



Log # 2022-0002710

## FINAL SUMMARY REPORT<sup>1</sup>

### I. EXECUTIVE SUMMARY

On June 29, 2022, the Civilian Office of Police Accountability (COPA) received an Initiation Report from the Chicago Police Department (CPD) alleging misconduct by a member of CPD.<sup>2</sup> It is alleged that on June 28, 2022, Officer Clay Walker (Officer Walker) forcibly penetrated [REDACTED] by inserting his penis into her vagina without her consent, struck [REDACTED] about the face with a closed fist without justification, forcefully grabbed [REDACTED] arms without justification, and called her words to the effect of, “bitch” and/or “a piece of shit” and/or “frigid” and/or “the worst human being” without justification.<sup>3</sup>

Following its investigation of Officer Walker, COPA reached a sustained finding regarding the allegation of verbal abuse.

### II. SUMMARY OF EVIDENCE<sup>4</sup>

On June 28, 2022, at approximately 9:00pm [REDACTED] contacted 911 and reported that she had been raped by her [REDACTED] Officer Walker.<sup>5</sup> Upon this call, responding officers were dispatched to [REDACTED] and Officer Walker’s residence. While on scene, responding units, as well as Sgt. Wojciech Dratwa, engaged [REDACTED].<sup>6</sup> [REDACTED] relayed that she received a text message from Officer Walker telling her that he was going to have sex with her when he came home (see Figure 1).

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<sup>1</sup> 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.

<sup>2</sup> Att. 1

<sup>3</sup> One or more of these allegations fall within COPA’s jurisdiction pursuant unto Chicago Municipal Code 2-78-120. Therefore, COPA determined it would be the primary investigative agency in this matter.

<sup>4</sup> 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 (BWC) footage, initiation reports, police reports, statements (Officer Walker, [REDACTED] text messages, and photos.

<sup>5</sup> Att. 10

<sup>6</sup> Att. 19

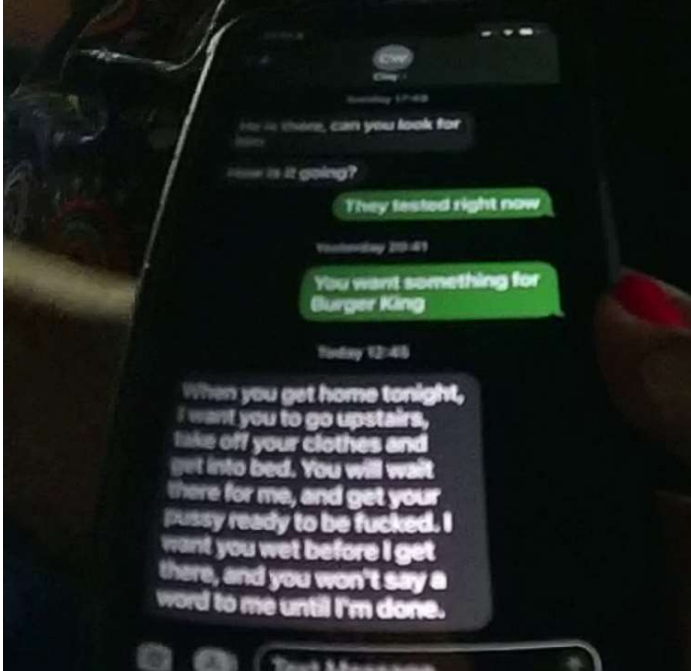


Figure 1: Text message on [REDACTED] phone.

Upon [REDACTED] arriving home, she changed into her nightgown and proceeded to lay down in the bed. When Officer Walker came into the room with [REDACTED] he told her to perform oral sex on him and she told him “no.” Officer Walker also told [REDACTED] that he wanted to “do it from the back,”<sup>7</sup> and [REDACTED] again told Officer Walker “no.” [REDACTED] related that she told Officer Walker “no” numerous times. Officer Walker proceeded to attempt to open [REDACTED] legs and [REDACTED] again told Officer Walker “no.” Eventually, [REDACTED] relayed that she acquiesced to Officer Walker’s advances and had sex with him. Additionally, [REDACTED] related that Officer Walker would also insult her and call her out of her name, stating words to the effect of “piece of shit,” “the worst person ever.”<sup>8</sup> [REDACTED] also related that Officer Walker hit her with a closed fist about her face.<sup>9</sup>

