



# ARLINGTON HEIGHTS POLICE DEPARTMENT

## REPORT OF INQUIRY / PRELIMINARY INVESTIGATION

Type of Complaint: Procedural Misconduct	Date & Time Received: 01-16-24 / 14:30
Case Report Number: 23-019464	Internal Affairs Number (Assigned by Administrative Deputy Chief):

**Complainant alleges that:** Sergeant Piotr Gacek engaged in "Unprofessional Conduct and Escalation of Situation."

☒ See Narrative

### Complainant Information:

Name: [Personal information within public records] D.O.B. Sex: M Race:

Address: (include Street, City, State, Zip) [Personal information within public records]

### Telephone Numbers

Home: ( ) Work: ( ) Cell: ( )

### Manner Complaint Received (check all that apply)

☐ In Person ☐ Telephone ☒ Letter ☐ Anonymous

Complaint Received by: Deputy Chief Greg Czernecki Star / I.D. #: 717

Location of Incident: Rand Rd. At Beverly Ln., Arlington Heights, IL	Date: 08/30/2023	Time: 1745
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### Accused Officer (s) / Employee (s):

Name: Sergeant Piotr Gacek Star / I.D. #: 578

Name: Star / I.D. #:

Name: Star / I.D. #:

Name: Star / I.D. #:

### Witness Information:

Name: Ofc. A. Padiyara	Address: AhpD	Home Telephone: ( )	Work Telephone: ( )
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Name: Ofc. C. Montella	Address: AhpD	Home Telephone: ( )	Work Telephone: ( )
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Name: [Personal information within public records]	Address: [Personal information within public records]	Home Telephone: [Personal information within public records]	Work Telephone: ( )
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**Report of Inquiry / Preliminary Investigation – Continuation**

Name:	Address:	Home Telephone: ( )	Work Telephone: ( )
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**Description of attached documents:** ☐ NONE

Arlington Heights Police Department Complaint Receipt Form

Copy of typewritten letter, authored by [Personal information within]

Illinois Traffic Crash Report AHP23-019464

Body Worn Camera Footage can be viewed at evidence.com

Investigation resolution letter addressed to [Personal information within public records]

**Complainant satisfied with resolution: (explain below)** ☐ YES ☐ NO

NOTIFIED VIA LETTER 01/29/24

- Disposition:** ☐ This complaint involves “criminal misconduct” which requires automatic referral to the Deputy Chief of the Administrative Services Division.
- ☐ This complaint involves “procedural misconduct” that cannot be resolved at the line supervisory level and requires referral to the Deputy Chief of the Administrative Services Division.
- ☒ This complaint involves “procedural misconduct” which has been resolved and is being submitted with the following recommendation for final disposition:
- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Unfounded Complaint | <input checked="" type="checkbox"/> Proper Conduct | <input type="checkbox"/> Insufficient Evidence |
| <input type="checkbox"/> Improper Conduct               | <input type="checkbox"/> Policy Failure            |  |

**FOR USE BY THE DEPUTY CHIEF OF THE ADMINISTRATIVE SERVICES DIVISION ONLY**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Disposition and Resolution Approved as Submitted | <input type="checkbox"/> For formal investigation |
| <input type="checkbox"/> Referred to   | <input type="checkbox"/> For informal inquiry     |

Signature: [Personal information within public records]

Date: 01/29/24

Report Completed by: [Personal information within public records]

Rank/Title: COMMANDER

[Personal information within public records]

T. JASPER

## Report of Inquiry / Preliminary Investigation – Continuation

### NARRATIVE:

On 01-18-24, Deputy Chief Greg Czernecki assigned this Report of Inquiry / Preliminary Investigation. Deputy Chief Czernecki supplied me with an Arlington Heights Police Department Complaint Receipt Form and a typewritten letter addressed to Chief Nicholas Pecora, authored by [Personal information within]

I reviewed both documents. The typewritten letter contained the subject line: "Complaint Against Sgt. Piotr Gacek for Unprofessional Conduct and Escalation of Situation on August 30, 2023". The typewritten letter did not include an Incident / Offense Report number, nor a description of the event that led to [Personal] having contact with Arlington Heights Police Department Officers.

