

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	February 20, 2021, 12:00 p.m. [REDACTED]
Date/Time of COPA Notification:	February 24, 2021/12:15 p.m.
Involved Member #1	Irving Sanchez, Star#18147, Employee# [REDACTED] Date of Appointment: March 16, 2020 Probationary Police Officer, Unit of Assignment 044/002 DOB: [REDACTED] 1992, M/WHH
Involved Individual #1:	[REDACTED] DOB [REDACTED], 1994, F/H
Case Type:	Domestic Violence

I. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Irving Sanchez	1. It is alleged that on or about February 20, 2021 at approximately 12:00 p.m. at or near the location of [REDACTED] the accused was involved in an unjustified verbal altercation with [REDACTED]	Not Sustained
	2. It is alleged that on or about February 20, 2021 at approximately 12:00 p.m. at or near the location of [REDACTED] the accused pushed and/or slammed [REDACTED] into a sink without justification.	Sustained
	3. It is alleged that on or about February 20, 2021 at approximately 12:00 p.m. at or near the location of [REDACTED] the accused pushed [REDACTED] about the body without justification.	Sustained
	4. It is alleged that on or about February 20, 2021 at approximately 12:00 p.m. at or near the location of [REDACTED] the accused obstructed [REDACTED] from using her cell phone to call 911.	Sustained

## II. SUMMARY OF EVIDENCE<sup>1</sup>

On February 24, 2021, at approximately 12:00 p.m., ██████ reported to Chicago Police Sergeant Heidewald #1160 of the 007<sup>th</sup> District that she was involved in a verbal altercation with ██████, Probationary Police Officer (PPO) Irving Sanchez #18147. She also alleged the altercation turned physical. She related that on February 20, 2021 the two were involved in a verbal dispute over food and during this encounter he pushed her, slammed her into a sink, and obstructed her from calling 911. These allegations were documented in a **Case Incident Report RD#JE150764**<sup>2</sup> for Domestic Battery against Officer Sanchez and in an **Initiation Report**.<sup>3</sup> On the contrary, on the day of incident Officer Sanchez reported to the 008<sup>th</sup> District that a verbal altercation over food turned physical when ██████ blocked the exit and pulled his coat as he attempted to leave. This was documented under case report **RD#JE146994**<sup>4</sup> and lists ██████ as the suspect of a Domestic Battery. This case report in conjunction with a second domestic related incident occurring on February 22, 2021 and documented under case report **RD#JE149819**<sup>5</sup> later led to ██████ arrest<sup>6</sup>. Subsequently, the charges against her were dismissed.<sup>7</sup>

██████ reported to COPA<sup>8</sup> that she and Officer Sanchez were in a dating relationship from May 2020 through February 2021. In July 2020, they purchased and moved into a home together. She reported that during the afternoon of February 20, 2021, she and the accused were engaged in a verbal dispute over food which became physical. ██████ reported, Officer Sanchez became angry and felt disrespected after she declined to eat the meal prepared for her.

After retreating to the master bedroom and continuing their discussions, ██████ stood at the entry door of the room. At some point, Officer Sanchez attempted to exit but was unable because she was blocking the exit. Consequently, he shouted, “Oh my God, just fucking move.” and forcefully pushed her arm causing her to stumble. As a result from the push, she lost her footing and grabbed his sweater (causing it to unzip) to avoid falling. At that time, he accused her of assaulting him and became infuriated. She then became nervous and ran out of the room and into the master bathroom with her cell phone in hand while dialing 911. He then came after her and charged at her in the bathroom and pushed her into the sink. Subsequently, a struggle ensued over her cell phone and during the altercation she suffered a scratch on her hand and a bruised upper thigh.<sup>9</sup> During the struggle, Officer Sanchez shouted, “Don’t call 911, don’t call 911. Give me the phone, give me the phone.”<sup>10</sup> Eventually ██████ was able to break free from Officer Sanchez and ran to the guest bedroom down the hall. At that time, she noticed the 911 call had been cancelled.<sup>11</sup> Soon after, Officer Sanchez entered the room and begged her not to report the incident to the police

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<sup>1</sup> COPA conducted a full and complete investigation of this matter, including the interview of all pertinent civilian and officer witnesses, and the collection and review of digital, documentary, and forensic evidence.

