



CITY OF CHICAGO  
OFFICE OF INSPECTOR GENERAL

# Recommendation to Reopen Chicago Police Department Disciplinary Investigation

Log #2023-0002399

Published September 30, 2025

DEBORAH WITZBURG | INSPECTOR GENERAL FOR THE CITY OF CHICAGO  
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.<sup>1</sup>

OIG reviewed a COPA investigation involving allegations that CPD member Kenneth Sunde, Star #18633, disrespected and sexually harassed the complainant by using their (Officer Sunde's) pelvis to pin the complainant to the vehicle during a traffic stop. After a preliminary investigation, COPA administratively closed the investigation stating, "The allegation that the accused used [their] pelvis to pin [the complainant] against the vehicle was not observed...There is no objective verifiable evidence to support moving forward with this investigation."

OIG reviewed body worn camera (BWC) footage included in the investigative file and observed Officers Sunde and Michael W. Donnelly, Star #13784, use profanity and insulting language towards the complainant and deactivate their BWCs before the traffic stop concluded. COPA did not address Officers Sunde and Donnelly's use of profanity or their early BWC deactivation, nor did it address the failure of the supervisor on-scene, Sergeant Erick Seng, Star #2677, to activate their BWC. OIG recommended that COPA reopen the investigation to address the language used by Officers Sunde and Donnelly, the early deactivation of their BWC, and any other applicable rule violations associated with the traffic stop.

In response to OIG's recommendations, COPA accepted OIG's recommendation and reopened the investigation. COPA determined that the accused members' use of profanity and their early BWC deactivation allegation are not under its jurisdiction and referred the investigation to BIA.

BIA conducted its investigation and sustained allegations that Officers Sunde and Donnelly used insulting language and several profanities towards the subject of a traffic stop, deactivated their BWCs early, and failed to submit an Investigatory Stop Report (ISR) prior to the end of their tour of duty. BIA also sustained an allegation that Sergeant Seng failed to activate their BWC during a traffic stop. BIA recommended a ten-day suspension for both Officers Sunde and Donnelly and a five-day Suspension for Sergeant Seng.

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

---

<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  
740 N. Sedgwick St., Ste 200  
Chicago, IL 60654  
Phone: (773) 478-7799

Via Electronic Mail

March 8, 2024

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

Re: Log #2023-0002399

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 #2023-0002399. OIG recommends that the investigation be reopened to investigate all allegations and to fully account for all available evidence. Log #2023-0002399 is currently in a Closed/No Finding status.

Log #2023-0002399 concerns allegations made by the complainant that Chicago Police Department (CPD) Officer Kenneth Sunde, Star #18633, disrespected and sexually harassed the complainant by using their pelvis to pin the complainant to the vehicle during a traffic stop. The complainant alleged that "[Officer Sunde's] supervisor on scene approached [Officer Sunde] and told him to stop."<sup>1</sup> After a preliminary investigation, COPA administratively closed Log #2023-0002399 stating, "The allegation that the accused used his pelvis to pin [the complainant] against the vehicle was not observed. . . . There is no objective verifiable evidence to support moving forward with this investigation."<sup>2</sup>

On June 2, 2023, Officers Sunde, Zachary C. Carmen, Star #10643, and Michael W. Donnelly, Star #13784, were assigned to Beat 1863E as a tactical team in CPD's 18<sup>th</sup> District.<sup>3</sup> At approximately 9:57 p.m., the above named CPD members conducted a traffic stop of the complainant and their passenger.<sup>4</sup> The body-worn camera (BWC) footage of Officer Sunde shows Sunde approaching the vehicle as the complainant says, "Oh, you pulled over an ex-Marine, great job." Sunde responded to the complainant, "Oh, an ex-Marine, cool. He's a fucking Marine, I'm Army, he's Navy. What the fuck? What's your fucking prior branch have to fucking do with anything? How 'bout you don't fucking drive on your fucking cell phone? How 'bout that? How 'bout you take fucking responsibility and don't just

<sup>1</sup> Attachment 8, p. 2.

