

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

**IN THE MATTER OF CHARGES FILED AGAINST )**  
**POLICE OFFICER DAVID LASKUS, )** **No. 22 PB 3005**  
**STAR No. 7458, DEPARTMENT OF POLICE, )**  
**CITY OF CHICAGO, )**  
**RESPONDENT. )** **(CR No. 2020-2128)**

**FINDINGS AND DECISION**

On June 7, 2022, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer David Laskus, Star No. 7458 (“Respondent”), recommending that Respondent be discharged from the Chicago Police Department (“Department” or “CPD”) for violating CPD’s Rules of Conduct.

A hearing on the charges against Respondent took place before Hearing Officer Allison Wood on August 14 – 17, 2023. Following this evidentiary hearing, the members of the Police Board read and reviewed the record of the proceedings, including the Hearing Officer’s Report and Respondent’s response to this report (the Superintendent did not file a response to this report), and viewed the video recording of the entire evidentiary hearing. The Hearing Officer made an oral report to and conferred with the Board before it rendered its findings and decision.

During the proceedings of this case, from the filing of charges through the evidentiary hearing, the Hearing Officer made rulings and entered orders. None of the Hearing Officer’s rulings and orders is overruled or reversed.

**POLICE BOARD FINDINGS**

As a result of its hearing on the charges, the Police Board finds and determines that:

1. Respondent was at all times mentioned herein a police officer of the CPD in the

classified civil service of the City of Chicago.

2. A copy of the charges filed, and a notice stating the date, place, and time the initial status hearing would be held, were personally served upon Respondent not fewer than five (5) days before the date of the initial status hearing for this case.

3. Throughout the hearing on the charges Respondent appeared and was represented by legal counsel.

### **FOP Motion**

4. On August 11, 2023, the Fraternal Order of Police Lodge 7 filed with the Police Board a Motion to Transfer Pending Cases to the Arbitration Call or in the Alternative to Stay All Police Board Cases (“FOP Motion”). This case against Respondent is one of the 22 cases listed on the FOP Motion. On September 26, 2023, the Police Board entered an Order denying the FOP Motion in its entirety.

### **Introduction**

5. Respondent has been a Chicago police officer since 2006. In May 2020, he was assigned to Area 5 gangs. Area 5 is located on the northwest side of Chicago. The home base for Area 5 is the 25<sup>th</sup> District. The days following the death of George Floyd on May 25, 2020, by a police officer in Minneapolis who kneeled on his neck, saw civil unrest and protests around the country, including Chicago. On May 31, 2020, Respondent and his partner for the day, Officer Ray Dunker, shared an unmarked SUV with functioning sirens and lights with Officers Brett Palm and William Messino. All the officers were in uniform. Officer Palm was driving, Officer Messino was sitting in the front passenger side, and Respondent and Officer Dunker were sitting

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in the back. They heard a call on the radio around 3:00 p.m. that there was looting at the Foot Locker in the Brickyard mall (located at Narragansett and Diversey in Chicago) and all available units were directed to go there. The Foot Locker is located at the south end of the mall. While on route they heard another call come through the radio that there was also looting at the Champs store. Champs is located on the north side of the mall. Surveillance video from the Champs store showed what appears to be three male individuals attempting to breach the glass of the store. One of those individuals was a heavy-set male wearing a white hooded sweatshirt and he was the only one using a hammer to crack the glass. After their attempts to breach the glass were unsuccessful, the three individuals fled the scene in opposite directions. The video shows that after the three individuals fled the scene, Respondent and the officers pulled up and parked the SUV near the Champs store. Three of the officers walked over to the Champs store window and observed the cracked glass. Officer Palm reported over the radio that the individuals attempting to break the glass had fled from the scene. Respondent spoke to witnesses at the scene and then he reported on the radio that they told him they had observed multiple black males smash out the windows at Champs with hammers and get into a red Hyundai with Indiana license plates.

