



Log # 2022-1652

SUPPLEMENTAL FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On April 22, 2022, the Civilian Office of Police Accountability (COPA) received an initiation report from Chicago Police Department (CPD) Sergeant Johnny Santiago, alleging misconduct by a department member. It is alleged that on April 21, 2022, at approximately 8:19 pm, at or about the alley at [REDACTED] Detective Christoph Kaporis pointed a firearm at [REDACTED] and ordered him to the ground.² Det. Kaporis left the scene of incident prior to on-duty officers' arrival. Upon review of the evidence, COPA served Det. Kaporis additional allegations that he stopped [REDACTED] without justification, failed to notify the Office of Emergency Management (OEMC), failed to complete an Investigatory Stop Receipt (ISR) regarding [REDACTED] failed to identify himself as a Department member, and was rude and unprofessional.

Upon review of the evidence, COPA learned that Officer John Kaporis, brother of Det. Kaporis, was also involved in the incident. COPA served Officer Kaporis allegations that he referred to female blacks as "Shines," reported false, misleading, and/or inaccurate information when he called 911 and reported a "10-1," and failed to identify Det. Kaporis and/or his involvement during the incident to on-duty CPD officers. Following its investigation, COPA reached sustained findings regarding the above-listed allegations against Detective Christoph Kaporis and Officer John Kaporis.

II. SUMMARY OF EVIDENCE³

On April 21, 2022, at approximately 7:25 pm, [REDACTED] son of Officer John Kaporis, called 911 numerous times requesting police service. He reported that his father is a CPD officer from Unit 017, and that there were suspicious female blacks inside his grandmother's house at [REDACTED] Street.⁴ At approximately 7:44 pm, CPD officers responded to the location of

¹ UPDATED to include Rule 14 Analysis. 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 BWC footage, third-party cellphone video footage, OEMC 911 audio calls and reports, ISR's, statements of [REDACTED] and [REDACTED] statements of CPD witness officer Jorge Romo and Sgt, Santiago, and the statements of accused CPD officers John Kaporis and Christoph Kaporis.

⁴ Atts. 30 (1st call), 22 (2nd), and 24 (3rd). Coinciding event queries, Atts, 29, 21, and 23. The residence at [REDACTED] St. was vacant and for sale.

the incident.⁵ Officer Kaporis told the responding officers that two female blacks, who he also referred to as “F1s” and “Shines,” were inside his mother’s home cleaning without permission.⁶ Officer Kaporis went on to explain that someone had been playing pranks on him and his family by requesting different services at his mother’s home.⁷ While Officer Kaporis was speaking to the officers, ██████ called his uncle, Det. Christoph Kaporis to inform him of what happened.⁸ When the responding officers left, Officer Kaporis sat on the front steps and waited for Det. Kaporis. While waiting for his brother, Officer Kaporis observed a couple of U-Haul trucks stop in front of the house and then they drove away slowly southbound on Whipple Street. He then called 911 and reported the suspicious trucks.⁹ Shortly thereafter, Det. Kaporis arrived with his wife, ██████. Officer Kaporis told Det. Kaporis about the moving trucks and Officer Kaporis and ██████ remained in front of the house, while Det. Kaporis went to the backyard.¹⁰

The occupants of the U-Haul, later identified as, ██████ and ██████ were contractors with the Thumbtack application, and were hired to move boxes at 5836 N Whipple St. They rented a U-Haul and went to that location.¹¹ ██████ drove the U-Haul into the alley, while ██████ parked his personal car nearby on the street. As ██████ walked in the alley, he observed Det. Kaporis exit a vehicle that was parked in the alley and rapidly began to walk towards him.¹² Det. Kaporis pulled out a handgun from his waistband area and pointed it at ██████.¹³ In his statement to COPA, Det. Kaporis stated that he pulled out his firearm and held it in a low-ready position but he does not recall pointing the firearm at ██████.¹⁴ ██████ put his hands up and explained that he was there for work, and he did not have anything dangerous on him.¹⁵ Det. Kaporis then grabbed ██████ with one hand, ordered him on his knees, pushed him on the ground, and held his arms behind his back.¹⁶ ██████ observed the incident from inside the U-Haul

⁵ Att. 65, BWC of PO Wilfredo Ortiz, star #9748 (Beat 2063B).

⁶ Att. 47-BWC of PO Jorge Romo (PO Kaporis refers to the F1s at 2:33 and “Shines” at 9:03). In his statement to COPA, PO Kaporis acknowledged that calling the females “Shines” was racially offensive and inappropriate (Att. 60, Pgs. 20-21).

⁷ Atts. 46, 47, and 65 (BWCs) captured the whole conversation with PO John Kaporis regarding incident with female blacks. Prank requests included food delivery, cleaners, and lawn services.

