



Log # 2021-0818

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On March 6, 2021, the Civilian Office of Police Accountability (COPA) received a web complaint from ██████████ (██████████ reporting alleged misconduct by members of the Chicago Police Department (CPD). ██████████ alleged that on March 6, 2021, Officer Demetrius Robinson-Stanford, #11341 (Officer Robinson-Stanford) forcibly opened her apartment door, seized her, searched her, caused damage to her door, caused her to be struck by the door as it opened, pointed his firearm at her, and ignored her attempt to speak with him. Additionally, ██████████ alleged that on the same date, Officer Dexter Calhoun, #17364 (Officer Calhoun) ignored her when she attempted to speak with him after this incident.²

Upon review of the evidence, COPA served additional allegations that Officer Robinson-Stanford did not act according to the guidance published in CPD's Foot Pursuits Training Bulletin, that he failed to knock and/or announce himself before attempting to enter ██████████ apartment, that he failed to wait a reasonable amount of time before forcibly opening ██████████ door, that during the incident he failed to activate his body-worn camera (BWC) in a timely manner, that he failed to notify the Office of Emergency Management & Communications (OEMC) that he had been in a firearm-pointing incident, that he failed to document the damage he caused to ██████████ residence during his forcible entry, and that he failed to complete an Investigative Stop Report or any other documentation of his warrantless entry into ██████████ residence. In addition to these allegations, after having conducted interviews concerning this incident, COPA served another allegation that Officer Robinson-Stanford made one or more false, misleading, and/or inaccurate reports while giving his initial recorded statement on December 15, 2021. COPA also served additional allegations that Officer Calhoun failed to follow the guidance of CPD's Foot Pursuits Training Bulletin, and that he failed to activate his BWC in a timely manner.

Following its investigation, COPA reached sustained findings regarding the allegations that Officer Robinson-Stanford forcibly entered ██████████ residence without justification, that he caused unreasonable damage to ██████████ door, that he failed to activate his BWC in a timely manner as the situation unfolded, that he failed to document the damage done to ██████████ residence, and that he failed to complete an ISR or other documentation for this incident. Finally, COPA also reached a sustained finding that Officer Calhoun failed to activate his BWC in a timely manner.

¹ Appendix A includes case identifiers such as the date, time, and location of the incident, the involved parties and their demographics, and the applicable rules and policies.

² One or more of these allegations fall within COPA's jurisdiction pursuant to Chicago Municipal Code § 2-78-120. Therefore, COPA determined it would be the primary investigative agency in this matter.

II. SUMMARY OF EVIDENCE³

The video evidence⁴ shows that on the afternoon of March 6, 2021, Officer Robinson-Stanford and Officer Calhoun (collectively, “the Officers”) were travelling in their CPD vehicle, with Officer Calhoun driving and Officer Robinson-Stanford in the passenger position. They completed a U-turn just after the video began, and, after driving on for a short distance, Officer Robinson-Stanford opened the front passenger door and quickly exited the vehicle.⁵ An unknown person, who appeared to be an adult male with a slender build, ran away in a westward direction (opposite from the eastward direction that the CPD vehicle had been traveling in after its U-turn) as Officer Robinson-Stanford initiated a foot pursuit.⁶ The male subject turned left (south) at the end of the block, ran to an alley in the middle of the block, and turned left (east) as he entered the alley.⁷ He was temporarily out of view until Officer Robinson-Stanford also rounded the corner and ran left (east) into the alley a few seconds later, at which point the video shows that the pavement in the alley appears to have been precariously icy.⁸ The male subject gained distance on Officer Robinson-Stanford, and after several more seconds of running, moved out of view in a leftward (northerly) direction.⁹ Officer Robinson-Stanford arrived at a garage on the northern side of the alley marked with the numbers “█████.”¹⁰ This place appeared to be near the location where the male subject had last been visible, and Officer Robinson-Stanford turned left (north) at the end of the garage to face a wrought iron gate leading to a narrow gangway beyond it.¹¹ He moved through the gate into a small backyard area behind a three-story apartment building, and paused near a patch of ice on the ground as he looked around the area behind a wooden staircase that lead up to the apartment units.¹²

Officer Robinson-Stanford then began to climb the stairs, and drew his firearm as he moved beyond the backdoor of the first-floor apartment.¹³ He passed by the door to the second-floor unit, and paused on the stairway in-between the second and third floors.¹⁴ He then returned back to the doorway of the second-floor apartment, which had a wrought-iron exterior security door that had been left fully open in front of a white interior door.¹⁵ Officer Robinson-Stanford moved closer to the apartment entrance and abruptly kicked the lower area of the white interior door with his right foot, leaving a muddy stain on its surface.¹⁶ His left hand was briefly visible in the video as he

³ The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including BWC footage, police reports, civilian interviews, and officer interviews.

⁴ COPA notes that both Officers had late activation of their BWCs during this incident, and although the CPD’s camera systems are designed with a buffer mode which captures video of the events that occurred two-minutes prior to the cameras’ activation, this buffered recording lacks audio and is completely silent.

⁵ Att. 6 at 0:00 to 0:17.

⁶ Att. 6 at 0:17 to 0:19.

⁷ Att. 6 at 0:19 to 0:25.

⁸ Att. 6 at 0:25 to 0:28.

⁹ Att. 6 at 0:28 to 0:40.

¹⁰ Att. 6 at 0:40 to 0:47.

¹¹ Att. 6 at 0:47 to 0:50.

¹² Att. 6 at 0:50 to 1:01.

¹³ Att. 6 at 1:01 to 1:08.

¹⁴ Att. 6 at 1:08 to 1:36.

¹⁵ Att. 6 at 1:36 to 1:39.

¹⁶ Att. 6 at 1:39 to 1:40.

lifted it toward the door, and although the camera angle did not show what he did next, based on the quick movements of the recording it appears that he might have struck the door twice with his hand.¹⁷ He remained standing in front of the door for fifteen seconds, during which time the video image again made several subtle movements indicating that he may have been knocking or trying the door handle outside of the camera's view.¹⁸ He proceeded to activate his BWC at that time (which allowed audio to be recorded from that point forward), and appeared to knock on the door with his left hand.¹⁹ Officer Robinson-Stanford kicked the door again, leaving another muddy stain on the lower part of the door,²⁰ and then turned away toward the westward view looking over the alley while apparently re-holstering his firearm.²¹ The CPD vehicle driven by Officer Calhoun was visible as it moved up the alley at that point, and Officer Robinson-Stanford called out to his partner, shouting a partially-unintelligible sentence which ended with the words, "...kick the door down!"²² He then turned back toward the door and kicked with his right foot near the center of the door, causing the door to fly open with a visible spray of wood dust and splinters.²³ The door swung back to a closed position, and he shouted "Police!" twice while at the same time another voice became audible as it distantly shouted from inside.²⁴

Officer Robinson-Stanford pushed the door open again and held his firearm at the low-ready position as a female subject, later identified as ██████ stepped into the doorway.²⁵ ██████ told him that there was no one else in her apartment, after which she shut the door and Officer Robinson-Stanford began walking up the stairway toward the third floor.²⁶ He yelled to Officer Calhoun that the person they had been pursuing had run inside the building, then turned and began slowly walking back down the stairs while his partner could be distantly heard speaking to him from below.²⁷

Officer Calhoun's BWC recording began after Officer Robinson-Stanford had already exited the CPD vehicle and showed him driving around alone before he eventually entered the alley where his partner had gone.²⁸ After getting out of the vehicle, he briefly swung his leg up in front of a fence as if he were about to begin climbing over it, then stopped and activated his BWC before beginning to swing his leg up again.²⁹ He gave up attempting to climb there, and shouted back and forth with Officer Robinson-Stanford as he moved further down the alley to the backyard adjacent to the apartment building where his partner was.³⁰ He then climbed on top of a trash can, and appeared about to climb a fence, but stopped before going over.³¹ Officer Robinson-Stanford

¹⁷ Att. 6, at 1:40 to 1:45.

¹⁸ Att. 6, at 1:45 to 2:00.

¹⁹ Att. 6, at 2:00 to 2:05.

²⁰ Att. 6, at 2:05 to 2:07.

²¹ Att. 6, at 2:07 to 2:17.

²² Att. 6, at 2:17 to 2:27.

²³ Att. 6, at 2:27 to 2:29.

²⁴ Att. 6, at 2:29 to 2:32.

²⁵ Att. 6, at 2:32 to 2:36.

²⁶ Att. 6, at 2:36 to 2:46.

²⁷ Att. 6, at 2:46 to 3:13.

²⁸ Att. 8, at 0:00 to 1:50

²⁹ Att. 8, at 1:50 to 2:06.

