

INTRODUCTION

On June 14, 2017, at approximately 6:45 AM, at XXXX East 103rd Street Chicago, IL, Officer A, Star # XXXXX, initiated a traffic stop on Subject 1. During the traffic stop, it is alleged that Officer A slammed Subject 1's foot in the door of her vehicle and approached her with his hand on his firearm. COPA is investigating these allegations¹.

ALLEGATIONS

It is alleged that on June 14, 2017, at approximately 6:45 AM, at XXXX East 103rd Street Chicago, IL, the accused Officer A, Star # XXXXX,

1. Slammed Subject 1's left foot in the door of her vehicle; and
2. Approached Subject 1's vehicle with his hand unnecessarily on his weapon.

APPLICABLE RULES AND LAWS

- 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 3:** Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 6:** Disobedience of an order or directive, whether written or oral.
- Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9:** Engaging in an unjustified verbal or physical altercation with any person, while on or off duty.

- G03-02** Use of Force Guidelines
- G03-02-01** The Use of Force Model
- G03-02-02** Force Options
- G03-02-04** CLEAR Automated Tactical Response Report
- G03-02-05** Incidents Requiring the Completion of a Tactical Response

INVESTIGATION

On September 20, 2017, the complainant **Subject 1**, reported for an **in-person interview** at COPA² Subject 1 was accompanied by her attorney, Attorney 1. Subject 1 said she was on her way to work at approximately 6:30 AM when she was stopped by Officer A for speeding. Subject 1 related she was wearing

¹ On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Thus, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

² Subject 1 previously came to give a statement on September 11, 2017, but left before providing the statement.

her uniform pants, her fire department t-shirt, and her fire department boots. Subject 1 reported she did not know she was speeding prior to Officer A telling her she was speeding. Subject 1 related she told Officer A she was a Chicago Police Department officer in XXXXXXXXXX for 16 years. Subject 1 related she recalled giving her driver's license to Officer A but had some trouble retrieving her insurance from her visor so Officer A returned to his police cruiser with only her driver's license to run it.

Subject 1 reported Captain A, Chicago Fire Department, was on his way to work and observed her pulled over so he stopped. Subject 1 related Captain A was in full captain uniform. Subject 1 said she related to Captain A that "this was a real traffic stop" and "not to get involved." Subject 1 related that Captain A was "shocked" that it was a real traffic stop. Subject 1 recalled that Captain A said to Officer A "she (referring to Subject 1) was one of you, you don't have to do this," to which Officer A responded by putting his hand on his gun and telling Captain A to get in his car or Officer A would take him to jail.

Subject 1 reported another officer pulled up, now known to be Officer B ("Officer B"), Star # XXXX, and she got out of her vehicle to step over to Officer B's car and talk to him because it was so loud with all the trucks passing in traffic next to where Subject 1 was stopped. Subject 1 reported Officer B motioned for her to get out of her vehicle and come talk to him. Subject 1 related Officer A told Subject 1 to "get back in the car." Subject 1 said she asked Officer B to call a supervisor. Subject 1 related that Officer B said to Subject 1 that he was checking on her because she had been stopped "by an ass/jerk."

Subject 1 related Officer A approached her at Officer B's vehicle with his hand on his weapon. Subject 1 related she was getting into her car when Officer A slammed her foot in the door as she was trying to get into her vehicle. Subject 1 said Officer A slammed it in the door a second time. Subject 1 related she thought Officer A did not think she was "getting in to her vehicle fast enough." Subject 1 related she was moving slowly because Officer A had his hand on his gun and that scared her.

Subject 1 recalled that Sergeant A, Star # XXXX, was there very shortly after that. Subject 1 related Sergeant A talked to Officer A and then came and talked to her. Subject 1 related that Sergeant A apologized to her and stated, "this never should have happened." Subject 1 related that her superior officer, Deputy A, arrived on scene at this time and she, Deputy A, and Sergeant A discussed the situation. Subject 1 recalled Sergeant A continued to apologize and that Subject 1 said to him "the fact that you're still apologizing to me says that you know what kind of officer Officer A is." Subject 1 related she was asking Sergeant A when she could get her driver's license back because Officer A took her driver's license as an I-Bond. Subject 1 related that Sergeant A was offering for her to come to the police station and drop this complaint and they would drop the ticket. Subject 1 related she never initiated a complaint but that a complaint was initiated by Sergeant A after Sergeant A reviewed Officer A's body camera footage. Subject 1 related that she was not going to drop the complaint.

