



Log # 2021-4611

## FINAL SUMMARY REPORT<sup>1</sup>

### I. EXECUTIVE SUMMARY

On November 17, 2021, the Civilian Office of Police Accountability (COPA) received an Initiation Report from the Chicago Police Department (CPD) 011<sup>th</sup> District alleging misconduct by a CPD member. ██████████ (██████████) alleged that on November 16, 2021, Officer Chavez Siler (Siler) used excessive force by choking ██████████ grabbing ██████████ without justification, pushing ██████████ without justification, stating words to the effect of, “Stop playing with me or I will change your life,” violating his 4<sup>th</sup> Amendment rights, and pointing a firearm at him. Upon review of the evidence, COPA served additional allegations that Officer Siler was in possession of a firearm while under duty restriction, failed to notify CPD that he had been involved in a physical altercation while off-duty, involved in a physical altercation with ██████████ without justification, involved in a verbal altercation with ██████████ and several unidentified individuals without justification, gave his firearm to ██████████ was aggressive after being separated from ██████████ failed to make notification that he was under investigation by a lawful investigatory entity,<sup>2</sup> failed to utilize a CPD prescribed holster, and failed to use de-escalation techniques during his interaction with ██████████ and several unidentified individuals without justification.

COPA later served additional allegations that Officer Siler failed to complete a Tactical Response Report (TRR) regarding his physical contact with ██████████ and made a false, incomplete, inaccurate, and/or misleading statement in an Original Case Incident Report, to COPA, and that he reported the incident on the date of the incident. Following its investigation, COPA reached Sustained findings regarding Officer Siler grabbing and pushing ██████████ without justification, being inattentive to duty by being in possession of a firearm, failing to make notification that he had been involved in a physical altercation while off-duty, being involved in a physical altercation with ██████████ without justification, being aggressive after being separated from ██████████ failing to make notification that he was under investigation by a lawful investigatory entity, failing to utilize a Department prescribed holster, and making a false, incomplete, inaccurate, and/or misleading statement in the Original Case Incident Report and that he reported the incident to the Chicago Police Department on the day of the incident.

---

<sup>1</sup> Appendix A includes case identifiers such as the date, time, and location of the incident, the involved parties and their demographics, and the applicable rules and policies.

<sup>2</sup> Att. 26, Investigation completed by Chicago Public Schools, Office of Student Protection, resulted in a substantiated finding.



to re-holster it, he can strike me.”<sup>12</sup> Officer Siler stated that other students made threats after he was separated from ██████. As several people attempted to separate ██████ and Officer Siler, Officer Siler made several attempts to approach ██████ again. Officer Siler stated that the other students eventually backed off after they were threatened with arrest.<sup>13</sup>

██████ did not sustain any injuries during this incident. Officer Siler stated that he had minor bruising under his eye. Officer Siler told COPA that he filed a police report with Officer Ray Howard at the 11<sup>th</sup> District police station on the same date as the incident.<sup>14</sup> COPA interviewed Officer Howard, who could not specifically recall the details of his conversation with Officer Siler. Officer Howard informed COPA that the date on the police report was the date the report was completed.<sup>15</sup> The Original Case Incident Report<sup>16</sup> filed by Officer Siler was dated November 17, 2021, a day after the incident occurred.

Officer Siler added that on November 17, 2021, Lieutenant (Lt.) Jermaine Harris<sup>17</sup> telephoned him and asked what had occurred at the location of incident on November 16, 2021. Officer Siler reported that Lt. Harris also instructed Officer Siler to speak with someone and file a report.<sup>18</sup> During his statement to COPA, Lt. Harris stated that he recalled having a conversation about the incident.<sup>19</sup> However, Lt. Harris could not recall the date and time that he spoke with Officer Siler, nor the exact content of the conversation.<sup>20</sup>

██████ was not arrested as a result of this incident.<sup>21</sup> On August 18, 2022, the CPS Office of Student Protections and Title IX completed an Investigative Report<sup>22</sup> documenting that there was sufficient evidence to support the allegation that Officer Siler grabbed ██████ and pushed him up against the wall, with a gun falling from Officer Siler's holster during the incident. The investigation was closed and classified as Substantiated. Officer Siler was arrested for this incident on December 8, 2022, and charged with Aggravated Battery/Public Place, Aggravated Unlawful Use of Weapon/Loaded-No FCCA-FOID, and Official Misconduct/Forbidden Act.<sup>23</sup> Charges against Officer Siler were dismissed on June 14, 2024.<sup>24</sup> ██████ filed a civil lawsuit against Officer Siler, the City of Chicago, and the Chicago Board of Education on November 15, 2022. The City of Chicago was dismissed as a defendant on July 15, 2024.<sup>25</sup> The remainder of ██████ case was dismissed on April 10, 2025.<sup>26</sup>

<sup>12</sup> Att. 39, pg. 60, lns. 19 to 21.

<sup>13</sup> Att. 6, 0:35 – 1:00.