⁸ Att. 46, BWC of PO Jesus Rivolta from 8:41 to 8:55. According to Det. Kaporis, ██████ told him that his mother’s house had been burglarized and/or had been broken into (Att. 64, Pg. 8. Lns. 7 to 16).

⁹ Att. 26. Call placed at 8:10:14 pm.

¹⁰ Officer Kaporis had limited mobility because of a recent hip surgery.

¹¹ The rental location did not have a parking spot for ██████ car, so ██████ followed the U-Haul in his car.

¹² According to Det. Kaporis, he first observed ██████ at the back gate of his mother’s house looking into the backyard (Att. 64, Pg. 11, Lns. 16-24 and Pg. 12, Lns. 1-10.) Det. Kaporis was driving a Black Chevrolet Suburban.

¹³ Att. 8, from 15:13 to 16:22, Att. 42, from 16:40 to 16:55 (BWC video), and Att. 68 (telephone interview of ██████).

¹⁴ Att. 64, Pg. 12, Lns. 21-23, Firearm pointed at the ground at a 45-degree angle; and Att. 64. Pg. 15, Lns. 10-14. Det. Kaporis had a Black Sig Sauer (P365XL) semi-automatic pistol (Pg. 29. Lns. 7-14). Regarding allegation #3, Det. Kaporis stated that he did not notify OEMC (pointing of a firearm) because he recalled having his firearm in a low-ready position (Pg. 32, Lns. 7-11).

¹⁵ Att. 68. Det. Kaporis described ██████ as compliant, cooperative, and nonthreatening (Att. 64. Pg. 25, Lns. 3-23).

¹⁶ Att. 8, from 5:30 to 6:44 and 16:44 to 17:40, Att. 37, (photo of ██████ with hands up in the air), and Att. 66 (Initiation report). Det. Kaporis did not recall having any physical contact with ██████ (Att. 64, Pg. 18, Lns. 2-7). Att. 68 (████████ statement).

truck.¹⁷ Det. Kaporis stated that he did not recall identifying himself as a police officer to [REDACTED] but it was possible that [REDACTED] thought that he was the police because seeing a person with a firearm in his hand was not typical.¹⁸ Det. Kaporis added that [REDACTED] might have also believed that he was not free to leave the alley.¹⁹ Det. Kaporis stated that he had reasonable suspicion to lawfully detain [REDACTED] because of what Officer Kaporis had told him regarding a possible burglary of their mother's home and him observing [REDACTED] in the alley looking into his mother's backyard.²⁰

A neighbor, [REDACTED] stepped out into the alley and observed [REDACTED] on the ground.²¹ He began recording on his cell phone and he asked Det. Kaporis what he was doing. Det. Kaporis asked [REDACTED] if he was recording and [REDACTED] said yes. [REDACTED] asked Det. Kaporis why he pointed a firearm at [REDACTED] and ordered him to the ground. Det. Kaporis became upset and stated to [REDACTED] "This is the guy's whose house you want to hit," while pointing at [REDACTED].²² Det. Kaporis began to walk towards his vehicle and [REDACTED] asked him for his name and star number.²³ Det. Kaporis did not answer and walked away.²⁴ He entered his vehicle and backed out of the alley.²⁵

While at the front of the house with [REDACTED] Officer Kaporis heard yelling and screaming in the alley.²⁶ Officer Kaporis claimed that he did not know of Det. Kaporis' whereabouts or who was involved in the commotion. Officer Kaporis called 911 and reported a "10-1,"²⁷ because he assumed that something was not normal in the alley, and someone may have needed help.²⁸ Officer

¹⁷ Att. 3. Det. Kaporis stated that he did not know [REDACTED] was in the truck.

¹⁸ Att. 64, Pg. 21, Lns. 5-18 and Pg. 23, Lns. 2-24 and Pg. 50, Lns. 9-23. According to [REDACTED] Det. Kaporis did not identify himself as a police officer, but he believed Det. Kaporis was a police officer because he seemed to have training handling firearms and securing people (Att. 68).

¹⁹ Att. 64, Pg. 21, Lns. 5-18 and Pg. 23, Lns. 2-24 and Pg. 50, Lns. 9-23. According to [REDACTED] Det. Kaporis did not identify himself as a police officer, but he believed Det. Kaporis was a police officer because he seemed to have training handling firearms and securing people (Att. 68).

²⁰ Att. 64, Pg. 26, Lns. 8-24 and Pg. 27, Lns. 1-16.

²¹ Att. 20, from the beginning to 1:08 and Att. 68. [REDACTED] lives at [REDACTED] St.