Respondent claimed to have seen a black male running from the Champs store with a hammer and who then jumped into a red Hyundai. He claimed to have spotted the red Hyundai near the Champs store and he kept an eye on it as it headed through the parking lot. Respondent started walking through the parking lot and was joined by Officer Dunker. Respondent said he believed that the black male he saw running from the Champs store was in the red Hyundai he had been watching. Respondent and Officer Dunker ran behind the red Hyundai with their wooden batons in their hands. Respondent struck the back of the car with his baton. Officer Dunker attempted to open the side passenger door. The door handle broke off and Officer

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Dunker fell back. Respondent did not see why Officer Dunker fell back. He believed the driver of the red Hyundai had tried to run over Officer Dunker. The red Hyundai made a right turn into the parking lot. Respondent verbally stated to the officers on the scene that the red car had tried to run over cops. The car was stopped and swarmed by approximately 10 officers who were all striking the car with batons, yelling, and screaming for the occupants to exit the car. At least one officer had his gun drawn. All the windows of the car except the driver's window were shattered. The officers on the driver side of the car stopped striking the car and the driver and owner of the car, Tnika Tate, exited the car with her hands up. There were 4 other passengers in the car, Mia Wright, Kim Woods, Ebony Wilbourn, and Javon Hill. All the passengers except Mia Wright exited the car from the driver's side and complied with the officers' directives. As they were exiting the car from the driver's side, Respondent continued to strike the car window on the passenger side of the car where Ms. Wright was sitting. Ms. Wright could not exit the car because the car door was locked. Respondent struck the front passenger side of the car 6 times before his baton fell out of his hand. Officer Dunker reached into the back window of the vehicle and unlocked Ms. Wright's door. He pulled Ms. Wright out of the car and handed her over to Respondent.

Respondent directed Ms. Wright to lay on the ground, which she did. While on the ground Ms. Wright was compliant and not resisting. Respondent placed his knee on Ms. Wright. Respondent placed handcuffs on Ms. Wright, lifted her to her feet, and placed her in the back of a police officer's car so she could be taken to the police station for processing.

After Respondent put Ms. Wright in the police car, he took control of the red Hyundai and drove it to the police station. No hammer or any proceeds of looting was recovered from the car. None of the occupants of the car other than Ms. Wright was arrested.

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When she arrived at the police station, Ms. Wright complained that she had glass in her eye. She was taken to the hospital, treated, and returned to the police station. She was charged with disorderly conduct and detained overnight. The next day the charge was dropped, and she was released.

During the hearing, Respondent testified both adversely and on his own behalf. Additionally, Mia Wright and police-practices expert Michael Gennaco testified on behalf of the Superintendent. There was video footage presented during the hearing that came from video surveillance from the Champs store, video from a civilian at the scene, and video from the bodycams of officers at the scene, all of which were stipulated to by the parties. Former Officer Ray Dunker, Sergeant Michael Tews, and two mitigation witnesses testified on behalf of Respondent. The parties agreed to a stipulation as to the testimony of Lieutenant Flores and this stipulation was admitted into evidence.

In brief, during his adverse testimony, Respondent testified that after the officers pulled up to the Champs store, he saw a black man running with a hammer in his hand jump into a red Hyundai. He did not broadcast this observation over the radio. He saw the red Hyundai as it travelled away from the Champs store and kept his eye on it believing the black male he saw running with a hammer was in that car. When shown video footage, Respondent testified that he was standing near the Champs store on the north side of the mall. He admitted that the red Hyundai he claimed to be watching was not travelling from the Champs store but moving in the opposite direction. Respondent admitted that while he believed Mr. Hill, an occupant of the red Hyundai, was the man he saw running from the Champs store with a hammer, he could see that Mr. Hill is not the individual depicted in the video seen banging the Champs window with a hammer. Respondent admitted that he did not personally observe any occupant of the red

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Hyundai engage in any criminal activity prior to stopping it. He admitted that it could be a fearful experience for the occupants to stop the car by striking it with a baton. He admitted that he did not engage in any verbal dialogue with any occupants of the car before he struck it with his baton. He agreed that by announcing to the officers that the car had tried to run over officers, it escalated the situation. He agreed that pulling someone down to the ground would be excessive force. When asked during his interview with the Civilian Office of Police Accountability (COPA) whether he had pulled Ms. Wright to the ground by her hair, he reported he did not. He maintained that position after being shown the video footage. He admitted that Ms. Wright was cooperative and compliant. Respondent had no conversations with anyone at the scene as to whether Ms. Wright should have been arrested or whether he should take control of the car. He decided she should be arrested for looting and charged with disorderly conduct because she would not exit the car when ordered to do so. He took control of the car because he believed the other occupants in the car would also be arrested, and that the car would be towed if left in the parking lot. He saw a hammer in the center console of the car when he took control of it, but he did not tell anyone he saw a hammer. When he arrived at the police station, he searched the car but could not find the hammer. He admitted that there was no evidence of looting or criminal activity found in the car. He is aware of the requirement to complete a Tactical Response Report when an officer engages in excessive force, but he did not complete one because he did not believe he used excessive force on Ms. Wright. He is aware of the requirement to complete an Investigatory Stop Report, but he did not complete one because he believed that the requirement was suspended because mass arrest procedures were in place.

