

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date/Time of Incident	February 13, 2021, 3:00 a.m.
Location of Incident:	██████████ ██████████
Date/Time of COPA Notification:	February 13, 2021, 4:40 am

On February 13, 2021, at approximately 3:00 am, Officer Demarkus Brady called 911 for police assistance after reporting that his girlfriend, ██████ ██████ struck him with an object. Shortly thereafter, ██████ made several calls to 911 reporting that she was struck by Officer Brady and that they were both under the influence of alcohol. In response to the calls, multiple CPD members arrived at scene. As depicted on BWC, ██████ and Officer Brady both explained that the argument began during a car ride and subsequently in the middle of the argument, Officer Brady exited the vehicle while in motion. According to ██████ she proceeded to her residence and upon Officer Brady’s arrival the argument continued. However, the altercation soon turned physical when Officer Brady used both his hand(s) to forcefully push her at the chest. On the contrary, Officer Brady reported after exiting the vehicle and walking the rest of the way home, ██████ struck him in the head with a curtain rod during an argument. He denied making any prior physical contact with her at all. Although ██████ refused to sign complaints, Officer Brady was arrested for domestic battery but was later released without charges.<sup>1</sup>

The incident was documented under **Case Report, RD#JE140416<sup>2</sup>**. While in custody, Officer Brady admitted to losing his service weapon upon exiting ██████ moving vehicle. This was documented under **Case Report, RD#JE140441<sup>3</sup>**. He was also subject to a breathalyzer test for which he tested above the legal threshold.<sup>4</sup> COPA was unable to obtain the cooperation of ██████ ██████

II. INVOLVED PARTIES

Involved Member #1	Demarkus Brady, Star#8240, Employee# ██████ Date of Appointment: June 8, 1998 Officer, Unit of Assignment 005 DOB: ██████ 1991, M/B
Involved Individual #1:	██████████ DOB: ██████████, 1985 Female, Hispanic

<sup>1</sup> Att. 2  
<sup>2</sup> Att. 3  
<sup>3</sup> Att. 4  
<sup>4</sup> Att. 5

**III. ALLEGATIONS**

Officer	Allegation	
<p><b>Demarkus Brady</b></p>	<p>1. It is alleged that on or about February 13, 2021, at approximately 7:11 am the accused was intoxicated.</p>	<p>Sustained</p>
	<p>2. It is alleged that on or about February 13, 2021, at an unknown location at approximately 3:00 am the accused had his weapon on his person while intoxicated.</p>	<p>Sustained</p>
	<p>3. It is alleged that on or about February 13, 2021, at an unknown location at approximately 3:00 am the accused failed to control/maintain possession of his weapon.</p>	<p>Sustained</p>
	<p>4. It is alleged that on or about February 13, 2021, at an unknown location at approximately 3:00 am the accused exited a vehicle while in motion.</p>	<p>Exonerated</p>
	<p>5. It is alleged that on or about February 13, 2021, at or near the location of [REDACTED] at approximately 3:00 am the accused engaged in an unjustified verbal altercation with [REDACTED]</p>	<p>Not Sustained</p>
	<p>6. It is alleged that on or about February 13, 2021, at or near the location of [REDACTED] at approximately 3:00 am the accused grabbed and/or pushed [REDACTED] about the body during a physical altercation.</p>	<p>Not Sustained</p>

**IV. APPLICABLE RULES AND LAWS**

**Rules**

Rule 2- Any action or conduct which impeded 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 6- Disobedience of an order or directive, whether written or oral.

Rule 9- Engaging in an unjustified verbal or physical altercation with any person, while on or off duty.

Rule 15: Intoxication on or off duty.

