

**SUMMARY REPORT OF INVESTIGATION**

Date/Time/Location of Incident:	January 11, 2019/ 5:42pm/ 7900 S. Damen Ave.
Date/Time of COPA Notification:	January 14, 2019/ 2:12pm
Involved Officer #1:	Lloyd Hardman Jr., Star# 17997, Emp.# [REDACTED], DOA: January 26, 2004, Officer, 006/716, DOB: [REDACTED] 1970, Male, Black
Involved Individual #1:	[REDACTED] 1969, Male, Black
Case Type:	Improper detention

**I. ALLEGATIONS**

Officer	Allegation	Finding
Officer Lloyd Hardman Jr.	1. It is alleged that on or about January 11, 2019, at approximately 5:30pm, at or near 7900 S. Damen Avenue, Officer Lloyd Hardman Jr., star# 17997, committed misconduct through the following acts or omissions: detained [REDACTED] without justification.	Exonerated
	2. It is alleged that on or about January 11, 2019, at approximately 5:30pm, at or near 7900 S. Damen Avenue, Officer Lloyd Hardman Jr., star# 17997, committed misconduct through the following acts or omissions: patted down [REDACTED] without justification.	Exonerated

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

On January 11, 2019, Officer Lloyd Hardman Jr. and his partner stopped [REDACTED] and his wife [REDACTED] at a Citgo gas station located near 79<sup>th</sup> Street and Damen Avenue.<sup>2</sup> The officers stopped the couple because they observed [REDACTED] smoking a cigarette while

<sup>1</sup>COPA conducted a full and complete investigation of this matter, including the interview of all pertinent civilian 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 are summarized more succinctly in a Modified Summary Report of Investigation.

<sup>2</sup> Att. 12.

on gas station property.<sup>3</sup> COPA investigators interviewed [REDACTED] and [REDACTED] on January 15, 2019.<sup>4</sup> Both stated they parked at the Citgo gas station and [REDACTED] went inside to purchase cigarettes. According to [REDACTED] after purchasing the cigarettes he walked back to his vehicle, lit a cigarette, and began smoking it while standing outside his vehicle's door. Approximately one minute later, [REDACTED] reentered his vehicle with the cigarette still lit. He noticed two officers pull up behind him, so he exited his vehicle to speak with them.

Officer Hardman Jr. asked [REDACTED] to place his hands on the police vehicle; the officer then performed a pat down of [REDACTED] and placed him into handcuffs. Officer Hardman Jr. informed [REDACTED] that he could not smoke at a gas station and pointed out signs to that effect. Officer Hardman Jr. decided to issue [REDACTED] an administrative notice of ordinance violation (ANOV) for violating section 4-108-070 of Chicago's Municipal Code, which provides that it shall be unlawful for any person to permit smoking in any filling station.<sup>5</sup> [REDACTED] initially refused to sign the ticket, and the officers placed him inside their vehicle. After several minutes, [REDACTED] decided to sign the ticket. The officers then released him.<sup>6</sup>

### III. ANALYSIS AND CONCLUSION

COPA finds Officer Hardman Jr. was justified in detaining and performing a pat down on [REDACTED] admitted to smoking at a gas station in violation of the Municipal Code of Chicago. Officer Hardman Jr. detained [REDACTED] in order to issue him an ANOV, but [REDACTED] further admitted he initially refused to sign the ticket, which would have been grounds for his arrest.<sup>7</sup> COPA, therefore, finds Officer Hardman was justified in detaining [REDACTED]

COPA also finds the pat down of [REDACTED] did not violate Department policy. [REDACTED] admitted he exited his vehicle before the officers directed him to do so, and he immediately engaged in a loud verbal exchange with Officer Hardman. The officers were most likely justified in patting down [REDACTED] before they placed him inside their vehicle, for officer safety. Additionally, COPA notes that Officer Hardman would have been required to perform a pat down of [REDACTED] had he decided to arrest him. As a result, COPA finds Officer Hardman's actions in both detaining and patting down [REDACTED] did not violate Department policy, and both allegations against him are **Exonerated**.

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<sup>3</sup> Att. 6.

<sup>4</sup> Atts. 4-5.

<sup>5</sup> Atts. 6, 28.

<sup>6</sup> COPA has not identified any video or audio of this incident. The officers were not equipped with body worn cameras, their vehicle did not record any in-car camera footage, and no POD cameras were located in the vicinity. Atts. 9, 15, 27, 32-33. Additionally, a COPA investigator attempted to obtain the security camera video from the Citgo Gas Station; however, the retention period had elapsed and the video was not preserved. *See* Investigator's Case Log.

<sup>7</sup> *See* S04-22-01(II)(D)(7) (prohibiting the issuance of ANOV citations when "the violator refuses to sign the ANOV citation. When such a refusal occurs, the violator will be informed that a refusal to sign the ANOV citation will subject him or her to physical arrest.")

Approved:



2/24/2021

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Matthew Haynam  
*Deputy Chief Administrator – Chief Investigator*

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Date

Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	6
<b>Investigator:</b>	Chenese Brown
<b>Supervising Investigator:</b>	Steffany Hreno
<b>Deputy Chief Administrator:</b>	Matthew Haynam