



Brandon Johnson
Mayor

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

Larry Snelling
Superintendent of Police

March 18, 2024

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

Re: Superintendent's Non-Concurrence with COPA's Penalties and Findings
Log# 2022-0002537
Sergeant Kristophe J. Rigan

Dear Chief Administrator Kersten:

After careful review of the above referenced complaint log investigation, the Chicago Police Department (Department) does not concur with the findings or penalty as it pertains to Sergeant Kristophe Rigan, Star No. 1279. Pursuant to the Municipal Code of Chicago, the Department provides the following comments.

The COPA investigation recommended a penalty of a Suspension of 20-days after concluding that he:

1. Striked [REDACTED] on or about the head, without justification.
2. Placed his hands at or near the neck area of [REDACTED] without justification.

The Department recommends a finding of Exonerated for both allegations. Sergeant Rigan responded to a disturbance at Whispers Restaurant (Whispers) at Oak Street Beach. Two employees of Whispers observed [REDACTED] jump over the barriers of the closed restaurant and threaten employees of Whispers after being told to leave the area. Attachment #3 at page 6. Sergeant Rigan approached [REDACTED] and attempted to detain [REDACTED] at which point a physical altercation ensued on the sandy beach of Oak Street Beach. Attachment #43 at 10:42. Sergeant Rigan did strike [REDACTED] ([REDACTED]) on or about the head but Sergeant Rigan was attempting to make a lawful arrest while protecting himself in a violent encounter. Sergeant Rigan was faced with a tense, uncertain, and rapidly evolving situation where [REDACTED] ultimately became an assailant towards Sergeant Rigan. There was an intense physical altercation between Sergeant Rigan and [REDACTED] for almost two minutes in which both individuals sustained injuries. The physical incident only stopped when a civilian from Whispers assisted Sergeant Rigan in controlling [REDACTED]. Sergeant Rigan's use of force stopped when [REDACTED] stopped resisting, indicating that Sergeant Rigan was in control of his emotions and stopped using force when he no longer needed to. Nothing in COPA's investigation refutes Sergeant Rigan's claim that sand was thrown in his eyes which impacted his vision during this intense physical interaction. In fact, COPA outlines that "it is possible" that this occurred as well as Sergeant Rigan being punched by [REDACTED] SRI at page 2. Moreover, during the altercation [REDACTED] attempted to disarm Sergeant Rigan. During the altercation, Sergeant Rigan states "quit grabbing my gun." Attachment #23 at 4:36. Witnesses also corroborated Sergeant Rigan's account of the actions of the offender, specifically the offender's actions

in attempting to disarm Sergeant Rigan. SRI at page 6.

It should also be noted that felony charges were approved by the Felony Review Unit of the CCSA for Agg. Batt./Peace Officer, Resisting Arrest, and Attempt to Disarm a Peace Officer which demonstrates that Sergeant Rigan responded to a violent attack against him and had proper justification in the use of force which was administered to the offender, [REDACTED]. In addition, CCSAO reviewed the case at hand and declined to file charges in this incident; thereby asserting they could not prove this case criminally or that Sergeant Rigan struck [REDACTED] without justification.

Given the all the listed facts, the Department finds that Sergeant Rigan's use of force against [REDACTED] was objectively reasonable, necessary, and proportional in the totality of the circumstances. Thus, Allegation #1 against Sergeant Rigan should be exonerated.

As mentioned above, [REDACTED] attempted to disarm Sergeant Rigan during their physical encounter. It was reasonable for Sergeant Rigan to reasonably believe if his gun was taken, he was able to conduct a Level 3 response. Sergeant Rigan had sufficient justification to place his hand/s about the neck area of the offender as a last resort in order to stop [REDACTED] from disarming Sergeant Rigan. Sergeant Rigan applied force that was objectively reasonable, necessary, and proportional in the totality of the circumstance. For those reasons, Allegation #2 against Sergeant Rigan should be exonerated.

For the foregoing reasons, the Department does not concur with the findings or recommended penalty for Sergeant Kristophe Rigan. The Department looks forward to discussing this matter with you pursuant to MCC-2-78-130(a)(iii).

Sincerely,

[REDACTED]
Larry Shelling
Superintendent of Police
Chicago Police Department