



Log # 2020-0004921

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On October 29, 2020, the Civilian Office of Police Accountability (COPA) received a telephone complaint reporting alleged misconduct by a member of the Chicago Police Department (CPD), namely that Officer Matthew Heuer, #16901 physically and verbally abused his [REDACTED].²

On November 23, 2020, COPA was further notified that Officer Matthew Heuer attempted to enter the [REDACTED] residence and damaged the rear glass door after being informed that [REDACTED] had obtained Order of Protection # [REDACTED] against him.³

On December 9, 2020, COPA was notified⁴ that Officer Matthew Heuer violated the order of protection.⁵

On January 27, 2021, COPA was notified that Officer Matthew Heuer had threatened [REDACTED] with a rifle after taking her cell phone.

On March 2, 2021, COPA was notified that Officer Matthew Heuer had posted violent threats on Facebook.⁶

Upon review of evidence, COPA formulated additional allegations against Officer Matthew Heuer: that he had failed to notify CPD that he had been served with an order of protection, that he failed to properly secure his firearms, and that he had additional unjustified physical altercations with [REDACTED] between April 18, 2019, and October 29, 2020.

COPA sustained multiple allegations against Officer Matthew Heuer (unjustified physical altercations and verbal abuse, violations of the order of protection, purposely damaging property, unlawful/unnecessary display of a weapon, improper firearm storage, and online abuse) but did not sustain an allegation regarding threatening social media postings.

¹ Appendix A includes case identifiers such as the date, time, and location of the incident, the involved parties and their demographics, as well as the applicable rules and policies.

² As one or more of allegations detailed herein fall within COPA's jurisdiction pursuant to Chicago Municipal Code § 2-78-120, COPA assumed the role of lead investigative agency.

³ Log #2020-0005295, which was subsequently administratively closed and consolidated with this investigation.

⁴ Att. 155.

⁵ Log #2020-0005486, which was subsequently administratively closed and consolidated with this investigation.

⁶ Log #2021-0000769, which was subsequently administratively closed and consolidated with this investigation.

COPA also served allegations on other CPD members in connection with their response to calls at the Heuer residence.

- COPA sustained an allegation against Officer Gerardo Lopez, #5094, for allowing Officer Matthew Heuer to smoke inside a CPD vehicle on October 29, 2020.
- COPA sustained an allegation against Sergeant Robert Shoup, #919, in relation to an allegation that he failed to separate Officer Matthew Heuer and [REDACTED] prior to interviewing them on October 29, 2020 in connection with a domestic altercation.
- COPA sustained allegations against Officer Mark Rosciani, # 8972 and against Officer John Szajerski, # 3254 of failing to activate Body Worn Cameras (BWC) when responding to the Heuer residence on November 23, 2020.
- COPA sustained an allegation against Sergeant Joseph Pionke, #2039, for failing to activate his BWC when responding to the Heuer residence on November 23, 2020; COPA did not sustain an allegation against Sergeant Pionke for failing to effect the arrest of Officer Matthew Heuer.

II. SUMMARY OF EVIDENCE⁷

Officer Matthew Heuer and [REDACTED] [REDACTED] in 2011 and have [REDACTED] [REDACTED]. [REDACTED] also has a [REDACTED] from a previous relationship.⁸ The family resided together at their [REDACTED] beginning in 2013. [REDACTED] [REDACTED] [REDACTED],⁹ also resided with Officer Matthew Heuer and [REDACTED] for approximately nine years. [REDACTED] moved out in late October 2020 because “she didn’t get along” with Officer Matthew Heuer.¹⁰ Officer Matthew Heuer reports being a veteran of the U.S. Army, diagnosed with post-traumatic stress disorder (PTSD),¹¹ who has a history of substance abuse.¹² Officer Matthew Heuer was on a medical leave from CPD for most of 2020 before taking a leave of absence in December 2020, having exhausted his medical leave.¹³

⁷ 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, civilian interviews, officer interviews, department reports, telephone records, court records, and 911 calls.

⁸ Officer Matthew Heuer also has a child from a previous relationship, but that child did not reside with Officer Matthew Heuer and [REDACTED]. Att. 14 at 06:18.

⁹ [REDACTED] declined to provide COPA with an interview and did not cooperate with COPA’s investigation.

¹⁰ Att. 15, pg. 11, ln. 16.

¹¹ Att. 27.

¹² Att. 15, pg. 98, lns. 13 to 22 and pg. 108, lns. 1 to 21.

¹³ Atts. 183 and 237.

The [REDACTED] relationship between [REDACTED] and Officer Matthew Heuer deteriorated in May 2019.¹⁴ [REDACTED] [REDACTED] from Officer Matthew Heuer in June 2019 although the [REDACTED] were not pursued;¹⁵ there was an attempt at [REDACTED] in the fall of 2019. Their relationship became difficult again in January 2020. [REDACTED] became [REDACTED] in March 2020.

CPD was called to the Heuer residence on multiple occasions in 2019 and 2020.¹⁶

- On June 23, 2019, [REDACTED] [REDACTED] called 911 regarding an argument between Officer Matthew Heuer and [REDACTED];¹⁷ there was no arrest.¹⁸
- At one point in the summer of 2019, a third party called the police regarding an argument that took place inside the house; the police arrived after the argument concluded when [REDACTED], Officer Matthew Heuer and some friends were standing in the front of the house.
- On May 20, 2020, CPD responded to a possible suicide attempt by Officer Matthew Heuer.¹⁹
- On August 7, 2020, [REDACTED] requested a supervisor because she wanted Officer Matthew Heuer to leave the residence and he would not (Officer Matthew Heuer eventually agreed to leave after [REDACTED] began preparations to leave with the [REDACTED] responding CPD Sergeant Hurley de-escalated the situation).²⁰
- On August 11, 2020, [REDACTED] reported a disturbance with Officer Matthew Heuer, indicating he was high on drugs.²¹
- On August 29, 2020, [REDACTED] again reported a domestic disturbance with Officer Matthew Heuer.²²

On October 29, 2020, [REDACTED], who was [REDACTED], was involved in arguments with Officer Matthew Heuer throughout the day. The argument went on for hours; Officer Matthew Heuer called her names including “bitch.”²³ Officer Matthew Heuer grew “more agitated,” prompting [REDACTED] to tell him that she was going to leave;²⁴ he did not want her to leave. CPD Officer Rosemary Loazaia-Arteaga, [REDACTED]

¹⁴ In May 2019, Officer Matthew Heuer obtained Log #2019-0001948 against [REDACTED], alleging that she had threatened to make a false complaint against him..

¹⁵ The court dismissed the [REDACTED] in June 2023 for want of prosecution. See Att. #238.

¹⁶ Att. 45.

¹⁷ See the interview of [REDACTED] in Log # 2019-0001948.

¹⁸ Att. 14 at 19:15.