³⁰ Att.8, at 2:06 to 2:35.

³¹ Att. 8, at 2:35 to 2:59.

slowly walked into view from around the side of the apartment building and explained that as he had initially entered that yard through the gate, he had heard a door slamming nearby.³² Officer Calhoun jumped down from the trash can he had been standing on, fell down backwards on the ground as he landed, and picked himself up as the sound of laughter (possibly his own) became audible on the recording. He deactivated his BWC as he walked back toward the alley, still talking back and forth with his partner as he went.³³

COPA received a web complaint about this incident from ██████ in which she described having been asleep when an Officer had “halfway” entered through her door.³⁴ She wrote that the Officer had seen her fully naked and had told her someone had run into her house.³⁵ She had advised the Officer this was not the case, after which he had run away before she could obtain his badge number.³⁶ She also related that she had asked the Officer about the damage that had been done to her door, but said the Officer had acted as if she was not speaking to him.³⁷ She described two Black Officers involved in this incident, one with a beard standing about 6’1”, and one with a lighter complexion standing 5’9”.³⁸ She also mentioned a white Officer, who she said had a freckled face and stood 5’7”.³⁹ She stated that she had observed the number “151876” on the Officers’ CPD vehicle. Finally, she reported receiving a swollen hand injury as a result of her door striking her as it was forcibly opened, although she also stated that she had not sought medical treatment for this injury.⁴⁰

COPA also received an Initiation Report detailing this complaint, which was authored by Sgt. James Grubisic and bore the Log Number 2021-0817.⁴¹ According to this report, Sgt. Grubisic spoke with ██████ at her residence and recorded her complaint that her door had been kicked open, that afterward she had seen a tall, male black Officer with his weapon drawn standing near the door, and that a shorter Officer had also been there standing behind the first Officer.⁴² The top section of this report incorrectly named Officer Calhoun as the only accused Officer, but the “History” section drew upon other details that Sgt. Grubisic later learned, and identified Officer Robinson-Stanford as the CPD member who had had conducted a pursuit up to the door of ██████ apartment.⁴³

██████ participated in an audio-recorded interview via telephone, during which she explained that on the date of this incident she had been in her apartment with her eleven-year-old

³² Att. 8, at 2:59 to 3:32.

³³ Att. 8, at 3:32 to 3:45.

³⁴ Att. 1, pg. 1.

³⁵ Att. 1, pg. 1.

³⁶ Att. 1, pg. 1.

³⁷ Att. 1, pg. 1.

³⁸ Att. 1, pg. 3.

³⁹ Att. 1, pg. 3. Note: This white CPD member was most likely Sgt. James Grubisic, who later came to her residence to take her complaint in person.

⁴⁰ Att. 1, pg. 3.

⁴¹ Att. 3. This complaint was merged later merged with Log Number 2021-0818, which was created by ██████ web complaint.

⁴² Att. 3, pg. 1.

⁴³ Att. 3, pgs. 1 - 2.

son, her twelve-year-old daughter, and her fiancé, ██████████⁴⁴ She said her son had alerted her to the fact that someone was kicking the backdoor of her apartment, and she had responded by running to the backdoor in a state of undress.⁴⁵ She reported that a CPD member (now known to have been Officer Robinson-Stanford) had kicked her door open, and had told her that someone was inside her home.⁴⁶ She said she had told the Officer that no one had entered her apartment, and then pushed her door closed on him.⁴⁷ When asked to describe the Officer, she said she only knew that he was a Black Officer wearing a blue uniform.⁴⁸ When asked if she had any other interaction with this Officer beyond what she had described, she answered, “No.”⁴⁹

██████████ said that after this encounter she had called the police to complain, which resulted in another CPD member (now known to be Sgt. Grubisic) later visiting her apartment to examine the damage and begin an investigation into the incident.⁵⁰ She received a report number as a result of this visit, but also submitted another complaint about the same incident over the internet just to be sure that her complaint was received.⁵¹ As a result of the forced entry, the doorframe from ██████████ backdoor was cracked and she was not able to effectively lock the door afterward.⁵²

During his interview with COPA, Officer Robinson-Stanford stated that on the date of the incident, he and Officer Calhoun had been driving westbound on Jackson Boulevard when they observed a young black male who wore a fanny pack across his chest and who, upon noticing their approach, clutched at the fanny pack in a manner that suggested he was trying to hide something from them.⁵³ Officer Robinson-Stanford explained that he and Officer Calhoun were aware that such fanny packs were often used as a way to carry firearms.⁵⁴ Consequently, they made a U-turn to go back eastbound so they could conduct a field interview, but the young male they had wished to approach suddenly began running away in a westbound direction.⁵⁵ Officer Robinson-Stanford got out and initiated a foot pursuit, chasing the unknown male south and then east into the alley behind Jackson Boulevard.⁵⁶ He observed the male subject running into the backyard of a three-flat apartment building, where the subject tripped and accidentally dropped a firearm out of the fanny pack he was wearing.⁵⁷ The male subject then retrieved the firearm and ran up the apartment building's exterior stairs.⁵⁸ Officer Robinson-Stanford explained that when he arrived at the stairs he began climbing them cautiously, as he feared the possibility that he might be shot at, and recalled that he was able to hear the unidentified male subject kicking against a door as if trying

⁴⁴ Att. 24, pg. 5, lns. 21-24, and pg. 6, lns 11.

⁴⁵ Att. 24, pg. 4, lns. 18 to 21.

⁴⁶ Att. 24, pgs. 4 to 5.

⁴⁷ Att. 24, pg. 5, lns. 2 to 4.

⁴⁸ Att. 24, pg. 7, lns. 6 to 12.

⁴⁹ Att. 24, pg. 7, lns. 13 to 16.

⁵⁰ Att. 24, pgs. 7 to 8.

⁵¹ Att. 24, pgs. 9 to 10.

⁵² Att. 24, pg. 14, lns. 16 to 23.

⁵³ Att. 26, pg. 7, lns. 18 to 24.

⁵⁴ Att. 26, pg. 8, lns. 1 to 2.

⁵⁵ Att. 26, pg. 8, lns. 3 to 7.

⁵⁶ Att. 26, pg. 8, lns. 8 to 14.

⁵⁷ Att. 26, pg. 8, lns. 15 to 22.

⁵⁸ Att. 26, pgs. 8 to 9.

to get someone to let him inside.⁵⁹ When Officer Robinson-Stanford had ascended to the apartment unit that he believed the male subject had been trying to enter, he saw no one but heard a male voice and a female voice speaking loudly from inside.⁶⁰

Officer Robinson-Stanford said he had held his firearm at the low-ready position and knocked on the apartment door while announcing himself as a police officer.⁶¹ When this produced no response, he had knocked and announced himself again.⁶² He said he had then kicked open the door, after which he observed a female subject standing inside the apartment and asking him what he was doing.⁶³ He said he had explained to the female that someone had just run into her apartment,⁶⁴ but she denied that anyone had entered there.⁶⁵ Officer Robinson-Stanford said the female subject closed her door on him, and he had then informed Officer Calhoun that the male subject they were pursuing was beyond their reach inside the apartment.⁶⁶

With regard to the firearm he had seen fall out of the unknown male's fanny pack, Officer Robinson-Stanford stated that he could not give a detailed description of it, but said it was black and confirmed that he saw the male subject picking up the weapon.⁶⁷ When asked to explain his understanding of CPD's policy on breaching doors, he answered that a breach could be justified under exigent circumstances, and further stated that in this situation he felt exigent circumstances applied because he had known the male subject was armed with a firearm and he was concerned that someone inside the apartment might have been taken hostage.⁶⁸ When asked if he should have completed any documentation to explain the door-breaching, he said he considered the video evidence captured on his BWC to be a form of documentation recording his actions.⁶⁹ When asked if he believed he had been required to notify a supervisor that he had breached the door, he answered no, because he said that he could not be sure that any damage that had been done to the door had been his fault and not the fault of the unknown male who had also been kicking the door before him.⁷⁰

Officer Robinson-Stanford stated that according to his understanding of the policy outlined within ETB# 18-01, the Foot Pursuits Training Bulletin, CPD members were only allowed to chase someone who was thought to have committed a felony, and were only allowed to enter someone's residence if a felony had been committed or was about to be committed.⁷¹ He further explained that in this scenario the fact that the unknown male subject was wearing a fanny pack had led him to believe that he had a firearm, and then once he had seen the male subject fall and drop the

⁵⁹ Att. 26, pg. 9, lns. 9 to 13.

⁶⁰ Att. 26, pg. 9, lns. 17 to 23.

