



Log # 2023-5774

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On December 8, 2023, the Civilian Office of Police Accountability (COPA) received an Initiation Report documenting a complaint from ██████████ who alleged that Chicago Police Department (CPD) Sergeant (Sgt.) Dennis Clifford, a resident in her neighborhood, had verbally abused and threatened her and her adult daughter. ██████████ alleged that Sgt. Clifford confronted her and daughter, ██████████ on her property and that Sgt. Clifford accused her of yelling at his thirteen-year-old son for allowing the Clifford family dog to urinate in her yard.² ██████████ also alleged that Sgt. Clifford pointed his finger in her face and made verbal threats. ██████████ alleged that Sgt. Clifford insulted her using racially biased language. Following a review of the evidence gathered during its preliminary investigation, COPA also served an allegation against Sgt. Clifford for inaccurately reporting the details of his confrontation with ██████████ to a police officer who interviewed him about the confrontation. Following its investigation, COPA reached Not Sustained findings for all allegations.

II. SUMMARY OF EVIDENCE³

██████████ who is a retired CPD sergeant,⁴ and Sgt. Clifford reside within a one-block radius of each other. On December 8, 2023, at 5:10 pm, ██████████ called 911 and reported that she and her mother had been threatened by a man who said he was police officer after the man's children had gone on her lawn.⁵ ██████████ told the 911 call-taker that the man had used racial slurs and said that "he would put her in the ground."⁶ ██████████ told CPD members who responded to the call that she was in her front yard placing Christmas decorations when she noticed several young boys approach her residence with a dog who subsequently urinated on her lawn.⁷ She explained that she ordered the boys to leave her residence with the dog, and they left. Although she admitted that she yelled at the dog, she denied yelling at the boys. ██████████ told COPA that this was not the first time she had an encounter with one or more of the ██████████ boys about

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 Att. 1. 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 but not limited body-worn camera (BWC) footage, police reports, and statements to COPA from ██████████ and Sgt. Clifford.

⁴ ██████████ was employed by CPD from December 16, 1985, until her retirement on September 13, 2015. *See* Att. 17.

⁵ Att. 10. COPA attempted to obtain an audio recording of the 911 call but was not successful. *See* CO-1388366 and Att. 16.

⁶ Att. 10.

⁷ Atts. 7, 8, and 9.

allowing their dog to relieve itself on her lawn.⁸ ██████ told COPA that shortly after her encounter with the boys, a man later identified as Sgt. Clifford confronted her with a raised voice and threatening manner, pointing his finger in her face and ordering her not to speak to his son again. ██████ also related that Sgt. Clifford told her that “his dog can basically do his business any time he wanted to.”⁹ ██████ explained that due to the commotion, her daughter ██████ came from the back of the house and interjected, and although she heard Sgt. Clifford call ██████ “stupid,” she did not hear any additional insults.¹⁰

██████ told COPA that she observed Sgt. Clifford yelling and standing near her mom while pointing his finger.¹¹ Subsequently, she stepped in between the two and engaged in an exchange of words with Sgt. Clifford. ██████ told officers who responded to her 911 call that Sgt. Clifford “basically” called her a “nigga” and that he either told her she was “low like dirt” or that he will “put her in the dirt.”¹² ██████ told COPA that Sgt. Clifford used words to the effect of calling her a “stupid nigga” and saying that she was “lower than dirt” and “that’s where she needed to be,”¹³ which she perceived as a threat.

In his statement with COPA, Sgt. Clifford denied all allegations.¹⁴ However, he admitted that he walked to ██████ residence after ██████ returned home upset with the family dog. Sgt. Clifford denied raising his voice or approaching either female in a threatening manner. He further denied the usage of any derogatory or bias-based language toward either. Subsequently, he shared with COPA that although this was his first encounter with ██████ he had been made aware by neighbors that he should stay away from her home due to allegations against her for poisoning dogs.¹⁵ As this was a concern for him and his family, Sgt. Clifford instructed his children not to walk the dog on or near her residence. Although he was not present during the encounter ██████ had with ██████ he later went to the 22nd District police station and reported the incident.¹⁶ When asked about what he reported to CPD, Sgt. Clifford was unable to provide a clear and concise account due to the time lapse, but he believed that he did tell the officer who prepared the report that he went to ██████ residence. However, Sgt. Clifford pointed out that the report narrative omitted some details that he likely told the reporting officer, such as the fact that ██████ had been accompanied by a friend, and Sgt. Clifford further explained that his only intent in filing the report was to document ██████ behavior towards ██████.

⁸ Att. 2.

⁹ Att. 2 at 3:53 to 4:00.

¹⁰ Att. 2 at 4:00 to 4:25.

¹¹ Att. 3.

¹² Att. 9 at 9:00 to 12:00.

¹³ Att. 3 at 9:45.

¹⁴ Att. 14 at 34:50.

¹⁵ Att. 15.

¹⁶ Att. 4.

III. ALLEGATIONS

Sgt. Dennis Clifford:

1. Engaging in an unjustified verbal altercation with [REDACTED] regarding her interaction with [REDACTED], [REDACTED]
 - **Not Sustained.**
2. Physically intimidating [REDACTED] in a threatening manner in that he made aggressive gestures, yelled, and/or chastised her.
 - **Not Sustained.**
3. Engaging in an unjustified verbal altercation with [REDACTED] regarding his interaction with her mother, [REDACTED]
 - **Not Sustained.**
4. Directing bias-based and/or derogatory language at [REDACTED]
 - **Not Sustained.**
5. Inaccurately reporting the details of an incident documented under RD# JG533708 to Officer Jael Parker by omitting his involvement in the reported incident.
 - **Not Sustained.**

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.

