



CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

Recommendation to Reopen Chicago Police Department Disciplinary Investigation

Log #2023-0005877

Published July 15, 2025

DEBORAH WITZBURG | INSPECTOR GENERAL FOR THE CITY OF CHICAGO
TOBARA RICHARDSON | DEPUTY INSPECTOR GENERAL FOR PUBLIC SAFETY

July 15, 2025

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.¹

COPA investigated allegations that a CPD officer used excessive force and engaged in maltreatment of an arrestee, and that a CPD Lieutenant failed to review the use of force used by the CPD officer and failed to properly complete the Tactical Response Report (TRR). COPA sustained the allegations against the CPD officer and recommended a reprimand and retraining on CPD's use of force policy. COPA reached a finding of unfounded against the CPD Lieutenant.

CPD officers responded to a call of an attempted robbery. The CPD officers conducted an investigatory stop on two individuals that matched the description provided by the victim. One CPD officer successfully detained one of the subjects while the other subject broke free from the accused CPD officer and fled on foot. Other CPD members on the scene were able to apprehend the arrestee and place them in handcuffs. The accused CPD member delivered a closed hand strike to the arrestee's face while helping place them under arrest.

OIG found that COPA did not address whether the CPD members who witnessed the accused member's misconduct reported their observations to a supervisor, in compliance with CPD's Rule 22, which prohibits the failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department. Additionally, OIG identified potential misconduct by another CPD member who did not report their involvement in a traffic crash.

OIG recommended that COPA reopen the investigation to identify the CPD members who witnessed the accused officer's excessive force and maltreatment, and determine whether they reported their observations in compliance with Rule 22 and other applicable directives. OIG also recommended COPA conduct an analysis to determine whether the CPD member involved in the traffic crash engaged in misconduct when failing to make a report.

In response to OIG's recommendations, COPA declined to reopen the investigation. In COPA's response it stated that the investigation occurred in September 2023 and its unlikely that COPA could obtain sufficient evidence to sustain allegations for failure to report. COPA did not address the CPD member's not reporting their involvement in a traffic crash.

¹ 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.

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

Appendix A | OIG Letter



Deborah Witzburg | Inspector General
City of Chicago
Office of Inspector General
740 N. Sedgwick St., Ste 200
Chicago, IL 60654
Phone: (773) 478-7799

Via Electronic Mail

November 27, 2024

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

Re: Log #2023-0005877

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 #2023-0005877. OIG recommends that the investigation be reopened to address all potential rule violations committed by involved CPD members. Log #2023-0005877 is currently in a command channel review status.

Log #2023-0005877 concerns allegations that CPD Officer Jorge Rivera, Star #18429, struck a subject with a closed fist in the face and/or head area without justification, held the subject around their face/neck area without justification, and showed maltreatment and disrespect to the subject. COPA sustained the allegations against Officer Rivera.¹ COPA also alleged that Lieutenant Sharon Huffman, Star #620, failed to review the use of force used by Officer Rivera, and failed to properly complete the "Lieutenant or Above/Incident Commander" review section of the Tactical Review Report (TRR) for Officer Rivera's use of force. The allegations brought against Lieutenant Huffman were unfounded.

According to the Original Case Incident Report, on September 9, 2023, Officer Rivera and Officer Randy McCraney, Star #13257, responded to a call of an attempted robbery at a BP Gas Station.² Officers Rivera and McCraney located two subjects who matched the physical description given by the victim of the attempted robbery and conducted an investigatory stop. Officer McCraney successfully detained one of the subjects while the other subject, broke free from Officer Rivera and fled on foot. Officer McCraney released custody of the detained subject to CPD transport officers and returned to their unmarked squad car to search for the subject who fled on foot.

¹ This case was reviewed by CPD's Tactical Review and Evaluation Division (T.R.E.D) which prompted an Initiation Report.

² Attachment 3.

Officer Rivera's body worn camera (BWC) video shows Officers Rivera and McCraney locate the subject near the BP Gas Station.³ Officer Rivera chases the subject on foot while Officer McCraney follows in the unmarked squad car. Officer Rivera successfully apprehends the subject with the aid of other CPD members.

Officer Rivera's BWC video, at the 17:55 mark, captures Officer Rivera holding the subject by the back of their neck and delivering a closed hand strike to the subject's face, while other CPD members attempt to handcuff the subject.⁴ Officer Rivera's BWC video also shows several CPD members surrounding the subject when Officer Rivera delivers the closed hand strike. In reviewing BWC video, not included in the investigative file, OIG discovered BWC video footage captured by CPD Officer Alexander Gomez's, Star #6555, at the 2:06 mark, where an unidentified CPD member states "Relax," after Officer Rivera strikes the subject.⁵

COPA interviewed Officer Rivera and Lieutenant Huffman as accused members related to this incident but did not identify or interview the CPD members who witnessed Officer Rivera's unjustified use of force and told Officer Rivera to "relax." It is unclear if the CPD members who potentially witnessed Officer Rivera's excessive force reported their misconduct to a supervisor as required by CPD Directive, Complaint Initiation and Log Number Investigation Assignment, G08-01-02, III.B (1), in violation of Rule 22 of CPD's Rules of Conduct.

Further, the Initiation Report states, "As P.O. Rivera is pursuing [*s/c*] [the subject], it appears an unmarked police vehicle strikes him, knocking him to the ground at 23:03:05."⁶ Additionally, COPA writes about an unknown officer striking Officer Rivera with their squad car in the Notes section of its Case Management System (CMS).⁷

In OIG's review of Officer McCraney's BWC video, it discovered Officer McCraney was the driver of the CPD vehicle that struck Officer Rivera.⁸ Officer McCraney's BWC video shows Officer McCraney stop the squad car, partially exits, and asking Officer Rivera, "Riv you good?"⁹ Additionally, on Officer Rivera's BWC video, at the 17:27 mark, the front of a vehicle makes contact with Officer Rivera, and Officer Rivera loses balance dropping their flashlight.¹⁰ The traffic crash was not addressed in this investigation, and it is unclear if Officer McCraney or Officer Rivera completed a report related to the crash as stipulated by CPD Special Order S04-07-03 Traffic Crashes Involving Department Members.

Based on OIG's preliminary review, and without taking any position on any other aspect of the investigation or its findings, OIG recommends that COPA reopen Log #2023-0005877, or alternatively, open separate Log Numbers to identify the CPD members who witnessed Officer Rivera's misconduct and determine whether they reported their observations in compliance with

³ A review of Officer Rivera's BWC shows the subject flee from them at 22:48:43. Officer Rivera appears to locate the subject again and chase after them at 23:02:14.

⁴ Attachment 15.

⁵ Axon Evidence Body Camera Footage of CPD Officer Alexander Gomez, recorded on September 9, 2023, accessed by OIG on November 20, 2024.

⁶ Attachment 1.

⁷ Note: CO-1397055.

⁸ Attachment 16 at 17:25.

⁹ Ibid.

¹⁰ Attachment 15.

Rule 22 and other applicable directives, and determine whether Officer McCraney engaged in misconduct by not reporting the traffic crash involving Officer Rivera.

Please contact Chief Investigative Analyst LaDonna Candia-Flanagan at lcandia-flanagan@igchicago.org or (773) 478-5614 with any questions. Please send your response to this recommendation within the time allowed by MCC § 2-56-245. OIG will consider a failure to 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



RE: Recommendation to Reopen Log #2023-0005877 (In CCR)

From Angela Snell <Angela.Snell@chicagocopa.org>

Date Wed 2/26/2025 2:54 PM

To LaDonna Candia-Flanagan <lcandia-flanagan@igchicago.org>

Cc Andrea Kersten <Andrea.Kersten@chicagocopa.org>; Robin Murphy <Robin.Murphy@chicagocopa.org>; Tobar Richardson <trichardson@igchicago.org>; Samuel Chae <schae@igchicago.org>; Deborah Witzburg <dwitzburg@igchicago.org>

WARNING - This message is from outside the Office of Inspector General email system. Do not open links or attachments from untrusted sources. Please report suspicious messages using the "Report Phish" button on the Outlook ribbon.

Good afternoon, COPA respectfully declines to reopen this investigation. This incident occurred in September 2023. Given the time since the incident, it is more likely than not that COPA will not be able to obtain sufficient evidence to sustain any allegations regarding a failure to report. Officers are likely to object to the delay in the investigation on the basis that their recollection of the incident is impaired. Please let me know of any questions.

Best,

Angie Snell (she/they)
Assistant General Counsel
Civilian Office of Police Accountability (COPA)
1615 W. Chicago Ave.
Chicago, IL 60622
Office: 312-746-0186
Cell: 312-965-2025

From: LaDonna Candia-Flanagan <lcandia-flanagan@igchicago.org>

Sent: Wednesday, November 27, 2024 2:56 PM

To: Andrea Kersten <Andrea.Kersten@chicagocopa.org>

Cc: Angela Snell <Angela.Snell@chicagocopa.org>; Robin Murphy <Robin.Murphy@chicagocopa.org>; Tobar Richardson <trichardson@igchicago.org>; Samuel Chae <schae@igchicago.org>; Deborah Witzburg <dWitzburg@igchicago.org>

Subject: Recommendation to Reopen Log #2023-0005877 (In CCR)

[Warning: External email]

Dear Chief Administrator Kersten:

On behalf of Deputy Inspector General Tobar Richardson, please find attached to this email a recommendation to reopen Log #2023-0005877 currently in Command Channel Review. Please acknowledge your receipt of this correspondence and let me know if you have any questions.

Thank you,



LaDonna Candia-Flanagan

Chief Investigative Analyst for Public Safety

The City of Chicago Office of Inspector General is an independent, nonpartisan oversight agency whose mission is to promote economy, efficiency, effectiveness, and integrity in the administration of programs and operations of City government.

OIG's authority to produce reports of its findings and recommendations is established in the City of Chicago Municipal Code §§ 2-56-030(d), -035(c), -110, -230, and -240.

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.

Talk to Us

(833) TALK-2-IG/(833) 825-5244

talk2ig@igchicago.org

igchicago.org/talk2ig

OIG Business Office

(773) 478-7799

Cover photo courtesy of the Department of Assets, Information and Services.
Alternate formats available upon request.

