

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	██████████ 2018
Time of Incident:	██████ PM
Location of Incident:	██████ Walton and ██████████
Date of COPA Notification:	██████████ 2018
Time of COPA Notification:	██████ PM

At approximately ██████ PM, ██████████ 2018, Police Officer ██████████ (“Officer ██████████ Star no. ██████████ and Officer ██████████ (“Officer ██████████ while assigned as Beat no. ██████ ██████ District, stopped complainant ██████████ (██████████) for traffic violations near ██████ Walton and ██████████. While investigating ██████████ the officers became aware of suspected cannabis in his vehicle. The officers conducted a vehicle search of the inside of ██████████ vehicle with negative results. During the investigation, ██████████ became highly agitated, forcing Officer ██████████ to handcuff him and place him in a marked CPD vehicle. ██████████ was issued several traffic violation notices and afterwards was free to leave. ██████████ requested a supervisor to the location but left prior to their arrival.

II. INVOLVED PARTIES

Involved Officer #1:	Angel N. ██████████ Star# ██████████ Employee#: ██████████, Date of Appointment: ██████████ 2017, Police Officer, UOA: ██████████ District, DOB: ██████████ 1987, Male, White Hispanic
Involved Officer #2:	Jason D ██████████ Star# ██████████ Employee# ██████████, Date of Appointment: ██████████ 2016, Police Officer, IOA: ██████████ District, DOB: ██████████ 1983, Male, White Hispanic
Involved Individual #1:	██████████ DOB: ██████████ 1993, Male, Black

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Officer ██████████	It is alleged on or around ██████████ 2018, at approximately ██████ PM, at or near ██████ Walton and ██████████ Officer ██████████	

	<p>1. Stopped [REDACTED] without justification, in violation of Rules 2 and 3.</p> <p>2. Detained [REDACTED] without justification, in violation of Rules 2 and 3.</p> <p>3. Searched [REDACTED] without justification, in violation of Rules 2 and 3</p> <p>4. Failed to immediately notify a supervisory member upon an allegation of misconduct made by [REDACTED] in violation of Rule 5</p>	<p>Exonerated</p> <p>Exonerated</p> <p>Exonerated</p> <p>Exonerated</p>
<p>Officer [REDACTED]</p>	<p>It is alleged on or around [REDACTED] 2018, at approximately [REDACTED] PM, at or near [REDACTED] Walton and [REDACTED] Officer [REDACTED]</p> <p>1. Stopped [REDACTED] without justification, in violation of Rules 2 and 3.</p> <p>2. Detained [REDACTED] without justification, in violation of Rules 2 and 3.</p> <p>3. Searched [REDACTED] without justification, in violation of Rules 2 and 3.</p> <p>4. Failed to immediately notify a supervisory member upon an allegation of misconduct made by [REDACTED] in violation of Rule 5.</p>	<p>Exonerated</p> <p>Exonerated</p> <p>Exonerated</p> <p>Exonerated</p>

IV. APPLICABLE RULES AND LAWS

Rules

1. **Rule 2:** Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.

2. **Rule 3:** Any failure to promote the Department’s efforts to implement its policy or accomplish its goals.

3. **Rule 5:** Failure to perform any duty.

