

**SUMMARY REPORT OF INVESTIGATION**

**I. EXECUTIVE SUMMARY**

Date of Incident:	June 22, 2018
Time of Incident:	8:07 p.m.
Location of Incident:	3342 West Warren Boulevard, Chicago, Illinois
Date of COPA Notification:	January 30, 2019
Time of COPA Notification:	2:53 p.m.

On June 22, 2018, [REDACTED] ([REDACTED]) was arrested for possession and selling Heroin and soliciting unlawful business. [REDACTED] alleged that during the arrest officers threw him against a car, conducted a strip search and tased him.

**II. INVOLVED PARTIES**

Involved Officer #1:	[REDACTED] star # [REDACTED] employee ID# [REDACTED] Date of Appointment: [REDACTED] 2000, PO, Unit [REDACTED] DOB: [REDACTED] 1976, Male, White
Involved Officer #2:	[REDACTED] star # [REDACTED] employee ID# [REDACTED] Date of Appointment: [REDACTED] 2000, PO, Unit [REDACTED] DOB: [REDACTED], 1976, Male, White
Involved Officer #3:	[REDACTED] star # [REDACTED], employee ID# [REDACTED] Date of Appointment: [REDACTED], 2013, PO, Unit [REDACTED] DOB: [REDACTED] 1986, Male, White
Involved Officer #4:	[REDACTED] Jr., star # [REDACTED], employee ID# [REDACTED] Date of Appointment: [REDACTED], 2002, PO, Unit [REDACTED], DOB: [REDACTED], 1975, Male, White
Involved Individual #1:	[REDACTED] DOB: [REDACTED], 1972, Male, Black

**III. ALLEGATIONS**

Officer	Allegation	Finding
Officer [REDACTED]	It is alleged by [REDACTED] that on or about June 22, 2018 at approximately 8:07 at or near 5555 West Grand Avenue Officer [REDACTED] star # [REDACTED] committed misconduct through the following acts or omissions, by: 1. discharging your taser probes at or in the direction of [REDACTED] without justification; 2. failing to call for medical assistance; and	Unfounded  Unfounded

	<p>3. failing to complete a Tactical Response Report after discharging your taser.</p>	<p>Unfounded</p>
<p>Officer [REDACTED]</p>	<p>It is alleged by [REDACTED] that on or about June 22, 2018 at approximately 8:07 at or near 3342 West Warren Boulevard, Officer [REDACTED] star # [REDACTED] committed misconduct through the following acts or omissions, by:</p> <ol style="list-style-type: none"> <li>1. forcefully moving [REDACTED] against the police vehicle without justification; and</li> <li>2. failing to comply with G06-01-03 when conducting a strip search by searching [REDACTED] in an area that can be observed by persons not physically conducting the search.</li> </ol> <p>It is alleged by [REDACTED] that on or about June 22, 2018 at approximately 8:07 at or near 5555 West Grand Avenue, Officer [REDACTED] star # [REDACTED] committed misconduct through the following acts or omissions, by:</p> <ol style="list-style-type: none"> <li>1. forcefully moving [REDACTED] while in the holding room without justification;</li> <li>2. failing to complete a Tactical Response Report after a use of force incident;</li> <li>3. conducting a strip search without justification;</li> <li>4. searching [REDACTED] rectum without justification; and</li> <li>5. failing to comply with G06-01-03 when conducting a strip search by not obtaining written authorization, preparing a report, and not providing the written report to [REDACTED]</li> </ol>	<p>Not Sustained</p> <p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p>
<p>Officer [REDACTED]</p>	<p>It is alleged by [REDACTED] that on or about June 22, 2018 at approximately 8:07 at or near 5555 West Grand Avenue, Officer [REDACTED] star # [REDACTED] committed misconduct through the following acts or omissions, by:</p> <ol style="list-style-type: none"> <li>1. forcefully moving [REDACTED] while in the holding room without justification;</li> <li>2. failing to complete a Tactical Response Report after a use of force incident;</li> <li>3. conducting a strip search without justification;</li> <li>4. searching [REDACTED] rectum without justification; and</li> </ol>	<p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p>

