



Log # 2024-0008298

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On November 10, 2024, the Civilian Office of Police Accountability (COPA) received an Initiation Report from Sergeant Manuel Hernandez of the Chicago Police Department (CPD) reporting alleged misconduct by a member of CPD. According to the report, Officer Cornelius Davis caused property damage to the front door of an Airbnb rental property by kicking it to attempt entry.² After completing its initial investigation, COPA brought allegations against Officer Davis arising from the events on November 10, 2024. COPA also brought allegations against one of the responding officers, Officer Nan Yun. Following its investigation, COPA reached Sustained findings against Officer Davis for threatening or intimidating the occupants of the Airbnb, for engaging in unjustified verbal altercations, and for impeding or inhibiting an investigation. COPA also reached Sustained findings against Officer Yun for failing to control the scene and to complete the investigation of a domestic incident.

II. SUMMARY OF EVIDENCE³

Over the weekend of November 10, 2024, [REDACTED] and [REDACTED] traveled from their homes in other states to Chicago to visit their friend, [REDACTED] who had recently moved to Chicago.⁴ They arrived on Friday, November 8.⁵ While in town, they stayed in an Airbnb rented by [REDACTED] [REDACTED] romantic partner, Officer Cornelius Davis, also spent the evening and night of Friday, November 8 at the Airbnb.⁷

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 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.

³ The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including body worn camera (BWC), video taken by the complainant, and COPA interviews of the complainant and accused officer.

⁴ Att. 26, pg. 11. Specifically, [REDACTED] told COPA investigators that she lived in Pennsylvania but had recently been staying in South Carolina, that [REDACTED] lived in North Carolina, and [REDACTED] cousin, [REDACTED] lived in Wisconsin.

⁵ Att. 26, pg. 17.

⁶ Att. 19 at 9:00 to 9:05.

⁷ Att. 28, pgs. 29 to 30.

On Saturday, November 9, [REDACTED] and Officer Davis all had breakfast together.⁸ Officer Davis left around noon⁹ to visit his sister in Indiana.¹⁰ He had initially planned to return to the Airbnb that evening.¹¹ At some point his plans changed and he was intending to head home, until his argument with [REDACTED] led him to return to the Airbnb.¹² The rest of the group spent the day enjoying the city, then returned to the Airbnb and went to sleep.¹³

On the night of November 9 into the early morning of November 10, Officer Davis was driving home and speaking with [REDACTED] by phone.¹⁴ During the conversation, they got into an argument which Officer Davis characterized as “a disagreement about infidelity.”¹⁵ When he arrived at the Airbnb, Officer Davis and [REDACTED] continued arguing over the phone.¹⁶ Officer Davis told [REDACTED] and [REDACTED] to come downstairs, open the door, and speak with him.¹⁷ [REDACTED] urged Officer Davis to calm down.¹⁸ Nobody let Officer Davis into the residence.¹⁹

In her interview with COPA, [REDACTED] described waking up to find [REDACTED] on the phone with Officer Davis, who was upset about something.²⁰ She also recounted hearing banging outside.²¹ [REDACTED] told [REDACTED] that Officer Davis was upset about some interactions between her and [REDACTED].²² Officer Davis wanted to speak with [REDACTED] about his concerns, to which she was initially receptive, but when she heard Officer Davis banging on the door downstairs she decided she did not feel comfortable going downstairs to speak with him.²³

At approximately 12:38 am on November 10, 2024, [REDACTED] called 9-1-1 to report the incident.²⁴ At approximately 12:47 am, [REDACTED] 9-1-1 again²⁵ because police had not yet arrived and Officer Davis was still banging on the door.²⁶ At approximately 12:52 am, Officer Nan Yun and Officer Rosalinda Sandoval arrived at the residence, where they found Officer Davis

⁸ Att. 26, pgs. 14 to 15.

⁹ Att. 26, pgs. 14 to 15.

