



Log # 2022-0004379

## FINAL SUMMARY REPORT<sup>1</sup>

### I. EXECUTIVE SUMMARY

On October 13, 2022, the Civilian Office of Police Accountability (COPA) received an email notification regarding a Crime Prevention Information Center (CPIC) notification. Sergeant (Sgt.) Fowler indicated that COPA might not have been notified about a possible death in custody of ██████████ which was categorized as a notification of a death investigation.<sup>2</sup> Upon review of the evidence, COPA did not serve allegations to Officers Baig, Centeno, and Carter.

### II. SUMMARY OF EVIDENCE<sup>3</sup>

On August 31, 2022, at approximately 2:19 am, Officer Centeno received a call of someone needing help at ██████████.<sup>4</sup> Upon arrival, Officer Centeno observed a white male, now known to be ██████████ naked on the ground in the middle of the apartment parking lot.<sup>5</sup> ██████████ repeatedly mumbled words to the effect of “Please, please.”<sup>6</sup> Officer Centeno called for an ambulance<sup>7</sup> and attempted to gather information from ██████████ to ascertain whether he suffered from an overdose. ██████████ told Officer Centeno that he had taken some pills, but that he did not know what he had taken.<sup>8</sup> ██████████ told Officer Centeno that this name was “█████,”<sup>9</sup> and that he lived in apartment number ██████████.<sup>10</sup> Additional officers, Officers Baig and Carter, eventually arrived on the scene.<sup>11</sup> Chicago Fire Department (CFD) ambulance number 61 arrived on scene.<sup>12</sup> ██████████ declared he did not want to die as the two paramedics and the officers helped him off the

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<sup>1</sup> 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.

<sup>2</sup> Att. 1.

<sup>3</sup> 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, officer interviews, medical examiners report, CFD reports, and the CFD SRI.

<sup>4</sup> Att. 18.

<sup>5</sup> Officer Centeno did not have a change of clothes to give ██████████ see Att. 72, Officer Centeno’s Interview Transcripts, Pg. 14, Lns. 13-17. CPD has Critical Time Intervention (CIT) training for mental health subjects and Officer Centeno did not recall any training regarding substance use, see Att. 72, Pg. 14, Lns. 3-9.

<sup>6</sup> Att. 7.

<sup>7</sup> Att. 7 at 2:55, and 3:30.

<sup>8</sup> Att. 7 at 2:40.

<sup>9</sup> Att. 7 at 5:53.

<sup>10</sup> Att. 7 at 5:12.

<sup>11</sup> Att. 7 at 4:45.

<sup>12</sup> Att. 7 at 13:47, Att. 5 at 00:00, and Att. 6 at 6:05.

ground. ██████ walked to the ambulance with the assistance of the CPD officers and the paramedics.<sup>13</sup>

Once in the ambulance, ██████ was “reticent to lie down” and tried to exit the ambulance.<sup>14</sup> Officer Centeno assisted him onto the stretcher and used holding techniques by placing his hands on top of ██████ hands, which were across his chest and stomach. One of the paramedics placed a restraint across ██████ chest. Officer Baig and Officer Carter helped hold ██████ leg while a paramedic placed additional restraints across his legs.<sup>15</sup> Officer Baig then placed one handcuff on ██████ left wrist because Officer Centeno was concerned that he could “start swinging” his arms again,<sup>16</sup> striking someone.<sup>17</sup> Once Officer Baig placed the handcuff on ██████ wrist, he appeared to calm down.<sup>18</sup> One of the paramedics then requested that one of the officers ride with them to the hospital.<sup>19</sup> Officer Centeno rode along in the ambulance with the paramedics. During the ride to the hospital, ██████ became silent.<sup>20</sup> Officer Centeno characterized ██████ as calm and appearing asleep.<sup>21</sup> After ██████ was restrained and compliant, neither paramedic performed any assessments on or administered any medical aid to ██████<sup>22</sup>

Upon arrival at the hospital, the paramedic who drove the ambulance went inside to get a bed while the other paramedic remained inside the ambulance appearing to enter notes on a handheld computer for approximately 5 minutes.<sup>23</sup> Officer Centeno exited the ambulance immediately upon arrival at the hospital and stood nearby with Officers Baig and Carter. ██████ remained still on the stretcher. Eventually, after observing ██████ on the stretcher receiving no aid from the paramedic inside the ambulance, Officer Baig and Officer Carter became concerned and informed the paramedic that they had not recently seen ██████ stomach move up and down.<sup>24</sup> It was only then that the paramedic attempted to speak to ██████ and checked his pulse.<sup>25</sup> The paramedic then asked the officers to close the ambulance door.<sup>26</sup> The second paramedic subsequently came out of the hospital and opened the ambulance door.<sup>27</sup> At this time, the first paramedic was giving ██████ chest compressions. The second paramedic walked back into the

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<sup>13</sup> Att. 7 at 15:02.

<sup>14</sup> Att. 7 at 15:57; Att. 61 at p. 6.

<sup>15</sup> Att. 7 at 16:48, 17:08 -17:45; Att. 61 at p. 6.

