



Log # 2024-0008179

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On November 3, 2024, the Civilian Office of Police Accountability (COPA) received an initiation report from Sergeant (Sgt.) Manny Guzman alleging potential misconduct by a Chicago Police Department (CPD) member.² Sgt. Guzman reported that Police Observation Device (POD) footage had captured Officer Kyle Pezan struggling to maintain control of a handcuffed individual, now identified as ██████████ and quickly pushing ██████████ head against a vehicle.³ Upon review of the evidence, COPA served an allegation that Officer Pezan forcefully pushed ██████████ head against a vehicle without justification. Following its investigation, COPA reached a not sustained finding regarding the allegation.

II. SUMMARY OF EVIDENCE⁴

On the date of the incident, CPD officers responded to a battery in progress at ██████████ ██████████⁵ Upon arrival, the officers detained ██████████ who stiffened his body and actively resisted their efforts. During the encounter, Officer Pezan gave verbal commands for ██████████ to “stop” and “turn around.”⁶ The officers were able to secure ██████████ by using control holds and emergency handcuffing. Officer Pezan then began to perform a custodial search of ██████████ who was standing against a parked vehicle. As Officer Pezan stood behind ██████████ he suddenly used his left hand to push ██████████ head forward, toward the vehicle.⁷ Simultaneously, Officer Pezan told ██████████ “Stop! What the fuck you doing?”⁸ On November 3, 2024, Officer Pezan completed a Tactical Response Report (TRR) regarding the incident. Officer Pezan reported that he was attempting to hold ██████████ in place against a parked vehicle, when ██████████ “began to tense his muscles and squeeze my right hand under his right arm and push his weight back which made me believe he would try to use the

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 Att. 13.

³ This allegation falls 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.

⁴ 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, POD footage, police reports, a civilian interview, and officer interviews.

⁵ Atts. 4 and 13.

⁶ Att. 6 at 2:10 to 2:17.

⁷ Att. 2 at 2:42:15.

⁸ Att. 7 at 2:44. The BWC never depicted ██████████ head striking the vehicle, and ██████████ did not sustain injuries consistent with his head making contact with the vehicle.

vehicle as leverage to push back to defeat arrest. I pushed his head away towards the parked car to redirect him away from me and regain control of him.”⁹

On December 4, 2024 and December 31, 2024, COPA mailed letters to ██████ requesting an interview with him.¹⁰ Additionally, on January 3, 2025, COPA mailed contact letters to three civilian witnesses.¹¹ All attempts were unsuccessful, except for contact with witness ██████. ██████ provided COPA with her telephonic audio-recorded statement on March 20, 2025. She stated that she witnessed officers handcuffing ██████ and she remembered ██████ getting to the sidewalk and banging his head.¹² ██████ further explained, “He was the one getting aggressive, not the police.”¹³

On January 22, 2025, Officer Kenneth Moranz gave a witness statement to COPA. He recalled that ██████ was “fighting a little bit” during the handcuffing.¹⁴ Later, out of the corner of his eye, Officer Moranz saw ██████ “head getting tossed down...I didn’t know if he was trying to fight with my partner and kind of hold him, detain him.”¹⁵

On February 6, 2025, Officer Pezan provided COPA with an audio-recorded statement.¹⁶ Officer Pezan stated that ██████ was noncompliant during the handcuffing process. Despite ██████ resistance, the officers successfully applied the handcuffs. Officer Pezan noted that while he was holding ██████ with his right hand under ██████ right arm, ██████ used his weight to squeeze Officer Pezan’s arm between ██████ right arm and body.¹⁷ ██████ also used the vehicle as leverage to push backwards against Officer Pezan. To regain control of ██████ Officer Pezan stated that he pushed the base of ██████ neck area back towards the vehicle.¹⁸ Officer Pezan denied the allegation against him and stated that ██████ never complained that he was injured, and Officer Pezan did not observe any injuries to ██████.¹⁹

On April 22, 2025, Officer Brian Quirk provided COPA with his audio-recorded statement.²⁰ Officer Quirk stated that when he arrived at the scene, ██████ seemed very agitated, and ██████ was chasing a man around a car.²¹ Officer Quirk stated handcuffs were placed on ██████ and Officer Quirk started talking to the victims while his partner, Officer Pezan, stayed with ██████.²² Officer Quirk explained that a witness informed him that ██████ had begun banging on

⁹ Att. 21, pg. 2.

¹⁰ Atts. 15 and 24; see CMS Notes.

¹¹ Att. 25.

¹² Att. 35, pg. 12, lns. 8 to 15.

¹³ Att. 35, pg. 14, ln. 24 to pg. 15, ln. 1.

¹⁴ Att. 30, pg. 10, lns. 1 to 7.

¹⁵ Att. 30, pg. 12, lns. 3 to 7.