¹⁰ Att. 42, pg. 12.

¹¹ Att. 42, pg. 12.

¹² Att. 19 at 13:55 to 14:40.

¹³ Att. 26, pgs. 14 to 15.

¹⁴ Att. 42, pg. 12.

¹⁵ Att. 42, pg. 12, lns. 19 to 23.

¹⁶ Att. 42, pg. 13.

¹⁷ Att. 26, pgs. 20 to 24.

¹⁸ Att. 42, pg. 13.

¹⁹ Att. 42, pg. 13.

²⁰ Att. 26, pg. 5.

²¹ Att. 26, pg. 5.

²² Att. 26, pg. 5.

²³ Att. 26, pgs. 5 to 6.

²⁴ Att. 6.

²⁵ Att. 35.

²⁶ Att. 31, pgs. 13 to 14.

on the street near the entry gate.²⁷ They were not yet aware that Officer Davis was a fellow police officer.²⁸

Officers Yun and Sandoval walked with Officer Davis through the yard to the front of the residence, and he gave them his account of the events leading up to their arrival.²⁹ Officer Davis explained that he was having an argument with his partner who was staying at the Airbnb with some other people, that he asked his partner to come outside to speak with him, and that nobody was letting him inside.³⁰ During the conversation with Officer Davis, ██████ opened the front door of the Airbnb and told the responding officers that Officer Davis had been banging on the door, “and it’s coming off the frame.”³¹ Officer Davis responded to this, “it’s not coming off the frame. And you’re the person I want to have a conversation with.”³² Officer Davis and ██████ repeatedly attempted to speak while the other was speaking.³³ During the exchange, ██████ stated that she did not feel comfortable in Officer Davis’s presence.³⁴ Officer Davis responded, “Oh, you don’t feel comfortable? Does ██████ feel comfortable? Do you feel comfortable talking to me? Because you’re the one that continues to disrespect me and put your hands on my man.”³⁵

██████ continued to express that Officer Davis was not welcome there. For example, she told the responding officers, “he needs to go,”³⁶ and later said directly to Officer Davis, “please leave.”³⁷ ██████ continued to express that she felt unsafe, and Officer Davis stated, “I’ll leave. I work for the same guys.”³⁸ He did not elaborate on what he meant by this, and Officers Yun and Sandoval did not follow up on the statement.

Officer Davis continued to be combative with ██████ talking over her and requesting that ██████ come out.³⁹ He also told ██████ that she was the reason for his argument with ██████ “because you keep coming down ass naked hugging my [partner].”⁴⁰

After a few minutes of continued discussion, Officer Sandoval asked Officer Yun to “handle” Officer Davis “over there” while she continued to get information from ██████ and the others in the home.⁴¹ The remaining encounter between Officer Yun and Officer Davis was very

²⁷ Att. 18 at 1:50.

²⁸ Att. 34, pgs. 25 to 26.

²⁹ Att. 18 at 2:00 to 2:52.

³⁰ Att. 18 at 2:24 to 2:39.

³¹ Att. 18 at 2:53 to 3:05.

³² Att. 18 at 3:00 to 3:05.

³³ Att. 18 at 3:05 to 3:30.

³⁴ Att. 18 at 3:05 to 3:15.

³⁵ Att. 18 at 3:18 to 3:24.

³⁶ Att. 18 at 3:22 to 3:25.

³⁷ Att. 18 at 3:48 to 3:50.

³⁸ Att. 18 at 3:50 to 4:05.

³⁹ Att. 18 at 3:05 to 3:48.

⁴⁰ Att. 18 at 4:34 to 4:40.

