

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1079011

Allegations

On 26 January 2016, at 1125 hours, the complainant, Subject 1, contacted the Independent Police Review Authority and registered a complaint with IPRA Investigator A. The complainant alleged that on 26 January 2016, at 2157 hours, while in the vicinity of XXXX N. North Park Avenue, the accused, Officer A, #XXXXXX, used a flashlight, banged on the passenger side window of Subject 1's vehicle and;

1. stated to Subject 1, "Roll your fuckin' window down."
2. It is also reported that during the same incident you referred to Subject 1 as a "Little African guy," and a "Little nigger."

Investigation

In an **audio-recorded interview** taken on 01 February 2016, at IPRA, **Subject 1** stated that on 26 January 2016, while driving his cab in the area of West North Avenue he observed a marked police vehicle (SUV) behind him. The police vehicle pulled him over in the area of West North Avenue and N. North Park. Subject 1 placed his vehicle in park and waited for the officers to approach. A white female officer (now known as Officer B) approached the driver's side, while a white male officer (now known as Officer A) approached the passenger side of the vehicle. As Subject 1 prepared to speak with Officer B, Officer A held a large flashlight in his hand and banged it on the passenger window. Officer A stated, "Roll your funkin' window down." The white male officer requested Subject 1's license and registration. Subject 1 repeatedly asked the officer what he did. The officers informed Subject 1 that he committed a U-turn, which he denied. The officers issued Subject 1 citations. (Att #14)

Chicago Police records document that Officer B, #XXXX, issued Subject 1 an Administrative Notice of Ordinance Violations (ANOV) for; "Discourteous/Abusive behavior; profane/obscene language" and another ANOV for "Executing a U-turn in an intersection". (Att #9)

Chicago Police Department Supervisor Logs dated 26 January 2016, 1st Watch reflect that Officer B, #XXXX and Officer A, #XXXXXX were assigned to BT XXXXX, with an outside number XXXX. The vehicle did not have a working in-car camera system. The system was down for service under ticket number XXXXXXXXX. (Att #13)

In a **To-From Witness report Officer B, #XXXX**, stated on the date of incident, while working with Officer A, they pulled over a Yellow cab, #XXX, driven by Subject 1, for executing an illegal u-turn at the address at XXX West North Avenue. Subject 1 became irate and refused to pull over to the curb. Once Subject 1 pulled over for the officers, the officers requested Subject 1's license and registration. Subject 1 began to scream profanities toward the officers. Officer A walked to the passenger side and used his flashlight to tap on the window. Officer A then asked Subject 1 to lower the window. Officer A did not used profanities toward Subject 1. (Att #18)

In a **To-From report Officer A, #XXXXXX**, stated on the date of incident, while working with Officer B they pulled over a Yellow cab, #XXX, driven by Subject 1 for executing an illegal u-turn at the address at XXX West North Avenue. Subject 1 became

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irate and refused to pull completely to the curb. Subject 1 curbed his vehicle, the officers requested his license and registration, but Subject 1 began to scream profanities toward Officer B and when it appeared that Subject 1 would not comply with the request, Officer A walked to the passenger side, and using his flashlight tapped on the passenger side window and asked Subject 1 to lower the window. Officer A stated that he did not use profanities toward Subject 1 nor did he use any racial slurs or comments. (Att #16, 21)

Conclusion:

The reporting investigator recommends that Allegations #1 and 2, against Officer A, be **NOT SUSTAINED**. There is no evidence to refute or support the allegations. The officer's in-camera was not functioning on the date of the encounter. Officer B denied hearing Officer A use abusive language toward Subject 1, and Officer A denied using abusive and racial language toward Subject 1.