Ms. Wright testified that she went to the Brickyard Mall with her cousin, Tnika Tate, who was the driver and the owner of the red Hyundai, which she described as an old and dark

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burgundy car. Her mother, a cousin, and two friends were also in the car. She wanted to purchase birthday decorations for her mother's upcoming birthday party and the other occupants wanted to buy personal items. None of the occupants had engaged in any looting. None of the occupants had exited the car. They were turned away from the Target because of the looting and they were making their way toward the exit as directed by police officers at the scene. As they were moving forward in the intersection, they started to hear banging on the back of the car. They didn't know who was banging on the car. The windows of the car were up. They did not hear the individual banging on the car announce himself as a police officer and it took a minute to realize that the two people banging on the car were police officers. She was scared. When the car turned to move away from the intersection and into a parking spot, the car was swarmed by officers banging on the car and yelling at them. At least one officer had their gun drawn. The windows were shattered. She tried to unlock her door to exit the car, but she couldn't unlock it. At some point, her car door was opened by one of the officers who pulled her out of the car. Another officer, who she later learned was Respondent, pulled her to the ground by her hair, which was in a bun on top of her head. When she was pulled down, the braids were hanging loosely. Respondent then put his knee on the back of her neck. She was scared and worried that what happened to George Floyd would happen to her. He placed handcuffs on her and put her in a police car. She did not know why she was being arrested. Respondent did not tell her why she was being arrested or what she had done. She was taken to the police station. When she got there, she was asked if she needed medical attention. She had trouble seeing out of one eye and thought maybe glass from the window had gotten in her eye. She was taken to the hospital where her eye was treated. She was returned to the station where she was kept overnight. She was released the next day when the charges were dropped.

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Michael Gennaco testified that he is a police-practices expert and testified as follows. He has a law degree from Stanford Law school. He is a former prosecutor and a former U.S. Attorney with experience prosecuting hate crimes, excessive force, and false arrest matters. He has been reviewing allegations of misconduct and excessive force since 2001 and rendering opinions on whether the standard was met. He has been qualified as an expert 5 or 6 times in Chicago and 3 or 4 times outside of Chicago. He reviewed the COPA file, the video footage, and interviews related to the incident, and it is his opinion that Respondent's striking of the car with his baton was unreasonable since he provided the occupants with no warning before escalating to the use of the baton. The officers surrounding the car and striking it with their batons made it difficult for the occupants to exit the car. When the officers who were striking the car on the driver's side stopped, the driver and all the occupants except Ms. Wright were able to exit the car. They were all compliant and cooperative, and none of them was arrested. Respondent continued to strike the car as the occupants were exiting the car which created a dangerous situation for someone to get hurt. Since there was no evidence that Ms. Wright had engaged in any criminal activity, Respondent had no basis to detain her or to arrest her. Respondent violated her 4<sup>th</sup> Amendment rights by detaining her without justification. Respondent also used excessive force on her when he pulled her down to the ground by her hair and when he placed his knee on the back of her neck. Ms. Wright was not resisting, and she posed no threat to anyone. There was no basis for Respondent to take control of the car. The driver of the car was not arrested and no hammer or proceeds of looting were found in the car. When Respondent realized that there were not 4 black males in the Hyundai, he should have reassessed the information he received from those witnesses and conducted some investigation to determine whether he had the right car and/or the right individuals.