²² Att. 20, from 1:10 to 1:13. Det. Kaporis admitted that the comment was rude and unprofessional, and he should of not said it (Att. 64, Pg. 37, Lns. 5-10).

²³ Att. 64, Pg. 37, Lns. 20-24 and Pg. 38, Lns. 1-21. Det. Kaporis stated that he did not recall [REDACTED] asking him for his name and badge number and his thought was that the incident was nothing.

²⁴ Att. 64, Pg. 37, Lns. 20-24 and Pg. 38, Lns. 1-21. Det. Kaporis stated that he did not recall [REDACTED] asking him for his name and badge number and his thought was that the incident was nothing.

²⁵ Det. Kaporis picked up his wife and drove home. Det. Kaporis left the scene because there was no burglary to his mother's house, therefore, no reason to stick around. He claimed that he did not know the police were called.

²⁶ Att. 60, Pgs. 38 and 39. PO Kaporis claimed that he did not go to the alley. Det. Kaporis stated that he did not see his brother or wife in the alley during the incident with [REDACTED] (Att. 64, Pg. 41, Lns. 22-24 and Pg. 42, Lns. 1-10).

²⁷ Att. 53. Call placed at 8:11:35 pm. PO Kaporis reported to the dispatcher that Det. Kaporis attempted to stop offenders in a U-Haul truck, but they ran southbound on Whipple St. In his COPA statement, PO Kaporis recanted and stated that no one chased the black males (60, Pg. 40, Lns 8-15). Det. Kaporis also denied chasing anyone (Att. 64, Lns. 10-11. CPD GO 03-01-01 (section IV. B. 1) defines a "10-1" as the highest priority dispatch assignment for life threatening circumstances that compromise the safety and wellbeing of police, EMS, or fire units.²⁷

²⁸ Att. 60, Pg. 36, Lns. 9-11 and Pg. 38, Lns. 1-23.

Kaporis explained that by placing a “10-1” call, officers would respond quickly.²⁹ When asked if he reported false, incomplete, inaccurate, and/or misleading information when he called 911 and reported a “10-1,” Officer Kaporis stated that he does not recall.³⁰ Within a few minutes of Det. Kaporis leaving the location of the incident, numerous officers arrived.

Officers Jesus Rivolta and Jorge Romo (collectively “the officers”) were the first officers to arrive at the alley.³¹ An OEMC dispatcher asked if any officers were chasing anyone and if they were going to give a slowdown on the “10-1” call. Officer Romo got on the radio and reported, that they were in the alley with [REDACTED] and [REDACTED] and there was not a “10-1.”³² Shortly thereafter, Officer Kaporis arrived at the alley. [REDACTED] told Officer Kaporis that a someone pointed a firearm at [REDACTED] and Officer Kaporis responded, “Good, they have every right to protect themselves.”³³ [REDACTED] and [REDACTED] told the officers why they were there, and the officers told the men that someone had been pranking Officer Kaporis by requesting different services to his mother’s home. Officer Romo then requested a sergeant to the scene.³⁴ When asked if he identified Det. Kaporis and/or Det. Kaporis’ involvement during the incident to the responding officers, Officer Kaporis stated that he does not recall.³⁵

Sgt. Johnny Santiago arrived at the scene and spoke to Officer Kaporis in the alley. Officer Kaporis identified himself as a department member and stated that his brother, Det. Kaporis, saw [REDACTED] and [REDACTED] in the alley, asked why were there, and they took off running.³⁶ Officer Kaporis told Sgt. Santiago that Det. Kaporis was on scene.³⁷ Sgt. Santiago then spoke to [REDACTED] and [REDACTED] regarding the incident.³⁸ Sgt. Santiago went back to Officer Kaporis and asked if Det. Kaporis was the person who stopped [REDACTED] and Officer Kaporis stated that he did not know because he was at the front of the house.³⁹ Sgt. Santiago then instructed officers to complete an ISR for [REDACTED] and [REDACTED].⁴⁰ Sgt. Santiago then spoke to [REDACTED] who stated that the man (Det. Kaporis) who pointed the firearm at [REDACTED] was most likely a police officer.⁴¹ After back-

²⁹ Att. 60, Pgs. 43 to 48. PO Kaporis acknowledged being familiar with CPD Department rules and regulations when placing a “10-1” call.

³⁰ Att. 60, Pg. 48, Lns. 11-16.

³¹ Atts. 39 and 40 (BWC video). PO’s Ortiz, Claussen, Tapia, Sorensen, and Sgt. Santiago arrived shortly after (Atts. 41 to 45-BWC video).

³² Att. 32, from 13:12 to 13:28. PO Romo and Rivola were assigned to Beat 2011. Att. 58 (COPA statement of PO Romo) Pg. 45, Lns. 1-20.