<sup>2</sup> Att. 2

<sup>3</sup> Att. 1

<sup>4</sup> Att. 11

<sup>5</sup> Att. 12

<sup>6</sup> Att. 13

<sup>7</sup> Att. 14

<sup>8</sup> ██████ gave a statement to COPA on March 17, 2021, Att. 7 (Audio) and Att. 8 (Transcript)

<sup>9</sup> ██████ photographed her injuries. Att. 9. See Fig. 2(a) and 2(b) below.

<sup>10</sup> Att. 8, pg. 11, lns 20-21.

<sup>11</sup> ██████ provided COPA with a screenshot from the phone showing the cancelled call. Att. 10. See Fig. 1 below.

relaying that his career with CPD would be on the line. He also threatened her that if she called the police, he would take the house and keep their new puppy. After repeated requests pleading with █████ not to call the police, she obliged. After a while, Officer Sanchez left but later returned to the residence without further incident.<sup>12</sup> On approximately February 23, 2021, she attempted to file a complaint at the 008<sup>th</sup> District Station, but the officer at the desk refused to take the complaint when he learned the subject was a police recruit.<sup>13</sup>

**Probationary Police Officer Irving Sanchez #18147**<sup>14</sup>, reported to COPA that on the morning of February 20, 2021, █████ became upset with him because he did not prepare her pancakes for breakfast. After an exchange of words, he retreated to one of the upstairs guest bedrooms to avoid further conflict. While laying in the bed, █████ entered the room and blocked the door. Now, she began to accuse him of cheating but after some time Officer Sanchez got out of bed and attempted to leave the room. However, █████ was still positioned in the doorway using her body and arms to block/guard his exit. He described this action as typical behavior for her when they had disagreements. After multiple attempts to leave, Officer Sanchez successfully made his exit by squeezing by her and proceeded down the hall and into the master bedroom. He admitted that he used his chest to make physical contact with her entire body to squeeze his way through the door.<sup>15</sup>

Next, █████ followed him into the master bedroom, closed the door behind her, and blocked the doorway. At this time, he grabbed his personal items, retreated into the en suite bathroom, and locked the door. Subsequently, █████ remained on the other side of the door knocking and ultimately damaging the handle on the door.<sup>16</sup> After the door became ajar, he exited and attempted to leave the bedroom again. However, █████ was standing guard at the main door blocking his exit and insisting they continue the conversation. As he reached around her to pull the door open, he admitted using the door to move her body to make his exit. He further explained that for him to grab the handle, some part of his body also touched her body.<sup>17</sup> At this time, he suggests that █████ violently grabbed him at the chest destroying his sweater. At that point, he grabbed his cell phone and began to record their interaction.<sup>18</sup> Shortly thereafter, █████ proceeds to the en suite bathroom with cell phone in hand stating words to the effect of, "Hello, I need officers..."<sup>19</sup> He admitted that he followed her into the bathroom and engaged in a physical struggle with █████ over her cell phone near the sink by using his hand(s) to turn the phone away from her face/ear to observe the phone screen.<sup>20</sup> Based on his observations, he concluded she never initiated a 911 call. After the struggle, she ran back into the guest bedroom, he followed, and observed her with phone in hand asking for officers. Again, his observations led him to believe she did not initiate a 911 call. He reported no

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<sup>12</sup> Att. 8, pg. 11-12

<sup>13</sup> Att. 8 @ Pg. 40-41. COPA did not initially pursue █████ complaint about the officer failing to take her complaint in the interest of closing the investigation prior to Officer Sanchez's probationary status ending. Once his probation ended, COPA determined that the investigation was too far advanced, and the incident was too far in the past to revisit this allegation.

<sup>14</sup> Officer Sanchez gave his statement to COPA On October 7, 2021, Att. 17 (Audio) and Att. 18 (Transcript)

<sup>15</sup> Att. 18, ppg. 25

<sup>16</sup> Officer Sanchez provided COPA with a photo of the damaged door. Att. 24

<sup>17</sup> Att. 18, pgs. 36 to 39

<sup>18</sup> Att. 21 (Video) and 22 (Transcript).

