



Log # 2021-0004082

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On October 16, 2021, the Civilian Office of Police Accountability (COPA) received an initiation report from Daniel O'Donnell, Lieutenant of Police of the Chicago Police Department. The report documented complainant ██████████ (██████████ reported an allegation of misconduct against a member of the Chicago Police Department (CPD). On October 15, 2021, while being transported to the hospital by CFD ambulance, ██████████ alleged that an officer, now known as Sergeant Scott Celani, used excessive force against him during the arrest when “he kned [his] head into the floor”.²

Upon review of the evidence, COPA served an allegation that Sgt. Celani committed misconduct through the following acts or omissions, by using excessive force during the arrest of ██████████³ Following its investigation, COPA reached Sustained findings regarding the allegation of excessive force against ██████████ during the arrest. COPA was unable to interview ██████████⁴

II. SUMMARY OF EVIDENCE⁵

On October 15, 2021, on-duty Sgt. Celani responded to a call for service of a located stolen 2006 Toyota Prius^{6,7}. He relocated to the east alley of 82nd and observed the vehicle parked in the alley of the 8200 block of South Martin Luther King Jr. Drive.⁸ Officers observed two individuals, now known as ██████████ and ██████████ near the recovered vehicle.⁹ Sgt. Celani approached ██████████ who was seated on the ground against the rear bumper of the vehicle and ordered him to stand up and put his hands behind his back.¹⁰ ██████████ stood up and began to walk

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. 30 at 14:49 – 15:22.

³ 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.

⁴ Att. 34.

⁵ 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 officer interviews.

⁶ Att. 01 The vehicle was taken in an aggravated vehicular hijacking recorded under RD #JE410037 several hours prior.

⁷ Att. 05.

⁸ Att. 01.

⁹ Att. 07. ██████████ fled on foot with officers in pursuit.

¹⁰ Att. 20 at 2:05.

away, simultaneously Sgt. Celani grasped his left arm and placed a handcuff on [REDACTED] left wrist. [REDACTED] pulled away and a struggle ensued.¹¹

Multiple officers assisting in seizing him and [REDACTED] appeared to struggle to disengage from the members holding him. Officer Jorge Magana and Sgt. Celani conducted an emergency takedown of [REDACTED]¹² Sgt. Celani gave instructions to assisting officers to get the other handcuff and to roll him over. [REDACTED] left arm was behind his head as Sgt. Celani held on to the other end of the handcuff. Members tried to handcuff [REDACTED] and Sgt. Celani grabbed him by the left arm.¹³

[REDACTED] proclaimed “You’ve got me, you’ve got me, you don’t have to twist my arm.”¹⁴ Sgt. Celani pushed [REDACTED] head towards the ground while holding onto his left arm and forced [REDACTED] towards the ground.¹⁵ [REDACTED] lay prone position on the ground with his left arm extended as Sgt. Celani grabbed the arm and pressed his right hand at [REDACTED] neck and head¹⁶ and immediately thereafter he held his right knee on the back of [REDACTED] neck.¹⁷ [REDACTED] exclaimed “My face, my face”.¹⁸ Celani ordered him to give him his other hand and attempted to move the arm behind his back.¹⁹ Sgt. Celani moved the left arm around the back of [REDACTED] to complete the handcuffing.²⁰

While lying on his stomach on the ground, [REDACTED] stated, “My face is bleeding, I can’t see. Can I get an ambulance?”²¹ [REDACTED] stated, “I can’t breathe” and repeated his request for an ambulance.²² He was rolled over and told to sit up at 3:25.²³ His injury included a visible abrasion on the left side of his forehead.²⁴ In the video, [REDACTED] responded to Sgt. Celani and stated he did not hear him say to stand up and put your hands up.²⁵ [REDACTED] further explained that he did not try to run away but pulled away because he [Sgt. Celani] had done it too hard, and because he had previously injured his wrist.²⁶

¹¹ Att. 19 at 0:42.

¹² Att. 1.

¹³ Att. 20 at 2:07.

¹⁴ Att. 21 at 2:05

¹⁵ Att. 20 at 2:40.

¹⁶ Ibid.

¹⁷ Att. 21 at 2:08 – 2:15.

¹⁸ Att. 20 at 2:43.

¹⁹ Att. 20 at 2:44.

²⁰ Ibid.

²¹ Ibid.

²² Att. 21 at 3:03 – 3:07.

²³ Ibid.

²⁴ Att. 21 at 2:15.

²⁵ Att. 21 at 4:39.

²⁶ Ibid.

The Chicago Fire Department ambulance arrived on the scene and transported ██████ to the hospital.²⁷ While inside the ambulance, BWC video captured ██████ state “the officer put his knee to my head, pushing me into the floor. It hurt.”²⁸ The CFD patient care report noted an abrasion to his left forehead.²⁹ Medical records document ██████ was treated for an abrasion to the forehead and a sore left wrist.³⁰ Sgt. Celani documented ██████ condition as injured by member.³¹ ██████ was charged with multiple counts of resisting arrest, escape from a peace officer, and aggravated vehicular hijacking with a firearm.³²

III. ALLEGATION

Sergeant Scott Celani:

1. It is alleged by the above, that on or about October 15, 2021, at approximately 01:23 am, at or near 8219 S. Martin Luther King Jr. Drive, Chicago, IL 60619, that you, Sergeant Scott Celani committed misconduct through the following acts or omissions, by:
 - using excessive force during the arrest of ██████
 - This allegation is Sustained as a violation of Rules 2, 3, 6, 8, 9, 10, and 11.

