

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	09 April 2018
Time of Incident:	Unknown
Location of Incident:	XXXX W. Concord Place Beat XXXX
Date of COPA Notification:	17 April 2018
Time of COPA Notification:	1800 hours

Subject 1 has alleged that on April 9, 2018, he was leaving his house with a friend, Subject 2, when police officers in a gray unmarked vehicle pulled up to his house, jumped out of the vehicle, and asked to search the vehicle Subject 2 and Subject 1 had just entered. After Subject 1 told the officers no, they searched the vehicle anyway. The officers pulled Subject 1 and Subject 2 out of the vehicle, handcuffed them, and patted them down. The officers told them that they had been "smoking weed" and that was the reason for the search. During the search, officers damaged the interior of his car. After nothing was recovered, they were allowed to leave.

II. INVOLVED PARTIES

Involved Officers:	Name: UNKNOWN Star: Employee ID: Date of Appointment: Rank: Police Officer Unit of Assignment: DOB: Gender: Male Race:
Involved Civilian:	Subject 1 Black Male, Date of Birth: XX Mar 1998

III. ALLEGATIONS

Officer	Allegation	Finding
Unknown Officers	1. On April 9, 2018, two unidentified police officers detained Subject 1 and Subject 2 without justification.	UNFOUNDED
		UNFOUNDED

	<p>2. On April 9, 2018, two unidentified police officers searched the persons of Subject 1 and Subject 2 without justification.</p> <p>3. On April 9, 2018, two unidentified police officers searched the vehicle belonging to Subject 1 without justification.</p> <p>4. On April 9, 2018, two unidentified police officers failed to properly complete an Investigatory Stop Report.</p>	<p>UNFOUNDED</p> <p>UNFOUNDED</p>
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IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 6: Prohibits the disobedience of an order or directive, whether written or oral.

Special Orders

1. Special Order S04-13-09, Investigatory Stop System

State Laws

1. 725 ILCS 5/107-14
2. 725 ILCS 5/108-1.01

Federal Laws

1. U.S. Constitution Amendment IV

V. INVESTIGATION¹

a. Interviews

On April 19, 2018, **Subject 1**^{2 3 4} gave a statement to the Civilian Office of Police Accountability regarding his complaint. According to Subject 1, members of the Chicago Police Department have engaged in a pattern of unlawful stops, searches, and other harassing behavior,

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 Attachment 31

³ The summary is summarized and not verbatim, unless otherwise indicated.

⁴ There was some confusion about his statement, but he could not be reached for further clarification.

most notably on April 9, 2018. According to Subject 1, on April 9th, he walked out of his home and got into his car, a XXXX XXXXXXXXXX XXXXXX, with his friend Subject 2. Before they could drive away, police officers in a gray unmarked vehicle, “the jump out boys,” pulled up behind him, blocking him in.

The officers asked him if they could search his car. He told them no. Then, the officers pulled him out of the car, then cuffed and patted Subject 1 and Subject 2 down. One officer ran their names. They asked him what he had in the car. He told them that there was nothing there. The officers preceded to search the vehicle anyway. The police moved things around in the car and damaged items in the car, trying to search for hidden compartments. They conducted a very vigorous search. They opened and searched the trunk. They searched the compartments for the car jack and spare tire. The officers told them that the reason they were being searched was because they were smoking weed, not that the officers saw them smoking or smelled weed. Subject 1 denied smoking weed. When the officers did not find anything, they let Subject 1 and Subject 2 leave. One of the officers was a black male, the other officer was a Hispanic male.

Many people who identified themselves as City Building inspectors were also present on April 9th. Other Chicago Police Department members were also present, and accompanied the inspectors as they had done in the past. The occupants refused entry to the building to the police and inspectors on this occasion, just moments before the incident with Subject 1 and Subject 2. The inspectors and police remained outside taking pictures of the house.

In the recent past, City Building Inspectors, accompanied by a large number of uniformed police officers, came to the house to inspect the house for code violations. The police went to the basement with the investigators and accompanied them on the inspection of the circuit breaker and water heater. There were alleged code violations related to the water, the back porch, and the electricity. The inspection did not include the bedrooms. Roughly a week later, Subject 1 was arrested on a warrant for possession of weed, heroin, and promethazine. The warrant was executed at his home.

After the incident on April 9, 2018, Subject 1 had been issued parking tickets, despite having valid parking and registration. Subject 1 maintained that officers wait outside of his home and attempt to flag him down whenever he leaves. He stated that officers routinely follow him on foot and in vehicles. He also maintained that since contacting COPA, he has been stopped and frisked at least one other time.

