



Log # 2021-0002130

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On June 2, 2021, Sgt. James Butler (Sgt. Butler) of the Chicago Police Department (CPD) initiated this investigation alleging misconduct by a CPD member.² [REDACTED] alleged that on June 2, 2021, Officer Larrick West (Officer West) slammed [REDACTED] to the ground and struck him in the face.³ Following its investigation, COPA reached a finding of Not Sustained regarding the allegation that Officer West slammed [REDACTED] to the ground; however, COPA reached a Sustained finding regarding the allegation that Officer West struck [REDACTED] in the face without justification.

II. SUMMARY OF EVIDENCE⁴

On June 2, 2021, [REDACTED] mother, [REDACTED] called 911 and reported that Officer West beat [REDACTED] in the stomach and body slammed him outside.⁵ Sgt. Butler, along with other officers, responded to [REDACTED] residence. In her statement to Sgt. Butler, [REDACTED] stated that she did not witness the incident but heard the distressed voices of her grandsons, [REDACTED] and [REDACTED].⁶ [REDACTED] asked her grandsons what happened, and her youngest grandson, [REDACTED] stated that [REDACTED] had body slammed [REDACTED].⁷ [REDACTED] went outside and [REDACTED] told her that [REDACTED] had punched and body slammed him.⁸ According to [REDACTED] Officer West then stated that he hit [REDACTED] because [REDACTED] were idiots and he had body slammed [REDACTED] because he did not want to punch him.

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. 11.

³ 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.

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 CPD reports - the initiation report, the original case incident report and case supplemental report, as well as Officer West's statement to COPA, [REDACTED] and [REDACTED] statements to COPA, the body worn camera video footage from Sgt. Butler and Officers Lozano and Macz, and Department of Children and Family Services (DCFS) records.

⁵ Att. 30, pg. 2. Note: Although [REDACTED] initially reported that Officer West beat [REDACTED] in the stomach, she also reported that she did not see what happened. The allegations against Officer West, which did not include an allegation of beating [REDACTED] in the stomach, were based on [REDACTED] initial complaint and [REDACTED] statement to COPA.

⁶ Att. 18 at 7:51 to 8:30. At the time of this incident, [REDACTED] was 13 years old and [REDACTED] was 12.

⁷ Att. 18 at 8:32 to 8:43.

⁸ Att. 18 at 9:25 to 9:37.

again.⁹ After her grandsons entered her home, ██████ observed Officer West outside and ██████ glasses and cellphone in the grass near the front of her home.¹⁰ ██████ called her daughter and alerted her that ██████ had been battered by ██████.¹¹ In her interview with Sgt. Butler, ██████ explained that she ██████ with Officer West, is not married to him, and does not live with him.¹² She further explained that while there is no court order regarding custody and visitation, there is a verbal agreement between herself and Officer West as it relates to the children.¹³ ██████ declined immediate medical aid for ██████.¹⁴ ██████ told responding officers that ██████ punched him in the side, threw him out of the car, and then body-slammed him in front of the incident location.¹⁵

Officer West, who had remained on scene, explained to Sgt. Butler that while driving he chastised ██████ and pointed at him, prompting ██████ to slap his hand away.¹⁶ When Officer West applied the brake, ██████ slid forward, and Officer West grabbed him. ██████ began to hit Officer West in the face, which resulted in bruises on his face.¹⁷ Officer West parked and attempted to remove ██████ from the vehicle. ██████ then kicked him and ██████ hit him.¹⁸ Officer West gestured how he “nudged [██████] in the ribs,” and how he got them to stop coming toward him by throwing them to the ground so that they could not continue to hit him outside the vehicle.¹⁹ In his interview with Sgt. Butler, ██████ claimed that he punched and scratched Officer West to defend himself and his younger brother because he did not feel safe.²⁰ Sgt. Butler did not observe any visible signs of injury on ██████ or on Officer West.²¹

In his statement to COPA, ██████ said that Officer West pulled the vehicle over around the corner from ██████ residence and attempted to pull him out onto the grass.²² Officer West started driving again, but stopped at or near ██████, where Officer West pulled ██████ out of the vehicle and threw him on the ground.²³ ██████ also said that ██████ punched him in the stomach, put him in a headlock, and body-slammed him on the concrete of the neighbor's porch, causing his back to hit the concrete.²⁴ ██████ admitted to

⁹ Att. 18 at 9:40 to 9:48.