Special Orders

1. **S04-13-09**: Investigatory Stop System

Federal Laws

1. **4th Amendment**, U.S. Constitution

V. INVESTIGATION¹

a. Interviews

On [REDACTED], 2018, **Complainant** [REDACTED] [REDACTED] gave COPA an audio recorded interview.² [REDACTED] stated that on [REDACTED] 2018, he was driving through the alley in the rear of his residence, 4318 [REDACTED] Walton to park his vehicle in the garage. [REDACTED] stated after discovering this was not possible, he drove and exited the alley near Augusta and [REDACTED] stated after exiting the alley onto North [REDACTED] he was stopped by uniformed CPD officers in a marked vehicle, identified as **accused Police Officer** [REDACTED] (“**Officer** [REDACTED] **Star#** [REDACTED] and **accused Police Officer** [REDACTED] (“**Officer** [REDACTED] **Star#** [REDACTED] both assigned to the [REDACTED] District. Officer [REDACTED] approached his vehicle, asking for his driver’s license, vehicle registration and proof of insurance. [REDACTED] asked Officer [REDACTED] what he had done. Officer [REDACTED] responded he could not drive through an alley as a pass thru. [REDACTED] stated he had driven down the alley to park his vehicle in the garage behind his residence, [REDACTED] Walton. Officer [REDACTED] said he was being detained and to exit the vehicle. Officer [REDACTED] opened his driver’s door, telling his to exit the vehicle. [REDACTED] exited the vehicle on his own.³ Officer [REDACTED] immediately put him in handcuffs and placed him in the officers’ marked vehicle. [REDACTED] demeanor was calm, and he did not know why he was handcuffed. [REDACTED] told Officer [REDACTED] he did not have permission to search his vehicle, but Officer [REDACTED] searched the vehicle anyway, with nothing recovered from the activity. [REDACTED] had little interaction with Officer [REDACTED] during the incident. Officer [REDACTED] was following the direction of Officer [REDACTED] does not recall if Officer [REDACTED] searched his vehicle. [REDACTED] vehicle was “pretty much junked up”⁴ with items scattered about from it being searched by Officer

¹ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

² Attachment 4

³ Attachment 4 at 22:40. [REDACTED] said later in his interview that Officer [REDACTED] “aggressively open his car, put his hands on me and pulled me out of the vehicle.”

⁴ Ibid at 15:00.

Officers [REDACTED] and [REDACTED] never clearly said why he was being stopped until after they searched his vehicle.

[REDACTED] stated the officers never said they saw drugs or marijuana residue on the dashboard or console of his vehicle. He may have told the officers there was a cigar, but not a “blunt,”⁵ inside his vehicle. The violation notices he received were not the same as what the officers told him.⁶ Officers [REDACTED] and [REDACTED] displayed a hostile demeanor throughout the incident. [REDACTED] continually asked Officers [REDACTED] and [REDACTED] to call a CPD supervisor to the scene. [REDACTED] was told a supervisor was one the way, but one did not arrive. Garner stated his demeanor matched that of the officers. But he believed his demeanor was calm. After the officers left the scene, they came back and gave him an Investigative Stop Report (ISR) receipt. [REDACTED] stated he was “dehumanized”⁷ by the incident.

On [REDACTED] 2019, witness Police Officer [REDACTED] (“Officer [REDACTED] Star# [REDACTED] of the [REDACTED] District, gave COPA an audio recorded interview.⁸ Officer [REDACTED] stated at approximately [REDACTED] PM. [REDACTED] 2018, he and his partner, witness Police Officer [REDACTED] (“Officer [REDACTED] Star# [REDACTED] both working Beat [REDACTED] the [REDACTED] District, were at Walton and [REDACTED] assisting Beat [REDACTED] identified as accused Police Officer [REDACTED] (“Officer [REDACTED] Star# [REDACTED] and accused Police Officer [REDACTED] (“Officer [REDACTED] Star# [REDACTED] in the traffic stop of [REDACTED] He and Officer [REDACTED] arrived halfway through the traffic stop. At the traffic stop, he observed [REDACTED] being very irate, although he did not know why. Officers [REDACTED] and [REDACTED] brought [REDACTED] from being irate to a calm state. During the traffic stop, neither Officers [REDACTED] nor [REDACTED] physically remove [REDACTED] from his vehicle. Officer [REDACTED] did not recall [REDACTED] being placed in the backseat of the marked CPD vehicle belonging to Officers [REDACTED] or [REDACTED] Officer [REDACTED] and Officer [REDACTED] were on scene of the traffic stop for approximately ten minutes. [REDACTED] received several violation notices.

