



Log # 2023-0003478

FINAL SUMMARY REPORT

I. EXECUTIVE SUMMARY

On August 5, 2023, the Civilian Office of Police Accountability (COPA) received an initiation report alleging misconduct by a member of the Chicago Police Department (CPD). Sergeant Rocco Fagiano (Sgt. Fagiano) alleged that on August 5, 2023, Sergeant James Haworth (Sgt. Haworth) engaged in a verbal and physical altercation by placing his hands around [REDACTED] ([REDACTED] neck and throwing her to the ground.¹ During the investigation, additional allegations were brought against responding Sergeant Alvin Dimalanta (Sgt. Dimalanta) and Police Officer Scott Kniaz.² Following its investigation, COPA reached sustained findings against Sgt. Haworth for domestic violence related allegations and Sgt. Dimalanta for failure to provide supervision.

II. SUMMARY OF EVIDENCE³

Sgt. Haworth and [REDACTED] have been [REDACTED].⁴ Sgt. Haworth and [REDACTED] attended a concert at the House of Blues, located at 329 N. Dearborn Street, Chicago, IL 60654 after Sgt. Haworth ended his shift on August 8 2023.⁵ Following the concert, at approximately 1:00AM, [REDACTED] and Sgt. Haworth became involved in a dispute. Sgt. Haworth stated that he was not working his regular assignment and that he was detailed to Lollapalooza during the day.⁶ Sgt. Haworth stated that they were sitting in the VIP section during the concert and had couple of sips from [REDACTED] glass containing an alcoholic beverage.⁷

Sgt. Haworth stated after the concert, they walked outside, he became nervous due to the large crowd⁸ and had a self-described Post Traumatic Stress Disorder (PTSD) episode⁹ Sgt. Haworth stated he had limited memory of the night and a lot of the information that he understood

¹ 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.

² Att. 37 & Att. 38

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 *[BWC footage, police reports, civilian interviews, officer interviews.]*

⁴ Att. 14, Pg. 9, Ln. 1-12

⁵ Att. 14, Pg. 10, Ln. 1-2

⁶ Att. 14, Pg. 9, Ln. 20-23

⁷ Att. 14, Pg. 9, Ln. 5-20

⁹ Att. 14, Pg. 15, Ln. 1-9

was provided by ██████¹⁰ Sgt. Haworth stated that he remembered walking home to his residence, which was approximately six miles from the House of Blues.¹¹

██████ did not provide a formal recorded statement to COPA but called 911 OEMC after the incident.¹² She alleged that Sgt. Haworth yelled at her, threatened to kill her and punch her in the face, and psychically placed his hands around her neck. Sgt. Fagiano responded to the call.¹³ ██████ expressed concern for Sgt. Haworth and believed that he needed to be hospitalized.¹⁴ ██████ gestured on Body Worn Camera (BWC) that, in anger Sgt. Haworth's hands were around her neck.¹⁵ ██████ stated that Sgt. Haworth discarded and threw all his items on the ground and was no longer on scene.¹⁶ ██████ believed that Sgt. Haworth left the scene in his CPD issued vehicle.¹⁷ Sgt. Fagiano requested EMS services but ██████ did not sustain any injuries nor go to the hospital. ██████ was transported to her residence by officers on the scene. ██████ further stated that there have been issues going on for years and this is not the first time something like this occurred.¹⁸

COPA conducted a canvas of the area around the House of Blues but could not locate the exact alley where the incident took place.¹⁹ COPA also attempted to obtain video surveillance from House of Blue but was unable to obtain footage.²⁰ COPA attempted to identify the police officer who ██████ initially contacted but was unable to identify that officer.²¹

Sgt. Fagiano contacted the 25th District to inform them of the incident that occurred early that morning.²² Sgt. Fagiano requested that a sergeant meet the officers transporting ██████ at the residence. Sgt. Fagiano stated to COPA that he informed a lieutenant that an investigation needs to be completed with the possibility of police action for Sgt. Haworth's actions.²³ Sgt. Fagiano stated that he provided a summary of the incident that occurred and the possible allegations to the lieutenant.²⁴

¹⁰ Att. 14, Pg. 15, Ln. 14-15

¹¹ Att. 14, Pg. 15, Ln. 16-23

¹² Att. 26-33 OEMC 911 calls

¹³ Att. 20 ██████ stated that she attempted to speak to another unidentified officer who refused to take her complaint or help. COPA attempted to identify the officer but was unable to do so.

