



Log # 2023-4942

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On October 19, 2023, the Civilian Office of Police Accountability (COPA) received a telephone complaint from [REDACTED] reporting alleged misconduct by members of the Chicago Police Department (CPD). [REDACTED] and two of her children, [REDACTED] and [REDACTED] alleged that on April 17, 2023, CPD members assisted Chicago Housing Authority (CHA) personnel in forcing entry into her home at [REDACTED] did not provide anyone in the home an opportunity to respond to the door prior to forcing entry, searched her home without justification, permitted CHA personnel to search her home, and arrested [REDACTED] without justification.²

COPA identified the CPD personnel involved as Commander Tyrone Pendarvis, Sergeant (Sgt.) Thomas Davey, Sgt. Michael Ferguson, and Police Officers Matthew Parisi, Daniel Condreva, Jonathan Cruz Acevedo,³ and Adam Altenbach. Upon review of the evidence, COPA served an additional allegation that Officer Altenbach entered [REDACTED] home without wearing items identifying him as law enforcement visible on his outermost garment.

Following its investigation, COPA reached sustained findings regarding allegations against Sgt. Davey and Sgt. Ferguson for assisting CHA personnel with an emergency inspection without justification, permitting or directing subordinates to make forced entry into [REDACTED] home without justification, failing to ensure that subordinates gave the occupants of [REDACTED] a reasonable amount of time to respond before forcing entry, and arresting [REDACTED] without justification. COPA also sustained allegations against Officer Parisi for forcing entry into the residence at [REDACTED] without justification and for searching the interior of the residence without justification. COPA also sustained the allegation against Officer Altenbach for failing to wear proper police identifiers on his outermost garment. COPA found that allegations against Officer Condreva and Officer Cruz Acevedo for searching the residence without justification were exonerated.

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 Officer Cruz Acevedo was promoted to the position of detective during the pendency of this investigation. His star number at the time of this incident was #16367, and his current star number is #20794. He is referred to in the narrative of this final summary report as Officer Cruz Acevedo, the rank and title he held at the time of the incident.

II. SUMMARY OF EVIDENCE⁴

On April 17, 2023, CHA personnel contacted the CPD's Fifth District for assistance with conducting an emergency inspection of a public housing residence located at [REDACTED] which was rented to [REDACTED] and occupied by [REDACTED] and her children, [REDACTED] and [REDACTED].⁵ The Fifth District Commander, Tyrone Pendarvis, put the CHA personnel in contact with Sgt. Thomas Davey, the supervisor of a tactical team, and instructed Sgt. Davey to assist the CHA personnel with the inspection.⁶ Sgt. Davey sought assistance from Sgt. Michael Ferguson, the supervisor of another tactical team, for the emergency inspection.⁷

CHA personnel conducted a briefing for Sgts. Davey and Ferguson and the officers assigned to their teams. The CHA personnel presented stills from surveillance video in the vicinity of [REDACTED] recorded on March 27, 2023, March 29, 2023, and April 2, 2023, showing individuals holding items that appeared to be firearms outside of the courtyard entrance to that address and inside of the residence, visible through an open door.⁸ The CHA personnel asserted that the stills were from video showing the individuals entering and existing the residence at [REDACTED].⁹

Upon completing the briefing, Sgts. Davey and Ferguson and the officers on their tactical teams travelled to [REDACTED] with the CHA personnel. The CPD members took up positions at the two entrances to the residence, one facing Corliss Ave. where Sgt. Davey was positioned and the other facing a courtyard where Sgt. Ferguson was positioned.¹⁰ CHA personnel, Security Supervisor Miguel Munoz and Director of Emergency Services LaDar Jones, attempted to open the courtyard-side door using a key. They opened a screen door but were unable to open the exterior door behind the screen door.¹¹ Once that attempt failed, Officer Matthew Parisi approached the door and shouted, "Police department!"¹² Officer Parisi struck the door with a battering ram and then shouted, "Open the door!"¹³ Officer Parisi continued to strike the door with the battering ram until the door opened.¹⁴

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, CHA video and reports, CPD reports, civilian interviews, and CPD member interviews.

⁵ Att. 110, pg. 25, lns. 8 to 23.

⁶ Att. 145, pg. 8, ln. 8, to pg. 10, ln. 10.

⁷ Att. 143, pg. 8, lns. 6 to 18, and Att. 145, pg. 16, ln. 23, to pg. 17, ln. 21.

⁸ Att. 105, pgs. 3 to 8.

⁹ Att. 143, pg. 9, ln. 3, to pg. 10, ln. 3, and Att. 145, pg. 12, ln. 4, to pg. 14, ln. 9.

¹⁰ Att. 23 at 6:33 to 7:08 and Att. 33 at 6:31 to 7:17.

¹¹ Att. 21 at 7:02 to 7:26 and Att. 24 at 7:04 to 7:28.

¹² Att. 24 at 7:27.

¹³ Att. 24 at 7:31.

¹⁴ Att. 24 at 7:32 to 7:38.