<sup>16</sup> Att. 7 at 18:10.

<sup>17</sup> Att. 7 at 18:10.

<sup>18</sup> Att. 61 at p. 6.

<sup>19</sup> Att. 73, Officer Baig’s Interview Transcripts, Pg. 22, Lns 10-13, and Att. 7 at 17:55.

<sup>20</sup> Att. 7 at 19:00- 22:02, during the ride to the hospital Officer Centeno did not observe any issues regarding ██████ being in distress.

<sup>21</sup> Att. 72, Pg. 19, Lns. 1-4.

<sup>22</sup> Att. 7 at 19:00- 22:02.

<sup>23</sup> Att. 61, CFD SRI, Pg. 4, Lns. 13-14 and Att. 7 at 22:03.

<sup>24</sup> Att. 61, Pg. 4, Lns. 19-22 and Att. 7 at 24:58, and Att. 69 at 11:30.

<sup>25</sup> Att. 7 at 25:45, Att. 69 at 11:50.

<sup>26</sup> Att. 7 at 25:45, Att. 69 at 11:50.

<sup>27</sup> Att. 7 at 27:19.

hospital and asked CPD officers to see if his partner needed help with CPR.<sup>28</sup> Officer Centeno walked into the ambulance and observed the first paramedic as he continued to give chest compressions to ██████████<sup>29</sup> Officer Baig handed Officer Centeno a key for the handcuffs, and he uncuffed ██████████ left wrist.<sup>30</sup> The paramedics rolled ██████████ on the stretcher into the hospital.<sup>31</sup> ██████████ was pronounced deceased at approximately 5:19 am.<sup>32</sup>

The Medical Examiner determined that ██████████ death was caused by combined cocaine and ethanol toxicity.<sup>33</sup> The Medical Examiner further found that cardiovascular disease and “stress complicating restraint” were significant contributing factors.<sup>34</sup> The medical examiner noted that the cause of death was “multifactorial,” consisting of an “interplay between the acute toxic/intoxicating effects of the cocaine and ethanol, underlying heart disease, and the bodies [sic] physiologic response to stress and exertion.”<sup>35</sup> The Medical Examiner was unable to separate out the extent to which each of these factors played a role in ██████████ death, or whether “his death would have occurred with only one or the other.”<sup>36</sup> The medical examiner classified the manner of death as a homicide,<sup>37</sup> because they had found that ██████████ death was, in part, caused by a “volitional, potentially harmful act of another” due to the physical restraints performed by officers and paramedics.<sup>38</sup>

### III. ALLEGATIONS

COPA reviewed the evidence and did not find the officers involved in any misconduct, and no allegations were served.

### IV. CREDIBILITY ASSESSMENT

This investigation did not reveal any evidence that caused COPA to question the credibility of any sworn members of CPD who provided statements.<sup>39</sup> Officers Centeno, Baig, and Carter

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<sup>28</sup> Att. 7 at 27:22, Att. 68 at 20:40.

<sup>29</sup> Att. 61, Pg. 8- paramedic #1 improperly performed chest compressions to ██████████

<sup>30</sup> Att. 7 at 28:40.

<sup>31</sup> Att. 7 at 29:05.

<sup>32</sup> Att. 23 and Att. 52. Officer Centeno called Sgt. Bronkema to notify him of the death, and the sergeant responded to the hospital. Att. 9, and Att. 71, Officer Carter’s Interview Transcripts, Pg. 32, Lns. 15-20, Att. 72, Pg. 25, Lns. 22-24, and Att. 73, Pg. 41, Ln. 1. The officers explained that ██████████ death was classified as a death investigation, and not a death in custody, because ██████████ was not detained or in custody, and that the single handcuff was placed on him for officer safety. Att.71, Pg. 35, Lns. 2-4, Att. 72, Pg. 27, Lns. 1-2, and Att. 73, Pgs.42, Lns. 23-24 and Pg. 43, Lns. 2-6.

<sup>33</sup> Att. 52 at p. 9.

<sup>34</sup> Att. 52 at p. 10.

<sup>35</sup> Att. 52 at p. 10.

<sup>36</sup> Att. 52 at p. 10.

<sup>37</sup> Att. 52 at pp. 10-11.

<sup>38</sup> Att. 52 at p. 10.

<sup>39</sup> Atts. 67, 68, and 69.

provided statements to CFD regarding this incident.<sup>40</sup> Their statements were generally consistent with the accounts the officers provided to COPA.

## V. ANALYSIS<sup>41</sup>

### a. Officers Centeno, Baig, and Carter complied with CPD policy when they assisted CFD paramedics with restraining ██████████ during the transport to the hospital.