IV. CREDIBILITY ASSESSMENT

The body worn camera (BWC) videos show Sgt. Celani’s hand and knee on ██████ back and neck.^{33,34} During the interview, Sgt. Celani continued to state that his hand and knee were placed on ██████ back.³⁵ Sgt. Celani reviewed BWC videos and denied applying pressure to ██████ neck. Sgt. Celani’s description of his use of force, is not an accurate nor a complete description of the facts and circumstances concerning the incident.³⁶ Sgt. Celani’s statement is inconsistent with his actions as captured on video. His failure to provide a complete description is indicative of a lack of truthfulness and reliability of his account of the incident. His continual lack of acknowledgement of the full scope of his actions diminishes his credibility.

V. ANALYSIS³⁷

COPA finds that Sgt. Celani did not comply with the Department rules and regulations; and committed misconduct when he used excessive force during the arrest of ██████

²⁷ Att. 04.

²⁸ Att. 30 at 14:49 – 15:22.

²⁹ Att. 04.

³⁰ Att. 08.

³¹ Att. 11.

³² Att. 01.

³³ Att. 20 at 2:40.

³⁴ Att. 21 at 2:08 – 2:10.

³⁵ Att. 31.

³⁶ Att. 31.

³⁷ For a definition of COPA’s findings and standards of proof, *see* Appendix B.

Department members are expected to resolve situations without using force, unless required under the circumstances to serve a lawful purpose.³⁸ Effective law enforcement depends upon a high degree of cooperation between the Department and the public it serves. The practice of courtesy in all contacts encourages understanding and appreciation, discourtesy breeds contempt and resistance. CPD policy authorizes the use of force to compel a subject's compliance to ensure the safety of a member or third person, stop an attack, make an arrest, or prevent escape.³⁹

Department members' use of force must be objectively reasonable, necessary, and proportional to the threat, actions, and level of resistance offered by a subject, under the totality of the circumstances,⁴⁰ at the time of the incident. During all use of force incidents, when it is safe and feasible to do so, department members will use the principles of force mitigation to ensure effective police-public encounters.⁴¹ The force mitigation concepts include continual communication, tactical positioning, and time as a tactic.⁴²

An active resister is defined as a person who attempts to create distance between himself or herself and the member's reach with the intent to avoid physical control and /or defeat arrest.⁴³ The force options include takedown – the act of physically directing a subject to the ground to limit physical resistance, prevent escape, or increase the potential for controlling the subject.⁴⁴

Department policy specifically prohibits a member from using deadly force on a fleeing person unless the person poses an imminent threat.⁴⁵ A threat is imminent “when it is objectively reasonable to believe that: (1) the person's actions are immediately likely to cause death or great bodily harm to the member or others unless action is taken; and (2) the person has the means or instruments to cause death or great bodily harm; and (3) the person has the opportunity and ability to cause death or great bodily harm.”⁴⁶ A sworn member may use deadly force only when such force is necessary to prevent an arrest from being defeated by resistance or escape, where the person to be arrested poses an imminent threat of death or great bodily harm to a sworn member or another person unless arrested without delay. Factors to consider, include but are not limited to, whether the subject poses an imminent threat, the risk of harm, level of threat or resistance presented by the subject.⁴⁷ The use of deadly force is “a last resort that is permissible only when necessary to protect against an imminent threat to life or to prevent great bodily harm to the member or another person.”⁴⁸

³⁸ Att. 35, G03-02 II(C), De-escalation, Response to Resistance, And Uses of Force (effective April 15, 2021 – present).

³⁹ Att. 35, G03-02 III(B).

⁴⁰ Att. 36, G03-02-01, Force Options (effective 29 February 2020).

⁴¹ Ibid.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Att. 36, G03-02 IV (D) (1)(a).

⁴⁶ Att. 36, G03-02 IV (B).

⁴⁷ Ibid.

⁴⁸ Att. 35, G03-02 IV (C).

Additionally, Department policy expressly prohibits use of excessive force, unwarranted physical force, or unlawful force by a department member.⁴⁹ CPD directives define deadly force as force by any means that is likely to cause death or great bodily harm. It includes but is not limited to application of carotid artery restraints (techniques that compress the blood vessels in the neck to inhibit or restrict blood flow to carotid arteries), or other maneuvers for applying direct pressure on a windpipe or airway.⁵⁰

COPA finds it was not objectively reasonable for Sgt. Celani to use the level of force applied when he held ██████ against the ground by the back of his neck during the arrest because deadly force was not necessary to prevent death or great bodily harm.

