

## SUMMARY OF INCIDENT

The complainant, Subject 1, alleges that on an unknown date, he was stopped by two Chicago Police Department (CPD) officers who detained Subject 1 and would not release him until he gave the officers information about guns and drugs. According to Subject 1, after he refused to work with these two officers, an investigative alert was placed on Subject 1 which resulted in his unlawful arrest on April 15, 2015.

## ALLEGATIONS

On April 27, 2017, the complainant, Subject 1, telephoned the City of Chicago Office of Inspector General (OIG). On June 1, 2017, OIG forwarded Subject 1's complaint to the Independent Police Review Authority (IPRA). IPRA staff subsequently contacted Subject 1 and conducted an Interview.<sup>1</sup>

It is alleged that on an unknown date, near XXX and XXXXX, **unidentified officer A** and **unidentified officer #2**:

Allegation 1: Detained Subject 1 in handcuffs without justification, in violation of Rule 6 in relation to the 4<sup>th</sup> Amendment to the United States Constitution and Rule 6 in relation to General Order G06-01

Allegation 2: Detained Subject 1 in a police vehicle without justification, in violation of Rule 6 in relation to the 4<sup>th</sup> Amendment to the United States Constitution and Rule 6 in relation to General Order G06-01

It is alleged that on an unknown date, near XXX and XXXX, **unidentified Officer A** and **unidentified officer #2**:

Allegation 3: Detained Subject 1 without justification, in violation of Rule 6 in relation to the 4<sup>th</sup> Amendment to the United States Constitution and Rule 6 in relation to General Order G06-01

Allegation 4: Detained Subject 1 for an excessive amount of time, in violation of Rule 6 in relation to the 4<sup>th</sup> Amendment to the United States Constitution and Rule 6 in relation to General Order G06-01

Allegation 5: Did not allow Subject 1's release from CPD custody until he provided information on guns and drugs, in violation of Rule 2, Rule 6 in relation to the 4<sup>th</sup> Amendment to the United States Constitution, Rule 6 in relation to General Order G06-01, and Rule 8

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<sup>1</sup> 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.

CIVILLIAN OFFICE OF POLICE ACCOUNTABILITY

Log #1085432

Allegation 6: Denied Subject 1 water, in violation of Rule 6 in in relation to General Order G06-01

Allegation 7: Denied Subject 1 a telephone call, in violation of Rule 6 in in relation to General Order G06-01

Allegation 8: Tried to force Subject 1 to be a confidential informant, in violation of Rule 2 and Rule 8

It is alleged that on February 22, 2017, at an unknown time and location, **Sergeant A, Star #XXXX**:

Allegation 1: Placed a fraudulent investigative alert on Subject 1, in violation of Rule 2, Rule 8, and Rule 14

It is alleged that on April 15, 2015 at approximately 2:00 PM at XXXX S. XXXXXX Ave., **Officer B, Star #XXXXX**:

Allegation 1: Used excessive force against Subject 1 by grabbing his neck in violation of Rule 2, Rule 6 in relation to General Order G03-02, Rule 8, and Rule 9

It is alleged that on April 15, 2015, at XX<sup>st</sup> and XXXXXX, an **unidentified male sergeant or lieutenant**:

Allegation 1: Denied Subject 1 a telephone call, in violation of Rule 2 and Rule 8

Allegation 2: Denied Subject 1 medical attention, in violation of Rule 2 and Rule 8

### APPLICABLE RULES AND LAWS

**Rule 2:** prohibits, “Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.”

**Rule 6:** prohibits, “Disobedience of an order or directive, whether written or oral.”

**Rule 8:** prohibits, “Disrespect to or maltreatment of any person, while on or off duty.”

**Rule 9:** prohibits, “Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.”

**Rule 14:** prohibits, “Making a false report, written or oral.”

**Chicago Police Department Directive, General Order G01-02-04, Organization and Functions of the Bureau of Detectives:** “The Criminal Registration Unit is responsible for registering previously convicted offenders under the Illinois Sex Offender Registration Act [...] The unit is also charged with maintaining the Department's registration records for these

individuals and coordinating with the detective areas in the investigation and processing of sex offender registration violations. Additionally, the section coordinates quarterly verification checks of registrant addresses and provides regular listings to patrol and detective bureau personnel on registrants then in a violation status.”

