CONFLICT CERTIFICATION

CR# 295447

I hereby certify that to the best of my knowledge, neither I, nor my spouse or partner, my parent, my sibling, or my child has a personal or professional relationship with the partner, my parent, my sibling, or my child has a personal or professional relationship with the partner, my parent, my sibling, or my child has a personal or professional relationship with the partner, my parent, my sibling, or my child has a personal or professional relationship with the partner, my parent, my sibling, or my child has a personal or professional relationship with the partner, my parent, my sibling, or my child has a personal or professional relationship with the partner, my parent, my sibling, or my child has a personal or professional relationship with the partner, my parent, my sibling, or my child has a personal or professional relationship with the partner, my parent, my sibling, or my child has a personal or professional relationship with the partner, my parent, my pare

I acknowledge my responsibility to disclose to the Chief Administrator of OPS, in writing, the acquisition of any financial or personal interest that would be affected by this in writing, the acquisition of any such interest I, my spouse or partner, my parent, my sibling, or matter and agree to disclose any such interest I, my spouse or partner, my parent, my sibling, or matter and agree to disclose any such interest I, my spouse or partner, my parent, my sibling, or matter and agree to disclose any such interest I, my spouse or partner, my parent, my sibling, or my child acquire(s) during the pendency of this matter.

Menature

John Wilmour

Investigator

Date

Chery Aneta Signature

CHERYL SMITH #106

Supervisor

03 FBB.04

Date

CR295747 Attachment#148

FICE OF PROFESSIONAL S IICAGO POLICE DEPARTM	ENT	CR#	295452
izen Interview Report	tness (check one)	_X_Telephone	In-Person
izen Interview Report ComplainantVictimWi	thesa (chiesa)	Sex Race	Date of Birth
me of Person Interviewed	SS#/Form of ID	Sex Raco	
	· · · ·	F/B	
		737 1 Ot	her Contact No.
ldress	Telephone No.	Work of Ot	Her Comace 25-2
aur voge			
	Date of Incident	Time of Inc	<u>ident</u>
ocation of Incident	28 January 04	190 0	
	Zo January 5		•
		Time of h	nterview
ocation of Interview	-	•	
		1000	·
10 W. 35 Th (via the phone)		***************************************	•
	· '	· · · · · · · · · · · · · · · · · · ·	
			erson(s) present
Investigator C. O		<u>None</u>	

relative to allegations of misconduct against members

knocking at my door. He called out for I heard my nephew, me to come and open my door. was knocking at my door extremely hard so I ran to the door. However, by the time I was able to open the door, was not standing at my door. I assumed he was waiting in the alley, still trying to get inside my house. I went to the alley and I immediately saw at least 8 to 10 male/white uniformed officers on the scene. I saw what I with his upper torso inside a squad car. As I approached the squad car, I saw one male/white uniformed officer, who I will describe as 5'10, with dark brown hair striking all over his body with his baton. The officer was reaching inside the squad car and hitting with his baton. I then saw another male/white officer holding by the neck in a "choke-hold". with his baton, the second officer held him in place While the first officer was striking by using that "choke-hold".

02295497 0412

ICE OF PROFESSIONAL STANDARDS ement of <u>Latonya Holloway</u> ComplainantVictim_XWitness		X Telepl	ione	Page <u>1</u> of <u>2</u> CR# 29544 In-Person
Name of Person interviewed	SS#/Form of ID	Sex F	Race B	Date of Birth
Address	Telephone No.	Wor	c or other	contact No.
Location of Incident	Date of Incident 28 JAN 04	<u>Tim</u> 1	e of Incid 930 Hours	<u>ent</u> s (approx.)
4221 W. Wilcox (alley) Location of Interview 10 W. 35 th Street	<u>Date of Interview</u> 28 JAN 04	<u>Tir</u>	ne of Inter 2000 Hou	rview ns
Investigator ()	Other Person(s)	Present		
Investigator Kamalick #282	a summary statemen	t taken of th	e above i	named person
At that point I saw a friend I've kno the gangway of our building toward the back threw him to the ground. Then they kicked I officers then got on the ground in the snow that they have a face was in the snow that they have the face was in the snow that they have the face was in the snow that they have the face was in the snow that they have the face was in the snow that they have the face was in the snow that they have the face was in the snow that they have the face was in the snow that they have the face was in the snow that they have the face was in the snow that they have the snow the snow that the snow that they have the snow that they have the snow that they have the snow that the snow the snow that the snow the snow that th	nim about the body n	42	han I CAII	In Collin. One of the
The officers then stood him up on he the front of their blue and white car. Then the left the alley and went into the gangway. He his hand. He walked up to and share the state of the state of the state of the state.	nis feet and pushed he hey cuffed his hands to returned to the alle owed the object in his	im forward behind his by with his his hand to	, leaning back. Th aand held	his front up against en one of the officer out and something i At that point
At that point more people started of the car and slammed him aga in the crotch with his baton. the alley. Two officers then started stomps	then fell to his	knees and t	hen dow	n onto his left side h
Then two more police cars came in printed on the side of the car. The other cars the following numbers as well, "9001" to. I only know the numbers that I myself	nto the alley, one wa ar was a grey Crown " and "2007"." I do r	ot know w	hich cars	blue and white car t

came into the alley and the other was "6571," which belonged to the car that came around after they drove

away in a paddy wagon.

Office of Professional Standards
Statement of

I was told to get away from the squad car, but told the officers that I was his aunt. I then told the officers that I was his aunt, and the officer, who struck with his baton said that I was a "fake aunt". He said that did not have any relatives in the area.

I asked why was being struck and this officer stated ": He hit my partner".

As I stated earlier, I saw at least 8 to 10 officers on the scene. 6 officers approached the squad car and removed from the squad car. These 6 officers then carried over to the squadrol. However, while they carried him those few feet the officer, who struck with his baton punched him about the face. The officers then threw inside the squadrol. I then saw several officers get inside the squadrol and "stomped" on I think the officers thought saw several officers get inside the squadrol and while he was inside the squadrol, but that no one would be able to see them stomp and kick on while he was inside the squadrol, but it happened directly in front of my house. I kept telling for to resist and not try and fight. I then told the officers that was not resisting, and they had no reason to abuse him in that manner.

I asked the officers why was being arrested. I was then told he was going to be charged with 4 different felonies. was struck all over the body with a baton by the one officer, choked by another officer and punched about the body. was also stomped and kicked, but I was not able to determine whether or not he sustained any injuries. I asked what station were the officers going to transport and I was told "Grand & Central". Several people witnessed were the officers going to transport and addresses for you. I will write all that information the incident, but I will have to get their names and addresses for you. I will write all that information down and bring it to OPS on 30 January, when I view photos and sign my statement. I will come to OPS between 0900-1200. I cannot narrow the time down and be more specific, but I will arrive during that time.

I did not see resist or fight with any of the officers on the scene.

As soon as I saw him, he was being struck with the first officer's baton. As I stated earlier, I will view photos but I am not sure if I can identify any of the officers on the scene.

who is currently incarcerated is 24 years of age. As I stated
earlier the officers told me that he was going to be transported to the "Grand & Central" police station.

I have not spoken to since I saw the officers drive him away in the squadrol.

TO:	Chief Administrator Lori Lightfoot Office of Professional Standards
FROM:	Investigator Dennis Kamalick, #282
SUBJECT:	Demeanor of Complainant
re	ay, 28 January 2004, at approximately 1944 hours, the R/I interviewed Mr. garding the incident involving
At one point he told victim had been han victim was handcuff then explain officer, or, if more to were all hitting him	the R/I that four officers punched the R/I that four officers punched the R/I that four officers punched the affirmed that the douffed before the officers punched him. Mr. The affirmed that the fed. The R/I asked if the victim stood while the officers struck him. Mr. They had to hold him up." The R/I then asked Mr. They which han one, how many officers struck the victim. Mr. They are plied, "They are plied, "Th
The R/I ther many were hitting had the victim by o R/I then asked Mr.	hasked Mr. how many officers were holding the victim up and how him. Mr. then sounded exasperated and explained that each officer ne leg and one arm, so that all four officers held him up off the ground. The whether all four officers were holding him up off the ground and same time, or were there more officers who arrived to strike at the victim.
At that poir	nt Mr. became combative with the R/I and said the R/I was confusing make him out to be a liar. Mr. then terminated the interview by to a female black subject who identified herself as the property of the R/I view Ms.
The R/I's i	nterview with Mr. lasted approximately sixteen minutes and twenty
seconds.	
	O a K h t that

APPROVED:

Supervisor, OPS

CR#295447 Attachment#_

COMMAND CHANNEL REVIEW REDACES COMPLAINT REGISTER INVESTIGATION NO.: 29544

IDATE COMMAND CHANNEL NITIATED

Emp 12178

PO Del Rivero 1 - OCT. 04

	IŅVESTIGATOR	SECTION	. Hu 10
O: COMMANDING OFFICE	ER ">	UNIT:	OI 2 2005
PLEASE SUBMIT	THIS COMMAND CHANNEL RE	VIEW FORM TH	ROUGH CHANNELS WITH THE CASE FILE TO:
internal	LAFFAIRS DIVISION	X	FFICE OF PROFESSIONAL STANDARDS
DATE RECEIVED BY UNIT	TO I CONCUR		☐ RECOMMEND OPTIONS BE GRANTED
20 OCT 04	, _ DO NOT	CONCUR*	☐ RECOMMEND OPTIONS NOT BE GRANTED
REVIEWED BY		TITLE	Lct Commander
UNIT 011		DATE FORWAR	
DATE RECEIVED BY UNIT	I CONCUR		RECOMMEND OPTIONS BE GRANTED
3NO/09	_ I DO NOT	CONCUR*	RECOMMEND OPTIONS NOT BE GRANTED
REVIEWED BY	illiams.	Deput	1 Chiek
UNIT 7/4		DATE FORWAL	DED BY UNIT
DATE RECEIVED BY UNIT	□ I CONCUR		RECOMMEND OPTIONS BE GRANTED
	_ I DO NOT	CONCUR*	☐ RECOMMEND OPTIONS NOT BE GRANTED
REVIEWED BY.		TITLE	
UNIT		DATE FORWA	RDED BY UNIT
DATE RECEIVED BY UNIT	☐ I CONCUR	<u> </u>	☐ RECOMMEND OPTIONS BE GRANTED
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		CONCUR*	□ RECOMMEND OPTIONS NOT BE GRANTED
REVIEWED BY		TITLE	
UNIT		DATE FORWA	RDED BY UNIT
* A SEPARATE REPORT PROPOSING ALTERNA RECOMMENDATION IS REQUIRED WHEN "I D	TE FINDINGS AND/OR AN ALTE	RNATE FCKED	C.R. NO.
CPD- 44.113 (REV. 8/01)	CHAI COMMON TOWNERS OF		

SUMMARY REPORT DIGEST-COMPLAINT REGISTER INVESTIGATION NO .: CHICAGO POLICE DEPARTMENT

295447

PO Del Rivero Emp 12178

" "AY-MO.-YEAR) 4 C 14 T

3 where

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT arepsilonthe Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED. SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO:

SUPERINTENDENT OF POLICE

ATTENTION

[X] ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

oM -	INVESTIGATOR'S NAME		RANK INV	STAR NO. 256	SOCIAL SEC. NO	871135	UNIT ASSIGN. 113	<u>.</u>	
ILI	MOUTH, John	·	1144	DATE OF INCIDE	NT - TIME	BEAT OF INCIDENT	LOCATION CODE*		
DRE	SS OF INCIDENT			28 JAN 04	. 1905	1115	017 UNIT ASSIGN.		
200) W. Wilcox		RANK	STAR NO.	SOCIAL SEC.NO.	EMPLOYEE NO.	011		
	NAME 1. SANDUSKY, Michael		PO	15593	XXX-XX-XXXX	311785	011		,
			РО	18795	xxx-xx-xxxx	304208	011 PHYS.		-
	2. CAREY, Thomas	DATE OF APPOINTMENT		DUTY STATUS (X) ON DUTY	(TIME OF INCIDENT)	[X] SWORN [] CIVILIAN	COND.	01	
	1. M/W	11 SEP 00	<u>,</u>	[X] ON DUTY	[] OFF DUTY	[] SWORN [] GIVILIAN	01	<u>., </u>	
	2. M/W	05 JUN 95		<u> </u>	COURT BRANCH	DISPOSITION & DATE	<u> </u>		
	IF APPLICABLE - DATE ARRESTED/INDIDATED 1.	CHARGES					<u> </u>	<u> </u>	
	2			Y STATE	TELEPHONE	SEX/RACE	D.O.B.JAGE	PHYS. COND. CODE	01
-	NAME	ADDRESS**	CIN	Y SIAIE		M/B		CODE	
						F/B		01	4
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) 	NAME	ADDRES9"	CIT	Y STATE	TELEPHONE Unknown	SEX/RACE M/B	D.O.B./AGE	CODE	0
								·	
		ADDRESS**	CIT	TY STATE	TELEPHONE	SEX/RACE F/B	D,O,B.JAGE	COND. CODE	0
WINESSES	BMAN					F/B		01	
7.77	TATAOUSD SHEET FOR ADDITION								

[] SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

, registered a complaint with Intake Aide Yolanda Toppins, #315898; Unit 113. The complainant alleged that on 28 January 2004, at approximately 1900 hours, while in the vicinity of 4213 W. Wilcox, P.O. Michael Sundusky, #15593: Unit #011: 1) struck the victim; body with a baton; 2) punched him in the face: 3) threw him into the squadrol; and 4) kicked him while inside the squadrol. Ford further alleges that on the same date and time in question, P/O Thomas Carey, #18795, Unit 011: 1) choked him: 2) threw him into the rear of the squadrol; and 3) kicked him while inside the squadrol, and on the same date and time in question, P/O Michael Leverett, #19713, Robert Kujawski, #18867, Homero Garza, #14124, Jesus Rivota, #8390m Gerald Swinkle, #11756, Bradley Hespe, #15218 and Kenneth Adair, #4146, 1) threw him into the squadrol: 2) kicked him while in the rear of the squadrol.

I.A.D. LOCATION CODES* Food Sales/Restaurant Tavem/Liquor Store
Other Business Establishment

Police Building

Lockup Facility Police Maintenance Facility CPD Automotive Pound Facility Other Police Property

Police Communications System Court Room

Public Transportation Veh / Facility Park District Property

Airport Public Property - Other Other Private Premise

Outer Private Premise Expressway/Interstate System Public Way - Other Waterway, Incl. Park District Private Residence

I.A.D. PHYSICAL CONDITION CODES No Visible Injury - Apparently Normal No Visible Injury - Under Influence Injured, Not Hospitalized

Injured, Not Hospitalized - Under Influence Injured, Hospitalized Injured, Hospitalized - Under influence

กฎษาธม กอเนรอน medical Aid înjured, Refused Medical Aid • Under Influence Deceased Injured, Refused Medical Aid

" IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

295447 C.R. NO. CPD-44.112a (1/84)

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Compilmentary History will

be included as attachments.

This matter involves a citizen, who reported that several male/ white uniformed officers physically abused Jermaine Ford in that they struck him about the body with batons, punched him in the face, choked him, threw him into the rear of the squadrol, and kicked him while in the rear of the squadrol.

The following investigation was conducted in this matter:

Conducted a telephonic interview with the complainant, Claudia Gilliam. The allegations that were made are indicated in the "allegations" section of this report. The complainant did not provide information leading to the identity of the accused. Gilliam could not provide the names of the witnesses. Gilliam could not provided any information related to Jermaine Ford's injuries. (Att. #02)

Obtained an authenticated in-person interview from the victim, Jermaine Ford. He did not say that he was struck with a baton. Ford stated that once he was maced, he went crazy and started waving his legs and arms around. Ford stated that he did not remember everything that happened, because he blanked out. Ford stated that he sustained a knot on his left cheek bone, and a scrape on his right shin. (Att. #07)

Obtained a telephonic interview from the witness, Latonya Holloway. Holloway's interview supported the allegations. (Att. #03)

Obtained a telephonic interview from the witness, Courtney Jackson. Jackson stated that he observed four officers punch Ford on the face. Jackson's interview was not consistent with the allegations. (Att. #05)

Obtained Department reports (Arrest Report, Case Report, TRR). The Department reports indicated that Jermaine Ford was arrested for Possession of a Control Substance, Battery to a P.O., Resisting Arrest, and Criminal Damage to a Vehicle. The arresting officers were P.O. Kujawski and P.O. Garza. The narrative of the reports indicated Ford punched Officer Carey, at which time Officer Sandusky pepper-sprayed him and Ford was taken down. (Att. #12, 13, 14, 15, 16, 18,

Continued on Page #02

INVESTIGATIVE REPORTS-SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS: ATTACHMENT

INVESTIGATIVE REPORTS-SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS: 46, 50, 54, 58, 62, 67, 71 PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:

8

TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:

77, 81, 85, 89

90

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be outstand the injuries and recommendation. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation, made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

FINDINGS:

P.O. Michael Sandusky, #15593, Unit #011

Accused #1: Allegations #1-4:

Unfounded

Accused #2:

P.O. Thomas Carey, #18795, Unit #011

Allegations #1-3: Accused #3-10:

P.O. Garcla Homero, #14638, Robert Kusawski, #18867, Kenneth Adair, #4145, Michael Leverett, #19713, Jesus Rivota, #8390, Glenn Popiela, #14124, Gerald Swinkle, 11756,

Bradley Hespi, #15218

Unfoynded

Allegations #1-2:

O.P.S. Supervisor

Typed by Inv. Wilbert Neal, #290

CR #295447 Page #03

INVESTIGATION:

Obtained that he was hit with fists by police officers. But the was diagnosis with contusions and abrasions to the body. (Att. 08)

Obtained reports from the witness officers (P.O. Alan Lasch, Sgt. Paul Jankowski). Sgt. Jankowski stated that he did not have any physical contact with and that he was not a witness to the incident. Officer Lasch described the circumstances to the arrest and denied the allegations. (Att. #46, 50).

