

COMMAND CHANNEL REVIEW
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

Log: 1001203

DATE INITIATED

23Nov06

TO:

☐ I DO NOT CONCUR*

☐ RECOMMEND OPTIONS NOT BE GRANTED

REVIEWED BY

TITLE

UNIT

DATE FORWARDED BY UNIT

DATE RECEIVED BY UNIT

☐ I CONCUR

☐ RECOMMEND OPTIONS BE GRANTED

☐ I DO NOT CONCUR*

☐ RECOMMEND OPTIONS NOT BE GRANTED

REVIEWED BY

TITLE

UNIT

DATE FORWARDED BY UNIT

DATE RECEIVED BY UNIT

☐ I CONCUR

☐ RECOMMEND OPTIONS BE GRANTED

☐ I DO NOT CONCUR*

☐ RECOMMEND OPTIONS NOT BE GRANTED

REVIEWED BY

TITLE

UNIT

DATE FORWARDED BY UNIT

* A SEPARATE REPORT PROPOSING ALTERNATE FINDINGS AND/OR AN ALTERNATE
RECOMMENDATION IS REQUIRED WHEN "I DO NOT CONCUR" HAS BEEN CHECKED.

C.R. NO.

Log: 1001203

SUMMARY REPORT DIGEST-

COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

Log: 1001203

DATE OF REPORT (DAY-MO.-YEAR)

23Nov06

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or
in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES OF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION

☐ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☒ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM-INVESTIGATOR'S NAME

Muth, Kevin

RANK
SgtSTAR NO.
1192SOCIAL SEC. NO.
DNAEMPLOYEE NO.
[REDACTED]UNIT ASSIGN.
009

ADDRESS OF INCIDENT

DATE OF INCIDENT -TIME

10Nov06 1500hrs

BEA [REDACTED]

LOCATION CODE

931

15

NAME

RANK
P.O.STAR NO.
7308SOCIAL SEC. NO.
DNAEMPLOYEE NO.
[REDACTED]UNIT ASSIGN.
009

1. Hayes, Tim

2. Dowling, John

P.O.

19486

DNA

[REDACTED]

009

SEX/RACE D.O.B.

1. M/W

[REDACTED] 66

DATE OF APPOINTMENT

13Apr98

DUTY STATUS (TIME OF INCIDENT)

☒ ON DUTY☐ OFF DUTY☒ SWORN☐ CIVILIAN

PHYS.

COND

CODE

01

2. M/W

[REDACTED] 58

18Mar96

☒ ON DUTY☐ OFF DUTY☒ SWORN☐ CIVILIAN

PHYS.

COND

CODE

01

IF APPLICABLE - D.

ED/INDICTED

CHARGES

COURT BRANCH

DISPOSITION & DATE

NAME

[REDACTED]

NAME

ADDRESS**

CITY STATE

TELEPHONE

SEX/RACE

D.O.B./AGE

PHYS.

COND

CODE

NAME

ADDRESS**

CITY STATE

TELEPHONE

SEX/RACE

D.O.B./AGE

PHYS.

COND

CODE

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

The complainant alleged that two male white uniformed officers (star numbers 7308 & 10050) entered her back yard and garage without a warrant permission or justification.

I.A.D. LOCATION CODES*

- 01 Food Sales/Restaurant
- 02 Tavern/Liquor Store
- 03 Other Business Establishment
- 04 Police Building
- 05 Lockup Facility
- 06 Police Maintenance Facility
- 07 CPD Automotive Pound Facility
- 08 Other Police Property
- 09 Police Communications System
- 10 Court Room

- 11 Public Transportation Veh./Facility
- 12 Park District Property
- 13 Airport
- 14 Public Property Other
- 15 Other Private Premise
- 16 Expressway/ Interstate System
- 17 Public Way - Other
- 18 Waterway, Incl. Park District
- 19 Private Residence

I.A.D. PHYSICAL CONDITION CODES†

- 01 No Visible Injury - Apparently Normal
- 02 No Visible Injury - Under Influence
- 03 Injured, Not Hospitalized
- 04 Injured, Not Hospitalized - Under Influence
- 05 Injured, Hospitalized
- 06 Injured, Hospitalized - Under Influence
- 07 Injured, Refused Medical Aid
- 08 Injured, Refused Medical Aid - Under Influence
- 09 Deceased
- 10 Deceased Under Influence

** IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

CPD-44.112A (1/84)
COMPUTER GENERATED FORM

C.R. NO.