A search of Police Department records yielded an Illinois Traffic Crash Report dated August, 30, 2023, with [Personal] listed as Unit 1 Driver. The report number assigned to that traffic crash report is AHP23-019464. I researched AHP23-019464 through Northwest Central Dispatch System (NWCDs) and learned Officer (OFC.) Anthony Padiyara and Officer (OFC.) Carlo Montella responded to the scene. OFC. Padiyara later requested Sergeant (SGT.) Piotr Gacek respond to the scene.

I reviewed Illinois Traffic Crash Report AHP23-019464, which did not contain any information relevant to [Personal] complaint against SGT. Gacek.

### BODY WORN CAMERA FOOTAGE REVIEWS:

OFC. Padiyara, OFC. Montella, and SGT. Gacek's Body Worn Camera (BWC) footage was uploaded to evidence.com and logged under AHP23-019464. I reviewed all BWC footage logged under that number.

#### OFC. Padiyara BWC footage:

OFC. Padiyara was the initial responding Officer. Immediately as he arrived on scene, [Personal] is heard in the background saying "She's not out of the car because she scared." OFC. Padiyara says "Stop" several times, but [Personal] (heard in the background) sounds as if he's taunting the other driver, [Personal information within public]

OFC. Padiyara is approached by [Personal information within public records] old woman being called a cunt." OFC. Padiyara discusses the details of the accident with [Personal]

[Personal] is standing near the driver's side of [Personal] vehicle, appearing to film [Pers] and OFC. Padiyara with his cellular telephone. [Personal] engages OFC. Padiyara in conversation. [Personal] mentions he has "dash cam" footage of the crash. OFC. Padiyara told [Personal] he needed to view the footage. [Personal] responds by saying "No, you don't need to see it." [Personal] tells OFC. Padiyara he is unable to produce the footage. OFC. Padiyara again tells [Personal] he'd like to see the footage and [Personal] responds by stating (in a sarcastic and condescending tone) "You could like to do a lot of things."

OFC. Padiyara attempts to encourage [Personal] to produce his dash cam video. [Personal] continues to refuse to do so and is argumentative.

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## Report of Inquiry / Preliminary Investigation – Continuation

OFC. Padiyara asks [Personal information] for his Driver's License and proof of insurance. [Personal] produces his Driver's License and states his proof of insurance is in his vehicle. [Personal] makes unsolicited remarks about OFC. Padiyara's BWC, stating he is going to "pull the recording" of what he spoke to [Personal] about. OFC. Padiyara asks [Personal] to calm down and act like an adult.

[Personal] confronted [Personal] about calling her a cunt. OFC. Padiyara attempts to end the argument, at which time [Personal] said "I'm not arguing, she's right, I called her a cunt. I did call her a cunt, put that on record. I did. No, no, but I did call her a cunt." [Personal] continues to be argumentative, stating again "I did call her a cunt. 100%. Put it in your report." OFC. Padiyara attempts to redirect [Personal] attention back to the accident. OFC. Padiyara asks [Personal] for his phone number. [Personal] first states that he does not have a phone number, but then states he does not want to give OFC. Padiyara his phone number.

OFC. Padiyara again asks for [Personal] proof of insurance. [Personal] vehicle is parked in a different location. OFC. Padiyara asks [Personal] to bring his car to the lot they are in. [Personal] refuses to do so. [Personal] demands OFC. Padiyara walk to his vehicle instead.

OFC. Padiyara speaks to [Personal] about [Personal] insurance information, while [Personal] stands a short distance away, still continuing to film on [Personal] telephone.

OFC. Padiyara returns to his squad car for a brief time. [Personal] approaches OFC. Padiyara and complains about how long he is taking (10 minutes, per [Personal information within] again refuses to bring his insurance information to OFC. Padiyara, becomes argumentative with OFC. Padiyara, and then begins to complain about where [Personal] is parked. [Personal] continues to complain to OFC. Padiyara and makes several mentions about OFC. Padiyara not following "policy." OFC. Padiyara attempts to explain to [Personal] that he is not finished with [Personal information] exclaims "Do whatever the fuck you wanna do", then complains that [Personal] is talking on the telephone. [Personal] tells OFC. Padiyara to "get your supervisor out here right now."

