

## FINAL SUMMARY REPORT

### I. EXECUTIVE SUMMARY

On June 3, 2019, the Civilian Office of Police Accountability (COPA) received a telephone complaint from Lieutenant Evelynna Quarterman reporting alleged misconduct by a member of the Chicago Police Department (CPD). [REDACTED] alleged that on May 31, 2019, Officer Patricia Heuer threatened to make false allegations against him by stating, “I’m gonna call 911 and say you hit me.”<sup>1</sup> He further alleged that she threatened to obtain a fraudulent Order of Protection against him and scratched him on the wrist.<sup>2</sup> Following its investigation, COPA reached **not sustained** findings regarding the allegations made by [REDACTED] against Officer Patricia Heuer.

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

[REDACTED] was discharged from the Army in 2010 and [REDACTED] Officer Patricia Heuer in 2011. At the time of this incident, they [REDACTED].<sup>4</sup> Prior to May 31, 2019, [REDACTED] experienced typical [REDACTED] problems including jealousy and financial difficulties. On May 31, 2019, between approximately 3:00 pm and 4:00 pm, [REDACTED] was texting [REDACTED], a colleague from [REDACTED] whom he considered a close friend for the previous six months. [REDACTED] and [REDACTED] mostly communicated through the Snapchat app. [REDACTED] communicated with [REDACTED] multiple times throughout the day and confided in her that he was having [REDACTED] problems. They also bonded over their shared military experience. [REDACTED] and [REDACTED] only socialized once outside of work together when he joined her and her extended family for an outing at Navy Pier after the May 31, 2019, incident.<sup>5</sup>

Officer Patricia Heuer believed them to be having a sexual relationship. Officer Patricia Heuer asked [REDACTED] to cease contact with [REDACTED] in April 2019, but he did not.<sup>6</sup> On May 31, 2019, Officer Patricia Heuer took his phone, texted [REDACTED] and returned to the

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

<sup>2</sup> 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.

<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 interviews, text messages, and department documents.

<sup>4</sup> [REDACTED]

<sup>5</sup> Att. 17, Pgs.37 –39.

<sup>6</sup> Att. 17, Pg. 42, Lns. 6 – 12.

██████████ residence approximately five minutes later, demanding that ██████████ leave. Officer Patricia Heuer asked ██████████ to cease contact with her ██████████ but she refused; stating that she worked with ██████████ he was her friend, and she would speak to her friend if wanted.

██████████ told his ██████████ that she could not throw him and his things out of the residence, and that if she did, he would contact the 022<sup>nd</sup> District to request a sergeant come to the residence. ██████████ stated that he said that because he did not want to leave the ██████████ residence and did not want a scene in front of the neighbors if she threw his belongings outside.<sup>7</sup> Officer Patricia Heuer told her ██████████ that she would tell the sergeant that he hit her. ██████████ then went to his aunt's home. He contacted ██████████ to tell her he was no longer in his home and that Officer Patricia might sign false complaints against him to get him arrested. ██████████ related that Officer Patricia Heuer had also threatened to obtain Orders of Protection against himself and ██████████ but could not recall if that was stated in a phone call or in a text. Officer Patricia Heuer told her ██████████ that she had concerns for her safety, but he did not provide any information regarding this.

██████████ stated that he did not intend to file a complaint against ██████████ and only documented the situation in a To-From Report to his superior in case ██████████ obtained an Order of Protection against him and/or ██████████. He also wrote that Officer Patricia Heuer scratched his wrist as she tried to take the phone from his hand. When questioned, ██████████ stated that he did not have an injury and did not fight for the phone, stating that he let ██████████ take his phone. He described the scratch as minor.<sup>8</sup> When questioned about why he made a written report, he stated that the situation was atypical, and he feared a possible complaint that he wanted to preempt.

