



Log # 2022-0005460

## FINAL SUMMARY REPORT<sup>1</sup>

### I. EXECUTIVE SUMMARY

On December 29, 2022, the Civilian Office of Police Accountability (COPA) received a telephonic complaint from ██████████ reporting alleged misconduct by a member of the Chicago Police Department (CPD). ██████████ alleged that between November 19, 2022 and February 2023, Officer Diana Valentine: approached ██████████ and ██████████ in a parking garage without warning; threatened them; damaged ██████████ vehicle; harassed ██████████ on multiple occasions; accessed ██████████ social media without permission; and recorded and/or disseminated pornographic material of ██████████ and ██████████ without their consent.<sup>2</sup> Following its investigation, COPA reached sustained findings for five of the six allegations made by ██████████

### II. SUMMARY OF EVIDENCE<sup>3</sup>

On November 19, 2022, ██████████ and ██████████ went to the AMC Roosevelt 16 Theater, located at 1011 S. Delano Court.<sup>4</sup> While they were at the theater, a friend of Officer Diana Valentine's saw ██████████ and ██████████<sup>5</sup> Officer Valentine's friend called Officer Valentine and told her that ██████████ was at the theater with another woman.<sup>6</sup> While ██████████ and ██████████ were in the theater watching a movie, Officer Valentine's friend went to Officer Valentine's home, picked her up, and then drove her back to the theater.<sup>7</sup> Officer Valentine and her friend parked near ██████████ vehicle and waited for ██████████ and ██████████<sup>8</sup>

After the movie ended, ██████████ and ██████████ walked to the theater's parking garage to retrieve ██████████ vehicle.<sup>9</sup> However, as they approached ██████████ vehicle, Officer Valentine exited her friend's vehicle and confronted ██████████<sup>10</sup> Officer Valentine admitted she was upset while

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<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including officer and civilian interview; CPD reports; and third-party video.

<sup>4</sup> Att. 7, pg. 12, lns. 8 to 10.

<sup>5</sup> Att. 11, pg. 10, lns. 21 to 24.

<sup>6</sup> Att. 11, pg. 10, ln. 21 to pg. 18, ln. 18.

<sup>7</sup> Att. 11, pg. 12, lns. 15 to 23 and pg. 13, lns. 2 to 18.

<sup>8</sup> Officer Valentine and ██████████ explained that ██████████ owned a distinctive, red Mercedes Sports Utility Vehicle. Att. 7, pg. 12, ln. 16 to pg. 13, ln. 14 and Att. 11, pg. 18, lns. 17 to 19.

<sup>9</sup> Att. 7, pg. 4, lns. 19 to 23.

<sup>10</sup> Att. 11, pg. 11, lns. 4 to 7; pg. 12, lns. 13 to 23; and pg. 13, lns. 22 to 24.

speaking to ██████<sup>11</sup> ██████ barely acknowledged Officer Valentine before getting into his vehicle.<sup>12</sup>

██████ and ██████ entered ██████ vehicle and were getting ready to leave.<sup>13</sup> At that time, ██████ was not familiar with Officer Valentine.<sup>14</sup> Officer Valentine stood in front of ██████ vehicle and repeatedly stated that she was pregnant.<sup>15</sup> At the time, Officer Valentine was holding a roller skate.<sup>16</sup> ██████ proceeded to start his vehicle and roll forward so Officer Valentine moved to the driver's side of the vehicle.<sup>17</sup> As ██████ began to drive away, Officer Valentine struck the front, driver's side window with the roller skate.<sup>18</sup> ██████ continued driving and left the parking garage.<sup>19</sup>

In the following weeks after the parking garage incident, ██████ cut off communication with ██████<sup>20</sup> She explained to COPA that she blocked ██████ phone number and decided they should not have contact for a while.<sup>21</sup> However, a few weeks later ██████ received a call from ██████ despite blocking his number.<sup>22</sup> ██████ answered the call, but was surprised to hear a woman's voice.<sup>23</sup> Officer Valentine called ██████ from ██████ phone to talk with ██████ about her relationship with ██████ and her pregnancy.<sup>24</sup> ██████ did not encourage the conversation and curtailed their interaction.<sup>25</sup> Yet, Officer Valentine continued talking and told ██████ that she was a member of CPD.<sup>26</sup> Eventually, ██████ hung up on Officer Valentine.<sup>27</sup>

Sometime after Officer Valentine called ██████ she accessed ██████ phone, went through his private photos and videos, and screen recorded what she found.<sup>28</sup> Some of ██████ private material included sexually explicit photos and videos of ██████ and ██████ together.<sup>29</sup> As Officer Valentine scrolled through ██████ phone, she narrated and articulated what she found.<sup>30</sup> She then posted the screen recording on ██████ Instagram account without his or ██████ permission.<sup>31</sup> Given the public nature of both ██████ and ██████ careers, both have several thousand followers on Instagram.<sup>32</sup> Therefore, when the screen recording was posted, many of

<sup>11</sup> Att. 11, pg. 16, ln. 11 to pg. 19, lns. 21.