<sup>14</sup> Att. 39, pg. 15, lns. 2 to 4; Att. 50, Officer Siler 2<sup>nd</sup> Statement Transcribed, pg. 11, ln. 8 to pg. 12, ln. 9.

<sup>15</sup> Att. 49, Officer Howard's Transcribed Statement, pg. 7, lns. 15-19.

<sup>16</sup> Att. 37.

<sup>17</sup> Lieutenant Jermaine Harris was a sergeant on the date and time of the incident. He was promoted to Lieutenant December 2022.

<sup>18</sup> Att. 39, pg. 31, lns. 6 to 10; Att. 50, lns. 13 to 21.

<sup>19</sup> Att. 46, Lt. Harris' Transcribed Statement.

<sup>20</sup> Att. 46, pg. 14, lns. 9 to 24 and pg. 15. Lns. 1 to 16.

<sup>21</sup> Officer Siler was stripped of his police powers regarding the incident on November 19, 2021, Att. 10.

<sup>22</sup> Att. 26.

<sup>23</sup> Att. 27, Officer Siler's Arrest Report.

<sup>24</sup> Att. 60, Court Document.

<sup>25</sup> Att. 61, Order Dismissing Case.

<sup>26</sup> Att. 62, Docket Report ██████ vs. City of Chicago.

### III. ALLEGATIONS

#### **Officer Chavez Siler Sr.:**

1. Grabbing [REDACTED] without justification.
  - Sustained, Violation of Rules 2, 8, and 9.
2. Pushing [REDACTED] without justification.
  - Sustained, Violation of Rules 2, 8, and 9.
3. Choking [REDACTED] without justification.
  - Not Sustained
4. Pointing a firearm in the direction of [REDACTED] without justification.
  - Not Sustained
5. Stating words to the effect of, "Stop playing with me or I'll change your life."
  - Not Sustained.
6. Violating [REDACTED] 4<sup>th</sup> Amendment rights.
  - Not Sustained
7. Being inattentive to duty in that he was in possession of a firearm.
  - Sustained, Violation of Rules 2, 5, 6, 10, 21, and 22.
8. Failing to make notification that he had been involved in a physical altercation while off-duty.
  - Sustained, Violation of Rules 2, 5, 6, 10, 21, 22, and 23.
9. Being involved in a physical altercation with [REDACTED] without justification.
  - Sustained, Violation of Rules 2, 8, and 9.
10. Being involved in a verbal altercation with [REDACTED] without justification.
  - Not Sustained
11. Being involved in a verbal altercation with several unidentified individuals without justification.
  - Not Sustained.
12. Giving his firearm to [REDACTED] (Non-Department member).
  - Not Sustained
13. Being aggressive after being separated from [REDACTED]
  - Sustained, Violation of Rules 2, 8, and 9.
14. Failing to make notification that he was under investigation by a lawful investigatory entity.
  - Sustained, Violation of Rules 2, 5, 6, and 10.
15. Failing to utilize a Department prescribed holster.
  - Sustained, Violation of Rules 2, 5, 6, and 10.
16. Failing to utilize de-escalation techniques during his interaction with [REDACTED]
  - Not Sustained.
17. Failing to utilize de-escalation techniques during his interaction with several unidentified individuals without justification.
  - Not Sustained.
18. Making a false, incomplete, inaccurate, and/or misleading statement in the Original Case Incident Report (RD #JE448219) by failing to report that he had possession of a firearm during the incident on November 16, 2021.

- Sustained, Violation of Rule 2, 5, and 10.
- 19. Failing to complete a Tactical Response Report (TRR) regarding your contact with Sherrod ██████ during the incident on November 16, 2021.
  - Not Sustained.
- 20. Making a false, incomplete, inaccurate, and/or misleading statement to COPA that he reported the November 16, 2021, incident to the Chicago Police Department on the day of the incident.
  - Sustained, Violation of Rules 2, 5, and 10.
- 21. Making a false, incomplete, inaccurate, and/or misleading statement to COPA that he had “Never been in trouble with the Department.”
  - Not Sustained.

#### **IV. CREDIBILITY ASSESSMENT**

The credibility of an individual relies primarily on two factors: 1) the individual’s truthfulness and 2) the reliability of the individual’s account. The first factor addresses the honesty of the individual making the statement, while the second factor speaks to their ability to accurately perceive the event at the time of the incident and then accurately recall the event from memory.

Based on the inconsistencies in Officer Siler's statements regarding the totality of the incident, he lacks credibility. When presented with the Original Case Incident Report, filed on November 17, 2021, Officer Siler contended that he filed it on November 16, 2021, and faulted the reporting officer, Officer Howard, for untimeliness. Additionally, Officer Siler did not take accountability for having his service weapon on his person while he was off-duty and stripped of his police powers. In his statement to COPA, Officer Siler stated that he felt ██████ reached for and make contact with his firearm.<sup>27</sup> However, Officer Siler failed to provide this pertinent information to CPS, in the Original Case Incident Report he filed, and to CPD immediately after the incident occurred.

