



Log # 2022-2814

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On July 6, 2022, the Civilian Office of Police Accountability (COPA) received an Initiation Report from Lieutenant Steven Rowling reporting alleged misconduct by a member of the Chicago Police Department (CPD).² Lieutenant Rowling alleged that on July 5, 2022, Sergeant Jerry Duskocz placed his hand in the vicinity of ██████████ neck.³ Upon review of the evidence, COPA served additional allegations that Sergeant Duskocz engaged in unprofessional behavior by grabbing Officer Alexis Brown⁴ by her belt; failed to correct Officer Anthony Sanchez when he made inappropriate comments about ██████████ and engaged in unprofessional conduct by making an inappropriate comment about ██████████. Following its investigation, COPA reached Sustained findings regarding the allegations that Sergeant Duskocz was unjustified in placing his hands on ██████████ neck. COPA reached additional Sustained findings that Sergeant Duskocz failed to correct Officer Sanchez when Officer Sanchez made an inappropriate comment about ██████████ and that Sergeant Duskocz engaged in unprofessional conduct when he made his own inappropriate comments about ██████████ and a Not Sustained finding that Sergeant Duskocz engaged in unprofessional behavior by grabbing Officer Alexis Brown by her belt.

II. SUMMARY OF EVIDENCE⁵

Shortly after midnight on July 5, 2022, in the vicinity of 937 West 103rd Street, Sergeant Duskocz observed a vehicle drive through a red traffic light.⁶ Sergeant Duskocz curbed the vehicle. He then approached the driver's side of the vehicle, at which time the driver, ██████████⁷ attempted to exit the vehicle despite Sergeant Duskocz's instructions to remain in the vehicle.⁸ ██████████ informed Sergeant Duskocz that he did not have a driver's license or insurance and

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 Initiation Report, Att. 1.

³ 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.

⁴ COPA investigators attempted to obtain a witness statement from Officer Brown. However, due to a death in her family, Officer Brown was unable to make the scheduled statement. CO-1334459, CO-1334520. The statement was rescheduled but Officer Brown did not appear to provide a statement. CO-1342546.

⁵ 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 footage police reports and CPD member interviews.

⁶ Att. 19, Statement of Sergeant Jerry Duskocz, Pg. 9, lns. 16 through 17.

⁷ Multiple attempts were made to contact ██████████ and his attorney to obtain a statement from ██████████ but those attempts were unsuccessful. CO-0853590, CO-853587.

⁸ Att. 5, Sergeant Duskocz BWC, at 2:00 to 2:17.

believed he would be “locked up” because he did not have a license.⁹ When ██████ exited his vehicle to hand Sergeant Daskocz his wallet, Sergeant Daskocz directed ██████ to place his hands on the side of his car and proceeded to perform a pat down.¹⁰ Sergeant Daskocz then took ██████ identification, walked ██████ to his squad car, and directed ██████ multiple times to sit.¹¹ ██████ did not comply, turned to flee, and then stumbled to the ground.¹² ██████ told COPA investigators that Sergeant Daskocz threw him to the ground.¹³ Sergeant Daskocz attempted to gain control of ██████ through the use of holds and verbal direction while ██████ was on the ground.¹⁴ Sergeant Daskocz stated that ██████ “constantly tried to get up” by “flailing his arms around” and “flailing his legs.”¹⁵

Sergeant Daskocz called for backup while attempting to control ██████ who continued to resist.¹⁶ At one point during the effort to control ██████ Sergeant Daskocz placed his right hand around the front of ██████ neck for about a second until ██████ pulled Sergeant Daskocz’s hand off his neck.¹⁷ Sergeant Daskocz, when describing the incident, stated, “As I was trying to push myself off the ground, my hand did, in fact, touch him in the front.”¹⁸ Sergeant Daskocz also said that his hand was there for a second and that he did not apply pressure.¹⁹ A few moments later, additional officers arrived and assisted Sergeant Daskocz in handcuffing ██████²⁰ During the tussle with Sergeant Daskocz, ██████ sustained injuries to the right side of this head.²¹

