CIVILIAN OFFICE OF POLICE ACCOUNTABILITY

Log # 2024-3540

STATEMENT OF OFFICER CARMEN MOSTEK

CONDUCTED BY INVESTIGATOR JEANNE GOODWIN

AND INVESTIGATOR GREG MASTERS

on 24 May 2024 at 10:06 a.m.

at the offices of the

Civilian Office of Police Accountability

[redacted]Calls for a speculative answer.

INVESTIGATOR GOODWIN: Okay.

[redacted]But go ahead, you can answer the question.

OFFICER MOSTEK: Okay. I didn't know that they needed to know that information at the time.

BY INVESTIGATOR GOODWIN:

Q. Okay. Did you recognize Sergeant Butler immediately when he walked in?

A. Yes.

Q. Okay. You said you were forced (unintelligible) to shoot the dog?

A. Yes.

Q. Okay. Why were you forced?

A. Because I could clearly see that Kent was not able to control his dog and the dog was wanting to kill Buddy or turn around and start attacking and mauling Kent and me --

Q. Okay.

A. -- if something wasn't done.

Q. Okay. All right. The firearm that you discharged, do you recall the last time you qualified with it?

A. I know I did qualify with it before.

Q. (Unintelligible)?

A. I know I qualified with my on-duty and the carbine this year because the department notifies me when to, says, hey, it's time to qualify --

Q. Uh-huh.

A. -- with my on-duty and the carbine.

I don't get a notification when I need to with my off-duty.

Q. Okay.

A. I thought I did within -- I thought I did, but I must have forgot. But I know that I qualified with it before.

Q. Okay. But just to paraphrase what you just said is your on-duty weapon, the department's very good at reminding you --

A. Yes.

Q. -- or give you a reminder.

If you're qualifying with your off-duties weapons, it's --

A. It's no reminder and --

Q. There is no reminders?

A. (Unintelligible) exactly when I need to.

Q. Okay. I just presented you, [redacted] and [redacted] with a copy of the TRR. It is approved.

Q. And you said you -- you saw her at the station. Did you ever see her --

A. On scene?

Q. -- on scene?

A. No.

Q. Okay. And did you ever talk to any detectives about this incident?

A. No.

Q. Okay. And I'd like you to take a look -- I've got a document here. I believe you've got a copy with the -- the green arrow on it. It says at the top Firearm Qualification Details, and then near the green arrow, it shows that you qualified with your SIG P365 and it says last qualified date, 10 August 2022.

Do you see that?

A. Yes. Uh-huh.

Q. And do you recall qualifying in August of 2022?

A. I don't recall if I -- sorry. I don't recall the past time I qualified, but I just know that I qualified. But sometimes I get the on-duty qualifications mixed up.

And then I do have carbine training, also, which is extra training.

But I kind of lose track with everything going

on at work of when exactly I qualified with my off-duty.

Q. Okay. And do you have any reason to doubt the accuracy of this report or any reason to think you qualified with this weapon after August 10th of 2022?

A. No. I don't have (unintelligible).

Q. Okay.

INVESTIGATOR MASTERS: That's all I have.

INVESTIGATOR GOODWIN: Okay.

BY INVESTIGATOR GOODWIN:

Q. Officer, I'm about to read the allegations to you after which I'm going to ask you how you respond.

A. Okay.

Q. And you can, you know -- you admit or deny, basically, or however you'd like to phrase it.

And then afterward, I'll ask you if there's anything else that you'd like me to know or care to add for the record.

A. Okay.

Q. And then we'll conclude. Okay? All right.

It is alleged that on or about April 21, 2024 at approximately 11:31 a.m. at or near 510 West 29th Street, Chicago, Illinois 60616, you, police officer Carmen Mostek, committed misconduct through the

following acts or omissions, by:

Discharging a firearm without justification.

How do you respond?

A. Deny.

Q. Failing to take precautions to minimize the risk that people other than the target would be struck when discharging a firearm as Kent Maynard's dog -- at -- I'm sorry -- at Kent Maynard's dog while Kent Maynard was in close proximity to his dog.

A. Deny.

Q. Okay. Those were the allegations set forth on the CPD notification charges/allegations made by Mr. Maynard.

These allegations are coming from COPA. And they are from Deputy Chief Administrator Matthew Haynam.

It is alleged that on or about April 21, 2024 at approximately 11:31 a.m. at or near 510 West 29th Street, Chicago, Illinois 60616, police officer Carmen Mostek committed misconduct through the following acts or omissions, by:

Providing a false, misleading, inaccurate, and/or incomplete report by telling Sergeant James Butler that it was necessary to shoot Kent Maynard's

dog because Kent Maynard could not control his dog.

How do you respond to that?

A. Deny.

Q. Providing a false, misleading, inaccurate, and/or incomplete statement in a TRR by reporting that you shot Kent Maynard's dog in self defense.

How do you respond?

A. Deny.

Q. Providing a false, misleading, inaccurate, and/or incomplete statement in a -- in a tactical response report by failing to report that Kent Maynard was holding his dog when you shot the dog.

How do you respond?

A. Deny.

Q. Failing to remain on scene of a firearm discharge in violation of general order G03-06.

A. There is -- can we have a break for that?

[redacted]Yeah. (Unintelligible).

OFFICER MOSTEK: Okay. I mean -- okay.

[redacted]You want to take a break? We can take a break. Let's --

INVESTIGATOR GOODWIN: We're going to pause.

(A break was taken.)

INVESTIGATOR GOODWIN: While we were paused,

at any time, did we discuss this case? No?

[redacted]No.

INVESTIGATOR MASTERS: No.

INVESTIGATOR GOODWIN: Okay.

BY INVESTIGATOR GOODWIN:

Q. Officer, before we'd taken a break, I'd asked you how you responded to the allegation of failing to remain on scene of a firearm discharge in violation of general order G03-06.

A. Deny.

Q. Okay. And then the last one is failing to qualify annually with your auxiliary weapon, a SIG Sauer model P, as in Paul, 365, serial number [redacted] as required by uniform and property order U04-02.

A. I thought I qualified sometime within the last year, but I -- I honestly forgot.

Q. Okay. So you -- you do not believe that you qualified, correct?

A. Correct.

Q. Okay.

A. Uh-huh.

Q. All right. Officer, we've been talking about this for approximately 92 minutes on the record.

Is there anything that I have failed to ask you

STATE OF ILLINOIS )
) SS.
COUNTY OF COOK )

I, SAMANTHA N. MCNETT, RMR, CRR, CCR, CSR do hereby certify that I transcribed an audio file to the best of my ability of the above proceedings and that the foregoing is a true and correct transcript of said audio file.



Samantha N. McNett, RMR, CRR, CCR