



Log # 2020-0002701

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On June 15, 2020, the Civilian Office of Police Accountability (COPA) received a web complaint from ██████████ reporting alleged misconduct by a member of the Chicago Police Department (CPD). ██████████ alleged that on June 2, 2020, Officer Eric Taylor² pushed and struck her in the face and falsely arrested her for obstructing an officer.³ Upon review of the evidence, COPA served additional allegations that Officer Taylor maltreated and disrespected ██████████ and others, engaged in an unjustified verbal altercation, attempted to provoke an unjustified physical altercation, and made false statements in the reports he completed regarding this incident. COPA also served an allegation that Officer Taylor's partner, Sgt. Treacher Howard,⁴ failed to report Officer Taylor's misconduct to a supervisor as required by CPD policy.

Following its investigation, COPA reached sustained findings regarding the allegations of misconduct against Officer Taylor related to maltreatment, unjustified verbal altercations, attempts to provoke an unjustified physical altercation, arrest without probable cause, and false or misleading statements in arrest and case reports. COPA also reached a sustained finding against Sgt. Howard regarding her failure to submit a written report of Officer Taylor's misconduct to a supervisor, as required by CPD policy.⁵

II. SUMMARY OF EVIDENCE⁶

On June 2, 2020, at approximately 11:30 am, while on routine patrol, Officer Taylor and Sgt. Howard observed an unidentified black male striking the security gate of a Family Dollar store located at 501 E. 79th Street, with a hammer. The officers pulled into the parking lot of the location to investigate and found that the retail store had been vandalized and ransacked. The employees said they had tried to open the security gate but did not have a key. During this investigation, Officer Taylor engaged in a verbal altercation with an unidentified male employee

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 Officer Taylor retired from CPD effective March 20, 2022. See Att. 48.

³ 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.

⁴ Officer Howard was promoted to Sergeant (Sgt.) after this incident, on January 16, 2022. In this report, she will be referenced as Sgt. Howard.

⁵ Att. 55, G08-01-02, Specific Responsibilities Regarding Allegations of Misconduct (effective May 4, 2018 to December 31, 2021).

⁶ 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, third-party video including Snapchat, Facebook Live, and cell phone videos, CPD reports, civilian interviews, and officer interviews.

(the “male employee”) outside of the store. The male employee began making vulgar and profane remarks toward Officer Taylor. Officer Taylor engaged with the male employee both while inside his police vehicle and while outside of his police vehicle. Officer Taylor told him, “get yo red shirt wearing ass in there. The fuck you think you talking to?”⁷ Officer Taylor continued by stating, “stop talking to me, don’t say shit to me... Yo mama a hoe you bitch ass nigga. Your mama sucked my dick last night.”⁸ Officer Taylor then stepped out of his police vehicle and continued to make derogatory comments as he put on a pair of gloves and walked toward the male employee.⁹ During his statement to COPA, Officer Taylor explained that the male employee became verbally abusive in that he made derogatory remarks about Officer Taylor’s deceased mother.¹⁰

Officer Taylor continued to engage in this verbal altercation for nearly seven minutes, while multiple officers told Officer Taylor to stop and at least one physically positioned himself between Officer Taylor and the male employee.¹¹ Officer Taylor said that typically he would walk away from situations like this, but he acknowledged that in this incident, he made derogatory statements to the male employee and should not have done so.¹² Officer Taylor explained that this incident occurred during the civil unrest in the summer of 2020, and his reaction was due to the way the public had been treating officers, the long hours he was working, and the fact that he was exhausted.¹³

After the male employee ran into the Family Dollar, Officer Taylor went to enter the store to arrest him for assault. ██████████ a female employee, was standing in the doorway about to exit the store. Officer Taylor told her to step back, put his hand on her elbow, moved her aside, and then entered the store.¹⁴ ██████████ told him not to touch her. Once inside the store, Officer Taylor searched for the male employee but was unable to find him. Officer Taylor then found ██████████ and arrested her for obstruction in relation to the incident.¹⁵ Officer Taylor believed that ██████████ deliberately stepped into the doorway to prevent him from arresting the male employee with whom he had just had the verbal altercation. As Officer Taylor walked the handcuffed ██████████ out of the store, he repeatedly told her she should not have jumped in front of him while he tried to make an arrest. ██████████ complained that Officer Taylor had punched her in the face, but Officer Taylor replied that he merely pushed her out of the way.¹⁶ COPA obtained a statement from ██████████ on September 13, 2022. In her interview, ██████████ stated that Officer Taylor struck her in the face and wrongfully arrested her;¹⁷ however, the video evidence does not capture Officer Taylor punching ██████████

⁷ Att. 7 at 3:27.

