

**SUMMARY REPORT OF INVESTIGATION**

Date/Time/Location of Incident:	May 12, 2019/4:55 P.M./4223 W. Cullerton Street
Date/Time of COPA Notification:	May 15, 2019/1:40 A.M.
Involved Officer #1:	██████████, Star No. ██████████, Employee No. ██████████, Date of Appointment: ██████████, 2013, Rank: Police Officer, Unit of Assignment: ██████████, DOB: ██████████, 1984, Male, White Hispanic
Involved Officer #2:	██████████, Star No. ██████████, Employee No. ██████████, Date of Appointment: ██████████, 2018, Rank: Police Officer, Unit of Assignment: ██████████, DOB: ██████████, 1988, Female, White
Involved Officer #3:	██████████, Star No. ██████████, Employee No. ██████████, Date of Appointment: ██████████, 2014, Rank: Police Officer, Unit of Assignment: ██████████, DOB: ██████████, 1986, Male, White
Involved Officer #4:	██████████, Star No. ██████████, Employee No. ██████████, Date of Appointment: ██████████, 2013, Rank: Police Officer, Unit of Assignment: ██████████, DOB: ██████████, 1979, Male, White Hispanic
Involved Individual #1:	██████████, DOB: ██████████, Male, Black
Case Type:	Improper Search/Seizure

**I. ALLEGATIONS**

Officer	Allegation	Finding
Officer ██████████	It is alleged that on May 12, 2019 at approximately 4:55 P.M. at or near 4223 W. Cullerton Street, Chicago, Illinois Officer ██████████ # ██████████ committed misconduct through the following acts or omissions: 1. arresting ██████████ without justification 2. engaging in unnecessary physical contact while handcuffing ██████████	Exonerated  Exonerated

Officer [REDACTED]	<p>It is alleged that on May 12, 2019 at approximately 4:55 P.M. at or near 4223 W. Cullerton Street, Chicago, Illinois Officer [REDACTED] # [REDACTED] committed misconduct through the following acts or omissions:</p> <ol style="list-style-type: none"> <li>1. arresting [REDACTED] without justification</li> <li>2. engaging in unnecessary physical contact while handcuffing [REDACTED]</li> </ol>	<p>Exonerated</p> <p>Exonerated</p>
Officer [REDACTED]	<p>It is alleged that on May 12, 2019 at approximately 4:55 P.M. at or near 4223 W. Cullerton Street, Chicago, Illinois Officer [REDACTED] # [REDACTED] committed misconduct through the following acts or omissions:</p> <ol style="list-style-type: none"> <li>1. arresting [REDACTED] without justification</li> <li>2. engaging in unnecessary physical contact while handcuffing [REDACTED]</li> </ol>	<p>Exonerated</p> <p>Exonerated</p>
Officer [REDACTED]	<p>It is alleged that on May 12, 2019 at approximately 4:55 P.M. at or near 4223 W. Cullerton Street, Chicago, Illinois Officer [REDACTED] # [REDACTED] committed misconduct through the following acts or omissions:</p> <ol style="list-style-type: none"> <li>1. arresting [REDACTED] without justification</li> <li>2. engaging in unnecessary physical contact while handcuffing [REDACTED].</li> </ol>	<p>Exonerated</p> <p>Exonerated</p>

## II. SUMMARY OF EVIDENCE<sup>1</sup>

Complainant ██████ alleges that members of the Chicago Police Department falsely arrested him and engaged in unnecessary physical contact while placing him in handcuffs. COPA reviewed Mr. ██████ Complainant Interview,<sup>2</sup> relevant Body Worn Camera footage,<sup>3</sup> Office of Emergency Management & Communications Event Query Reports,<sup>4</sup> CPD Attendance & Assignment records,<sup>5</sup> department reports including Arrest Report,<sup>6</sup> Original Case Incident Report,<sup>7</sup> and photographs of Mr. ██████ following his arrest.<sup>8</sup> COPA finds that on May 12, 2019 at approximately 4:55 P.M. near 4223 W. Cullerton Street, the Involved Officers responded to an altercation taking place outside on the street, where ██████ was present. As Officer ██████ approached the altercation to arrest of another individual, Mr. ██████ took three long side-steps to his left, placing himself directly into Officer ██████ path and stating to ██████, “ain’t nobody touched nobody.” Placing his right hand on Mr. ██████ left arm, Officer ██████ stepped around Mr. ██████ and arrested the individual. As Officer ██████ completed his arrest, Mr. ██████ stated again, “ain’t nobody touched no body,” and stated to Officer ██████, “put your motherfuckin’ hands on me again,” to which Officer ██████ replied, “Or what? Or what? Or what?” As Officer ██████ began walking the arrestee from the scene, Mr. ██████ stated, “What you mean “Or what?”” and again blocked Officer ██████ path, brushing up against the officer’s body. Officer ██████ stated to Officer ██████, “Lock him up,” pointing at Mr. ██████.

As Officer ██████ attempted to place Mr. ██████ in handcuffs, Mr. ██████ continually pulled his arms away from the officer, repeatedly stating, “Man, don’t put your hands on me.” Additional officers, including Officers ██████ and ██████, attempted to aid in handcuffing Mr. ██████ as he continued to struggle against arrest, pulling his arms away, grabbing onto a nearby fence, attempting to pull his body away from the officers, and repeatedly pulling his right cuffed hand away from his left uncuffed hand. Officer ██████ then displayed and threatened to deploy his taser if Mr. ██████ did not comply but re-holstered as the other officers were able to successfully handcuff Mr. ██████. Mr. ██████ continued to resist officer control as officers walked him to a nearby police vehicle, and as the officers attempted to place Mr. ██████ in the vehicle. Mr. ██████ stated in his interview with COPA that, after his arrest, he asked officers for medical attention to his wrists, but when asked if he wanted to go to the hospital, Mr. ██████ stated that he declined to do so.

## III. ANALYSIS AND CONCLUSION

COPA finds that Officers ██████, ██████, ██████, and ██████ were justified in arresting Mr. ██████ and did not engage in unnecessary physical contact. Mr. ██████ actions of stepping directly into Officer ██████ path as he attempted to effectuate an arrest and blocking Officer

---

<sup>1</sup> After reviewing the BWC and department reports COPA was able to determine the allegations against Officers ██████, ██████, ██████, and ██████ were without merit, therefore Officers ██████ and ██████ were never served allegations and COPA did not interview them.

<sup>2</sup> Attachment 1.

<sup>3</sup> Attachments 2 – 6.

<sup>4</sup> Attachment 7.

<sup>5</sup> Attachment 8.

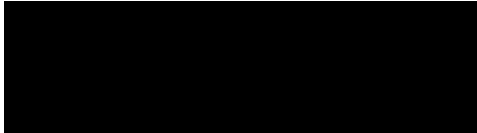
<sup>6</sup> Attachments 9 – 10.

<sup>7</sup> Attachments 11 – 12.

<sup>8</sup> Attachments 13 – 40.

█████ path as he escorted the arrestee to his vehicle constituted the crime of obstruction of justice. Mr. █████ forceful resistance to officer control and handcuffing constituted the additional offense of resisting arrest, and the officers' actions were consistent with the Department's use of force policy regarding active resisters. Therefore, COPA finds the allegations that Officers █████, █████, █████, and █████ arrested Mr. █████ without justification and engaged in unnecessary physical contact in doing so exonerated.

Approved:



April 15, 2020

---

Andrea Kersten  
*Deputy Chief Administrator – Chief Investigator*

---

Date

Appendix A

Assigned Investigative Staff

---

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