Officers Parisi, Cruz Acevedo, Altenbach, Jake Schmeisser, Luke Opoka, Daniel Condreva, Alfredo Martinez, and Sgt. Ferguson entered the residence while calling out, "Police."¹⁵ An occupant called out from the second floor, and Officers Schmeisser and Opoka stood at the base of the stairs and directed the occupants of the residence on the second floor to come down the stairs one at a time.¹⁶ The officers handcuffed each occupant as they reached the first floor and patted them down.¹⁷ There were six individuals in the residence at the time: [REDACTED], [REDACTED], and [REDACTED].¹⁸ The individuals inside the residence were detained in the room adjacent to the bottom of the stairs. Officer Condreva lifted a blanket on the floor of the room, and Officer Cruz Acevedo lifted up a vent cover in the room.¹⁹ The officers took down the names of the individuals detained, checked the rooms on the second floor to confirm no other occupants were in the residence, and then exited the residence but remained near the entrance doors.²⁰ CHA personnel entered and began searching the residence while the CPD members completed gathering the names of the detained individuals.²¹

CHA Director of Emergency Services, LaDar Jones, explained to the occupants of the residence that CHA was conducting an emergency inspection due to their belief that weapons were present in the residence.²² Jones asked the occupants to notify him of the location of the weapons and threatened to arrest them all if weapons were recovered and they did not cooperate.²³ None of the occupants provided information to Jones.²⁴ CHA personnel continued their search of the residence, and Sgt. Ferguson assisted by photographing any items that were believed to be contraband.²⁵

During CHA's search of the residence, Officer Parisi checked the occupants' names in a law-enforcement database from a CPD vehicle parked on Corliss Ave.²⁶ While searching [REDACTED] name, Officer Parisi discovered that [REDACTED] had a valid Illinois concealed carry license (CCL).²⁷ Officer Parisi returned to the residence and informed Sgt. Davey of [REDACTED] CCL.²⁸ Officer Parisi then asked [REDACTED] about where his gun was currently

¹⁵ Att. 24 at 7:38 to 7:54.

¹⁶ Att. 23 at 7:53 to 8:16 and Att. 28 at 7:53 to 8:16.

¹⁷ Att. 3 at 8:11 to 9:47, Att. 4 at 8:01 to 9:49, Att. 5 at 5:54 to 7:31, Att. 21 at 8:08 to 9:46, Att. 23 at 8:16 to 9:48, Att. 24 at 8:14 to 9:58, and Att. 34 at 8:09 to 10:08.

¹⁸ Atts. 10 to 15.

¹⁹ Att. 3 at 9:24 to 9:35 and Att. 4 at 9:39.

²⁰ Att. 3 at 9:47 to 14:14, Att. 4 at 9:49 to 12:53, Att. 5 at 7:31 to 8:36, Att. 21 at 9:46 to 10:57, Att. 23 at 9:48 to 11:04, Att. 24 at 9:59 to 12:55, and Att. 34 at 10:08 to 14:12.

²¹ Att. 4 at 10:44 to 12:06, Att. 23 at 10:27 to 11:58, Att. 24 at 10:35 to 12:52, and Att. 33 at 10:17 to 13:17.

²² Att. 23 at 13:02 to 13:28 and Att. 33 at 13:12 to 13:28.

²³ Att. 23 at 13:28 to 14:51 and Att. 33 at 13:28 to 14:28.

²⁴ Att. 23 at 14:51 to 15:41.

²⁵ Att. 23 at 15:42 to 17:06 and at 20:09 to 21:52 and Atts. 62 to 82.

²⁶ Att. 24 at 12:52 to 13:46.

²⁷ Att. 24 at 15:19 to 15:31

²⁸ Att. 24 at 17:35 to 17:52.

located, and ██████ answered that it was upstairs in his bedroom.²⁹ CHA personnel then took ██████ upstairs so he could show them his gun, a semi-automatic, Glock handgun.³⁰ Officer Parisi remained in the residence for a short time after notifying Sgt. Davey of ██████ CCL. While in the residence, Officer Parisi examined items on a TV stand in the living room and opened and examined a refrigerator in the kitchen.³¹ Based on ██████ admission, Sgt. Davey and Sgt. Ferguson decided that he would be placed under arrest at the conclusion of the inspection for possessing a gun on CHA property.³²

CHA personnel returned ██████ to the first floor with the other individuals being detained and continued to search the residence.³³ Officer Condreva began collecting the items discovered by CHA personnel to inventory at the conclusion of the emergency inspection.³⁴ The items inventoried included:

- The Glock semi-automatic handgun belonging to ██████ ██████
- A second Glock semi-automatic handgun³⁶
- A Pioneer Arms semi-automatic rifle³⁷
- Four Illinois temporary vehicle permits³⁸
- Thirty-eight live .40 caliber rounds³⁹
- Six magazines containing an unknown number of live rounds⁴⁰
- A bullet-proof vest⁴¹
- A pill bottle containing forty-eight pills suspected to be ██████
- A bag containing one-hundred-and-fifty pills suspected to be ██████
- Two bags containing suspect cannabis⁴⁴
- Two bags containing a brown powder suspected to be heroin⁴⁵
- A bag containing a white powder suspected to be cocaine⁴⁶

²⁹ Att. 24 at 17:53 to 18:14.

³⁰ Att. 23 at 18:18 to 20:04 and Att. 59.

³¹ Att. 24 at 18:41 to 19:30.

³² Att. 29 at 0:49 to 1:35 and Att. 33 at 23:08 to 23:53.

³³ Att. 29 at 2:13 to 2:35 and Att. 33 at 24:30 to 24:53.

³⁴ Att. 4 at 23:51 to 53:41.

³⁵ Att. 59.

³⁶ Att. 58.

³⁷ Att. 61.

³⁸ Att. 57.

³⁹ Atts. 45, 54 and 56.

⁴⁰ Atts. 43, 44, 46, 47, 48, and 49.

⁴¹ Att. 55.

⁴² Att. 40.

⁴³ Att. 38.

⁴⁴ Atts. 35 and 36.

⁴⁵ Atts. 39 and 53.

⁴⁶ Att. 41.