⁴¹ Att. 18 at 5:36 to 5:45.

brief. Officer Yun asked Officer Davis why he was still there when the occupants of the Airbnb wanted him to leave; Officer Davis offered to leave and then left.⁴²

After Officer Davis left, Officer Yun joined Officer Sandoval inside, where she was speaking with [REDACTED] and [REDACTED].⁴³ [REDACTED] was not initially present. When he told them that Officer Davis had left, [REDACTED] and [REDACTED] all indicated that they had wanted to sign a complaint against Officer Davis.⁴⁴

[REDACTED] who had not been present for his friends' initial exchange with responding officers, came down a few minutes later.⁴⁵ As Officer Sandoval began writing the police report, she determined that the Airbnb was rented in [REDACTED] name, and stated that she would therefore list him as the official complainant.⁴⁶ [REDACTED] provided Officer Sandoval with his version of events. He explained that he and Officer Davis were having some trust issues arising from Officer Davis believing something inappropriate was going on between [REDACTED] and [REDACTED] which [REDACTED] discounted because he is a gay man.⁴⁷ Officer Davis had been driving to his own home, but during the course of this argument he decided to go to the Airbnb to have a face-to-face confrontation with [REDACTED] and [REDACTED].⁴⁸

Officers Yun and Sandoval also learned while speaking with [REDACTED] and [REDACTED] that the man Officer Yun had sent away was a Chicago Police Officer. Before [REDACTED] joined the discussion, one of the women mentioned, "he says he's a cop."⁴⁹ Officer Sandoval later asked "is he a police officer? Is he Chicago?" and was told he was.⁵⁰ Finally, [REDACTED] confirmed that he was a Chicago Police Officer by showing Officer Sandoval a photograph of Officer Davis in uniform.⁵¹

III. ALLEGATIONS

Officer Cornelius Davis:

It is alleged that on November 10, 2024, at approximately 12:52 am, at or near 957 W. 35th Street, the accused engaged in misconduct through the following acts and/or omissions:

1. Impeded and/or inhibited an investigation by failing to properly identify himself as a CPD member.

⁴² Att. 18 at 5:48 to 6:00.

⁴³ Att. 18 at 6:50.

⁴⁴ Att. 19 at 6:50 to 6:55.

⁴⁵ Att. 18 at 8:50.

⁴⁶ Att. 19 at 9:10 to 9:25.

⁴⁷ Att. 19 at 13:55 to 14:40.

⁴⁸ Att. 19 at 13:55 to 14:40.

⁴⁹ Att. 19 at 8:14.

⁵⁰ Att. 19 at 10:10 to 10:20.

⁵¹ Att. 19 at 15:45.

- **Sustained** in violation of Rule 2, 3, and 10.
- 2. On November 10, 2024, at approximately 12:52 am, at or near 957 W. 35th Street, the accused attempted to forcibly enter an Airbnb by using feet and/or hands to strike the front door.
 - **Sustained** in violation of Rule 2, 3, 8, and 9
- 3. On November 10, 2024, at approximately 12:52 am, at or near 957 W. 35th Street, the accused threatened and/or intimidated occupants of an Airbnb by using feet and/or hands to strike the front door.
 - **Sustained** in violation of Rule 2, 3, 8, and 9.
- 4. On November 10, 2024, at approximately 12:52 am, at or near 957 W. 35th Street, the accused engaged in an unjustified verbal altercation with [REDACTED]
 - **Sustained** in violation of Rule 2, 3, 8, and 9.
- 5. On November 10, 2024, at approximately 12:52 am, at or near 957 W. 35th Street, the accused engaged in an unjustified verbal altercation with [REDACTED]
 - **Sustained** in violation of Rule 2, 3, 8, and 9.

Officer Nan Yun

It is alleged that on November 10, 2024, at approximately 12:52 am, at or near 957 W. 35th Street, the accused engaged in misconduct through the following acts and/or omissions:

1. Failure to maintain control of the scene of a domestic incident.
 - **Sustained** in violation of Rule 2, 3, 5, 6, and 10.
2. Failure to complete an investigation of a domestic incident.
 - **Sustained** in violation of Rule 2, 3, 5, 6, and 10.

