

**SUMMARY REPORT OF INVESTIGATION<sup>1</sup>**

Date/Time/Location of Incident:	March 28, 2017 / 7:40 am / 9500 S. Wentworth
Date/Time of COPA Notification:	March 28, 2017 / 10:37 am
Involved Officer #1:	PO [REDACTED] / Star # [REDACTED] / Employee # [REDACTED] Date of Appointment: [REDACTED] 1997 / PO / [REDACTED] DOB: [REDACTED] 1970 / Male / Black
Involved Individual #1:	[REDACTED] / DOB: / Male / Black
Case Type:	Verbal Abuse

**I. ALLEGATIONS**

Officer	Allegation	Finding
Officer [REDACTED]	It is alleged that, on March 28, 2017, around 7:40 am, at or near 9500 S. Wentworth, Officer [REDACTED]	
	1. Threw citations that he had issued to Complainant and/or Complainant’s license and/or Complainant’s insurance card into the Complainant’s car;	<b>NOT SUSTAINED</b>
	2. Engaged in an unjustified verbal altercation with Complainant when he called Complainant an “asshole”; and	<b>NOT SUSTAINED</b>
	3. Verbally abused Complainant based on Complainant’s actual or perceived sexual orientation by saying words to the effect of, “That is how you like it, faggot.”	<b>NOT SUSTAINED</b>

**II. SUMMARY OF EVIDENCE<sup>2</sup>**

Complainant, Mr. [REDACTED] complained to COPA in his interview<sup>3</sup> that an officer who stopped him for a traffic violation made a homophobic remark to him, including referring to Mr. [REDACTED] as a “faggot.” Mr. [REDACTED] additionally complained that the officer called him an “asshole”

<sup>1</sup> On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

<sup>2</sup>COPA conducted a full and complete investigation of this matter, including the interview of all pertinent civilian and officer witnesses, and the collection and review of digital, documentary, and forensic evidence. As part of COPA’s ongoing efforts to increase case closure capacity, certain cases opened under IPRA are summarized more succinctly in a Modified Summary Report of Investigation, pursuant to COPA Guideline Modified Summary Report of Investigation Template and Approvals, effective February 13, 2019.

<sup>3</sup> Att. 7 (Audio), Att. 15 (Transcript).

and threw his paperwork (citations/license/insurance) into Mr. [REDACTED] car. Mr. [REDACTED] also called the officer an “asshole,” but did so in response to the officer.


Officer [REDACTED] confirmed the interaction he had with Mr. [REDACTED] but denied that he used any foul language. He stated that Mr. [REDACTED] called him an “asshole” and that he was uncooperative and aggressive. Mr. [REDACTED] refused to receive his traffic citations so Officer [REDACTED] placed them in the car.

COPA obtained two traffic citations issued to Mr. [REDACTED] one for running a red light (which he admits doing) and the second for failure to stay in his lane.

**III. ANALYSIS AND CONCLUSION**

This case presents issues of fact that cannot be resolved one way or another. There are two competing versions of events from two parties that are equally credible. The versions of the event are inconsistent between the two parties, and COPA does not find that either version should be given more weight than the other. Additionally, there is no documentary, physical, or audiovisual evidence that may shed light on the truth. COPA therefore finds that all the allegations against Officer [REDACTED] are **Not Sustained**—Mr. [REDACTED] version cannot be credited as true by a preponderance of the evidence, and Officer [REDACTED] version cannot be credited as true by clear and convincing evidence.

Approved

  
Andrea Kersten  
*Deputy Chief Administrator – Chief Investigator*

Date

4/22/19

Appendix A

Assigned Investigative Staff

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