SUMMARY REPORT OF INVESTIGATION

I.   EXECUTIVE SUMMARY

Date of Incident:	October 24, 2018
Time of Incident:	Approximately 5:22 p.m.
Location of Incident:	█████████████████████████
Date of COPA Notification:	October 25, 2018
Time of COPA Notification:	3:46 p.m.

Complainant, ███████████ (█████████), alleged he was unlawfully stopped by Chicago police officers while driving and that Chicago police officer, ████████████ (Officer ██████), improperly issued him a City of Chicago notice of violation. ████████ was initially stopped by the officers for violating the Municipal Code of Chicago (MCC). The stop occurred after Officer's ran ████████'s license plate number and it was discovered that the temporary registration permit for ████████ was not issued to a vehicle. ████████ was issued a notice of violation for improper plate registration. COPA's investigation determined that there was a lawful basis for Officer ██████ stopping ████████'s vehicle and the allegations are exonerated.

II.   INVOLVED PARTIES

Involved Officer #1:	████████████, Star #██████, Employee ID #████████, Date of Appointment: ███████, 2016, Rank: Police Officer, Unit of Assignment: ███, Unit of Detail: ███, DOB: █████████, 1985, Male, Hispanic.
Involved Officer #2:	████████████, Star #██████, Employee ID #1██████, Date of Appointment: ██████████, 2017, Rank: Police Officer, Unit of Assignment: ████ Unit of Detail ███, DOB: ██████ ████████, Male, White.
Involved Individual #1:	███████████████, DOB: ███████, 2017, Male, Black.

III.   ALLEGATIONS[1]

Officer	Allegation	Finding
Officer ██████████	It is alleged by ████████████████ that on or about October 24, 2018 at approximately 5:22 ████████████████████▪████████████ ████ that Officer ████████████ #██████	

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[1] Formal allegations were not served.

	committed misconduct through the following acts or omissions:	
	1. Detained ▓▓▓▓▓▓ by stopping the vehicle he was driving without justification.	Exonerated
	2. Issued ▓▓▓▓▓▓ a notice of violation without justification.	Exonerated

IV.   APPLICABLE RULES AND LAWS

Federal Laws

1. United States Constitution, Amendment IV: Prohibits search and seizure without probable cause.[2]

Municipal Code of Chicago (MCC)

1. 9-76-160 Registration plates.[3]

V.   INVESTIGATION[4]

a. Interviews

COPA investigators interviewed ▓▓▓▓▓ on October 25, 2018. ▓▓▓▓▓ told investigators that on October 24, 2018, at approximately 5:30 p.m., he was driving and was pulled-over by Chicago police officers. ▓▓▓▓▓ asked one of the officers why he was pulled over and the officer informed him that there was a problem with his registration. ▓▓▓▓▓ provided the officer with his driver's license and insurance. The officer ran his information and then came back to talk with him. The officer informed him that the registration on the car did not match his temporary plate. ▓▓▓▓▓ never got out of the vehicle, nor was a search of ▓▓▓▓▓ or ▓▓▓▓▓'s vehicle conducted.[5]

b. Digital Evidence

Body worn cameras (BWCs) recorded the interaction among ▓▓▓▓▓ Officer ▓▓▓▓▓, and his partner, Officer ▓▓▓▓▓ (Officer ▓▓▓). Collectively, the BWC footage depicts the

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[2] "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."
[3] Attachment 19.
[4] The following is a summary of the material evidence gathered and relied upon in COPA's analysis.
[5] Attachment 7.

officers conducting a routine traffic stop, followed by a preliminary investigation resulting in the officers issuing ████████ a notice of violation.

The BWC footage begins with the officers in their vehicle. Immediately upon stopping ████████, Officer █████ approaches the driver side of the vehicle and informs ████████ that he was stopped because when he ran his license plate that it was not registered. During the stop, ████████ provides Officer █████ with his temporary registration plate paperwork that indicates the temporary registration expires in the year 2020.[6] The officers return to their vehicle where they conclude that it is impossible for temporary registration plates to have an expiration date that far in the future. One officer states that temporary registration plates expire after 90 days.[7] Officer █████ calls ████ Auto Sales, the place where ████████ purchased the vehicle, and no one answers the phone. The phone call abruptly ends, and Officer █████ is not able to leave a message. Officer █████ comes back to explain the situation to ████████. The officer then takes his time looking at all the documentation again provided by ████████. Officer █████ explains that even though they are temporary plates, they would still come back with registration information in the LEADS database and they are not. Officer █████ issues ████████ a notice of violation before letting ████████ go on his way.[8]

c. Documentary Evidence

City of Chicago Violation Notice issued to ████████████ on October 24, 2018 at approximately 5:30 p.m.[9]

The Office of Emergency Management and Communications Number Plate Search Results documents a license plate search of █████ in LEADS by Officer ████████ on October 24, 2018 at approximately 5:21 p.m. These results indicated that plate ███████ had not been issued to a vehicle[10]

The Officer of Emergency Management and Communications Chicago Police Department Event Query Report documents that a traffic stop was conducted near the intersection of █████ ██ and ████████████████. on October 24, 2018, at approximately 5:22 p.m. and that the officers ran ████████'s driver's license and vehicle information.[11]

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[6] Attachment 8.