³³ Att. 40, at 2:45 to 2:53.

³⁴ Att. 40, 2:54 to 6:22. Officer Kaporis and [REDACTED] continued to argue. [REDACTED] defended [REDACTED] Officer Kaporis described himself as calm and observant (Att.60, Pg. 64, Lns. 9-16).

³⁵ Att. 60, Pg. 63, Lns.13-17. Officer Kaporis stated that at no time did he ask Det. Kaporis if he pointed a firearm at [REDACTED] (Att. 60, Pg. 58, Lns. 1-10).

³⁶ Att. 42 (BWC of Sgt. Santiago), from 2:20 to 5:20. According to Det. Kaporis he left before the officers arrived.

³⁷ Att. 42 (BWC of Sgt. Santiago), from 2:20 to 5:20. According to Det. Kaporis he left before the officers arrived.

³⁸ Att. 42, from 6:46 to 12:27.

³⁹ Att. 42, from 12:32 to 12:46.

⁴⁰ Atts. 11 ([REDACTED]) and 12 ([REDACTED]).

⁴¹ Att. 68, [REDACTED] believed Det. Kaporis was a police officer because he seemed to have training handling firearms and securing people.

and-forth conversation, the officers told ██████ that there was not enough proof for them to determine if the accused man was a police officer.⁴²

Approximately an hour and a half after the incident, Det. Kaporis went to the 20th District Station and spoke to Sgt. Santiago.⁴³ Det. Kaporis stated that he detained ██████ because he saw him come out of his mother's backyard and walk to a U-Haul truck.⁴⁴ Because he did not have handcuffs on him, Det. Kaporis pulled out his firearm in a low ready position and ordered ██████ on the ground.⁴⁵ Det. Kaporis stated that he left the location of the incident because he had to take his wife home.⁴⁶ According to Det. Kaporis, he did not complete an ISR for ██████ because Sgt. Santiago told him that he did not have to complete any reports.⁴⁷

III. ALLEGATIONS

Officer John Kaporis:

1. Used racial slurs by referring to female blacks as "Shines."
 - **Sustained**, Violation of Rules, 2, 6, and 8.
2. Reported false, incomplete, inaccurate, and/or misleading information when he called 911 and reported a "10-1."
 - **Sustained**, Violation of Rules, 2, 3, 6, 10, and 14.
3. Failed to report misconduct and/or identify his brother, Det. Christoph Kaporis, as an involved officer during the incident.
 - **Sustained**, Violation of Rules, 2, 3, 5, 6, 10, and 22.

Detective Christoph Kaporis:

1. Pointed a firearm at ██████ without justification.
 - **Sustained**, Violation of Rules, 2, 8, and 38.
2. Performed an unlawful seizure of ██████
 - **Sustained**, Violated Rules, 2, 5, 6, 8, and 9.
3. Failed to report pointing a firearm to OEMC.
 - **Sustained**, Violation of Rules, 2, 5, 6, and 10.

⁴² Att. 42, from 16:04 to 17:40.

⁴³ Att. 64, Pg. 42, Lns. 3-12 and Pg. 43, Lns. 1-12. Det. Kaporis received a telephone call from his brother or a family member stating that the police had responded to the location of the incident.

⁴⁴ Att. 66 (Initiation summary).

⁴⁵ Att. 66

⁴⁶ Att. 66

⁴⁷ Att. 64. Pg. 27, Lns. 17-24, Pg. 28. Lns. 1-24, Pg. 44, Lns. 20-24, and Pg. 45, Lns. 1-6.

4. Failed to complete and/or submit an Investigatory Stop Receipt (ISR) regarding [REDACTED]
 - **Sustained**, Violation of Rules, 2, 5, 6, and 10.
5. Rude and unprofessional when he stated to [REDACTED] words to the effect of, “this is the guy’s whose house you want to hit,” while pointing at [REDACTED]
 - **Sustained**, Violation of Rules, 2 and 8.
6. Failed to identify himself as a police officer during the incident and/or when requested.
 - **Sustained**, Violation of Rules, 2, 5, 6, 10, and 37.
7. Failed to remain on the scene of the incident.
 - **Sustained**, Violation of Rules, 2, 6, and 10.
8. Failed to identify himself as an involved officer to on-duty responding police officers.
 - **Unfounded**

IV. CREDIBILITY ASSESSMENT

This investigation revealed that Officer Kaporis and Det. Kaporis were not credible in their statements. Officer Kaporis abused his authority by falsely calling in a “10-1” to get immediate police response at the location of the incident. When asked to address the allegations against them, both officers essentially did not deny the allegations but stated that they did not recall. The witnesses (civilian and sworn) contradicted both officers. Furthermore, the preponderance of evidence is sufficient for COPA to question the credibility of both officers.

