



Log # 2024-0006528

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On August 7, 2024, the Civilian Office of Police Accountability (COPA) received a telephone complaint and initiation report from Lt. Adrian Perez, regarding allegations of misconduct by a member of the Chicago Police Department (CPD), specifically Officer Dariusz Wlodkowski.² It is alleged that on or about July 27, 2024, at approximately 2:30am, at or about 5228 W. Wabansia, on the street, Officer Wlodkowski committed misconduct when he restrained [REDACTED] by the neck. Following its investigation, COPA reached exonerated findings regarding the allegations that Officer Wlodkowski restrained [REDACTED] by the neck.

SUMMARY OF EVIDENCE³

On July 27, 2024, Officer Wlodkowski and his partner, Officer Ricardo Sifuentes, were among several officers who responded to a disturbance in the street involving [REDACTED] and his friend, [REDACTED]. [REDACTED] appeared to be under the influence of alcohol and/or a controlled substance and failed to adhere to the officers' verbal commands to calm down. [REDACTED] and [REDACTED] shouted, swore, directed racial slurs at neighbors, physically confronted each other, did not follow verbal commands from police, and physically placed themselves in the personal space of officers on scene. [REDACTED] made an abrupt movement toward a female officer, Officer Janet Bautista Munoz⁴ and then approached Officer Wlodkowski and Officer Nathan Zumarraga in an aggressive manner. Officer Zumarraga and Officer Wlodkowski attempted to place [REDACTED] into protective custody due to his intoxicated state and due to his failed attempts to comply with officers' commands. Officer Wlodkowski then performed an emergency take down of [REDACTED].⁵ Officer Wlodkowski initially made contact with the back of [REDACTED] neck, then to the side of [REDACTED] neck, with his thumb momentarily making contact with the front of [REDACTED] neck.⁶ [REDACTED] was taken into custody and transported to Community First Healthcare for medical evaluation. [REDACTED] was diagnosed with

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. 5

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 Body Worn Camera footage, police reports, and officer interviews.

⁴ Att. 3 at 22:09 and 22:23-25:45; Att. 8 at 17:29, 17:44, and 20:45; Att. 9 at 17:32-19:50 and Att. 10 at 22:36-23:38

⁵ Att. 3 at 22:23-25:45 and Att. 4 at 17:44

⁶ Att. 3 at 22:23-25:45

acute alcohol intoxication with complications and increased ammonia levels.⁷ Officer Wlodkowski received medical treatment for an injury that he sustained to his back while taking [REDACTED] into custody. Officer Wlodkowski was diagnosed with acute back pain and with unspecified back location/unspecified back location laterally.⁸

In his Tactical Response Report (TRR), Officer Wlodkowski documented that [REDACTED] did not follow verbal direction; was unable to understand verbal direction; made verbal threats; stiffened; pulled away; posed an imminent threat of battery; and was a physical obstruction. Officer Wlodkowski responded with escort holds; armbar; handcuffing/physical restraints; take down; and push/physical redirection.⁹ It should be noted that in addition to the COPA notification via the initiation report by Lt. Perez, that Lt. Perez requested Remedial De-escalation Training in response to the TRR completed by Officer Wlodkowski.¹⁰

II. ALLEGATIONS

Officer Dariusz Wlodkowski:

1. Restrained [REDACTED] by the neck.
- Exonerated

III. 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. This investigation did not reveal any evidence that caused COPA to question the credibility of any of the individuals who provided statements.

COPA interviewed Officer Wlodkowski on January 24, 2025. Officer Wlodkowski provided an account that is consistent with the obtained BWC footage. He acknowledged his momentarily made contact with the front of [REDACTED] neck during the arrest process, which he described as unintentional and without pressure.

Efforts were made to contact [REDACTED] and [REDACTED] to obtain their accounts of the event. To date neither party contacted COPA to provide their accounts.

⁷ Att. 18

⁸ Att. 17

⁹ Att. 6.

¹⁰ Att. 26

IV. ANALYSIS¹¹

COPA finds that the allegation that Officer Wlodkowski restrained ██████ ██████ by the neck be **Exonerated**.

Under the Department's policy, CPD members involved in a use-of-force incident must make an independent assessment and decision to use force based on the totality of the circumstances, such as whether the person poses an imminent threat to the members or others and the level of harm, threat, or resistance by the person, and whether such force is objectively reasonable, necessary, and proportional.¹² Force is defined as any physical contact by a CPD member to compel a person's compliance.¹³ CPD prohibits its members from using carotid restraints, chokeholds, or other maneuvers for applying direct pressure on a windpipe or airway as a takedown technique.¹⁴ Furthermore, CPD members must use the minimum amount of force needed to provide for the safety of any person or CPD member and must continually assess the necessity of the use of force and whether alternatives may be employed, including the use of de-escalation techniques.¹⁵

In this case, Officer Wlodkowski's actions were in compliance with Department rules and regulations. Officer Wlodkowski used force for the emergency takedown of ██████. The amount of force used by Officer Wlodkowski was objectively reasonable, necessary, and proportional due to the totality of the circumstances. ██████ posed an imminent threat to the officers on the scene by physically moving closer in distance to Officer Wlodkowski and pushing Officer Munoz.¹⁶ Officer Wlodkowski stated that ██████ posed an imminent threat by being aggressive, having a fighting stance, and "posturing" in preparation to take some sort of action.¹⁷ ██████ also posed an imminent threat to the resident at the corner house by being very aggressive, belligerent, and threatening.¹⁸

During his statement with COPA, Officer Wlodkowski provided clarity regarding the specific actions that he took. Officer Wlodkowski stated that he momentarily, unintentionally and without pressure, contacted ██████ neck. COPA finds there is clear and convincing evidence that Officer Wlodkowski was justified in using proportional force to the subject's actions, that resulted in Officer Wlodkowski momentarily placing his hands at or near the ██████ neck, due to ██████ threatening actions that rose to the level of an assailant. ██████ actions prompted a direct mechanical response of an emergency takedown to be conducted.¹⁹

¹¹ For a definition of COPA's findings and standards of proof, *see* Appendix B.

¹² Att. 24 G03-02, De-escalation, Response to Resistance, and Use of Force (effective June 28, 2023, to present).

¹³ Att. 24 G03-02 (III)(A).

¹⁴ Att. 24, G03-02 (IV)(D)(4).

¹⁵ Att. 24, G03-02 (III)(B)(2).

¹⁶ Att. 3 22:09

¹⁷ Att. 27. Page 10, Lines 4 through 8, Page 20 Lines 6, 7, 13 through 16.

¹⁸ Att. 3 20:03-21:40

¹⁹ Force Options Model of the Chicago Police Department (effective November 2027 to present).

Approved:



June 12, 2025

Shannon Hayes
Acting Deputy Chief Administrator

Date

Appendix ACase Details

Date/Time/Location of Incident:	July 27, 2024, 5228 W. Wabansia, Chicago, Illinois
Date/Time of COPA Notification:	August 7, 2024
Involved Member #1:	Dariusz Wlodkowski, Star #10165, Employee ID# [REDACTED], Date of Appointment, July 2, 2012, Unit of Assignment 025, Male, White
Involved Individual #1:	[REDACTED] Male, Hispanic

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

- General Order G03-02, De-Escalation, Response to Resistance, and Use of Force (effective May 26, 2023 the 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.²⁰ 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.”²¹

²⁰ 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).

²¹ *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