¹⁶ Att. 34, pg. 14, ln. 24, pg. 15, ln. 1.

¹⁷ Att. 31, pg. 9, ln. 13 to pg. 10, ln. 3; pg. 15, ln. 20 to pg. 16, ln. 13.

¹⁸ Att. 31, pg. 10, lns. 6 to 11.

¹⁹ Att. 31, pg. 23 lns. 1 to 24

²⁰ Att. 33.

²¹ Att. 36, pg. 7, ln. 20 to pg. 8, lns. 1.

²² Att. 36, pg. 8, lns. 2 to 5.

the glass of the barbershop, throwing up gang signs, and scaring her child, who was getting his haircut inside the barbershop.²³ Officer Quirk recalled there was a brief commotion with [REDACTED] but he did not know exactly what happened.²⁴

III. ALLEGATIONS

Officer Kyle Pezan:

1. Forcefully pushed [REDACTED] head against a vehicle without justification.
 - 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 events from memory. In reaching its findings, COPA evaluated the statements of Officers Pezan, Moranz, and Quirk, as well as the statement of civilian eyewitness [REDACTED]. Although each of the individuals witnessed the incident from different perspectives, their accounts were generally consistent with each other, the relevant video footage, and CPD reports. This investigation did not reveal any evidence that caused COPA to question the credibility of Officer Pezan or any of the individuals who provided statements.

V. ANALYSIS²⁵

a. Excessive Force Allegation

COPA finds the allegation that Officer Pezan forcefully pushed [REDACTED] head against a vehicle without justification is not sustained. According to CPD policy, officers' 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.²⁶ Accordingly, CPD members are only authorized to use force that is objectively reasonable, necessary, and proportional, under the totality of the circumstances, in order to provide for the safety of any person or CPD member, stop an attack, make an arrest, bring a person or situation safely under control, or prevent escape.²⁷ 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.²⁸

²³ Att. 36, pg. 8, lns. 6 to

²⁴ Att. 36, pg. 12, lns. 13 to 19.

²⁵ For a definition of COPA's findings and standards of proof, *see* Appendix B.

²⁶ Att. 39, G03-02 (II)(A), De-escalation, Response to Resistance, and Uses of Force (effective June 28, 2023, to present)

²⁷ Att. 39, G03-02 (III)(B).

²⁸ Att. 39, G03-02 (III)(B)(3).

Here, the BWC and POD videos show that Officer Pezan forcefully pushed ██████ head against a vehicle when ██████ was in handcuffs.²⁹ The videos, however, do not clearly depict what prompted Officer Pezan’s use of force. During his COPA statement, Officer Pezan explained that he was attempting to maintain control of ██████ who was handcuffed and standing against the vehicle. During that time, ██████ pushed backwards against Officer Pezan, using the vehicle as leverage. ██████ also used his body weight to apply pressure against Officer Pezan’s hand, which was positioned between ██████ arm and body. Officer Pezan further explained that ██████ squeezing motion, using his arm and upper body, prompted Officer Pezan to push ██████ head back toward the vehicle. BWC footage corroborates that Officer Pezan’s hand was under ██████ right arm, and witness statements highlight that ██████ was aggressive with the police. Additionally, ██████ did not appear to sustain injuries from Officer Pezan’s use of force.

Ultimately, the BWC footage did not capture the amount of pressure that ██████ allegedly applied to Officer Pezan’s hand; therefore, the video is inconclusive in determining whether ██████ actions justified Officer Pezan’s use of force. Based on the available evidence, including the accounts of the officers and the civilian eyewitness, there is insufficient evidence to prove or disprove the allegation. Therefore, COPA finds that the allegation against Officer Kyle Pezan is **Not Sustained** by a preponderance of the evidence.

Approved:

████████████████████

Steffany Hreno
Acting Deputy Chief Administrator

1/23/2026

Date

²⁹ Att. 7 at 2:44; Att. 2 at 2:42:15.

Appendix A

Case Details

Date/Time/Location of Incident:	November 3, 2024, 14:42 hrs., ██████████ ██████████, Chicago, IL 60623
Date/Time of COPA Notification:	November 3, 2024, 16:53 hrs.
Involved Member #1:	Officer Kyle Pezan, Star #7399, Employee ID # ██████████ Date of Appointment: August 16, 2017, Unit 010, Male, White
Involved Member #2:	Officer Brian Quirk, Star #9928, Employee ID # ██████████ Date of Appointment: August 16, 2017, Unit 010/640, Male, White
Involved Member #3:	Officer Kenneth Moranz, Star #5687, Employee ID # ██████████ Date of Appointment: November 30, 2012, Unit 010, Male, White
Involved Individual #1:	██████████ Male, White Hispanic

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, Response to Resistance, and Uses of Force (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.³⁰ 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.”³¹

³⁰ 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).

³¹ *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