The bags containing the powdery substances were found in the kitchen near common baking items.⁴⁷ The CHA staff who found the powdery substances indicated that they were uncertain if the substances were contraband,⁴⁸ and the substances were not submitted for laboratory testing to be identified following the emergency inspection.⁴⁹

At the conclusion of the emergency inspection, [REDACTED], [REDACTED], and [REDACTED] were released.⁵⁰ [REDACTED] was transported to the Fifth District by Officer Evangelos Ainalakis and charged with a misdemeanor violation of the Illinois Concealed Carry Act.⁵¹ [REDACTED] criminal case was scheduled for a bench trial on June 13, 2024, but on the trial date the charge was stricken off with leave to reinstate on motion by the prosecution.⁵² [REDACTED] and [REDACTED] initiated *pro se* civil lawsuits against CHA, CPD, and the City of Chicago in September 2024 and January 2025.⁵³

III. ALLEGATIONS

Commander Tyrone Pendarvis:⁵⁴

1. Assisting Chicago Housing Authority personnel with an emergency inspection without justification
 - Closed Hold

Sergeant Thomas Davey:

1. Assisting Chicago Housing Authority personnel with an emergency inspection without justification
 - Sustained, violation of Rules 2, 3, 10, and 11
2. Permitting or directing officers under his supervision to make forced entry into [REDACTED] home without justification.
 - Sustained, violation of Rules 2, 3, 6, 8, and 10

⁴⁷ Att. 23 at 15:50 to 16:48.

⁴⁸ Att. 23 at 16:38.

⁴⁹ Att. 119.

⁵⁰ Att. 33 at 57:34 to 1:01:17.

⁵¹ Att. 22 at 2:00 to 3:07 and Att. 33 at 57:09 to 58:00.

⁵² Atts. 97 and 109.

⁵³ Atts. 115 to 118 and Att. 125. Based on the recency of these filings, and upon review of the available electronic dockets, COPA does not believe that any significant discovery has occurred in these civil proceedings. COPA retains the discretion to review any future settlement or judgement for the purpose of reopening this investigation pursuant to Chicago Municipal Code § 2-78-120.

⁵⁴ Commander Pendarvis retired effective August 17, 2024, during the pendency of this investigation. Commander Pendarvis was not interviewed, and COPA does not reach any findings regarding the allegation against him. This investigation may be re-opened should Commander Pendarvis return to employment with the City of Chicago in the future. *See* Att. 155.

3. Failing to ensure officers gave the occupants of [REDACTED] a reasonable amount of time to respond before forcing entry to their residence after knocking and announcing their office
 - Sustained, violation of Rules 2, 3, 6, 8, and 10
4. Arresting [REDACTED] without justification
 - Sustained, violation of Rules 2, 3, 6, 8, and 10

Sergeant Michael Ferguson:

1. Assisting Chicago Housing Authority personnel with an emergency inspection without justification
 - Sustained, violation of Rules 2, 3, 10, and 11
2. Permitting or directing officers under his supervision to make forced entry into [REDACTED] home without justification.
 - Sustained, violation of Rules 2, 3, 6, 8, and 10
3. Failing to ensure officers gave the occupants of [REDACTED] a reasonable amount of time to respond before forcing entry to their residence after knocking and announcing their office
 - Sustained, violation of Rules 2, 3, 6, 8, and 10
4. Arresting [REDACTED] without justification
 - Sustained, violation of Rules 2, 3, 6, 8, and 10

Officer Matthew Parisi:

1. Searching the interior of [REDACTED] without justification
 - Sustained, violation of Rules 2, 3, 6, and 8
2. Forcing entry into [REDACTED] home without justification
 - Sustained, violation of Rules 2, 3, 6, 8, and 10

Officer Daniel Condreva:

1. Searching the interior of [REDACTED] without justification
 - Exonerated

Officer Jonathan Cruz Acevedo:

1. Searching the interior of [REDACTED] without justification
 - Exonerated

Officer Adam Altenbach:

1. Failing to wear the prescribed star, name tag, unit designator, and/or rank insignia on his outer-most garment and in view to the public
 - Sustained, violation of Rules 2, 3, 6, 10, and 12

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.

COPA interviewed three civilian complainants, one CHA employee, and seven CPD members who participated in the emergency inspection. All individuals interviewed provided accounts that were consistent with and supported by video evidence on all material facts asserted. During their interviews, the CHA employee and CPD members had difficulty recalling the details of the briefing that preceded the emergency inspection and the participants in that briefing.

COPA obtained copies of CHA's briefing materials from CHA's legal department and from Sgt. Ferguson, who brought copies of the briefing materials to his interview.⁵⁵ The two copies were identical except that the CHA-provided materials included one additional slide citing to federal regulations purporting to be a legal authority for CHA's emergency inspection.⁵⁶ The materials provided by Sgt. Ferguson included CPD reports, one documenting a prior arrest of ██████████ ██████████ for possessing a stolen vehicle, and one documenting the stop of an individual with no known connection to ██████████⁵⁷

The slide and reports that were unique to each copy of the briefing materials are not material. The additional slide provided by CHA, citing to federal regulations, does not support the authority that CHA purported to have.⁵⁸ The additional reports included with Sgt. Ferguson's copy of the briefing materials have no known connection to the factual basis for the emergency inspection itself or how it was conducted.

There is no known record of the full list of attendees for the briefing or the materials presented that is comprehensive. For purposes of the analysis below, all content provided in both sets of briefing materials is assumed to have been presented at the briefing, and it is assumed that the attendance of the briefing was limited to the participants in the emergency inspection from CPD and CHA.

⁵⁵ Atts. 105 and 131.

⁵⁶ Att. 105, pg. 12.

⁵⁷ Att. 131, pgs. 19 to 24.

⁵⁸ See *infra* Part V(a).

