



Log # 2023-0003059

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On July 13, 2023, the Civilian Office of Police Accountability (COPA) received a telephonic complaint from ██████ alleging misconduct by a member of the Chicago Police Department (CPD). ██████ alleged that on July 13, 2023, at approximately 11:30 am, at or near 1547 N. Lorel Ave, Officer Paul Lauber, used force against ██████² Upon review of the evidence, COPA served additional allegations that Sgt. Stephen Keenan failed to document a complaint of officer misconduct. Following its investigation, COPA reached an **Exonerated** finding regarding Officer Lauber's use of force, and a **Sustained** finding regarding Sgt. Keenan's failure to document a complaint of officer misconduct.

II. SUMMARY OF EVIDENCE³

On July 13, 2023, at approximately 11:30 am, at or near 1547 N. Lorel Ave, Officers Lauber and Kelly Sodetz were dispatched to a 911 call reporting child abuse.⁴ Once in the area, Officer Lauber approached a woman, later identified as ██████ Officer Lauber explained why officers were on scene.⁵ ██████ then walked away towards her residence. ██████ gave her children to an unknown male, locked the gate, and threw her keys over a fence.⁶ ██████ continued to walk away and at one point went inside a building, but later returned outside.⁷ When ██████ returned outside, she tried to evade officers by going through a different gate and closing it behind her.⁸ Officers intervened and attempted to restrain an erratic and enraged ██████⁹ As officers grabbed ██████ she bit Officer Lauber's left forearm.¹⁰ In response, Officer Lauber struck ██████ in the back of the head three times.¹¹ With the assistance of other officers who arrived on scene, Officer Lauber and Sodetz

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, civilian interviews, officer interviews, event query's, evidence technician photos, medical records and 911 recorded calls.

⁴ Att. 13, Event Query

⁵ Att. 22, BWC of Officer Lauber at 4:35 to 5:25

⁶ Att. 21, BWC of Officer Sodetz at 6:29 to 7:48

⁷ Att. 21, BWC of Officer Sodetz at 6:29 to 7:48

⁸ Att. 21, at 7:45 to 8:00

⁹ Att. 21, at 7:50 to 8:05

¹⁰ Att. 22, at 8:00 to 8:15

¹¹ Att. 21 at 7:50 to 8:12; Att. 22 at 7:52 to 8:13; Att. 26- BWC of Officer Geoffrey Montgomery at 3:20 to 3:32

were able to handcuff ██████¹² While escorting ██████ she went dead weight and forced her way to the ground.¹³

Sgt. Keenan arrived, and found ██████ on the ground, where she complained to him about Officer Lauber's use of force.¹⁴ Officers eventually got ██████ to a transport wagon, where she complained to Sgt. Keenan about Officer Lauber's use of force again.¹⁵ Sgt. Keenan backed away from the wagon and started collecting information from witnesses.¹⁶ ██████ approached Sgt. Keenan and stated that she witnessed Officer Lauber strike ██████ in the back of the head when ██████ was detained.¹⁷ Sgt. Keenan documented ██████ information.¹⁸ ██████ was then later transported to the hospital.¹⁹

III. ALLEGATIONS

Officer Paul Lauber:

1. Striking ██████ without justification.
 - Exonerated

Sergeant Stephen Keenan:

1. Failing to document a complaint of officer misconduct reported to you by ██████
 - Sustained in violation of rule 2, 3, 5, 6, and 10

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 ██████ 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.

COPA does not have any credibility concerns about statements given by department members and non-department members. Though the allegation made against the department member was not factually true, this does not mean any of the statements were untruthful; thereby, not impacting the credibility.²⁰

¹² Att. 22, at 8:15 to 9:00

¹³ Att. 22, at 9:45 to 10:00

¹⁴ Att. 25, BWC of Sgt. Keenan at 6:00 to 6:12

¹⁵ Att. 25 at 9:00 to 10:00; and at 10:50 to 11:15

¹⁶ Att. 25 at 13:15 to 16:30

¹⁷ Att. 25 at 23:06 to 26:08

¹⁸ Att. 25 at 23:06 to 26:08

¹⁹ Att. 1, Arrest Report

²⁰ ██████ alleged on BWC that Officer Lauber struck ██████ in the back of the head when detained, additionally when COPA spoke with ██████ admitted to biting Officer Lauber after he struck her in the head.

V. ANALYSIS²¹

a) Use of Force

COPA finds the allegation that Officer Lauber used force without justification is **Exonerated**. Under CPD policy, Department 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 Department member, stop an attack, make an arrest, bring a person or situation safely under control, or prevent escape.²² Furthermore, when a member encounters a citizen who is using or threatening the use of force against another person or themselves which is likely to cause injury, that citizen is classified as an assailant under the Department's use of force model.²³ If the citizen's actions are aggressively offensive with or without weapons, members are permitted to respond with presence; verbal directions; holding and compliance techniques; control instruments; deployment of oleoresin capsicum; stunning; takedowns; canine use; taser deployment; direct mechanical strikes; and impact weapons and munitions.²⁴

