



Log # 2024-0006930

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On August 30, 2024, the Civilian Office of Police Accountability (COPA) received a complaint from the Office of the Inspector General of Chicago (OIG) relative to alleged misconduct by members of the Chicago Police Department (CPD).² It was alleged that on August 19, 2024, during a protest relating to the Democratic National Convention (DNC) at or near Union Park at 1501 West Randolph Street, certain unidentified officers had used excessive force, knocking an elderly female protestor to the ground.³ COPA identified Officer Rachel Collins from BWC footage as the CPD member involved in the use of force.

COPA investigated the matter and found insufficient evidence to sustain allegations against Officer Collins. Similarly, COPA concluded that there was insufficient evidence to bring allegations against any other CPD member in connection with this incident.

II. SUMMARY OF EVIDENCE⁴

COPA's investigation of this matter included the analysis of a third-party video of the protest, which was posted online.⁵ This video depicted a CPD member, later determined to be Officer Collins, acting as part of a squad-sized riot control formation. The video captured the line of officers repeatedly order the protesters to "move back," and the officers slowly advanced forward while holding their batons horizontally in front of them. As Officer Collins held her baton with one hand on each end, she made contact with an unidentified, elderly female protestor. Officer Collins used her baton to push the protestor, who fell to the ground.⁶

Prior to engaging the protesters, and while the officers were in formation and walking toward the protestors, Sergeant (Sgt.) David Martinez gave the following command, "We are going to form a line and just push them down; push them down."⁷ Officer Collins told COPA that she heard Sgt. Martinez's order to push the protesters back; subsequently, she got in a line with her squad members and they began to clear the park. Officer Collins acknowledged that, during this

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 Atts. 4 and 23.

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 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, civilian interviews, and officer interviews.

⁵ Att. 6.

⁶ Att. 6 at 00:10; Att. 34 at 48:04.

⁷ Att. 37 at 46:45.

process, she pushed the female protestor to the ground using “very minimal” force.⁸ Officer Collins did not help the protestor up, explaining that she was trained not to leave or break the line of officers.⁹ The protestor appeared entirely uninjured in the aftermath of the incident.¹⁰



Figure 1: Att. 34 (BWC of Officer Collins) depicts the protestor, at left, in the moments before she was pushed to the ground by Officer Collins.



Figure 2: This still image was extracted from the video footage provided in the original complaint lodged with the OIG. (Att. 6.) Officer Collins is depicted at the right side of the frame.

⁸ Att. 47, pg. 17, lns. 18 to 24; see generally Att. 47, pgs. 8 to 17; Att. 34 at 48:04.

⁹ Att. 47, pg. 17, ln. 11 to pg. 18, ln. 15.

¹⁰ Att. 34 at 46:48 et seq; Att. 47, pg. 17.

III. ALLEGATIONS

Officer Rachel Collins

1. Pushing an unknown individual to the ground, without justification.
- Not Sustained
2. Failing to document the incident with a TRR, without justification.
- Exonerated

IV. CREDIBILITY ASSESSMENT

This investigation did not reveal any evidence that caused COPA to question the credibility of the two officers who provided statements.¹¹ COPA's attempts to identify and interview the protestor who was pushed to the ground and any other witnesses were unsuccessful.¹²

V. ANALYSIS¹³

A. Officer Collins' Use of Force

COPA finds Allegation #1, that Officer Collins pushed an unknown individual to the ground without justification, is not sustained.

As a general matter, CPD "expects its members to develop and display the skills and abilities to act in a manner to eliminate the need to use force and resolve situations without resorting to force."¹⁴ Further, as outlined in CPD policy, members may only use force that is objectively reasonable, necessary, and proportional, under the totality of the circumstances, in order to provide for the safety of any person or CPD member, stop an attack, make an arrest, bring a person or situation safely under control, or prevent escape.¹⁵ "The use of excessive force, unwarranted physical force, or unlawful force by a Department member is prohibited and will not be tolerated."¹⁶

G03-02-01 sets out CPD's use of force policy. Under the directive, force used by officers must always be objectively reasonable, necessary, and proportional to the threat, but the specific techniques that are authorized vary depending on the classification of the person against whom force is used. A passive resister is defined as "a person who fails to comply (non-movement) with verbal or other direction."¹⁷ CPD members may respond to passive resistance with police presence, verbal directions, holding and compliance techniques, control instruments, and OC Spray (with significant limitations). The policy further explains that "control instruments are designed to amplify nonimpact pressure in order to increase the potential for controlling a passive

¹¹ Atts. 35, 44, 45, and 47.

¹² Att. 12, 13, 14, 15, 17, 19, 20 and CMS Notes CO-1406503, CO-1409881.

¹³ For a definition of COPA's findings and standards of proof, *see* Appendix B.

