

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	February 1, 2018
Time of Incident:	9:02 a.m.
Location of Incident:	XXXX
Date of COPA Notification:	February 6, 2018
Time of COPA Notification:	11:09 a.m.

On February 1, 2018, the Chicago Police Department conducted a traffic stop involving Subject 1. Subject 1 alleges that she was handcuffed to a bench for over an hour and that her car was searched in violation of her rights. COPA finds that Officer A’s actions did not violate department policy, nor violate Subject 1’s rights and recommends that this allegation be Exonerated.

II. INVOLVED PARTIES

Involved Officer #1:	Officer A, star #XXXX, employee ID# XXXX, DOA XXXX, Police Officer, Unit 002, DOB XXXX, Female, Black
Subject #1:	Subject 1, DOB April 26, 1963, Female, Black

III. ALLEGATIONS

Officer	Allegation	Finding
Officer A	1. Detained Subject 1 without justification in violation of Rule 2.	Exonerated

IV. APPLICABLE RULES AND LAWS

Rules
1. Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
Special Orders
1. Special Order S04-14-05 (Traffic Violators, Name Checks, and Bonding.)
Federal Laws

1. Fourth Amendment to the United States Constitution

V. INVESTIGATION¹

a. Interviews

The recorded statement of Subject 1 (“Subject 1”) was taken at COPA on February 7, 2018. Subject 1 stated that she pulled into the gas station located at XXXX, and noticed a police officer (Officer A) parked by the ice machine in the lot. Subject 1 stated that she put on her seatbelt and exited the lot on the XXXX Street side. Subject 1 stated that she turned northbound onto XXXX Avenue and was pulled over by a police vehicle. Subject 1 stated that she has not had contact with Officer A in the past but has seen her harass people in the past that were waiting for the bus. Subject 1 stated that her driver’s side window is broken and will not lower, so she removed her seat belt to open the door to speak to the officer. Subject 1 stated that she told Officer A that she could not roll down the window. Subject 1 stated that Officer A asked for her registration and said there was something wrong with her plate, then told her she was stopped because she was not wearing a seatbelt.

Subject 1 stated that she denied not wearing her seat belt to which Officer A patted the body-worn camera with her hand and said, “cameras don’t lie.” Subject 1 stated that as she presented her registration, a Detective’s car pulled alongside her in the street and two plain-clothed Officers stood nearby. Subject 1 stated that Officer A asked for her license and insurance. Subject 1 stated that she produced her license but gave Officer A three expired insurance cards from different companies. Subject 1 stated that her updated insurance card was at home but has not been paid since last December.

Subject 1 stated that Officer A told her to exit her car and told the Detectives, “we’re going to have to take her in.” Subject 1 stated that she asked Officer A what she did and that she just came from the store with \$200 worth of groceries. Subject 1 stated that Officer A told her to turn around and she was handcuffed. Subject 1 stated that she asked Officer A why she was handcuffed, to which she said, “I don’t know what you might do to me.” Subject 1 stated that the Detectives did not say anything to her, but one drove her car to the station. Subject 1 stated that she was pushed into the back of the police car and was driven to the station. Subject 1 stated that there was no conversation between her and Officer A. Subject 1 stated that once she was brought inside the station she became hysterical and was crying, and then she was handcuffed to a bench. Subject 1 stated that Officer A repeatedly said, “I don’t know what you might do to me.” Subject 1 stated that Officer A walked into an adjacent room and spoke to the officer that drove her car into the station. Subject 1 stated that she heard the male officer say, “there’s nothing but groceries in her car, she is clean.” Subject 1 stated that she remained handcuffed for about an hour, given two tickets, then was asked to sign an I-Bond². Subject 1 stated that Officer A said that she should give her another ticket for the cracked window which Subject 1 denied was cracked. Subject 1 stated that she was lead to her car and allowed to drive away³.

¹ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

² Att. 9

³ Att. 6

b. Digital Evidence

Officer A's Body-Worn Camera video depicts the traffic stop and transport to the 2nd District Station⁴.

VI. ANALYSIS

As depicted, Officer A indicated to Subject 1 that she was stopped for a failure to wear a seatbelt violation⁵. The traffic violation constituted reasonable suspicion for Officer A to stop the vehicle, and then detain the driver for further investigation in accordance with Special Order S04-14-05 (Traffic Violators, Name Checks, and Bonding). Once stopped, Officer A spoke to Subject 1 and asked for her insurance, however Subject 1 was unable to provide valid proof of insurance.

In Officer A's Body Worn Camera footage, Subject 1 can be seen screaming and distressed throughout their interaction. Officer A, as well as other officers that arrived on scene attempted to calm Subject 1 down, however her demeanor continued to be agitated. Subject 1 was only transported to the police station to receive tickets because she would not relax on the scene. Subject 1's behavior on scene drew attention to Officer A and compromised not only the Officer's safety, but that of Subject 1.

COPA finds that Subject 1's detainment was not in violation of her rights, nor was the length of time she was detained excessive. COPA asserts that Subject 1's actions increased the amount of time she was detained, and increased the amount of time the officer needed to complete the tickets. It is reasonable to believe that Officer A felt it necessary to de-escalate the situation by removing her from the area and relocating to the district. Moreover, Subject 1 was only detained for the amount of time that it took to complete the tickets.

According to Subject 1's statement, her car was searched by a male officer. Subject 1 stated she overheard a male officer say that her car contained groceries. However, while on scene, Subject 1 is heard repeatedly on the BWC saying that she had groceries in her car. COPA does not consider this statement by the officer, if it were said, to constitute evidence that her car was in fact searched.

⁴ Att. 20

⁵ 625ILCS 5/12-603.1 "Driver and passenger required to use safety belts..."

VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding
Officer A	1. Detained Subject 1 without justification in violation of Rule 2.	Exonerated

Approved:

Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Assigned Investigative Staff

Squad#:	XX
Investigator:	Investigator 1
Supervising Investigator:	Supervising Investigator 1
Deputy Chief Administrator:	Deputy Chief Administrator 1