<sup>12</sup> Att. 11, pg. 11, lns. 4 to 7 and pg. 13, ln. 22 to pg. 14, ln. 3.

<sup>13</sup> Att. 7, pg. 4, lns. 20 to 24.

<sup>14</sup> Att. 7, pg. 19, lns. 11 to 13.

<sup>15</sup> Att. 7, pg. 17, lns. 7 to 11.

<sup>16</sup> Att. 7, pg. 5, lns. 2 to 3.

<sup>17</sup> Att. 11, pg. 16, ln. 17 to pg. 17, ln. 14.

<sup>18</sup> Att. 11, pg. 11, lns. 8 to 11.

<sup>19</sup> Att. 7, pg. 17, lns. 20 to 23.

<sup>20</sup> Att. 7, pg. 5, lns. 14 to 19.

<sup>21</sup> Att. 7, pg. 5, lns. 13 to 17.

<sup>22</sup> Att. 7, pg. 5, lns. 17 to 19.

<sup>23</sup> Att. 7, pg. 5, lns. 19 to 22.

<sup>24</sup> Att. 7, pg. 6, lns. 1 to 7 and Att. 7, pg. 23, lns. 1 to 9.

<sup>25</sup> Att. 7, pg. 23, lns. 1 to 10.

<sup>26</sup> Att. 7, pg. 6, lns. 8 to 14.

<sup>27</sup> Att. 7, pg. 23, lns. 9 to 10 and Att. 11, pg. 23, lns. 9 to 11.

<sup>28</sup> Att. 11, pg. 24, ln. 9 to pg. 26, ln. 15.

<sup>29</sup> Att. 7, pg. 27, ln. 22 to pg. 28, ln. 11 and Att. 8.

<sup>30</sup> Att. 8.

<sup>31</sup> Att. 7, pg. 27, ln. 22 to pg. 8, ln. 1 and Att. 11, pg. 26, lns. 3 to 6.

<sup>32</sup> Att. 7, pg. 8, lns. 12 to 19; pg. 9, lns. 6 to 11; and pg. 11, lns. 12 to 16.

█████ followers saw the sexually explicit material and immediately notified her.<sup>33</sup> █████ told Officer Valentine that she was going to contact COPA about Officer Valentine's actions, which prompted Officer Valentine to take down the Instagram post.<sup>34</sup>

### III. ALLEGATIONS

#### Officer Diana Valentine:

1. Approached █████ and █████ in a parking garage without warning.
  - **Sustained**, Violation of Rules 2, 3, 8, and 9.
2. Threatened █████ and █████ verbally and/or with a roller skate and/or blunt object.
  - **Sustained**, Violation of Rules 1, 2, 3, 8, and 9.
3. Struck and/or damaged █████ vehicle with a roller skate and/or blunt object.
  - **Sustained**, Violation of Rules 1, 2, 3, 8, and 9.
4. Harassed and/or intimidated █████ by calling and/or texting her on multiple occasions.
  - **Not Sustained**
5. Accessed █████ phone and/or social media accounts without permission.
  - **Sustained**, Violation of Rules 2, 3, and 8.
6. Recorded and/or disseminated personal and/or pornographic pictures and/or video of █████ and/or █████ without permission.
  - **Sustained**, Violation of Rules 1, 2, 3, 8, and 9.

### 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. In this case, COPA believes all involved parties provided accounts of the incident that were true and accurate to the best of their knowledge. Both █████ and Officer Valentine had difficulty recalling specific dates and times, however this did not impact the general reliability of their statements to COPA. Despite the relative reliability of both █████ and Officer Valentine's accounts, COPA believes Officer Valentine was forthcoming and sincere in her recitation of the facts. Although Officer Valentine denied most of the allegations made against her at the beginning of her statement, she did admit to most of the actions █████ alleged as the statement unfolded. Therefore, COPA finds both Officer Valentine and █████ provided credible accounts of the incidents under investigation.

<sup>33</sup> Att. 7, pg. 7, lns. 3 to 16 and pg. 28, lns. 2 to 11; █████ followers include friends, family, as well as clients.

<sup>34</sup> Att. 7, pg. 30, lns. 2 to 13.

