

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

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|----------------------------|------------------------------------|
| Date of Incident: | April 13, 2018 |
| Time of Incident: | 11:30 AM |
| Location of Incident: | XXXX W. Wabansia Ave., Chicago, IL |
| Date of COPA Notification: | April 16, 2018 |
| Time of COPA Notification: | 1:31 PM |

On April 13, 2018, at approximately 11:30 AM, complainant Subject 1 was riding his bicycle on XXX at or near XXXX W. Wabansia Ave. Subject 1 alleges he was struck on his bicycle by a marked CPD vehicle driven by Sergeant A working Beat No. XXX in the XXX District. Subject 1 alleges this occurred because Sergeant A was attempting to stop him for a traffic violation committed at the intersection of XXX and XXX.

II. INVOLVED PARTIES

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|-----------------------|--|
| Involved Officer #1: | Sergeant A, Star# XXXX, Employee ID# XXXXX, DOA: XXX/1990, Rank: Sergeant, Unit of Assignment: XXX District, DOB: XXX/1965, Male, Hispanic |
| Involved Officer #2 | Officer A, Star# XXXX, Employee ID# XXXXX, DOA:XXX/2004, Rank: Police Officer, Unit of Assignment: XXX District, DOB: XXX/67, Male, Hispanic |
| Involved Officer #3 | Officer B, Star# XXXXX, Employee ID# XXXXX, DOA: XXX/1995, Rank: Police Officer, Unit of Assignment: XXX District, DOB: XXX/1971, Male, Hispanic |
| Involved Officer #4 | Officer C, Star# XXXXX, Employee ID# XXXXX, DOA: XXX/1995, Rank: Police Officer, Unit of Assignment: XXX District, DOB: XXX/1967, Female, Black |
| Involved Civilian #1: | Subject 1, DOB: XXX/1991, Male, Black |

III. ALLEGATIONS

| Officer | Allegation | Finding |
|------------|---|---------------|
| Sergeant A | 1. It is alleged on or around April 13, 2018, at approximately 11:30 AM, near XXXX W. Wabansia Ave., that Sergeant A struck the complainant Subject 1 with his CPD vehicle, in violation of Rules 3, 6, 8, and 9. | Not Sustained |

IV. APPLICABLE RULES AND LAWS

Rules

1. **Rule 3:** Any failure to promote the Department’s efforts to implement its policy or accomplish its goals.
2. **Rule 6:** Disobedience of an order or directive, whether written or oral.
3. **Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
4. **Rule 9:** Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

General Orders

1. **G03-03-01:** Emergency Vehicle Operations-Pursuits

Special Orders

1. **S04-13-09:** Investigatory Stop System

City of Chicago Municipal Code

1. **Municipal Code:** 9-52-10 (a); Bicycles-Operation; Rights and duties

V. INVESTIGATION ¹

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

a. Interviews

On May 17, 2018, **complainant Subject 1** gave COPA an audio recorded interview. Subject 1 stated on April 13, 2018, he was riding his bicycle to work on XXX Avenue at W. Wabansia Ave. Subject 1 state that suddenly behind him on his left side, he felt his foot getting “hit by something.”² Subject 1 stated his handle bars were also hit and he and the bicycle swerved to his right. Subject 1 stated after going “five or ten yards,”³ he caught himself on a parked car. After that, Subject 1 stated he looked back and saw a police officer in a marked Chicago Police Department (CPD) vehicle with its lights on, now identified as Sergeant A. Subject 1 stated he looked at Sergeant A, “who had a shocked look on his face like he knew he had messed up.”⁴ Subject 1 stated as Sergeant A exited the vehicle to approach him, he started to yell. Subject 1 stated Sergeant A used “the f-word a couple of times,”⁵ when speaking to him. Subject 1 also stated Sergeant A said he was “riding my bike all crazy and that I ran a red light on XXX.”⁶ Subject 1 stated it was not possible he ran a red light on XXX Ave. Subject 1 stated he took a right turn from XXX Ave., onto XXX. Subject 1 said there was no sign on XXX that prohibits a right turn on red. Subject 1 further stated even if there was a sign prohibiting a right turn on red, he is allowed because he is a cyclist. Subject 1 stated he apologized to Sergeant A, that he was cooperative and spoke to Sergeant A in a formal manner. Subject 1 stated he gave Sergeant A identification. Subject 1 stated Sergeant A then said, “Here’s what we’re going to do.”⁷ Subject 1 stated he said, “What’s that officer?”⁸ Subject 1 stated Sergeant A then handcuffed him and walked him over to the sidewalk. Subject 1 stated Sergeant A got on his portable radio and called for additional police units. Subject 1 stated Sergeant A said they were located at XXX Avenue. Subject 1 stated he corrected Sergeant A by telling him their location was XXX Ave.⁹ Subject 1 stated approximately three minutes later, three police units arrived. Subject 1 stated an unknown uniformed officer walked up to him and asked why he was handcuffed. Subject 1 stated he told the officer he did not know. Subject 1 stated the unknown uniformed officer asked him what had occurred. Subject 1 stated he said Sergeant A “clipped me with his vehicle.”¹⁰ Subject 1 stated the unknown uniformed officer asked him if he had engaged Sergeant A in any manner, to which he replied he had not. Subject 1 stated the unknown uniformed officer approached Sergeant A and said something to him. Subject 1 stated several minutes after that, Sergeant A walked over and unhandcuffed him. Subject 1 stated Sergeant A’s demeanor towards him became somewhat friendlier, as he engaged him. Subject 1 stated he was taken aback by the change in Sergeant A’s