Sgt. Clifford, [REDACTED] and [REDACTED] provided accounts of a confrontation that were largely consistent with each other, except for the specific language that was used by Sgt. Clifford and the precise physical distance between the parties. COPA has not identified any audio recordings, video recordings, or third-part witnesses pertinent to the confrontation that might help resolve the discrepancies. COPA notes that by all accounts, this was an emotionally charged confrontation, and it is understandable that the parties' perceptions and memories may be colored by emotion and stress. COPA also notes that the allegations of bias-based language made by [REDACTED] against Sgt. Clifford were *not* corroborated by [REDACTED] and were denied by Sgt. Clifford. Because any bias on [REDACTED] part would likely be in favor of [REDACTED] COPA finds that [REDACTED] failure to corroborate these allegations lends credibility to Sgt. Moore's denial. Otherwise, COPA has found no evidence to either support or discredit any of the parties' accounts, and COPA does not find any of the parties to be more or less credible than the others.

V. ANALYSIS¹⁷

COPA finds **Allegation 1 through 4 against Sgt. Clifford**, that he engaged in an unjustified verbal altercation with ██████████ regarding her interaction with his minor son, ██████████ physically intimidating ██████████ in a threatening manner, engaged in an unjustified verbal altercation with ██████████ and directed bias-based and/or derogatory language toward ██████████ are **Not Sustained**.

There is no question that Sgt. Clifford confronted ██████████ about her interaction with ██████████. However, it is unclear on what words were used and if those words included verbal threats or insults. Unfortunately, Sgt. Clifford was unable to address the events which occurred between ██████████ and his son because he was not present. When asked, he denied COPA's request to interview ██████████.¹⁸ Although he admitted speaking sternly to the women, he adamantly denied conducting himself in a threatening manner or any use of derogatory and/or bias language with either of the ██████████.¹⁹ Moreso, during their statements to COPA, the ██████████ found it difficult recalling several details of the event due to their feelings of distress while in the moment. More significantly, ██████████ was unable to corroborate ██████████ version of the account to COPA, by stating that she only heard the Sergeant call her daughter "stupid," but did not hear him used the word "nigger."²⁰ She also failed to mention that Sgt. Clifford pointed his finger in her face during the interaction. Although BWC footage was collected, it only depicted ██████████ and ██████████ statements to responding officers after Sgt. Clifford had already departed. To that end, the evidence collected made it difficult for COPA to determine if Sgt. Clifford's words and actions occurred as alleged and if they were justified or not. Because there is insufficient evidence to prove these allegations by a preponderance of evidence, these allegations are Not Sustained.

COPA finds that **Allegation 5 against Sgt. Clifford**, that he inaccurately reported the details of the incident involving ██████████ by omitting his involvement, is also **Not Sustained**. Sgt. Clifford made his report at the desk of the district police station, and it was not recorded. Understandably, when he was interviewed by COPA, Sgt. Clifford could not recall what he had reported verbatim. The narrative prepared by Officer Parker documented Sgt. Clifford reporting that ██████████ was confronted by ██████████ and felt threatened by her. The narrative did *not* document the presence of ██████████ friend and did not document Sgt. Clifford's own confrontation with ██████████ and ██████████. Sgt. Clifford explained to COPA that his only purpose in making the report was to document the incident and not to proceed with criminal charges against ██████████.²¹ Sgt. Clifford also believed that he may have mentioned his later confrontation with ██████████ along with the presence of ██████████ friend during the earlier confrontation, to the reporting officer, but these details were omitted from the report, possibly because the reporting officer did not find them to be material. It is also apparent that Sgt. Clifford's confrontation with ██████████ and ██████████ occurred some time after ██████████

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

¹⁸ Att.14 at 41:25 to 42:05.

¹⁹ Att. 14 at 26:30 to 26:50; 30:20 to 31:50; and 40:00 to 40:50.

²⁰ Att. 2 at 4:15 to 5:15.

²¹ Att. 14 at 33:20 to 39:25. *See also* Att. 6, pg. 2.

confrontation with [REDACTED] and Sgt. Clifford may have viewed these confrontations as separate incidents. Based on all of these facts, COPA cannot conclude by a preponderance of evidence that Sgt. Clifford committed misconduct by omitting the details of the later confrontation when he made his report, and this allegation is Not Sustained.

Approved:

[REDACTED]

Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

11-21-2024

Date

Appendix A**Case Details**

Date/Time/Location of Incident:	December 8, 2023 / 5:25 pm / [REDACTED], [REDACTED], [REDACTED]
Date/Time of COPA Notification:	December 8, 2023 / 6:39 pm
Involved CPD Member:	Sgt. Dennis Clifford / Star #2367 / Employee ID # [REDACTED] / DOA: September 1, 2010 / Unit: 008 / Male / White
Involved Individual #1:	[REDACTED] / Female / Black
Involved Individual #2:	[REDACTED] / Female / Black

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 15:** Intoxicated on or off duty.
- Rule 38:** Unlawful or unnecessary use or display of a weapon.

Applicable Policies and Laws

- General Order G02-01, Protection of Human Rights (effective June 30, 2022, to present)²²

²² Att. 22.

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.²³ 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.”²⁴

²³ See *Avery v. State Farm Mut. Auto. Ins. Co.*, 216 Ill. 2d 100, 191 (2005) (“A proposition proved by a preponderance of the evidence is one that has been found to be more probably true than not true.”).

²⁴ *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 Information

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: