



CITY OF CHICAGO  
OFFICE OF INSPECTOR GENERAL

# Recommendation to Reopen Chicago Police Department Misconduct Investigation

Log #2022-0005227

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DEBORAH WITZBURG | INSPECTOR GENERAL FOR THE CITY OF CHICAGO  
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September 30, 2024

Pursuant to the Municipal Code of Chicago (MCC) § 2-56-230(c)(ii), the Public Safety section of the City of Chicago Office of Inspector General (OIG) conducts reviews of individual closed disciplinary investigations conducted by the Civilian Office of Police Accountability (COPA) and the Chicago Police Department's (CPD) Bureau of Internal Affairs (BIA). Based on those reviews, OIG may make a recommendation to reopen the investigation to address a deficiency materially affecting its outcome.<sup>1</sup>

OIG reviewed a COPA investigation concerning allegations that a CPD member used excessive force during an emergency takedown, resulting in the complainant's losing several teeth.

During the accused member's interview with COPA, COPA asked the accused whether they noticed any injuries to the complainant. In response, the accused stated that they were unable to make any physical observations about the complainant after the take down, and they denied observing any injuries to the complainant.

Despite the accused member's denial of having knowledge that the complainant sustained injuries, the accused's body worn camera (BWC) footage captures the accused stating, "I think I knocked out two of [the complainant's] teeth." Additionally, assisting CPD members' BWC video footage captures the complainant inside the squadrol with their face visibly bloody prior to being taken to the district.

COPA concluded that the accused officer's use of force was unreasonable and recommended a 10-day suspension. However, COPA failed to conduct a Rule 14 analysis to address the CPD member's statement to COPA that they did not notice any injuries., which was contrary to their statement captured on BWC that they may have "knocked out two of [the complainant's] teeth."

OIG recommended that COPA reopen the investigation to conduct a Rule 14 analysis of whether the accused CPD member made false statements regarding whether they were aware that the complainant sustained injuries immediately after the use of force.

In response to OIG's recommendations, COPA declined to reopen the investigation. COPA stated that it "did not believe the evidence proves" the accused's statement violated Rule 14 for the following reasons: (1) COPA "does not believe that it can show that [the accused CPD member's] statements regarding his knowledge of injury were willfully false;" and (2) "the evidence does not show that [the accused CPD member's] statement to COPA that [they] did not see the complainant's injury at the time of the takedown was material to COPA's investigation."

OIG's letter to COPA containing its recommendations is attached at Appendix A. COPA's response is attached at Appendix B.

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<sup>1</sup> Once BIA or COPA has responded to an OIG recommendation to reopen an investigation, and once the underlying investigation has reached a final disciplinary decision, OIG's recommendation letters and the agencies' responses will be published on OIG's website. In these procedural postures, OIG's recommendations to reopen and the agencies' responses have been available and, from time to time, released pursuant to MCC § 2-56-250 and the Illinois Freedom of Information Act. These recommendations to reopen, issued pursuant to MCC § 2-56-230(c), are separate from OIG's own confidential investigative work, which is governed by the confidentiality provisions set out in MCC § 2-56-110.

# Appendix A | OIG Letter



Deborah Witzburg | Inspector General  
City of Chicago  
Office of Inspector General  
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Phone: (773) 478-7799

## Via Electronic Mail

March 25, 2024

ANDREA KERSTEN  
CHIEF ADMINISTRATOR  
CIVILIAN OFFICE OF POLICE ACCOUNTABILITY  
1615 WEST CHICAGO AVENUE, 4TH FLOOR  
CHICAGO, ILLINOIS 60622

Re: Log #2022-0005227

Dear Chief Administrator Kersten:

Pursuant to § 2-56-230(c)(ii) of the Municipal Code of Chicago (MCC), the Office of Inspector General's (OIG) Public Safety section has conducted a preliminary review of the investigation conducted by the Civilian Office of Police Accountability (COPA) in Log #2022-0005227. OIG recommends that the investigation be reopened to conduct a Rule 14 analysis. Log #2022-0005227 is currently in Command Channel Review status.

Log #2022-0005227 concerns allegations against Chicago Police Department (CPD) Officer Paul Srodulski, Star #18452, related to his use of excessive force during an emergency takedown, resulting in the complainant losing three teeth.