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, the factual characterizations made by Officer Davis in his statement to COPA were generally consistent with other available evidence, though they diverged from the accounts of other witnesses and were inconsistent with a holistic view of events in two key respects. Specifically, Officer Davis told COPA that his return to the Airbnb on the morning of the incident had been his plan all along and that he was expected to return, and that his intention in kicking and striking the door was merely to gain the attention of the Airbnb's occupants. Both of these claims made to COPA are inconsistent with other available evidence.

Regarding whether Officer Davis was intending to return to the Airbnb that night, he told COPA that he left the Airbnb to visit his sister in Indiana with the plan to return that night.⁵² In her statement to COPA, ██████████ corroborated that this had been the original plan – that Officer Davis went to his family member’s home but was to return later in the evening.⁵³ However, she indicated that she was surprised when he came back in the early morning of the next day.⁵⁴ In his statement to responding officers, ██████████ elaborated that Officer Davis had initially planned to spend the night, but at some point changed his plans and was going to go to his home. However, in the course of his phone call with ██████████ Officer Davis changed plans again and returned to the Airbnb and wanted to berate ██████████ over “his thoughts of my infidelity.”⁵⁵ Finally, Officer Davis left the Airbnb at around 12 pm on November 9⁵⁶ and told COPA he was gone for a few hours.⁵⁷ However, he did not return until after midnight on November 10, approximately twelve hours later.

Regarding Officer Davis’s intentions for kicking and striking the door to the Airbnb, he told COPA that he was merely trying to get the attention of the Airbnb occupants because he was supposed to stay there that night. However, Officer Davis was on the phone with ██████████ when he arrived at the Airbnb, and ██████████ was attempting to calm Officer Davis down. Therefore, Officer Davis’s explanation that he was trying to get the attention of ██████████ or the other occupants is not credible.

Finally, while Officer Davis accurately admitted to COPA that he repeatedly kicked the door of the Airbnb and did not deny that he had damaged it, he told responding officers “that door had damage already done to it.”⁵⁸ He also contradicted ██████████ when she said he was kicking the door, responding “no, I was knocking on the door.”⁵⁹

V. ANALYSIS⁶⁰

a. Officer Cornelius Davis

i. Striking the Door of the Airbnb to Forcibly Enter

COPA finds that Allegation #1, that Officer Davis attempted to forcibly enter the Airbnb by striking the front door with his feet and hands, is **Sustained**. In his statement to COPA, Officer Davis admitted to striking the door with his hands and feet but denied that he was attempting to

⁵² Att. 42, pg. 12.

⁵³ Att. 28, pgs. 29 to 30.

⁵⁴ Att. 28, pg. 29.

⁵⁵ Att. 19 at 13:55 to 14:40.

⁵⁶ Att. 26, pg. 15.

⁵⁷ Att. 42, pg. 12.

⁵⁸ Att. 18 at 4:05 to 4:15.

⁵⁹ Att. 18 at 4:25 to 4:30.

⁶⁰ For a definition of COPA’s findings and standards of proof, *see* Appendix B.

forcibly enter the residence, stating instead that he was merely trying to gain their attention.⁶¹ However, that claim is contradicted by the evidence that Officer Davis was on the phone Fitz-Patrick Combs when he arrived to the Airbnb. Further, Officer Davis repeatedly vocalized his anger at not being let in the Airbnb. The front door was visibly dented from numerous strikes in the lower middle portion of the door. Officer Davis claimed the damage already existed. Although that may be true, ██████ claim that Officer Davis's kicks and strikes were causing the door to come off the frame support the conclusion that Officer Davis's actions more likely than not caused some damage to the door. ⁶² Based on this evidence, COPA finds it more likely than not that Officer Davis attempted to forcibly enter the unit by striking and kicking the door. Accordingly, Allegation #1 is **Sustained**.