¹⁹ Atts. 46 to 48 and Att. 50.

²⁰ Atts. 53 to 59.

²¹ Atts. 60 to 61.

²² Atts. 63 to 65.

²³ Att. 15, pg. 42, ln. 9.

²⁴ Att. 15, pg. 32, ln. 15.

Heuers, came over at the request of [REDACTED]²⁵ Officer Matthew Heuer seemed to her to be having mental issues.²⁶ Arteaga returned home and told her husband, a CPD lieutenant, to call the police.²⁷

CPD Sergeant Shoup and Officers Lopez and Malozzi responded. Officer Matthew Heuer and [REDACTED] came to the door together and the officers interviewed Officer Matthew Heuer and [REDACTED] in the front room of the house; Sergeant Shoup twice asked them to explain “what happened” while they were sitting in close proximity to each other.²⁸ [REDACTED] stated she and her [REDACTED] had argued for three hours; she said she was going to leave. Officer Matthew Heuer indicated that they were both arguing and that he had been planning to leave. After listening to them, the sergeant directed Officers Lopez and Malozzi to remove Officer Matthew Heuer from the residence and directed them to speak with him outside.

Once outside, Officer Matthew Heuer was handcuffed and escorted to a squad car.²⁹ Sergeant Shoup then interviewed [REDACTED] alone for ten minutes. Sergeant Shoup again asked what happened. She described a physical altercation that involved Officer Matthew Heuer “pushing” and “grabbing” her; she attempted to downplay the physical aspects of the interaction and appeared reluctant to get the police involved. A visible bruise on her arm³⁰ resulted from Officer Matthew Heuer picking [REDACTED] up from the floor after she tried to go around him³¹ and sat down on the floor; he kept hold of her but she “got loose.”

When asked about the failure to separate the two parties in the domestic incident, Sergeant Shoup stated to COPA that he did not immediately separate Officer Matthew Heuer and [REDACTED] in order to avoid escalating the situation. Sergeant Shoup described allowing both parties to speak for a minute or two prior to separation as a technique that has worked for him in defusing situations in the past. Sergeant Shoup thought it was reasonable to wait approximately three minutes before separating the parties and then interviewing [REDACTED] alone.³²

²⁵ [REDACTED] called Officer Loaiza Arteaga and requested that she go [REDACTED] and check on [REDACTED] and her [REDACTED] because Officer Matthew Heuer took the phone from [REDACTED] and ended the call. [REDACTED] also did not want Officer Matthew Heuer to know that she had called. See Att. 29, pgs. 22 to 23, lns. 10 to 20.

²⁶ Att. 29, pg. 28, lns. 9 to 12; the [REDACTED] CPD Lt. Robert Arteaga Jr. stated that Officer Matthew Heuer appeared agitated to him as he observed his [REDACTED] walk to the Heuer residence. See Att. 30, pg. 17, lns. 7 to 12, and Att. 30, pg. 47, lns. 2 to 18.

²⁷ Lieutenant Arteaga called the 022 District and determined that there had been no 911 call for police to the Heuer residence. He then requested that a squad car be sent out. See Att. 29, pg. 32, lns 8 to 12.

²⁸ Att. 9 at 05:25 and 07:00.

²⁹ Officer Lopez stated that while they were on the porch, he kept his gaze on Sergeant Shoup through the window and handcuffed Officer Matthew Heuer after Sergeant Shoup signaled for Officer Matthew Heuer to be handcuffed. See Att. 39, pg. 10., lns. 22 to 24 and Att. 9 at 8:02. See also Atts. 6 and 8.

³⁰ Atts. 20 to 26.

³¹ Att. 9 at 08:02 to 18:11.

³² Atts. 42 and 43.

Outside the residence, Officer Matthew Heuer complained about [REDACTED] while responding CPD Officer Lopez lit a cigarette for him. Officer Matthew Heuer then smoked the cigarette while standing. He also smoked the cigarette while sitting in the back seat of a squad car.³³ Officer Lopez admitted to allowing Officer Matthew Heuer to smoke in violation of Department Policy; according to Officer Lopez this was a de-escalation technique.³⁴

After interviewing [REDACTED], Sergeant Shoup later left the residence to speak with Officer Matthew Heuer, who was still sitting in the back of the patrol car. After being advised that he was being arrested, Officer Matthew Heuer continued to provide Sergeant Shoup with information concerning the events connected to the incident. The sergeant can be heard interrupting him on two occasions, suggesting to Officer Matthew Heuer that “now might be the time to stop talking.”³⁵

After being told that the responding officers would sign one if she did not, [REDACTED] declined to sign a complaint against Officer Matthew Heuer. Officer Matthew Heuer was charged with domestic battery. The criminal charges were dismissed on November 5, 2020.³⁶

On November 5, 2020 [REDACTED] called 911, reporting that Officer Matthew Heuer was at the rear of the residence, trying to kick the back door in.³⁷

[REDACTED] observed Officer Matthew Heuer to be agitated on an occasion when [REDACTED] was driving him to his car; she was concerned about the potential for a physical altercation. On November 23, 2020, [REDACTED] obtained Emergency Order of Protection # [REDACTED] against Officer Matthew Heuer, excluding Officer Matthew Heuer from the residence, restricting his visitation with the [REDACTED] pursuant to a Department of Children and Family Services (DCFS) investigation, and ordering Officer Matthew Heuer to have “no contact by any means” with [REDACTED]. In the petition for the order, [REDACTED] mentioned the October 29, 2020 incident, the potential for a battery to occur, adding that Officer Matthew Heuer continued to make threats against her.³⁸

On the evening of November 23, 2020, Officer Matthew Heuer called, wanting to return to the shared residence. [REDACTED] advised him of the order and said that he was prohibited from returning. Shortly thereafter Officer Matthew Heuer returned to the residence, kicked in the back door of the residence, and attempted to gain entry. [REDACTED] fled with three children to the [REDACTED] Arteaga residence; they appeared afraid.³⁹ Lieutenant Robert

³³ Att. 6 at 14:20 to 17:00.

³⁴ Officer Lopez was unaware of U05-03 stating that smokers needed to be fifteen feet away from the vehicle to comply and stated that he thought he was within policy because he was standing outside the vehicle in the open door. See Att. 39, pg. 11, lns. 8 to 12.

³⁵ Att. 6 at 35:45 and Att. 10 at 08:10.

³⁶ Atts. 1 to 6 and Att. 44.

³⁷ Att. 72.

³⁸ Atts. 66 and 67.

³⁹ Att. 28 at 25:30 and following.