Log: 1001203

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).
In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

On 15Nov06, R/S was assigned Complaint Log #1001203 for investigation and recommendation. During the initial investigation with the accused officers involved, R/S discovered that star # 7308 is assigned to P.O. Tim Hayes. The partner of P.O. Hayes was P.O. John Dowling #19486. Both officer's were assigned beat 962E and were in plain clothes on 10Nov06 (Att#3,6). Star 10050 is assigned to P.O. Robert William II, a Male/Black officer who is assigned to the 1st. District.

On 17Nov06, R/S interviewed the complainant [REDACTED] a. telephone on an allegation of Police misconduct. During the course of the investigation, the complainant stated that she did not wish to pursue this investigation or sign the Sworn affidavit Form at this time terminating the interview (Att#2,4).

On 17Nov06, R/S interviewed the witness [REDACTED] telephone. During the course of the investigation, the witness (who did not witness the incident) asked R/S not to call and abruptly hung the phone up on R/S terminating the interview (Att#5). Due to the complainants wishing not to pursue this investigation and the witness sudden hang up of the telephone refusing to cooperate, R/S recommends that this investigation be classified "UNFOUNDED."

SUMMARY

ATTACH-
MENTS

INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
1	0	0	6

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.

Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended fordays (not to exceed 5 days).

Findings;

"UNFOUNDED," based on all available information given at this time.

FINDINGS-RECOMMENDATIONS

DATE INITIATED
(DATE COMPLAINT WAS
RECEIVED FOR INVESTIGATION) 15Nov06

DATE COMPLETED
(DATE OF THIS
REPORT) 23Nov06

ELAPSED TIME
(TOTAL TIME
EXPRESSED IN DAYS) 8days

Investigator will initiate the Command Channel Review
form by completing the Investigator's Section.

COMPUTER GENERATED FORM

IF NECESSARY, USE AN 8 1/2 x 11" S

COMPLAINT REGISTER NO. Log: 1001203

FACE SHEET**Complainant Information****NON-CPD**

Role Complainant Victim

Sex Female Race Black

Date Of Birth [REDACTED]-1954 Age 52

Affidavit Received? NO Refused to Sign? NO

Address [REDACTED]

Phone No. [REDACTED]

Arrested? No

Injuries? No

Medical? No

Incident Address

Incident Date/Time 10-NOV-2006 15:00 - 10-NOV-2006 15:00

Address [REDACTED]

Beat 991 District Of Occurrence 009

Location Code 210 - Residence-Garage

Other Involved Parties**CPD Employee**

Role Accused

Name Unknown

Sex

Race

Appointed Date

Duty Status On Duty

Description MALE WHITE UNIFORMED OFFICER "#7308" AND MALE WHITE UNIFORMED OFFICER "#10050"

Initial The complainant alleged that the accused officers entered her back
Allegation(s) yard and garage without a warrant permission or justification.

Physical Condition

Arrested? No

Injuries?

No

Medical? No

Non-CPD

Role Witness

Name [REDACTED]

Sex Male

Race White Hispanic

Relationship NO RELATIONSHIP

Address RESIDENCE: Beat 0 US

Phone No. [REDACTED]

Address Comments [REDACTED]

Physical Condition

Arrested? No

Injuries? No

Medical? No

Complaint Details:

CR Required? No

Manner Complaint Received? Bell -

Confidential? No

Biased Language? No

Extraordinary Occurrence? No

Bias-Based Profiling? No

Police Shooting (U)? No

Alcohol Related? No

Non-Disciplinary Intervention? No

Pursuit Related? No

Initial Assignment IAD

Violence in Workplace? No

Notify IAD Immediately? No

Domestic Violence? No

EEO Complaint No.