⁸ Att. 7 at 3:35.

⁹ Att. 7 at 3:40 to 4:00.

¹⁰ Att. 21, pg. 26, lns. 6 to 8; Att. 20 at 25:50.

¹¹ Att. 7 at 5:50: Officer Thompson stood between Officer Taylor and the male employee, physically restricting Officer Taylor from advancing toward the male employee. Att. 7 at 7:25: As Officer Taylor approached the group of employees, Sgt. Howard told him not to say anything else and to let it go.

¹² Att. 21, pg. 26, lns. 6 to 8; Att. 20 at 25:50.

¹³ Att. 21, pg. 26, lns. 10 to 23; pg. 34, lns. 5 to 23.

¹⁴ Att. 7 at 10:30; Att. 21, pg. 46, ln. 24 to pg. 47, lns. 1 to 2.

¹⁵ Att. 7 at 12:00; Att. 3.

¹⁶ Att. 7 at 12:40 to 13:00.

¹⁷ Att. 36 at 10:00.

III. ALLEGATIONS

Officer Eric Taylor:

1. Officer Taylor maltreated and/or disrespected one or more persons by directing oral remarks that were overly insulting, mocking, and/or belittling to such person or persons;
 - Sustained. Rules 2, 3, 6, 8, and 9
2. Officer Taylor engaged in a verbal altercation or verbal altercations with one or more persons without justification;
 - Sustained. Rules 2, 3, 6, 8, and 9
3. Officer Taylor provoked or attempted to provoke an unjustified physical altercation with a person by verbally challenging and/or daring that person to “make a threat” against him; and/or
 - Sustained. Rules 2, 3, 6, 8, and 9
4. Officer Taylor arrested [REDACTED] without having probable cause to believe that she had committed an offense.
 - Sustained. Rules 2, 3, 6, and 11
5. Officer Taylor made one or more false, misleading, inaccurate, and/or incomplete statements in submitting an Original Case Incident Report bearing RD#JD251012, which statement or statements include, but are not limited to (a) a statement or statements contained within that report to the effect that he had been the subject of an assault by hands, fists, and/or feet; and/or (b) a statement or statements contained within that report to the effect that he had been interfered with, resisted, obstructed, and/or disarmed; and/or (c) a statement or statements contained within that report to the effect that he had been placed in fear of bodily harm; and/or (d) a statement or statements contained within that report to the effect that [REDACTED] had refused to move when Officer Taylor had given her verbal direction;
 - Sustained. Rules 2, 3, 6, and 14
6. Officer Taylor made one or more false, misleading, inaccurate, and/or incomplete statements in submitting an Arrest Report bearing CB#19966606, which statement or statements include, but are not limited to (a) a statement or statements contained within that report to the effect that [REDACTED] was an offender; and/or (b) a statement or statements contained within that report to the effect that [REDACTED] had committed the offense of resisting and/or obstructing; and/or (c) a statement or statements contained within that report to the effect [REDACTED] blocked an entrance so that a person could escape or avoid being arrested.
 - Sustained. Rules 2, 3, 6, and 14

Sgt. Treacher Howard:

1. Officer Howard failed to submit a written report to a supervisor as required by CPD General Order G08-01-02 Specific Responsibilities Regarding Allegations of Misconduct (effective May 4, 2018), Section II, respecting misconduct committed by Officer Eric W. Taylor at approximately 11:45 a.m. on June 2, 2020, at or near 501 E. 79th Street in Chicago, Illinois.
 - Sustained. Rule 2, 3, 5, 6, 10, and 22.