On [REDACTED] 2020, witness Police Officer [REDACTED] (“Officer [REDACTED] Star# [REDACTED] [REDACTED] District, gave COPA and audio recorded interview.⁹ Officer [REDACTED] stated at approximately 3:30 PM, [REDACTED] 2018, he and his partner, Officer [REDACTED] assisted Beat [REDACTED] Officers [REDACTED] and [REDACTED] on a traffic stop at Walton and [REDACTED] Officer [REDACTED] stated he had no independent recollection of the traffic assist or the involved individual.

On August 19, 2019, witness Sergeant [REDACTED] (“Sgt. [REDACTED] Star# [REDACTED], Education and Training Division, gave COPA and audio recorded interview.¹⁰ Sgt. [REDACTED] stated

⁵ Blunt is street jargon for a brown paper cigarette or cigar for rolling up cannabis.

⁶ Attachments 12 and 13.

⁷ Attachment 4 at 27:08

⁸ Attachment 23.

⁹ Attachment 33.

¹⁰ Attachment 29.

that at approximately [REDACTED] PM on [REDACTED] 2018, while working as Beat [REDACTED] in the [REDACTED] District, he received a text message from accused Officer [REDACTED] requesting a supervisor at [REDACTED] and Augusta. Once he saw the text message, he responded to Officer [REDACTED] asking if he was still needed and that he was in route. Officer [REDACTED] told him to disregard via text message. Sgt. [REDACTED] stated prior to his audio recorded COPA interview, he spoke with Officer [REDACTED] regarding the incident. Officer [REDACTED] said the reason for cancelling the supervisor request was because complainant [REDACTED] had left the scene.

On [REDACTED] 2019, accused Police Officer [REDACTED] (“Officer [REDACTED] Star# [REDACTED] [REDACTED] District, gave COPA an audio recorded interview.¹¹ Officer [REDACTED] stated at approximately [REDACTED] PM on [REDACTED] 2018, while working Beat [REDACTED] with his partner, Officer [REDACTED] made a traffic stop near [REDACTED] Walton and [REDACTED]. While driving a CPD marked vehicle, he observed the complainant [REDACTED] driving a black Pontiac, disregard a stop sign at the intersection of Augusta and an unidentified street. [REDACTED] then drove his vehicle thru and alley to get to another side street. [REDACTED] was stopped in his vehicle near [REDACTED] Walton and [REDACTED]. Officer [REDACTED] approached the driver’s side of [REDACTED] vehicle asking for his driver’s license and insurance. [REDACTED] made a furtive movement reaching under his seat prior to stopping the vehicle. Officer [REDACTED] told [REDACTED] he was being stopped for disregarding the stop sign and driving thru the alley. Officer [REDACTED] told Officer [REDACTED] to get [REDACTED] out of the vehicle. Officer [REDACTED] believed Officer [REDACTED] saw something in the vehicle having worked with him for a while. Officer [REDACTED] then asked [REDACTED] to exit the vehicle.

[REDACTED] became verbally confrontational, asking why he had to exit the vehicle. After being told the necessity, [REDACTED] finally complied and exited the vehicle. Upon exiting the vehicle, Officer [REDACTED] handcuffed [REDACTED]. Officer [REDACTED] stated Officer [REDACTED] then walked [REDACTED] to the marked CPD vehicle and asked [REDACTED] about cannabis, while they stood by the marked CPD vehicle. [REDACTED] said they were “blunts” on the passenger side of the vehicle. After walking to the passenger side window of [REDACTED] vehicle, he observed a green leaf residue of suspect cannabis in the gearshift and passenger seat. Officer [REDACTED] searched the driver and passenger front seat area, a bookbag in the passenger front seat, along with the passenger rear side of the vehicle for contraband with negative results. Officer [REDACTED] did not recall if either Officer [REDACTED] or Officer [REDACTED] searched the rear driver’s seat of the vehicle.