CPD's Original Case Incident Report, which lists Officer Srodulski as a reporting officer, states that on August 28, 2022, "In order to gain control of the offender, R/Os completed an emergency take down. While on the ground, [complainant] began to stiffen [their] body refusing to put [their] hands behind [their] back disregarding R/Os multiple verbal commands to put [their] hands behind [their] back. Offender began to flail [their] legs evading the arrest. With the help of R/Os and assisting officers [complainant] then complied and was handcuffed without further incident."<sup>1</sup> After being transported for processing, the complainant was taken for medical treatment for injuries sustained to the mouth and nose.

In the accompanying Tactical Response Report (TRR), the report narrative completed by Officer Srodulski, states, "At the end of the incident and when [complainant] was placed in squadrol 431 for transport, R/O did not know of any injuries to [complainant] due [complainant] still having [their] mask on. Upon arrival to District 004 station and seeing [complainant] unmasked R/O noticed blood in the area around the mouth of [complainant]. [Complainant] was then transported to South

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<sup>1</sup> Attachment 9.

Shore Hospital to be checked out.”<sup>2</sup>

Additionally reported in the TRR, under the Reporting Supervisor section, Sergeant Gregory Zaragoza, Star #2699, wrote, “The R/Sgt was near the event but not close enough to witness or hear the event occur. During the event described by PO Srodulski #18452, the subject was taken to the ground in order to take [them] into custody. During this event the subject sustained an abrasion to [their] upper lip and resulted in [them] losing 3 teeth. PO Srodulski #18452 was not aware of the injury as the subject was wearing a balaclava [sic] style face mask which covered [their] mouth area. The subject was taken to 004 for processing when [their] mask was removed, and the injury was discovered.”<sup>3</sup>

During Officer Srodulski’s interview with COPA, he was asked if he was able to make any physical observations about the complainant after the complainant was brought to the ground. Officer Srodulski stated, “No. At that time – well, at that time it was just this – [their] shirt and [their] pants and [their] arms. [They] still had the ski mask on at that time.” Officer Srodulski was then asked if he noticed any injuries at all, Officer Srodulski stated, “Not at all.” When asked to describe his encounter with the complainant, Officer Srodulski stated, “I pulled [them] to me and then we continued to the ground. So, I went with [them]; so, it wasn’t a slamming motion up here to here. It was -- I pulled [them] toward me, and then we both fell to the ground.” And again, after being asked if he noticed any injuries at all, Officer Srodulski stated, “I -- I did not. At that time, I did not.”<sup>4</sup>

Despite his denial of knowing of any injuries sustained by the complainant after being brought to the ground, on Officer Srodulski’s body worn camera (BWC) video, at the 2:40 mark, he states, “I think I knocked out two of [their] teeth.”<sup>5</sup> Officer Colleen Lindgren’s, Star #14018, BWC video at the 2:57 mark, captures Officer Srodulski’s comment about knocking out the complainant’s teeth while bending over to look and pick up something near the area where the complainant was on the ground. Officer Lindgren responds, “Damn.”<sup>6</sup> Officer Calvin Gray’s, Star #10494, BWC video at the 2:50 mark, captures the complainant inside the squadrol without a mask and their face is visibly bloody.<sup>7</sup>

COPA concluded that Officer Srodulski’s use of force was unreasonable and recommended a 10-day suspension. However, COPA failed to conduct a Rule 14 analysis to address Officer Srodulski’s statement to COPA that he did not notice any injuries; contrary to his statement at the time of the incident captured on BWC that he may have knocked out the complainant’s teeth. Accordingly, OIG recommends that COPA reopen Log #2022-0005227 to conduct a Rule 14 analysis of whether Officer Srodulski made false statements regarding whether he was aware that the complainant sustained injuries immediately after his excessive use of force.

Please contact Chief Investigative Analyst LaDonna Candia-Flanagan at [lcandia-flanagan@igchicago.org](mailto:lcandia-flanagan@igchicago.org) or (773) 478-5614 with any questions. Please send your response to this recommendation before a final disciplinary decision is made with respect to this investigation and in no case later than the time allowed by MCC § 2-56-245. OIG will consider a failure to

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<sup>2</sup> Attachment 38, p 10.

