

**SUMMARY REPORT OF INVESTIGATION**

**I. EXECUTIVE SUMMARY**

Date of Incident:	October 17, 2018, October 18, 2018 & November 9, 2018
Time of Incident:	12:21pm, 9:25am & 10:40am
Location of Incident:	4300 S. Lake Park, 4203 S. Prairie Ave, 204 E. 47 <sup>th</sup> Street
Date of COPA Notification:	November 21, 2018
Time of COPA Notification:	4:36pm

██████████ (██████████) had an encounter with members of the Chicago Police Department on three separate occasions. On October 17, 2018, ██████████ had an encounter with Officer Michael Hester (Officer Hester), Officer Stewart Blouin (Officer Blouin) and Officer Candice Smith (Officer Smith) where ██████████ was briefly detained for allegedly engaging in the sale of narcotics. On October 18, 2018, ██████████ was again detained by Officers Hester, Blouin and Smith transported to the 2<sup>nd</sup> district for narcotic sales and possession of narcotics but not arrested. On November 9, 2018, ██████████ was arrested by Officers Hester and Blouin for possession of a controlled substance and battery.

**II. INVOLVED PARTIES**

Involved Officer #1:	Michael Hester, star# 7827, Emp.# ██████████, DOA: October 10, 2000, Officer, 189, DOB: ██████████, 1971, Male, Black
Involved Officer #2:	Stewart Blouin, star# 4443, Emp# ██████████, DOA: May 1, 2013, Officer, 002/124, DOB: ██████████, 1980, Male, Black
Involved Officer #3:	Candice Smith, star# 7844, Emp# ██████████, DOA: November 25, 2013, Officer, 002, DOB: ██████████, 1983, Female, Black
Involved Individual #1:	██████████, ██████████, 1977, Male, Black

**III. ALLEGATIONS**

Officer	Allegation	Finding
Officer Michael Hester	1. It is alleged by ██████████ that on or about October 17, 2018 at approximately 12:21	Exonerated

	<p>p.m. at or near 4300 S. Lake Park, Officer Michael Hester, star 7827, committed misconduct through the following act or omission, detaining [REDACTED], without justification.</p> <p>2. It is alleged by COPA that on or about October 17, 2018 at approximately 12:21 p.m. at or near 4300 S. Lake Park, Officer Michael Hester, star 7827, committed misconduct through the following act or omission, by failing to complete an investigatory stop report for the interaction with [REDACTED].</p> <p>3. It is alleged by [REDACTED] that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Michael Hester, star 7827, committed misconduct through the following act or omission, stopping [REDACTED], without justification.</p> <p>4. It is alleged by [REDACTED] that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Michael Hester, star 7827, committed misconduct through the following act or omission, by strip searching [REDACTED], without justification.</p> <p>5. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Michael Hester, star 7827, committed misconduct through the following act or omission, by failing to complete an investigatory stop report for the interaction with [REDACTED].</p> <p>6. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Michael Hester, star 7827, committed misconduct through the following act or omission, by failing to complete an arrest report for the arrest of [REDACTED].</p> <p>7. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Michael</p>	<p>Unfounded</p> <p>Exonerated</p> <p>Unfounded</p> <p>Exonerated</p> <p>Exonerated</p> <p>Exonerated</p>
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	<p>Hester, star 7827, committed misconduct through the following act or omission, by stopping [REDACTED], without justification.</p> <p>8. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Michael Hester, star 7827, committed misconduct through the following act or omission, by pointing your weapon at [REDACTED], without justification.</p>	<p>Unfounded</p>
<p>Officer Stewart Blouin</p>	<p>1. It is alleged by [REDACTED] that on or about October 17, 2018 at approximately 12:21 p.m. at or near 4300 S. Lake Park, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, detaining [REDACTED], without justification.</p> <p>2. It is alleged by [REDACTED] that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, stopping [REDACTED], without justification.</p> <p>3. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by terminating your body worn camera early before the end of your interaction with [REDACTED].</p> <p>4. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by placing [REDACTED] in handcuffs, without justification.</p> <p>5. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by failing to complete an investigatory stop report for the interaction with [REDACTED].</p>	<p>Exonerated</p> <p>Exonerated</p> <p>Exonerated</p> <p>Not Sustained</p> <p>Exonerated</p>