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**Special/General Orders**

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1. Uniform and Property 04-02- Department Approved Weapons and Ammunition

**V. INVESTIGATION****a. Digital Evidence**

Responding Officers Mahmoud Haleem, Michael Morgan, and Sgt. Richard Turisse activated their Body Worn Cameras (BWC) <sup>5</sup> capturing their interactions with Officer Brady and ██████████. Footage revealed, both parties exhibited signs of intoxication and admitted to consuming several alcoholic beverages prior to the incident. Additionally, they both provided accounts. Without prompting, Officer Brady reported to Sgt. Turisse immediately upon his arrival that he called 911 because his girlfriend hit him in the face with a pole (2x's) and that he pushed her away at which time she fell to the ground.<sup>6</sup>

After obtaining this information from Officer Brady, Sgt. Turisse instructed the officers to obtain ██████████ form her residence. At that time, she reported to responding Officers that she and Officer Brady were heavily drinking at two different establishments and got into a fight on the way home. During that ride, Officer Brady “jumped out of the truck” and later arrived at her residence, hostile, where the verbal altercation continued. She further reported, Officer Brady became “very physical” in that he grabbed and pushed her. However, she confirmed he did not strike her. During discussions with Sgt. Turisse, ██████████ relayed that Officer Brady “threw her” and got on top of her and in response, she slapped him. She added, they were mutual combatants and that she approached him as he packed his belongings.<sup>7</sup>

Officer Brady reported a similar account on the night of incident. He reported, when he returned to the residence after exiting ██████████ vehicle, he immediately began to gather his belongings to leave. However, ██████████ became enraged accusing him of yelling and waking the kids. At that time, she proceeded to rush him and struck him in the head with a curtain rod. Once she struck him, he admitted that he pushed her off to create space so that he could avoid being struck in the face again.<sup>8</sup> However, he asserted he made no physical contact with her prior to that. As an offer of explanation to him exiting a moving vehicle, Officer Brady explained in separate conversations with Officer Haleem and Sgt. Turisse that ██████████ had issued several commands for him to get out her vehicle and proceeded to slow the vehicle down. At the time, he believed she was driving slow enough for him to exit but instead timed it incorrectly.<sup>9</sup> Subsequently, he told the Sgt. that he sustained minor abrasions on his hand(s) after jumping out of ██████████ vehicle while in motion.

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<sup>5</sup> Att. 7, 9, 10, 12, 14

<sup>6</sup> Att. 7@14:40 and 20:55-21:30, Att. 12@8:00-9:00

<sup>7</sup> Att. 7 @17:00-20:00 and 43:25-52:30 and (BWC Transcript) Att. 13 Pg. 36-39

<sup>8</sup> Att. 7 @ 53:40, 1:01:54-1:03:19,

<sup>9</sup> Id. @ 55:05-55:20 and 1:10:10-1:11-45

Additional footage captured on the BWC of Sgt. Turisse memorialized statements and/or admissions made by Officer Brady. During those conversations, Officer Brady admitted that he was under influence<sup>10</sup> and that he exited ██████ vehicle while in motion.<sup>11</sup> In addition, Officer Brady made several conflicting statements regarding the whereabouts of his weapon.<sup>12</sup>

### b. Interviews

The allegations presented to Officer Brady are based on the results of his failed breathalyzer test, his admissions to police captured on BWC, and ██████ statements to police also captured on BWC on the night of incident.

COPA was unable to obtain the cooperation of ██████. However, BWC captured her account given to responding officers on the day of incident. ██████ appeared intoxicated during her interactions with police. Moreover, she admitted that she and Officer Brady consumed multiple alcoholic beverages at two separate locations prior to the incident. Subsequently, an argument ensued during the drive home at which time he “jumped” out of her truck (while in motion). He later arrived at her residence where he became very aggressive in that he grabbed and pushed her at her chest. ██████ reported that she was concerned that her children would hear or witness the altercation.<sup>13</sup> However, she relayed he never struck her or caused her any major issues. She further stated, she called for police service for assistance with making him leave her residence.<sup>14</sup>

