



June 11, 2026

Mr. Max A. Caproni
Executive Director, Chicago Police Board
30 North LaSalle Street, Suite 1220
Chicago, Illinois 60602

Via Email

RE: Request for Review, Log #2022-0002537, Sgt. Kristopher J. Rigan, Star # 1279

Dear Mr. Caproni,

Pursuant to the Municipal Code of Chicago Section 2-78-130 and Police Board Rules of Procedure Section VI, please consider this letter a Request for Review of a non-concurrence between the Civilian Office of Police Accountability (COPA) and the Superintendent of the Chicago Police Department (CPD) in Log #2022-2537.¹

As set forth in detail in COPA's Final Summary Report (FSR), there is a compelling legal and evidentiary basis to support COPA's disciplinary recommendation for Sergeant Kristopher J. Rigan.²

I. BACKGROUND

A. Relevant Factual Background³

On June 19, 2022, at approximately 10:40 pm, Sgt. Rigan responded to a disturbance at Whispers Restaurant (Whispers) at Oak Street Beach. Two employees of Whispers had observed [REDACTED] jump over the barriers of the closed restaurant and threaten employees of Whispers after being told to leave the area. Sgt. Rigan approached [REDACTED] walking along the beach area near Whispers, asked him to come toward him to investigate the claims, and identified himself as a CPD officer to [REDACTED] [REDACTED] complied with Sgt. Rigan's orders and informed Sgt. Rigan he wanted his sandals from Whispers that he could not locate, which frustrated [REDACTED]

Sgt. Rigan attempted to detain [REDACTED] and an altercation ensued on the sandy beach of Oak Street Beach, leading to both Sgt. Rigan and [REDACTED] falling to the sand from an initial standing position. Once on the sand, Sgt. Rigan stated that [REDACTED] attempted to strike him with a closed fist several times, punched Sgt. Rigan twice, and attempted to disarm Sgt. Rigan after one handcuff was placed on [REDACTED] Sgt. Rigan also alleged that [REDACTED] threw sand into Sgt. Rigan's face and eyes. Thereafter, Sgt. Rigan used several

¹ As required by the Police Board Rules of Procedure, enclosed are copies of COPA's final summary report, CPD's non-concurrence letter (Non-Concurrence) (June 15, 2023), and the certificate of meeting.

² Star # 1279.

³ A more detailed factual summary can be found in the FSR.

closed fist, direct mechanical strikes toward ██████ placed his hands at or near the neck area of ██████ and struck ██████ in the head while detaining him.

After ██████ was handcuffed, he was transported to Northwestern Memorial Hospital where his injuries sustained from this incident were documented, including an orbital floor fracture and nasal fracture. ██████ was charged with aggravated battery of a peace officer, criminal trespass to real property, simple assault, resisting/obstructing a peace officer, and attempting to disarm a peace officer. Lt. McClelland reviewed the tactical response report (TRR) completed by Sgt. Rigan as well as Sgt. Rigan's BWC recording and noted that Sgt. Rigan used deadly force, specifically a chokehold, during this incident.

B. Disputed Findings and Recommendations

The Superintendent disputes COPA's findings for both Allegation #1, that Sgt. Rigan struck ██████ on or about the head without justification; and Allegation #2, that Sgt. Rigan placed his hands at or near the neck of ██████ without justification. The Superintendent recommends findings of Exonerated for both allegations.

C. Applicable CPD Policy

CPD members are only permitted to use force when it is (1) objectively reasonable, (2) necessary, and (3) proportional.⁴ CPD members are required to only use force that is "objectively reasonable in light of the totality of the circumstances" to ensure the safety of a member or third person, stop an attack, make an arrest, control a subject, or prevent escape.⁵ CPD members must "continually assess the necessity of the use of force and whether alternatives may be employed".⁶

Moreover, CPD members may only use deadly force—including chokeholds or "other restraints above the shoulders with risk of positional asphyxiation"—as "a last resort", when necessary to prevent death or great bodily harm from an imminent threat.⁷ A threat is imminent when "it is objectively reasonable to believe" (1) a subject's "actions are immediately likely to cause death or great bodily harm to the member or others unless action is taken;" (2) the subject "has the means or instruments to cause death or great bodily harm;" and (3) the subject "has the opportunity or ability to cause death or great bodily harm."⁸ Deadly force is "force by any means that is likely to cause death or great bodily harm," which explicitly includes "the application of a chokehold (applying any direct pressure to the throat, windpipe, or airway of another)," and "the application of other restraints above the shoulders with risk of positional asphyxiation."⁹

II. ARGUMENT

A. Sgt. Rigan's use of force was excessive.

The Superintendent argues Sgt. Rigan's use of force was justified under the circumstances but relies on a distorted portrayal of the sequence of events to reach that conclusion. The Superintendent states Sgt. Rigan was authorized to use deadly force against ██████ because ██████ reached for Sgt. Rigan's weapon. However, that attempt occurred *after* Sgt. Rigan placed his hands at ██████ neck for seven seconds, which is established by Sgt. Rigan's own account.

Further, COPA does believe it was possible that sand got into Sgt. Rigan's eye following an incident he escalated into a physical encounter. ██████ had been accused of trespassing and making verbal threats.

⁴ General Order G03-02 (III)(B).

⁵ G03-02 III.B.

⁶ G03-02 III.B.2.

⁷ G03-02 IV.C.

⁸ G03-02 IV.B.

⁹ G03-02 IV.A.

But [REDACTED] stood outside of Whispers and was calm when Sgt. Rigan approached him and immediately grabbed him without discussion or explanation. Given the struggle that ensued, it is certainly plausible that Sgt. Rigan got sand in his eye even though no eyewitness saw [REDACTED] throw sand in his eye. Even so, his use of deadly force not a reasonable response to obscured vision.

III. CONCLUSION

For these reasons, COPA maintains that the Superintendent has failed to meet the affirmative burden of showing COPA's recommendations in this case are unreasonable. Accordingly, COPA respectfully requests that the Chicago Police Board reject the Superintendent's non-concurrence in this matter and accept COPA's findings and recommendations.

Respectfully,

A handwritten signature in blue ink, appearing to read "LaKenya White", with a stylized flourish at the end.

LaKenya White
Chief Administrator
Civilian Office of Police Accountability