² Attachment 21 @ 2:20

³ Ibid., @ 7:54

⁴ Ibid., @ 2:40

⁵ Ibid., @ 10:24

⁶ Ibid., @ 10:28

⁷ Ibid., @ 3:14

⁸ Ibid., @ 3:19

⁹ COPA ascertained from a canvass that the stop occurred in front of XXXX XXX Ave.

¹⁰ Ibid., @ 4:19

demeanor. Subject 1 stated the additional police units left the scene and he was given a citation by a female officer, identified as Officer C.

Subject 1 stated he was not injured nor did his bicycle sustain any damage. Subject 1 stated he did not know why Sergeant A was following him. Subject 1 also stated he did not believe Sergeant A was chasing or pursuing him. Subject 1 stated he did not hear a siren or a horn sound from Sergeant A's CPD vehicle. Subject 1 stated he had earphones on but they were set at a low volume.¹¹

In a follow up audio interview July 13, 2018, **complainant Subject 1** provided information regarding the make and model of bicycle he rode on the date of the incident. Subject 1 stated on April 13, 2018, he was riding a Low track bicycle. Subject 1 stated the bicycle is a single fixed gear bicycle with clipless mountain bike pedals. Subject 1 stated cycling shoes are required for the pedals. Subject 1 stated he does not unclip his cycling shoes from the bike pedals to stop the bicycle. Subject 1 stated to stop the bicycle, he "pulls up on one of the pedals and push down on the other and it locks the back wheel."¹² Subject 1 stated he does not have to unclip from the pedals to balance on the bicycle.¹³

On June 1, 2018, **civilian witness Civilian 1** gave COPA an audio recorded interview. Civilian 1 stated on April 13, 2018, she and witnesses Civilian 2 and Civilian 3, were walking with children back from XXX Park, located at XXX St., Chicago, IL. Civilian 1 stated the group was walking southbound on XXX and had cross at XXX Ave., when she saw a person on a bicycle, later identified as complainant Subject 1, that might have run the red light. Civilian 1 stated as Subject 1 continued southbound on XXX at W. Wabansia Ave., a Chicago Police Department (CPD) marked vehicle, identified as driven by Sergeant A, appeared to stop Subject 1. Civilian 1 stated as Sergeant A attempted to pull Subject 1 over, he veered his CPD marked vehicle sharply to the right, hitting Subject 1 into a car. Civilian 1 stated Subject 1 bounced off the CPD vehicle and fell to the ground. Civilian 1 stated it took Subject 1 "a little bit to get up"¹⁴ off the ground and that he "was limping a little."¹⁵ Civilian 1 stated the actions of Sergeant A looked intentional, but she couldn't be sure. Civilian 1 stated Sergeant A got out of his vehicle, approached Subject 1 and said, "You know what you did."¹⁶ Civilian 1 stated she was less than ten feet away from the incident and heard Sergeant A's statement to Subject 1. Civilian 1 stated another unknown officer got out of the CPD marked vehicle, "doesn't read the guy [Subject 1] his rights, begins to immediately cuff him, and he's [Sergeant A] being physically aggressive."¹⁷ Civilian 1 stated Subject 1 bounced off the CPD vehicle. Civilian 1 stated she, Civilian 2, and Civilian 3 thought