<sup>19</sup> Att. 18, pg. 41, lns 12 to 20

<sup>20</sup> *Id.* g. 42 to 44 and 49 to 53

further incident and left the residence.<sup>21</sup> He says that he did not learn of her having any injuries until the court process related to them seeking orders of protection.

It should be noted, Officer Sanchez relayed that he contacted his Chicago Police Academy Homeroom instructor, Officer Shaun Williams after leaving the residence who guided him through the reporting process the Department and the Circuit Court of Cook County. Subsequently, on the day of incident he walked into the 008<sup>th</sup> District, reported the incident, and a case report was generated.

On October 22, 2021, COPA conducted an interview with witness **Officer Shaun Williams #19451**<sup>22</sup> who is currently assigned to the Chicago Police Department- Academy as an Operations Instructor. At the time, Officer Sanchez was a recruit at the CPD Academy and Officer Williams was his Homeroom Instructor. On the day of incident Officer Sanchez contacted him by phone and reported that he was involved in a domestic related incident with his girlfriend. He reported, the two were engaged in a verbal altercation over breakfast and after his girlfriend became physical, and he had left the residence. During the call, Officer Williams asked Officer Sanchez what his intentions were with the relationship and suggested that he report to the nearest police district and file a report. Upon Officer Sanchez's arrival to the District, he received a return call and Officer Williams further instructed him on the process. As such, he obtained a case report documenting the incident. Upon his return to the Academy the following week, he and Officer Sanchez spoke with a superior to obtain approval for time away from the Academy to visit Domestic Court to file for an Order of Protection against his girlfriend, ██████. However, he was hesitant and very concerned that he would lose his position with CPD if he did so. Nonetheless, Officer Sanchez decided to go forth with the filing and Officer Williams transported and accompanied him to Domestic Court located at 555 W. Harrison. Upon their arrival, Officer Sanchez was escorted by an unknown court representative who further guided him on the process. Additionally, he made his appearance before the court. Officer Williams was not present during his discussion with the representative nor was he present for the proceedings but later learned the order of protection was denied. Officer Williams stated that during this process, Officer Sanchez updated him with living arrangements but mostly spoke about his extreme concern of losing his employment with CPD.

COPA obtained **cell phone video** from both parties depicting conversations between them on February 20, 2021 recorded after the alleged incident. Video retrieved from ██████ depicts a conversation that appears to be an implied admission of guilt by the accused. For example, ██████ can be heard saying, "Well, maybe you shouldn't put your hands on a woman. So you think it's okay to put your hands on a woman ...." The accused replied, "No.", "I never said that." ██████ later states, "You're about to get away with fucking assault --- and it's ok." Officer Sanchez responded, "I don't want that. I don't want any-- anything to happen."<sup>23</sup>

Additional footage provided to COPA by the *accused* reveals a separate conversation between the pair on February 20, 2021. In this video, Officer Sanchez appears to accuse ██████ of ripping his sweater and refusing to let him leave the house. In response, ██████ is overheard saying words

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<sup>21</sup> Id. atPg. 66 to67

<sup>22</sup> Att. 26

<sup>23</sup> Att. 19 (Video) and 20 (Transcript)

to the effect, “because I was pushed away from the door.”<sup>24</sup> It should be noted, Officer Sanchez submitted additional footage to COPA but unrelated to the incident.

As well, [REDACTED] provided COPA with a **cell phone screenshot**<sup>25</sup> of a cancelled 911 call initiated on February 20, 2021 at 12:37 p.m. in support of the allegation.

