

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	July 5, 2018
Time of Incident:	11:00 AM
Location of Incident:	[REDACTED]
Date of COPA Notification:	July 5, 2018
Time of COPA Notification:	5:34 PM

On July 5, 2018, a search warrant was executed at the home of [REDACTED] located at [REDACTED]. The target of the warrant was [REDACTED] granddaughter, [REDACTED]. [REDACTED] alleged that her home was searched without justification, the warrant’s affiant provided a false statement that [REDACTED] resided at [REDACTED] and a Department member did not take her statement when she went to the [REDACTED] District to complain. COPA recommends all allegations be Exonerated, Unfounded, or Not Sustained. COPA’s findings are further discussed in the Analysis portion of this report.

II. INVOLVED PARTIES

Involved Officer #1:	[REDACTED] Star # [REDACTED] Employee ID # [REDACTED] Date of Appointment: [REDACTED] 2002, Police Officer Unit [REDACTED] (Narcotics Division) Date of Birth: [REDACTED] 1978, Male, White
Involved Officer #2:	[REDACTED] Star # [REDACTED] Employee ID [REDACTED] Date of Appointment: [REDACTED] 1997, Sergeant of Police, Unit [REDACTED] Date of Birth: [REDACTED] 1963, Male, White
Involved Officer #3:	Unknown, Female, Black
Involved Individual #1:	[REDACTED] Date of Birth: [REDACTED] 1949, Female, Black

III. ALLEGATIONS

Officer	Allegation	Finding
Officer [REDACTED]	1. Searched [REDACTED] without justification, in violation of Rule 1 and Rule 6.	Exonerated

	2. Provided a false statement that [REDACTED] resides at [REDACTED] in violation of Rule 14.	Unfounded
Sergeant [REDACTED]	1. Failed to supervise by allowing subordinates to search [REDACTED] without justification, in violation of Rule 3.	Unfounded
Unidentified Department Member	1. Failed to take a complaint from [REDACTED] when she went to the police station, in violation of Rule 6.	Not Sustained

IV. APPLICABLE RULES AND LAWS

Rules

1. **Rule 1:** Prohibits violation of any law or ordinance.
2. **Rule 3:** Prohibits any failure to promote the Department’s efforts to implement its policy or accomplish its goals.
3. **Rule 6:** Prohibits disobedience of an order or directive, whether written or oral.
4. **Rule 14:** Prohibits making a false report, written or oral.

General Orders

1. **G08-01-02:** Specific Responsibilities Regarding Allegations of Misconduct.

Special Orders

1. **S04-19:** Search Warrants.

Federal Laws

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. INVESTIGATION¹

a. Interviews²

The complainant, [REDACTED] was interviewed by COPA on July 5, 2018.³ [REDACTED] related that earlier on July 5, 2018, police officers came to her home at [REDACTED]. She received multiple phone calls telling her to come home because the police were raiding her residence, including a phone call from [REDACTED] granddaughter [REDACTED]. [REDACTED] decided not to go home because she was upset. [REDACTED] had not been home at the time of her COPA interview. [REDACTED] stated she lives with [REDACTED] three children. [REDACTED] stated that [REDACTED] is a single-family home. Per [REDACTED] someone called [REDACTED] and [REDACTED] went to the residence. [REDACTED] did not know who called [REDACTED]. The police were there when [REDACTED] arrived, and she told them they were at the wrong house. The police told [REDACTED] they were looking for [REDACTED]. [REDACTED] stated that [REDACTED] is her granddaughter. [REDACTED] denied that [REDACTED] lives at [REDACTED] and related [REDACTED] had not lived there in five or six years. [REDACTED] asserted [REDACTED] does not regularly visit or spend nights, but [REDACTED] is welcome in her home and occasionally receives mail there. [REDACTED] believed the search warrant should not have been granted because [REDACTED] does not live at [REDACTED]. No one was home when the warrant was executed. [REDACTED] believed the police entered through the front door because it was damaged. [REDACTED] related to [REDACTED] that the police were “destroying stuff” in [REDACTED] and [REDACTED] rooms.⁴ [REDACTED] elaborated that she did not know if officers actually “tore up anything” because she had not been home.⁵ [REDACTED] knew her home was in disarray because [REDACTED] sent her pictures. Officers told [REDACTED] they had a search warrant, which [REDACTED] confirmed to [REDACTED] name and [REDACTED] address were on the warrant and it stated something about heroine. [REDACTED] stated that the police should have known [REDACTED] was already in custody before raiding [REDACTED] home. [REDACTED] received a phone call stating [REDACTED] was in jail at about 10:00 AM on July 5, 2018. [REDACTED] could not recall who called her. [REDACTED] believed the raid occurred at about 2:00 PM.