¹¹ Attachment 21

¹² Ibid, @0:54

¹³ Attachment 50

¹⁴ Attachment 26, @10:34

¹⁵ Ibid., @10:38

¹⁶ Ibid., @10:00

¹⁷ Ibid., @2:37

Sergeant A's behavior was inappropriate to hit someone onto a car and not check their physical condition. Civilian 1 stated she tried to take photos of what occurred but she was making sure the children she was responsible for were safe. Civilian 1 physically described Sergeant A as 5'8"-5'11", olive complexion, dark hair. Civilian 1 stated the unknown CPD officer at the scene was "younger, slimmer, either white or Hispanic, a couple of inches taller." Civilian 1 stated she did not see additional CPD units respond to the location. Civilian 1 stated the unknown CPD officer used zip-ties on Subject 1 and left the scene with him. Civilian 1 believes Subject 1's bicycle was placed in Sergeant A's marked CPD vehicle.¹⁸

On June 1, 2018, **civilian witness Civilian 2** gave COPA an audio recorded interview. Civilian 2 stated she and civilian witnesses Civilian 1, Civilian 3, were walking with a group of children back from XXX Park. Civilian 2 stated the group was walking southbound on XXX from XXX Ave. Civilian 2 stated a marked CPD vehicle, later identified as being driven by accused officer Sergeant A yelled, "stop, stop pull over"¹⁹ through the CPD vehicle's loudspeaker at a Hispanic male bicyclist, identified as complainant Subject 1. Civilian 2 stated there were two officers in the CPD vehicle that struck Subject 1, although she could not identify the driver. Civilian 2 stated Subject 1 looked scared and that "he pulled a U-turn to get out of the street."²⁰ Civilian 2 stated Subject 1 went past Sergeant A, who then proceeded to drive his CPD vehicle into Subject 1 and his bicycle, knocking him into a car. Civilian 2 stated the passenger side of the CPD vehicle hit Subject 1's body. Civilian 2 stated an unknown Hispanic male officer jumped from the passenger seat of the CPD vehicle grabbing Subject 1 off the ground. Civilian 2 stated the unknown Hispanic male officer did not ask Subject 1 if he was injured. Civilian 2 stated the unknown Hispanic male officer grabbed Subject 1, handcuffed him, and then began to yell at him. Civilian 2 stated since she, Civilian 1 and Civilian 3 were walking with a group of children, she did not hear all the conversation between the unknown Hispanic male officer and Subject 1. Civilian 2 stated she did hear the unknown Hispanic male officer yelling at Subject 1, "do you understand, do you understand."²¹ Civilian 2 stated Subject 1 appeared hurt on the right side of his body. Civilian 2 stated two additional CPD police units arrived at the scene and the CPD officers were surrounding Subject 1. Civilian 2 stated the CPD officers saw she and the other group members were observing what was occurring, so they decided to move along. Civilian 2 stated she was approximately fifty feet or less from the location of the incident. Civilian 2 stated, "it [the incident] was close enough for me to see"²² with no visual obstructions. Civilian 2 stated initially Sergeant A did not have the CPD vehicle's emergency lights on. Civilian 2 stated after it appeared Subject 1 was running from Sergeant A, that the CPD vehicle's emergency lights were activated. Civilian 2 stated initially the driver never got out of the CPD vehicle. After other CPD

¹⁸ Attachment 26

¹⁹ Attachment 27 @ 2:48

²⁰ Ibid., @ 2:58

²¹ Ibid., @ 7:45

²² Ibid., @ 10:23

vehicles arrived, Civilian 2 stated the driver exited the vehicle. Civilian 2 stated the officers never identified themselves as the police or gave Subject 1 his rights after arresting him.²³

