

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	April 16, 2018
Time of Incident:	9:29a.m.
Location of Incident:	XXXX W. Rice St., Chicago, IL 60651
Date of COPA Notification:	April 18, 2018
Time of COPA Notification:	11:58a.m.

Complainant, Subject 1, alleged he was unlawfully arrested by Chicago police officers after calling 911 to report a domestic altercation with Civilian 1. Subject 1 was arrested on a signed complaint for domestic battery.

II. INVOLVED PARTIES

Involved Officer #1:	Officer A, Star #XXXX, Employee ID #XXXXX, Date of Appointment: XXX, 2003, Rank: Police Officer assigned as Patrol Specialist, Unit of Assignment: XXX, DOB: XXX, 1968, Male, White.
Involved Officer #2:	Officer B, Star #XXXXX, Employee ID #XXXXXX, Date of Appointment: XXX, 2017, Rank: Police Officer, Unit of Assignment: XXX, DOB: XXX, 1988, Male, Hispanic.
Subject #1:	Subject 1, DOB: XXX, 1976, Male, Black.

III. ALLEGATIONS¹

Officer	Allegation	Finding
Officer A	It is alleged by Subject 1 on or about April 16, 2018 at approximately 9:29 a.m. at or near XXXX W. Rice St., Chicago, IL 60651 that Officer A # XXXX committed misconduct through the following acts or omissions: 1. Arresting Subject 1 without Justification.	Exonerated

¹ Although allegations were made by Subject 1 against the officers, COPA did not file formal allegations against the officers.

Officer B	<p>It is alleged by Subject 1 on or about April 16, 2018 at approximately 9:29 a.m. at or near XXXX W. Rice St., Chicago, IL 60651 that Officer B # XXXXX committed misconduct through the following acts or omissions:</p> <p>1. Arresting Subject 1 without Justification.</p>	Exonerated

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 1: Prohibits violation of any law or ordinance.

Federal Laws

1. United States Constitution, Amendment IV: Prohibits search and seizure without probable cause.²

V. INVESTIGATION³

a. Interviews

In an interview with COPA on April 19, 2018, Subject 1 made the allegations listed above.⁴ Subject 1 alleged that he was falsely arrested because the officers forced Civilian 1 to sign a complaint against Subject 1. Subject 1 insisted that the officers’ coercion was captured by their body worn cameras (BWC).

Subject 1 told investigators he worked as property manager and one of the properties he managed was the address of the incident. He goes on to state that he used this property as a second place to live. Additionally, Subject 1 claimed he used to live there years ago. According to Subject 1, he called the police due to a disgruntled tenant. When Subject 1 arrived at the address to check on some matters because there are renovations that need to be made, he found the tenant, who is Civilian 1, acting irate, screaming and breaking things. Subject 1 later stated that Civilian 1 was his ex-girlfriend and he has known her for fourteen years.

² “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

³ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

⁴ Attachment 10.

After Subject 1 called the police, the officers arrived and spoke with him and Civilian 1. Subject 1 explained that after the officers talked with Civilian 1, he was handcuffed and taken to the police station. After arriving at the police station, Subject 1 was informed by an unknown police officer that he was arrested because someone signed a complaint against him for domestic battery.

Finally, Subject 1 told investigators that Civilian 1 told him that the officers pressured her and harassed her to sign a complaint against him.⁵ Subject 1 further denied that there was any physical contact between him and Civilian 1.

b. Digital Evidence

The BWC footage from the incident is comprehensive — footage started as the officers were driving to the incident and was continuous until the officers took Subject 1 to the district following his arrest. Initially, the BWC depicts the officers conducting a preliminary investigation resulting in sufficient probable cause to effect Subject 1's arrest. The BWC shows the officers interview both Civilian 1 and Subject 1 outside on the sidewalk. There is also an unnamed witness with Civilian 1 that corroborates Civilian 1's side of the story. Both Civilian 1 and Subject 1 confirmed they were in an argument with each other because Subject 1 did not return home the prior night. Civilian 1 informed the officers that Subject 1 had punched her in the chest with a closed fist causing her to fall back and strike her left knee on a table. When asked what action she wanted to take, Civilian 1 informed the officers she wanted Subject 1 arrested and that she would sign a complaint against Subject 1. The officers subsequently handcuffed Subject 1 and arrested him on a charge of domestic battery before transporting him to the XXX District police station.

c. Documentary Evidence

The Arrest Report (RD #: XXX), authored by Officer B, detailed the incident, which included the summary of why Subject 1 was arrested. This report recounts substantially the same facts that were recorded by the BWC of Officers Officer A and Officer B. The report indicates that Subject 1 was arrested on a signed complaint for domestic battery.⁶

The Office of Emergency Management and Communications Event Query Reports (Event Numbers: XXXXXXXXXXXX and XXXXXXXXXXXX) documented reports of a domestic disturbance and a domestic battery at XXXX W. Rice St., Chicago, IL 60651 on April 16, 2018 at approximately 9:00 a.m. and 9:01 a.m.⁷

VI. ANALYSIS

COPA recommends a finding of exonerated for all allegations against both officers. Peace officers may arrest a person when they have reasonable grounds to believe that the person has

⁵ This statement completely contradicts what is viewed on the BWC of both officers. Civilian 1 states that she wants Subject 1 arrested when she is asked what she would like to come of the situation.

⁶ Attachment 5.

⁷ Attachment 6.

committed an offense.⁸ Here, the BWC footage wholly refutes Subject 1’s allegations of coercion and unlawful arrest. This captured footage shows that officers were informed by Civilian 1 that Subject 1 punched her in the chest with a closed fist causing her to fall back and strike her left knee on a table. Civilian 1 signed a complaint against Subject 1 for domestic battery and requested that officers arrest Subject 1. Furthermore, the unknown witness interview verified parts of Civilian 1’s account. Finally, Subject 1 himself confirmed to officers that he had been in a relationship with Civilian 1. Accordingly, COPA finds that Subject 1’s arrest was reasonable and lawful; therefore, COPA recommends a finding of unfounded for all allegations.

VII. CONCLUSION

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

Officer	Allegation	Finding
Officer A	It is alleged by Subject 1 on or about April 16, 2018 at approximately 9:29 a.m. at or near XXXX W. Rice St., Chicago, IL 60651 that Officer A # XXXX committed misconduct through the following acts or omissions: 1. Arresting Subject 1 without Justification.	Exonerated
Officer B	It is alleged by Subject 1 on or about April 16, 2018 at approximately 9:29 a.m. at or near XXXX W. Rice St., Chicago, IL 60651 that Officer B # XXXXX committed misconduct through the following acts or omissions: 1. Arresting Subject 1 without Justification.	Exonerated

Approved:

 Deputy Chief Administrator – Chief Investigator A
Deputy Chief Administrator – Chief Investigator

 Date

⁸ 725 ILCS 5/107-2(1)(c).

Appendix A

Assigned Investigative Staff

Squad#:	XX
Investigator:	Investigator A
Supervising Investigator:	Supervising Investigator A
Deputy Chief Administrator:	Deputy Chief Administrator – Chief Investigator A