	5. failing to comply with G06-01-03 when conducting a strip search by not obtaining written authorization, preparing a report, and not providing the written report to [REDACTED]	Unfounded
Officer [REDACTED] Jr.	<p>It is alleged by [REDACTED] that on or about June 22, 2018 at approximately 8:07 at or near 5555 West Grand Avenue, Officer [REDACTED] Jr., star # [REDACTED] committed misconduct through the following acts or omissions, by:</p> <ol style="list-style-type: none"> <li>1. forcefully moving [REDACTED] while in the holding room without justification;</li> <li>2. failing to complete a Tactical Response Report after a use of force incident;</li> <li>3. conducting a strip search without justification;</li> <li>4. searching [REDACTED] rectum without justification; and</li> <li>5. failing to comply with G06-01-03 when conducting a strip search by not obtaining written authorization, preparing a report, and not providing the written report to [REDACTED]</li> </ol>	<p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p>

**IV. APPLICABLE RULES AND LAWS**

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Rules

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1. Rule 6: Disobedience of an order or directive, whether written or oral.
  2. Rule 8: Disrespect to or maltreatment of any person, while on or off duty.
  3. Rule 9: Engaging in any unjustified verbal or physical altercation with any person.
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General Orders

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1. G03-02 Use of Force
  2. G03-02-01 Force Options
  3. G03-02-04 Taser Use Incidents
  4. G03-02-02 Incidents Requiring the Completion of a Tactical Response Report
  5. G06-01-03 Conducting Strip Searches
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## V. INVESTIGATION<sup>1</sup>

### a. Interviews

In an **interview with COPA**, on April 24, 2019, ██████████ ██████████ stated that, on June 22, 2018, he was stopped by officers immediately after purchasing and using heroin. The officers<sup>3</sup> pulled up behind him in two unmarked vehicles, called him over, and asked for his identification, which he provided. The officers then jumped out of the vehicle. Officer ██████████ (“Officer ██████████ first approached ██████████ threw him on the car and searched his pockets. After seeing ██████████ had a large amount of money on his person, and saying ██████████ was wearing more than one pair of pants, Officer ██████████ pulled ██████████ sweatpants down and searched his shorts’ pockets. Then, Officer ██████████ pulled ██████████ underwear down, exposing his buttocks. Officer ██████████ recovered two baggies of drugs in ██████████ underwear on the right side. Officer ██████████ handcuffed ██████████ and placed him inside the police vehicle.

At the police station, ██████████ was taken into a room upstairs, where the officers asked him details such as if he had anything on him and what was he doing in the area. Officer ██████████ told ██████████ who was still handcuffed behind his back, to stand up and he began to remove ██████████ clothes. ██████████ sat on the bench and moved around to prevent the officers from removing his pants. Officer ██████████ and two officers<sup>4</sup> pushed ██████████ around and tried to grab his throat. Officer ██████████ entered the room, moved officers out of the way, and discharged his taser. ██████████ felt an electric shock from one prong that hit the top of his head. ██████████ fell to the floor. The officers removed all of ██████████ clothes, leaving him naked. Then they spread his butt cheeks, using a pen, and searched his rectum. An officer removed the taser prong from his head, and he was flipped over. Officers searched and recovered twenty-two baggies of drugs from his scrotum area. Officers left him naked and alone on the floor in the room. Eventually, Officer ██████████ returned, allowed ██████████ to get dressed, and about an hour later ██████████ was taken to lock up area for processing. ██████████ believed he was inside the room for approximately three hours.<sup>5</sup>

In an **interview with COPA**, on August 12, 2019, ██████████ star # ██████████ (“Officer ██████████ stated on June 22, 2018, his partner, Officer J. ██████████ while conducting a narcotics surveillance, observed ██████████ soliciting unlawful business and make multiple hand to hand drug transactions. Officer J. ██████████ radioed Officers ██████████ W. ██████████ and ██████████ to join

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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> In his letter to COPA, postmarked January 18, 2019, ██████████ stated officers beat him and strip searched him on the street. ██████████ stated BWC captured his arrest, but it did not capture him being tased, and the officers claimed he did not have a taser. ██████████ asked COPA to provide him a copy of what equipment the officers were assigned on the date of this incident for his next court date. Attachment 4. In his letter to COPA, postmarked April 22, 2019, ██████████ requested background information on the four involved officers, and whether they were issued BWC because he did not believe they had BWC. Attachment 22.

