



Log # 2023-0004524

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

COPA received an Initiation Report from CPD on September 26, 2023 regarding ██████████ who was arrested on the same date. The Initiation Report said ██████████ complained that the officers who arrested him “ran [his] head into a wall.”^{2 3}

COPA served three allegations against Officer Brandon Twyman, one for failure to de-escalate and two for excessive force. One allegation was served against Officer Darrell Willis for verbal abuse. Following its investigation, COPA reached sustained findings against Officer Twyman for one excessive force allegation and the failure to de-escalate allegation. COPA also reached a sustained finding against Officer Willis for the verbal abuse allegation.

II. SUMMARY OF EVIDENCE⁴

On September 26, 2023, at approximately 1:00am, ██████████ was arrested for domestic battery and transported by Officers Twyman and Willis to the 10th District Police Station for processing.⁵ Upon arrival at the 10th District, ██████████ was placed into a holding cell where he was asked to remove certain items of his clothing. Officers Twyman and Willis gave repeated verbal directions to ██████████ to take his shoes off, sit down and stop standing up, but ██████████ was uncooperative and verbally threatened the officers.⁶ ██████████ was irate and yelled profanities and insults at both Officers Twyman and Willis for the duration of the interaction.⁷ ██████████ flailed his arms and pointed in the officers’ faces, who told him to stop waving his arms and hands in their face.⁸ At one point, ██████████ was hand-cuffed by one hand to the wall of the holding cell while one of his hands was free. ██████████ stood up defiantly and waved his arm at Officer Twyman and Officer Twyman pushed ██████████ away into the wall.⁹ ██████████ was then further pushed onto the

¹Appendix 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 Att. 20, pg. 2 (Initiation Report).

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, POD video, CPD reports, the complainant’s statement, and officer interviews.

⁵ Att. 2 (Arrest Report, ██████████)

⁶ Atts. 3-4 at 1:03:28, 1:04:38 (Willis commands), 1:05:45, 1:05:54 and 1:05:57 (Twyman commands), (Darell Willis, Brandon Twyman BWC).

⁷ Atts. 3-4 at 1:03:21 (directed at both officers), 1:04:03 (directed at Twyman), 1:04:15 (directed at both officers), 1:04:20 (directed at Twyman), 1:04:33 (directed at both officers).

⁸ Att. 4 at 1:05:25 and 1:06:17.

⁹ Att. 6 at 1:07:29 (Kourtney Rodez BWC).

concrete bench by Officer Twyman and restrained by Officers Twyman and Willis.¹⁰ The Officers were able to complete the custodial search and then left the holding cell to complete the paperwork for the arrest. That morning, ██████████ complained of neck pain. He was subsequently taken to ██████████ Hospital for evaluation and brought back to the 10th District lockup later that evening.¹¹

III. ALLEGATIONS

Officer Brandon Twyman

1. Pushed ██████████ into a wall without justification.
-- Not Sustained
2. Pushed ██████████ into a bench without justification.
-- Sustained, Violations of Rules 2, 3 8 and 9
3. Failed to use adequate de-escalation techniques in order to prevent or reduce the need for force, including but not limited to the creation of distance and the continued use of verbal direction, in violation of G03-02.
-- Sustained, Violation of Rules 3, 5 and 6.

Officer Darell Willis

1. Directed words to the effect of “You stupid mother fucker” at ██████████
-- Sustained, Violation of Rules 2, 3, 6, 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.

Officers Twyman and Willis’ statements were largely consistent with the video evidence and the police reports in this case. Officer Twyman recalled the incident and described his actions, although his characterization of some of his actions was not consistent with what is seen on the BWC. Officer Twyman said he did not push ██████████ into the bench and that ██████████ never hit the wall.¹² Officer Willis had recollection of the incident and acknowledged their escalation tactics were not entirely effective.¹³ Officer Willis also related some further details that were less obvious from their BWC, like that ██████████ was making gang signs in parts of the interaction.¹⁴

V. ANALYSIS¹⁵

¹⁰ Att. 6 at 1:07:30

¹¹ Att. 2 pgs. 6-7.

¹² Att. 52, pgs. 14-15 (Twyman transcribed statement).

¹³ Att. 53, pg. 11 (Willis transcribed statement).