Here, Sgt. Celani did not report that ██████ possessed any weapons, used any weapons, or threatened to harm him or anyone else when he approached the recovered vehicle. Sgt. Celani stated that after he observed ██████ seated on the ground against the recovered stolen vehicle, he chose to investigate.⁵¹ Sgt. Celani described ██████ act of pulling away as violent and active resistance. While a weapon was recovered from inside the vehicle, conversely there is no evidence that ██████ posed an imminent threat of death or great bodily harm. It is not evident that ██████ continued to resist in a manner that would lead Sgt. Celani to reasonably believe he posed an imminent threat of death or great bodily harm. Sgt. Celani asserted that he placed his knee against ██████ back consistent with CPD policy and training.⁵² Conversely, review of the video at 2:40 shows Sgt. Celani's hand followed by his right knee against the back of the head and neck of ██████. Sgt. Celani caused a risk of unreasonable harm to ██████ when he applied the control technique to compel him to comply and to control ██████ while he lay prone on the ground from approximately 2:08 to 2:15⁵³.

No apparent threat nor a life-or-death situation prompted this level of force.⁵⁴ During the interview, Sgt. Celani did not provide evidence of an imminent threat. Sgt. Celani's actions are excessive and are not objectively reasonable, necessary, nor proportional to the threat, actions, and level of resistance of ██████ under the totality of the circumstances,⁵⁵ at the time of the incident. Sgt. Celani's responsibilities and training contrasts with his actions. Sgt. Celani's use of control tactics including the neck restraint is in violation of department rules and regulations.

Sgt. Celani's actions impede the Department's efforts to achieve its policy and goals and brings discredit upon the Department. Such failure to promote the Department's efforts to implement its policy or accomplish its goals is prohibited. His disobedience of Department

⁴⁹ Att. 35, G03-02(III)(B)(5)(A).

⁵⁰ Att. 35, G03-02(C)(1)(d).

⁵¹ Att. 32.

⁵² Ibid.

⁵³ Att. 21.

⁵⁴ Att. 36, G03-02-01.

⁵⁵ Att. 36, G03-02-01.

directives is not allowed as it relates to excessive force. While the use of reasonable physical force is authorized, Sgt. Celani's maltreatment of [REDACTED] has been closely scrutinized as unjustified excessive physical force. The Department prohibits inattention to duty and Sgt. Celani was required to be effective and adhere to his duty requirements.

For these reasons, COPA finds Sgt. Celani used excessive force when it was not objectively reasonable to do so, where no imminent threat was present. Therefore, this allegation is **Sustained** as a violation of Rules 2, 3, 6, 8, 9, 10, and 11.

VI. DISCIPLINARY RECOMMENDATION

a. Sergeant Scott Celani

i. Complimentary and Disciplinary History⁵⁶

Sgt. Celani has received 178 awards, including but not limited to, Honorable Mention, Department Commendation, Attendance Recognition, Unit Meritorious Performance Award, and Physical Fitness. As of April 6, 2023, there are no Sustained Complaints or SPAR histories.

ii. Recommended Discipline

COPA finds that Sgt. Celani violated Rules 2, 3, 6, 8, 9, 10, and 11 by using excessive force, akin to deadly force, when it was not objectively reasonable to do so, where no imminent threat was present, by putting his knee on the neck of [REDACTED] and holding/controlling [REDACTED] against the ground while keeping his knee on Frankin's neck. Sgt. Celani's insistence and reliance on his statement that he put his knee in [REDACTED] back and not on [REDACTED] neck are especially egregious when juxtaposed with video showing Sgt. Celani's knee on [REDACTED] neck and, given that the same video captures [REDACTED] saying he could not breathe. Based on this information, combined with Sgt. Celani's complimentary history, COPA recommends a range of 270 days Suspension to Separation.

Approved:

[REDACTED]

4-13-2023

Angela Hearts-Glass
Deputy Chief Investigator

Date

⁵⁶ Att. 39

Appendix ACase Details

Date/Time/Location of Incident:	October 15, 2021 / 1:24 am / 8219 S. Martin Luther King Jr. Dr. - Alleyway
Date/Time of COPA Notification:	October 16, 2021 / 3:24 am
Involved Member #1:	Scott Celani, star 2309, employee ID [REDACTED], Date of Appointment Nov 29, 2004, Unit of Assignment 006, (008?) Male, WHI
Involved Individual #1:	[REDACTED] Male, Black or African American

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 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 11:** Incompetency or inefficiency in the performance of duty.

Applicable Policies and Laws

- *CPD Special Order S04-13-09 Investigatory Stop System (effective 10 July 2017 to present)*
- *CPD General Order G03-02 Use of Force (effective 29 February 2020 to present)*
- *CPD General Order G03-02-01 Force Options (effective 29 February 2020 to present)*
- *CPD General Order G03-02-02 Incidents Requiring the Completion of a Tactical Response Report, (effective 15 April 2021).*
- *CPD General Order G06-01-02 Restraining Arrestees (effective 08 December to present)*
- *CPD General Order G03-02-08 (III), Department Review of Use of Force (effective 27 January 2021 to present).*

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.⁵⁷ 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.”⁵⁸

⁵⁷ 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).

⁵⁸ *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