



Log # 2024-3389

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

### I. EXECUTIVE SUMMARY

On April 13, 2024, the Civilian Office of Police Accountability (COPA) received an Initiation Report from Lieutenant (Lt.) Thomas Hogan alleging misconduct by a member of the Chicago Police Department (CPD).<sup>2</sup> Lt. Hogan reported that Police Officer Iosevio Morgan had pushed an arrestee, ██████████ who had approached Officer Morgan in the lockup facility at the Tenth District station. After reviewing reports and watching a video recording of the incident, Lt. Hogan alleged that while Officer Morgan had been justified in feeling threatened by ██████████ Officer Morgan could have used force mitigation techniques prior to pushing ██████████ necessitating further investigation by COPA.<sup>3</sup>

Upon reviewing the evidence and after interviewing Lt. Hogan, COPA served allegations that Officer Morgan committed misconduct by forcefully pushing ██████████ in the chest without justification and by failing to use de-escalation techniques to prevent the need to use force prior to forcefully pushing ██████████. Following its investigation, COPA reached **Not Sustained** findings for all allegations.

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

On April 12, 2024, at approximately 5:19 am, Officer Morgan and Officer Jario Lucas were present in the male lockup facility at the Tenth District police station while ██████████ who they had arrested for domestic battery, was being processed by lock-up personnel.<sup>5</sup> In a tactical response report (TRR), Officer Morgan documented that ██████████ threatened him by saying, “I’ll beat your motherfucking ass you bald motherfucker,” and that ██████████ took a bladed stance and then took a step towards him.<sup>6</sup> Officer Morgan further documented that in response to ██████████ actions, believing a battery was imminent, he pushed ██████████ back to create distance. Per Officer Morgan’s

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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 to 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 CPD lockup facility surveillance footage, police reports, and CPD member interviews.

<sup>5</sup> Atts. 2 and 5.

<sup>6</sup> Att. 14, pg. 2.

TRR, neither he nor ██████ was injured during the incident.<sup>7</sup> Lt. Hogan reviewed the TRR and the video recording from lockup. Lt. Hogan noted that ██████ stepped away from the desk in lockup and approached Officer Morgan while leaning over with his left hand over his right hand at his waist. While the video recording was silent, ██████ appeared to be yelling at Officer Morgan as he approached, and Officer Morgan pushed ██████ chest with both hands with open palms, causing ██████ to lose his balance and fall.<sup>8</sup> The lock-up video recording shows that after the push, other officers grabbed ██████ and stood between ██████ and Officer Morgan. However, after they were separated, Officer Morgan attempted to approach ██████ repeatedly pointed towards ██████ and appeared to be gesturing angrily.<sup>9</sup> ██████ was then escorted to a holding cell without further incident.

Lt. Hogan marked Officer Morgan's TRR "out of compliance" and noted that Officer Morgan was "justified in feeling threatened by the subject, however force mitigation techniques such as creating distance, re-direction could have been utilized prior to the two hand push."<sup>10</sup> Lt. Hogan also documented that he attempted to interview ██████ but ██████ smelled strongly of alcohol and would not respond to knocking on his cell door or to calling out his name.<sup>11</sup>

Lt. Hogan reiterated in his COPA interview that ██████ initiated the confrontation by aggressively closing the distance between himself and Officer Morgan. Due to ██████ proximity and behavior, Lt. Hogan categorized him as a threat. No Body Worn Camera (BWC) footage or audio was available to capture the verbal exchange.<sup>12</sup> Lt. Hogan added that just by watching the video recording, he was unable to determine if Officer Morgan used any force mitigation techniques before pushing ██████ and in the lieutenant's opinion, "[M]aybe he could've used positional techniques, such as distancing himself from the individual, redirecting the individual, [or] asking for assistance from other officers. And as the subject approached, he went directly to the two-hand push."<sup>13</sup>

Officer Morgan told COPA that ██████ was permitted to make a phone call while in lockup but repeatedly attempted to call the victim that he had battered, and ██████ became angry when he was not allowed to call the victim.<sup>14</sup> Officer Morgan admitted to pushing ██████ in the chest, but he explained that the push was a response to what he perceived as a verbal and physical threat from ██████ and that the situation escalated too quickly for him to attempt any de-escalation measures.<sup>15</sup> Officer Morgan further described ██████ as an assailant who threatened him by saying, "I will beat your ass, you bald head mother fucker," while simultaneously advancing toward him.<sup>16</sup>

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<sup>7</sup> Att. 14, pg. 1.

<sup>8</sup> Att. 12 at 5:19:00 to 5:19:48.

<sup>9</sup> Att. 12 at 5:19:46 to 5:20:10.

<sup>10</sup> Att. 14, pgs. 3 to 4.

<sup>11</sup> Att. 14, pg. 4 to 5.

<sup>12</sup> Att. 18, pg. 13, lns. 20 to 24, and pg. 14, lns. 1 to 4.

<sup>13</sup> Att. 18, pg. 11, lns. 11 to 23.