Initial Complaint Category 03C - SEARCH OF
PREMISE WITHOUT
WARRANT

Civil Suit No.

Notify Chief Administrator? No

Notify ADS? No

Notify Coordinator? No

Notification Does Not Apply? Yes

Notify Other? No

Notification Comments -

Status History

<u>Resulting Status</u>	<u>Status Date/Time</u>	<u>Created By</u>	<u>Position</u>	<u>Assigned/ Detailed Unit</u>	<u>Comments</u>
PENDING ASSIGN INVESTIGATOR	13-NOV-2006 10:51	KIRBY, DEBRA	ASST DEPUTY SUP	121 / -	
PENDING APPROVE TEAM	13-NOV-2006 06:27	DEL RIVERO, MINERVA	POLICE OFFICER	025 / 121	
PENDING ASSIGN TEAM	10-NOV-2006 21:56	LUKAS, JAMES	INVESTIGATOR 3 OPS	113 / -	
PENDING SUPERVISOR REVIEW	10-NOV-2006 19:32	KOBEL, DANIEL	INVESTIGATOR I OPS	113 / -	

SWORN AFFIDAVIT FOR COMPLAINT REGISTER INVESTIGATION
CHICAGO POLICE DEPARTMENT

STATE OF ILLINOIS

COUNTY OF COOK

CC

Date
10 Nov 2006

Time
1500 hours

_____ hereby state as follows:

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, I certify that the allegations set forth in my complaint are true and correct, except as to any matters therein stated to be on information and belief and as to such matters, I certify as aforementioned that I verily believe the same to be true.

Pr

Complainant's Signature

Date

Date

TO: Commander of the 009th District
FROM: Sgt. Kevin Muth #1192
SUBJECT: Initial Interview

During the initial investigation with the accused officers involved, R/S discovered that star #7308 is assigned to P.O. Tim Hayes. The partner of P.O. Hayes was P.O. John Dowling #19486. Both officer's were assigned beat 962E and were in plain clothes on 10Nov06. Star 10050 is assigned to P.O. Robert William II, a Male/Black officer who is assigned to the 001st District.


Sgt Kevin Muth #1192

APPROVED:



COMPLAINT REGISTER NO. Log: 1001203

ATTACHMENT NO. 3

TO: Commander of the 009th District

FROM: Sgt. Kevin Muth #1192

SUBJECT: Complainant Interview

On 15Nov06, R/S was assigned Complaint Log #1001203 for investigation and recommendation. On 17Nov06, R/S interviewed the comp [REDACTED] allegation of Police misconduct. During the course of the investigation, the complainant stated that she did not wish to pursue this investigation or sign the Sworn affidavit Form at this time.

[REDACTED]
Sgt Kevin Muth #1192

APPROVED:
[REDACTED]

COMPLAINT REGISTER NO. Log: 1001203

ATTACHMENT NO. 4

TO: Commander of the 009th District
FROM: Sgt. Kevin Muth #1192
SUBJECT: Witness Interview

On 17Nov06, R/S interviewed the v [REDACTED] telephone. During the course of the investigation, the witness (who did not witness the incident) asked R/S not to call and abruptly hung the phone up on R/S terminating the interview.

S [REDACTED]

A [REDACTED]