On July 29, 2022, COPA conducted the interview of **Officer Demarkus Brady**.<sup>15</sup> At the time of incident, he and ██████ had been in ██████ for approximately a year. Although he maintained his separate residence ██████, he often spent nights at ██████ residence. On the night of February 13, 2021, he and ██████ went out for drinks and food with a friend. The group visited two bars consuming multiple alcoholic beverages. After the group decided to call it a night, he and ██████ dropped the friend off at his home and then proceeded to ██████ residence. During their ride, a verbal altercation arose between the two and at some point, during the argument, ██████ commented, “We can go our separate ways,” and proceeded to pull the car over. At that time, Officer Brady who was seated in the passenger seat, proceeded to exit the vehicle. Officer Brady relayed to COPA, “As she was pulling over the vehicle, I felt it was safe to exit the vehicle.” Subsequently, he fell and injured himself. He further relayed; ██████ continued driving while he walked the rest of the way to her residence.<sup>16</sup>

Upon arrival to ██████ residence, the verbal altercation continued and then escalated to a physical altercation when ██████ advanced toward him with a curtain rod. In defense, he explained that he put his head down and extended and/or lifted his arms upward/outward to prevent being struck. During the encounter, ██████ fell to the ground. However, Officer Brady was unsure if she slipped and fell or if she fell as she ran into his arm. In order to avoid further confrontation, Officer

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<sup>10</sup> Att. 13, Pg. 9:1-4

<sup>11</sup> Id. @ Pg. 42:12-18

<sup>12</sup> Id. @ Pg. 15-17

<sup>13</sup> Att. 12, 14 and 16

<sup>14</sup> Att. 7 Pg. 10-11

<sup>15</sup> Att. 19 (Audio) and Att. 20 (Transcript)

<sup>16</sup> Att. 20, Pg. 7-10, 21:19-24, 22-24, 30:20-24

Brady called 911 and reported the incident. However, he asserted at no point during the incident did he strike her.<sup>17</sup>

When questioned about the whereabouts of his weapon at that time, Officer Brady was unable to recall if his weapon was on his lap (in a secured lockbox) as he exited the vehicle but believed he lost the weapon as he was falling out.<sup>18</sup> He asserted; the weapon remained under the seat of [REDACTED] vehicle for the duration of their outing and was only removed it when it was confirmed that were heading home.<sup>19</sup> Officer Brady confirmed the weapon was never found. Although he was taken into custody for allegedly battering [REDACTED] and subject to a breathalyzer, he was later released without charges.

### c. Documentary Evidence

The Office of Emergency Management Communications (OEMC) **Event number 2104401474** documents a call *initiated by Officer Brady* requesting police service to [REDACTED] residence at the location of [REDACTED] regarding a domestic disturbance. He reported he was struck by his girlfriend with a stick and that she keeps calling the police stating he attacked her.<sup>20</sup> Shortly thereafter, [REDACTED] initiated several calls for police services alleging abuse by Officer Brady and admissions of them both being under the influence of alcohol.<sup>21</sup> However, during [REDACTED] initial call documented under **Event number 2104401484**, she reported Officer Brady was intoxicated, that he struck her, and was not allowing her to leave the residence.<sup>22</sup>

According to the **Initiation Report**<sup>23</sup> authored by Sergeant Richard Turisse, both [REDACTED] and Officer Demarkus Brady exhibited signs of intoxication and admitted to drinking alcoholic beverages prior to the incident. The parties reported that their initial verbal exchange began in [REDACTED] vehicle while driving home. During that argument, Officer Brady exited [REDACTED] vehicle while it was in motion. Consequently, he lost his service weapon in the process. [REDACTED] further reported, during a second verbal exchange-at her residence, Officer Brady placed his hands on her chest and pushed her. Officer Brady denied the allegations and further relayed that [REDACTED] struck him in the head with a curtain rod without prior contact. The record further notes, Officer Brady believed he lost his weapon during the exit of the vehicle and was in possession of an empty holster.