⁶¹ Att. 26, pgs. 10 to 11.

⁶² Att. 26, pg. 11, lns. 7 to 8.

⁶³ Att. 26, pg. 11, lns. 13 to 18.

⁶⁴ Att. 26, pg. 11, lns. 19 to 20.

⁶⁵ Att. 26, pg. 11, lns. 21 to 22.

⁶⁶ Att. 26, pg. 12, lns. 1 to 5.

⁶⁷ Att. 26, pg. 17, lns. 3 to 9.

⁶⁸ Att. 26, pgs. 22 to 23.

⁶⁹ Att. 26, pg. 23, lns. 15 to 20.

⁷⁰ Att. 26, pg. 24, lns. 12 to 22.

⁷¹ Att. 26, pg. 25, lns. 2 to 8.

firearm, he felt that increased the seriousness of the situation and made it his responsibility to continue the pursuit.⁷²

In order to give Officer Robinson-Stanford an opportunity to visually reference the moment when he had observed the unknown male subject fall and drop the firearm out of the fanny pack, COPA displayed his BWC recording for him during his interview. While reviewing the video, he asserted that his camera had not captured the subject falling, but that nevertheless he himself had been able to visually observe it.⁷³ He pointed to the segment of the video where the subject had moved out of the camera's view into the backyard behind the apartment building where this incident concluded, and affirmed that from his position in the alley he had been able to see through the fences into the yard area, thereby witnessing the subject falling and dropping the weapon inside the yard.⁷⁴ He further described how the male subject had fallen down on all fours, how the firearm had fallen out of the bag and into view, and how the subject had retrieved the weapon and returned it to the bag before he climbed the building's stairs.⁷⁵

When asked about his understanding of CPD policy with regard to pointing a firearm, Officer Robinson-Stanford stated that directly pointing a firearm to engage someone at gunpoint would require notifying OEMC of the incident, but he said in this particular situation he had only held his weapon at the low-ready position, which did not require any such notification.⁷⁶ COPA also raised the question of Officer Robinson-Stanford's late BWC activation during his interview, to which he responded that he had been told that he should activate his camera whenever it was safe and feasible to do so.⁷⁷ He further stated that in this case he had been required to quickly transition from just driving down the street with his partner to suddenly chasing a subject armed with a firearm, which resulted in his attention being preoccupied by the situation at hand.⁷⁸ He explained that he understood the BWC is supposed to be activated "when you engage in anything" and that it is permissible to deactivate it once a scene had been secured.⁷⁹ With regard to his failure to complete an ISR or other documentation of this incident, he stated that he had not been required to complete an ISR because he had not actually entered [REDACTED] apartment and had not conducted a stop of either [REDACTED] or the unknown male subject he had been pursuing.⁸⁰ Overall, Officer Robinson-Stanford denied having committed any policy violations for each of the fourteen allegations that had been served to him at the time of this initial interview.⁸¹

Returning to the subject of CPD's foot pursuit policy, COPA asked Officer Robinson-Stanford to clarify whether he believed he was permitted to initiate a chase just because someone suddenly took off and ran away from him. He answered, no, he could not pursue anyone unless

⁷² Att. 26, pg. 25, lns. 8 to 17.

⁷³ Att. 26, pg. 31, lns. 11 to 19.

⁷⁴ Att. 26, pgs. 31 to 32.

⁷⁵ Att. 26, pgs. 39 to 40.

⁷⁶ Att. 26, pg. 46, lns. 8 to 18.

⁷⁷ Att. 26, pg. 47, lns. 2 to 6.

⁷⁸ Att. 26, pg. 47, lns. 7 to 14.

⁷⁹ Att. 26, pg. 47, lns. 17 to 24.

⁸⁰ Att. 26, pg. 52, lns. 6 to 12.

⁸¹ Att. 26, pgs. 48 to 52.

there were other factors supporting such an action.⁸² He expanded on this by stating that this scenario included elements such as his experience of making weapon arrests involving offenders who carried firearms in a particular type of bag, the fact that the male subject in this case possessed the same type of suspicious bag, and the fact that the male subject tried to avoid contact with the police.⁸³ He said he understood that foot pursuits were only allowed if a subject was thought to have committed a felony, and with regard to this incident, he felt his pursuit was justified by his suspicion that the male subject had an illegal firearm.⁸⁴

Following the first interview with Officer Robinson-Stanford, COPA served him with the allegation that during his statement he had falsely reported having seen the unknown male fall and drop a firearm out of his bag. During his second interview with COPA, he repeated his assertion that while he was still in the alley he had been able to see through the fences into the backyard area of the three-flat apartment building.⁸⁵ He stated that he had not seen the subject running in the alley with a firearm in his hand, but saw the weapon for the first time when the subject dropped it in the backyard.⁸⁶ Officer Robinson-Stanford verified that at the time when he saw the gun he had been to the west of the nearby garage and parked vehicle, but still had a clear line of sight into the backyard.⁸⁷ He did not have any recollection of hearing the male subject's firearm making a sound as it fell to the ground.⁸⁸ He confirmed again that he had seen a firearm with a black finish, said there was no doubt in his mind that it was a gun, and repeated that he had seen it fall out of the fanny pack.⁸⁹ He also addressed the question of why his BWC recording had not shown the male subject falling down by explaining that the camera had been attached to a fixed point on his body, and therefore did not have sufficient range to capture any images that were not directly within its forward angle of view.⁹⁰ Officer Robinson-Stanford denied making a false report to COPA.⁹¹

Officer Calhoun also provided a statement to COPA, during which he explained that on the date of this incident he and Officer Robinson-Stanford had been driving westbound on Jackson Boulevard in their CPD vehicle when they observed a male subject walking eastbound while wearing a fanny pack strapped on his chest.⁹² He said he noted that the fanny pack appeared to be weighed down by its contents, and determined that he and his partner should stop to conduct a field interview with this subject.⁹³ Officer Calhoun performed a U-turn, taking them back in an eastbound direction so that Officer Robinson-Stanford could get out and approach the male subject.⁹⁴ Upon seeing the Officers, the subject had initially moved in a manner indicating that he was about to run eastward, but then suddenly turned and instead ran to the west.⁹⁵ Officer Calhoun

⁸² Att. 26, pg. 52, ln. 21.

⁸³ Att. 26, pgs. 52 to 53.

⁸⁴ Att. 26, pg. 53, lns. 4 to 8.

⁸⁵ Att. 31, pgs. 13 to 14.

⁸⁶ Att. 31, pg. 18, lns. 9 to 22.

⁸⁷ Att. 31, pg. 27, lns. 7 to 14.

⁸⁸ Att. 31, pg. 31, lns. 9 to 14.

⁸⁹ Att. 31, pg. 31, lns. 15 to 23.

⁹⁰ Att. 31, pg. 34, lns. 1 to 15.

⁹¹ Att. 31, pg. 39, lns. 7 to 11.

⁹² Att. 25, pg. 7, lns. 14 to 17.

⁹³ Att. 25, pg. 7, lns. 19 to 21.

⁹⁴ Att. 25, pg. 8, lns. 1 to 3.

⁹⁵ Att. 25, pg. 8, lns. 4 to 6.

said Officer Robinson-Stanford began pursuing the subject on foot,⁹⁶ while he himself drove the CPD vehicle around the block about three times.⁹⁷ He explained that he had been expecting the male subject to change direction and double-back again, so he had initially waited before he began circling the block.⁹⁸ When he did not locate Officer Robinson-Stanford, he attempted to call him but received no answer.⁹⁹ While driving around the block once more, he succeeded in getting his partner to respond to his calls,¹⁰⁰ and discovered that he was within shouting distance on the second floor of a nearby building.¹⁰¹ He said he exited from his vehicle and then activated his BWC once he made contact with Officer Robinson-Stanford,¹⁰² who informed him that the subject they were pursuing had run inside a residence.¹⁰³ Officer Calhoun confirmed that he had not personally seen the unknown male subject entering any residence.¹⁰⁴ He said once he had found Officer Robinson-Stanford's location, he walked to the property's back gate¹⁰⁵ and stood on top of a garbage can with the idea of climbing over the gate, but decided not to because the pursuit was over at that point.¹⁰⁶ He then jumped off the garbage can and deactivated his BWC.¹⁰⁷

Officer Calhoun said he had been told that ██████ had identified him as the CPD member who she had encountered at her apartment,¹⁰⁸ but he did not understand how she would have seen him there because he had no interaction with her¹⁰⁹ or with anyone else inside her building.¹¹⁰ When asked to respond to the allegation that he had ignored ██████ when she tried to speak with him about this incident, he denied that this was true.¹¹¹

Officer Calhoun reviewed a copy of the relevant Foot Pursuits Training Bulletin during his interview, and stated it was his understanding that the single act of a subject running away from the police was not sufficient to justify a pursuit.¹¹² He also said he understood that during a foot pursuit, CPD members have a responsibility to stay with their partners.¹¹³ When asked if the pursuit he and Officer Robinson-Stanford had conducted was acceptable based on his knowledge, he answered that he and his partner had enough reasonable articulable suspicion to justify making an investigatory stop¹¹⁴ but also conceded that he personally had lost sight of his partner during the

⁹⁶ Att. 25, pg. 8, lns. 9 to 10.