Arteaga,⁴⁰ #205, called the 022 District Station.⁴¹ CPD Sergeant Hurley responded to the scene.⁴² CPD Officers Alvarez, Rosciani, and Szymanski also responded, but Rosciani and Szymanski did not activate their BWCs.⁴³ Officer Matthew Heuer gained entry to the Heuer residence after [REDACTED] left; he was not there when the responding CPD officers arrived. Damage to the house was documented by a CPD evidence technician.⁴⁴ The case was closed by CPD as [REDACTED] did not want to prosecute.⁴⁵

Officer Matthew Heuer was personally served with a “short form notification” of the order of protection at 9:30 am on November 25, 2020;⁴⁶ the form summarized the principal restrictions contained in the order. Officer Matthew Heuer did not notify CPD that he had been served.⁴⁷ Despite the order, Officer Matthew Heuer was in contact with [REDACTED] repeatedly *via* telephone and text after November 25, 2020. There were approximately 178 text messages and phone calls in the period November 25, 2020 to December 2, 2020.⁴⁸

On November 30, 2020, [REDACTED] tried to terminate the order of protection (due to the impending birth of their child) but was unsuccessful.⁴⁹ She described Officer Matthew Heuer as doing well at the time; [REDACTED]. He returned to the residence on December 1, 2020, and was present for [REDACTED] the following day. [REDACTED]. Upon discharge, on December 4, 2020, Officer Matthew Heuer dropped [REDACTED] at the residence and returned later that day, staying at the residence; he left for the day on the morning of December 9, 2020.⁵⁰

[REDACTED] again called the police upon Officer Matthew Heuer’s return to the residence later in the day on December 9, 2020; he appeared enraged. Officer Matthew Heuer wanted to get into the house; [REDACTED] asked him to leave. Officer Matthew Heuer had driven away by the time responding CPD officers arrived; [REDACTED] reported that he had been sitting outside the house for some time.⁵¹ [REDACTED] declined to pursue criminal charges.⁵²

⁴⁰ Att. 81.

⁴¹ Att.15, pg. 61, lns. 6-7.

⁴² This incident was registered with COPA by Sergeant John Hurley under Log #2020-0005295 (Sergeant Hurley had previously attended at the Heuer residence pursuant to [REDACTED] November 7, 2020 call). COPA notes that Sergeant Hurley failed to complete an Initiation Report. COPA, in its discretion, has elected not to serve allegations against Sergeant Hurley.

⁴³ Both officers acknowledged that they failed to activate their BWC. Atts. 105 and 109.

⁴⁴ Atts. 85 to 102.

⁴⁵ Att. 76.

⁴⁶ Att. 69.

⁴⁷ Notification is required by CPD policy. Special Order S08-01-10 Special Situations Involving Allegations of Misconduct. Att. 240.

⁴⁸ Between November 23, 2020, and November 25, 2020, there were approximately two hundred and two calls/texts between [REDACTED] and Matthew Heuer. See Atts. 222 and 223.

⁴⁹ Att. 15, pgs. 66 to 71 and Att. 71.

⁵⁰ Att. 15, pgs. 70 to 78.

⁵¹ Att. 113.

⁵² Att. 116.

This incident was classified as a Violation of Order of Protection and subsequently was closed by CPD (“Exc. Cleared Closed (Comp. Refused to Prosecute)”).⁵³

The order of protection expired on December 14, 2020. Officer Matthew Heuer returned to the residence. [REDACTED] indicated that she and Officer Matthew Heuer had a “very peaceful Christmas season.”⁵⁴ By mid-January 2021, Officer Matthew Heuer would leave for days at a time. [REDACTED] asked him to move out prior to the weekend of January 23, 2021.

On January 26, 2021, Officer Matthew Heuer requested that police accompany him to the residence to recover his personal belongings. CPD Sergeant Emily Campbell was assigned to meet the beat car at the Heuer residence. Sergeant Campbell and at least two other on-duty CPD members accompanied Officer Matthew Heuer to the basement where he retrieved his personal effects.⁵⁵ Sergeant Campbell described Officer Matthew Heuer as “emotionally distraught” and “ [REDACTED] ,”⁵⁶ [REDACTED]
[REDACTED]
[REDACTED]⁵⁷

[REDACTED] stated that Officer Matthew Heuer texted her and returned to the residence at 2:00 am on January 27, 2021. They spoke through the door; he left without incident. At approximately 8:00 am, he called her again to say that he did not feel well and was near the house. She was running late and agreed to allow him to drop off the kids at school because he sounded agitated and upset. He returned to the residence, they spoke, and she informed him that he could not move back in. He again told her that he did not feel well and asked for ibuprofen, which she provided. Officer Matthew Heuer asked to take a shower, [REDACTED] agreed to this on the condition that Officer Matthew Heuer leave the residence when she departed for her [REDACTED] appointment. He initially agreed, but subsequently started acting strangely. [REDACTED] described him as “[a]lmost being, like paranoid, kind of everybody’s out there to get me.”⁵⁸ He also talked about having to protect the kids and leave Chicago as soon as possible.⁵⁹ Officer Matthew Heuer went through [REDACTED] phone, accusing her of infidelity. Officer Matthew Heuer refused to give her back her phone and told her to take his. [REDACTED] left with his phone and then called to say that she needed her phone and was coming back for it. She also told him that she would not return to the home with their children if he was still there.⁶⁰

Officer Matthew Heuer wanted [REDACTED] to come inside the residence, but she refused. As she walked away to return to her car, she turned around and saw that he had

⁵³ Att. 116.

⁵⁴ Att. 15, pg. 79, lns. 23 to 24.

⁵⁵ Att. 204.

⁵⁶ Att. 203, pg. 8 to 9, lns 24 -1 and pg. 9, lns. 5-6.

⁵⁷ Att. 203.

⁵⁸ Att. 15, pg. 83, lns. 19 to 20.

⁵⁹ Att. 15, pg. 89, lns. 8 to 21.

⁶⁰ Att. 15. 83 to 84, lns. 1 to 19.

pointed a rifle through the closed storm door, aiming it at her.⁶¹ [REDACTED], who was approximately thirty meters away, screamed, ran to her car, and drove away.⁶² CPD responded to the residence. When speaking with the responding CPD officers, Officer Matthew Heuer denied pointing a rifle at [REDACTED], became visibly agitated, and was taken into custody.⁶³ Officer Matthew Heuer advised responding officers,⁶⁴ “If I knew you guys were going to take my guns, there would have been a shootout.”⁶⁵ When the responding CPD members entered the house, Officer Matthew Heuer’s police baton was found in the front room⁶⁶ on the couch and close to the front door.⁶⁷ Multiple firearms stored in the attic of the residence were inventoried, as was one rifle retrieved from under the basement stairs.⁶⁸ The firearms from the attic were not secured⁶⁹ in a safe;⁷⁰ some were loaded.⁷¹ Spent casings were also found in the attic.⁷²

Officer Matthew Heuer was released from CPD custody without being charged and

[REDACTED], Officer Matthew Heuer was arrested and charged with Aggravated Assault/Use Deadly Weapon;⁷³ [REDACTED] initially swore out the criminal complaint.⁷⁴ The prosecution was abandoned on April 15, 2021.⁷⁵

On March 2, 2021, it was alleged that Officer Matthew Heuer had made a disturbing social media posting, supposedly containing death threats against [REDACTED] and [REDACTED]. CPD detectives reviewed the Facebook posts and determined that no threats were made;⁷⁶ Some of Officer Matthew Heuer’s other social media posts were vulgar and derogatory towards [REDACTED] (“And fuck her...She’s a slut”).⁷⁷

As at the date of her interview, [REDACTED] remained [REDACTED] to Officer Matthew Heuer, but she did not know Officer Matthew Heuer’s whereabouts.⁷⁸

⁶¹ Att. 15, pg. 91, ln. 17.

