



Log # 2020-0001501

## FINAL SUMMARY REPORT<sup>1</sup>

### I. EXECUTIVE SUMMARY

On April 8, 2020 the Civilian Office of Police Accountability (COPA) received an email from the Chicago Police Department (CPD) Bureau of Internal Affairs (BIA), reporting alleged misconduct by a member of CPD. ██████████ alleged that on various dates between January 2019 and May 2020, Det. William Mallek has harassed, stalked, and intimidated her via various means, which she documented in an Initiation Report.<sup>2</sup> Upon review of the evidence, COPA served additional allegations that Det. Mallek left his assigned district while on duty without permission. Following its investigation, COPA reached sustained findings regarding most of the allegations of various forms of harassment and intimidation and reached a not sustained finding regarding the allegation of leaving his assigned district without permission.

### II. SUMMARY OF EVIDENCE<sup>3</sup>

██████████ and Det. William Mallek engaged in a friendship that led to an emotional affair.<sup>4</sup> In January of 2018, the two had a phone conversation in which Det. Mallek expressed that he wanted the relationship to be more than friendship, and ██████████ expressed she only wanted a friendship, not an intimate relationship.<sup>5</sup> Therefore, they decided to stop contact with each other due to the other person wanting a different type of relationship.<sup>6</sup> The contact between them ceased, and she did not hear from him until the fall of 2018, when he called her stating that his dog was hit by a train and tragically killed.<sup>7</sup> Between December 2018 and February of 2019, Det. Mallek attempted to call ██████████ several times. ██████████ related that she

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<sup>1</sup> 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.

<sup>2</sup> Att. 1. 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.

<sup>3</sup> The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including officer interviews, police reports, phone records, emails, text messages, and voicemails.

<sup>4</sup> Both ██████████ and Det. Mallek related that there was some intimacy during their relationship, but they did not have sexual intercourse.

<sup>5</sup> Att. 112, pgs. 12, 15-16, 80-81 In his statement, Det. Mallek related the opposite, stating that he believed ██████████ wanted to pursue a more sexual relationship, and he did not.

<sup>6</sup> Att. 12, pgs. 55-56.

<sup>7</sup> Att. 12, pgs. 60-61. ██████████ related that during their phone conversation in January 2019 when they decided to cease contact with each other, she told him that she would be there for him if he ever needed anything. She believed that was his reasoning for calling her about his dog passing away.

attempted to avoid answering unknown CPD phone numbers, and avoided some calls from Det. Mallek, and some calls were answered.

On January 5, 2019, ██████ received a message on the GroupMe application, that appeared to be from ██████ who was another department member. However, the name “Craig Mallek” appeared next to the first message that was sent.<sup>8</sup> ██████ received several messages on various dates to which she did not reply.<sup>9</sup> On April 5, 2019, ██████ replied to the message thread on GroupMe, and asked that he not leave voicemails or send her messages saying that he loves her.<sup>10</sup> She further stated she cannot be a friend to him right now, as she is in no position to give. She asked him to please respect that she did not want to communicate. ██████ received a response that appeared as if it came from ██████ however, it stated “I am completely devastated and confused about how quickly “forever” comes to an end. I literally want to die right now.”

On various dates between November 2018 and September 2019, Det. Mallek emailed ██████ from department email addresses. At first, he used his own department email address to contact her department email address.<sup>11</sup> The emails consisted of information regarding “Project 1432.” On November 29, 2018, ██████ responded to his email regarding the project.<sup>12</sup> In February 2019, Det. Mallek began to utilize the 014 District Chicago Alternative Policing Strategy (CAPS) email address to send emails to ██████ department email address. The body of the emails consisted of information regarding “Project 1432,” and he attached Microsoft Word documents to the emails. The documents that were attached to the emails depict personal letters written by Det. Mallek to ██████<sup>13</sup> He sent approximately 25 emails to her in that format.<sup>14</sup> ██████ also received an email from ██████ to her department email address.<sup>15</sup> The email was sent on October 17, 2019, and the subject line is “Karma.”<sup>16</sup> The email consisted of a long, personal letter.