COPA finds that Allegation #2, that Officer Davis threatened and/or intimidated occupants of the Airbnb by using his feet and/or hands to strike the front door, is **Sustained**. In his statement to COPA, Officer Davis denied this allegation, stating that he did not recall threatening anyone.⁶³ And, as described above, Officer Davis stated that his reason for striking the door was to get the attention of the occupants. However, COPA finds that the conversation Officer Davis had by phone with ██████ strongly suggests that Officer Davis knew he had the attention of the occupants of the Airbnb, casting doubt on his explanation. More to the point, Officer Davis was striking the door with his hands and feet for over ten minutes. It is not credible that he was merely trying to gain their attention for that entire time. Finally, Officer Davis's subjective intention is not at issue – rather, it is alleged that he threatened and/or intimidated the occupants of the Airbnb. ██████ said in Officer Davis's presence that she did not feel safe.⁶⁴ ██████⁶⁵ ██████⁶⁶ and ██████ each indicated to COPA that they felt unsafe or threatened. Further, it is more likely than not that a reasonable person in their circumstances would also feel unsafe. COPA finds by a preponderance of the evidence that the occupants of the Airbnb were threatened and/or intimidated by Officer Davis striking the door. Allegation #2 is therefore **Sustained**.

ii. Engaging in Unjustified Verbal Altercations

COPA finds that Allegations #3, that Officer Davis engaged in an unjustified verbal altercation with ██████ is **Sustained**. In his statement to responding officers, ██████ explained that Officer Davis had accused him of infidelity with his friend ██████ though ██████ is a gay man, and stated that Officer Davis was “screaming, yelling, not allowing me to talk... He went from initially going to his house to changing plans and coming here.”⁶⁸ ██████ did not provide a statement to COPA. It is undisputed that Officer Davis engaged in a verbal altercation with ██████ When asked by COPA to

⁶¹ Att. 42, pgs. 18 to 19.

⁶² Att. 18 at 2:20.

⁶³ Att. 42, pg. 19.

⁶⁴ Att. 18 at 3:50 to 4:05.

⁶⁵ Att. 26, pg. 6.

⁶⁶ Att. 28, pgs. 24 to 25.

⁶⁷ Att. 31, pg. 10.

⁶⁸ Att. 19 at 13:55 to 14:40.

admit or deny this allegation, Officer Davis did not deny that the verbal altercation occurred. Instead, he stated that “I don’t believe it was unjustified. We had a disagreement about some things.”⁶⁹ COPA finds that [REDACTED] account of the verbal altercation to responding officers was both credible and factually consistent with Officer Davis’s statement to COPA. In light of Officer Davis’s overall aggressive conduct during the incident, and the questionable basis for accusing [REDACTED] and [REDACTED] of infidelity in the first place, Allegation #3 is **Sustained**.

COPA finds that Allegation #4, that Officer Davis engaged in an unjustified verbal altercation with [REDACTED] is **Sustained**. Based on [REDACTED] statements to COPA and responding officers, she did not speak directly with Officer Davis during the incident prior to the arrival of the police. However, she told COPA that Officer Davis was swearing, telling the occupants of the Airbnb to come downstairs, and saying that [REDACTED] was being disrespectful. Officer Davis also engaged in a face-to-face verbal altercation with [REDACTED] that was captured on BWC. Specifically, he made statements to the effect of “do you feel comfortable talking to me? Because you’re the one that continues to disrespect me and put your hands on my man,”⁷⁰ and “you’re the reason I wanted to have a conversation, because you keep coming down ass naked hugging my [partner].”⁷¹ However, [REDACTED] is gay and flatly denied that anything was going on between him and [REDACTED].⁷² Officer Davis also repeatedly spoke over [REDACTED] to contradict her and prevent her from providing her account of events to the responding officers. Officer Davis did not deny that he engaged in a verbal altercation with [REDACTED] but told COPA that he believed it was justified.⁷³ However, due to his extreme combativeness, use of profanity, and [REDACTED] sexual orientation, COPA finds by a preponderance of the evidence that Officer Davis’s acknowledged verbal altercation with [REDACTED] was unjustified. Accordingly, Allegation #4 is **Sustained**.