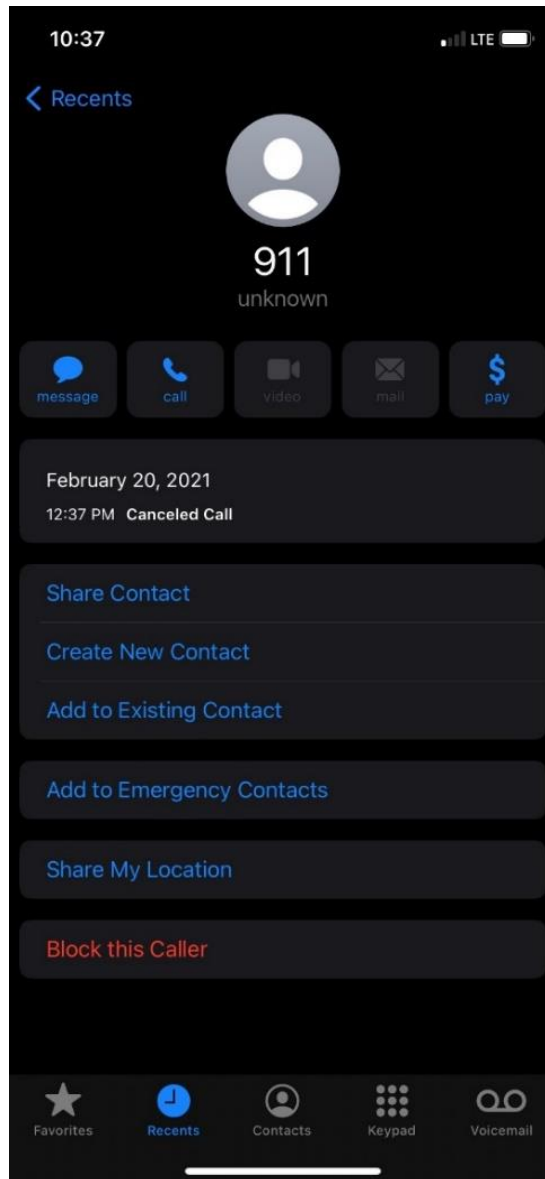


Fig. 1

<sup>24</sup> Att. 21 (Video) and 22 (Transcript)

<sup>25</sup> Att. 10

█████ submitted **photos**<sup>26</sup> of herself that she took after the incident on February 20, 2021. The photos reflect visible discoloration and/or bruising to her thigh and hand. She alleges the injuries were sustained during the altercation with Officer Sanchez.



Fig. 2(a)



Fig. 2(b)

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<sup>26</sup> Att. 9 (a) (b)

Officer Sanchez submitted a photo depicting a doorknob that ██████ allegedly damaged during the altercation.<sup>27</sup>



Fig 3.

### III. LEGAL STANDARD

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 the conduct occurred and violated Department policy. See *Avery v. State Farm*

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<sup>27</sup> Att. 23

Mutual Automobile Insurance Co., 216 Ill. 2d 100, 191 (2005), (a proposition is proved by a preponderance of the evidence when it has found to be more probably true than not). If the evidence gathered in an investigation establishes that it is more likely that the misconduct occurred, 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. See e.g., *People v. Coan*, 2016 IL App (2d) 151036 (2016). 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." *Id.* at ¶ 28

#### 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 individual making the statement, while the second factor speaks to the individual's ability to accurately perceive the event at the time of the incident and then accurately recall the event from memory.

In this case, both [REDACTED] and Officer Sanchez were largely consistent in their description of the incident. They both described that they began arguing over food, when the argument went upstairs she stood in a bedroom doorway blocking his path and as he tried to leave he pushed her and she ripped his sweater, then she said she was going to call 911 but he grabbed her hand with the phone and she never called.

Where the accounts differ is the extent to Officer Sanchez shoving [REDACTED] in the doorway, whether she actually tried to call 911, and whether he pushed her into the bathroom sink. The physical evidence supports [REDACTED] version of the events: she had injuries that could only have been caused by him shoving her into the sink, not by merely grabbing her phone hand as he claimed and additionally, she showed that she had a cancelled call, which he firmly denied. Therefore, COPA finds her account to be credible.

#### V. ANALYSIS and CONCLUSION

COPA finds that **Allegation #1** against Officer Sanchez, that he engaged in an unjustified verbal altercation with [REDACTED] is **NOT SUSTAINED**. In both their statements, they reported the argument started over food. This was also documented in their separate case reports.<sup>28</sup> According to Officer Sanchez, the topic transitioned to him being unfaithful to [REDACTED]. Although there is no question that an argument occurred, the evidence does not support that the verbal altercation rose to a level that constitutes misconduct by Officer Sanchez. He states that after arguing, he retreated to a bedroom where she followed him. He further stated that she was the one driving the argument and he preferred to isolate himself. [REDACTED] telling supports that she followed him to a bedroom as she admits she was blocking a doorway. Therefore, there is not a

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<sup>28</sup> Att. 2 and 11



preponderance of the evidence that his verbal argument rose to the level of misconduct, and the allegation is Not Sustained.