⁹⁷ Att. 25, pg. 8, lns. 11 to 12.

⁹⁸ Att. 25, pg. 8, lns. 14 to 15.

⁹⁹ Att. 25, pg. 8, lns. 18 to 19.

¹⁰⁰ Att. 25, pg. 8, lns. 20 to 21.

¹⁰¹ Att. 25, pg. 11, lns. 14 to 22.

¹⁰² Att. 25, pg. 12, lns. 1 to 5.

¹⁰³ Att. 25, pg. 12, lns. 6 to 11.

¹⁰⁴ Att. 25, pg. 12, lns. 20 to 22.

¹⁰⁵ Att. 25, pg. 13, lns. 14 to 15.

¹⁰⁶ Att. 25, pgs. 13 to 14.

¹⁰⁷ Att. 25, pg. 14, lns. 3 to 4.

¹⁰⁸ Att. 25, pgs. 26 to 27.

¹⁰⁹ Att. 25, pg. 27, lns. 4 to 5.

¹¹⁰ Att. 25, pg. 27, lns. 6 to 9.

¹¹¹ Att. 25, pg. 32, lns. 8 to 11.

¹¹² Att. 25, pg. 16, lns. 12 to 21.

¹¹³ Att. 25, pgs. 16 to 17.

¹¹⁴ Att. 25, pg. 17, lns. 2 to 13.

chase.¹¹⁵ Officer Calhoun directly denied the allegation that he acted inconsistently with his training under the Foot Pursuits Training Bulletin.¹¹⁶

When asked to explain his reasoning for his late BWC usage during this encounter, Officer Calhoun explained that due to his concern about Officer Robinson-Stanford's safety, the idea of turning on his camera had not crossed his mind until after he had learned that his partner was safe.¹¹⁷ During further questioning, he admitted that he should have activated his BWC as soon as his partner got out of the car to begin the foot pursuit,¹¹⁸ and further stated that if he could have changed anything about his actions during this incident he would have turned on his camera more quickly.¹¹⁹ However, when directly asked to respond to the allegation that he had failed to activate his BWC in a timely manner, he denied any misconduct.¹²⁰

III. ALLEGATIONS

Officer Demetrius Robinson-Stanford:

It is alleged by [REDACTED] that on or about March 6, 2021, at approximately 2:15 PM, at or near [REDACTED] that Officer Demetrius Robinson-Stanford #11341 committed misconduct through the following acts or omissions, by:

1. Forcibly opening the door to [REDACTED] without justification;
 - Sustained, Violation of Rules 2, 3, 5, 6, and 10.
2. Searching [REDACTED] without justification;
 - Unfounded.
3. Causing unreasonable damage to the rear door of [REDACTED]
 - Sustained, Violation of Rules 2, 3, 5, 6, and 10.
4. Forcibly opening the door to [REDACTED] in a manner such that it struck [REDACTED]
 - Unfounded.
5. Pointing his firearm at [REDACTED] without justification;
 - Unfounded.
6. Seizing [REDACTED] without justification;
 - Unfounded.
7. Engaging in conduct unbecoming in that he ignored [REDACTED] when she attempted to speak to him regarding this incident.
 - Unfounded.

It is alleged by COPA by and through Deputy Chief Angela Hearts-Glass that on or about March 6, 2021, at approximately 2:15 PM, at or near [REDACTED] that Officer Demetrius Robinson-Stanford #11341 committed misconduct through the following acts or omissions, by:

8. Acting inconsistently with his training under ETB# 18-01, Foot Pursuits Training Bulletin

¹¹⁵ Att. 25, pg. 17, lns. 15 to 16.

¹¹⁶ Att. 25, pg. 32, lns. 18 to 20.

¹¹⁷ Att. 25, pg. 27, lns. 15 to 22.

¹¹⁸ Att. 25, pg. 28, lns. 2 to 7.

¹¹⁹ Att. 25, pg. 30, lns. 19 to 21.

¹²⁰ Att. 25, pg. 32, lns. 21 to 23.

- Not sustained.
9. Failing to knock and/or announce prior to attempting to gain entry into [REDACTED] [REDACTED] by kicking the rear door of 4517 W Jackson Boulevard #2
 - Not sustained.
 10. Failing to wait a reasonable period of time before forcibly opening the door of the residence at [REDACTED] [REDACTED]
 - Not sustained.
 11. Failing to activate body worn camera in a timely manner, in violation of S03-14
 - Sustained, Violation of Rules 2, 3, 5, and 6.
 12. Failing to notify OEMC of a firearm pointing incident in violation of D19-01
 - Unfounded.
 13. Failing to document the damage to the residence located at [REDACTED] resulting from his forcible opening of the rear door, in violation of S03-10;
 - Sustained, Violation of Rules 2, 3, 5, 6, and 10.
 14. Failing to properly complete an ISR or any other documentation of his warrantless intrusion into the residence located at [REDACTED].
 - Sustained, Violation of Rules 2, 3, 5, 6, and 10.

It is alleged that on December 15, 2021, during an interview at COPA's offices, Officer Demetrius Robinson-Stanford, star #11341, committed by misconduct by:

15. Making one or more false, misleading, and/or inaccurate reports stating words to the effect of that, on or about March 6, 2021, at or near [REDACTED] in Chicago, Illinois he observed an unknown male fall and also observed a firearm in the unknown male's fanny pack when he in fact could not have made these observations based on his location relative to the unknown male's location.
 - Not Sustained.

Officer Dexter Calhoun:

It is alleged by [REDACTED] that on or about March 6, 2021, at approximately 2:15 PM, at or near [REDACTED] that Officer Dexter Calhoun #17364 committed misconduct through the following acts or omissions, by:

1. Engaging in conduct unbecoming in that he ignored [REDACTED] when she attempted to speak to him regarding this incident.
 - Unfounded.

It is alleged by COPA by and through Deputy Chief Angela Hearts-Glass that on or about March 6, 2021, at approximately 2:15 PM, at or near [REDACTED] that Officer Dexter Calhoun #17364 committed misconduct through the following acts or omissions, by:

2. Acting inconsistently with his training under ETB# 18-01, Foot Pursuits Training Bulletin;
 - Not Sustained.
3. Failing to activate body worn camera in a timely manner, in violation of S03-14;
 - Sustained, in Violation of Rules 2, 3, 5, and 6.

IV. CREDIBILITY ASSESSMENT

COPA notes that there are significant discrepancies between the account of events that ██████ gave in the CPD Initiation Report and web complaint, and the evidence shown by the BWC recordings. For example, the videos make it clear that Officer Calhoun did not climb the steps to approach ██████ second-floor apartment at any time. Therefore, she could not have seen him standing alongside Officer Robinson-Stanford at her doorway. Also, the video shows that she only had the briefest contact with Officer Robinson-Stanford, and that she immediately closed the door on him, which contradicts her statement in the web complaint that he had ignored her attempts to communicate with him. These details factored into COPA's assessment of ██████ credibility. COPA also observed that Officer Robinson-Stanford's assertion of having witnessed the unknown male subject dropping a firearm outside the apartment building was neither proven nor disproven by the video evidence. COPA ultimately brought an additional allegation of Officer Robinson-Stanford falsifying his testimony regarding this claim, although insufficient evidence was found to sustain this allegation. Finally, COPA found that Officer Robinson-Stanford's assertion that he was concerned about a potential hostage crisis being in progress inside ██████ apartment was not supported by any of the video evidence, and the fact that he made no report of any kind further stands against the credibility of his statements.