[REDACTED] displayed verbally abusive behavior and was very angry during the traffic stop. [REDACTED] refusal to listen to his or Officer [REDACTED] commands, combined with his aggressive behavior, resulted in his being handcuffed for officer safety. Officer [REDACTED] made the decision to

¹¹ Attachment 25. On August 12, 2019, Officer [REDACTED] gave COPA an audio recorded interview for the additional allegation of failing to immediately notify a supervisory member upon an allegation of misconduct made by complainant [REDACTED] (see Attachment 27)

placed [REDACTED] in the backseat of the marked CPD vehicle. [REDACTED] was issued traffic violation notices for failing to stop at a stop sign and using the alley for thru traffic.¹² An Investigatory Stop Report (“ISR”) was completed to document the stop.¹³ [REDACTED] did request a CPD supervisor to the location. Officer [REDACTED] stated while he was writing violation notices in the beat car, he heard Officer [REDACTED] tell [REDACTED] a supervisor was requested to the location.

On [REDACTED] 2019, accused Police Officer [REDACTED] (“Officer [REDACTED] Star# [REDACTED] [REDACTED] District, gave COPA an audio recorded interview.¹⁴ Officer [REDACTED] stated that at approximately [REDACTED] PM on [REDACTED] 2018, while working Beat [REDACTED] with his partner, Officer [REDACTED] made a traffic stop of complainant [REDACTED] near [REDACTED] Walton and [REDACTED]. [REDACTED] was stopped for disregard a stop sign and using the alley as a thru street. While still in the alley behind [REDACTED] the emergency equipment of the CPD vehicle was activated and the traffic stop occurred on [REDACTED] south of [REDACTED] Walton. As the passenger in the CPD marked vehicle, Officer [REDACTED] walked to the passenger side of [REDACTED] vehicle, while Officer [REDACTED] approached the driver side. Officer [REDACTED] asked [REDACTED] for his driver’s license and insurance, at which time Officer [REDACTED] observed crumbs of suspected cannabis on the side of the console and floorboard. Officer [REDACTED] signaled to Officer [REDACTED] to have [REDACTED] exit the vehicle. As [REDACTED] opens the door, Officer [REDACTED] moved around to the driver’s side of the vehicle. [REDACTED] became verbally combative with the officers when asked to exit the vehicle. Officer [REDACTED] stated for officer safety purposes, he handcuffed [REDACTED] upon exited the vehicle and took him back to the CPD marked vehicle. Officer [REDACTED] received expletive after expletive from [REDACTED] while attempting a conversation with him. Officer [REDACTED] stated he spoke in a calm tone attempting to de-escalate the situation with [REDACTED] became louder and more enraged. Officer [REDACTED] fearing an escalation in [REDACTED] behavior, placed him in the backseat of the CPD marked vehicle. While Officer [REDACTED] spoke with [REDACTED] Officer [REDACTED] performed a search of the vehicle. The vehicle was searched because of the discovery of suspected cannabis on the side of the vehicle console and floorboard. [REDACTED] admitted he smoked blunts. [REDACTED] was issued several traffic violations.¹⁵ [REDACTED] made multiple requests for a supervisor. Officer [REDACTED] sent a text message to Sgt. [REDACTED] requesting his presence at the location. Officer [REDACTED] told [REDACTED] a supervisor was responding and to wait for his arrival. Officer [REDACTED] stated since some time had passed since the event, he does not recall if Sgt. [REDACTED] responded back. Given [REDACTED] demeanor, Officer [REDACTED] wanted to ensure he followed procedure during the traffic stop.

In a follow up audio recorded interview on [REDACTED] 2019¹⁶, Officer [REDACTED] saw a copy of his [REDACTED] 2019, text message to Sgt. [REDACTED]¹⁷ The text message told Sgt. [REDACTED] to

¹² Attachments 12 and 13.

¹³ Attachment 8.

¹⁴ Attachment 28.

¹⁵ Attachments 12 and 13.

¹⁶ Attachment 32.

