



CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

Recommendation to Reopen Chicago Police Department Disciplinary Investigation

Log #2022-0005045

Published September 30, 2025

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TOBARA RICHARDSON | DEPUTY INSPECTOR GENERAL FOR PUBLIC SAFETY

September 30, 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

BIA investigated allegations that off-duty CPD Officer Luis Cruz, Star #15202, fondled the complainant's vagina, anus, and breast without their consent. Officer Cruz was arrested, charged, and convicted of Simple Battery following the incident.

BIA administratively closed Log #2022-0005045, short of a finding, after learning of Officer Cruz's criminal conviction. During its review, OIG identified that BIA did not address the potential violation of CPD's Rules of Conduct, Rule 1 that expressly prohibits the violation of any law or ordinance.

OIG recommended that BIA reopen the investigation to consider all available evidence and applicable rule violations associated with the disposition of Officer Cruz's criminal case.

In response to OIG's recommendations, BIA declined to reopen the investigation and did not provide an explanation for the declination.

OIG's letter to BIA containing its recommendations is attached in Appendix A. BIA's response is attached as Appendix B.

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.

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

December 27, 2024

CHIEF YOLANDA TALLEY
BUREAU OF INTERNAL AFFAIRS
CHICAGO POLICE DEPARTMENT
3510 SOUTH MICHIGAN AVENUE
CHICAGO, IL 60653

Re: Log #2022-0005045

Dear Chief Talley:

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 Chicago Police Department's (CPD) Bureau of Internal Affairs (BIA) in Log #2022-0005045. OIG recommends that the investigation be reopened to consider all available evidence and potential rule violations. Log #2022-0005045 is currently in an Administratively Closed Status.¹

Log #2022-0005045 concerns allegations that CPD Officer Luis Cruz, Star #15202, fondled the complainant's vagina, anus, and breast without their consent. According to the Original Case Incident Report (OCIR), Officers Germaine A. Wrencher, Star #12375, Bohdan Javorsky, Star #14113, Timothy P. Phillips, Star #13941, and Sergeant Jason J. Vogler, Star #1529, responded to the scene of the incident on November 27, 2022, around 5:30 a.m.² Officer Wrencher's body worn camera (BWC) footage shows responding CPD members meeting Officer Cruz in the lobby of an apartment building. Sergeant Vogler asks Officer Cruz whether he is assigned to CPD's 1st District and Officer Cruz states, "Yeah." Officer Cruz tells Sergeant Vogler that he went on a date with the complainant for the first time and they consumed a couple of drinks before returning to Officer Cruz's apartment where the complainant started arguing with him. Officer Cruz states he tried to calm the complainant down, but asserts the complainant made accusations against him. When Sergeant Vogler asks Officer Cruz what accusations the complainant made, Officer Cruz shakes his head and states, "So I just called 911 before it got worse. I never put my hands on her. We didn't have sex."³

¹ On November 27, 2024, OIG sent COPA a recommendation to reopen Log 2022-0005043, which resulted from the same set of facts, for COPA to conduct an analysis of potential violations of CPD's Rule 14. COPA has not responded to OIG's recommendation to reopen.

² Attachment 3, p. 2.

³ Attachment 5, at 6:31 – 7:13.

Officer Wrencher's BWC video shows Officers Wrencher and Javorsky accompany Sergeant Vogler to Officer Cruz's apartment to speak with the complainant. The complainant tells Officer Wrencher that they felt uncomfortable because Officer Cruz pushed them to have sex after the complainant said no. Before agreeing to further speak with responding CPD members on scene, the complainant requests a Sergeant from another CPD District and states they are uncomfortable with responding CPD members working in the same jurisdiction [CPD's 1st District] as Officer Cruz. Sergeant Vogler tells the complainant that a Sergeant from CPD's 18th District will come to interview them to make them more comfortable.⁴

The responding CPD members completed an Original Case Incident Report (OCIR) related to the incident. In summary, the report stated that the complainant went to Officer Cruz's apartment of their own free will after they met Officer Cruz at a bar and consumed at least one drink. Upon arriving at Officer Cruz's apartment, the complainant stated Officer Cruz touched their breasts over their clothing in a fondling manner. The complainant told Officer Cruz that his actions went too far and stated to Officer Cruz that they did not want to have sex on the first date. The complainant alleged during a consensual kiss, Officer Cruz grabbed their buttocks and touched their vagina with his hand in an unwanted manner while stating "this is mine," alluding to the complainant's body parts. The complainant reported that no penetration occurred, and Officer Cruz did not continue to fondle their buttocks or vagina after the complainant told Officer Cruz no.⁵ The Arrest Report stated that Officer Cruz was "arrested on signed complaints in that above offender touched the victim's buttocks and genitalia, in an offensive and unlawful manner, without the victim's consent."⁶

The Criminal Disposition Sheet for Case No. 22119714101 disclosed Officer Cruz was sentenced on January 9, 2024, to 12 months Conditional Discharge as well as sex offender classes and counseling for his conviction of 720 ILCS 5.0/12-3(a)(2) (Battery – Make Physical Contact).⁷ The Closing Packet notated Officer Cruz arrest, prosecution, and conviction of a Simple Battery.⁸ The conviction of a Simple Battery under 720 ILCS 5.0/12-3(a)(2) is a Class A misdemeanor. Rule 1 of CPD's Rules of Conduct expressly prohibits the violation of any law or ordinance. BIA administratively closed Log #2022-0005045 on February 14, 2024, without addressing this potential rule violation.

Based on OIG's preliminary review, and without taking any position on any other aspect of the investigation, OIG recommends BIA reopen the investigation to consider all available evidence and applicable rule violations associated with the disposition of Officer Cruz's criminal case.

⁴ Ibid., at 13:19 – 23:23.

⁵ Attachment 3, p. 2.

⁶ Attachment 4, p. 2.

⁷ Attachment 8.

⁸ Attachment 10, p. 1.

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 BIA's response, and recommends that BIA 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
Deputy Chief Traci Walker, BIA, CPD
Scott Spears, General Counsel, CPD
Sergeant Cynthia Curry, BIA, CPD

Appendix B | Department Response



Brandon Johnson
Mayor

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

Larry Snelling
Superintendent of Police

VIA ELECTRONIC MAIL

April 4, 2025

Tobara Richardson
Deputy Inspector General for Public Safety
City of Chicago Inspector General
740 N. Sedgwick, Suite 200
Chicago, Illinois 60654

RE: Log Number 2022-005045, 2023-0001846

Dear Deputy Inspector General Richardson:

This correspondence addresses the request to reopen the Bureau of Internal Affairs (BIA) investigations recorded under Log Numbers 2022-005045 and 2023-0001846. The BIA does not concur with the Office of the Inspector General and will not re-open the investigations.

Respectfully,


Timothy Moore
Deputy Director
Bureau of Internal Affairs

TM/cf
Attachment

cc: Traci L. Walker, Deputy Chief, BIA, CPD
Scott Spears, General Counsel, CPD
Deborah Witzburg, Inspector General, OIG
Samuel Chae, Associate General Counsel for Public Safety, OIG
LaDonna Candia-Flanagan, Chief Investigative Analyst for Public Safety, OIG



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, 231 S. LaSalle Street, 12th Floor, Chicago, IL 60604, or visit our website at igchicago.org.

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