¹⁰ Att. 18 at 9:53 to 10:00.

¹¹ Att. 11, pg. 2.

¹² Att. 11, pg. 2.

¹³ Att. 11, pg. 2. ██████ reported that there were no previous issues related to Officer West having temporary custody or visitation with their children.

¹⁴ Att. 11, pg. 2.

¹⁵ Att. 11, pg. 2.

¹⁶ Att. 18 at 23:35 to 23:45.

¹⁷ Att. 18 at 23:46 to 23:55.

¹⁸ Att. 18 at 24:55 to 24:08.

¹⁹ Atts. 31 and 32, and Att. 18 at 24:28.

²⁰ Att. 18 at 4:06.

²¹ Att. 11, pg. 2.

²² Att. 3 at 23:07.

²³ Att. 3 at 23:18.

²⁴ Att. 3 at 23:49.

“punching and doing anything to defend myself”.²⁵ After entering his grandmother’s home, he experienced pain in his stomach and collapsed.²⁶ Additionally, ██████ stated that he later experienced a “headache” and was diagnosed with a mild concussion after seeking medical care on June 2nd.²⁷

In his statement to COPA, ██████ stated that he witnessed the following: ██████ driving recklessly and slapping his brother on the face, ██████ grabbing ██████ head, and slamming him onto the pavement and the ground.²⁸ ██████ stated he tried to help ██████ by hitting Officer West inside the vehicle.²⁹ Once they were outside the vehicle, ██████ observed Officer West punch ██████ on his side and body slam him onto the grass and then onto the pavement.³⁰ He also observed ██████ hit ██████.³¹ ██████ then stated that he jumped onto ██████ back, and punched and slapped him before alerting their grandmother to the incident.³²

In his interview with COPA, Officer West described the relationship with ██████ as having worsened and said that ██████ attitude towards him was disrespectful.³³ He stated that prior to the incident he decreased the number of regular visits with them, and ██████ were evading his phone calls. Officer West explained that while he was driving with ██████ and ██████ in the backseat, ██████ began to curse at [him].³⁴ Officer West told ██████ to stop talking but ██████ continued to talk.³⁵ Officer West stated, “I took my fingers and I hit him on his lips.”³⁶ He described his actions as a flicking motion with his fingers to ██████ mouth.³⁷ He recalled that after he parked near ██████ home, ██████ physically resisted exiting the vehicle and bit him as he tried to remove him from the vehicle.³⁸ Officer West also “grabbed ██████ body, swept his legs, and fell underneath him onto the ground.”³⁹ Officer West stated that he “tripped over his body or something, because I lost my balance too and fell, and twisted my body so I can take the fall”.⁴⁰ Officer West denied slamming ██████ to the ground.⁴¹ He submitted two photos to COPA of the injuries he allegedly sustained from ██████

²⁵ Att. 3 at 23:37.

²⁶ Att. 3 at 24:33.

²⁷ Att. 3 at 52:31 – 52:42.

²⁸ Att. 2 at 14:55 – 17:01.

²⁹ Att. 2 at 25:00.

³⁰ Att. 2 at 26:57 – 30:00.

³¹ Att. 2 at 32:48.

³² Att. 2 at 30:18.

³³ Att. 34, pgs. 7-8.

³⁴ Att. 34, pgs. 16, line 21.

³⁵ Att. 34, pg. 16, lines 23-24 and pg. 17, line 1-3.

³⁶ Att. 34, pg. 17, lines 2-3.

³⁷ Att. 34, pg. 45, lines 14-15.

³⁸ Att. 34, pg. 17, lines 13-16.

³⁹ Att. 34, pg. 17, lines 17 – 20.

⁴⁰ Att. 34, pg. 32, lines 3-8.

⁴¹ Att. 34, pg. 36, lines 9-10.