¹⁷ Attachment 31.

disregard responding to the traffic stop location. Since sometime had passed since the incident, Officer ██████ did not recall why he told Sgt. ██████ not to respond.

b. Digital Evidence -

The body worn camera (BWC) video of Officer ██████ depicts his interaction with complainant ██████. Specifically, the video shows Officer ██████ as the contact officer telling ██████ the reason for the stop. Officer ██████ asks ██████ to exit the vehicle, but he refuses. After a prolong conversation, and demonstrating an aggressive manner, ██████ exits the vehicle. The video shows Officer ██████ walking around to the driver's side of ██████ vehicle to handcuff him. He tells ██████ it is for officer safety. Officer ██████ then walks ██████ to the rear of the vehicle, talking to him while Officer ██████ searches the interior of the vehicle. The video shows Officer ██████ telling ██████ of the existence of weed residue in the vehicle. ██████ tells Officer ██████ it is from a blunt. The video also shows Officer ██████ searching a backpack on the front driver seat of the vehicle. Officers ██████ and Officer ██████ from Beat ██████ search inside of ██████ vehicle for additional contraband. ██████ continues yelling obscenities and exhibiting verbally aggressive behavior throughout the video, saying the officers stopped him for no reason. ██████ repeatedly asking the officers for a supervisor.¹⁹ Officer ██████ tells ██████ he called for a supervisor. The video shows Officer ██████ writing traffic violations to ██████. Additionally, it shows Officers ██████ removing ██████ from the backseat of the CPD vehicle and asking for his signature on the traffic violations. ██████ signs the tickets and Officer ██████ tells him a supervisor is on the way.

The body worn camera (BWC) of Officer ██████ depicts his interaction with complainant ██████. Specifically, the video shows Officer ██████ as the cover officer with Officer ██████. Officer ██████ notifies OEMC dispatch of the traffic stop location at ██████ and Walton. ██████ asks why he must exit the vehicle. The video shows verbal aggression on the part of ██████ and his initial refusal to exit the vehicle. Officer ██████ informs ██████ of the existence of case law which requires he exit the vehicle. Officer ██████ signals to Officer ██████ his observation of suspected contraband on the gear console. Officer ██████ walks from the passenger side to the driver side of ██████ vehicle, and handcuffs him for officer safety. Officer ██████ then escorts ██████ to the rear of the vehicle. ██████ continues showing verbal aggression towards Officers ██████ and ██████. Officer ██████ asks ██████ for his patience during the traffic stop. The video shows Officer ██████ writing the traffic violations. Officer ██████ removes ██████ from the backseat of the CPD vehicle and asks for his signature on the traffic violations. ██████ signs the tickets and Officer ██████ tells him a supervisor is on the way. ██████ then walks to his vehicle.

¹⁸ Attachment 18.

¹⁹ Attachment 18. During the BWC video, ██████ repeatedly says, "I want to talk to your chief."

²⁰ Attachment 17.

c. Documentary Evidence

The Office of Emergency Management and Communications (“OEMC”) Event Query Report describing Event# 1822510360²¹, shows on ██████████ 2019, at approximately ████████ PM, Beat ████████ manned by Officers ████████ and ████████ make a traffic stop of complainant ████████ at or near Walton and ████████. The report shows Beat ████████ manned by Officers ████████ and ████████ responding to assist.

The Investigatory Stop Report (“ISR”) #ISR000610242²², states Officers ████████ and ████████ observed ████████ committing traffic violations of disregarding a stop sign at or near ████████ Augusta, and unlawfully operating a motor vehicle in the alley for use as through traffic. Upon stopping ████████ Officers ████████ and ████████ approached the vehicle asking for his driver’s license and insurance. The ISR states Officer ████████ observed from the passenger side of the vehicle what appears as residue of cannabis to the left of the gear shifter. The officers asked ████████ to exit the vehicle. ████████ becomes verbally aggressive towards the officers resulting in Officer ████████ handcuffing him. Feeling the scene was no longer safe, Officer ████████ put ████████ in the backseat of the marked CPD vehicle pending the results of the investigation. Upon completing the search of ████████ vehicle with negative results, he received traffic citations²³, an IRS receipt²⁴, and was released at the scene.

