



Log # 2024-6730

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On August 20, 2024, Lieutenant Terrence Downes telephoned the Civilian Office of Police Accountability (COPA) and registered this complaint. Lt. Downes alleged that on August 20, 2024, at approximately 7:12 am, inside the 018th District Lockup (1718 S. State Street), Detention Aide Alvin Amos placed his hands around [REDACTED] neck without justification and pushed [REDACTED] without justification.

Following its investigation, COPA reached not sustained and exonerated findings for the allegations against D.A. Amos.

II. SUMMARY OF EVIDENCE²

On the morning of this incident lockup personnel were preparing to transfer prisoners to the bus that would transport them to their initial court appearances at 2600 S. California Avenue.³ As [REDACTED] was escorted from his cell, he walked out under his own power and appeared to be compliant as he lined up with the other prisoners.⁴ After a few moments of standing in the line with the other prisoners, video from cameras in the lockup showed [REDACTED] having a conversation with an unidentified person.

During [REDACTED] COPA interview, he explained that lockup personnel refused to let him take his epilepsy medication.⁵ Lockup personnel told him he could take his medication, or he could go to court.⁶ [REDACTED] insisted that he wanted to take his medication, and he wanted to go to court. According to D.A. Amos, [REDACTED] refused to go to court because he maintained that the arresting

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 The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including video from POD cameras in lockup, civilian and officer interviews, event queries, CFD patient care records, radio transmission, and body worn camera (BWC) footage.

³ Att. 21 at 07:04:24.

⁴ Att. 21 at 07:08:23.

⁵ Per [REDACTED] Arrest Report, on August 20, 2024, at 2:26 am, he was taken from Central District Lockup to Insight Hospital and Medical Center so that he could be administered his medication. He was also given a medical clearance and returned to Central District Lockup at 3:06 am. See Att. 12, pg. 5.

⁶ Att. 42, pg. 16, lines 1 to 11.

officers lied to him about his arrest.⁷ D.A. Amos did not recall [REDACTED] mentioning anything about needing medication or medical treatment.⁸

[REDACTED] related to COPA that the lockup personnel got mad at him for refusing to go to court, so they picked him up and walked him back to his cell.⁹ [REDACTED] claimed that the lockup personnel threw him back into his cell, where he hit his head on the concrete bench, and then passed out.¹⁰ [REDACTED] later explained that hitting his head, passing out, as well as not receiving his seizure medication when he asked, caused him to have a seizure.¹¹ [REDACTED] made no mention of being choked or unable to breathe.

During his COPA interview, witness Detention Aide Derrick Johnson stated that he recalled [REDACTED] refusing to go to court because he wanted to go to the hospital. When [REDACTED] was instructed to return to his cell while they made arrangements to take him to the hospital, [REDACTED] refused and flopped down onto the floor.¹²

During his COPA interview, fellow prisoner [REDACTED] stated that [REDACTED] would not cooperate with police personnel.¹³ [REDACTED] explained that [REDACTED] argued with and insulted the officers as if he wanted to provoke them. [REDACTED] demanded his medicine and property, but police personnel said that his property would go with him to bond court. [REDACTED] stated that [REDACTED] refused to accept the officers' explanation, and instead, he continued to do everything he could to disrupt the process. Other prisoners began to yell at [REDACTED] to cooperate with the officers because they did not want his antics to postpone them getting to court, which would have caused them all to unnecessarily spend more time in lockup. Instead, [REDACTED] faked falling to the floor and having a seizure. [REDACTED] stated that he knew [REDACTED] was faking because he was smiling as he jerked around the floor. Police personnel then pulled [REDACTED] back into his cell as [REDACTED] and the other prisoners were escorted to the van transporting them to court.¹⁴

The recordings from the cameras inside the lockup showed Sergeant Kevin Geyer and D.A. Johnson appearing to direct [REDACTED] to walk back to his original cell.¹⁵ Instead of walking back to his cell, [REDACTED] flopped down to the floor.¹⁶ D.A. Johnson and D.A. Amos pulled [REDACTED] along the floor toward his cell as [REDACTED] appeared to grab the wall. Once they reached his cell, Sgt. Geyer, assisted by D.A. Amos, pulled [REDACTED] into his cell.¹⁷

⁷ Att. 70, pg. 8, line 20 to pg. 9, line 4.

⁸ Att. 70, ph. 18, lines 3 to 6.

⁹ Att. 42, pg. 16, lines 10 to 17.

¹⁰ Att. 42, pg. 16, lines 17 to 21.

¹¹ Att. 42, pg. 29, lines 2 to 8.

¹² Att. 69, pg. 7, line 19 to page 8 line 6.

¹³ Att. 51.

¹⁴ Att. 51.

¹⁵ Att. 21 at 07:12:04.

¹⁶ Att. 21 at 07:12:12.

¹⁷ Att. 21 at 07:12:30; Att. 22 at 07:12:52.