**Chicago Police Department Directive, General Order G03-02, Use of Force Guidelines:**<sup>2</sup> “When a Department member engages a member of the public, the member will do so in such a manner which affords that person the respect and dignity to which all persons are entitled. The use of excessive force or unwarranted physical force or unprofessional conduct by a Department member will not be tolerated under any circumstances.”

“Department members will use an amount of force reasonably necessary based on the totality of the circumstances to perform a lawful task, effect an arrest, overcome resistance, control a subject, or protect themselves or others from injury.”

**Chicago Police Department Directive, General Order G06-01, Processing Persons Under Department Control,** “The Department's justification for the detention of any arrested person will be included in the Arrest Report (CPD-11.420). The arresting officer is required to set forth in the Arrest Report sufficient information (probable cause to arrest) to substantiate all charges placed against an arrestee.”

“Department personnel will, at all times, be aware of each arrestee's rights and will [...] expedite all processing so that the arrestee will not be detained longer than necessary” and “never use force or coercion in seeking confessions or admissions.”

**Fourth Amendment to the United States Constitution:** The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated

## INVESTIGATION

### Officer of Inspector General Statement

Subject 1 placed a telephone call to the City of Chicago Officer of Inspector General (OIG). Subject 1's complaint was then forwarded to IPRA. In his OIG statement, Subject 1 reported that in September 2015, he was stopped by CPD officers near XXX and Perry and asked questions. Subject 1 related that the officers tried to force Subject 1 “to be a confidential informant.” When Subject 1 refused, the officers drove him the police station located at 51<sup>st</sup> and Wentworth. Subject 1 was then transferred by two different police officers to a police station at 51<sup>st</sup> and Wentworth. Subject 1 was unable to identify these two officer who transported him but said one was a Hispanic male in his mid-thirties, approximately 5'6”, and with a stocky build. The second officer was described as an approximately 5'7” white male also with a stocky build. According to Subject 1, the two officers left Subject 1 handcuffed to a wall for hours before taking him to be interrogated by a detective. Subject 1 stated that this detective asked Subject 1 “about guns and drugs.” Subject

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<sup>2</sup> The Use of Force policy noted in this report was effective from October 1, 2002 until October 16, 2017.

1 refused to answer so the detective and officers “choked and punched” Subject 1. According to Subject 1, he sustained a bleeding lip and nose but was denied medical treatment. Subject 1 stated that as a result, “he suffered a nose fracture, a neck injury, and persistent headaches from the assault.” Subject 1 reported that he was then released and the detective told Subject 1 to help to detective, ““set-up some people.””

Subject 1 claimed that on another occasion, “he went to a CPD station located at 51<sup>st</sup> and Wentworth to register as a sex offender.” Subject 1 reported that he was arrested on a warrant for failing to register as a sex offender following an incident in May 2001 involving a minor. Per Subject 1, he was not aware that he was supposed to registered as a sex offender after his release from prison in February 2012. Subject 1 believed that an investigative alert “triggered his arrested at [...] XX and XXXXXXXX, and that he felt targeted by CPD for refusing to cooperate with the detective in September 2015.” Subject 1 stated that the officer from his arrest at XX and XXXXXXXX also assaulted Subject 1 when the officer grabbed Subject 1 by the collar, choked Subject 1, and pushed Subject 1 into a squad car. Subject 1 described this officer as “a black male, in his mid-thirties, approximately 6’ to 6’5” feet tall.” (Atts. 4, 5, 6)