On August 18, 2019, COPA reviewed a series of text messages between Sgt. ████████ and Officer ████████ at approximately ████████ PM, Monday, ████████ 2019²⁵. Officer ████████ writes to Sgt. Findley, “Sorry to do this to u but can u swing by ████████ augusta.” At some unknown time, Sgt. Findley sends a reply to Officer ████████ “Do u still need me, Otw (on the way).” At some unknown time, Officer ████████ responds to Sgt. ████████ “Disregard.”

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

²¹ Attachment 10.

²² Attachment 8

²³ Attachments 12 and 13.

²⁴ Attachment 9.

²⁵ Attachment 31.

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 reviewed complied with 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 conduct complied with Department policy than that it did not, 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.

VII. ANALYSIS

1. The stop and detention of ██████████

Traffic stops are seizures under the Fourth Amendment, and thus subject to the Fourth Amendment reasonableness requirement. *Whren v. United States*, 517 U.S. 806, 809-10 (1996). Traffic stops are analyzed under *Terry* because "the 'usual traffic stop' is more analogous to a so-called *Terry* stop than to a formal arrest." *People v. Cosby*, 231 Ill. 2d 262, 274 (2008). The *Terry* test is: "(1) whether the officer's action was justified at its inception, and (2) whether it was reasonably related in scope to the circumstances which justified the interference in the first place." *People v. Bunch*, 207 Ill. 2d 7, 14 (2003). In accordance with CPD policy for investigatory stops, sworn members "must possess specific and articulable facts which, combined with rational inferences from these facts, reasonably warrant a belief that the suspect is committing, is about to commit, or has committed a criminal offense."²⁶ Officers ██████████ and ██████████ observed ██████████ commit two traffic violations codified under the *City of Chicago Municipal Code*: 1) failure to stop at a stop sign;²⁷ and 2) unlawfully operating a motor vehicle in the alley for use as through traffic.²⁸ Officers ██████████ and ██████████ thus had probable cause, and met the two prong *Terry* test with their actions being justifiable and reasonable based upon their direct observation of ██████████ committing traffic offenses warranting his stop and detention. Additionally, the officers request for ██████████ driver's license, proof of insurance, and performing outstanding warrant and criminal history checks are permissible incident to the stop.²⁹ Therefore, it was permissible for the officers to stop and detain ██████████ for investigation.

²⁶ Special Order S04-13-09, *Investigatory Stop System*

²⁷ Attachment 12 and Section 9-24-010(b), *Chicago Municipal Code*.

²⁸ Attachment 13 and Section 9-20-010(c), *Chicago Municipal Code*.

²⁹ ██████████ v. *United States*, 135 S. Ct. 1609, 1614 (2015) (citing *Illinois v. Caballes*, 543 U.S. 405, 407 (2005)).

Based on clear and convincing evidence, COPA concludes Officers [REDACTED] and [REDACTED] actions justified in stopping and detaining [REDACTED]

2. Interior search of [REDACTED] vehicle.

Under the “automobile exception” to the search warrant requirement, “law enforcement officers may undertake a warrantless search of a vehicle if there is probable cause to believe that the automobile contains evidence of criminal activity that the officers are entitled to seize.”³⁰ During the traffic stop of [REDACTED] Officer [REDACTED] states in his COPA interview observing crumbs of suspected cannabis on the side of the console and on the floorboard of [REDACTED] vehicle.³¹ Officer [REDACTED] further states searching [REDACTED] vehicle occurred resultant of observing crumbs of suspected cannabis inside the vehicle, accompanied by [REDACTED] admission of smoking blunts. Thus the totality of the circumstances, i.e., the officers observations and experience, coupled with the admission of [REDACTED] in smoking blunts, culminate in creating the probable cause that a crime has occurred and that [REDACTED] has committed that crime.³² “When officers have such probable cause, the search may extend to ‘all parts of the vehicle in which contraband or evidence could be concealed, including closed compartments, containers, packages, and trunks.’” *United States v. Richards*, 719 F.3d 746, 754 (7th Cir. 2013). Thus, the officers’ interior search of [REDACTED] vehicle, including a backpack, is permissible. Based on clear and convincing evidence, COPA concludes Officers [REDACTED] and [REDACTED] actions justified in searching the interior of [REDACTED] vehicle.