IV. CREDIBILITY ASSESSMENT

After a thorough analysis of the reports Officer Taylor completed, COPA found multiple material inaccuracies in the reports as compared to the BWC footage. Additionally, Officer Taylor made statements to COPA that were contradicted by the BWC, which calls into question his credibility related to this incident. Overall, COPA did not find Officer Taylor's account of the incident to be accurate, honest, or truthful.

For her part, Sgt. Howard told COPA that she did not hear the most vulgar portions of the verbal exchange between Officer Taylor and the male employee. COPA finds this assertion to be generally credible, as the BWC confirms that Sgt. Howard had briefly walked to a garbage can when Officer Taylor, who was inside the police vehicle, made derogatory statements about the male employee's mother.¹⁸ However, Sgt. Howard clearly observed at least some of Officer Taylor's misconduct, as she intervened in the altercation and attempted to stop Officer Taylor from re-approaching the male employee. Sgt. Howard acknowledged this during her COPA statement, confirming that she heard "a bunch of vulgarities going back and forth from everybody."¹⁹ As a result, COPA did not find significant issues with her credibility.

V. ANALYSIS²⁰**Officer Eric Taylor:**

Allegation #1 against Officer Taylor, that he maltreated and/or disrespected one or more persons by directing oral remarks that were overtly insulting, mocking, and/or belittling to such person or persons, and **Allegation #2** against Officer Taylor, that he engaged in a verbal altercation or altercations with one or more persons without justification, are both **sustained**.

CPD policy provides that CPD "members will treat all persons with the courtesy and dignity which is inherently due every person as a human being."²¹ CPD "members will act, speak

¹⁸ Att. 5 at 3:29.

¹⁹ Att. 26, pg. 25, lns. 10 to 11.

²⁰ For a definition of COPA's findings and standards of proof, see Appendix B.

²¹ Att. 40, G02-01(III)(B), Human Rights and Human Resources (effective October 5, 2017 to June 30, 2022).

and conduct themselves in a professional manner, recognizing their obligation to safeguard life and property, and maintain a courteous, professional attitude in all contacts with the public.”²²

The BWC footage shows that when Officer Taylor and Sgt. Howard pulled into the parking lot near the rear door of the retail store, which was propped open, Officer Taylor exited his patrol vehicle and approached a male employee while outside the store. Officer Taylor asked the male employee why he could not go through the rear exit of the business,²³ and the male employee immediately became irate. He yelled at Officer Taylor and Sgt. Howard, and he refused to speak or cooperate with them. Officer Taylor then returned to the patrol vehicle and began to engage in a loud argument with the male employee.²⁴ The male employee made vulgar and profane comments to Officer Taylor, and Officer Taylor responded with vulgar and profane comments of his own.²⁵ The BWC footage clearly shows the verbal altercation between the men, as well as Officer Taylor’s disrespect toward the male employee. In particular, Officer Taylor’s statement to “stop talking to me, don’t say shit to me... Yo mama a hoe you bitch ass nigga. Your mama sucked my dick last night,”²⁶ was only one of many derogatory, disrespectful, and racial statements he made. These statements, which were intended to taunt or denigrate the male employee by using derogatory and racist language, directly violated CPD policy.²⁷ Similarly, Officer Taylor violated CPD policy when he engaged in an unjustified verbal altercation. Accordingly, COPA finds **Allegations #1 and #2** against Officer Taylor are **sustained** in violation of CPD Rules 2, 3, 6, 8, and 9.

Allegation #3 against Officer Taylor, that he provoked or attempted to provoke an unjustified physical altercation with a person by verbally challenging and/or daring that person to “make a threat” against him, is **sustained**. After Officer Taylor engaged in a verbal altercation with the male employee while sitting inside of his patrol vehicle, he exited the vehicle and began putting on a pair of gloves as he walked directly toward the male employee. Simultaneously, Officer Taylor attempted to provoke the male employee by encouraging him to “make a threat.” Officer Taylor repeated the taunt three times and said, “make a threat, I’m gon show you who a chump.”²⁸ Two female employees held the male employee back and attempted to push him inside the store, as both the male employee and Officer Taylor continued to yell at one another. During his statement to COPA, Officer Taylor acknowledged that he told the male employee to make a threat, but stated he was trying to warn him not to make a threat.²⁹

CPD Rules prohibit both unjustified verbal and physical altercations.³⁰ Taunting an individual to “make a threat” is an attempt to cause a verbal and/or physical altercation. COPA thus concludes that Officer Taylor’s repeated taunting was an attempt to provoke the male

²² Att. 40, G02-01(III)(B).