Officer Patricia Heuer filed for ██████████ in June 2019 and went to ██████████ counseling with ██████████. ██████████ submitted a text message to COPA from Officer Patricia Heuer in which she wrote that she would press assault charges against him and ██████████ because ██████████ sent her a threatening text message.<sup>9</sup>

██████████ reported to COPA that she and ██████████ were not ██████████ or sexually involved, having only met approximately eight weeks earlier when he joined the day watch at ██████████. ██████████ confided to ██████████ about his ██████████ problems, specifically telling her that Officer Patricia Heuer had been unfaithful years earlier. On May 31, 2019, Officer Patricia Heuer called ██████████ and asked her to stop talking to her ██████████. ██████████ stated she declined and told her that they were friends only. The call lasted less than a minute.<sup>10</sup>

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<sup>7</sup> Att. 17, Pgs. 47 -- 48, Lns.

<sup>8</sup> Att. 17, Pgs. 55 -56, Lns 19 – 11.

<sup>9</sup> Atts. 2, 3,16, 17, 25.

<sup>10</sup> Att. 12, Pg. 18-19; Lns 1 – 9.

██████████ called ██████████ ten minutes later and told her that Officer Patricia Heuer pushed or struck him and taken his phone prior to her calling ██████████<sup>11</sup> Later that evening, Officer Patricia Heuer sent her a selfie picture via Snapchat, asking her why she had to be hostile.<sup>12</sup> On June 1, 2019, ██████████ sent Officer Patricia Heuer a text telling her not to contact her again or she would file a complaint. At work later that day, she observed a scratch on ██████████ wrist.<sup>13</sup> On June 2, 2019, ██████████ told ██████████ that Officer Patricia Heuer had threatened to make false complaints and get an Order of Protection against both him and Nunez.<sup>14</sup> Per ██████████ Officer Patricia Heuer had made previous false allegations against him.<sup>15</sup> ██████████ then completed a To-From Report about this incident.

Officer Patricia Heuer stated that she became aware of ██████████ in late April 2019 when she observed ██████████ constantly on his phone, either talking or texting. He described ██████████ to her as a work friend who had also been in the military. However, Officer Patricia Heuer thought their relationship was romantic because they texted approximately one hundred and fifty times a day and made plans to meet outside of work.<sup>16</sup> She asked her ██████████ to cease communication with ██████████ and he agreed. However, he continued his contact with ██████████<sup>17</sup>

On May 31, 2019, Officer Patricia Heuer stated that ██████████ ignored her in the middle of a conversation so he could text with ██████████. Officer Patricia Heuer took her ██████████ phone out of his hand and called ██████████ who was not receptive to her request that she cease communicating with him when he was at home. ██████████ falsely accused her of damaging his phone, stating that he would call the 022<sup>nd</sup> District. Officer Patricia Heuer returned his undamaged phone and told him to call the 022<sup>nd</sup> district. She also asked him to leave the residence, which he did.<sup>18</sup> Officer Patricia Heuer said she had no physical contact with ██████████ and did not scratch his hand.

Officer Patricia Heuer had a watch from ██████████ that was linked to his phone. She could see the text messages coming to ██████████ from ██████████. She became concerned when she saw ██████████ text, “Good thing that I know how to do my job, I’m not afraid to take another human life, I don’t know the hesitation.”<sup>19</sup> Officer Patricia

<sup>11</sup> ██████████ did not allege to COPA that Officer Patricia Heuer pushed or struck him.

<sup>12</sup> Att. 12, Pg. 21, Lns. 1 – 23.

<sup>13</sup> Att. 12, Pg. 29, Lns 5-7.

<sup>14</sup> Att. 12. Pg. 17, Lns.1-5.

<sup>15</sup> Att. 12, Pgs. 37 – 38, Lns. 22 – 7. COPA found no record of complaints made against ██████████ by Officer Patricia Heuer prior to the initiation of this complaint on June 3, 2019. Officer Patricia Heuer later filed complainants, or complaints were filed on her behalf, related to various instances of domestic violence during their ██████████. COPA The cases that fell under COPA’s jurisdiction were investigated under the combined Log #2020-0004921.

<sup>16</sup> Att. 32, Pg. 9, Lns 9-19; and Pg. 11, Lns.9-15.

<sup>17</sup> Att. 32, Pgs. 11 -12, Lns. 20 – 1.

<sup>18</sup> Att. 32, Pgs12 –13, Lns. 21 -

<sup>19</sup> Att. 32, Pg. 16, Lns21 – 23.