⁶² Att. 15, pg. 86, lns. 9 to 12. and pg. 92, ln. 7.

⁶³ Att. 139.

⁶⁴ Att. 189, p. 17, lns. 1 to 9.

⁶⁵ Att. 124.

⁶⁶ Att. 189, pgs. 22-23.

⁶⁷ Att. 139 at 03:00 and at 03:43.

⁶⁸ Atts. 157 to 167.

⁶⁹ Att. 139 at 10:10.

⁷⁰ Att. 189, p. 13, lns. 1 to 2.

⁷¹ Att. 189, p. 32 and Att. 139 at 10:10.

⁷² Att. 139 at 13:55.

⁷³ Att. 198.

⁷⁴ Att. 126 and Att. 153. She appears to have later decided not to pursue the matter; see Att. 132.

⁷⁵ Att. 207.

⁷⁶ Att. 214, in relation to Log # 20210000777.

⁷⁷ Att. 219, p. 27.

⁷⁸ Att. 218 and 219.

COPA was unable to serve Officer Matthew Heuer with allegations despite several attempts. His whereabouts during this investigation were largely unknown to ██████████ CPD, and COPA. For some period of time in the spring of 2021 Officer Matthew Heuer was reported to be in an in-person rehabilitation program in Arizona.⁷⁹ On March 11, 2022, the Bureau of Internal Affairs attempted to serve him but were unsuccessful.⁸⁰ On August 25, 2022 COPA sent allegations to his last known address but received no response.⁸¹ On February 6, 2023, COPA attempted to call and email Officer Matthew Heuer but again received no response.⁸²

III. ALLEGATIONS

Officer Matthew Heuer

It is alleged that on or about October 29, 2020, at approximately 9:00 p.m., at or near the location of ██████████ ██████████, Chicago, Illinois, Officer Matthew Heuer, #16901:

1. Pushed ██████████; and or grabbed her by the arm; and/or lifted her off the floor.
 - Sustained, Violation of Rules 2, 8, 9
2. Initiated and/or engaged in an unjustified verbal altercation with ██████████.
 - Sustained, Violation of Rules 2 and 9
3. Harassed ██████████ ██████████, in that he questioned/talked to her for hours, and/or refused to leave her alone.
 - Sustained, Violation of Rules 2 and 8
4. Verbally abused ██████████ ██████████, in that he called her derogatory names such as “bitch.”
 - Sustained, Violation of Rules 2 and 9
5. It is alleged that on or about November 23, 2020, at an unspecified time, while in transit inside a vehicle traveling to and from unspecified locations, Officer Matthew Heuer, #16901 initiated an unjustified verbal altercation with ██████████.
 - Sustained, Violation of Rules 2 and 9
6. It is alleged that on or about November 23, 2020, at approximately 7:45 pm, at or near the location of ██████████ ██████████, Officer Matthew Heuer, #16901 purposely damaged and/or kicked

⁷⁹ Att. 30, pg. 37, lns. 19 to 24.

⁸⁰ Att. 246

⁸¹ See CMS Note: CO-0147913

⁸² See CMS Note: CO-0349091

the backdoor of the residence and/or committing this action after being notified of Order of Protection # [REDACTED]

- Sustained, Violation of Rules 1, 2 and 8

7. It is alleged that on or about November 25, 2020, Officer Matthew Heuer was served with Order of Protection # [REDACTED] and failed to notify the Chicago Police Department as required by Department policy.

- Sustained, Violation of Rules 2 and 6

8. It is alleged that between approximately November 24, 2020, and December 14, 2020, at various times via telephone and/or text, and/or in person, at various locations including at or near the location of [REDACTED], Officer Matthew Heuer, #16901 violated Order of Protection # [REDACTED] in that he had contact with [REDACTED].

- Sustained, Violation of Rules 1, 2 and 8

9. It is alleged that on December 9, 2021, at approximately 1:55 a.m., at or near the location of [REDACTED], Chicago, Illinois, Officer Matthew Heuer, #16901 violated Order of Protection # [REDACTED] by contacting [REDACTED], and/or attempting to gain entrance to the residence, and/or sat in a vehicle at or near the location of [REDACTED].

- Sustained, Violation of Rules 1, 2 and 8

10. It is alleged that on or about January 27, 2021, at approximately 2:00 p.m. at or near the location of [REDACTED], Chicago, Illinois, Officer Matthew Heuer, #16901, pointed a rifle at [REDACTED].

- Sustained, Violation of Rules 1, 2, 8, and 38

11. It is alleged that on or about January 27, 2021, at approximately 1:45 p.m. at or near the location of [REDACTED], Chicago, Illinois, Officer Matthew Heuer, #16901 took [REDACTED] telephone from her and refused to return it.

- Sustained, Violation of Rules 2 and 8

12. It is alleged that on unknown dates between approximately April 18, 2020 and October 29, 2020, at unspecified times, at or near the location of [REDACTED], Officer Matthew Heuer, #16901, had unjustified physical contact with [REDACTED].

- Not Sustained, Violation of Rules 2 and 9

13. It is alleged that on or about January 27, 2021, at approximately 1:00 p.m. Officer Matthew Heuer, #16901, failed to properly secure his firearms as required by Department Policy.

- Sustained, Violation of Rules 2 and 6

14. It is alleged that between approximately June 1, 2019, and October 1, 2020, at various, unspecified times, at or near [REDACTED], Officer Matthew Heuer, #16901 initiated unwanted physical contact with [REDACTED].

- Not Sustained, Violation of Rules 2 and 9

15. It is alleged that on or about March 3, 2021, between approximately 0001 a.m. and 11:59 p.m., Officer Matthew Heuer, #16901 made online threats of violence against the Chicago Police Department and/or [REDACTED].

- Unfounded

16. It is alleged that on or about March 3, 2021, between approximately 0001 a.m. and 11:59 p.m., Officer Matthew Heuer, #16901 used vulgar and derogatory language online in reference to [REDACTED].

- Sustained, Violation of Rules 2 and 8.

Officer Gerardo Lopez

1. It is alleged that on or about October 29, 2020, at approximately 9:00 pm, at or near the location of [REDACTED], you allowed Officer Matthew Heuer to smoke a cigarette inside a Department vehicle.