[REDACTED] called 911 to report her [REDACTED] raped her. During the call, Officer Walker could be heard in the background yelling at her, saying she hit him with a gun, and calling her a “fucking idiot.”<sup>10</sup> Shortly after, [REDACTED] went to the hospital and spoke with CPD detectives regarding this incident. In [REDACTED] interview with detectives, she related a slightly different narrative. [REDACTED] informed the detective of additional details relative to her statement on scene. She related that when Officer Walker told her to take his pants off to give him oral sex, she told him “no” and told him that he could take his pants off himself.<sup>11</sup> Officer Walker proceeded to

<sup>7</sup> Att. 19 at 21:25:35

<sup>8</sup> Att. 19 at 21:26:00

<sup>9</sup> Att. 19 at 21:26:55-21:27:29

<sup>10</sup> Att. 10, starting at 0:54. CPD responded and arrested Officer Walker, but ultimately released him without charging due to [REDACTED] refusal to prosecute. See Att. 2, 4.

<sup>11</sup> Att. 15 Page 7 Lines 4-17

take his pants off. Additionally, ██████████ told the detective that when Officer Walker attempted to open her legs, she closed her legs and began to swing them from side to side. During this time, ██████████ told Officer Walker that she needed a moment to think about it. Officer Walker then got on top of ██████████ and had sex with her. ██████████ also related that at no point did Officer Walker pin or hold her hands. ██████████ further explained that Officer Walker forced her legs open by repeatedly asking her to open her legs.<sup>12</sup> At no point did she relay he physically forced open her legs. Also, ██████████ explained that she believed Officer Walker would hit her if she didn't open her legs.<sup>13</sup> ██████████ then left the room and called her ██████████, her boss,<sup>14</sup> and Officer Walker's ██████████. She informed them that Officer Walker forced her to have sex with him. Additionally, when ██████████ returned to the room with Officer Walker, a physical altercation occurred. ██████████ further explained that because she was upset and wanted to kill him, she hit Officer Walker in the head with his gun box.<sup>15</sup> When ██████████ hit him in the head with the gun box, the firearm came out and ██████████ grabbed the gun. ██████████ related that Officer Walker tried to take the gun out of her hand but when he could not, he punched her in the face.<sup>16</sup>

During COPA's interview with ██████████ she provided the same narrative about the incident to COPA as she did during her interview with CPD detectives at the hospital.<sup>17</sup> However, ██████████ provided a different narrative about their communication during their 22-year ██████████ informed COPA that Officer Walker would frequently, nearly every day, verbally abuse her, in that he would call her a bitch, or berate her and tell her she did not know how to treat a man.<sup>18</sup>

COPA interviewed ██████████<sup>19</sup> ██████████ is ██████████ During COPA's interview with ██████████ informed COPA of the limited knowledge she had about ██████████ and her ██████████ with Officer Walker. ██████████ related that ██████████ recently shared her suspicions about Officer Walker and their sexual relations. ██████████ shared with ██████████ that her suspicions were notable because Officer Walker had been taking male enhancements.<sup>20</sup> ██████████ believed Officer Walker was cheating on her. When asked about

<sup>12</sup> Att. 15 Page 10 Lines 8-24

<sup>13</sup> When the detective asked what Officer Walker did or said that made her believe he would hit her, she did not provide a reason. Additionally, the detective inquired if Officer Walker had ever hit ██████████ before, and she informed detectives that he had only pushed her back in 2005. It should also be noted that ██████████ informed the detective that in the 22 years she and Officer Walker have been ██████████ it was uncommon that they would argue. ██████████ also explained that Officer Walker never hit her with a closed or open fist, nor had he threatened her (Att. 15 Pages 12-13).

<sup>14</sup> COPA interviewed ██████████ supervisors ██████████ and ██████████

<sup>15</sup> Att. 15 Page 20-25

<sup>16</sup> Att. 15 Page 24-25. It should also be noted that ██████████ related that although the gun was not loaded, she did attempt to grab the magazine to load the firearm.

<sup>17</sup> Att. 12

<sup>18</sup> Att. 13 Page 5. Nearing the conclusion of this investigation, ██████████ contacted COPA twice via email and via phone to recant her statement. See atts. 64-65 and CMS Note: CO-1345543 and CO-1374273.