Obtained reports from the accused officers (P.O. Sundusky, P.O. Carey, P.O. Leverett, P.O. Kujawski, P.O. Garcia, P.O. Popiela, P.O. Rivota, P.O. Hespi, P.O. Adair). They describe the nature of the arrest and denied the allegations. (Att. #54, 58, 62, 67, 71, 81, 85, 89)

Obtained reports from the accused officer (P.O. Swinkle). He stated that he was not on the scene and has no knowledge of the incident. (Att. #77)

CR #295447 Page #4

CONCLUSION:

ACCUSED OFFICERS #1-10:

ALLEGATIONS: Unfounded – The complainant and the witnesses provided accounts that conflicted with the same admitted to resisting by pulling away from the officers. The medical evidence does not support the force that was described by

MPLAINT AGAINST DEPARTMENT MEMBER	1		DLAINT CAT			5 <u>447</u>
AGO POLICE DEPARTMENT				NER COV	PLAINT RECEIV AX [] LETTER	/ED IN PERSON
COMMANDING OFFICER INVESTIGATING UNIT	UNIT			DAY OF WK	DATE	TIME
	RANK	STAR/EMPL. NO	W127	Wed	28 Jan 04	19:46
EIVED FROM COMPLAINANT BY-NAME	Civ	301988	113	DAY OF WK	DATE	TIME
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5.	DAY OF	- DATE	19:05	TOTALAG	30000	
CATION OF INCIDENT 4200 W. Wilcox - Alley (011)	Wed	28 Jan 04 ESS (STREET, APT		STATE)		ZIP CODE
INIOME	*ADERE	-55 (51//221/14			PHONE	NO.
(M/B, 1997)				TIME	1	
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officers physically abused the victure, repeatedly with batons and fists. Arrest: charge(s) unknown Injuries: Unknown Medical: Unknown	male white un Jermaine LO	niformed office GAN. It is alle NR STARVEM NU 25	rs and two	rno s	T was kicked	¥ NO.
The complainant alleged that several is officers physically abused the victim, repeatedly with batons and fists. Arrest: charge(s) unknown Injuries: Unknown Medical: Unknown INVESTIGATOR ASSIGNED 1 J. Will mouth.	male white un Jermaine LO	niformed office GAN. It is alle NR STARVEM NU 25	ged that the	rno s	T was kicked	Ý

OFFICE OF PROFESSIONAL STANDARDS Statement of <u>Latonya Holloway</u>

A male, white, uniformed officer got out of the car "7926," got his baton out and ran over to where the other uniformed officers hand to be on the ground, but that officer didn't do anything. The first two officers picked to up and put him in the first blue and white car. Then a paddy wagon arrived. After the officers put to in the blue and white car, they started pushing people away. In the blue and keep the police from taking him away, so people was hollering asking the people to come and keep the police were pushing the people away. Started moving in on the car where they had the people were pushing the people away. Was still hollering inside the car. One of the officers opened the car door, reached in and hit with his fist. He told to be quiet.	
Then the officers took out of the police car. There were four officers, one on each leg and arm of the carried him to the paddy wagon and put him inside. Then they drove away with him. Then the car with number "6571" came around and an officer in that car was calling us all "hitcher" and "niggers" and all kind of names.	
The male, white, uniformed officer who kicked while he was on the ground, punched on the side of the face while he knelt on the side of the face while he knelt on the side of the blue and white car crotch, stomped on in the alley and then hit in the back seat of the blue and white car was about 6' 1" and about 200 lbs., with a husky build and a knit cap. He didn't wear any eyeglasses and was about 6' 1" and about 200 lbs., with a husky build and a knit cap. He didn't wear any eyeglasses and was already shape with a light complexion. He looked like he was in his late thirties.	
The male, white, uniformed officer who kicked while he was on the ground, then stomped on in the alley was about 5' 6" and about 250 lbs., with a fat build and black hair. He wore no eyeglasses and had dark black eyebrows. He was clean-shaven, had a light complexion and appeared to be in his late thirties.	
is about 5' 8" or 5' 9" and about 190 lbs.	





10 W. 35th Street Chicago, IL 60616 (312)745-3609 Tisa Morris, Chief Administrator

November 24, 2004

Reference:C.R.# 295447 Investigator: Wilmouth. John

Dear Ms. Gilliam

Pursuant to your request, the Office of Professional Standards has conducted and completed a thorough investigation into all the allegations of misconduct by a member(s) of the Chicago Police Department.

All of the available evidence has been evaluated, and it has been determined that this Complaint Register is UNFOUNDED. A finding of unfounded means the evidence indicates that this incident did not occur as you alleged in your complaint. If you have any questions, please telephone the above referenced investigator.

Your cooperation in this matter has been appreciated.

Very truly yours,

TISA MORRÌS

Chief Administrator

Office of Professional Standards

TM/jr





Mr.

10 W. 35th Street Chicago, IL 60616 (312)745-3609 Tisa Morris, Chief Administrator

November 24, 2004

Reference:C.R.# 295447 Investigator: Wilmouth, John

Dear Marie 1999

Pursuant to your request, the Office of Professional Standards has conducted and completed a thorough investigation into all the allegations of misconduct by a member(s) of the Chicago Police Department.

All of the available evidence has been evaluated, and it has been determined that this Complaint Register is UNFOUNDED. A finding of unfounded means the evidence indicates that this incident did not occur as you alleged in your complaint. If you have any questions, please telephone the above referenced investigator.

Your cooperation in this matter has been appreciated.

Very truly yours,

TISA MORRIS

Chief Administrator Office of Professional Standards

TM/jr



DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION)

28 January 2004

DATE COMPLETED (DATE OF THIS REPORT)

ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS)

21 May 2004

114 Days

Investigator will initiate the Command Channel Review for by completing the investigator's Section.

IF NECESSARY, USE AN 81/2 X 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

INVESTIGATOR'S SIGNATURE

OFFICE OF PROFESSIONAL STANDARDS

CR #295447 Page #02

ADDITIONAL ACCUSED:

3. P.O. Homero Garcia, #14683, M/H, D.O.B. D.O.A. 07 JUL 97, Emp. #308312, On-Duty

4. P.O. Robert Kujawski, #18867, M/W, D.O.B. D.O.A. 05 SEP 95, Emp. #306613, On-Duty

D.O.A. 25 FEB 02, Emp. #312852, On-Duty P.O. Kenneth Adair, #4145, M/W, D.O.B.

D.O.A. 26 MAY 98, Emp. #308968, On-Duty 6. P.O. Michael Leverett, #19713, M/H, D.O.B.

D.O.A. 10 MAY 99, Emp. #310195, On-Duty P.O. Jesus Rivota, #8390, M/H, D.O.B.

8. P.O. Glenn Popiela, #14124, M/W, D.O.B. D.O.A. 02 DEC 91, Emp. #301094, On-Duty

D.O.A. 05 JUN 95, Emp. #304963, On-Duty 9. P.O. Gerald Swinkle, #11756, M/W, D.O.B.

D.O.A. 29 JUN 98, Emp. #309142, On-Duty 10. P.O. Bradley Hesoi, #15218, M/W, D.O.B.

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OFFICE OF PROFESSIONAL	STANDARDS
Statement of Courtney Jackson	

Page <u>1</u> of <u>1</u> CR# 295447

ement of <u>Courtney Jackson</u> X Complainant Victim Witness	X	Telephon	e	n-Person
Name of Person interviewed	SS#/Form of ID	Sex F M	B Date o	f Birth
Address	Telephone No.	Work or	other contact N	<u>0.</u>
Location of Incident 4200 W. Wilcox (alley)	Date of Incident 28 JAN 04	<u>Time o</u> 1905	f Incident Hours (approx.))
Location of Interview 10 W. 35 th Street	Date of Interview 28 JAN 04		of Interview 44 Hours	
Investigator Kamalick #282 C.K.	Other Person(s) Pre	senţ		

The following is in essence but not verbatim a summary statement taken of the above named person relative to the allegation(s) of misconduct by a Chicago Police Department member.

On Wednesday, January 28th, 2004, at approximately seven in the evening, I was on my way up the outside back stairs of the building where I live, to visit my neighbors on the upper floor. My neighbors are who is female, black, about 15 years old, and who is female, black and about 17 years old. As I approached their door, I could see flashing lights from the alley down behind me. Then I heard somebody yell from down in the alley. I called to my neighbors in their apartment to come out on the back porch and see what was going on.

When I looked down into the alley, I saw about three uniformed police officers and one police officer in plain clothes. They were all male, white. I heard them talking about ten dollars on the ground. I saw the is male, black in his twenties. I've known him since we were in grade school together. The officers then put to on the ground. One officer cuffed while he was on the ground. Another officer left the alley and went into the gangway. That officer came back from the gangway with something in his hand. The looked at what it was the officer brought with him and said, "It ain't mine." Then they punched him in the face. All four of them punched him. All four of them picked him up. I mean they had one on each leg and one on each arm. They picked him up and held him up like that.

295447

DATE: 28 JAN 04 (C.R) x4. 182.0.# 895 447

	C.R. 10. 174.0.11
Q.	DO YOU UNDERSTAND THAT YOU HAVE THE RIGHT TO REMAIN SILENT?
A.	XYES DNO
Q.	DO YOU UNDERSTAND THAT ANYTHING YOU SAY CAN AND MAY BE USED AGAINST YOU IN COURT OR OTHER PROCEEDINGS?
A.	YES DNO
Q,	DO YOU UNDERSTAND THAT YOU HAVE THE RIGHT TO SPEAK TO AN ATTORNEY BEFORE I ASK YOU ANY QUESTIONS AND TO HAVE YOUR ATTORNEY WITH YOU DURING QUESTIONING?
A.	XES INO
Q.	DO YOU UNDERSTAND THAT IF YOU DECIDE TO ANSWER QUESTIONS NOW, WITH OR WITHOUT AN ATTORNEY, YOU STILL HAVE THE RIGHT TO STOP THE QUESTIONING AT ANY TIME OR TO STOP THE QUESTIONING FOR THE PURPOSE OF CONSULTING AN ATTORNEY?
A.	AYES DNO
Q.	DO YOU UNDERSTAND THAT YOU MAY WAIVE THE RIGHT TO THE ADVICE OF COUNSEL AND YOUR RIGHT TO REMAIN SILENT AND YOU MAY ANSWER QUESTIONS OR MAKE A STATEMENT WITHOUT CONSULTING AN ATTORNEY IF YOU SO DESIRE?
Α.	YES DINO
Q،	DO YOU UNDERSTAND EACH OF THE RIGHTS I HAVE READ TO YOU?
Α.	MYES DINO
〉	HAVING BEEN READ MY RIGHTS, I CHOOSE TO SPEAK WITH INVESTIGATOR DENNIS KAMALICK, #282, OF THE OFFICE OF PROFESSIONAL STANDARDS, OF MY OWN FREE WILL AND HAVING HAD NO PROMISES OF EXONERATION OR REWARD MADE TO ME.
	HAVING BEEN READ MY RIGHTS, I CHOOSE NOT TO SPEAK AT THIS TIME.
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OFFICE OF PROFESSIONAL STANDARDS CHICAGO POLICE DEPARTMENT Citizen Interview Report Complainant Victim Witness Name of Person interviewed Name of Person interviewed Address Telephone No. Work or Other Contact No. Address Date of Incident Location of Incident Name of Incident	- 1
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Kamalick, #282 The following is in essence but not verbatim a summary statement taken of the above named person relative to the allegation(s). The following is in essence but not verbatim a summary statement taken of the above named person relative to the allegation(s).)
The following is in essente out to Department member. ON NEOMESTRY, TRIVIARY OF THE JOSH I WAS AT MY RUNTIE'S MOUSE. HER NAME IS SHE IS FEMALE, BLACK, ABOUT FORTY-TWO YEARS OLD. NAME IS AT THESE FINISHED CHOSELLING ONOW OFF WHERE FRONT TORKIN AND YIES WARRING TO HERE, BRICK FOOTCH WITH HER. HER FRONT TORKIN AND YIES WARRING TO HERE, BRICK FOOTCH WITH HER. SHE WAS SHOWING THE WHAT SHE WANTED DON'S WHEN THE WHITE ARLE UNIKORMED OFFICERS WALKED ON TO HER PROPERTY FROM THE ALLEY. THEY CRAEKED WE BY BOTH FROM AND STRUCK HE IN THE BACK, SO THAT I WENT FORWARD HARD INTO A CHAINLING ENCE. BACK, SO THAT I WENT FORWARD HARD INTO A CHAINLING ENCE. AND IN CHAIRDRY, TWO CHAIRS MERE MAKE WHITE AND IN PLAY'N CLOTHES. AND IN CHAIRDRY, TWO CHAIRS MERE MAKE WHITE AND IN PLAY'N CLOTHES. SIT IN ALL PAUS THE FIRST TWO MAKING IT A TOTAL OF EIGHT OFFICERS, OHE OF THEM HIT OR MICKED WE IN THE BACK. I PHEN OFFICERS, OHE OF THEM HIT OR MICKED WE IN THE BACK. I PHEN THEN POWN ON MY FRONT, WHILE I WAS DOWN SOMEBODY PINCHED FELL POWN ON MY FRONT, WHILE I WAS DOWN SOMEBODY PINCHED	75

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Caemie Kanalick, #202

295447 June

CITY OF CHICAGO/DEPARTMENT OF POLICE 3510 S. Michigan

Chicago, Illinois 60653

OFFICE OF PROFESSIONAL STANDARDS 10 W. 35th Street, Suite. # 1200 Chicago, IL 60616

(312)746-6000 Non-Emergency (Voice) (312)746-9715 Non-Emergency (TTY) 9-1-1 EMERGENCIES http://www.cl.chi.il.us

Richard M. Daley, Mayor Phillip Cline, Superintendent of Police

March 2004

To Whom It May Concern:

St Anthony's Hospital 2875 West 19th Chgo Ill

Attached is a medical release signed by the patient indicated below, giving our Department authorization to obtain copies of Emergency Room Diagnosis/treatment reports and/or report(s) of medical visits on or about:

PATIENT: SSN: DATE of VISIT: 28 January 2004.

Please forward a copy of the appropriate report(s) to me as soon as possible at the address indicated below. If any further information is required, please contact me at (312) 745-3609, extension 1021 between 7:00am - 3:00pm(Mon-Fri).

If you call and I am not in the office, please insist that the person to whom you speak take a message for me. Leave a telephone number at which you can be reached and the best time(s) to call, if any.

When the report(s) is ready, please mail it to me at the address below. Thank you for your time and assistance.

Sincerely,

Investigator John Wilmouth # 256 Office of Professional Standards 10 W. 35th Street-Ste. 1200 Chicago, Illinois 60605-23155 Fax (312) 745-3591 (312) 745-3609



CITY OF CHICAGO / DEPARTMENT OF POLICE Chigago, Illinois 60653

3-1-1 Non Emergencies 9-1-1 EMERGENCIES http://www.cl.chi.il.us



OFFICE OF PROFESSIONAL STANDARDS 10 W, 35TH Street Chicago, IL 60616 Richard M. Daley, Mayor Phillip J. Cline, Superintendent of Police

CONSENT BY PATIENT TO DISCLOSURE OF INFORMATION

A CONTRACTOR OF THE PARTY OF TH		
he Undersigned (Name of Patient),		
		
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allelles Addition Facility) ST. Pu	NTHONY HOSP	
who is or has been a patient of your organization (Medical Facility) <u>ST. Fli</u>		1
Proprietion's Address _ & O T > _ YY - Y	10 West 35th Street, 12th floor,	
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295447

CATHOLIC HEALTH PARTNERS/SAINT ANTHONY HOSPITAL 2875 W. 19TH STREET CHICAGO, IL 60623 PHONE 773-484-1000

M:#: 2793729 706516433 Pt TYPE E = EMERGENCY S... EMŘ Adm Date & Time 01/28/04 22:28 Pt Sex OBV Placed Room/Bed Nurse Sta Patient Demographic: Birthdate: SSN: HOUSE State/Zip: Phone No: Address: City: Marital: Religion: SINGLE NO CHURCH GIVEN Church: BAPTIST Patient Employer: Empr Name: UNEMPLOYED City: Zip Code: Address: Ext State: Phone No: Occupation: Guarantor Info: SELFGu Name: Patient Rel: City: Guar SSN: Address: State/Zip: Phone No: Empr Name: UNEMPLOYED Guarantor Employer: Contact: Address: City: Ext: Phone No: Zip Code: State: Primary Contact Patient Rel: F = FRIEND State/Zip: Work Phone: Name: *Address:* Ext: City: Home Phone: Plan 1 COMMERCIAL INSURANCE Insurance Info: Financial Class: Precert: I =Group: POLICE CSY CITY CHGO Ins Code: Desc: DEPT OF FINANCE Subscriber: Add: POLICE ARRESTEE Mail Claim: City: CHICAGO CHICAGO Zip: 60604 Phone ILState: rrecert: Plan 2 Group: Policy: Ins Code: Desc: Subscriber: Mail Claim: Add: Phone: Zip:State: City: $\frac{111732}{111732}$ Case Data Info: Adm Dr No: Adm Dr Name: LABRADOR, Atn Dr Name: LABRADOR, ANDREW Atn Dr No: ANDREW RefDrNo: Ref Dr Name: Dr No: Con Con Dr Con Dr Con Dr Name: No: 111732 Name: No: LABRADOR, ANDREW EO = EMERGENCY OP UNIT Emr DrDate: 01/28/04 Emr Dr Name: Ind: THIS FORM MUST REMAIN AS PART OF THE MEDICAL RECORD - PART B Acc Donor Card? Adm Source: Job Rel Ind: Adm Diag:

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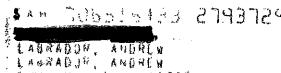
PRIMARY NURSEANITIAL ASSESSMENT

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Saint Anthony Hospital Emergency Department &

2875 West 19th Street Chicago, Illinois 60623



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EMERGENCY ROOM DISCHARGE INSTRUCTIONS RECORD

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	Elevate the wound clean and dry Elevate the wound to help relieve soreness and speed healing. If the wound or surrounding area becomes red, swollen, or shows pus (discharge) or red streaks, or feels more painful, report to your physician or return to the Emergency Department immediately. If you have received stitches, they should be removed in	- Rest as much as possible until imp - Lie on a firm mattress or a padded - When lying on your back or side, bent. Do not lie on your stomach Apply mild heat to the area interm - Take medications for pain and mulif prescribed Avoid lifting, bending or stooping pain persists Contact your doctor or return to the Emergency Department immediate note any of the following: pain she down your leg or arm, muscle we or numbness of the arms or legs, of bowel or bladder function. HEAD INJURY OR HEADACHE	broved. If floor. Reep knees Ittently. Iscle spasm while The tely if you botting akness or loss The next 48 Department occur: If ever inness to arouse Ides in Fluit or selzures Fluit in the seld of	You have been given a preliminary interpretation of your x-rays. A final evaluation and report will be made by the radiologist. If the interpretation of the radiologist differs from that which you received in the Emergency Department and you require additional care, either you or your physician will be notified by telephone or mailgram. URINARY INFECTIONS
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I HEREBY ACKNOWLEDGE RECEIPT AND UNDERSTANDING OF INSTRUCTIONS INDICATED ABOVE. Signature of Person Giving Instructions I understand that I may have had initial treatment only and will arrange for FOLLOW-UP CARE AS INSTRUCTED ABOVE. X Patient's Signature/Guardian

DIMK CUBA - CHVHL

TO:

Chief Administrator Lori Lightfoot

Office of Professional Standards

FROM:

Investigator Dennis Kamalick, #282

SUBJECT:

Observation of Injuries of Jermaine Ford

On Wednesday, 28 January 2004, at approximately 2255 hours, the R/I observed Victim in the Emergency Room of St. Anthony de Padua Hospital.

Mr. displayed some puffiness, redness and what appeared to be a small (1/8") cut or laceration under the left eye. Mr. then lifted his right pant leg up to his knee and indicated to the R/I an approximately 3" long and 1/8" wide scrape from which emerged an approximately 2" long coagulated trickle of blood.

