Brandon Johnson
Mayor

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

Larry B. Snelling
Superintendent

April 1, 2024

Andrea Kersten
Chief Administrator
Civilian Office of Police Accountability
1615 West Chicago Avenue, 4th Floor
Chicago, Illinois 60622

Re: Superintendent's Non-Concurrence with Findings and Penalty Recommendation
Complaint Log No. 2020-0004785

Dear Chief Administrator Kersten:

After a careful review of the above referenced complaint log number, the Chicago Police Department (Department) does not concur with the recommended sustained findings nor with the recommended penalty as they pertain to Officer Kyle Brown, Star No. 10140. Pursuant to the Municipal Code of Chicago, the Department provides the following comments.

The COPA investigation recommended a suspension of up to 30 days and Anger Management for Officer Kyle Brown after concluding that he:

1. Endangered the safety of [redacted] (infant daughter) by engaging in a physical altercation with [redacted] while holding [redacted] (occurring on October 20, 2020);
2. Pushed [redacted] to the ground without justification (occurring on October 17, 2020).

Allegation #1

The Department does not concur with the recommended finding of Sustained for this allegation. COPA states that "Officer Brown admitted to holding [redacted] during the incident. Officer Brown did not diffuse the situation with [redacted] which lead to a continued physical altercation with [redacted] Even though COPA is unable to determine the details of the altercation, COPA is able to determine that there was a physical altercation between the two parties. One of the consistent facts by [redacted] and Officer Brown was that [redacted] was present during the incident. There was no regard or concern for her safety during the altercation." SRI at page 7-8. The Department has determined that there is no evidence to support this conclusion. Officer Brown stated that [redacted] charged at him and started to throw items at him while he was holding his daughter. Officer Brown stated that [redacted] scratched his arms and the photos taken of his arm after the incident showed deep, fresh scratches on his arms. Officer Brown stated that he suffered these injuries in the course of shielding himself and the child against [redacted] attacks. Although [redacted] contradicts these statements, if Officer Brown is telling the truth, his version is entirely reasonable and believable. COPA states that they "found the

testimony of both [redacted] and Officer Brown to be problematic." SRI at page 6. Yet, COPA has decided to give credibility to [redacted] statement despite the fact that the Judge in the criminal case against Officer Brown had stated, after hearing her live testimony, that he did not believe her testimony and that the judge did not believe that it happened in the manner [redacted] described. The judge found Officer Brown not guilty based on her lack of credibility. It is for these reasons that the Department recommends a finding of Not Sustained for this allegation.

Allegation #2

The Department does not concur with the recommended finding of Sustained for this allegation. COPA states that the preponderance of evidence supports a finding of sustained. Yet the only evidence is [redacted] statement that Officer Brown pushed her to the ground and a photo taken of her knee three days after the alleged incident that showed "a healing wound on her leg." SRI at page 8. Officer Brown denies this allegation in his statement to COPA. And no evidence is produced that would support giving more credibility to [redacted] over Officer Brown especially in light of COPA's own concerns as well as the Judge's statement. And the photo of [redacted] leg is not dispositive of anything as it has not been shown to even be an injury, let alone a recent injury. And [redacted] statement that Officer Brown caused this "injury" has to be questioned again based on her credibility concerns. It is for these reasons that the Department believes that this allegation should be Not Sustained.

The Department looks forward to discussing this matter with you pursuant to MCC 2-78-130(a)(iii).
Sincerely,

[redacted]

Larry B. Snelling
Superintendent
Chicago Police Department