



January 13, 2026

Mr. Max A. Caproni  
Executive Director, Chicago Police Board  
30 North LaSalle Street, Suite 1220  
Chicago, Illinois 60602

Via Email

RE: Request for Review, Log #2023-0004486

Dear Mr. Caproni,

Pursuant to the Municipal Code of Chicago Section 2-78-130 and Police Board Rules of Procedure Section VI, please consider this letter a Request for Review of a non-concurrence between the Civilian Office of Police Accountability (COPA) and the Superintendent of the Chicago Police Department (CPD) in Log #2023-0004486.<sup>1</sup>

As set forth in detail in COPA's Final Summary Report (FSR), there is a compelling legal and evidentiary basis to support COPA's findings and disciplinary recommendations for Officer Kenneth Sunde #18633 and Officer Richard Rodriquez Jr. #12157. COPA recommended that Officer Sunde receive a suspension of 5 to 10 days, based on the finding that he used profanity towards ██████████ in violation of CPD General Order G02-04. COPA also recommended that Officer Rodriquez receive a suspension of 30 to 45 days, based on findings that he (1) failed to timely activate his body worn camera (BWC) and (2) conducted an improper search of ██████████ during an arrest.

## I. BACKGROUND

### A. Relevant Factual Background<sup>2</sup>

While conducting routine patrol on September 25, 2023 at 10:22 pm near 50 W Chicago Ave, Officers Rodriquez and Sunde, along with Officer Crystina Kittrell, observed three people sitting on the front steps of a local business.<sup>3</sup> The officers approached the subjects for an investigatory stop, asked them to stand, and began to pat them down.<sup>4</sup> One of the subjects, ██████████ broke free and ran once the pat-down reached his waist.<sup>5</sup> He discarded a firearm as he was running.<sup>6</sup> He was quickly apprehended<sup>7</sup> and the firearm was recovered.<sup>8</sup> When officers caught him, Officer Sunde told him to "get on the fucking ground,

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<sup>1</sup> As required by the Police Board Rules of Procedure, enclosed are copies of COPA's FSR, CPD's non-concurrence letter (Non-Concurrence), and the certificate of meeting.

<sup>2</sup> A more detailed factual summary can be found in the FSR.

<sup>3</sup> Att. 3 at 2:00.

<sup>4</sup> Att. 3 at 2:00 to 2:29.

<sup>5</sup> Att. 3 at 2:29.

<sup>6</sup> Att. 4 at 2:20.

<sup>7</sup> Att. 4 at 2:27 to 2:30

<sup>8</sup> Att. 3 at 3:36.

dickhead.”<sup>9</sup> [REDACTED] was searched after being taken into custody. During that search Officer Rodriguez intentionally reached his hand into a hole in the seat of [REDACTED] pants and ripped it further to expand it and search inside.<sup>10</sup> [REDACTED] asked, “Why you rip my jeans?” Officer Rodriguez responded, “cause you got something in yo ass.”<sup>11</sup> When asked by COPA about his reason for ripping [REDACTED] jeans, Officer Rodriguez explained, “His pants ripped in the back. Most people like to tuck stuff near their lower extremities. So that's exactly where I started searching. So he had a hole in the back of his pants. I expanded it, stretched it, ripped his clothes.”<sup>12</sup> When asked if this was normal procedure, Officer Rodriguez stated, “No. Normally no. But the pants are already ripped is usually a tell of something being in there. When clothes are usually ripped, especially a jacket or pants, they like to slide stuff in there. It's an easy way to miss something on a protective pat-down or a search.”<sup>13</sup>

## **B. Disputed Findings and Recommendations**

The Superintendent disputes COPA’s sustained finding that Officer Sunde used profane language in violation of General Order G02-04. The Superintendent also disputes COPA’s sustained finding that Officer Rodriguez conducted an improper search of [REDACTED].<sup>14</sup>

## **C. Applicable CPD Policy**

CPD members are required to treat all persons with dignity and courtesy.<sup>15</sup> Specifically, “Department members will act, speak, and conduct themselves in a professional manner and maintain a courteous attitude in all contacts with the public.”<sup>16</sup>

A strip search is defined as “having an arrested person remove or arrange some or all of his or her clothing so as to permit a visual inspection of the genitals, buttocks, anus, female breasts or undergarments of such person.”<sup>17</sup> CPD members are not allowed to conduct strip searches without probable cause that the search will uncover contraband or a weapon.<sup>18</sup> Moreover, strip searches are generally not to be conducted in the field, and when a field strip search is imperative, a field supervisor must be contacted for prior approval.<sup>19</sup>