These two scars were the only visible signs of physical injury that the R/I saw on Mr. They were also the only marks to which Mr. Called the R/I's attention.

The R/I asked Mr. The R/I, on which was tattooed the cursive logo of the line of his handcuffed right hand toward the R/I, on which was tattooed the cursive logo of the line of the R/I asked Mr. The R/I asked Mr. The R/I then asked Mr. The himself had ever been known as as opposed to the line of the himself had ever been known as by anyone. The R/I then asked Mr. The had ever assumed to the line of the had ever assumed to the line of the had ever assumed that he had never been known by that name and had never been called by that name at any time.

Inv. Dennis Kamalick, #282

APPROVED:

Supervisor, OPS

TO:

Chief Administrator Lori Lightfoot

Office of Professional Standards

FROM:

Investigator Dennis Kamalick, #282

SUBJECT:

Interview with Emergency Room Physician, Andrew Labrador

On Wednesday, 28 January 2004, at approximately 2324 hours, the R/I spoke with Andrew Labrador. M.D., Attending Physician in Emergency Medical Care at St. Anthony de Padua Hospital.

Dr. Labrador stated that Mr. was admitted with some minor bruises and abrasions, but "nothing major." Dr. Labrador stated that Mr. treatment was to consist of "antibiotics and band aids" before being released.

The R/I witnessed Mr. leaving the hospital in police custody at 2348 hours.

Inv. Dennis Kamalick, #282

APPROVED:

Supervisor, OPS

28 January 2004 C.R. #295447

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Chief Administrator

Office of Professional Standards

FROM:

Investigator J. A. Goodwin, #291

SUBJECT:

Attempt to Interview

Witness

On 28 Jan 04, at approximately 2130 hours, the Reporting Investigator telephoned in an attempt to contact the parent/guardian of their permission to interview who is fifteen years old.

The Reporting Investigator spoke with who stated that her mother was not at home, and that she would have her contact the Office of Professional Standards regarding an appointment for an interview.

Investigator J. A. Goodwin, #291

Approved:

OPS Supervisor

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WATCH COMMANDER/ADS REVIEW

THE WATCH COMMANDER WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS THAT DID NOT INVOLVE THE DISCHARGE OF A FIREARM 2.) FIREARM DISCHARGE OF A FIREARM NOT RESULTING IN AN INJURY TO ANY PERSON.

THE ADS WILL COMPLETE THE REVIEW SECTION FOR ALL INCIDENTS II YVING; 1.) THE DISCHARGE OF A FIREARM OR IMPACT MUNITIONS BY OR AT A DEPARTMENT MEMBER EXCEPT FOR AN ANIMAL DESTRUCTION IR AN. CODE IFALLISU. RIGE THAT DOES NOT RESULT IN AN INJURY TO ANY PERSON; 2.) MEMBER'S USE OF FORCE BY WHATEVER MEANS THAT RESULTS IN THE DEATH OF A PERSON; 3.) ANY, LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

ENCIDENT DESCRIBED HERE IN 1 OR 2,	DNA		mb black atal	INTERVIEW (Specify Resear)
JECTS STATEMENT REGARDING THE USE OF FORCE subject was advised of his rights per Miranda to which he she police and tried to get away because he thought that th	responded that he und	terstood each of his rights.	The subject state	frugs on them at the time of
subject was advised of his rights per Miranda to which he he pelice and tried to get away because he thought that the pelice and tried to get away because he thought that the time was selling drugs the subject. When asked specifically if he was selling drugs the subject.	e police could only ma	ke an arrest if the person a	nedw zotno was:	the police caught him. When
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t, when asked specifically d about the nearly \$500,00 USC recovered from various to n asked how the police car window got broken the subject	responded that he did	HOT KHOTT.		- 1
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OFFICER'S BATTERY REPORT CHICAGO POLICE DEPARTMENT

and 44 451 (BEV. 1/04)

PO Del Rivero Emp 12178

10 NO. HK151340

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn membassault or assault while performing a police function either in duty or off-duty, (2) a detention

nurder, aggravated battery, battery, aggravated of a murder, aggravated battery, battery,

sault, or assault while performing a pr gravated assault, or assault while in t	He house, and	all incidents when (1) ther ; 1-duty or off-duty, (2) a of his it her duties. "X APPLICAB	LE BOXI			
				INCIDENT I	NFORMATIO	
OFFICER	NFORMATION		1. INDOOR		X2. OUT	DOOR
AME (LAST - FIRST - M.I.)			ADDRESS OF OCCURR	ENCE	<u></u>	
CAREY, THOMAS P	In COLTICAL		Land the same and the same and	<u> </u>	LOTATE	If outside Chicago)
AR NO.	POSITION	CE OFFICER	CITY X CHICAG	30	SIAIE	11 Octation 61111 5 1
18795	EMPLOYE			<u> </u>	BEAT	OF OCCURRENCE
ATE OF APPOINTMENT	3042		LOCATION CODE		1 24,11	1115
05-JUN-1995	BEAT/CAL	L NO.	092-ALLEY		TIME	DAY OF WEEK
NIT OF ASSIGNMENT	1144		DATE OF OCCURRENCE 28-JAN-200)4	18:56:00	WEDNESDAY
011 RACE	DOB		NO, OF OFFICERS BA	TERED. 1		•
EX HACE		and the state of t		INC UNITS ON	SCENE? 1.	X YES 2. NO
HEIGHT	WEIGHT		WERE THERE ASSIST	SISTING OFFIC	ERS WERE P	RESENT
	17		IF YES HOW MANY AS AT TIME BATTERY (E	XCLUDING YOU	OR YOUR PA	HINERO)
TYPE OF ASSIGNMENT	WHEN BATT	ERY OCCURRED			R OF ATTAC	
		MOHKING:				
X 1. ON DUTY X A, UNIFORM, PATROL DUTY	ļ	A. ALONE B. WITH ONE PARTNER	01. SHOT 02. SHOT AT		• .	•
B. UNIFORM, OTHER DUTY		C. WITH MULTIPLE PARTNER	\$1 <u></u>	UT (INCLUDING A	CTUAL ATTEMP	1
Describe		How many?	SZ OA CTRIJCK/BI	UNT FORCE (INCL	TADING WOLDAY	ATTEMP ¹)
O. CITIZEN'S DRESS			05, OTHER (IN	CLUDING VERBAL	THREATSI	
D. TACTICAL		PATROL TYPE: X A, SQUAD CAR		TYPE OF	WEAPON/TI	HEAT
E. B.LS. UNIT		B, FOOT	(Check all that apply):		· ×	D. HANDS/FISTS
F, SPECIAL EMPLOYMENT		C. BICYCLE	A. FIREARM CAL	IBEH	-	E, FEET
G, OTHER		D. APVIMOTORCYCLE		ven		F, MOUTH (SPIT, BITE, ETC.) .
and MITM		E. SQUADROL	1. REVOL	AUTOMATIC		G. VERBAL THREAT (ASSAULT)
2. OFF DUTY 3. SPECIAL EMPLOYMENT		F, OTHER	3. RIFLE			
* SECONDARY / OTHER			4. SHOT			H. OTHER (SPECIFY)
TYF	E OF ACTIVIT	Υ				
			B. VEHICLE	ALL SAILTS	CUENCI F	
A. AMBUSH -NO WARNING			1, OFFI	CER STRUCK WITH MPTED TO STRIKE	E OFFICER WITH	(VEHICLE
B. TRAFFIC STOP/PURSUIT OUT OF TRAFFIC STOP/PURSUIT	S PERSON		2. AT 16		RUMENT	I. BLUNT INSTRUMENT
D. DISTURBANCE - DOMESTIC		•	C, KNIFE/OTH	ER CUTTING INST	iCheo	k all that apply):
LIFE AND MENTAL P.	ATIENI	•	FIREARM USE II	NFORMATION	1 *	
F. DISTURBANCE - RIOTIMOB	ACTION/CIVIL DISC	PROER	A, OFFICE	ER AT GUNPOINT ER'S OWN WEAPO	N OBTAINED	
G. DISTURBANCE - OTHER			B, OFFICE	PTED TO OBTAIN	OFFICER'S OW	NEAPON
WAN WITH A GUN			G. ATTEN	P (ED TO OBTAIN	NDER INFOR	MATION
I. PURSUING/ARRESTING OFF	ENDER (Specify)	UCR CODE			NUEH INFO	ров
CHARGE			SEX	RAGE S BLA	CK.	
J, PROCESSING/TRANSPORT	ING/GUARDING A	PRISONER (Specify	X 1. M	2. F BLA		IR NO.
J. PROCESSING/THANSPORT		ORIGINAL IUCR CODE	CB NO.	1571338	4	
ORIGINAL CHARGE						GANG RELATED?
X K, OTHER			WAS THE OFFEN DRUG RELATED	IDER'S ACTIVITY:		X 1. YES
TYPE	OF INJURY TO	OFFICER	X 1. YES			2. NO
, , , , , , , , , , , , , , , , , , ,			2. NO			3. UNKNOWN
A. FATAL B. NON-FATAL - MAJOR IN	IURY (Broken Bone	s/Serious Lacerallons/	3, UNK			•
B. NON-FATAL - MINOR IN C. NON-FATAL - MINOR IN	uney (Bruises/Swel	ling/Minor Abrasions)	NO. OF OFFEND	EAS PRESENT?	1	
				W	EATHER CO	ADITIONS
D, NONE APPARENTINONE	CONDITIONS	AT INCIDENT			D. FOG / SMOK	E/HAZE G. OTHER
LIGHTING			A, CLEA	P	c SLEET / HAV	L.
A. DAYLIGHT	D, DUSK		B. RAIN C. SNO	N	F. SEVERE CR	OSS WIND A A A M
B. NIGHT	X E. ARTIFIC	DIAL LIGHT 1, POOR	APPROXIMATE	N OUTDOOR TEMPE	RATURE: 9	F ULTISIT
D. MONII		2, GOOD	131777			att 13

			E HEPUNII	Chicago Police Departr		192	1115
		OF INCIDENT	тийE 18:55:00	4221 W WILCOX ST CH	HICAGO, IL 60624	8. SEX 10, RAGE CODE	E 11. AGE 12. HT. 13. WT.
	28-J	JAN-2004 ION 6. LAST NAM		7, 16 - NAME	14683	X 91 M 92 F S 1	602 185
5. 1		61 GARZA		HOMERO E		ATUS 18, MEMBER INJURED?	• - •
ŀ	,	OF APPT.	15, EMPLOYEE NO.	011 1	106A × 010n	02 OII 01 Yes X 02 No	26. HT. 27, WT.
- Je		UL-1997	308312	21. FIRST NAME	22. JAJL 20. SEX		510 160
;	0, LAST	NAME			L XOLW	02 F BLK 31. SUBJECT INJU	USED? 32, SUBJECT ALLEGED INJURY?
A 1	-	واستغار		29. YELEPHONE NO. 3	D. WAS SUBJECT ARMED?		X 02 No X 01 Yes 02 No
	26. ADD	RESSERVE			01 Ý04 X 02 NO	X 01 Apparently Normal	02 Under Influence
•		ERE WAS MEDICAL TRE	STMENT OBTAINED?	34. BY WHOM?	35, CONCITION 03 Hospitalia	haetlanda ar	05 Refused Medical Aid
		•				ONA 37, CB NO.	IR NO. DNA
Ĺ	as, CHA	ARGES PLACED		740.0/13, 720 ILCS 5.0/12-	4-B-6, 720 ILCS 670.0	15713384	1210494
1	625	ILCS 5.0/4-102	-A-1, 225 ILCS	740.0/13, 720 1200 01011	ASSAILANT:ASSAULT	ASSAILANT:BATTERY	ASSAILANTIDEADLY FORCE USES FORCE LIKELY TO
B.			e resister	ACTIVE REGISTER	IMMINENT THREAT	ATTACK WITH WEAPON	CAUSE DEATH OR GREAT BOOILY HARM
	σ,	DID NOT FOLLOW VERBAL DIRECTION	N X	FLED	OF BATTERY	ATTACK WITHOUT	WEAPON
ΝA	ECT	STIFFENEO		PULLED AWAY	OTHER	WEAPON	
(Check all that apply)	UBJECT!	(DEAD WEIGHT)	×	OTHER	1	OTHER	OTHER
_	SUBJ	OTHER			ELBOW STRIKE	KNEE STRIKE	FIREARM
Ş	٣	MEMBER PRESE	NOE	OPEN HAND STRIKE	•		OTHER
(Check all that apply)	9 4	VERBAL COMM		TAKE DOWN/EMERGENCY X	CLOSED HAND STRIKE/PUNCH	KICKS	
#	in S	ESCORTHOLOS WRISTLOCK		OC CHEMICAL WEAPON	IMPACT WEAPON	IMPACT MUNITION	
‡	lig i	MESSURE SE		OC CHEMICAL HEAL CO.	(Овеспов іл Вех 40)	(Describe in Box 40)	``\
le In	MEMBER'			CANINE	TASER		
Sec	-	CONTROL INST		OTHER	OTHER	<u> </u>	
Ü		AZIROHTUAIW	TION				
	1	OTHER	AUTHORIZED BY (NAME)	. 60	, ADDITIONAL INFORMATION		
X NA Y		SITION	STAR NO. 04 SEMI-AUTO	UNIT A2, INCIDENT OF	CURRED 43. LIGHTING COND	03 Dawn 04 Dusk	44. WEATHER CONDITIONS SNOW
AGE INCIDENT	41	. WEAPON TYPE	04 SEMI-AUTO		Cuidoons 02 Night 05 Poor Artificial	X 06 G∞d Artificial	INGTH 48, CALIBER/GAUGE
Ş	1	01 REVOLVER	06 TASER	45, MAKE/MANU	FACTURER 46. MC	DOEL 47. BARREL LE	INGTH 48. CALIBERS AND A
Ä	-	. 02 RIFLE	O7 OTHER	45, MAKOIMA	· <u> </u>	D. 52, IL FIREARM OWNER II	D. NO. 53. HANDGUN GERTIFICATE NO
AHG	- 1	MUDTOHS EO		50, WEAPON SERIAL No. (Include Lotters)	51. CHICAGO GUN REG. N	O. 52. IL FIHEACIN O	<u> </u>
	4	9. TASER DART ID NO.	· ·			57.NO. OF WEAPONS DISCHARGED	BY 58. TOTAL NO. OF SHOTS MEMBER
Sia	L	84. SPECIAL WEAPON C	SOTIFICATE NO.	55. PROPERTY INVENTORY NO.	56, TYPE OF AMMUNITION USED	THIS MEMBER.	
Z	, E	54. SPECIAL WENTON	1		ED 61. NO OF CATORIDGES	62, HOW WAS MEMBER'S HANDGU	N WORN 03 OTHER (Specky) F. SIDE (WAIST)
WEAPON DISCH	•	59, WHO FIRED FIRST S	SHOT 03 OTHER (SHOT SHELLS	. 01111: 0.0-1	65, DIO MEMBER USE SIGHTS
3		- OLMEMBER 0	2 OFFENDER	03 OTHER (Specify) 64, SPEC	IFY METHOD/EQUIPMENT USED TO RE	ELOAD	01 AER 05 NO
		63. HOW WAS MEMBER		w · 1		N INVOLVED MEMBER & OFFENDER WI	HEN FIRST SHOT WAS FIRED
		OL STRONG SIDE D	HAW BEGINSON LIGH	TT POLES, DOORWAYS, CAR, FURNITUR	01 D → 95 FT.	02 05 * 10 F 1.	
						BER DISCHARGING WEAPON 01 ST	ANDING 02 LYING DOWN
	1	REPRONOBIEGE	STRUCK AS RESULT OF T	HE DISCHARGE OF MEMBERS WEAPON	OS SITTING	04 KNEELING 05 OTHER (SPECIFY)	
		01 PERSON	02 OBJECT	03 BOTH 04 UNKNOWN		OF DOCUB.	
		<u> </u>	IS (OC OR TASER I	INCIDENT): OEMC	DESK SGT./DIST. DESK SGT./DIST.		AMAND DET, DIV.
	72.	NOTIFICATION	IS (FIREARM INCID	DENT): OEMC quired notifications and all v	DESK SGLIDIOT	o are documented in the a	opropiate case report.
Ü	₹ FO	NOTIFICATION	ensure that all re	quired notifications and all v	vitnesses to this use of torc	TU06	
(<u>≩</u> ز	73, REPORTING ME	NHER (Print Name)		STARVEMPLOYEE NO. SIGNA 14683 PCC)R626	
		GARZA, HO	MERO E		14000	•	and a stop below
	Ä	28-JAN-200	4 21:24:32		toness of this report and a	ittest by entering the require	ed information below.
	SIĞNATURES	Reviewing S	upervisor will ens	ure the legibility and comple	SIGNATURE	DATE	REVIEWED TIME JAN-2004 21:26:01
	<u>`</u>	TA DESIGNANG ST	JPERVISOR (Print Nams)		PCON108	28-	UMIT-4007 KINTIN
	200		(I, PAUL T	1940			

WATCH COMMANDER/ADS REVIEW

THE WATCH COMMANDER WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS THAT OID NOT INVOLVE THE DISCHARGE OF A FIREARM, 2.) FIREARM DISCHARGE INCIDENTS INVOLVING THE DESTRUCTION OF AN ANIMAL OR; 3.) ACCIDENTAL DISCHARGE OF A FIREARM NOT RESULTING IN AN INJURY TO ANY PERSON.

THE ADS WILL COMPLETE THE REVIEW SECTION FOR ALL INCIDENTS INV.A.Y.N.G; 1.) THE DISCHARGE OF A FIREARM OR IMPACT MUNITIONS BY OR AT A DEPARTMENT

THE ADS WILL COMPLETE THE REVIEW SECTION OR ... A ACCIDENT.**-DISM, IN THAT DOES NOT RESULT IN AN INJURY TO ANY PERSON; 2.) MEMBER'S USE OF FORCE

MEMBER EXCEPT FOR AN ANIMAL DESTRUCTION OR ... A ACCIDENT.**-DISM, IN THE DEATH OF A PI₄-ISON 3.) AN . LEGIER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM

BY WHATEVER MEMBER DISCORDED HERE IN 1 OR 2.