Heuer became concerned that [REDACTED] was threatening to kill her. She took a picture of the message and sent it to [REDACTED] writing to him that she would file a police report and Order of Protection.<sup>20</sup> [REDACTED] feigned ignorance and Officer Patricia Heuer ultimately did not file a police report or an Order of Protection. Officer Patricia Heuer stated that [REDACTED] could have [REDACTED] if she wanted him.<sup>21</sup>

Officer Patricia Heuer denied sending a Snapchat photograph of herself to [REDACTED] adding that she did not have Snapchat at the time and [REDACTED] would have needed to add her as a friend to receive a message from her. Officer Patricia Heuer denied the allegations made against her.<sup>22</sup>

### III. ALLEGATIONS

#### Officer Patricia Heuer, #18239:

1. It is alleged that on or about May 31, 2019, at approximately 4:30 pm., at or near [REDACTED] [REDACTED], the accused threatened to make false allegations against [REDACTED] #16901, in that she stated, "I'm gonna call 911 and say you hit me;" and/or threatened to get a false Order of Protection against [REDACTED], and/or [REDACTED].

- Not Sustained

2. It is alleged that on or about May 31, 2019, at approximately 4:30p.m., at or near [REDACTED] [REDACTED], the accused scratched [REDACTED] wrist without justification.

- Not Sustained

### IV. CREDIBILITY ASSESSMENT

The investigation did not reveal any evidence that caused COPA to doubt the credibility of [REDACTED] or Officer Patricia Heuer. [REDACTED] credibility is called into question. He said he did not intend to file a complaint against Officer Patricia Heuer but merely wanted to preempt what he perceived to be a false complaint made against him. He gave different versions of the events in his written report and in his statement to COPA. He also denied having anything other than a friendship with [REDACTED] but his own description of their relationship supports Officer Patricia Heuer's assessment that it was an emotional affair.

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<sup>20</sup> Officer Patricia Heuer submitted a copy of these messages to COPA. They did not contain the phrase "not afraid to take another life." Att. 33

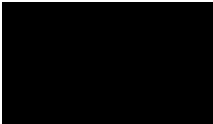
<sup>21</sup> Att. 32, Pg. 17, Lns. 1-21. Officer Patricia Heuer stated that [REDACTED] had been involved in other inappropriate text relationships prior to his involvement with [REDACTED] See Att. 12, Pgs. 23 – 24.

<sup>22</sup> Atts. 31 – 32; 33.

V. ANALYSIS<sup>23</sup>

COPA finds insufficient evidence to prove or disprove the allegations. The three officers involved in this incident provided varying accounts of what happened. Only [REDACTED] who was not present during the confrontation, alleged that [REDACTED] sustained a scratch, which he denied in his own statement to COPA. There were no pictures of any alleged injury or lack thereof that could prove or disprove whether any scratching occurred. Officer Patricia Heuer denied the allegations against her, through she acknowledged she said she was going to file a police report and seek an Order of Protection based on the threat she perceived from [REDACTED]. She submitted a text message to COPA that contained some, but not all, of the allegedly threatening language she referred to, and ultimately did not make any report about this. This investigation did not reveal any evidence to help determine exactly what occurred in this incident and whether any misconduct took place. Therefore, these allegations are **Not Sustained**.

Approved:



Shannon Hayes  
*Director of Investigations*

June 4, 2024

Date

<sup>23</sup> For a definition of COPA’s findings and standards of proof, see Appendix B.

**Appendix A**

**Case Details**

Date/Time/Location of Incident:	May 31, 2019; 4:30pm, [REDACTED] [REDACTED]
Date/Time of COPA Notification:	June 3, 2019; 11:54 am
Involved Member #1:	[REDACTED]; DOA: [REDACTED], 2013; [REDACTED]; M, W.
Involved Member #2:	Patricia Heuer, Star #18329; Employee # [REDACTED]; DOA: December 12, 2016; 004; F, W.
Involved Member #3:	[REDACTED]; [REDACTED], 2009; [REDACTED] F; H.

**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]*

**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>24</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>25</sup>

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<sup>24</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>25</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