



Log # 2022-3798

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On September 6, 2022, the Civilian Office of Police Accountability (COPA) received a telephone complaint from ██████████ reporting alleged misconduct by a member of the Chicago Police Department (CPD). ██████████ alleged that on September 4, 2022, Officer Jose Caro was intoxicated while off-duty and that he pushed her about the body and grabbed her arm without justification. ██████████ also alleged that on various dates and times between 2019 and 2022, Officer Caro verbally abused her. ██████████ further alleged that on various dates and times in September 2022, Officer Caro harassed ██████████ in that he repeatedly contacted her through phone calls and text messages.² Following its investigation, COPA reached sustained findings regarding the allegations of physical and verbal abuse and not sustained findings regarding the intoxication and harassment allegations.

II. SUMMARY OF EVIDENCE³

██████████ and Officer Jose Caro started ██████████ in 2008 and had an on-again, off-again relationship for over a decade.⁴ They have two ██████████ together. On September 4, 2022, ██████████ and Officer Caro were broken up but trying to mend their relationship.⁵ In the early morning hours of September 4, 2022, Officer Caro called ██████████ cell phone at approximately 1:30 a.m. and told her to open the front door of her residence.⁶ Though she was half asleep, she opened the door and let him in. ██████████ could tell Officer Caro had been drinking. He smelled of alcohol and had glossy, bulging eyes.⁷ Officer Caro accused ██████████ of seeing another man.⁸ ██████████ denied that she was seeing anyone and told Officer Caro she was exhausted and did not want to discuss the situation further. ██████████ expressed concern that Officer Caro would awaken

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 civilian interviews, officer interviews, photographs and phone records.

⁴ Att. 2, pg. 5, lns. 7 to 9; Att. 18, pg. 7, lns. 2 to 10.

⁵ Att. 2, pg. 44, lns. 7 to 16.

⁶ Att. 2, pg. 29, lns. 18 to 20; Att. 18, pg. 13, lns. 4 to 14.

⁷ Att. 2, pg. 42, lns. 10 to 20.

⁸ Att. 18, pg. 12, lns. 1 to 24.

their [REDACTED] Officer Caro insisted on discussing the matter and said if he left, [REDACTED] would be considered another “hoe and a bitch like every other woman in this world.”⁹

Officer Caro asked to see [REDACTED] phone. [REDACTED] reluctantly showed Officer Caro her phone, and he saw communication between her and a male friend, [REDACTED]¹⁰ According to Officer Caro, the conversation suggested that [REDACTED] and [REDACTED] were more than friends. Officer Caro ended the relationship between him and [REDACTED] and left within an hour.¹¹ [REDACTED] stated that Officer Caro called [REDACTED] told him to stay away from [REDACTED] and threatened to tell [REDACTED] wife about his friendship with [REDACTED] Officer Caro denied that he contacted or spoke with [REDACTED] and said [REDACTED] may have called [REDACTED] to dispel the cheating allegations; however, [REDACTED] informed COPA that Officer Caro called and spoke to him from [REDACTED] phone.¹² Officer Caro repeatedly called [REDACTED] a “bitch” and a “whore,” and threatened to take their [REDACTED]¹³ Officer Caro also told their [REDACTED] that [REDACTED] was a “whore.”¹⁴ Officer Caro told [REDACTED] “You want to act like a hoe, tell all the men you talk to give you a car.”¹⁵

Officer Caro consumed three or four beers from [REDACTED] fridge during his visit.¹⁶ At one point, Officer Caro went to retrieve a beer and pushed [REDACTED] on her upper chest so he could pass through the walkway.¹⁷ [REDACTED] lost her balance and fell—hitting the back of her right arm on the edge of the sofa.¹⁸ Officer Caro grabbed [REDACTED] phone from the sofa. She tried to take it back, but he grabbed her arm.¹⁹ [REDACTED] reportedly sustained bruises to her arm and a bruise on her leg when she hit the sofa. [REDACTED] told her mother, [REDACTED] about the incident. In a statement with COPA, [REDACTED] attested to seeing the bruises.²⁰ Photographs taken September 7, 2022, depict what appears to be discoloration on [REDACTED] right arm.²¹

