

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	March 25, 2018
Time of Incident:	2:30 pm
Location of Incident:	XXXX N. Broadway Street, Chicago, IL 60640
Date of COPA Notification:	July 17, 2018
Time of COPA Notification:	1:06 pm

The complainant, Subject 1, was approached by a manager of Family Dollar (Civilian 1) and accused of retail theft. Later in the day Subject 1 returned to the store. While Subject 1 was at the store, Civilian 1 requested that she leave. However, Subject 1 refused. Chicago Police Officers A and B (collectively “the Officers”) arrived at the store. After the Officers completed an investigation, Subject 1 was arrested on a signed complaint for trespassing. Subject 1 alleges that she was falsely arrested by the Officers.

II. INVOLVED PARTIES

Involved Officer #1:	Police Officer A Star #XXXX/ Employee ID # XXXX Date Appointed: XX/XX/ 2015 Unit XXX Date of Birth: XX/XX/1988 Male / White
Involved Officer #2:	Police Officer B Star # XXXX / Employee ID # XXXX Date Appointed: XX/XX/2015 Unit XXX Date of Birth: XX/XX/1990 Male / Hispanic
Involved Individual #1:	Subject 1 Date of Birth: XX/XX/1973 Female / Black

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Officer A	1. Falsely arrested Subject 1, in violation of Rule 1.	Unfounded.

Officer B	1. Falsely arrested Subject 1, in violation of Rule 1.	Unfounded.
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IV. APPLICABLE RULES AND LAWS

Rules

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

Federal Laws

1. United States Constitution, Amendment IV

V. INVESTIGATION¹

a. Interviews

In a **statement to COPA²** on July 18, 2018, **Subject 1**, stated that she was leaving the Family Dollar store when she was approached by a manager (Civilian 1) and asked if she had stolen any items. Subject 1 denied stealing anything. Later in the day Subject 1 returned to the store and was denied entry by Civilian 1. Subject 1 admitted Civilian 1 requested that she leave the store several times and that she refused.³ The Officers arrived, investigated and arrested Subject 1 for trespassing. Subject 1 alleged that this arrest was illegal because, according to her, Civilian 1 did not tell her not to return to the store when he accused her of stealing during her earlier trip.

b. Digital Evidence⁴

Body Worn Camera (BWC) footage⁵ is comprehensive and details the Officers interactions with Civilian 1, his employee Civilian 2, and Subject 1. The footage shows that Subject 1 was inside the Family Dollar when the Officers arrived. During their investigation, the Officers confirmed with Civilian 1 and Civilian 2 that they requested Subject 1 to leave the store and Subject 1 admitted that she refused to leave. Finally, at Civilian 1’s insistence, Subject 1 was arrested, and Civilian 1 signed a complaint against her for trespassing.⁶ The officers informed Subject 1 that she was being arrested for refusing to leave after being told to do so. Subject 1 was cooperative with the officers, who answered her questions and advised her to contact Family Dollar’s corporate office if she felt that Civilian 1 and Civilian 2 were wrong in asking her to leave.

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. 6.

³ Relevant portions are at 05:16 and 19:38 of Att. 6.

⁴ CPD provided 2 files of In-Car Camera footage that depicted Subject 1’s transport to CPD; however, there was no information contained in the files relevant to this investigation. Additionally, CPD provided 6 files of BWC footage; however only 2 files contained information related to this investigation.

⁵ Att. 15.

⁶ Relevant portions from 00:30 to 02:54 of file Hanlon – 1 – AXON_Body_2_Video_2018-03-25_1448; and from 00:30 to 02:55 of file Officer B – 1 – AXON_Body_Video_2_2018-03-25-1448 of Att. 15.

c. Documentary Evidence

Subject 1’s Arrest Report⁷ and an **Original Case Incident Report**⁸ detail that at approximately 2:15 pm, Civilian 1 informed Subject 1 she was not allowed to return to the Family Dollar because she was suspected of theft. At approximately 2:36 pm, Subject 1 returned to the store. The Officers arrived, investigated, and arrested Subject 1 on a signed complaint for trespassing.

VI. ANALYSIS

COPA recommends a finding of **Unfounded** for the allegations against the Officers. A peace officer may arrest a person when he has reasonable grounds to believe that the person has committed an offense.⁹

Here, the BWC footage shows that the Officers investigated and learned Subject 1 was informed by Civilian 1 that she was not permitted in the Family Dollar but returned despite the warning and refused Subject 1’s requests for her to leave. Further, in her statement to COPA, Subject 1 twice admitted that she refused to leave the Family Dollar despite Civilian 1’s several requests. Based on this information, COPA finds that Subject 1’s arrest was reasonable and lawful. Since the allegations are clearly unfounded, it is not necessary that the Officers address them in any way, thus COPA does not find it appropriate to serve allegations to the Officers.

VII. CONCLUSION

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

Officer	Allegation	Finding / Recommendation
Officer A	1. Falsely arrested Subject 1, in violation of Rule 1.	Unfounded.
Officer B	1. Falsely arrested Subject 1, in violation of Rule 1.	Unfounded.

Approved:

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

 Date

⁷ Att. 9.
⁸ Att. 10.
⁹ 725 ILCS 5/107-2(1)(c)

Appendix A

Assigned Investigative Staff

Squad:	X
Investigator:	Investigator A
Supervising Investigator:	Supervising Investigator A
Acting Deputy Chief Administrator:	Acting Deputy Chief Administrator A