



Log # 2021-0001133

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On March 30, 2021, the Civilian Office of Police Accountability (COPA) received a telephone complaint from ██████████ reporting alleged misconduct by a member of the Chicago Police Department (CPD). ██████████ alleged that on March 28, 2021, her son, ██████████ was falsely arrested and racially profiled. During COPA's investigation and review of the body-worn camera evidence, it was determined that Officer Dexter Calhoun committed misconduct by failing to activate his body-worn camera in a timely manner, engaging in an unnecessary verbal altercation with ██████████ and/or other civilians, and using biased-based and racial language towards ██████████ and/or other civilians. In Officer Calhoun's body-worn camera, he stated words to the effect of "Your stupid ass. Nigger, hold your feet up,"² and other unnecessary verbal language towards ██████████ and/or other civilians.

Following its investigation, COPA reached sustained findings regarding the allegations that Officer Calhoun directed bias-based verbal abuse and profanity at ██████████ and/or other civilians and failed to activate his body-worn timely.

II. SUMMARY OF EVIDENCE³

On March 28, 2021, at approximately 8:10 pm, the 1161 Tactical Team, driving a marked police vehicle and in full uniform, observed a vehicle traveling northbound on Kostner Ave. The passenger, ██████████ was not wearing a seatbelt in violation of Illinois code 5/12-603.1. The officers activated their emergency equipment to conduct a traffic stop in the north alley of Gladys Ave. ██████████ exited the vehicle and began to flee on foot. Officer Calhoun chased him southbound on Gladys Ave. through a backyard, where Officer Calhoun observed ██████████ take off his coat and throw it at the address of 4340 W. Gladys Ave. and observed a black object consistent with a firearm fall out of his coat pocket when he threw it over a gate.

Officer Calhoun alerted one of his partners, Officer Edward Zeman, to the location where ██████████ was seen throwing the coat and black object. Officer Zeman immediately relocated to the location and recovered one black Glock 43 with a live round in the chamber with a barrel length

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. 15, Officer Calhoun's body-worn-camera at 3:20 into the video.

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 third-party surveillance footage, 911 audio, and body-worn camera footage.

of 6.26, an unknown number of rounds in the magazine, and the coat. ██████ was subsequently detained by arresting officers at 4325 W. Gladys Ave. They asked him if he had a valid FOID card and a CCL, which he stated that he did not. ██████ was placed into custody and transported to the 011th District Station.

During ██████ arrest, Officer Calhoun is observed directing profanities and using racially biased language toward ██████ and the civilians who were screaming and cursing at him.⁴ ██████ was observed handcuffed when he pulled away from Officer Calhoun, who then asked him to stop moving. Officer Calhoun redirected ██████ by pushing him⁵ using his open hand in an attempt to redirect him.⁶

In his statement to COPA, Officer Calhoun stated that he activated his body-worn camera when it was safe and feasible to do so. He further acknowledged that he did use unnecessary verbal and biased based language toward ██████ and/or other civilians when he was threatened with physical abuse and spit.⁷ He said his language was inappropriate. He further stated if they see fear, they will attack and working in the 011th District and on that block, it is hot. He stated that he is only human, and he makes mistakes, and in the heat of the moment, stuff comes out that you don't want to come out.⁸ Office Calhoun stated that he tries to keep it positive, but it's not always going to be positive. Officer Calhoun denied striking ██████ and stated that he pushed and redirected him because he was pulling away.

III. ALLEGATIONS

Officer Dexter Calhoun

1. Failure to activate Body-Worn Camera in a timely manner.
 - SUSTAINED, Violation of Rules 2, 5, 6, and 10
2. Striking ██████ without justification.
 - NOT SUSTAINED
3. Engaged in unnecessary verbal altercation with ██████ and/ or other civilians.
 - SUSTAINED, Violation of Rules 2, 3, 6, 8, and 9.
4. Using biased-based and racial language towards ██████ and/or other civilians.
 - SUSTAINED, Violation of Rules 2, 3, 6, 8, and 9.

⁴ Att. 15, Officer Calhoun's body-worn-camera at 3:20, 3:29, 5:50, 10:46, into the video

⁵ Att. 15, Officer Calhoun's body-worn camera at 5:44-5:50, into the video.

⁶ Att. 26, Audio Recording Statement of Officer Calhoun, at 7:23 into the audio.

⁷ Att. 26, Audio Recording Statement of Officer Calhoun, at 13:11 into the audio.

⁸ Att. 26, Audio Recording Statement of Officer Calhoun, at 14:25 into the audio.

IV. CREDIBILITY ASSESSMENT

COPA's investigation did not reveal evidence calling into question the credibility of any of the individuals (sworn or unsworn) who provided a statement regarding this incident.