In early July of 2019, ██████ agreed to meet Det. Mallek for lunch at a restaurant.<sup>17</sup> This was the only time they had mutually agreed to meet in person since they had agreed to stop communication with each other. On August 18, 2019, Det. Mallek left a voicemail for ██████

<sup>8</sup> Det. Mallek’s middle name is Craig, that he related he often goes by.

<sup>9</sup> Att. 12, pgs. 71-73. ██████ further related that he sent her several photos and messages through GroupMe. She eventually deleted the GroupMe application from her phone in May 2019 because he did not stop using it to communicate with her.

<sup>10</sup> Atts. 5, 101 and 102.

<sup>11</sup> Atts. 32 to 34.

<sup>12</sup> Att. 33.

<sup>13</sup> Att. 12, pgs. 65-70. ██████ related that she felt very uncomfortable receiving the letters.

<sup>14</sup> Atts. 35-87. Many of the letters that were attached to the emails included “Craig” at the end, indicating they were sent from Det. Mallek. Additionally, according to the Attendance & Assignment sheets, many of the letters were sent when Det. Mallek was on duty.

<sup>15</sup> Att. 89. ██████ husband’s name is ██████

<sup>16</sup> Att. 6.

<sup>17</sup> Att. 12, pg. 74. ██████ related that she felt pressured to meet for lunch, based on the repeated contact from Det. Mallek and what he was including in his communications.

In the voicemail, he related that he gave her space for months, and he felt insignificant because she did not have time for him and to respond to his attempts to communicate.<sup>18</sup> He also stated that he did not like being lied to and he did not like being “treated like shit.” He further stated, “That has consequences, so if you think that everything we did is going to stay in a vault, because of my undying love for you, it’s not, because I’m not going to suffer in silence any longer.”<sup>19</sup> [REDACTED] related she felt threatened by the message.<sup>20</sup>

On August 21, 2019, [REDACTED] sent a text message to Det. Mallek, stating that she listened to his voicemail and tried to call him.<sup>21</sup> She further related that their relationship needs to be professional only, and his actions to make it other than professional were making her uncomfortable. She apologized if it hurt his feelings and thanked him for respecting the boundary. Det. Mallek responded to the text message, requesting to have a conversation with her. She did not respond, and he sent her another text message on August 27, 2019.<sup>22</sup> [REDACTED] then blocked his cell phone number in late August 2019.<sup>23</sup> Det. Mallek sent several additional text messages to [REDACTED] from phone numbers other than his own, between September 2019 and February 2020.<sup>24</sup> One text message she received from an unknown phone number on September 21, 2019 consisted of a long message relating that he fell in love with a married woman and she now avoided all contact with him and would not explain why.<sup>25</sup> Some of the other text messages she received called her derogatory terms, such as “Liar, phony, and slut.” She also received many phone calls between January 2020 and May 2020 that she believed to be from Det. Mallek using different phone numbers to disguise who was calling.<sup>26</sup> Some of the calls came from the same phone number as her husband, [REDACTED] but with a different area code. Phone records document that many of the calls that [REDACTED] received as “No Caller ID” came from Det. Mallek’s phone number.<sup>27</sup>

On approximately October 10, 2019, [REDACTED] received a phone call on a private CPD phone line while she was at work. She related that Det. Mallek was on the line, and he was very angry, stating that [REDACTED] had made them enemies. He mentioned that he had been doing research about her and her family, and specifically stated that he knew where her in-laws lived.<sup>28</sup> [REDACTED] related that the phone call made her very upset and scared.

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<sup>18</sup> Att. 10, pgs. 64-65.

<sup>19</sup> Atts. 5 and 29.

<sup>20</sup> Att. 12, pgs. 86-87.

<sup>21</sup> Att. 104.

<sup>22</sup> Att. 105. Det. Mallek confirmed in his statement that the phone number on the text message thread was his phone number.

<sup>23</sup> Att. 12, pg. 84.

<sup>24</sup> Atts. 7-8, 103, 106-109, 111-113.

<sup>25</sup> Atts. 106-107. The message included other information as well that indicated it was sent from Det. Mallek,

<sup>26</sup> Att. 20. Att. 12, pgs. 105-111, 114-115, 119-120. [REDACTED] related in her statement that she believed Det. Mallek “spoof” called her, meaning he changed the caller ID to a phone number other than the actual calling number. She believed he did this through Sgt. [REDACTED] phone number, her in-laws phone numbers, CPD phone numbers, and several other various numbers.

