



Brandon Johnson
Mayor

Department of Police • City of Chicago
3510 S. Michigan Avenue • Chicago, Illinois 60653

Larry Snelling
Superintendent of Police

February 7, 2024

Andrea Kersten
Chief Administrator
Civilian Office of Police Accountability
1615 W. Chicago Ave., 4th Floor

Re: Complaint Register Number: 2020-0000314
Superintendent's Non-Concurrence with COPA's findings:
Police Officer Courtney Jackson #19075

Dear Chief Administrator Kersten:

After careful review of the recommendations made by the Investigator in this matter, the Superintendent disagrees with the findings of the Civilian Office of Police Accountability ("COPA") related to all five allegations against Police Officer Courtney Jackson ("P.O. Jackson").

STATEMENT OF FACTS AND SUMMARY OF FINDINGS

In accordance with Municipal Code of Chicago, MCC 2-78-130, the Superintendent provides the following comments when there is a disagreement as to the investigative findings and proposed penalties.

COPA sustained all five allegations made against Chicago Police Department ("CPD") P.O. Jackson and recommended discipline of a 180 day suspension up to separation. The allegations stem from a 2019 off-duty domestic dispute between the accused officer and his girlfriend, [REDACTED]. During that dispute, Ms. [REDACTED] was injured. Both P.O. Jackson and Ms. [REDACTED] agree that there was a domestic dispute but disagree about the cause of those injuries. Ms. [REDACTED] stated that the injuries were due to P.O. Jackson battering her. P.O. Jackson stated the injuries were from a struggle initiated by Ms. [REDACTED] which occurred by the top of the stairs to their residence and caused them to fall down the stairs.

In early 2024, Chicago Police Department Deputy Director, Robert Cannatello reviewed COPA's investigation and on March 28, 2024, requested further investigation. In his letter to COPA, he stated that "without testimony from an unbiased, third party witness an accurate determination of legal sufficiency cannot be formulated."¹ On November 14, 2024, Angela Snell, Assistant General Counsel of COPA, responded that she "declines to re-open this log and stands by it's report[sic]."² Many of the deficiencies of the investigation of this incident could have been cured if his request was honored.

¹ Letter to Chief Administrator Andrea Kersten from Superintendent Larry Snelling, March 28, 2024. CMS Attachment 31

² Email from Angela Snell to Department Advocate Robert Flores, November 14, 2024. CMS Attachment #32

COPA sustained the following allegations.

ALLEGATIONS 1-4 (Domestic Battery)

Allegation #1: Grabbing [REDACTED] by the neck/applied pressure to her neck without justification - Sustained in violation of Rules 2, 8 and 9.

Allegation #2: Dragging [REDACTED] down a flight of stairs – Sustained in violation of Rules 2, 8, and 9.

Allegation #3: Throwing [REDACTED] to the ground – Sustained in violation of Rules 2, 8, and 9.

Allegation #4: Stomping/kicking [REDACTED] leg – Sustained in violation of Rules 2, 8, and 9.

ALLEGATION 5 (Attempt to Influence COPA's investigation)

Allegation #5: Attempting to influence the outcome of the COPA investigation in that he told [REDACTED] not to give a statement to COPA and/or instructed her to provide a false account of the incident – Sustained in violation of Rules 1 and 2.

ANALYSIS

The allegations can be divided into two groups, the allegations surrounding the accusation of domestic battery and the allegation regarding the attempt to influence COPA's investigation.

In support of the domestic battery allegations COPA relied on three premises: Ms. [REDACTED] multiple consistent accounts of the incident; the severity and corroboration of the injuries; and that Jackson did not provide a reasonable explanation of how the injuries occurred.³

COPA's first premise for sustaining the domestic battery allegations is that Ms. [REDACTED] accounts were all consistent. COPA is incorrect and Ms [REDACTED] accounts were not consistent, and none of these accounts was taken in a manner that could be considered a recorded statement. Ms. [REDACTED] gave three separate accounts during the pendency of this matter. Two of those statements lacked detail and could be construed as a mere repetition of the allegations. The most detailed statement was given to the preliminary investigator who is tasked with providing a summarization. There were no recordings of any of the interviews.