**General Offense Case Report #RDJE140416**<sup>24</sup> documents CPD's response on the day of the incident. Per the narrative, while engaged in a verbal exchange in a [REDACTED] vehicle, Officer Brady exited the vehicle prior to coming to a complete stop. After walking home, the argument continued at which time Officer Brady pushed her away with an open hand to her chest. Subsequently, she struck him in the facial area with a curtain rod. Subsequently, a second Case

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<sup>17</sup> Att. 20, Pg. 31:18-24, 32-39:1-2

<sup>18</sup> Id. @ Pg. 9:1-19, 29:1-17

<sup>19</sup> Id. @ Pg. 27-28

<sup>20</sup> Att. 21

<sup>21</sup> Att. 17 and Att. 23-27

<sup>22</sup> Att. 24

<sup>23</sup> Att. 1

<sup>24</sup> Att. 3

**Report #RDJE140441**<sup>25</sup> was generated to document the loss of his service weapon lost after exiting ██████ vehicle. It should be noted, although Officer Brady was arrested for Domestic Battery; he was released without charges.<sup>26</sup>

**CPD Evidence Technician photos**<sup>27</sup> taken of Officer Demarkus Brady on February 13, 2021, documents minor scratches/abrasions to his hands.

Approximately three and a half hours after being taken into custody, Officer Brady submitted to a **Breathalyzer test** which resulted in a reading of **0.088**<sup>28</sup> confirming that Officer Brady was intoxicated at the time of incident.

## VI. LEGAL STANDARD

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 the conduct occurred and violated Department policy. 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 has found to be more probably true than not). If the evidence gathered in an investigation establishes that it is more likely that the misconduct occurred, 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. See e.g., *People v. Coan*, 2016 IL App (2d) 151036 (2016). 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." *Id.* at ¶ 28

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<sup>25</sup> Att. 4

<sup>26</sup> Att. 2

<sup>27</sup> Att. 6

<sup>28</sup> Att. 5

## VII. ANALYSIS and CONCLUSION

COPA finds that **Allegations #1, 2 and 3** against Officer Brady that he was intoxicated, had his weapon on him while intoxicated and failed to control/maintain possession of his weapon are **SUSTAINED**. Admissions by Officer Brady to responding CPD members on BWC and his statement to COPA, confirmed he committed the above acts. As mentioned prior, BWC depict interactions between responding Sergeant Turisse, Officer Brady, and █████ who both exhibited signs of impairment. Moreover, Officer Brady mentioned on several occasions that he consumed alcoholic beverages on the day of incident.<sup>29</sup> Consequently, after being taken into custody for domestic battery, Officer Brady submitted to a breathalyzer test which revealed an alcohol level of .088.<sup>30</sup> Therefore, Allegation #1 is Sustained.

Officer Brady admitted that he lost his weapon when he fell out of the moving vehicle. Additionally, Officer Brady stated that he exited the vehicle when he believed it was going slowly enough to safely exit. However, upon exiting the moving vehicle, Officer Brady fell hard enough to the ground to sustain injuries to his hands and lose control of his weapon. Officer Brady lost his duty weapon which was never recovered. Per the *Chicago Police Department's Uniform and Property order U04-02*, "While sworn members are permitted to carry firearms during non-duty hours, they are instructed to refrain from doing so when there is a likelihood that they will be consuming alcoholic beverages or medications which may impair their physical and/or mental abilities." Officer Brady reported to COPA, he knew prior to leaving the residence that he would more than likely be visiting a Bar and Grill and would consume alcoholic beverages. Hence, the reason he opted to secure his weapon in █████ vehicle.<sup>31</sup> Despite this, Officer Brady carried his weapon with him anyway and later became intoxicated.

Although he relayed to COPA, he secured his weapon in a lockbox and left it under the passenger seat of █████ vehicle, he never mentioned this to Sergeant Turisse during their discussions. In fact, when the Sergeant questioned him about his weapon and the empty holster, Officer Brady reported his weapon was either at his residence or in his personal vehicle.<sup>32</sup> It was not until he was taken into custody and in route to the district that he finally disclosed to Officer Morgan he did not know the whereabouts of weapon. At that point, Officer Brady offered to direct them to the vicinity of Archer Ave. and Cicero Ave.; approximately 1 mile away from █████ residence to search for it.<sup>33</sup> Even at that time, he never mentioned they would be searching for a lockbox. Moreover, he confirmed during his statement with COPA that █████ falsely reported he had his weapon on his person to the 911 dispatcher because by the time she made the call he had already lost it.<sup>34</sup> COPA finds Officer Brady's lack of being forthcoming with officers about the