- Sustained, Violation of Rule 6 and Policy 05-03 (No Smoking)

Officer John Szajerski

1. It is alleged that on or about November 23, 2020, at approximately 8:21 pm, at or near the location of [REDACTED], Chicago, Illinois, Officer Szajerski failed to comply with Special Order S03-14, Body Worn Cameras, by failing to activate his body worn camera (BWC).

- Sustained, Violation of Rule 6

Officer Mark Rosciani

1. It is alleged that on or about November 23, 2020, at approximately 8:21 pm, at or near the location of [REDACTED], Chicago, Illinois, Officer Rosciani failed to comply with Special Order S03-14, Body Worn Cameras, by failing to activate your body worn camera (BWC).

- Sustained, Violation of Rule 6

Sergeant Joseph Pionke

1. It is alleged that on or about January 27, 2021, at approximately 2:00 pm, at or near the location of [REDACTED], Chicago, Illinois, Sergeant Joseph Pionke, #2039, failed to activate his body worn camera (BWC).

- Sustained, Violation of Rules 3 and 6

2. It is alleged that on or about January 27, 2021, at approximately 2:00 pm, at or near the location of [REDACTED], Chicago, Illinois, Sergeant Joseph Pionke, #2039, failed to effect the arrest of Officer Matthew Heuer during a domestic incident related to allegations of Officer Matthew Heuer pointing a rifle at [REDACTED].
 - Not Sustained

Sergeant Robert Shoup

1. It is alleged that on or about October 29, 2020, at approximately 9:10 pm, at or near the location of [REDACTED] Sergeant Rober Shoup failed to separate both parties in a reported domestic battery, Officers Matthew and [REDACTED], from each other prior to interviewing them.
 - Sustained, Violation of Rules 2 and 6

IV. CREDIBILITY ASSESSMENT

The credibility of an individual relies primarily on two factors: 1) the individual's truthfulness and 2) the reliability of the individual's account. The first factor addresses the honesty of the person making the statement, while the second factor speaks to the person's ability to accurately perceive the event at the time of the incident and then accurately recall the event from memory.

COPA finds [REDACTED] to be credible. [REDACTED] had no incentive to exaggerate and appeared motivated not by any animus towards Officer Matthew Heuer, but rather by concern for his well-being. If anything, she tended to minimize any wrongdoing by Officer Matthew Heuer in her evidence. She consistently related substantially the same accounts of incidents to both responding police officers, the court, and to COPA. Lending credibility to [REDACTED] statement were the statements of others, which corroborated her account, as well as the documented injury she sustained and the documented damage to the residence, which were both consistent with her account and for which no other explanation was available.

COPA was unable to interview Officer Matthew Heuer in connection with this complaint and the other complaints consolidated within this complaint.⁸³

COPA finds no reason to question the credibility of the other accused CPD members; they were generally straightforward in admitting any shortcomings in their own performance such that there was no reason to call into question their evidence on other points.

⁸³ Officer Matthew Heuer was interviewed by COPA on July 5, 2019 in connection with Log# 2019-0001948, a complaint which he initiated against [REDACTED].

V. ANALYSIS⁸⁴

a. Allegations against Officer Matthew Heuer regarding October 29, 2020

In addition to ██████████'s statement to COPA wherein she indicated that the argument with Officer Matthew Heuer went on for hours and that he called her a "bitch"⁸⁵ and a third-party witness' characterization of Officer Mathew Heuer's aspect as being consistent with some type of mental break necessitating a police response,⁸⁶ a large bruise on ██████████'s upper arm was documented in an evidence technician's photograph. The conduct alleged against Officer Matthew Heuer is consistent with ██████████'s statement regarding what occurred. The alleged conduct is also consistent with BWC footage of ██████████ from the CPD response and preliminary investigation on the date of the incident, wherein she described a physical altercation that involved Officer Matthew Heuer "pushing" and "grabbing" her.

Therefore, COPA finds Allegation #1 against Officer Matthew Heuer, that he pushed ██████████; and or grabbed her by the arm; and/or lifted her off the floor, to be **sustained**. COPA also finds Allegations #2 – 4, that Officer Matthew Heuer initiated and/or engaged in an unjustified verbal altercation with ██████████; harassed her in that he questioned/talked to her for hours, and/or refused to leave her alone; and verbally abused her, in that he called her derogatory names such as "bitch" are also **sustained**.

b. Allegations against Officer Matthew Heuer regarding November 23, 2020

██████████ gave sworn testimony to obtain Order of Protection # ██████████ that Officer Matthew Heuer had threatened to return to their home and that he continued to make threats against her. ██████████ told COPA that while driving Officer Matthew Heuer to his vehicle, Officer Matthew Heuer became argumentative and aggressive. While COPA was unable to interview Officer Matthew Heuer in connection with this complaint, this incident is consistent with the events as described in ██████████'s statement. Accordingly, COPA finds that Allegation# 5, that Officer Matthew Heuer initiated an unjustified verbal altercation with ██████████, is **sustained**.

Telephone records document calls from Officer Matthew Heuer to ██████████, where, according to ██████████'s statement, he was made aware of the court order on November 23, 2020. Photographs taken by a CPD evidence technician document damage to the back door, including broken glass and severely damaged wooden door jamb. ██████████ brought ██████████ to the ██████████ Arteaga residence and the police were summoned. One of

⁸⁴ The types of findings made and standards of proof used in COPA investigations are defined in Appendix B.

⁸⁵ See note 25, above.

⁸⁶ See note 28 and 29, above.

██████████ and Officer Matthew Heuer's ██████████ remarked to a responding CPD officer that he had helped to hold the back door shut so his ██████████ could not get in and hurt them. COPA finds that Allegation #6, that Officer Matthew Heuer purposely damaged and/or kicked the back door of the residence and/or committing this action after being notified of Order of Protection # ██████████ is **sustained**.

c. Allegations against Officer Matthew Heuer regarding the order of protection

Telephone records document calls from Officer Matthew Heuer to ██████████, where, according to ██████████'s statement, he was made aware of the court order on November 23, 2020. The Short Form Notification documented that Officer Matthew Heuer was served with this order at Domestic Violence Court, 555 W. Harrison Street, on November 25, 2020. At the time, Officer Matthew Heuer was listed as "Medical" on the daily Attendance and Assignment Sheets and was being paid by CPD. Nevertheless, he failed to notify CPD as required by Special Order S08-01-10 (Special Situations Involving Allegations of Misconduct) at paragraph II, L, 2.⁸⁷ COPA finds that Allegation #7, that Officer Matthew Heuer failed to notify the Department that he had been served with Order of Protection # ██████████ is **sustained**.

