



Log # 2023-4062

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

### I. EXECUTIVE SUMMARY

On September 4, 2023, the Civilian Office of Police Accountability (COPA) received an Initiation Report from the Chicago Police Department (CPD) alleging misconduct by a CPD member. Probationary Police Officer (PPO) Emad Bashang alleged that on May 12, 2023, at approximately 11:21 am, at [REDACTED] Field Training Officer (FTO) Angela Carter used excessive force by placing [REDACTED] in a headlock.<sup>2</sup> Upon review of the evidence, COPA served an additional allegation that FTO Carter failed to utilize de-escalation tactics during her interaction with [REDACTED]. Following its investigation, COPA reached an unfounded and an exonerated finding for the allegations against FTO Carter.

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

On May 12, 2023, at approximately 11:14 am, FTO Angela Carter and PPO Emad Bashang responded to a mental health disturbance at [REDACTED] ([REDACTED]) and were met by an administrator, [REDACTED]. [REDACTED] informed FTO Carter and PPO Bashang that [REDACTED] was homicidal and making statements about killing everyone inside the facility. Additional staff members informed FTO Carter and PPO Bashang that [REDACTED] damaged property within the facility and threatened to stab, kick and punch staff members.

FTO Carter and PPO Bashang were informed by the staff members that [REDACTED] was diagnosed with schizophrenia and bipolar disorder. The staff members requested that [REDACTED] be transported to the hospital for mental health treatment.<sup>4</sup> [REDACTED] refused to be transported and became aggressive while stating that she was not going to the hospital. [REDACTED] began pulling away as FTO Carter and PPO Bashang provided verbal directions and attempted to handcuff her.<sup>5</sup> PPO Bashang reported that FTO Carter used her right arm to physically restrain [REDACTED] upper body to place her off balance while Officer Alex Garza assisted by sweeping [REDACTED] legs.<sup>6</sup>

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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> 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 BWC footage, police reports, evidence technician photos, medical records, and PPO Bashang's statement to COPA.

<sup>4</sup> Att #6; BWC of FTO Angela Carter, at approximately 8:35 of the video footage.

<sup>5</sup> Att #6; BWC of FTO Carter, at approximately 8:39 of the video footage.

<sup>6</sup> Att #8; BWC of Officer Alex Garza, at approximately 3:49 of the video footage.

After [REDACTED] was handcuffed, FTO Carter and PPO Bashang escorted [REDACTED] out of the building. The members of the Chicago Fire Department strapped [REDACTED] onto a chair as they waited for an ambulance. FTO Carter asked [REDACTED] if she had threatened her (FTO Carter). When the ambulance arrived, [REDACTED] was transported to Weiss Hospital without further incident.

During his statement to COPA PPO Bashang confirmed that he authored the information in the comment section of the Evaluation form on CLEAR.<sup>7</sup> PPO Bashang contended that the information he provided was based on his perception of what he observed. PPO Bashang stated that on the date and time of the incident he believed that FTO Carter used excessive force against [REDACTED] by placing her in a headlock. PPO Bashang also classified [REDACTED] as a passive resister. PPO Bashang agreed that he did not intervene or report the misconduct at the time of the incident.<sup>8</sup> PPO Bashang also admitted that he documented the incident in the comment section only after he received his evaluation from FTO Carter.

In FTO Carter's statement to COPA, she related that based on the information provided by staff regarding [REDACTED] she requested additional units for assistance prior to entering the facility and again once she arrived in the vicinity of [REDACTED] room. FTO Carter stated that when [REDACTED] exited her room, she utilized several de-escalation tactics during her interaction with [REDACTED]. FTO Carter added that she utilized time, verbal directions, a calm tone when she spoke to [REDACTED] and waited for assisting units prior to making physical contact with [REDACTED]. FTO Carter stated that when [REDACTED] attempted to walk away, refused to listen to verbal directions, became louder and more aggressive with her stance, she realized that the de-escalation tactics were not effective. FTO Carter related that for the safety of [REDACTED] the staff, herself, and PPO Bashang, FTO Carter made the decision to place [REDACTED] in handcuffs. FTO Carter described [REDACTED] as a passive resister who became an active resister. FTO Carter stated that a sharp object was recovered from [REDACTED] person and inventoried.