V. ANALYSIS⁵⁹

a. Participation in Emergency Inspection

Sgts. Davey and Ferguson are accused of assisting CHA personnel with an emergency inspection without justification. CHA personnel contacted CPD to seek assistance in conducting the emergency inspection.⁶⁰ The CHA personnel were put in contact with Sgt. Davey by Commander Pendarvis,⁶¹ and Sgt. Davey sought further assistance from Sgt. Ferguson.⁶²

The CHA personnel represented to Sgt. Davey and Sgt. Ferguson that they had authority to conduct this emergency inspection by citing to the terms of [REDACTED] lease, which states, “CHA may enter the resident’s dwelling unit at any time without advance notice when there is reasonable cause to believe an emergency exists that poses an immediate threat to the health, safety, and/or welfare of residents and/or employees.”⁶³ The briefing PowerPoint that CHA presented to CPD members prior to the inspection also cited to federal regulations promulgated by the US Department of Housing and Urban Development (HUD).⁶⁴ The HUD regulations require public housing authorities to include an emergency inspection provision in residential leases.⁶⁵ HUD guidance on this provision makes clear that it is solely meant to address habitability issues that pose an immediate threat rather than public safety concerns.⁶⁶

Sgts. Davey and Ferguson were initially directed to assist CHA in their emergency inspection by Commander Pendarvis. During the briefing by CHA personnel, Sgts. Davey and Ferguson learned that the basis of the emergency was activity that occurred more than two weeks earlier. Also, the plan that was developed jointly by Sgt. Davey, Sgt. Ferguson, and the CHA personnel tasked civilian CHA personnel with making the initial attempt to enter the residence which they believed contained firearms, and CPD members were tasked with forcing entry should CHA’s attempts fail.⁶⁷ In instances where CPD members are assisting an outside law enforcement agency with serving a judicially-approved search warrant, a bureau chief must approve both CPD’s involvement in serving the warrant and whether CPD members may participate in the entry process.⁶⁸ Sgts. Davey and Ferguson both noted the additional challenges involved in assisting a civilian agency in this capacity due to the CHA personnel being unarmed, not having protective equipment, and a lack of law enforcement training.⁶⁹ Because CHA is not a law-enforcement

⁵⁹ For a definition of COPA’s findings and standards of proof, *see* Appendix B.

⁶⁰ Att. 110, pg. 25, lns. 8 to 23.

⁶¹ Att. 145, pg. 8, ln. 8, to pg. 9, ln. 19.

⁶² Att. 145, pg. 16, ln. 23, to pg. 17, ln. 21.

⁶³ Att. 107, pg. 25.

⁶⁴ Att. 105, pg. 12.

⁶⁵ *See* 24 CFR 966.4(j)(2).

⁶⁶ Att. 146, pg. 19.

⁶⁷ Att. 23 at 3:38 to 3:44 and Att. 33 at 3:38 to 3:44.

⁶⁸ Att. 153, S04-19(II)(M)(1), Search Warrants (effective December 16, 2022, to present).

⁶⁹ Att. 143, pg. 46, ln. 8 .to pg. 47, ln. 12, and Att. 145, pg. 31, ln. 21, to pg. 33, ln. 5.

agency and because there was no judicially approved warrant, the CPD directive on assisting outside agencies did not apply, but Sgt. Davey and Sgt. Ferguson still should have been aware that their proposed course of action was highly unusual, and they should have sought guidance from superiors before proceeding. Also, the fact that Commander Pendarvis initially tasked them with assisting CHA does not excuse their conduct, as there is no evidence indicating that Commander Pendarvis knew the nature of the purported emergency or knew how the sergeants would be assisting. Once they learned why CHA was requesting assistance and what CHA was asking them to do, they should have gone back to the commander, or another superior, for further guidance.

The facts discovered by Sgt. Davey and Sgt. Ferguson after receiving direction from Commander Pendarvis should have alerted them to the impropriety of the emergency inspection itself and the scope of their teams' involvement. COPA therefore finds by a preponderance of the evidence that Sgt. Davey and Sgt. Ferguson assisted CHA personnel with an emergency inspection without justification, in violation of Rules 2, 3, 10, and 11, and this allegation against Sgt. Davey and Sgt. Ferguson is **Sustained**.

b. Forced Entry of Residence

It is alleged that Officer Parisi forced entry into the residence at [REDACTED] without justification and that Sgt. Davey and Sgt. Ferguson permitted or directed officers under their supervision to make forced entry without justification. CPD members are expected to act in a manner to eliminate the need to use force and to resolve situations without resorting to force, remembering that CPD's core principle is to gain voluntary compliance of persons, when consistent with personal safety.⁷⁰ CPD members are also obligated to safeguard lives and property.⁷¹

Here, no CPD member made any attempt to contact the residents inside [REDACTED] and seek their compliance in gaining entry to the residence.⁷² Sgt. Ferguson, Sgt. Davey, and Officer Parisi justified their decision to force entry – and to do so without contacting the occupants – because they believed CHA had authority to enter the residence without notification and they believed that they were acting under that authority.⁷³

This justification is without merit. As discussed above, the involved CHA personnel did not have legal authority to conduct the emergency inspection and misrepresented their authority to the involved CPD members.⁷⁴ But even taking CHA's assertion concerning their authority to make entry as true, Sgt. Davey, Sgt. Ferguson, and Officer Parisi were not excused from attempting to

⁷⁰ Att. 152, G03-02(II)(C), De-Escalation, Response to Resistance, and Use of Force (effective April 15, 2021, to June 27, 2023).

⁷¹ Att. 151, G02-01(II)(C), Protection of Human Rights (effective June 30, 2022, to present).

⁷² Att. 24 at 6:36 to 7:28 and Att. 33 at 6:32 to 7:56.