COPA also finds **Allegations #2-3** against Officer Sanchez, that he pushed ██████ about her body and pushed and/or slammed her into a sink are **SUSTAINED**. The evidence is more likely than not that Officer Sanchez shoved ██████ in the bathroom and that the shove rose to the level of misconduct. During her interview, ██████ explained Officer Sanchez became enraged and more aggressive than before after she incidentally grabbed his sweater to keep from falling after he pushed her. She further alleged, he proceeded to chase her into a bathroom where they engaged in a struggle over her cell phone as she attempted to call 911. Photos submitted by ██████ depicts a scratch to her hand and bruise on her thigh, which is consistent with her account.

On the contrary, Officer Sanchez described ██████ as the aggressor and claims her actions to deprived him of his free will to leave.<sup>29</sup> Moreover, he appeared to justify his actions based on these past events. Throughout his statement, he confidently admitted that he was the initiator of all physical contact with ██████ on the day of incident. Both he and ██████ reported to COPA that he used his body to remove ██████ from blocking several doorways. On at least one occasion he reported they were chest to chest. Moreover, he confirmed that he was the first to approach and initiate contact with ██████. Officer Sanchez further reported, the first and only time ██████ initiated contact with him was when she grabbed his chest/sweater after he pulled the door to make his exit, “but in the process, that (*the door*) moved her body.”<sup>30</sup> Based on his own admissions, it is more likely than not that ██████ grabbed his sweater to keep from falling and it was not a deliberate attack as the accused described. Furthermore, in the videos submitted by both parties, Officer Sanchez does not deny guilt in placing his hands on her which suggests that the accused pushed ██████ about her body and the incident occurred as ██████ described.

Officer Sanchez provided a very detailed account of events. Although during some parts of his statement he portrayed himself the victim, the accused admitted that he engaged in a struggle with ██████. He voluntarily recounted that he initiated physical contact with ██████ in the bathroom near a sink after she informed him that she was calling 911. When given the opportunity to clarify the contact, he explained that he used his hand to hold the hand ██████ held the phone closest to her ear while appearing to call 911.<sup>31</sup> Consequently, the accused description of events and apparent aggressive behavior makes it is more probable that he and/or his actions caused a scratch to ██████ hand during the struggle. Likewise, the injury or bruised area to her thigh is consistent with being pushed into a sink. Therefore, based on a preponderance of evidence, COPA finds that Officer Sanchez pushed ██████ about the body causing her to have to grab his shirt to maintain balance and that he pushed her into the bathroom sink, and Allegations 2-3 against the accused are **Sustained**.

Finally, COPA finds that Allegation 4, that Officer Sanchez obstructed ██████ from using her cell phone is **Sustained**. During his statement, Officer Sanchez conceded that he grabbed ██████ hand as she claimed to be calling 911. While he states that he did not believe she had called 911 due to the appearance of the phone, this is contradicted by the screenshot that ██████ provided showing that a call to 911 was placed but cancelled. Moreover, whether she actually called 911 is

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<sup>29</sup> Att. 18, pg. 59, lns 5 to13

<sup>30</sup> Id. pg. 36 lns 4 to11.

<sup>31</sup> Att. 18, pg.60, lns 8 to15.

immaterial, as his conduct clearly obstructed her from doing so. He concedes that he was the aggressor at this time, approaching her in the enclosed bathroom and taking her hand that she was using to hold the phone. These actions would have a large chilling effect on a reasonable person attempting to call 911, and Officer Sanchez should have known that doing so would obstruct her from calling 911. Therefore, Allegation 4 against the accused is **Sustained**.

## VI. RECOMMENDED DISCIPLINE FOR SUSTAINED FINDINGS

### a. PPO Irving Sanchez

### b. Recommended Penalty

These allegations are serious in nature and resulted in visible injury to the complainant. Domestic violence is serious and undermines public trust in the Department. COPA has considered the totality of the circumstances in this case. COPA recommends a suspension of 30-60 days and Anger Management.

Approved:



Sharday Jackson  
Deputy Chief Administrator

January 26, 2024

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Date