### **Complainant Interview, Subject 1**

Subject 1 related that he was at XXX and Perry when two CPD officers in a brown Ford Explorer approached Subject 1, “jumped out the car and grabbed” him, and began searching Subject 1. Subject 1 related the officers “threw” him in their car and “kidnapped” him. Subject 1 was unable to recall the exact date this occurred, but he believed it was a weekday in September 2015 around 9:30 AM. Subject 1 described one officer as a short, stocky Hispanic male and one as a 30-something, short, stocky, white male with goldish brown hair and green or blue eyes. Subject 1 believed the Hispanic officer was named something like Unidentified Officer A. Subject 1 stated that the white officer placed him in handcuffs and placed Subject 1 in the back of the CPD vehicle. Subject 1 reported that the officers tried to attribute some drugs to him. Subject 1 denied that he had drugs and he did not know where these drugs came from. Subject 1 recalled that the Hispanic officer told him that they could help Subject 1 with his criminal history if he worked with them as a confidential informant (CI).

Subject 1 said that he was then taken to a police station and kept for “hours.” The two officers reportedly had Subject 1 looking at a computer screen on a program called “CLEAR” and were asking Subject 1 to tell them “where the drugs” could be found. Subject 1 stated he was “so fearful of my life” that he agreed to be a “stoolpigeon” and told the officers where guns could be found so that he could leave. Subject 1 stated that he asked what he was being held for or what the charges against him were and the police responded that they wanted Subject 1 to tell the officers about houses where drugs and guns could be found. Subject 1 stated that at the police station, he was handcuffed to the wall for hours and was not allowed to make a phone call or have a drink of water. Subject 1 stated he was “in a cell” at 51<sup>st</sup> and Wentworth for multiple hours. Subject 1 stated that he was driven to a judge’s home so the officers could obtain a search warrant for the guns Subject 1 told them about. Subject 1 could not remember the judge’s name, but said he was an old man. Subject 1 was taken back to the police station before two tall, white officers in a blue Ford Explorer returned Subject 1 to his vehicle. Subject 1 was unable to describe these two white officers any further because he was so “shook up.”

Subject 1 stated he met with the two original officers on approximately two subsequent occasions and that during these occasions, Subject 1 feared for his life. Subject 1 recalled that the Hispanic officer's cellphone number "had a whole bunch of sixes in it." Subject 1 reported that after he refused to work as a CI, CPD "unlawfully" placed an investigative alert on the complainant. Subject 1 believed that he was only given an investigative alert as retaliation for not being a CI because he was in full compliance with the laws regarding his sex offender registration.

On a date identified as April 15, 2015, Subject 1 stated that he was at the police station at 51<sup>st</sup> and Wentworth to register as a sex offender when a white, male officer with a "German haircut" arrested Subject 1. Subject 1 stated he was placed in handcuffs and told he was being arrested for falsifying his address in his sex offender registration. Subject 1 denied providing a false address and stated he never had problems with his registration prior to refusing to be a CI. Subject 1 said he was handcuffed to the wall 51<sup>st</sup> and Wentworth until transportation arrived. Subject 1 elaborated that a tall, young, black, male officer grabbed Subject 1 "by the neck." Subject 1 said he was "not really" able to breath and the officer was holding Subject 1's neck from behind and pushing Subject 1's head down as they walked. This same black officer drove Subject 1 to 51<sup>st</sup> and Wentworth along with this officer's partner, a short, older, Hispanic male with grey in his hair. Subject 1 recalled that the vehicle he was transported in was a burgundy sports utility vehicle.

Subject 1 reported that once he was transported to a police station at 51<sup>st</sup> and Wentworth, he was denied a phone call or medical attention and his personal property was taken. Subject 1 stated he was thrown in a cell for approximately four or five hours and was experiencing chest pains. Subject 1 stated that a black, female detective asked him if he wanted to talk about "what's going on in the streets," which Subject 1 refused. Subject 1 recalled a skinny, black, male sergeant or lieutenant at 51<sup>st</sup> and Wentworth said Subject 1 would get medical care but it never arrived. Subject 1 stated that he was then taken to XX and XXXXXXX in a police wagon for court. Subject 1 claimed that he did not know what he was being charged with until he went to court.

