

SUMMARY REPORT OF INVESTIGATION

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|---------------------------------|---|
| Date/Time/Location of Incident: | June 14, 2019/4:31 P.M./3036 N. Keating Avenue |
| Date/Time of COPA Notification: | August 12, 2019/11:00 A.M. |
| Involved Officer #1: | ██████████ Star No. ██████████ Employee No. ██████████, Date of Appointment: ██████████, 2014, Rank: Police Officer, Unit of Assignment: ██████████, DOB: ██████████, 1983, Male, White Hispanic |
| Involved Officer #2: | ██████████ Star No. ██████████, Employee No. ██████████, Date of Appointment: ██████████, 2018, Rank: Police Officer, Unit of Assignment: ██████████, DOB: ██████████, 1992, Male, White Hispanic |
| Involved Individual #1: | ██████████, DOB: ██████████, 1966, Female, White |
| Case Type: | Arrest without Justification |

I. ALLEGATIONS

| Officer | Allegation | Finding |
|--------------------|---|------------|
| Officer ██████████ | 1. It is alleged that on June 14, 2019 at approximately 4:31 P.M. accused Officer ██████████ arrested ██████████ without justification. | Exonerated |
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II. SUMMARY OF EVIDENCE

Body Worn Camera video of both Officers ██████████ and ██████████ capture the June 14, 2019 incident in question. The videos begin as the officers respond in their vehicle to the scene of the incident taking place between ██████████, CPS employee and Complainant in the arrest,

¹ Attachment 1.
² Attachments 2 & 3.

██████████, and Bus Driver ██████████. An Office of Emergency Management and Communications Event Query Report³ documents the officers were responding to a report of an individual who was “out of control and wanting to fight and arguing.” Video evidence captures that, as the officers approach the scene, ██████████ and ██████████ report ██████████ had followed their bus in her vehicle, had approached the bus at a stop, attempted entry onto the bus, and had been verbally and physically aggressively toward them, breaking the bus doors by prying them open with her arms as ██████████ attempted closing the doors to depart the confrontation. Receiving a signed complaint against ██████████, the officers arrested ██████████ for committing criminal damage to a vehicle. Video evidence captures ██████████ repeated assertion the bus driver had that day (and days previous) been driving erratically, allegedly endangering his juvenile passengers. ██████████ additionally repeats that she had not attempted to enter the bus, but was only standing on the pavement speaking with ██████████ and ██████████ when ██████████ closed the bus doors (which she describes as ‘opening out’ around her) upon her body and began pulling the bus forward, her body trapped within the doors. Fearing she would be dragged and injured by the moving bus, ██████████ states she pushed the doors open with her arms to free herself, inadvertently causing damage to the doors in the course of securing her own physical safety.

Chicago Police Department reports (Arrest Report,⁴ Original Case Incident Report,⁵ and Case Supplementary Report⁶) verify the incident and resulting arrest. The reports document the officers arriving on scene after the bus door had already been broken, receiving complaints from both witnesses, taking a signed complaint from ██████████, and being unable to review the bus’s video and audio recording of the preceding incident. The reports further document the officers arresting ██████████ based on the complaints and their investigation of the property damage and transporting ██████████ to the ██████████ District Station for further processing.

III. ANALYSIS AND CONCLUSION

COPA finds that the officers’ arrest of ██████████ was lawful and within Chicago Police Department policy. The officers’ receipt of a signed complaint and the statements of two witnesses alleging ██████████ had attempted prohibited entry onto the bus, and illegally caused damage to the bus door was sufficient evidence to render reasonable and lawful the officers’ arrest of ██████████ based on probable cause she had engaged in criminal conduct. Due to the impossibility of the officers’ immediate, on-scene review of the bus’s video and audio recording capturing the preceding confrontation, their decision to arrest ██████████ absent review of any recording was lawful, despite ██████████ differing version of events. Police officers routinely receive from involved parties differing versions of events about alleged criminal conduct. The fact of ██████████ differing version of the events in question here did not diminish the officers’ duty to respond to credible complaints of criminal conduct and, in light of available evidence, to restore order to the community at the scene of a public disturbance involving both verbal conflict and damage to property. Therefore, COPA finds the allegations that Officers ██████████ and ██████████ arrested ██████████ without justification are exonerated.

³ Attachment 4.

⁴ Attachment 5.

⁵ Attachment 6.

⁶ Attachment 7.

Approved:



February 21, 2020

Andrea Kersten
Deputy Chief Administrator – Chief Investigator

Date

Appendix A

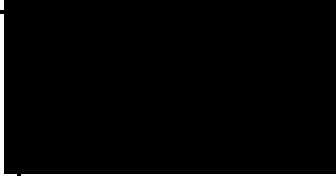
Assigned Investigative Staff

Squad#:

Investigator:

Supervising Investigator:

Deputy Chief Administrator:



Andrea Kersten