On June 1, 2018, **civilian witness Civilian 3** gave COPA an audio recorded interview. Civilian 3 stated on April 13, 2018, she was walking back from the park with civilian witnesses Civilian 1 and Civilian 2 along with a group of eight to nine children. Civilian 3 states the group was beginning to cross an alley when they heard a police siren. Civilian 3 stated she turned around and “I kinda see the police, and then all of a sudden in the street next to us, the police just slammed into a person riding a bike.”²⁴ Civilian 3 stated she saw Sergeant A hit Subject 1 with his CPD vehicle. Civilian 3 said the cyclist, identified as the complainant Subject 1, falls to the ground, and that a CPD officer, identified as accused Sergeant A, gets out of the CPD vehicle and immediately handcuffs Subject 1. Civilian 3 stated she did not hear Sergeant A say anything, such as “please stop”²⁵ to Subject 1. Civilian 3 stated after seeing this, she, Civilian 1, Civilian 2 and the group stopped. Civilian 3 stated her co-worker Civilian 1 took pictures. Civilian 3 stated Subject 1 was standing with Sergeant A. Civilian 3 stated Sergeant A was speaking to Subject 1 but she did not hear what was being said. Civilian 3 stated she did not see any cuts, bruises or abrasions to Subject 1. Civilian 3 stated she was approximately one to one and a half car lengths from where the incident occurred.²⁶

On June 25, 2018, **witness Officer C** gave COPA an audio recorded interview. Officer C stated on April 13, 2018, at approximately 11:30 AM, while working a one-person rapid response unit no. XXX in the XXX District, she responded to an officer’s call, identified as Sergeant A, for an assist car.²⁷ Officer C stated she was in full uniform and driving a marked CPD vehicle. Officer C stated initially Sergeant A gave out the wrong location where he needed assistance. After Sergeant A gave his correct location, Officer C stated she and other CPD units arrived at XXXX W. Wabansia Ave. Officer C stated upon her arrival at the location, she saw a male, identified as complainant Subject 1, standing handcuffed with a bicycle. Officer C also stated that Officers Officer B and A responded to the location. Officer C stated Sergeant A told her to write Subject 1 a citation. Officer C stated she asked Sergeant A for what violation. Officer C stated Sergeant A said Subject 1 while riding his bicycle, was swerving into traffic, “he [Subject 1] had earbuds on, and he almost caused an accident.”²⁸ Officer C stated Sergeant A also said he tried to get Subject 1’s attention, but that he probably did not hear him because of the earbuds. Officer C stated she issued Subject 1 an Administrative Notice of Violation (ANOV).²⁹ Officer C stated Subject 1 did not ask for medical attention nor did she observe him with any injuries. Officer C

²³ Attachment 23

²⁴ Attachment 28, @ 2:50

²⁵ Ibid., @3:09

²⁶ Attachment 28

²⁷ Attachment 16, Event No. XXX

²⁸ Attachment 34, @ 5:55

²⁹ Attachment 19, Violation #XXX

stated she did not observe any damage to Subject 1's bicycle. Officer C stated after issuing Subject 1 the violation, he was free to leave the location.³⁰

On June 25, 2018, **witness Officer Officer A**, gave COPA an audio recorded interview. Officer A stated on the date of the incident, he responded to an officer's call, identified as Sergeant A, for assistance. Officer A stated upon arrival at XXXX W. Wabansia Ave., he observed a handcuffed male, identified as complainant Subject 1, standing on the sidewalk with a bicycle. Officer A stated Sergeant A was present and said that Subject 1 was weaving in and out of traffic while wearing his earphones. Officer A stated he briefly spoke with Subject 1 to find out what happened. Officer A stated Subject 1 said he was riding his bicycle and did not know what happened. Officer A stated Subject 1 had a good demeanor. Officer A stated Subject 1 had no visible injuries, nor did he request medical attention. Officer A stated he saw no visible damage to Subject 1's bicycle. Officer A stated he was briefly at the scene and then left.³¹

On June 26, 2018, **witness Officer Officer B**, gave COPA his audio recorded interview. Officer B stated on the date of the incident, he responded to a sergeant, identified as Sergeant A, calling for an assist car at XXXX W. Wabansia Ave. Officer B stated upon arrival, he observed several CPD police units at the scene, Sergeant A, and a male Hispanic, identified as complainant Subject 1, standing on the sidewalk near a bicycle. Officer B stated at that time, Sergeant A was explaining to Officers C and A what occurred. Officer B stated Sergeant A said Subject 1 had been riding his bicycle and committed several traffic violations. Officer B stated Sergeant A did not say how he stopped Subject 1. Officer B stated Sergeant A instructed Officer C to issue Subject 1 an ANOV. Officer B stated from his observation Subject 1 did not appear injured nor did he request medical attention. Officer B stated he did not observe any damage to Subject 1's bicycle.³²