[REDACTED] also stated she went to the [REDACTED] District police station to complain but was given RD # [REDACTED] and referred to COPA. The Department member at the police station desk was described as a young, African American female with braids, who was approximately 5’8” in height. [REDACTED] related this member did not speak to anyone but [REDACTED] before referring her to COPA.

A **To-From Report** was submitted by **Lieutenant [REDACTED]** on August 29, 2018.⁶ Lieutenant [REDACTED] identified two African American, civilian employees who were working at the [REDACTED] District during the time and date in question: [REDACTED] and [REDACTED]. He also identified Officer [REDACTED] as on duty and an African American female. [REDACTED] was

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 Officer [REDACTED] and Sergeant [REDACTED] were not interviewed for this investigation as available evidence indicated neither Department member engaged in misconduct. The allegations against Officer [REDACTED] and Sergeant [REDACTED] are further discussed in the Analysis portion of this report.

³ Att. 4

⁴ Approximately 10:10 minute mark of Att. 4.

⁵ Approximately 10:20 minute mark of Att. 4.

⁶ Att. 16

eliminated as a possible accused because she was born in 1964 and does not meet the description of young. Therefore, the accused could have been [REDACTED] or Officer [REDACTED]

COPA interviewed **Officer [REDACTED]** on September 20, 2018.⁷ Officer [REDACTED] related she is 5'7 and African American. On July 5, 2018, Officer [REDACTED] believed she was on-duty, in uniform, and on 3rd Watch. Officer [REDACTED] could not specifically recall this date, but assumed she was inside the [REDACTED] District Station at some point. Officer [REDACTED] did not recall speaking with any civilians or if any civilians approached her to make a complaint. Officer [REDACTED] did not recall anyone complaining about a search warrant. Officer [REDACTED] stated she has never referred a civilian to COPA and did not believe she has ever given out COPA's phone number. Officer [REDACTED] could not recall what her hairstyle was on July 5, 2018.

According to Department records, [REDACTED] is no longer employed by CPD and was therefore not interviewed for this report.

b. Digital Evidence

No digital evidence was obtained pertaining to the present investigation, as Unit [REDACTED] is not assigned Body Worn Cameras.

c. Physical Evidence

No pertinent physical evidence was located in relation to the current investigation.

d. Documentary Evidence

An **Arrest Report** was obtained for [REDACTED] from July 5, 2018 with **RD # [REDACTED]**⁸ [REDACTED] was arrested on the sidewalk at 4800 W. Adams St. at roughly 11:17 AM. [REDACTED] was cited six times with possession of a controlled substance. Approximately six grams of a suspect controlled substance were recovered. [REDACTED] was arrested for delivery of a controlled substance to an undercover officer. When enforcement officers approached [REDACTED] on July 5, 2018 she, "threw the bag containing suspect heroin [...] and was placed into custody. [The] [s]uspect heroin was immediately recovered." The attesting officer was Officer [REDACTED] and the arresting officers were Sergeant [REDACTED] and Officer [REDACTED]. Assisting arresting officers were [REDACTED] and [REDACTED] and [REDACTED] was transported to Homan Square by one officer from Beat [REDACTED]. [REDACTED] address on this report was provided as [REDACTED]

A **Search Warrant Packet** with additional records was obtained regarding the July 5, 2018 search of [REDACTED]⁹

- A **Vice Case Report** stated that on July 5, 2018, at approximately 1:31 PM, the offenses of narcotics and delivery of a controlled substance (heroin) occurred at [REDACTED]