<sup>3</sup> ██████████ stated the officers were in uniform with body worn cameras, however, in court the officers testified that they did not have body worn cameras and their in-car camera did not work. ██████████ learned the officers’ names when they testified in court.

<sup>4</sup> ██████████ could not provide a description of these officers, but recognized them as officers that were on the scene of his arrest. According to the Arrest Report, it was Officers

<sup>5</sup> Attachment 20. *See also* Attachments 4,22.

him and arrest [REDACTED]. Officers J. [REDACTED] and [REDACTED] were in one unmarked vehicle and Officers W. [REDACTED] and [REDACTED] were in the other, when they drove up to [REDACTED] on Warren Boulevard near a gas station. Officer [REDACTED] did not recall many details from this incident, but stated the officers placed [REDACTED] into custody without any issues, there was no struggle.

Officer [REDACTED] believed he or Officer J. [REDACTED] made first contact and placed [REDACTED] into handcuffs. Officer J. [REDACTED] searched [REDACTED] and recovered 2 ziplock bags of heroin from [REDACTED] front pocket. Officer [REDACTED] denied conducting a strip search of [REDACTED] on the street. Officer [REDACTED] stated when an individual is wearing multiple layers of pants, he may pull the outer layer down to search the inner layer, but would never pull down the individual's underwear. Officer [REDACTED] did not recall pulling down [REDACTED] pants.

Officers W. [REDACTED] and [REDACTED] transported [REDACTED] to the station without issue. At the station, [REDACTED] was escorted to a holding room for processing. Officer [REDACTED] searched [REDACTED]. When Officer [REDACTED] shook [REDACTED] pants, 12 ziplock bags of heroin, rubber banded together, fell out of his left pant leg. Officer [REDACTED] searched [REDACTED] and 9 ziplock bags of heroin fell out of [REDACTED] right pant leg. Officer [REDACTED] did not recall any issues while in the holding room, nor could he recall whether any clothing was removed from [REDACTED]. Officer [REDACTED] added, per county rules, a prisoner is only allowed one layer of clothing.<sup>6</sup>

Officer [REDACTED] believed he was in the holding room with [REDACTED] for maybe 5 to 10 minutes, then he left [REDACTED] alone while he completed his paperwork, which generally takes an hour or an hour and a half. Officer [REDACTED] checked on [REDACTED] while he was in the holding room. [REDACTED] sat, handcuffed, on the bench. [REDACTED] may have laid down but he was not on the ground, and Officer [REDACTED] did not recall whether [REDACTED] slept. [REDACTED] was taken to lockup, where he was photographed and fingerprinted.

Officer [REDACTED] denied all allegations against him and stated he did not have to complete a Tactical Response Report ("TRR") or other paperwork because he did not use any force or conduct a strip search. Officer [REDACTED] did not call for an ambulance or take [REDACTED] to the hospital because he never complained of injury. Officer [REDACTED] added, if [REDACTED] complained of any injury to lockup personnel, lockup personnel would have required the officer to take him to the hospital.<sup>7</sup>

In an **interview with COPA**, on August 12, 2019, [REDACTED] star # [REDACTED] ("Officer J. [REDACTED]") provided a statement consistent with Officer [REDACTED] with the following additional details. Officer J. [REDACTED] stated he does not have an independent recollection of this incident because it happened a long time ago and he makes a lot of similar arrests. Officer J. [REDACTED] stated he initially performed a Pat Down search of [REDACTED] for weapons, then he went through [REDACTED] pockets, a custodial search, where he recovered narcotics from his left pants pocket.

