

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	September 4, 2018
Time of Incident:	9:58 AM
Location of Incident:	[REDACTED]
Date of COPA Notification:	September 5, 2018
Time of COPA Notification:	3:05 PM

The Involved Individual, [REDACTED] registered a complaint against the Involved Officer, Field Training Officer (F.T.O.) [REDACTED]. During a traffic stop, Mr. [REDACTED] alleges F.T.O. [REDACTED] held her weapon pointed at the ground without justification and improperly issued him a citation for not having a City of Chicago window Vehicle Sticker. This incident was captured on Body Worn Camera (BWC). A COPA investigation revealed that the allegations were Exonerated and Unfounded. This investigation was closed without taking statements from the Involved Officers.

II. INVOLVED PARTIES

Involved Officer #1:	[REDACTED] Star # [REDACTED] Employee # [REDACTED], Date of Appointment: [REDACTED], 2010, Chicago Police Field Training Officer, Date of Birth: S [REDACTED] 1978, [REDACTED] Female.
Involved Officer #2:	[REDACTED] Star # [REDACTED] Employee # [REDACTED] Date of Appointment: [REDACTED], 2018, Chicago Police Officer, Date of Birth: F [REDACTED], 1988, Black, Male.
Involved Individual #1:	[REDACTED] 35 Years of Age, Black, Male.

III. ALLEGATIONS

Field Training Officer	Allegation	Finding / Recommendation
[REDACTED]	1. Held her weapon pointed at the ground without justification, in violation of Rule 8.	Exonerated
[REDACTED]	1. Improperly issued [REDACTED] a citation, in violation of Rule 10.	Unfounded

**APPLICABLE RULES AND LAWS**

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Rules

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Rule 8: Disrespect to or maltreatment of any person, while on or off duty.

Rule 10: Inattention to duty.

**IV. INVESTIGATION<sup>1</sup>**

**statement**                      **Reporting Party Victim** [REDACTED] related that he parked his vehicle in a Walgreens parking lot, grabbed his cellular telephone and keys, and begin to exit his vehicle. Suddenly, Mr. [REDACTED] observed a female officer, now known as F.T.O. [REDACTED] standing approximately 2-3 feet in front of him with her gun drawn, and pointed toward the ground. F.T.O. [REDACTED] partner was standing at the rear of Mr. [REDACTED] vehicle. F.T.O. [REDACTED] asked Mr. [REDACTED] why he was exiting his vehicle, when he knew they were conducting a traffic stop of him. Mr. [REDACTED] was unaware that the officers were stopping him because he did not hear any sirens or see flashing lights. F.T.O. [REDACTED] commanded Mr. [REDACTED] to get back in his vehicle, he asked why. F.T.O. [REDACTED] once again commanded Mr. [REDACTED] to get back in his vehicle, and he complied.

When Mr. [REDACTED] asked why he had been stopped, F.T.O. [REDACTED] informed him that he was stopped due to his cracked windshield. Mr. [REDACTED] provided F.T.O. [REDACTED] with his Driver's License and insurance documentation. Upon further observation, F.T.O. [REDACTED] observed that Mr. [REDACTED] vehicle did not bear a front license plate, nor a City of Chicago Vehicle Sticker. Mr. [REDACTED] related to F.T.O. [REDACTED] that his vehicle is registered to Maywood, Illinois, and therefore he did not need a City of Chicago Vehicle Sticker. F.T.O. [REDACTED] returned to her vehicle. F.T.O. [REDACTED] later returned to Mr. [REDACTED] vehicle and issued him three citations<sup>2</sup>. Thereafter, F.T.O. [REDACTED] and her partner left the scene. Mr. [REDACTED] does not recall at which point F.T.O. [REDACTED] holstered her weapon. Mr. [REDACTED] related that F.T.O. [REDACTED] did not point the gun toward him at any time during this incident. Mr. [REDACTED] was the only passenger in his vehicle at the time of incident.<sup>3</sup>

**a. Digital Evidence**

**Beat [REDACTED] In-Car Camera** shows Beat [REDACTED] activate their sirens and lights prior to Mr. [REDACTED] turning into the Walgreens parking lot. Beat [REDACTED] pulled into the parking lot behind Mr. [REDACTED] and parked behind him. F.T.O. [REDACTED] commanded Mr. [REDACTED] to stay in his vehicle, and P.O. [REDACTED] stated the same. When F.T.O. [REDACTED] walked past the front of the Department SUV, she unholstered her weapon.<sup>4</sup>

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<sup>1</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>2</sup> No front license plate, city sticker, and cracked windshield.

<sup>3</sup> Attachment 6.

<sup>4</sup> Attachment 13.