Civilian 1^{5 6}, mother of the complainant, gave a statement to investigators at the Civilian Office of Police Accountability on May 17, 2018 at her home at XXXX W. Concord Place. Civilian 1 could not recall the exact date of the incident, only that it was an afternoon in April on a weekday. In her statement, Civilian 1 told investigators that she became aware of the stop after her brother alerted her to it. Civilian 1 came to the front window of her home and saw the police detaining her son, Subject 1. He was outside of his vehicle, a yellow XXXX, which was parked outside of their home. She observed Subject 1 and his friend Subject 2 in handcuffs, sitting on the

⁵ Attachment 5

⁶ This account has been summarized and is not verbatim, unless otherwise indicated.

curb, while officers searched the car. They searched the center console and the trunk. She believed that the incident took approximately fifteen minutes. Subject 1 was released and came back in the house.

She described the officers as one Caucasian male and one Asian male, both approximately 5'6", wearing plain clothes. Civilian 1 came out to ask the officers what was happening. They told her to mind her own business and would not answer her questions. The officers were driving a gray unmarked vehicle. She believed the Officers hang out in the area. She stated that the same officers came to her house and observed her as well without stopping her.

Earlier this year, in January or February, Subject 1 was arrested with a warrant at XXXX W. Concord Place. The police searched the home for weapons and did not find anything. The police knocked on the door down and detained the family members present. Subject 1 was arrested and taken away. She stated that the increased police presence has caused tension with her neighbors, who are trying to force them to move. According to Civilian 1, Subject 1 has since relocated to his aunt's home in Hillside, IL.

b. Digital Evidence

Video was requested for **POD XXXX**⁷, which is located near the intersection of Concord Place and XXXXX XXXXXXXXX XXXXXX. POD XXXX is the closest in proximity to where the incident is alleged to have occurred and the only POD that could have captured it. Due to the short retention span of that camera, no video could be obtained for the date alleged by the time Subject 1 came to give a statement to COPA.

c. Documentary Evidence

A **Name Check**⁸ of Subject 1 revealed that he was last involved in a traffic stop in March of 2018. He was last arrested in February of 2018. Name Check revealed no contact cards for Subject 1.

A **Name Check**⁹ of Subject 2, the alleged passenger, similarly did not reveal any traffic stops or arrests in the last 5 years.

A **Search for Subject 1's Driver's License Number**¹⁰ revealed that his number was not searched in April of 2018.

An **Event Query Search** for events within 500 feet of Subject 1's residence for the month of April did not reveal any events on the dates alleged that could be determined to involve Subject 1 specifically.

⁷ See Attachment 23

⁸ Attachment 21

⁹ Attachment 32

¹⁰ Attachment 18

A **Number Plate Search**¹¹ revealed that Subject 1's plate was searched on April 3, 2018 by unit XXXX on XXXXXXXXX using username XXXXXXXX and again on April 4, 2018 by unit XXXX XXXXXXXXX using username XXXXXXXX.

PDT Messages Report for XXXXXXXX¹² revealed that Subject 1's license plate, XXXXXXXX was searched on April 3, 2018, but there is no indication anything else was searched related to Subject 1, including Subject 1's name.

GPS Tracking Results for Beat XXXX¹³ revealed that on April 3, 2018, unit XXXX was not present at Subject 1's home at the time his license plate was searched in LEADS.

PDT Message Report for XXXXXXXX¹⁴ revealed that on April 4, 2018, unit XXXX searched Subject 1's license plate number, but there is no indication anything else related to Subject 1 was searched, including his name.

GPS Tracking Results for Beat XXXX¹⁵ revealed that on April 4, 2018, unit XXXX was present near Subject 1's home, for approximately three to four minutes, at the time of the LEADS search of Subject 1's license plate.

GPS Tracking Results for April 9, 2018,¹⁶ did not reveal the presence of any officers near XXXX W. Concord Place.

CLEAR Data Warehouse Service Call Search¹⁷ did not reveal any calls to XXXX W. Concord Place on April 9, 2018; however, it did reveal an event on April 9, 2017. The report revealed that officers were dispatched to Subject 1's home to investigate a man with a gun on the porch in Event Number XXXXXXXXXX.

Event Query XXXXXXXXXXXX¹⁸ relates to an incident on April 9, 2017, at XXXX W. Concord Place, where officers responded to a call of a 5'6" black male with a gun on the porch.

Traffic Stops Report¹⁹ for April 2018 did not reveal any stops related to Subject 1.

A **Search for Contact Cards**²⁰ and Investigative Stops did not reveal any contacts regarding Subject 1 on April 9, 2018.

