



CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

Recommendation to Reopen Chicago Police Department Disciplinary Investigation

Log #2023-0005450

Published September 30, 2025

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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.

BIA investigated allegations that CPD member Anthony Fosco, Star #15727, told the complainant that they (Officer Fosco) were a gang member and showed the complainant a Latin King tattoo on their chest during a traffic stop. BIA unfounded the allegations made against Officer Fosco.

During its review of body worn camera (BWC) video, OIG observed Officer Fosco questioning the complainant about the Latin Kings, displaying a Latin King hand sign, and using the phrase, "On the crown." BIA did not question Officer Fosco about their repeated use of the phrase, "on the crown," their display of a Latin King hand sign, or their display of a chest tattoo while discussing Latin Kings with the complainant during the traffic stop. BIA also did not conduct any analysis of whether Officer Fosco violated CPD's Rule 14, prohibiting false reports, when: (1) Officer Fosco claimed that the complainant accused them of being a Latin King gang member earlier based on the complainant's observation of Officer Fosco's crown tattoo; or (2) Officer Fosco stated the use of the phrase "on the crown" was a sarcastic response to an accusation by the complainant, when in fact Officer Fosco's first use of the phrase and partial display of the tattoo were not in response to anything said by the complainant. Further, BIA's investigative file did not reflect any analysis of whether Officer Fosco's conduct may have brought discredit upon the Department in violation of Rule 2. Based on BIA's investigative file, it was also unclear whether BIA conducted a thorough review of the BWC video captured during the traffic stop.

OIG recommended that BIA reopen the investigation to consider all available evidence and conduct an analysis of whether the conduct at issue violated Rules 2 and 14 of CPD's Rules of Conduct.

In response to OIG's recommendations, BIA reopened its investigation, conducted a social media intelligence investigation of Officer Fosco and their family members, and determined that it was unable to find evidence of gang affiliation. BIA also reviewed all available BWC footage and conducted a second interview with Officer Fosco. BIA sustained the allegation that Officer Fosco's conduct brought discredit to the Department, recommending a one-day suspension, and reached a finding of Not Sustained on the allegation that Officer Fosco was a Latin King gang member; BIA did not bring a Rule 14 allegation against Officer Fosco.

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
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Office of Inspector General
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Chicago, IL 60604
Phone: (773) 478-7799

Via Electronic Mail

January 23, 2025

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

Re: Log #2023-0005450

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 #2023-0005450. OIG recommends that BIA reopen the investigation to consider all available evidence and conduct an analysis of whether the conduct at issue violated Rules 2 and 14 of CPD's Rules of Conduct. Log #2023-0005450 is currently in Command Channel Review.

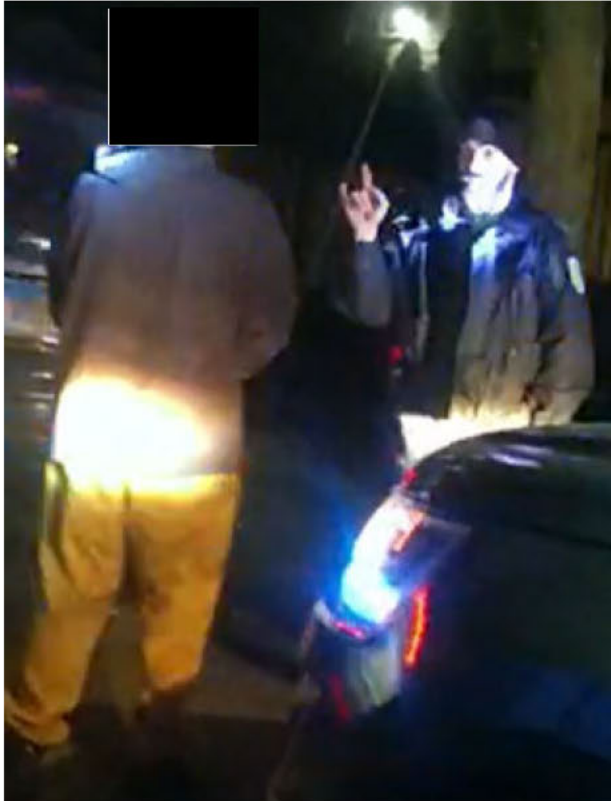
Log #2023-0005450 concerns allegations that CPD Officer Anthony Fosco, Star #15727, informed the complainant that he was a gang member and "showed" them a Latin King crown tattoo on his chest.¹ BIA unfounded the allegations made against Officer Fosco.

According to the Arrest Report in BIA's Internal folder within the investigative file, on November 17, 2023, Officer Fosco and other CPD members conducted a traffic stop after the complainant failed to come to a complete stop before they turned onto another street. Officer Kyle Pezan, Star #7399, wrote that once they activated their emergency lights, the complainant began "frantically reaching [toward] the glove compartment area," and continued driving slowly for approximately thirty more seconds before coming to a complete stop, which led the officers to believe the complainant was attempting to conceal a firearm. Once at the vehicle, the officers observed an open can of beer in the middle cup holder of the vehicle and asked the complainant to step out of the vehicle. The officers conducted a search of the vehicle and Officer Pezan recovered a firearm. The complainant was subsequently arrested and taken to the 10th District for processing.²

¹ Attachment 4.