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| <p>6. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by failing to complete an arrest report for the arrest of [REDACTED].</p>                          | Exonerated    |
| <p>7. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by failing to activate your body worn camera.</p>                                 | Not Sustained |
| <p>8. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by stopping [REDACTED], without justification.</p>                                | Exonerated    |
| <p>9. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by placing [REDACTED] in handcuffs, without justification.</p>                    | Exonerated    |
| <p>10. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by forcefully removing [REDACTED] out of the vehicle, without justification.</p> | Unfounded     |
| <p>11. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by throwing [REDACTED] down to ground on his face, without justification.</p>    | Exonerated    |

Officer Candice Smith

<p>12. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by strip searching [REDACTED], without justification.</p>	<p>Not Sustained</p>
<p>13. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by pointing your weapon at [REDACTED], without justification.</p>	<p>Unfounded</p>
<p>1. It is alleged by [REDACTED] that on or about October 17, 2018 at approximately 12:21 p.m. at or near 4300 S. Lake Park, Officer Candice Smith, star 7844, committed misconduct through the following act or omission, detaining [REDACTED], without justification.</p>	<p>Exonerated</p>
<p>2. It is alleged by [REDACTED] that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Candice Smith, star 7844, committed misconduct through the following act or omission, by stopping [REDACTED], without justification.</p>	<p>Exonerated</p>
<p>3. It is alleged by [REDACTED] that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Candice Smith, star 7844, committed misconduct through the following act or omission, by failing to activate your body worn camera.</p>	<p>Not Sustained</p>
<p>4. It is alleged by [REDACTED] that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Candice Smith, star 7844, committed misconduct through the following act or omission, by searching [REDACTED]'s vehicle without justification.</p>	<p>Exonerated</p>
<p>5. It is alleged by COPA b that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203</p>	<p>Exonerated</p>

S. Prairie Ave, Officer Candice Smith, star 7844, committed misconduct through the following act or omission, by failing to complete an investigatory stop report for the interaction with [REDACTED].

6. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Candice Smith, star 7844, committed misconduct through the following act or omission, by failing to complete an arrest report for the arrest of [REDACTED].

Exonerated

**IV. APPLICABLE RULES AND LAWS**

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Rules

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1. Rule 5- Failure to perform any duty.
  2. Rule 9- Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
  3. Rule 10- Inattention to duty.
  4. Rule 38- Unlawful or unnecessary use or display of a weapon.
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General Orders

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1. G06-01-03
  2. G03-02-01
  3. G06-01-02
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Special Orders

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1. S03-14
  2. S04-13-09
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Federal Laws

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1. Fourth Amendment of the U.S. Constitution
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**V. INVESTIGATION<sup>1</sup>**

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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.

**a. Interviews**

██████████ was interviewed by COPA on November 26, 2018.<sup>2</sup> According to ██████████, he was sitting in a parking lot of a grocery store on October 17, 2018 when he was approached by Officer Hester. Officer Hester pulled up on the side of ██████████ and exited his vehicle. Another police vehicle pulled up behind Officer Hester, but the officers in the second vehicle never got out of their vehicles. ██████████ stated that the second vehicle was blocking his path. Officer Hester informed ██████████ that he needed to talk to him, and he asked ██████████ for his ID. Officer Hester told ██████████ that he was writing a contact card on him, but he never gave ██████████ a contact card or any other type of paperwork.

On October 18, 2018, ██████████ and his friend ██████████ were driving down the street when ██████████ saw a police vehicle with lights on coming behind him. ██████████ pulled over and Officer Hester approached him and pulled him out of the vehicle and handcuffed him. Officer Hester asked ██████████ if he had anything on him and then Officer Hester told ██████████ that he is searching balls and everything. Officer Hester searched ██████████'s pockets and inside his pants. Officer Blouin was also present. ██████████ admitted that he had heroin in his pants and Officer Hester recovered the drugs from inside his pants. ██████████ stated that the drugs were under his manhood. ██████████ stated that his genitals were never exposed to the public. According to ██████████, a female officer searched his vehicle without asking, but he stated that he would have consented to them searching if he was asked. ██████████ was taken to the station, questioned and then released without charges. ██████████ stated that the officers had on body-worn cameras, but he did not know if they were activated.

