



Brandon Johnson
Mayor

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

Larry Snelling
Superintendent of Police

January 9, 2025

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

**Re: Complaint Register Number: 2023-0001724
Superintendent's Concurrence with COPA's findings and penalties:
Sergeant Joseph C. Chlipala #856
Commander Tyrone Pendarvis #193 (RETIRED)**

Dear Chief Administrator Kersten:

After careful review of the recommendations made by the Investigator in this matter, the Superintendent concurs with the findings of the Civilian Office of Police Accountability ("COPA") related to all seven allegations against Sergeant Joseph C. Chlipala. ("Sgt Chlipala") and related to all seven allegations against Commander Tyrone Pendarvis ("Cmdr Pendarvis").

STATEMENT OF FACTS AND SUMMARY OF FINDINGS

COPA sustained five (5) of seven allegations made against Sgt Chlipala, a Chicago Police Department ("CPD") member, and sought a 30 to 180 day suspension, as well as retraining on the Fourth Amendment and his responsibilities as a supervisor. The allegations stemmed from two separate on-duty incidents involving the business license investigations of two locations, 11006 and [REDACTED] S. Michigan Avenue, suspected of being unlicensed strip clubs/bars. Both incidents occurred on 16 April 2023.

The facts detailed in COPA's investigation are not in dispute. Both incidents were recorded on the officers' body worn cameras. The officers and witnesses gave recorded, consistent accounts of what occurred.

In the beginning of 2023, there were numerous complaints about two separate, unlicensed clubs operating at 11006 S. Michigan Ave and [REDACTED] S. Michigan Avenue. In response to these complaints, on 16 April 2023, at approximately 12:39 a.m., Cmdr Pendarvis and numerous other CPD members entered the unlicensed business at 11006 S. Michigan Ave, to ostensibly conduct a licensed premise investigation. Then met with the proprietor and one of the complainants, detained and searched him finding nothing. Cmdr Pendarvis then searched behind the bar, finding a handgun, pills of ecstasy and cash. Cmdr Pendarvis then ordered a search of the business. During that search, officer's located another handgun and more cash. Sgt. Chlipala arrived on scene as the Commander and other officers were preparing to leave.

At approximately 0130 a.m., Cmdr Pendarvis, Sgt Chlipala and other officers went to [REDACTED] S. Michigan

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Avenue. Cmdr Pendarvis went to the south door while Sgt Chlipala stayed in the front of the address. Cmdr Pendarvis claimed that they shut the door on him as he was attempting to enter the business. Upon finding the south door locked, Cmdr Pendarvis knocked with no response. He ordered Sgt Chlipala to obtain breach tools to force entry. While waiting, Cmdr Pendarvis kicked the front door of the building, opening it. Cmdr Pendarvis entered and observed that the front door was not linked to the unlicensed business and went back to the south door. Officers arrived on scene with the breaching tools and Cmdr Pendarvis ordered them to breach the door.

They entered the business with their guns drawn and ordered all the occupants on the ground. They then conducted a search of the business and the basement. In the basement, there was a locked room with an unclothed female occupant in it. Cmdr Pendarvis ordered the officers to kick in the door. They conducted a search of that room and during that search, Sgt Chlipala found cannabis and a polymer handgun ("ghost gun").

One of the officers on scene questioned the police actions taken at the license checks and informed a lieutenant in the district. That lieutenant and one of the proprietors of the businesses filed complaints.

Lieutenant Earnest Spradley ("Lt Spradley") was assigned as the Tactical Lieutenant at the time of these business license checks. After learning of this complaint, Cmdr Pendarvis transferred him from that position to a position on third watch.

CPD RULE VIOLATIONS

COPA made the following determinations on the allegations against Cmdr Pendarvis.

Allegation #1 - It is alleged that on 16 April 2023, Cmdr Pendarvis entered 11006 S. Michigan without justification. Exonerated.

Allegation #2 - It is alleged that Cmdr Pendarvis forcibly entered ██████ S. Michigan without justification. Sustained in violation of Rules 1, 2, 3 and 6.

Allegation #3 - It is alleged that on 16 April 2023, Cmdr Pendarvis searched and/or seized property at 11006 S. Michigan and/or ██████ S. Michigan without justification. Sustained in violation of Rules 1, 2, 3 and 6.

Allegation #4 - It is alleged that on 16 April 2023, Cmdr Pendarvis detained and/or searched occupants at 11006 S. Michigan and/or ██████ S. Michigan without justification. Sustained in violation of Rules 1, 2, 3 and 6.

Allegation #5 - It is alleged that on 16 April 2023, Cmdr Pendarvis failed to adequately supervise officers under his command in that he directed and/or permitted them to detained and/or search occupants at 11006 S. Michigan and/or ██████ S. Michigan without justification. Sustained in violation of Rules 1, 2, 3, 5, 6, and 10.

