

**SUMMARY REPORT OF INVESTIGATION**

**I. EXECUTIVE SUMMARY**

Date of Incident:	March 13, 2018
Time of Incident:	8:00 AM
Location of Incident:	XXXX S. Perry Ave.
Date of COPA Notification:	March 13, 2018
Time of COPA Notification:	9:46 AM

The complainant, Involved Individual 1, alleged that on March 13, 2018, she was stopped by an unidentified female officer. Involved Individual 1 reported the officer detained her and searched inside her pockets. As no documentation was located, COPA brought additional allegations for not completing an Investigatory Stop Report or recording the incident on Body Worn Camera. Since the involved officer could not be identified, COPA finds all allegations Not Sustained.

**II. INVOLVED PARTIES**

Involved Officer #1:	Unknown Name, Unknown Star #, Unknown Employee ID #, Unknown Date of Appointment, Unknown Rank, Unknown Unit of Assignment, Unknown Date of Birth, Female, White
Involved Individual #1:	Involved Individual 1, Date of Birth: November XX, 2004, Female, Black

**III. ALLEGATIONS**

<b>Officer</b>	<b>Allegation</b>	<b>Finding</b>
Officer Unknown	1. Detained Involved Individual 1 without cause, in violation of Rule 6.	Not Sustained
	2. Searched inside Involved Individual 1’s pockets when Involved Individual 1 was not under arrest, in violation of Rule 6.	Not Sustained
	3. Failed to complete a contact card for Involved Individual 1’s street stop, in violation of Rule 6.	Not Sustained

4. Failed to record the encounter with Involved Individual 1 on Body Worn Camera, in violation of Rule 6.

#### IV. APPLICABLE RULES AND LAWS

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##### Rules

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1. **Rule 6:** Prohibits disobedience of an order or directive, whether written or oral.
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##### Special Orders

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1. **S03-14:** Body Worn Cameras.<sup>1</sup>
  2. **S04-13-09:** Investigatory Stop System.
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##### Federal Laws

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1. **Fourth Amendment to the United States Constitution:** Guarantees protection from unlawful arrest and unreasonable search and seizure to all persons in this country.

#### V. INVESTIGATION<sup>2</sup>

##### a. Interviews

On March 15, 2018, COPA interviewed the complainant, **Involved Individual 1**.<sup>3</sup> On March 13, 2018, Involved Individual 1 was walking to her cousins at about 8:15 AM, when a female police officer stopped her. Involved Individual 1 described the officer as wearing long blonde hair in a ponytail and dark sunglasses. The officer was in a marked police SUV and in-uniform. Involved Individual 1 related the officer was alone. Involved Individual 1 estimated the officer was 28 years old. The officer asked Involved Individual 1 where she was going and asked what was in her pockets. Involved Individual 1 stated she had her hands in her pockets. Involved Individual 1 then pulled a headband out of her pocket and showed the officer. The officer searched Involved Individual 1 and felt inside Involved Individual 1's pants pockets. The officer never asked permission to search Involved Individual 1. Involved Individual 1 stated there was a second police car about one block away. After the officer searched Involved Individual 1, she told Involved Individual 1 "okay" and drove off.

As detailed below, **Officer A** was identified through GPS. COPA interviewed Officer A on August 3, 2018.<sup>4</sup> Officer A stated that on March 13, 2018, she was working in-uniform, driving

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<sup>1</sup> The Body Worn Camera policy reference in this report was effective from October 2017 through April 2018 (Att. 26).

<sup>2</sup> COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

<sup>3</sup> Att. 5

<sup>4</sup> Att. 21

a marked Ford Explorer, and working without a partner. Officer A related that she currently has short, black hair and her hair color was the same on March 13, 2018. Officer A sometimes wears black or brown sunglasses while working. On March 13, 2018, Officer A was near XXXX S. Perry, as this is part of her beat. Officer A denied performing an investigatory stop on Involved Individual 1. While Officer A was parked, Involved Individual 1's mother (known to be Involved Individual 2) approached and asked why the officer searched her daughter. Once Involved Individual 1 saw Officer A, she told Involved Individual 2 that Officer A was not the officer who stopped her. Involved Individual 1 related the correct officer was white with blonde hair. Officer A called a sergeant and Sergeant A arrived. Officer A did not know who stopped Involved Individual 1 on March 13, 2018.

