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By Tom Schuba | Chicago Sun-Times, Dan Mihalopoulos

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Cook County prosecutors have barred 10 Chicago cops from testifying in their cases after the officers appeared on the leaked membership list of the Oath Keepers, an anti-government group that played a key role in the U.S. Capitol riot in 2021.

The move by State's Attorney Kim Foxx's office came just weeks after the officers were linked to the Oath Keepers in the WBEZ, Chicago Sun-Times and the Organized Crime and Corruption Reporting Project joint investigation of "[Extremism in the Ranks.](#)"



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The series reported that 27 current and former members of the Chicago Police Department were found on the membership rolls of the Oath Keepers. Records show some have faced serious misconduct complaints, including for accusations of using excessive force and making racist comments.

The police department hasn't taken disciplinary action against any of those cops, with officials deciding that joining such a group didn't violate any departmental rules.

But Foxx's office has added nine active-duty Chicago cops and one recently retired officer to its "Brady Giglio Do Not Call List," which seeks to keep officers with questionable credibility from being called as witnesses. That means the 10 men will no longer be able to testify for prosecutors.



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The list also includes Officer Robert Bakker, a close associate of the Proud Boys, and Officer Kyle Mingari, who was photographed wearing a Three Percenters mask while on duty at a racial justice protest in 2020.

Those far-right groups also were involved in the insurrection at the Capitol.

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The decision this week by Foxx's office to include officers linked to the Oath Keepers marks the latest fallout of the WBEZ-Sun-Times series.



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Days after the stories were published last month, Mayor Brandon Johnson's handpicked police Supt. Larry Snelling vowed to conduct a "stringent" new investigation into the officers.

A civilian-led police oversight panel also urged Chicago's independent inspector general, Deborah Witzburg, to conduct her own, broad probe into extremism within the police force, citing the recent series.

The Community Commission for Public Safety and Accountability said Witzburg had taken up that request during a public meeting Monday, when the panel also voted unanimously to approve a new policy banning officers from being actively involved in hate and extremist groups.

Defense could question cops' credibility

The action taken by Foxx's office indicates that prosecutors have seen enough already and think that cops' extremist ties can taint their ability to prosecute cases those officers are involved in.

Spokespeople for Foxx's office didn't reply to requests for comment.

On its website, the state's attorney's office says: "The purpose of the Brady Giglio policy is to ensure both the integrity of prosecutions and protect a person's right to due process by requiring prosecutors to disclose any evidence that could be favorable to the defense.

"This includes evidence that could be used to impeach the credibility of prosecution witnesses, including law enforcement officers."

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The Brady Giglio name is derived from landmark U.S. Supreme Court rulings in two cases — *Brady v. Maryland* and *United States v. Giglio* — in which the high court ruled that prosecutors have a constitutional obligation to inform the defense about such issues with witnesses.

The nine active-duty officers who appeared on the Oath Keepers data rolls are: Sgt. Michael Nowacki, Detective Anthony Keany and Officers Phillip Singto, Alberto Retamozo, Matthew Bracken, Bienvenido Acevedo, Dennis Mack, Alexander Kim and John Nicezyporuk.

Unlike many other extremist groups, the Oath Keepers' membership rules bar anyone advocating "discrimination, violence or hatred toward any person based upon their race, nationality, creed, or color." But some Chicago officers who



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appeared on the group's membership list have faced accusations by members of the public of racist policing.

Nowacki got a three-day suspension in 2007 after he replied to Englewood community activist Deborah Payne's email request for charitable donations by telling her, "I have no desire to help inner city poor people." Payne called for Nowacki to be fired after learning of his Oath Keepers' ties.

Nicezyporuk was accused by Black men of using racial slurs during traffic stops on two occasions but denied it and was not disciplined. In one case, Nicezyporuk's accuser said the incident on the West Side in 2014 left him "scared to be around white people like that Especially white cops."

Nowacki, Nicezyporuk and most other current officers on the list did not reply to requests for comment. Retamozo told the Sun-Times last month he was appalled by what the Oath Keepers has become since he signed up years ago.

And Bracken said in an interview that he had not identified with the group in over a decade and did not attend meetings or pay membership fees, though the leaked data listed him as a dues-paying member through 2015.

CPD has faced criticism

Former Officer Christopher Hoffman, retired in 2022 while being investigated for ties to the Oath Keepers, also was placed on the Brady Giglio list by Foxx's office.

Hoffman avoided discipline several years ago after a Black colleague accused him of making racist comments for years while working as an instructor at a police firing range. He was named in a half dozen other complaints that said he and his partners used racial slurs, but he wasn't reprimanded in those cases, either.

The police department has faced criticism for its handling of its investigations involving officers linked to the Oath Keepers and Proud Boys. The inspector general's office pushed the department to reopen those investigations and one targeting Mingari connected to the Three Percenters. But all of the officers involved remain with the department.

The police Bureau of Internal Affairs previously closed an investigation into some of the cops linked to the Oath Keepers in November 2022, saying "memberships into organizations in itself is not a rule violation." Yet internal investigators failed to obtain the full leaked membership data.

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Police officials have said they did not know who all the officers on the Oath Keepers membership list were.

But records obtained by the Sun-Times and WBEZ show the Anti-Defamation League emailed the police department's second-ranking official and provided the names of as many as eight Chicago police officers on the leaked rolls in August 2022.

Tom Schuba is a criminal justice editor for the Sun-Times. Dan Mihalopoulos is an investigative reporter on WBEZ's Government & Politics Team.



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