At the station, Officer J. [REDACTED] conducted a custodial search. When he recovered US currency from [REDACTED] rear pocket, he stopped searching. He completed the paperwork related to this arrest. Officer J. [REDACTED] did not see [REDACTED] lying on the ground in the holding room. He

<sup>6</sup> Officer [REDACTED] recovered a "bundle of clothing" from [REDACTED] which was inventoried. See Attachment 16.

<sup>7</sup> Attachment 29.

denied observing any officer use force against ██████ conduct a strip search or search ██████ rectum, nor did he see ██████ naked in the holding room.

Officer J. ██████ denied discharging a taser toward ██████ adding he has never used a taser in his career. Although Officer J. ██████ completed the initial taser certification training, he was not issued a taser, and he did not recertify with a taser in 2019. Officer J. ██████ admitted he did not call an ambulance for ██████ because an ambulance was not necessary. ██████ did not complain of any injury. Officer J. ██████ admitted he did not complete a TRR because he did not use force against ██████<sup>8</sup>

In an **interview with COPA**, on August 12, 2019, ██████ star # ██████ (“Officer ██████” provided a statement consistent with Officers ██████ and J. ██████ with the following additional details. Officer J. ██████ placed ██████ in handcuffs and searched him.

At the station, Officer ██████ stated Officer J. ██████ initially searched ██████ and recovered US currency. Then, he and Officer ██████ completed the search, recovering drugs. Officer ██████ denied using a pen or another object to search ██████ rectum. Officer ██████ also denied using any force against ██████ or leaving him without clothing in the room. Officer ██████ did not see Officer W. ██████ search ██████ and did not recall whether Officer W. ██████ was in the holding room. Officer ██████ added, he has never seen Officer J. ██████ use a taser.<sup>9</sup>

In an **interview with COPA**, on August 12, 2019, ██████ Jr., star # ██████, (“Officer W. ██████” stated provided a consistent statement with Officers ██████ J. ██████ and ██████ with the following additional details. Officer W. ██████ did not have independent recollection of this incident because there were no problems. Officer W. ██████ denied all allegations against himself and the other officers. Officer W. ██████ did not recall being in the holding room when ██████ was searched. Officer W. ██████ has never conducted a strip search nor has he seen another officer conduct a strip search. He has never seen Officer J. ██████ or anyone on his team, sign out a taser.<sup>10</sup>

#### **b. Digital Evidence**

There is no **Body Worn Camera**<sup>11</sup> or **In-car Camera** that captured this incident.<sup>12</sup>

#### **c. Documentary Evidence**

According to **Department Reports**, after observing ██████ participate in narcotics transactions, Officer ██████ along with his partner, Officer ██████ and enforcement officers went to place ██████ into custody. Officers recovered 2 blue zip lock bags each containing suspect Heroin from ██████ front left pocket.<sup>13</sup> ██████ was transported to District ██████ for processing. The officers recovered a bundle of United States’ currency from

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<sup>8</sup> Attachment 34.

<sup>9</sup> Attachment 39.

<sup>10</sup> Attachment 44.

<sup>11</sup> Unit 213 is not issued BWC.

<sup>12</sup> Attachment 23.

<sup>13</sup> See Attachment 14, Inv.14200607

██████████ rear pants' pocket. Officer ██████████ recovered 12 zip lock bags containing suspect Heroin that fell to the ground from ██████████ left pant leg. Approximately a minute later, Officer ██████████ recovered 9 zip lock bags containing suspect Heroin that fell to the ground from ██████████ right pant leg.<sup>14,15</sup>

**Taser Reconciliation Report** for 2nd Quarter, April 2018 to July 2018, shows all the tasers assigned to Unit ██████████. There was no taser discharge or arc on June 22, 2018.<sup>16</sup>

There was no **Equipment Log** found for Beat Number 4371, on June 22, 2018.<sup>17</sup>