<sup>14</sup> Att. 23, pg. 9, ln. 15, to pg. 10, ln. 3.

<sup>15</sup> Att. 23, pg. 17, lns. 6 to 23.

<sup>16</sup> Att. 23, pg. 17, lns. 6 to 23, and pg. 23, lns. 21 to 22.

Morgan also noted that he had interacted with ██████ on multiple prior occasions, all related to domestic battery incidents involving the same victim.<sup>17</sup>

Officer Lucas told COPA that ██████ was yelling at the officers in lockup and then approached Officer Morgan, who responded by pushing ██████ with two open hands to create space.<sup>18</sup> Officer Lucas also remembered ██████ threatening Officer Morgan by stating something to the effect of, “I’ll beat your ass . . . you bald mother-fucker.”<sup>19</sup>

Police Officer Joseph Duet, who was working in the lock-up, told COPA that ██████ became combative and aggressive after not being allowed to call the victim he had been arrested for assaulting.<sup>20</sup> Officer Duet remembered ██████ saying something to the effect of, “I’ll beat your ass,” or, “I’ll slap your ass,” to Officer Morgan.<sup>21</sup> Officer Duet described Officer Morgan responding by shoving ██████ chest to create distance and to prevent any battery.<sup>22</sup>

COPA also interviewed Warrant and Extradition Aide Jason Rowe, who at the time of this incident held the title Detention Aide (DA). DA Rowe recalled working in the lock-up when ██████ made a movement towards Officer Morgan, and “Morgan might have felt like he moved up a little too close” after ██████ was told that he could not call the person he had been arrested for assaulting.<sup>23</sup> DA Rowe did not remember if ██████ made any verbal threats towards Officer Morgan, but he remembered Officer Morgan ordering ██████ to “get back” or to “back up” when ██████ turned his body to approach the officer.<sup>24</sup>

COPA was unable to interview ██████ despite multiple efforts to contact him through his defense attorney, by mail, by telephone, and by contacting a known family member.<sup>25</sup> ██████ was charged with both domestic battery and assault, but both charges were later dismissed on motion of the State as part of a plea agreement involving a different domestic violence case.<sup>26</sup>

### III. ALLEGATIONS

#### Police Officer Iosevio Morgan:

1. Forcefully pushing ██████ in the chest without justification.
  - **Not Sustained**

<sup>17</sup> Att. 23, pg. 13, lns. 15 to 17.

<sup>18</sup> Att. 33, pg. 7, lns. 13 to 21, and pg. 17, lns. 16 to 19.

<sup>19</sup> Att. 33, pg. 11, lns. 11 to 13.

<sup>20</sup> Att. 29, pg. 7, lns. 13 to 19.

<sup>21</sup> Att. 29, pg. 7, ln. 22.

<sup>22</sup> Att. 29, pg. 8, lns. 1 to 3.

<sup>23</sup> Att. 37, pg. 10, lns. 11 to 15.

<sup>24</sup> Att. 37, pg. 15, ln. 16, to pg. 17, ln. 24.

<sup>25</sup> Atts. 15, 16, 20, and 21; CO-1394841, CO-1394887, CO-1394991, CO-1398655, CO-1400352, CO-1400595, CO-1403417, CO-1403487, CO-1403499, CO-1404004, CO-1404109, CO-1426074, and CO-1429989.

<sup>26</sup> Atts. 44 and 45.

2. Failing to use de-escalation techniques to prevent the need for force prior to forcefully pushing ██████████ in violation of General Order G03-02.
  - **Not Sustained**

#### 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 accurately recall the event from memory.

COPA did not interview ██████████ did not make any allegations against Officer Morgan, and COPA does not make any findings regarding ██████████ credibility.

This incident was video recorded, although the recording lacks an audible component. The statements provided by Lt. Hogan, Officer Morgan, Officer Lucas, Officer Duet, and DA Rowe are consistent with each other and consistent with the available video recording, other than DA Rowe not recalling the verbal threats that were allegedly made by ██████████ towards Officer Morgan. COPA finds all of these witnesses to be credible.

#### V. ANALYSIS<sup>27</sup>

CPD's stated highest priority is the sanctity of human life. In all aspects of their conduct, CPD expects that its members act with the foremost regard for the preservation of human life and the safety of all persons involved.<sup>28</sup> CPD members are only authorized to use force that is objectively reasonable, necessary, and proportional, under the totality of the circumstances, to ensure the safety of a member or a third person, stop an attack, make an arrest, control a person, or prevent escape.<sup>29</sup> This means that CPD members may use only the amount of force necessary to serve a lawful purpose. The amount and type of force used must be proportional to the threat, actions, and level of resistance a person offers.<sup>30</sup>

CPD policy requires officers 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."<sup>31</sup> General Order G03-02 provides a non-exhaustive list of examples of de-escalation techniques officers must consider. These include (a) issuing warnings and attempting to persuade

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<sup>27</sup> For a definition of COPA's findings and standards of proof, see Appendix B.

<sup>28</sup> Att. 41, G03-02(II)(A), De-escalation, Response to Resistance, and Uses of Force (effective June 28, 2023, to present).