#### b. Digital Evidence

No **Police Observation Devices** (PODs) were in the vicinity of Involved Individual 1's street stop.<sup>5</sup>

**Body Worn Camera** (BWC) was obtained from Officer A and **In-Car Camera** was obtained from Officer A's vehicle on March 13, 2018.<sup>6</sup> Neither source recorded an interaction with Involved Individual 1.

COPA held a **video recorded photo array** with Involved Individual 1 that included a photo of Officer A.<sup>7</sup> Involved Individual 1 was unable to identify the accused officer from this array.

#### c. Physical Evidence

No physical evidence was identified in relation to the present investigation.

#### d. Documentary Evidence

No documentary evidence, including an **Investigatory Stop Report**, was identified from Involved Individual 1's March 13, 2018 street stop by an unknown officer.<sup>8</sup>

**GPS Data** indicated that Officer A was near XXXX S. Perry Ave. at multiple times between 7:00 AM and 10:00 AM on March 13, 2018.<sup>9</sup> Additionally, **Attendance and Assignment Records** confirmed that Officer A was working alone in Car XXXX and Beat XXXX.<sup>10</sup>

Sergeant A completed an **Initiation Report** on March 13, 2018.<sup>11</sup> Sergeant A responded to a request for a supervisor and was met by Involved Individual 2. Involved Individual 2 related that a female CPD officer with blonde hair and dark sunglasses, who was driving a marked SUV

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<sup>5</sup> Att. 14

<sup>6</sup> Att. 16

<sup>7</sup> Att. 17

<sup>8</sup> Att. 11

<sup>9</sup> Att. 13

<sup>10</sup> Att. 9

<sup>11</sup> Att. 4

and working along, stopped Involved Individual 1. The officer reportedly asked Involved Individual 1 what was in her pockets and then searched inside Involved Individual 1’s pockets. The officer did not take anything from Involved Individual 1 and told her leave after the search. Sergeant A was unable to locate the accused officer via Department resources.

**VI. ANALYSIS**

Allegation 1, that an unknown CPD member detained Involved Individual 1 without cause is **Not Sustained**. Allegation 2, that an unknown officer searched inside Involved Individual 1’s pockets when Involved Individual 1 was not under arrest, is also **Not Sustained**. Similarly, Allegations 3 and 4, that an unknown officer failed to complete a contact card for Involved Individual 1’s street stop or record the encounter on BWC, are both **Not Sustained**. Involved Individual 1 did not provide sufficient details to identify the accused. As there was no ISR completed for this incident (or any other Department documentation) it cannot be confirmed who the accused is, or if the events occurred. GPS data for marked cars in the area did not produce information leading to a positive identification of the officer. Therefore, there is not enough information to locate an accused or determine if the incident happened at all. The allegations are Not Sustained.

**VII. CONCLUSION**

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

Officer	Allegation	Finding
Officer Unknown	1. Detained Involved Individual 1 without cause, in violation of Rule 6.	Not Sustained
	2. Searched inside Involved Individual 1’s pockets when Involved Individual 1 was not under arrest, in violation of Rule 6.	Not Sustained
	3. Failed to complete a contact card for Involved Individual 1’s street stop, in violation of Rule 6.	Not Sustained
	4. Failed to record the encounter with Involved Individual 1 on Body Worn Camera, in violation of Rule 6.	Not Sustained

Approved:

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 Deputy Chief Administrator – Chief Investigator A

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 Date

Appendix A

Assigned Investigative Staff

<b>Squad#:</b>	XXXX
<b>Investigator:</b>	Investigator A
<b>Supervising Investigator:</b>	Supervising Investigator A
<b>Deputy Chief Administrator:</b>	Deputy Chief Administrator A