WILL COMPLETE THE REVIEW SECTION FUR AC EXCEPT FOR AN ANIMAL DESTRICTION OR .N. TEVER MEANS THAT RESULTS IN THE DEATH OF IE INCIDENT DESCRIBED HERE IN 1 OR 2.		NE THAT DOES NOT RESUL HEA USE OF FORCE BY A			TO INTERVIEW (Specify Resson)	
E IIIOIDEIT		SUI.	REFUSED .	UNABLE	at at head only	ight
JECT'S STATEMENT REGARDING THE USE OF FO subject was advised of his rights per the police and tried to get away becau	ORCE	- connected that he	understood each of his	rights. The subject s	tated in essence that he lime	ol
JECTS STATEMENT REGARDANCE subject was advised of his rights per the police and tried to get away becau at. When asked specifically if he was s at. When asked was \$500.00 USC reco	Miranda to which that	the police could only	make an arrest if the	erson arresteu nau w	en the police caught him. W	/hen
the police and tried to get away becau	ise he thought the su	blect repeatedly resp	onded that he did not f	hoe) the subject response	onded that he washed cars.	ļ
e subject was advised at his rights per the police and tried to get away becau st. When asked specifically if he was s ad about the nearly \$500.00 USC reco	vered from various	locations on his pers	ary bot know.			1
st. When asked specifically if he was ad about the neady \$500.00 USC recor on asked how the police car window go	ol broken the subje	ct responded that the	Old ties throw			ì
ur asked bow the botton and and				• •		1
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NATCH COMMANDERIADS RATIONALE FOR BOX 1	- CINDING			and the Use Of Force	Model in response to an a	ctive
ATCH COMMANDER/ADS RATIONALE FOR BOX	Marca includina (i	te use of OC spray, W	yas within the guideline	would have resulted I	n additional injuries to the	ł
NATCH COMMANDERWAS RATIONALE FOR BOX 1 porting Lieutenant finds that the use of sister and assallant whose aggressively	iv offensive actions	were intended to def	est a lawini arrest area	(102)2	,	
sister and associative whom 30	,,	•				1
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ACQUINANGERIADS FINDING BASED U	upon Gurrently Ava	ILABLE INFORMATION:	THAT ELISTMEN	investigation 18 requir	EO BY THE OFFICE OF PROFESSIO	nal.
77, WATCH COMMANDERVADS FINDING BASED L	ACTIONS	ILABLE INFORMATION: 	ONCLUDED THAT FURTHER RDS OR THE INTERNAL AFF.	nucestigation 18 requir irs division,	EO BY THE OFFICE OF PROFESSIO	, , , , , , , , , , , , , , , , , , ,
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- AMERICAN MEMBER'S	ACTIONS	STANDA	DOTAINED	investigation is requir irs division.	EO BY THE OFFICE OF PROFESSIO	
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CTICA	L RESPONSE R	EPORT/C	z. ADDRESS OF OCCU	ARENCE			- Emp 12178	092 092		1115	
1,041	E OF INCIDENT	18:55:00	4221 W WILD	OX ST CHI	CAGO, IL	6, STAR NO.	_	E CODE	11.AGE	12.HT. 13.WT.	
l	-JAN-2004 SITION 6. LAST NAME	A	7. FI 'S'.	AEL P		15593		EH INJURED?	19, MEM	BER IN UNIFORM?	
9	9161 SANDUSKY	EMPLOYEE NO.	16. UNIT	& BEAT OF ASSIGN	MENT	17. ĐƯTY STA	TUS 18. MEMBE OZON OLY	N 2 11.	×	01 Yes 02 No 26, HT. 27, WT.	
14. OA		1785		11 11.		M.I. 23. SEX	24, RACE	25, 0,0.8.		510 160	
2 11- 20.0	AST NAME		21. FIRST NAME		L	. ×°™	OZF BLK	1. SUBJECT INJU	iDE07	32. SUBJECT ALLEGED INJURY	ተ
ONA 1			29 TELEPI	IONE NO. 30.	WAS SUBJECT			1. SUBJECT INJU	× 02 No _	X 01 Yes 02 1	
O 20. A	ADDRES				01 Yes X	02 No 35. CONDITION	X 01 Apparently	Normal		02 Under Influence 05 Relused Medical Ald	٠
E 606	309 WHERE WAS MEDICAL TREATMEN	T OBTAINED?	34. B	A MHOWS		D3 Hospitaliza	ed ed Not l	lospitalized	IR NO.	DNA	
DE L			<u></u>				97. CB NO 15713	, ,	12104		
之 35.0	CHARGES PLACED 25 ILCS 5.0/4-102-A-	1, 225 ILCS 7	40.0/13, 720 IL	CS 5.0/12-4	-8-6, 720	J ILOG Gron	ABSAILANTID	ATTERY		ASSAILANT:GEADLY FORCE	
	PASSIVE RESIST		ACTIVE RESI	HER .	MMINENT TE		ATTACK WITH WE	APON		ORGE LIKELY TO DEATH OR BODILY HARM	
38.	DID NOT FOLLOW	×	FLED	×	OF BATTERY	,	ATTACK WITHOU	τ	WEAPO		
DNA P	S STIFFENED	×	PULLED AWAY	×	OTHER		WEAPON		ОТНЕР	1	
<u> </u>	E (DEAD WEIGHT)	•	OTHER STRUCK	P.O. CAREY			KNEE STRIKE		FIRE	AHM	
apply)	OTHER FLAILED ARMS MEMBER PRESENCE		OPEN HAND STRIKE		ELBOW STRIKE		Wite attack		OTHER		
S S	VERRAL COMMANOS	×	TAKE DOWN / EM	ERGENCY	CLOSED HA STRIKE/PUT	KCH ND	KICKS		`\ .		
REASON FOR USE O (Check all that apply)	ESCORT HOLDS WRISTLOCK WRISTLOCK ARMBAR PRESSURE SENSITIVE AREAS CONTROL INSTRUMENT		OG CHEMICAL WEAPON		IMPAGT WEAPON (Describe in Box 40)		IMPACT MUNITION (Describe in Box 40)		-		
REASON FOR (Check all that			CANINE		TASER		•				
SK S		PRESSURE SENSITIVE AREAS CONTROL INSTRUMENT		OTHER			·				
Se I	OC/CHEMICAL WEAP WIAUTHORIZATION	NO.	Olivier	_	OTHER -				L_		
"	OTHER			40.	ADDITIONAL IN	NEORMATION	THE FACE WITH	H A CLOSE	ED FIST	IN AN ATTEMPT TO	,
39.	OC/CHEMICAL WEAPON AUTHO	HIZED BY (NAME)		S	TRUCK P EFEAT TI	HE ARREST.					
DNA		STAR NO.	UNI							ANIONE	
. 1	POSITION			42 INCIDENT OC	CHERED	43. LIGHTING COND		Ayligin]	44, WEATHE SNO	ER CONDITIONS	
GE INCIDENT	41. WEAPON TYPE	04 SEMI-AUTO	PISTOL.		X Ouldoors	02 Night 06 Poor Artiffcia	14 004	Bood Artificial	\	48. CALIBER/GAUGE	
CID	01 REVOLVER	X 06 CHEMICAL Y	45, MAKEMANUFAC		lia MD		LIZ DARBELLI				
븼	02 FIFLE	06 TASER 07 OTHER .					D. B2. IL FIREARM OWNER I		ID. NO. 53, HANDRUN CERTIFICATE NO		₹ NO*
ARG	: D3 SHOTGUN		O, WEAPON SERIAL NO	, (include Letters)	51.						
중	48, TASER DART ID NO.					CHICAGO GUN REG. N	L.		- T	50, TOTAL NO, OF SHOTS MEM	BER
(C)	l l		· · · · · · · · · · · · · · · · · · ·		58. TYPE OF	AMMUNITION USED	57.ND, OF WEAPOI THIS MEMBER.	NS DISCHARGED) BY	58, TOTAL NO. OF SHOTS MEM FIRED	(BER
N DIS	54, SPECIAL WEAPON CERTIF	TOATE NO. 5	S. PROPERTY INVENT	ORY NO.	<u> </u>	AMMUNITION USED	57.NO, OF WEAPO! THIS MEMBER.	1 MBER'S HANDGI	UN WORN	03 OTHER (Specify)	
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72.	54, SPECIAL WEAPON CERTIF 59, WHO FIRED FIRST SHOT X 01 MEMBER . 92 OFF 63. HOW WAS MEMBER'S HA D1 STRONG SIDE ORAW 68, DESCRIBE PROTECTIVE 69, PERSON/OBJECT STRUG 01 PERSON . 00	03 OTHER (S ENDER) NODEUN ORAWN 02 CROSS BRAN COVER USED (LIGH CK AS RESULT OF TI 12 OBJECT	03 OTHER (SPECIFY) W IT POLES, DOORWAYS THE DISCHARGE OF ME 03 BOTH	ORY NO. FIREARM RELOADE NCIDENT 01 YES 02: S. GAR, FURNITURE EMBERS WEAPON 04 UNKNOWN	FY METHOD/E	AMMUNITION USED NO OF CATORIDGES/ OT SHELLS OADED OUIPMENT USED TO R O1. DISTANCE BETWEE 01.0 - 05 FT. 69. POSITION OF MER 03 SITTING DESK SGT./DIST.	57.NO. OF WEAPOUTHIS MEMBER. 62. HOW WAS ME 61 RT. SIDE (1) ELOAD EN INVOLVED MEMBER 62 05 – 10 FT. REER DISCHARGING WI 64 KNEELING 05 CO OF OCCUR.	MBER'S HANDGE WAIST) 02 L 8 OFFENDER W 03 10 - 15 Ff. EAPON 01 S OTHER (SPECIFY	UN WORN T. SIDE (WA 65. C HEN FIRST Q4 O\ TANDING BAMMAND	03 OTHER (Specify) AST) AST) DID MEMBER USE SIGHTS O1 YES 02 NO SHOT WAS FIRED VER 15 FT. 02 LYING DOWN	0402813014
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72.	54, SPECIAL WEAPON CERTIFICATIONS (CONTIFICATIONS (FOR MEMBER) 58, WHO FIRED FIRST SHOT X 01 MEMBER 02 OFF 63, HOW WAS MEMBER'S HAD 18 STRONG SIDE DRAW 66, DESCRIBE PROTECTIVE 66, PERSONIOBJECT STRUCTURE O1 PERSON 00 NOTIFICATIONS (CONTIFICATIONS	03 OTHER (SEE NO DE NO D	GO. WAS FOURING IN COURING IN COU	ORY NO. PIREARM RELOADE NOIDENT 01 YES 02 1 G. CAR, FURNITURE EMBERS WEAPON 04 UNKNOWN X OEMC OEMC OORS and all w	STATEMENT	FAMMUNITION USED OF CATORIDGES/ OT SHELLS OADED OUTPMENT USED TO R OT. DISTANCE BETWEE O1 0 - 05 FT. 69. POSITION OF MEN 03 SITTING DESK SGT./DIST. OOESK SGT./DIST. TO this use of for	57.NO. OF WEAPOUTHIS MEMBER. 62. HOW WAS ME 61 RT. SIDE (N ELOAD EN INVOLVED MEMBER 02.05 - 10 FT. ABER DISCHARGING W. 04 KNEELING 05.CC OF OCCUR. OF OCCUR. COE are document ATURE 00480	MBER'S HANDGI MAIST) 02 L A OFFENDER W 03 10 - 15 FF. EAPON 01 S THER (SPECIFY OP CO	IN WORN T, SIDE (MA S5. C HEN FIRST Q4 OV TANDING) MMAND Appropia	03 OTHER (Specify) AIST) DID MEMBER USE SIGHTS O1 YES 02 NO SHOT WAS FIRED VER 15 FT. 02 LYING DOWN DET, DIV.	0402813014
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CASE	54, SPECIAL WEAPON GERTIF 58, WHO PIRED FIRST SHOT X 01 MEMBER	03 OTHER (SEENDER) ENDER NOBUN ORAWN 02 GROSS DRAW COVER USED (LIGH CK AS RESULT OF THE COLOR TASER I FIREARM INCID SUITE that all re- R (Print Numb) CHAEL P 0:56:07 ETVISOT WIll ensure of the color o	GO. WAS FOURING IN COURING IN COU	ORY NO. PIREARM RELOADE NOIDENT 01 YES 02 1 G. CAR, FURNITURE EMBERS WEAPON 04 UNKNOWN X OEMC OEMC OORS and all w	STATEMENT	FAMMUNITION USED OF CATORIDGES/ OT SHELLS OADED OUTPMENT USED TO R OT. DISTANCE BETWEE O1 0 - 05 FT. 69. POSITION OF MEN 03 SITTING DESK SGT./DIST. OOESK SGT./DIST. TO this use of for	57.NO. OF WEAPOUTHIS MEMBER. 62. HOW WAS ME 61 RT. SIDE (N ELOAD EN INVOLVED MEMBER 02.05 - 10 FT. ABER DISCHARGING W. 04 KNEELING 05.CC OF OCCUR. OF OCCUR. COE are document ATURE 00480	MBER'S HANDGI MAIST) 02 L A OFFENDER W 03 10 - 15 FF. EAPON 01 S THER (SPECIFY OP CO	IN WORN T, SIDE (MA S5. C HEN FIRST Q4 OV TANDING) MMAND Appropia	03 OTHER (Specify) AIST) DID MEMBER USE SIGHTS O1 YES 02 NO SHOT WAS FIRED VER 15 FT. 02 LYING DOWN DET, DIV.	0402813874

WATCH COMMANDER/ADS REVIEW

THE WAYCH COMMANDER WILL COMPLETE THE REVIEW SECTION FOR L.) ALL INCIDENTS THAT DID NOT INVOLVE THE DISCHARGE OF A FIREARM, 2.3 FIREARM DISCHARGE OF A FIREARM NOT RESULTING IN AN INJURY TO ANY PERSON. INCIDENTS DIVOLVING THE DESTRUCTION OF AN ANIMAL OR; 3.) ACCIDENTAL DISCHARGE OF A FIREARM NOT RESULTING IN AN INJURY TO ANY PERSON.

NATCH COMMANDER WILL COMPLETE THE REVIEW SECTION FOR I.) ALL INCIDENT AND ALL INCIDENTAL DISCHARENTS INVOLVING THE DESTRUCTION OF AN ANIMAL OR; 3.) ACCIDENTAL DISCHARENTS INVOLVING THE DESTRUCTION OF AN ANIMAL OR; 3.) THE	S THAT DID NOT INVOLVE THE DISCISION AN INJUR GE OF A FIREARM NOT RESULTING IN AN INJUR	Y TO ANY PERSON.	\ .
IATCH COMMANDER WILL COMPLETE THE REVIEW SECTION FOR IT) ALL MINISTERS IN THE DESTRUCTION OF AN ANIMAL OR; 3.) ACCIDENTAL DISCHAR INTO INVOLVING THE DESTRUCTION FOR ALL INCIDENTS INVOLVING: 3.) THE CENTRAL PROPERTY OF AN ANIMAL DESTRUCTION OR A "ACCIDENTAL PISCH & CETHAL THE DEATH OF A PELL ON THE ANY LESS ON THE DEATH OF A PELL ON THE LESS ON THE ONE OF THE PROPERTY OF THE PROPE	E DISCHARGE OF A FIRST IN AN INJURY TO ANY PER FORES NOT RESULT IN AN INJURY TO ANY PER E OF FORCE BY A DEPARTMENT MEMBER WHE	SON: 2.) MEMBER'S OSE STEMS FROM N THAT USE OF FORCE STEMS FROM	, £
ARTEVEN THE PROPERTY HERE IN TUH 2.		WE WE DESCRIPTION	(Specify Reason)
INDUCT'S STATEMENT REGARDING THE USE OF FORCE The subject was advised of his rights per Miranda to which he res the subject was advised of his rights per Miranda to which he pe th the police and tried to get away because he thought that the pe trest. When asked specifically if he was selling drugs the subject r rest. When asked specifically if he was selling drugs the subject r tsked about the nearly \$500,00 USC recovered from various locati then asked how the police car window got broken the subject res then asked how the police car window got broken the	conded that he understood each of his point of the could only make an arrest if the pepatedly responded that he did not pepatedly responded that he did not g	s rights. The subject stated in ease person arrested had the drugs on the	nce that he fought nem at the time of
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s. WATCH COMMANDERVADS RATIONALE FOR BOX 77 FINDING Reporting Lleutenant finds that the use of force, including the use resister and assailant whose aggressively offensive actions were officers.	of OC spray, was within the guidelin intended to defeat a lawful arrest and	s of the Use Of Force Model in re would have resulted in additional	njuries to the
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77. WATCH COMMANDER/ADS FINDING BASED UPON CURRENTLY AVAILABLE ** I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT WERE IN COMPLIANCE WITH DEPARTMENT	INFORMATION: I HAVE CONCLUDED THAT FURTHE STANDARDS OR THE INTERNAL AF	R INVESTIGATION IS REQUIRED BY THE OPF AIRS DIVISION.	ice of Professional
WERE IN COMPUNITION OF THE PROCEDURES AND DIRECTIVES.	CRLOG NOOBTAINED	•	
· .		DATE CO	MPLETED TIME
CHAPS (Pdol Name)	SIGNATURE	283/	N-2004 21:47:38
78. WATCH COMMANDERIADS (Print Name) ANGARONE, KENNETH	PC0N280		
		Tablemental and a supplemental table	raport.}
79, DISTRIBUTION OF CHIGINAL TRE	RECORDS DIVISION (Atlacted to	anginal of corresponding case or supplementary	Animal Bite information
WHENEVER A CASE REPORT IS ALSO COMPLETED:	DISTRICT OF OCCURRENCE REVIEW Cald or Maccellaneous Incident Exception Report, a	original of corresponding OFFICE (Attached to either the corresponding s appropriate.)	
ANIMAL DESTRUCTION (With no other reportable sections)	cald or Miscellanaous more and		
ACCIDENTAL DISCHARGE (When no injuries and no case report have been completed): DISTRIBUTION OF THE PACKETS CONTAINING EITHER A COPY OF THE 15.	OF PROFESSIONAL STANDARDS (Attached to Un	OPIES OF THE BELOW LISTED ATTACHMEN	rs TO:
report have been complained;	THR, OR ORIGINAL IF REQUIRED ABOVE, ALL		•
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4. COMMANDER, DISTRICT OF OCCURRENCE	100	REPORT	80. TOTAL THE THIS C. T.
DUCYCCOPIES OF: SUPPLEMENTARY REPORT	CRI	NITIATION REPORT	l <u> </u>

ATTACHMENTS - PHOTOCOPIES OF:

CASE REPORT : ARREST REPORT OFFICER BATTERY REPORT

TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

THE CAREST REPORT CPD-11.420 (REV. 3/02) 6. C.B. NO. 15. I.R. NO. 15. ADORESS OF ARREST 22. RD NO. 25. ADORESS OF ARREST 4.22 31. RESISTED ARREST 31. RESISTED ARREST ARREST SQ. MCAPON ST. VEHICLE ARREST SQ. MARKE ARREST SQ. MARKE 36. PERSON IN INVESTIGATIVE UNIT NOTIFIED 39. VICTIM INJURED 18 YES. OF ARREST 29. VICTIM INJURED 18 YES. OF ARREST 29. VICTIM INJURED 18 YES. OF ARREST 19 ARREST SQ. MARKE 19 A		ZA. BUSINES AME - ADI ZA. BUSINES AME - ADI NONE ZA. BUSINES AME - ADI	TON CODE 28, BEAT OF ARREST SES OF A SEAT OF A S	INS, SCARS, DISABILITIES, ETC. VK 20. STATE/PLACE OF BIRTH CITY-STATE ZIP CO PON ARCOTIC ARREST DOY MONTH YEAR DOY MONTH YEAR ON NARCOTIC ARREST DISPOSITION OF V DISPOSITION OF V DISPOSITION OF V	10. SOCIAL SECURITY NO. WW. 21. ORIVERS LICENSE NO. 21. ORIVERS LICENSE NO. SOCIAL SECURITY NO. 21. ORIVERS LICENSE NO. SOCIAL SECURITY NO. 10. ORIVERS LICENSE NO.	STATE TIME 190.5
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CLEAR Data Warehouse CB Number: 15713384



REPORT DATE= 29-January-2004 9:28:29 PM REQUESTED BY= PC0Q224 FOR OFFICIAL POLICE USE ONLY! NOT FOR DISSEMINATION!