⁷³ Att. 143, pg. 40, ln. 11, to pg. 41, ln. 21.

⁷⁴ See *supra* Part V(a); Att. 143, pg. 11, ln. 23, to pg. 12, ln. 6; Att. 145, pg. 12, lns. 7 to 23; Att. 146, pg. 19.

seek voluntary compliance from the occupants of [REDACTED] to avoid causing unnecessary damage to their residence, to avoid impeding their ability to secure their home, and to avoid the danger to life inherent in a forcible and unexpected entry. COPA therefore finds by a preponderance of the evidence that Officer Parisi forced entry into [REDACTED] home without justification and that Sgt. Davey and Sgt. Ferguson permitted or directed officers under their supervision to make forced entry without justification, all in violation of Rules 2, 3, 6, 8, and 10, and these allegations are **Sustained**.

c. Knock and Announce

Sgt. Davey and Sgt. Ferguson are alleged to have failed to ensure that officers gave the occupants of [REDACTED] a reasonable amount of time to respond before forcing entry to their residence after knocking and announcing their office. Police officers are generally required to knock and announce their office prior to entering a dwelling unless there is a threat of physical violence or reason to believe that evidence will be destroyed if the occupants become aware of the police presence.⁷⁵ The purpose of the knock and announce rule is to notify anyone inside of a residence of the presence of police and their imminent intrusion and to give the occupants time to respond to avoid violence and protect the occupants' privacy.⁷⁶ The presence of weapons alone is not a sufficient threat to warrant an unannounced entry without actual knowledge of a threat or propensity for use of weapons by the occupants.⁷⁷ CPD members are expected to act in a manner to eliminate the need to use force and to resolve situations without resorting to force, remembering that CPD's core principle is to gain voluntary compliance of persons, when consistent with personal safety.⁷⁸ CPD members are also obligated to safeguard lives and property.⁷⁹

Officer Parisi announced his office as he was striking the courtyard-side door to [REDACTED] with his ram.⁸⁰ Fewer than ten seconds elapsed between Officer Parisi announcing his office and successfully forcing the door open, and he was actively attempting to force the door open during that time.⁸¹ None of the CPD members interviewed by COPA professed to have any prior contacts with or knowledge of any of the residents of [REDACTED] or the guests who were present during the emergency inspection, so there was no basis for them to believe that anyone inside had the propensity to use weapons.⁸²

⁷⁵ *Arkansas v. Wilson*, 514 U.S. 927, 930, 934-37 (1995).

⁷⁶ *People v. Condon*, 148 Ill.2d 96, 103 (1992).

⁷⁷ *People v. Krueger*, 175 Ill.2d 60, 68-69 (1996).

⁷⁸ Att. 152, G03-02(II)(C).

⁷⁹ Att. 151, G02-01(II)(C).

⁸⁰ Att. 24 at 7:29.

⁸¹ Att. 24 at 7:29 to 7:38.

⁸² Att. 141, pg. 56, ln. 16, to pg. 58, ln. 2; Att. 142, pg. 40, ln. 24, to pg. 42, ln. 8; Att. 143, pg. 17, lns. 6 to 23 and pg. 85, ln. 1, to pg. 86, ln. 4; Att. 144, pg. 21, lns. 10 to 15 and, pg. 29, ln. 6, to pg. 30, ln. 3; Att. 145, pg. 23, ln. 6, to pg. 24, ln. 8 and pg. 59, ln. 9, to pg. 60, ln. 4; Att. 149, pg. 28, ln. 1. to pg. 29, ln. 6.

During their briefing for the CPD tactical teams, CHA personnel made the involved CPD members aware of individuals associated with the residence possessing firearms, but those instances occurred two weeks prior to the emergency inspection.⁸³ The briefing included no information that could be construed as a threat of force or propensity for violence by any of the residents of [REDACTED] or other individuals observed near that residence. Thus, there are no circumstances justifying the failure to knock and announce prior to forcing entry, and COPA finds by a preponderance of the evidence that Sgt. Davey and Sgt. Ferguson failed to ensure officers gave the occupants of [REDACTED] a reasonable amount of time to respond before forcing entry to their residence after knocking and announcing their office, in violation of Rules 2, 3, 6, 8, and 10, and this allegation is **Sustained** against both sergeants.

d. Search of Residence

Officer Parisi, Officer Condreva, and Officer Cruz Acevedo are alleged to have searched the interior of [REDACTED] without justification. Unless a defined exception applies, “searches conducted outside the judicial process, without prior approval by judge or magistrate, are *per se* unreasonable under the Fourth Amendment.”⁸⁴ Defined exceptions “are jealously and carefully drawn,”⁸⁵ and they include protective pat downs conducted under the reasonable belief that the person searched is armed,⁸⁶ searches incident to an arrest supported by probable cause,⁸⁷ and instances where exigent circumstances justify a warrantless search.⁸⁸ CPD members are required to ensure compliance with the Fourth Amendment to the Constitution of the United States and its guarantees of protection from unreasonable search and seizure.⁸⁹

Multiple officers entered the residence at [REDACTED] for the purpose of securing the occupants, but Officers Parisi, Condreva, and Cruz Acevedo searched the interior of the home after all the occupants were secured. Officer Condreva and Officer Cruz Acevedo searched under a blanket and inside a vent in the immediate vicinity of the individuals who were detained.⁹⁰ Officer Parisi searched inside the refrigerator after re-entering the residence to alert Sgt. Davey that [REDACTED] was a CCL licensee.⁹¹

During their interviews with COPA, Officer Condreva and Officer Cruz Acevedo characterized their activities as an extension of the protective pat downs they conducted of the individuals inside [REDACTED].⁹² The searches that they conducted were limited in scope

⁸³ Att. 105, pg. 9.