<sup>27</sup> Atts. 23-27

<sup>28</sup> Att. 10, pgs. 73-76. Att. 12, pgs. 88, 94-95.

On approximately December 5, 2019, Det. Mallek went to the [REDACTED] District station and spoke to Sgt. [REDACTED] in her office.<sup>29</sup> At first, they were speaking casually, and then Det. Mallek began asking Sgt. [REDACTED] many questions about [REDACTED].<sup>30</sup> He inquired about Sgt. [REDACTED] working relationship with [REDACTED]. Sgt. [REDACTED] described that Det. Mallek's demeanor changed when he began talking about [REDACTED] and he used unkind language to describe her and seemed upset. Det. Mallek asked Sgt. [REDACTED] if she knew if [REDACTED] was going to the department holiday party and if her husband was going. He mentioned that [REDACTED] was a mean person because she did not call him when his dog passed away. He used words to describe her such as bitch and evil and stated that people did not like her and that he would always defend her.<sup>31</sup> Det. Mallek described a relationship between him and [REDACTED] to Sgt. [REDACTED] and stated that she broke his heart. Det. Mallek mentioned that he felt like she was dating someone else and inquired if Sgt. [REDACTED] had ever seen someone else visiting [REDACTED] at the station. He also mentioned that he knew she was married and things about her husband.

Sgt. [REDACTED] related in her statement that the conversation made her feel very uncomfortable because he was very disparaging and disclosing information that she did not need to know.<sup>32</sup> She was concerned about Det. Mallek, which led her to contact his supervisor, the CAPS sergeant at the 014 district at the time.<sup>33</sup> A few days later, she informed [REDACTED] of the conversation, and she wrote a To-From report to document the conversation with Det. Mallek.<sup>34</sup> On March 15, 2020, Det. Mallek emailed Sgt. [REDACTED] regarding her conversation with his Sergeant.<sup>35</sup>

Sgt. [REDACTED] observed Det. Mallek in the station again on March 20, 2020, and documented it. In her To-From report, she documented that he was looking for [REDACTED] Huffman, so she believes she must have spoken to him briefly.<sup>36</sup> Sgt. [REDACTED] was unaware if [REDACTED] was at the station at the time or if Det. Mallek was looking for her.

During his statement to COPA, Det. Mallek related that his assignment at the time was in community policing, and he was the senior officer in the 014 district.<sup>37</sup> He related that he would

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<sup>29</sup> Atts. 6, 13-15, 17.

<sup>30</sup> Att. 15, pgs. 6-7. Sgt. [REDACTED] related that she did not know Det. Mallek well, and their only connection was that they were both involved in CAPS, so they may have had trainings together. She further related that [REDACTED] had never mentioned him to her, as their relationship was only professional.

<sup>31</sup> Att. 15, pgs. 14-15.

<sup>32</sup> Att. 15, pg. 9

<sup>33</sup> Att. 15, pgs. 39-45. Sgt. [REDACTED] related she could not recall the name of Det. Mallek's supervisor that she reached out to. Sgt. [REDACTED] related she is a peer support member for the Employee Assistance Program (EAP), and she was concerned about him based on their conversation. She mentioned to his supervisor that he may want to seek services from EAP.

<sup>34</sup> Att. 13, pg. 2.

<sup>35</sup> Att. 17. Att. 126, pgs. 41-45. Det. Mallek related in his statement that Sgt. [REDACTED] spoke to his sergeant at the time, Sgt. Adam Henkels, who has since retired from CPD. COPA attempted to contact Adam Henkels but was unsuccessful. Note: CO-1376148.

<sup>36</sup> Att. 13, pg. 1. Att. 15, pg. 26.