During the September 4, 2022, incident, Officer Caro told [REDACTED] he wanted the car that he had loaned her back. Later that day, Officer Caro met [REDACTED] at her mother’s suburban residence to pick up the car. [REDACTED] initially refused to hand over the keys and only returned them after Officer Caro called the police.²²

Following the incident, [REDACTED] blocked Officer Caro’s phone number, and she and Officer Caro stopped communicating. From that point, Officer Caro contacted [REDACTED] regarding the

⁹ Att. 2, pg. 31, lns. 12 to 13.

¹⁰ Att. 18, pg. 13, lns. 19 to 24; Att. 2, pg. 44, lns. 21 to 24.

¹¹ Att. 18, pg. 12, lns. 1 to 24; pg. 14, lns. 1 to 6; pg. 15, lns. 18 to 24; and pg. 20, lns. 14 to 24.

¹² Att. 9, and Att. 18, pg. 22, lns. 12 to 19; and pg. 50, ln. 15 to pg. 51, ln. 7.

¹³ Att. 2, pg. 34, lns. 5 to 6; pg. 35, lns. 8 to 9; and pg. 57, lns. 1 to 4.

¹⁴ Att. 2, pg. 57, lns. 10 to 14.

¹⁵ Att. 2, pg. 35, lns. 14 to 16.

¹⁶ Att. 2, pg. 43, lns. 14 to 18.

¹⁷ Att. 2, pg. 39, lns. 16 to 22; and pg. 64, lns. 14 to 21.

¹⁸ Att. 2, pg. 65, lns. 1 to 6.

¹⁹ Att. 2, pg. 39, ln. 24 to pg. 40, ln. 4; pg. 41, lns. 3 to 10; and pg. 65, lns. 10 to 16.

²⁰ Att. 5, pg. 51, ln. 5 to pg. 52, ln. 6.

²¹ Atts. 3 and 6 to 8.

²² Att. 18, pg. 24, ln. 2 to pg. 26, ln. 6.

██████████²³ Officer Caro purportedly placed an excessive amount of phone calls and sent repeated text messages to ██████████²⁴ According to ██████████ Officer Caro called her two or three times per day and demanded to know if his ██████████ was at school, whether ██████████ picked him up from school, and what his ██████████ was doing. Occasionally, during these calls/texts, Officer Caro told ██████████ to make ██████████ confess and tell her (██████████ the entire story.²⁵ This lasted a week or two before ██████████ blocked Officer Caro's number to prevent him from contacting her. When ██████████ stopped answering his calls, Officer Caro sent her text messages. ██████████ added that Officer Caro had never called to ask such questions about the ██████████ before the incident.²⁶

██████████ added that two or three years before this incident, she learned from Officer Caro's ██████████ that she, Officer Caro, and his ██████████ returned to Officer Caro's home in Cicero, Illinois, after a night of drinking and partying. During an argument, Officer Caro pulled a gun on his ██████████ and fired a gunshot²⁷ into the ceiling.²⁸ ██████████ said that Officer Caro has a history of being irresponsible with his gun when he drinks alcohol, routinely leaving it lying around and unsecured.²⁹

Officer Caro denied being intoxicated while off duty on September 4, 2022.³⁰ He said he had one or two beers before he arrived at ██████████ house but did not consume any beer while he was there.³¹ Officer Caro denied pushing ██████████ grabbing her arm, or trying to take her phone.³² He acknowledged that ██████████ was reluctant to show him her phone but contended that she eventually showed it to him on her own volition.³³ Officer Caro said he likely called ██████████ a "bitch" or a "whore" during the argument but did not remember.³⁴ He denied calling ██████████ a "bitch" or a "whore" on other dates.³⁵ Officer Caro also denied harassing ██████████ by repeatedly contacting her through phone calls and/or text messages.³⁶ He does not believe ██████████ ever asked him to stop contacting her, although she may have directed him to contact ██████████ instead.³⁷

²³ Att. 18, pg. 28, ln. 1 to pg. 29, ln. 20.