██████████ told COPA that Officer Matthew Heuer contacted her during the period between approximately November 24, 2020 and December 14, 2020, and the phone records document this.⁸⁸ Although ██████████ indicated that she intended to withdraw the order of protection on November 30, 2020 and there were several consensual contacts between her and Officer Matthew Heuer while the order was in force, Officer Matthew Heuer was still subject to the order; any contact during that period was a violation of the order. In any event, the order remained in effect until December 14, 2020. Accordingly, COPA finds that Allegations #8, that Officer Matthew Heuer, between approximately November 24, 2020 and December 14, 2020 at various times *via* telephone and/or text, and/or in person, violated Order of Protection # ██████████ is **sustained**.

While Officer Matthew Heuer accompanied ██████████ to assist after t ██████████ and there were other consensual contacts between them, there were also multiple instances of inappropriate contact by Officer Matthew Heuer (to include his attempt to forcibly enter the residence, extensively documented and witnessed) in violation of the order. COPA finds that Allegation #9, that Officer Matthew Heuer, on December 9, 2020, violated Order of Protection # ██████████ by attempting to gain access to the residence at ██████████ and contacting ██████████, is **sustained**.

⁸⁷ "When a member is notified or made aware of an order of protection (regardless of the source) where the member is the "respondent"...the member will: immediately prepare a To-From-Subject Report indicating the date and time the member became aware of the existence...the order of protection...and submit the report, with copies of all documents, to the member's station supervisor/unit commanding officer..."

⁸⁸ See note 51, above.

d. **Allegations against Officer Matthew Heuer regarding January 27, 2021**

██████████ immediately called 911 and reported Officer Matthew Heuer pointing a rifle at her. Further, ██████████ demonstrated no animus against Officer Matthew Heuer and has, in fact, attempted to minimize the import of Officer Matthew Heuer's actions against him, to the point of only providing a statement to COPA under compulsion. In the circumstances, there appears to be no reason to suggest that her report to 911 concerning the details of this event was falsified or exaggerated. As detailed, above, ██████████ has been found credible by COPA.

██████████ left the area after making the report; this behavior is consistent with the reported threat. Further, in BWC footage Officer Matthew Heuer stated that ██████████ had previously hidden the keys to their gun safe, causing him to break into it.

Of the firearms recovered from the residence, all of which were the property of Officer Matthew Heuer, one was a loaded rifle to which Officer Matthew Heuer had ready access to on the day of the incident,⁸⁹ consistent with the incident as described by ██████████. Officer Matthew Heuer's police baton was also recovered from the front room of the house after his arrest, providing an additional indication of his frame of mind at the time.

Consequently, COPA finds that Allegation #10 against Officer Matthew Heuer, that he pointed a rifle at ██████████, is **sustained**.

The telephone records, OEMC recording, and Event Query document that ██████████ called 911 from Officer Matthew Heuer's telephone while he called 911 from ██████████'s phone. Officer Matthew Heuer stated on BWC that he had her phone because she would not come in to get it after he refused to put it outside. Chicago Fire Department Lieutenant Thomas Scully, a ██████████ told COPA that he heard ██████████ yell for her phone while she was on the front stairs of the Heuer house. COPA finds that Allegation #11 against Officer Matthew Heuer, that he took ██████████'s telephone from her and refused to return it to her, is **sustained**.

Officer Matthew Heuer owned multiple firearms. Officer Matthew Heuer stated on BWC that he stopped storing his firearms a gun safe after ██████████ hid the keys from him; he broke into the safe and reported that ██████████ subsequently secreted the firearms in the house, such location(s) being unknown to him.⁹⁰ Officer Matthew Heuer said that he did not have sufficient locks for each individual firearm in the residence.⁹¹ There was no indication that any replacement safe was obtained; firearms secreted in the attic and stored under the stairs in the residence were inventoried/taken into custody by CPD.⁹² A shotgun and several pistols belonging

⁸⁹ Att. 148 at 12:00.

⁹⁰ Att. 139 at 28:00.

⁹¹ Att. 153 at p. 7 and Att. 139 at 28:00.

⁹² Att. 149.

to Officer Matthew Heuer were loaded when they were found in the attic.⁹³ The rifle recovered from under the stairs and to which Officer Matthew Heuer did have ready access, was also loaded when it was recovered by the police.⁹⁴ It appears that children resided in the residence at all relevant times. COPA finds that Allegation #13 against Officer Matthew Heuer, that he failed to properly secure his firearms as required by Department Policy, is **sustained**.

e. Additional allegations against Officer Matthew Heuer

██████████ called CPD to the Heuer residence multiple times prior to October 29, 2020 (May 20, 2020 for “special attention” and August 7, 2020, August 11, 2020, and August 29, 2020 for domestic disturbances).⁹⁵

██████████ told COPA that Officer Matthew Heuer would push her when they argued, but she was unable to provide details of specific dates and times when this would have occurred. She indicated in her statement that “there probably were” incidents of unwanted physical contact by Officer Matthew Heuer in the period between the time he learned that she was ██████████ and October 2020.⁹⁶

Due to the lack of specific details regarding these incidents, there is insufficient evidence to determine by a preponderance of the evidence that that between approximately April 18, 2020, and October 29, 2020, at unspecified times, Officer Matthew Heuer had unjustified physical contact with ██████████. Similarly, there is insufficient evidence to determine by a preponderance of the evidence that that between approximately June 1, 2019, and October 1, 2020, at unspecified times, he initiated unwanted physical contact with ██████████. Therefore, COPA finds that Allegations #12 and 14 are **not sustained**.

f. Allegations against Officer Matthew Heuer regarding social media posts

Upon their plain meaning, the Facebook posts attributed to Officer Mathew Heuer⁹⁷ did not contain threats. The posts stated as follows:

- “Success!!!! Thank you my brothers in arms and police brothers in blue you are the only loyal people I know never leave anyone behind!!! Lol except the one I helped and he thanked me by having sex with the ██████ with ██████ watching when I was working lol god is looking out for me lol thank you guys and fuck her watch out she might try to get revenge cock don’t do it!!! Again thanks everyone and she is a slut!!!!”

⁹³ Att. 139.

⁹⁴ Att. 148 at 12:00.

⁹⁵ Att. 45.

⁹⁶ Att. 15, pgs. 30 to 32.

⁹⁷ Att. 1 to Log 2021-0000769.

- “Any of my military buddies in California who can help me I have been scammed by my [REDACTED] and am now homeless in California with no way home, I’m seriously fucked and need to be indoors and eating would be great until I can get my military benefits returned from her and live normal... please answer if you can I’m dreading sleeping outside again it’s cold”

Therefore, COPA finds that Allegation #15 against Officer Matthew Heuer, that he made online threats of violence against the Chicago Police Department and/or [REDACTED], is **unfounded**.

