

SUMMARY OF INCIDENT:

On 1 November 2016, Complainant Subject 1 was walking down Martin Luther King Drive when two unidentified black males dressed in plainclothes approached, searched him, took his monies, and struck him in the right temple, knocking him to the ground.

ALLEGATIONS:

On 1 November 2016, Intake Aide A received a telephone complaint from Subject 1. It is alleged that on 1 November 2016, at approximately 1530 hours, in the vicinity of XXXX S. Martin Luther King Drive two unidentified black male plainclothes officers:

- 1) Stopped him without justification and illegally searched him in violation of Rule 1, 2, 8, and the 4th Amendment
- 2) Struck him on the right side of the head without justification in violation of Rule 1, 2, and 8.
- 3) Took \$XXXX dollars in U.S. currency from him, and failed to inventory or return those funds in violation of Rule 1, 2, and 8.

APPLICABLE RULES AND LAWS:

Rule 1: Violation of any rule or ordinance.

Rule 2: Any conduct or action, which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department. **COMMENT:** This rule applies to both the professional and private conduct of all members. It prohibits any and all conduct which is contrary to the letter and spirit of Department policy or goals or which reflects adversely upon the Department or its members. It includes not only all unlawful acts by members but also all acts, which although not unlawful in themselves would degrade or bring disrespect upon the member or the Department, including public and open association with persons of known bad or criminal reputation in the community unless such association is in the performance of police duties. It also includes any action contrary to the stated policy, goals, rules, regulations, orders, or directives of the Department.

Rule 8: Disrespect or maltreatment of any person.

Fourth Amendment: Search and Seizure.

INVESTIGATION:

In an interview conducted on 10 November 2016, complainant **Subject 1** said that on 1 November 2016, he was walking down Martin Luther King Drive when two unknown black males dressed in plainclothes approached him. Subject 1 said these individuals were operating a dark colored SUV. They reviewed Subject 1's identification and searched him. Subject 1 said one of the individual's removed \$XXXX dollars in U.S. currency from his pants pocket. Subject 1 said these individuals told him, "You can give the money up or we will put some shit on you." Subject 1 said he told the individuals, "I ain't giving you shit. Call a white shirt." Subject 1 said one of the individuals struck him on the right temple knocking him to the ground, and they returned to their vehicle and drove away.

Subject 1 said when he regained his vision he walked to XXXX Health Center for treatment. Subject 1 said he believed the individuals involved in this incident were Chicago Police Officers because they had badges that said "Police," they wore safety vests, and carried radios. Subject 1 said the vests did not have wording on the back stating "Police" and the badges did not have "Chicago Police" inscribed on them.

The Initiation Report indicates Sergeant A #XXXX responded to a call for a supervisor at XXXX Health Center on 1 November 2016. Subject 1 relayed to Sergeant A that he believed the individuals involved in this incident were Chicago Police Officers because they were wearing badges that had "Police" inscribed on them, they were carrying radios, and wearing protective vests. Sergeant A noted in his report that the individuals involved in this incident were carrying badges that did not have "Chicago Police" inscribed on them, and the protective vests they were wearing did not have the word "Police" on the back of them, which is a requirement for Chicago Police issued uniform items.

The Chicago Police Department, PODS Map indicates there are no active Police Observation Devices near XXXX S. Martin Luther King Drive. A review of the **OEMC GPS Report** indicates there were no Chicago Police Department (CPD) vehicles with GPS that stopped at or near XXXX S. Martin Luther King Drive when this incident occurred. Investigators A and B conducted a canvass of the incident location on 8 November 2016. They were unable to identify any additional witnesses or obtain any information related to this complaint.

A review of the **CLEAR Data Warehouse** for service calls, investigatory stops, and contacts by CPD officers indicate there was no data on file related to a stop by members of CPD on this date, time, or at this location.

The **OEMC Event Query Report** dated 1 November 2016, indicates staff working at Roseland Community Health Center contacted CPD and reported that Subject 1 was in their waiting area. Subject 1 told hospital staff he had been robbed and struck on the side of the head by CPD Detectives. A supervisor was dispatched to the emergency room waiting area. **The Original Incident Report** restates information provided by Subject 1 and Sergeant A during previous interviews and in the Initiation Report.

XXXXX Community Health Center medical reports indicate Subject 1 visited the emergency department on 1 November 2016. Subject 1 was diagnosed with cannabis abuse, uncomplicated; nicotine dependence, cigarettes, uncomplicated; a headache, and assault by other bodily force, initial encounter for examination, and observation for other reasons. Subject 1 was discharged to his home on self-care at the completion of his examination. At the time of his release he was stable and walking.

He was prescribed Ibuprofen 600 mg tablets, referred to his primary care provider, and instructed to return to the emergency room if he had any recurring symptoms. Subject 1 refused to submit to a CT SCAN during this visit.

CONCLUSIONS

Accused Officer #1: Unidentified Officer
Allegations #1, 2, & 3: Unfounded

This investigation indicates that the allegations that unidentified **Officer #1** stopped Subject 1 without justification, took \$XXXX dollars in U.S. currency from him, and struck him on the right side of the head were not based on the facts revealed during this investigation. Subject 1 provided a description of the black male plainclothes officer who allegedly committed these acts. The description Subject 1 provided was not consistent with the prescribed uniform items for a plainclothes Chicago Police Officer. Additionally, checks of OEMC queries, GPS Reports CLEAR Warehouse Data Reports, and GPS Data indicate there were no CPD units that responded to any calls for service, investigatory stops, and contacts with the public on this date, time, or at this location.

A canvass was conducted of the area and investigators were unable to contact any witnesses or obtain any video images that support Subject 1's claim. It is more likely than not that this individual was not a member of the Chicago Police Department.

Accused Officer #2: Unidentified Officer
Allegations #1, 2, & 3: Unfounded

This investigation indicates that the allegations that unidentified **Officer #2** stopped Subject 1 without justification, took \$XXXX dollars in U.S. currency from him, and struck him on the right side of the head were not based on the facts revealed during this investigation. Subject 1 provided a description of the black male plainclothes officer who allegedly committed these acts. The description Subject 1 provided was not consistent with the prescribed uniform items for a plainclothes Chicago Police Officer. Additionally, checks of OEMC queries, GPS Reports, CLEAR Warehouse Data Reports, and GPS Data indicate there were no CPD units that responded to any calls for service, investigatory stops, and contacts with the public on this date, time, or at this location. A canvass was conducted of the area and investigators were unable to contact any witnesses or obtain any video images that support Subject 1's claim. It is more likely than not that this individual was not a member of the Chicago Police Department.