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Allegation #6 - It is alleged that on 16 April 2023, Cmdr Pendarvis failed to use a body-worn camera in accordance with Special Order S03-14 during law enforcement related activities. Sustained in violation of Rules 2, 3, 5, 6, and 10.

Allegation #7 - It is alleged that in or around June or July of 2023, at the Chicago Police Department's 5th District Station, located at 727 E. 111th St., Commander Tyrone Pendarvis engaged in misconduct through the following acts and/or omissions: Violated G08-05: Prohibition of Retaliation, by unfavorably changing Lieutenant Ernest Spradley's assignment. Sustained in violation of Rules 2, 3 and 6.

COPA made the following determinations on the allegations against Sgt Chlipala.

Allegation #1 - It is alleged that on 16 April 2023, Sgt Chlipala entered 11006 S. Michigan without justification. Exonerated.

Allegation #2 - It is alleged that on 16 April 2023, Sgt Chlipala forcibly entered [REDACTED] S. Michigan without justification. Sustained in violation of Rules 1, 2, 3 and 6.

Allegation #3 - It is alleged that on 16 April 2023, Sgt Chlipala searched and/or seized property at 11006 S. Michigan and/or [REDACTED] S. Michigan without justification. Sustained in violation of Rules 1, 2, 3 and 6.

Allegation #4 - It is alleged that on 16 April 2023, Sgt Chlipala detained and/or searched occupants at 11006 S. Michigan and/or [REDACTED] S. Michigan without justification. Sustained in violation of Rules 1, 2, 3 and 6.

Allegation #5 - It is alleged that on 16 April 2023, Sgt Chlipala failed to adequately supervise officers under his command in that he directed and/or permitted them to detained and/or search occupants at 11006 S. Michigan and/or [REDACTED] S. Michigan without justification. Sustained in violation of Rules 1, 2, 3, 5, 6, and 10.

Allegation #6 - It is alleged that on 16 April 2023, Sgt Chlipala failed to use a body-worn camera in accordance with Special Order S03-14 during law enforcement related activities. Exonerated.

Allegation #7 - It is alleged that on 16 April 2023, Sgt Chlipala failed to report to the Department that Commander Tyrone Pendarvis committed misconduct by unlawfully entering 11006 S. Michigan and/or [REDACTED] S. Michigan and/or unlawfully detained or caused to be detained occupants of those premises and/or unlawfully searched or caused to be searched occupants of those premises Sustained in violation of Rules 2, 3, 5, 6, 10, 21, and 22.

ANALYSIS

All the allegations regarding Cmdr Pendarvis' actions are supported by body worn camera footage and the statements of the witnesses and police officers on scene. The allegation against Cmdr Pendarvis for retaliation against Lt Spradley is supported by the statements of Lt. Spradley, Lt. Kimball and Cmdr Pendarvis.

The allegations against Sgt Chlipala were written to include both the 11006 S. Michigan Ave and [REDACTED] S.

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Michigan Ave. Sgt Chlipala was not present for the police actions taken at 11006 S. Michigan Ave and therefore the portions of the allegations stemming from that address are not supported by the evidence. At [REDACTED] S. Michigan Ave, Sgt Chlipala was acting under the command and control of Cmdr Pendarvis. He arrived late to the previous address and did not know the actionable intelligence gathered there or elsewhere, that Cmdr Pendarvis was operating under. He had faith that Cmdr Pendarvis would fulfill his supervisory responsibilities and make informed and legal decisions about how to deal with unlicensed premises. This faith was misplaced.

Sgt Chlipala had the opportunity after the incident and while reviewing and approving the paperwork to learn that there was no exigency or justification for the entry, detention and search at both locations. After reviewing all the information about the two premised license checks and reviewing departmental orders on the subject, Sgt. Chlipala should have learned that there was no exigent circumstance or probable cause for Cmdr Pendarvis', his and the other officer's actions. He then should have reported the misconduct.

CONCLUSION

Commander Pendarvis' and Sergeant Chlipala's actions at both locations were not in accord with how the Chicago Police Department conducts licensed premise investigations. They were also a violation of the Chicago Police Department Rules and Regulations and the Fourth Amendment of the United States Constitution.

Commander Pendarvis is no longer a member of the Chicago Police Department.

The Superintendent concurs with the findings of COPA related to the above allegations and concurs with COPA's recommendation that Sgt. Chlipala receive a 30 day suspension, as well as retraining on the Fourth Amendment and his responsibilities as a supervisor.

Sincerely,

[REDACTED]
Larry Shelling
Superintendent of Police
Chicago Police Department