



Log # 2022-0001634

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

### I. EXECUTIVE SUMMARY

On April 20, 2022, the Civilian Office of Police Accountability (COPA) received a Chicago Police Department (CPD) Bureau of Internal Affairs (BIA) Supervisor Initiated Complaint from Sergeant Keisha Frierson alleging misconduct by a member of the Chicago Police Department. Sgt. Frierson alleged that on April 19, 2022, Officer Matthew Ripley discharged his firearm without justification.<sup>2</sup> Upon review of the evidence, COPA served additional allegations that Officer Ripley failed to notify the Office of Emergency Management and Communication (OEMC) of a firearms discharge, failed to secure his firearms, failed to complete the Annual Prescribed Weapon Qualification Program, and failed to register his non-duty firearms with the Chicago Police Department. Following its investigation, COPA reached sustained findings on all allegations.

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

On April 19, 2021, at approximately 9:59pm, the DuPage County Sheriff's SWAT Team (SWAT) was dispatched to [REDACTED]<sup>4</sup> after receiving a 911 call from [REDACTED] of Officer Matthew Ripley who stated he was having a mental health crisis and discharged a firearm in front of the residence.<sup>5</sup> SWAT arrived on scene and spoke via phone with [REDACTED] Matthew's [REDACTED], who confirmed his [REDACTED] fired a single shot outside the residence and is armed and suicidal.<sup>6</sup> [REDACTED] who was inside the residence also, confirmed his [REDACTED] is a "former" Chicago Police Officer who was distraught after learning his wife wanted to divorce him. [REDACTED] also confirmed via telephone that his [REDACTED] owns many firearms and had recently threatened to kill him.<sup>7</sup>

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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> 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 BWC, Department reports, and other Department records.

<sup>4</sup> Att. 34, DuPage County Unincorporated Zoning Data. [REDACTED] is in an unincorporated section of DuPage County and can have multiple correct addresses including [REDACTED]

<sup>5</sup> Att. 28 at 00:41.

<sup>6</sup> Att. 1, p. 4.

<sup>7</sup> Att. 28 at 01:20.

SWAT made multiple attempts to contact Matthew Ripley by phone but it went to voice mail each time. SWAT negotiators were eventually able to get ██████████ out of the residence without incident, but ██████████ remained in the residence due to her being in a wheelchair.<sup>8</sup> ██████████ remained in contact with ██████████ via telephone throughout the standoff while she remained in the house. At approximately 11:51 pm, SWAT negotiators made an announcement over the PA System for Matthew Ripley to answer his phone.<sup>9</sup> Shortly thereafter, Matthew Ripley walked outside of the residence and was placed in handcuffs without incident and placed into the rear of a DuPage County Sheriff's Department Vehicle. Mathew Ripley stated he was going through a hard time due to a pending divorce and confirmed he discharged a firearm outside of the residence in the grass.<sup>10</sup> Matthew Ripley gave consent for the DuPage County Sheriff's Office to take possession of his firearms, ammunition, and to surrender his Firearms Owner Identification Card (FOID).<sup>11</sup> Matthew Ripley was transported to Central DuPage Hospital for further evaluation.

COPA contacted the Chicago Police Department's Human Resource Division to get clarification as to Matthew Ripley's employment status.<sup>12</sup> According to CPD Director of Human Resources Robert Landowski, Officer Ripley exhausted his medical time and was applying for disability in 2019.<sup>13</sup> According to CPD records, there is no record of Officer Ripley being on disability or even applying.<sup>14</sup>

### III. ALLEGATIONS

#### **Officer Matthew Ripley:**

1. Discharging your firearm without justification, in violation of G03-02.  
- Sustained, Violation of Rules 2, 5, 6, and 10.
2. Failing to notify the Office of Emergency Management and Communication (OEMC) of a firearms discharge, in violation of G03-06.  
- Sustained, Violation of Rules 2, 5, 6, and 10.
3. Failing to secure your firearms, in violation of U04-02.  
- Sustained, Violation of 2, 5, 6, and 10.
4. Failing to complete the Annual Prescribed Weapon Qualification Program, in violation of S11-03-01.  
- Sustained, Violation of 2, 5, 6, and 10.
5. Failing to register non-duty firearms with the Chicago Police Department, in violation on U04-02.  
- Sustained, Violation of 2, 5, 6, and 10.