OFC. Padiyara radios a request for a supervisor. OFC. Padiyara follows [Personal] to his vehicle, which is parked in a parking lot one block west of [Personal] vehicle.

[Personal] approaches his vehicle, turns toward OFC. Padiyara, and asks "You're good right? I can go in my car, you're not going to draw your weapon on me?" [Personal] then tells OFC. Padiyara he's "kinda squirly [sp]". [Personal] then told OFC. Padiyara "You're sucking that bitch's cunt." (Referring to [Personal information] again becomes argumentative with OFC. Padiyara and says "You should have told that fat cow to fuckin' go take a hike." (Referring to [Personal] [Personal] continues to argue states he is going to "publish this (video) fuckin' completely." [Personal information] continues, stating "I'm gonna fuckin' summons your fuckin' body cam."

[Personal] points out his dash cam, then explains his version of events that led to the crash. [Personal] stated "we were both in the wrong." OFC. Padiyara explains to [Personal] that he is at fault driver. [Personal] dismisses OFC. Padiyara, stating "Write the ticket, write the ticket, write the ticket, no, write the ticket, I don't need your explanation."

[Personal] accuses OFC. Padiyara of being biased, but does not state what the bias is.

SGT. Gacek arrived on scene and has a brief conversation with OFC. Padiyara. OFC. Padiyara walks back to his squad car. OFC. Montella arrives on scene and stays with SGT. Gacek.

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## Report of Inquiry / Preliminary Investigation – Continuation

OFC. Padiyara returned to his squad car to complete the accident report. OFC. Padiyara issues paperwork to [Personal] and is then approached by [Personal] who walked from his car, to OFC. Padiyara's location.

[Personal information within public] approaches OFC. Padiyara. OFC. Padiyara asks [Personal] to wait where he is and not follow him to his car. [Personal] refuses, stating "I have a right to record everything." OFC. Padiyara tells [Personal] not to go into his squad car. [Personal] says "You're a fuckin' idiot, dude." OFC. Padiyara asks [Personal] for personal space, [Personal] refuses to back away, telling OFC. Padiyara he has enough space.

OFC. Padiyara issues [Personal] his accident report and a citation. [Personal] then tells OFC. Padiyara "You probably work for a cho-mo (child molester), he probably molests his children." (Referring to SGT. Gacek). OFC. Padiyara opened the front passenger door of his squad car to put something away. [Personal] stood behind OFC. Padiyara and said "Oh, shit, I was right next to you when you opened your door. Did you feel danger? You're a fuckin' idiot."

OFC. Padiyara entered his squad car and had no additional interaction with [Personal]

### **SGT. Gacek BWC footage:**

SGT. Gacek arrived on scene and met briefly with OFC. Padiyara. OFC. Padiyara told SGT. Gacek that [Personal] believed he was "biased" because of how he handled an argument between [Personal information within public]

SGT. Gacek approaches [Personal] who is holding up his telephone, as if he is filming. [Personal] asks SGT. Gacek if his BWC is on. [Personal] begins a conversation with SGT. Gacek. [Personal] explains that he was interrupted by [Personal] when he was trying to speak with OFC. Padiyara. [Personal] was upset that OFC. Padiyara did not threaten to arrest [Personal]

SGT. Gacek begins to offer an explanation to [Personal] about why the accident investigation is taking longer than he would like to complete. [Personal] who was holding his phone at approximately chest height, raises his camera a little higher and takes a step towards SGT. Gacek. SGT. Gacek tells [Personal] he is free to record, but requests [Personal] not stick the camera in his face.

[Personal] becomes irate and raises his voice at SGT. Gacek. SGT. Gacek tells [Personal] to take a step back. [Personal] refuses to do so and yells "You take a step back", while making hand gestures. [Personal] takes another step towards SGT. Gacek, while continuing to yell "You take a step back." SGT. Gacek tells [Personal] "Don't square up with me, otherwise we're over, we're done." SGT. Gacek tells [Personal] "I'm not talking to you." [Personal] tells SGT. Gacek "You're a fuckin' idiot. You're an idiot. You're an idiot. I need my Driver's License back and I need whatever fuckin' ticket you're gonna write me."