² See attachment titled "Case 23-5450 Arrest."

Footage from Officer Fosco's body-worn camera (BWC), at the 4:19 mark, captures Officer Fosco inquiring about where the complainant resides during the traffic stop. Officer Fosco asks the complainant, "You live in the Wild Hundreds?" The complainant responds, "Yes sir." Officer Fosco asks the complainant, "Where at?" The complainant replies, "...I live in Pullman..." and tells Officer Fosco their exact address. Officer Fosco responds, "The Wild Hundreds." At the 4:40 mark of Officer Fosco's BWC, Officer Fosco states, "They got a little King faction back there." While Officer Fosco makes the statement about Latin Kings, Officer Jesus Saavedra's, Star #12727, BWC captures Officer Fosco displaying what appears to be a known Latin King hand sign, as shown here:³



The complainant responds, "They got King factions everywhere, bro." Officer Fosco replies, "Right. On the crown. On the crown, right?" as Officer Fosco raises his arm up past his BWC. The complainant remains quiet for several seconds, looks away from Officer Fosco and briefly turns to face away from Officer Fosco until Officer Fosco asks, "She's only eight, right?" in reference to the complainant's daughter, who was sitting in the front passenger seat during this interaction.⁴

Officer Pezan's BWC captures this interaction from a different point of view. On Officer Pezan's BWC, at the 5:04 mark, video footage shows Officer Fosco standing behind the complainant's vehicle and stating, "Right. On the crown. On the crown, right?" As Officer Fosco states, "On the

³ Attachment 9 at the 4:54 to 4:55 mark; <https://www.gettyimages.com/photos/latin-kings-gang>; <https://www.nj.gov/lps/gang-signs-bro.pdf>; <https://info.publicintelligence.net/NYPD GANGMANUAL.PDF> (see page 43); <https://www.tippecanoe.in.gov/877/Gang-Identifiers>; <https://www.vdh.virginia.gov/content/uploads/sites/23/2016/05/LMGT-732.pdf>

⁴ Attachment 12.

crown,” for the second time, video footage shows Officer Fosco reaching his arm up toward his chest and neck area and keeping his hand up by this area, while simultaneously tilting his head and/or chin upward, expanding his neck, as shown below.⁵



⁵ Attachment 8; Attachment 9 at 4:47.



Later, Officer Saavedra's BWC captures a 46-second video of Officer Fosco and the complainant having a brief verbal altercation in a 10th District holding cell, as officers are attempting to mirandize the complainant. At the 0:22 mark of Officer Saavedra's BWC footage, the complainant is visibly upset, points to Officer Fosco, who is standing in the doorway, and states, "He's talkin' about he's a Latin King. He told me he's a fucking gangbanger. Ain't you?" Officer Fosco responds, "Yes, yes, I'm a gangbanger. CPD, right?" The complainant responds, "Didn't you say that? Didn't you tell me that, sir? Didn't you tell me that you're a Latin King? Didn't you tell me, 'On the crown?'" as the complainant pulled the collar of their hoodie downward to expose their chest and neck area, apparently mimicking Officer Fosco's actions during the traffic stop. Officer Fosco responds, "Yes, yes, yes, on the crown, on the crown, on the crown, right, right, right," as Officer Fosco lifts his neck and lowers the collar of his t-shirt.⁶

BIA reviewed Officer Fosco's Personnel History File, including a form titled, "Physical Examination Record - Tattoo Sheet," and criminal history, which Officer Fosco completed as a CPD candidate in 2016. BIA determined that Officer Fosco did not have a chest tattoo at the time he was hired nor did his criminal history show that he was gang affiliated.⁷ In his BIA interview, on December 4, 2024, Officer Fosco admitted that he has a tattoo located on his chest that depicts a skull wearing a crown.⁸ Officer Fosco stated that once in the station, they confirmed that the complainant "had

⁶ Attachment 10.

⁷ Attachment 14; 13; 19.

⁸

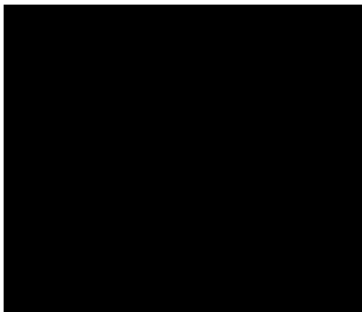
[REDACTED]

Latin King in [their] background,” and the complainant pointed out Officer Fosco’s tattoo and accused him of being a Latin King gang member. Then once in the holding cell the complainant made the same comment, which prompted Officer Fosco to “sarcastically” admit to being a gang member.⁹

However, during the traffic stop, Officer Fosco initiated the discussion about Latin Kings first, and apparently revealed part of his chest tattoo to the complainant. The complainant is not captured on any of the CPD members’ BWC pointing out Officer Fosco’s chest tattoo during the traffic stop before Officer Fosco himself states “on the crown” and points to a chest tattoo, nor does the complainant accuse Officer Fosco of being a Latin King until they are in the CPD district processing room. Moreover, OIG reviewed footage captured by the BWC of Officer Kristopher Murray, Star #17951; that footage and the service call details for Event #2332114387, show that Officer Murray and Officer Jason Murry, Star #19502, transported the complainant from the location of the traffic stop to the 10th District station in a marked squad car. Officer Murray’s BWC does not capture the complainant discussing Officer Fosco’s alleged gang affiliation or Latin King tattoo.¹⁰ Additionally, Officer Fosco and his partners did not have contact with the complainant after the traffic stop until the complainant was taken out of the squad car and escorted into the station. That is, the evidence collected by BIA shows that Officer Fosco was the first to mention the Latin Kings, and did so without prompting or provocation from the complainant.