<sup>19</sup> Att. 51

<sup>20</sup> Att. 52 Page 7-8

the incident on June 28, 2022, ██████ told COPA she received a call from ██████. In this call, ██████ told ██████ that Officer Walker had raped her. ██████ related that ██████ told her that, when she was in the bedroom attempting to get away from Officer Walker, Officer Walker forced himself through the door and made her have sex with him.<sup>21</sup> ██████ further informed ██████ that Officer Walker grabbed her around the neck and on the wrist to keep her from moving.<sup>22</sup>

COPA interviewed ██████.<sup>23</sup> ██████ is another ██████ of ██████. During COPA's interview with ██████ informed COPA of the limited knowledge she had about ██████ and her ██████ with Officer Walker. ██████ related that ██████ would sometimes talk about her relationship and that ██████ made comments that her ██████ (Officer Walker), was possibly cheating on her.<sup>24</sup> As it relates to June 28, 2022, ██████ related that she spoke with ██████ the next day and ██████ seemed to be shaken up. ██████ later informed COPA that a couple of days later, ██████ informed her that Officer Walker had raped her and that she hurt him, but did not go into many details.<sup>25</sup> ██████ also shared that ██████ told her that she and Officer Walker were not on good terms and had not had sex in a long time.

COPA interviewed Officer Walker.<sup>26</sup> Officer Walker informed COPA that he and ██████ had not been on good terms for nearly a month prior to this incident. Officer Walker related that to improve their relationship and bring excitement to their relationship, he attempted to do something that he had never done by sending a sexual text to ██████.<sup>27</sup> Officer Walker related that when he got home, ██████ was changed into a nightgown and was laying in the bed. Because of this, Officer Walker assumed that ██████ was willing to go along with the things he had mentioned in the text. He related he said to her, "Take me out of my pants," to which she replied, "no." He then said, "Put me in your mouth," and she again said "no." He then took his clothes off and got on the bed on his knees. ██████ had her knees bent and was moving them back and forth. Officer Walker was getting off the bed, and ██████ eventually opened her legs and they had sexual intercourse.<sup>28</sup> Afterwards, ██████ began crying, got out of the bed, and said "I'm going to kill you."<sup>29</sup> Officer Walker related to COPA that ██████ proceeded to grab the gun safe he keeps in their bedroom.<sup>30</sup> ██████ hit Officer Walker in the head with the gun box and also attempted to grab the gun. In an attempt to get the gun out of ██████ hands, Officer Walker grabbed ██████ wrist. Officer Walker also related that at some point ██████ accused him of having a girlfriend, and she believed that the only

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<sup>21</sup> Att. 52 Page 10 Lines 7-22

<sup>22</sup> Att. 52 Page 11 Lines 17-24

<sup>23</sup> Att. 49

<sup>24</sup> Att. 50 Page 13 Lines 13-23

<sup>25</sup> Att.50 Page 18

<sup>26</sup> Att. 62

<sup>27</sup> Att. 62 Page 15 Lines 15-19

<sup>28</sup> Att. 62 Page 56 Lines 8-11

<sup>29</sup> Att. 62 Page 17 Lines 1-3

<sup>30</sup> Att. 62 Page 42 Lines

reason he just had sex with her was because he must have broken up with his girlfriend.<sup>31</sup> Regarding the allegation of verbal abuse, Officer Walker either did not recall using the alleged language or said it was “not [his] style” to do so.<sup>32</sup>

It should be noted that, at the conclusion of COPA’s interview with Officer Walker, Officer Walker informed COPA that he looked up the case report and read the details of what was reported. The case report included a detailed narrative of what ██████████ told responding officers.<sup>33</sup>

### III. ALLEGATIONS

#### OFFICER CLAY WALKER

1. On or about June 28, 2022, at approximately 9:00pm, at or near the location of ██████████ ██████████ Officer Clay Walker forcibly penetrated ██████████ by inserting his penis into her vagina without her consent.
  - **Not sustained.**
2. On or about June 28, 2022, at approximately 9:00pm, at or near the location of ██████████ ██████████ Officer Clay Walker struck ██████████ about the face with a closed fist without justification.
  - **Not sustained.**
3. On or about June 28, 2022, at approximately 9:00pm, at or near the location of ██████████ ██████████ Officer Clay Walker grabbed ██████████ about the arms without justification.
  - **Not sustained.**
4. On various dates, times, and locations, between January 2022 and June 2022, Officer Clay Walker has verbally abused ██████████ in that he called her words to the effect of, “bitch” and/or “piece of shit” and/or “frigid” and/or “the worst human being” without justification.
  - **Sustained**, Violation of Rules 2,3,8 and 9.

### 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 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.

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<sup>31</sup> Att. 62 Page 19 Lines 10-17

<sup>32</sup> Att. 62 Page 53 Line 16

<sup>33</sup> Officer Walker retired from CPD during the pendency of this investigation, prior to COPA making a determination about serving an allegation that he looked at a case report on which he was the named suspect.

Some of the details [REDACTED] provided changed in her reporting of the incident to the sergeant on the scene, to the detectives at the hospital, and to COPA. COPA understands [REDACTED] had just been through a traumatic incident and attributes these minor differences in her accounts to her state of mind at the time she gave them.

