Ins. 13 – 19.

²⁹ Att. 49, pg. 21, Ins. 20 – 22.

³⁰ Atts. 45 and 46.

Officer Cassandra Maniatis:

1. Failed to complete a foot pursuit report in violation of G03-07.
 - Unfounded
2. Failed to timely activate her body worn camera in violation of S03-14.
 - Sustained, Violation of Rules 2 & 6.

IV. CREDIBILITY ASSESSMENT

This investigation did not reveal any evidence that caused COPA to doubt the credibility of any individuals who provided statements.

V. ANALYSIS³¹

COPA finds that Allegation #1 against Officers Rangel and Maniatis, that they failed to complete a foot pursuit report, **Unfounded**. Under General Order G03-07, all department members who engage in a foot pursuit, whether the original initiating member or any assisting department member directly involved in pursuing on foot, will complete a foot/bicycle pursuit report at the conclusion of the incident. In this instance, both officers completed the required foot pursuit report, and therefore, COPA finds this allegation Unfounded.

COPA finds Allegation #2 against Officers Rangel and Maniatis, that they failed to timely activate their BWCs, **Sustained**. Special Order S03-14 requires the department member to activate their BWCs to event mode at the beginning of an incident, and that they record the entire incident for all law enforcement related activities. In this instance, Officer Rangel thought that he had activated his camera while inside the vehicle, but upon exiting the vehicle and pursuing ██████ he noticed that it was not activated and subsequently activated it. According to Officer Maniatis, she tried to activate her camera multiple times, but it did not activate until she was in the gangway. Officer Maniatis also stated that she had not had trouble activating her camera before the incident. Both officers stated the reasons why their BWCs were not activated on time. However, none of the reasons are exceptions to the requirement to activate their BWCs at the start of a law enforcement event. Therefore, COPA finds the allegation Sustained against both officers, in violation of Rules 2 and 6.

COPA finds Allegation #3 against Officer Rangel, that he failed to notify OEMC of a firearm pointing incident, **Unfounded**. Department notice D19-01 states that whenever a department member points a firearm at a person while performing his or her duties, the member will notify OEMC promptly after the incident has concluded. Officer Rangel pointed his gun at ██████ during the foot pursuit while they were in the gangway and subsequently notified OEMC of him pointing his firearm at ██████ Therefore, COPA finds this allegation Unfounded.

³¹ For a definition of COPA's findings and standards of proof, *see* Appendix B.

COPA finds Allegation #4 against Officer Rangel, in that he was inattentive to duty when he unintentionally discharged his firearm, **Sustained**. According to Officer Rangel, [REDACTED] tried to climb a fence while he was pursuing [REDACTED] in the gangway. Officer Rangel grabbed [REDACTED] with his left hand to prevent [REDACTED] from escaping. Officer Rangel used his left hand to grab [REDACTED] causing him to discharge his firearm in his right hand unintentionally. [REDACTED] was not injured by the discharge, but Officer Rangel's inattention could have been disastrous. COPA finds that Officer Rangel was inattentive to duty when he unintentionally discharged his firearm, in violation of Rules 2 and 10. As such, COPA finds this allegation Sustained.

VI. DISCIPLINARY RECOMMENDATION

a. Officer Andrew Rangel

i. Complimentary and Disciplinary History³²

Officer Rangel has received 54 various awards and one Spar in 2023 for Failure to Perform Assigned Tasks.

ii. Recommended Discipline

COPA found that Officer Rangel violated Rules 2, 6, and 10 when he failed to timely activate his BWC and was inattentive to duty when he unintentionally discharged his firearm. Officer Rangel could have accidentally injured [REDACTED] with the unintentional discharge of his firearm. For these reasons, combined with the officer's complimentary history and disciplinary history, COPA recommends a **3-day Suspension**.

a. Officer Cassandra Maniatis

iii. Complimentary and Disciplinary History³³

Officer Maniatis has received 49 various awards and has no disciplinary history.

iv. Recommended Discipline

COPA found that Officer Maniatis violated Rules 2 and 6 when she failed to activate her BWC in a timely manner. For this reason, combined with the officer's complimentary history and lack of disciplinary history, COPA recommends that Officer Maniatis be Violation Noted and Retrained.

³² Att. 56.

³³ Att. 57.

Approved:



Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

11-30-2023

Date

Appendix A

Case Details

Date/Time/Location of Incident:	September 27, 2022/ 12:12 pm/ 4631 W. Wrightwood Ave
Date/Time of COPA Notification:	September 27, 2022/ 12:57 pm
Involved Member #1:	Andrew Rangel, star# 20762, emp.# [REDACTED], Date of Appointment: September 18, 2017, Unit 650, Male, White Hispanic
Involved Member #2:	Cassandra Maniatis, star# 10046, emp.# [REDACTED], Date of Appointment: April 25, 2016, Unit 025, Female, White
Involved Individual #1:	[REDACTED] [REDACTED] 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.
- Rule __:** *[Insert text of any additional rule(s) violated]*

Applicable Policies and Laws

- General Order G03-07- Foot Pursuits (effective August 29, 2022 – present)
- Department Notice D19-01 Firearm Pointing Incidents (effective November 1, 2019 – present)
- Special Order S03-14 Body Worn Cameras (effective April 30, 2018 – 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.³⁴ 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.”³⁵

³⁴ 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).

³⁵ *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