

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		RANK	STAR NO.	SOCIAL SEC. NO.	EMPLOYEE NO.	UNIT ASSIGN.
Muth, Kevin		Sgt	1192	DNA		009
ADDRESS OF INCIDENT			DATE OF INCIDENT - TIME		BEAT OF INCIDENT	LOCATION CODE
			10Nov06 1500hrs		931	15
NAME		RANK	STAR NO.	SOCIAL SEC. NO.	EMPLOYEE NO.	UNIT ASSIGN.
1. Hayes, Tim		P.O.	7308	DNA		009
2. Dowling, John		P.O.	19486	DNA		009
SEX/RACE	D.O.B.	DATE OF APPOINTMENT		DUTY STATUS (TIME OF INCIDENT)		PHYS. COND. CODE
1. M/W	66	13Apr98		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		
2. M/W	58	18Mar96		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		01
IF APPLICABLE - DATE ARRESTED/INDICTED		CHARGES		COURT BRANCH	DISPOSITION & DATE	
1.						
2.						
NAME		* ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE
						D.O.B./AGE
						PHYS. COND. CODE
						01
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
						01

☐ 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] via 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] via 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)	9days
Investigator will initiate the Command Channel Review form by completing the Investigator's Section.		INVESTIGATOR [REDACTED]			

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

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COMPLAINT REGISTER NO. Log: 1001203

FACE SHEET

Complainant Information

NON-CPD

Role Complainant Victim

Name [REDACTED]

Sex Female Race Black

Date Of Birth [REDACTED] 1954 Age 52

Affidavit Received? NO Refused to Sign? NO

Address RESIDENCE: [REDACTED] Beat 931 US

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 931 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

Location of Incident

Date

10 Nov 2006

Time

1500 hours

I, [REDACTED] 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.

[REDACTED]
Print Complainant's Name

Sgt. K. MATH
Print Witness's Name

Complainant's Signature

[REDACTED]
Witness's Signature

Date

17-Nov-06
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:



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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 complainant (REDACTED) via. 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.

(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 witness, [REDACTED] via 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.

[REDACTED]
Sgt Kevin Muth #1192

APPROVED:

[REDACTED]

COMPLAINT REGISTER NO. Log: 1001203

ATTACHMENT NO. 5

ATTENDANCE & ASSIGNMENT RECORD

UNIT

009 DISTRICT 009

PAYROLL NO. 1180

DATE 10 NOV 06

PAGE 22

3021001203
A++ 6

CHICAGO POLICE DEPARTMENT

3501 S LOWE

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 ASSIGNMENT EXPLANATION
00479	POHL ALBERT		9173				FIELD LIEUT			
02456	HARDY WILLIAM		9171				SUPV SERGEANT			
01052	JANECKO KENNETH	X	9171				SUPV SERGEANT	V8	962	0800-1630
01192	MUTH KEVIN		9171				SUPV SERGEANT			
02382	ZENERE MARK	X	9171				SUPV SERGEANT	V8	963	1800-0230
04499	DARCY MARK		9161				2 MAN/CAR			320 WATCHE
03639	MIKUZIS JON	X	9161				2 MAN/CAR	4680	9692	0800-1650
03529	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	3923	96313	1800-0230
03241	BEDDY GUSTAVO	X	9161				P.O. DIST TACT			
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	9622	0800-1650
16929	CONNELLY JOHN	X	9161				P.O. DIST TACT	3908	9632	1800-0230
11355	CONWAY DENNIS		9161				P.O. DIST TACT			
03818	COUGHLIN CRAIG	X	9161				P.O. DIST TACT	4033	9622	0800-1630
10456	DONNELLY WILLIAM		9161				P.O. DIST TACT			
19486	DOWLING JOHN	X	9161				P.O. DIST TACT	3908	9622	0800-1650
19954	FITZGERALD JOSEPH		9161				P.O. DIST TACT			

75-SUPERVISOR WHO PAY WORKING REGULAR D.O.
76-EXCUSED FROM DUTY WHO PAY HAS ORDERED BY I.A.D.
77-SUMMARY PUNISHMENT WHO PAY INCL. SUMMARY PUNISHMENT WHO PAY
78-ABSENT WITHOUT PERMISSION WHO PAY

80-DAY OFF
81-DAY OFF
82-SICKNESS INJURED NOT ON DUTY
83-SICKNESS INJURED ON DUTY

84-DEATH IN FAMILY
85-DEATH IN FAMILY
86-DEATH IN FAMILY
87-DEATH IN FAMILY
88-DEATH IN FAMILY
89-DEATH IN FAMILY

90-DEATH IN FAMILY
91-DEATH IN FAMILY
92-DEATH IN FAMILY
93-DEATH IN FAMILY
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95-DEATH IN FAMILY