Officer Walker told COPA an account of the facts that were substantially similar to what [REDACTED] reported. COPA notes that Officer Walker acknowledged he had read the case report describing [REDACTED] account to the responding officers. Given this, it is not possible for COPA to determine whether Officer Walker tailored his account to what he read in the report or whether he intentionally misled COPA during his interview, particularly about the allegation of verbal abuse.

## V. ANALYSIS<sup>34</sup>

COPA finds Allegations #1, #2, and #3 against Officer Walker, in that he forcibly penetrated [REDACTED] by inserting his penis into her vagina without her consent, struck [REDACTED] about the face with a closed fist without justification, and forcefully grabbed [REDACTED] arms without justification, are **not sustained**. [REDACTED] and Officer Walker provided slightly different accounts of what occurred. Officer Walker related that while he did send the text message, it was not out of a malicious intent. In fact, Officer Walker explained that he was attempting to reinvigorate their relationship and increase their intimacy by doing something different in their sexual relationship. Officer Walker also noted that while [REDACTED] did say no, he took it as her being playful considering she had a smirk on her face. Lastly, Officer Walker related that at no point did he hit [REDACTED] instead he related he grabbed her wrist to get the gun from her hand. While [REDACTED] provide slightly varying accounts to different people (CPD detectives and [REDACTED]) they all point to the fact that in all of Officer Walker's advances, she did not consent until feeling pressured into doing so. Additionally, [REDACTED] was consistent with the fact that she said Officer Walker struck her in an attempt to get the gun from her. Because there are conflicting statements between Officer Walker and [REDACTED] coupled with insufficient independent verifiable evidence, COPA is unable to demonstrate that Officer Walker's actions rose to the level of misconduct. Therefore, it is insufficient evidence to prove or disprove the allegations by a preponderance of the evidence. As such, allegations #1, #2, and #3 are **not sustained**.

COPA finds Allegation #4, that Officer Walker verbally abused [REDACTED] in that he called her words to the effect of, "bitch" and/or "piece of shit" and/or "frigid" and/or "the worst human being" without justification is **sustained**. During COPA's interview with Officer Walker, rather than denying this allegation, he related he did not recall if he ever called [REDACTED] those names.<sup>35</sup> However, in the 911 call [REDACTED] made on the night of the incident, Officer Walker can be heard in the background saying "fucking idiot" while speaking to [REDACTED] as she was

<sup>34</sup> For a definition of COPA's findings and standards of proof, see Appendix B.

<sup>35</sup> Att. 62 Page 62 Lines 1-3

speaking to the dispatcher.<sup>36</sup> For these reasons, it is more likely than not that Officer Walker have called [REDACTED] words to the effect of “bitch” and/or “frigid” and/or “the worst human being.” COPA finds by a preponderance of evidence that this allegation is **sustained**. Therefore, COPA finds that Officer Walker’s actions violated Department Rules 2, 3, 8, and 9.

**VI. DISCIPLINARY RECOMMENDATION**

**A. Officer Clay Walker**

**i. Complimentary and Disciplinary History<sup>37</sup>**

Officer Walker was a CPD member from December 14, 1998, until his retirement on August 16, 2024. In that time, he received 25 various awards. He received a Reprimand related to a 2022 incident regarding a failure to provide service but has no other recent discipline.

**ii. Recommended Discipline**

Officer Walker is no longer a CPD member. If he were, COPA would have recommended a suspension of 1-29 days. In mitigation, COPA points to Officer Walker’s relative lack of serious discipline in the years before his retirement. In aggravation, COPA notes Officer Walker failed to acknowledge he engaged in verbal abuse of his [REDACTED] during their [REDACTED] and read a case report in which he was the named suspect, which could have affected the information he provided in his interview.

Approved:

[REDACTED]

June 30, 2025

\_\_\_\_\_  
Shannon Hayes  
*Acting Deputy Chief Administrator*

\_\_\_\_\_  
Date

<sup>36</sup> Att. 10

<sup>37</sup> Att. 67.

Appendix ACase Details

Date/Time/Location of Incident:	June 28, 2022 / 9:00 pm / [REDACTED] Chicago, IL 60656
Date/Time of COPA Notification:	June 28, 2022 / 11:14 pm
Involved Member #1:	Officer Clay Walker / Star #10774 / Employee ID# [REDACTED] / DOA: December 14, 1998 / Unit: 376 / Male / White
Involved Individual #1:	[REDACTED] / Female / 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

## 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 allegation 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.<sup>38</sup> 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.”<sup>39</sup>

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<sup>38</sup> 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).

<sup>39</sup> *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4<sup>th</sup> 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