V. ANALYSIS

I. Officer John Kaporis:

A. Officer Kaporis used racial slurs in reference to two civilians.

COPA finds that Allegation 1 against Officer Kaporis that used racial slurs by referring to female black as “Shines,” is **Sustained**. Department General Order G04-01 requires officers to, “interact with victims, witnesses, and community members with courtesy, dignity, and respect.”⁴⁸ Similarly, CPD Rule 8 prohibits officers from “[d]isrespect or maltreatment of any person, while on or off duty.” In this case, Officer Kaporis was disrespectful when he referred to two female black women as “Shines.” Officer Kaporis admitted to what he said and acknowledged that calling the females, “Shines,” was racially offensive and inappropriate. Therefore, COPA finds that Allegation 1 against Officer Kaporis is **Sustained**.

⁴⁸ G04-01 V(A)

B. Officer Kaporis Falsely Reported a “10-1” to Dispatchers.

COPA finds that Allegation 2 against Officer Kaporis that he reported false, incomplete, inaccurate, and/or misleading information when he called 911 and reported a “10-1,” is **Sustained**.

CPD Rule 14 forbids an officer from making a false report, written or oral.⁴⁹ The officer’s collective bargaining agreement provides that an officer cannot be found guilty of a Rule 14 violation unless it has been determined that (1) the officer willfully made a false statement and (2) the false statement was made about a fact that was material to the incident under investigation.⁵⁰ A statement is “material” when the statement has “a natural tendency to influence, or are capable of influencing, the decision-making body to which it was addressed.”⁵¹ COPA must also show that the statement was false.

First, COPA finds that Officer Kaporis’ call for immediate assistance by reporting a “10-1” was false. A “10-1” is a priority call for emergency assistance. A “10-1” involves any life-threatening circumstances which have the potential to compromise the safety and well-being of police, EMS, and fire units.⁵² In this case, Officer Kaporis heard a commotion in the alley and assumed that something was not normal, and someone may have needed help. Though he did not know who was involved in the commotion and/or if there was a life-threatening situation, he called 911 and reported a “10-1.” Officer Kaporis could not explain any evidence of a life-threatening circumstance that compromised the safety of the police.

Second, COPA finds Officer Kaporis’s statement was willfully made. Officer Kaporis admitted that by him calling a “10-1” he would get immediate presence. When asked if he reported false, incomplete, inaccurate, and/or misleading information when he called 911 and reported a “10-1,” Officer Kaporis implausibly stated that he could not recall. In his statement to COPA, Officer Kaporis acknowledged the rules and regulation of the Department regarding calls of a “10-1,” including the seriousness of making the call. Officer Kaporis knew that the situation he faced was not life-threatening, COPA can therefore infer that Officer Kaporis knew that his statement was false at the time he reported a “10-1.”⁵³

Third, COPA finds that Officer Kaporis’ statement was material. His use of the term amounted to an abuse of authority in his interaction with the civilians in this case. It also amounted to an abuse of police resources.

⁴⁹ Att. 121.

⁵⁰ *Agreement between City of Chicago Department of Police and Fraternal Order of Police Lodge No. 7* §6.1(M).

⁵¹ See *U.S. v. Akram*, 152 F.3d 698, 700 (1998) (citing cases); *Taylor v. Police Bd.*, 2011 Ill. App., *P35 (1st) 101156 (1st Dist. 2011) (The test of materiality for an allegedly perjured statement is whether the statement tends to prove or disprove an issue in the case . . .”).

⁵² GO 03-01-01 (IV) (B) (1).

⁵³ See *People v. Boyd*, 81 Ill. App. 3d 259, 261 (1980) (stating that knowledge of the falsity of the statement in a perjury case may be inferred from the fact that the statement is in fact false) (citing *People v. Toner*, 55 Ill. App. 3d 688, 694 (1977)).

For these reasons, COPA finds that Officer Kaporis made a false, inaccurate, or misleading report when he called 911 and reported a “10-1”.

For these reasons, COPA finds that Allegation 2 against Officer Kaporis is **Sustained** as a violation of Rules 2, 6, 10, and 14.