> CR 295497 att 17 1/29/2004

CLEAR Data Warehouse CB Number: 15713384



REPORT DATE= 29-January-2004 9:28:42 PM REQUESTED BY⇒ PC0Q224 FOR OFFICIAL POLICE USE ONLY! NOT FOR DISSEMINATION!

CR295447 att 17 1/29/2004

CLEAR Data Warehouse

Arrest Date = 28-JAN-2004

Arrest of Address = 4221 W WILCOX ST

Last Name =

First Name =

LKA =

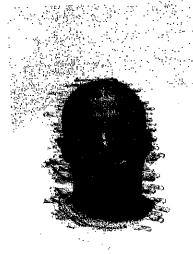
City

CB Number = 15713384

IR Number = 1210494

DOB

REPORT DATE= 29-January-2004 9:28:09 PM REQUESTED BY= PC0Q224 FOR OFFICIAL POLICE USE ONLY! NOT FOR DISSEMINATION!





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CLICK HERE FOR ADDITIONAL PHOTOS

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1/29/2004

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1 ARREST & COMMUNITY
1 ARREST & ADMISTRALL FAMILY COURT
1 OPROSECUTE
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011 DISTRICT

TO: DISTRICT COMMANDER 011 DISTRICT FROM: P.O. M. SANDUSKY #15593 SUBJECT: I.O.D. WITNESS REPORT

ON TODAYS DATE AT APPROXIMATELY 1855 HOURS R/O AND HIS PARTNER P.O. T. CAREY #18795 WERE ATTEMPTING TO PLACE OFFENDER IN CUSTODY FOR THE OFFENSE OF UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SOPUTH ALLEY OF 4221 W. WILCOX. IN AN ATTEMPT TO DEFEAT THE ARREST, OFFENDER FORD STRUCK P.O. CAREY WITH A CLOSED FIST ON THE UPPER LEFT SIDE OF THE FACE. R/O NOTICED IMMEDIATE SWELLING AND BRUISING TO OFFICER CAREY'S FACE AS A RESULT OF THE OFFENDERS ACTIONS.

P.O. M. SANDUSKY 115593

APPROVED:

cr295447 att 20

28 JAN 04

DII DISTRICT

10

ON to DIST COMMANDER

FROM

P.O. H. E. GARZA #=14683

SUBJECT

WITNESS TO LOD REPORT

ON TODAY'S DATE AT APPROXIMATELY 1855 HOURS ROWMS

ASSIGNED TO 1106A. ON SAID THE AND DATE, RO WAS ATTEMPTING TO

MIN LAWFUL POSSESSION OF A CONTRILLED SUBSTANCE IN THE SOUTH

OF UN LAWFUL POSSESSION OF A CONTRILLED SUBSTANCE IN THE SOUTH

ALEY OF 4221 W WILCOX. OFFENDER WHLE FLEEING FROM RIO, OFFENDER

STRUCK P.O. CAREY # 18795 WITH A CLOSED FIST ABOUT THE FACE AREA.

STRUCK P.O. CAREY # 18795 WITH A CLOSED FIST ABOUT THE FACE AREA.

RIO IMMEDIATELY COMPLAINED ABOUT PAIN COMING FROM HIS LEFT EYE

AND ASKED RIO IF HE WAS BLEEDING. RIG DID NOT NOTICE ANY SIGNS

OF BLEEDING, BUT OBSERVED SWELLING AND BRUISING TO RO. CAREY'S

FACE AS A RESULT OF OFFENDER'S ACTIONS.

APPROVED:

Homew & Graza P.O. H. E. GARZA #14683

CR295447

TE: This form is to be used	when a De	partm	ent vehi	cle is invo	ol Emj	12178	rash		-15134	<u>U</u>	BEAT	44 NO.
TE: This form is to be used when previously unreport	ed damage	to a D	epartme	nt vehic 江	//ŧ 6		Ę		HCLE NO.	-	114	
WER ALL QUESTIONS	● □ VEHI	CLE CI	RASH	₩ A <u>L</u> 31			<u> </u>		001 MPL. NO.	●5	A. SOC.	
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Sandusky, Michael		15		P.O.	<u> </u>	<u></u>		6. ☐ FRI		●8. MO.	●9.YR.	●10. TIME
CATION OF CRASH/INCIDENT			1	●6, DATE- 1.□ 51		2. ∐ MUN 3. ∐ TUE	IX	7. 🗀 SAT	28	JAN	04	1859
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11. TYPE OF VEHICLE	5. ☐ OTHE	k (SPECIFY)	●12. NO.	rs		RADIO ASSIGN		XIX MISC.	5. C) EME	RESPONDING	G TO HGNMENT
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// H /) STOP SI	GN	●17. W	EATHER	1,🗆	LAINING EXCLEAR 4		2:\EXVET,	SNOWY, ICY	3.0 00	NSTRUCTION
16. TRAFFIC CONTROL 1. ☐ TRAF 3. XXXVO CONTROL 4. ☐ OTHER RE			·	2.[] SNOWING				454*	W	45 VEHICL	E ON PROPE
●19. POLICE VEHICLE WAS: 1. C	1 BACKING Z.L	TURNIN	G.	●20, E		HIGHIBA	MENT USE		ZXZX NO	V73.	YES O	ROAD?
2 CL PASSING 4, C) CHANGING LANCE	7. D MOVINGS	KED TRAIGHT	AHEAD		SIREN	[] FU	ASHING UGHT					CIRCLE
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WATCH COMMANDER'S SIGNATURE	<u></u>					_				<u> </u>	l	
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COMMENTS, IF ANY	*****											
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SECOND LEVEL EXEMPT REVI		n DIS	APPROVEC	IF DI	SAPPROV ROM-SUE	ED - JECT RE		ALTER	NATE FIND	INGS/REC	OMMENE	NIT NO.
SECOND LEVEL EXEMPT REV	IE W APPROVED	□ DIS	APPROVEC	IF DI TO-F	SAPPROV ROM-SUE	ED - JECT RE	PORT WITH	ALTER	NATE FIND	INGS/REC	OMMENE	NIT NO.

PROPERTY INVENTORY - NO. CHICAGO POLICE DEPARTMENT CPD-34.523 (REV. 6/03) DATE RECOVERED. O WHILE 453187 COMMENTS: スのヨギの mzo Created by: PC0S413 INITIAL DESTINATION OF PROPERTY: 28-JAN-2004 K CHECK IF RECOVERED/SEIZED FROM - NAME CURRENCY: NARCOTICS SEIZURE TO BE DEPOSITED OWNER'S NAME STATE CHAFTER: J DECEASED × CUANTITY CHICK IF Court Branch Court Date HOLD FOR INVESTIGATION AND/OR EVIDENCE PROPERTY OWNER NOTIFIED ON TO PICK UP PROPERTY WITHIN 30 DAYS OF PROPERTY WILL BE DISPOSED OF (IF NOT NEEDED FOR INVESTIGATION/EVIDENCE, LEAVE BLANK) TO BE DISPOSED OF BY CUSTODIAN (NOT TO BE RETURNED)

(THIS APPLIES IF PROPERTY IS NOT EVIDENCE, NOT RETURNABLE AND/OR OWNER IS UNKNOWN) POLICE MAIL E & RPS PICKUP MONEY (USC): BUNDLE OF USC 720 ILCS 570.0/402-C 25-FEB-2004 2027 LEVERETT, MICHAEL ARRESTED RECOVERING UNIT PERSONNEL
EVID./LAB TECHNICIAN INV NO 10267990 NARCOTICS POSS: CRACK INVESTIGATING OFFICER -Star: 19713 EVIDENCE & RECOVERED PROPERTY SECTION USE ONLY DESCRIPTION OF PROPERTY APPROVING DESK SERGEANT HOGAN, THOMAS PKG NO 273336 ADDRESS 20 ADDRESS STAH NO. COPY 3 - COURT COPY - ATTACH TO COURT PAPERS DEGITON MOH PHONE MAIL HK151340 3151 W HARRISON ST CHICAGO, IL UNIT 3 1st OFFICER'S NAME SIGNATURE Electronic Approval 2nd OFFICER'S NAME GARZA, HOMERO SIGNATURE
Electronic Approval KUJAWSKI, ROBERT STAR NO. SEE COPY 4 FOR NOTICE TO FINDER RE-INVENTORY OF: ٠; CHARGE TYPE: INCHOATE: OFFENSE AS CITED DATE 28-JAN-2004 BEAT OF RECOVERY \$ TOTAL CASH U.S.C S **FELONY** TELEPHONE NO. TELEPHONE NO. 2 \$498.00 498.00 STAR NO: STAR NO. 21 NH 18867 20:23 35 TIME MY SIGNATURE HEREON ACKNOWLEDGES RECEIVING ALL PROPERTY DESCRIBED IN THIS INVENTORY 9 RECIPIENTS SIGNATURE DATE RECEIVED ADDRESS - STREET WATCH COMDR.'S APPROVAL SIGNATURE (EXEMPT HANK REQUIRED FOR FIREARMS) COURT ORDER - DISPOSAL INSTRUCTIONS OFFICER'S SIGNATURE -INVENTORY NO. JUDGE OFFICER'S SIGNATURE -10267990 E. & R.P.S USE ONLY Printed by: PC0Q815 28-JAN-2004 20:21 STATE STAR - UNIT STAR 벍 CT.BR C Z

PROPERTY INVENTORY -- NO. CHICAGO POLICE DEPARTMENT CPD-34.523 (REV. 6/03) OI WELL DATE RECOVERED 453186 COMMENTS: 28-JAN-2004 a 2 0 INITIAL DESTINATION OF PROPERTY:
FORENSIC SERVICES SECTION Y CHECK IF RECOVERED/SEIZED FROM - NAME CURRENCY: STATE CHATTAGES: Ϋ́ OWNER'S NAME QUANTITY DECEASED × Court Branch $[\times]$ Court Date HOLD FOR INVESTIGATION INVESTIGATING OFFICER -AND/OR EVIDENCE
(IF NOT NEEDED FOR INVESTIGATION/EVIDENCE, LEAVE BLANK) PROPERTY OWNER NOTIFIED ON TO PICK UP PROPERTY WITHIN 30 DAYS OR PROPERTY WILL BE DISPOSED OF POLICE MAIL TO BE DISPOSED OF BY CUSTODIAN (NOT TO BE RETURNED)

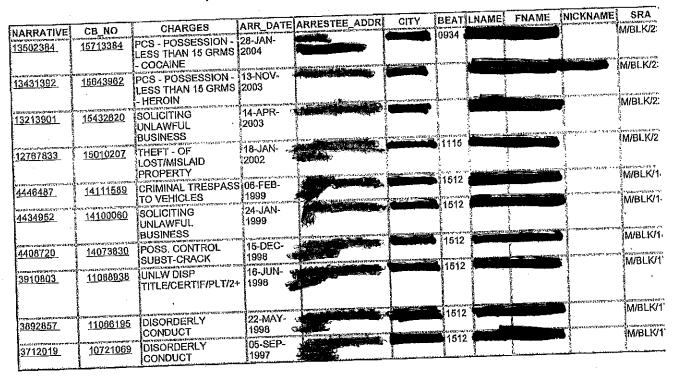
(THIS APPLIES IF PROPERTY IS NOT EVIDENCE, NOT RETURNABLE AND/OR OWNER IS UNKNOWN) E & RPS PICKUP NARCOTIC / DRUG : CHIP BAG CONTAINING 13 MIN! ZIPLOCKS, SUSPECT CRACK COCAINE X ARRESTED 25-FEB-2004 720 ILCS 570.0/402-C 2027 GARZA, HOMERO Star: 14683 RECOVERING UNIT PERSONNEL INV NO 10267989 NARCOTICS POSS: CRACK EVID/LAB TECHNICIAN EVIDENCE & RECOVERED PROPERTY SECTION USE ONLY DESCRIPTION OF PROPERTY ... APPROVING DESK SERGEANT HOGAN, THOMAS PKG NO 273335 B ADDRESS × ... AODRESS STAR NO. COPY 3 - COURT COPY - ATTACH TO COURT PAPERS HOW NOTIFIED
IN PERSON
PHONE MAIL 18867 HK151340 4 4223 W WILCOX ST CHICAGO, IL END LIND SEE COPY 4 FOR NOTICE TO PRICE!

1st OFFICER'S NAME
KUJAWSKI, ROBERT SIGNATURE
Electronic Approval SIGNATURE Electronic Approval 2nd OFFICER'S NAME GARZA, HOMERO RE-INVENTORY OF: CHARGE TYPE: INCHOATE: OFFENSE AS CITED \$ TOTAL CASH U.S.C BEAT OF RECOVERY DATE 28-JAN-2004 SET **FELONY** TELEPHONE NO. 크 TELEPHONE NO. STAR NO. STAR NO. 14683 18867 21 EN 20:18 뎚 MY SIGNATURE HEREON ACKNOWLEDGES RECEIVING ALL PROPERTY DESCRIBED IN THIS INVENTORY RECIPIENTS SIGNATURE ADDRESS - STREET INVENTORY NO. DATE RECEIVED 3 WATCH COMDR'S APPROVAL SIGNATURE (EXEMPT RANK REQUIRED FOR FIREARMS) COURT ORDER - DISPOSAL INSTRUCTIONS OFFICER'S SIGNATURE -10267989 JUDGE OFFICER'S SIGNATURE -E. & R.P.S USE ONLY Printed by: PC00815 28-JAN-2004 20:18 STATE STAR - UNIT STAR 벟 CT.BR. UNIT

Created by: PC0S413

CLEAR Data Warehouse Arrestee History For IR Number 1210494 1990 To The Present

Report Date= 1/29/04 Requested By= pc0q224



This results table currently has 10 records in it. For Official Police Use Only! Not For Dissemination!

CR295447 att28 1/29/2004

DSP	28-Jan-04/18:55:39	D541747	. PD41
אטר			PD40
ONS	28-Jan-04/20:56:03	D306529	FD40

EVENT CHRONOLOGY Date/Time	Segment Name	Workstatio	n Description
	OUTSER	PD41	Type: FP
28-Jan-04/18:55:28	DOS	PD41	1106A
28-Jan-04/18:55:28	ASST	PD41	1145
28-Jan-04/18:55:39	ASST	PD41	1144
28-Jan-04/18:56:06	MISC	PD41 .	IN CUSTODY
28-Jan-04/18:56:11	MISC	PD40	
28-Jan-04/18:58:20 1145 hit one of the		eye	
	ASST	PD40	1171
28-Jan-04/18:59:12	ASST	PD41	1140
28-Jan-04/18:59:48 28-Jan-04/19:04:59	CLOC	PD41	
1145 1144 1171 1140	1106A [011 W/1	.]	
28-Jan-04/19:20:45	AUTPRE	PD41	1145
28-Jan-04/19:20:45	asst	PD41	1145
28-Jan-04/19:20:53	CASERD	PD41	
RDG Report Number 1	145 \$CPDHK15134(D D/2027 By	: D541747

CR295447

				Type [FP] has no Card
	28-Jan-04/19:21:28	ALERT	PD41	Type [FF] has we
	28-Jan-04/19:21:28	- CHNG	PD41	
	Triage Data Entered; So	ervLoc: 4200	WILCOX ==> 4221	W WILCOX ST; ARP: YES ==>
NO;	Other Notified: YES ==	> NO; SrvcAre	a: <empty> ==> 11</empty>	15;
	28-Jan-04/19:25:31	COPYT	PD40	
	Copied To Event(s): C	PD0402814397		
	28-Jan-04/19:27:00	COPYT	PD40	
	Copied To Event(s): C	PD0402814424		
	28-Jan-04/19:32:53	SUPP	PDT97	Remarks Added
	28-Jan-04/19:47:28	ASST	PD41	1120
	28-Jan-04/19:47:31	AUTPRE	PD40	1120
	28-Jan-04/19:47:31	ASST	PD40	1120
	28-Jan-04/19:47:38	CLOC	PD41	1120 [011 PAPER]
	28-Jan-04/19:47:41	CLOC	PD40	1120 [011 - PAPER]
	28-Jan-04/19:48:37	ALERT	PD41	Type [FP] has no Card
	28-Jan-04/19:48:37	CHNG	PD41	
	Remarks Entered; Tria	ge Data Ente	red;	
		AUTPRE	PD41	1171
	28-Jan-04/20:01:10		PD40	1145 [011]
	28-Jan-04/20:55:16	CLOC		Type [FP] has no Card
	28-Jan-04/20:55:27	ALERT	PD40	TAbe firl more
	28-Jan-04/20:55:27	CHNG	PD40	
	Triage Data Entered;	Location: 42	200 WILCOX ==> 42	00 W WILCOX ST; X Streets:

Triage Data Entered; Location: 4200 WILCOX ==> 4200 W WILCOX ST; X Streets: <empty>/<empty> ==> 125 BL S KILDARE AV/130 BL S KEELER AV; ServLoc: 4221 W
WILCOX ST ==> 4200 W WILCOX ST; Atom: <empty> ==> 11151; RespArea: <empty> ==> 1115; RespGroup: <empty> ==> 11151;

28-Jan-04/20:56:03

ONS

PD40

1144

02395497 att 26

Unit	Date/Time	status
1106A	28-Jan-04/18:55:28	DIS
1106A	28-Jan-04/18:55:28	ons
1106A	28-Jan-04/19:04:59	ENR
1145	28-Jan-04/18:55:39	DIS
1145	28-Jan-04/19:04:59	ENR
1145	28-Jan-04/19:20:45	AV
1144	28-Jan-04/18:56:06	DIS
1144	28-Jan-04/19:04:59	ENR
1144	28-Jan-04/20:56:03	ONS
1171	28-Jan-04/18:59:12	DIS
1171	28-Jan-04/19:04:59	ENR
1171	28-Jan-04/20:01:10	AV .
1140	28-Jan-04/18:59:48	DIS
1140	28-Jan-04/19:04:59	ENR
1145	28-Jan-04/19:20:45	DIS
1145	28-Jan-04/20:55:16	ENR
1120	28-Jan-04/19:47:28	DIS
1120	28-Jan-04/19:47:31	VA
1120	28-Jan-04/19:47:31	DIS
1120	28-Jan-04/19:47:38	ENR

cr395447 att 24 Jan 28 21:26 2004

1120 28-Jan-04/19:47:41 ENR

R295441

Jan 28 21:28 2004

EVENT HISTORY TABLE

EVENT HISTORY RECORDS

Event #: 0402814424

Time: 28-Jan-04/19:27:00

Response Level: 1

Src: S

Info:

Phone:

Priority: 3D

Type: NFY

Loc: 4200 W WILCOX ST

Caller:

EVENT REMARKS

28-Jan-04/19:27:00 D535999

PD40

1144 OCD SPRAY

1140 NOTIFIED

OFFICER SANDUSKY *15593 USED SPRAY

OFFICER CAREY TOOK SHOT TO THE EYE - NOT GOING TO BE HOSPITALIZED

28-Jan-04/19:27:00

D535999

*** Copy from CPD0402813874 to CPD0402814424 ***

RD Records copied:

HK151340

2027 was last disposition copied from event CPD0402813874

CR295447 att 24

	Status	Status Date		ву		At		-	
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	CLS	28-Jan-04/19	:33:06			PDT97			
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	28-Jan-04	1/19:27:00	ENTRY		PD40	-			
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	28-Jan-04/19:27:00		COPYF		PD40				
	Copied 0	remarks from	Event# C	PD04028	13874				
	Color	•			DEMIC!	7	Event	Canceled:	DONE

CANC

28-Jan-04/19:33:06

PDT97

CRJ95447 att 200

Event Canceled: DONE

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CR295447 att 27

Office of Professional Standards

9 March 2004 C.R.#295447

TO:

Commanding Officer 011th District

FROM:

Investigator III John Wilmouth #256

SUBJECT:

Attendance and Assignment Sheets

The reporting investigator requests copies of the Attendance and Assignment Sheets for 28 January 2004, 3rd Watch including tactical units. This involves numerous units that responded to the scene. Please mail to Investigator John Wilmouth #256 Unit 113. Thank you for your assistance. Pax 0105

nv III John Wilmouth #256

APPROVED:

OR 295447

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Total Postage & Fees \$

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CR295447 att 36

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CR295447 att 4/

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TO:	ATTENTION: ADMINISTE	RATOR IN CHARGE	TENDENT, INTERNA	SSIONAL STANDARDS AL AFFAIRS DIVISION UNIT	
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CR25-9447 att 42 Office of Professional Standards

16 April 2004

TO:

Commanding Officer Ollth District

FROM:

Investigator III John Wilmouth #256

SUBJECT:

Witness Report Required Complaint Register Investigation #

Sgt LASCH, Alan #1434 RE:

required from an officer of your command in reference to the aforementioned Complaint Register Investigation number. Please report aloremention who officer is a witness and is not have a supervisor present this request to the Officer for his/her The officer is a witness and is not accused immediate attention.