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<sup>8</sup> Att. 4 and Att. 28

<sup>9</sup> Att. 4 and Att. 28

<sup>10</sup> Att. 4 at 00:31.

<sup>11</sup> Att. 3 at 4:50.

<sup>12</sup> Att. 18.

<sup>13</sup> Att. 37

<sup>14</sup> Att. 37

#### IV. CREDIBILITY ASSESSMENT

This investigation did not reveal any evidence that caused COPA to question the credibility of any individual (sworn or unsworn) who provided statements, documents, or video related to the incident. COPA was unable to interview Officer Ripley due to a lack of cooperation on his part. Pursuant to the Municipal Code of Chicago, the Civilian Office of Police Accountability (COPA) will conduct investigations into all incidents in which a Department member discharges a firearm in a manner that potentially could strike another individual.<sup>15</sup> COPA scheduled statements with Officer Ripley on six separate occasions with the first statement scheduled November 2, 2022, and final attempt on April 3, 2023.<sup>16</sup> Statement notifications were sent to Officer Ripley by U.S. Postal Certified Letter, Phone, and E-mail. Each of the six scheduled statements Officer Ripley failed to appear at COPA for a statement.

#### V. ANALYSIS<sup>17</sup>

##### 1. Officer Ripley discharged his firearm in violation of General Order G03-02.

COPA finds Allegation #1 that Officer Ripley discharged his firearm in violation of General Order G03-02-03 is **Sustained**. CPD policy prohibits Department members from firing warning shots.<sup>18</sup> Officer Ripley did not dispute the fact he fired one round outside of his residence. After a standoff, Officer Ripley told Det. David Chisea he fired one round in the grass near his front door.<sup>19</sup> Furthermore, Deputy Rose found one shell casing under the bushes outside of the front door of the residence, in the exact area Officer Ripley referenced.<sup>20</sup> There is no evidence that Officer Ripley had a justifiable reason to discharge his weapon under Department policy. Therefore, COPA finds Allegation #1 is **Sustained**.

##### 2. Officer Ripley failed to notify the Office of Emergency Management and Communication (OEMC) of a firearms discharge, in violation of G03-06.

COPA finds Allegation #2 that Officer Ripley failed to notify the Office of Emergency Management (OEMC) of firearms discharge is **Sustained**. Department policy is clear that for all firearm discharge incidents the involved member(s) will immediately notify the Office of Emergency Management and Communications (OEMC) providing all relevant information.<sup>21</sup> In this case, there is no evidence that Officer Ripley ever contacted OEMC, and the first notification

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<sup>15</sup> G03-02 (IV)(B)(1)

<sup>16</sup> COPA scheduled statements with Officer Ripley on the following dates but each time he failed to appear to give a statement: October 14, 2022, October 29, 2022, November 2, 2022, February 16, 2023, March 7, 2023, and April 3, 2023. Statements were sent to Officer Ripley via U.S. Postal Certified Letter, Phone, and E-Mail.

<sup>17</sup> For a definition of COPA's findings and standards of proof, *see* Appendix B.

<sup>18</sup> Att. (X) G03-02-03

<sup>19</sup> Att. 7 at 2:32.

<sup>20</sup> Att. 9 at 05:10.

<sup>21</sup> G03-06(V)(A).

received by any City of Chicago agency was to the Bureau of Internal Affairs by the DuPage County Sheriffs Office. Therefore, COPA finds Allegation #2 is **Sustained**.

### **3. Officer Ripley failed to secure his firearms, in violation of UU04-02.**

COPA finds Allegation #3 that Officer Ripley failed to secure his firearms, in violation of UU04-02 is **Sustained**. Department policy requires members to secure all firearms which they own or possess, in a manner that a reasonable person would believe will prohibit access by unapproved individuals, theft, or loss.<sup>22</sup> In this case, Officer Ripley told Det. Chisea he possessed multiple firearms including assault rifles, a shotgun, and various handguns, in his bedroom closet.<sup>23</sup> Furthermore, Officer Ripley stated on his bed, in a black bag, was a Glock 45 handgun, and in his nightstand, a Sig Sauer 229 handgun. DCSO Department members inventoried and seized all available firearms and ammunition.<sup>24</sup> In short, none of the above weapons were secured in a manner that would prohibit access by an unapproved individual. Therefore, COPA finds Allegation #3 is **Sustained**.