¹⁴ Att. 20 at 11:34 to 11:45

¹⁵ Att. 20 at 13:22

¹⁶ Att. 20 at 11:52 to 11:58 ██████ appeared to hold his keys, wallet and phone.

¹⁷ It was determined that Sgt. Haworth did not have his vehicle at the concert and was dropped off by another CPD member.

¹⁸ Att. 20 at 12:30 to 13:45

¹⁹ Note CO-1349757, COPA conducted a canvas on 9/12/2023

²⁰ Multiple Notes in file. House of Blues was uncooperative.

²¹ The car was identified, but the officer had not logged into the PDT, nor was identified on the equipment list.

²² Att. 11, Pg. 9, Ln. 16-20

²³ Att. 11, Pg. 10 Ln. 11-19

²⁴ Att. 11, Pg. 11, Ln. 3-6 Sgt. Fagiano could not recall what lieutenant he spoke to.

Later that morning at approximately 7:30AM, Sgt. Dimalanta and Police Officer Scott Kniaz (PO Kniaz) responded to the residence located at [REDACTED], as Sgt. Haworth was found sleeping in the backyard. ²⁵ Sgt. Dimalanta initiated efforts to have an intervention with Sgt. Haworth, by enlisting help from a peer support member come to the scene with him (PO Kniaz) and made a phone call to EAP, which then Alejandro Mendoza eventually arrived on scene.²⁶

According to Sgt. Dimalanta's BWC footage, [REDACTED] alleged that Sgt. Haworth threatened to shoot and hurt [REDACTED] the previous day.²⁷ Sgt. Haworth acknowledged making those statements during a verbal exchange with [REDACTED] but claimed they were made to end the conversation. He later became aware that [REDACTED] overheard the remarks. ²⁸.

Sgt. Haworth was transported to [REDACTED] Hospital for a psychiatric evaluation.²⁹ He was not arrested, and no criminal charges were filed.

III. ALLEGATIONS

Police Officer Scott Star #13217:

1. Failing to activate your Body Worn Camera, without justification.
 - **Exonerated**

Sergeant Alvin Dimalanta Star #1859:

1. Failed to timely activate your body worn camera, without justification.
 - **Sustained, Rules 2,3,5,6**
2. Failed to arrest Sgt. Haworth after a domestic violence incident, without justification.
 - **Sustained, Rules 2,3,5,6**
3. Failed to call a supervisor to the scene, without justification.
 - **Sustained, Rules 2,3,5,6**
4. Failed to adequately supervise officers on scene.
 - **Exonerated**
5. Failed to recuse yourself from an investigation due to known conflict of interest with the accused, without justification.

²⁵ Sgt. Dimalanta had a late activation, and PO Kniaz did not have his BWC on. It is unknown what happened until 7:55AM when Sgt. Dimalanta activates his BWC.

²⁶ Att. 12, Pg. 21, Ln. 3-16

²⁷ Att. 19, at 9:35 to

²⁸ Att. 14, Pg. 20, Ln. 22-24, Pg. 21, Ln. 1-5, and Ln. 16-19

²⁹ Att. 2

- Sustained, Rules 2,3,5,6
- 6. Failed to create an initiation report.
 - Sustained Rules 2,3,5,6

Sergeant James Haworth:

1. Engaged in an unjustified verbal altercation with [REDACTED] saying words to the effect that he would “punch you in the face” and or “kill you”.
 - Sustained, Rules 2,3,8,9
2. Engaged in an unjustified physical altercation with [REDACTED] by putting hands around her neck and or applying pressure to her neck and or throwing [REDACTED] to the ground.
 - Sustained, Rules 2,3,8,9
3. Verbally threatening to kill [REDACTED] and or her adult and or minor children.
 - Sustained, Rules 2,3,8,9

IV. CREDIBILITY ASSESSMENT

[REDACTED]

While COPA did not obtain a recorded statement from [REDACTED] COPA did have a conversation with her and was documented in an Investigative Report (IR).³⁰ [REDACTED] provided support for Sgt. Haworth and the process of his recovery.³¹ [REDACTED] remained consistent with her account from the day of the incident on captured on BWC, she did not veer from her initial account.³² There are no concerns of the credibility or validity of the narrative provided on the night of the incident.