Most of what ██████ told COPA was corroborated by third-party video and documented evidence obtained from CPS, making his account more credible. COPA could not corroborate certain parts of ██████ claims, but COPA does not attribute that to any lack of truthfulness by ██████. In addition, ██████ admitted he may have punched Officer Siler during the interaction, making his statement more credible.<sup>28</sup> This investigation did not reveal any evidence that caused COPA to question the credibility of any of the witnesses who provided statements.

#### **V. ANALYSIS<sup>29</sup>**

##### **Allegations 1, 2, and 9: Pushed and grabbed ██████ and was involved in a physical altercation**

---

<sup>27</sup> Att. 39, pg. 38, ln. 24, Pg. 39 lns. 1 to 16.

<sup>28</sup> Att. 51, pg. 22, lns. 2-13.

<sup>29</sup> For a definition of COPA’s findings and standards of proof, *see* Appendix B.

COPA finds that Allegations #1, 2, and 9 against Officer Siler, that he grabbed and pushed ██████████ and was involved in a physical altercation with ██████████ all without justification, are **Sustained**. During his interview with COPA, ██████████ related that Officer Siler informed him, ██████████ and ██████████ that they had to exit a different door to obtain their food delivery. ██████████ walked away from Officer Siler and towards the proper exit door. Evidence establishes that Officer Siler followed the group of students after they had walked off, which led him to be involved in a physical altercation with ██████████<sup>30</sup>

During his interview with COPA, Officer Siler claimed that ██████████ threatened him with bodily harm. ██████████ related that he heard ██████████ state words to the effect of, “I’ll treat you as if I’m a grown man.”<sup>31</sup> However, this is likely ██████████ response to Officer Siler after Officer Siler stated, “You think you a man,” before proceeding to grab ██████████<sup>32</sup> ██████████ could not recall what Officer Siler stated, if anything. ██████████ denied threatening Officer Siler. Even if ██████████ threatened Officer Siler, Officer Siler’s use of force was not objectively reasonable under the circumstances. Illinois law provides that “[a] person is justified in the use of force when and to the extent that he reasonably believes that such conduct is necessary to defend himself or another against the imminent use of unlawful force...”<sup>33</sup> For a claim of self-defense to be proper, the person claiming self-defense must establish some evidence of each of the following elements:

- (1) force is threatened against a person; (2) the person threatened is not the aggressor; (3) the danger of harm was imminent; (4) the threatened force was unlawful; (5) he actually and subjectively believed a danger existed which required the use of the force applied; and (6) his beliefs were objectively reasonable.

If the person claiming self-defense “responds to a confrontation with such excessive force that they are no longer acting in self-defense but in retaliation, the excessive use of force renders the defendant the aggressor, even if the other person involved actually commenced the confrontation...”<sup>34</sup>

The evidence does not support a reasonable belief that ██████████ presented an imminent threat to Officer Siler during the interaction. ██████████ was unarmed and of a slender build compared to Officer Siler.<sup>35</sup> Further, Officer Siler’s response of forcefully grabbing and pushing ██████████ was excessive based on Officer Siler’s statement that ██████████ flailed his arm when Officer Siler initially touched him.<sup>36</sup>

<sup>30</sup> Att. 17, 3:12:35 – 3:13:30; Att. 26., pg. 25; Att. 6, 0:00 – 0:35.

<sup>31</sup> Att. 52, pg. 7, lns. 2 to 3.

<sup>32</sup> Att. 51, pg. 14, ln 9-11; Att. 51, Witness ██████████ Transcribed Interview, pg.7, lns 1-12, ██████████ stated that he heard ██████████ state words to the effect of, “I’ll treat you as if I’m a grown man.”

<sup>33</sup> [People v. Scott, 2025 IL App \(1st\) 231145-U, ¶ 50.](#)

<sup>34</sup> [People v. Guja, 2016 IL App \(1st\) 140046, ¶ 1, 402 Ill. Dec. 218, 221, 51 N.E.3d 970, 973.](#)

<sup>35</sup> Att. 6.

<sup>36</sup> It is also arguable that Officer Siler’s initial touching of ██████████ was not justified and escalated the encounter. Officer Siler touched ██████████ as he was moving toward the exit Officer Siler directed him to use. ██████████ may have been vocalizing his displeasure with Officer Siler but there is no evidence ██████████ was not otherwise complying with Officer Siler’s direction.

For these reasons, COPA finds that Allegations 1, 2, and 9 that Officer Siler pushed and grabbed ██████ without justification are Sustained, in Violation of Rules 2, 8, and 9.