### **4. Officer Ripley failed to complete the Annual Prescribed Weapon Qualification Program, in violation of S11-03-01.**

COPA finds Allegation #4 that Officer Ripley failed to complete the Annual Prescribed Weapon Qualification Program, in violation of S11-03-01, is **Sustained**. All sworn Department members must qualify with their prescribed firearm annually.<sup>25</sup> Furthermore, the Department member is responsible for ensuring that their unit of assignment schedules them to attend. On May 26, 2022, COPA requested firearms qualification records from the CPD Training and Support Group. On May 31, 2022, COPA received notice that a search for Officer Ripley's firearm qualification history was negative and that he does not exist in their system.<sup>26</sup> Since there is no record of Officer Ripley qualifying with his weapon and Officer Ripley refused to provide a statement explaining this issue, COPA finds Allegation #4 is **Sustained**.

### **5. Officer Ripley failed to register his non-duty firearms with the Chicago Police Department, in violation of U04-02.**

COPA finds Allegation #5 that Officer Ripley failed to register his non-duty firearms with the Department, in violation of U04-02, is **Sustained**. Department policy requires all sworn members to register all duty and non-duty firearms with the Department. COPA attempted to obtain training records regarding Officer Ripley's firearm registration(s) with the Department. COPA was informed there was no record of him even being in the system and therefore could not be verified. Body worn camera footage of the SWAT incident on April 19, 2022, showed an

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<sup>22</sup> Att. X UU04-02(II)(G)

<sup>23</sup> Att. 3 at 00:49.

<sup>24</sup> Att. 33.

<sup>25</sup> S11-03-01(II)(A).

<sup>26</sup> Att. 21.

assortment of firearms throughout the residence. The DuPage County Sheriffs Office confiscated eleven fully assembled firearms.<sup>27</sup> Since Officer Ripley has had no contact with the Chicago Police Department in several years and there is no record of him even existing in their system, it is clear his firearms are not registered properly with the Department. Therefore, COPA finds Allegation #5 is **Sustained**.

**VI. DISCIPLINARY RECOMMENDATION**

**a. Officer Matthew Ripley**

**i. Complimentary and Disciplinary History<sup>28</sup>**

Officer Ripley has received 40 awards, including 33 honorable mentions. Officer Ripley does not have a record of discipline.

**ii. Recommended Discipline**

COPA has found that Officer Ripley violated Rules 2, 3, 5, 6, and 9 by discharging his firearm without justification, failing to timely notify the Office of Emergency Management (OEMC), and failing to register, secure, or qualify with the firearm he discharged. Officer Ripley’s decision to discharge his weapon was a flagrant violation of CPD policy. It also recklessly risked the lives of civilians living in the neighborhood. Officer Ripley’s misconduct during this incident mandates severe consequences. Accordingly, COPA recommends that Officer Ripley be **SEPERATED** from the Chicago Police Department.

Approved:

[Redacted Signature]

Sharday Jackson  
*Deputy Chief Administrator – Chief Investigator*

January 23, 2024

Date

[Redacted Signature]

Andrea Kersten  
Chief Administrator

January 23, 2024

Date

<sup>27</sup> Att. 33

<sup>28</sup> Att. 38

Appendix ACase Details

Date/Time/Location of Incident:	April 19, 2022 / 21:30/ 1N001
Date/Time of COPA Notification:	April 20, 2022 / 16:58
Involved Member #1:	Officer Matthew Ripley, Star #16198, Employee ID # [REDACTED] DOA: August 29, 2005, Unit: 016, Male, 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 \_\_:** *[Insert text of any additional rule(s) violated]*

Applicable Policies and Laws

- G03-02: De-Escalation, Response to Resistance, and Use of Force (effective April 15, 2021, to present).
- G03-06: Firearm Discharge and Officer Involved Death Incident Response and Investigation (effective April 1, 2021, to present).
- U04-02: Department Approved Weapons and Ammunition (effective May 7, 2021, to present)
- S11-03-01: Annual Prescribed Weapon Qualification Program and Taster Recertification (effective May 10, 2021, to May 5, 2022).

## 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>29</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>30</sup>

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<sup>29</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>30</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