

INDEPENDENT POLICE REVIEW AUTHORITY

Log 1081237

INTRODUCTION

On June 30, 2016, Complainant Subject 1 stopped his vehicle in the alley behind his house and got out to open the gate. An unknown male got into Subject 1's vehicle and reversed it down the alley. As he did, the vehicle's door struck Subject 1, causing him to fall to the ground. The male referred to himself as a police officer.

ALLEGATIONS

Complainant Subject 1 alleged that on June 30, 2016, at approximately 10:22 pin, at XXXX W. Fillmore St, an **Unknown Officer: 1**) drove Subject 1' vehicle without permission, causing the door to knock Subject 1 to the ground, in violation of Rule 8.

APPLICABLE RULES AND LAW

Rule 8: Prohibits disrespect or maltreatment of any person, while on or off duty.

INVESTIGATION

In an interview with IPRA on July 6, 2016, **Complainant Subject 1** stated that he was driving his Dodge minivan home through an alley on the XXXX block of West Fillmore. When he reached his house, he got out of his minivan to unlock the gate. Subject 1 left the driver's side door open when he got out of the minivan. A large dark blue vehicle, identified through this investigation to be a Land Rover, turned into the alley and approached Subject 1's minivan. The driver of the Land Rover honked the horn, flashed the lights, and shined a spotlight on Subject 1's minivan. Because of the spotlight and the color of the Land Rover, Subject 1 thought it might be a police vehicle. Subject 1 walked around the back of his minivan to the driver's side. Before he got to the driver's side door, a black male subject got out of the Land Rover's passenger side and said, "I'm the police."

Subject 1 told the subject that he was going to move his minivan, and the subject said, "They're shooting out here." The subject then got into the driver's seat of Subject 1's minivan and reversed down the alley. The driver's side door was still open and struck Subject 1 as the minivan reversed, causing Subject 1 to fall to the ground and to be dragged approximately ten feet. Subject 1 got to his feet and saw that the subject had driven his minivan to the end of the alley and parked it in an empty lot. The subject then got back in the Land Rover, and drove away. Subject 1 added that although the subject verbally identified himself as a police officer, he was not wearing any CPD apparel and did not show a badge. Subject 1 assumed that, if the subject was a police officer, he was working undercover because of drug sales in the area. Subject 1 heard gunshots in the area right before the Land Rover entered the alley. Because the Land Rover was driving away from the direction where Subject 1 thought the gunshots were coming from, he assumed that they were trying to get away from the gunshots. Subject 1 acknowledged that he did not know whether or not the subject was indeed a police officer. (Attachments 6-7)

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Photographs of Subject 1 provided to IPRA reveal abrasions on his leg and elbow. (Attachment 9)

A **video recording** from Subject 1's vehicle shows essentially what Subject 1 described in his statement. It shows his vehicle drive down an alley and stop. The door can be heard opening. After that, there is a noise that sounds like gunshots or fireworks in the area. A dark-colored Land Rover enters the alley and drives toward Subject 1's vehicle. The Land Rover honks as it approaches Subject 1's vehicle. There does not appear to be a spotlight on the Land Rover. The Land Rover stops right in front of Subject 1's vehicle. The Land Rover's front passenger door opens and closes. Two male voices can be heard talking, but most of what they are saying cannot be heard. One of them says, "Watch out, they're shooting." Subject 1's vehicle starts to back away from the Land Rover. As it does, there is a yell and a loud thumping noise. Subject 1's vehicle quickly reverses down the alley, reverses into a parking area, and stops. The Land Rover pulls in front of Subject 1's vehicle and stops. There is the sound of a door opening and shutting. A black male subject walks from the driver's side of Subject 1's vehicle to the passenger side of the Land Rover. The subject's face is not visible. He is wearing a striped shirt and jeans and does not appear to have a vest, gun belt, or any other obvious police apparel. He gets in the Land Rover, which drives away. Subject 1 then enters the camera's view and walks to the driver's side of his vehicle. The door opens and closes and the vehicle drives down the alley as it did at the beginning of the video clip. As he drives, Subject 1 says that he did not believe the male subject was a police officer, (Attachments **10-11**)

Office of Emergency Management and Communications records reveal several calls about gunshots in the vicinity of Subject 1's home. One of the callers described a fleeing vehicle as being a silver Lincoln town car. Beat XXXXX responded to those calls. According to CPD records, the vehicle used by Beat XXXXX is a marked Ford Explorer. (Attachments 15, 16, 17)

Illinois Secretary of State records reveal that a Land Rover with license plate #XXXXXXX, which is visible on the Land Rover in the video, is registered to Civilian 1. CPD records do not reveal any Department member by that name. (Attachments 13, 17)

CONCLUSION

This investigation revealed that while the incident occurred as Subject 1 alleged, there is no evidence that the subject involved in the incident is a police officer. The video from Subject 1's minivan corroborates the account that he provided in his statement to **IPRA**. It is clear that an unknown subject got into Subject 1's car and reversed it down the alley. There are sounds on the video that are consistent with someone falling to the ground, and Subject 1 had injuries that were consistent with falling to the ground.

The video did not capture everything that was said between the two men so there is no audio recording of the subject identifying himself as a police officer. Subject 1 himself acknowledged that he did not know whether or not the subject was a police officer. He also expressed his own disbelief that the subject was a police officer immediately after the incident

Subject 1 is an Uber driver and has a camera that records both audio and video on the dashboard of his vehicle with a view of what is in front of the vehicle.

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occurred, which was captured by the camera in his minivan. The license plate of the Land Rover that is shown on the video is not registered to a police officer. Moreover, the Land Rover is not a CPD vehicle that would be used by plainclothes officers. Additionally, Subject 1 stated that one of the things that made him think the subject may have been a police officer is the spot light that he reported seeing on the Land Rover, which is not evident in the video. Because there was no CPD officer involved in this incident, IPRA recommends a finding of **Unfounded** for the allegation against the **unknown officer**.