¹⁴ Att. 53, pg. 8.

¹⁵ For a definition of COPA’s findings and standards of proof, *see* Appendix B.

a. Allegations 1 and 2 against Officer Brandon Twyman– Pushed [REDACTED] into a wall and bench without justification.

The Chicago Police Department expects its members to act in a manner to eliminate the need to use force and resolve situations without resorting to force. Department members will only resort to the use of force when required under the circumstances to serve a lawful purpose.¹⁶ Force is defined as any physical contact by a CPD member, either directly or through use of equipment, to compel a person's compliance.¹⁷ Department members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time.¹⁸ The use of de-escalation techniques will include continually assessing the situation, considering individualized factors such as:

- a. the person's age, disability, or physical condition (e.g., known, suspected, or perceived behavioral or mental health conditions; intellectual, developmental, psychiatric, or physical disability; vision, hearing, or neurological impairment).
- b. the risk posed by the person.
- c. if the person is restrained, injured, or in crisis.¹⁹

Department members will modify the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary.²⁰ Examples of de-escalation techniques include but are not limited to:

- a. providing a warning and exercising persuasion and advice prior to the use of force.
- b. determining whether the member may be able to stabilize the situation through the use of time, distance, or positioning to isolate and contain a person (e.g. establishing a zone of safety).
- c. requesting additional personnel to respond or make use of specialized units or equipment including Designated Crises Intervention Team (CIT) officers, as necessary and appropriate.²¹

CPD members may only use force that is objectively reasonable, necessary, and proportional in light of the totality of the circumstances.²² Considerations in evaluating the objective reasonableness of the force include: whether the person is posing an imminent threat to the members or others; the risk of harm or level of threat or resistance presented by the person; the person's proximity or access to weapons; whether de-escalation techniques can be employed or would be effective; and the availability of other resources.

¹⁶ Att. 49, G03-02, (II)(C), De-Escalation, Response to Resistance, and Use of Force (effective 6-28-23 to present).

¹⁷ Att. 49, G03-02, (III)(A).

¹⁸ Att. 49, G03-02, (II)(D).

¹⁹ Att. 49, G03-02, (II)(D)(1).

²⁰ Att. 49, G03-02, (II)(D)(2).

²¹ Att. 49, G03-02, (II)(D)(2).

²² Att. 49, G03-02, (III)(B)(1)-(3).

CPD directives classify a person who fails to comply with verbal directives as a **passive resister**. Force options authorized for passive resisters include: holding techniques, compliance techniques, control techniques, and oleoresin capsicum (OC spray).²³

An **active resister** is defined as a person who attempts to create distance between himself or herself and the member's reach with the intent to avoid physical control and/or defeat the arrest. In addition to the force options available for a passive resister, for an active resister, members may also use stunning techniques, takedown methods, canines, and tasers. In all uses of force, the goal of a member's response is to resolve the incident "with the foremost regard for the preservation of human life and the safety of all persons involved."²⁴

An **assailant** is a person who is using or threatening the use of force against another person or himself/herself which is likely to cause physical injury.²⁵ For an assailant whose actions are aggressively offensive with or without weapons, but whose actions do not constitute an imminent threat of deadly force or great bodily harm, an officer may use "direct mechanical" techniques, which are forceful concentrated striking movements such as punching kicking, or focused pressure strikes and pressures, and these techniques can be combined with take-downs or pins against the ground or other objects;²⁶

In this case, Officers Twyman and Willis arrested ██████████ and transported him to the 10th District for processing. As they entered the 10th District, ██████████ was combative and threatened the officers as they placed him into a holding cell for the custodial search.²⁷ The Officers removed his handcuffs quickly after placing him into the holding cell, despite his repeated verbal threats. ██████████ said he would beat the officers up if they removed the handcuffs.²⁸ In less than a minute and a half after they brought him into the cell, his handcuffs were off.²⁹ In his statement, Twyman claimed he used time as a tactic, however, it does not appear he did.³⁰ Contrary to using time as a tactic, Officer Twyman took the handcuffs off of ██████████ despite ██████████ combativeness and repeated threats, placing himself and the other officers in danger of a potential battery. After ██████████ cuffs were off, he stood up and gestured in the officers' faces.³¹ The Officers were able to complete a portion of the custodial search before handcuffing ██████████ again with one of his hands to the wall and his other hand free.³²

██████████ continued to point in the Officers faces while one of his hands was handcuffed to the wall. Then ██████████ waved his arm, making contact with Officer Twyman's shoulder, and stood up to confront him.³³ ██████████ could be characterized as an assailant here because of his

²³ Att. 48, G03-02-01, IV(B)(1), G03-02-01 IV (B)(1) (Response to Resistance and Force Options (effective June 28, 2023 to present).

