



Log # 2022-0003752

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On September 2, 2022, the Civilian Office of Police Accountability (COPA) received a phone call from [REDACTED] reporting alleged misconduct by members of the Chicago Police Department (CPD). Her son, [REDACTED] (“Complainant”) alleged that on April 14, 2022, Officers Richard Rodriquez, William Sierzega, Sandra Rivera, Joanna Reynoso, and Daniel Flores Saavedra, entered their residence and arrested him without justification and that Officer Rodriquez searched the residence without justification. [REDACTED] was a minor at the time of the incident. Upon review of the evidence, COPA served additional allegations that Officer Rodriquez pointed his weapon at [REDACTED] and his friend, [REDACTED] without justification. Following its investigation, COPA reached **Sustained** findings for all allegations against Officers Rodriquez, Sierzega, Rivera, and Reynoso. It should be noted that another accused, Officer Tyler Thomas resigned from the Chicago Police Department before being served allegations.²

II. SUMMARY OF EVIDENCE³

On April 14, 2022, at approximately 6:00 pm, Officers Richard Rodriquez, Michael Donnelly, and Thomas Tyler were on routine patrol in the 18th District when Officer Rodriquez noticed two individuals in the street adjusting their waistbands. Suspecting them to be carrying firearms, officers approached to investigate. Both individuals began to flee into the Marshall Field Gardens apartment complex. All three officers engaged in a foot pursuit. During the pursuit, Officer Rodriquez observed an extended magazine protruding from one of the individual’s waistband.

The two subjects fled into a building of the complex where officers lost sight of their location. Security Sergeant Terrance Moore was monitoring the security cameras and alerted officers of the identity and residence of one of the subjects, [REDACTED].⁴ Security escorted officers to the residence of [REDACTED] and used a key to unlock the door for officers to obtain entry into the apartment.⁵ [REDACTED] and [REDACTED] were found in the apartment and

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 Att.52.

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, and Officers Rodriquez, Sierzega, Rivera, Reynoso, and Flores Saavedra’s statements to COPA.

⁴ Att. 42, pg. 7 Ln. 24; pg. 8, Lns. 1 to 5

⁵ Att. 42, Pg. 8, Lns. 6 to 7

taken into custody. A search of the residence resulted in the recovery of two firearms.⁶ Officers Sierzega, Rivera, Reynoso, and Flores Saavedra were on scene as assisting officers.

III. ALLEGATIONS

Officer Richard Rodriguez:

1. Entered the residence of [REDACTED] without justification.
 - Sustained, Violation of Rules 2, 3, and 5.
2. Arrested [REDACTED] without justification.
 - Sustained, Violation of Rules 2 and 3.
3. Searched the residence of [REDACTED] without justification.
 - Sustained, Violation of Rules 2 and 3.
4. Pointed your weapon at [REDACTED] without justification.
 - Sustained, Violation of Rules 2, 3, and 38.
5. Pointed your weapon at [REDACTED] without justification.
 - Sustained, Violation of Rules 2, 3, and 38.

Officer William Sierzega

1. Entered the residence of [REDACTED] without justification.
 - Sustained, Violation of Rules 2, 3, and 5.
2. Arrested [REDACTED] without justification.
 - Sustained, Violation of Rules 2 and 3.

Officer Sandra Rivera

1. Entered the residence of [REDACTED] without justification.
 - Sustained, Violation of Rules 2, 3, and 5.
2. Arrested [REDACTED] without justification.
 - Sustained, Violation of Rules 2 and 3.

Officer Joanna Reynoso

1. Entered the residence of [REDACTED] without justification.
 - Sustained, Violation of Rules 2, 3, and 5.
2. Arrested [REDACTED] without Justification.
 - Sustained, Violation of Rules 2 and 3.

Officer Daniel Flores Saavedra

1. Entered the residence of [REDACTED] without justification.
 - Exonerated.
2. Arrested [REDACTED] without justification.
 - Exonerated.

⁶ Att. 42, pg. 8, Ln. 9

IV. CREDIBILITY ASSESSMENT

COPA interviewed Officers Rodriquez, Sierzega, Rivera, Reynoso, and Flores Saavedra in February 2024. This investigation did not reveal any evidence that caused COPA to doubt the credibility of any of the individuals who provided statements.