## V. ANALYSIS<sup>35</sup>

### 1. Approached ██████████ and ██████████ without Warning:

COPA finds allegation #1 that Officer Valentine approached ██████████ and ██████████ in a parking garage without warning is **Sustained**. In her statement to COPA, Officer Valentine admitted to approaching ██████████ and ██████████ in the parking garage of the AMC Roosevelt 16 as they walked to ██████████ vehicle.<sup>36</sup> Officer Valentine was not invited by either ██████████ or ██████████ rather, Officer Valentine's friend saw ██████████ with another woman and informed Officer Valentine of his whereabouts and activity. In other words, Officer Valentine's decision to show up at the theater and confront ██████████ about her pregnancy and his infidelity was unexpected and uninvited. Therefore, COPA finds allegation #1 is sustained and violates CPD Rules 2, 3, 8, and 9.

### 2. Threatened ██████████ and ██████████ verbally and/or with a roller skate and/or blunt object:

COPA finds allegation #2 that Officer Valentine threatened ██████████ and ██████████ verbally and/or with a roller skate and/or blunt object is **Sustained**. Officer Valentine admitted to holding a roller skate while she engaged ██████████ in the parking garage.<sup>37</sup> In fact, she stated that she grabbed the roller skate from her friend's vehicle when she decided to confront ██████████.<sup>38</sup> Moreover, Officer Valentine admitted she was in an agitated state during her encounter with ██████████ and ██████████.<sup>39</sup> Although she denied threatening ██████████ and ██████████ with the roller skate, it is reasonable to believe Officer Valentine's decision to take the roller skate from her friend's vehicle was not well-intended. She explained to COPA that she went to the parking garage to confront ██████████ while he was on a date with another woman.<sup>40</sup> Therefore, her decision to grab the roller skate did not reflect her decision to use it for the purpose it was designed. In other words, Officer Valentine was not planning to roller skate around the parking garage on one foot. Rather, it is reasonable to infer from the circumstances and nature of the encounter that Officer Valentine's decision to grab the roller skate was an expression of her emotional agitation in the moment. Furthermore, she admitted to striking ██████████ vehicle with the roller skate when he attempted to drive away. ██████████ told COPA that Officer Valentine was brandishing the roller skate while she confronted them in the parking garage.<sup>41</sup> It is reasonable to believe that ██████████ felt threatened when Officer Valentine displayed and menacingly wielded the roller skate. Therefore, COPA finds allegation #2 is sustained and violates CPD Rules 1, 2, 3, 8, and 9.

### 3. Struck and/or damaged ██████████ vehicle with a roller skate and/or blunt object:

<sup>35</sup> For a definition of COPA's findings and standards of proof, *see* Appendix B.

<sup>36</sup> Att. 11, pg. 10, ln. 21 to pg. 14, ln. 3.

<sup>37</sup> Att. 11, pg. 18, ln. 20 to pg. 19, ln. 9.

<sup>38</sup> Att. 11, pg. 19, lns. 7 to 9.

<sup>39</sup> Att. 11, pg. 19, ln. 15 to 21.

<sup>40</sup> Att. 11, pg. 13, lns. 1 to 24.

<sup>41</sup> Att. 7, pg. 16, lns. 6 to 20.

COPA finds allegation #3 that Officer Valentine struck [REDACTED] vehicle with a roller skate is **Sustained**. In her statement to COPA, Officer Valentine admitted to striking [REDACTED] vehicle with a roller skate.<sup>42</sup> According to Officer Valentine, she struck his vehicle after [REDACTED] nearly hit her as he pulled out of his parking spot.<sup>43</sup> Therefore, COPA finds allegation #3 is sustained and violates CPD Rules 1, 2, 3, 8, and 9.

**4. Harassed and/or intimidated [REDACTED] by calling and/or texting her on multiple occasions:**

COPA finds allegation #4 that Officer Valentine harassed and/or intimidated [REDACTED] by calling and/or texting her on multiple occasions is **Not Sustained**. In her statement to COPA, Officer Valentine admitted to calling [REDACTED] but she claimed that she only called her one time.<sup>44</sup> Moreover, Officer Valentine asserted that it was [REDACTED] who called her after the initial call from Officer Valentine.<sup>45</sup> However, [REDACTED] insisted that Officer Valentine called her multiple times.<sup>46</sup> Therefore, given the lack of corroborating evidence for either of their accounts as well as the credible statements provided by Officer Valentine and [REDACTED] COPA finds allegation #4 is not sustained.