²⁴ Att. 49, G03-02, (III)(A).

²⁵ Att. 48, G03-02-01, (IV)(C).

²⁶ Att. 48, G03-02-01, (IV)(C)(1)(a)(1).

²⁷ Atts. 3-4 at 1:03:03.

²⁸ Atts. 3-4 at 1:04:03.

²⁹ Att. 5 at 1:04:30.

³⁰ Att. 52, pg. 18 (Twyman transcribed statement).

³¹ Atts. 5-6 at 1:04:50, 1:05:25, 1:05:46. (Rene Garcia, Kourtney Rodez BWC).

³² Att. 5 at 1:06:03.

³³ Att. 6 at 1:07:28.

threats and physical contact with Officer Twyman; however, ██████ was still partially handcuffed with a limited range of motion and was secured within the cell. Therefore, the amount of injury that ██████ could potentially inflict was limited and the threat to the officers was less than with an unrestrained individual. Further, ██████ was contained within an enclosed space and Officer Twyman and Willis had the backup of two additional police officers with them. In response to ██████ actions, Officer Twyman pushed ██████ away, into the wall, and then onto the cement bench of the holding cell.³⁴ In his statement, Officer Twyman said when he pushed ██████ he was pushing him to create distance.³⁵ This could be reasonable given that ██████ stood up quickly, his body nearly touching Officer Twyman's, and indeed ██████ hand appeared to make contact with Officer Twyman's shoulder.

After pushing ██████ into the wall, Officer Twyman further pushed ██████ on his upper shoulders and down onto the concrete bench, which caused ██████ head to hit the bench.³⁶ In his statement, Officer Twyman said he did not push ██████ onto the bench.³⁷ He said his intention was just to push him to create distance; however, the second push is visible on Officer Rodez's body-worn camera and ██████ upper body and head hit the bench.³⁸ This second push was excessive because ██████ was already restrained by a handcuff to the wall and the initial push created the distance Officer Twyman sought and ended the immediate threat.

Given the totality of the circumstances, Officer Twyman's initial use of force may have been reasonable. Further, Officer Twyman likely facilitated the need for force by initially unhandcuffing ██████ and entertaining ██████ threats by saying he bet ██████ wouldn't swing at him.³⁹ The second push of ██████ into the bench was an unnecessary additional use of force that did not serve a justifiable purpose, because, as stated earlier, the first push sufficed to alter the dynamic of the situation and give Officer Twyman control over ██████ who was already partially restrained.

Based on the foregoing, COPA finds **Allegation 1** against Officer Brandon Twyman is **Not Sustained** and **Allegation 2** is **Sustained**.

b. Allegation 3 against Officer Brandon Twyman– Failed to use adequate de-escalation techniques in order to prevent or reduce the need for force, including but not limited to the creation of distance and the continued use of verbal direction, in violation of G03-02.

As indicated earlier, Department members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time.⁴⁰

³⁴ Att. 6 at 1:07:28 (Rodez BWC).

³⁵ Att. 52, pgs. 7-8.

³⁶ Att. 6 at 1:07:30.

³⁷ Att. 52, pg. 15.

³⁸ Att. 52, pg. 15; Att. 6 at 1:07:30.

³⁹ Att. 5 at 1:04:50 (Garcia BWC).

⁴⁰ Att. 49, G03-02, (II)(D).