Sgt. James Haworth

Sgt. Haworth asserted he could not recall the incident due to a PTSD episode. He did not dispute [REDACTED] account and acknowledged that she was likely telling the truth. His limited memory precluded COPA from a full credibility assessment.³³

³⁰ Att. 49

³¹ Att. 46 & Att. 48

³² Att. 20

³³ Att.14 Pg. 33, Ln. 16-20

V. ANALYSIS³⁴

Police Officer Scott Kniaz-

COPA finds the allegation that PO Kniaz failed to activate his Body Worn Camera to be **exonerated**. PO Kniaz responded in his capacity as a Peer Support Officer. PO Kniaz stated that he was already off duty and returned his equipment at the time of the incident, and was leaving the building when Sgt. Dimalanta requested him to go with him to Sgt. Haworth's residence.³⁵ COPA finds that PO Kniaz's lack of BWC during this incident to be within CPD policy due to PO Kniaz's role as a Peer Support Officer.

Sergeant Alvin Dimalanta-

COPA finds the allegation against Sgt. Dimalanta for failing to timely activate his Body Worn Camera **sustained**. Sgt. Dimalanta failed to capture a key conversation with ██████████ during which new allegations were made on BWC. ³⁶ CPD policy requires BWC activation for all law enforcement encounters, with no exceptions for crisis intervention responses when on duty according to the CPD Body Worn Camera Special Order.³⁷

COPA finds the following allegations against Sgt. Dimalanta **sustained**; Failed to Arrest Sgt. Haworth after a domestic violence incident, failed to call a supervisor to the scene, failed to create an initiation report.

Sgt. Dimalanta was aware of the incident that occurred the night before due to Sgt. Fagiano notifying the 25th District and ██████████ verbally telling Sgt. Dimalanta about the incident and new allegations.³⁸ Sgt. Dimalanta provided the justification that he was responding to a crisis intervention need only, and that is when he was made aware of additional allegations from ██████████³⁹ Due to the additional allegations made by ██████████ Sgt. Dimalanta should have requested a higher-ranking member, which is outlined in Domestic Incidents General Order.⁴⁰

Sgt. Dimalanta also should have created an initiation report to address allegations that ██████████ had relayed to him. Sgt. Dimalanta had not recalled if he had read the case report on the day of the incident, and he did not have access to the initiation report, so it is reasonable to believe he did not know what allegations were addressed in either report. He was the direct recipient of information about a credible threat from ██████████ about Sgt. Haworth, but no

³⁴ For a definition of COPA's findings and standards of proof, *see* Appendix B.

³⁵ Att. 13, Pg. 4, Ln. 17-22

³⁶ Att. 12, Pg. 37, Ln. 18-20

³⁷ Att. 53, Body Worn Camera Special Order S03-14, 30 April 2018

³⁸ Att. 12, Pg. 18, Ln. 5-9

³⁹ Att. 12, Pg. 37, Ln. 18-20, ██████████ alleged that Sgt. Haworth threaten to shoot her and the children

⁴⁰ Att. 42, Domestic Incidents, General Order G04-04

further investigation was carried out by Sgt. Dimalanta to determine if any additional steps should be taken.⁴¹

Additionally, Sgt. Dimalanta did not complete any further investigation into the allegations at the 18th District, such as reaching out to any ranking officer at the 18th District to determine if any further investigative steps need to be taken and/or addressed. Sgt. Dimalanta is sustained in violation of CPD policy and Rules, 2,3, 5, 6.