### III. ALLEGATION

#### **FTO Angela Carter:**

1. Placing [REDACTED] in a headlock without justification.
  - Unfounded
2. Failing to utilize de-escalation tactics during her interaction with [REDACTED] [REDACTED]
  - Exonerated

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<sup>7</sup> Att #1

<sup>8</sup> PPO Bashang is the accused of related Log #2023-4063.

#### IV. CREDIBILITY ASSESSMENT

This investigation did not reveal any evidence that caused COPA to materially doubt the credibility of any individual who provided a statement.

#### V. ANALYSIS<sup>9</sup>

COPA finds that Allegation #1 against FTO Carter, that she placed ██████████ in a headlock without justification, is **unfounded**. The actions claimed by PPO Bashang did not occur as alleged. The BWC footage and other evidence does not depict that FTO Carter placed ██████████ in a headlock. Furthermore, a staff member who was present described ██████████ as being aggressive and fighting with the officers<sup>10</sup>. The staff member added that the officers grabbed ██████████ and handcuffed her. The evidence supports that only PPO Bashang stated that FTO Carter placed ██████████ in a headlock. Pursuant to CPD policy, BWC footage captures FTO Carter obtaining all vital information from the staff regarding ██████████ current state,<sup>11</sup> maintained the safety of all involved parties, ascertaining whether ██████████ had any weapons, attempted de-escalation techniques when interacting with ██████████ and the eventual detaining of ██████████ due to aggressive behavior and/at request of staff that ██████████ be taken to the hospital for a mental-health evaluation.<sup>13</sup>

COPA finds that Allegation #2 against FTO Carter, that she failed to utilize de-escalation tactics during her interactions with ██████████ ██████████ is **exonerated**. FTO Carter stated that she utilized time, verbal directions, a calm tone when she spoke to ██████████ and waited for assisting units prior to making physical contact with ██████████. FTO Carter stated that when ██████████ attempted to walk away, refused to listen to verbal directions, became louder and more aggressive with her stance, she realized that the de-escalation tactics were not effective. FTO Carter related that for the safety of ██████████ the staff, herself, and PPO Bashang, FTO Carter made the decision to place ██████████ in handcuffs. Pursuant to CPD policy, Department members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time.<sup>14</sup> FTO Carter's actions were within policy, as that she consistently applied de-escalation tactics up until the point it was no longer safe to do s. Accordingly, COPA finds allegation 2 exonerated.

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<sup>9</sup> For a definition of COPA's findings and standards of proof, *see* Appendix B.

<sup>10</sup> Att #9; BWC of Officer Garza, at approximately 9:33 of the video footage.

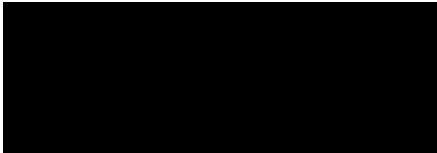
<sup>11</sup> Att #18, G03-02, (E)(1)(a)

<sup>12</sup> Att #18, G03-02, (D)

<sup>13</sup> Att #18, G03-02, (B) (1-3)

<sup>14</sup> Att #18, G03-02, (C)

Approved:



5/31/2024

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Matthew Haynam  
*Deputy Chief Administrator – Chief Investigator*

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Date

Appendix ACase Details

Date/Time/Location of Incident:	May 12, 2023 / 11:21 am / [REDACTED] Chicago, IL 60640.
Date/Time of COPA Notification:	July 8, 2019 / 3:50 pm.
Involved Officer #1:	FTO Angela Carter / Star #10060 / Employee ID # [REDACTED] / DOA: April 25, 2016 / Unit: 019 / Female / Black.
Involved Officer #2:	PPO Emad Bashang/ Star #3068/ Employee ID # [REDACTED] DOA: August 31, 2022/ Unit: 044/DTL 019/ Male/ White.
Involved Individual #1:	[REDACTED] Female/ Black

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

G03-02: De-escalation, response to resistance, and use of force (effective April 15, 2021 - June 28, 2023)

## 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>15</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>16</sup>

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<sup>15</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>16</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 Information**

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