Subject 1 related no one asked her if she needed medical attention but she ended up getting medical attention later. Subject 1 related her priority was to go to the station to get her driver's license. Subject 1 related she went to the station by herself and Sergeant A told her to have a seat. Subject 1 related that Sergeant A asked for her cell number and provided her with a CR number for the complaint. After this, Subject 1 left the station.

Subject 1 related she was not a threat to Officer A and Officer A may have had "tunnel-vision" based on her color or her being a woman. Subject 1 related she worked for more than 10 years in XXXXXXXXXX and she never treated anyone as poorly as Officer A treated her. Subject 1 related Officer A has no de-escalation skills.

Subject 1 related she was transported via ambulance from the fire house to Advocate Hospital where she was diagnosed with ankle contusion, bruising, and swelling. Subject 1 also related she posted the incident on Facebook and spoke with CBS news regarding the incident. (Att. # 30)

On August 22, 2017, **Captain A, Badge XXX**, Chicago Fire Department, provided an **in-person interview** with IPRA. Captain A related he knows Subject 1 from work but does not socialize with her outside of work. Captain A said he recalled seeing Subject 1 being pulled over while he was on his way to work on June 14, 2017. Captain A reported the fire house is approximately 2 blocks from where he saw Subject 1 stopped. Captain A related that it is part of the Chicago Fire Department Code of Conduct to stop and assist a fellow firefighter if they are in trouble.

Captain A stated he recognized the officer, now known as Officer A from the neighborhood because the fire house and police station are so close to each other. Captain A related Officer A has assisted Chicago Fire Department on accident calls in the past but Captain A has never been pulled over by Officer A. Officer A asked him to “step away.” Captain A related he initially thought Officer A pulled Subject 1 over because she was a former police officer and Officer A may have possibly wanted to “say hi.” Captain A said Subject 1 said to him, “he’s giving me a ticket.” Officer A asked him to move his truck out of the intersection or Officer A would give him a ticket. Captain A stated Officer A repeatedly asked Captain A to not approach the car. Captain A said Subject 1 said, “oh my gosh, he’s really going off!” Captain A related he recalled another officer, now known as Officer B, arriving on scene and that Subject 1 got out of her car to talk to Officer B. Captain A said Officer A started saying “get back in the car, get back in the car” to which Captain A recalled Subject 1 responding “oh my gosh, I’m talking to another officer.”

Captain A related Subject 1 looked at Captain A and said, “what’s goin’ on”, to which Captain A turned to Officer A and said, “hey man, what’s goin on, you know us.” Captain A reported Officer A again said “step away from the car” to Captain A and Captain A complied. Captain A related he could not see Subject 1’s foot being smashed in the door. Captain A said he heard Subject 1 say, “oh my God, you slammed my foot.” Captain A said Subject 1 said to him, “he slammed my foot in the door twice.” Captain A related he thinks Officer A used his left hand to close the car door on Subject 1 door but he could not recall. Captain A said he called his superior officer, Deputy A, to report the incident at that time.

Captain A said as Officer A was approaching Subject 1’s vehicle at the end of the stop to give her the ticket he was “yelling.” Captain A recalled Officer A yelling, “get back in the car, get back in the car” which holding his hand on his gun. Captain A recalled Subject 1 asking, “oh my god, are you gonna shoot me?” Captain A related by this time Officer B had left the scene.

Captain A related after that a sergeant, now known to be Sergeant A, arrived on scene. Captain A said he gave an interview to Sergeant A. Captain A related he believes Subject 1 requested a sergeant but he could not recall. (Att. # 22)

On October 25, 2017, the witness **Officer B, Star # XXXX**, reported to COPA for an **in-person interview**. Officer B related that on June 14, 2017 he was exiting the Fourth District police station when he noticed Officer A engaged in a traffic stop at 103rd and Bensley Avenue at the CTA stop. Officer B said he slowed to ask Officer A if he needed assistance.

Officer B said Officer A was inside his police vehicle when he gave him a head nod asking if he was ok and Officer A did not respond. Officer B related that he “assumed” Officer A was looking at the computer. Officer B reported he and “Officer A” have worked together more than 10 years. Officer B

related the Officer A not responding indicated to Officer B “don’t take off yet.” Officer B related he did not see anyone else on scene except Officer A and Subject 1.