## VI. LEGAL STANDARD

For each Allegation COPA must make one of the following findings:

1. Sustained - where it is determined the allegation is supported by a preponderance of the evidence;
2. Not Sustained - where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;
3. Unfounded - where it is determined by clear and convincing evidence that an allegation is false or not factual; or
4. Exonerated - where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

A **preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that the conduct occurred and violated Department policy. *See Avery v. State Farm Mutual Automobile Insurance Co.*, 216 Ill. 2d 100, 191 (2005), (a proposition is proved by a preponderance of the evidence when it has found to be more probably true than not). If the evidence gathered in an investigation establishes that it is more likely that the misconduct occurred, even if by a narrow margin, then the preponderance of the evidence standard is met.

**Clear and convincing evidence** is a higher standard than a preponderance of the evidence but lower than the "beyond-a-reasonable doubt" standard required to convict a person of a criminal offense. *See e.g., People v. Coan*, 2016 IL App (2d) 151036 (2016). Clear and Convincing can be defined as a "degree of proof, which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true." *Id.* at ¶ 28.

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<sup>14</sup> See Attachments 15,17.

<sup>15</sup> Attachments 6, 7.

<sup>16</sup> Attachment 46. There was no taser discharge at District 025 station while ██████████ was detained. *See* Attachment 47.

<sup>17</sup> Attachment 13.

## VII. ANALYSIS

### a. Officer [REDACTED]

#### i. discharged your taser probes at or in the direction of [REDACTED] without justification

COPA finds the allegation that Officer [REDACTED] discharged his taser probes at or in the direction of [REDACTED] without justification is **Unfounded**. An officer's use of a Taser must be objectively reasonable, necessary, and proportional to the threat, actions, and level of resistance presented by the individual.<sup>18</sup> An officer is authorized to use a Taser only against an active resister, defined as a person who attempts to create distance from the officer with the intent to avoid physical control and/or defeat the arrest, or assailant, defined as a person who is using or threatening the use of force against another person or himself/herself which is likely to cause physical injury, and only for the purpose of gaining control of and restraining the subject.<sup>19</sup>

Officer J. [REDACTED] not only denied discharging a taser against [REDACTED] but stated he has never been issued or used a taser on duty. The other officers denied seeing Officer J. [REDACTED] carry or discharge a taser. The Taser Reconciliation Report shows no taser assigned to Unit 213 was discharged on June 22, 2018. In his statement, [REDACTED] admitted to using heroin immediately prior to the arrest. Moreover, [REDACTED] never sought medical attention and provided no evidence of injury. COPA finds the statements of the officers more credible.

Therefore, COPA finds there is clear and convincing evidence that Officer J. [REDACTED] did not discharge a taser against [REDACTED] and this allegation is **Unfounded**.

#### ii. failed to call for medical assistance

COPA finds the allegation that Officer [REDACTED] failed to call for medical assistance is **Unfounded**. An officer will request medical aid when an individual is exposed to electricity, taser probes penetrated the individual's skin, or an individual complains of injury or appears to be in physical distress.<sup>20</sup> As discussed above, COPA finds that Officer J. [REDACTED] did not discharge his taser against [REDACTED]. Therefore, Officer J. [REDACTED] was not required to request medical assistance to remove the probes. There is also no evidence [REDACTED] was in any physical distress or that he complained of any other injury warranting medical assistance. Thus, this allegation is **Unfounded**.

#### iii. failed to complete a Tactical Response Report after discharging your taser

COPA finds the allegation that Officer J. [REDACTED] failed to complete a Tactical Response Report after discharging his taser is **Unfounded** because, as discussed above, Officer J. [REDACTED] did not discharge a taser.

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<sup>18</sup> General Order G03-02-04 II.C.

<sup>19</sup> General Order G03-02-01 IV.B.2; G03-02-01 IV.C; G03-02-04 II.C.

<sup>20</sup> G03-02-04 IV.A.3.