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102-DEATH IN FAMILY
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105-DEATH IN FAMILY
106-DEATH IN FAMILY
107-DEATH IN FAMILY

108-DEATH IN FAMILY
109-DEATH IN FAMILY
110-DEATH IN FAMILY
111-DEATH IN FAMILY
112-DEATH IN FAMILY
113-DEATH IN FAMILY

ATTENDANCE & ASSIGNMENT RECORD
CHICAGO POLICE DEPARTMENT

UNIT

009 DISTRICT 009
3501 S LOWEPAYROLL
NO. 1180

DATE 10 NOV 06

PAGE 23

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					
15519	GULA	X	9161					P.O. DIST TACT	Quarant	960A	0700-1530
18506	HAGGERTY	X	9161					P.O. DIST TACT	7080	963D	1800-0230
11757	HARTZ		9161		X			P.O. DIST TACT			
07308	HAYES	X	9161					P.O. DIST TACT	3708	9625	0800-1630
07527	HENDRY		9161		X			P.O. DIST TACT			
19125	INSLEY	X	9161					P.O. DIST TACT	3550	963D	0800-1630
11292	JOHNSON		9161				81 no slip	P.O. DIST TACT			
03858	KELLAM	X	9161					P.O. DIST TACT	3840	962A	0800-1630
06535	KILLEN	X	9161					P.O. DIST TACT	4733	963A	1800-0230
17585	KUCHAY		9161		X			P.O. DIST TACT			
03603	LIPKIN		9161		X			P.O. DIST TACT			
17270	LOPEZ		9161		X			P.O. DIST TACT			
04667	MADDEN	X	9161					P.O. DIST TACT	7080	969B	0800-1630
02954	MC DEVITT		9161		X			P.O. DIST TACT			
19710	MC LEAN		9161		X			P.O. DIST TACT			
09814	MOGLYNN		9161		X			P.O. DIST TACT			
11127	MOYER	X	9161					P.O. DIST TACT	4133	963E	1800-0230
09632	NDRAK		9161		X			P.O. DIST TACT			
11380	O CONNOR	X	9161					P.O. DIST TACT	4133	963A	1800-0230
01927	O DONNELL		9171		X			SGT DIST. TACT.			
15570	O NEILL		9161		X			P.O. DIST TACT			
11778	OLSON	X	9161					P.O. DIST TACT	3627	765A	0800-1630

75- SICKNESS IN FAMILY (SIC) MEMBERS ONLY 91- PERSONAL DAY
76- SICKNESS IN FAMILY (SIC) MEMBERS ONLY 91- PERSONAL DAY
77- SICKNESS IN FAMILY (SIC) MEMBERS ONLY 91- PERSONAL DAY
78- SICKNESS IN FAMILY (SIC) MEMBERS ONLY 91- PERSONAL DAY
79- SICKNESS IN FAMILY (SIC) MEMBERS ONLY 91- PERSONAL DAY
80- DAY OFF COMP. TIME
81- DAY OFF COMP. TIME
82- ANNUAL VACATION
83- SICKNESS INJURED NOT ON DUTY
84- INJURED ON DUTY
85- SICKNESS IN FAMILY (SIC) MEMBERS ONLY 91- PERSONAL DAY
86- DEATH IN FAMILY
87- MILITARY LEAVE
88- JURY DUTY
89- EXCUSED FROM DUTY NON DISCIPLINARY
90- BIRTH FULCRON DAY
91- PERSONAL DAY
92- EXCUSED W/O PAY-NO SUPV APPROVAL
93- HOLIDAY WITH PAY
94- LEAVE OF ABSENCE
95- LEAVE OF ABSENCE
96- RETIREMENT
97- RESIGNATION
98- DISCHARGED
99- DEATH
SIGNATURE OF WATCH COMMANDER OR UNIT HEAD

LOG #1001203
ATTN 6A

Redaction Log

Total Number of Redactions in Document: 44

Redaction Reasons by Page

Page	Reason	Description	Occurrences
1			1
2			13
3			3
4			6
5			4
6			1
7			4
8			2
9			3
10			3
11			2
12			2

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
		1(1) 2(13) 3(3) 4(6) 5(4) 7(4) 8(2) 9(3) 10(3) 11(2) 12(2) 6(1)