



Log # 2022-0004989

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

### **I. EXECUTIVE SUMMARY**

On November 22, 2022, the Civilian Office of Police Accountability (COPA) received an initiation report from the Chicago Police Department (CPD) regarding alleged misconduct by Officer Alexander Chorak.<sup>2</sup> CPD Sergeant Baz Khoushaba included a letter originating from a federal agency that was submitted to the Illinois State police (ISP), alleging that Officer Chorak, during a background security interview in connection with a job application, stated that he, Officer Chorak, “while on duty during protests concerning the death of George Floyd ... used force outside of the use of force policy... while in a large crowd of people over the course of 22 hours ... struck approximately 100 individuals with his baton or fists, including an instance in which he struck an individual in the head with his baton ... approximately 12 of the people he struck had done nothing aggressive towards him.”<sup>3</sup> Upon review of the evidence, COPA served allegations against Officer Chorak for bringing discredit upon the Chicago Police Department. Following its investigation, COPA did not sustain findings of misconduct against Officer Chorak.

### **II. SUMMARY OF EVIDENCE<sup>4</sup>**

Officer Chorak was deployed to participate in crowd control operations during the 2020 protests in the aftermath of the George Floyd killing. He worked 28 days straight as various locations in the city. There is no evidence sufficient to show that, on a balance of probability, he acted outside CPD policy during that period.

Officer Chorak did subsequently participate in a polygraph test as part of a job interview with a federal agency.

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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, CPD Initiation Report.

<sup>3</sup> Att. 1.

<sup>4</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 an interview with the accused officer.

COPA reviewed the letter from the federal agency to the ISP; it did not provide specific dates, times, or locations of the incidents of misconduct alleged as against Officer Chorak. The federal agency was itself unwilling to provide the transcript of their interview with Officer Chorak.

COPA analyzed CPD attendance sheets to determine where Officer Chorak had been assigned during the civil unrest in Chicago, which unrest began around the end of May 2020 and continued until approximately September 2020. Due to inadequate record keeping by CPD, attendance sheets memorializing CPD members' assignments during this time were largely not available. As a result, COPA was unable to determine where Officer Chorak had been assigned during the protests. COPA searched for body-worn camera (BWC) footage recorded by a BWC assigned to Officer Chorak, but none was located.<sup>5</sup> COPA searched for any CPD reports for which Officer Chorak was an involved member relating to the protests and use of force, but none was located. Officer Chorak provided an audio-recorded statement to COPA as part of our investigation.

### **III. ALLEGATIONS**

#### **Officer Alexander Chorak:**

1. Bringing discredit upon the Chicago Police Department when he stated he used excessive force against multiple individuals during the summer of 2020.
  - Not sustained.

### **IV. CREDIBILITY ASSESSMENT**

COPA found no reason to doubt the veracity of Officer Chorak's statement or his ability to recall events accurately (either regarding his federal interview or during his assignment to crowd control duty during the George Floyd protests in 2020). Our investigation was unable to uncover any other evidence with which to either corroborate or to impugn Officer Chorak's statement.

### **V. ANALYSIS<sup>6</sup>**

COPA concludes that there is insufficient evidence to sustain Allegation 1 against Officer Chorak.

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<sup>5</sup> From approximately 2019 to 2020, Officer Chorak was assigned to a unit which was not issued BWCs.

<sup>6</sup> For a definition of COPA's findings and standards of proof, *see* Appendix B.

Rule 2 of CPD’s Rules of Conduct, “any action or conduct that impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department constitutes a violation of this rule.”<sup>7</sup>

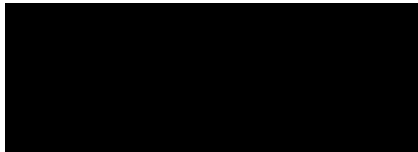
In his statement to COPA, Officer Chorak explained that he participated in a full-scope polygraph investigation with a federal agency and was told that he was being “deceptive on using excessive force,” to which Chorak said that he told the examiner that this was not true.<sup>8</sup> Officer Chorak said the person conducting the polygraph did not reference a specific day when the alleged excessive use of force took place.<sup>9</sup> Officer Chorak told COPA that he cannot remember ever saying that he had been involved in any excessive use of force instances.<sup>10</sup> With regard to the use of a baton, Officer Chorak told COPA, “I recall saying that I used a baton during the, I guess we’ll call it the incident, during the protest.”<sup>11</sup> Officer Chorak said he used the baton “the way the department teaches us. We had to move the crowd back, so we had one hand on each end of the baton in order for them to move back.”<sup>12</sup>

Due to a lack of evidence that Officer Chorak made the statements imputed to him by the federal agency, or that he acted in any manner outside of Department directives, the allegation against Officer Chorak is not sustained.

## VI. DISCIPLINARY RECOMMENDATION

As the allegations against the accused officer were not sustained, no disciplinary recommendations are included herein.

Approved:



5/15/2024

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*Matthew Haynam*  
*Deputy Chief Administrator – Chief Investigator*

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Date

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<sup>7</sup> Att. 10, CPD Rules of Conduct, Rule 2.

<sup>8</sup> Att. 7, pg. 6, ln. 21 to pg. 7, ln. 8.

<sup>9</sup> Att. 7, pg. 12, lns. 4 to 7.

<sup>10</sup> Att. 7, pg. 21.

<sup>11</sup> Att. 7, pg. 21, ln. 22 to pg. 22, ln. 3.

<sup>12</sup> Att. 7, pg. 22, lns 6 to 7.

**Appendix A**

**Case Details**

Date/Time/Location of Incident:	March 15, 2022/Unknown time/Fort Meade, Maryland.
Date/Time of COPA Notification:	November 22, 2022/2:58 pm
Involved Member #1:	Alexander Chorak, Star #14867, employee ID # [REDACTED], Date of Appointment: October 27, 2014, Unit of Assignment: 192, male, White

**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**

- G03-02, Use of Force

## 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>13</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>14</sup>

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<sup>13</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>14</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