<sup>37</sup> Att. 126, pgs. 7-8. Det. Mallek related that he organized all the events for senior citizens, along with other community events.

periodically visit other districts and speak to their CAPS officers to discuss ideas and events. He further related that his supervisor was always aware of his activities, and he had permission to go to other districts.<sup>38</sup> Det. Mallek also stated that he recalled having a conversation with Sgt. [REDACTED] at the [REDACTED] district. He related that [REDACTED] may have come up in the conversation because they both knew her, but he did not recall making any disparaging remarks about her.<sup>39</sup>

On February 22, 2020, [REDACTED] received a package addressed to her, sent to the [REDACTED] district station.<sup>40</sup> The package was from “John Doe, Bitch Bouquet”, which was a package of dead flowers.<sup>41</sup> She related that Det. Mallek was the only person to send any packages to her at work, so she believed it was from him.<sup>42</sup>

[REDACTED] is a member of the [REDACTED], and she was the President of the organization for a period of time.<sup>43</sup> An email was sent to the organization from “[REDACTED]” on December 25, 2019.<sup>44</sup> The email included a statement refusing to donate to the organization while they have an adulterer as president. Additionally, Det. Mallek sent a Facebook message to the [REDACTED], from an account name of [REDACTED]” The message inquired about their society’s stance on extramarital affairs.<sup>45</sup>

Det. Mallek also emailed [REDACTED] husband, [REDACTED]. He used the email address “[REDACTED]” to send [REDACTED] multiple emails in March and April 2020. The emails included various information regarding [REDACTED] and a link to an article regarding liars and cheaters on The Law of Attraction website.<sup>46</sup> Det. Mallek continued to send emails to [REDACTED] even after he responded and asked that he stop.<sup>47</sup>

### III. ALLEGATIONS

#### Det. William Mallek:

1. On or about August 18, 2019, at approximately 2:21 pm, at an unknown location, Det. William Mallek threatened and/or intimidated [REDACTED] by leaving a voicemail stating words to the effect of, “That has consequences,” and “I’m not going to suffer in silence any longer.”
  - a. Sustained, Violation of Rules 2, 3 and 8.

<sup>38</sup> Att. 126, pgs. 34-37. Det. Mallek related that the permission given by his supervisor was verbal, not in writing.

<sup>39</sup> Att. 126, pgs. 25-30.

<sup>40</sup> Att. 12, pgs. 111-113.

<sup>41</sup> Atts. 2-3.

<sup>42</sup> Att. 12, pgs. 111-113. [REDACTED] related that Det. Mallek had sent her an Edible Arrangement for her birthday and a bouquet of flowers when she was promoted. COPA issued a subpoena to “Bitch Bouquet” for information regarding the purchaser of the package. However, the company would not provide the information. Atts. 97, 127-128.

<sup>43</sup> Att. 12 pgs. 100-101.

<sup>44</sup> Att. 90.

<sup>45</sup> Att. 99. Att. 12 pgs. 113-114.

<sup>46</sup> Atts. 92-93.

<sup>47</sup> Att. 12, pgs. 120-124.

2. On or about various dates and times between January 2019 and May 2020 at unknown locations, Det. William Mallek harassed [REDACTED] by contacting her against her wishes and not for professional purposes to wit:
  - a. Contacting her disguised as [REDACTED] to communicate with her; and/or
  - b. Calling her on a private CPD phone line and revealing that he knew private information about her family on or about October 10, 2019;
  - c. Emailing her department email address; and/or
  - d. Contacting her through phone calls and/or text messages from phone numbers that concealed his identity; and/or
  - e. Sending a package of dead flowers from "Bitch Bouquet" to the [REDACTED] District addressed to [REDACTED]

- Sustained, Violation of Rules, 2, 3 and 8
3. On or about various dates and times between January 2019 and May 2020 Det. William Mallek utilized Department resources and/or his position as a police officer in an unauthorized manner to harass [REDACTED] and/or learn information about her and/or her whereabouts to wit:
  - a. Sought personal information from Sergeant [REDACTED] and stated disparaging information about [REDACTED] to Sgt. [REDACTED] at the [REDACTED] District CAPS Office on or about December 5, 2019 or December 6, 2019; and/or
  - b. Utilized the 014 District CAPS email address to send personal letters to [REDACTED] at her department email address.

- Sustained, Violation of Rules 2, 3, 6 and 8.
4. On or about various dates and times between December 2019 and April 2020 at an unknown location, Det. William Mallek harassed [REDACTED] by sending disparaging comment(s) about her to the religious organization she is a member of and/or contacting her husband, [REDACTED] via email.