**5. Accessed [REDACTED] phone and/or social media accounts without permission:**

COPA finds allegation #5 that Officer Valentine accessed [REDACTED] phone and/or social media accounts without permission is **Sustained**. Officer Valentine told COPA that she accessed both his phone and Instagram account.<sup>47</sup> According to Officer Valentine, [REDACTED] shared access to his phone after she confronted him about infidelity while they were in a relationship.<sup>48</sup> Officer Valentine claimed that [REDACTED] shared access to his phone to prove his fidelity and commitment to their relationship.<sup>49</sup> Since [REDACTED] intentions were to disprove Officer Valentine's suspicion that he was sexually involved with other women, it is reasonable to believe that [REDACTED] did not intend for her to see digital evidence to prove her suspicion. In other words, it is reasonable to believe that [REDACTED] provided Officer Valentine discrete access to his phone at the time they were discussing his potential infidelity. In addition, it is reasonable to believe that [REDACTED] did not grant Officer Valentine unfettered access to his phone indefinitely. Therefore, COPA finds allegation #5 is sustained and violates CPD Rules 2, 3, and 8.

**6. Recorded and/or disseminated personal and/or pornographic pictures and/or video of [REDACTED] and/or [REDACTED] without permission:**

<sup>42</sup> Att. 11, pg. 11, lns. 8 to 11 and pg. 19, lns. 4 to 21.

<sup>43</sup> Att. 11, pg. 18, ln. 20 to pg. 19, ln. 21.

<sup>44</sup> Att. 11, pg. 23, lns. 7 to 16.

<sup>45</sup> Att. 11, pg. 23, lns. 7 to 13.

<sup>46</sup> Att. 7, pg. 5, ln. 20 to pg. 6, ln. 21.

<sup>47</sup> Att. 11, pg. 23, lns. 7 to 21 and pg. 24, ln. 10 to pg. 26, ln. 15.

<sup>48</sup> Att. 11, pg. 20, lns. 14 to 23.

<sup>49</sup> Att. 11, pg. 20, lns. 14 to 22.

COPA finds allegation #6 that Officer Valentine recorded and/or disseminated personal and/or pornographic pictures and/or video of ██████ and/or ██████ without permission is **Sustained**. According to Illinois State Law, nonconsensual distribution of a person's private images is prohibited.<sup>50</sup> In this case, Officer Valentine admitted to accessing ██████ Instagram account through his phone.<sup>51</sup> In addition, Officer Valentine admitted to posting personal and sexually explicit images from ██████ phone on his Instagram account.<sup>52</sup> Therefore, COPA finds allegation #6 is sustained and violates CPD Rules 1, 2, 3, 8, and 9.

## **VI. DISCIPLINARY RECOMMENDATION**

### **a. Police Officer Diana Valentine**

#### **i. Complimentary and Disciplinary History<sup>53</sup>**

Officer Valentine has been with CPD since April 16, 2018. In that time, she has received fifteen various awards, including ten honorable mentions and one Joint Operations Award. She has no disciplinary or SPAR history over the past five years.

#### **ii. Recommended Discipline**

In this case, Officer Valentine made verbal threats towards another and their property. Officer Valentine also caused physical harm to another's property using a roller skate. In mitigation, COPA found Officer Valentine sincere in her acknowledgment of her participation in the altercation in the parking lot during her statement to COPA. Officer Valentine also acknowledged her involvement with accessing a phone she did not own without permission. In her statement to COPA, Officer Valentine also stated that she sought and continues in therapy. In aggravation, dissemination of personal and or pornographic pictures is serious in nature. However, Officer Valentine acknowledged in her statement to COPA that it was not her intent to post publicly. Again, COPA finds Officer Valentine sincere and truthful. COPA acknowledges the extended duration and complications of its investigation, and considering the absence of similar allegations since, recommends a suspension of 1-10 days.

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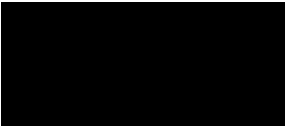
<sup>50</sup> 720 ILCS 5/11- 23.5.

<sup>51</sup> Att. 11, pg. 25, ln. 13 to pg. 26, ln. 15.

<sup>52</sup> Att. 11, pg. 24, ln. 9 to pg. 26, ln. 15.

<sup>53</sup> Att. 15

Approved:



2.18.26

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*Kimberly Edstrom Schiller*  
*Director of Investigations – Chief Investigator*

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Date

Appendix ACase Details

Date/Time/Location of Incident:	November 19, 2022 / 8:00 pm / 1011 S. Delano Court
Date/Time of COPA Notification:	December 29, 2022 / 9:12 am
Involved Member #1:	Diana Valentine, star #: 5824, employee ID#: [REDACTED] Date of Appointment: April 16, 2018, female, Black
Involved Individual #1:	[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.
- Rule 38:** Unlawful or unnecessary use or display of a weapon.
- Rule 1:** Violation of any law or ordinance.

Applicable Policies and Laws

- 720 ILCS 5/11-23.5: Non-consensual dissemination of private images.

## 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.<sup>54</sup> 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.”<sup>55</sup>

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<sup>54</sup> 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).

<sup>55</sup> *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4<sup>th</sup> 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