██████████ was riding with a friend, ██████████, on November 9, 2018 going to a liquor store. As ██████████ got out of the vehicle, he was approached by Officers Hester and Blouin. According to ██████████, the officers approached with their weapons drawn and pointed at him. Officer Blouin yanked the vehicle's door open as ██████████ was exiting the vehicle. Officer Blouin grabbed ██████████ and put him in handcuffs. ██████████ stated that he never resisted the officers. According to ██████████, Officer Blouin yanked him out of the vehicle, picked him up and threw him to the ground and scraped his face. ██████████ stated that he requested medical attention. Officer Blouin took ██████████ to a marked squad vehicle and placed him inside. Officer Blouin then pulled ██████████ back out of the marked vehicle and patted him down. Officer Blouin removed ██████████'s belt and his pants fell down. According to ██████████, he had on shorts under his pants. ██████████ stated that his boxers were exposed, and he thinks his butt was exposed as well, but his genitals were never exposed. ██████████ admitted to having drugs in his hand which the officer recovered.

██████████ was taken back to the station. According to ██████████ he requested medical attention again. ██████████ stated that the ambulance personnel asked him if he wanted to go to the hospital and the officers stated that they would take him. Another officer asked him if he wanted

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<sup>2</sup> Att. 7.

to go to the hospital and ██████ stated that he just wanted to get this over with. ██████ admitted that he declined medical treatment. According to ██████, his complainants are that he was stopped without cause, stripped searched in public and officers used excessive force when they threw him to the ground. ██████ stated that the officers had body-worn cameras, but they were not activated. ██████ stated that his right wrist was bruised and his eye was scraped.

**Officer Michael Hester** was interviewed by COPA on October 8, 2020.<sup>3</sup> On October 17, 2018, Officer Hester was working in the 2<sup>nd</sup> district with his partner Officer Blouin. On the date of the incident, ██████ made a delivery of narcotics to an undercover officer.<sup>4</sup> After the transaction was completed, Officer Hester and his partner stopped ██████ so the undercover officer could do a positive identification of the person who had delivered the narcotics to the officer. On that date, ██████ was released pending further investigation. Officer Hester documented the stop of ██████ by completing an investigatory stop report.

Officer Hester was working in the 2<sup>nd</sup> District with his partners Officer Blouin and Officer Smith on October 18, 2018. Officer Hester was not equipped with a body-worn camera because his unit does not require them to wear them. According to Officer Hester, on October 18, 2018, ██████ was observed by a surveillance officer engaging in suspected hand-to-hand narcotics transactions with unknown males and females. Officer Hester and his partners were directed to ██████'s location. Officer Hester and his partners curbed the vehicle and after ██████ was unable to produce a driver's license, the officers asked him to exit the vehicle. When ██████ exited the vehicle, Officer Hester observed a clear plastic bag protruding from his waistband and ██████ was placed into custody and taken to the 2<sup>nd</sup> district for further processing. Officer Hester believed that Officer Blouin searched ██████'s person but he does not recall the extent of the search. Officer Hester did not recall if ██████'s vehicle was searched or if ██████ was stripped searched. ██████ was arrested on October 18, 2018, but he was released without charges pending further investigation. Officer Hester did not personally create an arrest report or an investigatory stop report for the interaction he had with ██████ on October 18, 2018. Officer Hester also stated that he does not need to do an investigatory stop report once he has already created one because the person is already identified in the first investigatory stop report generated. Officer Hester also stated that there is always some type of paperwork created to document every interaction they have with a subject. Officer Hester was not sure if Officer Blouin or Officer Smith created an arrest report.

On November 9, 2018, Officer Hester was working in the 2<sup>nd</sup> district with his partner Officer Blouin. On the date of the incident, ██████ conducted a narcotics transaction with an undercover officer. Officer Hester approached the driver's side of the vehicle, which ██████ was a passenger, and placed the driver into custody. Officer Hester did not deal with ██████ on

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<sup>3</sup> Atts. 43 & 47.

<sup>4</sup> Officer Hester did not independently recall the interactions he had with ██████, but he was referring to department reports that were completed at the time of the incident.



November 9, 2018, he only interacted with the driver of the vehicle. Officer Hester does not recall his weapon being drawn when he approached the vehicle. Officer Hester does not know if [REDACTED] was searched on November 9, 2018.

**Officer Stewart Blouin** was interviewed by COPA on October 7, 2020.<sup>5</sup> Officer Blouin was working on October 17, 2018 in the 2<sup>nd</sup> district with his partner Officer Candice Smith. Officer Blouin was in an unmarked vehicle wearing plain clothes. Officer Blouin did not recall whether or not he had on a body-worn camera, but he noted that he was not supposed to have on a body-worn camera while working in narcotics. On October 17, 2018, Officer Blouin was working with the narcotics unit. Officer Blouin did have some sort of interaction with [REDACTED] on the date of the incident, but he did not recall what occurred during the interaction. Officer Blouin only recalled that the interaction he had with [REDACTED] was narcotics related.

