

INTRODUCTION

On October 25, 2017, at 5:39 p.m. the Chicago Police Department was called to XXXX Beauty Supply, located at XXXX E 47th St., Chicago, IL with a complaint that a known female (complainant Subject 1) violated an active Civil No Contact Stalking Order. Subject 1 alleges the responding officer grabbed her arm and attempted to arrest her without justification.

ALLEGATIONS

Subject 1 alleges that on October 25, 2017 at approximately 5:53 p.m., in the vicinity of XXXX E 47th St, Officer A, Star #XXXX:

- 1) Grabbed her left hand and attempted to arrest her without justification.

APPLICABLE LAW AND 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.

INVESTIGATION

In a **Recorded Statement** to COPA on October 30, 2017, Subject 1 ("Subject 1") stated that she was with her friend "Civilian 1" and was across the street from XXXX Beauty Supply in the parking lot. Subject 1 stated that the security guard "Civilian 2" called for the police. Subject 1 stated that when the officers (later known as Officer A and Officer B) arrived they went into the store and were inside for five to ten minutes. Subject 1 stated that Officer A then came to parking lot where she and Civilian 1 were standing. She stated that Officer A grabbed her left arm and told her she violated a No Contact Order entered in the Circuit Court of Cook County. Subject 1 stated that she told Officer A that she was not violating the order and had papers showing that the order was vacated.

Subject 1 stated that Officer A had no right to arrest her and should have asked her first before attempting an arrest. Subject 1 stated that security from XXXX called the police believing she was violating an active no contact order. Subject 1 stated that Civilian 3, the previous security guard, filed an order against her after she was arrested for threatening him. Subject 1 stated that Officer A grabbed her left hand but she was not injured. Subject 1 stated that she does not remember what time she arrived at the parking lot and was there to boycott the store. Subject 1 stated that she was passing out flyers to educate the community. Subject 1 stated that she had prior contact with Officer A and that employees at XXXX constantly call the police on her and claims she was not in the store nor on their property. (Att. 7)

Body-Worn Camera video obtained from Officer A is 7:56 minutes long. The video depicts A and B arriving to XXXX Beauty Supply, questioning the complainant, and informing the store owner that the order is no longer valid. The alleged incident is captured at 5:27 into the video. (Att. 12)

A **Stalking No Contact Disposition Order** was entered under case number XXXXX on October 11, 2017 by Judge A. The order indicates that the previous Civil No Contact Stalking Order is vacated. (Att. 8)

CONCLUSION

COPA recommends that Allegation #1 against Officer A, that he grabbed Subject 1's left hand and attempted to arrest her without justification, be Unfounded.

According to Subject 1's interview, she asserts that Officer A had no right to grab her and attempt to arrest her. After reviewing the body-worn video, the incident as alleged is not factual. Subject 1 claims that the officers entered and left the store and then crossed the street to her location. The video depicts that Officers A and B entered the store, had a brief conversation with the security guard, and viewed their copy of the court order. The officers then returned to their vehicle and attempted to check the validity of the order via their computer. The officers then re-entered the store and had the owner sign a complaint against Subject 1. At that point, Officer A crosses the street to apprehend Subject 1.

Subject 1 further asserts that Officer A grabbed her by the left hand. The body-worn video depicts Officer A approaching Subject 1 and informing her that she is under arrest. Officer A is holding a pair of handcuffs in his right hand, and Subject 1 is holding a folder in her left hand and moving the right side of her body away from Officer A. The video does not depict Officer A making contact with Subject 1's left hand nor does her body language and position suggest there was any type of contact. Subject 1 then informs Officer A that she has a copy of the vacated order. Officer A allows her to move away from him and to retrieve the copy from the folder. After Officer A views the vacated order, he uses his radio to inform dispatch that the order was dropped in court. Officer A re-enters the store and informs the owner that the order is no longer valid and the video ends shortly after.

The video evidence in this case is contradictory to Subject 1's statement. Officer A made no physical contact with Subject 1's left hand, nor does it appear that he made any contact with her person. Additionally, once Subject 1 provided Officer A with the order proving that the No Contact Order was vacated, Officer A ceased any attempt to arrest her. Based on the totality of the circumstances, there is sufficient evidence to disprove the above allegation and terminate this investigation without requesting reports or interviewing the involved officer.

Investigator A

Supervising Investigator A