iii. Failing to Properly Identify as a CPD Member

COPA finds Allegation #5, that Officer Davis impeded and/or inhibited an investigation by failing to properly identify himself as a CPD member, is **Sustained**. COPA acknowledges there is no explicit requirement in the CPD Directives that an off-duty CPD member is required to identify as such when they are not explicitly asked. Nevertheless, under the Rules and Regulations of the Chicago Police Department, sworn members are prohibited from “conduct which impedes the Department’s efforts to achieve its policy and goals,”⁷⁴ and from “inattention to duty.”⁷⁵ As set forth in more detail below, the responding officers had a duty to perform a thorough investigation of this domestic incident. Moreover, Officer Davis’s status as a sworn member triggered a responsibility to call a supervisor to the scene.⁷⁶ While Officer Davis did say at one point that “I

⁶⁹ Att. 42, pg. 19, lns. 20 to 21.

⁷⁰ Att. 18 at 3:05 to 3:30.

⁷¹ Att. 18 at 4:34 to 4:40.

⁷² Att. 19 at 13:55 to 14:40.

⁷³ Att. 42, pgs. 19 to 20.

⁷⁴ Rules and Regulations of the Chicago Police Department, Rule 2.

⁷⁵ Rules and Regulations of the Chicago Police Department, Rule 10.

⁷⁶ Att. 32, G04-04 (III)(B), Domestic Incidents (effective December 28, 2012 to present).

work for the same guys,”⁷⁷ he did not elaborate. COPA finds that this was not sufficiently clear to constitute identification as a CPD member. By failing to identify himself as a sworn member of CPD, Officer Davis was inattentive to his duty and impeded CPD efforts to achieve its goals. Allegation #5 is therefore **Sustained**.

b. Officer Nan Yun

COPA finds that Allegation #1, that Officer Yun failed to maintain control of the scene of a domestic incident, is **Sustained**. CPD members conducting a preliminary investigation are required to, among other things, arrest the offender if still on or near the scene and probable cause for an arrest exists.⁷⁸ In this instance several complaining witnesses wanted to file a report against Officer Davis for criminal damage to property, but Officer Yun had already encouraged and permitted Officer Davis to leave the scene before he determined that there may have been probable cause for an arrest. COPA acknowledges that [REDACTED] indicated her desire for Officer Davis to leave while in Officer Yun’s presence, so it would have been reasonable for him to believe at the time that she would be satisfied with that outcome. Nevertheless, the stated desire of one complainant cannot negate Officer Yun’s responsibility to maintain control of the scene in accordance with Department directives. Allegation #1 is therefore **Sustained**.

COPA finds that Allegation #2, that Officer Yun failed to complete an investigation of a domestic incident, is **Sustained**. CPD Members investigating domestic incidents are required to conduct thorough investigations, including “identifying and interviewing all involved parties separately.”⁷⁹ Officer Yun was asked by Officer Sandoval to “handle” Officer Davis “over there,”⁸⁰ (by which Officer Sandoval meant that Officer Yun should interview Officer Davis to obtain his version of events).⁸¹ Officer Yun instead told Officer Davis he should leave because the occupants of the Airbnb did not want him there. Officer Davis left immediately after that exchange with Officer Yun.⁸² At approximately the same time, [REDACTED] explicitly informed Officer Sandoval that she wanted Officer Davis to be arrested.⁸³ Officer Yun then entered the residence, where he promptly learned that at least some of the occupants did wish to make a criminal complaint against Officer Davis.⁸⁴ A few moments later, Officers Yun and Sandoval learned that Officer Davis was a Chicago Police officer,⁸⁵ meaning they should have called a supervisor to the scene.⁸⁶ Because he summarily dismissed Officer Davis from the scene before taking the time to interview Officer Davis and otherwise learn relevant information, Officer Yun failed to complete his investigation of the domestic incident. Allegation #2 is therefore **Sustained**.

