



Log # 2023-0001230

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On March 23, 2023, the Civilian Office of Police Accountability (COPA) received a telephone complaint from [REDACTED] ([REDACTED] reporting alleged misconduct by a member of the Chicago Police Department (CPD). [REDACTED] alleged that on multiple dates, Officer Jason Nunez (Officer Nunez) contacted her through various social media accounts and or texting applications against her wishes. [REDACTED] also alleged that Officer Nunez harassed [REDACTED] at her job.² Following its investigation, COPA reached not sustained findings for both allegations.

II. SUMMARY OF EVIDENCE³

[REDACTED] and Officer Nunez both described their relationship as an intermittent, on again off again romantic relationship that lasted approximately one year.⁴ Both parties stated that there were periods during which they blocked each other on various social media platforms and later resumed communication. [REDACTED] explained that she wanted to move forward with a serious relationship, but Officer Nunez did not.⁵ Officer Nunez similarly stated that [REDACTED] wanted to move in with him, but he did not want the relationship to progress to that level.⁶ [REDACTED] described communicating with Officer Nunez through Instagram, Facebook, text messages and phone calls.⁷ [REDACTED] stated that she eventually discovered Officer Nunez was seeing other individuals and decided to end the relationship.⁸ [REDACTED] further stated that she no longer wanted contact with Officer Nunez after the relationship ended.⁹ She provided COPA with screenshots showing subsequent communications from Officer Nunez through various messaging platforms.¹⁰

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 *[Complainant Interviews, Text Messages, Social Media Messages, Accused Interview, and phone records.]*.

⁴ Att. 4 & 5.

⁵ Att. 5, Pg. 4, Ln. 14

⁶ Att. 4, Pg. 25, Ln 8

⁷ Officer Nunez also confirmed this.

⁸ Att. 5, Pg. 5, Ln. 12

⁹ Att. 20

¹⁰ Att. 7, 8, 9, 10, 11.

Officer Nunez acknowledged the authenticity of the screenshots but stated that the communications reflected the pattern of their relationship, in which periods of blocked communication were routinely followed by renewed contact and reconciliation.¹¹ Officer Nunez stated that the parties resumed their relationship in August of 2023.¹² Officer Nunez could not explain how and why the conversations would start back up. Officer Nunez stated that he continued communication because similar breaks in communication had previously ended with the parties reconciling.

█████ stated that Officer Nunez appeared at her workplace without invitation and requested to speak with her.¹³ █████ stated that she requested that Officer Nunez make an appointment, after which he left. Officer Nunez stated that he previously asked whether he could bring food to █████ and that she provided him with her food order. Officer Nunez stated a few days after the food drop off, that he and █████ went out for sushi.¹⁴ Officer Nunez did not provide any text messages but did provide phone logs that showed conversations between the two parties after █████ reported to COPA.¹⁵ Officer Nunez did not provide any context nor the text message conversations, just that text messages were sent and received.¹⁶

III. ALLEGATIONS

Officer Jason Nunez:

1. Contacting █████ through various social media accounts and or texting application against her wishes.
 - Not Sustained
2. Harassing █████ by appearing unexpectedly at her job without justification.
 - Not Sustained

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.

¹¹ Att. 20

¹² █████ statement occurred March 30, 2023.

¹³ Att. 5, Pg. 14, Ln. 3

¹⁴ Officer Nunez brought a receipt of this transaction but did not provide a copy to COPA.

¹⁵ Att. 12, 13, 13, 15

¹⁶ Officer Nunez did not provide any social media conversations.

Officer Nunez and ██████ provided generally consistent accounts regarding the overall nature of their relationship but differed regarding whether Officer Nunez's communications and workplace appearance were welcome. ██████ provided screenshots reflecting repeated communications from Officer Nunez. Officer Nunez acknowledged the communications but maintained they were consistent with the parties established relationship and prior pattern of reconciliation. Neither party produced complete communications histories to COPA, and the evidence presented represented only portions of the parties interactions.¹⁷

V. ANALYSIS¹⁸

COPA finds the allegation that Officer Nunez was contacting ██████ through various social media accounts and or texting application against her wishes, **not sustained**. COPA's investigation established that Officer Nunez repeatedly attempted to contact ██████ during periods in which their relationship had deteriorated. However, evidence also established that the parties maintained an intermittent relationship characterized by repeated cycles of blocked communication, renewed contact and reconciliation. Officer Nunez consistently maintained that his communication was consistent with the parties' established pattern of interaction, and the evidence confirmed that the parties ultimately resumed their relationship after the complaint was filed with COPA.

Although ██████ stated that she wanted Officer Nunez to stop contacting her, the available evidence did not include complete communication histories or sufficient contextual information to establish when, if at all, Officer Nunez knowingly continued contacting her after receiving an unequivocal and continuing request for no further communication. Because both parties produced only selected communications, COPA could not determine the complete context surrounding the exchanges.

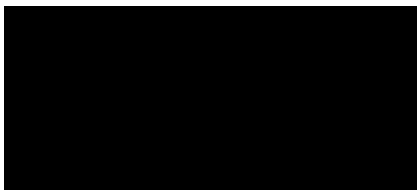
COPA finds the allegation that Officer Nunez harassed ██████ by appearing unexpectedly at her job, **not sustained**. Both parties agreed that Officer Nunez appeared at ██████ workplace. However, they provided differing accounts regarding the circumstances surrounding the visit. ██████ was unable to provide an exact date of this incident.¹⁹ Therefore, COPA found it difficult to determine the timeframe to match up with the text messages and phone records provided by Officer Nunez. While the evidence established that the encounter occurred, it did not establish by a preponderance of the evidence that Officer Nunez's appearance at the workplace constituted harassment.

¹⁷ COPA found it difficult to determine where each party was communicating due to the blocking and unblocking over various applications.

¹⁸ For a definition of COPA's findings and standards of proof, *see* Appendix B.

¹⁹ Att. 5, Pg. 20

Approved:



7.10.26

Kimberly Edstrom Schiller
Director of Investigations – Chief Investigator

Date

Appendix A**Case Details**

Date/Time/Location of Incident:	Multiple Dates
Date/Time of COPA Notification:	March 23, 2023
Involved Member #1:	Officer Jason Nunez, Star #11658, 11/30/2012, Unit 25, Male, White
Involved Individual #1:	██████████ Female

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.²⁰ 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.”²¹

²⁰ 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).

²¹ *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