Officer B related he inched his car up to the vehicle that was stopped by Officer A and that is when he first engaged with Subject 1. Officer B related that he observed the driver of the vehicle that was stopped to be a female and it made him relax a little. Officer B related Subject 1 was a firefighter. Officer B said he did not recall what she was wearing but he thinks he saw a fire department emblem. Officer B described Subject 1’s demeanor as “agitated or annoyed.” Officer B stated he did not recall Subject 1 presenting as injured.

Officer B related Subject 1 said, “boy I’m happy to see you, I feel safe now” when she saw him. Officer B related that he laughed because that was “a rather unusual response.” Officer B related that Subject 1 asked if she could get out of her car to which Officer B responded, “I can’t tell you, this is his (referring to Officer A) traffic stop.” Officer B said he does not recall if Subject 1 got out of the car. Officer B stated he did not see Officer A with his hand on his gun. Officer B stated he did not see Officer A slam Subject 1 foot in the door. Officer B said Subject 1 did not say anything else to him so he just drove away. (Att. # 41)

On October 8, 2017, **Sergeant A, Star # XXXX**, reported to COPA for an **in-person** interview. Sergeant A related he was leaving the Fourth District and saw a traffic stop being conducted by Officer A on June 14, 2017. Sergeant A related Sergeant A related 103rd Street had two lanes of traffic going in each direction, east and west. Sergeant A stated the traffic stop was blocking an entire east bound lane. Sergeant A related that traffic was passing slowly in the available lane and the traffic was near Subject 1 and Officer A.

Sergeant A related that Officer A is usually the traffic enforcement officer on his shift. Sergeant A stated that based on information from the community, a traffic assignment was made to catch speeders on 103rd Street and this was Officer A’s assignment on June 14, 2017.

Sergeant A related he pulled up to make sure Officer A did not need assistance. Sergeant A related he observed a woman, now known to be Subject 1, in an SUV pulled over on 103rd Street. Officer A was inside his police vehicle when Sergeant A stopped. Sergeant A related when he pulled up Subject 1 was gesturing towards him and wanted to discuss what had just happened at the traffic stop. Sergeant A stated that he told Subject 1 that he wanted to talk to Officer A first and then would talk to her. Sergeant A recalled that Officer A related to him to stay at the scene until he completed the traffic citation. Sergeant A stated Officer A told him that he was issuing a citation to Subject 1 for going 29 mph over the speed limit. Sergeant A said Officer A related to him that he had repeatedly instructed Subject 1 to get back in her vehicle and when she eventually started to get into her car he was assisting her in closing the car door. At that time Subject 1, Sergeant A stated, alleged Officer A slammed her foot in the car door (according to Officer A). Sergeant A stated that he then proceeded to speak with Subject 1 regarding the incident. Sergeant A related Subject 1 said to him that Officer A had slammed her leg or foot in the door. Sergeant A related that Subject 1 was speaking very loudly. Sergeant A stated that he asked Subject 1 if she needed medical attention to which she responded “no.”

Sergeant A related he then observed she was wearing Chicago Fire Department clothing. Sergeant A related the fire station was very close to the scene of the traffic stop. Sergeant A related that Subject 1 was on her way to work. Sergeant A stated that there were several fire department personnel on scene. Sergeant A stated the Chicago Fire Department employees were all there in defense of Subject 1 but Sergeant A cannot recall their specific defense.

Sergeant A related that Subject 1 made an offer to Sergeant A to give to Officer A that if he would get rid of the ticket. He stated that Subject 1 said that she would not file a complaint against the officer if he would not give her a ticket. Sergeant A then explained that upon hearing Officer A had slammed her foot in the door, she had lodged a complaint. Sergeant A related “once an allegation of impropriety of the officer is made, that initiates the complaint.” Sergeant A related there is no professional courtesy between Chicago Fire Department and Chicago Police Department but that many individuals stopped may possibly make this type of offer, regardless of where they are employed. Sergeant A said he then instructed Subject 1 to go back to the 4th District so she could receive her driver’s license back after processing the I-bond. Sergeant A related back at the station he observed Subject 1 “limping.” Sergeant A said he believed this limping to be “theatrical.” (Att. # 43)

On October 25, 2017, the accused, **Officer A, Star # XXXXX**, reported to COPA for an **in-person interview**. Officer A was accompanied by two attorneys, Officer A recalled that on June 14, 2017, at approximately 6:45 AM, he was assigned to traffic enforcement and he clocked Subject 1 with his radar gun driving 64 mph in a 35 mph zone.