²³ Att. 7 at 2:05.

²⁴ Att. 7 at 3:30.

²⁵ Att. 21, pg. 30, lns. 8 to 21; Att. 20 at 30:00/35:40.

²⁶ Att. 7 at 3:35.

²⁷ Att. 56, G02-01(III)(B), Human Rights and Human Resources (effective October 5, 2017 to June 30, 2022).

²⁸ Att. 7 at 3:42.

²⁹ Att. 21, pg. 35, lns. 6 to 12; Att. 20 at 35:40.

³⁰ CPD Rule 9.

employee into engaging in an altercation. For this reason, COPA finds this allegation is **sustained** in violation of CPD Rules 2, 3, 6, 8, and 9.

Allegation #4 against Officer Taylor, that he arrested ██████ without probable cause, is also **sustained**. The male employee repeatedly called Officer Taylor a “bitch,” before returning into the retail store. Once additional officers were on scene, Officer Taylor and Sgt. Howard proceeded into the store to attempt to arrest the male employee. As Officer Taylor tried to enter the store, a female employee, now identified as ██████ was standing at the doorway. Officer Taylor ordered ██████ to move out of his way, pushed her with his left hand, and proceeded into the store to find the male employee.³¹ After briefly searching the store for the male employee and not finding him, Officer Taylor arrested ██████ for obstruction.³²

The BWC corroborates ██████ claim that she did not intentionally obstruct Officer Taylor from entering the store or from making an arrest. Rather, the footage appears to confirm that ██████ was exiting the store as Officer Taylor began to enter through the same door. Officer Taylor did not give ██████ time to move before he pushed her out of the way. Therefore, Officer Taylor never established that ██████ obstructed him from effecting the arrest of the male employee who ran into the store and then fled.³³ For this reason, COPA finds this allegation is **sustained** in violation of CPD Rules 2, 3, 6, and 11.

Allegation #5 against Officer Taylor, that he made one or more false statements in the Original Case Incident Report (OCIR) when he wrote that the male employee assaulted him and placed him in fear of bodily harm, and that ██████ obstructed him and refused to move when he gave her verbal direction to do so, is **sustained**. The BWC footage does not show that the male employee assaulted Officer Taylor or placed him in fear of bodily harm. While the male employee was clearly yelling, using profanity, being disrespectful, and even gesturing, Officer Taylor never appeared to be afraid. To the contrary, Officer Taylor exited his police vehicle and walked toward the male employee to physically confront him. While he called for backup, Officer Taylor never backed off and continued making profane and disrespectful comments to the male employee. In fact, other officers had to tell Officer Taylor to let it go, and at least one physically intervened between Officer Taylor and the male employee.

In addition, as discussed above in Allegation #4, the evidence does not support the statement that ██████ obstructed Officer Taylor and refused to move out of the doorway so that Officer Taylor could locate and arrest the male employee. ██████ appeared to be exiting the store, and when Officer Taylor wanted to enter, he did not give her time to move out of his way. While Officer Taylor stated that he ordered ██████ to move and she would not obey, the BWC shows that he told her to move but then immediately pushed her out of the way. Officer Taylor looked for the male employee in the store but was unable to find him. At that point, Officer Taylor went back to arrest ██████ instead. The BWC video strongly suggests that Officer Taylor arrested ██████ because he was angry that the male employee, who had insulted Officer Taylor’s deceased mother, had gotten away.

³¹ Att. 7 at 10:30.

³² Att. 7 at 12:05.

³³ Att. 52, S04-13-09(II)(D), Investigatory Stop System (effective July 10, 2017 to present).