**b. Officer ██████████****i. forcefully moved ██████████ against the police vehicle without justification**

COPA finds the allegation that Officer ██████████ forcefully moved ██████████ against the police vehicle without justification is **Not Sustained**. An officer will only use force that is objectively reasonable, necessary and proportional in order to ensure the safety of the officer or control the individual.<sup>21</sup> ██████████ and the officers all stated ██████████ was a cooperative subject, someone who is compliant without the need of physical force,<sup>22</sup> and force was unnecessary. However, ██████████ stated Officer ██████████ threw him against the police vehicle before searching him. Officer ██████████ denied using any force against ██████████. The other officers denied any force was used against ██████████ and there was no force documented in Department Reports. There are no independent witnesses or video to corroborate the incident as described by ██████████ or the officers. Therefore, there is insufficient evidence to clearly determine whether Officer ██████████ forcefully moved ██████████ against the police vehicle or whether the action was according to Department policy and procedure. Thus, this allegation is **Not Sustained**.

**ii. failed to comply with G06-01-03 when conducting a strip search by searching ██████████ in an area that can be observed by persons not physically conducting the search**

COPA finds the allegation that Officer ██████████ failed to comply with G06-01-03 when conducting a strip search by searching ██████████ in an area that can be observed by persons not physically conducting the search is **Unfounded**. An individual will not be strip searched<sup>23</sup> unless there is a reasonable belief, equivalent to probable cause, that the individual is concealing a controlled substance.<sup>24</sup> ██████████ stated, while on the street, Officer ██████████ pulled his sweatpants down, searched his shorts' pockets, and pulled his underwear down, exposing his buttocks. Officer ██████████ admitted if someone wore more than one layer of clothing he may pull the outer layer down to search the inner layer, however, Officer ██████████ denied pulling ██████████ underwear down. Officers ██████████ J. ██████████ and ██████████ stated Officer J. ██████████ searched ██████████ on scene and recovered 2 ziplock bags of Heroin from ██████████ pant pocket. Department Reports corroborate the officers account of the incident. While there are no independent witnesses or video to corroborate the incident as described by ██████████ or the officers, ██████████ admitted the officers recovered 22 ziplock bags of Heroin at the police station from his scrotum area. COPA finds, with clear and convincing evidence, that Officer ██████████ did not search ██████████ on scene. COPA also finds it highly unlikely that ██████████ was strip searched by any officer as alleged. If a strip search was conducted, it is more likely that the officers would have discovered 22 ziplock bags on the street, instead of at the station. Therefore, this allegation is **Unfounded**.

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<sup>21</sup> General Order G03-02 III.B.

<sup>22</sup> General Order G03-02-01 IV.A.

<sup>23</sup> "Strip search" means having an arrested person remove or arrange some or all of his or her clothing so as to permit a visual inspection of the genitals, buttocks, anus, female breasts or undergarments of such person." General Order G06-01-03 II.A.2.

G06-01-03 II.A.1. See 725 ILCS 5/103-1 Rights on Arrest.

**iii. forcefully moved [REDACTED] while in the holding room without justification**

COPA finds the allegation that Officer [REDACTED] forcefully moved [REDACTED] while in the holding room without justification is **Unfounded**. An officer will only use force that is objectively reasonable, necessary and proportional in order to ensure the safety of the officer or control the individual.<sup>25</sup> [REDACTED] stated, while sitting on the bench in the holding room, he resisted officers' attempts to pull off his pants and the officers pushed him, and eventually tased him. Officer [REDACTED] denied using any force against [REDACTED] and did not know whether he or [REDACTED] removed his clothing, as required by Department policy. Officers J. [REDACTED] and [REDACTED] denied Officer [REDACTED] or any officer used force against [REDACTED] in the holding room. The officers indicated [REDACTED] was cooperative and did not require the use of any force. Department Reports are consistent with the officers' statements. Inventory Report documented Officer [REDACTED] recovered and inventoried clothing from [REDACTED]. While there are no independent witnesses or video to corroborate the incident as described by [REDACTED] or the officers, as discussed above, [REDACTED] intoxicated state at the time of his arrest and his false allegation of being tased causes COPA to question his ability to accurately recount the events as they occurred. Therefore, this allegation is **Unfounded**.