F.T.O. [REDACTED] BWC captured her exiting the passenger side of a Department SUV and instructing Mr. [REDACTED] "Stay in your vehicle." F.T.O. [REDACTED] repeated the command twice to Mr. [REDACTED] as he attempted to exit his vehicle. Upon Mr. [REDACTED] handing F.T.O. [REDACTED] his Driver's License, she confirmed with Mr. [REDACTED] that the Chicago address on the Driver's License is his current address, and he affirmed. When F.T.O. [REDACTED] informed Mr. [REDACTED] that he will be issued a citation for not having a City of Chicago vehicle sticker, he replied that his vehicle is registered in Maywood and that he does not need a City of Chicago vehicle sticker. F.T.O. [REDACTED] informed Mr. [REDACTED] that according to his current address on his Driver's License, he is a resident of the City of Chicago, and for that reason, he is to have a City of Chicago Vehicle Sticker on display regardless of where his license plate is registered. F.T.O. [REDACTED] BWC does not show her with her weapon drawn but clicking sounds at 00:34 and 00:41 indicate when F.T.O. [REDACTED] respectively unholstered, and then re-holstered, her weapon.<sup>5</sup>

P.O. [REDACTED] BWC captured F.T.O. [REDACTED] approach the driver side of Mr. [REDACTED] vehicle with her weapon drawn, in a low ready position. As F.T.O. [REDACTED] approached the driver side window to speak to Mr. [REDACTED] she holstered her weapon.<sup>6</sup>

#### b. Documentary Evidence

Mr. [REDACTED] was issued **three citations** for no front license plate, no city sticker, and a cracked windshield; ([REDACTED])<sup>7</sup>.

Mr. [REDACTED] provided an Illinois Secretary of **State Identification card** to identify himself to COPA; the address on the card is [REDACTED]. In his statement, Mr. [REDACTED] related that he provided F.T.O. [REDACTED] with his Driver's License, that also had a different Chicago address.<sup>8</sup>

According to the **Chicago Municipal Code, Chapter 3-56-020** governing City Stickers, All Chicago residents driving, parking, leasing and/or owning a vehicle for which they are responsible in the City of Chicago are subject to the Chicago Wheel Tax and must purchase a Chicago City Vehicle Sticker. This includes Chicago residents that maintain their registration outside of the City of Chicago but use the vehicle in the City.<sup>9</sup>

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<sup>5</sup> Attachment 13.

<sup>6</sup> Attachment 13.

<sup>7</sup> Attachment 8.

<sup>8</sup> Attachment 7.

<sup>9</sup> Attachment 12.

**V. ANALYSIS**

COPA recommends a finding of **EXONERATED** for **Allegation #1**, that F.T.O. [REDACTED] held her weapon pointed at the ground without justification, in violation of Rule 8. In his statement to COPA, Mr. [REDACTED] alleged F.T.O. [REDACTED] had her weapon pointed toward the ground early in the incident and he was disturbed by this aggression. The evidence clearly established that F.T.O. [REDACTED] briefly unholstered her weapon when approaching Mr. [REDACTED] vehicle. BWC demonstrated that F.T.O. [REDACTED] repeatedly gave Mr. [REDACTED] verbal commands to stay in his vehicle, as Mr. [REDACTED] was attempting to exit. As F.T.O. [REDACTED] approached Mr. [REDACTED] vehicle, she unholstered her weapon and positioned the weapon in a low ready position for approximately seven seconds. The totality of the circumstances established that F.T.O. [REDACTED] actions were justified by Mr. [REDACTED] attempts to exit the vehicle contrary to F.T.O. [REDACTED] commands.

COPA recommends a finding of **UNFOUNDED** for **Allegation #2**, that F.T.O. [REDACTED] improperly issued [REDACTED] a citation, in violation of Rule 10. Per the Chicago Municipal Code, Chapter 3-56-020 governing City Stickers, All Chicago residents driving, parking, leasing and/or owning a vehicle for which they are responsible in the City of Chicago are subject to the Chicago Wheel Tax and must purchase a Chicago City Vehicle Sticker. This includes Chicago residents that maintain their registration outside of the City of Chicago but use the vehicle in the City. This Municipal Code applies to Mr. [REDACTED]. The address on Mr. [REDACTED] Driver’s License identifies him as a resident of the City of Chicago, and Mr. [REDACTED] confirmed the address to be his current address.

**VI. CONCLUSION**

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

<b>Officer</b>	<b>Allegation</b>	<b>Finding / Recommendation</b>
[REDACTED]	1. Held her weapon pointed at the ground without justification, in violation of Rule 8.	Exonerated
[REDACTED]	2. Improperly issued [REDACTED] a citation, in violation of Rule 10.	Unfounded

Approved:

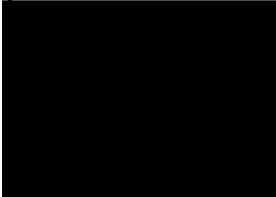
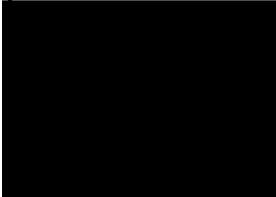
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*Deputy Chief Administrator – Chief Investigator*

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 Date

Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	2
<b>Investigator:</b>	
<b>Supervising Investigator:</b>	
<b>Deputy Chief Administrator:</b>	