⁸⁴ *Katz v. United States*, 389 U.S. 347, 357 (1967).

⁸⁵ *Jones v. United States*, 357 U.S. 493, 499 (1958).

⁸⁶ *Terry v. Ohio*, 392 U.S. 1, 30 (1968).

⁸⁷ *Carroll v. United States*, 267 U.S. 132, 158 (1925).

⁸⁸ *United States v. Santana*, 427 U.S. 38, 43 (1976).

⁸⁹ Att. 151, G02-01(IV)(B).

⁹⁰ Att. 3 at 9:27 to 9:33.

⁹¹ Att. 4 at 9:41 to 9:46.

⁹² Att. 142, pg. 28, ln. 5, to pg. 29, ln. 2; Att. 144, pg. 23, ln. 17, to pg. 25, ln. 12.

to the immediate vicinity of where the occupants were being detained and of locations where a weapon could be concealed. These searches were reasonable under the circumstances for the purpose of ensuring that the emergency inspection could be conducted safely. COPA finds clear and convincing evidence that allegation for searching the interior of ██████████ without justification against Officer Condreva and Officer Cruz Acevedo is **Exonerated**.

During his interview with COPA, Officer Parisi provided no basis for conducting his search beyond that he wanted to see what was inside the refrigerator.⁹³ Unlike the searches conducted by Officer Condreva and Officer Cruz Acevedo, Officer Parisi's search was not a reasonable extension of securing the occupants of the residence during the search. Officer Parisi's search occurred much later, after those individuals were secured and far outside of their reach. COPA finds by a preponderance of the evidence that Officer Parisi searched the interior of ██████████ without justification, in violation of Rules 2, 3, 6, and 8, and this allegation is **Sustained**.

e. Arrest of ██████████

It is alleged that Sgt. Davey and Sgt. Ferguson arrested ██████████ without justification. CPD members are required to ensure compliance with the Fourth Amendment to the Constitution of the United States and its guarantee of protection from unlawful arrest.⁹⁴ ██████████ arrest report listed the section of the Concealed Carry Act (Act) prescribing the sentence for a violation of the Act, but not the underlying conduct that constituted the purported violation.⁹⁵ Sgt. Davey and Sgt. Ferguson made statements on BWC recordings concurrent with the discovery of ██████████ firearm ownership and CCL that ██████████ was being arrested because firearms are prohibited on CHA property.⁹⁶ In their statements to COPA, both sergeants referenced CCA prohibition on CCL-holders carrying weapons in buildings controlled by units of local government and CHA's firearm-free policy.⁹⁷

The CHA policy is not a part of the criminal code, and CHA's policy prohibiting firearms cannot serve as the basis for making an arrest. CHA's firearm free policy does cite to the CCA broadly without containing any citation to a particular section of the CCA.⁹⁸ There are no specific

⁹³ Att. 141, pg. 43, ln. 4, to pg. 44, ln. 7.

⁹⁴ Att. 151, G02-01(IV)(B).

⁹⁵ Att. 9, pg. 1. The offense cited on the arrest report is 430 ILCS 66/70(e), which generally prescribes that a licensee who violates the Act shall be guilty of a Class B misdemeanor. This section of the Act does not prohibit any particular conduct and does not describe a specific offense. COPA also notes that the arresting officers listed on the report are Officer Alfredo Martinez and Officer Cruz Acevedo. COPA did not bring allegations against these officers for arresting ██████████ because the arrest was clearly directed by Sgt. Davey and Sgt. Ferguson.

⁹⁶ Att. 29 at 2:14 to 2:38 and Att. 33 at 24:33 to 24:52.

⁹⁷ Att. 143, pg. 57, lns. 2 to 23, and pg. 58, ln. 5, to pg. 59, ln. 6; Att. 145, pg. 49, ln. 22, to pg. 50, ln. 11, and pg. 52, lns. 2 to 21.

⁹⁸ Att. 150, pg. 42.

references within the CCA to public housing agencies or public housing property, which could serve as a basis for a criminal violation.⁹⁹

The related criminal statute for unlawful use of a weapon (UW) specifically prohibits carrying a firearm on property owned or operated by a public housing agency.¹⁰⁰ However, the UW statute contains an exception for carrying a firearm in one's own legal dwelling.¹⁰¹ The Illinois First District Appellate Court upheld the prohibition on firearms in public housing while specifically noting that the prohibition cannot be applied to a *resident* of public housing. Unlike the UW statute, the CCA contains no direct references to public housing agencies or public housing property.¹⁰² The conduct that served as the basis for [REDACTED] arrest, storing a legally owned firearm in his home as a public housing resident, cannot reasonably be interpreted as a violation of the CCA without stretching the language of the statute beyond its plain meaning and in a manner that implicates the core rights enshrined in the Second Amendment.

Both Sgt. Davey and Sgt. Ferguson displayed a lack of familiarity with the CCA in their interviews with COPA. Sgt. Davey recalled making arrests for possession of a firearm on CHA property, but when he was pressed for the details of those arrests, he reported that they were for UW offenses and that he believed they occurred before the passage of the CCA.¹⁰³ Sgt. Ferguson described a hypothetical situation involving a traffic stop occurring on a right of way that crosses an area where firearms are prohibited under the CCA, where he would make an arrest for a CCA violation.¹⁰⁴ However, the conduct described by Sgt. Ferguson is expressly permitted by the language of the CCA.¹⁰⁵ Because there is no statutory authority for arresting a FOID and CCL-holder for possessing a firearm in their own residence, even where the FOID and CCL-holder resides in public housing, COPA finds by a preponderance of the evidence that Sgt. Davey and Sgt. Ferguson arrested [REDACTED] without justification, in violation of Rules 2, 3, 6, 8, and 10, and these allegations are **Sustained**.

f. Uniform Violation

It is alleged that Officer Altenbach failed to wear his uniform as prescribed during this incident. CPD policy requires all members to wear their prescribed star, name tag, unit designator, and rank insignia on their outer-most garment and in view to the public.¹⁰⁶

⁹⁹ 430 ILCS 66/ et seq.

