



Log # 2024-0003917

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On May 7, 2024, the Civilian Office of Police Accountability (COPA) received an initiation report from Chicago Police Department (CPD) Sergeant Connor Brackin (Sgt. Brackin) reporting allegations against a CPD member. The report documented that ██████████ had phoned the 3rd District station to file a complaint about an incident that occurred at a Subway restaurant earlier that morning. ██████████ alleged that officers had entered the Subway and ordered his wife, ██████████ (██████████) to remove her hands from her pockets and place them on the wall. Additionally, Officer Edward Deloach (Officer Deloach) pointed his firearm at ██████████² ██████████ further alleged that ██████████ did not receive her cell phone back from the officers at the conclusion of the incident.

Upon review of the evidence, COPA served allegations against Officer Deloach for pointing his weapon at ██████████ without justification, and for failing to inventory or return ██████████ cell phone. COPA reached not sustained findings regarding the allegations against Officer DeLoach.

II. SUMMARY OF EVIDENCE³

On May 7, 2024, officers responded to the Subway located at 6700 S. Stony Island, after hearing a call from dispatch regarding a person with a gun. The dispatcher reported that the possible offender was a black female wearing all black clothing, with a fanny pack with a gun inside. Since the officers were in the vicinity, they made a U-turn and proceeded to the Subway.⁴ Shortly before they arrived at the location, the SDSC room,⁵ where officers monitor the district's cameras, reported that they had a visual on a person matching the description who was still inside the Subway.⁶ Officer Deloach said that he approached with caution due to the nature of the call,

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 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, CPD reports, and officer interviews.

⁴ Att. 18, Transcribed statement of Officer Deloach, Page 5, lines 13-16.

⁵ SDSC – Strategic Decision Support Center.

⁶ Att. 18, Transcribed statement of Officer Deloach, Page 8, lines 11-12.

and assumed that the female subject did have a firearm.⁷ Officer Deloach and his partner, Officer Brian Case (Officer Case), entered the Subway and located the female subject, who was later identified as [REDACTED]. As Officer Deloach stood in the doorway, he pointed his firearm directly at [REDACTED] while repeatedly asking her to remove her hand from her pocket.⁸ Officer Deloach's body-worn camera (BWC)⁹ shows the officers entering the Subway and their initial contact with [REDACTED].

Officer Deloach said he assumed [REDACTED] had a gun because there are a lot of shootings and robberies in the area, and [REDACTED] matched the description of the person with a gun that dispatch had provided.¹⁰ When Officer Deloach entered the Subway, [REDACTED] turned partially around, and her left hand was inside her hoodie pocket.¹¹ Officer Deloach believed that [REDACTED] was holding a gun in her pocket, as she maintained a bladed stance as if she was concealing a weapon.¹² After multiple verbal commands, [REDACTED] removed her left hand from her pocket, revealing that she was holding a cell phone.¹³ Officer Deloach said that [REDACTED] was nonchalant and had a slight attitude, and she tensed up when the officers tried to handcuff her.¹⁴

After [REDACTED] was handcuffed, she was searched by a female, Officer Diana Cabrera (Cabrera), who had arrived at the scene.¹⁵ When no gun was found, [REDACTED] was uncuffed and given back her belongings.¹⁶ [REDACTED] asked why she had been detained, and the officers explained that they received a call about a person with a gun inside the Subway.

Officer Deloach said that he retrieved [REDACTED] cell phone from her hand while she was being handcuffed.¹⁷ He then gave the phone to Officer Cabrera, who was holding [REDACTED] purse.¹⁸ Officer Deloach stated that before he left the scene, he observed [REDACTED] slapping the hand of another officer. The officers then detained [REDACTED] for the second time and placed her in the back of a police vehicle. Officer Deloach said that he left the scene after that.¹⁹

After the incident, [REDACTED] filed a complaint at the 3rd District.²⁰ He acknowledged that the officers told him there was a call about a person with a gun, who was described as a black female

⁷ Att. 18, Transcribed statement of Officer Deloach, Page 8, lines 11-14.

⁸ Att. 15, Officer Deloach's BWC at 2:22; Att. 4, Officer Victor Salto's BWC at 2:18. Officer Deloach subsequently made the required notifications to OEMC regarding his firearm pointing. Att. 12.

⁹ Att. 15, Officer Deloach's BWC beginning at 2:22.

¹⁰ Att. 18, Transcribed statement of Officer Deloach, Pages 7, 10, 13, and 14.

¹¹ Att. 15, Officer Deloach's BWC at 2:24.

¹² Att. 18, Transcribed statement of Officer Deloach, Page 21, lines 6-24.

¹³ Att. 15, Officer Deloach's BWC at 2:22 to 2:27; Att. 18, Transcribed statement of Officer Deloach, Page 12, lines 16-22.

¹⁴ Att. 18, Transcribed statement of Officer Deloach, Page 15, lines 1-24.

¹⁵ Att. 18, Transcribed statement of Officer Deloach, Page 18, lines 17-22, Page 13, line 8.

¹⁶ Att. 18, Transcribed statement of Officer Deloach, Page 11, lines 19-21.

¹⁷ Att. 15, Officer Deloach's BWC at 2:44.