### **Allegations 3, 4, and 5: Choking, firearm pointing, and conduct unbecoming**

COPA finds that Allegations #3, 4, and 5 against Officer Siler, that he choked ██████ and pointed a firearm in the direction of ██████ without justification, and stated words to the effect of, "Stop playing with me or I'll change your life," are **Not Sustained**. The available video evidence did not clearly depict Officer Siler committing the alleged acts, and Officer Siler denied committing the allegations. COPA acknowledges that video evidence does show Officer Siler's hand near ██████ neck or throat area, but it appeared that Officer Siler was holding on to ██████ clothing in an attempt to control him, not in an attempt to choke him. Officer Siler did appear to have his forearm on ██████ upper chest area, but again, it appeared that Officer Siler was attempting to pin ██████ against the wall and not intending to choke him. In addition, it is likely that ██████ perceived Officer Siler pointing his weapon at him as he picked it up from the ground. However, the video evidence suggests that the pointing was likely incidental to Officer Siler's action of picking up the gun. For these reasons, COPA finds there is insufficient evidence to corroborate or refute these allegations, and therefore the allegations are Not Sustained.

### **Allegation 6: Violating ██████ 4<sup>th</sup> Amendment rights**

COPA finds that Allegation #6 against Officer Siler, that he violated ██████ 4<sup>th</sup> Amendment rights, is **Not Sustained**. The Fourth Amendment of the U.S. Constitution protects against unreasonable searches and seizures.<sup>37</sup> Off-duty police officers may be liable for 4<sup>th</sup> amendment violations where they act under color of law. Determining whether an officer acted under color of law depends on the acts the officer performed, rather than when the officer was actively assigned to the performance of police duties.<sup>38</sup> There is "no bright line that distinguishes a police officer's personal pursuits from actions taken under color of state law," and courts in the Seventh Circuit have emphasized "the necessity of a rigorous fact-bound inquiry."<sup>39</sup> Courts consider several factors in determining whether an officer was acting under the color of law, including whether the person is wearing a gun or a badge, identified themselves as a police officer, or was engaged in a police activity.<sup>40</sup>

In this case, Officer Siler was not in his uniform. ██████ claimed that Officer Siler wore a CPD badge clipped to his waist during the incident. However, the video evidence does not corroborate this claim as Officer Siler's CPD badge had been confiscated before the incident occurred.<sup>41</sup> He did possess a gun, but did so in violation of his duty restrictions with the CPD. Officer Siler was generally known to be a police officer at the school, but did not identify himself as a CPD member during the incident. Further, Officer Siler indicated the students were threatened with arrest, but it does not appear Officer Siler attempted to arrest them himself. For these reasons,

<sup>37</sup> U.S. Const. amend. IV (emphasis added).

<sup>38</sup> *Pickrel v. City of Springfield*, 45 F.3d 1115, 1118 (7th Cir. 1995).

<sup>39</sup> *DiDonato v. Panatera*, 24 F.4th 1156, 1160 (7th Cir. 2022); [Maynard v. City of Chicago](#), 755 F. Supp. 3d 1067, 1071 (N.D. Ill. 2024).

<sup>40</sup> See *Latuszkin v. City of Chicago*, 250 F.3d 502, 506 (7th Cir. 2001).

<sup>41</sup> Att. 22 at 6:00 to 6:14.

COPA finds Officer Siler was not acting under color of law.<sup>42</sup> Officer Siler cannot be liable for a 4<sup>th</sup> Amendment violation as a private citizen. Based on the available evidence, this allegation is Not Sustained.

#### **Allegation #7: Possession of a firearm**

COPA finds that Allegation #7 against Officer Siler, that he was inattentive to duty in that he was in possession of a firearm, is **Sustained**. On the date and time of the incident, Officer Siler had duty restrictions due to an unrelated CPD investigation, which took effect on July 6, 2021.<sup>43</sup> Officer Siler was clearly ordered not to carry a firearm or any other weapon. Being in possession of his firearm on the date and time of the incident clearly violated his duty restrictions due to the unambiguous terms of the Certification of Duty Restrictions that he acknowledged. For these reasons, COPA finds this allegation is Sustained, in Violation of Rules 2, 5, 6, 10, 21, and 22.

#### **Allegation 8: Failing to notify CPD of a physical altercation while off-duty**

COPA finds that Allegation #8 against Officer Siler, that he failed to make notification that he had been involved in a physical altercation while off-duty, is **Sustained**. After the incident, Officer Siler failed to notify CPD that he had been involved in a physical altercation while off-duty. CPD members have an affirmative duty to report violations of law or CPD rules or policy or other misconduct to a supervisor.<sup>44</sup> Officer Siler appears to have subjectively believed he engaged in misconduct during this incident, despite being in possession of his firearm while he was relieved of his police powers.

Furthermore, Officer Siler stated that Lt. Harris directed him to talk to someone and file a report. Officer Siler filed an Original Case Incident Report, but still failed to report the incident to a superior. For these reasons, COPA finds that Allegation #8 that Officer Siler failed to make notification that he had been involved in a physical altercation while off-duty is Sustained, in Violation of Rules 2, 5, 6, 10, 21, 22, and 23.

