



Log # 2022-0247

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On January 22, 2022, the Civilian Office of Police Accountability (COPA) received an Initiation Report² from Sergeant James Laufer reporting alleged misconduct by a member of the Chicago Police Department (CPD).³ Sergeant Laufer alleged that on January 21, 2022, Officer Omar Gomez-Farrington failed to complete a Tactical Response Report (TRR) in compliance with the arrest of ██████████⁴ Upon review of the evidence, COPA served an allegation that Officer Gomez-Farrington struck ██████████ on or about the back area with a department vehicle without justification. Following its investigation, COPA reached Not Sustained findings.

II. SUMMARY OF EVIDENCE⁵

Officer Omar Gomez-Farrington responded to a call of three suspicious subjects wearing ski masks and dark hoodies at O'Hare Airport parking garage. Upon arrival, the subjects got into a vehicle and traveled at a high rate of speed intentionally striking a CPD vehicle occupied by Officer Ken West, #11441. PO Gomez-Farrington observed the subjects' vehicle crash through the parking gate and pursued the subjects in his CPD vehicle. The subjects fled eastbound in a vehicle on the I-190⁶ expressway. Officer Gomez-Farrington ran the vehicle's license plate, revealing that the vehicle was stolen. The subject's vehicle left tire shredded, and the subject started to run on foot. According to Officer Gomez-Farrington, ██████████ attempted to carjack a vehicle at gunpoint but was unsuccessful.⁷

As ██████████ fled on foot, he ran past PO Gomez-Farrington's department vehicle. According to PO Gomez-Farrington, he observed ██████████ holding a handgun in his hand while fleeing.⁹ PO Gomez-Farrington performed a U-turn and struck ██████████ on or about the back area with the front end

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 Att. 11.

³ Att. 5.

⁴ 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.

⁵ The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including police reports and officer interviews.

⁶ Kennedy Expressway.

⁷ Att. 37, Officer Gomez-Farrington's Audio Transcripts, pg 17, lns 3-5; pg 27, lns 18-24.

⁸ Attempts to interview ██████████ were unsuccessful, CO-0803475.

⁹ Att. 37, pg 8, ln 23 through pg 9, ln 2.

of his department vehicle.¹⁰ Upon the impact of PO Gomez-Farrington's CPD vehicle, █████ fell to the ground and dropped a firearm on the ground. PO Gomez-Farrington, along with assisting officers, placed █████ into custody and recovered the handgun. Paramedics responded to the scene. █████ complained of pain in his left leg and an abrasion on his knee.¹¹ █████ declined medical treatment.

PO Gomez-Farrington stated he used his department vehicle as a tool to affect █████ arrest.¹² PO Gomez-Farrington explained that he used his CPD vehicle to stop █████ because he wanted to avoid a shootout with █████ or █████ carjacking and shooting someone and getting into a vehicle. PO Gomez-Farrington stated that █████ was an assailant with his actions, and he wanted to use a nonlethal tool of force to arrest █████¹³

A TRR¹⁴ was completed by Officer Gomez-Farrington and documented in the narrative section that he was in fear for his safety, vehicles on the roadway (the subject attempted to carjack two separate vehicles), and the safety of other officers on scene. Officer Gomez-Farrington conducted a U-turn of his squad car when █████ was in the front end of his vehicle with a handgun still in his hand. Officer Gomez-Farrington's CPD vehicle bumped █████ which threw █████ off balance. PO Gomez-Farrington stated that at the time of the incident, he had been assigned to work at the airport, and this was the only incident that required him to complete a TRR.¹⁵ The TRR was not in compliance per Lieutenant Patrick Aylward, #626.

III. ALLEGATIONS

Officer Omar Gomez-Farrington:

1. Failing to complete a Tactical Response Report in compliance after the arrest of █████
 - Not Sustained
2. Striking █████ on or about the back area with a department vehicle without justification.
 - Not Sustained

IV. CREDIBILITY ASSESSMENT

This investigation did not reveal any evidence that caused COPA to question the credibility of any of the individuals (sworn or unsworn) who provided statements.

¹⁰ Att. 15, In-Car Camera (ICC), at 03:37.

¹¹ Att. 35, Ambulance Report, Paramedics noted that █████ was limping but was still able to walk.

¹² Att. 37, pg. 21, ln 22 through pg 23, ln 2.

¹³ Att. 37, pg 28, lns 11 – 14.

¹⁴ Att. 20.

¹⁵ Att. 37, pg 11, lns 7 – 9.

V. ANALYSIS¹⁶

COPA found that Allegation #1 against Officer Gomez-Farrington, that he failed to complete a Tactical Response Report in compliance after the arrest of ██████████ **Not Sustained.** Officer Gomez-Farrington completed a TRR documenting that he feared for his safety and the safety of citizens and other officers, so he bumped ██████████ with his Department vehicle to throw ██████████ off balance. However, Officer Gomez-Farrington did not provide in his TRR why using his vehicle was reasonable and necessary to subdue ██████████ General Order, G03-02-02, Incidents Requiring the Completion of a Tactical Response Report, reads in part, “Department members will be responsible for articulating the specific facts to explain the member's own decision to employ a particular use of force and the reasonableness, necessity, and proportionality of the force used.”¹⁷ Based on the available evidence, there is insufficient evidence to prove/disprove the allegations.

COPA found that Allegation #2 against Officer Gomez-Farrington, that he struck ██████████ ██████████ on or about the back area with a department vehicle without justification, **Not Sustained.** ICC depicted ██████████ running past Officer Gomez-Farrington’s CPD vehicle, but it was unclear if an object was in his hand. Officer Gomez-Farrington stated that he used his CPD vehicle and bumped ██████████ with it because he was an assailant, and it was the least lethal option besides his firearm. However, a vehicle is also a lethal weapon that can cause death or great bodily injury and, therefore, is a use of deadly force. ██████████ appeared to be fleeing the scene to escape and did not pose an immediate threat to Officer Gomez-Farrington. However, Officer Gomez-Farrington stated that he feared for his safety because he observed ██████████ holding a handgun, and a gun ultimately fell from him. It would be reasonable for Officer Gomez-Farrington to believe that ██████████ was a safety risk because he had observed ██████████ commit an attempted carjacking. Attempts to interview ██████████ were unsuccessful, and there are no other witnesses or evidence to corroborate or refute Officer Gomez-Farrington’s account of the incident. ██████████ did not appear to suffer any significant injuries. Based on the available evidence, there is insufficient evidence to prove/disprove the allegations.

Approved:

██████████

01-09-2024

LaKenya White
Director of Investigations

Date

¹⁶ For a definition of COPA’s findings and standards of proof, see Appendix B.

¹⁷ II, C.

Appendix ACase Details

Date/Time/Location of Incident:	January 21, 2022 / 8:12 p.m. / 9800 W. Kennedy Expressway IB
Date/Time of COPA Notification:	January 22, 2022 / 10:15 p.m.
Involved Member #1:	Omar Gomez-Farrington, Star #5425, Employee #██████, Date of Appointment: July 30, 2007, Rank: PO, Unit of Assignment: 050 - Airport Operations North, Male, Hispanic
Involved Individual #1:	██████████ Male, DOB: ██████ 2001, 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 13:** Failure to adequately secure and care for Department property.

Applicable Policies and Laws

- G03-06: Firearm Discharge and Officer-Involved Death Incident Response and Investigation (effective April 15, 2021, 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.¹⁸ 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.”¹⁹

¹⁸ 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).

¹⁹ *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