3. Failure to immediately notify a supervisory member upon an allegation of misconduct

[REDACTED] stated he continually asked Officers [REDACTED] and [REDACTED] to call a CPD supervisor to the scene. [REDACTED] stated officers said a supervisor was one the way, but one did not arrive. The BWC videos of Officers [REDACTED] and [REDACTED] show [REDACTED] repeatedly requesting a supervisor. The videos continually show Officer [REDACTED] stating to [REDACTED] a supervisor was coming to the location. Additionally, in his COPA interview Officer [REDACTED] states he requested Beat [REDACTED] Sgt. [REDACTED] to the location through a text message.³³ Prior to the audio recorded interview, COPA reviewed the phone of Sgt. [REDACTED] which indicates a text sent to him requesting his presence at [REDACTED] and Augusta. Another text message followed from Officer [REDACTED] stating for him to disregard. Sgt. [REDACTED] stated in his interview Officer [REDACTED] told him to disregard because [REDACTED] left the scene. In a follow up interview with COPA, Officer [REDACTED] said since so much time had passed since the incident, he could not recall what he said to Sgt. [REDACTED] In his COPA interview, Officer [REDACTED] stated [REDACTED] did request a CPD supervisor to the location. Officer [REDACTED] stated while he was writing violation notices in the beat car, he heard Officer [REDACTED] tell [REDACTED] a supervisor is on the way to the location. Based on clear and convincing evidence,

³⁰ *People v. James*, 163 Ill. 2d 302, 312 (Ill. 1994) (citing *Carroll v. United States*, 267 U.S. 132 (1925)).

³¹ Attachment 28 at 10:15.

³² Special Order S04-13-09, *Investigatory Stop System*.

³³ Attachment 31.

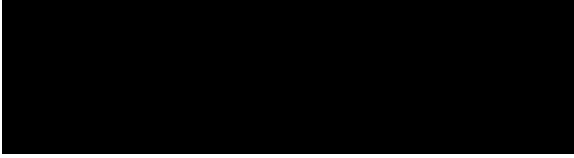
COPA concludes Officer [REDACTED] did immediately notify a supervisory member upon an allegation of misconduct by [REDACTED]

VIII. CONCLUSION

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

Officer	Allegation	Finding / Recommendation
Officer [REDACTED]	<p>It is alleged on or around [REDACTED] 2018, at approximately [REDACTED] PM, at or near [REDACTED] Walton and [REDACTED] Officer [REDACTED]</p> <ol style="list-style-type: none"> 1. Stopped [REDACTED] without justification, in violation of Rules 2 and 3. 2. Detained [REDACTED] without justification, in violation of Rules 2 and 3. 3. Searched [REDACTED] without justification, in violation of Rules 2 and 3. 4. Failed to immediately notify a supervisory member upon an allegation of misconduct made by [REDACTED] in violation of Rule 5. 	<p>Exonerated</p> <p>Exonerated</p> <p>Exonerated</p> <p>Exonerated</p>
Officer [REDACTED]	<p>It is alleged on or around [REDACTED] 2018, at approximately [REDACTED] PM, at or near [REDACTED] Walton and [REDACTED] Officer [REDACTED]</p> <ol style="list-style-type: none"> 1. Stopped [REDACTED] without justification, in violation of Rules 2 and 3. 2. Detained [REDACTED] without justification, in violation of Rules 2 and 3. 3. Searched [REDACTED] without justification, in violation of Rules 2 and 3. 4. Failed to immediately notify a supervisory member upon an allegation of misconduct made by [REDACTED] in violation of Rule 5. 	<p>Exonerated</p> <p>Exonerated</p> <p>Exonerated</p> <p>Exonerated</p>

Approved:



Angela Hearts-Glass
Deputy Chief Administrator

2-20-2020

Date

Appendix A

Assigned Investigative Staff

Squad#:	█
Investigator:	██████████
Supervising Investigator:	██████████
Deputy Chief Administrator:	Angela Hearts-Glass