After ██████ was placed in custody, Officer Sanchez, who was standing next to another officer, informed Sergeant Daskocz that ██████ was going to the hospital. When Sergeant Daskocz asked why, Officer Sanchez stated, “His feelings are hurt. He’s saying he wants to kill himself now.”²² Sergeant Daskocz responded, “Huh. Good for him.”²³ Sergeant described his response as “a sarcastic comment between myself and Officer Sanchez and nowhere in the vicinity of anybody else that would hear,” that was made after a “traumatic and stressful incident.”²⁴

A few minutes later, while speaking with a group of officers on the scene about how to control a subject, Sergeant Daskocz approached Officer Brown, grabbed her by the back of her

⁹ Att. 5 at 2:15 to 2:22.

¹⁰ Att. 5 at 2:56 to 3:10.

¹¹ Att. 5 at 3:28 to 4:13.

¹² Att. 5 at 4:13 to 4:17.

¹³ Att. 26, Statement of ██████ (transcript), pg. 6, lns. 3 to 4.

¹⁴ Att. 5 at 4:17 to 5:45.

¹⁵ Att. 19, pg. 12, lns. 18 to 23.

¹⁶ Att. 5 at 4:54 to 5:15.

¹⁷ Att. 5 at 5:23 to 5:25.

¹⁸ Att. 19, pg. 13 lns. 14 to 19.

¹⁹ Att. 19, pg. 13 lns. 20 to 23.

²⁰ Att. 5 at 6:05.

²¹ Att. 5 at 6:41.

²² Att. 5 at 12:34 to 12:38.

²³ Att. 5 at 12:38 to 12:39.

²⁴ Att. 19, pg. 20, lns. 2 to 6.

belt, and shook the belt.²⁵ Officer Brown stated moments later, “Thank you for adjusting my belt, it was hanging a little bit.”²⁶ Sergeant Doskocz stated that he grabbed Officer Brown by the belt to demonstrate the proper way to hold somebody.²⁷ Sergeant Doskocz further stated that he did not ask Officer Brown’s permission to use her to demonstrate proper holding technique.²⁸ Sergeant Doskocz stated that he personally supervised Officer Brown.²⁹ He stated that he probably chose Officer Brown to demonstrate holding because she was closest to him³⁰ and he had used officers to demonstrate technique before.³¹

Upon arriving at the hospital, ██████████ banged his head inside the squadrol and threatened to kill himself multiple times.³² ██████████ stated that several officers held him down while blood work was taken, and a catheter was placed in him against his will.³³

III. ALLEGATIONS

Sergeant Jerry Doskocz:

1. Placing his hand around the neck of ██████████ without justification.
 - Sustained, Violation of Rules 2, 3, 5, 6, 8 and 9.
2. Engaging in unprofessional behavior by grabbing Officer Alexis Brown by her belt.
 - Not Sustained
3. Failing to correct Officer Sanchez when officer Sanchez states words to the effect of, “His feelings are hurt. He’s saying he wants to kill himself now.”
 - Sustained, Violation of Rules 2, 3, 5, 6 and 10.
4. Engaging in unprofessional conduct by stating words to the effect of, “Huh, good for him.” Upon hearing that ██████████ stated that he wanted to kill himself.
 - Sustained, Violation of Rules 2, 3, 5, 6 and 10.

IV. CREDIBILITY ASSESSMENT

This investigation did not reveal any evidence that caused COPA to question the credibility of Sergeant Doskocz. The investigation did, however, reveal evidence that questioned ██████████ credibility. Specifically, ██████████ told COPA investigators that Sergeant Doskocz threw him to

²⁵ Att. 5 at 16:14 to 16:20.

²⁶ Att. 5 at 16:29 to 16:31.