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The stipulated testimony of Lieutenant Flores was as follows. Lieutenant Flores has been employed by the CPD for approximately 29 years. He is currently a lieutenant assigned to the CPD's Bureau of Internal Affairs and has held this position since January 2022. If called to testify, he would have explained that Rule 14 is a rule that prohibits officers from making a false report, either oral or written. A Rule 14 violation occurs when a false report is material and willful. Material means that the false report must be pertinent to the investigation. Willful means the false report must be intentionally false. A Rule 14 violation can occur when false statements are made to representatives of the COPA, the civilian oversight agency that has the power and authority to conduct investigations into complaints against CPD officers. A Rule 14 violation impairs an officer's ability to testify in criminal cases because it would be subject to cross-examination and may negatively affect the officer's credibility. Since approximately 2008, officers with sustained Rule 14 violations are referred to the Police Board for separation from the CPD, but there are currently several officers with Rule 14 violations who serve the CPD with full police powers.

Respondent testified on his own behalf as follows. After the officers pulled up to the Champs store, he saw a black man running with a hammer in his hand jump into a red Hyundai. He saw the red Hyundai as it travelled away from the Champs store and kept his eye on it, believing the black male he saw running with a hammer was in that car. As he was walking through the parking lot, he decided to pursue the car. He was joined by Officer Dunker and they both believed the occupants in the car were looters. He wanted to let the occupants know that he was making them stop so he started banging the back of the car with his baton. He saw Officer Dunker fall and believed the car had tried to run him over. He told the officers on the scene that the car had tried to run over officers. The officers swarmed the car and began striking the car

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with their batons yelling for the occupants to exit the car, but the occupants would not exit the car. He admitted that the occupants began to exit the car on the driver's side when the officers stopped striking the car, but he continued to strike the car on the front passenger side because Ms. Wright would not exit the car. Officer Dunker put his hand through the broken window of the back seat and unlocked Ms. Wright's door. Officer Dunker pulled Ms. Wright out of the car and Respondent directed her to lay on the ground, which she did. He did not pull her to the ground by her hair. His hand became entangled in her hair. He testified that while she was on the ground, Ms. Wright was cooperative and not resisting. He placed his right knee on her upper left shoulder and attempted to minimize the amount of weight that was placed on her body by supporting most of his weight on his other bended knee. He placed his knee on her because of the totality of the circumstances that the car wouldn't stop, and the occupants would not exit the car when ordered to do so. He determined that Ms. Wright was to be arrested for disorderly conduct and for being a looter. He took control of the red Hyundai and drove it to the police station because he thought all the occupants of the car were to be arrested and the car would be subject to forfeiture.

Sergeant Michael Tews has been with the CPD for 21 years. Respondent and the officers who were with him on the day of the incident were part of his team. Mass arrest procedures were in place on May 30 and May 31, 2020. The procedure allows the officers involved in multiple arrests to remain at the scene rather than travel with the arrestees to the police station. The multiple arrests can be transported to the police station and processed at the police station. This enables the arresting officers to remain at the scene of the multiple arrests to continue working to restore order. Given the many calls of looting that were reported on those two days, they needed as many officers as possible to remain at the scene of multiple arrests. On the day of the incident,

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he received calls from officers at the Brickyard Mall in need of help because there was looting, and they were overwhelmed. The police were not prepared for the civil unrest that was occurring all over the city. Because of the mass arrest procedures, Respondent did not have to go to the station with Ms. Wright and she was processed at the police station by another officer. He was aware that the red Hyundai was brought to the station, and he assumed a tow report and/or arrestee report for the owner of the car would have been completed. Respondent did not tell him he found a hammer in the car. Since Ms. Wright's disorderly conduct charge was dropped the next day that would mean there had not been probable cause to arrest her.

Former CPD Officer Ray Dunker testified that when they arrived at the mall, they saw broken windows and looting. They pulled up near the Champs store and they could see the glass was cracked. He did not see a black male running from the Champs store holding a hammer. He believed everyone leaving the mall was a looter because they were not adhering to parking lot etiquette. He joined Respondent in pursuing the red Hyundai as it drove through the parking lot because he heard Respondent's broadcast of 4 black males in a red Hyundai who had been looting. He was concerned for Respondent's safety. He struck the back of the car to make it stop. He then grabbed the door handle of the car, and it broke off causing him to fall. He believes Respondent, who was on the other side of the car, did not see what caused him to fall and thought the car was trying to run over him. He testified that the occupants of the car were given sufficient time to exit the car, but they refused to do so. He stopped striking the car when the occupants started to exit on the driver's side of the car. When Ms. Wright refused to exit the car, he reached in the window to the back seat and unlocked her car door. He pulled her out of the car and handed her over to Respondent. He did not see Respondent grab her by the hair and pull her to the ground and he did not see Respondent put his knee on the back of her neck. He was the

officer who processed her arrest at the station. He was to receive a 15-day suspension for arresting Ms. Wright without justification. He resigned from the CPD before the discipline could be imposed.