¹⁸ Att. 18, Transcribed statement of Officer Deloach, Page 17, lines 18-24, Page 19, lines 1-10.

¹⁹ Att. 18, Transcribed statement of Officer Deloach, Page 20, lines 1-11.

²⁰ Att. 1, Initiation Report by Sgt. Connor Brakin.

with a fanny pack inside the Subway. ██████ related that, after ██████ was searched and no weapon was found, she was released. He then received his wife's fanny pack but realized that her cell phone was not with it. ██████ asked where the cellphone was, and the officers stated that they did not have it.

III. ALLEGATIONS

Officer Edward Deloach

1. Pointed his weapon at ██████ without justification.
-- **Not Sustained**
2. Failed to inventory or return ██████ cell phone.
-- **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 then accurately recall the event from memory.

COPA's investigation did not reveal any evidence that called into question the credibility of Officer Deloach. COPA found Officer Deloach to be credible and consistent in his statement, and he had no difficulty recalling the details of the incident, which were consistent with the BWC footage.²¹ COPA also attempted to obtain statements from ██████ and ██████ but these efforts were unsuccessful.²² As such, COPA is unable to fully assess their credibility.

V. ANALYSIS²³

COPA finds that Allegation 1 against Officer Deloach, that he pointed his weapon at ██████ without justification, is **Not Sustained**. CPD members "may only point a firearm at a person when it is objectively reasonable to do so under the totality of the circumstances faced by the member on the scene. While reasonableness is not capable of precise definition, Department members may consider factors that include, but are not limited to, the nature of the incident, the risk of harm to the member or others, and the level of threat or resistance presented or maintained by the person (e.g., possession or access to weapons)."²⁴

²¹ Att. 15, Officer Deloach Body-worn camera.

²² See CMS notes: CO-1391715 and CO-1393293

²³ For a definition of COPA's findings and standards of proof, see Appendix B.

²⁴ Att. 20, D19-01 (II)(E), Firearm Pointing Incidents (effective November 1, 2019 – April 15, 2025)

During Officer Deloach's COPA statement, he explained in detail why he pointed his weapon at [REDACTED]. He said that he believed [REDACTED] was armed due to the nature of the call (a person with a gun), the information he received from officers in the SDSC room, the fact that [REDACTED] fit the description provided by the 911 caller, and the high-crime location. Moreover, Officer Deloach stated that [REDACTED] reacted to his arrival by turning towards him in a bladed stance, with her left hand inside her hoodie pocket as if she was concealing a weapon. He also recalled having to repeatedly order [REDACTED] to take her hand out of her pocket. Officer Deloach's account is consistent with the BWC footage of the incident. Additionally, [REDACTED] was an exact match for the person reported by the 911 caller, as she was a black female wearing all black, with blue shoes.²⁵

However, the evidence also shows that none of the other officers on scene pointed their firearms at [REDACTED] and Officer Deloach's partner never even unholstered his firearm. Officer Deloach also continued to point his firearm at [REDACTED] for several seconds after she removed her hand from her pocket and revealed that she was only holding a cell phone. Thus, while the preponderance of the evidence shows that Officer Deloach's actions likely complied with CPD policy, COPA lacks clear and convincing evidence to exonerate this allegation. Accordingly, Allegation 1 is not sustained.

COPA finds that Allegation 2 against Officer Deloach, that he failed to inventory or return [REDACTED] cell phone, is **Not Sustained**. Officer Deloach stated that he retrieved [REDACTED] phone while she was being handcuffed, but he gave the phone to Officer Cabrera. No evidence supports that Officer Deloach maintained possession of [REDACTED] phone. At 9:42, on the body-worn camera of Officer Fernando Marquez,²⁶ the officers searched the police vehicle and the Subway for [REDACTED] phone, in addition to calling Officer Deloach, who reiterated that he did not have the phone. The sergeant on the scene also asked [REDACTED] for her cell number and called it to see if they could hear the phone ring, to no avail. For these reasons, COPA finds there is insufficient evidence to prove that Officer Deloach mishandled or misplaced [REDACTED] phone; accordingly, Allegation 2 is not sustained.

Approved:

[REDACTED]

Steffany Hreno
Acting Deputy Chief Administrator

10/13/2025

Date

²⁵ See Att. 2, Event Query.

²⁶ Att. 8, Officer Fernando Marquez's BWC at 9:42.

Appendix A

Case Details

Date/Time/Location of Incident:	May 7, 2024 / 1:00 am / Subway, 6700 South Stony Island. (3rd District)
Date/Time of COPA Notification:	May 7, 2024 / 4:13 pm
Involved Member #1:	Officer Edward Deloach, Star# 18063, Employee ID # [REDACTED] DOA: February 20, 2018, Unit of Assignment: 003, Male, Black
Involved Individual #1	[REDACTED] Male, Black
Involved Individual #2	[REDACTED] Female, Black

Applicable Rules

- Rule 1:** Violation of any law or ordinance.
- 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

- D19-01: Firearm Pointing Incidents (effective November 1, 2019 – April 15, 2025)

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.²⁷ 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.”²⁸

²⁷ 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).

²⁸ *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4th ed. 2000)).

Appendix C

- 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