



Sustained De-escalation and Professionalism

Officers, including the Named Employee (NE), responded to a report of threats at a residence where the subject was likely in crisis. Upon arriving, the NE told the subject: "Come on down. Come on down. You come down here now or I'm going to drag you down...your choice, I don't give a shit. We can do this the easy way or hard way, come down here now. Alright, I'll come up and get you, that's cool." After two minutes, the NE grabbed the subject and ordered him to come towards him. The subject told the NE to stop, relax, and that he would come down on his own. The NE grabbed the subject again and said: "Step over the railing. I'm going to count to three. If you don't step over this railing, I'm going to throw you over the railing." Shortly thereafter, the NE began to pull the subject over the railing. By then other officers had arrived. They secured and handcuffed the subject without incident.

Both a witness officer and the NE's supervisor told OPA they believed the NE's behavior was unprofessional and he failed to sufficiently de-escalate the situation. [OPA ultimately agreed](#). Specifically, OPA found that the NE's threat to throw the subject over the balcony while grabbing and directing profanity at him were inconsistent with policy. Regarding de-escalation, OPA found that the NE:

- 1) Failed to use time, distance, and shielding to decrease the need to use force.
- 2) Failed to apply the principles of LEED; instead, he threatened violence and used profanity.
- 3) Did not have exigency that necessitated force, as the subject was neither armed nor violent.
- 4) Failed to apply CIT resources or consider whether mental illness influenced the lack of compliance.

Update on Civilianization at OPA

The [2017 Police Accountability Ordinance](#) mandated that OPA civilianize its investigations supervisor positions, which included two lieutenants and a captain. Those SPD personnel were required to transfer out of OPA by May 31, 2019.

Since then, Mark Grba joined OPA's [leadership team](#) as Deputy Director of Investigations. Mark, who has an extensive background in investigations, including experience at Chicago's Civilian Office of Police Accountability, is responsible for many of the former captain's duties. In the meantime, we hired an Investigations Supervisor, which is a civilian replacement for the lieutenant position. Gráinne Perkins, who starts today, is an academic who also spent 15 years as

a police officer in Ireland. Finally, we have an Investigations Advisor starting in early October who will be assisting with legal research and writing.

OPA currently has 25 employees, 10 of whom are sergeants conducting administrative investigations. We are one of the first law enforcement oversight entities in the United States with a civilian leadership team working alongside sworn investigators.

Force at Demonstration and Cross-Gender Search

OPA's investigation in this case revealed that complainants were among demonstrators who were blocking a public street despite multiple dispersal orders. A supervisor gave the order to take both complainants into custody due to noncompliance. The supervisor grabbed the female complainant and tried to pull her backwards over the bicycle line; however, the male complainant held on to her. As a result, both fell backwards with the supervisor. While on the ground, other officers placed the complainants into custody. OPA concluded that the officers attempted de-escalation by providing multiple dispersal orders. Further de-escalation was no longer safe or feasible given the potential dangers presented by the large crowd. OPA similarly concluded that the force was consistent with policy considering the complainants' physical resistance and continued failure to comply with lawful orders.

OPA also evaluated the female complainant's allegation that a male officer improperly searched her at the scene instead of waiting for a female officer. OPA determined that a cross-gender search was likely inappropriate here, but acknowledged that policy is too restrictive and should be changed. Accordingly, OPA recommended that the Department revise the policy to include an exception from the prohibition on cross-gender searches when no officer that shares the arrestee's gender can respond to the scene within a reasonable amount of time or where it is otherwise unreasonable under the circumstances. OPA further recommended that, in those cases, officers should be permitted to search the arrestee incident to arrest, regardless of whether there is a reasonable likelihood that the arrestee is armed or possesses evidence that could immediately be destroyed, lost, or could lose its evidentiary value.

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