<sup>2</sup> Attachment 11, p. 2.

<sup>3</sup> Attachment 3.

<sup>4</sup> Attachment 1.

say some stupid shit off the bat?” The complainant then apologized to Officer Sunde, who told the complainant, “Yeah, if you’re a fucking former Marine, have some respect.”<sup>5</sup>

Officer Donnelly’s BWC shows Donnelly at the passenger window, asking the complainant, “Bro what the fuck is wrong with you?” The complainant asked Officer Donnelly why they used profanity, and Donnelly responded, “Because you’re acting like an asshole, that’s why.”<sup>6</sup>

After Officer Sunde’s BWC captures them asking the complainant if there were any firearms in the car, the complainant told Sunde, “No, no, no, no guns, nothing – I know I’m Black but I don’t have all that.”<sup>7</sup> Officer Donnelly responded, “Oh, God yeah, because we don’t work with any Black people, right? There’s no Black people in the Chicago Police Department, right? Right? We didn’t - we didn’t serve with any Black people in the military, right? You’re ignorant as fuck.”<sup>8</sup> Officer Sunde said to the complainant, “Oh my fucking Lord. You’re ridiculous, dude. Lemme guess, you got fucking dishonorably discharged probably, right? How’d your – how’d your discharge go? Dishonorable? Probably dishonorable. Probably dishonorable. [They] probably got a dishonorable discharge that’s why [they are] so mad. That’s probably why [they are] so mad.”<sup>9</sup>

Officers Donnelly and Sunde asked the complainant to exit the vehicle due to the smell of cannabis, and Officer Sunde told the complainant to step to the back of the car.<sup>10</sup> Officer Sunde performed a protective pat down on the complainant by touching the outside of the complainant’s pant pockets.<sup>11</sup> The BWC video did not capture video of Officer Sunde pinning the complainant to the car during the protective pat down, nor was their audio captured of the supervisor, Sergeant Erick P. Seng, Star # 2677, directing Officer Sunde to stop. Sergeant Seng arrived on scene as the complainant was asked to exit the vehicle, but there is no BWC footage from Sgt. Seng for this incident.

The complainant told Officer Donnelly that the CPD members were “being a little rude” and Donnelly told the complainant, “For being an ex-Marine, you should have a little more god damn respect for authority.”<sup>12</sup> The complainant asked Sgt. Seng if he was the supervisor of the officers, and Officer Sunde stated to Sgt. Seng, “Sarge, sarge – [they were] a Marine, [they were] a Marine, show some respect.”<sup>13</sup> The complainant questioned Sunde whether or not the officers believed that they were previously enlisted in the Marine Corps, and Officer Sunde stated “Nah, by your attitude, I don’t fucking believe you.” When the complainant asked how old they looked, Sunde stated to the complainant, “Not old enough to look respectful, obviously. You’re acting ignorant.”<sup>14</sup> Officers Sunde and Donnelly deactivate their BWCs while on the scene with the complainant. It is unclear from the

<sup>5</sup> Attachment 5, at 2:00-2:20.

<sup>6</sup> BWC assigned to Michael W. Donnelly, Recorded on 06/02/2023 at 21:57, 02:28-2:33 timestamp, accessed from Evidence.com on 2/2/2024, [https://chicagopd.evidence.com/axon/evidence?evidence\\_id=2c200c35434b46cd97f06b77cfeaec6d&partner\\_id=9827c1dba4354322b83536c1a1c27e0b](https://chicagopd.evidence.com/axon/evidence?evidence_id=2c200c35434b46cd97f06b77cfeaec6d&partner_id=9827c1dba4354322b83536c1a1c27e0b).

<sup>7</sup> Attachment 5, at 2:47.

<sup>8</sup> BWC assigned to Michael W. Donnelly, Recorded on 06/02/2023 at 21:57, 02:51 timestamp, accessed from Evidence.com on 2/2/2024.

<sup>9</sup> Attachment 5, at 2:52.