█████ biting and hitting his arm, as well as photos allegedly depicting injuries from being hit on the face by █████⁴²

COPA reviewed the Department of Children and Family Services (DCFS) – Investigation Transition/Handoff Document submitted by Child Protective Investigator (CPI) █████⁴³ The report included █████ account of Officer West body slamming him onto the concrete causing him to hit his head and back.⁴⁴ █████ also reported █████ strike to his body and abdomen. █████ complained of a headache and an abrasion to his left knee.⁴⁵ DCFS also documented Officer West’s denial of the allegations.⁴⁶ There were no marks or bruises observed that could be identified as abuse.⁴⁷ In summary, DCFS recommended the case to be unfounded because, while there was physical discipline administered by the father, it did not appear to rise to the level of abuse.⁴⁸ DCFS cited Officer West striking █████ and █████ admissions that they struck █████, and Officer West’s admission that he restrained █████⁴⁹ DCFS also documented that the physician’s observation of █████ bruise did not conclude that it was inflicted or caused by abuse.⁵⁰ Following a formal investigation, DCFS determined that the allegations of child abuse were unfounded and CPI Martin made a referral for family therapy.⁵¹

COPA reviewed CPD reports, including the Case Supplementary Report submitted by Detective Sergio Velazquez.⁵² █████ provided to CPD detectives a statement consistent with the one she provided to Sgt. Butler. Included was her recollection of when she asked Officer West if he had body slammed █████ and Officer West responding he did it because he didn’t want to punch █████ again.⁵³ █████ informed the detectives that she did not want to pursue the incident criminally.⁵⁴ On July 22, 2021, █████ informed Det. Velazquez that she had obtained an order of protection.⁵⁵

III. ALLEGATIONS

Officer Larrick West:

1. Using unnecessary physical force against █████ a minor, by slamming him to the ground.

⁴² Atts. 19, 20, 21, and 22.

⁴³ Att. 24.

⁴⁴ Att. 24, pg. 3.

⁴⁵ Att. 24, pg. 3.

⁴⁶ Att. 24, pg. 4.

⁴⁷ Att. 24, pg. 24.

⁴⁸ Att. 24, pg. 32.

⁴⁹ Att. 24, pg. 32.

⁵⁰ Att. 24, pg. 32.

⁵¹ Att. 24, pg. 4.

⁵² Att. 28, pg. 2.

⁵³ Att. 29, pg. 8.

⁵⁴ Att. 29, pg. 8.

⁵⁵ Att. 29, pg. 8.

- Not Sustained.
- 2. Striking [REDACTED] a minor, in the face with your hand, without justification.
 - Sustained, in violation of rules 2, 3, 8, and 9.

IV. CREDIBILITY ASSESSMENT

The investigation did not reveal evidence that caused COPA to question the credibility of the parties involved in this investigation.

V. ANALYSIS⁵⁶

The allegations against Officer West involve physical abuse against [REDACTED] a minor. Officer West is [REDACTED] of the minor, and thus, if COPA finds that there was physical contact, COPA must determine whether the physical contact was unjustified or whether it was reasonable corporal punishment, which is permissible. Reasonableness is, ultimately, a heavily fact-specific determination. *People v. Karen P. (In the Interest of J.P.)*, 294 Ill. App. 3d 991, 1002 (1st Dist. 1998) (“cases involving the adjudication of abuse, neglect, and wardship are sui generis; that is, each case must be decided on its own distinct set of facts and circumstances”) (citing *re Edricka C.*, 276 Ill. App. 3d 18, 25 (1995)). But courts have relied on several factors in corporal punishment reasonableness analyses, including: “the likelihood of future punishment which may be more injurious” (*People v. West (In re F.W.)*, 261 Ill. App. 3d at 903); “the fact any physical injury resulted from the discipline” (*id.*); “the psychological effects of the discipline on the child” (*id.*); “the circumstances surrounding the ‘discipline,’ including whether the parent was calmly attempting to discipline the child or whether the parent was lashing out in anger” (*id.*); whether the discipline was “vicious or for other than disciplinary reasons” (*In the Interest of Aaronson*, 65 Ill. App. 3d 729, 732 (3rd Dist. 1978)); whether the child “appeared happy and unaffected after being disciplined” (*People v. Karen P. (In the Interest of J.P.)*; 294 Ill. App. 3d at 1005); whether alternate ways to correct the minor’s behavior have been exhausted (*People v. McClendon (In re S.M.)*, 309 Ill. App. 3d 702, 704 (4th Dist. 2000) (holding that a “whooping” with a belt that left extensive bruising on the arms and upper thighs was not excessive in light of the minor’s incorrigible delinquent behavior, her parents’ attempts to curb it in other ways, and the fact that the punishment was “given in a concerned, caring manner” rather than in “vengeance”)). Therefore, COPA will utilize these factors in determining its findings.

