



Administrative Summary Report

Log No: 2019-0000818

This ASR provides crucial information to reporting parties, accused members and accused members' supervisors. The information contained herein is intended to display Department member's accountability and foster the relationship with members of the public by ensuring legitimacy and community confidence. The following are definitions of recommended findings:

- **Sustained** - where it is determined that the allegation is supported by the evidence;
- **Not Sustained** - where it is determined that there is insufficient evidence to prove the allegations;
- **Unfounded** - where it is determined by that an allegation is false or not factual; or
- **Exonerated** - where it is determined that the conduct described in the allegation occurred, but it is lawful and proper.

INCIDENT DESCRIPTION

The reporting party stated she and her fiancé were involved in a physical altercation with several subjects. The reporting party stated she saw a police officer in the area, and advised the officer of the situation. The reporting party alleges that the accused officers refused to take a report for her, and refused to arrest the individuals who battered her and her fiancé stating, "if the boys jumped on your fiancé, what would they do to us?"

LOCATION OF OCCURRENCE: 47█ S PRAIRIE AVE , District 002

DATE & TIME OF INCIDENT: 15 Apr 2019, 16:30

NARRATIVE SUMMARY:

The Investigator gathered available evidence as listed. Based on their respective findings, this log number investigation has been concluded with the recommendations listed. Evidence was evaluated and considered by the investigator to reach their findings.

- A sworn affidavit was obtained.
- Body Worn Camera video was available and reviewed.
- In Car Camera video available and reviewed.
- Police Observational Device (POD) video was available and reviewed.
- PCAD records, which document a unit's 911 dispatch history, were identified and reviewed.
- GPS Location history of involved units was analyzed during the investigation.
- Other digital evidence not produced by CPD (e.g. private video), was gathered and used during the investigation.
- Various CPD reports or other documents related to this incident were available and analyzed.
- Witness(es) were identified and interviewed.
- The Complainant or Reporting Party cooperated in the investigation and provided information.
- The accused party or parties were interviewed.
- Other forensic evidence was collected and analyzed.
- Other evidence relevant to this particular investigation was used to reach the findings for one or more of the allegations made.
- The accused member's complimentary and disciplinary history were taken into consideration when determining the appropriate discipline for sustained allegations.

*(Listed above are items for which the investigator has indicated as having been obtained and relevant to the investigation. This list is not inclusive of all items. For item list, please see Placeholder narrative text box below for more information.)

INVESTIGATIVE CONCLUSION:



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Accused: NIYELL POWELL
Rank: POLICE OFFICER
Star Number: 13594

RECOMMENDED PENALTY: 600 - NO ACTION TAKEN / NOT SUSTAINED / EXONERATED / UNFOUNDED

Allegations

1 - Exonerated - Operation/Personnel Violations/Inadequate/Failure to Provide Service

Allegation: It is alleged by Reporting Sergeant Ricardo MATA, Star 1903, that on 15 April 2019, at approximately 1600 hours, in the area of 3█ E. 47th St. Chicago Illinois, the accused PO Niyell E. POWELL, Star 13594, Employee Number █, Unit 002 failed to conduct a thorough and accurate investigation after POWELL was observed on video responding to an on-view disturbance where █ and █ were battered by unknown offenders reported under JC-225860.

Rule Violation: Violation Rule 3 – Any failure to promote the Department's efforts to implement its policy or accomplish its goals. - It has been determined that on 15 April 2019 at approximately 1600 hours at 3█ E. 47th St., the accused P.O. Niyell POWELL, Star 13594, Employee Number █, Unit 002, violated Department Directives G04-01 and G03-01-01 in that POWELL failed to conduct a thorough and accurate investigation after POWELL was observed on video responding to an on-view disturbance where █ and █ were battered by unknown offenders reported under JC-225860. [1 count(s)]

Rule Violation: Violation Rule 5 – Failure to perform any duty. - It has been determined that on 15 April 2019 at approximately 1600 hours at 3█ E. 47th St., the accused P.O. Niyell POWELL, Star 13594, Employee Number █, Unit 002, violated Department Directives G04-01 and G03-01-01 in that POWELL failed to conduct a thorough and accurate investigation after POWELL was observed on video responding to an on-view disturbance where █ and █ were battered by unknown offenders reported under JC-225860. [1 count(s)]

