

INTRODUCTION:

The complainant, Subject 1, was pulled over and issued a traffic citation. Subject 1 made multiple allegations against the officers that stopped him. This investigation has shown that the officers involved did not commit any acts of misconduct.

ALLEGATIONS:

On 06 September 2016, at approximately 2115 hours, IPRA Intake Aide A registered the complaint based on Web Complaint 14081. The reporting party/victim, Subject 1, alleged that on 31 August 2016 (corrected to 30 August 2016), at approximately 1430 hours, in the alley at XXXX S. Justine St., Officers A, #XXXXX, and B, #XXXXX, of the Xth District:

- 1) Stopped his car without justification;

Subject 1 further alleged that Officer A:

- 2) Told him he and Officer B could stop him, “wherever the fuck we want,” and said, “Just shut the fuck up and give me your license”; “You fucking people think you can do what you want”; and, “Give me your fuckin’ phone. That’s what I hate about you fuckin’ people.”
- 3) Threw his cellular phone to the ground, causing the screen to crack.

Subject 1 further alleged that Officer B:

- 2) Told him, “We can stop your ass wherever the fuck we want to stop you at,” and, “Shut the fuck up.”

Subject 1 further alleged that an Unknown Supervisor:

- 1) Failed to respond to his 911 call for assistance.

APPLICABLE RULES:

Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 8: Disrespect to or maltreatment of any person, while on or off duty.

INVESTIGATION:

Subject 1 provided a **statement to IPRA** and elaborated on the allegations he made in his Web Complaint. He denied that there was a person with him in his vehicle at the time of the incident. (Atts. #4, #17, #40)

The **in-car camera video** captured this event, though it did not record the alleged red-light violation, as the officers activated their emergency equipment after Subject 1's car drove into the east alley of Ashland just north of 70th Street (between Ashland and Justine). The video depicts Officer A and Officer B approaching Subject 1's vehicle and conversing with him and an unidentified front-seat passenger in Subject 1's vehicle. Officer A eventually gave Subject 1 a citation. Neither officer made the remarks as alleged by Subject 1 and neither officer threw Subject 1's cell phone onto the ground. (Atts. #35, #36)

Subject 1 did not respond to the **email or the phone call sent by the R/I**, seeking the identity and contact information for the passenger in his vehicle. (Att. #37, 39)

The **Event Query #XXXXXXXXXX** indicated that "Subject 1" called 911 requesting a supervisor, as he was "being harassed by Officers A and B." Beat XXX was assigned the job, which was closed "19B -- other miscellaneous incident, no person can be found." (Att. #38)

CONCLUSION:

Subject 1's allegations are not credible. The in-car camera video contradicted virtually his entire account of the incident, including his denial that anyone else was in his car with him. The video recorded the officers' verbal and physical activity on the scene. The video shows that neither officer made the remarks Subject 1 alleged, and neither officer threw Subject 1's cellular phone to the ground.

The video did not record Subject 1's vehicle disobeying a red light, but the allegation that Subject 1 was stopped without justification, as with his other allegations, has no credibility.

The allegation that a supervisor did not respond to Subject 1's call for assistance is contradicted by the Event Query, which indicates that a Beat XXX, a supervisor, responded to the scene but found no one there. The aforementioned video shows that after being issued his traffic citation, Subject 1 drove away from the scene at a high rate. It is reasonable to believe that Beat XXX did respond, only to find that Subject 1 was no longer on scene.

The Reporting Investigator recommends that this investigation be closed in accordance with Special Order SO8-01-01, Section II, C, 12, with no further investigation because the video and other evidence clearly indicate that the allegations are **Unfounded**.