COPA finds by a preponderance of the evidence that Officers Centeno, Baig, and Carter complied with CPD policy during this incident. CPD policy provides that Department members “will assist CFD paramedics in transporting a patient to a hospital whenever a CFD paramedic declares that the situation constitutes a medical emergency and requires police assistance.”<sup>42</sup> Most commonly, CFD paramedics request the help of CPD members in restraining a patient being taken to a hospital.<sup>43</sup> CPD members assisting with restraining a patient during transport “are authorized to employ the minimum amount of force necessary to overcome the amount of force exerted by the patient resisting medical assistance or transportation.”<sup>44</sup>

Here, the totality of the circumstances indicates that the officers assisted CFD paramedics in transporting ██████████ to the hospital during a medical emergency after the paramedics requested their help. The preponderance of the evidence also shows that while restraining ██████████ in the ambulance, the officers used the minimum amount of force necessary under the circumstances. Specifically, the officers initially restrained ██████████ as he became more agitated and attempted to exit the ambulance.<sup>45</sup> Officer Centeno assisted ██████████ onto the stretcher and used holding techniques to help the paramedics restrain ██████████ for transport.<sup>46</sup> As soon as ██████████ was restrained and calmer, Officer Centeno stopped performing the holding techniques. COPA finds by a preponderance of the evidence that Officer Centeno’s holding techniques were objectively reasonable, necessary, and proportional. Specifically, they allowed the paramedics to place restraints across ██████████ body, ensuring his safety during transport.

Similarly, Officer Baig and Carter assisted in holding ██████████ leg so the paramedics could place restraints on ██████████ legs and across his chest, and let go of his leg as soon as the

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<sup>40</sup> Att. 61. On September 20, 2022, CFD opened an investigation into the actions of the involved paramedics. CFD found that the Ambulance Run Report contained false statements and that neither paramedic provided medical aid to ██████████ despite their duty to do so. At the conclusion of the investigation, CFD recommended that the paramedic who rode in the ambulance with ██████████ be terminated, and the driver paramedic be suspended for 90 days. *See also* Atts. 4 and 7.

<sup>41</sup> For a definition of COPA’s findings and standards of proof, *see* Appendix B.

<sup>42</sup> S03-08(II), Assisting Chicago Fire Department Paramedics (eff. Sept. 27, 1995-present); *see also* Municipal Code of Chicago (MCC) 4-68-110, Peace officer assistance during emergencies.

<sup>43</sup> S03-08(II), Assisting Chicago Fire Department Paramedics (eff. Sept. 27, 1995-present).

<sup>44</sup> S03-08(V)(B)

<sup>45</sup> Att. 7 at 15:57.

<sup>46</sup> Att. 7 at 16:48.

paramedics restrained him.<sup>47</sup> Officer Baig then placed one handcuff on [REDACTED] left wrist because [REDACTED] was still agitated and Officer Centeno was concerned that he could “start swinging” his arms again.<sup>48</sup> COPA finds by a preponderance of the evidence that the placement of the single handcuff was objectively reasonable, necessary, and proportional to ensure the safety of [REDACTED] the officer, and the paramedic during transit. The totality of the circumstances indicates that Officer Centeno’s holding technique, Officer Baig’s and Officer Carter’s brief leg restraint, and the single handcuff to [REDACTED] left wrist constituted the least amount of force necessary to overcome [REDACTED] resistance and maintain the safety and security of all involved.

COPA acknowledges that although the Medical Examiner concluded that the restraints by the officers may have been one of multiple factors contributing to [REDACTED] death, the totality of the circumstances does not suggest that the officers could have or should have restrained [REDACTED] in a different manner. Rather, the evidence unequivocally shows that once the officers assisted the paramedics in securing [REDACTED] in the ambulance, the paramedics provided no medical assessments or care to [REDACTED] during transport. As such, COPA finds by a preponderance of the evidence that the officers’ actions in assisting CFD paramedics during the transport of [REDACTED] to the hospital complied with CPD policy.

**VI. DISCIPLINARY RECOMMENDATION**

COPA did not pull any disciplinary history for the above officers because no allegations were served. The officers only provided COPA with witness statements.

Approved:

[REDACTED]

Sharday Jackson  
Deputy Chief Administrator – Chief Investigator

February 15, 2024  
Date

[REDACTED]

Andrea Kersten  
Chief Administrator

February 15, 2024  
Date

<sup>47</sup> Att. 7 at 16:48.  
<sup>48</sup> Att. 7 at 18:10.

Appendix ACase Details

Date/Time/Location of Incident:	August 31, 2022/ 2:19 am/ [REDACTED].
Date/Time of COPA Notification:	October 13, 2022/ 7:43 am.
Involved Member #1:	Hassan Baig, Star # 19686, Employee ID# [REDACTED], Date of Appointment: 2/20/2018, Unit of Assignment: 019, Male, White.
Involved Member #2:	Arthur Carter, Star #9123, Employee ID# [REDACTED], Date of Appointment: 8/27/2018, Unit of Assignment: 019, Male, Black.
Involved Member #3:	Johnathan Centeno, Star #7815, Employee ID# [REDACTED], Date of Appointment: 7/17/2017, Unit of Assignment: 019, Male, White,
Involved Individual #1:	[REDACTED] 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

- No policies or laws are applicable.

## 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.<sup>49</sup> 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.”<sup>50</sup>

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<sup>49</sup> 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).

<sup>50</sup> *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4<sup>th</sup> 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