



Log # 2024-5172

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On May 20, 2024, 005th District Sergeant Michael Gaines initiated this Extraordinary Occurrence investigation. Sgt. Gaines reported that at 7:40 pm that evening, pregnant arrestee [REDACTED] who was being housed inside the 005th District lockup, suffered a medical emergency. [REDACTED] had been involved in a motor vehicle collision earlier in the day that resulted in her also being arrested for aggravated unlawful use of a weapon. [REDACTED] was transported from the location of the motor vehicle collision to the [REDACTED] Hospital where she was treated and released into police custody. While in the 005th District lockup, [REDACTED] water broke, and she was subsequently transported to [REDACTED] Hospital where an ultrasound determined she had suffered a miscarriage.²

Through its investigation, COPA interviewed [REDACTED] a third-party who had also been involved in the motor vehicle collision. [REDACTED] alleged that on May 20, 2024, at approximately 5:33 am, at or near 8100 S. Rhodes Avenue, Officer Michael Dearborn initiated an improper motor vehicle pursuit. COPA also served an allegation against Officer Dearborn for failing to timely activate his body-worn camera.

Following its investigation, COPA reached a finding of unfounded regarding the allegation that Officer Dearborn initiated a motor vehicle pursuit in violation of CPD policy and a sustained finding for his failure to activate his body-worn camera in a timely manner.

II. SUMMARY OF EVIDENCE³

On May 20, 2024, at approximately 5:27 am, ShotSpotter detected two gunshots in the vicinity of 501 E. 80th Street.⁴ Office of Emergency Management and Communications (OEMC) Dispatchers assigned Beat 631 (Officer Zdzislaw Piekos and Officer Herbert Patton II) to

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 Pursuant to § 2-78-120 of the Chicago Municipal Code, COPA has a duty to investigate incidents where a person dies or sustains a serious bodily injury while detained or in the custody of the Chicago Police Department. Therefore, COPA determined it would be the primary administrative 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) video, in-car camera (ICC) video, civilian and officer interviews, CFD ambulance records, medical records, event queries, and radio transmission.

⁴ Att. 70.

investigate the gunshots.⁵ Officer Dearborn stated that he also went to the location of the gunshots as backup to Beat 631.⁶

Officer Dearborn stated that he drove west on 80th Street from Cottage Grove Avenue and stopped his vehicle when he reached Rhodes Avenue. Officer Dearborn saw Beat 631 on 80th Street about one street east of Rhodes Avenue, so he (Officer Dearborn) remained in his car and scanned the street around him in an effort to locate any fired cartridge casings.⁷ Officer Dearborn remained at 8000 S. Rhodes Avenue for approximately one minute when he saw a white Infiniti driven by [REDACTED] traveling south on Rhodes Avenue.⁸

[REDACTED] initially drove by slowly, but as he passed Officer Dearborn, [REDACTED] increased his speed as he continued to travel south on Rhodes Avenue.⁹ Becoming suspicious, Officer Dearborn performed a three-point turn with the intention of running the Infiniti's license plate to investigate if it had been reported stolen.¹⁰ Officer Dearborn stated that by the time he was able to turn his vehicle around the white Infiniti was almost to 81st Street.¹¹

Officer Dearborn stated that as he activated his vehicle's emergency equipment to signal to the white Infiniti to pull over, he (Officer Dearborn) witnessed the white Infiniti fail to stop at the stop sign at 81st Street.¹² The white Infiniti continued into the intersection at a high rate of speed, subsequently colliding with the passenger side of a red Honda Civic, driven by [REDACTED] traveling west on 81st Street.¹³ Officer Dearborn stated that at no time did he engage in a vehicle pursuit of the white Infiniti.¹⁴

Officer Dearborn and Officers from Beat 622 (Officer Darrius Hendrix and Officer Carlos Baker) arrived at the location of the motor vehicle collision and requested emergency medical services.¹⁵ Officer Dearborn activated his BWC approximately 35 seconds after arriving at the scene of the motor vehicle collision. During his statement to COPA, Officer Dearborn acknowledged that he did not activate his BWC when he initially arrived at the crash scene.¹⁶

⁵ Att. 71.

⁶ Att. 100, pg. 8, line 16 to pg. 9, line 12.

⁷ Att. 100, pg. 10, line 12 to pg. 12, line 7, and Att. 63 at 0:33.

⁸ Atts 2 to 10, 103 and 104; Att. 100, pg. 12, line 24 to pg. 18, line 24, and Att. 63 at 0:37.