Subject 1 was shown an Arrest Report from April 15, 2015 (Att. 10), in which he was arrested in relation to his sex offender registration. Subject 1 maintained that this arrest occurred after he was stopped by the two officers near XXX and Perry. Subject 1 believed that the two officers from the XXX and Perry incident placed an investigative alert on Subject 1, which triggered his April 15, 2015 arrest. After seeing the April 15, 2015 arrest report, Subject 1 stated that he may have been wrong about the date of the first incident. Subject 1 had difficulty recalling when the incident at XXX and Perry occurred, but he believed it may have been around September 2014, or possibly even in 2013. (Att. 17)

### **Department Records and Reports**

The Investigative Alert which triggered Subject 1's April 15, 2015 arrest was created on February 22, 2015 by Sergeant A (who was a detective on the date in question). The alert relates that Subject 1's last known address was XXXX S. Ellis. This alert states that after a status check, Subject 1 was found "to be in violation of the sex offender registration act in that he did not reside at his listed address of residence." (Att. 24)

## CIVILLIAN OFFICE OF POLICE ACCOUNTABILITY

Log #1085432

Subject 1's Arrest Report was obtained from April 15, 2015. Subject 1's offense was cited as Fail to Report Change of Address/Employer. Subject 1 was arrested at CPD Station A, located at XXXXX S. XXXXXXXXXX., at approximately 2:00 PM. Detective A, who was on-duty at Sex Registration at XXXX S. XXXXXXXX, alerted Beat XXXX (identified as Officers C and D) that Subject 1 reported to register, triggering an investigative alert on Subject 1 for failing to register at a new address. Subject 1 was placed into custody and transported by Beat XXXX (identified as Officers B and E) to the 2<sup>nd</sup> District. Detective B in Area South Detective was also alerted of Subject 1's arrest. (Att. 10)

An Original Case Incident Report was located related to a compliance check conducted on Subject 1 on February 12, 2015 with RD #XXXXXX. Detective Case Supplementary Reports were also located for RD #XXXXXX. On February 12, 2015 at approximately 6:59 PM, Officer F identified that Subject 1, "is a Registered Sex Offender who moved and failed to notify law enforcement of his new address." Officer F was conducting "a bi-annual check of Registered Sex Offenders" and went to the address last used by Subject 1 for his registration. Officer F spoke with a resident at this address who told the officer that he had been living there for the last two years and did not know Subject 1. A second resident at the home also did not know Subject 1. Sergeant A then issued an Investigative Alert for Subject 1 "with probable cause to arrest." (Atts. 25, 26, 27)

### **Illinois Department of Corrections**

An inmate record was located for Subject 1 in through the Illinois Department of Corrections. According to available details, Subject 1 was sentenced to three years of parole on April 9, 2015 for providing false information in his sex offender registration. Subject 1 is also currently serving a four-year probation sentence since August 17, 2013 for violating his sex offender registration. Subject 1 has a projected discharge date of October 26, 2018.

Furthermore, Subject 1 has discharged sentences from previous offenses including failing to report weekly in 2009, violating sex offender registration in 2006, and failing to report a change of address in 2005. (Att. 7)

### **Illinois Sex Offender Information**

Details were obtained from the Illinois State Police regarding Subject 1's sex offender registration. When Subject 1 was 33 years old, he reportedly exposed his organs/engaged in the sexual exploitation of a 16-year-old. Subject 1 violated the sex offender registration on multiple occasions with reported crimes including violating the sex offender registration act, fail to report change of address, fail to report weekly/no fixed address, and registering with false information. (Att. 21)

### **Accused Interview, Sergeant A**

Per Sergeant A, he has "no idea who Subject 1 is." Sergeant A did not recall creating an investigative alert for Subject 1 on February 22, 2015. Sergeant A related that as a detective, he investigated several types of cases including failing to register as a sex offender. Sergeant A stated

that, generally, information about failing to register would be obtained through either an interview with an arrestee or a residence check. If the individual is not at the address they are supposed to be at when a residence check is done, a case report is generated and an investigative alert is issued. Sergeant A stated he has made “a lot” of investigative alerts and did not remember making one for Subject 1. However, Sergeant A related he would never make an investigative alert out of retaliation and never knowingly made a fraudulent investigative alert. After reviewing the investigative alert for Subject 1 from February 22, 2015 (Att. 24), Sergeant A agreed that he must have issued the alert because it was associated with his employee information. However, he could not recall this specific alert. Sergeant A did note that the writing style of the alert was not the style he usually employs.