### **Charges Against Respondent**

6. Police Officer David Laskus, Star No. 7458, is **guilty** of violating Rules 1, 2, 6, and 8 in that the Superintendent proved by a preponderance of the evidence the following charges set forth in Specification No. 1:

On or about May 31, 2020, at approximately 3:00 p.m., at or near the Brickyard Mall located at 2600 North Narragansett Avenue in Chicago, Officer Laskus knowingly detained Mia Wright without legal authority and/or arrested Mia Wright without probable cause. Officer Laskus thereby violated:

- a. Rule 1, which prohibits violation of any law or ordinance, by violating the Fourth Amendment of the U.S. Constitution and/or 720 ILCS 5/10-3 (unlawful restraint);
- b. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department;
- c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, by disobeying CPD Special Order S04-13-09, Section II; and
- d. Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty.

See the findings set forth in Section No. 5 above, which are incorporated here by reference.

The Board finds that Respondent did not have a justifiable basis to arrest Ms. Wright. She was not the driver of the car. She did not control the car. She could not exit the vehicle as requested by the officers because the door was locked. After she was pulled out of the car, she was compliant and not resisting. There was no evidence that Ms. Wright had engaged in any criminal activity that would have justified her arrest. Charging her with disorderly conduct,

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which the Municipal Code of Chicago 8-4-010 defines as occurring when a person “knowingly assembles with three or more persons for the purpose of using force or violence to disturb the public peace,” was not justified, as there was no evidence that she violated the Municipal Code. The baseless charge was rightly dropped against her.

7. Police Officer David Laskus, Star No. 7458, is **guilty** of violating Rules 2, 6, 8, and 9 in that the Superintendent proved by a preponderance of the evidence the following charges set forth in Specification No. 2:

On or about May 31, 2020, at approximately 3:00 p.m., at or near the Brickyard Mall located at 2600 North Narragansett Avenue in Chicago, Officer Laskus used objectively unreasonable force by grabbing Mia Wright by her hair and/or pulling Mia Wright to the ground by her hair and/or kneeling on Mia Wright’s neck and/or shoulder area while she was lying prone on the ground. Officer Laskus thereby violated:

- a. Rule 2, which prohibits any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department;
- b. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, by disobeying CPD General Order G03-02, Section III, and G03-02-01, Sections II and IV;
- c. Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty; and
- d. Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

See the findings set forth in Section Nos. 5 – 6 above, which are incorporated here by reference.

Pursuant to General Order 03-02 Use of Force, “Department members may only use force that is objectively reasonable, necessary, and proportional, under the totality of the circumstances, in order to ensure the safety of a member or third person, stop an attack, make an

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arrest, control a subject, or prevent escape.” The Board finds the Respondent was not justified in using force against Ms. Wright. She had not engaged in any criminal activity, and she did not resist arrest or attempt to flee. The other occupants exited the car without incident. Ms. Wright could not exit the car because the door was locked. Officer Dunker pulled her out the car and passed her over to Respondent, who pulled her down to the ground by the bun on top of her head such that the bun becomes undone. While she is laying on the ground and not resisting, Respondent puts his knee on the back of her neck. Ms. Wright was not a threat to anyone and the use of force on her by Respondent was excessive.

8. Police Officer David Laskus, Star No. 7458, is **guilty** of violating Rules 1, 2, 6, 8, and 38 in that the Superintendent proved by a preponderance of the evidence the following charges set forth in Specification No. 3:

On or about May 31, 2020, at approximately 3:00 p.m., at or near the Brickyard Mall located at 2600 North Narragansett Avenue in Chicago, Officer Laskus, without legal justification, damaged Tnika Tate’s vehicle, which was occupied by Tnika Tate, Mia Wright, Kim Woods, Ebony Wilbourn, and/or Javon Hill, by striking and/or breaking the vehicle’s window(s) with his baton one or more times. Officer Laskus thereby violated:

- a. Rule 1, which prohibits violation of any law or ordinance, by violating 720 ILCS 5/21-1 (criminal damage to property);
- b. Rule 2, which prohibits any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department;
- c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, by disobeying CPD General Order G03-02-07, Sections II and III(A);
- d. Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty; and
- e. Rule 38, which prohibits unlawful or unnecessary use or display of a weapon.