¹⁰⁰ 720 ILCS 5/24-1(c)(1.5).

¹⁰¹ 720 ILCS 5/24-1(a)(4).

¹⁰² *People v. Cunningham*, 2019 IL App (1st) 160709, ¶18-19.

¹⁰³ Att. 145, pg. 52, ln. 23, to pg. 53, ln. 5.

¹⁰⁴ Att. 143 at pg. 67, ln. 2 to pg. 68, ln. 8.

¹⁰⁵ 430 ILCS 66/65(c).

¹⁰⁶ Att. 154, U04-01(III)(A)(3), Uniform and Appearance Standards (effective November 26, 2021, to July 29, 2024).

The available BWC recordings from CPD members participating in the emergency inspection show that Officer Altenbach was wearing a half-zip fleece with a vest beneath it. Officer Altenbach had no police identifiers affixed to the fleece.¹⁰⁷ Officer Altenbach told COPA that he typically wore his star on a chain around his neck or affixed to his belt,¹⁰⁸ but his star is not visible at either location in the available BWC recordings.¹⁰⁹

Officer Altenbach's participation in the emergency inspection was not incidental. Officer Altenbach made entry into the residence and participated in clearing the upstairs bedrooms, and he was the first CPD member to enter one of the rooms.¹¹⁰ His failure to wear the prescribed police identifiers on his outer-most garment and in a manner that was visible created a heightened risk of a violent encounter if he was not recognized as a police officer. COPA finds by a preponderance of the evidence that Officer Altenbach failed to wear the prescribed star, name tag, unit designator, and/or rank insignia on his outer-most garment and in view to the public, in violation of Rules 2, 3, 6, 10, and 12, and this allegation is **Sustained**.

VI. DISCIPLINARY RECOMMENDATION

a. Sgt. Thomas Davey

i. Complimentary and Disciplinary History¹¹¹

Sgt. Davey has received the Superintendent's Award of Valor, the Top Gun Arrest Award, a Special Commendation, two Police Officer of the Month Awards, the Life Saving Award, twenty-two Department Commendations, the Chicago Police Leadership Award, the Career Service Award, one-hundred-and-sixty-nine Honorable Mentions, eight complimentary letters, and at least fifteen other awards and commendations. Sgt. Davey has no sustained complaint registers within the past five years, but he was reprimanded through the summary punishment process for an August 2024 preventable accident. Sgt. Davey was suspended for one day for an April 2017 incident involving conduct unbecoming. Sgt. Davey was reprimanded for neglect of duty following a March 2019 incident. Sgt. Davey was suspended for seven days for a June 2019 incident involving an improper search.

ii. Recommended Discipline

COPA has found that Sgt. Davey violated Rules 2, 3, 6, 8, and 10 by permitting officers under his supervision to make forced entry to a residence without justification, by failing to ensure that officers gave a reasonable opportunity for occupants to respond before forcing entry, and by

¹⁰⁷ Att. 3 at 6:36 to 7:40 and at 14:17 to 15:27.

¹⁰⁸ Att. 149 at pg. 14, lns. 14 to 21.

¹⁰⁹ Att. 3 at 6:36 to 7:40 and at 14:17 to 15:27.

¹¹⁰ Att. 21 at 7:49 to 10:55.

¹¹¹ Atts. 156 and 157.

arresting [REDACTED] without justification. COPA has also found that Sgt. Davey violated Rules 2, 3, 10, and 11 by assisting CHA personnel with an emergency inspection without justification. Sgt. Davey is an experienced police supervisor, but he failed to recognize both the potential danger and the potential liability his decisions created. Also, by using his authority to force entry into a residence at to arrest [REDACTED] without justification, Sgt. Davey's actions tended to undermine confidence in CPD's ability to treat members of the public fairly and to adhere to the Fourth Amendment's requirements. Based on these findings, and considering Sgt. Davey's complimentary and disciplinary history, COPA recommends that he be **suspended for between five and thirty days**, at the discretion of the Superintendent.

b. Sgt. Michael Ferguson

i. Complimentary and Disciplinary History¹¹²

Sgt. Ferguson has received the Superintendent's Award of Valor, the Superintendent's Award of Tactical Excellence, the Traffic Stop of the Month Award, three Special Commendations, two Problem Solving Awards, the Police Officer of the Month Award, the Life Saving Award, eighteen Department Commendations, one-hundred-and-seventy-nine Honorable Mentions, one complimentary letter, and at least twenty other awards and commendations. Sgt. Ferguson has not been subject to discipline in the past five years.

ii. Recommended Discipline

COPA has found that Sgt. Ferguson violated Rules 2, 3, 6, 8, and 10 by permitting officers under his supervision to make forced entry to a residence without justification, by failing to ensure that officers gave a reasonable opportunity for occupants to respond before forcing entry, and by arresting [REDACTED] without justification. COPA has also found that Sgt. Ferguson violated Rules 2, 3, 10, and 11 by assisting CHA personnel with an emergency inspection without justification. Sgt. Ferguson is an experienced law enforcement officer who was promoted to a supervisory position approximately one year before this incident, but he failed to recognize both the potential danger and the potential liability his decisions created. Also, by using his authority to force entry into a residence at to arrest [REDACTED] without justification, Sgt. Ferguson's actions tended to undermine confidence in CPD's ability to treat members of the public fairly and to adhere to the Fourth Amendment's requirements. Based on these findings, and considering Sgt. Ferguson's complimentary and disciplinary history, COPA recommends that he be **suspended for between 5 to 15 days** at the discretion of the Superintendent.