Officer A related he activated his emergency lights and “curbed” the vehicle. Officer A related that he positioned himself where the front of his vehicle was left of center of the rear of Subject 1 vehicle in order to more safely conduct a traffic stop. Officer A related he introduced himself and let Subject 1 know that she was being recorded on his body camera, per Chicago Police Department protocol. Officer A stated he observed Subject 1 wearing a Chicago Fire Department t-shirt. Officer A said Subject 1 was combative immediately. Officer A recalled that Subject 1 asked if Officer A had followed her for two city blocks. Officer A related that Subject 1’s questions to him were indicating that she was formulating a defense that he had not legally stopped her. Officer A related that when Subject 1 provided him with her driver’s license, she related to him that she was a former Chicago Police Department officer.

Officer A stated that he went to run Subject 1’s driver’s license and instructed Subject 1 to stay in her vehicle because their proximity to passing traffic was dangerous. Officer A said that as he was running Subject 1’s driver’s license, Subject 1 was partially hanging outside her vehicle yelling “you don’t have to stop me.” Officer A related, at this time, another Chicago Fire Department employee, now known to be Captain A, parked on the cross walk, got out of his vehicle, and approached Subject 1’s vehicle. Officer A related Captain A was in full Chicago Fire Department uniform. Officer A said he instructed Captain A to move his vehicle to a safer parking spot and get back from the scene of the traffic stop. Officer A related Captain A was compliant. Officer A stated that he does not know whether Captain A was driving by and observed the stop or whether Subject 1 called Captain A to come to the scene. Officer A related he did not know that Subject 1 was a Chicago Fire Department employee, as civilians can buy Chicago Fire Department t-shirts.

Officer A said as he was inside his police vehicle writing the ticket, Officer B drove by him. Officer A said Officer B pulled up next to Subject 1 and Subject 1 got out of her car to speak with Officer B. Officer A said Subject 1 spoke with Officer B for approximately 10 seconds before he got out of his vehicle and ordered Subject 1 back into her vehicle. Officer A related he stated, “get back in your car, get back in your car” multiple times. Officer A stated when he approached Subject 1 he approached with the palm of his hand on the strap that goes over his weapon in the holster. Officer A said he regularly puts his hand on top of the holster as a matter of safety to be aware of his weapon. Officer A stated in no way did he unholster his weapon or handle his weapon. Officer A stated he was “trained to protect his weapon.” Officer A related

Officer B did not exit his vehicle and after Officer A told Subject 1 to get back in her vehicle, Officer B left the scene.

Officer A stated Subject 1 then got into the driver's seat of her vehicle. Officer A related he held his left hand on the door frame of Subject 1 door to take control of the door because he did not want Subject 1 "kick the door open" or doing anything to jeopardize their safety. Officer A related he did not push the door closed but Subject 1 pulled the door closed herself. Officer A related at that time, Subject 1 began screaming that Officer A had slammed her foot in the door. Officer A stated that he instructed Subject 1 to "put her foot in the car." Officer A related at that time he reopened the door and observed Subject 1 putting her foot in the way of the door. Officer A related when Subject 1 was pulling the door closed and his hand was on the door frame, he did not feel her foot in the door. Officer A said when Subject 1 was pulling the door closed for the second time, she again started yelling "you slammed my foot again!"