⁷ Att. 17

⁸ Att. 9

⁹ Att. 10

- A **Narcotic's Division Supplementary Report** was obtained with **RD #** [REDACTED] [REDACTED] was listed as an offender with a residence of [REDACTED] Ave and involved in manufacture/delivery of a controlled substance (heroin) on July 5, 2018 at about 1:31 PM, at the same address. [REDACTED] was reported as present but not arrested. The reporting officer and affiant was Officer [REDACTED] Sergeant [REDACTED] was the supervisor. Officer [REDACTED] was breach and entry included Officers [REDACTED] and [REDACTED] Before executing the warrant officers, "set up a surveillance in an area known to be frequented by" [REDACTED] near the intersection of Adams and Cicero. Officers found and arrested [REDACTED] "for previous cases in which she sold narcotics to undercover Officers." [REDACTED] was also "in possession of 2.8 grams of Heroin [sic] upon her arrest." After speaking with [REDACTED] about additional occupants of [REDACTED] officers went to the residence "and knocked on the front door." After waiting, the officers forced entry, secured the residence, found no one was home, and searched. Officers "recovered one piece of mail showing proof of residence." While the search was underway, [REDACTED] arrived. The officers finished the search and left a copy of the search warrant with [REDACTED]
- **Inventory Reports** were provided from **Warrant Number** [REDACTED] Inventoried items included only the search warrant for [REDACTED] and [REDACTED] proof of residency at this address.
- A **Search Warrant** was identified for [REDACTED] at [REDACTED] Items to be seized included heroin, paraphernalia, money, "records detailing illegal drug transactions," and proof of residency. The warrant was issued on July 5, 2018 at 10:45 AM.
- A **Complaint for Search Warrant** was also identified. In addition to content found in the Search Warrant, this document outlined probable cause.¹⁰ Per this document, Officer [REDACTED] met with a confidential informant (CI). The CI went with Officer [REDACTED] to [REDACTED] and "pointed at the front of a yellow brick single family residence." Officer [REDACTED] then showed the CI a photo of [REDACTED] which the CI "positively identified."
- **Search Warrant Data** was identified with similar content to the above reports. Warrant Number [REDACTED] was issued on July 5, 2018 at 10:45 AM as part of Operation [REDACTED] The warrant was executed on July 5, 2018 at 1:31 PM. No property was recovered.

The following relevant **Office of Emergency Management and Communications (OEMC) Event Query Reports** were identified pertaining to the July 5, 2018 arrest of [REDACTED] and search of [REDACTED] home.

¹⁰ Portions of this document were redacted by CPD upon submission to COPA. A review of these redactions indicates this was to protect the identity of a confidential informant.

- **Event Number** [REDACTED] was initiated at approximately 11:18 AM with a street stop of one female near Adams and Cicero.¹¹ Also at 11:18 AM, Beat [REDACTED] reported heading to the [REDACTED] District with one arrestee. The call was closed at 12:29 PM with a disposition of possession of heroin.
- **Event Number** [REDACTED] was initiated at about 1:31 PM with the service of a search warrant at [REDACTED].¹²
- **Event Number** [REDACTED] was initiated at roughly 2:36 PM and was disposed with an advised complaint at [REDACTED] Ave and no police service needed.¹³
- **Event #** [REDACTED] was initiated at about 6:41 PM.¹⁴ A COPA investigator requested photos of the front door and interior of the first floor at [REDACTED]

Documents were obtained pertaining to **RD #** [REDACTED] which is associated with [REDACTED] July 5, 2018 arrest.¹⁵

