



Log # 2023-5843

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On December 14, 2023, the Civilian Office of Police Accountability (COPA) received a telephone complaint from [REDACTED] reporting alleged misconduct by a member of the Chicago Police Department (CPD). [REDACTED] alleged that on December 9, 2023, Sgt. Paul Schmitz and Officer Klaudia Zylinska took her son, [REDACTED] to the ground without justification. Additionally, [REDACTED] alleged that Officers Klaudia Zylinska and Nicholas Schneider arrested [REDACTED] without justification.² Upon review of the evidence, COPA served additional allegations that Sgt. Schmitz failed to complete a Tactical Response Report subsequent to his physical contact with [REDACTED] and failed to activate his body-worn camera without justification. COPA also served an allegation that Officer Zylinska failed to complete a Tactical Response Report subsequent to her physical contact with [REDACTED]. Following its investigation, COPA reached Not Sustained findings for the allegations.

II. SUMMARY OF EVIDENCE³

On December 9, 2023, CPD Officers responded to the Roosevelt Collection, an open-air call at 150 W Roosevelt Road, for a “teen trend takeover,” a large gathering where teenagers meet up in a public place.⁴ According to [REDACTED] he and a group of friends had been in the area since 5:30 pm and were walking around when the police arrived.⁵ Officers exited squad cars and started grabbing kids.⁶ A group of teenagers began running, so [REDACTED] also ran with his right arm inside

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 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 BWC footage, police reports, and civilian and officer interviews.

⁴ Atts. 1 to 3 and 13.

⁵ Att. 52, pg. 5, lns. 1 to 8, pg. 13, lns. 8 to 14, and pg. 14, lns. 10 to 12.

⁶ Att. 52, pg. 18, lns. 1 to 3.

his sleeve.⁷ [REDACTED] tripped and fell,⁸ dropping his phone on the ground.⁹ [REDACTED] said as he attempted to pick up his phone, an officer grabbed and took him to the ground.¹⁰

Department reports note that CPD Officers observed approximately forty to fifty teenagers, including [REDACTED] running in and out of oncoming traffic and jumping onto parked vehicles.¹¹ Deputy Chief Jon Hein gave the order to arrest the subjects.¹² A portion of the incident was captured on body-worn camera. Deputy Chief Hein, Sgt. Schmitz, Officers Zylinska, and Schneider chased and detained [REDACTED] after the crowd started running.¹³ Sgt. Schmitz took the lead from Deputy Chief Hein, and Deputy Chief Hein left the immediate area and continued monitoring the group.¹⁴ Officer Zylinska handcuffed [REDACTED] with Sgt. Schmitz and Officer Schneider's assistance.¹⁵ Officers Zylinska and Schneider's supervisor, Sgt. John Burke previously designated them as the arrest team for the 'Teen Trend,' meaning they would process anyone placed in custody at the event.¹⁶ Once Officers Zylinska and Schneider placed [REDACTED] into custody, another officer transported [REDACTED] to the station.¹⁷ [REDACTED] was charged with Public Peace Violation - Reckless Conduct.¹⁸ Two of [REDACTED] friends were also arrested.¹⁹ [REDACTED] denied jumping on cars and said he did nothing wrong.²⁰

On December 11, 2023, [REDACTED] sought medical attention for left shoulder pain.²¹ He told hospital personnel that the police grabbed his sweatshirt and threw him to the ground. [REDACTED] was diagnosed with acute left shoulder pain.

In statements to COPA, Officers Schneider and Zylinska denied arresting [REDACTED] without justification.²² Sgt. Schmitz and Officer Zylinska both said they had hands on [REDACTED] as [REDACTED]

⁷ Att. 15 at 21:07; Att. 17 at 1:52; Att. 18 at 1:46; Att. 47, pg. 13, lns. 1 to 7, and pg. 21, lns. 7 to 12; Att. 48, pg. 17, lns. 14 to 15; Att. 52, pg. 5, lns. 6 to 14, and pg. 18, lns. 5 to 7.

⁸ Att. 15 at 21:10; Att. 16 at 1:57. According to [REDACTED] he either lost his balance or someone pushed him from behind.

⁹ Att. 52, pg. 19, lns. 14 to 21.

¹⁰ Att. 16 at 2:07; Att. 52, pg. 5, ln. 14 to pg. 6, ln. 11.

¹¹ Att. 2; Att. 46, pg. 11, lns. 1 to 3, and pg. 15, ln. 4 to pg. 16, ln. 22; Att. 47, pg. 18, ln. 16 to pg. 19, ln. 1, and pg. 20, lns. 11 to 16.

¹² Att. 2.

¹³ Att. 14 at 1:49 to 1:56; Att. 16 at 2:00.