COPA finds the allegation that Sgt. Dimalanta *failed to recuse yourself from an investigation due to known conflict of interest with the accused*, **sustained**. Sgt. Dimalanta had a prior friendship with Sgt. Haworth, such as inviting him to a barbecue at his residence and going to six flags with their daughters.⁴² According to the Conflict of Interest General Order, CPD describes a conflict of interest when: a department member assigned to investigate a complaint has a professional or close personal relationship with a reporting party, a witness, or the accused.⁴³ Sgt. Dimalanta became assigned to investigate the complaint when ██████ made the additional allegation that Sgt. Haworth threatened to shoot ██████ and the children. Sgt. Dimalanta did not investigate the complaint further, nor recuse himself by calling a higher-ranking member than himself. He failed to address his own standing in the investigation and address the additional allegations. Sgt. Dimalanta is sustained in violation of CPD policy and Rules, 2,3, 5, 6.

COPA finds the allegation that Sgt. Dimalanta *failed to adequately supervise officers on scene*, **exonerated**. Given that Officer Kniaz was acting in an off-duty peer support role, BWC policy did not apply to home, and Sgt. Dimalanta had no duty to enforce supervision in that context.

Sergeant James Haworth-

COPA finds the two allegations from the incident that occurred on August 5, 2023, that he engaged in in an unjustified verbal altercation with ██████ saying words to the effect that he would “punch you in the face” and or “kill you” and an in an unjustified physical altercation with ██████ by putting hands around her neck and or applying pressure to her neck and or throwing ██████ to the ground, **sustained**.

█████ made allegations on BWC the night of the incident to Sgt. Fagiano, and informed Sgt. Dimalanta later that morning of the same allegations.⁴⁴ ██████ did not provide a statement to COPA about the incident but provided her full statement on BWC and provided some details of the incident to COPA.⁴⁵ ██████ did not have any credibility issues and her statement and allegations were not rebuked by Sgt. Haworth during his statement to COPA. Sgt.

⁴¹ Sgt. Haworth stated that when he made the threat to ██████ his gun was still located in the residence.

⁴² Att. 12, Pg. 21, Ln. 22-24 through Pg. 22, Ln. 1-19

⁴³ Att. 39 Conflict of Interest General Order G08-01-03, Line F.

⁴⁴ Att. 20. Sgt. Fagianos BWC and Att. 12, Pg. 18, Ln. 5-15 Sgt. Dimalanta stated he had knowledge of the incident before arriving on scene.

⁴⁵ Att. 49, Investigative Report (IR) from ██████

Haworth stated that he was suffering from a self-identified PTSD episode that impacted his memory of the incident. Sgt. Haworth recalls walking home from the House of Blues but does not remember any of the details of the allegations.⁴⁶ Sgt. Haworth was asked directly if there was any reason for ██████ not to be telling the truth, and Sgt. Haworth responded “no.”⁴⁷ Sgt. Haworth is sustained in violation of CPD policy and Rules, 2.3,8,9.

COPA found the allegation on or about August 4, 2023, Sgt. Haworth verbally threatened to kill ██████ and or her adult and or minor children, **sustained**. Sgt. Dimalanta heard this allegation when he arrived at Sgt. Haworth’s/██████ residence.⁴⁸ ██████ followed up with more details to Sgt. Dimalanta that were caught on BWC. Sgt. Haworth’s daughter is seen crying on video.⁴⁹ Sgt. Dimalanta stated to COPA that this is when ██████ let him know about the prior incident occurring on August 5, 2023.⁵⁰ Sgt. Dimalanta’s later communication with ██████ she went over the early allegation.⁵¹ Sgt. Haworth is sustained in violation of CPD policy and Rules, 2.3,8,9.

Sgt. Haworth confirmed the allegation occurred and provided background information about the incident. Sgt. Haworth stated that he was confronted by ██████ about working too much and that she was worried about his mental health.⁵² Sgt. Haworth stated that he wanted to be left alone.⁵³ Sgt. Haworth stated that later he learned that his daughter was present when he said those statements to ██████⁵⁴ Sgt. Haworth is sustained in violation of CPD policy and Rules, 2.3,8,9.