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<sup>29</sup> Att. 12 (Audio) and Att. 13 (Transcript)

<sup>30</sup> Att. 5

<sup>31</sup> Att. 20 Pgs. 7:17-23, 25:17-24, 26-28

<sup>32</sup> Att. 13 Pg. 15-17

<sup>33</sup> Att. 10 (BWC), Att. 11 (Transcript)

<sup>34</sup> Att. 20 Pg. 10:15--20

whereabouts of his weapon on the day of incident problematic. In conjunction to all other events taken place on the night of incident *and* Officer Brady's confirming that he last saw his weapon right before he exited the vehicle; COPA concluded that he was intoxicated while in the vehicle with the weapon and failed to maintain control/possession of his weapon.

For all the reasons stated above, COPA finds that Allegations #1, 2 and 3 are supported by a preponderance of evidence, and they are **Sustained**.

COPA finds **Allegation 4** that Officer Brady exited a moving vehicle is exonerated. While it is clear from Officer Brady's own statements that he exited the vehicle while it was still in motion, it is unclear that this was a violation of Department policy. Officer Brady did endanger himself and lost control of his weapon as a result, but the act itself does not appear to be a violation of policy. Therefore, COPA finds the allegation exonerated.

COPA finds **Allegations 5 and 6** that he engaged in an unjustified verbal altercation with [REDACTED] and that he grabbed/pushed her about the body during a physical altercation are **NOT SUSTAINED**. As mentioned previously, both parties appeared intoxicated and admitted to indulging in several alcoholic beverages on BWC. Moreover, both parties agreed the argument began in [REDACTED] vehicle during their ride home and it continued when he arrived at the residence. However, the details of that argument are unknown. Therefore, there is insufficient evidence to determine that the argument was a violation of Department policy. Every verbal disagreement is not an unjustified verbal altercation.

Furthermore, they gave two different accounts regarding how the incident turned physical by both accusing the other of initiating the physical contact. [REDACTED] relayed; the verbal dispute turned physical after Officer Brady pushed her in the chest with both his hands and then she responded by striking him in the head with an object. On the contrary, Officer Brady denied her claim and stated that [REDACTED] initiated physical contact with him when she struck him with a curtain rod across the head as he turned to walk away from her without making any prior contact with her. He essentially relayed the same to COPA but added if he made any physical contact with [REDACTED] was when he extended his arms out to create distance between [REDACTED] after she struck him in the head. Again, due to [REDACTED] lack of cooperation with COPA's investigation, independent witness(es) or additional evidence, COPA was unable to prove or disprove the allegations. Therefore, there is insufficient information to determine that this argument was an unjustified altercation or that he pushed and/or grabbed [REDACTED] during a physical altercation. Therefore, the allegations are Not Sustained.



**VIII. RECOMMENDED DISCIPLINE FOR SUSTAINED FINDINGS**

**a. Officer Demarkus Brady**

**i. Complimentary History:**

Officer Brady has received 15 awards including 1 Department Commendation, 1 Crime Reduction, 1 Attendance Recognition, 1 Emblem of Recognition – Physical Fitness and 11 Honorable Mentions.

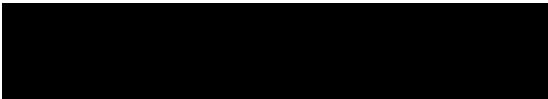
**ii. Disciplinary History:**

Officer Brady has received one reprimand for a preventable accident.

**b. Recommended Penalty**

COPA has considered Officer Brady’s complimentary and disciplinary history. In this case, Officer Brady was intoxicated while off duty and while in possession of his firearm. He subsequently lost control of his firearm, which was never recovered. This behavior is highly concerning and a violation of Department policy. Here, we have a police officer losing a weapon on the street where it could be collected by any individual. Thus, COPA recommends a suspension of 180 days up to 365 days.

Approved:



*Sharday Jackson*  
*Deputy Chief Investigator*

January 27, 2024

Date