#### **Allegation 10: Verbal altercation with ██████████**

COPA finds that Allegation #10 against Officer Siler, that he was involved in a verbal altercation with ██████████ without justification, is **Not Sustained**. ██████████ alleged that Officer Siler raised his voice and yelled, “You are not a grown man.” However, ██████████ was unable to recall the exact wording of the exchange and confirmed that no threats of violence were made by either party. Officer Siler denied engaging in a verbal altercation with ██████████. Due to insufficient evidence to determine what was said or whether the interaction rose to the level of misconduct,

---

<sup>42</sup> Notably, the City of Chicago was dismissed as a defendant in ██████████ lawsuit. The City argued Officer Siler was not acting in his capacity as a CPD member during the incident. Att. 62.

<sup>43</sup> Att. 28, Relief of Police Powers CR 1084433.

<sup>44</sup> G08-01. IV.D.2.; see also Att. 65, Rules of Conduct, CPD Rule 21 (“Failure to report promptly to the Department any information concerning any crime or other unlawful action.”) and CPD Rule 22 (“Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.”)

the allegation could not be proven or disproven. Therefore, COPA finds this allegation Not Sustained.

**Allegations 11 and 17: Verbal altercation and failure to use de-escalation technique with unknown people**

COPA finds that Allegations #11 & 17 against Officer Siler, that he was involved in a verbal altercation and failed to utilize de-escalation techniques during his interaction with several unidentified individuals, all without justification, are **Not Sustained**. [REDACTED] and [REDACTED] did not cooperate with COPA's investigation, and Officer Siler denied the allegations made against him. Due to insufficient evidence to determine what was said or done, or whether the interaction rose to the level of misconduct, the allegations could not be proven or disproven. Therefore, COPA finds the allegations are Not Sustained.

**Allegation 12: Officer Siler handed his firearm to [REDACTED]**

COPA finds that Allegation #12 against Officer Siler, that he gave his firearm to [REDACTED] (a non-CPD member), is **Not Sustained**. The available evidence depicted that after Officer Siler could not re-holster his firearm, he handed his firearm to an individual, [REDACTED]. During his interview with COPA, Officer Siler related that he handed his firearm to [REDACTED] because he trusted him and was attempting to control [REDACTED]. Officer Siler explained that he could not let [REDACTED] go, so he could pick up the gun, because [REDACTED] could have struck him. COPA has separately found that Officer Siler should not have been carrying his firearm on the date of the incident. However, COPA cannot find that Officer Siler acted unreasonably in handing [REDACTED] the firearm after it had fallen under the circumstances. For that reason, COPA finds that this allegation is Not Sustained.

**Allegation 13: Continuing to be aggressive after being separated from [REDACTED]**

COPA finds that Allegation #13 against Officer Siler, that he was being aggressive after being separated from [REDACTED] is **Sustained**. Officer Siler was involved in a physical altercation with [REDACTED] a juvenile student at Westinghouse High School. The situation escalated to the point where CPS personnel intervened and physically separated the two. Despite this apparent de-escalation effort by school staff, video evidence showed that Officer Siler continuously attempted to re-approach and grab [REDACTED] again.

Officer Siler denied the allegation. However, the video evidence clearly contradicts this claim, showing deliberate actions that can reasonably be interpreted as aggressive and unjustified under the circumstances. Notably, Officer Siler had viable alternatives available to him at the time, including relying on the multiple CPS staff members present who were actively managing the situation. His decision to continue reapproaching rather than withdrawing demonstrated a failure to exercise appropriate judgment and self-control, particularly when interacting with a juvenile in a school setting. This conduct falls short of the standards expected of officers, especially in environments that require de-escalation, discretion, and professionalism. For these reasons, COPA finds this allegation is Sustained, in Violation of Rules 2, 8, and 9.

**Allegation 14: Officer Siler failed to notify that he was under investigation by a lawful investigatory entity**

COPA finds that Allegation #14 against Officer Siler, that he failed to make notification that he was under investigation by a lawful investigatory entity, is **Sustained**. CPD policy provides that “Department members will immediately submit a To-From-Subject Report to their exempt unit commanding officer whenever they are under investigation by any outside law enforcement agency or governmental or lawful investigatory entity . . . regardless if the member has been contacted by that agency/entity.”<sup>45</sup>

There is no evidence that Officer Siler completed the necessary To-From-Subject-Report upon learning of the CPS investigation. After the incident, the CPS Office of Student Protections and Title IX conducted an investigation involving ██████████ and Officer Siler.<sup>46</sup> Officer Siler was aware of the investigation and stated he did not know he was required to inform CPD about the investigation.<sup>47</sup> Officer Siler stated that he believed that CPS communicated the information to CPD. Officer Siler’s failure to know of his obligation to report the investigation is not an adequate defense to this allegation. For this reason, this allegation is Sustained, in Violation of Rules 2, 5, 6, and 10.

**Allegation 15: Failing to utilize a Department prescribed holster**

COPA finds that Allegation #15 against Officer Siler, that he failed to utilize a Department prescribed holster, is **Sustained**. CPD policy prescribes the types of holsters CPD members are to use for their prescribed, alternate, and auxiliary firearms. Officer Siler told COPA he was carrying his duty weapon in his pants on the date of the incident. CPD policy provides that off-duty officers with concealed weapons must use a holster made of leather, leather-like material, or rigid composite material.<sup>48</sup> Officer Siler explained that his holster was made with Velcro<sup>49</sup> and admitted that he failed to use a Department prescribed holster for his firearm.<sup>50</sup> For these reasons, this allegation is Sustained, in Violation of Rules 2, 5, 6, and 10.