Sergeant A could not recall ever using a CI. Sergeant A was not aware of any officers trying to use Subject 1 as a CI. Sergeant A was not able to identify the unidentified Officer A or the unidentified sergeant/lieutenant. (Att. 34)

#### **Witness Interview, Detective A**

Detective A stated that on April 15, 2015, he was working in the Criminal Registration Unit. Detective A did not recall Subject 1. Detective A stated that when individuals come in to register, he asks for identification. The detective stated that approximately five times a month, someone coming into register may trigger an investigative alert. Detective A stated that he personally would place the individual in handcuffs and tell them they are under arrest. Detective A stated that an arrestee would be handcuffed to a bench while waiting for the transportation officers. Detective A was not aware of any officers trying use Subject 1 as a CI. Detective A stated that he previously had a “flat-top” style haircut, believed to be Subject 1’s reference to a “German” haircut. Detective A was not able to identify the unidentified Officer A or the unidentified sergeant/lieutenant. (Att. 41)

#### **Witness Interview, Detective B**

After reviewing Department reports, Detective B reported that he was aware Subject 1 was a registered sex offender. Detective B “could not say” that he had ever met Subject 1 in person. Detective B was informed of Subject 1’s arrest on April 15, 2015 because there was an investigative alert. Detective B was notified because he was on-duty and Sergeant A was not. Detective B was not aware of any officers attempting to use Subject 1 as a CI. Detective B was unable to identify the unidentified sergeant/lieutenant or unidentified Officer A. (Att. 32)

#### **Accused Interview, Officer B**

After reviewing Subject 1’s April 15, 2015, Arrest Report (Att. 10), Officer B did not recall Subject 1. After reviewing Department records, Officer B confirmed that he and Officer E were Subject 1’s transporting officers. Officer B related that he has previously transported arrestees related to sex offender registration. However, Officer B did not know why he and Officer E would have transported an arrestee for different arresting officers (identified as Officers C and D). Officer B related that if he was the one to transport an arrestee, he would usually complete the arrest report but he did not in this case. Per Officer B, if a sex offender goes to 51<sup>st</sup> and Wentworth and an investigative alert or warrant is returned, the individual will be detained and transport would be called. According to Officer B, usually arrestees would be sitting on a bench, waiting on

## CIVILLIAN OFFICE OF POLICE ACCOUNTABILITY

Log #1085432

transportation. Further, the individual would usually be in handcuffs. Officer B would then place his handcuffs on the arrestee, remove the handcuffs already on the arrestee, and transport the arrestee to the police vehicle. Officer B stated he did not remember Subject 1 “at all” and therefore could not say what the specific details were in this instance. Officer B denied using excessive force by grabbing Subject 1’s neck. Officer B denied that he would grab an arrestee’s neck to get them to comply. (Att. 49)

### **Witness Interview, Officer E**

Officer E stated that on April 15, 2015, he was working in the 2<sup>nd</sup> District. Officer E did not recall Subject 1. After reviewing Subject 1’s Arrest Report (Att. 10) from this date, Officer E agreed that he was Subject 1’s transporting officer and partnered with Officer B. Officer E stated that he never saw Officer B use excessive force or grab an arrestee by the neck. Officer E was unaware of any officers attempting to use Subject 1 as a CI. Officer E was unable to identify the unidentified sergeant/lieutenant or unidentified Officer A. (Att. 39)

