



Brandon Johnson
Mayor

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

Larry B. Snelling
Superintendent

October 31, 2024

Andrea Kersten
Chief Administrator
Civilian Office of Police Accountability (COPA)
1615 West Chicago Avenue, 4th Floor
Chicago, Illinois 60622

Re: Superintendent's Non-Concurrence with Findings and with Penalty Recommendation
Complaint Log No. 2022-0004425
Officer Michael Rule, Star No. 6463

Dear Chief Administrator Kersten:

After a careful review of the above referenced complaint log number investigation, the Chicago Police Department (Department) does not concur with the recommended sustained findings nor with the penalty recommendation as they pertain to Officer Michael Rule, Star No. 6463. Pursuant to the Municipal Code of Chicago, the Department provides the following comments.

The COPA investigation recommended a penalty of a suspension of up to 30-days after concluding that he:

1. Was in possession of his weapon during a domestic dispute and/or while intoxicated without justification;
2. Engaged in a physical and/or verbal altercation with [REDACTED] without justification;
3. Struck [REDACTED] about the head or face with a closed fist without justification.

The Department does not concur with the sustained findings for all three allegations and the Department recommends the alternative finding of Unfounded for Allegation #1 and Not Sustained for Allegation #2 and Allegation #3.

Regarding Allegation #1, COPA acknowledges in its summary report that there is no objective verifiable evidence to conclude that Officer Rule was intoxicated. SRI at page 3. COPA then concludes that because Officer Rule had possession of his weapon during the domestic dispute, that Allegation #1 is sustained. However, there is no evidence, allegation or indication that Officer Rule ever used his weapon in any manner, displayed his weapon or made any type of threat or statement regarding his weapon. Officer Rule is legally authorized by law and by the Department to carry a firearm while off-duty. The fact that he had it on him when this domestic altercation started does not remove that authorization. In fact, had Officer Rule attempted to remove his firearm from his waistband for the purpose of securing it, then that action could have led to an allegation of pointing or displaying or making a threat with his weapon.

Regarding Allegation #2, there is just as much evidence to suggest that Officer Rule was the victim of a domestic battery in this case. In its Summary, COPA states that "Although [REDACTED] more than likely also committed battery, COPA's jurisdiction only pertains to the actions of the involved officer." SRI at page 3. The logical follow-up to this is that if [REDACTED] was the offender, then Officer Rule was a victim. Officer Rule sustained scratches to the top and back of his head, consistent with his statement that he attempted to leave the apartment. If his injuries had been the result of [REDACTED] defending herself, then the injuries would more likely be to the front on his face/chest area. Further, when asked by the responding Sergeant about the scratches to Officer Rule's head, [REDACTED] would not directly respond to the questions. Finally, in sustaining the allegation, COPA states that "Per 911 calls and BWC footage, [REDACTED] was consistent in her recollection of the event." SRI at page 3. But COPA does not explain why [REDACTED] did not give a statement to COPA as part of the investigation. Without giving a formal statement, the Department does not agree that the credibility of [REDACTED] can be assessed.

Regarding Allegation #3, while [REDACTED] could be observed with a small trickle of blood running down her right nostril, there is no evidence of any other injury in support of the allegation. If the incident occurred as Officer Rule states, then it is very reasonable that he made contact with her face when he was attempting to defend himself and/or push her away from striking him. And if COPA is basing their credibility assessment on the BWC video, [REDACTED] statement that Officer Rule punched her in the nose with a closed fist is not credible. Officer Rule is described as 6 feet 3 inches tall and 285 pounds. If Officer Rule had punched [REDACTED] in the nose with a closed fist, then one would expect a more significant injury to [REDACTED]

The Department looks forward to discussing this matter with you pursuant to MCC 2-78-130(a)(iii).

Sincerely,



Larry B. Snelling
Superintendent
Chicago Police Department