[Personal] starts following SGT. Gacek, who is attempting to walk away. SGT. Gacek tells [Personal] to stop walking towards him. [Personal] responds by stating "Get the fuck out of here, fuckin' idiot. You're a fuckin' idiot, you know that." SGT. Gacek again tells [Personal] to stop walking towards him. [Personal] screams "I'm not walking towards you, you fuckin' idiot, I'm walking sideways, with you, you fuckin' idiot." SGT. Gacek tells [Personal] not to get any closer to him. [Personal] points his finger at SGT. Gacek, yelling "You're a fuckin' idiot, you're a fuckin' idiot. I need my Driver's License, you fuckin' pig." [Personal] continues exclaiming "You're a fuckin' pig, go beat your wife."

SGT. Gacek walks away from [Personal information within] brags to OFC. Montella that he "didn't back down" from SGT. Gacek. SGT. Gacek phones OFC. Padiyara for the status of his paperwork. SGT. Gacek informs [Personal] that OFC.

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## Report of Inquiry / Preliminary Investigation – Continuation

Padiyara will bring his accident report paperwork to him. [Personal] answers "Alright you pig." [Personal] asks for a business card. SGT. Gacek provided [Personal] with his name, rank and star number.

SGT. Gacek begins walking towards his squad car. [Personal] yells "Where do I go to file a complaint?" SGT. Gacek asks [Personal] what he wants to file a complaint about. [Personal] answers "I told you, you dumb fuckin' piece of shit." [Personal] goes off on a rant about the 1<sup>st</sup> Amendment, as well as the words fuck and ass. [Personal] informs SGT. Gacek that his video "Shows you're a piece of shit." SGT. Gacek informs [Personal] he can file a complaint at the Police Department.

SGT. Gacek turns away from [Personal] and walks towards his squad car. [Personal] states "Go beat your wife man." SGT. Gacek entered his squad car and repositioned it, so he was facing [Personal information within] approaches SGT. Gacek's squad car. Though the windows are up on SGT. Gacek's squad car, [Personal] can be heard yelling "Get back! You're too close to me!", in an apparent attempt to mock SGT. Gacek. [Personal] voice can be heard yelling "fucking", but the rest of the statement is inaudible.

[Personal] approaches SGT. Gacek's squad car, stands near the passenger side of the windshield holding his middle finger up at SGT. Gacek. SGT. Gacek tells [Personal] to step away from the car. [Personal] repeatedly tells SGT. Gacek "Arrest me." [Personal] tells SGT. Gacek he is abusing his power. [Personal] then goes on a rant about his Driver's License and calls SGT. Gacek a "stupid prick." [Personal] then says "Arrest me, cuz you're so fuckin' scared. I might have a doughnut in my pocket." [Personal] then tells SGT. Gacek "Go fuck yourself." [Personal] goes on to make profane statements about abuse of power, body cameras, and safety.

[Personal] then tells SGT. Gacek "You probably do beat your wife. You probably molest your fuckin' grandkids too. You probably do. You probably like it in the ass." [Personal] asks SGT. Gacek "What's your wife's name?" "Is she a nurse?" [Personal] then tells SGT. Gacek he wants to know who his spouse is and who his kids are. [Personal] threatens to "Investigate more", because he believes SGT. Gacek is abusing his power.

SGT. Gacek sits in his squad car and [Personal] continues to stand outside, ranting to himself. SGT. Gacek exits his car and has a conversation with OFC. Montella. [Personal] can be heard in the background, continuing to rant and laugh out loud. [Personal] tells SGT. Gacek "You're about as tall as you are fat too." "You're probably not even married. That's probably right. You can't go home and beat your wife, because you're not even married. You do probably molest kids though."

SGT. Gacek begins to leave and [Personal] says "Adios cho-mo, you look like a cho-mo." "Fuckin' cho-mo."