COPA finds Allegation #1, that Officer West used unjustified physical force against [REDACTED] a minor, by slamming him to the ground, is **Not Sustained**. Officer West denied slamming [REDACTED] to the ground and explained, that during the physical altercation, he responded to [REDACTED] actions of pulling back, yelling, striking, and biting him. Simultaneously, Officer West responded to repeated strikes from [REDACTED]. He further explained that he attempted to shield [REDACTED] from the full impact of landing on the ground. [REDACTED] and [REDACTED] acknowledged that they struck [REDACTED] multiple times. Given the

⁵⁶ For a definition of COPA’s findings and standards of proof, *see* Appendix B.

available evidence, including the DCFS findings and the CPD reports, COPA acknowledges the factual accounts of the involved parties, and finds that there is insufficient objective verifiable evidence to support the allegation that Officer West violated CPD's policy against unjustified physical force. For these reasons COPA finds that there is insufficient evidence to prove or disprove Officer West's allegation of unnecessary physical force against [REDACTED] when he allegedly slammed him to the ground, by a preponderance of the evidence, and therefore this allegation is not sustained.

COPA finds Allegation #2, that Officer West struck [REDACTED] a minor, in the face with his hand without justification is **Sustained**. Officer West's initiation of the physical altercation is an unreasonable response in light of the circumstances. Officer West's decision to use physical force against [REDACTED] while the officer drove a vehicle was based on his perception of [REDACTED] attitude, [REDACTED] continuing to talk after receiving a warning to stop talking, and [REDACTED] use of profanity directed toward [REDACTED]. The evidence gathered establishes that it is more likely than not that Officer West's struck [REDACTED] because he did not care for [REDACTED] attitude or his lack of respect. COPA finds that when Officer West struck [REDACTED] it was most likely an expression of Officer West's anger and frustration and was therefore not reasonable corporal punishment. For these reasons, COPA finds that the allegation is supported by a preponderance of the evidence. Therefore, given all accounts of the incident, and Officer West's statement to COPA admitting that he struck [REDACTED] COPA finds Allegation #2 should be sustained, in violation of Rules 2, 3, 8, and 9.

VI. DISCIPLINARY RECOMMENDATION

a. Officer Larrick West

i. Complimentary and Disciplinary History⁵⁷

Officer West's complimentary history is comprised of 19 awards, the highlights of which include two Department Commendations. His disciplinary history includes four SPARs: a June 2022 Preventable Accident, resulting in a reprimand; a July 2023 Failure to Perform Assigned Tasks, resulting in a reprimand; an October 2023 Medical Roll violation, resulting in a one-day suspension; and a November 2023 Conduct Unbecoming, resulting in a reprimand.

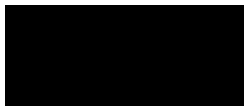
ii. Recommended Discipline

COPA has found that Officer West violated Rules 2, 3, 8 and 9 when he struck [REDACTED] in the face, without justification. COPA notes that Officer West was forthcoming about striking [REDACTED] and did not deny making physical contact with [REDACTED]. Conversely, Officer West's physical contact with [REDACTED] was not justified and, because it happened while he was driving, was exceptionally dangerous. COPA also notes Officer West's disciplinary history, which

⁵⁷ Att. 35.

includes four recent SPARs. Considering these aggravating and mitigating circumstances, COPA recommends a suspension of 10-30 days.

Approved:



March 21, 2024

Shannon Hayes
Director of Investigations

Date

Appendix A**Case Details**

Date/Time/Location of Incident:	June 2, 2021 / 19:45 / [REDACTED]
Date/Time of COPA Notification:	June 2, 2021 / 21:31
Involved Member #1:	Larrick West / Star # 17947 / Employee ID # [REDACTED] / Date of Appointment June 25, 2018 / Unit of Assignment 011, Male / Black
Involved Individual #1:	[REDACTED] Male, Black
Involved Individual #2:	[REDACTED] Male, 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.

Applicable Policies and Laws

- People v. Karen P. (In the Interest of J.P.), 294 Ill. App. 3d 991, 1002 (1st Dist. 1998)
- People v. West (In re F.W.), 261 Ill. App. 3d at 903
- In the Interest of Aaronson, 65 Ill. App. 3d 729, 732 (3rd Dist. 1978)
- People v. Karen P. (In the Interest of J.P.); 294 Ill. App. 3d at 1005
- People v. McClendon (In re S.M.), 309 Ill. App. 3d 702, 704 (4th Dist. 2000)

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.⁵⁸ 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.”⁵⁹

⁵⁸ 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).

⁵⁹ *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