



Log # 2023-2018

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On May 11, 2023, the Civilian Office of Police Accountability (COPA) received an Initiation Report from the Chicago Police Department (CPD) Lt. Ryan Doherty, alleging misconduct by a CPD member. ██████████ (██████████ alleged that Officer Steven Smith (Smith) grabbed and pulled ██████████ causing his head to strike the wall, in the hallway, on May 11, 2023, at approximately 1:20 a.m., at ██████████² COPA found that this allegation was Exonerated.

II. SUMMARY OF EVIDENCE³

Officers Karen Jaurez and Steven Smith were responded to a Domestic Battery at ██████████⁴ Officer Jaurez's BWC, shows ██████████ (guardian of ██████████ informing officers that she called the police because ██████████ was fighting with his kids.⁵ Officers encounter ██████████ (██████████ – non-custodial son of ██████████ and ██████████ engaged in a verbal dispute, appearing to be exiting the building via the apartment stairs. Once outside, ██████████ told both Officers that ██████████ arrived at his residence intoxicated and battered his aunt and his sister. ██████████ additionally told the officers that ██████████ did not reside with them and struck him on the head with a closed fist. Officer Smith gave ██████████ verbal direction to come to him, to conduct an investigation.⁶ ██████████ ignored Officer Smith and walked upstairs.⁷ Officer Smith reached toward ██████████ and grabbed him by the right hand. ██████████ grabbed the stairway railing with his left hand, stiffened his body and pulled away from Officer Smith, striking his forehead on the doorjamb.⁸ Officer Smith handcuffed ██████████ and observed that ██████████ forehead was swollen and bleeding and that he smelled of alcohol.⁹ ██████████ complained of pain from the injury and

¹ Appendix A includes case identifiers such as the date, time, and location of the incident, the involved parties and their demographics, and the applicable rules and policies.

² 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.

³ The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including [BWC footage, police reports, civilian interviews, officer interviews, medical records].

⁴ Att. 3

⁵ Att. 15

⁶ Att. 20 at 3:55

⁷ Att. 17 at 3:30

⁸ Att. 16 at 3:55

⁹ Att. 16 at 6:26

Officer Smith notified a supervisor, who arrived on scene. [REDACTED] was transported to St. Bernard Hospital for medical observation and received treatment for a laceration to his forehead.¹⁰

III. ALLEGATIONS

Officer Steven Smith:

1. Grabbed/pulled [REDACTED] causing his head to strike a wall.
 - Exonerated

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.

V. ANALYSIS¹¹

COPA found Allegation #1 that Officer Smith grabbed/pulled [REDACTED] causing his head to strike the wall be **Exonerated**. Per department policy, "Department members' use of force must be objectively reasonable, necessary, and proportional to the threat, actions, and level of resistance offered by a person, under the totality of the circumstances."¹² In his statement to COPA,¹³ Officer Smith stated that he grabbed and pulled [REDACTED] to prevent [REDACTED] from going upstairs after [REDACTED] ignored him after giving Sander's verbal commands to stop. Officer Smith stated that he never intentionally caused [REDACTED] head to strike the door threshold¹⁴ and was attempting to detain someone whom he believed was an offender.¹⁵ Additionally, the victims were on scene, able to identify [REDACTED] who battered them in a residence that [REDACTED] did not reside, the victims wanted [REDACTED] removed and signed complaints. In addition to ignoring Officer Smith, BWC evidence shows [REDACTED] stiffened his body and pulled away from Officer Smith. It was at this time that [REDACTED] fell down the stairs and his head struck the wall.

¹⁰ Att. 20

¹¹ For a definition of COPA's findings and standards of proof, *see* Appendix B.

¹² G03-02-01 (II) (C)

¹³ Att. 32

¹⁴ Att. 32 at 13:50

¹⁵ Att. 32 at 23:05

Approved:



5/2/2024

Matthew Haynam
Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Case Details

Date/Time/Location of Incident:	May 11, 2023 / 1:20 am / ██████████ Chicago, IL 60619
Date/Time of COPA Notification:	May 11, 2023 / 3:50 pm
Involved Member #1:	Officer Steven Smith / Star #6684 / Employee ID # ██████████ / DOA: December 15, 2017 / Unit: 006 / Male / Black
Involved Individual #1:	██████████ / Male / Black.

Applicable Rules

- Rule 2:** Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3:** Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 5:** Failure to perform any duty.
- Rule 6:** Disobedience of an order or directive, whether written or oral.
- Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9:** Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 10:** Inattention to duty.
- Rule 14:** Making a false report, written or oral.
- Rule 38:** Unlawful or unnecessary use or display of a weapon.
- Rule __:** *[Insert text of any additional rule(s) violated]*

Applicable Policies and Laws

- *General Order G03-02, De-escalation, Response to Resistance, And Use of Force (effective April 15, 2021 – June 28, 2023)*

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.¹⁶ 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.”¹⁷

¹⁶ 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).

¹⁷ *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