⁹ Att. 63 at 0:41.

¹⁰ Att. 100, pg. 19, lines 8 to 15, and Att. 63 at 0:47.

¹¹ Att. 100, pg. 22, lines 4 to 17.

¹² Att. 63 at 1:01. Note: Based on the initial appearance of blue lights reflecting off the surrounding parked cars and a clicking sound heard in the ICC video, COPA estimates that Officer Dearborn activated his lights at this time. This is corroborated by Officer Dearborn's testimony. The audio recording portion of the ICC does not appear to have activated, so it is not wholly evident the precise moment that Officer Dearborn activated his ICC.

¹³ Att. 45 at 0:15; Atts. 51 to 53; Att. 100, pg. 23, line 4 to pg. 25, line 1, and Att. 63 at 1:02.

¹⁴ Att. 100, pg. 27, lines 17 to 24.

¹⁵ Att. 24 at 1:22; Att. 25 at 2:07; Att. 26 at 1:57; Atts 36 to 40; Att. 45 at 0:28; and Att. 63 at 1:10.

¹⁶ Att. 100, pg. 59, lines 2 to 8.

In a telephone conversation with COPA, ██████████ acknowledged he was driving the white Infiniti and that he was the cause of the motor vehicle collision.¹⁷ ██████████ stated that he panicked when he saw the marked police vehicle.¹⁸ In his panicked state, ██████████ sped away from the officer and drove approximately one block when he failed to stop at a stop sign, entering the intersection of 8100 S. Rhodes Avenue at a high rate of speed, colliding with a red vehicle.¹⁹

██████████ explained that the reason he panicked was because earlier in the night he was driving around with his friend, who he declined to identify, when a police vehicle attempted to pull him over.²⁰ ██████████ stated that instead of pulling over, he drove away from the officers and was only able to get away because the officers chased his friend, who jumped out of the vehicle and fled on foot.²¹

In her statement to COPA, ██████████ explained that she was driving to work when this accident occurred.²² Her friend, ██████████ was following her in a separate vehicle.²³ ██████████ was travelling west on 81st Street and as she approached Rhodes Avenue, she did not notice any other vehicles. Having the right of way, ██████████ proceeded to travel west across Rhodes Avenue when she was struck by the white Infiniti driven by ██████████²⁴ ██████████ added that ██████████ told her the police vehicle was behind the speeding white Infiniti when it collided with her vehicle.²⁵ ██████████ expressed her displeasure with Officer Dearborn, because she believed he had chased the white Infiniti before the crash.²⁶

In a telephone conversation with COPA, witness ██████████ ██████████ who identified herself as ██████████ cousin, stated that she was in the backseat of his white Infiniti at the

¹⁷ Att. 54, pg. 1.

¹⁸ Att. 54, pg. 1.

¹⁹ Att. 54, pg. 1.

²⁰ Att. 54, pg. 1.

²¹ Att. 54, pg. 1.

²² Att. 75, pg. 4, lines 14 to 21.

²³ Att. 75, pg. 7, lines 4 to 11. Note: Attempts to gain ██████████ cooperation in furtherance of this investigation were unsuccessful. See CMS Notes CO-1393547, CO-1393567, CO-1395433, CO-1396101, CO-1396493, CO-1396839, and CO-1396840.

²⁴ Att. 75, pg. 20, line 18 to pg. 21 line 15.

²⁵ Att. 75, pg. 23, lines 13 to 24.

²⁶ ██████████ also alleged to COPA that Officer Dearborn lied in the Traffic Crash Report narrative when he recounted that he was responding to a call of a shooting. See Att. 75, pg. 25, lines 12 to 18 and Att. 103. However, the Event Query and ShotSpotter Investigative Lead Summary report support Officer Dearborn's assertion that he was responding to a ShotSpotter alert when this incident began. See Atts. 71 and 72. In addition, ██████████ claimed that Officer Dearborn lied about when he turned on his lights and sirens, however the ICC video, third-party video and the Traffic Crash Report corroborate his version of events. See Att. 75, pg. 26, lines 11 to 20, Att. 45, Att. 63 and Att. 103. COPA also notes that ██████████ made these claims based on ██████████ recounting of the events, and not on her own observation of lights or sirens. See Att. 75, pg. 24, lines 19 to 24 and pg. 25, lines 1 to 2. COPA acknowledges that ██████████ alleged that Officer Dearborn made false statements, however COPA has also found that there was insufficient objective, verifiable evidence to support serving any allegation against Dearborn related to a violation of CPD's Rule 14.