¹⁴ G03-02(II)(C), De-escalation, Response to Resistance, and Use of Force (June 28, 2023 to present).

¹⁵ G03-02 (III)(B).

¹⁶ G03-02 (III)(C)(1).

¹⁷ G03-02-01 (IV)(B)(1), Response to Resistance and Force Options (June 28, 2023 to present).

resister...Control instruments are tools (e.g., baton) applied to joints and pressure sensitive areas of the body with non-impact pressure.”¹⁸

In this case, it is undisputed that Officer Collins used force and pushed a female protestor to the ground using her baton.¹⁹ However, in the circumstances of a protest and of a riot control formation, this was minimal force. Further, Officer Collins was following the explicit directive of her supervisor and was not in a position to exercise any individual discretion as part of the riot control formation.²⁰ Additionally, the protestor could plausibly be characterized as a passive resister, and CPD policy authorizes its members to respond to passive resistance with control instruments, such as batons, so long as they are applied with non-impact pressure. That said, it does appear that the protestor was simply unaware of or indifferent to what was going on around her; the protestor’s non-compliance may have been unintentional.²¹ It is also unclear why a riot control formation would have been necessary to deal with a lone, elderly protestor speaking with members of the press.

For these reasons, COPA finds Allegation #1 is **not sustained**.

B. Failing to Complete a Tactical Response Report (TRR)

COPA finds there is clear and convincing evidence that Officer Collins was not required to complete a TRR under these circumstances. In advance of the Democratic National Convention, CPD enacted a new policy that details the reporting requirements for CPD members involved in use of force incidents during First Amendment assemblies and coordinated multiple arrest incidents.²² Under this policy, individual officers are only required to complete TRRs for reportable uses of force that extend “beyond a squad’s coordinated physical response to crowd actions or inactions in response to verbal direction.”²³ Specifically, the policy states, “A squad’s coordinated use of batons held at “port arms” to push persons back or “rake” persons toward arrest teams...will not require the completion of a Tactical Response Report as long as the baton is not used to apply mechanical impact to a person to disable elements of his or her musculoskeletal structure.”²⁴

In this case, Officer Collins correctly understood that she was not required to complete a TRR; she explained, “I was under the impression that my supervisor completed an incident response one which would have documented the crowd, crowd’s behavior, and our response.”²⁵ Additionally, while the protestor whom Officer Collins pushed was an elderly female with a cane,

¹⁸ G03-02-01 (IV)(B)(1)(c).

¹⁹ Att. 47, pg. 16, lns. 17 to 21; Att. 34 at 48:06.

²⁰ Att. 47, pg. 17, lns. 1 to 4.

²¹ Att. 47, pg. 16, lns. 3 to 12 (Officer Collins acknowledged that the protestor was on her phone and was apparently not paying attention when the officers issued dispersal orders); see also Atts. 6 and 34.

²² S06-06-03, Alternate Tactical Response Reporting During Coordinated Multiple Arrest Incidents (effective August 8, 2024 to present).

²³ S06-06-03 (III)(B).

²⁴ S06-06-03 (III)(B)(2)(a).

²⁵ Att. 47, pg. 18, lns. 16 to 22.

absolutely no injuries were apparent or complained of at the time.²⁶ For these reasons, COPA finds that Allegation #2 against Officer Collins is **exonerated** by clear and convincing evidence.

Approved:

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Steffany Hreno
Director of Investigations

3/24/2025

Date

²⁶ Att. 50, pg. 17, lns. 8 to 10.

Appendix A

Case Details

Date/Time/Location of Incident:	August 19, 2024 / 5:35 p.m. / Union Park, 1501 West Randolph Street, Chicago, IL 60607
Date/Time of COPA Notification:	August 30, 2024 / 2:06 p.m. [Referral Complaint from OIG Chicago, IL]
Involved Officer #1	Rachel S. Collins, Star #16180, Employee ID# [REDACTED], Date of Appointment: August 16, 2019, Unit 006 – Detailed to 124 (TSG), Female, Black
Involved Officer (Sgt.) #2	David R. Martinez, Star #1725, Employee ID# [REDACTED], Date of Appointment: September 25, 2005, Unit 214 Deputy Chief Area 4, Male, Hispanic
Involved Officer #3 (Witness)	Monty D. Owens, Star #11975, Employee ID# [REDACTED], Date of Appointment: March 16, 2018, Unit 004 – Detailed to Unit 214 (Area 4), Male, Black
Involved Individual #1:	Unknown, Female, White

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)
- S06-06-03, Alternate Tactical Response Reporting During Coordinated Multiple Arrest Incidents (effective August 8, 2024 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.²⁷ For example, if the evidence gathered in an investigation establishes that it is more likely that the conduct complied with Department 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.”²⁸

²⁷ 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).

²⁸ *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
- Reports: Failure to Submit ISR