COMPLAINT REGISTER NO. Log: 1001203

ATTACHMENT NO. 5

ATTENDANCE & ASSIGNMENT RECORD
CHICAGO POLICE DEPARTMENT

UNIT

009 DISTRICT 009
3501 S LOWEPAYROLL
NO. 1180

DATE 10 NOV 06

PAGE 22

STAR NO.	NAME		PRESENT FOR DUTY	TITLE CODE	SOCIAL SECURITY	DAY OFF		ABSENCE EXPLANATION AND/OR COMP. TIME WORKED	ASSIGNMENT DESCRIPTION	CAR NO.	BEAT NO.	TEMPORARY CHANGE OF WATCH/ ASSIGNMENT OR ADDITIONAL ASSIGNMT. EXPLANATION
						8082	OTHER ABSENCE					
00479	POHL	ALBERT		9173	[REDACTED]				FIELD LIEUT			
02456	HARDY	WILLIAM		9171					SUPV SERGEANT			
01052	JANECZKO	KENNETH	X	9171					SUPV SERGEANT	V3	962	0800-1630
01192	MUTH	KEVIN		9171					SUPV SERGEANT			
02382	ZENERE	MARK	X	9171					SUPV SERGEANT	V3	963	1800-0230
04499	DARCY	MARK		9161					2 MAN/CAP			320 WATCH
03639	MIKUZIS	JON	X	9161					2 MAN/CAR	4080	969C	0800-1630
08529	ESPARZA	HECTOR		9161					INCIDENT CAR			
05259	NUNEZ	REYNALDO		9161					INCIDENT CAR			
01161	WESTPHAL	EDWARD		9171					DETAILED OUT			DETAIL TO 059
06772	BARD	CHRIS		9161					P.O. DIST TACT			
18287	BARSCHE	STEVE		9161					P.O. DIST TACT			
03241	BEDDY	GUSTAVO	X	9161					P.O. DIST TACT	3923	963 B	1800-0230
18771	BLAIR	KEITH		9161					P.O. DIST TACT			
08707	BREEN	JOHN		9161					P.O. DIST TACT			
19414	CASALE	ROBERT	X	9161					P.O. DIST TACT	4033	962C	0800-1630
16929	CONNELLY	JOHN	X	9161					P.O. DIST TACT	3908	963C	1800-0230
11355	CONWAY	DENNIS		9161					P.O. DIST TACT			
03818	COUGHLIN	CRAIG	X	9161					P.O. DIST TACT	4033	962D	0800-1630
10456	DONNELLY	WILLIAM		9161				Rec Detective	P.O. DIST TACT			Academy
			X	9161								0800-1630
19954	FITZGERALD	JOSEPH		9161					P.O. DIST TACT			

DISCIPLINARY
CODES75-SUSPENSION W/O PAY
75A-SUSPENSION OPTION WORKING REGULAR D.O.
76-EXCUSED FROM DUTY W/O PAY (AS ORDERED BY I.A.D.)
77-EXCUSED FROM DUTY W/O PAY (INCL. SUMMARY PUNISHMENT W/O PAY)
78-SUMMARY PUNISHMENT W/O PAY (WORKING IN LIEU OF D.O.)
79-ABSENT WITHOUT PERMISSION W/O PAYABSENCE
CODES80-DAY OFF
81-DAY OFF COMP. TIME
82-ANNUAL VACATION
83-SICKNESS INJURED NOT ON DUTY
84-INJURED ON DUTY85-SICKNESS IN FAMILY (SWORN MEMBERS ONLY)
86-DEATH IN FAMILY
87-MILITARY LEAVE
88-JURY DUTY
89-EXCUSED FROM DUTY NON DISCIPLINARY
90-BABY FURLOUGH DAY91-PERSONAL DAY
92-EXCUSED W/O PAY-NO SUPV APPROVAL
93-MARRIAGE LEAVE
94-DAY-OFF HOLIDAY WITH PAY
95-LEAVE OF ABSENCETERMINATION
CODES96-RETIREMENT
97-RESIGNATION
98-DISCHARGED
99-DEATHLog # 1001203
Att # 6