V. ANALYSIS⁷

1. Entered the residence of [REDACTED] without justification.

COPA finds that Allegation #1 against Officers Rodriquez, Sierzega, Rivera, and Reynoso, is **Sustained**. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. Hot pursuit is an exception to the Fourth Amendment's search warrant requirement which provides that police officers need an arrest warrant before they can enter a home to make an arrest. If a felony has just occurred and an officer has chased a suspect to a private residence, the officer can forcefully enter the residence to prevent imminent injury, the destruction of evidence, or the suspect's escape.⁸

Here, Officer Rodriquez claimed to be in hot pursuit of [REDACTED] after seeing what he believed to be a firearm with an extended magazine protruding from [REDACTED] waistband. In his statement to COPA, Rodriquez admitted that he lost sight of [REDACTED] and was unaware of what apartment he may have fled.⁹ He told COPA that security for the housing complex recognized the individual on camera and offered to escort officers to [REDACTED] residence. In addition, Rodriquez stated that approximately fifteen minutes elapsed from the time he last saw [REDACTED] to the time he made entry into the unit. Upon security unlocking the door to [REDACTED] apartment, Rodriquez along with Sierzega, Rivera, Reynoso, and Flores Saavedra made entry without consent or warrant.

BWC footage shows all five officers entering the unit without permission. At the time of the incident, Officer Flores Saavedra was a Probationary Police Officer (PPO) assigned to Officer Sierzega who was a Field Training Officer (FTO) at the time. As an FTO, it was Officer Sierzega's duty to mentor his assigned PPO and facilitate the proper field performance.¹⁰ Officer Flores Saavedra was following the direction of his FTO and therefore the allegation that he entered the residence of [REDACTED] without justification is **Exonerated**.

⁷ For a definition of COPA's findings and standards of proof, *see* Appendix B.

⁸ 4th Amendment to the U.S. Constitution.

⁹ Att. 42, pg. 8, Ln. 1

¹⁰ Att. 47, SO S-11-02, Field Training and Evaluation Program, pg. 5.

2. Arrested [REDACTED] without justification.

COPA finds Allegation #2 against Officers Rodriquez, Sierzega, Rivera, and Reynoso, that they arrested [REDACTED] without justification, is **Sustained**. BWC showed officers enter the apartment, place [REDACTED] in handcuffs and escorted him to an awaiting squad car where he was then transported to the district for processing.¹¹

Here, as stated previously, Officer Flores Saavedra was a PPO following the direction of his FTO and therefore the allegation against him that he arrested [REDACTED] without justification is **Exonerated**.

Additionally, COPA finds Allegation #3 against Officer Rodriquez, that he searched the residence of [REDACTED] without justification, Allegation #4, that he pointed his weapon at [REDACTED] without justification, and Allegation #5, that he pointed his weapon at [REDACTED] without justification, are all **Sustained**. Officer Rodriquez made illegal entry into the residence of [REDACTED] and was therefore not justified in searching the apartment, nor was he justified in pointing his weapon at the individuals inside the residence because of the illegal entry. In his statement to COPA, Officer Rodriquez admitted to not having a warrant to enter and search the apartment. He further stated that he did not obtain consent from the leaseholder to enter the unit. COPA finds his justification of hot pursuit to be unreasonable. Officer Rodriquez did not see the subjects of his initial pursuit enter this unit, nor could he confirm their presence within until he made illegal entry with the assistance of security.

3. DISCIPLINARY RECOMMENDATION

a. Officer Richard Rodriquez

i. Complimentary and Disciplinary History¹²

Officer Rodriquez has received a total of 89 awards, including one Crime Reduction Award, two Complimentary letters, one Department Commendation, two Emblem of Recognition and 80 Honorable Mention. He has had one sustained disciplinary in the last five years for Operation/Personnel Violations Inadequate/Failure to Provide Service.

ii. Recommended Discipline

COPA found that Officer Rodriquez violated Rules 2, 3, and 38 when he entered and searched the residence of [REDACTED] placing him under arrest and pointing his weapon at [REDACTED] and [REDACTED]. Officer Rodriquez put his life and the lives of his fellow officers in jeopardy by entering an unknown residence without a warrant. For these reasons, combined with the officer's complimentary history and disciplinary history, COPA recommends a Reprimand.

¹¹ Att. 25, Body Worn Camera (BWC) footage of PPO Daniel Flores Saavedra.

¹² Att. 45.