V. ANALYSIS

COPA finds that **Allegation 1** against Officer Calhoun, that he failed to activate his body-worn camera in a timely manner, is **sustained**. CPD policy mandates that officers record all law-enforcement-related encounters, including investigatory stops, foot and vehicle pursuits, and use of force incidents. Officers must activate their body-worn cameras at the beginning of an incident and record the entire incident. If there are circumstances preventing the activation of the body-worn camera at the beginning of an incident, the officer "will activate their body-worn camera as soon as practical." Officer Calhoun stated that he activated his body-worn camera when it was safe and feasible to do so. Officer Calhoun activated his body-worn camera at approximately 1:59 [REDACTED] was already placed in handcuffs by another officer. Officer Calhoun should have activated his body-worn camera when he decided to engage [REDACTED] while attempting to pull the vehicle over, he was a passenger in. Officer Calhoun had ample opportunity to do so but failed to activate his body-worn camera in a timely manner. For these reasons, COPA finds Allegation 1 against Officer Calhoun is sustained as a violation of Rules 2, 5, 6, and 10.

COPA finds that **Allegation 2** against Officer Calhoun, that he struck [REDACTED] without justification, is **not sustained**. Officer Calhoun stated that he pushed and redirected [REDACTED] after he asked [REDACTED] to stop moving. In Officer Calhoun's body-worn camera, at approximately 5:44-5:50 in the video, he is observed asking [REDACTED] to stop moving; however, you cannot see if [REDACTED] was pushed or struck as it is unclear from the video. There is no evidence to approve or disapprove the allegation that he struck [REDACTED]. For these reasons, COPA finds Allegation 2 against Officer Calhoun is not sustained.

COPA finds that **Allegations 3 and 4** against Officer Calhoun, that he directed profanity and bias-based verbal abuse at [REDACTED] and/or other civilians, are **sustained**. CPD Rule 2 prohibits any action or conduct which impedes CPD's efforts to achieve its policy and goals or brings discredit upon CPD; Rule 3 is any failure to promote the Department's efforts to implement its policy or accomplish its goals; Rule 6 is disobedience of an order or directive, whether written or oral; while Rules 8 and 9 prohibit members from engaging in any unjustified verbal altercation and/or maltreating or disrespecting any person while on or off duty.⁹ Additionally, CPD policy requires its members to treat all persons with the courtesy and dignity which is inherently due every person as a human being. CPD members "will act, speak, and conduct themselves in a

⁹ Att. 29, Rules and Regulation of the Chicago Police Department, Article V, Rules of Conduct.

courteous, respectful, and professional manner, ... [and will] not exhibit a condescending attitude or direct any derogatory terms toward any person in any manner.”¹⁰

Here, it is undisputed that Officer Calhoun engaged in an unnecessary verbal altercation and used biased-based and racial language toward ██████████ and/or other civilians. Officer Calhoun admitted that he agreed with the allegations alleged against him and stated that his words were inappropriate. He stated that he is only human, and he makes mistakes, and in the heat of the moment, stuff comes out that you don’t want to come out. Office Calhoun stated that he tries to keep it positive, but it's not always going to be positive.

Further, Officer Calhoun’s behavior was caught on his body-worn camera and is not in dispute. Officer Calhoun acknowledged his behavior and did not deny the allegations. Officer Calhoun is bound by the CPD rules and directives that prohibit him from engaging in such conduct. For these reasons, COPA finds Allegations 3 and 4 against Officer Calhoun are sustained as violations of Rules 2, 3, 6, 8, and 9.

VI. DISCIPLINARY RECOMMENDATION

a. Officer Dexter Calhoun

i. Complimentary and Disciplinary History¹¹

Officer Calhoun has received 135 awards, including 123 Honorable Mention, 4 Department Commendation, 2 Police Officer of the Month, and 1 Superintendent’s Honorable Mention. As of January 20, 2024, within the last five years, he has 1 Sustained Complaint (2019-0005171) for Conducting Unbecoming resulting in a disciplinary Reprimand. He has 1 sustained SPAR Finding for failure to perform assigned tasks resulting in a disciplinary Reprimand.

ii. Recommended Discipline

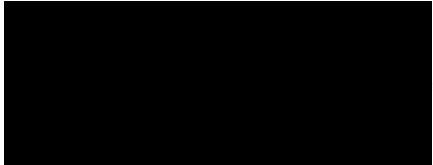
COPA finds that Officer Calhoun violated Rules 2, 5, 6, and 10 by failing to activate his body-worn camera in a timely manner. COPA further finds that Officer Calhoun violated Rules 2, 3, 6, 8, and 9 in that he directed profanity and bias-based verbal abuse at ██████████ and/or other civilians, including directing the word “nigger” at Mr. ██████████

COPA recommends **10-Day Suspension**.

¹⁰ Att. 30, Protection of Human Rights, General Order G02-01(III)(B)(2)-(4).

¹¹ Att. 31

Approved:



1/22/2024

Matthew Haynam
Deputy Chief Administrator

Date

Appendix ACase Details

Date/Time/Location of Incident:	March 28, 2021 / 8:10 pm / 4325 W. Gladys Ave
Date/Time of COPA Notification:	March 30, 2021 / 9:37am
Involved Member #1:	Officer Dexter Calhoun, Star# 17364, Employee ID # [REDACTED], DOA: October 31, 2016, Unit of Assignment: 011, Male, Black.
Involved Individual #1:	[REDACTED] Male, Black, [REDACTED] [REDACTED], DOB: [REDACTED] 1995.

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

- General Order G02-01: Protection of Human Rights (October 5, 2017 to June 30, 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.¹² 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.”¹³

¹² 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).

¹³ *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