On July 3, 2018, **accused Sergeant A** gave COPA his audio recorded interview. On April 30, 2018, Sergeant A stated he was in full uniform and in a marked CPD vehicle. Sergeant A stated while proceeding southeast on XXX Ave., he observed a bicyclist, identified as complainant Subject 1, riding erratically and breaking traffic laws. Sergeant A stated Subject 1 was riding southeast on XXX and when approaching XXX, cut to the left of traffic and proceeded through the red signal to make a right onto XXX. Sergeant A stated he activated his emergency equipment and attempted to stop Subject 1. Sergeant A stated Subject 1 proceeded to cut in-between vehicles to avoid being stopped. Sergeant A stated besides the CPD vehicle's emergency lighting, he activated the airhorn in attempting to stop Subject 1. Sergeant A stated Subject 1 started to cut through cars to evade him. Sergeant A stated Subject 1 made a right turn onto a side street and weaved around the vehicles. Sergeant A stated he yelled from the CPD vehicle at Subject 1 to stop. However, Sergeant A stated Subject 1 continued riding his bicycle, disregarded a stop sign and made a right turn back on XXX. Sergeant A stated he could not recall if he used the CPD

³⁰ Attachment 34

³¹ Attachment 35

³² Attachment 36

vehicle's loudspeaker to alert Subject 1. Sergeant A stated because he did not believe he was in a pursuit of Subject 1, he did not broadcast the activity over the police radio. Sergeant A stated after pulling his CPD vehicle alongside of him, Subject 1 stopped. Sergeant A stated Subject 1 wearing headphones, a traffic law violation, was probably the reason he did not initially stop. After stopping Subject 1, Sergeant A stated he called for additional units to his location, XXXX W. Wabansia Ave. Sergeant A stated for his safety, he placed Subject 1 in handcuffs until assisting units arrived. Sergeant A stated Subject 1 had no visible injuries nor did he request any medical attention. Sergeant A stated there was no damage to Subject 1's bicycle. Sergeant A stated Subject 1 was issued a citation³³ by Officer C and released at the scene.³⁴

b. Digital Evidence

The **in-car video of Beat no. XXX, driven by Sergeant A** on April 13, 2018, shows Subject 1 veering to his left around stopped vehicles at the red light on XXX, and making a right turn against the red signal onto XXX. Sergeant A then activates the CPD vehicle's siren. The video shows Subject 1 disregard the stop sign on XXX and W. Wabansia, and make a right turn onto westbound Wabansia Ave. Subject 1 is seen in the video looping around a white truck, disregarding a stop sign at eastbound W. Wabansia and XXX, making a right turn and continuing onto XXX. Sergeant A is heard on the video yelling at Subject 1, "Hey, pull over the bike."³⁵ Sergeant A pulls alongside of Subject 1, stopping him at or near XXXX XXX Ave.³⁶

The **Body Worn Camera ("BWC") video of Sergeant A** on April 13, 2018 shows his interaction with the complainant Subject 1 after making the traffic stop.³⁷

The **BWC video of Officer B** on April 13, 2018, shows his interaction with Subject 1, Sergeant A and Officer C.³⁸

The **BWC video of Officer A** on April 13, 2018, shows his interaction with Subject 1, and Sergeant A.³⁹

c. Documentary Evidence

On April 13, 2018, complainant Subject 1 was issued and ANOV in violation of City of Chicago Municipal Code 9-52-10 (a), "disregarding the rules of the road-failed to stop at red light."⁴⁰

³³ Attachment 19

³⁴ Attachment 44

³⁵ Attachment 45, @ 1:30

³⁶ XXXX W. Wabansia is the location of Park #XXX of the Chicago Park District. It is located across the street from XXXX XXX, the location of the traffic stop.

³⁷ Attachment 46

³⁸ Attachment 48

³⁹ Attachment 47

⁴⁰ Attachment 19

d. Additional Evidence

On July 13, 2018, COPA spoke with **Civilian 4** of XXX Bikes, located at XXXX XXX, Chicago, IL. After seeing images of Subject 1's bicycle⁴¹, Civilian 4 stated it was a single fixed gear track bicycle. Civilian 4 stated Subject 1's bicycle is typically ridden on a track, but people do ride this type of bicycle on the public street. Civilian 4 stated the foot pedals⁴² for Subject 1's bicycle are made for a special shoe clip that fits the pedal, with the rider using their legs and lower body to maintain balance and stay on the bicycle when stopped. Civilian 4 stated since there are no hand brakes⁴³ on the bicycle, if the rider had to stop abruptly, they probably use their feet to slow down.⁴⁴

VI. ANALYSIS

Complainant Subject 1 alleges that Sergeant A stopped him for disregarding a red signal on XXX and XXX. Subject 1 stated because there was not a sign prohibiting a right turn on red at XXX, as a cyclist he can make that right turn onto XXX. Thus, it must be determined whether Sergeant A had a legitimate basis for making a stop of Subject 1.