The Witness Report should be in a narrative form and should address each part of the allegation(s) alleged by of any misconduct. torm and should not be snevered in a vector of all steed of the complainant/victim and/or questions as listed (see reverse the complainant/victim and/or questions and decomplainant/victim and/or questions as listed (see reverse the complainant/victim and/or questions). They should not be answered in a yes or no manner. The officer's report should contain the information he/she received,

the undersigned within fours and at warrent warrent the undersion contact the undersioned at warrent warrent to be forwarded to This request is in compliance with General

order 93-3, Addendum 2, Section II, A, 2, 3, & 4 and the F.O.P. John Whomouth

Agreement, Article 6, Section 6.2.

Approved:

C Smith (JW)

Supervisor, O.P.S.

Date of Incident:	28 January 2004		Time:	1900	 -
Location of Incident:	4421 West Wilcox		1		
R.D.# HK 151340	C.B.#		15713384		
Complainant/Victim:		•	· · · · · · · · · · · · · · · · · · ·	<u> </u>	

The complainant alleges on the above date and time Police Officer Michael Sandusky #15593 struck him about the body with a baton; punched him in teh face; threw him into the rear of the dquadrol and kicked him while in the rear of the squadrol.

The complainant alleges Police Officer Thomas Carey#18795 choked him and threw him into the rear of the squadrol and kicked him while in the rear of the squadrol.

The complainant further alleges the follwoing Police Officers threw him into the rear of the squadrol and kicked him while in the rear of the squadrol. Police Officers Homero Garcia#14683, Robert Kujawski#18867, Kenneth Adair#4145, Michael Leverett#19713, Jesus Rivota#8390, Glenn Popiela#14124, Gerald Swinkle#11756 and Bradley Hespi#15218

NOTE DUPLICATE REPORTS ARE NOT ACCEPTABLE.

SPECIFIC QUESTIONS THAT NEED TO BE ADDRESSED:

- Q) Explain in detail how you came into contact with the complainant
- Q) What physical contact was made with the complainant
- Q) Was the complainment cooperative and if not how so.
- Q) Address the allegations made above.

19 April 2004

TO:

James Jackson

Commander

011th District

FROM:

Sergeant Alan Lasch #1434

011th District

SUBJECT:

Witness Statement for C.R. 295447

R/Sgt. had no contact with an experiment on 28 January 2004. R/Sgt. never had any physical contact with the complainant. R/Sgt. does not know if the complainant was cooperative or not because R/Sgt. was not at the scene of the incident. R/Sgt. cannot address the allegations made due to R/Sgt. not being on the scene.

R/Sgt. did however do the Damage to Vehicle report in which the complainant, broke out the window on the police car, which he was placed into.

Sgt. Alan Lasch #1434

Sgt. alan Lasch 1934

295447

TO:

Commanding Officer Unit 353

Investigator III John Wilmouth #256

Witness Report Required FROM:

Complaint Register Investigation #

SUBJECT: SGt JANKOWSKI, Paul #1523 RE:

required from an officer of your command in reference to the required formed Complaint Register Investigation number. aroremention of the officer for his/her have a supervisor present this request to the officer for his/her The officer is a witness and is not accused immediate attention.

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This request is in compliance with General order 93-3, Addendum 2, Section II, A, 2, 3, & 4 and the F.O.P. Agreement, Article 6, Section 6.2. ohn Wilmoil

Approved:

C. Smith (JW)

Supervisor, O.P.S.

Date of Incident:	28 January 2004	Time:	1900	<u></u> .
Location of Incident:	4421 West Wilcox			
R.D. ₩ HK 151340		15713384		_
Complainant/Victim:		·		

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- Q) Address the allegations made above.

SPECIAL OPERATIONS SECTION

To:

Matthew Tobias

Commander, Special Operations Section

From:

Sergeant Paul T. Jankowski #1523 Enhanced Foot Patrol, Unit 353

Subject:

CR#295447 Witness Statement

1. R/Sgt is submitting this report in regards to CR#295447. Regarding this R/Sgt's contact with the complainant this R/Sgt never had any contact with the complainant at any time.

- 2. This R/Sgt never came into physical contact with the complainant at any time. The complainant was brought into the 011th District by the arresting officers. At no time during this investigation did this R/Sgt speak with or see the complainant. The information concerning the investigation was obtained from the officers involved. This R/Sgt did three TRR reports and the Officers Battery Report for Officer Thomas Carey #17895. It was not necessary to speak with or see the complainant in order for the investigation to take place. The complainant was interviewed by the Watch Commander Lt Angarone.
- 3. This R/Sgt never spoke with or saw the complainant so no evaluation of the complainant's attitude towards the police can be given.
- 4. Concerning the allegations made by the complainant this R/Sgt was not present at the address of arrest. The officers involved gave no indication that the complainant wished to speak with a supervisor concerning any of the allegations. Once in the 011th District station this R/Sgt began the proper paperwork which was necessary to complete this R/Sgt's part of the investigation.

APPROVED:	Set Part
ATTEC	Sgt. Paul Jankowski 1523

TO:

Commanding Officer Ollth District

FROM:

Investigator III John Wilmouth #256

SUBJECT:

Report Required From Accused Officer Complaint Register Investigation # 295447

RE: P/O LEVERETT, Michael #19713 A To-From-Subject report is required from an officer of your command. Attached are the original forms of the Notification of Charges/Allegations, Administrative Proceedings Rights and Waiver of Counsel/Request to Secure Counsel forms for

Please have a supervisor present these forms to the accused officer. Have the supervisor date and time these forms in the appropriate locations and sign the witness line after the officer has read and signed these forms

Return the original copies of these forms along notification and receipt of same. report to the the officer's original To-From-Subject

The To-From-Subject report should address each part of the allegation(s) as listed on the Notification of Charges/Allegations form, in detail. They should not be answered

All forms and the officer's report are to be in a yes or no manner. forwarded to the undersigned within 72 hours of the officer's receipt of the Notification of Charges/Allegations and related

For questions regarding this communication, forms.

This request is in compliance with General Order 93-3, Addendum 3, Item II, C, 6. Im allmosts

Approved:

c Smith (JW)

Supervisor, O.P.S.

Date of Incident:	28 Januarý 2004	Time:	1900	·
Location of Incident:	4421 West Wilcox			
R.D. HK 151340	C.B.₹	 15713384		
Complainant/Victim:				

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NOTE DUPLICATE REPORTS ARE NOT ACCEPTABLE

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- Q) Address the allegations made above.

ΥΤΙΕΙΛΑΤΙΟΝ	VE PROCEEDING RIGHT I OF CHARGES/ALLEGA	S (Statutory) FIONS		PR OU UNIT OF ASSIG	TIME 1826 SNMENT
ICAGO POLICE	DEPARTMENT	RANK	STAR NO. 19713	011 011	
ME OF ACCUSED LEVERETT.	Michael	P/0			
		ADMINISTRATIVE PROCES	DINGS RIGHTS IStatute)(¥1	
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1.	Any admission or statement be used as the basis for your	made by you in the course of suspension or as the basis f avs.			o r
	You have the right to counse	l of your choosing to be pres and you may consult with hi			·
3.	You have a right to be given	a reasonable time to obtain c	ounsel of your own one		u
·A	You have no right to remain	silent. You have an obligation	n to trutniully allower q e an official police repor	t.	etions.
F		was to you you will be	ordered by a superior o	fitted to estation and dive	-4141566
6	. If you persist in your refusal a violation of the Rules and	after the order has been give Regulations of the Chicago	en to you, you are auti- Police Department and	will serve as a basis for	which
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To: 011th District Commander

From: P.O. M. Leverett # 19713

Subject: Complaint #-29447

This statement is not being given voluntarily, but under duress. I am only giving this statement at this time because I know I could lose my job if I refuse. This To-From report should not be considered a verbatim statement but only a summary of requested information.

On 28 Jan. 04 R/o was working with P.O. K. Adair #4145 on Bt# 1145. R/o while on routine patrol responded to a foot chase on the 4200 blk of Wilcox. As R/o approached through the alley R/o observed the complainant strike P.O. Carey#18795 in the face. As the complainant tried to make good his escape again, The complainant was taken into custody.

During this incident the complainant was placed in the back of 1144's car. The complainant then proceeded to kick out the rear drivers side window of the squad car.

The squadrol was then radioed to transport the complainant to the 011th District. At no time was R/O in the back of the squadrol with the complainant, nor did R/O throw or kick the complainant.

P.O.M. Leverett # 19713

Approved:	
	<u></u>

CR295447 att 50

TO:

Commanding Officer Ollth District

FROM:

Investigator III John Wilmouth #256

SUBJECT:

Report Required From Accused Officer Complaint Register Investigation # 295447

RE: P/O KUJAWSKI, Robert: #18867.

A To-From-Subject report is required from an officer of your command. Attached are the original forms of the Notification of Charges/Allegations, Administrative Proceedings Rights and Waiver of Counsel/Request to Secure Counsel forms for

Please have a supervisor present these forms to the accused officer. the officer. Have the supervisor date and time these forms in the appropriate locations and sign the witness line after the officer has read and signed these forms notification and receipt of same.

Return the original copies of these forms along original To-From-Subject report to the with the officer's

The To-From-Subject report should address each part of the allegation(s) as listed on the Notification of Charges/Allegations form, in detail. They should not be answered

All forms and the officer's report are to be in a yes or no manner. forwarded to the undersigned within 72 hours of the officer's receipt of the Notification of Charges/Allegations and related regarding this communication,

forms.

This request is in compliance with General Order 93-3, Addendum 3, Item II, C, 6. m Wilmous

Approved:

C Smith (JW)

Supervisor, O.P.S.

Date of	f Incident:	28 January 2004			Time:	1900	·
Location	on of Incident:	4421 West	Wilcox				
R.D.#	нк 151340		C.B. ∓		15713384 .	· .	
Complai	nant/Victim:			· ·			

The complainant alleges on the above date and time Police Officer Michael Sandusky #15593 struck him about the body with a baton; punched him in teh face; threw him into the rear of the dquadrol and kicked him while in the rear of the squadrol.

The complainant alleges Police Officer Thomas Carey#18795 choked him and threw him int the rear of the squadrol and kicked him while in the rear of the squadrol. .

The complainant further alleges the follwoing POlice Officers threw him into the rear of the squadrol and kicked him while in the rear of the squadrol. Police Officers Homero Garcia#14683, Robert Kujawski#18867, Kenneth Adair#4145, Michael Leverett#19713, Jesus Rivota#8390, Glenn Popiela#14124, Gerald Swinkle#11756 and Bradley Hespi#15218

NOTE DUPLICATE REPORTS ARE NOT ACCEPTABLE.

SPECIFIC QUESTIONS THAT NEED TO BE ADDRESSED:

- Q) Explain in detail how you came into contact with the complainant
- Q) What physical contact was made with the complainant
- Q) Was the complainment cooperative and if not how so.
- Address the allegations made above.

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TO:

DISTRICT COMMANDER

FROM!

P.O. R. KUJAWSKI *18867

SUBJECT! CR# 295447

THIS STATEMENT IS NOT BEING GIVEN VOLUNTAIRLY, but Under duress. I am only giving this statement at this time because I know that I could lose my Job if I Refuse.

1. Rlo on date and time in question was working beat 11060, Civilian dress in a unmarked squad one with P.O. H.

2. RIO observed the offender in what appeared to be a hand GARZA #14683. to hand NARCOTICS transaction at which time Rlo stopped vehicle, exited And App ANNounceD office And approached About FOR A Field interview At Above looked in Rlodinaction and FLED.

3. Rlo help detain the offender AFter he kicked out the squid CAR Window.

THE offender was never Cooperatives with the police, he punched

THE offender was never Cooperatives with the police, he punched

P.O. CARRY IN the FACE and Kicked out the squad CAR Window.

5. Rlo never observed any officer strike the offender with A Baton, NOR Puncha the offender, NOR did ANY one throw the offender in

6. Rlo Never observed P.O. CAREY aboke or throw the offender in the the Squadeol.

7. RIO never sow any officer throw the offender into the squadrolor Squadeoli Kick the offender.

122

APPROVED!

CR295447

Page 202

Office of Professional Standards

16 April 2004

TO:

Commanding Officer Ollth District

FROM:

Investigator III John Wilmouth #256

Report Required From Accused Officer Complaint Register Investigation # 295447

A To-From-Subject report is required from an SUBJECT: officer of your command. Attached are the original forms of the Notification of Charges/Allegations, Administrative Proceedings NOTHICATION OF CHARGES/ALTEGATIONS, FORMALISCE COUNSEL FORMS for Rights and Waiver of Counsel/Request to Secure Counsel forms for

Please have a supervisor present these forms to Have the supervisor date and time these forms in the accused officer. the appropriate locations and sign the witness line after the officer has read and signed

Return the original copies of these forms along notification and receipt of same. the officer's original To-From-Subject

The To-From-Subject report should address each part of the allegation(s) as listed on the Notification of part of the affection(a) as its of the motification of the charges/Allegations form, in detail. They should not be answered

All forms and the officer's report are to be forwarded to the undersigned with a bours of the officer's receipt of the Notification of Charges/Allegations and related

communication, regarding this

forms.

This request is in compliance

Order 93-3, Addendum 3, Item II, C, 6.

Im alibnouth

Approved:

C Smith (JW)

Supervisor, O.P.S.

oate of Incident:	4421 West	Wilcox 422	1. W. WILCOX
ocation of Incident:	4421 NCSC		
нк 151340	<u> </u>	C.B. ₹ 15713	3384

The complainant alleges on the above date and time Police Officer Michael Sandusky #15593 struck him about the body with a baton; punched him in teh face; threw him into the rear of the dquadrol and kicked him while in the rear of the squadrol.

The complainant alleges Police Officer Thomas Carey#18795 choked him and threw him into the rear of the squadrol and kicked him while in the rear of the squadrol.

The complainant further alleges the follwoing Police Officers threw him into the rear of the squadrol and kicked him while in the rear of the squadrol. Police Officers Homero Garcia#14683, Robert Kujawski#18867, Kenneth Adair#4145, Michael Leverett#19713, Jesus Rivota#8390, Glenn Popiela#14124, Gerald Swinkle#11756 and Bradley Hespi#15218

NOTE DUPLICATE REPORTS ARE NOT ACCEPTABLE.

SPECIFIC QUESTIONS THAT NEED TO BE ADDRESSED:

- Q) Explain in detail how you came into contact with the complainant
- Q) What physical contact was made with the complainant
-)) Was the complainment cooperative and if not how so.

Q) Address the allegations made above.

01291497 CH 55

		s (Statutory)	DATE	IGRORAGT	1820
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to secure the services of course	**	1	In Room #1200 - O.P.S.
72 hours-			in Room #1200
			
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20 APR 2004

District Commander

To:

District Commander

From:

P.O. Homero E. Garza #14683

Subject:

CR#295447

This statement is not being given voluntarily, but under duress. I am only giving this statement at this time because I know that I could Lose my job if I refuse.

R/o on the date and time of the allegation was working beat 1106D Civilian dress in a unmarked squad car with P.O. R. Kujawski #18867. On Said date offender was observed in a hand to hand narcotic transaction, at Which time r/o exited vehicle, announced his office and approached for a Field interview. Offender looked in r/o's direction and fled.

Offender was never cooperative with the police. R/o observed offender punch P.O. Carey about the face area and kicked out the squad car window.

R/o never observed any officer strike the offender with a baton, Punch or kick the offender. Offender was never thrown in the squadrol. R/o never observed p.o. Carey choke or throw the offender in the squadrol.

P.O. Homero E. Garza #1468

APPROVED:

Office of Professional Standards

16 April 2004

m

FOT

Commanding Officer Ollth District

FROM:

Investigator III John Wilmouth #256

SUBJECT:

Report Required From Accused Officer Complaint Register Investigation # 295447

A To-From-Subject report is required from an officer of your command. Attached are the original forms of the Notification of Charges/Allegations, Administrative Proceedings Rights and Waiver of Counsel/Request to Secure Counsel forms for

Please have a supervisor present these forms to the accused officer. the officer. Have the supervisor date, and time these forms in the appropriate locations and sign the witness line after the officer has read and signed notification and receipt of same.

Return the original copies of these forms along the officer's original To-From-Subject report to the with

The To-From-Subject report should address each part of the allegation(s) as listed on the Notification of Charges/Allegations form, in detail. They should not be answered

All forms and the officer's report are to be in a yes or no manner. forwarded to the undersigned within the hours of the officer's receipt of the Notification of Charges/Allegations and related communication,

regarding this forms.

This request is in compliance with ohn Wilmson

Order 93-3, Addendum 3, Item II, C, 6.

Approved:

C Smith (JW)

Supervisor, O.P.S.