C. Officer Kaporis failed to report misconduct and identify his brother.

COPA finds Allegation 3 against Officer Kaporis, that he failed to report misconduct and/or identify his brother, Det. Kaporis, as an involved officer during the incident, is **Sustained**. Department Rules and Regulations require officers to promptly report “any information concerning any crime or other unlawful action.”⁵⁴ The Department further requires officers to report “any violation of the rules and regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.”⁵⁵ In this case, Officer Kaporis claimed that he did not witness what occurred in the alley or who was involved. However, Officer Kaporis told Sgt. Santiago that Det. Kaporis was in the alley when he saw [REDACTED] and [REDACTED]. Though Officer Kaporis claimed that he did not witness what occurred in the alley, more likely than not, he knew that Det. Kaporis was possibly involved, which led him to call a “10-1.” [REDACTED] told Officer Kaporis that someone pointed a firearm at [REDACTED] in the alley, and Officer Kaporis responded that they have every right to protect themselves. At no time did Officer Kaporis provide the responding officers with any information to include Det. Kaporis’ name and/or that Det. Kaporis was at the location of the incident. Therefore, COPA finds that Allegation 3 is **Sustained** as a violation of Rules, 2, 3, 5, 6, and 22.

II. Detective Christoph Kaporis

A. Det. Kaporis pointed his weapon at Taiwah without justification.

COPA finds that Allegations 1 that Det. Kaporis pointed a firearm at [REDACTED] without justification is **Sustained**. Department Rules and Regulations prohibit officers from unlawful or unnecessary use or display of a weapon.⁵⁶ Furthermore, officers “may only point a firearm at a person when it is objectively reasonable to do so.”⁵⁷ In this case, COPA finds by a preponderance of the evidence that Det. Kaporis pointed his firearm at [REDACTED]. Both [REDACTED] and [REDACTED] said that Det. Kaporis pointed his firearm at [REDACTED] ordered him to the ground, and held him on the ground for no reason. Nothing about [REDACTED] suggested that he was armed or dangerous. Even Det. Kaporis described [REDACTED] as cooperative, and nonthreatening. Therefore, COPA finds Allegation 1 that Det. Kaporis pointed his firearm at [REDACTED] without justification is **Sustained**.

⁵⁴ CPD Rules and Regulations, Rule 21: G08-01(V)(D)(2).

⁵⁵ CPD Rules and Regulations, Rule 22; G08-01(V)(D)(2).

⁵⁶ CPD Rules and Regulations, Rule 38.

⁵⁷ Department Notice D19-01, II (E).

B. Det. Kaporis failed to identify himself to civilians and unlawfully seized Taiwah.

COPA finds that Allegation 2 and 6 that Det. Kaporis failed to identify himself and unlawfully seized [REDACTED] is **Sustained**. Department Rules and Regulations require an officer “to correctly identify himself by giving his name, rank and star number when requested.”⁵⁸ Department Rules and Regulations further state, officers must identify themselves, “whether on or off duty,” and when requested by private citizens or other CPD members.⁵⁹ With regard to the detention, CPD members are permitted to detain a person when there is reasonable articulable suspicion that person is about to commit, is committing, or has committed a criminal offense.⁶⁰ Reasonable articulable suspicion is defined as “an objective legal standard that is less than probable cause but more substantial than a hunch or general suspicion.”⁶¹ However, CPD members are required to “identify themselves as police officers prior to taking any police action, unless identification would jeopardize the safety of the member or others or compromise the integrity of an investigation.”⁶²

In this case, Det. Kaporis claimed that he saw [REDACTED] at the back gate of his mother’s house, which he stated was his reasoning for stopping him. However, Det. Kaporis made no effort to confirm or deny any alleged reasonable articulable suspicion of criminal activity by [REDACTED] prior to drawing and pointing his weapon at [REDACTED]. Furthermore, both [REDACTED] and [REDACTED] stated that at no time did Det. Kaporis identify himself as a police officer. Indeed, on video, [REDACTED] asked Det. Kaporis to identify himself and for his star number, but Det. Kaporis walked away and did not identify himself. In his statement to COPA, Det. Kaporis did not deny the allegations but stated that he did not recall his actions. In sum, Det. Kaporis pointed his firearm to seize [REDACTED] based on nothing more than a hunch. Det. Kaporis did this, while refusing to identify himself as a Department member, despite being asked by the civilian he seized. Therefore, COPA finds Allegation 2 and 6 are **Sustained**.

C. Det. Kaporis Failed to Report, Complete an ISR, and Left the Scene.

COPA finds Allegation 3 that Det. Kaporis failed to report pointing his firearm to OEMC is **Sustained**. Department Notice D19-01 requires an officer who points a firearm at someone “while in performance of his or her duties,” to notify OEMC.⁶³ However, an officer who merely draws his firearm or keeps it in a “ready” position is not required to make a notification.⁶⁴ An officer must include his radio identification and beat number in his notification to OEMC.⁶⁵ In this case, Det. Kaporis stated that he did not notify OEMC about his firearm because he held his firearm

⁵⁸ CPD Rules and Regulations, Rule 37.

⁵⁹ CPD Rules and Regulations, Rule 37.

