

Abstracts of Sustained Cases

FEBRUARY 2010

Log/C.R. No. 1008648

On August 23, 2007, a complaint was registered with the Independent Police Review Authority regarding an incident occurring in the 5th District, on August 23, 2007, involving an off-duty Chicago Police Department officer. It was alleged that the accused officer engaged in an unjustified physical altercation with the victim, punched the victim on the head, and was inattentive to duty, in that, he failed to maintain control of his duty weapon. IPRA recommended to **"UNFOUND"** the allegation that the accused officer engaged in an unjustified physical altercation due to available witness accounts that uniformly contradict the victim's claim that the officer was the aggressor, as well statements by the bar owner that suggested the victim had a history of belligerent behavior. IPRA recommended that the accused officer be **"EXONERATED"** for the allegation that he punched the victim on the head due to available evidence that indicated that the officer struck the victim in self-defense. IPRA recommended to **"SUSTAIN"** the allegation that the accused officer was inattentive to duty in failing to maintain control of his duty weapon for the reason that the officer admitted his weapon fell to the floor during the altercation. IPRA recommended to **"SUSTAIN"** the allegation that the accused officer wagered on a game of chance, hazard, or skill in violation of the Chicago Municipal Code, Chapter 8-12-010. The victim, the accused officer, and several witnesses made statements to the sergeant responding to the scene, as well as the IPRA investigator, confirming that the victim and the accused had placed a wager on a darts game. IPRA recommended a **five (5) day suspension for the accused member.**

Log/C.R. No. 1015988

On April 23, 2008, a complaint was registered with the Independent Police Review Authority regarding an incident occurring in the 6th District, on April 23, 2008, involving two off-duty Chicago Police Department officers (A and B). It was alleged that Officer A engaged in an unjustified physical altercation by biting Officer B on the arm and leg, pulling her hair, and/or pinning her against a kitchen counter. It was also alleged that Officer A threatened to kill Officer B. It is further alleged that Officer B engaged in an unjustified physical altercation with Officer A in that she kicked, punched, scratched, and/or choked him. Based on the basis of bite marks on Officer

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B, as well as Officer A's own admission that he bit her and pulled her hair, IPRA recommended to **"SUSTAIN"** the allegation that Officer A engaged in an unjustified physical altercation with Officer B. IPRA recommended that allegations that Officer A threatened to kill Officer B be **"NOT SUSTAINED"** due to insufficient evidence to prove or disprove that Officer A made the threatening statements as the only witnesses were Officers A and B. IPRA recommended to **"SUSTAIN"** the allegation that Officer B engaged in an unjustified physical altercation with Officer A due to the presence of minor injuries to Officer A's face consistent with their accounts of the incident, as well as Officer B's admission that she fought back against Officer A. IPRA recommended a **ten (10) day suspension for both Officer A and B.**

Log/C.R. No. 1001906

On December 10, 2006, a complaint was registered with the Independent Police Review Authority regarding an incident occurring in the 2nd District, on December 9, 2006, involving a Chicago Police Department officer, civilian detention aide, and Lieutenant, all of whom were on-duty. It was alleged that the officer threw the Detention Aide's personal belongings to the floor and pushed her. It was further alleged that the Detention Aide threw the officer's personal belongings to the floor and pushed her. In addition, it was alleged that the Lieutenant became aware of allegations of a Department member's misconduct, but failed to take appropriate action. IPRA recommended to **"SUSTAIN"** the allegation against the officer for throwing the Detention Aide's belongings to the floor on the basis of a witness's statement and the officer's own admission that she threw the Detention Aide's personal items to the ground. IPRA recommended to **"SUSTAIN"** the allegation against the officer that she pushed the Detention Aide, based on the witness statements and the officer's own admission. IPRA recommended to **"SUSTAIN"** the allegation against the Detention Aide for throwing the officer's belongings to the floor due to a witness's statement supporting the officer's account of the incident. IPRA recommended to **"SUSTAIN"** the allegation against the Detention Aide that she pushed the officer, based on the witness statements and the Detention Aide's own admission. IPRA also recommended a finding of **"NOT SUSTAINED"** for the allegation against the Lieutenant for failing to taking appropriate action after becoming aware of allegations of a Department

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member's misconduct due to insufficient evidence to prove or disprove the allegation. In addition, there were inconsistencies in the manner by which the Detention Aide and the officer claimed to have notified the Lieutenant. IPRA recommended a **three (3) day suspension for the officer and the detention aide**. The Detention Aide and officer both retired in 2009 prior to the conclusion of the investigation.

Log/C.R. No. 1012654

On December 14, 2007, a complaint was registered with the Independent Police Review Authority regarding an incident occurring in the 7th District, on December 14, 2007, involving two Chicago Police Department officers (Officer A and B), and a Sergeant, all of whom were on-duty. It was alleged that both Officer A and B verbally abused the complainant's son (victim) and searched his car without consent. Officer B was also accused of pushing the victim several times in the chest and slamming his face against the trunk of his car. In addition, the complainant alleged that the Sergeant authorized the unjustified search of the victim's car and failed to register her complaint against Officers A and B. IPRA recommended to **"NOT SUSTAIN"** the allegations against Officer A and B for verbally abusing the victim and improperly searching his car based on inconsistencies in the witnesses' statements and the Officers' denials of the events. IPRA recommended to **"NOT SUSTAIN"** the additional allegations against Officer B of pushing the victim and slamming his face against the trunk of his car based on conflicting statements, the victim's admission that he pulled away from the officer and a lack of injuries to the victim. IPRA recommended to **"SUSTAIN"** the allegation against the sergeant for failing to initiate a complaint based on the sergeant's own admission. IPRA recommended to **"UNFOUND"** the allegation against the sergeant for authorizing the improper search of the victim's car because the sergeant was not on the scene at the time of arrest and, therefore, could not have ordered the search of the car. IPRA recommended a **reprimand for the sergeant**.