TENDANCE & ASSIGNMENT RECORD
HICAGO POLICE DEPARTMENT

UNIT

009 DISTRICT 009
3501 S LOWE

PAYROLL
NO. 1180

DATE 10 NOV 06

PAGE 23

LOG #1001203
ATTN 6A

STAR NO.	NAME	PRESENT FOR DUTY	TITLE CODE	SOCIAL SECURITY	DAY OFF			ABSENCE EXPLANATION AND/OR COMP. TIME WORKED	ASSIGNMENT DESCRIPTION	CAR NO.	BEAT NO.	TEMPORARY CHANGE OF WATCH/ ASSIGNMENT OR ADDITIONAL ASSIGNMT. EXPLANATION
					8082		OTHER ABSENCE					
4 15519	GULA JOSEPH	X	9161	[REDACTED]					P.O. DIST TACT	CLONICAL 960A		0700-1530
4 18500	HAGGERTY JOHN	X	9161						P.O. DIST TACT	4080 963D		1800-0230
4 11757	HARTZ DOUGLAS		9161						P.O. DIST TACT			
	[REDACTED]	X	9161									0800-1630
4 07527	HENDRY JOHN		9161						P.O. DIST TACT			
4 19125	INSLEY STEPHEN	X	9161						P.O. DIST TACT	3550 969D		0800-1650
4 11292	JOHNSON RAYMOND		9161					31 no slip	P.O. DIST TACT			
4 03858	KELLAM ROBERT	X	9161						P.O. DIST TACT	3840 962A		0800-1650
4 06535	KILLEN KEVIN	X	9161						P.O. DIST TACT	4133 963A		1800-0230
4 17585	KUCHAY ROBERT		9161						P.O. DIST TACT			
4 03603	LIPKIN STEVEN		9161						P.O. DIST TACT			
4 17270	LOPEZ JAMES		9161						P.O. DIST TACT			
4 04667	MADDEN JOSEPH	X	9161						P.O. DIST TACT	4080 969B		0800-1650
4 02954	MC DEVITT BERNARD		9161						P.O. DIST TACT			
4 19710	MC LEAN KATHLEEN		9161						P.O. DIST TACT			
4 09814	MCGLYNN ANDREW		9161						P.O. DIST TACT			
4 11127	MOYER CHRISTOPH	X	9161						P.O. DIST TACT	4133 963E		1800-0230
4 09632	NDWAK JARED		9161						P.O. DIST TACT			
4 11380	O CONNOR JOHN	X	9161						P.O. DIST TACT	4133 963A		1800-0230
4 01927	O DONNELL DANIEL		917						SGT DIST. TACT.			
4 15570	O NEILL MAURA		9161						P.O. DIST TACT			
4 11778	OLSON GARY	X	9161						P.O. DIST TACT	3427 969A		0800-1650

DISCIPLINARY CODES
75-SUSPENSION W/O PAY
75A-SUSPENSION OPTION WORKING REGULAR D.O.
76-EXCUSED FROM DUTY W/O PAY (AS ORDERED BY I.A.D.)
77-EXCUSED FROM DUTY W/O PAY (INCL. SUMMARY PUNISHMENT W/O PAY)
78-SUMMARY PUNISHMENT W/O PAY (WORKING IN LIEU OF D.O.)
79-ABSENT WITHOUT PERMISSION W/O PAY

ABSENCE CODES
80-DAY OFF
81-DAY OFF COMP. TIME
82-ANNUAL VACATION
83-SICKNESS INJURED NOT ON DUTY
84-INJURED ON DUTY

85-SICKNESS IN FAMILY (SWORN MEMBERS ONLY)
86-DEATH IN FAMILY
87-MILITARY LEAVE
88-JURY DUTY
89-EXCUSED FROM DUTY NON DISCIPLINARY
90-BABY FURLOUGH DAY
91-PERSONAL DAY
92-EXCUSED W/O PAY-NO SUPERV. APPROVAL
93-MARRIAGE LEAVE
94-DAY-OFF HOLIDAY WITH PAY
95-LEAVE OF ABSENCE

TERMINATION CODES
96-RETIRED
97-RESIGNED
98-DISCHARGED
99-DEATH

Redaction Log

Total Number of Redactions in Document: 39

Redaction Reasons by Page

Page	Reason	Description	Occurrences
1			3
2			7
3			3
4			5
5			3
6			1
7			4
8			2
9			3
10			3
11			3
12			2

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
		1(3) 2(7) 3(3) 4(5) 5(3) 6(1) 7(4) 8(2) 9(3) 10(3) 11(3) 12(2)

Redaction Log

Total Number of Redactions in Document: 4

Redaction Reasons by Page

Page	Reason	Description	Occurrences
1			4

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
		1(4)