²⁷ Att. 19, pg.17, ln.18 to pg. 18 ln. 1.

²⁸ Att. 19, pg. 18, lns. 2 to 4.

²⁹ Att. 19, pg. 21, lns. 9 to 12.

³⁰ Att. 19, pg. 21, lns. 17 to 20.

³¹ Att. 19, pg. 18, lns. 5 to 7.

³² Att. 10, Sergeant Gabriel Campo, BWC, at 3:20 to 3:54 and 6:00.

³³ Att. 26, pg. 22, lns. 3 to 8. ██████████ cooperated with COPA’s investigation after Sergeant Doskocz’s statement was obtained, and the officers involved in what ██████████ described could not be identified. For these reasons, COPA did not bring allegations relating to this allegation.

the ground, but BWC evidence showed that ██████ stumbled while resisting being placed into custody.

V. ANALYSIS³⁴

a. Sergeant Daskocz used unjustified excessive force against ██████

Under CPD policy, members may only use force that is objectively reasonable, necessary, and proportional to the threat, actions, and level of resistance offered by a subject.³⁵ When a CPD member encounters a person who attempts to create distance from a member with an intent to avoid physical control and/or defeat arrest, that person is classified as an active resister.³⁶ CPD members may respond to active resistance with police presence, verbal directions, holding and compliance techniques, control instruments, stunning, takedowns, OC spray, Tasers, and canine use.³⁷ However, CPD policy prohibits members from “using chokeholds or other maneuvers for applying direct pressure on a windpipe or airway,” except as a last resort.³⁸

Sergeant Daskocz admitted to placing his hand on the front of ██████ neck but stated that he did so for a second while trying to push himself off the ground. Verifiable video evidence supports that Sergeant Daskocz’s hand was around ██████ neck for about a second. However, the evidence does not support Sergeant Daskocz’s explanation of why he placed his hand around ██████ neck and whether he applied pressure. Using ██████ neck to push off the ground would apply pressure to his airway, even if briefly. Further, the video showed that Officer Daskocz’s contact with ██████ neck was not incidental but deliberate, as Officer Daskocz’s hand wrapped around ██████ neck and was removed when ██████ pulled the hand off his neck. As using maneuvers to apply pressure to an active resister is prohibited, Sergeant Daskocz’s actions were unjustified. COPA finds that the allegation that Sergeant Daskocz placed his hand around ██████ neck, without justification is **Sustained**, in violation of CPD Rules 2, 3, 5, 6, 8, and 9.

b. There is insufficient evidence to support the claim that Sergeant Daskocz engaged in unprofessional behavior by grabbing Officer Brown’s belt.

CPD members are required to conduct themselves “in a manner consistent with professional standards for performance.”³⁹ It is also required that “all supervisor interactions with Department members under their command will be respectful.”⁴⁰ Failure to follow these directives would violate CPD Rules 2, 3 and 6. Sergeant Daskocz admitted to grabbing the belt of Officer Brown, a member whom he supervised, without asking her permission. Sergeant Daskocz’s

³⁴ For a definition of COPA’s findings and standards of proof, *see* Appendix B.

³⁵ Att. 21, G03-02-01 (II)(C), Response to Resistance and Force Options (effective April 15, 2021, to June 28, 2023).

³⁶ Att. 21, G03-02-01 IV(B)(2).

³⁷ Att. 21, G03-02-01 IV(B)(2)(c).

³⁸ Att. 22, G03-02 (IV)(D)(2).

³⁹ Att. 23, G01-01(IV)(A)(1).

