



**Brandon Johnson**  
Mayor

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

**Larry B. Snelling**  
Superintendent

December 14, 2023

Andrea Kersten  
Chief Administrator  
Civilian Office of Police Accountability  
1615 West Chicago Avenue, 4th Floor  
Chicago, Illinois 60622

Re: Superintendent's Partial Non-Concurrence with Findings and Non-Concurrence with the Penalty Recommendations  
Complaint Log No. 2022-0004358

Dear Chief Administrator Kersten:

After a careful review of the above referenced complaint log number, the Chicago Police Department (Department) does not concur with all of the recommended findings nor with the recommended penalties as they pertain to Officer Kevin Gomez, Star No. 9909, and Officer Jonathan Kizer, Star No. 15307. Pursuant to the Municipal Code of Chicago, the Department provides the following comments.

The COPA investigation recommended a 5-day suspension for Officer Kevin Gomez # 9909 after concluding that he:

1. Directed verbal abuse at a citizen;
2. Failed to complete an Investigatory Stop Report.

The COPA investigation also recommended a 10-day suspension for Officer Jonathan Kizer # 15307 after concluding that he:

1. Slammed a squadrol door against a citizen's foot;
2. Directed verbal abuse at a citizen.

#### Officer Kevin Gomez

The Department concurs with both sustained findings. But the penalty recommendation is excessive and the Department recommends a three (3) day suspension. The verbal abuse is an inappropriate comment said only one time and after a brief struggle with the citizen being placed in custody. During this struggle, Officer Gomez was struck twice in the face, with one strike in the nose and causing pain and bleeding. Although this does not excuse the behavior, it is a factor that can mitigate the penalty. Combined with a failure to complete an Investigatory Stop Report, the Department believes that a 3-day suspension is sufficient to correct this errant behavior and modify future conduct. Further, this penalty falls within the progressive discipline principal after reviewing the member's complimentary and disciplinary history.

Officer Jonathon Kizer

Regarding Allegation #1, the Department does not agree with the sustained finding after viewing the video. While it is true that the arrestee's foot was in the doorway, the arrestee put it there after Officer Kizer grabbed the door and attempted to close the door. Officer Kizer attempted to close the door and pushed when he felt resistance but did not "slam" the door on the arrestee's foot. The actual slam occurred one time and was done by another officer who could not see the foot but appears to have believed that the arrestee had moved his foot in response to Officer Kizer's verbal direction. It is for these reasons that the Department recommends a finding of Unfounded for this allegation.

Regarding Allegation #2, the Department concurs in the sustained finding as the conduct is captured on body worn camera. However, the verbal abuse was not egregious, vulgar or discriminatory in any manner. The two comments appear to have been said due to the member getting aggravated that the arrestee was not cooperating at that point. Although this does not excuse the behavior, it does support the Department's position that a penalty of a two (2) day suspension is appropriate considering the member's lack of a disciplinary history and impressive complimentary history.

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

Sincerely,



Larry B. Snelling  
Superintendent  
Chicago Police Department