



## Administrative Summary Report

Log No: 2019-0005005

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

Reporting party was dropped off by her grandmother at the dental office for a surgery on her wisdom tooth. She was seated in the waiting room when the dental assistant called her up to verify she was there for an appointment. Standing beside her, he said, "What up, China?" He then physically touched her and rubbed her shoulders. He walked her back into an exam room, sat her down in the examination chair, then went and got her file and x-rays. He began to explain the procedure to her, showing her an x-ray. He then rubbed her shoulder again and rubbed her breast twice. He then reclined her chair and rubbed her inner thigh. He left and then returned. He rubbed her thigh and then reached toward her vagina. He proceeded to continue explaining things to her and then grabbed her hand. Reporting party then went into the restroom and called her grandmother. Her grandmother then came back to the office and together they called the police. She pointed the dental assistant out to her grandmother and her grandmother told him he should only be touching her mouth. Together they then called the police. The police came and gave her a police report, but did not arrest the dental assistant. Reporting party alleges the police report is insufficient, the person who assaulted her should have been arrested and her case was never properly investigated or assigned to a detective.

**LOCATION OF OCCURRENCE:** Business, 51 ■ S CICERO AVE , District 008

**DATE & TIME OF INCIDENT:** 07 Dec 2019, 13:00

### 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.
- PCAD records, which document a unit's 911 dispatch history, were identified and reviewed.
- Various CPD reports or other documents related to this incident were available and analyzed.
- The Complainant or Reporting Party cooperated in the investigation and provided information.
- The accused party or parties were interviewed..
- Other evidence relevant to this particular investigation was used to reach the findings for one or more of the allegations made.



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\*(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:

**Accused:** JAMES FOLEY  
**Rank:** POLICE OFFICER  
**Star Number:** 10613

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

#### Allegations

##### **2 - Not Sustained - Operation/Personnel Violations/Inadequate/Failure to Provide Service**

**Allegation:** It is alleged that on December 07, 2019 at approximately 1:30 p.m. at 51 S. Cicero Ave Chicago, Illinois, the accused Officer failed to arrest the Offender who assaulted the Complainant.

##### **1 - Not Sustained - Operation/Personnel Violations/Inadequate/Failure to Provide Service**

**Allegation:** It is alleged that on December 07, 2019 at approximately 1:30 p.m. at 51 S. Cicero, Ave., Chicago, Illinois, the Complainant alleged the accused officer failed to properly investigate her complaint by not filling out the case report correctly (listing her allegations against offender).