V. ANALYSIS¹²¹

a. Officer Robinson-Stanford's forcible breaching of ██████ door

CPD members are required to maintain a commitment to “observing, upholding, and enforcing all laws relating to individual rights”¹²² and must ensure that they “treat all persons with the courtesy and dignity which is inherently due every person as a human being. Department members will act, speak, and conduct themselves in a professional manner, recognizing their obligation to safeguard life and property, and maintain a courteous, professional attitude in all contacts with the public.”¹²³ Additionally, CPD's Rules of Conduct establish a list of acts which are expressly prohibited for all members, including Rule 6, which states that members may not disobey an order or directive, whether written or oral.¹²⁴

Warrantless searches of citizens and unauthorized entries to their residences have been strictly limited by the Fourth Amendment of the United States Constitution and the Illinois Constitution, which established “the right of individuals to be free from unreasonable searches and seizures.”¹²⁵ The protection of the Fourth Amendment against warrantless entries or searches is activated whenever 1) a situation arises in which a person has a subjective expectation of privacy

¹²¹ For a definition of COPA's findings and standards of proof, *see* Appendix B.

¹²² Att. 38, G02-01(III)(A), Human Rights and Human Resources (effective October 5, 2017 to June 30, 2022).

¹²³ Att. 38, G02-01(III)(B).

¹²⁴ Att. 39, Rules and Regulations of the Chicago Police Department, Rules of Conduct, Rule 6, pg. 7 (effective April 16, 2015 to present).

¹²⁵ *People v. Colyar*, 2013 IL 111835, ¶ 31 (citing U.S. Const., amend. IV; Ill. Const. 1970, art. I, § 6). Also see Att. 38, G02-01(IV)(B): “The Fourth Amendment to the Constitution of the United States guarantees protection from unlawful arrest and unreasonable search and seizure to all persons in this country.”

and, 2) that person's expectation is one that society is prepared to recognize as "reasonable."¹²⁶ Consequently, law enforcement officers are generally prohibited from entering or searching within a citizen's residence, whether it be to search for specific items of evidence or to make an arrest, without first obtaining a lawful warrant based upon probable cause.¹²⁷

However, some exceptions to the rule against warrantless entries and searches have been recognized by the United States Supreme Court. For example, exigent circumstances, such as the hot pursuit of a fleeing felon, preventing the destruction of evidence, or preventing a suspect's escape, may justify entering or searching inside a residence without a warrant.¹²⁸ In order for this exception to be allowed, the particular details of the situation must indicate that "immediate and serious consequences" would result if police activities were to be postponed for the length of time it would take to first obtain a warrant, as the justification for the exigent circumstances exception depends "upon the gravity of the offense thought to be in progress."¹²⁹ Another warrantless residential search exception permits law enforcement officers who are performing an in-house arrest to conduct a limited protective sweep over an area of the premises as long as the searching officer possesses a reasonable belief (based on articulable facts) that the area harbors an individual who poses a danger to those present.¹³⁰ Additionally, a law enforcement officer is permitted the limited authority to seize evidence of a crime discovered in plain view as long as the officer is lawfully present at the place where the evidence can be plainly viewed, the officer has a lawful right of access to the object, and the incriminating character of the object is immediately apparent.¹³¹

i. Officer Robinson-Stanford's actions just prior to breaching the door

During his interview with COPA, Officer Robinson-Stanford expressly stated that he had knocked on [REDACTED] door and announced himself as a police officer several times before he eventually breached the door. The video evidence also demonstrates that Officer Robinson-Stanford appeared to have kicked and pounded on [REDACTED] door before kicking it open.¹³² Although the available audio footage is incomplete and does not capture the Officer verbally announcing himself before the forced entry, in COPA's view it is reasonable to believe that he would have been likely to also announce his office. Indeed, there would have been no logical reason for him not to do so. Nevertheless, as there is insufficient objectively verifiable evidence to positively determine whether he did or did not announce himself, COPA finds Allegation #9 against Officer Robinson-Stanford, that he failed to knock and/or announce himself before breaching [REDACTED] door, is **not sustained**.

Additionally, the BWC recording shows that Officer Robinson-Stanford waited approximately 50 seconds between the time when he first kicked the door and the time when he

¹²⁶ *Katz v. United States*, 389 U.S. 347 (1967).

¹²⁷ *Payton v. New York*, 445 U.S. 573, 586 (1980). See G02-01(IV)A.

¹²⁸ *Minnesota v. Olson*, 493 U.S. 955, 1000 (1990).

¹²⁹ *Welsh v. Wisconsin*, 466 U.S. 740, 753 (1984).

¹³⁰ *Maryland v. Buie*, 494 U.S. 325 (1990).

¹³¹ *Coolidge v. New Hampshire*, 403 U.S. 443 (1971).

¹³² Att. 6 at 1:39 to 2:07.

eventually breached the door,¹³³ which might reasonably be considered to have been an adequate amount of time to allow a resident to respond to an urgent police situation. However, as previously stated, there remains doubt as to whether Officer Robinson-Stanford announced himself as a police officer before he kicked in the door. This point is vital because the residents of a property might not be inclined to answer the door or reveal their presence if they do not specifically understand that there is a police presence at their doorstep. If they thought it was only a civilian making noise at their door, or worse, a potential burglar, then they could be inclined to wait longer before checking the door or to avoid approaching the door at all. As it is not known for certain whether Officer Robinson-Stanford announced his office, it is also impossible to determine whether ██████ had enough time to fully grasp the severity of the situation and the importance of answering the door before it could be breached. Due to the lack of audio evidence to confirm this point either way, COPA finds that Allegation #10, that Officer Robinson-Stanford failed to wait a reasonable period of time before forcibly opening ██████ door, is **not sustained**.

ii. Officer Robinson-Stanford breached ██████ door without justification

In his COPA statement, Officer Robinson-Stanford asserted his belief that the exigent circumstances rule was in effect when he forcibly opened the door of ██████ apartment without a warrant.¹³⁴ According to his reasoning, his claim that he had witnessed the unknown male subject dropping and then picking up a firearm, in addition to his claim that the subject must have entered ██████ apartment, made him concerned that a hostage situation was underway.¹³⁵ COPA notes that this Officer specifically said at one point that he knew he was not authorized to search ██████ residence,¹³⁶ but then in the very next breath he excused his warrantless entry by insisting that he was concerned that the male subject he had chased was holding someone hostage inside the apartment.¹³⁷

The video evidence demonstrates that when Officer Robinson-Stanford was outside ██████ door and saw Officer Calhoun driving up the alleyway below, he did not make any mention of a hostage situation while he shouted to his partner.¹³⁸ Additionally, the recording shows that during the very brief four-second verbal interaction Officer Robinson-Stanford had with ██████ he did not inquire about her safety or show any concern that she might be a hostage, but instead simply told her that someone had run into her residence.¹³⁹ After ██████ told him no one had entered her house and closed the door, he immediately turned away, again showing no concern about the possibility that she was in grave danger as he shouted to his partner that the male subject had run inside.¹⁴⁰ COPA also notes that Officer Robinson-Stanford did not report any of his alleged concerns to OEMC via radio communications, and indeed did not make any report at all of this incident. As it is apparent that this Officer's claim of attempting to thwart a hostage crisis is not supported by his recorded behavior, COPA therefore finds that Allegation #1 against Officer

¹³³ Att. 6 at 1:39 to 2:29.

¹³⁴ Att. 26, pg. 23, ln. 2.

¹³⁵ Att. 26, pg. 23, lns. 3 to 8.

¹³⁶ Att. 26, pg. 23, ln. 10.

¹³⁷ Att. 26, pg. 23, lns. 10 to 12.

¹³⁸ Att. 6 at 2:18 to 2:28.

¹³⁹ Att. 6 at 2:36 to 2:40.

¹⁴⁰ Att. 6 at 2:40 to 2:50.

Robinson-Stanford, that he forcibly opened ██████ door without justification, is **sustained** as a violation of Rules 2, 3, 5, 6, and 10.

Furthermore, as there is no relevant justification for the damage this Officer caused to a private residence, COPA finds that Allegation #3 against Officer Robinson-Stanford, that he caused unreasonable damage to the rear door of ██████ apartment, is **sustained** as a violation of Rules 2, 3, 5, 6, and 10.

iii. The evidence does not support the claim that ██████ was struck during the breach of the door

██████ web complaint states that she had received a swollen hand injury as a result of being struck by her door as it was kicked open.¹⁴¹ However, during her interview with COPA she did not repeat this claim and did not make any mention of having received an injury due to this incident. Furthermore, Officer Robinson-Stanford's BWC video shows that no one was in the doorway as ██████ door was kicked open, and ██████ voice can be heard asking who is there from a distant point inside the apartment.¹⁴² In the next few seconds, ██████ voice grows louder and more distinct as she quickly shouts "Get out!" three times, after which she asks what the Officer was doing.¹⁴³ When ██████ first comes into view on the recording, she approaches from the area to the left of the doorway (as seen from outside the apartment),¹⁴⁴ indicating that she had not been near the door when it was being breached. As a result of this evidence, COPA finds that Allegation #4 against Officer Robinson-Stanford, that he forcibly opened the door to ██████ ██████ in a manner such that it struck ██████ is **unfounded** by clear and convincing evidence.

b. Concerning Robinson-Stanford's interactions with ██████

i. Officer Robinson-Stanford did not search or seize ██████

The BWC evidence shows that the interaction between Officer Robinson-Stanford and ██████ was only approximately four seconds long, and only consisted of a brief verbal exchange followed by ██████ swiftly closing her door on him, thus ending the encounter.¹⁴⁵ During her COPA interview, ██████ own account of the incident also described how she had quickly shut the door on the Officer and made no mention of her being seized or searched in any way.¹⁴⁶ When she was specifically asked if she had any other interaction with the Officer, she answered that she had not because she was in a state of undress.¹⁴⁷ COPA therefore finds that Allegation #2 against Officer Robinson-Stanford, that he searched ██████ without justification, is **unfounded** by clear and convincing evidence.

