



Brandon Johnson
Mayor

Department of Police · City of Chicago
3510 S. Michigan Avenue · Chicago, Illinois 60653

Larry Snelling
Superintendent of Police

March 25, 2024

Andrea Kersten
Chief Administrator
Civilian Office of Police Accountability (COPA)
1615 W. Chicago Ave., 4th Floor

Re: Superintendent's Non-Concurrence with COPA's Findings and Penalties
Log# 2022-0002141
Officer Lacey Harris

Dear Chief Administrator Kersten:

After a careful review of the above referenced complaint log number, the Chicago Police Department (Department) does not concur with the recommended findings nor with the penalty recommendation as they pertain to Officer Lacey Harris, Star No. 11088. Pursuant to the Municipal Code of Chicago, the Department provides the following comments.

The COPA investigation recommended a 10-day suspension for Officer Lacey Harris (Officer Harris) after concluding that he:

1. Grabbed ██████ testicles and/or genital area.

On May 26, 2022, Officer Lacey Harris responded to a call regarding the violation of an order of protection at 5948 W. Ohio St. Attachment #1, 2 and 3. The caller, ██████, related that ██████ (██████ whom she had an active order of protection against, was sitting outside her residence in a black Mercedes bearing license plate #CS45344. Attachment #12. Blabac informed 911 dispatchers that ██████ was wearing a track suit and was known to carry a gun.

Officer Harris arrived on scene and approached ██████ who was in the driver seat of a black Mercedes. Attachment #4 at 2:22. Officer Harris asked ██████ to turn toward his car with his back facing Officer Harries, Attachment #4 at 4:09. ██████ pulled away and fled. Attachment #12 at 4:12. Officer Harris grabbed ██████ jacket and attempted to perform an emergency takedown by wrapping his arms around ██████ waist. Attachment #2. With ██████ momentum, the left side of Officer Harris' shoulder and head struck a tree, and Officer Harris was dragged until he and ██████ fell to the ground. Attachment #1, 2, 3 and 9. The officers instructed ██████ to stay down as Officer Incandela tried to handcuff ██████ Attachment #5 at 2:13. ██████ resisted arrest and tried to get up. Attachment #4 at 4:34. Officer Harris stated ██████ began kicking, swinging and punching. Attachment #27 at pg.16. Under CPD policy, members may only use force that is objectively reasonable, necessary, and proportional to the threat, actions, and level of resistance offered by a person. Attachment #23, G03-02 (III)(B), De-Escalation, Response to Resistance, and Use of Force (effective April 15, 2021, to June 28, 2023). When a person who is **using** or threatening the use of force against another person or himself/herself which is likely to cause physical

injury. Attachment #24, G03-02-01 (IV)(B), Response to Resistance and Force Options (effective April 15, 2021, to June 28, 2023). Assailants are further subdivided into two categories: (1) a person whose actions are aggressively offensive with or without weapons and (2) a person whose actions constitute an imminent threat of death or great bodily harm to a Department member or to another person. Id. The direct mechanical techniques are forceful, concentrated striking movements such as punching and kicking, or focused pressure strikes and pressures. Attachment #24, G03-02-01 (IV)(C)(1)(a)(1), Response to Resistance and Force Options (effective April 15, 2021, to June 28, 2023). These techniques can be combined with take-downs or pins against the ground or other objects. All these options are authorized when dealing with this type of assailant. Id.

After reviewing the associated videos, the Department believes [REDACTED] was a low level assailant. [REDACTED] was using force against Officer Harris and caused physical injuries to Officer Harris. Officer Harris stated [REDACTED] began kicking, swinging and punching. Attachment #27 at pg.16. So Officer Harris grabbed [REDACTED] testicles. Attachment #4 at 4:36. Officer Harris said he felt pain in his lower back, left shoulder, and arm from striking the tree, so he attempted to grab [REDACTED] pants, waist, or anything he could so Officer Incandela could handcuff him. Attachment #27 at pg. 16. Officer Harris was transported to the hospital after reporting pain in his left arm and knee. Attachment #2. Officer Harris subsequently was placed on medical leave for his left knee sprain, left shoulder sprain, elbow sprain, and herniated disc from the incident. Attachment #27 pg. 29. Officer Harris believed he was "fighting for survival." Attachment #27 pg. 52.

Given the totality of the circumstances, the Department believes this case should be Exonerated because Officer Harris' conduct described in the allegation was lawful and proper.

The Department looks forward to discussing this matter with you pursuant to MCC-2-78-130(a)(iii).

Sincerely,

[REDACTED]

Larry Snelling
Superintendent of Police
Chicago Police Department