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See the findings set forth in Section Nos. 5 – 7 above, which are incorporated here by reference.

720 ILCS 5/21-1 *Criminal Damage to Property* provides that a person commits criminal damage to property when he or she knowingly damages any property of another. The Board finds that Respondent knowingly and without legal justification damaged the red Hyundai by repeatedly striking the car with his baton. He struck the car to stop it, then he continued to strike the car when it was stopped, and even while the occupants on the driver side of the car were exiting the car, Respondent continued to strike the car until the baton fell out of his hand. All the windows of the car were shattered except the driver's side.

9. Police Officer David Laskus, Star No. 7458, is **guilty** of violating Rules 1, 2, 6, and 8 in that the Superintendent proved by a preponderance of the evidence the following charges set forth in Specification No. 4:

On or about May 31, 2020, at approximately 3:00 p.m., at or near the Brickyard Mall located at 2600 North Narragansett Avenue in Chicago, Officer Laskus, without legal justification, searched and/or seized Tnika Tate's vehicle. Officer Laskus thereby violated:

- a. Rule 1, which prohibits violation of any law or ordinance, by violating the Fourth Amendment of the U.S. Constitution;
- b. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department;
- c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, by disobeying CPD General Order G07-03 Section IV; and
- d. Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty.

See the findings set forth in Section Nos. 5 – 8 above, which are incorporated here by reference.

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Pursuant to CPD General Order G07-03 Section IV, when it is determined that a vehicle is wanted for investigation, the officer is required to “ensure that the vehicle is not touched or moved until the appropriate investigative unit is notified and instructions are received regarding the processing and towing of the vehicle.” The Board finds that Respondent failed to comply with the provisions of this General Order. Respondent had no justifiable reason to take control of the red Hyundai. No one instructed him to take control of the car. The owner of the car had not been arrested and no evidence of criminal activity or looting was found in the car.

10. Police Officer David Laskus, Star No. 7458, is **guilty** of violating Rules 3, 5, and 6 in that the Superintendent proved by a preponderance of the evidence the following charges set forth in Specification No. 5:

On or about May 31, 2020, Officer Laskus failed to complete a Tactical Response Report as to the use of force on, and the injuries sustained by, Mia Wright. Officer Laskus thereby violated:

- a. Rule 3, which prohibits any failure to promote the Department’s efforts to implement its policy or accomplish its goals;
- b. Rule 5, which prohibits failure to perform any duty; and
- c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, by disobeying CPD General Order G03-02-02, Section III.

See the findings set forth in Section Nos. 5 – 9 above, which are incorporated here by reference.

Pursuant to General Order G03-02-02 “Incidents Requiring the Completion of a Tactical Response Report,” Respondent was required to make a report of his use of force on Ms. Wright. The order explains that “Department members will be responsible for articulating the specific facts to explain the member’s own decision to employ a particular use of force and the



reasonableness, necessity, and proportionality of the force used.” Respondent admitted that he was aware of the requirement to complete a Tactical Response Report, but that he did not complete the report because he did not believe he used excessive force against Ms. Wright. His self-assessment of his use of force does not absolve him of complying with the General Order. As stated in Section 7 above, the Board found that Respondent engaged in excessive force against Ms. Wright when he pulled her to the ground by her hair and put his knee on the back of her neck. Respondent also claimed that he thought the completion of such reports was suspended because mass arrest procedures were in place. The Board finds that there is nothing in Special Order S-06-06 *Mass Arrest Procedures*, which speaks to protocols in place in relation to multiple arrests, suspending the filing of a Tactical Response Report under these circumstances. The Board finds that Respondent’s failure to complete the report was a violation of the General Order and CPD rules.

