



Log # 2022-0004653

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On October 30, 2022, the Civilian Office of Police Accountability (COPA) received an Initiation Report of a complaint regarding Officer ██████████ reporting alleged misconduct by Chicago Police Department (CPD) Officer Cesar Quevedo. ██████████ alleged that on October 30, 2022, Officer Siguenza struck and/or punched ██████████ about the face and/or body and applied pressure to her neck.² Following its investigation, COPA reached **not sustained** findings regarding all allegations.

II. SUMMARY OF EVIDENCE³

In October of 2022, Officers Cesar Siguenza and ██████████ who had known each other for approximately 10 years, had been in a ██████████ for the preceding six months.⁴ On October 29, 2022, the officers attended a wedding. During the early morning hours on October 30, 2022, after the wedding, the officers returned to ██████████ residence and engaged in an altercation. At 3:00 pm that day, ██████████ reported to her assignment, which was the 18th District. Lieutenant Andrew Dakuras reported that at that time, he observed the following injuries on ██████████ an enlarged lip with a cut, a black eye to the left eye socket, swollenness to the left side of her face,⁵ and bruising on the left side of her neck area.⁶

After speaking with ██████████ Lt. Dakuras initiated a log number, and created an Original Case Incident Report (OCIR) keeping ██████████ name and address confidential, and listing the suspect as “unknown.”⁷ The report reflected that ██████████ had been ██████████ an unnamed Chicago Police officer with whom she got into a verbal altercation, after which, the unnamed Officer “struck her repeatedly about the face and body and grabbed [her] around the neck

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

² 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.

³ The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including *[identify the most material and outcome-determinative evidence relied upon, such as BWC footage, ICC footage, third-party video, police reports, civilian interviews, officer interviews, etc.]*.

⁴ Att. 27, pg. 6, lns. 22 to 24.

⁵ Att. 2 and Att. 3.

⁶ Att. 2 and Att. 3.

⁷ Att. 6, pg. 8, lns. 11 to 19; Att. 2, pg. 1.

choking [her].”⁸ It further indicated that the unnamed officer was armed with his duty weapon and left after [REDACTED] began screaming; and that the officer had attacked [REDACTED] on at least two prior occasions. [REDACTED] refused medical attention and requests to be photographed.⁹ She did not want to pursue any action against the officer.¹⁰

After reviewing the OCIR, Commander Hein gave Lt. Dakuras a direct order to name the victim/officer, and instructed Lt. Dakura to give the victim officer a direct order to name the suspect, and to re-do the case report.¹¹ In the new case report, Officer Sigueza was named as the suspect and the narrative added that [REDACTED] denied Officer Sigueza choked her; instead, she said he only “applied pressure” to her neck. It further stated that he did not have his duty weapon during the encounter.¹²

The Bureau of Internal Affairs (BIA) was contacted, and an Evidence Technician (ET) was ordered to take pictures of the injuries. Photographs were taken at 10:50 pm, October 30, 2024, showing only a small cut to [REDACTED] lip. The fat lip, black eye, bruising to the left side of her face or bruising to her neck were not clearly visible.¹³

At 11:15 pm on October 30, 2024, Sergeant Serio Velazquez and Detective Theresa Floyd, from BIA interviewed [REDACTED] stated that after she and Officer Sigueza attended a wedding, they went back to her apartment where Officer Sigueza began to argue with her about her cellphone being placed face down.¹⁴ [REDACTED] asked Officer Sigueza to leave, but he told her to sit down and asked for five minutes of her time. [REDACTED] attempted to get up several times, but Officer Sigueza pushed her back down.¹⁵ As [REDACTED] tried to go into her bedroom, Sigueza struck her about the lip area. [REDACTED] stated that she then started to scream at Officer Sigueza to leave.¹⁶ Officer Sigueza grabbed his things and walked out. [REDACTED] related that Officer Sigueza had never been physical with her before and that he struck her accidentally.¹⁷

After the interview, Sgt. Velazquez provided [REDACTED] with CPD Domestic Violence Advocate contact information. Sgt. Velazquez and Detective Floyd also reported that while [REDACTED] had a small cut to her left side upper lip and a scar on her neck, they did not observe a blackened left eye socket.¹⁸ They further reported that [REDACTED] claimed that the scar to her neck was an old injury from a curling iron.

⁸ Att. 2, pg. 2.

⁹ Att.2, pg. 2.

¹⁰ Att. 6, pg. 8.

¹¹ Att. 3, pg. 2.

¹² Att. 3, pg. 2.

¹³ Att. 10 to 20.

¹⁴ Att. 22.

¹⁵ Att. 22.

¹⁶ Att. 22.

¹⁷ Att. 22, pg. 2.

¹⁸ Att. 22.

