

**BEFORE A MEMBER OF THE POLICE BOARD  
OF THE CITY OF CHICAGO**

|  |   |                         |
|--|---|-------------------------|
| <b>IN THE MATTER OF THE</b>                  | ) |                         |
| <b>RECOMMENDATIONS FOR DISCIPLINE OF</b>     | ) |                         |
|  | ) |                         |
| <b>POLICE OFFICER MEGAN FLEMING,</b>         | ) | <b>No. 21 RR 12</b>     |
| <b>STAR No. 14875, DEPARTMENT OF POLICE,</b> | ) |                         |
| <b>CITY OF CHICAGO,</b>                      | ) |                         |
|  | ) |                         |
| <b>AND</b>                                   | ) |                         |
|  | ) |                         |
| <b>LIEUTENANT DAVINA WARD,</b>               | ) | <b>No. 21 RR 13</b>     |
| <b>STAR No. 486, DEPARTMENT OF POLICE,</b>   | ) |                         |
| <b>CITY OF CHICAGO.</b>                      | ) | <b>(CR No. 1090234)</b> |

**REQUEST FOR REVIEW**

On July 2, 2021, the Office of the Police Board of the City of Chicago received from the Chief Administrator of the Civilian Office of Police Accountability (“COPA”) a request for review of the Chief Administrator’s recommendations for discipline of Police Officer Megan Fleming, Star No. 14875, and Lieutenant Davina Ward, Star No. 486, arising out of the investigation of Complaint Register No. 1090234 (“Request for Review”).

The investigation stems from an incident involving several Chicago police officers and Harith Augustus on July 14, 2018, during which Mr. Augustus was fatally shot by a Chicago police officer. Following the conclusion of the investigation, the Chief Administrator issued recommendations for discipline of eight officers. The Superintendent of Police proposed less severe discipline than that recommended by the Chief Administrator for the following two officers.

The Chief Administrator recommended that the following allegations against **Police Officer Megan Fleming** be *Sustained*:

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Allegation No. 1: On July 14, 2018, at or about 5:31 p.m., at or near 2020 East 71<sup>st</sup> Street, in Chicago, Officer Fleming made physical contact with the person of Harith Augustus without justification.

Allegation No. 2: On July 14, 2018, at or about 5:31 p.m., at or near 2020 East 71<sup>st</sup> Street, in Chicago, Officer Fleming was ineffective in that she did not request to safely secure Harith Augustus's firearm for the duration of the investigatory stop, as outlined in Special Order SO6-05-02.

Allegation No. 3: On July 14, 2018, at or about 5:31 p.m., at or near 2020 East 71<sup>st</sup> Street, in Chicago, Officer Fleming ineffectively attempted to detain Harith Augustus.

Allegation No. 4: On July 14, 2018, at or about 5:31 p.m., at or near 2020 East 71<sup>st</sup> Street, in Chicago, Officer Fleming discussed the details of an officer-involved shooting with another involved Department member, contrary to General Order G03-02-03.

Allegation No. 5: On July 14, 2018, at or about 5:31 p.m., at or near 2020 East 71<sup>st</sup> Street, in Chicago, Officer Fleming failed to activate her body-worn camera prior to a law-enforcement-related activity.

Allegation No. 6: On July 14, 2018, at or about 5:31 p.m., at or near 2020 East 71<sup>st</sup> Street, in Chicago, Officer Fleming stopped Harith Augustus without justification.

Allegation No. 7: On July 14, 2018, at or about 5:31 p.m., at or near 2020 East 71<sup>st</sup> Street, in Chicago, Officer Fleming failed to activate her body-worn camera in a timely manner in violation of Special Order S03-14.

The Chief Administrator recommended that Officer Fleming be suspended from the Chicago Police Department for a period of sixty (60) days. The Chief Administrator also recommended that she complete re-training on concealed-carry investigatory stops. The Superintendent objected to the Chief Administrator's recommendation in that the Superintendent recommended that Officer Fleming be suspended for ten (10) days (the Superintendent concurred with the findings of *Sustained* for Allegation Nos. 3, 5, and 7).

The Chief Administrator recommended that the following allegations against **Lieutenant Davina Ward** be *Sustained*:

Allegation No. 1: On July 14, 2018, following the incident that took place at or about 5:31 p.m., at or near 2020 East 71<sup>st</sup> Street, in Chicago, Lieutenant Ward failed to separate Officers

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Dillan Halley and Megan Fleming, who were involved in an officer-involved shooting.

Allegation No. 2: On July 14, 2018, following the incident that took place at or about 5:31 p.m., at or near 2020 East 71<sup>st</sup> Street, in Chicago, Lieutenant Ward failed to ensure that Officers Halley and Fleming did not communicate with each other regarding the officer-involved shooting.

The Chief Administrator recommended that Lieutenant Ward be suspended from the Chicago Police Department for a period of thirty (30) days. The Superintendent objected to the Chief Administrator's recommendation in that the Superintendent recommended that the penalty for Lieutenant Ward be reduced to a Reprimand.

According to the Certificate submitted by the Chief Administrator: (1) the Chief Administrator issued the recommendation for discipline on March 30, 2021; (2) the Chief Administrator received the Superintendent's written response on May 26, 2021; (3) the Chief Administrator's designees met with the Superintendent's designees and concluded their discussion of this matter on June 30, 2021; and (4) the Request for Review was sent via email to the Executive Director of the Police Board on July 2, 2021.

The Executive Director of the Police Board prepared and forwarded the Request for Review file to Matthew C. Crawl, the member of the Police Board who was selected on a random basis, pursuant to Article VI of the Police Board's Rules of Procedure ("Reviewing Member"). On July 9, 2021, the Reviewing Member reviewed the Request for Review pursuant to Section 2-78-130(a)(iii) of the Municipal Code of Chicago and Article VI of the Police Board's Rules of Procedure.

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**OPINION**

It is my opinion that, based on a thorough review of the Request for Review file, the Superintendent's response does not meet the burden of overcoming the Chief Administrator's recommendations for discipline.

Therefore, pursuant to Section 2-78-130(a)(iii) of the Municipal Code of Chicago, the Chief Administrator's recommendations for discipline of Police Officer Megan Fleming, Star No. 14875, and Lieutenant Davina Ward, Star No. 486, shall be deemed accepted by the Superintendent.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 14<sup>th</sup> DAY OF JULY, 2021.

/s/ MATTHEW C. CROWL  
Member  
Police Board

Attested by:

/s/ MAX A. CAPRONI  
Executive Director  
Police Board