- A **Narcotic's Unit Supplementary Report** related that on May 31, 2018 there was "a controlled narcotics purchase in the area of 47th and Lawler Ave," with undercover officers "and utilizing covert vehicles, along with enforcement officers, in un-marked vehicles." Officer [REDACTED] (Star # [REDACTED]) approached a male at 46th and Lawler to buy crack cocaine. The male told Officer [REDACTED] to park at 4600 S. Lawler before walking out of sight. The male then returned with [REDACTED] gave Officer [REDACTED] four "plastic baggies containing [...] suspect crack cocaine." Officer [REDACTED] gave [REDACTED] \$40 in pre-recorded funds and [REDACTED] provided the officer with a telephone number "to call for future purchases of crack cocaine."
- A second **Narcotic's Supplementary Report** related that on May 31, 2018, a Unit [REDACTED] team surveilled a "control purchase of suspect narcotics while utilizing an Undercover Officer [...]." Officer [REDACTED] (Star # [REDACTED]), and other team members, observed Officer [REDACTED] above transaction with [REDACTED] Officer [REDACTED] continued his surveillance and saw [REDACTED] enter a home "on the 4500 South block of Lawler [...]."
- A third **Narcotic's Supplementary Report** stated that on May 31, 2018, Sergeant [REDACTED] had Sergeant [REDACTED] (Star # [REDACTED]) administer a photo line-up for the above detailed narcotics purchase. Officer [REDACTED] positively identified [REDACTED] as the individual who sold her suspected narcotics.

Documents were obtained pertaining to **RD #** [REDACTED] which is associated with [REDACTED] July 5, 2018 arrest.¹⁶

¹¹ Att. 8

¹² Att. 11

¹³ Att. 12

¹⁴ Att. 13

¹⁵ Att. 15

¹⁶ Att. 15

- A **Narcotic's Unit Supplementary Report** related that on June 2, 2018 at approximately 9:53 AM, Officer [REDACTED] called the number previously provided by [REDACTED] had Officer [REDACTED] meet her near 31st and Cicero. [REDACTED] parked next to Officer [REDACTED] entered the covert vehicle, and handed Officer [REDACTED] suspect crack cocaine in exchange for \$40 in pre-recorded funds.
- A second **Narcotic's Unit Supplementary Report** for RD # [REDACTED] reported that on June 2, 2018, Officer [REDACTED] (Star # [REDACTED]) and additional team members surveilled Officer [REDACTED] above detailed transaction with [REDACTED]

Documents were obtained pertaining to RD # [REDACTED] which is associated with [REDACTED] July 5, 2018 arrest.¹⁷

- Per a **Narcotic's Division Supplementary Report**, at about 11:23 AM on June 2, 2018, Officer [REDACTED] (Star # [REDACTED]) was undercover. Officer [REDACTED] walked down Cicero Ave., approached an offender identified as [REDACTED] and asked for crack cocaine. [REDACTED] said he could assist, "but for a fee." [REDACTED] and Officer [REDACTED] walked to [REDACTED] at which point the officer gave [REDACTED] for drugs and a \$10 fee. [REDACTED] went out of the officer's view before reappearing and talking to [REDACTED] in her vehicle. [REDACTED] and [REDACTED] engaged in "a hand to hand exchange." [REDACTED] returned with suspect crack cocaine. [REDACTED] then shouted at Officer [REDACTED] that she also had heroine. Officer [REDACTED] approached [REDACTED] "and exchanged contact information." The officer then saw [REDACTED] enter [REDACTED]
- A second **Narcotic's Division Supplementary Report** for RD # [REDACTED] stated Officer [REDACTED] (Star # [REDACTED]), and additional Unit [REDACTED] members, surveilled the above transaction with [REDACTED] and Officer [REDACTED]
- A third **Narcotic's Division Supplementary Report** reported that Officer [REDACTED] positively identified [REDACTED] in a photo lineup as the individual who sold him drugs on June 2, 2018.

Documents were obtained pertaining to RD # [REDACTED] which is associated with [REDACTED] July 5, 2018 arrest.¹⁸

- A **Narcotic's Division Supplementary Report** stated that on June 6, 2018, Officer [REDACTED] contacted [REDACTED] to purchase heroin and crack cocaine. They met near 47th and Cicero where [REDACTED] had Officer [REDACTED] enter her car. [REDACTED] sold the officer three bags of heroin for \$30 and three bags of crack cocaine for \$30. They made the exchange with pre-recorded funds and [REDACTED] told Officer [REDACTED] to call her "to purchase more narcotics."