- Sustained, Violation of Rules 2, 3 and 8.
5. On or about December 5, 2019 or December 6, 2019 and/or March 20, 2020, at various times, Det. William Mallek left his assigned district while on duty to go to the [REDACTED] District station without permission.

- Not sustained

#### IV. CREDIBILITY ASSESSMENT

The credibility of an individual relies primarily on two factors: 1) the individual's truthfulness and 2) the reliability of the individual's account. The first factor addresses the honesty of the individual making the statement, while the second factor speaks to the individual's ability to accurately perceive the event at the time of the incident and then accurately recall the event from

memory. In this case, Det. Mallek did not take accountability for most of his behavior.<sup>48</sup> He related that he could not recall the majority of the allegations.<sup>49</sup> Only once he was confronted with the evidence in his interview, did he reluctantly admit to some of his actions. Furthermore, he attempted to put some of the blame on ██████████ by stating that she asked him to disguise their communication, for example, via email, to make it look like it did not originate from him.<sup>50</sup> However, in many of the emails and letters he sent to her using the 014 District CAPS email, he acknowledged that she was ignoring him and not responding to any of his communication efforts. Despite that, he continued to contact her frequently, using various methods of communication.

By contrast, ██████████ statement that she provided to COPA was generally consistent with her statement to BIA. Her account is corroborated by the copious amount of evidence and Sgt. ██████████ account. As a result, COPA finds that ██████████ is more credible than Det. Mallek.

## V. ANALYSIS<sup>51</sup>

COPA finds Allegation #1, that Det. Mallek threatened and/or intimidated ██████████ by leaving a voicemail stating words to the effect of, “That has consequences,” and “I’m not going to suffer in silence any longer” is **Sustained**. The voicemail recording clearly depicts Det. Mallek stating this. Once hearing the recording, Det. Mallek admitted that it was from him. Although he stated that the context of the voicemail was not to threaten or intimate her, his tone on the recording suggests otherwise. Additionally, ██████████ related she felt threatened by the message. Therefore, this allegation is sustained based on a preponderance of the evidence.

COPA finds Allegation #2, that Det. Mallek harassed ██████████ by contacting her against her wishes and not for professional purposes is **Sustained**.

First, Det. Mallek contacted her disguised as ██████████ to communicate with her. Although the messages appeared to come from ██████████ the name “Craig Mallek” appeared next to the first message. After receiving several messages in the thread, ██████████ sent a message requesting that he respect that she does not want to communicate. She received a response stating, “I am completely devastated and confused about how quickly ‘forever’ comes to an end. I literally want to die right now.” The response indicated that the messages were coming from Det. Mallek, and he was referring to their relationship ending. When confronted with the messages on the GroupMe application, he stated that ██████████ had his contact in her phone under a female officer’s name to disguise it, and he was unsure what name she used. However, he did not deny the allegation, but stated he did not recall sending the messages.

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<sup>48</sup> It should be noted that Det. Mallek was served the allegations for an original statement date of May 18, 2023. However, he did not appear for several rescheduling efforts made by COPA. Det. Mallek did not provide a statement to COPA until January 23, 2024. Detailed in CMS notes

<sup>49</sup> Att. 126, pgs. 84-85. Det. Mallek attributed his lack of memory to experiencing cognitive impairment and memory loss after having COVID-19, combined with his increased stress and anxiety.

<sup>50</sup> Att. 126, pg. 59.

<sup>51</sup> For a definition of COPA’s findings and standards of proof, *see* Appendix B.

Next, Det. Mallek called her on a private CPD phone line and revealed that he knew private information about her family on or about October 10, 2019. ██████████ related that he was very angry on the phone call, stating that ██████████ had made them enemies. He mentioned that he had been doing research into her and her family, and specifically stated that he knew where her in-laws lived. She further related the phone call made her very upset and scared. Det. Mallek related he did call her on private CPD phone lines, and he could not recall if he did after she asked him to stop contacting her. At one point in his interview, he related he did not recall doing any research about her in-laws. Later on, he denied stating private information about them, stating that she had discussed them with him in previous conversations, so he knew information about them. However, COPA finds ██████████ account more credible, and that the conversation occurred as alleged.