¹¹² Atts. 156 and 160.

c. Officer Matthew Parisi

i. Complimentary and Disciplinary History¹¹³

Officer Parisi has received one Special Commendation, eight Department Commendations, the Traffic Stop of the Month Award, one-hundred-and-twenty-six Honorable Mentions, and at least six other awards and commendations. Officer Parisi was suspended for two days for a sustained complaint register following a December 2020 incident involving conduct unbecoming. Officer Parisi was reprimanded three times for sustained complaint registers: a May 2021 incident involving failure to provide service, a March 2023 incident involving verbal abuse, and an April 2023 incident involving unbecoming conduct. Officer Parisi was reprimanded an additional three times through the summary punishment process: an August 2024 incident involving his personal vehicle, a June 2024 incident involving a court appearance violation, and a June 2024 incident involving failure to perform assigned tasks.

ii. Recommended Discipline

COPA has found that Officer Parisi violated Rules 2, 3, 6, 8, and 10 by forcing entry into a residence without justification and Rules 2, 3, 6, and 8 by searching the interior of the residence without justification. By using his authority to force entry and to search without justification, Officer Parisi's actions tended to undermine confidence in CPD's ability to treat members of the public fairly and to adhere to the Fourth Amendment's requirements. Based on these findings, and considering Officer Parisi's complimentary and disciplinary history, COPA recommends that he be **suspended for between 5 to 15 days**, at the discretion of the Superintendent.

d. Officer Adam Altenbach

i. Complimentary and Disciplinary History¹¹⁴

Officer Altenbach has received the Superintendent's Award of Tactical Excellence, a Superintendent's Honorable Mention, the Arnold Mireles Special Partner Award, three Special Commendations, fourteen Department Commendations, the Top Gun Arrest Award, the Life Saving Award, three-hundred-and-four Honorable Mentions, one complimentary letter, and at least fifteen other awards and commendations. Officer Altenbach has no sustained complaint registers within the past five years, but he was reprimanded three times through the summary punishment process: an August 2024 incident involving his personal vehicle, a June 2024 incident involving a court appearance violation, and a June 2024 incident involving failure to perform assigned tasks.

¹¹³ Atts. 156 and 158.

¹¹⁴ Atts. 156 and 159.

ii. Recommended Discipline

COPA has found that Officer Altenbach violated Rules 2, 3, 6, 10, and 12 by failing to wear required police identifiers while assisting CHA personnel with an emergency inspection. Officer Altenbach created a heightened risk of a violent encounter if he was not recognized as a police officer, potentially endangering himself, his fellow CPD members, and the involved civilians. Based on these findings, and considering Officer Altenbach’s complimentary and disciplinary history, COPA recommends that **Officer Altenbach receive a reprimand.**

Approved:



Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

4-18-2025

Date

Appendix A**Case Details**

Date/Time/Location of Incident:	April 17, 2023 / 5:10 pm / ██████████ Chicago, IL 60827
Date/Time of COPA Notification:	October 19, 2023 / 2:50 pm
Involved Member #1:	Commander Tyrone Pendarvis; Star #193; Employee ID #████████ DOA: July 27, 1998; Unit: 005 (retired); Male; Black
Involved Member #2:	Sergeant Thomas Davey; Star #1400; Employee ID #████████ DOA: April 13, 1998; Unit: 005/241; Male; White
Involved Member #3:	Sergeant Michael Ferguson; Star #1215; Employee ID #████████ DOA: November 4, 2013; Unit: 005; Male, White
Involved Member #4:	Detective Jonathan Cruz Acevedo; Star #20794; Employee ID #████████ DOA: April 17, 2017; Unit: 620; Male; Hispanic
Involved Member #5:	Police Officer Daniel Condreva; Star #7276; Employee ID #████████ DOA: August 28, 2017; Unit: 005; Male, White
Involved Member #6:	Police Officer Matthew Parisi; Star #9649; Employee ID #████████ DOA: October 5, 2012; Unit: 005/241; Male; White
Involved Member #7:	Police Officer Adam Altenbach; Star #13832; Employee ID #████████ DOA: November 27, 2006; Unit: 022; Male; White
Involved Individual #1:	██████████ Female, Black
Involved Individual #2:	██████████ Male, Black
Involved Individual #3:	██████████ Female, Black
Involved Individual #4:	██████████ Male, Black
Involved Individual #5:	██████████ Male, Black
Involved Individual #6:	██████████, 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 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 10:** Inattention to duty.
- Rule 12:** Failure to wear the uniform as prescribed

Applicable Policies and Laws

- G02-01: Protection of Human Rights (effective June 30, 2022, to present)
- G03-02: De-Escalation, Response to Resistance, and Use of Force (effective April 15, 2021, to June 27, 2023)
- S04-19: Search Warrants (effective December 16, 2022, to present).
- U04-01: Uniform and Appearance Standards (effective November 26, 2021, to July 29, 2024)
- 430 ILCS 66: Firearm Concealed Carry Act
- 720 ILCS 5/24-1: Unlawful Possession of Weapons
- 24 CFR 966.4: Lease Requirements

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.¹¹⁵ 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.”¹¹⁶

¹¹⁵ See *Avery v. State Farm Mut. Auto. Ins. Co.*, 216 Ill. 2d 100, 191 (2005) (“A proposition proved by a preponderance of the evidence is one that has been found to be more probably true than not true.”).

¹¹⁶ *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