¹⁷ Att. 15

¹⁸ Att. 15

- A second **Narcotic's Division Supplementary Report** for RD # [REDACTED] reported that Officer [REDACTED] (Star # [REDACTED] and other Unit [REDACTED] members surveilled Officer [REDACTED] June 6, 2018 transaction with [REDACTED]

VI. ANALYSIS

Allegation 1 against Officer [REDACTED] that he searched [REDACTED] without justification is **Exonerated**. Officer [REDACTED] obtained a valid warrant for [REDACTED] at [REDACTED]. Officer [REDACTED] completed a Complaint for Search Warrant that outlined probable cause, including the connection between the belief [REDACTED] had narcotics at [REDACTED]. Officer [REDACTED] established probable cause through a confidential informant (CI). The Search Warrant and Complaint for Search Warrant were approved and signed by Assistant State's Attorney [REDACTED] on July 3, 2018 and reviewed by Judge [REDACTED] on July 5, 2018. By doing such, Officer [REDACTED] satisfied CPD S04-19. Since Officer [REDACTED] had a valid warrant, Allegation 1 is Exonerated.

Allegation 2, that Officer [REDACTED] provided a false statement that [REDACTED] resides at [REDACTED] is **Unfounded**. If COPA found evidence that the Officer knowingly provided false information as the basis of probable cause for the warrant, the warrant would be invalid. The evidence suggests that the officers provided reliable information and therefore the allegation is unfounded.

First, the complainant stated that the residence was owned and occupied by [REDACTED] family and [REDACTED] was welcome in the home. Moreover, according to multiple reports, [REDACTED] made numerous narcotics sales to under cover officers in the area of [REDACTED]. In fact, Officer [REDACTED] purchased narcotics from [REDACTED] in a car outside of [REDACTED]. Additionally, Officer [REDACTED] established probable cause that the residence at [REDACTED] contained narcotics through a John Doe. John Doe search warrants do not require the John Doe to have previously established credibility, however the John Doe must attest to the statements contained within the warrant before the issuing judge. Therefore, the John Doe attested to the information contained within the warrant and signed the complaint for warrant before Judge [REDACTED]. Prior to issuing the warrant, Judge [REDACTED] had the opportunity to question John Doe's credibility.

There is no evidence that Officer [REDACTED] knowingly provided false statements to the judge to obtain the search warrant. Moreover, there is evidence that establishes [REDACTED] connection to the residence and reports show [REDACTED] selling drugs in the area on numerous occasions. Therefore, COPA finds by a preponderance that this allegation is Unfounded.

Allegation 1 against Sergeant [REDACTED] that he failed to supervise by allowing subordinates to search [REDACTED] without justification, is also **Unfounded**. As stated above, Officer [REDACTED] and the remaining team members, lawfully searched the residence pursuant to a valid search warrant. Therefore, there was no failure on the part of Sergeant [REDACTED] with regards to his supervisory responsibilities. As such, this allegation is Unfounded.

Allegation 1 against the unknown Department member, that she failed to take a complaint from [REDACTED] when [REDACTED] went to the police station, is **Not Sustained**. While there is no reason

to doubt [redacted] credibility, COPA could not determine who the accused was. Available evidence suggests it was not Officer [redacted]. While it may have been civilian employee [redacted] is not [redacted] a Department employee and was therefore unavailable for interview. As no Department records were available regarding this allegation and we could not identify the accused, this allegation is Not Sustained.

VII. CONCLUSION

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

Officer	Allegation	Finding
Officer [redacted]	1. Searched [redacted] without justification, in violation of Rule 1 and Rule 6. 2. Provided a false statement that [redacted] resides at [redacted] in violation of Rule 14.	Exonerated Unfounded
Sergeant [redacted]	1. Failed to supervise by allowing subordinates to search [redacted] without justification, in violation of Rule 3.	Unfounded
Unidentified Department Member	1. Failed to take a complaint from [redacted] when she went to the police station, in violation of Rule 6.	Not Sustained


Approved:

 [redacted]
 Deputy Chief Administrator – Chief Investigator

 Date

Appendix A

Assigned Investigative Staff

Squad#:	Four
Investigator:	
Supervising Investigator:	
Deputy Chief Administrator:	