¹⁴¹ Att. 1, pg. 2.

¹⁴² Att. 6 at 2:29 to 2:31.

¹⁴³ Att. 6 at 2:31 to 2:36.

¹⁴⁴ Att. 6 at 2:36 to 2:40.

¹⁴⁵ Att. 6 at 2:36 to 2:40.

¹⁴⁶ Att. 24, pgs. 4 to 5.

¹⁴⁷ Att. 24, pg. 7, lns. 13 to 16.

Furthermore, just as the available evidence shows that ██████ was not searched during this incident and had only a passing interaction with the Officer, both the BWC video¹⁴⁸ and ██████ statement to COPA¹⁴⁹ demonstrate that Officer Robinson-Stanford did not seize her or detain her in any way. Consequently, COPA finds that Allegation #6 against Officer Robinson-Stanford, that he seized ██████ without justification, is **unfounded** by clear and convincing evidence.

ii. Officer Robinson-Stanford did not point his firearm at any person during the incident

The BWC recording obtained from Officer Robinson-Stanford's camera system also clearly demonstrates that he did not point his firearm at ██████ or anyone else throughout this incident. He initially drew his firearm with his right hand as he climbed the stairs up to the second level of the apartment building, and after kicking ██████ door and apparently pounding on it with his left hand, he re-holstered the weapon again as he turned away from the door to call out to Officer Calhoun in the alley below.¹⁵⁰ Then, after he had kicked in ██████ door, he drew his firearm a second time with his right hand and briefly held it extended with one hand with the muzzle pointed downward and toward the left.¹⁵¹ As he approached the doorway again, he adopted a two-handed "low-ready" hold on the weapon, holding it close to chest-level with the muzzle pointing downward and to the left during his brief interaction with ██████¹⁵² Officer Robinson-Stanford then turned away from ██████ doorway to slowly ascend the stairs toward the building's third level, and based on the audio of the recording, he apparently re-holstered his weapon again as he was in the process of climbing.¹⁵³ When he reached the landing in-between the second and third floors, both of his hands were visible as he placed them on the railing, confirming that he was no longer holding the firearm.¹⁵⁴ The BWC showed that he did not draw the weapon at any other time during this incident. Based on this video, COPA finds that Allegation #5 against Officer Robinson-Stanford, that he pointed his firearm at ██████ without justification, is **unfounded** by clear and convincing evidence.

As it has been established that no weapon-pointing incident occurred at any time during this encounter, it follows that there was no need for OEMC to have been notified of any such occurrence. Consequently, COPA finds that Allegation #12 against Officer Robinson-Stanford, that of failing to notify OEMC of a firearm pointing incident in violation Department Notice D19-01, is **unfounded** by clear and convincing evidence.

iii. The Officers did not ignore ██████ efforts to speak to them

In her web complaint to COPA, ██████ wrote that the Officer who had forcibly opened her door (now known to be Officer Robinson-Stanford) had run off before she was able to obtain his

¹⁴⁸ Att. 6 at 2:36 to 2:40.

¹⁴⁹ Att. 24, pgs. 4 to 5; also Att. 24, pg. 7, lns. 13 to 16.

¹⁵⁰ Att. 6 at 1:08 to 2:16.

¹⁵¹ Att. 6 at 2:29 to 2:34.

¹⁵² Att. 6 at 2:34 to 2:40.

¹⁵³ Att. 6 at 2:40 to 2:50.

¹⁵⁴ Att. 6 at 2:50 to 3:01.

badge number.¹⁵⁵ She also specifically asserted that when she asked this Officer why he had damaged her door, he had continued moving away from her as if she had not been attempting to speak with him.¹⁵⁶ However, during her interview with COPA, she did not repeat the claim that an Officer had ignored her after the incident, and failed to mention this point at all. She also affirmed that she had no further interaction with the Officer after she had closed her door on him.¹⁵⁷ The available video evidence also contradicts the allegation [REDACTED] made in the web complaint, demonstrating that the entire duration of the verbal exchange between Officer Robinson-Stanford and [REDACTED] lasted only four seconds and ended when she closed her door on him.¹⁵⁸ The BWC recording obtained from Officer Calhoun shows that he never even stepped into the backyard area of [REDACTED] apartment building, and thus never had any contact with her.¹⁵⁹ Therefore, COPA finds that Allegation #7 against Officer Robinson-Stanford and Allegation #1 against Officer Calhoun, for ignoring [REDACTED] attempts to communicate about the damage to her door, are both **unfounded** by clear and convincing evidence.

c. Concerning the absence of documentation to account for the breach of [REDACTED] door and the resulting damage

i. Officer Robinson-Stanford did not complete an Investigatory Stop Report

CPD members are required to complete an Investigatory Stop Report (ISR) each time they conduct an Investigatory Stop and in any situation in which a detention occurs but no other documentation exists.¹⁶⁰ An Investigatory Stop is defined as the “...temporary detention and questioning of a person in the vicinity where the person was stopped based on Reasonable Articulate Suspicion that the person is committing, is about to commit, or has committed a criminal offense.”¹⁶¹ Not all interactions between Officers and individuals will constitute an Investigative Stop, but some of the factors which distinguish an Investigatory Stop include: 1) the threatening presence of multiple officers, 2) the display of a weapon by an officer, 3) the use of language or a tone of voice indicating that compliance with the officer’s request might be compelled, 4) the officer blocking a person’s path, or 5) the person does not have the option to end the encounter with the officer.¹⁶²

Officers must complete an ISR to document the reasons for conducting an Investigatory Stop, and to explain the Reasonable Articulate Suspicion which led to the stop.¹⁶³ Moreover, they are also required to complete an ISR for any stop based on Probable Cause for which no other document captures the reason for the stop.¹⁶⁴ In such a situation, the ISR may be viewed as a catch-

¹⁵⁵ Att. 1, pg. 1.

¹⁵⁶ Att. 1, pg. 1.

¹⁵⁷ Att. 24, pg. 7, lns. 13 to 16.

¹⁵⁸ Att. 6 at 2:36 to 2:40.

¹⁵⁹ Att 8 at 0:00 to 3:45.

¹⁶⁰ Att. 36, S04-13-09 (III)(C-D), Investigatory Stop System (effective July 10, 2017 to present).

¹⁶¹ Att. 36, S04-13-09 (II)(A).

¹⁶² Att. 36, S04-13-09 (II)(A)(1-5).

¹⁶³ Att. 36, S04-13-09 (III)(D)(1)(a).

¹⁶⁴ Att. 36, S04-13-09 (III)(D)(1)(b).

all report which must be completed whenever no other official CPD document would be directly applicable to the circumstances.