²⁴ Att. 5, pg. 10, lns. 2 to 10.

²⁵ Att. 5, pg. 18, lns. 10 to 18.

²⁶ CMS note: CO-1215773; Att. 3; Att. 5, pg. 15, ln. 3 to pg. 17, ln. 18.

²⁷ The preliminary investigation did not reveal sufficient objective verifiable evidence related to the alleged off-duty weapon discharge discussed in ██████████ statement. Therefore, COPA declined to generate an additional Log number.

²⁸ Att. 2, pg. 77, lns. 21 to 23; pg. 78, lns. 2 to 6; pg. 78, ln. 22 to pg. 79, ln. 13; pg. 80, lns. 1 to 21; and Att. 5, pg. 41, ln. 10 to pg. 42, ln. 4.

²⁹ Att. 2, pg. 81, ln. 20 to pg. 83, ln. 16; Att. 5, pg. 40, lns. 2 to 23.

³⁰ Att. 18, pg. 51, lns. 12 to 16.

³¹ Att. 18, pg. 43, lns. 6 to 21; and pg. 47, ln. 16 to pg. 48, ln. 4.

³² Att. 18, pg. 22, lns. 1 to 6; pg. 51, lns. 17 to 20; and pg. 52, lns. 7 to 9.

³³ Att. 18, pg. 15, lns. 4 to 13; pg. 19, ln. 24 to pg. 20, ln. 13; pg. 48, lns. 11 to 14; and pg. 51, lns. 21 to 24.

³⁴ Att. 18, pg. 21, lns. 16 to 21.

³⁵ Att. 18, pg. 37, lns. 8 to 22.

³⁶ Att. 18, pg. 31, lns. 13 to 22; and pg. 52, lns. 1 to 6.

³⁷ Att. 18, pg. 31, lns. 1 to 10.

Phone records from AT&T dated September 1, 2022, to September 30, 2022 depict that on September 6, 2022, Officer Caro³⁸ dialed ██████████ twice at 6:22 pm (18:22) and once at 8:35 pm (20:35).³⁹ ██████████ dialed Officer Caro once at 6:23 pm (18:23). On September 7, 2022, Officer Caro dialed ██████████ once at 4:01 pm (16:01) and once at 4:51 pm (16:51). On September 8, 2022, Officer Caro dialed ██████████ once at 1:05 pm (13:05) and once at 1:18 pm (13:18).⁴⁰

III. ALLEGATIONS

Officer Jose Caro:

1. Was intoxicated while off-duty.
 - Not Sustained
2. Pushed ██████████ about the body without justification.
 - Sustained, Violation of Rules 2, 3, 8 and 9.
3. Grabbed ██████████ arm without justification.
 - Sustained, Violation of Rules 2, 3, 8 and 9.
4. Harassed ██████████ in that he repeatedly contacted her through phone calls and/or text messages.
 - Not Sustained
5. Verbally abused ██████████ in that he called her a “bitch” and/or “whore.”
 - Sustained, Violation of Rules 2, 3, 8 and 9.

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, COPA finds that ██████████ provided a reliable account of the incident. Her account was corroborated by her mother, ██████████ who, although she did not witness the incident, provided an account consistent with the information ██████████ related to COPA. ██████████ also provided photographs of injuries she sustained during the incident. Additionally, ██████████ corroborated ██████████ statement that Officer Caro called him from ██████████ phone and questioned him about their friendship. While Officer Caro admitted that he likely used derogatory and profane language toward ██████████ during the incident, bolstering his credibility, his denial of his phone interaction with ██████████ raises questions about his credibility.

³⁸ ██████████ relayed Officer Caro’s phone number as ██████████. Att. 5, pg. 66, Ins. 16 to 21.

³⁹ Atts. 10 to 12.