Prior to and during Officer Taylor's statement to COPA, COPA gave Officer Taylor a copy of the OCIR he had authored, as well as showed him his BWC video. COPA then gave Officer Taylor the opportunity to clarify or amend anything in the OCIR.³⁴ Officer Taylor told COPA that he wanted to clarify how and when the verbal abuse began.³⁵ However, during his interview, Officer Taylor did not express the desire to amend the OCIR any further.³⁶ As noted above, the evidence shows that the male employee did not assault Officer Taylor, and ██████ did not obstruct Officer Taylor. Therefore, COPA finds that these statements in the OCIR were false. Officer Taylor's false statements were also material, both to ██████ arrest as well as this investigation. Finally, Officer Taylor's claim that these portions of the OCIR were accurate can only be described as a willful and intentional falsehood. For these reasons, COPA finds that Officer Taylor's conduct violated CPD Rule 14, which expressly prohibits a CPD member from making a false report, as well as Rules 2, 3, and 6. Accordingly, Allegation #5 is sustained.

Allegation #6 against Officer Taylor, that he made one or more false statements in ██████ Arrest Report when he wrote that ██████ was an offender, that she committed the offense of obstructing or resisting, and that she blocked the entrance to the store to allow the male employee to escape without being arrested, is also **sustained**. Prior to Officer Taylor's statement, COPA provided him with an opportunity to review ██████ Arrest Report and determine if there was anything he needed to change. Officer Taylor declined to make any amendments to the Arrest Report.

As discussed above, the BWC footage does not support any of Officer Taylor's statements regarding ██████. Rather, the footage appears to show that the male employee ducked into the store just as ██████ began to exit the store with boxes in her hand. While Officer Taylor did tell ██████ to move, he failed to give her any time to comply. Accordingly, COPA finds that Officer Taylor was intentionally misleading when he described ██████ as an offender who committed obstruction by blocking the door to allow the male employee to escape arrest. Officer Taylor's statements were false, material, and willful. This is a direct violation of CPD Rule 14, which expressly prohibits a CPD member from making a false report; accordingly, Allegation #6 is sustained in violation of CPD Rules 2, 3, 6, and 14.

Sgt. Treacher Howard:

COPA finds **Allegation #1**, against Sgt. Howard, that she failed to report Officer Taylor's misconduct to a supervisor, is **sustained**. As discussed above, Officer Taylor engaged in a prolonged verbal altercation in which he yelled abusive, profane, and racial language to a male employee of the store, and Sgt. Howard failed to report this to a supervisor.

CPD policy provides that members who have knowledge of circumstances relating to misconduct must submit an individual report to a supervisor before reporting off duty on the day

³⁴ Att. 21, pg. 3, lns. 19 to 24 to pg. 4, lns. 1 to 20.

³⁵ Att. 21, pg. 6, lns. 17 to 24 to pg. 8, lns. 1 to 3.

³⁶ Att. 21, pg. 6, lns. 17 to 24 to pg. 8, lns. 1 to 3 and pgs. 8 to 64.

the member becomes aware of such misconduct.³⁷ Additionally, Rule 22 expressly prohibits the “failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.”³⁸

As discussed above, the BWC appears to support Sgt. Howard’s claim that she did not hear the most vulgar portions of the verbal exchange between Officer Taylor and the male employee. At the time that Officer Taylor made derogatory statements about the male employee’s mother, Officer Taylor was sitting inside the police vehicle, while Sgt. Howard had briefly walked to a dumpster located outside the store.³⁹ However, the verbal altercation lasted more than seven minutes, and Sgt. Howard was present for much of that time. Additionally, Sgt. Howard’s actions during the incident, including intervening in the altercation and separating Officer Taylor from the male employee, strongly suggest that she was aware of her partner’s misconduct. The video also captured Sgt. Howard walking Officer Taylor back toward the patrol vehicle as she stated, “He ain’t worth what you got.”⁴⁰ Finally, Sgt. Howard acknowledged to COPA that she heard some of the verbal exchange, including “a bunch of vulgarities going back and forth from everybody...and I believe Officer Taylor said a few things, as well.”⁴¹ For these reasons, COPA finds that Sgt. Howard was aware that her partner had engaged in misconduct.

During her statement, Sgt. Howard admitted that she did not complete or submit any written reports regarding Officer Taylor’s misconduct.⁴² Given Sgt. Howard’s involvement in the incident, COPA finds her failure to report was a direct violation of CPD rules and policy.⁴³ Accordingly, COPA finds Allegation #1 against Sgt. Howard is sustained, in violation of Rules 2, 3, 5, 6, 10, and 22.