time of this incident. ██████ stated that no police officer attempted to pull ██████ over, nor did any officer pursue his vehicle prior to the motor vehicle collision. ██████ added that the accident was entirely ██████ fault because he drove recklessly at such a high rate of speed for no apparent reason, thus creating an extremely dangerous situation.²⁷

In a telephone conversation with COPA, witness ██████ stated that she was sitting in her car parked on the north side of 81st Street when she saw a white car crash into a red car. ██████ did not know if the police were chasing the white car. ██████ added that she did not recall seeing any police lights. ██████ also stated she did not hear any police sirens before witnessing the collision between the white and red cars.²⁸

While Chicago Fire Department (CFD) paramedics were rendering aid to ██████ they discovered a loaded, semi-automatic handgun on the left side of her waist. ██████ acknowledged she possessed the firearm while not having a valid Firearms Owner Identification Card (FOID) or a Concealed Carry License (CCL) and was placed under arrest. ██████ added that the firearm was just inside the vehicle and that she did not know who it belonged to.²⁹

████████ boyfriend and driver of the white Infiniti, ██████ was arrested for reckless driving, uninsured vehicle/bodily damage, failure to reduce speed, disregarding a stop sign, and no valid registration.³⁰

Officer Dearborn later learned from unknown 006th District tactical officers that earlier that same day a white Infiniti had driven away from them as they made an arrest.³¹ COPA's search of related CPD reports found that 006th District officers recovered a semi-automatic firearm and arrested two juveniles who had fled from a white Infiniti near 7736 S Lowe Ave, approximately five hours prior to the motor vehicle collision.³²

Medical records obtained from ██████ Hospital show that on May 20, 2024, at 6:55 am, ██████ arrived, via CFD Ambulance, to the emergency department.³³ Physical examination, imaging, cardiac, pathology, and GI Studies of ██████ were negative for traumatic injury.³⁴ A medical exam also determined that ██████ did not suffer any broken bones or other life-threatening injuries.³⁵ ██████ was discharged from the hospital with instructions to follow-up with her personal physician in a week.

²⁷ Att. 52.

²⁸ Att. 51.

²⁹ Atts. 3, 4, and 7.

³⁰ Att. 9.

³¹ Att. 100, pg. 37, line 6 to pg. 39, line 24.

³² Atts. 78 to 83.

³³ Atts. 47 and 102.

³⁴ Att. 102, pgs. 95 and 96.

³⁵ Att. 102, pg. 98.

Medical records obtained from ██████████ Hospital³⁶ stated that May 20, 2024, at approximately 10:02 pm, ██████████ was brought to their emergency room in police custody. ██████████ informed hospital personnel that she was 14 weeks pregnant and had been involved in a motor vehicle collision at approximately 6:30 am. ██████████ explained that she was a passenger in the front seat of her boyfriend's vehicle, wearing her seatbelt, when they first struck another vehicle and then a metal fence, causing her airbag to deploy.³⁷

██████████ Hospital personnel reviewed ██████████ trauma workup from earlier in the day. It was reported that she had a fast exam, during which x-rays of her chest, and CT scans of her head, neck, chest, abdomen, and pelvis, were negative for injury. According to ██████████ records, she had normal fetal heart tones at the time, and she was subsequently released into police custody.³⁸

██████████ explained that she originally went to the ██████████ Hospital earlier in the day and was released but later started having some discomfort. ██████████ Hospital medical records stated that ██████████ water ruptured at approximately 7:30 pm. ██████████ was diagnosed with "Fetal Death MVC Intrauterine Fetal Demise".³⁹

Although ██████████ and ██████████ provided some information to COPA over the phone, they ultimately declined to be formally interviewed by COPA, explaining that they wanted to speak with an attorney before proceeding.⁴⁰

III. ALLEGATIONS⁴¹

Officer Michael Dearborn:

1. Initiating a motor vehicle pursuit, in violation of General Order G03-03-01.
 - Unfounded.
2. Failing to timely activate his body-worn camera.

³⁶ Att. 84.

³⁷ Att. 84, pg. 9. Note: In medical notation, "MVC" stands for motor vehicle crash.

³⁸ Att. 84, pg. 25.

³⁹ Att. 84, pg. 13.

⁴⁰ Att. 55.

