

SUMMARY REPORT OF INVESTIGATION¹

Date/Time/Location of Incident:	July 1, 2017/10:31 pm/7707 South State Street
Date/Time of COPA Notification:	July 11, 2017/2:50 pm
Involved Officer #1:	██████████, Star #██████████ Employee ID#██████████, Date of Appointment: ██████████, 2013, Police Officer, █ District, ██████████, 1987, Male, White
Involved Officer #2:	██████████, Star #██████████ Employee ID#██████████, Date of Appointment: ██████████, 2012, Police Officer, █ District, ██████████, 1985, Male, White
Involved Individual #1:	██████████, ██████████, Male, Black
Case Type:	Excessive Force

I. ALLEGATIONS

Officer	Allegation	Finding
Officer ██████████	1. It is alleged that Officer ██████████ took three cell phones and lottery tickets from ██████████, and failed to inventory or return them.	Not Sustained
	2. It is alleged that Officer ██████████ took \$183 from ██████████ and failed to inventory or return it.	Not Sustained
	3. It is alleged that Officer ██████████ cut the seatbelt in ██████████ vehicle.	Unfounded
Officer ██████████	1. It is alleged that Officer ██████████ took three cell phones and lottery tickets from ██████████, and failed to inventory or return them.	Not Sustained
	2. It is alleged that Officer ██████████ took \$183 from ██████████ and failed to inventory or return it.	Not Sustained
	3. It is alleged that Officer ██████████ deployed a TASER at ██████████.	Exonerated

II. SUMMARY OF EVIDENCE²

¹ 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.

²COPA 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

COPA reviewed all relevant reports including the arrest report, general offense case report, tactical response report, taser deployment data sheet, general orders and documents identified from ██████████ Federal Civil Lawsuit. COPA also reviewed digital evidence including Body Worn Camera (BWC) footage and In Car Camera (ICC) footage.

On July 1, 2017, at approximately 10:31 pm, Officer ██████████ and Officer ██████████ arrested ██████████ (██████████) near 7707 South State Street. The Officers conducted a traffic stop of ██████████ vehicle³ after he failed to yield to oncoming traffic. Officer ██████████ approached the driver's side door while Officer ██████████ stood at the front passenger window.

Officer ██████████ asked ██████████ for his license and insurance, after opening the driver side door, as ██████████ faced Officer ██████████. ██████████ objected to Officer ██████████ opening the door and questioned the officer regarding the stop. Officer ██████████ informed ██████████ of two traffic violations he just committed and ordered him out of the vehicle. ██████████ did not comply with multiple requests to step out of the car or to produce his license.

Officer ██████████ walked around the back of ██████████ vehicle toward the driver side door as both officers repeatedly ordered ██████████ to exit.⁴ Officer ██████████ informed ██████████ he was under arrest as both officers attempted to remove ██████████ from the vehicle. ██████████ resisted and Officer ██████████ used a knife to cut the seatbelt allowing them to remove him and take him to the ground.

On the ground, ██████████ refused the officers attempts to gain control of him which led to Officer ██████████ using his taser to deliver a drive stun to the middle of ██████████ back. The drive stun resulted in the officers gaining control of ██████████ arms and placing him in handcuffs.

The officers conducted a pat down and search of ██████████ and retrieved what appeared to be identification cards or credit cards recorded as bundle of cards under inventory # ██████████.⁵ The Officers denied being in possession of any lottery tickets, cash or cell phones that were not inventoried.

III. ANALYSIS AND CONCLUSION

COPA finds **Allegations 1 and 2** against Officer ██████████ and Officer ██████████ NOT SUSTAINED. There is no objective evidence to determine whether the events occurred in the manner alleged. Furthermore, Officer ██████████ stated he secured any valuables in the vehicle's glove compartment and the officers stated they inventoried everything else. There are no witnesses or other evidence in support of the allegations that the officers failed to inventory of return cell phones, lottery tickets or \$183 USC. As a result, the allegations are Not Sustained.

in a Modified Summary Report of Investigation, pursuant to COPA Guideline Modified Summary Report of Investigation Template and Approvals, effective February 13, 2019.

³ ██████████ had a female passenger in the backseat who informed Officer ██████████ ██████████ was her Lyft driver.

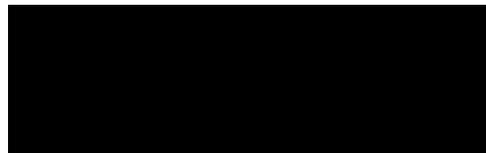
⁴ The female passenger exits the vehicle while the incident is ongoing.

⁵ See attachment 11.

COPA finds **Allegation 3** against Officer [REDACTED] UNFOUNDED. In their interviews, Officer [REDACTED] and Officer [REDACTED] acknowledge Officer [REDACTED] as the officer who cut the vehicle's seatbelt. Officer [REDACTED] BWC shows him cutting the seatbelt in their attempt to remove [REDACTED] from the driver seat as he refuses to follow their orders to exit the vehicle. Therefore, due to clear and convincing evidence, **Allegation 3** against Officer [REDACTED] is unfounded. Furthermore, had this allegation been brought against Officer [REDACTED], it would have been exonerated, due to [REDACTED] status as an active resister.

COPA finds **Allegation 3** against Officer [REDACTED] EXONERATED. Officer [REDACTED] and Officer [REDACTED] stated the taser deployment was used as a pain compliance technique because [REDACTED] was an active resister after he was removed from the vehicle. BWC confirms [REDACTED] was an active resister at the time Officer [REDACTED] used his taser. After reviewing General Order G03-02-07 - Other Weapon Discharge Incidents, the Officers' BWC and ICC footage COPA determined, by clear and convincing evidence, Officer [REDACTED]' use of force was within Department policy.

Approved:



Andrea Kersten
Deputy Chief Administrator – Chief Investigator

Date: October 10, 2019

Appendix A

Assigned Investigative Staff

Squad#:	█
Investigator:	██████████
Supervising Investigator:	██████████
Deputy Chief Administrator:	Andrea Kersten