⁶⁰ S04-13-09 II(A), Investigatory Stop System (effective July 10, 2017 to current).

⁶¹ S04-13-09 II(C), Investigatory Stop System (effective July 10, 2017 to current).

⁶² G03-02-01 II(D), Response to Resistance and Force Options (effective April 15, 2021 to current).

⁶³ Att. 57, II (A); III (A).

⁶⁴ Att. 57, II (B).

⁶⁵ Att. 57. III (A).

in a low-ready position. However, that report directly conflicts with two witnesses, [REDACTED] and [REDACTED] who both stated that Det. Kaporis pointed his firearm at [REDACTED]. Moreover, both [REDACTED] and [REDACTED] reported that Det. Kaporis pointed his weapon to responding officers at the scene. Faced with competing statements, COPA is required to consider the credibility of all parties involved. In this case, COPA found it compelling two witnesses independently reported that Det. Kaporis pointed his weapon. While Det. Kaporis, who initially claimed his weapon was in low ready, could not recall if he pointed his weapon when asked to address the allegations made against him in his statement to COPA. Therefore, COPA finds, by preponderance of the evidence, that Allegation 3 is **Sustained**.

COPA finds Allegation 4 that Det. Kaporis failed to complete an ISR for [REDACTED] is **Sustained**. Officers must submit Investigatory Stop Reports (ISRs) after conducting (1) investigatory stops, and (2) probable cause stops when no other documents capture the reason detaining subjects.⁶⁶ CPD members are permitted to detain a person when there is reasonable articulable suspicion that person is about to commit, is committing, or has committed a criminal offense.⁶⁷ This detention is an Investigatory Stop. Reasonable articulable suspicion is defined as “an objective legal standard that is less than probable cause but more substantial than a hunch or general suspicion.”⁶⁸ In this case, Det. Kaporis lacked probable cause to arrest [REDACTED] and reasonable suspicion to perform an investigatory stop. However, Det. Kaporis pointed his firearm at [REDACTED] ordered him to stop, and pushed him to the ground, detaining and seizing [REDACTED]. While Det. Kaporis claimed he did not complete an ISR because Sgt. Johnny Santiago told him that he did not have. COPA finds that defense unconvincing. As a department member, it was Det. Kaporis responsibility to know the rules and regulations, which required him to complete an ISR for this incident. COPA therefore finds Allegation 4 against Detective Kaporis, is **Sustained**.

COPA finds Allegation 7, that Det. Kaporis failed to remain on the scene of the incident, is **Sustained**. Det. Kaporis effectively detained [REDACTED] based on nothing more than a hunch because he was certain criminal activity was occurring. However, once it was clear he was mistaken, he left the scene. Indeed, in his statement to COPA, Det. Kaporis said he left the scene because no crime had been committed, therefore, no reason for him to remain at the scene. However, that is in diametric opposition to his justification for detaining and drawing his weapon on [REDACTED]. COPA finds Det. Kaporis’s conveniently inconsistent evaluation of the events unconvincing. Therefore, COPA finds Allegation 7 is **Sustained**.

Related, COPA finds Allegation 8, that Det. Kaporis failed to identify himself as an involved officer to on-duty responding police officers is **Unfounded**. Because Det. Kaporis left the location of the incident prior to the on-duty officers’ arrival, he was not available to speak with the officers. Thus, he did not have the opportunity to identify or fail to identify himself. As a result, COPA finds Allegation 8, is **Unfounded**.

⁶⁶ S04-13-09 III(C); VIII (A)(1).

⁶⁷ S04-13-09 II(A), Investigatory Stop System (effective July 10, 2017 to current).

⁶⁸ S04-13-09 II(C), Investigatory Stop System (effective July 10, 2017 to current).

D. Det. Kaporis Used Rude and Unprofessional Language.

COPA finds Allegation 5 that Det. Kaporis was rude and unprofessional when he stated, “This is the guy’s house you want to hit,” while pointing at [REDACTED] is **Sustained**. CPD Rules 8 and 9 prohibit members from engaging in unjustified verbal altercation and/or maltreating or disrespecting any person.⁶⁹ Additionally, CPD policy mandates that all “members treat all persons with courtesy and dignity which is inherently due every person as a human being. Department members will act, speak, and conduct themselves in a professional manner ... and maintain a courteous attitude in all contacts with the public.”⁷⁰ The policy also states that members “will not exhibit a condescending attitude or direct any derogatory terms toward any person in any manner.”⁷¹ In this case, Det. Kaporis admitted that he was rude and unprofessional when he made the comment, and that he should not have said it. Therefore, COPA finds Allegation 5 is **Sustained**.