⁴⁰ Att. 24, G01-09(II)(B)(4).

explanation that he intended to demonstrate a grabbing technique does not negate that he grabbed Officer Brown's belt without her expressed permission. Officer Brown does appear to give tacit permission after the fact by thanking Sergeant Duskocz for adjusting her belt. However, due to the power dynamics inherent in a supervisor/supervisee relationship, in the future, express permission from the officer should be obtained before any training demonstrations of a similar physical nature occur. Further, because this incident was captured on BWC, Sergeant Duskocz's actions can be misinterpreted and misrepresented and potentially bring discredit to the CPD. COPA finds this allegation **Not Sustained**.

c. Sergeant Duskocz failed to correct Officer Sanchez and Sergeant Duskocz's reply to Officer Sanchez' comment was improper.

CPD policy requires members to engage in respectful treatment with the community and members.⁴¹ Supervising members are also required to "model appropriate conduct" and "provide leadership, guidance, mentoring, training, and support to members under their command."⁴² Officer Sanchez's comment to Sergeant Duskocz regarding ██████████ asserted mental state minimized the seriousness of ██████████ suicidal ideation and was, therefore, inappropriate. As a supervising member, Sergeant Duskocz had a responsibility to guide and mentor junior members that required he correct Officer Sanchez with respect to the comment. Instead, Sergeant Duskocz responded with an inappropriate comment of his own, "Good for him," and in so doing, failed to model appropriate conduct. Sergeant Duskocz's explanation that his comment was "sarcastic" and stated when no one was in the vicinity to hear, is not availing, especially since the comment was captured on BWC. Sergeant Duskocz's obligations to promote the CPD values of professionalism and respect, to guide junior members, and to model appropriate conduct, existed regardless of whether a civilian was present. COPA finds that the allegations that Sergeant Duskocz failed to correct Officer Sanchez, and that he engaged in unprofessional conduct with his comment in response to Officer Sanchez, are **Sustained**, in violation of CPD Rules 2, 3, 5, 6 and 10.

VI. DISCIPLINARY RECOMMENDATION

a. Sergeant Jerry Duskocz

i. Complimentary and Disciplinary History⁴³

Sergeant Duskocz has received 96 various awards and one Spar in 2022 for Absence Without Permission.

⁴¹ Att. 20, G02-01 (II) (E)(1)(C).

⁴² Att. 24, G01-09 (II)(C)(2) and (4).

⁴³ Att. 27.

ii. Recommended Discipline

COPA found that Officer Rangel violated Rules 2, 3, 5, 6, 8, 9 and 10 by placing his hand around the neck of [REDACTED] without justification, failing to correct Officer Sanchez when officer Sanchez stated words to the effect of, "His feelings are hurt. He's saying he wants to kill himself now," and engaging in unprofessional conduct by stating words to the effect of, "Huh, good for him," upon hearing that [REDACTED] stated that he wanted to kill himself. For these reasons, combined with the officer's complimentary history and disciplinary history, COPA recommends a **3-5-day Suspension**.

Approved:

[REDACTED]

November 30, 2023

Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Case Details

Date/Time/Location of Incident:	July 5, 2022/ 12:33 am/ 937 W. 103 rd Street
Date/Time of COPA Notification:	July 6, 2022/6:48 pm
Involved Member #1:	Jerry Doskocz, Star No. 1397, Employee ID No. [REDACTED] Date of Appointment: March 25, 2002, Unit of Assignment:022, male, White
Involved Individual #1:	[REDACTED] male, 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 38:** Unlawful or unnecessary use or display of a weapon.
- Rule __:** *[Insert text of any additional rule(s) violated]*

Applicable Policies and Laws

- G01-01: Vision, Mission Statement, and Core Values (effective May 21, 2019 to present).
- G01-09: Supervisory Responsibilities (effective May 10, 2021 to present).
- G03-02: De-Escalation, Response to Resistance, and Use of Force (effective April 15, 2021 to June 28, 2023).
- G03-02-01: Response to Resistance and Force Options (effective April 15, 2021 to June 28, 2023).
- G02-01: Protection of Human Rights (effective June 30, 2022 to present).

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.⁴⁴ 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.”⁴⁵

⁴⁴ 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).

⁴⁵ *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 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