**Allegation 16: Failing to utilize de-escalation techniques with ██████████**

COPA finds that Allegation #16 against Officer Siler, that he failed to use de-escalation techniques, is **Not Sustained**. Officer Siler denied failing to utilize de-escalation techniques during this interaction with ██████████ noting that he utilized time and distance. Available evidence depicts that ██████████ walked away, and Officer Siler walked towards ██████████ as he attempted to comply with Officer Siler’s directions to use the other door. According to the Department directive, “Department members are required to use de-escalation techniques to prevent or reduce the need

<sup>45</sup> Att. 63, S08-01-10 Special Situations Involving Allegations of Misconduct, (IV)(A), effective April 8, 2019 to present.

<sup>46</sup> Att. 26, CPS Office of Student Protections and Title IX Investigative Report.

<sup>47</sup> Att. 26, pgs. 23, 38 & 39, Officer Siler emailed a statement to Westinghouse Principal W. Terrell Burgess regarding the incident at the school on December 8, 2021.

<sup>48</sup> Att. 55, U06-01-23 Holster-Firearm, (V)(B)(1), effective May 7, 2021 to present.

<sup>49</sup> Att. 39, pg. 24, Ins. 2-3.

<sup>50</sup> Att. 39, pg. 24, Ins. 4-6.

for force, unless doing so would place a person or Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time.”<sup>51</sup> Given COPA’s finding that Officer Siler was more likely than not acting in his personal capacity and not in his capacity as a CPD member, it is unclear whether CPD’s general order requiring de-escalation applies to Officer Siler’s conduct. Furthermore, Illinois law does not explicitly require de-escalation before using force.<sup>52</sup> Accordingly, COPA finds this allegation Not Sustained.

### **Allegations 18, 20, and 21; False, incomplete, inaccurate, misleading statements**

CPD Rule 14 forbids an officer from making a false report, written or oral.<sup>53</sup> An officer cannot be found guilty of a Rule 14 violation unless it has been determined that (1) the officer willfully made a false statement and (2) the false statement was made about a fact that was material to the incident under investigation.<sup>54</sup> A statement is “material” when the statement has “a natural tendency to influence, or are capable of influencing, the decision-making body to which it was addressed.”<sup>55</sup> COPA must also show that the statement was false.

COPA finds that Allegation #18, against Officer Siler, that he made a false, incomplete, inaccurate, and/or misleading statement in the Original Case Incident Report (RD# JE448219) by failing to report that he had possession of a firearm during the incident on November 16, 2021, is **Sustained**. During his interview with COPA, Officer Siler stated that during the tussle with ██████ he felt ██████ reach for and make contact with his firearm.<sup>56</sup> Officer Siler later stated that he did not believe it was relevant to mention that he had his firearm on his person when he filed the report.<sup>57</sup> Nor did Officer Siler report that information in his report to CPS.<sup>58</sup> Officer Siler’s failure to mention his gun reflects his lack of candor in fully and accurately reporting the incident. CPD members have a duty to fully and accurately report incidents.<sup>59</sup> Because this allegation involves an omission of information, rather than an affirmative statement by Officer Siler, COPA cannot find that Officer Siler violated Rule 14. However, his lack of candor led to an incomplete report. Therefore, this allegation is Sustained, in Violation of Rules 2, 5, and 10.

<sup>51</sup> Att. 54, GO 03-02 De-escalation, Response to Resistance, and Use of Force, (III)(C).

<sup>52</sup> This is not to say that COPA does not believe Officer Siler unjustifiably engaged in the altercation with ██████ but that conduct is addressed through other allegations.

<sup>53</sup> Police Board of Chicago Rules of Conduct Rule 14, available at <https://www.chicago.gov/dam/city/depts/cpb/PoliceDiscipline/RulesofConduct.pdf>

<sup>54</sup> See *Agreement between City of Chicago Department of Police and Fraternal Order of Police (FOP) Lodge No. 7 §6.1(M)*; Prior to June 30, 2022, CPD policy provided PBPA members with similar rights. See G08-01-01: Department Member Bill of Rights (II)(N) (effective May 4, 2018 to June 30, 2022). Out of an abundance of caution, COPA applies the terms of the agreement between the City of Chicago the FOP Lodge No. 7 to PBPA members.

<sup>55</sup> See *United States v. Akram*, 152 F.3d 698, 700 (1998) (citing cases); *Taylor v. Police Bd.*, 2011 Ill. App., \*P35 (1st) 101156 (1st Dist. 2011) (“The test of materiality for an allegedly perjured statement is whether the statement tends to prove or disprove an issue in the case . . .”).

<sup>56</sup> Att. 39, pg. 38, ln. 24 to pg. 39, ln. 16.