COPA's second premise for sustaining the domestic battery allegations is that “the injuries sustained corroborate her account of the incident. Hospital Staff discharged her with instructions consistent with her being a victim of domestic violence.”⁴ The medical reports cited by COPA corroborate the injuries but not the cause of the injuries. Medical providers diagnose and treat patient's injuries based on objective observations and the patient's subjective account.

³ COPA Final Summary Report, page 6

⁴ Ibid.

The medical providers did not conduct an independent investigation as to the cause of those injuries. Furthermore, the injuries were not readily apparent, as neither responding officer observed the injuries and Ms. ██████ refused to allow the police to document any injuries.

The third premise that COPA used to sustain the domestic battery allegations centered on the unreliability of P.O. Jackson's statement. COPA identifies two reasons to support this premise. The first reason was that P.O. Jackson "minimized his role" in the incident, and the second is that he was "unable to provide COPA with a reasonable explanation of how it occurred."⁵ This argument ignores the fact that P.O. Jackson's statement was one of the only statements vetted by the process of adversarial advocacy. His statement was also given under the threat of administrative punishment if he lied. There are no similar guarantees of reliability for Ms. ██████ unrecorded accounts. COPA's assertion that the explanation of how the injuries was not reasonable is conjecture. P.O. Jackson stated that a struggle happened on top of the stairs causing them to fall is as possible as Ms. ██████ statement that he pushed her down the stairs. Without more evidence, we cannot rule out either explanation. However, without a formal statement from Ms. ██████ the only evidence in the record explaining what happened came from P.O. Jackson. As such, COPA did not meet its burden of providing the domestic battery allegations against P.O. Jackson by a preponderance of the evidence.

In sustaining Allegation 5, COPA relied on Ms. ██████ statement that P.O. Jackson told her to call COPA and tell COPA that she didn't want to give a statement. In drawing this conclusion, COPA took this statement out of context and ignored the fact that Ms. ██████ had consistently refused to contact COPA. In an effort to bring this lengthy investigation to a close, P.O. Jackson encouraged Ms. ██████ to call COPA, even if it was to tell COPA that she was refusing to give a statement. As a result of P.O. Jackson's encouragement, COPA was able to get their only account from Ms. ██████ (albeit, telephonically). During that telephone call, Ms. ██████ again stated that she did not want to cooperate with COPA's investigation. Ms. ██████ had consistently indicated her preference to not cooperate since the initial incident, and it is disingenuous for COPA to twist this final contact as though Ms. ██████ was now taking a different position. This is evident from her overt statements at the hospital as well as not returning Department members' phone calls – and even changing her telephone number. COPA simply has not met its burden to sustain this allegation.

CONCLUSION

In summary, the five allegations are not legally sufficient due to lack of corroborating evidence. Ms. ██████ claims to have suffered an injury, but the conflicting versions of how that injury occurred does not permit a finding against P.O. Jackson. Ms. ██████ gave conflicting, unrecorded statements and P.O. Jackson gave a recorded statement vetted by adversarial advocacy. Without more evidence, a full interview from the victim or an unbiased, third party, which does exist in this case, there is nothing to weigh the scales in favor of Ms. ██████ version of the events. Therefore, the Superintendent disagrees with the findings of COPA related to the above allegations and recommends that the allegations be classified as not sustained.

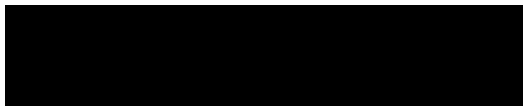
CPD looks forward to discussing this matter with you pursuant to MCC 2-78-130(a)(iii). To the extent that COPA and the CPD find themselves at an impasse on the resolution of this matter, the CPD asks that COPA

⁵ Ibid.

Chief Administrator Andrea Kersten
February 6, 2025
Re: Complaint Register Number: 2020-0000314

include all attachments from the log investigation to the member of the Police Board selected to conduct the review.

Sincerely,



Larry Snelling
Superintendent of Police
Chicago Police Department