



## Administrative Summary Report

Log No: 2019-0002286

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 alleges that the accused officer failed to properly inventory or return his cellular phone.(Galaxy Note #9)

**LOCATION OF OCCURRENCE:** 18■ E 79TH ST , District 004

**DATE & TIME OF INCIDENT:** 24 May 2019, 20:00

### 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.
- 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.
- 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:

Based on the statements of the involved parties and the gathered evidence in this log investigation, the undersigned finds that the following allegation(s) are SUSTAINED. Based on the SUSTAINED finding(s) and after taking into consideration the accused member's complimentary and disciplinary histories, the undersigned recommends that the following action be taken:



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**Accused:** KYLE ESCALONA  
**Rank:** POLICE OFFICER  
**Star Number:** 9171

**RECOMMENDED PENALTY:** 000 - VIOLATION NOTED

### Allegations

#### 1 - Sustained - Arrest/Lockup Incidents/Prisoner's Property/Property/Failed to Inventory

**Allegation:** It is alleged by [REDACTED] that on 24 May 2019 at 08:00 hours at the location of 18██ E. 79th St, the accused officers failed to properly inventory and return his Galaxy note 9 cellphone.

**Rule Violation:** 40 - FAILURE TO INVENTORY AND PROCESS RECOVERED PROPERTY - The accused officer violated rule 40 "Failure to inventory and process recovered property in conformance with department special order S07-01-01 section III (A-B) "Arresting officers will inventory in E-Track all personal property in possession of the arrestee. Property will be inventoried in E-Track selecting type personal property and the processing action of pursuant to notice of inventory return policy. [1 count(s)]

**Accused:** JAMES GRAYS  
**Rank:** POLICE OFFICER  
**Star Number:** 6836

**RECOMMENDED PENALTY:** 000 - VIOLATION NOTED

### Allegations

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