<sup>29</sup> Att. 41, G03-02(III)(B)

<sup>30</sup> Att. 41, G03-02(III)(B)(3).

<sup>31</sup> Att. 41, G03-02-01(II)(D).

subjects prior to using force; (b) stabilizing the situation through the use of time, distance, or positioning to isolate and contain a subject; and (c) requesting additional officers or “specialized units or equipment including Crisis Intervention Team (CIT) trained officers.”<sup>32</sup>

**a. Forcefully pushing ██████████ in the chest**

COPA finds Allegation #1 against Officer Morgan to be **Not Sustained**. Officer Morgan reported that ██████████ aggressively approached him, verbally threatening to beat him, and closed the distance in a confrontational manner. These assertions are generally corroborated by the available video recording from lock-up and by witness CPD members who were present. COPA was unable to interview ██████████ and no other evidence contradicting Officer Morgan’s account is known to exist. Given ██████████’s apparently agitated state and proximity, Officer Morgan reasonably interpreted ██████████’s behavior as threatening. Officer Morgan may have had an opportunity to move away from ██████████ but pushing ██████████ to create distance could also be viewed as a reasonable response to create distance and to avoid the use of higher-level force, such as an emergency takedown or striking techniques.<sup>33</sup> No injuries were reported, and other CPD members quickly regained control of ██████████. Without an audio recording of the incident and without a statement from ██████████ and given that DA Rowe did not remember hearing the verbal threats that ██████████ allegedly made towards Officer Morgan, COPA can not find by clear and convincing evidence that Officer Morgan’s use of force was proper, but COPA also can not find by a preponderance of evidence that Officer Morgan committed misconduct. Therefore, COPA finds that the allegation against Officer Morgan for pushing ██████████ in the chest is **Not Sustained**.

**b. Failing to use de-escalation techniques to prevent or reduce the need for force prior to forcefully pushing ██████████**

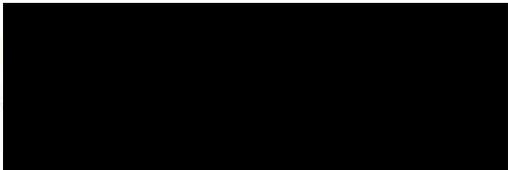
COPA finds Allegation #2 against Officer Morgan to be **Not Sustained**. Officer Morgan told COPA that the encounter unfolded rapidly, leaving no opportunity to attempt verbal or tactical de-escalation. ██████████’s sudden approach and allegedly hostile language created a scenario where Officer Morgan could reasonably believe that immediate action was required to prevent an imminent battery. The absence of an audio recording limits COPA’s ability to assess the alleged verbal threats made by ██████████ but witness accounts and the silent video recording generally corroborate Officer Morgan’s version of events. Also, one witness, DA Rowe, remembered Officer Morgan giving verbal commands before resorting to force. For the same reasons cited above in Section (V)(a), COPA finds that the allegation against Officer Morgan for failing to use de-escalation techniques is **Not Sustained**.

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<sup>32</sup> Att. 41, G03-02(III)(D)(2).

<sup>33</sup> See Att. 46, G03-02-01(IV)(C) (effective June 28, 2023, to present) (defining an assailant as “a person who is using or threatening to use force against another person . . . which is likely to cause physical injury” and permitting the use of direct mechanical techniques and impact weapons (among other options) in response to an assailant).

Approved:



10-11-25

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Angela Hearts-Glass  
*Deputy Chief Administrator – Chief Investigator*

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Date

Appendix ACase Details

Date/Time/Location of Incident:	April 12, 2024 / 5:19 am / 3315 N Ogden Ave., Chicago, IL 60623
Date/Time of COPA Notification:	April 13, 2024 / 9:00 am
Involved Member #1:	Iosevio Morgan, Star #9961, Employee ID # [REDACTED] DOA: June 27, 2016, Unit: 010, Male, Black
Involved Individual #1:	[REDACTED] Male, Black

Applicable Rules

- Rule 2:** Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3:** Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 5:** Failure to perform any duty.
- Rule 6:** Disobedience of an order or directive, whether written or oral.
- Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9:** Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 10:** Inattention to duty.
- Rule 14:** Making a false report, written or oral.
- Rule 38:** Unlawful or unnecessary use or display of a weapon.

Applicable Policies and Laws

- G03-02: De-Escalation to Response to Resistance, and Use of Force (effective June 28, 2023, to present)
- G03-02-01: Response to Resistance and Force Options (effective June 28, 2023, to present)

## Appendix B

### **Definition of COPA's Findings and Standards of Proof**

For each Allegation, COPA must make one of the following findings:

1. Sustained – where it is determined the allegation is supported by a preponderance of the evidence;
2. Not Sustained – where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;
3. Unfounded – where it is determined by clear and convincing evidence that an allegation is false or not factual; or
4. Exonerated – where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

A **preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that a proposition is proved.<sup>34</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>35</sup>

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<sup>34</sup> 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.”).

<sup>35</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