Furthermore, Det. Mallek harassed her by emailing her department email address. In October 2019, Det. Mallek emailed ██████████ department email address from ██████████ gmail.com.” The subject of the email was “Karma,” and it consisted of a long, personal letter. When presented with the email in his interview, Det. Mallek did not deny the allegation, stating it could be from him, and noting that he was very depressed and going through a lot at the time. This was sent after ██████████ had already asked him to stop contacting her several times. She related that she felt he was trying to intimidate her by creating an email address similar to her husband’s, and it scared her. COPA finds Det. Mallek’s conduct harassing in nature.

Additionally, Det. Mallek harassed ██████████ by contacting her through phone calls and/or text messages from phone numbers that concealed his identity. After ██████████ blocked Det. Mallek’s cell phone number in late August 2019, he sent numerous text messages to her from phone numbers other than his own. The messages included personal things indicating they were sent from Det. Mallek, such as stating that he fell in love with her and now she avoided all contact with him and would not explain why. Some of the messages also consisted of insulting information and language. She also received many phone calls between January 2020 and May 2020 that she believed to be from Det. Mallek using different phone numbers to disguise who was calling. The phone records support this, as the records document that many of the calls that ██████████ received as “No Caller ID” came from Det. Mallek’s phone number. Ultimately, when presented with some of the text messages in his interview, he stated he did not recall sending them. However, based on the substance of the messages and his effort of attempting all possible avenues of communication to contact her, COPA finds it is more likely than not that the contact was from Det. Mallek.

While COPA did not obtain sufficient evidence to determine that the “Bitch Bouquet” was sent by Det. Mallek, the above discussed conduct shows by a preponderance of the evidence that Det. Mallek harassed ██████████ by contacting her against her wishes and not for professional purposes. Thus, Allegation #2 is Sustained.

COPA finds Allegation #3, that Det. Mallek utilized Department resources and/or his position as a police officer in an unauthorized manner to harass ██████████ and/or learn information about her and/or her whereabouts is **Sustained**.



First, Det. Mallek sought personal information from Sgt. [REDACTED] and stated disparaging information about [REDACTED] to Sgt. [REDACTED] at the [REDACTED] District CAPS Office on or about December 5, 2019 or December 6, 2019. Sgt. [REDACTED] related the conversation made her feel very uncomfortable because he was very disparaging and disclosing information that she did not need to know. Additionally, she was so concerned by him and the conversation that she felt the need to notify his supervisor, and recommended he seek EAP services. Additionally, Sgt. [REDACTED] related that her relationship with [REDACTED] was strictly professional, and she hardly knew Det. Mallek outside of possibly attending the same CAPS training courses and the two times he came to the [REDACTED] district. Therefore, it is unlikely that she had any incentive to fabricate the event. While Det. Mallek stated that he recalled having a conversation with Sgt. [REDACTED] at the [REDACTED] district, he did not recall making any disparaging remarks about [REDACTED]. COPA finds it is more likely than not that Sgt. [REDACTED] account of the incident is credible.

Next, Det. Mallek utilized the 014 District CAPS email address to send personal letters to [REDACTED] at her department email address. This allegation is undisputed, as once presented with the evidence, Det. Mallek admitted to sending the emails and letters. In many of the emails and letters, he acknowledged that she was ignoring him and not responding to any of his communication efforts. He sent approximately 25 emails to her in the format with personal letters attached. Additionally, many of the emails were sent while Det. Mallek was on duty, according to the Attendance and Assignment records. Per the Chicago Police Department's General Order G09-01-03, Use of the Internet, "City and Department Internet and email resources are to be used for Department business only."<sup>52</sup> The evidence is clear that Det. Mallek's actions violated this order.

Therefore, based on the above conduct, the preponderance of the evidence shows that Det. Mallek utilized Department resources and/or his position as a police officer in an unauthorized manner to harass [REDACTED] and/or learn information about her and/or her whereabouts. Thus, Allegation #3 is sustained.