## **II. ARGUMENT**

### **a. Officer Sunde Violated the Plain Language of General Order G02-04**

Officer Sunde shouted at [REDACTED] “get on the fucking ground, dickhead.”<sup>20</sup> The Superintendent argues that Officer Sunde’s language did violate CPD policy, but that the conduct should have been alleged and sustained under General Order G02-01, entitled “Protection of Human Rights.” The Superintendent suggests Officer Sunde be suspended for two days with additional training.

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<sup>9</sup> Att. 3 at 3:07.

<sup>10</sup> Att. 4 at 2:50.

<sup>11</sup> Att. 4 at 2:50.

<sup>12</sup> Att. 46, pg. 22, lns. 20 to 24.

<sup>13</sup> Att. 46, pg. 23, lns. 8 to 13.

<sup>14</sup> COPA brought several other allegations which were not subject to disagreement. Specifically, COPA alleged that Officer Kittrell failed to activate her BWC. After investigating, COPA reached a finding of Exonerated, with which the Superintendent agreed. COPA also alleged that Officer Rodriguez failed to timely activate his BWC. The Superintendent agreed and suggested a one-day suspension. Finally, COPA alleged that Officer Rodriguez used profanity towards [REDACTED]. COPA reached a finding of Not Sustained, and the Superintendent agreed.

<sup>15</sup> Att. 43, General Order G-02-04 (II)(C),

<sup>16</sup> Att. 43, General Order G-02-04 (II)(C),

<sup>17</sup> General Order G06-01-03 (II)(A)(2), Conducting Strip Searches (effective December 8, 2017 to present).

<sup>18</sup> General Order G06-01-03 (III)(A), Conducting Strip Searches (effective December 8, 2017 to present).

<sup>19</sup> General Order G06-01-03 (IV)(A to F), Conducting Strip Searches (effective December 8, 2017 to present).

<sup>20</sup> Att. 3 at 3:07.

While COPA agrees that Officer Sunde's profane and insulting language violated General Order G02-01 and an allegation could have been brought accordingly, his words also violated General Order G02-04. As set forth above, G02-04 requires CPD members to treat people with dignity and courtesy, and to conduct themselves professionally. In failing to do so, Officer Sunde violated G02-04, and COPA's allegation was properly sustained. The Superintendent therefore fails to meet his affirmative burden of showing that COPA's recommended finding is unreasonable. However, COPA is amenable to the Superintendent's proposed discipline of two days with additional training.

**b. Officer Rodriquez Conducted an Improper Search of [REDACTED] by Intentionally Ripping his Pants**

COPA properly found that Officer Rodriquez conducted an improper search of [REDACTED]. By ripping [REDACTED] pants, thereby exposing more of [REDACTED] undergarment, Officer Rodriquez conducted an in-the-field strip search. Strip searches are generally disfavored under CPD policy, and strip searches in the field are subject to specific authorization requirements which were not followed here.

The Superintendent argues that Officer Rodriquez did not use any extra force to rip [REDACTED] pants, which had a hole in them to begin with. Yet Officer Rodriquez told [REDACTED] that he was ripping [REDACTED] pants because he thought [REDACTED] was hiding something. Moreover, Officer Rodriquez acknowledged in his statement to COPA that he intentionally expanded the hole in [REDACTED] pants as part of his search.

By claiming Officer Rodriquez did not intentionally rip [REDACTED] pants in spite of Officer Rodriquez's admission to the contrary, the Superintendent's argument ignores undisputed facts. Because the Superintendent failed to rebut the allegation, COPA's finding of Sustained should be accepted.

**III. CONCLUSION**

For these reasons, COPA maintains that the Superintendent has failed to meet his affirmative burden of showing COPA's recommendations in this case are unreasonable. Accordingly, COPA respectfully requests that the Chicago Police Board reject the Superintendent's non-concurrence in this matter and accept COPA's findings that Officer Sunde violated General Order G02-04 by directing profane and insulting language at [REDACTED] and that Officer Rodriquez violated CPD policy by conducting an improper search of [REDACTED].

Respectfully,

[REDACTED]

LaKenya White  
Interim Chief Administrator  
Civilian Office of Police Accountability