Upon their plain meaning, the Facebook posts attributed to Officer Matthew Heuer contained vulgar and derogatory language in reference to [REDACTED] (“and fuck her...she’s a slut”). COPA finds that Allegation #16 against Officer Matthew Heuer, that he used vulgar and derogatory language online in reference to [REDACTED], is **sustained**.

g. Allegations against other CPD members (October 29, 2020)

COPA finds that Allegation #1 against **Officer Gerardo Lopez**,⁹⁸ that he allowed Officer Matthew Heuer to smoke a cigarette inside a department vehicle, is **sustained**. BWC recordings captured Officer Matthew Heuer smoking in the squad car and the officer admitted that this occurred.⁹⁹ Smoking in a CPD vehicle is in violation of policy (“It is the policy of the Department that smoking shall be prohibited in any Department facility or vehicle by anyone...City-owned Facilities [includes] [a]ll enclosed vehicles and facilities...Smoking is prohibited within fifteen feet of any entrance to an enclosed area in which smoking is prohibited”).¹⁰⁰

COPA finds that the allegation against **Sergeant Robert Shoup**¹⁰¹ is **sustained** in respect to failing to separate the parties for interview in a preliminary investigation of a reported domestic battery. Department Policy requires that the Bureau of Patrol is responsible for conducting the preliminary investigation, including “identifying and interviewing all involved parties separately”.¹⁰² The BWC recordings document that he solicited information regarding the events with both parties present for approximately two and a half minutes before separating them. In that time, Sergeant Shoup twice asked both parties “what happened” while they were in the same room and in close proximity to each other. Although he did articulate a reason for proceeding as he did (to allow him to assess the situation and as a de-escalation technique that had proved successful for him in the past) and certainly displayed concern for the parties, he twice attempted to conduct a joint interview in violation of policy, raising the possibility of one party intimidating the other or of the two parties coordinating their testimony.

⁹⁸ Att. 36.

⁹⁹ Att. 39, pgs. 12 to 14.

¹⁰⁰ Att. 34: No Smoking Policy, Uniform and Property U05-03.

¹⁰¹ Att. 37.

¹⁰² Att. 241, Domestic Incidents, General Order G04-04. IV.A.1.

COPA finds that Allegation #1 against **Officer John Szarjeski**, that he failed to comply with Special Order S03-14, Body Worn Cameras, by failing to activate his body worn camera (BWC), is **sustained**. Officer Szarjeski admitted to the allegation. COPA was unable to find BWC for him for this incident.

COPA finds that Allegation #1 against **Officer Mark Rosciani**, that he failed to comply with Special Order S03-14, Body Worn Cameras, by failing to activate his body worn camera (BWC), is **sustained**. Officer Rosciani admitted to the allegation. COPA was unable to find BWC for him for this incident.

COPA finds that Allegation#1 against **Sergeant John Pionke**, that he failed to activate his body worn camera (BWC), is **sustained**. Activating his BWC was required by CPD policy¹⁰³ and Sergeant Pionke admitted to failing to do so.¹⁰⁴ As a supervisor, Sergeant Pionke has a special responsibility for advancing CPD policy.

COPA finds that Allegation #2 against **Sergeant John Pionke**, that he failed to effect the arrest of Officer Matthew Heuer during a domestic incident, is **not sustained**. Sergeant Pionke stated that he was not in charge of the watch in the 022 District on January 27, 2021 and that the ultimate arrest of Officer Matthew Heuer was the decision for his superiors. The Initiation Report documented that a Lieutenant McNicholas and a Commander Joyce were both notified by Sergeant Pionke.¹⁰⁵ COPA could not find documentation that Lieutenant McNicholas was working on January 27, 2021; he is now retired. Records indicate that Commander Sean Joyce was working at the time and was the officer ultimately in charge.¹⁰⁶ Sergeant Pionke reasonably articulated why he, as a sergeant, did not have the authority to make a final decision regarding Officer Matthew Heuer's immediate arrest.¹⁰⁷ However, COPA cannot verify that he was required to do so or that he was given specific instructions to not make an arrest. Therefore, this allegation is not sustained.

VI. DISCIPLINARY RECOMMENDATION

A. Officer Matthew Heuer

i. Complimentary and Disciplinary History

Officer Matthew Heuer has received ten awards of various kinds.

He served a six-day suspension in connection with Log #2018-1091825 and was suspended for over thirty days in connection with Log #2019-0004855.¹⁰⁸

¹⁰³ Body Worn Cameras, Special Order S03-14, I.ii.A.1. Att. 239.

¹⁰⁴ Att. 197, pg. 15.

¹⁰⁵ Att. 124.

¹⁰⁶ Commander Joyce was the addressee of the October 29, 2020 initiation report from Sergeant Shoup regarding the initial complaint against Officer Matthew Heuer. Att. 1.

¹⁰⁷ Att. 197, pgs. 21-22.

¹⁰⁸ Att. 235.

ii. Recommended Discipline

COPA has considered Officer Matthew Heuer's complimentary history and disciplinary history. Officer Matthew Heuer engaged in a pattern of conduct in relation to his [REDACTED] (physical and verbal abuse, violations of an order of protection to include an attempt to forcibly enter the family residence, and threatening conduct with a loaded firearm. These allegations are incredibly serious and his instability over a period of time is of particular concern. Given the number of sustained allegations, the serious nature of the allegations, and Officer Matthew Heuer's inability to regulate his own conduct during the period under investigation, COPA recommends that Officer Matthew Heuer be **separated** from CPD.

B. Officer Gerardo Lopez

i. Complimentary and Disciplinary History¹⁰⁹

Officer Lopez has received 31 awards. There is no record of recent disciplinary history.

ii. Recommended Discipline

In his statement Officer Lopez readily admitted actions that violated the no smoking policy, although he was under the impression that keeping the door to the vehicle open meant that the policy was not violated. COPA recommends that Officer Lopez receive a Violation Noted.

C. Officer John Szajerski

i. Complimentary and Disciplinary History¹¹⁰

Officer Szajerski has received 58 various awards. He was involved in a preventable accident on December 26, 2022 (Log #567806), in respect of which no disciplinary action was taken. There is no other record of recent disciplinary history.

ii. Recommended Discipline

Officer Szajerski readily admitted that did not engage his BWC as required by Department policy. COPA recommends that Officer Szajerski receives a Violation Noted.

¹⁰⁹ Att. 232.

¹¹⁰ Att. 230.

D. Officer Mark Rosciani

i. Complimentary and Disciplinary History¹¹¹

Officer Rosciani has received 66 awards, to include six complimentary letters and five department commendations as well as a police officer of the month award. His five year sustained complaints history report has no entries.

ii. Recommended Discipline

Officer Rosciani readily admitted that he neglected to engage his BWC as required by Department policy. COPA recommends that Officer Rosciani receive a Violation Noted.

E. Sergeant Josphe Pionke

i. Complimentary and Disciplinary History¹¹²

Sergeant Pionke has received 97 awards. There is no record of recent disciplinary history.

ii. Recommended Discipline

COPA finds that Sergeant Pionke violated Rule 6. He readily admitted that he forgot to engage his BWC as required by Department policy. COPA recommends that Sergeant Pionk receives a Written Reprimand.