¹⁴ Att. 48, pg. 18, lns. 9 to 18, and pg. 27, lns. 16 to 23.

¹⁵ Att. 2; Att. 17 at 2:04 to 2:26; Att. 14 at 1:56 to 2:23; Att. 16 at 2:07 to 3:00; Att. 46, pg. 12, lns. 1 to 16; Att. 47, pg. 16, lns. 7 to 11; Att. 48, pg. 17, ln. 16 to pg. 18, ln. 2; Att. 52, pg. 21, ln. 22 to pg. 22, ln. 9.

¹⁶ Att. 47, pg. 13, lns. 1 to 7, and pg. 21, lns. 7 to 12.

¹⁷ Att. 46, pg. 13, lns. 7 to 10, and pg. 17, lns. 4 to 9.

¹⁸ Att. 1.

¹⁹ Att. 52, pg. 31, lns. 20 to 22.

²⁰ Att. 52, pg. 7, ln. 18 to pg. 8, ln. 1.

²¹ Att. 50.

²² Att. 46, pg. 21, lns. 7 to 9.

went to the ground so they could handcuff him, but [REDACTED] sat on the ground²³ on his own.²⁴ Sgt. Schmitz and Officer Zylinska said their physical contact with [REDACTED] did not constitute a use of force; therefore, neither of them completed Tactical Response Reports.²⁵

Sgt. Schmitz added that he was not wearing a body-worn camera at the time of the incident.²⁶ When he arrived for work that day, his camera was docked but not mounted into the charging dock. Due to insufficient battery power, Sgt. Schmitz left his body-worn camera at the station to charge.

III. ALLEGATIONS

Sgt. Paul Schmitz:

1. Took [REDACTED] to the ground without justification.
 - Not Sustained
2. Failed to complete a Tactical Response Report subsequent to his physical contact with [REDACTED].
 - Not Sustained
3. Failed to activate his body-worn camera without justification.
 - Not Sustained

Officer Klaudia Zylinska:

1. Took [REDACTED] to the ground without justification.
 - Not Sustained
2. Arrested [REDACTED] without justification.
 - Not Sustained
3. Failed to complete a Tactical Response Report subsequent to her physical contact with [REDACTED].
 - Not Sustained

²³ Sgt. Schmitz initially said he moved [REDACTED] to the ground because [REDACTED] was leaning against a citizen's car. Upon watching his Body Worn Camera, Sgt. Schmitz said [REDACTED] was standing near the car not leaning against it. Att. 48, pg. 26, ln. 19 to pg. 27, ln. 2.

²⁴ Att. 47, pg. 27, ln. 19 to pg. 28, ln. 24; Att. 48, pg. 27, ln. 24 to pg. 28, ln. 12, and pg. 33, lns. 5 to 17.

²⁵ Att. 47, pg. 29, lns. 1 to 8; Att. 48, pg. 22, lns. 8 to 22.

²⁶ Att. 48, pg. 28, ln. 13 to pg. 29, ln. 11.

Officer Nicholas Schneider:

1. Arrested [REDACTED] without justification.
 - 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 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 to accurately recall the event from memory. This investigation did not reveal any evidence that caused COPA to question the credibility of any of the individuals who provided statements.

V. ANALYSIS²⁷

- a. **The allegation that Sgt. Schmitz and Officer Zylinska took [REDACTED] to the ground without justification is Not Sustained.**

[REDACTED] stated he and his friends had been walking in the area with a large group of teenagers when everyone began running. [REDACTED] stated that after he tripped and fell, an officer took him to the ground. Video evidence depicts that Sgt. Schmitz and Officer Zylinska had physical contact with [REDACTED] as he went to the ground. [REDACTED] initially went to the ground in a seated position before officers maneuvered [REDACTED] to handcuff him. Sgt. Schmitz and Officer Zylinska said they placed their hands on [REDACTED] to handcuff him but contended that [REDACTED] went to the ground on his own. While [REDACTED] sought medical attention for a shoulder injury two days following the incident, he also fell before his contact with the police while running with his arm inside his sleeve. Based on the above, there is insufficient evidence to prove the allegation by a preponderance of the evidence. Therefore, COPA finds that **Allegation #1** against **Sgt. Schmitz** and **Officer Zylinska** that they took [REDACTED] to the ground without justification, is Not Sustained.

- b. **The allegation that Sgt. Schmitz and Officer Zylinska failed to complete Tactical Response Reports is Not Sustained.**

CPD members are required to complete a Tactical Response Report to document all use of force incidents involving a CPD member's use of any level 1 reportable use of force by a department member to overcome the active resistance of a person.²⁸ Level 1 reportable uses of force include the use of any leg sweep or takedown, among other things. Since there is insufficient evidence to prove by a preponderance of the evidence that Sgt. Schmitz and/or Officer Zylinska took [REDACTED] to the ground; there is consequently insufficient evidence to prove that Sgt. Schmitz and Officer Zylinska were required to complete a Tactical Response Report. Therefore, COPA

²⁷ For a definition of COPA's findings and standards of proof, see Appendix B.