SGT. Gacek drives to the location of [Personal] vehicle and stands by while OFC. Padiyara issues [Personal] his Illinois Traffic Crash Report and citation.

SGT. Gacek clears the scene.

### **OFC. Montella BWC Review:**

OFC. Montella assigned himself to this incident, after hearing OFC. Padiyara radio for a supervisor to respond. OFC. Montella stood by while SGT. Gacek interacted with [Personal] OFC. Montella provides [Personal] with his name and star number, after being asked.

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## Report of Inquiry / Preliminary Investigation – Continuation

Personal informs OFC. Montella his father and step-father were both Chicago Police Officers, so he knows “all the bullshit you guys do. You see I didn’t back down from this pig either.” OFC. Montella did not engage Personal in conversation.

OFC. Montella did not have any additional interaction with Personal

OFC. Montella clears the scene.

### INTERVIEWS:

Personal information within public records

#### Interview with SGT. Gacek:

On 01-23-24, I interviewed SGT. Gacek. SGT. Gacek reported he responded to the scene, after OFC. Padiyara radioed for a supervisor. SGT. Gacek made a simple request for Personal to lower his camera and did not expect Personal reaction. Personal demeanor illustrated he had no intention of coming to an amicable resolution, as evidenced by his behavior. It appeared his intention was to bait the Police into an encounter.

SGT. Gacek reported that he found Personal demeanor, responses, and comments irrational and appalling Personal behavior was unusual, considering he was only involved in a minor traffic accident.

SGT. Gacek complemented OFC. Padiyara and OFC. Montella, for their professionalism dealing with Personal

#### Interview with OFC. Montella:

On 01-23-24, I interviewed OFC. Montella. OFC. Montella described Personal as irate and stated he wouldn’t listen. OFC. Montella advised Personal put his telephone close to SGT. Gacek’s face and SGT. Gacek requested Personal lower his phone. OFC. Montella did not find SGT. Gacek’s request unreasonable and stated he may have made the same request, if Personal stuck his telephone in his face.

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## Report of Inquiry / Preliminary Investigation – Continuation

OFC. Montella did not think SGT. Gacek was out of line. OFC. Montella stated he did not witness SGT. Gacek violate any Department General Orders. OFC. Montella stated both SGT. Gacek and OFC. Padiyara did a nice job dealing with

Personal

### **Interview with OFC. Padiyara:**

On 01-24-24, I interviewed OFC. Padiyara. OFC. Padiyara recalled that [Personal information within] were arguing when he arrived on scene. OFC. Padiyara stated [Personal] was uncooperative, irate, and seemed intent on provoking a confrontation with Police.

OFC. Padiyara did not witness SGT. Gacek's interaction with [Personal information]

### **INVESTIGATORY CONCLUSION:**

After reviewing [Personal] complaint, reviewing Illinois Traffic Crash Report #AHP23-019464, viewing applicable body worn camera footage, interviewing [Personal information within public] OFC. Padiyara, OFC. Montella, and SGT. Gacek, I determined SGT. Gacek conducted himself within the bounds of Arlington Heights Police Department General Orders, and the law.

[Personal] complained that SGT. Gacek's conduct was "unprofessional", and that conduct escalated the situation. The body worn camera footage clearly proved SGT. Gacek conducted himself professionally, while dealing with [Personal] who was argumentative, irate, profane, and clearly attempting to provoke a confrontation [Personal] repeatedly called Sgt. Gacek a "fuckin' idiot", "pig", and told Sgt. Gacek "Go fuck yourself." Additionally, [Personal] made baseless and offensive accusations against SGT. Gacek, stating "You probably do beat your wife. You probably molest your fuckin' grandkids too. You probably do. You probably like it in the ass."

SGT. Gacek remained professional and gave [Personal] a simple command to back away from him, due to [Personal] aggressive, instigative, and, quite frankly, outrageous behavior. SGT. Gacek's use of verbal commands in an attempt to create distance between he and an aggressive [Personal] was within department policy.

Not only did [Personal] treat SGT. Gacek with an absolute lack of respect, he also, by his own admission, called [Personal] [Personal information within public records] [Personal] seemed to boast to OFC. Padiyara that he had done so.