**iv. failed to complete a Tactical Response Report after a use of force incident**

COPA finds the allegation that Officer [REDACTED] failed to complete a Tactical Response Report after a use of force incident is **Unfounded** because, as discussed above, Officer [REDACTED] did not use force to require the completion of a TRR.

**v. conducted a strip search without justification and searched [REDACTED] rectum without justification**

COPA finds the allegation that Officer [REDACTED] conducted a strip search without justification and searched [REDACTED] rectum without justification is **Unfounded**. In his initial letter to COPA, [REDACTED] stated he was strip searched on the street, but did not allege anything occurred at the station. In his interview with COPA, [REDACTED] added that officers stripped him naked and searched his rectum with a pen. Officer [REDACTED] denied the allegations, and indicated while doing a routine custodial search, drugs fell out of [REDACTED] pant legs. Officer [REDACTED] statement and Department Reports are consistent with Officer [REDACTED] account of the incident. There are no independent witnesses or video to corroborate the incident as described by [REDACTED] or the officers.

Considering, [REDACTED] intoxicated state at the time of his arrest, he did not initially complain of this strip search at the station or that his rectum was searched, he admitted to wearing multiple layers of pants, which would require at least one layer to be removed, and he inaccurately alleged being tased, COPA finds Officer [REDACTED] did not conducted a strip search of [REDACTED] or search [REDACTED] rectum. Therefore, this allegation is **Unfounded**.

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<sup>25</sup> General Order G03-02 III.B.

- vi. **failed to comply with G06-01-03 when conducting a strip search by not obtaining written authorization, preparing a report, and not providing the written report to [REDACTED]**

COPA finds the allegation that Officer [REDACTED] failed to comply with G06-01-03 when conducting a strip search by not obtaining written authorization, preparing a report, and not providing the written report to [REDACTED] is **Unfounded** because, as discussed above, Officer [REDACTED] did not conduct a strip search of [REDACTED]

c. **Officer [REDACTED]**

- i. **forcefully moved [REDACTED] while in the holding room without justification and failed to complete a Tactical Response Report after a use of force incident**

COPA finds the allegations that Officer [REDACTED] forcefully moved [REDACTED] while in the holding room without justification and failed to complete a Tactical Response Report after a use of force incident are **Unfounded**. As discussed above, COPA determined Officer [REDACTED] did not use force against [REDACTED] and was not required to complete a TRR. Therefore, these allegations are **Unfounded**.

- ii. **conducted a strip search without justification; searched [REDACTED] rectum without justification; and failed to comply with G06-01-03 when conducting a strip search by not obtaining written authorization, preparing a report, and not providing the written report to [REDACTED]**

As discussed above, COPA finds the allegations that Officer [REDACTED] conducted a strip search without justification; searched [REDACTED] rectum without justification; and failed to comply with G06-01-03 when conducting a strip search by not obtaining written authorization, preparing a report, and not providing the written report to [REDACTED] are **Unfounded**

d. **Officer [REDACTED] Jr.**

- i. **forcefully moved [REDACTED] while in the holding room without justification; failed to complete a Tactical Response Report after a use of force incident; conducted a strip search without justification; searched [REDACTED] rectum without justification; and failed to comply with G06-01-03 when conducting a strip search by not obtaining written authorization, preparing a report, and not providing the written report to [REDACTED]**

COPA finds the allegations against Officer W. [REDACTED] are **Unfounded** because, as discussed above, COPA questions [REDACTED] ability to accurately recount the events as they occurred, and none of the officers, including Officer W. [REDACTED] recall Officer W. [REDACTED] being inside the holding room with [REDACTED] Officer statements and Department reports consistently indicate Officers J. [REDACTED] and [REDACTED] went in the holding room with [REDACTED] and searched [REDACTED] While there are no independent witnesses or video to corroborate the incident as described by [REDACTED]

or the officers, it is clear that Officer W. [REDACTED] did not go hands on with [REDACTED]. Therefore, the allegations against him are **Unfounded**.