Date of Incident:	28 January 2004	Time:	1900
·	4421 West Wilcox		
Location of Incident:_	C.B.#	15713384	
R.D. HK 151340 Complainant/Victim:			
COMPTSINGITO, 17			

The complainant alleges on the above date and time Police Officer Michael Sandusky #15593 struck him about the body with a baton; punched him in teh face; threw him into the rear of the dquadrol and kicked him while in the rear of the squadrol.

The complainant alleges Police Officer Thomas Carey#18795 choked him and threw him into the rear of the squadrol and kicked him while in the rear of the squadrol.

The complainant further alleges the following POlice Officers threw him into the rear of the squadrol and kicked him while in the rear of the squadrol. Police Officers Homero Garcia#14683, Robert Kujawski#18867, Kenneth Adair#4145, Michael Leverett#19713, Jesus Rivota#8390, Glenn Popiela#14124, Gerald Swinkle#11756 and Bradley Hespi#15218

NOTE DUPLICATE REPORTS ARE NOT ACCEPTABLE.

SPECIFIC QUESTIONS THAT NEED TO BE ADDRESSED:

- Q) Explain in detail how you came into contact with the complainant
- Q) What physical contact was made with the complainant
- Q) Was the complainment cooperative and if not how so.
- Q) Address the allegations made above.

ADMINISTRATIVE PROCEEDING RIGHTS (State /NOTIFICATION OF CHARGES/ALLEGATIONS CHICAGO POLICE DEPARTMENT NAME OF ACCUSED NAME OF	RANK P/O STAR	IGHTS (Statutory)	TIME 1745 SIGNMENT 011
ADMIN	STRATIVE PROCEEDINGS R	lonie (et-s	

The law provides that you are to be advised of the following:

- 1. Any admission or statement made by you in the course of this hearing, interrogation or examination may Any admission of statement made by you in the course of this nearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
- You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire:
- 3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
- You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements or responses constitute an official police report.
- 5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
- 6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes וו you persist ווו your retuser after the order has been given to you, you are advised that such retusal constitute a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which
- 7. You are further advised that by law any admission or statement made by you during the course of this hearing. You are turmet advised that by taw any admission of statement made by you during the course of this hearing, interrogation or examination and the fruits hereof cannot be used against you in a subsequent criminal proceeding.

CHARGES/ALLEGATIONS

The law provides that if you are to be charged with a criminal offense or if your separation from the The law provides that it you are to be charged with a criminal oriense of it your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of rurnermore, Department poncy provides that you have a right to be suvised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless complainants and anegations against you prior to any questioning of you concerning the anegation regardle of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

COMPLAINANTS:	
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011 District

To: District Commander 011th District From: P.O. Michael Sandusky #15593

Subject: C.R. # 295447

This statement is not being given voluntarily but under duress. I am only giving this statement at this time because I know that I could lose my job if I refuse. This "To-Fromstatement at this time because I know that I could lose my job if I refuse. This "To-Fromstatement but only a summary of requested Subject" report should not be considered verbatim statement but only a summary of requested information

R/o further objects to this investigation because Illinois State law now requires that anyone making a complaint against a sworn police officer must have the complaint supported by a sworn affidavit. R/o does not believe that the required affidavit has been obtained in this case.

On 28Jan04 r/o was in the area of 4200 W. Wilcox when offender observed engaging in a suspect narcotics transaction. Arresting Officers Kujawski # 18867 And Garza# 14683 Exited their marked police unit in Police Cock announced their office, and approached offender III an attempt to defeat the arrest, offender fled from arresting officers in the direction of r/o and his partner P.O. Thomas Carey #18795. In a further attempt to defeat the arrest, offender punched P.O. Carey in the face with a closed fist, causing in custody with the immediate swelling and redness. R/o attempted to place offender continued his combative behavior in that he was assistance of P.O. Garza. Offender swinging his arms and feet in r/o's direction, putting r/o in fear of receiving bodily harm. Concerned that offender seems actions would inflict more injury, and in accordance with the department's use of force model, r/o discharged his department issued O.C. pepper spray. was then placed in custody and placed in the back of r/o's squad car. R/o then kick out the rear window of his squad car. A radio call for assistance was dispatched, and a short time later Bt 1171 arrived and offender was placed in the rear of the squadrol where he continued to kick and pull away. Offender district for processing where he was placed immediately in the lock up due to his loud, combative hehavior.

At no time did r/o "strike offender several times about the body with his baton", nor did r/o "punch offender Ford in the face", nor did r/o "throw offender in the back of the squadrol and kick him".

Further more, at no time did r/o observe any other officer on scene "throw offender in the rear of the squadrol and kick him while inside".

R/o referenced the picture which was taken of offender the hight of the alleged incident, and offender did did not exhibit any injuries which would be consistent with offender being beaten with a steel baton, punched in the face several times, and being kicked by 10 grown men about the body!

P.O. Michael Sandusky #15593

Approved:

00295447

OLL PIBLICION

TO: OII DISTRICT COMMANDER

FROM! P.O. SANDUSKY#15593

SUDJECT: C.R.# 295447

I RIO WAS WORKING BEAT 1144 ON 28 JAN OY, RIO'S PARTNER WAS P.O. SANDUSKY#15593.

2. RIO CAME INTO CONTACT WITH ASSAILANT AFTER OFFENDER
FLED FROM BEAT 1142. WHO OBSERVED ASSAILANT SELLING NARCOTICS
RIO OBSERVED ASSAILANT RUNNING FROM SAID BEAT THRU A GANGWAY
RIO USED VERBAL COMMANDS TO STOP OFFENDER. AS ASSAILANT CAME
CLOSER TO RIO ASSAILANT PUNCHED RIO IN FACE WITH CLOSED FIST.

3. ASSAILANT COULD ONLY BE PLACED INTO CUSTODY AFTER USE OF PEPPER SPRAY.

4. AFTER BEING PLACED INTO VEHICLE. ASSAILANT KICKED OUT REAR WINDOW, SQUADROL WAS CALLED AT THAT TIME:

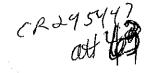
5. RIO HAD NO FURTHER CONTACT WITH ASSAILANT DUE TO DIZZYNESS AND GWELLING APTER BEING ATTACKED BY ASSAILANT.

6. AT NO TIME DID RIO CHOKE ASSAILANT,

T, AT NO TIME DID RIO OBSERVE ANYONE KICK THE ASSAILANT IN BACK OF SOUADROL

P.O. THOMAS CARDY 18795

APPROVED:



TO:

Commanding Officer Ollth District

FROM:

Investigator III John Wilmouth #256

Report Required From Accused Officer Complaint Register Investigation # 295447

A To-From-Subject report is required from an SUBJECT: officer of your command. Attached are the original forms of the officer or your command. Attached are the original forms of the Notification of Charges/Allegations, Administrative Proceedings for Rights and Waiver of Counsel/Request to Secure Counsel forms.

Please have a supervisor present these forms to Have the supervisor date and time these forms in the accused officer. the appropriate locations and sign the witness line after the the officer. officer has read and signed

Return the original copies of these forms along notification and receipt of same. officer's original

with

The To-From-Subject report should address each part of the allegation(s) as listed on the Notification of charges/Allegations form, in detail. They should not be answered

All forms and the officer's report are to be forwarded to the undersigned within 72 hours of the officer's in a yes or no manner. receipt of the Notification of Charges/Allegations and related

For questions regarding this communication, forms.

This request is in compliance with General

order 93-3, Addendum 3, Item II, C, 6.

Approved:

C Smith (JW)

SYNOPSIS OF THE COMPLAINANTS/VICTIMS ALLEGATION(S) OR FACTS:

Date of Incident:	28 January 2004	Time: 1900
Location of Incident:	4421 West Wilcox	
R.D. ■ HK 151340	C.B.	15713384
Complainant/Victim:		

The complainant alleges on the above date and time Police Officer Michael Sandusky #15593 struck him about the body with a baton; punched him in teh face; threw him into the rear of the dquadrol and kicked him while in the rear of the squadrol.

The complainant alleges Police Officer Thomas Carey#18795 choked him and threw him into

The complainant further alleges the follwoing Police Officers threw him into the rear of the squadrol and kicked him while in the rear of the squadrol. Police Officers Homero Garcia#14683, Robert Kujawski#18867, Kenneth Adair#4145, Michael Leverett#19713, Jesus Rivota#8390, Glenn Popiela#14124, Gerald Swinkle#11756 and Bradley Hespi#15218

NOTE DUPLICATE REPORTS ARE NOT ACCEPTABLE.

SPECIFIC QUESTIONS THAT NEED TO BE ADDRESSED:

- Q) Explain in detail how you came into contact with the complainant
- Q) What physical contact was made with the complainant
- Q) Was the complainment cooperative and if not how so.
- Q) Address the allegations made above.

0R395447

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CHICAGO POLICE	DEPARTMENT	BANK	STAR NO. • 14124	011	
NAME OF ACCUSED		P/O		v)	
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To:

District Commander - 011th District

From:

P.O. Glen P. Popiela #14124

Subject: Response to Questions As Asked In C.R. # 295447

1.) This statement is not being given voluntarily, but under duress. I am only giving this statement at this time because I know that I could lose my job if I refuse. This "To-From" report should not be considered a verbatim statement but only a summary of requested information.
R.O. further objects to this investigation because Illinois State Law now requires That anyone making a complaint against a sworn peace officer must have the Complaint supported by a sworn affidavit. R.O. does not believe that the required

Affidavit has been obtained in this case.

ANSWER TO QUESTION #1: R.O. was summoned to the scene of complainant's arrest for the purpose of transporting complainant into the 011th District for processing.

ANSWER TO QUESTION #2: R.O. cannot accurately answer this question as Worded because the question does not specifically address "contact" by whom.

ANSWER TO QUESTION #3: The complainant was NOT cooperative at any time this R.O. observed him; he failed to comply with the verbal commands of Officers on the scene to enter the squadrol. He furthermore resisted entering the squadrol while in handcuffs by kicking, squirming and twisting his body to defeat the arresting officers efforts to place him into the squadrol.

ANSWER TO QUESTION #4: At no time did R.O. observe any officers on scene engage in any of the allegations made by the complainant. Furthermore, R.O. did not, at any time, "throw" complainant into the squadrol – R.O. merely Assisted placing a violent, resisting arrestee into a transport vehicle. Finally, at No time did R.O. kick the complainant at any time.

P.O. Glen P. Popiela #14124

Approved:

TO:

Commanding Officer Ollth District

FROM:

Investigator III John Wilmouth #256

Report Required From Accused Officer Complaint Register Investigation # 295447

A To-From-Subject report is required from an SUBJECT: officer of your command. Attached are the original forms of the Officer of your command. Attached are the original forms of the Notification of Charges/Allegations, Administrative Proceedings Rights and Waiver of Counsel/Request to Secure Counsel forms for

please have a supervisor present these forms to Have the supervisor date and time these forms in the accused officer. the appropriate locations and sign the witness line after the officer has read and signed these the officer.

Return the original copies of these forms along notification and receipt of same. report to the the officer's original To-From-Subject

The To-From-Subject report should address each part of the allegation(s) as listed on the Notification of Charges/Allegations form, in detail. They should not be answered in a year or no manner.

All forms and the officer's report are to be forwarded to the undersigned to the Motification of the Motif in a yes or no manner. receipt of the Notification of Charges/Allegations and related

For questions regarding this communication, forms.

This request is in compliance with General

Order 93-3, Addendum 3, Item II, C, 6.

Approved:

C Smith (JW)

SYNOPSIS OF THE COMPLAINANTS/VICTIMS ALLEGATION(S) OR FACTS:

Date of Incident:	28 January 2004	Time: 1900
• •	4421 West Wilcox	
Location of Incident	C.B.#	15713384
R.D. # HK 151340	Cimi	
complainant/Victim:_		

The complainant alleges on the above date and time Police Officer Michael Sandusky #15593 struck him about the body with a baton; punched him in teh face; threw him into the rear of the dquadrol and kicked him while in the rear of the squadrol.

The complainant alleges Police Officer Thomas Carey#18795 choked him and threw him into the rear of the squadrol and kicked him while in the rear of the squadrol.

The complainant further alleges the follwoing Police Officers threw him into the rear of the squadrol and kicked him while in the rear of the squadrol. Police Officers Homero Garcia#14683, Robert Kujawski#18867, Kenneth Adair#4145, Michael Leverett#19713, Jesus Rivota#8390, Glenn Popiela#14124, Gerald Swinkle#11756 and Bradley Hespi#15218

NOTE DUPLICATE REPORTS ARE NOT ACCEPTABLE

SPECIFIC QUESTIONS THAT NEED TO BE ADDRESSED:

- Q) Explain in detail how you came into contact with the complainant
- Q) What physical contact was made with the complainant
- Q) Was the complainment cooperative and if not how so.
- Q) Address the allegations made above.

GIVEN TO ACCUSED TIME ADMINISTRATIVE PROCEEDING RIGHTS (Statutory) DATE /NOTIFICATION OF CHARGES/ALLEGATIONS UNIT OF ASSIGNMENT STAR NO. 011 CHICAGO POLICE DEPARTMENT RANK 83<u>90</u> P/0 NAME OF ACCUSED ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory) RIVOTA, Jesus The law provides that you are to be advised of the following: 1. Any admission or statement made by you in the course of this hearing, interrogation or examination may Any admission of Statement made by you in the course of this nearing, interrogation of examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge of You have the right to counsel of your choosing to be present with you to advise you at this hearing, You have the right to counsel of your choosing to be present with you desire. interrogation or examination and you may consult with him as you desire. 3. You have a right to be given a reasonable time to obtain counsel of your own choosing. You have no right to remain stient. You have an obligation to truthfully answer questions put to you. You You have no right to remain shell. You have an obligation to trouting answer que are advised that your statements or responses constitute an official police report. 5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions. 6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which 7. You are further advised that by law any admission or statement made by you during the course of this hearing, You are further advised that by law any administration of statement made by you during the course of this hearing, interrogation or examination and the fruits hereof cannot be used against you in a subsequent criminal proceeding, **CHARGES/ALLEGATIONS** The law provides that if you are to be charged with a criminal offense or if your separation from the The law provides that it you are to be charged with a criminal offense or it your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of rurnermore, Department poncy provides that you have a right to be advised in whiting of the fallegation regardless complainants and allegations against you prior to any questioning of you concerning the allegation regardless

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while a	The complainant alleges on 28 January 2004, at 1900 hours t 4221 West Wilcox you: threw him into the rear of the squadrol and him while in the rear of the squadrol
RICKO	•
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	signed hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing s or allegations against him. Signature

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ER OF COUNSEL/REQUEST TO SECURE CO		·	CIONIMENT	
	BANK	STAR NO 8390	UNIT OF ASSIGNMENT	
	P/0		1	
RIVOTA, Jesus				
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having been advised of my right	ich have been given	examination or in	lettogation by toric	
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COMPLAINT REGISTER Conginal to investigator's file Duplicate to affected member	,	*	ATTACHMENT NO.	

To:

District Commander - 011th District

From:

P.O. Jesus Rivota #8390

Subject: Response to Questions As Asked In C.R. # 295447

1) This statement is not being given voluntarily, but under duress. I am only giving this statement at this time because I know that I could lose my job if I refuse. This "To-From" report should not be considered a verbatim statement but only a summary of requested information.

R.O. further objects to this investigation because Illinois State Law now requires That anyone making a complaint against a sworn peace officer must have the Complaint supported by a sworn affidavit. R.O. does not believe that the required Affidavit has been obtained in this case.

A 1) R/O was call to the scene to transport the complainant into the district.

A 2) R/O did not have any physical contact with the complainant.

A 3) Complainant was not cooperative, and was not responding to verbal command. Complainant was also kicking, and pulling away from officers as officers attempted to put him in the squadrol.

A 4) Again, R/O did not have any physical contact with the complainant, and at no time was R/O in the rear of the squadrol.

Approved:

			1	DATE OF REQUEST	14 14
REQUEST FOR TIN	ME EXTENSION - ISTER INVESTIGATION NO.: IMENT	2954	47	3 may	01
COMPLAINT REC	SUPERINTENDENT OF POLICE	TOR IN CHARGE, OFFICE	E OF PROFESSIONAL	STANDAKUS	• •
TO:	SUPERINTENDENT OF ADMINISTRAT	TOR IN CHARGE, OFFICE EPUTY SUPERINTENDE	NT, INTERNAL AFFAI	LIMIT	
	ASSISTANT D	PANK STAR	NO.	//3	
	NAME	INU 2J	<u> </u>		•
FROM-INVESTIGATOR'S	out John	YS IS REQUESTED TO COMP	LETE THIS	•	
	AN EXTENSION OF 30 DA	YS IS REQUESTED TO COMP EVESTIGATION FOR REASON	(5) INDICATED BELLOW.		•
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	AND AND FOR INTERVIEW	SIVE NAME AND REASON)		•	,
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CH	ICAGO POLICE DEPARTMENT	REQU YES	PLY ESTED NO	YES	TION UIRED NO	7 May 2004 19
•	COMMUNICATION	х]	×	<u> </u>	SUBJECT:
(S)	1. Commanding Officer Ollth Distric	ct				OFFICERS REPORTS
ADDRESSEE(S)	2.					
TO: AD	3.					REFERENCE:
FROM	Investigator III John Wilmouth	#256				C.R.#295447
H						
TE A SOUTH A	REights and Walvel of Good To/From Subject REport. Pleas if need be. Police Officer Kenneth Adair in Notification of Allegations, of Officer Adair sign the forms of the form	44145 Admini and ha a report Plea have Gera iver o Office e. Pax	submi strar ave a port if t or l ase ha his: 1d Sw f Cou er Sw	tted ive F Super from (his s: ave 0: submi inkle nsel. vinkle	his Toghts visor Office igned ffice t his Sign As subm	Notification of Allegations, Administrative Respi sign the forms and have then To/From Subject REport. ed his Notification of Allegations, of todays date I have not received his it his To/From
	l have e	med	lose	d	Co	pies CR2954477

EXTRA COPIES: WHEN THE SAME COMMUNICATION IS TO BE DIRECTED TO TWO OR THREE ADDRESSES. PLACE ONE OR TWO "X" FORM SETS AT THE BACK OF THIS SET WHEN TYPING.

DATE OF REPLY: CPD ~ 11.155 (5/95)

TO:

Commanding Officer Ollth District

FROM:

Investigator III John Wilmouth #256

Report Required From Accused Officer Complaint Register Investigation # 295447

P/O SWINKLE, Gerald #11756

SUBJECT: A To-From-Subject report is required from an officer of your command. Attached are the original forms of the Officer of your Command. Attached are the Officer of the Notification of Charges/Allegations, Administrative Proceedings Rights and Waiver of Counsel/Request to Secure Counsel forms for the counsel officer.

Please have a supervisor present these forms to Have the supervisor date and time these forms in the accused officer. the appropriate locations and sign the witness line after the officer has read and signed these the officer.