<sup>57</sup> Att. 50, pg. 22, lns. 11 to 15.

<sup>58</sup> Att. 26, pg. 23.

<sup>59</sup> *In re Franko et. al.*, 16 PB 2909-2912, Findings and Decisions, July 18, 2019, at pp. 5-6 (“Department Rule 2 and 3 require that Chicago police officer provide a complete and accurate accounting of what they observe while on duty. Officers may not offer misleading statements which emphasize certain facts to the exclusion of others. And they are not permitted to pick and choose facts in order to support a pre-determined conclusion. Instead, officers must provide a complete accounting without embellishment, exaggeration, or spin.”).

COPA finds that Allegation #20 against Officer Siler, that he made a false, incomplete, inaccurate, and/or misleading statement to COPA that he reported the November 16, 2021, incident to the Chicago Police Department on the day of the incident, is **Sustained**. Upon inquiry, Officer Siler stated that, to the best of his recollection, he believes he filed the report on November 16, 2021.<sup>60</sup> After reviewing the case report he filed with the Department, indicating that it was filed on November 17, 2021, Officer Siler stood by his original statement. Officer Siler provided inaccurate information to COPA during his interview, but that information was not material to COPA's investigation. The precise date of Officer Siler's filing of the report would not dispose of any issue COPA was investigating. COPA cannot find that Officer Siler violated Rule 14 in making this statement. However, Officer Siler's statement was not accurate. Therefore, this allegation is Sustained, in Violation of Rules 2, 5, 6, and 10.

COPA finds that Allegation #21, against Officer Siler, that he made a false, incomplete, inaccurate, and/or misleading statement to COPA that he had "Never been in trouble with the Department," is **Not Sustained**. During his follow-up interview with COPA, Officer Siler related that he had misspoken. Officer Siler stated that he meant he had never been in trouble with the police while growing up. Officer Siler continued that it was not his intention to omit or try to deceive COPA. There is insufficient evidence to prove that Officer Siler violated Rule 14 in making this statement to COPA. In particular, COPA cannot find that the statement was intended to deceive, as Officer Siler was not responding to a direct question about his disciplinary history, and a discussion had already taken place earlier in the interview about prior disciplinary actions against him. Therefore, this allegation is Not Sustained.

### **Allegation 19: Failure to Complete TRR allegation**

COPA finds that Allegation #19 against Officer Siler, that he failed to complete a Tactical Response Report (TRR) regarding his contact with ██████ during the incident on November 16, 2021, is **Not Sustained**. During his interview with COPA, Officer Siler stated that he did not know he was required to complete a TRR regarding his physical contact with ██████ as he believed he was not acting in an official police capacity at the time.<sup>61</sup> CPD requires completion of TRR for reportable use of force incidents "involving a sworn Department member . . . in the performance of his or her duties."<sup>62</sup> As previously discussed, it is more likely than not that Officer Siler was not acting in his official capacity at the time of the incident. For that reason, COPA finds this allegation is Not Sustained.

## **VI. DISCIPLINARY RECOMMENDATION**

### **a. Officer Chavez Siler**

#### **i. Complimentary and Disciplinary History<sup>63</sup>**

---

<sup>60</sup> Att. 50, pg. 27, lns. 10 to 18.

<sup>61</sup> Att. 50, pg. 27, lns. 4 – 9.

<sup>62</sup> G03-02-02.III.A.

<sup>63</sup> Att. 56 & 57.

Officer Siler has been with CPD since September 24, 2007. In that time, he has received 26 various awards, including 3 Department Commendations and 1 Life Saving Award. Officer Siler's disciplinary history includes a Police Board Decision that occurred on April 20, 2023, stemming from an incident that took place on March 15, 2017, for which he received a 6-month suspension due to an allegation of excessive force.<sup>64</sup>

## ii. Recommended Discipline

COPA found that Officer Siler violated Rules 2, 5, 6, 8, 9, 10, 21, 22, and 23 when he grabbed and pushed ██████ without justification, being inattentive to duty in that he was in possession of a firearm, failing to make notification that he had been involved in a physical altercation while off-duty, being involved in a physical altercation with ██████ without justification, being aggressive after being separated from ██████ failing to make notification that he was under investigation by a lawful investigatory entity, failing to utilize a Department prescribed holster, making a false, incomplete, inaccurate and/or misleading statement in the Original Case Incident Report (RD #JE448219) by failing to report that he had possession of a firearm during the incident on November 16, 2021, and making a false, incomplete, inaccurate and/or misleading statement to COPA that he reported the November 16, 2021, incident to the Chicago Police Department on the day of the incident.

In mitigation, COPA acknowledges that Officer Siler has served with the CPD for over 17 years and has maintained a generally positive record, including a history of commendations and one Life Saving Award. However, there are several aggravating factors that weigh against leniency. Despite his extensive experience, both with the Department and in his assignment to Chicago Public Schools (CPS) for over 10 years, Officer Siler engaged in conduct that escalated the situation. He initiated further contact with ██████ after the juvenile had already walked away, as directed. His actions demonstrated a lack of professionalism and poor judgment, particularly in a school setting and in front of students and staff.