VI. DISCIPLINARY RECOMMENDATION

a. Sgt. James Haworth

i. Complimentary and Disciplinary History⁵⁵

Sgt Haworth has been with CPD since August 29, 2005. In that time, he received various awards, including fifty-two Honorable Mentions, two Special Commendations, 1 Superintendent’s Honorable Mention certificate and two Crime Reduction awards. He has no discipline history in the last five years.

ii. Recommended Discipline

In this case, Sgt. Haworth made threats of violence, both verbally and physically against

⁴⁶ Att. Pg. 32-33, Sgt. Haworth stated that he does not recall doing but does not deny it.

⁴⁷ Att. 14, Pg. 33, Ln. 16-20

⁴⁸ Sgt. Dimalanta did not activate his body worn camera in time to capture the initial disclosure.

⁴⁹ Att. 19, at 0:00 to 0:50

⁵⁰ Att. 12, Pg. 20, Ln. 1-6

⁵¹ Att. 19, at 9:30 to 10:20

⁵² Att. 14, Pg. 20, Ln. 22-24 and Pg. 21, Ln. 1-5

⁵³ Att. 14, Pg. 21, Ln. 4-5

⁵⁴ Att. 14, Pg. 21, Ln. 16-19

⁵⁵ Attachment 55

his wife and their children. In mitigation, COPA recognizes that Sgt Haworth was forthcoming in his admittance of alcohol use and due to the use of alcohol he was triggered by the chaos of the large crowd. COPA also recognizes that Sgt. Haworth voluntarily sought treatment for alcohol misuse disorder and PTSD immediately after the events of August 4 and 5, 2023, indicating that he understood the severity of the situation. COPA also notes Sgt Haworth’s lack of recent discipline. COPA recommends a suspension of 30-89 days.

b. Sgt Alvin Dimalanta
i. Complimentary and Disciplinary History⁵⁶

Sgt. Dimalanta has been with CPD since March 27, 2006. In that time, he has received various awards, including seventy-eight Honorable Mentions, two Crime Reduction awards, five Commendation awards and one Honorable Mention Ribbon award. Within the last five years, Sgt. Dimalanta received a sustained finding of an operation/personnel violation, receiving a one-day suspension.

ii. Recommended Discipline

Sgt Dimalanta made both investigative and supervisory errors in this case. As a Sargeant responding to a call of someone of the same rank, Sgt. Dimalanta was obligated to request assistance from another member of a higher rank.⁵⁷ Another aggravating factor is both Sgt Dimalanta and Sgt Haworth admitted to knowing and having a friendly relationship with each other.

COPA has considered all factors and recommends a 1-29 day suspension and training on responding to a domestic incident.

Approved:



29 September 2025

Kimberly Edstrom Schiller
Director of investigations

Date

⁵⁶ Attachment 54

⁵⁷ G04-04 states that “the responding member will request that a member who is a higher rank than the Department member involved in the domestic incident be assigned from the district of occurrence as the investigating supervisor.”

Appendix ACase Details

| | |
|---------------------------------|--|
| Date/Time/Location of Incident: | August 4, 2023 and August 5, 2023, various times |
| Date/Time of COPA Notification: | August 5, 2023 |
| Involved Member #1: | Sgt. James Haworth, Star #898, Employee # [REDACTED] Unit 376, Male, |
| Involved Member #2: | Sgt. Alvin Dimalanta, Star #1859, 25 th District, Male |
| Involved Member #3: | Police Officer Scott Kniaz, Star #13217, 25 th District, Male |
| Involved Individual #1: | [REDACTED] DOB: [REDACTED], Female |

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.
- Rule __:** *[Insert text of any additional rule(s) violated]*

Applicable Policies and Laws

- Employee Resource E06-01, 03 December 2020
- Special Order, S03-14 Body Worn Camera
- General Order, G04-04, Domestic Incidents

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.⁵⁸ 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.”⁵⁹

⁵⁸ 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).

⁵⁹ *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