VI. DISCIPLINARY RECOMMENDATION⁴⁴

a. Officer Eric Taylor

i. Complimentary and Disciplinary History

Officer Taylor received 45 various awards and has no disciplinary history.

ii. Recommended Discipline

COPA has sustained serious allegations against Officer Taylor for directing disrespectful, vulgar, and racial language at the male employee, for arresting [REDACTED] without probable cause, and for making false statements in both the OCIR and [REDACTED] Arrest Report. The totality of

³⁷ Att. 55, G08-01-02(II)(A)(5), Specific Responsibilities Regarding Allegations of Misconduct (effective May 4, 2018 to December 31, 2021).

³⁸ Rules and Regulations of the Chicago Police Department, Article V, Rule 22 (effective April 15, 2015 to present).

³⁹ Att. 5 at 3:29.

⁴⁰ Att. 5 at 4:00.

⁴¹ Att. 26, pg. 25, lns. 10 to 15.

⁴² Att. 26, pg. 21, ln. 13 to pg. 22, ln. 20.

⁴³ Att. 55, G08-01-02(II)(A)(5); CPD Rule 22.

⁴⁴ Att. 57.

Officer Taylor’s misconduct during this incident is staggering. Although COPA recognizes that the civil unrest in 2020 caused officers to work under extraordinarily challenging conditions, Officer Taylor’s conduct during this incident cannot be excused or mitigated. His false statements, misuse of police authority, and use of racial slurs and vulgarity violated CPD rules and policies, and they constituted a grave breach of public trust and confidence.

COPA would have recommended that CPD **separate** Officer Taylor, but he retired prior to the conclusion of COPA’s investigation. COPA therefore recommends that CPD issue a formal determination on COPA’s findings, and place this report in Officer Taylor’s personnel file for consideration in the event he applies for re-employment with the City.

b. Sgt. Treacher Howard

iii. Complimentary and Disciplinary History

Sgt. Howard has received 39 various awards, the highlights of which include one Superintendent’s Award of Merit, one Department Commendation, and one complimentary letter. She has no sustained disciplinary history in the past five years.

ii. Recommended Discipline

COPA has sustained an allegation against Sgt. Howard for failure to report Officer Taylor’s misconduct, in violation of Rules 2, 3, 6, 10, and 22. In mitigation, COPA credits Sgt. Howard for intervening in the altercation and redirecting Officer Taylor to the police vehicle. Indeed, Sgt. Howard’s actions may have prevented the verbal altercation from escalating into a physical altercation. However, while she handled the situation appropriately in the moment, she failed to submit a report documenting Officer Taylor’s misconduct. Given the number of mitigation factors, including the chaotic nature of the incident and the civil unrest, COPA recommends that Sgt. Howard receive a **1-day suspension and retraining** regarding her reporting responsibilities.

Approved:



Steffany Hreno
Director of Investigations

1/23/2024

Date



Andrea Kersten
Chief Administrator

1/23/2024

Date

Appendix ACase Details

Date/Time/Location of Incident:	June 2, 2020/11:30 a.m./ 501 E. 79 th Street, Chicago, IL 60619
Date/Time of COPA Notification:	June 15, 2020/5:50 p.m.
Involved Officer #1:	Eric Taylor, Star #: 6191, Employee #: ██████, Date of Appointment: 12/18/2000, Unit of Assignment: 006, Male, Black
Involved Officer #2:	Treacher Howard, Star #: 2558, Employee #: ██████, Date of Appointment: 11/29/1999, Unit of Assignment: 005, Female, Black
Involved Individual #1:	██████████ Female/ 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 11:** Incompetency or inefficiency in the performance of duty.
- Rule 14:** Making a false report, written or oral.
- Rule 22:** Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.

Applicable Policies and Laws

- G01-01: Vision, Mission Statement, and Core Values (effective May 21, 2019 to present)
- G02-04: Prohibition Regarding Racial Profiling and Other Bias Based Policing (effective December 1, 2017 to November 15, 2021)
- G08-01-02: Specific Responsibilities Regarding Allegations of Misconduct (effective May 4, 2018 to December 31, 2021)

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.⁴⁵ 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.”⁴⁶

⁴⁵ 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).

⁴⁶ *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