



## Administrative Summary Report

Log No: 2020-0005144

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

OIG Consent Decree Notification: At Diversey and Clark Street at 12:20pm on 11/10/2020 I witnessed a police officer in a van numbered 6833 not wearing a mask on a busy sidewalk in front of the former Walgreens

**LOCATION OF OCCURRENCE:** 28███ N CLARK ST , District 019

**DATE & TIME OF INCIDENT:** 10 Nov 2020, 12:20

### 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.
- 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.

\*(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:** MARTIN PHILBIN  
**Rank:** POLICE OFFICER  
**Star Number:** 4211

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

### Allegations

#### 1 - Not Sustained - Operation/Personnel Violations/Conduct Unbecoming

**Allegation:** It is alleged that on 10 November 2020 at/about 1220 Hrs, the ACCUSED officer was near the area of Diversey Pkwy and Clark St and was observed walking on the sidewalk without a mask. The complainant described the ACCUSED officer as; Male, White, Tall, and Gray Hair. The ACCUSED was seen exiting a marked police vehicle #6833