

INTRODUCTION

On July 25, 2015, at approximately 11:45 PM, at XXXX S. Martin Luther King Jr. Drive Chicago, IL, it is alleged that two unknown officers stopped Subject 1 without justification and struck him with a baton. COPA is investigating this allegation¹.

ALLEGATIONS

It is alleged that on July 25, 2015, at approximately 11:45 PM, at XXXX S. Martin Luther King Jr. Drive Chicago, IL, unknown officer #1:

1. Stopped Subject 1 without justification.

It is also alleged that on July 25, 2015, at approximately 11:45 PM, at XXXX S. Martin Luther King Jr. Drive Chicago, IL, unknown officer #2:

1. Stopped Subject 1 without justification;
2. Struck Subject 1 with a baton.

APPLICABLE RULES AND LAWS

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

The alleged victim, Subject 1, was interviewed by IPRA on August 6, 2015. He stated that he was walking to a friend's house on July 27, 2015 when two unidentified officers randomly stopped and searched him for a gun. Subject 1 stated that the officers did not recover a gun and told him if he was caught outside anytime at night, the officers would "lock him up." Subject 1 stated that later that same night when leaving his friend's house, he ran into the same officers who allegedly stopped him again and struck him in the right side with a baton. Subject 1 reported in his interview his mother may have "most likely" seen the officer

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.

strike Subject 1 but it was a long distance. However, later in the interview he said she most likely didn't see it. Subject 1 reported he and his mother called 911 and an ambulance came to the scene and transported him to Roseland Hospital. A police report was created, but the accused officers remained unidentified.

There is no evidence to prove or disprove the claims by Subject 1. The ambulance records report no injury. Blurry photographs provided by Civilian 1 do show some redness on the right torso of a male's body. The PODS do not show the incident. The event query does not show calls for the original contact with Subject 1 or the follow-up contact where he sustained the alleged strike. The event query only shows Civilian 1 calling for ambulance and police after her son sustained the alleged strike.

In an attempt to garner more information, COPA attempted to contact Subject 1, and was informed by Subject 1's mother that he was murdered on April 10, 2017.

CONCLUSION

COPA's burden of proof is based on the preponderance of evidence standard. As such, regarding the allegations against the accused unknown black officer, COPA recommends that:

Allegation # 1, that unknown officer #1 stopped Subject 1 without justification, be **Not Sustained**.

Allegation # 1, that the accused unknown officer #2, stopped Subject 1 without justification, be **Not Sustained**.

Allegation # 2, that accused unknown officer #2, struck Subject 1 with a baton, be **Not Sustained**.

Investigator 1

Supervising Investigator 1

Deputy Chief 1