### **Witness Interview, Officer D**

According to Officer D, on April 15, 2015, he was working in the 2<sup>nd</sup> District. Officer D did not know the unidentified Officer A. Officer D did not recall Subject 1. After reviewing Subject 1’s April 15, 2015 Arrest Report (Att. 10), Officer D believed Subject 1 was arrested for failing to register as a sex offender. Officer D stated that he processed Subject 1’s arrest. Officer D could not specifically recall Subject 1. Therefore, Officer D could not confirm if he first saw Subject 1 at 51<sup>st</sup> and Wentworth or at the 2<sup>nd</sup> District. However, Officer D related that arrestees at 51<sup>st</sup> and Wentworth are usually handcuffed to a wall when officers arrive to transport them. Officer D could not recall seeing Officer B with Subject 1. Officer D denied asking Subject 1 to be a CI or having knowledge of officers trying to use Subject 1 as a CI. Officer D believed the unidentified sergeant/lieutenant may have been Sergeant B. (Att. 28)

### **Witness Interview, Officer C**

Officer C stated that on April 15, 2015, he was working in the 2<sup>nd</sup> District. Officer C did not know the unidentified Officer A. Officer C did not recall Subject 1. Officer C believed he was notified that Subject 1 was detained at CPD headquarters related to criminal registration. However, Officer C did not specifically recall seeing Subject 1 at 51<sup>st</sup> and Wentworth. Officer C related that it is customary practice for arrestees awaiting transportation to be handcuffed to the wall at 51<sup>st</sup> and Wentworth. Officer C did not remember seeing Officer B with Subject 1. Officer C could not recall who transported Subject 1 from 51<sup>st</sup> and Wentworth to the 2<sup>nd</sup> District. Officer C denied asking Subject 1 to be a CI and related he was unaware of other officers asking Subject 1 to be a CI. Officer C was unable to identify the unidentified sergeant or lieutenant. (Att. 30)

### **Witness Interview, Detective C**

Detective C related that she did “not really” recall Subject 1. After reviewing Subject 1’s April 15, 2015 Arrest Report (Att. 10), Detective C stated that she was assigned to do a follow-up investigation after Subject 1’s arrest. The detective stated she read Subject 1 his Miranda Rights, he requested an attorney, and that was the extent of their interaction. Detective C reported that Subject 1 was arrested on an Investigatory Alert created by Sergeant A, who was a detective at the

time of Subject 1's arrest. Detective C stated that a Beat officer identified that Subject 1 was not in compliance and the case was then assigned to Sergeant A. Detective C believed Sergeant A created this alert after learning Subject 1 did not live at the address provided for Subject 1's sex offender registration. Detective C denied that she asked Subject 1 to be a CI or asked him about "what's going on in the streets." Detective C related that she was not aware of any Department members attempting to use Subject 1 as a CI. Detective C was unable to provide the identity of the unidentified male sergeant or lieutenant on-duty at 51<sup>st</sup> and Wentworth. (Att. 22)

*Approved:*

*Submitted:*

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Supervising Investigator

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Investigator

## ANALYSIS AND CONCLUSION

COPA recommends a finding that **allegation #1**, that **unidentified Officer A and unidentified male officer #2** detained Subject 1 in handcuffs without justification, be **Not Sustained**.

COPA recommends a finding that **allegation #2**, that **unidentified Officer A and unidentified male officer #2** detained Subject 1 in a police vehicle without justification, be **Not Sustained**.

COPA recommends a finding that **allegation #3**, that **unidentified Officer A and unidentified male officer #2** detained Subject 1 at 51<sup>st</sup> and Wentworth without justification, be **Not Sustained**.

COPA recommends a finding that **allegation #4**, that **unidentified Officer A and unidentified male officer #2** detained Subject 1 for an excessive amount of time, be **Not Sustained**.

COPA recommends a finding that **allegation #5**, that **unidentified Officer A and unidentified male officer #2** did not allow Subject 1's release from CPD custody until he provided information on guns and drugs, be **Not Sustained**.

COPA recommends a finding that **allegation #6**, that **unidentified Officer A and unidentified male officer #2** denied Subject 1 water at 51<sup>st</sup> and Wentworth, be **Not Sustained**.