<sup>10</sup> Ibid, at 3:17 – 3:32.

<sup>11</sup> Ibid, at 3:37 – 3:47.

<sup>12</sup> BWC assigned to Michael W. Donnelly, Recorded on 06/02/2023 at 21:57, 04:07 timestamp, accessed from Evidence.com on 2/2/2024.

<sup>13</sup> Attachment 5, at 5:37.

<sup>14</sup> Ibid., at 5:47-5:55.



BWC video or the investigative file, whether the complainant received any citations or an Investigatory Stop Report (ISR) receipt.

The Initiation Report for Log #2023-0002399 alleges the complainant and passenger felt disrespected and they did not appreciate how the officers spoke to them during the traffic stop.<sup>15</sup> The complainant further alleged the officers “began to talk down to him for being dishonorably discharged” after informing the officers they were a veteran.<sup>16</sup> Although Log #2023-0002399 was categorized with the Primary Category Code of Verbal Abuse-Profanity in the case management system (CMS), COPA does not address in its Non-Final Summary Report Closure Memorandum whether the CPD officers’ use of profanity, and early BWC deactivation violates CPD Rules and Regulations.

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 #2023-0002399 to address the verbal abuse used by CPD members Sunde and Donnelly, the early deactivation of their BWC, and any other applicable rule violations associated with the traffic stop.

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 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

---

<sup>15</sup> Attachment 8, p. 2.

<sup>16</sup> Ibid.

# Appendix B | Department Response



---

**RE: Recommendation to Reopen 2023-0002399**

---

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

**Date** Thu 3/21/2024 2:23 PM

**To** LaDonna Candia-Flanagan <lcandia-flanagan@igchicago.org>; Andrea Kersten <Andrea.Kersten@chicagocopa.org>

**Cc** Robin Murphy <Robin.Murphy@chicagocopa.org>; Yolanda Talley <yolanda.talley@chicagopolice.org>; Tobar Richardson <trichardson@igchicago.org>; Deborah Witzburg <dwitzburg@igchicago.org>; Samuel Chae <schae@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 will re-open this log number. 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:** Friday, March 8, 2024 3:16 PM

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

**Cc:** Angela Snell <Angela.Snell@chicagocopa.org>; Robin Murphy <Robin.Murphy@chicagocopa.org>; Yolanda Talley <yolanda.talley@chicagopolice.org>; Tobar Richardson <trichardson@igchicago.org>; Deborah Witzburg <dWitzburg@igchicago.org>; Samuel Chae <schae@igchicago.org>

**Subject:** Recommendation to Reopen 2023-0002399

[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 #2023-0002399. Please acknowledge your receipt of this correspondence, and let me know if you have any questions.

Sincerely,

**LaDonna Candia-Flanagan**  
**(She/Her)**

Chief Investigative Analyst  
Office of Inspector General  
740 N. Sedgwick, Suite 200  
Chicago, IL 60654  
[lcandia-flanagan@igchicago.org](mailto:lcandia-flanagan@igchicago.org)  
(773) 478-5614

You know your city. Talk to us about making Chicago government better.  
(833) TALK-2-IG | [talk2ig@igchicago.org](mailto:talk2ig@igchicago.org) | [igchicago.org](http://igchicago.org)

-

*The information contained in this communication may be confidential or subject to a legal privilege. Unauthorized use, disclosure, or copying of this communication or any part thereof may violate a federal, state, or local law or may be prohibited by a City of Chicago rule or policy. If you have received this communication in error, please do not read it and notify me immediately by return e-mail. I may ask you to destroy this communication and all copies thereof, including all attachments. 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, 231 S. LaSalle Street, 12th Floor, Chicago, IL 60604, or visit our website at [igchicago.org](https://igchicago.org).

**Talk to Us**  
(833) TALK-2-IG/(833) 825-5244  
[talk2ig@igchicago.org](mailto:talk2ig@igchicago.org)  
[igchicago.org/talk2ig](https://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.