Officer A stated as he was returning to his vehicle to finish completing the ticket, Sergeant A arrived on scene. Officer A stated that Sergeant A asked Officer A what happened and he explained that Subject 1 was doing 64 mph in a 35 mph zone and was receiving a speeding ticket. Officer A further stated that he also explained to Sergeant A that Subject 1 was giving Officer A a hard time from the beginning. Officer A related Sergeant A went to talk to Subject 1. Officer A related that Sergeant A then came by to speak with Officer A and Sergeant A relayed to him that Subject 1 offered to not pursue the complaint if Officer A threw out the ticket. Officer A related that the ticket was written and Subject 1 was getting the ticket. (Att. # 45)

The Body Worn Camera footage of, Officer A, Star # XXXXX, starts with Officer A exiting his vehicle and approaching a black SUV. A male black, now known to be Captain A, approaches the driver's side window of Subject 1's car and Officer A says 'sir, can you please step back for me' twice. Officer A then approaches the driver's side window of Subject 1's car, introduces himself, and says "you're being audio and video recorded right now." Officer A then tell Subject 1 she was stopped for doing 34 mph over the speed limit, a misdemeanor in the state of Illinois," then asks for her driver's license and insurance. Officer A tells Captain A to "move his vehicle, he is blocking a cross walk." Subject 1 is then heard saying she was a police officer for 16 years in XXXXXXXXXX.

Officer A then instructs Subject 1 to stay in her vehicle while he goes and runs her driver's license. While Officer A is in his police vehicle he rolls his window down and can be heard saying "yeah, I'm good, she was doing 29 over the speed limit". He then rolls his window back up and continues to write the citation.

Officer A then opens his door and approaches Subject 1 saying, "ma'am stay in your car, get back in your car!" Subject 1 is out of her vehicle leaning into the passenger window of a police vehicle, now known to be that of Officer B, who is pulled up next to her vehicle. Subject 1 is wearing a Chicago Fire Department t-shirt. Subject 1 says "oh my god, oh my god, you got your hand on your gun? I'm gonna call your supervisor" as she gets back into her vehicle. Officer A is visible in the reflection of Subject 1 vehicle with his left hand on the top of the door frame of Subject 1's vehicle. Subject 1 then starts yelling "oh my god you, smashed my foot!" Officer A repeatedly asks Subject 1 to get back into her car.

Then Sergeant A, who is now on scene, approaches Officer A. Officer A says to Sergeant A "she's been giving me a hard time the whole time. She was doing 29 mph over the speed limit. She stopped Officer B as he was passing by. She keeps getting out her car, I keep telling her get back in the car. She's getting the ticket. She thinks because she's a firefighter she can get out of it but it's an arrestable offense."

Officer A then gets out of his car and approaches Subject 1's vehicle where Sergeant A can be seen standing at the driver's side window. Officer B explains the terms of the ticket to Subject 1. Subject 1 asks

to get her license back as soon as possible for work, Officer A says he will drop it right off. Officer A then returns to his vehicle. The video ends immediately following Officer A returning to his vehicle. (Att. # 9)

The **Initiation Report, CL #1085581**, from Sergeant B, Star #XXXX, to Commander A on June 14, 2017, reports that Subject 1 is the complainant, Officer A, Star #XXXX, is the accused, and Officer B, Star #XXXX, and Captain A are witnesses. The incident occurred at XXXX East 103rd Street on June 14, 2017, at approximately 6:42 AM. A traffic ticket, TN XXXXXX, was written. The narrative reports Sergeant B, as well as Sergeant A, Star #XXXX, were informed by Subject 1 during her traffic stop that she was ordered into her vehicle by Officer A who used a loud tone and slammed her left foot in her door twice causing pain. Sergeant B reports that Sergeant A asked Subject 1 if she needed medical attention and she refused. Witness Captain A and Officer B were both on scene before the sergeants arrived. Sergeant B reports Officer A used a radar gun and clocked Subject 1 doing 64 mph in a 35 mph zone and was issued a ticket. Sergeant B reported that the incident was recorded on body worn camera and the in-car camera was not functioning (TixXXXX). (Att. # 4)

The ET **photographs of Subject 1** show various views of her left foot and ankle. (Att. # 13 and 37)

The **traffic ticket, XX-XXX-XXX**, was issued by Officer A, Star # XXXXX, to Subject 1 of XXXXX S. Union Avenue Chicago, IL 60628, on June 14, 2017, at 6:42 AM. The address of occurrence was XXXX East 103rd Street. Subject 1 was charged with 11-6015 Speed 26-34mph over limit, 64mph in 35 mph zone. (Att. # 4)

The **OEMC Event Query** shows on June 14, 2017, at 6:43 AM, a traffic stop was conducted at XXXXX South Calhoun Avenue involving Subject 1 of XXXXX S. Union Avenue Chicago, IL 60628. The event was cleared at 7:30 AM. (Att. # 5)