VI. DISCIPLINARY RECOMMENDATION

a. Officer John Kaporis

i. Complimentary and Disciplinary History⁷²

Officer John Kaporis has received 19 complimentary awards, including seven honorable mentions and six complimentary letters. Officer Kaporis received a reprimand for a sustained improper search case that occurred in 2019.

ii. Recommended Discipline

COPA has considered Officer Kaporis’ complimentary and disciplinary history. Officer Kaporis’ behavior during this incident is extremely concerning. He referred to black women as “Shines,” misleadingly called a “10-1,” and failed to report/identify his brother during this incident. His actions were self-serving and completely unjustified. His conduct brought discredit to the Department, as demonstrated by the reaction of civilians on the scene, who live in the area. COPA has specific concerns about the racial motivation behind his behavior and how that may impact his job performance. Thus, COPA recommends separation from the Department.

b. Detective Christoph Kaporis

i. Complimentary and Disciplinary History⁷³

⁶⁹ Section V., Rules 8 and 9 of the Rules and Regulations of the Chicago Police Department.

⁷⁰ G02-01 III (B), Human Rights and Resources (effective October 15, 2017 to current); G02-04 II (C), Prohibition Regarding Racial Profiling and Other Bias Based Policing (effective December 1, 2017 to current).

⁷¹ G02-01 III(D).

⁷² Att. 69

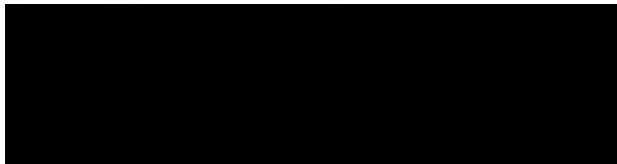
⁷³ Att. 69

Detective Christoph Kaporis has received 110 complimentary awards, including 65 honorable mentions and 17 complimentary letters. Detective Kaporis does not have a recent record of discipline nor sustained cases.

ii. Recommended Discipline

COPA has considered Detective Kaporis' complimentary history and lack of recent disciplinary history. Detective Kaporis pointing his firearm at [REDACTED] without justification, unlawfully seized him, failed to report the incident to OEMC or submit an ISR, was rude and unprofessional, failed to identify himself as a police officer and failed to remain on scene. Detective Kaporis' actions during this incident were extreme and completely unprovoked. [REDACTED] was an innocent civilian who was merely there to do what he believed was a lawful job. Instead of taking the time to calmly determine what was taking place, Detective Kaporis overreacted in an extreme fashion. His conduct brought discredit on the Department, as evidenced by the reaction of civilians on scene. Thus, COPA recommends separation.

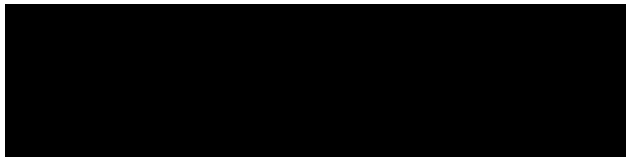
Approved:



Angela Hearts-Glass
Deputy Chief Administrator-Chief Investigator

4-26-2024

Date



Andrea Kersten
Chief Administrator

4-26-2024

Date

Appendix A

Case Details

Date/Time/Location of Incident:	April 21, 2022/8:19 pm
Date/Time of COPA Notification:	April 22, 2022/12:29 am
Involved Member #1:	John Kaporis, Star #18741, Employee ID # [REDACTED] Date of Appointment, October 27, 1995; Unit of Assignment 166; Male; White.
Involved Member #2:	Christoph Kaporis; Star #21235, Employee # [REDACTED] Date of Appointment: November 30, 1998; Rank: Detective; Unit: Area 5; Male; White.
Involved Individual #1:	[REDACTED] 21 years of age; 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.
- ☒ **Rule 37:** Failure of a member, whether on or off duty, to correctly identify himself by giving his name, rank and star number when so requested by other members of the Department or by a private citizen.

Applicable Policies and Laws

- GO 03-01-01: Radio Communications (effective July 13, 2016 to present)
- G03-02-1: De-Escalation, Response to Resistance, and Use of Force (effective April 15, 2021 to June 27, 2023)
- G04-01: Preliminary Investigation (effective December 30, 2020 to present)
- G08-01: Complaint and Disciplinary System (effective December 31, 2021 to December 30, 2022)
- SO S04-13-09: Investigatory Stop System (effective July 10, 2017 to present)
- D19-01: Firearm Pointing Incidents (effective November 1, 2019 to present)
- 720 § ILCS 5/12-2 (C)(1) – Aggravated Assault (Based on Use of Firearm)

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.⁷⁴ 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.”⁷⁵

⁷⁴ 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).

⁷⁵ *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