In this case, █████ became an assailant when she bit Officer Lauber on the forearm, battering a peace officer.²⁵ As a result, Officer Lauber was within policy to respond with direct mechanical strikes, stunning techniques, takedowns, and if necessary, impact weapons and munitions.²⁶ Here, Officer Lauber used direct mechanical strikes to █████ within policy, to help gain compliance as officers battled to detain █████ Therefore, COPA finds the allegation that Officer Lauber used force without justification is **Exonerated**.

b) Failure to document

COPA finds the allegation that Sgt. Keenan failed to properly document a complaint against an officer for misconduct, is **Sustained**. Under CPD policy, supervisory Department members will document and promptly report any complaints of misconduct made by civilians to COPA.²⁷ This rule applies even if the reporting party/subject does not accurately characterize the alleged misconduct.²⁸

²¹ For a definition of COPA's findings and standards of proof, *see* Appendix B.

²² Att. 64, G03-02 III(B) De-Escalation, Response to Resistance, and Use of Force (effective 28 June 2023 to present)

²³ Att. 63, G03-02-01 IV(C), Response to Resistance and Force Options (effective 28 June 2023 to present).

²⁴ Att. 63, G03-02-01 IV(C)(1)

²⁵ Att. 22, at 8:00 to 8:15

²⁶ Att. 63, G03-02-01 IV(C), Response to Resistance and Force Options (effective 28 June 2023 to present).

²⁷ Att. 62, G08-01-02 III(C)(2), Complaint Initiation and Log Number Investigation Assignment (effective 31 December 2022 to present)

²⁸ Att. 62, G08-01-02 III(C)(2), Complaint Initiation and Log Number Investigation Assignment (effective 31 December 2022 to present)

In this case, █████ told Sgt. Keenan multiple times that Officer Lauber hit her in the head.²⁹ Sgt. Keenan also heard similar allegations from █████³⁰ While Sgt. Keenan documented █████ information and the accused officer's information, he failed to file a complaint with COPA, pursuant to the directives.³¹ In his statement to COPA, Sgt. Keenan claimed he did not file the report because he knew the TRR would be investigated by the watch operations lieutenant and that Force Review would likely register the complaint.³² However, nowhere in the Department directives does it state supervisors are able to ignore civilian complaints of misconduct simply because another reviewing Department member might catch it.³³ As a result, COPA finds that Sgt. Keenan failed to document the complaint and properly report it to COPA as required by CPD General Order G08-01-02. Therefore, COPA finds this allegation is **Sustained**.

VI. DISCIPLINARY RECOMMENDATION

a. Sgt. Stephen Keenan

i. Complimentary and Disciplinary History³⁴

Sgt. Keenan has received 50 total awards, including 24 honorable mentions, five complimentary letters, and one Department commendation. Sgt. Keenan received a one-day suspension for a sustained neglect of duty complaint from 2023. Sgt. Keenan received one SPAR for inattention to duty in 2024, with no disciplinary action being taken.

ii. Recommended Discipline

COPA has found that Sgt. Keenan has violated Rules 2, 3, 5, 6, and 10 when he failed to document a civilian complaint about alleged misconduct. In mitigation, COPA has considered Sgt. Keenan's numerous awards and honors. However, the Department GO in this case is very clear. Under CPD policy, supervisory members will document and promptly report any complaints of misconduct made by civilians to COPA. There is no ambiguity in that order and Sgt. Keenan clearly failed to follow it. Therefore, COPA recommends Sgt. Keenan receive a **Violation Noted** and **retraining** on taking complaints and his responsibilities as a supervisor.

²⁹ Att. 25 at 6:00 to 6:12, at 9:00 to 10:00, and at 10:50 to 11:15

³⁰ Att. 25 at 23:06 to 26:08

³¹ Att. 25 at 23:06 to 26:08

³² Att. 69, Sgt. Keenan's Transcript, Pg. 22, Lns. 14 to 21

³³ Att. 62, G08-01-02 (see no language permitting supervisors to ignore the complaints of civilians)

³⁴ Att. 72

Approved:



4-24-25

Date

Deputy Chief Administrator- Chief Investigator

Appendix ACase Details

Date/Time/Location of Incident:	July 13, 2023/ 11:30am/ 1547 N. Lorel Ave, Chicago, IL, 60651
Date/Time of COPA Notification:	July 13, 2023/ 12:13pm
Involved Member #1:	Paul Lauber, Star #6341, Employee ID # [REDACTED], Date of Appointment: December 17, 2001, Unit of Assignment: 025, Male, White
Involved Member #2:	Stephen Keena, Star #2019, Employee ID # [REDACTED], Date of Appointment: May 10, 1999, Unit of Assignment: 025, Male, White
Involved Individual #1:	[REDACTED] Female, Black or African American
Involved Individual #2:	[REDACTED] Female, Black or African American

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

- G03-02: De-Escalation, Response to Resistance, and Use of Force (effective 28 June 2023 to present)
- G03-02-01 IV(C), Response to Resistance and Force Options (effective 28 June 2023 to present)
- G08-01-02 Complaint Initiation and Log Number Investigation Assignment (effective 31 December 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.³⁵ 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.”³⁶

³⁵ 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).

³⁶ *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