¹¹ Attachment 19

¹² Attachment 30

¹³ Attachment 27

¹⁴ Attachment 29

¹⁵ Attachment 16

¹⁶ Attachment 17

¹⁷ Attachment 24

¹⁸ Attachment 33

¹⁹ Attachment 25

²⁰ Attachment 15

Caboodle GPS Tracking²¹ search results for Unit XXXX revealed that the Unit was not near Subject 1's residence on April 9, 2018.

OEMC Radio Transmissions from 10 April 2018²² revealed no communications regarding Subject 1, Subject 1's driver's license, or license plate from 0900 to 1200 hours on April 10, 2018.

OEMC Radio Transmissions from 09 April 2018²³ revealed no communications regarding Subject 1, Subject 1's driver's license, or license plate from 0900 to 1200 hours on April 9, 2018.

VI. ANALYSIS

Allegations: On April 9, 2018, two unidentified police officers detained Subject 1 and Subject 2 without justification; searched the persons of Subject 1 and Subject 2 without justification; searched the vehicle belonging to Subject 1 without justification; and failed to properly complete an Investigatory Stop Report.

The above allegations are UNFOUNDED. There are no verifiable facts to support Subject 1's account of events. Multiple attempts have been made to re-interview Subject 1 to clarify his initial statement, but he has become uncooperative in the investigation. Specifically, Subject 1 has repeatedly cancelled, or failed to show up for scheduled interviews with COPA on multiple occasions. COPA has also attempted to meet Subject 1 at his residence, but he has failed to keep all such appointments.

On May 24, 2018, a letter was sent to Subject 1 informing him that if he did not contact COPA, his case would be closed on June 4, 2018. Subject 1 did not respond. On June 6th, Investigator A followed up with Civilian 1 who confirmed that Subject 1 received the letter. Since, no other communication has been received.²⁴

Notwithstanding Subject 1's unresponsiveness, COPA continued its investigation based on Subject 1's statement that on April 9, 2018, he was stopped and searched by police officers. After exhausting all reasonable efforts, the investigation did not reveal any police interaction with Subject 1 on April 9, 2018. As referenced above, GPS tracking searches do not show any Police Officers were present near his home on that date. There is no evidence that Subject 1 had any interaction with any officer on the alleged date after searching of his name, license plate, and driver's license number. There were also no service calls or events near the residence on that date.

Civilian 1, Subject 1's mother, gave a similar account of the incident, but believed that it occurred on a different date than the one provided by Subject 1. Accordingly, COPA also investigated other contacts Subject 1 had with police in the month of April. As referenced earlier,

²¹ Attachment 26

²² Attachment 34

²³ Attachment 36

²⁴ Attachment 28

there is evidence that Subject 1’s license plate was searched by officers on two consecutive days earlier in April. Investigation into the April 3rd incident revealed that his license plate was search at a location different than that of his home address. For that reason, it was determined that the April 3rd search was not related to the incident of which Subject 1 complained.

There is evidence that on April 4, 2018, police officers were present outside of Subject 1’s home and conducted a search license plate number. However, there is no evidence that anything beyond the search of the license plate was done. Specifically, contrary to Subject 1’s account that officers took his identification and searched it in the computer, there is no evidence that either Subject 1’s name or Subject 2’s name was searched in LEADS. Additionally, Civilian 1 stated that the stop took approximately fifteen minutes. GPS search results indicate that Unit XXXX, which was present in the area, did not remain in the area for more than four minutes. During that time, the evidence also shows that Unit XXXX ran a search of two other license plates.

Without further cooperation from Subject 1, it is impossible to determine when, and if, this incident occurred. All present information determines that, more likely than not, the alleged incident did not occur on April 9, 2018. For that reason, we find the allegations to be UNFOUNDED.

VII. CONCLUSION

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

Officer	Allegation	Finding
Unknown Officers	1. On April 9, 2018, two unidentified police officers detained Subject 1 and Subject 2 without justification.	UNFOUNDED
	2. On April 9, 2018, two unidentified police officers searched the persons of Subject 1 and Subject 2 without justification.	UNFOUNDED
	3. On April 9, 2018, two unidentified police officers searched the vehicle belonging to Subject 1 without justification.	UNFOUNDED
	4. On April 9, 2018, two unidentified police officers failed to properly complete an Investigatory Stop Report.	UNFOUNDED

Approved:

Deputy Chief Administrator – Chief Investigator A

Date

Appendix A

Assigned Investigative Staff

Squad#:	X
Investigator:	Investigator A
Supervising Investigator:	Supervising Investigator A
Deputy Chief Administrator:	Deputy Chief Administrator A
*Attorney:	Attorney A