Return the original copies of these forms along notification and receipt of same. report to the the officer's original To-From-Subject

The To-From-Subject report should address each part of the allegation(s) as listed on the Notification of the allegations form, in detail. They should not be answered

forwarded to the undersigned within 72 hours of the officer's receipt of the Notification of Charges/Allegations and related this communication,

forms.

This request is in compliance with General Whowth

Order 93-3, Addendum 3, Item II, C, 6.

Approved:

C Smith (JW)

SYNOPSIS OF THE COMPLAINANTS/VICTIMS ALLEGATION(S)

Date of Incident: 28	January 2004	i	Time: 1900		
Location of Incident:	4421 West Wilcox		· •		
TIT 1519/0	C.B.# _	. ·	15713384		
R.D.#RK 131340			· · · · · · · · · · · · · · · · · · ·	<u>.</u>	· · · · · · · · · · · · · · · · · · ·

The complainant alleges on the above date and time Police Officer Michael Sandusky #15593 struck him about the body with a baton; punched him in teh face; threw him into the rear of the dquadrol and kicked him while in the rear of the squadrol.

The complainant alleges Police Officer Thomas Carey#18795 choked him and threw him into the rear of the squadrol and kicked him while in the rear of the squadrol.

. The complainant further alleges the follwoing POlice Officers threw him into the rear of the squadrol and kicked him while in the rear of the squadrol. Police Officers Homero Garcia#14683, Robert Kujawski#18867, Kenneth Adair#4145, Michael Leverett#19713, Jesus Rivota#8390, Glenn Popiela#14124, Gerald Swinkle#11756 and Bradley Hespi#15218

NOTE DUPLICATE REPORTS ARE NOT ACCEPTABLE.

SPECIFIC QUESTIONS THAT NEED TO BE ADDRESSED:

- Explain in detail how you came into contact with the complainant
- What physical contact was made with the complainant Was the complainment cooperative and if not how so.
- Q)
- Address the allegations made above.

CRJ45447

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		GIVEN TO A	ACCUSED	
ADMINISTRATIVE PROCEEDING RIGHTS	(Statutory)	DATE	MA404	1730
	ONS	29	UNIT OF ASS	IGNMENT
CHICAGO POLICE DEFF.	RANK P/O	star No. 11756	011	
NAME OF ACCUSED SWINKLE, Gerald	ADMINISTRATIVE PROCEE	OINGS RIGHTS (Statut	ory)	
	and Fillmanders		•	
The law provides that you are to b 1. Any admission or statement m be used as the basis for your s suspension in excess of 30 da	lade by you in the course of a suspension or as the basis fo	hls hearing, interrogal ir charges seeking you	tion or examination may premoval or discharge	or
suspension in coursel	of your choosing to be prese	nt with you to advise ; n as you desire:	you at this heating,	
3 You have a right to be given a	reasonable time to optam c		questions put to you. Y	ou
are advised that y		TOPPER OF A SUPERIOR	Officet to support my 4-	
6. If you persist in your refusal a violation of the Rules and your discharge will be soug 7. You are further advised that interrogation or examination	after the order has been given Regulations of the Chicago I ht. by law any admission or sta n and the fruits hereof canno	colice Department and tement made by you do to be used against you	turing the course of this in a subsequent crimir	• • • •
	CHARGES/ALL	el effense or if your se	eparation from the	
The law provides that if you are Department will be sought, you against or attributed to you. Furthermore, Department policy complainants and allegations of the nature of the allegation charges or the filing of separa	cy provides that you have a r against you prior to any que and even if the allegation is	ight to be advised in v stioning of you conce such that it will not re	writing of the names of ming the allegation regi sult in the filing of crimi	ardiaes
Accordingly, you are hereby a	idvised that me longwars	- 	•	
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3				
	inant alleges on to you: threw him it ar of the squadrol		04, at 1900 hou of the squadrol	rs, while at and kicked him

The undersigned hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing of the charges or allegations against him. ATTACHMENT NO. COMPLAINT REGISTER NO.

Witnesses

while in the rear of the squadrol

295447

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OF COUNSEL/REQUEST TO SECOND		***		1. 1.
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During regular tour of duty I blief to		ing ovamina	tion or interrogation shall be continued	camination
During regular tour of duty (after roll call) 10 WEST 35 TH Street - 12 th Floor: Chicago, Illing placing my signature upon this statement, I affirm my interrogation scheduled on the date aforesaid.	ois, at which time sai	d hearing, examine	comply with Department the	
Chicago, Illin	wish to secure said o	Onuser one sa.	1111	
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CPD-44 IVWIII	•	-		1.

To: Commanding Officer 011th district

From: P.O. Swinkle 11756

Subject: CR #295447

- 1. This statement is not being given voluntarily but under duress. I am only making this statement at this time because I could loose my job if I refuse the direct order being given to me. This to from statement should only be considered a summary not verbatim. R/O objects to this investigation because Illinois state law now requires that anyone making a complaint against a sworn officer must have the complaint supported by sworn affidavit. R/O does not believe that the required affidavit has been obtained in this case.
 - 2. R/O was not on scene at 4221 Wilcox at 1900 hours on 28 Jan 04. R/O has no knowledge of the incident that took place at the above time and location.

P.O. Swinkle 11756

cn 295447
att 77

TO:

Commanding Officer Ollth District

Investigator III John Wilmuth 3256

FROM:

Report Required From Accused Officer Complaint Register Investigation # 295447

SUBJECT: A To-From-Subject report is required from an RE: P/O HESPI, Bradley #15218 officer of your command. Attached are the original forms of the Notification of Charges/Allegations, Administrative Proceedings
Rights and Waiver of Counsel/Request to Secure Counsel forms for

Please have a supervisor present these forms to the officer. Have the supervisor date and time these forms in the appropriate locations and sign the witness line after the the accused officer. officer has read and signed these forms notification and receipt of same.

Return the original copies of these forms along original To-From-Subject report to the the officer's with

The To-From-Subject report should address each part of the allegation(s) as listed on the Notification of Charges/Allegations form, in detail. They should not be answered undersigned.

All forms and the officer's report are to be forwarded to the undersigned within 72 hours of the officer's in a yes or no manner. receipt of the Notification of Charges/Allegations and related

For questions regarding this communication, forms.

This request is in compliance with General Whomouth

Order 93-3, Addendum 3, Item II, C, 6.

Approved:

SYNOPSIS OF THE COMPLAINANTS/VICTIMS ALLEGATION(S) OR FACTS:

Date of Incident:	28 Jan	28 January 2004			Time: 1900			
Location of Incid		421 West 1	Wilcox		, 1			
R.D.			C.B.# _	1571	3384 .			
Complainant/Victi	im:		· .			- · · · · · · · · · · · · · · · · · · ·		

The complainant alleges on the above date and time Police Officer Michael Sandusky #15593 struck him about the body with a baton; punched him in teh face; threw him into the rear of the dquadrol and kicked him while in the rear of the squadrol.

The complainant alleges Police Officer Thomas Carey#18795 choked him and threw him into the rear of the squadrol and kicked him while in the rear of the squadrol.

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NOTE DUPLICATE REPORTS ARE NOT ACCEPTABLE.

SPECIFIC QUESTIONS THAT NEED TO BE ADDRESSED:

- Q) Explain in detail how you came into contact with the complainant
- Q) What physical contact was made with the complainant
- Q) Was the complainment cooperative and if not how so.Q) Address the allegations made above.

•				G ACCUSED	TIME _	
NISTRA	TIVE PROCEEDING RIGHTS (Statu	tory)	DATE	4 may 04	1300 ASSIGNMENT	
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	De used in excess of 30 days.		ألالته مديني ور	se you at this hearing	i.	
	be used as the basis for your suspension in excess of 30 days. 2. You have the right to counsel of your	choosing to be presoned to the consult with his	m as you desire:			•
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	You have no right to remain silent. You have no right to remain silent. You have no right to remain silents or are advised that your statements or	ou have an obligation	e an official police i	eport.	La avestions.	ı
	are advised that your statements of	teoposia.	ordered by a super	ior officer to answer t	Ne questione.	
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	i_t in your refusal atter ""	Chicago	Police Debarrance			
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REPORT SUBMITTED

CPD-44.105 (REV. 2/04)

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011 DISTRICT

TO:

COMMANDER 011 DISTRICT

FROM:

PO Bradley A. Hespe #15218

SUBJECT:

COMPLAINT REGISTER #295447

This statement is not being given voluntarily, but under duress. I am only giving this statement at this time because I know that I could lose my job if I refuse. This "to-from" report should not be considered a verbatim statement but only a summary of requested information.

R/O further objects to this investigation because Illinois state law now requires that anyone making a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit. R/O does not believe that the required affidavit has been obtained in this case.

R/O was assigned to beat 1155 and at no time did R/O make it onscene for the arrest of as R/O was on an assigned job elsewhere. R/O was didn't threw complaint into squadrol or kick complaint.

R/O did make and arrest from the same block on the same night. R/O believes complaint was able to get R/O's car number then.

PO Bradley A. Hespe 15218

Approved:

TO:

Commanding Officer Ollth District

Investigator III John Wilmouth #256

FROM:

Report Required From Accused Officer

SUBJECT:

Complaint Register Investigation # 295447

A To-From-Subject report is required from an officer of your command. Attached are the original forms of the officer or your command. Attached are the original forms of the Notification of Charges/Allegations, Administrative Proceedings Rights and Waiver of Counsel/Request to Secure Counsel forms for the course of the c

Please have a supervisor present these forms to the officer. Have the supervisor date and time these forms in the appropriate locations and sign the witness line after the the accused officer. . . .

Return the original copies of these forms along notification and receipt of same. with the officer's original To-From-Subject report to. the

The To-From-Subject report should address each part of the allegation(s) as listed on the Notification of Charges/Allegations form, in detail. They should not be answered

All forms and the officer's report are to be forwarded to the undersigned within 72 hours of the officer's in a yes or no manner. receipt of the Notification of Charges/Allegations and related

regarding this communication, contact the undersigned at MARKATAN PROPERTY OF THE PARK OF THE PA forms.

This request is in compliance with General

order 93-3, Addendum 3, Item II, C, 6.

Approved:

C Smith (JW)

SYNOPSIS OF THE COMPLAINANTS/VICTIMS ALLEGATION(S) OR FACTS:

Date of Incident:	28 January 2004	Time: 1900
• •	4421 West Wilcox	
Location of Incident	C.B.#	15713384
R.D. #		

The complainant alleges on the above date and time Police Officer Michael Sandusky #15593 struck him about the body with a baton; punched him in teh face; threw him into the rear of the dquadrol and kicked him while in the rear of the squadrol.

The complainant alleges Police Officer Thomas Carey#18795 choked him and threw him into the rear of the squadrol and kicked him while in the rear of the squadrol.

The complainant further alleges the follwoing Police Officers threw him into the rear of the squadrol and kicked him while in the rear of the squadrol. Police Officers Homero Garcia#14683, Robert Kujawski#18867, Kenneth Adair#4145, Michael Leverett#19713, Jesus Rivota#8390, Glenn Popiela#14124, Gerald Swinkle#11756 and Bradley Hespi#15218

NOTE DUPLICATE REPORTS ARE NOT ACCEPTABLE.

SPECIFIC QUESTIONS THAT NEED TO BE ADDRESSED:

- Q) Explain in detail how you came into contact with the complainant
- Q) What physical contact was made with the complainantQ) Was the complainant cooperative and if not how so.
- Q) Was the complainment cooperative and ifQ) Address the allegations made above.

OR 295447 30

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NOTIFICATION OF CONTROL RANK / O	STAR NO. 4145 011
	CEEDINGS RIGHTS (Statutory)

ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory)

The law provides that you are to be advised of the following:

- 1. Any admission or statement made by you in the course of this hearing, interrogation or examination may Any admission of statement mode by you in the course of this hearing, interrogenous of exemitation may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
- You have the right to counsel of your choosing to be present with you to advise you at this hearing, Interrogation or examination and you may consult with him as you desire.
- 3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
- You have no right to remain slient. You have an obligation to truthfully answer questions put to you, You You have no right to remain shells. For have an obligation to truthfully answer que are advised that your statements or responses constitute an official police report.
- 5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
- 6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes if you persist in your remost enter the order rise been given to you, you are advised that such remost constitute a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which
- 7. You are further advised that by law any admission or statement made by you during the course of this hearing, You are rurnier ouvroce man by new any guinnosion or statement made by you during the course of this nearing, Interrogation or examination and the fruits hereof cannot be used against you in a subsequent criminal proceeding,

CHARGES/ALLEGATIONS

The law provides that if you are to be charged with a criminal offense or if your separation from the The law provides that if you are to be charged with a criminal offense or if your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged

Furthermore, Department policy provides that you have a right to be advised in writing of the names of runnermore, Department points provides that you have a right to be advised in writing of the allegation against you prior to any questioning of you concerning the allegation regardless complainance and enegations against you prior to any questioning or you concerning the allegation regardly of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filling of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you:

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To: 011th District Commander

From: P.O. K. Adair # 4145

Subject: Complaint # 295447

This statement is not being given voluntarily, but under duress. I am only giving this statement at this time because I know I could lose my job if I refuse. This To-From report should not be considered a verbatim statement but only a summary of requested information.

On 28 Jan. 04 R/o was working with P.O. M. Leverett #19713 on Bt# 1145. R/o while on routine patrol responded to a foot chase on the 4200 blk of Wilcox. As R/o approached through the alley, R/o observed the complainant strike P.O. Carey#18795 in the face. As the complainant tried to make good his escape again, the complainant was taken into custody.

During this incident the complainant was placed in the back of Bt# 1144's car. The complainant then proceeded to kick out the rear drivers side window of the squad car.

The squadrol was then radioed to transport the complainant to the 011th District. At no time was R/O in the back of the squadrol with the complainant, nor did R/O throw or kick the complainant.

P.O. K. Adair # 4145

Approved:	

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TO:

Commanding Officer Ollth District

FROM:

Investigator III John Wilmouth #256

SUBJECT:

Report Required From Accused Officer Complaint Register Investigation # 295447

#18795

A To-From-Subject report is required from an RE: P/O CAREY, Thomas officer of your command. Attached are the original forms of the Notification of Charges/Allegations, Administrative Proceedings Rights and Waiver of Counsel/Request to Secure Counsel forms

Please have a supervisor present these forms to the accused officer. Have the supervisor date and time these forms in the appropriate locations and sign the witness line after the officer has read and signed these forms notification and receipt of same.

Return the original copies of these forms along the officer's original To-From-Subject

The To-From-Subject report should address each part of the allegation(s) as listed on the Notification of Charges/Allegations form, in detail. They should not be answered

All forms and the officer's report are to be in a yes or no manner. forwarded to the undersigned within hours of the officer's receipt of the Notification of Charges/Allegations and related

For questions regarding this communication, forms.

This request is in compliance with General

Order 93-3, Addendum 3, Item II, C, 6.

Approved:

C Smith (JW)

SYNOPSIS OF THE COMPLAINANTS/VICTIMS ALLEGATION(S) OR FACTS:

Date of Incident:	28 January 2004	Time: 1900
Location of Incident:	4421 West Wilcox	
R.D.		15713384
Complainant/Victim:		

The complainant alleges on the above date and time Police Officer Michael Sandusky #15593 struck him about the body with a baton; punched him in teh face; threw him into the rear of the dquadrol and kicked him while in the rear of the squadrol.

The complainant alleges Police Officer Thomas Carey#18795 choked him and threw him int the rear of the squadrol and kicked him while in the rear of the squadrol.

The complainant further alleges the follwoing Police Officers threw him into the rear of the squadrol and kicked him while in the rear of the squadrol. Police Officers Homero Garcia#14683, Robert Kujawski#18867, Kenneth Adair#4145, Michael Leverett#19713, Jesus Rivota#8390, Glenn Popiela#14124, Gerald Swinkle#11756 and Bradley Hespi#15218

NOTE DUPLICATE REPORTS ARE NOT ACCEPTABLE.

SPECIFIC QUESTIONS THAT NEED TO BE ADDRESSED:

- Q) Explain in detail how you came into contact with the complainant
- Q) What physical contact was made with the complainant
- Q) Was the complainment cooperative and if not how so.
- Q) Address the allegations made above.

GIVEN TO ACCUSED ADMINISTRATIVE PROCEEDING RIGHTS (Statutory) NOTIFICATION OF CHARGES/ALLEGATIONS UNIT OF ASSIGNMENT CHICAGO POLICE DEPARTMENT STAR NO. 18795 RANK P/O NAME OF ACCUSED ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory) CAREY, Thomas

The law provides that you are to be advised of the following:

- Any admission or statement made by you in the course of this hearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
- You have the right to counsel of your choosing to be present with you to advise you at this hearing, Interrogation or examination and you may consult with him as you desire:
- 3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
- You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements or responses constitute an official police report.
- 5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
- 6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes ir you persist in your reliaser error the order ries been given to you, you are advised that serve as a basis for which a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which
- 7. You are further advised that by law any admission or statement made by you during the course of this hearing, You are turnier auvised that by law any admission of statement made by you tolking the course of this hearing, Interrogation or examination and the fruits hereof cannot be used against you in a subsequent criminal proceeding,

CHARGES/ALLEGATIONS

The law provides that if you are to be charged with a criminal offense or if your separation from the The law provides that it you are to be charged with a criminal offense of it your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged

Furthermore, Department policy provides that you have a right to be advised in writing of the names of Furniermore, Department points provides that you have a right to be advised in whining of the allegation regardless complainants and allegations against you prior to any questioning of you concerning the allegation regardless complainants and allegations against you prior to any questioning of you concerning the allegation regardle of the nature of the allegation and even if the allegation is such that it will not result in the filing of original charges or the filing of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you: COMPLAINANTS: The complainant alleges on 28 January 2004, at 1900 hours, while at 4421 West! Wilcox you; choked him and threw him into the rear of the squadrol and kicked him while inside the rear of the squadrol.

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TO: OII DISTRICT COMMANDER

FROM: P.O. CAREY#18795

SUBJECT: CR# 15713384

I RIO CAME INTO CONTACT WITH OFFENDER, WHEN OFFENDER RUNNING AWAY FROM POLICE WHILE IN POSSESSION OF NARCOTICS PUNCHED RIO IN THE FACE CAUSING SWELLING AND DIZZYNESS.
RIO HAD NO FURTHER CONTACT WITH OFFENDER.

Z, RIO OBSERVED OPFENDER WAS NOT COOPERATIVE AT ALL. OFFENDER FLED SCENE WITH NARCOTICS, OFFENDER PUNCHER RIO IN FACE WITH CLOSED FIST. OFFENDER KICKED OUT REAR WINDOW OF VEHICLE. SO PLO WOULD HAVE TO SAY NO, OFFENDER WAS NOT COOPERATIVE.

- 3. PLO NEVER CHOKED OFFENDER AND NEVER THROU OFFENDER.
- 4. AT NO TIME DID RIO OBSERVE ANY P.O. KICK OR PUNCH OFFENDER, AND DID NOT OBSERVE OFFENDER GET THROWN INTO SOUADROL.

P.O. THOMAS CAREX # 18795

APPROV	ED:
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