During his statement with COPA, Officer Robinson-Stanford attempted to excuse his failure to create an ISR or any other documentation by explaining that he did not believe an ISR had been necessary because he had not entered ██████ residence, because he had not conducted a stop on ██████ or even learned her name, and because he had not succeeded in conducting a stop on the unknown male subject who he had pursued.¹⁶⁵

In COPA's assessment, the fact that Officer Robinson-Stanford did not have the opportunity to conduct a standard Investigatory Stop does not alter the fact that he clearly acted with the intent to conduct a stop, nor the fact that his actions needed to be documented in an ISR for the sake of explaining the reasoning behind his conduct. COPA acknowledges that this Officer may have mistakenly thought this incident was unusual enough to fall outside the scope of routine CPD reports, thus making such documents inappropriate to the needs of the situation. However, his complete failure to complete any documentation was unacceptable. Due to the ISR's unique role as a catch-all report that covers detention situations for which no other document applies, it is evident that it would have been the most appropriate document to explain the circumstances of this incident. Moreover, the fact that Officer Robinson-Stanford had displayed his unholstered firearm after he breached ██████ door made this situation fall squarely within the province covered by an ISR, regardless of whether a formal Investigatory Stop was conducted with ██████. As a result of these factors, COPA finds that Allegation #14 against Officer Robinson-Stanford, that he failed to properly complete an ISR or any other documentation of his warrantless entry into ██████ residence, is **sustained** as a violation of Rules 2, 3, 5, 6, and 10.

ii. Officer Robinson-Stanford did not complete a City Claims Notification

A CPD member who becomes involved in an incident which results in accidental property damage is required to: 1) notify and request a supervisor at the scene of the incident, 2) properly complete all required documentation of the incident in a timely manner, 3) submit a CPD-11.719 City Claims Notification Form to the assigned supervisor if it is determined that the situation requires it, and 4) in the event that a City Claims Notification Form is completed, advise any affected parties that a City claims adjuster will contact them by telephone.¹⁶⁶

Officer Robinson-Stanford did not complete any of these required tasks after he damaged ██████ apartment door. When COPA directly asked him if he believed that he had been required to notify a supervisor in the aftermath of this breaching incident, he answered that he did not think so. He further explained that he believed the unknown male subject he had been chasing had damaged ██████ door while attempting to enter her apartment, and the Officer suggested that it was unnecessary for him to notify his sergeant about damage that he might not have been responsible for.¹⁶⁷ Later in his interview, the Officer addressed the issue of not documenting the damage to ██████ door by suggesting that his BWC recording represented a sufficient amount of

¹⁶⁵ Att. 26, pg. 52, lns. 2 to 12.

¹⁶⁶ Att. 34, S03-10 (III)(A)(1-3), City Claims Notification Program (effective October 10, 2012 to present).

¹⁶⁷ Att. 26, pg. 24, lns. 12 to 22.

documentation to report the damage. He also repeated the same argument that the unknown male subject had kicked ██████ door before he did, and therefore whatever damage there was might not have been his fault.¹⁶⁸ In COPA's view, this was an irrational and potentially disingenuous defense, as the Officer's BWC video clearly shows wood splinters and dust spraying from ██████ door at the moment he kicked it open.¹⁶⁹ COPA therefore finds that Allegation #13 against Officer Robinson-Stanford, that he failed to document the damage to ██████ residence resulting from his forcible opening of her door, is **sustained** as a violation of Rules 2, 3, 5, 6, and 10.

d. The Officers' foot pursuit as it relates to CPD policy

At the time of this incident, CPD's most current training regarding foot pursuits was outlined in an Education Training Bulletin, ETB18-01, which was released in January of 2018 and was revised in May of 2018. As this was published as a Bulletin rather than as a General Order or a Special Order, it does not carry the authoritative weight of an official directive. On August 2, 2022, CPD issued General Order G03-07, Foot Pursuits, which firmly established the Department's foot pursuit policy as a directive. COPA notes that ETB18-01, by contrast with the later General Order, presents itself in a less official format which conveys the impression that it represents suggested guidelines or best practices rather than required strictures of policy.

The Bulletin specifies that CPD members will only engage in a foot pursuit when they have reasonable articulable suspicion to conduct an Investigatory Stop or when they have probable cause to effect an arrest.¹⁷⁰ Furthermore, it states that "...members are reminded that a subject's action in fleeing from the police, by itself, does not automatically amount to reasonable articulable suspicion to conduct an investigatory stop or probable cause to arrest. However, a subject fleeing upon sight of a clearly identifiable police officer can be a factor in the totality of the circumstances to establish reasonable articulable suspicion."¹⁷¹ When officers do initiate a foot pursuit, they are advised that they should: 1) notify OEMC immediately of their location, the subject's description, their direction of travel, and the reason for the pursuit, 2) provide updates on changes in location and direction of flight as the pursuit continues, 3) avoid unnecessary radio communications, 4) coordinate with other responding officers to contain the suspect, 5) request outside unit support if appropriate, 6) ensure BWC and in-car camera (ICC) systems are activated as soon as it is practical to do so, 7) continuously assess the circumstances to determine the best response to apprehend the subject and maintain safety, 8) monitor radio communications for additional information, and 9) notify OEMC if the pursuit is discontinued or the subject is apprehended.¹⁷² Finally, the Bulletin requires CPD members to balance considerations for the safety of all persons involved against their duty to enforce the law and apprehend the subject.¹⁷³

The Bulletin cites *Illinois v. Wardlow* 528 U.S. 119 (2000) as a contributing source to its guidelines. COPA observes that with this case the Supreme Court of the United States found that

¹⁶⁸ Att. 26, pgs. 51 to 52.

¹⁶⁹ Att. 6 at 2.29 to 2:30.

¹⁷⁰ Att. 37, pg. 1.

¹⁷¹ Att. 37, pg. 1.

¹⁷² Att. 37, pg. 2.

¹⁷³ Att. 37, pg. 2.

although an individual's presence in a "high crime area" is not sufficient in and of itself to develop a reasonable articulable suspicion that an individual is committing a crime, additional pertinent factors, such as the individual behaving evasively or actively fleeing from the police upon noticing them, may ultimately amount to a reasonable suspicion which would justify conducting an investigatory stop.¹⁷⁴ With this case, the Court effectively established a standard for the generation of reasonable articulable suspicion "based on commonsense judgments and inferences about human behavior."¹⁷⁵

With regard to the foot pursuit conducted by Officers Robinson-Stanford and Calhoun during this incident, COPA notes that one of the factors potentially contributing to the development of reasonable articulable suspicion would have been the fact that the Officers were operating in a high crime area. Another factor was the Officers' observation that the unknown male subject they ultimately chased wore a fanny pack across his chest in a manner which, according to their experience, suggested to them that the subject could have been concealing an illegal firearm inside it. The Officers also reported that the male subject behaved in an evasive manner by clutching his fanny pack when he took notice of the police presence, by feigning to move in one direction and then turning around the other way, and by running away down the block to avoid them. According to the standard created by *Illinois v. Wardlow*, these combined factors might have been sufficient to produce reasonable articulable suspicion and justify the foot pursuit.

COPA recognizes that there are also problematic aspects with this situation, such as the fact that the Officers apparently leapt to the conclusion that the male subject they pursued would not have had a concealed carry permit. Additionally, the Officers broke with established guidelines by separating from each other during the chase. Due to these issues, COPA can neither prove nor disprove whether the Officers acted against their training, and therefore finds that Allegation #8 against Officer Robinson-Stanford, and Allegation # 2 against Officer Calhoun, each of which were for acting inconsistently with their training under the ETB18-01 Foot Pursuits Training Bulletin, are both **not sustained**.

e. The Officers failed to activate their BWCs in a timely manner

To increase transparency and improve the quality and reliability of investigations, CPD policy requires law-enforcement-related activities to be electronically recorded.¹⁷⁶ Law-enforcement-related activities include, but are not limited to, calls for service, arrests, investigatory stops, use of force incidents, statements made by individuals in the course of an investigation, high risk situations, and any other instances when enforcing the law.¹⁷⁷ The decision to record is mandatory, not discretionary.¹⁷⁸ CPD members are required to activate their BWCs at the beginning of an incident and record the entire incident.¹⁷⁹ If circumstances prevent the activation of a BWC at the beginning of an incident, the member will activate their camera as soon as

¹⁷⁴ *Illinois v. Wardlow*, 528 U.S. 119 (2000).

¹⁷⁵ *Illinois v. Wardlow*, 528 U.S. 119 (2000).

¹⁷⁶ Att. 35, S03-14(II)(A), Body Worn Cameras (effective April 30, 2018 to December 29, 2023).

¹⁷⁷ Att. 35, S03-14(III)(2)(a-r).

¹⁷⁸ Att. 35, S03-14(III)(A)(1).

¹⁷⁹ Att. 35, S03-14(III)(A)(2).

practical.¹⁸⁰ CPD members are not permitted to deactivate their BWCs unless: a) the entire incident has been recorded and the member is no longer engaged in a law enforcement activity, b) a victim of a crime requests its deactivation, c) a witness or community member wishing to report a crime requests its deactivation, or d) the member is interacting with a confidential informant.¹⁸¹

Here, COPA finds that Officers Robinson-Stanford and Calhoun failed to activate their BWCs at the beginning of this incident, thereby diminishing the available amount of video and audio evidence documenting their activities. The Officers activated their cameras minutes after they engaged in a police activity, and after the most hazardous part of the pursuit had already concluded. This investigation was negatively impacted by the absence of any audio recording to show the Officers' communications with each other, and in particular by the lack of audio to prove that Officer Robinson-Stanford had announced his office before he breached [REDACTED] apartment door. That being the case, COPA finds that Allegation #11 against Officer Robinson-Stanford and Allegation # 3 against Officer Calhoun, each of which were for failures to activate their BWCs in a timely manner, are both **sustained** as violations of Rules 2, 3, 5, 6, and 10.

f. The veracity of Officer Robinson-Stanford's statements is uncertain

In order to uphold the law and maintain the safety of Chicago's citizens, CPD members are sanctioned to wield authoritative powers which greatly exceed those possessed by the populace at large. As a consequence of the extraordinary trust which has been placed in them, CPD members are required to maintain a high ethical standard in every aspect of their conduct. In particular, members are expected to be truthful and forthright in all official communications and reports. Failure to do so could result in a violation of CPD's Rule 14, which specifically prohibits members from making a false report, whether it be written or oral, and which carries a penalty up to and including separation from CPD.