During BIA’s interview with Officer Fosco, BIA did not question Officer Fosco about the repeated use of the phrase, “on the crown,” combined with the hand sign, and the display of a chest tattoo, while discussing Latin Kings with the complainant during the traffic stop. BIA also did not conduct any analysis of whether Officer Fosco violated Rule 14, prohibiting false reports, when: (1) Officer Fosco claimed that the complainant accused him of being a Latin King gang member earlier based on the complainant’s observation of Officer Fosco’s crown tattoo; and (2) Officer Fosco stated the use of the phrase “on the crown” was a sarcastic response to an accusation by the complainant, when in fact Officer Fosco’s first use of the phrase and partial display of the tattoo were not in response to anything said by the complainant.

BIA’s investigative file also does not reflect any analysis of whether Officer Fosco’s conduct may have brought discredit upon the Department in violation of Rule 2. Notably, Rule 2 prohibits “[a]ny action which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department,” and applies to both on-duty and off-duty conduct of all members.¹¹



⁹ Attachment 15; 19 at page 3.

¹⁰ See attachments titled “Case 23-5450 BWC Murray” and “Case 23-5450 Service Call Details - 2332114387.”

¹¹ Chicago Police Department, “Rules and Regulations of the Chicago Police Department,” April 16, 2015,

OIG has examined other BIA investigations which might provide useful comparators. Log #2023-0003679 involved a CPD recruit who was terminated for using gang terminology “On BD” during interactions with other recruits. CPD Lieutenant Mark Duignan, Star # 772, who reported the incident to a commanding officer in a To-From memo wrote,

“R/LT is aware that the phrase, ‘On BD,’ is common street gang terminology used by members of the Black Disciples street gang to swear upon their allegiance to said gang in conveying their seriousness and commitment, similar as one might say, ‘I swear to God,’ while trying to promote the veracity of their belief in a matter.”

In Lieutenant Duignan’s memo, he also wrote,

“Rule 2 of the Rules and Regulations of the Chicago Police Department prohibits, ‘Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.’ The ‘Comment’ section of this rule further elaborates that this includes, ‘public and open association with persons of known bad or criminal reputation in the community unless such association is in the performance of police duties.’ R/Lt believes that vocal promotion of a street gang motto falls within the prohibitions of this rule.”¹²

Log #2023-0001445 involved a CPD recruit who was terminated for using gang terminology “On FolkNem,” “On Folks,” and “On GD” on several occasions with other recruits. In a To-From memo, nearly identical to the memo included in Log #2023-0003679, Lieutenant Duignan wrote,

“R/LT is aware that this is common street gang terminology used by members of the Gangster Disciples street gang to swear upon their allegiance to said gang in conveying their seriousness and commitment, similar as one might say, ‘I swear to God,’ while trying to promote the veracity of their belief in a matter.”

Lieutenant Duignan’s memo in Log #2023-0001445 also cites Rule 2 as prohibiting the conduct at issue.¹³

Here, it is unclear whether BIA’s investigation included a thorough review of the BWC video captured during the traffic stop that shows Officer Fosco: (1) making the statement, “On the crown;” (2) revealing part of his chest tattoo that he described to BIA as a “skull wearing a crown;” and (3) using what appears to be a Latin King gang hand signal.

Based on OIG’s preliminary review, and without taking any position on any other aspect of the investigation, OIG recommends that BIA reopen Log #2023-0005450 to consider whether Officer Fosco’s comments, gestures, and/or chest tattoo bring discredit to the Department in violation of Rule 2, whether Officer Fosco made a false statement in violation of Rule 14, whether Officer Fosco got a gang tattoo while employed by the Department, and whether Officer Fosco violated any other CPD directives.

accessed December 30, 2024, <https://directives.chicagopolice.org/#directive/public/6412>.

¹² Log #2023-0003679, Attachment 10.

¹³ Log #2023-0001445, Attachment 6.

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

March 26, 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 2023-0005450

Dear Deputy Inspector General Richardson:

This correspondence addresses your letter of January 23, 2025 requesting the reopening of a Bureau of Internal Affairs (BIA) investigation recorded under Log Number 2023-0005450. The BIA concurs with the Office of the Inspector General and has re-opened the investigation.

The Bureau of Internal Affairs appreciates being contacted in respect to this investigation.

Respectfully,

A handwritten signature in black ink, appearing to read "Timothy Moore".

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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