<sup>3</sup> Attachment 38, p 2.

<sup>4</sup> Attachment 51, p 5-6.

<sup>5</sup> Attachment 3.

<sup>6</sup> Attachment 5.

<sup>7</sup> Attachment 45.

respond in the time permitted by ordinance to be a declination of our recommendation. OIG looks forward to COPA's response and recommends that COPA incorporate this letter and its response into the electronic case file to provide for a complete record.

Respectfully,



Tobara Richardson  
Deputy Inspector General for Public Safety  
Office of Inspector General

cc: Deborah Witzburg, Inspector General, OIG  
Samuel Chae, Associate General Counsel for Public Safety, OIG  
LaDonna Candia-Flanagan, Chief Investigative Analyst for Public Safety, OIG  
Robin Murphy, General Counsel, COPA  
Angela Snell, Chief Investigative Law Officer, COPA  
Yolanda Talley, Chief, Bureau of Internal Affairs, CPD

# Appendix B | Department Response



May 8, 2024

Tobara Richardson  
Deputy Inspector General for Public Safety  
Office of Inspector General  
740 North Sedgwick Street, Suite 200  
Chicago, Illinois 60654

## *Via Electronic Mail*

Re: Re-Open Recommendation Log No. 2022-0005227

Dear Deputy Inspector General Richardson:

I am in receipt of your March 25, 2024 letter recommending that COPA re-open and conduct additional investigation in Log No. 2022-0005227. We understand the Office of the Inspector General - Deputy Inspector General for Public Safety (PSIG) recommends re-opening this case to conduct a rule 14 analysis. For the reasons stated below, COPA does not concur with PSIG's recommendation to re-open.

PSIG asks that COPA reopen this log to consider whether Police Officer Paul Srodulski made false statements by stating that he was not aware of an injury to the case complainant following Officer Srodulski's use of force on the complainant. COPA's investigation concluded that Officer Srodulski used excessive force on the complainant.

Proof of a Rule 14 violation requires three elements: that a false statement was made, that it was made willfully, and that it was made about a fact that was material to the incident under investigation.<sup>1</sup> COPA does not believe the evidence proves Officer Srodulski's statements violated Rule 14.

First, COPA does not believe that it can show that Officer Srodulski's statements regarding his knowledge of injury were willfully false. Officer Srodulski did not review his body-worn camera before completing his Tactical Response Report or before providing a statement to COPA.<sup>2</sup> COPA has no evidence that he intended to mislead or to fabricate his account about his knowledge of the complainant's injury.

Second, the evidence does not show that Officer Srodulski's statement to COPA that he did not see the complainant's injury at the time of the takedown was material to COPA's investigation. COPA investigated and sustained an allegation of excessive force against Officer Srodulski. His statements that he did not immediately realize the complainant was injured would not have influenced COPA's finding on that allegation. Furthermore, although somewhat delayed, the complainant received medical care promptly when he arrived at the station.

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<sup>1</sup> See *Agreement between City of Chicago Department of Police and Fraternal Order of Police Lodge No. 7* §6.1(M).

<sup>2</sup> COPA often does not require officers to view BWC before providing a statement due to concerns with potentially altering the officer's memory of the incident. Cf. 50 ILCS 706/10-20(a)(6)(A)(i) prohibiting officers from viewing BWC prior to completing reports in deadly force/great bodily harm incidents).

Under COPA's ordinance, the Chief Administrator may, in their discretion, re-open any closed investigation upon PSIG's recommendation.<sup>3</sup> Here, I cannot find an appropriate basis to re-open this investigation. I appreciate your continued diligent and careful review of closed COPA investigations.

Respectfully,



Andrea Kersten  
Chief Administrator  
Civilian Office of Police Accountability

cc: Deborah Witzburg (OIG)  
Samuel Chae (OIG)  
LaDonna Candia-Flanagan (OIG)  
Yolanda Talley (CPD)  
Robin Murphy (COPA)  
Angela Snell (COPA)



LaDonna Candia-Flanagan  
Chief Investigative Analyst for Public Safety

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For further information about this report, please contact the City of Chicago Office of Inspector General, 740 N. Sedgwick St., Suite 200, Chicago, IL 60654, or visit our website at [igchicago.org](http://igchicago.org).

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