Prior to SGT. Gacek's arrival, [Personal] was uncooperative with OFC. Padiyara. [Personal] refused retrieve his insurance information, provide a telephone number, or accommodate OFC. Padiyara's request to view [Personal] dash cam footage [Personal] also told OFC. Padiyara he was "Sucking that bitch's cunt." [Personal information within]

The only person who escalated the situation, was [Personal] SGT. Gacek, OFC. Padiyara, and OFC. Montella all conducted themselves professionally when dealing with [Personal] who seemed intent on provoking a confrontation.

This complaint alleges "procedural misconduct", which has been resolved. The entirety of this incident was captured on three (3) body worn cameras, which provided comprehensive representation of the actions of all involved parties. This report of Inquiry / Preliminary Investigation is being submitted with the following recommendation for final disposition: **PROPER CONDUCT.**

Report Completed by: T. JASPER #640 Rank/Title: COMMANDER



Report of Inquiry / Preliminary Investigation – Continuation

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Report Completed by: T. JASPER #640 Rank/Title: COMMANDER



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Personal information within public records

Personal information within public records

RECEIVED GSC #717  
01/12/2024

January 12, 2024

Nicholas Pecora ☐  
Police Chief ☐  
Arlington Heights Police Department ☐  
200 E Sigwalt St, Arlington Heights, IL 60005

Subject: Complaint Against Sgt. Piotr Gacek for Unprofessional Conduct and Escalation of Situation on August 30, 2023

Dear Nicholas Pecora,

I am writing to express my grave concern and dissatisfaction regarding an incident involving Sgt. Piotr Gacek on August 30, 2023. During this incident, Sgt. Gacek's unprofessional conduct and actions that contributed to escalating the situation deeply troubled me.

On the date mentioned above, I found myself in a situation where I required the assistance of a law enforcement supervisor. Sgt. Gacek was the responding officer, and his behavior during the encounter was nothing short of alarming and inappropriate.

On August 30, 2023, Sgt. Gacek treated me with a complete lack of respect. He acted aggressively, which added unnecessary tension to the situation. Sgt. Gacek raised his voice and failed to remain calm when it was crucial to do so. Instead of trying to de-escalate the situation, he made it worse. This was particularly alarming as he was responsible for ensuring public safety and resolving conflicts as a law enforcement officer.

I believe that Sgt. Gacek's actions not only affected my personal well-being but also damaged the trust and confidence that I, as a member of the community, have in the police department. It is essential for police officers to behave with professionalism, integrity, and respect when interacting with the public.

Therefore, I request that an impartial investigation be conducted into this incident to establish the facts of the case. Additionally, I hope that appropriate measures will be taken to address Sgt. Gacek's behavior, including training or counseling as necessary, to prevent similar incidents from happening in the future.

I believe that maintaining a positive and respectful relationship between the community and law enforcement is essential. I trust that the Police Department will take this matter seriously and address it promptly. Please do not hesitate to contact me if you require any additional information or clarification. Thank you for your attention to this matter, and I hope for a swift resolution.

Sincerely,

Personal information within public



## Arlington Heights Police Department

200 East Sigwalt Street  
Arlington Heights, Illinois 60005-1925  
(847) 368-5300  
Website: [www.vah.com](http://www.vah.com)

January 29, 2024

Personal information within public records

Re: Formal Complaint against Sergeant Piotr Gacek

Personal information within

An investigation into the Formal Complaint you filed against Sergeant Piotr Gacek has been completed. The investigation determined your allegations are unfounded, as Sergeant Gacek's actions were consistent with Department policies and procedures.

I had the opportunity to review the investigative report and determined the disposition and resolution, as submitted by the assigned supervisor, appropriate. The investigation has been closed with the disposition of ***Unfounded – Proper Conduct.***

Regards,

Personal information within public records

Deputy Chief Greg Czernecki  
Arlington Heights Police Department



# Redaction Log

Reason	Page (# of occurrences)	Description
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	2 (5)	
	3 (22)	
	4 (43)	
	5 (44)	
	6 (35)	
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	8 (23)	
	10 (3)	
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