11. Police Officer David Laskus, Star No. 7458, is **guilty** of violating Rules 3, 5, and 6 in that the Superintendent proved by a preponderance of the evidence the following charges set forth in Specification No. 6:

On or about May 31, 2020, Officer Laskus failed to complete Investigatory Stop Reports as to the detention of Tnika Tate, Kim Woods, Ebony Wilbourn, and/or Javon Hill. Officer Laskus thereby violated:

- a. Rule 3, which prohibits any failure to promote the Department’s efforts to implement its policy or accomplish its goals;
- b. Rule 5, which prohibits failure to perform any duty; and
- c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, by disobeying CPD Special Order S04-13-09, Section VIII.

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See the findings set forth in Section Nos. 5 – 10 above, which are incorporated here by reference.

Special Order S04-13-09, Section VIII, Investigatory Stop Report, requires officers to complete a report when they detain someone. This report would have been required because Respondent stopped and detained the occupants in the red Hyundai. Respondent admits that he did not complete this report and that he did not think he had to complete the report because mass arrest procedures were in place. There was no evidence that officers were excused from completing these reports and the Superintendent's police-practices expert credibly testified that Respondent was still required to complete this report. It is further noted that Special Order S-06-06 *Mass Arrest Procedures*, which speaks to protocols in place in relation to multiple arrests, does not suspend any reporting requirements in relation to Investigatory Stop Reports. The Board finds that Respondent's failure to complete the report was a violation of the Special Order and CPD rules.

12. Police Officer David Laskus, Star No. 7458, is **guilty** of violating Rules 2, 3, and 14 in that the Superintendent proved by a preponderance of the evidence the following charges set forth in Specification No. 7:

On or about August 25, 2020, and/or July 15, 2021, and/or September 13, 2021, Officer Laskus willfully provided a false and/or misleading statement to the Civilian Office of Police Accountability by stating that he observed Javon Hill armed with a hammer, or words to that effect. Officer Laskus thereby violated:

- a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department;
- b. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its; and

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- c. Rule 14, which prohibits making a false report, written or oral.

See the findings set forth in Section Nos. 5 – 11 above, which are incorporated here by reference.

As noted above, Respondent admitted that while he believed Mr. Hill, an occupant of the red Hyundai, was the man he saw running from the Champs store with a hammer, he could see that Mr. Hill is not the individual depicted in the video seen banging the Champs window with a hammer. No hammer was recovered from red Hyundai. The Board finds that Respondent's statement to COPA that he observed Javon Hill armed with a hammer was an intentionally false material statement and a violation of Rule 14.

13. Police Officer David Laskus, Star No. 7458, is **guilty** of violating Rules 2, 3, and 14 in that the Superintendent proved by a preponderance of the evidence the following charges set forth in Specification No. 8:

On or about August 25, 2020, and/or July 15, 2021, and/or September 13, 2021, Officer Laskus willfully provided a false and/or misleading statement to the Civilian Office of Police Accountability by stating that he did not pull Mia Wright by her hair, or words to that effect. Officer Laskus thereby violated:

- a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department;
- b. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its; and
- c. Rule 14, which prohibits making a false report, written or oral.

See the findings set forth in Section Nos. 5 – 12 above, which are incorporated here by reference.

As stated in Section No. 7 above, the Board finds that Ms. Wright's testimony and the

video evidence establishes that Respondent pulled her by her hair to the ground. Respondent admitted that when interviewed by COPA and he was asked whether he pulled Ms. Wright by the hair to the ground, he answered that he had not. The Board finds that this was a false statement by Respondent to COPA, that the statement was material to COPA's investigation as it goes to the determination of whether Respondent used excessive force against Ms. Wright, and that it was willful. The Board finds that Respondent violated Rule 14.

### **Disciplinary Action**

14. The Board has considered the facts and circumstances of the conduct of which it has found Respondent guilty and the evidence he presented in mitigation.

Respondent presented two mitigation witnesses. Michael Rigoli, a 27-year veteran with CPD, supervised Respondent at the 12<sup>th</sup> District and has known him for 17 years. Former Sergeant Rigoli testified that Respondent was one of his best officers—he was always professional, always dedicated, was well-respected in the community, and was trustworthy. Michael Laskus, Respondent's older brother, testified that he has always known his brother to be a hard worker and he knows that Respondent loves being a police officer; he described Respondent as being married to his job.

Respondent also presented his CPD complimentary history as evidence in mitigation. Since his appointment in 2006, he has earned a total of 95 awards, including seven Department Commendations, one Unit Meritorious Performance Awards, one Superintendent's Honorable Mention, 69 Honorable Mentions, seven Emblems of Recognition for Physical Fitness, and four Attendance Recognition Awards.