In making the decision to stop Subject 1, Sergeant A, in accordance with Chicago Police Department ("CPD") policy, reasonable suspicion, based upon the knowledge of the facts, that Subject 1 had committed a traffic offense, in this instance, disregarding the red signal at XXX and XXX.⁴⁵ Subject 1's actions of veering left around stationary vehicular traffic at the red light, then proceeding with the right turn in front of said vehicular traffic, constituted the traffic offense and the reasonable suspicion for Sergeant A to stop him.⁴⁶ The in-car video of Sergeant A's CPD vehicle shows he initiated his emergency equipment to garner Subject 1's attention after the traffic violation at XXX and XXX. Additionally, Sergeant A's in-car video shows Subject 1 committing additional traffic violations and exhibiting evasive behavior on his bicycle to avoid being stopped by Sergeant A.⁴⁷

A critical component of this incident is whether Sergeant A used his CPD vehicle to either hit Subject 1 on his bicycle or force a change in Subject 1's direction into parked vehicles to make the traffic stop. Under CPD policy, department members are prohibited in forcing "a pursued vehicle to stop or reduce speed by the maneuvering of police vehicles in front of, behind, or beside a pursued vehicle."⁴⁸ Subject 1 rode his bicycle on a public roadway. As such, Subject 1 is "subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of

⁴¹ Attachments 52-55

⁴² Attachment 54

⁴³ Attachment 55

⁴⁴ Attachment 51

⁴⁵ Special Order S04-13-09

⁴⁶ Attachment 45

⁴⁷ Subject 1 disregarded a stop sign on northbound XXX Ave., turned right onto westbound Wabansia Ave., looped around a white truck, disregarded the stop sign on eastbound Wabansia Ave., and made a right turn onto XXX Ave.

⁴⁸ Ibid

the road applicable to vehicles or by the traffic ordinances of this city applicable to the driver of a vehicle...”⁴⁹ While Sergeant A stopped alongside of Subject 1, the evidence⁵⁰ is not conclusive the CPD vehicle hit Subject 1 to force the stop. Additionally, the independent civilian witness statements alleging Sergeant A did hit Subject 1 with the CPD vehicle, are not definitive based on the examination of in-car video. Subject 1 is seen on the video stopping abruptly upon seeing Sergeant A. Admittedly, Subject 1 had no hand brakes on his bicycle⁵¹, which could have plausibly forced him to use his feet to stop his forward motion⁵². Thus, COPA by the preponderance of the evidence cannot conclude it is more likely than not Sergeant A forced Subject 1 to stop by hitting him with the CPD vehicle.

Civilian witness statements alleged CPD officers used excessive force in the temporary detention of Subject 1 and failed to render him medical attention. This includes maltreatment of Subject 1 by Sergeant A via hitting him with the CPD vehicle, resulting in his bouncing off it, and failing to render medical treatment. However, Subject 1 did not request medical aid, nor by his accord, was the bicycle damaged in the incident. Additionally, COPA’s review of the BWC footage shows that the statements of the eyewitnesses is not totally reliable as their perceptions seem exaggerated and not a true encapsulation of what occurred.

CONCLUSION

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

| Officer | Allegation | Finding |
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⁴⁹ City of Chicago Municipal Code 9-52-10 (a)

⁵⁰ Attachment 45

⁵¹ Attachment 55

⁵² Attachment 51

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|------------|---|---------------|
| Sergeant A | 1. It is alleged on or around April 13, 2018, at approximately 11:30 AM, near XXXX W. Wabansia Ave., that Sergeant A struck the complainant Subject 1 with his CPD vehicle, in violation of Rules 3, 6, 8, and 9. | Not Sustained |
|------------|---|---------------|

Approved:

Deputy Chief Administrator A
Deputy Chief Administrator

Date

Appendix A

Assigned Investigative Staff

| | |
|------------------------------------|------------------------------|
| Squad#: | XX |
| Investigator: | Investigator A |
| Supervising Investigator: | Supervising Investigator A |
| Deputy Chief Administrator: | Deputy Chief Administrator A |