[7] According to the Illinois Secretary of State, "Temporary Registration Permits, or TRPs, are issued to new purchasers of vehicles who have filed a valid registration application but have not yet received new license plates. TRPs are distributed by Secretary of State facilities, licensed vehicle dealers, remittance agents and currency exchanges. TRPs are good for 90 days. They should be removed from the vehicle when new license plates have been received. A TRP is a cardboard license plate with a yellow and red design that must be affixed on the rear plate bracket where the new license plate will eventually be placed." See
http://www.cyberdriveillinois.com/departments/vehicles/title_and_registration/trp.html

[8] Attachment 20.

[9] Attachment 8.

[10] Attachment 13.

[11] Attachment 15.

VI.   ANALYSIS

COPA recommends a finding of Exonerated for all allegations against Officer ▮▮▮. The first issue is whether Officer ▮▮▮ unlawfully stopped ▮▮▮. The second issue is whether Officer ▮▮▮ improperly issued ▮▮▮ a violation notice.

First Issue – The Decision to Stop ▮▮▮

The Municipal Code of Chicago provides that every registration plate, temporary permit or evidence of temporary registration must bear evidence of proper registration for the current period and be clearly displayed.[12] The Fourth Amendment of the United States Constitution guarantees the right of individuals to be free from unreasonable searches and seizures. U.S. Const., amend. IV. Traffic stops are seizures under the Fourth Amendment. *Whren v. United States*, 517 U.S. 806, 809-10 (1996). The officer's subjective motivation for initiating the stop is irrelevant. *Id.* The lawfulness of a traffic stop is analyzed under *Terry. People v. Bunch*, 207 Ill. 2d 7, 14 (2003). Therefore, the relevant analysis is whether Officers ▮▮▮ and ▮▮▮ had reasonable, articulable suspicion that ▮▮▮ had violated any law, including traffic laws, or was about to engage in criminal activity.

Upon stopping ▮▮▮, Officer ▮▮▮ immediately exited his vehicle and approached the driver side window of ▮▮▮'s car where he informed ▮▮▮ that he's plates were not registered. Officer ▮▮▮ would have had no way of knowing the status of ▮▮▮'s plate unless officer ▮▮▮ ran them prior to the traffic stop. Therefore, when considering our finding that Officer ▮▮▮ ran ▮▮▮'s plate prior to stopping ▮▮▮, we further find that Officer ▮▮▮ had sufficient reasonable suspicion to stop ▮▮▮ by suspecting that the vehicle ▮▮▮ was driving did not have legally registered plates. Accordingly, we recommend a finding of Exonerated for allegation 1.

Second Issue – Issuing a Notice of Violation

Officer ▮▮▮ took his time in conducting a preliminary investigation – officer ▮▮▮ reviewed ▮▮▮'s purchase paperwork, vehicle registration, and even called ▮▮▮ Auto Sales and attempted to speak to someone about the issue. Equally important, a search of plate number ▮▮▮ indicated that the plate was unregistered. Finally, driving with improper registration is a motor vehicle violation of the MCC. Accordingly, we find that Officer ▮▮▮ has a reasonable basis to ▮▮▮ a notice of violation for failure to bear proper registration. For these reasons, COPA recommends a finding of Exonerated for allegation 2.

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[12] CHICAGO, ILL., CODE §9-76-160.

CONCLUSION

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

Officer	Allegation	Finding
Officer ███████████	It is alleged by ███████████ on or about October 24, 2018 at approximately 5:22 p.m. at or near ████████ ████████████████ that Officer ████████████ #███ committed misconduct through the following acts or omissions:	
	1. Detained ████████████ by stopping the vehicle he was driving without justification.	dExonerated
	2. Issued ████████████ a notice of violation 3without justification.	Exonerated

Approved:

████████████████████

████████   January 16, 2019

████████   _____
Deputy Chief Administrator – Chief Investigator   Date

Appendix A

Assigned Investigative Staff

Squad#:	▮
Investigator:	▬▬▬▬
Supervising Investigator:	▬▬▬▬▬
Deputy Chief Administrator:	▬▬▬▬