Officer Siler's conduct undermined the Department's mission and credibility. The incident received media attention,<sup>65</sup> further eroding public trust and bringing discredit to the CPD. Given his length of service and specialized experience working in school environments, Officer Siler should have been well-trained and equipped to handle challenging interactions with juveniles in a calm and constructive manner.

Additionally, Officer Siler was in possession of a firearm during the incident, despite having been stripped of his police powers. This was a blatant violation of his duty restrictions, which he had signed, acknowledged, and agreed to uphold. Although the criminal charges related to this incident were ultimately dismissed, the CPS Office of Student Protections and Title IX substantiated its findings regarding this incident. Furthermore, on April 20, 2023, the Chicago Police Board issued a decision in a separate matter, finding that Officer Siler had used excessive force and imposing a significant six-month suspension. This raises further concerns about Officer Siler's judgment and conduct, as well as his ability to interact safely with the public.

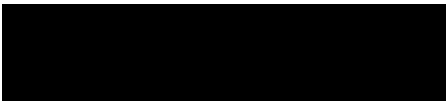
---

<sup>64</sup>Att. 58.

<sup>65</sup> Att. 64 – Media Content.

Considering both the mitigating and aggravating factors, COPA finds that Officer Siler's actions in this case merit serious disciplinary action. Therefore, COPA recommends that Officer Siler receive a **365-Day Suspension up to Separation.**

Approved:



9/30/25

---

LaKenya White  
Interim Chief Administrator

---

Date

Appendix ACase Details

Date/Time/Location of Incident:	November 16, 2021/ 3:10 pm/ 3223 W. Franklin Boulevard, Chicago, IL 60624.
Date/Time of COPA Notification:	November 17, 2021/ 11:58 am.
Involved Officer #1:	Officer Chavez Siler, Sr./ Star #7068 / Employee ID # [REDACTED] DOA: September 24, 2007/ Unit: 376/ Male/ Black.
Involved Individual #1:	[REDACTED] Male/ Black.

Applicable Rules

- Rule 2:** Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3:** Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 5:** Failure to perform any duty.
- Rule 6:** Disobedience of an order or directive, whether written or oral.
- Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9:** Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 10:** Inattention to duty.
- Rule 14:** Making a false report, written or oral.
- Rule 21:** Failure to report promptly to the Department any information concerning any crime or other unlawful action.
- Rule 22:** Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.
- Rule 23:** Failure to obey Department orders concerning other employment, occupation or profession.
- Rule 38:** Unlawful or unnecessary use or display of a weapon.

Applicable Policies and Laws

- G03-02: De-escalation, Response to Resistance and Use of Force (effective April 15, 2021 – June 28, 2023).
- G03-02-02: Incidents Requiring the Completion of a Tactical Response Report (effective April 15, 2021 – June 28, 2023).
- U06-01-23: Holster – Firearm (effective May 7, 2021 – Present).
- S08-01-10: Special Situations Involving Allegation of Misconduct (effective April 8, 2019 – Present).

## Appendix B

### Definition of COPA’s Findings and Standards of Proof

For each Allegation, COPA must make one of the following findings:

1. Sustained – where it is determined the allegation is supported by a preponderance of the evidence;
2. Not Sustained – where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;
3. Unfounded – where it is determined by clear and convincing evidence that an allegation is false or not factual; or
4. Exonerated – where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

A **preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that a proposition is proved.<sup>66</sup> For example, if the evidence gathered in an investigation establishes that it is more likely that the conduct complied with CPD policy than that it did not, even if by a narrow margin, then the preponderance of the evidence standard is met.

**Clear and convincing evidence** is a higher standard than a preponderance of the evidence but lower than the “beyond-a-reasonable doubt” standard required to convict a person of a criminal offense. Clear and convincing can be defined as a “degree of proof, which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true.”<sup>67</sup>

---

<sup>66</sup> See *Avery v. State Farm Mutual Automobile Insurance Co.*, 216 Ill. 2d 100, 191 (2005) (a proposition is proved by a preponderance of the evidence when it is found to be more probably true than not).

<sup>67</sup> *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4<sup>th</sup> ed. 2000)).

**Appendix C****Transparency and Publication Information**

Check all that apply:

- Abuse of Authority
- Body Worn Camera Violation
- Coercion
- Death or Serious Bodily Injury in Custody
- Domestic Violence
- Excessive Force
- Failure to Report Misconduct
- False Statement
- Firearm Discharge
- Firearm Discharge – Animal
- Firearm Discharge – Suicide
- Firearm Discharge – Unintentional
- First Amendment
- Improper Search and Seizure – Fourth Amendment Violation
- Incidents in Lockup
- Motor Vehicle Incidents
- OC Spray Discharge
- Search Warrants
- Sexual Misconduct
- Taser Discharge
- Unlawful Denial of Access to Counsel
- Unnecessary Display of a Weapon
- Use of Deadly Force – other
- Verbal Abuse
- Other Investigation