During Officer Robinson-Stanford's initial interview with COPA, he stated that he had witnessed the unknown male subject he was chasing fall down and drop a firearm in the backyard behind the apartment building where [REDACTED] resided. Due to the fact that the available video evidence did not depict the male subject falling at any point during the pursuit, COPA served Officer Robinson-Stanford with an allegation that he had given a false statement with regard to witnessing the subject fall and drop a gun. COPA then conducted a second interview with Officer Robinson-Stanford to address this allegation, during which the Officer repeated his previous testimony that he had seen the unknown male subject fall, drop a handgun, and pick it up again. In order to gather further evidence about the Officer's potential line of sight during this incident, COPA conducted a field visit to the alley behind the residence in question and ultimately determined that Officer Robinson-Stanford could potentially have been speaking truthfully when he asserted that he had been able to look through a fence into the backyard area where he claimed the unknown male had fallen. As there is no definitive proof of wrongdoing, COPA finds that Allegation #15 against Officer Robinson-Stanford, that he made one or more false, misleading, and/or inaccurate reports with respect to his claim that he had observed an unknown male fall and drop a firearm when he in fact could not have made those observations, is **not sustained** due to

¹⁸⁰ Att. 35, S03-14(III)(A)(2).

¹⁸¹ Att. 35, S03-14(III)(B)(1)(a-d).

there being insufficient objectively verifiable evidence to prove whether he did or did not see what he claimed to have witnessed.

VI. DISCIPLINARY RECOMMENDATION

a. Officer Demetrius Robinson-Stanford

i. Complimentary and Disciplinary History¹⁸²

Officer Robinson-Stanford's complimentary history is comprised of 147 awards, the highlights of which include seven Department Commendations, one Honorable Mention Ribbon Award, and two Police Office of the Month Awards. His disciplinary history includes two SPARs: an October 2022 preventable accident, resulting in a one-day suspension, and a May 2023 preventable accident, resulting in a reprimand.

ii. Recommended Discipline

COPA has found that Officer Robinson-Stanford violated Rules 2, 3, 5, 6, and 10 stemming from five sustained allegations, including forcibly opening and causing unreasonable damage to ██████ door, failing to document the damage he caused to ██████ door, failing to timely activate his BWC, and failing to complete an ISR. Officer Robinson-Stanford's misconduct is significant. Members of the public, like ██████ enjoy a high expectation of privacy in their own home. Officer Robinson-Stanford breached that privacy when he kicked in ██████ door and then, moments later, walked away with no further action on his part. COPA finds his explanations, such that he believed ██████ was the victim of a hostage situation, to be particularly disingenuous. Due to Officer Robinson-Stanford's late BWC activation, COPA was unable to fully evaluate his actions, further undermining CPD's commitment to transparency.

In mitigation, COPA considers Officer Robinson-Stanford's extensive complimentary and in aggravation, considers his recent disciplinary history. It is for these reasons that COPA recommends he receive a **15-day suspension and retraining** regarding each of CPD policies relevant to the sustained allegations against him.

b. Officer Dexter Calhoun

i. Complimentary and Disciplinary History¹⁸³

Officer Calhoun's complimentary history is comprised of 134 awards, the highlights of which include four Department Commendations, two Police Officer of the Month Awards, and one Superintendent's Honorable Mention. His disciplinary history includes a sustained finding for a 2019 incident where he directed rude and profane language at a civilian, resulting in a reprimand. In addition, Officer Calhoun received a SPAR for an October 2023 failure to perform assigned tasks, resulting in a reprimand.

¹⁸² Att. 38.

¹⁸³ Att. 39.

ii. Recommended Discipline

COPA has found that Officer Robinson-Stanford violated Rules 2, 3, 5, and 6 when he failed to activate his BWC in a timely manner. Officer Calhoun did not activate his BWC until the very end of this incident, depriving COPA of any audio recordings that captured Officer Calhoun’s conversation with Officer Robinson-Stanford during the crucial moments of this incident. This undermined CPD’s commitment to transparency and hindered COPA’s ability to evaluate the officers’ actions. Considering Officer Calhoun’s complimentary history, as well as his disciplinary history, COPA recommends he receive a **1-day suspension and retraining** on CPD’s BWC policy.

Approved:

 #13

Steffany Hreno
Director of Investigations

1/16/2024

Date

Appendix ACase Details

Date/Time/Location of Incident:	March 6, 2021 / 2:30 p.m. / [REDACTED], [REDACTED]
Date/Time of COPA Notification:	March 6, 2021 / 4:04 p.m.
Involved Officer #1:	Officer Demetrius Robinson-Stanford / Star #11341 / Employee ID # [REDACTED] / Date of Appointment: May 16, 2017 / Unit of Assignment: District 011 / Male / Black
Involved Officer #2:	Officer Dexter Calhoun / Star #17364 / Employee ID # [REDACTED] / Date of Appointment: October 31, 2016 / Unit of Assignment: District 011 / Male / Black
Involved Individual #1:	[REDACTED] / Female / Black
Involved Individual #2:	[REDACTED] / Male / Black

Applicable Rules

- Rule 2:** Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3:** Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 5:** Failure to perform any duty.
- Rule 6:** Disobedience of an order or directive, whether written or oral.
- Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9:** Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 10:** Inattention to duty.
- Rule 14:** Making a false report, written or oral.
- Rule 38:** Unlawful or unnecessary use or display of a weapon.

Applicable Policies and Laws

- G02-01, Human Rights and Human Resources (effective October 5, 2017 to June 30, 2022).
- S03-10, City Claims Notification Program (effective October 10, 2012 to present).
- S03-14, Body Worn Cameras (effective April 30, 2018 to December 29, 2023).
- S04-13-09, Investigatory Stop System (effective July 10, 2017 to present).
- D19-01, Firearm Pointing Incidents (effective November 1, 2019 to present).
- ETB18-01, Foot Pursuits Training Bulletin (effective May 2018 to August 29, 2022).

Appendix B

Definition of COPA’s Findings and Standards of Proof

For each Allegation, COPA must make one of the following findings:

1. Sustained – where it is determined the allegation is supported by a preponderance of the evidence;
2. Not Sustained – where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;
3. Unfounded – where it is determined by clear and convincing evidence that an allegation is false or not factual; or
4. Exonerated – where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

A **preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that a proposition is proved.¹⁸⁴ For example, if the evidence gathered in an investigation establishes that it is more likely that the conduct complied with Department policy than that it did not, even if by a narrow margin, then the preponderance of the evidence standard is met.

Clear and convincing evidence is a higher standard than a preponderance of the evidence but lower than the “beyond-a-reasonable doubt” standard required to convict a person of a criminal offense. Clear and convincing can be defined as a “degree of proof, which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true.”¹⁸⁵

¹⁸⁴ See *Avery v. State Farm Mutual Automobile Insurance Co.*, 216 Ill. 2d 100, 191 (2005) (a proposition is proved by a preponderance of the evidence when it is found to be more probably true than not).

¹⁸⁵ *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4th ed. 2000)).

Appendix C**Transparency and Publication Categories**

Check all that apply:

- Abuse of Authority
- Body Worn Camera Violation
- Coercion
- Death or Serious Bodily Injury in Custody
- Domestic Violence
- Excessive Force
- Failure to Report Misconduct
- False Statement
- Firearm Discharge
- Firearm Discharge – Animal
- Firearm Discharge – Suicide
- Firearm Discharge – Unintentional
- First Amendment
- Improper Search and Seizure – Fourth Amendment Violation
- Incidents in Lockup
- Motor Vehicle Incidents
- OC Spray Discharge
- Search Warrants
- Sexual Misconduct
- Taser Discharge
- Unlawful Denial of Access to Counsel
- Unnecessary Display of a Weapon
- Use of Deadly Force – other
- Verbal Abuse
- Other Investigation