Officer Blouin was also working on October 18, 2018 in the 2<sup>nd</sup> district with Officers Candice Smith and Michael Hester. Officer Blouin was wearing plain clothes and he was equipped with a body-worn camera on that day. Officer Blouin did briefly activate his body-worn camera during his interaction with [REDACTED]. Officer Blouin stated that he checked out a body-worn camera out of habit and that he also activated the body-worn camera out of habit. Officer Blouin stated that although he activated his body-worn camera briefly, that he was not supposed to have it activated at all. According to Officer Blouin, he was told by Sergeant Avery that they are not supposed to wear body-worn cameras while working in narcotics because it could compromise an undercover officer's identity or a confidential informant's identity. Officer Blouin also mentioned that he believes that he deactivated his body-worn camera because he saw one of the undercover vehicles approaching the incident location.

Officer Blouin did not recall the specifics of why [REDACTED] was stopped on October 18, 2018 but stated that it was narcotics related and that they performed a traffic stop on the vehicle. Officer Blouin did not independently recall the incident, but after watching the brief body-worn camera footage, he stated that [REDACTED] was removed from his vehicle, handcuffed and detained for a narcotics related reason. [REDACTED] was handcuffed by Officer Blouin. Officer Blouin did not recall exactly why he placed [REDACTED] in handcuffs but stated that it was all narcotics related. Officer Blouin also related that from viewing the body-worn camera footage that they performed a search of [REDACTED]'s vehicle and that the search was narcotics related. Officer Blouin did not have a warrant to search [REDACTED]'s vehicle and he does not recall whether or not he had permission from [REDACTED] to search the vehicle. Officer Blouin also stated that he saw on the body-worn camera that he performed a search of [REDACTED]'s person but he did not recall the reason for the search and he only recalled that it was narcotics related. Officer Blouin did not independently recall what areas of [REDACTED]'s person that he searched, but he stated from viewing

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<sup>5</sup> Atts. 38 & 45.

the body-worn camera that he searched his waistband area, pockets and his pants. Officer Blouin denied strip-searching ██████ and he did not see any other officers strip search Chandler.

Officer Blouin stated that ██████ was detained on October 18, 2018. After reviewing some department reports, Officer Blouin stated that ██████ was not arrested because he was released without being charged. According to Officer Blouin, when somebody is released without charging pending further investigation, it usually means that the person is probably going to work with the narcotic officers. Officer Blouin did not recall creating any type of paperwork for the detainment of ██████. Officer Blouin did not create an arrest report nor did he create an investigatory stop report for ██████ on October 18, 2018. Officer Blouin stated that he did not do an investigatory stop report because ██████ was already identified on October 17, 2018 and an investigatory stop report was completed on that date.

Officer Blouin was working on November 9, 2018 in the 2<sup>nd</sup> district in plain clothes with his partner Officer Michael Hester. Officer Blouin does not recall whether or not he was wearing a body-worn camera but stated that he shouldn't have been wearing one because he was working narcotics. Officer Blouin does not remember why he went to incident location on November 9<sup>th</sup>, he only recalls that it was narcotic related. According to Officer Blouin, on the date of the incident, ██████ was the passenger in a vehicle that had made a narcotics transaction. Officer Blouin approached on the passenger side of the vehicle and asked ██████ to step out of the vehicle. ██████ started reaching around while still in the vehicle so Officer Blouin placed a handcuff on one of his hands. According to Officer Blouin, he placed the handcuff on ██████ for officer safety because ██████ was moving around, and he did not know if he had a weapon in the vehicle or if he was trying to access a weapon. ██████ began to step out of the vehicle and then he started to try to run and he pushed Officer Blouin in the chest. Officer Blouin performed a takedown and handcuffed ██████. Officer Blouin does not recall where his weapon was when he approached the vehicle.

Officer Blouin did search ██████'s person on November 9, 2018. Officer Blouin searched ██████ because he was under arrest. Officer Blouin searched ██████ prior to placing him inside the squad vehicle and then he noticed ██████ putting his hands down the back of his pants so he took ██████ back out of the vehicle and recovered a clear plastic bag inside his hand with suspect heroin in it. Officer Blouin denied strip searching ██████. ██████ was arrested on November 9, 2018 for battery and narcotics.