⁷⁷ Att. 18 at 4:00 to 4:05.

⁷⁸ Att. 45, G04-01 (IV)(A)(4), Preliminary Investigations (effective December 30, 2020 to June 30, 2025).

⁷⁹ Att. 32, G04-04.

⁸⁰ Att. 18 at 5:36 to 5:45.

⁸¹ Att. 34, pgs. 23 to 24.

⁸² Att. 18 at 6:00.

⁸³ Att. 19 at 5:55 to 6:15.

⁸⁴ Att. 19 at 6:50.

⁸⁵ Att. 19 at 10:10 to 10:20.

⁸⁶ Att. 32, G04-04 (III)(B).

VI. DISCIPLINARY RECOMMENDATION

a. Police Officer Cornelius Davis

i. Complimentary and Disciplinary History⁸⁷

Officer Davis's date of appointment is November 30, 2012. During his time with CPD he has received fifty-five awards, including 42 Honorable Mention Certificates, 3 Department Commendation Award and 5 Complimentary Letters. Officer Davis has received two SPARs, one reprimand for tardiness and one reprimand for inattention to duty, and he has one sustained finding for conduct unbecoming and served a 1-day suspension.

ii. Recommended Discipline

In this case, Officer Davis engaged in unjustified verbal and physical altercation, demonstrating aggressive, combative and disruptive behavior that can only be described as an escalated domestic dispute. His actions damaged property created a threatening environment and was objectively intimidating because [REDACTED] did not want to speak with Officer Davis due to a previous argument. Officer Davis also failed to identify himself as CPD, thereby impeding the investigation and preventing responding officers from recognizing the need to elevate the matter to a Sergeant. In mitigation, while the misconduct is serious, there is no indication or record of physical harm to a person. COPA recommends a suspension of 11 to 29 days.

b. Police Officer Nan Yun

iii. Complimentary and Disciplinary History⁸⁸

Officer Yun's date of appointment is May 1, 2023. During his time with CPD he has received a total of five departmental awards, including 4 Honorable Mention Certificates. Officer Yun has no SPAR or disciplinary history.

iv. Recommended Discipline

Officer Yun failed to conduct a thorough investigation by not adequately interviewing Officer Davis and allowing him to leave prematurely. This goes directly against G04-04 and responding to a domestic related incident.⁸⁹ This resulted in an incomplete investigation and delayed recognition of critical facts. While Officer Yun's conduct reflects deficiencies in judgment and adherence to procedure, COPA has considered Officer Yun's lack of disciplinary history and

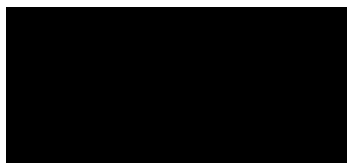
⁸⁷ Att. 46

⁸⁸ Att. 47

⁸⁹ Att. 32

limited years with CPD. For those reasons COPA recommends a reprimand and additional training in responding to Domestic Incidents.

Approved:



4.22.26

Kimberly Edstrom Schiller
Director of Investigations – Chief Investigator

Date

Appendix A**Case Details**

Date/Time/Location of Incident:	
Date/Time of COPA Notification:	
Involved Member #1:	[Name, star #, employee ID#, Date of Appointment, Unit of Assignment, gender, race]
Involved Member #2:	
Involved Individual #1:	[Name, gender, race]
Involved Individual #2:	

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 __:** *[Insert text of any additional rule(s) violated]*

Applicable Policies and Laws

- *[Directive #]: [Directive Name] (effective [date] to [date (or 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.⁹⁰ 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.”⁹¹

⁹⁰ 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).

⁹¹ *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