⁴¹ This investigation was initiated after ██████████ suffered a miscarriage in CPD custody. COPA's review of the relevant evidence established that there is no objective, verifiable evidence to demonstrate that ██████████ miscarriage was related to any specific action or negligence on CPD's part. ██████████ was a passenger in a vehicle that collided with another vehicle and then a metal fence. As soon as responding CPD officers became aware that ██████████ was pregnant, they immediately requested medical aid from CFD. Hospital personnel evaluated and treated ██████████ and released her into CPD custody. Later that same day, CPD contacted CFD to transport ██████████ to a second hospital for further treatment. There, ██████████ was again treated by medical personnel, who determined the cause of her miscarriage was the motor vehicle collision. Most pertinent, however, is that COPA's investigation has found that Officer Dearborn did not initiate an improper vehicle pursuit of the white Infiniti in the moments prior to the collision. While it is unfortunate that ██████████ suffered a miscarriage, COPA finds that there is insufficient objective verifiable evidence to serve an allegation of misconduct against any CPD member related to this outcome. *See also* Atts. 39 and 40.

- Sustained, in violation of Rules 2, 3, 5, 6, and 10.

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.

After evaluating and comparing the available evidence to the separate interviews the involved individuals provided to COPA, COPA found that their individual accounts of this incident were consistent with the known facts. This investigation did not reveal any evidence that caused COPA to question the credibility of Officer Dearborn or any of the other parties involved.

V. ANALYSIS⁴²

a. Whether Officer Dearborn Initiated a Vehicle Pursuit

COPA finds that allegation #1, that Officer Michael Dearborn initiated a motor vehicle pursuit, in violation of General Order G03-03-01, is **unfounded**. CPD policy defines a motor vehicle pursuit as “[a]n active attempt by a sworn member operating an authorized emergency vehicle to apprehend any driver or operator of a motor vehicle who, having been given a visual and audible signal by the officer [to] stop, fails or refuses to obey such direction, increases or maintains his or her speed, extinguishes his or her lights, or otherwise flees or attempts to elude the officer.”⁴³

Here, the video and testimonial evidence establishes that Officer Dearborn did not initiate a motor vehicle pursuit with the white Infiniti. To begin with, ██████████ collided with ██████████ before Officer Dearborn had the opportunity to give any meaningful visual or audible signals to stop. ██████████ panicked and sped away from Officer Dearborn as soon as he saw Officer Dearborn's marked CPD vehicle. By his own admission, ██████████ had already fled from CPD hours earlier after his friend jumped out of the car, and CPD reports confirm that two juveniles were arrested and found with a firearm after fleeing from a white Infiniti around this same time. This sheds light on why ██████████ would flee from Officer Dearborn without Officer Dearborn first attempting to apprehend him.

In addition, Officer Dearborn stated that he never pursued the white Infiniti driven by ██████████⁴⁴ Officer Dearborn's account was corroborated by statements from ██████████ and ██████████ stated that she did not hear police sirens and did not see police lights prior

⁴² For a definition of COPA's findings and standards of proof, see Appendix B.

⁴³ Atts. 105 and 106, General Order G03-03 (II), (III)(A), Emergency Use of Department Vehicles (effective March 18, 2022, to present).

⁴⁴ Att. 100, pg. 61, line 24 to pg. 62, line 1.

to the Infiniti colliding with her vehicle, adding that her friend, Daley, told her he saw the police vehicle with its emergency equipment activated.⁴⁵ Eyewitness ██████ did not recall seeing any police lights and said she never heard a siren before the two vehicles collided.⁴⁶ ██████ a passenger in the white Infiniti, recounted that no police officer attempted to pull them over prior to the motor vehicle collision.⁴⁷

Moreover, the recording from Officer Dearborn's ICC showed that he activated his vehicle's emergency equipment after the white Infiniti passed him and he (Officer Dearborn) was able to perform a three-point turn and drove south on Rhodes Avenue. The recording also showed that the white Infiniti struck ██████ vehicle at about the same time as when Officer Dearborn activated his vehicle's emergency equipment.⁴⁸

Here, the evidence established that Officer Dearborn did not pursue the white Infiniti and did not even turn on his vehicle's emergency equipment until approximately the same time that ██████ struck ██████. Given this, COPA finds that Officer Dearborn did not initiate a motor vehicle pursuit in violation of CPD policy, and allegation #1 against Officer Dearborn is therefore unfounded, by clear and convincing evidence.

