



Brandon Johnson
Mayor

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

Larry B. Snelling
Superintendent of Police

April 12, 2024

Andrea Kersten
Chief Administrator
Civilian Office of Police Accountability (COPA)
1615 W. Chicago Ave., 4th Floor

Re: Superintendent's Concurrence with COPA's Findings and Non-Concurrence with COPA's Penalties
Log# 2019-0002528
Officer Samuel Flores, Detective Zachary Gammonley, Officer Joseph Biszewski,
Officer Maria Anaya

Dear Chief Administrator Kersten:

After a careful review of the above referenced complaint log number, the Chicago Police Department (Department) concurs with the findings, but does not concur with the penalties as they pertain to Police Officer Samuel Flores, Star No. 17305, Detective Zachary Gammonley, Star No. 20490, Police Officer Joseph Biszewski, Star No. 12014, and Police Officer Maria Anaya, Star No. 9865. Pursuant to the Municipal Code of Chicago, the Department provides the following comments.

The COPA investigation recommended a 10-day suspension for Police Officer Samuel Flores (Officer Flores) after concluding that he:

1. Searched [REDACTED] home without justification.

The COPA investigation recommended a 10-day suspension for Detective Zachary Gammonley (Detective Gammonley) after concluding that he:

1. Searched [REDACTED] home without justification.

The COPA investigation recommended a 10-day suspension for Police Officer Joseph Biszewski (Officer Biszewski) after concluding that he:

1. Searched [REDACTED] home without justification.

The COPA investigation recommended a 3-day suspension for Police Officer Maria Anaya (Officer Anaya) after concluding that she:

1. Searched [REDACTED] home without justification.

The Department agrees with COPA's sustained findings. However, the Department believes the penalty recommendation is untimely. Each piece of evidence reviewed by COPA: BWC footage; Radio transmissions; and police reports, were easily accessible without delay. COPA scheduled only five interviews: Officer Flores, Anaya, Biszewski, Detective Gammonley and Ms. [REDACTED] Nothing

presented in this file suggest there was a reasonable cause or valid reason for the delay. However, a total of 1662 days passed from the date COPA was notified by [REDACTED] to the day COPA signed the Summary Report and transferred the investigation to CPD to facilitate CCR: from July 08, 2019 to January 25, 2024.

The Consent Decree requires that "the City will ensure that COPA reaches its investigative findings and recommendations within 180 days of the initiation of the investigation." Consent Decree pg. 137 line 470. Fundamentally, this standard simply ensures fairness to all involved parties. As the COPA investigation was not timely, it therefore violated the Just Cause standard of the Agreement between the Fraternal Order of Police, Chicago Lodge No. 7, and the City of Chicago, Article 8 - Employee Security, Section 8.1: "No Officer covered by this Agreement shall be suspended, relieved from duty or otherwise disciplined in any manner without just cause." Had COPA required an extension, it would have had to provide a written report approved by the Chief Administrator explaining the necessity of the extension; the file includes no such report.

Therefore, the Department recommends 5-day suspension for Officer Flores, Detective Gammonley, Officer Biszewski and a 1-day suspension for Officer Anaya.

The Department looks forward to discussing this matter with you pursuant to MCC-2-78-130(a)(iii).

Sincerely,

[REDACTED]

Larry B. Snelling
Superintendent of Police
Chicago Police Department