Rule Violation: Violation Rule 6 – Disobedience of an order or directive, whether written or oral. - It has been determined that on 15 April 2019 at approximately 1600 hours at 3█ E. 47th St., the accused P.O. Niyell POWELL, Star 13594, Employee Number █, Unit 002, violated Department Directive G04-01 in that POWELL failed to conduct a thorough and accurate investigation after POWELL was observed on video responding to an on-view disturbance where █ and █ were battered by unknown offenders reported under JC-225860. [2 count(s)]



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Rule Violation: Violation Rule 6 – Disobedience of an order or directive, whether written or oral. - It has been determined that on 15 April 2019 at approximately 1600 hours at 3 [REDACTED] E. 47th St., the accused P.O. Niyell POWELL, Star 13594, Employee Number [REDACTED], Unit 002, violated Department Directive G03-01-01 in that POWELL failed to conduct a thorough and accurate investigation after POWELL was observed on video responding to an on-view disturbance where [REDACTED] and [REDACTED] were battered by unknown offenders reported under JC-225860. [2 count(s)]

Rule Violation: Violation Rule 10 – Inattention to duty. - It has been determined that on 15 April 2019 at approximately 1600 hours at 3 [REDACTED] E. 47th St., the accused P.O. Niyell POWELL, Star 13594, Employee Number [REDACTED] Unit 002, violated Department Directives G04-01 and G03-01-01 in that POWELL failed to conduct a thorough and accurate investigation after POWELL was observed on video responding to an on-view disturbance where [REDACTED] and [REDACTED] were battered by unknown offenders reported under JC-225860. [1 count(s)]

2 - Exonerated - Operation/Personnel Violations/Inadequate/Failure to Provide Service

Allegation: It is alleged by Reporting Sergeant Ricardo MATA, Star 1903, that on 15 April 2019, at approximately 1600 hours, in the area of 3 [REDACTED] E. 47th St. Chicago Illinois, the accused PO Niyell E. POWELL, Star 13594, Employee Number [REDACTED], Unit 002 failed to complete and submit the necessary reports after POWELL was observed on video responding to an on-view disturbance where [REDACTED] and [REDACTED] were battered by unknown offenders reported under JC-225860.

Rule Violation: Violation Rule 3 – Any failure to promote the Department's efforts to implement its policy or accomplish its goals. - It has been determined that on 15 April 2019 at approximately 1600 hours at 3 [REDACTED] E. 47th St., the accused P.O. Niyell POWELL, Star 13594, Employee Number [REDACTED], Unit 002, violated Department Directives G04-01, S09-05-01 and G03-01-01 in that POWELL failed to complete the proper case report as required conduct a thorough and accurate investigation after POWELL was observed on video responding to an on-view disturbance where [REDACTED] and [REDACTED] were battered by unknown offenders reported under JC-225860. [1 count(s)]

Rule Violation: Violation Rule 5 – Failure to perform any duty. - It has been determined that on 15 April 2019 at approximately 1600 hours at 3 [REDACTED] E. 47th St., the accused P.O. Niyell POWELL, Star 13594, Employee Number [REDACTED] Unit 002, violated Department Directives G04-01, S09-05-01 and G03-01-01 in that POWELL failed to complete the proper case report as required conduct a thorough and accurate investigation after POWELL was observed on video responding to an on-view disturbance where [REDACTED] and [REDACTED] were battered by unknown offenders reported under JC-225860. [1 count(s)]



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3 - Exonerated - Operation/Personnel Violations/Inadequate/Failure to Provide Service

Allegation: It is alleged by Reporting Sergeant Ricardo MATA, Star 1903, that on 15 April 2019, at approximately 1600 hours, in the area of 3 ■ E. 47th St. Chicago Illinois, the accused PO Niyell E. POWELL, Star 13594, Employee Number ■, Unit 002 failed to immediately request appropriate medical aid for ■ after POWELL was observed on video responding to an on-view disturbance where ■ suffered a blow to the head causing him to fall to the ground sustaining a laceration to his left eye reported under JC-225860.



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