██████████ did not participate in COPA's investigation.¹⁹

Officer Siguenza met with COPA to provide a statement on March 21, 2024.²⁰ During Officer Siguenza's statement to COPA, he did not recall a lot of facts regarding the incident due to the amount of time that have passed. According to Officer Siguenza, when he and ██████████ were back at her apartment after the wedding, he went to the bathroom to change his clothing. As he exited the bathroom, he saw ██████████ with his cellphone in her hand, going through it.²¹ Officer Siguenza attempted to snatch the phone from her hand while she was sitting on the couch.²² ██████████ got up and tried to run to her bedroom, but Officer Siguenza grabbed her by the back of her shirt and pulled her back.²³ Both officers fell onto the couch and continued to tussle over the cellphone.²⁴ Officer Siguenza admitted that he had cheated on her and that she saw evidence of his cheating on his cell phone. Officer Siguenza eventually gained control of his cellphone, grabbed his suit, and left ██████████ residence.²⁵ Officer Siguenza noted that he sustained bruising to his arms and face from the incident, but couldn't recall how they happened.²⁶

III. ALLEGATIONS

Officer Ceasar Siguenza:

Striking and/or punching ██████████ about the face and/or body, and/or placing his hands about ██████████ neck and/or applying pressure, and/or restricting her movement.

- Not Sustained

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.

¹⁹ COPA recognizes that ██████████ is a member of the Chicago Police Department and can therefore be compelled to provide a statement to COPA. However, as a general practice, COPA does not compel police officers who are victims of domestic violence or sexual misconduct to provide statements on cases where they are the victims.

²⁰ Att. 25.

²¹ Att. 27, pg. 9, lns. 2 to 5.

²² Att. 27, pg. 9, ln. 8.

²³ Att. 27, pg. 10.

²⁴ Att. 27, pg 9, lns. 9 to 18.

²⁵ Att. 27, pg. 9 lns. 18 to 22.

²⁶ Att. 27, pg. 17, ln. 24 and pg. 18.

The investigation did not reveal evidence that caused COPA to question the credibility of Officer Siguenza. ██████████ did not speak to COPA, so COPA has no information upon which to evaluate the nature of her inconsistent statements to Lt. Dakuras, and BIA personnel.

V. ANALYSIS²⁷

- a. *Allegation: Striking and/or punching ██████████ about the face and/or body, and/or placing his hands about ██████████ neck and/or applying pressure, and/or restricting her movement.*

COPA finds the Allegation against Officer Siguenza – Striking and/or punching ██████████ about the face and/or body, and/or placing his hands about ██████████ neck and/or applying pressure, and/or restricting her movement – is **Not Sustained**.

Without a statement from ██████████ COPA can only consider what third parties report she said to them about the incident. According to Lt. Dakuras, ██████████ told him that Officer Siguenza repeatedly punched her about the face and body, and grabbed her neck and choked her; and later denied that Officer Siguenza choked her and indicated only that he put his hand on her neck and applied pressure. According to Sgt. Velazquez and Detective Floyd, ██████████ told them that Officer Siguenza pushed her to a sitting position several times after trying to get up and struck her lip, but it was accidental.

Officer Siguenza admitted that he pulled the back of ██████████ shirt and they tussled on the couch over the cell phone in her hand. When he got it, he left. He denied that he punched her in the face or body. He said that if his hands touched her face during the tussle, it was not intentional.²⁸

The objective evidence here shows only evidence of a small cut on ██████████ lip which may corroborate different versions of her account to different people – that Officer Siguenza repeatedly struck her face and body and may have choked her and only put his hand on her neck and applied pressure, or that he accidentally struck her lip area, but COPA cannot determine which one. Accordingly, COPA has determined that there is insufficient evidence to support the allegations and the allegation against Officer Siguenza is **Not Sustained**.

Approved:

██████████
Sharday Jackson
Deputy Chief Administrator – Chief Investigator

August 20, 2024

Date

²⁷ For a definition of COPA's findings and standards of proof, see Appendix B.

²⁸ Att. 27, pgs. 14-15.

Appendix A

Case Details

Date/Time/Location of Incident:	October 30, 2022 / 12:30 am / [REDACTED], [REDACTED]
Date/Time of COPA Notification:	October 30, 2022 / 7:19 pm
Involved Member #1:	[REDACTED] Star # [REDACTED], Employee ID # [REDACTED] Date of Appointment: [REDACTED], Unit of Assignment: [REDACTED]
Involved Member #2:	Cesar Siguenza, Employee ID # [REDACTED], Date of Appointment: April 6, 2015, Unit of Assignment: 376, Male, Hispanic
Involved Member #3:	Andrew Dakuras, Star #246, Employee ID # [REDACTED], Date of Appointment: January 3, 1995, Unit of Assignment: 018, Male, Hispanic

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

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.²⁹ 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.”³⁰

²⁹ 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).

³⁰ *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