**VIII. CONCLUSION**

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

Officer	Allegation	Finding
Officer [REDACTED]	<p>It is alleged by [REDACTED] that on or about June 22, 2018 at approximately 8:07 at or near 5555 West Grand Avenue Officer [REDACTED] star # [REDACTED] committed misconduct through the following acts or omissions, by:</p> <ol style="list-style-type: none"> <li>1. discharging your taser probes at or in the direction of [REDACTED] without justification;</li> <li>2. failing to call for medical assistance; and</li> <li>3. failing to complete a Tactical Response Report after discharging your taser.</li> </ol>	<p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p>
Officer [REDACTED]	<p>It is alleged by [REDACTED] that on or about June 22, 2018 at approximately 8:07 at or near 3342 West Warren Boulevard, Officer [REDACTED] star # [REDACTED] committed misconduct through the following acts or omissions, by:</p> <ol style="list-style-type: none"> <li>1. forcefully moving [REDACTED] against the police vehicle without justification; and</li> <li>2. failing to comply with G06-01-03 when conducting a strip search by searching [REDACTED] in an area that can be observed by persons not physically conducting the search.</li> </ol> <p>It is alleged by [REDACTED] that on or about June 22, 2018 at approximately 8:07 at or near 5555 West Grand Avenue, Officer [REDACTED] star # [REDACTED] committed misconduct through the following acts or omissions, by:</p> <ol style="list-style-type: none"> <li>1. forcefully moving [REDACTED] while in the holding room without justification;</li> <li>2. failing to complete a Tactical Response Report after a use of force incident;</li> <li>3. conducting a strip search without justification;</li> </ol>	<p>Not Sustained</p> <p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p>

	<p>4. searching [REDACTED] rectum without justification; and</p> <p>5. failing to comply with G06-01-03 when conducting a strip search by not obtaining written authorization, preparing a report, and not providing the written report to [REDACTED]</p>	<p>Unfounded</p> <p>Unfounded</p>
<p>Officer [REDACTED]</p>	<p>It is alleged by [REDACTED] that on or about June 22, 2018 at approximately 8:07 at or near 5555 West Grand Avenue, Officer [REDACTED] star # [REDACTED] committed misconduct through the following acts or omissions, by:</p> <ol style="list-style-type: none"> <li>1. forcefully moving [REDACTED] while in the holding room without justification;</li> <li>2. failing to complete a Tactical Response Report after a use of force incident;</li> <li>3. conducting a strip search without justification;</li> <li>4. searching [REDACTED] rectum without justification; and</li> <li>5. failing to comply with G06-01-03 when conducting a strip search by not obtaining written authorization, preparing a report, and not providing the written report to [REDACTED]</li> </ol>	<p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p>
<p>Officer [REDACTED] Jr.</p>	<p>It is alleged by [REDACTED] that on or about June 22, 2018 at approximately 8:07 at or near 5555 West Grand Avenue, Officer [REDACTED] Jr., star # [REDACTED] committed misconduct through the following acts or omissions, by:</p> <ol style="list-style-type: none"> <li>1. forcefully moving [REDACTED] while in the holding room without justification;</li> <li>2. failing to complete a Tactical Response Report after a use of force incident;</li> <li>3. conducting a strip search without justification;</li> <li>4. searching [REDACTED] rectum without justification; and</li> <li>5. failing to comply with G06-01-03 when conducting a strip search by not obtaining written authorization, preparing a report, and not providing the written report to [REDACTED]</li> </ol>	<p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p>

Approved:

[REDACTED]

2-20-2020

Angela Hearts-Glass  
*Deputy Chief Administrator – Chief Investigator*

Date

Appendix A

Assigned Investigative Staff

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**Squad#:**

**Investigator:**

**Supervising Investigator:**

**Deputy Chief Administrator:**



Angela Hearts-Glass