The **OEMC radio transmissions** from the June 14, 2017 incident include multiple different transmissions. Officer A can be heard saying “traffic stop 103rd and Calhoun” to which the dispatcher asks if he needs help, to which he responds, “I’m alright.” No other radio transmissions regarding this stop exist. (Att. # 33)

The **Chicago Fire Department Incident/Ambulance Report, Incident Number 171651986**, reports that on June 14, 2017 at 4:42 PM Subject 1 was transported via ambulance from the firehouse at XXXXX South Hoxie Avenue to Advocate Trinity Hospital for evaluation and treatment. The cause of the injury was “caught between two objects.” The narrative reports patient stated her left foot was injured earlier today. Patient reports pain and discomfort. Patient stated her leg was slammed in a car door twice. No bleeding noted. (Att. # 7)

The **OEMC Data includes** the 911 radio calls and radio transmissions, as well as GPS data for the officers around XXXXX South Hoxie Avenue on June 14, 2017 between the hours of 6:30 AM and 6:45 AM. (Att. # 15)

The **medical records from Advocate Trinity Hospital** report on June 14, 2017, Subject 1 was diagnosed with an ankle contusion. Subject 1's complaint was reported as "foot pain, pain level: 6 out of 10." Subject 1 was prescribed 50mg of Tramadol and discharged home for self-care. Per Doctor 1, the ex-rays show no broken bones in the ankle or foot. (Att. # 38)

ANALYSIS

It is alleged that on June 14, 2017, at approximately 6:45 AM, at XXXX East 103rd Street, that Officer A, Star # XXXXX, slammed Subject 1's foot in the door of her vehicle twice and approached Subject 1 with his hand on her weapon.

I. Officer A Twice Slammed Subject 1's Foot in the Door of Her Vehicle

According to General Order ("GO") 03-02-01, the Chicago Police Department utilizes a Use of Force Model to provide guidance on the appropriate amount of force to be used to effect a lawful purpose. The model may progress from member presence to the application of deadly force. The primary objective of the use of force is to ensure control of a subject with the reasonable force necessary based on the totality of the circumstances. Department members must escalate or de-escalate the amount of force which is reasonably necessary to overcome the subject's resistance and to gain control over the subject. Officer A employed appropriate judgment in holding his hand on the door frame of Subject 1s' vehicle. Subject 1 disobeyed a direct order to stay in her vehicle. 103rd Street is a busy road with two lanes going east and two lanes going west. The traffic stop obstructed a full lane of traffic and Subject 1 and the involved officers were in close proximity to traffic. In putting his hand on the door frame, Officer A was able to control Subject 1's possibly kicking the door or exiting her vehicle.

The body worn camera footage does not show who closed Subject 1's vehicle door, Subject 1 or Officer A. Officer A's left hand is seen on the top of the door frame but is not visible in the frame as the door closes. Subject 1 reported Officer A slammed her foot in the door but Officer A related Subject 1 is the one who closed the door and his hand was only on the door for control. Officer A related that he attempted to control the door as a safety precaution for both himself and Subject 1. There were no eye witnesses who saw Officer A slam Subject 1's foot in the door.

II. Officer A Approached Subject 1's Vehicle with His Hand Unnecessarily on his Weapon

Officer A related that officers are trained to be aware of their weapon at all times, but placing his hand on top of the holster is a personal preference. Officer A stated that he rests the palm of his hand on the piece of the holster that buttons the weapon into the holster. Officer A did not unholster or handle his weapon, nor is he seen in the BWC pointing his weapon at Subject 1. Subject 1's disobeying the direct order to stay in her vehicle, is a sufficient basis for Officer A to have felt the need to be aware of his weapon. Moreover, there is no evidence to suggest that Officer A placed his hand on his weapon as a show of force.

CONCLUSION

COPA's burden of proof is based on the preponderance of evidence standard. As such, regarding the allegations against Officer A, Star # XXXXX, COPA recommends that:

Allegation # 1, that the accused Officer A, Star # XXXXX, slammed Subject 1's foot in her vehicle door be **not sustained**. There is not enough evidence to prove or disprove this allegation.

Allegation # 2, that the accused Officer A, Star # XXXXX, approached Subject 1's vehicle with his hand unnecessarily on his weapon, be **exonerated**.