

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

IN THE MATTER OF THE)	
RECOMMENDATION FOR DISCIPLINE OF)	
SERGEANT MICHAEL TEWS,)	No. 22 RR 14
STAR No. 1463, DEPARTMENT OF POLICE,)	
CITY OF CHICAGO.)	(CR No. 2020-3282)

REQUEST FOR REVIEW

On July 20, 2022, the Executive Director 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 recommendation for discipline of Sergeant Michael Tews, Star No. 1463, arising out of the investigation of Complaint Register No. 2020-3282 (“Request for Review”).

The investigation stems from clashes between police and members of the public on July 18, 2020, during the civil unrest in Chicago after the murder of George Floyd. According to the Summary Report of Investigation, Sergeant Tews and three other officers in his vehicle responded to a radio call to assist an officer. They observed a large crowd blocking a street and saw the other officer’s vehicle surrounded by individuals who were using bicycles to block the vehicle’s path. Sergeant Tews noticed the south sidewalk of West Fullerton Avenue was unoccupied and he drove his vehicle on the sidewalk. As he was doing so, the individuals who were surrounding the other officer’s vehicle rushed toward Sergeant Tews’s vehicle and three individuals attempted to block its path by standing in front of it. As Sergeant Tews’s vehicle proceeded forward through the crowd, individuals near the vehicle began to throw objects at or strike the vehicle. As Sergeant Tews drove forward, two individuals moved out of the vehicle’s path and stood between the vehicle and a building. Simultaneously, a third person dropped his

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bicycle on the sidewalk and fell into the planter. As the vehicle passed the two individuals, an officer reached out his window and sprayed them with his OC spray, and Sergeant Tews struck and ran over the bicycle. Once Sergeant Tews drove past the individuals, the crowd began to disburse, and Sergeant Tews was able to return to the roadway.

Following the conclusion of the investigation, the Chief Administrator issued a recommendation for discipline of Sergeant Tews. The Superintendent of Police did not agree with the Chief Administrator's recommendation and proposed less discipline for Sergeant Tews.

The Chief Administrator recommended that the following allegations against Sergeant Tews be *Sustained*:

On or about July 18, 2020, at approximately 9:35 p.m., at or near 3245 West Fullerton Avenue in Chicago, Sergeant Tews:

2. Used excessive force by driving his vehicle into pedestrians, without justification;
3. Failed to investigate if his use of force resulted in any injuries;
5. Failed to use time as a tactic to mitigate the need for force;
6. Failed to accurately detail the force used in a Tactical Response Report;
7. Failed to report to the Office of Emergency Management and Communications (OEMC) his reportable use of force;
8. Failed to operate his Department vehicle with "due regard for the safety of all persons";
10. Failed to yield the right-of-way to all pedestrian traffic while operating his Department vehicle in non-pursuit emergency operations;
14. Failed to ensure OEMC was informed of the deployment of OC spray;
15. Investigated a reportable use of force despite using and/or ordering a reportable use of force during the same incident;
16. Reviewed a reportable use of force despite using and/or ordering a reportable use of force during the same incident; and

17. Failed to enter your PSIT Logon Identification Number (PC Number) into his PDT.

The Chief Administrator recommended that Sergeant Tews be suspended from the Chicago Police Department for ninety (90) days.

The Superintendent disagreed with the Chief Administrator's recommendation for discipline of Sergeant Tews. The Superintendent did not agree that Allegation Nos. 2, 3, 5 – 8, 10, and 14 – 16 be *Sustained*, agreed that Allegation No. 17 be *Sustained*, and recommended that Sergeant Tews be given a Reprimand.

According to the Certificate submitted by the Chief Administrator: (1) the Chief Administrator issued the recommendation for discipline on January 25, 2022; (2) the Chief Administrator received the Superintendent's written response on June 14, 2022¹; (3) the Chief Administrator's designees met with the Superintendent's designees and concluded their discussion of this matter on July 14, 2022; and (4) the Request for Review was sent via email to the Executive Director of the Police Board on July 20, 2022.

The Executive Director of the Police Board prepared and forwarded the Request for Review file to Nanette Doorley, 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 August 2, 2022, 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. Following her initial review of this matter, the Reviewing Member requested, received, and reviewed video recordings of the incident.

¹According to the Superintendent's office, the Superintendent initially responded to the Chief Administrator's recommendation on April 25, 2022, by requesting additional investigation.

OPINION

It is my opinion that, based on a thorough review of the Request for Review material, the Superintendent met the burden of overcoming the Chief Administrator's recommendation for discipline.

I appreciate the effort COPA utilized to identify the occupants in the CPD vehicle seen on the video, as well as COPA's investigation of this incident and others that occurred in the aftermath of George Floyd's death in May 2020. With regard to this particular incident, I find persuasive the Superintendent's arguments in support of not sustaining the most serious allegations against Sergeant Tews. Sergeant Tews along with three other CPD officers responded to a call for assistance from Officer Zachary Much, whose single occupied vehicle was surrounded by hostile protesters. Once on scene, Sergeant Tews attempted to locate Officer Much's vehicle when Sergeant Tews's vehicle was attacked by a large group of protesters. Fearing for his safety and also for the other officers in his vehicle, Sergeant Tews saw an outlet to remove himself from the situation. Sergeant Tews drove his vehicle on the sidewalk in an effort to escape the protesters. The protesters abandoned the street and descended on Sergeant Tews's vehicle, striking it and throwing themselves onto the vehicle. By the protesters leaving the street and descending on Sergeant Tews's vehicle, this allowed Officer Much to retreat from the threat. With the protesters now descending on Sergeant Tews's vehicle, Sergeant Tews vehicle was put in the same situation as Officer Much. Only Sergeant Tews's vehicle was on the sidewalk between buildings and planters. The protesters were throwing objects and attempting to enter the vehicle. Sergeant Tews utilized a de-escalating tactic to remove himself from the situation by driving forward to avoid members of his team and himself from injuries and from injuries to the protesters.

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Therefore, pursuant to Section 2-78-130(a)(iii) of the Municipal Code of Chicago, the Superintendent's response shall be implemented.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 18th DAY OF AUGUST, 2022.

/s/ NANETTE DOORLEY
Member
Police Board

Attested by:

/s/ MAX A. CAPRONI
Executive Director
Police Board