

SUMMARY OF INCIDENT

The Reporting Party Victim **Subject 1** alleges that during the execution of a search warrant at her home, an unknown Chicago Police Officer pointed his gun toward her and verbally maltreated her. **Subject 1** stated that the officers were looking for her son **Civilian 1**, who was not present.

ALLEGATIONS

On February 18, 2016 at 1853 hours, the Reporting Party Victim **Subject 1** registered this complaint with **IPRA Investigator A**. **Subject 1** alleges on February 1, 2016 at 2030 hours at XXXX W. Wilcox, an unknown officer:

- 1) Pointed his gun toward her, in violation of Rule 8, "Disrespect to or maltreatment of any person, while on or off duty" and
- 2) Verbally maltreated her by stating, "Bitch don't move, or I will blow your head off," in violation of Rule 8, "Disrespect to or maltreatment of any person, while on or off duty."

APPLICABLE LAWS AND RULES

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

INVESTIGATION

In an **audio recorded statement** to IPRA, **Subject 1** stated that she was in her apartment on the XXX floor when she heard a loud noise coming from downstairs. **Subject 1** opened the door to her apartment, stepped into the hallway, and looked downstairs toward the main entrance door. **Subject 1** observed several Chicago Police officers entering the main entrance door. An unknown officer stated to **Subject 1**, "Bitch don't move, or I will blow your head off!" The unknown officer ran upstairs toward **Subject 1** with his gun pointed toward her. Other officers yelled for **Subject 1** not to move as they followed behind the unknown officer.

Subject 1 who was dressed in a t-shirt and underwear, asked the officers if she could put on additional clothing. The all male crew of officers ignored **Subject 1's** request. The officers asked **Subject 1**, "Where is **Civilian 1**?" **Subject 1** identified **Civilian 1** as her son and informed the officers that **Civilian 1** was not present. **Subject 1** informed the officers that **Civilian 1** does reside with her, but that she rarely sees him. The officers had **Subject 1** sit on the couch as they searched her residence for approximately an hour and a half.

Subject 1 stated that the main entrance door and miscellaneous items in her home were damaged during the execution of the search warrant. Upon leaving, the officers provided **Subject 1** with a copy of the search warrant. **Subject 1** described the unknown

accused officer as a Latin male, but she could not provide any further physical description of the officer. **Subject 1** stated that all the officers were dressed in civilian clothing and a protective vest. There were no witnesses to this incident. (Att. 7,8).

On February 1, 2016 at 2043 hours, a **Search Warrant XXXXXXXXXXXX** was obtained by **Officer A**, of Unit XXX XXXXXXXXXXXX XXXXXXXX. The warrant commanded the search of **Civilian 1**, the premises of XXXX W. Wilcox, XXX floor, and seizure of the following instruments, articles and things: cannabis, a controlled substance, any documents showing residency, any paraphernalia used in the weighing, cutting, packaging or mixing of illegal drugs, any money and any records detailing illegal drugs or possession of illegal narcotics. (Att.10).

The **Original Case Incident Report** states that Search Warrant XXXXXXXXXX was executed at XXXX W. Wilcox, XXX floor on February 1, 2016 at 2325 hours. Officers announced their office, but did not receive any answer to the residence. Thereafter, officers made a forced entry and conducted a search of **Subject 1's** apartment. **Civilian 1**, who was the target of the search warrant was not present, Officers recovered and inventoried several items pertaining to the warrant. Officers provided **Subject 1** with a copy of the warrant. (Att. 9).

Per the **Inventory List Report**, the following items were recovered and inventoried during the execution of the search warrant: zip-lock and knotted bags containing what officers suspected were Xanax pills, several bundles of narcotic bags for packaging, **Civilian 1's** Illinois Identification Card, miscellaneous documents labeled with **Civilian 1's** name, a Winchester 357 magazine, and different calibers of ammunition. (Att. 12).

Search Warrant **photographs** show the exterior of the XXXX W. Wilcox, interior pictures of the hallway, interior photographs of **Subject 1's** apartment, damage to the main entrance door, and of items which were seized and inventoried. (Att. 14).

A **CLEAR Personnel Check** showed the races of the officers involved in the execution of the search warrant to be of Hispanic and White descent. (Atts. 23-30).