⁴⁰ ██████████ dialed Officer Caro once on September 9, 2022 at 4:59 am (04:59); and once on September 12, 2022 at 3:45 pm (15:45).

V. ANALYSIS⁴¹

COPA finds that **Allegations #1 and 4** against **Officer Caro**, that he was intoxicated while off-duty and harassed ██████████ in that he repeatedly contacted her through phone calls and/or text messages, are **Not Sustained**. Officer Caro acknowledged that he consumed one or two beers before arriving at ██████████ residence but asserts that he was not intoxicated. Additionally, COPA viewed phone records that depict multiple phone calls from Officer Caro to ██████████ but the calls do not appear to be excessive in number. Once Officer Caro and ██████████ stopped communicating, they acknowledged that Officer Caro contacted ██████████ to check on the wellbeing of their ██████████ did not produce any text messages that appeared harassing in nature. Without any additional information, there is insufficient evidence to prove the allegations by a preponderance of the evidence.

COPA finds that **Allegations #2 and 3** against **Officer Caro**, that he pushed ██████████ about the body and grabbed her arm without justification are **Sustained**. Officer Caro arrived at ██████████ residence at approximately 1:30 a.m., woke her from her sleep, and accused her of seeing other men. Officer Caro demanded to see her cell phone and even contacted someone he suspected she was cheating with. ██████████ described Officer Caro as intoxicated, aggressive, and enraged. While Officer Caro denied pushing ██████████ or grabbing her arm, ██████████ provided photographs which depict discoloration to her right forearm. ██████████ attested that she saw the bruises and corroborated that Officer Caro pushed ██████████ causing her to fall against the sofa and sustain bruising to her arm. COPA finds by a preponderance of the evidence that the allegations against Officer Caro are sustained.

COPA finds that **Allegation #5** against **Officer Caro** that he verbally abused ██████████ in that he called her a “bitch” and/or “whore” is **Sustained**. Officer Caro acknowledged that he likely used the described language toward ██████████ on the date of the incident but denied using the language toward ██████████ in other instances. Based on Officer Caro’s admission and the available evidence, COPA finds by a preponderance of the evidence that the allegation against Officer Caro is sustained.

VI. DISCIPLINARY RECOMMENDATION

a. Officer Jose Caro

i. Complimentary and Disciplinary History⁴²

Officer Caro has received 21 awards and recognitions including one life saving award. He received a 30 day suspension for alcohol drug abuse that occurred in 2022. He also received a 5 day suspension for “operation/personnel violations weapon lost/stolen weapon.” Lastly, he has

⁴¹ For a definition of COPA’s findings and standards of proof, *see* Appendix B.

⁴² Attachment 23.

received 3 reprimands in 2024 for failure to perform any duty, a preventable accident, and current license and/or city vehicle sticker.

ii. Recommended Discipline

COPA has considered Officer Caro’s complimentary and disciplinary history. In aggravation, Officer Caro committed domestic violence on more than one occasion, left a visible injury on the complainant, and was not forthcoming about his behavior. COPA recommends a suspension of 30 to 90 days in this case and Anger Management.

Approved:

[Redacted Signature]

Sharday Jackson
Deputy Chief Administrator

July 22, 2024

Date

Appendix A

Case Details

Date/Time/Location of Incident:	September 4, 2022 / 1:30 am / [REDACTED], [REDACTED]
	Various dates and times in September 2022 / unknown locations
	Various dates and times between 2019 and 2022 / unknown locations
Date/Time of COPA Notification:	September 6, 2022 / 9:41 am
Involved Member #1:	Jose Caro, star# 5213, employee ID# [REDACTED] Date of Appointment: June 25, 2018; 007 th District; Male; Hispanic
Involved Individual #1:	[REDACTED] Female; Hispanic
Involved Individual #2:	[REDACTED] Female; White

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 15:** Intoxication on or off duty.

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.⁴³ 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.”⁴⁴

⁴³ 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).

⁴⁴ *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