COPA finds Allegation #4, that Det. Mallek harassed [REDACTED] by sending disparaging comment(s) about her to the religious organization she is a member of and/or contacting her husband, [REDACTED] via email, is **Sustained**. Det. Mallek related that he was aware [REDACTED] was a member of the Shomrim Society of Illinois. The organization received both an email and a Facebook message regarding adultery and extramarital affairs. When presented with the evidence, Det. Mallek related he had no recollection of them. However, in one of the letters attached to an email he sent her from the 014 District CAPS email, it stated, "There will be no more emails, texts, drop-bys, Shomrim inquiries, or disruptions in your life from me."<sup>53</sup> Additionally, the Facebook message to the organization was sent from a username of [REDACTED]. Based on the previous email that he sent to her using a similar name, COPA finds it more likely than not that the message was sent from Det. Mallek as well.

[REDACTED] also provided an email thread of messages between "[REDACTED]" and [REDACTED]. Even after [REDACTED] responded to the email and asked that he stop, Det.

<sup>52</sup> Att. 123. G09-01-03, Use of the Internet V(B)(2).

<sup>53</sup> Atts. 86-87.

Mallek continued to send him emails. Det. Mallek did not deny the allegation, stating that he did not recall sending the messages to the religious organization or her husband. COPA finds Det. Mallek was responsible for sending the messages, and his conduct was harassing in nature. Therefore, the allegation is sustained based on a preponderance of the evidence.

COPA finds Allegation #10, that on or about December 5, 2019, or December 6, 2019 and/or March 20, 2020, at various times, Det. William Mallek left his assigned district while on duty to go to the [REDACTED] District station without permission is **Not Sustained**. Det. Mallek related that he would periodically visit other districts and speak to their CAPS officers to discuss ideas and events. He denied this allegation, relating that his supervisor, Sgt. Adam Henkels, was always aware of his activities, and he had permission to go to other districts. He further related that the permission was always verbal, not in writing. Sgt. Henkels is no longer a member of CPD. COPA attempted to contact him via phone but was unsuccessful. Thus, it could not be confirmed if Det. Mallek had permission to go to the [REDACTED] District station on these specific dates. Therefore, there is insufficient evidence to prove or disprove the allegation by a preponderance of the evidence, and the allegation is not sustained.

## **VI. DISCIPLINARY RECOMMENDATION**

### **a. Det. William Mallek**

#### **i. Complimentary and Disciplinary History<sup>54</sup>**

Detective Mallek has received seventy-seven awards and recognitions over the course of his career including four department commendations, two crime reduction awards and one crime reduction ribbon, and sixty honorable mentions. Detective Mallek has no recent disciplinary history.

#### **ii. Recommended Discipline**

Here, COPA has found that Detective Mallek violated the above-referenced Rules and Regulations of the Department by repeatedly creating an intimidating work environment, verbally and virtually harassing, discrediting and disparaging [REDACTED] to other officers and her family and inappropriately using Department resources. While Det. Mallek expressed that during the course of his friendship with [REDACTED] he was depressed and experiencing difficulty in his personal life, his actions are serious, amount to stalking behavior and should be subject to discipline. COPA recommends a suspension of 180 days to separation.

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<sup>54</sup> Attachment 130.

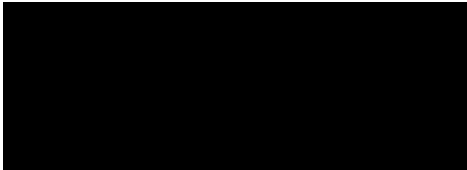
Approved:



Shannon Hayes  
*Director of Investigations*

March 28, 2024

Date



Andrea Kersten  
*Chief Administrator*

March 27, 2024

Date

Appendix ACase Details

Date/Time/Location of Incident:	Various dates between January 2019 and May 2020 / various locations
Date/Time of COPA Notification:	April 8, 2020 / 2:26 pm
Involved Member #1:	William Mallek, Star #3617, Employee ID# [REDACTED], Date of Appointment: June 25, 2001, Unit of Assignment: 640/376, male, white
Involved Member #2:	[REDACTED] Star # [REDACTED] Employee ID# [REDACTED], Date of Appointment: [REDACTED], Unit of Assignment: [REDACTED] female, [REDACTED]

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

- G09-01-03: Use of the Internet (effective March 1, 2019 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.<sup>55</sup> 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.”<sup>56</sup>

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<sup>55</sup> 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).

<sup>56</sup> *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4<sup>th</sup> 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