COPA recommends a finding that **allegation #7**, that **unidentified Officer A and unidentified male officer #2** denied Subject 1 a telephone call at 51<sup>st</sup> and Wentworth, be **Not Sustained**.

CIVILLIAN OFFICE OF POLICE ACCOUNTABILITY

Log #1085432

COPA recommends a finding that **allegation #8**, that **unidentified Officer A and unidentified male officer #2** tried to force Subject 1 to be a confidential informant be **Not Sustained**.

For all the allegations against unidentified Officer A and unidentified male officer #2, there is not enough information to identify who these officers are, let alone whether the events detailed by Subject 1 actually occurred. Subject 1 was able to provide some specific details that gave his claims credibility, such as the use of CLEAR. However, Subject 1's narrative lacked many key details necessary to identify these two accused officers, such as the officers' names and the date on which these events occurred. Ultimately, Subject 1 was unable about to provide enough information to investigate these allegations and come to a conclusive determination.

COPA recommends a finding that **allegation #1**, that **Sergeant A** placed a fraudulent investigative alert on Subject 1 be **Unfounded**.

Department reports indicated that an investigative alert was placed on Subject 1 because he was not in compliance with his sex offender registration. Subject 1 sees his refusal to be a CI as linked to his arrest on an investigative alert on April 15, 2015. However, this does not appear to be the case. Ultimately, it appears Subject 1 was arrested following a compliance check that revealed Subject 1's reported address was not his actual residence. Sergeant A was reportedly unaware of any officers trying to use Subject 1 as a CI. Furthermore, Sergeant A was not even the officer who identified that Subject 1 was not in compliance with his sex offender registration. Therefore, it was determined that Sergeant A was justified in placing an investigative alert on Subject 1 and that Subject 1's April 15, 2015 arrest was lawful.

COPA recommends a finding that **allegation #1**, that **Officer B** used excessive force against Subject 1 by grabbing his neck, be **Not Sustained**.

Subject 1's version of events is not consistent, although it is unclear if this is due to faulty memory or to deception. Details provided by Subject 1 bring his credibility into question. For example, Subject 1 stated that he was in full compliance with sex offender registration laws, but that does not appear to be accurate. The address Subject 1 provided for his sex offender registration was not the address Subject 1 was living at and this was discovered during a compliance check by Officer F. Additionally, Subject 1 reported that prior to his April 15, 2015 arrest, he never had any issues with his sex offender registration. However, per Subject 1's Illinois Department of Corrections and Illinois Sex Offender records, he has previously violated his sex offender registry multiple times since at least 2005. While Subject 1 was accurate in describing the physical appearance of his two transporting officers, there is not enough detail to confirm or refute if Officer B grabbed Subject 1's neck. It is ultimately Subject 1's word against Officer B and there is a paucity of evidence to make a conclusive determination.

COPA recommends a finding that **allegation #1**, that the **unidentified male sergeant or lieutenant** denied Subject 1 a telephone call be **Not Sustained**.

COPA recommends a finding that **allegation #2**, that the **unidentified male sergeant or lieutenant** denied Subject 1 medical attention be **Not Sustained**.

CIVILLIAN OFFICE OF POLICE ACCOUNTABILITY

Log #1085432

As with unidentified Officer A and unidentified male officer #2, there was insufficient information to identify the accused. Similarly, without knowing the identity of the accused Department member, or even what his title is, it was not possible to fully investigate Subject 1's claims. Therefore, a conclusive determination could not be reached.

Approved:

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Deputy Chief Administrator

**FINDINGS**

**Accused 1: Unidentified Officer A:**

**Allegation 1-8: Not Sustained**

**Accused 2: Unidentified male officer #2**

**Allegation 1-8: Not Sustained**

**Accused 3: Sergeant A, Star #XXXX**

**Allegation 1: Unfounded**

**Accused 4: Officer B, Star #XXXXX**

**Allegation 1: Not Sustained**

**Accused 5: Unidentified male sergeant or lieutenant:**

**Allegation 1-2: Not Sustained**