In a **To-From Witness Report**, **Sergeant A**, stated that he came into contact with **Subject 1** during the execution of a search warrant. **Sergeant A** had a brief conversation with **Subject 1** in regards to the whereabouts of her son, **Civilian 1**. **Sergeant A** made sure **Subject 1** remained seated during the execution of the search warrant, and stated that **Subject 1** complied with his verbal direction. **Sergeant A** stated conversations between **Subject 1** and other Department members were extremely professional and polite. **Sergeant A** did not witness any verbal maltreatment to **Subject 1** by any Department member. **Sergeant A** stated that he initially had his weapon drawn upon entering **Subject 1** residence, but after the residence was deemed secure he holstered his weapon. **Sergeant A** stated that at no time was his weapon drawn in the presence of **Subject 1**. **Sergeant A** did not witness any Department member point a weapon toward **Subject 1**. **Sergeant A** stated that he had predominantly all the interaction with **Subject 1** during the execution of the warrant. (Att. 15).

In a **To-From Witness Report, Officer A**, stated that he came into contact with **Subject 1** during the execution of a search warrant. **Officer A** was a member of the entry team; he stated that he did not have any verbal or physical interaction with **Subject 1**. **Officer A** did not witness any Department member point their weapon toward **Subject 1**. (Att. 16).

In a **To-From Report, Officer B**, stated that he came into contact with **Subject 1** during the execution of a search warrant. **Officer B** provided security to the front door of the residence and conducted a systematic search of **Subject 1's** apartment. **Officer B** did not have any verbal or physical interaction with **Subject 1**. **Officer B** did not witness any Department member verbally maltreat **Subject 1**, nor point their weapon toward her. (Att. 17).

In a **To-From Report, Officer C**, stated that he came into contact with **Subject 1** during the execution of a search warrant. **Officer C** breeched the door, and stated that he was one of the last Department members to enter the residence. **Officer C** did not have any verbal or physical interaction with **Subject 1**. **Officer C** did not observe any Department member point their weapon toward **Subject 1**. **Officer C** described **Subject 1's** demeanor as very calm, and cooperative. (Att. 18).

In a **To-From Report, Officer D**, stated that he came into contact with **Subject 1** during the execution of a search warrant. **Officer D** was a member of the entry team, and his responsibility transitioned to photographing the interior of **Subject 1's** residence for evidentiary purposes. **Officer D's** contact with **Subject 1** consisted of **Officer D** asking **Subject 1** to move to an adjacent room as he took photographs. **Officer D** did not have any physical interaction with **Subject 1**; nor did he witness any Department member verbally maltreat **Subject 1's** or point a weapon toward her. (Att. 19).

In a **To-From Report, Officer E**, stated that he came into contact with **Subject 1** during the execution of a search warrant. **Officer E's** assignment consisted of securing the rear door and searching **Subject 1's** apartment. **Officer E** did not have any verbal or physical interaction with **Subject 1**. **Officer E** had no knowledge of any Department member verbally maltreating **Subject 1** or pointing their weapon toward her. (Att. 20).

In a **To-From Report, Officer F**, stated that he came into contact with **Subject 1** during the execution of a search warrant. **Officer F's** assignment consisted of securing the rear door and searching **Subject 1's** apartment. **Officer F** did not have any verbal or physical interaction with **Subject 1**. **Officer F** had no knowledge of any Department member verbally maltreating **Subject 1** or pointing their weapon toward her. (Att. 21).

In a **To-From Report, Officer G**, stated that he came into contact with **Subject 1** during the execution of a search warrant. **Officer G** was a part of the entry team, and assisted in the search of **Subject 1's** apartment. **Officer G** had no recollection of having any verbal or physical contact with **Subject 1**, no recollection of any Department member verbally maltreating **Subject 1**, or pointing a weapon toward **Subject 1**. (Att. 22).

CONCLUSION

IPRA recommends a finding of **Not Sustained** for **Allegation 1**, that an unknown officer pointed his gun toward **Subject 1**. In their witness To-From reports, the involved officers stated that they did not point their gun toward **Subject 1**, nor did they observe any other Department member do so. The identity of the unknown accused officer was not established during the course of this investigation. **Subject 1** described the unknown officer as a Latin male, and was unable to provide any further physical description of the officer. However, the officers involved in the execution of the search warrant were of Hispanic and White descent. It is essentially **Subject 1's** word against the word of the officers. There is insufficient evidence to either prove or disprove this allegation.

IPRA recommends a finding of **Not Sustained** for **Allegation 2**, that an unknown officer stated to **Subject 1**, "Bitch don't move, or I will blow your head off." In their To-From reports, the involved officers stated that they did not verbally maltreat **Subject 1**, nor did they observe any other Department member do so. The identity of the unknown accused officer was not established during the course of this investigation. **Subject 1** described the unknown officer as a Latin male; and was unable to provide any further physical description of the officer. However, the officers involved in the execution of the search warrant were of Hispanic and White descent. It is essentially **Subject 1's** word against the word of the officers. There is insufficient evidence to either prove or disprove this allegation.