F. Sergeant Robert Shoup

iii. Complimentary and Disciplinary History¹¹³

Sergeant Shoup has received a total of 229 awards, to include 17 department commendations, three police officer of the month awards, three problem solving awards, and two life saving awards. There is no record of recent disciplinary history.

iv. Recommended Discipline

COPA finds that Sergeant Shoup violated Rule 5 and 6 by failing to follow CPD policy regarding preliminary investigations of domestic incidents. Sergeant Shoup was charged with leading the preliminary investigation into an allegation of domestic battery; he chose to do so in a manner at variance with CPD policy, not calculated to best collect the available evidence but, rather, in a manner that may have appeared calculated to protect the interests of the CPD member

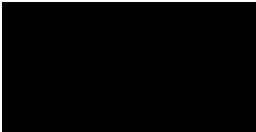
¹¹¹ Att. 247

¹¹² Att. 234.

¹¹³ Att. 231.

being arrested. COPA recommends that Sergeant Shoup receive a **Written Reprimand and Training on the Domestic Violence Policy.**

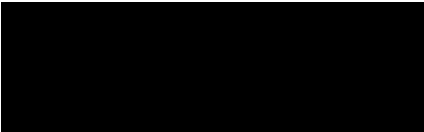
Approved:



May 23, 2024

Shannon Hayes
Director of Investigations – Chief Investigator

Date



May 23, 2024

Andrea Kersten
Chief Administrator

Date

Appendix A**Case Details**

Allegations 1-4, Officer M. Heuer and allegations against Officer Geraldo Lopez and Sergeant Robert Shoup

Date/Time/Location of Incident:

October 29, 2020 / 9:00pm / [REDACTED]

Date/Time of COPA Notification:

October 29, 2020 / 10:37 pm

Allegation 5, Officer M. Heuer

Date/Time/Location of Incident:

November 23, 2020 / unspecified time / in transit

Date/Time of COPA Notification:

February 3, 2021 / 2:00 pm

Allegation 6, Officer M. Heuer and allegations against Officer John Szajerski, Officer Mark Rosciani, and Sergeant Joseph Pionke

Date/Time/Location of Incident:

November 23, 2020 / 7:45 pm / [REDACTED]

Date/Time of COPA Notification:

November 23, 2020 / 9:41 pm

Allegation 6, Officer M. Heuer

Date/Time/Location of Incident:

November 25, 2020 / unspecified time / via Zoom

Date/Time of COPA Notification:

November 23, 2020/9:41 pm

Allegation 8, Officer M. Heuer

Date/Time/Location of Incident:

November 25, 2020 to December 14, 2020 / various times / via telephone and SMS text message

Date/Time of COPA Notification:

February 3, 2021/ 2:00 pm

Allegation 9, Officer M. Heuer

Date/Time/Location of Incident:

December 9, 2021 /1:55 am / [REDACTED]

Date/Time of COPA Notification:

December 9, 2021 / 3:18 am

Allegation 10, Officer M. Heuer

Date/Time/Location of Incident:

January 27, 2021 / 1:00 p.m. / [REDACTED]

Date/Time of COPA Notification:

January 27, 2021 / 7:20 pm

Allegation 11, Officer M. Heuer

Date/Time of Incident:

January 27, 2021 / 1:45 pm / [REDACTED]

Date/Time of COPA Notification:

January 27, 2021 / 7:20 pm

Allegation 12, Officer M. Heuer

Date/Time of Incident:

January 27, 2021 / 2:00 pm / [REDACTED]

Date/Time of COPA Notification:

January 27, 2021/ 7:20 pm

Allegation 13, Officer M. Heuer

Date/Time of Incident:

April 18, 2020 to October 29, 2020/ unspecified times / [REDACTED]

Date/Time of COPA Notification:

February 2, 2021/ 2:00 pm

Allegation 14, Officer M. Heuer

Date/Time of Incident:

June 1, 2019, to October 1, 2020 / various times / [REDACTED]

Date/Time of COPA Notification:

February 2, 2021 / 2:00 pm

Allegation 15, Officer M. Heuer

Date/Time of Incident:

March 3, 2021 / unknown time / via internet

Date/Time of Notification:

March 3, 2021/ 9:30 pm

Involved Member 1:

Officer Matthew Heuer Heuer, Star #16901, Employee # [REDACTED] May 01, 2013; Unit 007; Male; White.

Involved Member 2:

[REDACTED]

Involved Member 3:

Robert Shoup, Star #919, Employee # [REDACTED] August 25, 2003; Unit 022; Male; White.

Involved Member 4:

Robert Arteaga Jr, Star #205, Employee # [REDACTED] December 1, 1991; Unit 022; Male, White. (Retired)

Involved Member 5:

Rosemary Loaiza Arteaga, Star # 14900, Employee # [REDACTED] June 21, 1999; Unit 012/127; Female; Hispanic. (Retired)

Involved Member 6:

Gerardo Lopez, Star #5094, Employee # [REDACTED] September 27, 2018; Unit 022; Male; Hispanic.

Involved Member 7:

John Szajerski, Star # 3254, Employee # [REDACTED] January 16, 2018; Unit 022; Male; White.

Involved Member 8:	Mark Rosciani, Star # 8972, Employee # [REDACTED] June 25, 2001; Unit 022; Male; White.
Involved Member 9:	Joseph Pionke, Star #2039, Employee # [REDACTED] August 04, 1997; Unit 022, Male; White.
Involved Member 10:	Emily Campbell, Star # 1327, Employee # [REDACTED] September 29, 2003; Unit 022; Female; White.
Involved Member 11:	Alex Coan, Star # 12719; Employee # [REDACTED] July 02, 2012; Unit 022; Male; White.
Involved Member 12:	Louis Soto III, Star # 16077, Employee # [REDACTED] August 25, 2014; Male; White.
Involved Member 13:	Arthur Carlson, Star #20106, Employee # [REDACTED] December 05, 2005; Male; White.
Involved Individual 1:	[REDACTED], Male, White

Applicable Rules

- Rule 1:** Violation of any law or ordinance.
- 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

- Special Order S03-14 Body Worn Cameras
- Special Order S08-01-10 Special Situations Involving Allegations of Misconduct
- General Order G04-04. IV.A.1. Domestic Incidents

- Uniform and Property U05-03 No Smoking Policy
- Chicago Ordinance 8-20-050
- Cook County Ordinance, Chapter 58, Article VIII, Sec. 58-205
- 720 ILCS 5/12-1 Assault
- 720 ILCS 5/12-6 Intimidation
- 720 ILCS 5/12-6.2 Aggravated Intimidation

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.¹¹⁴ 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.”¹¹⁵

¹¹⁴ 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).

¹¹⁵ *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