After considering thoroughly Respondent's evidence in mitigation, the Board finds that

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his accomplishments and the positive evaluations of him do not mitigate the seriousness of his misconduct.

Respondent used unreasonable force by pulling Mia Wright to the ground by her hair and then kneeling on her neck area while she was lying prone on the ground. Respondent also arrested Ms. Wright, damaged Tnika Tate's vehicle with his baton, and seized the vehicle, all without legal justification. While the Board understands Respondent was faced with challenging circumstances during the period of civil unrest that took place following the death of George Floyd, Respondent's response to these circumstances was unjustified. Chicago police officers often encounter difficult and stressful situations in which they must act with little or no time for reflection. Respondent's actions toward Ms. Wright and the other occupants of the vehicle demonstrated a lack of the judgment that is required of officers and were serious violations of the Fourth Amendment and of CPD policy.

Respondent's conduct also brought discredit upon the CPD, thereby undermining public confidence in the judgment of its officers and the Department's mission. Effective law enforcement depends upon a high degree of cooperation between the police department and the public it serves. Conduct such as Respondent's erodes the public's trust of and confidence in police officers, thereby impeding the Department's efforts to achieve the important goals of preventing crime, preserving the public peace, identifying and arresting those who commit crimes, and promoting among all Chicagoans respect for and cooperation with the law and those sworn to enforce it.

Respondent compounded his misconduct by intentionally making material false statements to COPA during its investigation of this incident. Respondent's dishonesty relates directly to his public duties as a police officer and render him unfit to hold that office.

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Trustworthiness, reliability, good judgment, and integrity are all material qualifications for any job, particularly one as a police officer. The duties of a police officer include making arrests and testifying in court, and a police officer's credibility is at issue in both the prosecution of crimes and in CPD's defense of civil lawsuits. A public finding that a police officer knowingly made a material false statement during an official interview with an investigating agency is detrimental to the officer's credibility as a witness and, as such, is a serious liability to the Department. See *Rodriguez v. Weis*, 408 Ill.App.3d 663, 671 (1st Dist. 2011).

The Board finds that Respondent's conduct is sufficiently serious to constitute a substantial shortcoming that renders his continuance in his office detrimental to the discipline and efficiency of the service of the Chicago Police Department and is something that the law recognizes as good cause for him to no longer occupy his office.

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**POLICE BOARD DECISION**

The members of the Police Board of the City of Chicago hereby certify that they have read and reviewed the record of the proceedings, viewed the video recording of the entire evidentiary hearing, received the oral report of the Hearing Officer, and conferred with the Hearing Officer on the credibility of the witnesses and the evidence. The Police Board hereby adopts the findings set forth herein by the following votes.

By votes of 8 in favor (Ghian Foreman, Paula Wolff, Steven Block, Aja Carr-Favors, Mareilé Cusack, Nanette Doorley, Michael Eaddy, and Andreas Safakas) to 0 opposed, the Board finds Respondent **guilty** of the charges set forth in Specification Nos. 1 – 8, as set forth above.

As a result of the foregoing and for the reasons set forth above, the Board, by a vote of 8 in favor (Foreman, Wolff, Block, Carr-Favors, Cusack, Doorley, Eaddy, and Safakas) to 0 opposed, hereby determines that cause exists for discharging Respondent from his position as a police officer with the Department and from the services of the City of Chicago.

**NOW THEREFORE, IT IS HEREBY ORDERED** that Police Officer David Laskus, Star No. 7458, as a result of having been found guilty of all charges in Police Board Case No. 22 PB 3005, be and hereby is **discharged** from his position as a police officer with the Department and from the services of the City of Chicago.

This disciplinary action is adopted and entered by a majority of the members of the Police Board: Ghian Foreman, Paula Wolff, Steven Block, Aja Carr-Favors, Mareilé Cusack, Nanette Doorley, Michael Eaddy, and Andreas Safakas.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 16<sup>th</sup> DAY OF NOVEMBER, 2023.

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Attested by:

/s/ GHIAN FOREMAN  
President

/s/ MAX A. CAPRONI  
Executive Director

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THESE FINDINGS AND DECISION

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

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LARRY SNELLING  
Superintendent of Police