Here, Officer Twyman said he used time as a tactic and gave continued verbal commands to ██████████⁴¹ Although Officer Twyman did not push ██████████ until ██████████ had put his hand on him, there were multiple opportunities prior to avoid a confrontation, including when they placed him in the cell, after they placed him in the cell, and during the course of their interaction by disengaging with him. ██████████ continued to threaten the officers and gestured in their faces for the duration of the interaction, but the officers did not simply step away from him, wait, or disengage. Officer Twyman continued with the custodial search and even un-handcuffed ██████████ after ██████████ repeatedly said he would beat them up if they removed the handcuffs. Officer Twyman said normally they would instruct an arrestee to remove certain articles of clothing, but because ██████████ was uncooperative, they removed those items from ██████████⁴² However, Officer Twyman did not wait to see whether they could gain compliance or attempt to reason with ██████████. On the contrary, Officer Twyman engaged ██████████ in the verbal exchange by telling ██████████ he bet he would not do anything and telling ██████████ to swing at him first.⁴³ This is not in line with de-escalation and likely exacerbated the situation. Based on the foregoing, COPA finds **Allegation 3** against Officer Brandon Twyman is **Sustained**.

c. Allegation 1 against Officer Darell Willis – Directed words to the effect of “You stupid mother fucker” at ██████████

General Orders G01-01, Vision, Mission Statement and Core Values and G02-01, Protection of Human Rights, both speak to the responsibility of officers to act professionally and always treat members of the public with respect. Specifically, officers will “not exhibit a condescending attitude or direct any derogatory terms toward any person in any manner and will not use language or take action intended to taunt or denigrate an individual, including using racist or derogatory language.”⁴⁴

Here, Officer Willis can be heard on BWC and admitted that he said to ██████████ “You stupid mother fucker.”⁴⁵ Department members are professionals held to a higher standard in their interactions with the public and are required to act accordingly. Officer Willis recognized his failure in this regard. As such, COPA finds **Allegation 1** against Officer Darell Willis is **Sustained**.

VI. DISCIPLINARY RECOMMENDATIONS

a. Officer Brandon Twyman

Officer Brandon Twyman has received a total of 53 awards, including 1 Crime Reduction Award and 2 Life Saving Awards. He has no sustained complaints in the last five years.

ii. Recommended Discipline

⁴¹ Att. 52, pg. 18.

⁴² Att. 52, pg. 10.

⁴³ Att. 5 at 1:04:50.

⁴⁴ Att. 50, G02-01, (III)(B)(4).

⁴⁵ Att. 5 at 1:06:10 (PO Willis BWC); Att. 53, pg. 14.

COPA found that Officer Twyman violated CPD's General Orders by pushing [REDACTED] into a bench without justification. In mitigation, COPA will consider Officer Twyman's complimentary history and that he was forthcoming in his interview with COPA.

In aggravation, COPA will consider that in addition to failing to de-escalate the situation, Officer Twyman further engaged [REDACTED] in a threatening verbal exchange and resorted to a use of force with little aforethought or apparent concern. As Such, COPA recommends **Violation Noted.**

b. Officer Darell Willis

Officer Darell Willis has received a total of 46 awards, including 1 Crime Reduction Award and 2 Department Commendations. He has no sustained complaints in the last five years.

ii. Recommended Discipline

COPA found that Officer Willis violated CPD's mission and values by swearing at and belittling [REDACTED] In mitigation, COPA will consider Officer Willis' complimentary history. In further mitigation, COPA will consider that Officer Willis acknowledged his conduct, expressed regret about it and apologized. There are no aggravating factors. As such, COPA recommends **Violation Noted.**

[REDACTED]

3-26-2025

Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Case Details

Date/Time/Location of Incident:	September 26, 2023 / 1:07 am / 3350 W. Ogden (10 th District)
Date/Time of COPA Notification:	September 26, 2023 / 6:58 pm
Involved Member #1:	Brandon Twyman / Star #15662 / Employee ID [REDACTED] / Date of Appointment: October 16, 2019 / 10th District / Black male
Involved Member #2	Darell Willis / Star #19819 / Employee ID [REDACTED] / Date of Appointment: November 18, 2019 / 10th District / Black male
Involved Individual #1	[REDACTED] / 39 years old / Black male

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.

Applicable Policies and Laws

- Fourth Amendment to the United States Constitution
- G01-01, Visions, Mission Statement and Core Values, *effective 5-21-19 to present*
- G02-01, Protection of Human Rights, *effective 6-30-22 to present*
- G03-02, De-escalation, Response to Resistance and Use of Force, *effective 6-28-23 to present*
- G03-02-01, Response to Resistance and Force Options, *effective 6-28-23 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