Once [REDACTED] was inside, Sgt. Geyer exited the cell as D.A. Johnson removed the cell's mattress. D.A. Amos began to back out of the cell and away from [REDACTED] who was in a seated position on the floor near the bench on the opposite side of the cell from the exit. As D.A. Amos exited the cell, [REDACTED] quickly got to his feet and rushed towards the exit with his arms outstretched in front of him and appeared to attempt to push past D.A. Amos towards the door.¹⁸ The two men grabbed each other and D.A. Amos appeared grab the front of [REDACTED] neck with both hands while also pushing [REDACTED] back. D.A. Amos stated that his natural reaction to [REDACTED] rushing towards him was to raise his hands up and push [REDACTED] away from him.¹⁹ [REDACTED] stumbled backwards, falling onto the bench adjacent to the cell door. D.A. Amos also fell to the floor inside the cell.²⁰

As both men get to their feet, [REDACTED] appeared to again rush toward the cell's door, but he was physically stopped by D.A. Amos and D.A. Johnson, who held him down on the bench adjacent to the cell's door. D.A. Amos stated that he was attempting to hold [REDACTED] down by his shoulders while avoiding his neck and his long dreadlocks.²¹ [REDACTED] continued to struggle and appeared to attempt to make his way towards the cell's door.²² The two Detention Aides held [REDACTED] down by his arms and upper body. It appeared that [REDACTED] struggled with the Detention Aides as he tried to make his way to the cell's door. The Detention Aides repeatedly pushed [REDACTED] back to prevent him from leaving the cell.²³

D.A. Johnson exited the cell first. As D.A. Amos was about to exit the cell, [REDACTED] began to stand up and moved toward D.A. Amos again. D.A. Amos used both of his hands to shove [REDACTED] on the front of his upper body, causing him to stumble and fall backwards.²⁴ [REDACTED] fell backwards and appeared to strike the bench opposite the cell door with his right shoulder and the right side of his body. [REDACTED] collapsed to the floor and remained there as D.A. Amos exited the cell.²⁵ Detention Aide James McKatherine remained just outside the entrance of [REDACTED] cell to monitor him.²⁶ Several minutes later, Chicago Fire Department (CFD) paramedics arrived in the lockup and began to render aid to [REDACTED].²⁷

In his Tactical Response Report (TRR), D.A. Amos stated that when [REDACTED] charged at him in an attempt to get out of the cell, he (D.A. Amos) used both hands to push him back on the upper part of his chest. D.A. Amos added that his hands briefly went up towards [REDACTED] neck, but he did not apply any pressure to obstruct the flow of air. As D.A. Amos exited the cell, [REDACTED] charged at him again. D.A. Amos pushed him back again. [REDACTED] fell backwards, striking his

¹⁸ Att. 22 at 07:13:01.

¹⁹ Att. 70, pg. 12, lines 19 to 23.

²⁰ Att. 22 at 07:13:04.

²¹ Att. 70, pg. 13, lines 7 to 13.

²² Att. 22 at 07:13:07

²³ Att. 22 at 07:13:08.

²⁴ Att. 22 at 07:13:33.

²⁵ Att. 22 at 07:13:36.

²⁶ Att. 21 at 07:13:34.

²⁷ Att. 21 at 07:25:04.

back against the bench in the cell.²⁸ D.A. Amos indicated that the techniques he used included pushes and a takedown.²⁹

During his statement to COPA, D.A. Amos denied intentionally placing his hands by [REDACTED] neck.³⁰ D.A. Amos also stated that he never choked or applied any pressure to [REDACTED] neck.³¹

The CFD Patient Care Report stated that CFD personnel arrived at the lockup in response to a person suffering a seizure and found [REDACTED] lying on his back and fluttering his eyes.³² [REDACTED] immediately opened his eyes and began speaking in full, clear sentences.³³ CFD personnel reported that [REDACTED] was uncooperative and refused to answer any questions when they attempted to ask him about his medical complaints.³⁴ [REDACTED] was subsequently transported to Insight Hospital by ambulance for further assessment and treatment.³⁵

Because [REDACTED] was still in custody when he was transported from the lockup to Insight Hospital via ambulance, CFD personnel were accompanied by Officer Marilyn Castro and Officer Amanda Flores. The video from these officers' body worn cameras showed that [REDACTED] did not display any obvious signs of injury.³⁶ Officer Castro and Officer Flores accompanied [REDACTED] to the hospital at approximately 7:30 am and transported him back to lockup at approximately 8:35 am.³⁷

CPD Evidence Technician photographs showed slight redness to both of [REDACTED] wrists and small scratches to his right forearm and left bicep.³⁸

III. ALLEGATIONS

Detention Aide Alvin Amos:

1. Placing his hands around [REDACTED] neck without justification.
 - Not Sustained.
2. Pushing [REDACTED] without justification.
 - Exonerated.

IV. CREDIBILITY ASSESSMENT

²⁸ Att. 20, pgs. 2 and 5.

²⁹ Att. 20, pg. 1.

³⁰ Att. 70, pg. 14, lines 11 to 13.

³¹ Att. 70, pg. 14, line 14 to 17.

³² Att. 75, pg. 6.

³³ Att. 75, pg. 6.