b. Late BWC Activation

COPA finds that the allegation that Officer Michael Dearborn failed to timely activate his body-worn camera, is **sustained**. To increase transparency and improve the quality and reliability of investigations, CPD policy requires law-enforcement-related activities to be electronically recorded.⁴⁹ Law-enforcement-related activities include, but are not limited to, responding to and engaging in calls for service, investigatory stops, traffic stops, foot and vehicle pursuits, arrests, use of force incidents, emergency vehicle responses where fleeing suspects or vehicles may be captured on video leaving the crime scene, high risk situations, and any other instances when enforcing the law.⁵⁰ The decision to record is mandatory, not discretionary.⁵¹ CPD members are required to activate their BWCs at the beginning of an incident and record the entire incident.⁵²

Here, Officer Dearborn activated his BWC after his arrival on scene of the accident. Officer Dearborn also conceded that he activated his BWC after he arrived. The video evidence is clear that Officer Dearborn engaged in law-enforcement related activity, namely responding to the scene of a motor vehicle-collision, prior to the activation of his BWC. As such, COPA finds that allegation #2 is sustained, by a preponderance of the evidence, in violation of Rules 2, 3, 5, 6, and 10.

⁴⁵ Att. 75, pg. 23, line 23 to pg. 25, line 2.

⁴⁶ Att. 51.

⁴⁷ Att. 52.

⁴⁸ Att. 63 from 0:41 to 1:01.

⁴⁹ Att. 108, S03-14 (V)(A), Body Worn Cameras (effective 29 December 2023 to 08 August 2024).

⁵⁰ Att. 108, S03-14 (II)(I).

⁵¹ Att. 108, S03-14 (V)(A)(1).

⁵² Att. 108, S03-14 (V)(A)(2).

VI. DISCIPLINARY RECOMMENDATION

a. Officer Michael Dearborn

i. Complimentary and Disciplinary History⁵³

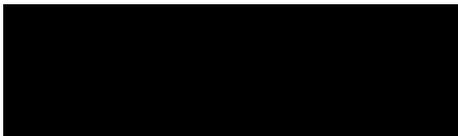
Officer Dearborn’s complimentary history is comprised of 132 awards, the highlights of which include one Annual Bureau Award of Recognition, one Special Commendation Award, 10 Department Commendation Awards, two Honorable Mention Ribbon Awards, and one Joint Operations Award. His disciplinary history includes a sustained finding for an Operations/Personnel Violation from a 2021 incident for failing to conduct a proper preliminary investigation, resulting in a reprimand, as well as two SPARs: 1) a July 2024 Court Appearance Violation, resulting in a reprimand, and 2) a September 2024 Failure to Timely Activate BWC, resulting in a reprimand.

ii. Recommended Discipline

Here, COPA found that Officer Dearborn violated Rules 2, 3, 5, 6, and 10 when failed to timely activate his BWC. In mitigation, COPA notes Officer Dearborn’s impressive complimentary history, as well as the fact that he admitted to late BWC activation during his statement to COPA. In aggravation, COPA refers to Officer Dearborn’s disciplinary history, which includes a 2021 sustained finding and two recent SPARs. Of particular note is the SPAR Officer Dearborn recently received for failing to timely activate his BWC, which is misconduct he has repeated in this case. Officer Dearborn has also been a CPD member for 17 years, so his repeated failure to comply with CPD’s BWC policy cannot be attributed to a lack of experience or training.

In light of these factors, and considering the principals of progressive discipline, COPA recommends a penalty of a **suspension in the range of 1-to-29 days** and **retraining** on CPD’s BWC policy.

Approved:



5/30/2025

Jessica Ciacco
Acting Director of Investigations

Date

⁵³ Atts. 109 and 110.

Appendix A

Case Details

Date/Time/Location of Incident:	May 20, 2024 / 5:33 am / 8100 S. Rhodes Avenue, Chicago, IL 60619.
Date/Time of COPA Notification:	May 20, 2024 / 10:55 pm.
Involved Member #1:	PO Michael Dearborn / Star #6193 / Employee ID # [REDACTED] / DOA: April 28, 2008 / Unit 006 / Male / Black.
Involved Individual #1:	[REDACTED] / Female / Black.
Involved Individual #2:	[REDACTED] / Female, 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.

Applicable Policies and Laws

- General Order G03-03: Emergency Use of Department Vehicles (effective 18 March 2022 to present)
- Special Order S03-14: Body Worn Cameras (effective 29 December 2023 to 08 August 2024)

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.⁵⁴ 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.”⁵⁵

⁵⁴ 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).

⁵⁵ *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