²⁸ Att. 53.

finds that **Allegation #2** against **Sgt. Schmitz** and **Allegation #3** against **Officer Zylinska** that they failed to complete Tactical Response Reports subsequent to their physical contact with [REDACTED] is Not Sustained.

c. The allegation that Sgt. Schmitz failed to activate his body-worn camera is Not Sustained.

Department members will activate the system to event mode at the beginning of an incident and will record the entire incident for all law-enforcement-related activities. If circumstances prevent activating the BWC at the beginning of an incident, the member will activate the BWC as soon as practical.²⁹ At the time of the incident, Sgt. Schmitz was not equipped with a body-worn camera. He stated that his assigned BWC was not charged adequately. The BWC Special Order does not specify the procedures to follow when a department member has a damaged BWC or when a BWC is insufficiently charged. As such, COPA finds that **Allegation #3** against **Sgt. Schmitz** that he failed to activate his body-worn camera without justification is Not Sustained.

d. The allegation that Officer Zylinska and Officer Schneider arrested [REDACTED] without justification is Not Sustained.

Any law enforcement officer may make an arrest without warrant if the officer has probable cause to believe that the person has committed or is committing any crime under Section 12-3.4 or 12-30 of the Criminal Code of 1961 or the Criminal Code of 2012, even if the crime was not committed in the presence of the officer.³⁰ In this case, officers from the Critical Incident Response Team responded to the Teen Trend. Over the course of the event, a group of teenagers repeatedly ran in and out of oncoming traffic and jumped on parked vehicles. Deputy Chief Hein ordered the officers monitoring the event to arrest known violators. [REDACTED] was subsequently arrested and charged with Public Peace Violation – Reckless Conduct. A public peace violation in Illinois is a misdemeanor offense that involves disturbing the peace or behaving in a disruptive manner in public. The most common type of public peace violation is disorderly conduct. Disorderly conduct includes, but is not limited to, acts such as being loud or boisterous in public, obstructing police officers or roadways, etc.

In this case, [REDACTED] acknowledged that he and his friends were part of the teen trend, and they had been in the area for nearly two hours prior to [REDACTED] arrest. The body-worn camera depicts [REDACTED] running with a group of teenagers and falling to the ground just before his contact with officers. While [REDACTED] alleged that he did nothing wrong, CPD reports and the involved officers reported they observed [REDACTED] and others jumping on the hood of a parked vehicle. While [REDACTED] denied jumping on the hood of a parked vehicle or any wrongdoing, there is insufficient evidence to prove or disprove whether officers had probable cause to believe that [REDACTED] had committed or was committing the crime for which he was arrested. Based on the above, COPA

²⁹ Body-worn cameras, Special Order S03-14, Issue date: April 30, 2018

³⁰ Illinois Compiled Statute: 750 ILCS 60/301

finds that **Allegation #2** against **Officer Zylinska** and **Allegation #1** against **Officer Schneider**, that they arrested [REDACTED] without justification, is Not Sustained.

Approved:

[REDACTED]

Sharday Jackson
Deputy Chief Administrator – Chief Investigator

March 12, 2025

Date

Appendix ACase Details

Date/Time/Location of Incident:	December 9, 2023/ 7:17 pm/ 70 E 13 th Street
Date/Time of COPA Notification:	December 14, 2023/ 1:17 pm
Involved Member #1:	Paul Schmitz, Star #836, Employee ID # [REDACTED], Date of Appointment: August 2, 1999, Unit of Assignment: 002/715, Male, White
Involved Member #2:	Klaudia Zylinska, Star #10945, Employee ID # [REDACTED], Date of Appointment: April 16, 2018, Unit of Assignment: 018/715, Female, White
Involved Member #3	Nicholas Schneider, Star #7000, Employee ID # [REDACTED], Date of Appointment: June 25, 2018, Unit of Assignment: 018/715, 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.

Applicable Policies and Laws

- G03-02: De-escalation, Response to Resistance, and Use of Force (effective June 28, 2023 to present)
- G03-02-01: Response to Resistance and Force Options (effective June 28, 2023 to present)
- G03-02-02: Incidents Requiring the Completion of a Tactical Response Report (effective June 28, 2023 to present)
- S03-14: Body Worn Cameras (effective April 30, 2018 to December 29, 2023)

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.³¹ 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.”³²

³¹ 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).

³² *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