4. DISCIPLINARY RECOMMENDATION

b. Officer William Sierzega

i. Complimentary and Disciplinary History¹³

Officer Sierzega has received 68 awards, including one Crime Reduction Award, two Complimentary letters and 59 Honorable Mention. In the last five years, he has three SPAR's (two for Inattention to Duty and one Preventable Accident).

ii. Recommended Discipline

COPA found that Officer Sierzega violated Rules 2, 3, and 5 when he entered the residence of [REDACTED] placing him under arrest. Officer Sierzega put his life and the life of his PPO in jeopardy by entering an unknown residence without a warrant. For these reasons, combined with the officer's complimentary history and disciplinary history, COPA recommends a Reprimand.

5. DISCIPLINARY RECOMMENDATION

c. Officer Sandra Rivera

i. Complimentary and Disciplinary History¹⁴

Officer Rivera has received 40 awards, including one Crime Reduction Award, two Complimentary letters and 59 Honorable Mention. In the last five years, she has one SPAR (Failure to Perform Assigned Tasks).

ii. Recommended Discipline

COPA found that Officer Rivera violated Rules 2, 3, and 5 when she entered the residence of [REDACTED] placing him under arrest. Officer Rivera put her life in jeopardy by entering an unknown residence without a warrant. For these reasons, combined with the officer's complimentary history and disciplinary history, COPA recommends a Reprimand.

6. DISCIPLINARY RECOMMENDATION

d. Officer Joanna Reynoso

i. Complimentary and Disciplinary History¹⁵

¹³ Att. 35.

¹⁴ Att. 30.

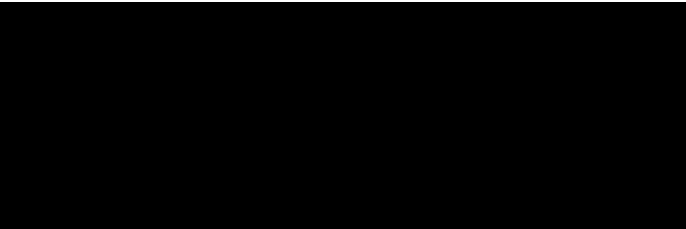
¹⁵ Att. 50.

Officer Reynoso has received 36 awards, including one Crime Reduction Award, two Complimentary letters and 30 Honorable Mention. She has three SPAR's (two for Failure to Perform Assigned Tasks and one Court Appearance Violation).

ii. Recommended Discipline

COPA found that Officer Reynoso violated Rules 2, 3, and 5 when she entered the residence of [REDACTED] placing him under arrest. Officer Reynoso put her life in jeopardy by entering an unknown residence without a warrant. For these reasons, combined with the officer's complimentary history and disciplinary history, COPA recommends a Reprimand.

Approved:



Angela Hearts-Glass
Deputy Chief Administrator-Chief Investigator

3-2-2024

Date

Appendix A

Case Details

Date/Time/Location of Incident:	April 14, 2022 / 6:20 pm / 1450 N. Sedgwick, Apt. 331
Date/Time of COPA Notification:	September 2, 2022 / at approximately 12:40 pm.
Involved Member #1:	Richard Rodriquez, Jr., Star 12157, Employee ID # [REDACTED], Date of Appointment: June 16, 2017, Unit of Assignment: 18 th District, Male, Hispanic.
Involved Member #2:	William Sierzega, Star 19352, Employee ID # [REDACTED], Date of Appointment: December 12, 2016, Unit of Assignment: 18 th District, Male, White.
Involved Member #3:	Sandra Rivera, Star 18939, Employee ID # [REDACTED], Date of Appointment: February 20, 2018, Unit of Assignment: 18 th District, Female, Hispanic.
Involved Member #4:	Joanna Reynoso, Star 19360, Employee ID # [REDACTED], Date of Appointment: December 15, 2017, Unit of Assignment: 715 CIRT, Female, Hispanic.
Involved Member #5:	Daniel Flores Saavedra, Star 17513, Employee ID # [REDACTED], Date of Appointment: August 16, 2021, Unit of Assignment: 1 st District, Male, Hispanic.

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.
- Rule __:** *[Insert text of any additional rule(s) violated]*

Applicable Policies and Laws

- S0-11-02 Field Training and Evaluation Program (effective December 30, 2023, to present).
 - 4th Amendment to U.S. Constitution

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.¹⁶ For example, if the evidence gathered in an investigation establishes that it is more likely that the conduct complied with CPD 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.”¹⁷

¹⁶ 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).

¹⁷ *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