³⁴ Att. 75, pg. 6.

³⁵ [REDACTED] declined COPA's request to sign a medical records release form allowing COPA to obtain his medical records from [REDACTED] Hospital. *See* Column Note CO-1411311.

³⁶ Att. 76 from 1:59 to 3:58 and from 5:21 to 8:47; Att. 77 from 10:19 to 11:31; Att. 78 from 10:28 to 10:59; and Att. 79 from 0:00 to 12:42.

³⁷ Att. 79 at 2:34 and Att. 78 at 2:00.

³⁸ Atts. 53 and 54.

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.

During its investigation, COPA interviewed several CPD members and a civilian witness and determined that their statements were materially consistent with one another and other objective verifiable evidence, such as reports and video. As such, COPA found the various Department members and civilian witness involved in this investigation to be generally credible.

COPA notes certain exaggerations in ██████ testimony, namely that after being shoved he struck his head hard enough to be rendered unconscious. The lockup video appears to show that ██████ made primary impact with the bench on his shoulder and/or back, but not his head. Furthermore, the responding CFD paramedics reported that ██████ did not have any visible injuries, nor did he appear to be in distress. COPA also notes that ██████ was at Insight Hospital for about one hour before being discharged and released back to CPD, which suggests that he was not seriously injured. COPA found that this apparent exaggeration lessened ██████ credibility.

V. ANALYSIS³⁹

a. Placing hands around ██████ neck

COPA finds allegation #1, that D.A. Amos placed his hands around ██████ neck without justification, is **not sustained**. CPD policy provides that unless a person continues to pose an imminent threat of death or great bodily harm to the CPD member or any other person, CPD members will not restrain a person above the shoulders, including the head or neck, in a position which interferes with the person's ability to breathe.⁴⁰

Lt. Downes initiated this investigation because the lockup video showed D.A. Amos placing his hands around ██████ neck. While this imagery is captured on the lockup video, the video does not accurately convey how much (if any) pressure D.A. Amos used when making contact with ██████ neck, or if D.A. Amos interfered with ██████ ability to breathe. COPA notes that D.A. Amos denied intentionally placing his hands by ██████ neck.⁴¹ D.A. Amos also claimed that he never choked or applied pressure to ██████ neck.⁴² In addition, during his statement to COPA, ██████ made no mention of being choked or unable to breathe during this incident. Given this, COPA finds that there is insufficient evidence to prove this allegation by a preponderance of the evidence, so it is therefore not sustained.

³⁹ For a definition of COPA's findings and standards of proof, *see* Appendix B.

⁴⁰ Att. 72, General Order G03-02-01(V)(C), Response to Resistance and Force Options (effective June 28, 2023 to present).

⁴¹ Att. 70, pg. 14, lines 11 to 13.

⁴² Att. 70, pg. 14, line 14 to 17.

b. Pushing [REDACTED]

COPA finds allegation #2, that D.A. Amos pushed [REDACTED] without justification, is **exonerated**. CPD policy states that CPD members are only authorized to use force that is objectively reasonable, necessary, and proportional, under the totality of the circumstances, to ensure the safety of a member or a third person, stop an attack, make an arrest, control a person, or prevent escape.⁴³ Moreover, CPD defines an assailant as, “a person who is using or threatening the use of force against another person or himself/herself which is likely to cause physical injury.”⁴⁴ CPD members are permitted to use various types of force, including stunning techniques and takedowns, on active resisters and assailants.⁴⁵

Here, D.A. Amos explained that he only pushed [REDACTED] after [REDACTED] rushed towards him as he (D.A. Amos) exited the cell. Lockup video also shows [REDACTED] moving towards the door as D. A. Amos was attempting to leave. In this instance, [REDACTED] by his actions, is best described as an assailant whose actions are aggressively offensive without weapons. Because of the fact that [REDACTED] repeatedly rushed toward D.A. Amos, it was reasonable for D.A. Amos to push him back to avoid being battered, or at the very least, to prevent [REDACTED] from escaping the cell. As such, COPA finds that D.A. Amos’ use of force complied with CPD policy, and allegation #2 is therefore exonerated by clear and convincing evidence.

Approved:

[REDACTED]

6/20/25

Jessica Ciacco
Acting Director of Investigations

Date

⁴³ Att. 71, G03-02 (III)(B), De-escalation, Response to Resistance, and Use of Force (effective June 28, 2023 to present).

⁴⁴ Att. 72, G03-01(IV)(C).

⁴⁵ Att. 72, G03-02-01(IV)(B)(2) and (IV)(C)(1).

Appendix A

Case Details

Date/Time/Location of Incident:	August 20, 2024 / 7:21 am / 1718 S. State Street, Chicago Illinois, 60610.
Date/Time of COPA Notification:	August 20, 2024 / 2:28 pm.
Involved Member #1:	Detention Aide Alvin Amos / Employee ID # [REDACTED] / DOA: September 16, 1998 / Unit 171 / Male / Black.
Complainant:	[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).

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.⁴⁶ 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.”⁴⁷

⁴⁶ 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).

⁴⁷ *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