**Officer Candice Smith** was interviewed by COPA on October 7, 2020.<sup>6</sup> On October 17, 2018, Officer Smith was working in the 2<sup>nd</sup> district, in plain clothes with her partner Officer Stewart Blouin. On October 17, 2018, Officer Smith and her partner curbed the vehicle that ██████ was in for a narcotics investigation. The narcotics investigation consisted of a controlled buy by an undercover officer.

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<sup>6</sup> Atts. 40 & 46.

Officer Smith was working on October 18, 2018 in the 2<sup>nd</sup> district detailed to narcotics with Officer Blouin. Officer Smith does not recall if she had on a body-worn camera. On October 18, 2018, [REDACTED] was observed by a surveillance officer making several hand-to-hand transactions from the vehicle believed it to be narcotics transactions. Officer Smith and her partner curbed the vehicle [REDACTED] was in and detained him. Officer Smith mentioned that Officer Michael Hester was also on scene when [REDACTED] was being detained. Officer Smith stated Officer Blouin detained [REDACTED] and placed him into handcuffs. Officer Smith did not recall whether or not she spoke with [REDACTED].

[REDACTED] was asked out of the vehicle by Officer Blouin and Officer Smith searched the vehicle. Officer Smith searched [REDACTED]'s vehicle because he was observed making hand-to-hand transactions from his vehicle which were believed to be narcotics transactions. Officer Smith stated she was searching the vehicle for narcotics. Officer Smith does not recall if [REDACTED]'s person was searched, but she did not recall seeing [REDACTED]'s underwear or genitalia on October 18, 2018. [REDACTED] was transported to the district on October 18, 2018. Officer Smith does not recall who transported [REDACTED] to the district. According to Officer Smith, [REDACTED] was not placed under arrest on October 18, 2018, only detained. Officer Smith did not complete any paperwork in regard to the detainment of [REDACTED], but she stated that there should be a sup report from the surveillance officers. Officer Smith stated that she was new to the unit so she believed that the paperwork would be taken care of by other officers.

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

**Body-worn camera video** taken on October 18, 2018 by Officer Blouin depict Officer Blouin driving his unmarked squad vehicle.<sup>7</sup> Officer Blouin exits the vehicle and approaches the vehicle that is being driven by [REDACTED]. Officer Blouin asks [REDACTED] to step out of the vehicle and appears that Officer Blouin's partner, Officer Hester, asks the passenger in the vehicle to step out. Officer Blouin asks [REDACTED] if he has anything on him that he needs to know about. [REDACTED] responds no but he has a little drink right there. Officer Blouin directs [REDACTED] to place his hands on his vehicle and he immediately places [REDACTED] into handcuffs. Officer Blouin performs a pat down of [REDACTED] and [REDACTED] asks him what is going on. Officer Blouin responds that he will let him know in a minute. Officer Blouin takes [REDACTED] back to his vehicle. Officer Smith is seen inside [REDACTED]'s vehicle searching the driver's side of the vehicle. Officer Blouin walks back to his vehicle and then deactivates his camera.

**3<sup>rd</sup> party surveillance video** obtained from 200 Liquors<sup>8</sup> depicts a silver vehicle pulling into the parking lot at 03:22 minutes into the video. At 03:35 minutes into the video an unmarked squad vehicle pulls into the same parking lot and parks behind the silver vehicle. Officer Blouin exits the passenger side of the unmarked vehicle and Officer Hester exits the driver's side. Officer

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<sup>7</sup> Att. 29.

<sup>8</sup> The video from 200 Liquors is from November 9, 2018 and the video starts at 10:39am and continues until 12:00pm. 200 Liquors is located at 204 E. 47<sup>th</sup> Street in Chicago.

Blouin pulls his weapon out and points it at the silver vehicle as he approaches the vehicle. It appears Officer Blouin then holsters his weapon once he reaches the vehicle and looks inside. Officer Blouin then opens the passenger side door of the silver vehicle. [REDACTED] steps out of the silver vehicle on the passenger side and Officer Blouin attempts to place handcuffs on [REDACTED]. As Officer Blouin is attempting to place the handcuffs on [REDACTED], [REDACTED] starts to try to run away. As Officer Blouin tries to prevent [REDACTED] from getting away, both [REDACTED] and Officer Blouin go down to the ground. Officer Blouin handcuffs [REDACTED] while he was on the ground and then Officer Blouin picks [REDACTED] up off of the ground. Officer Blouin then searches [REDACTED]'s person.<sup>9</sup>**Documentary Evidence**

According to **narcotic's division supplementary reports**, on October 18, 2018 members of the narcotics team set up surveillance in the 2<sup>nd</sup> district.<sup>10</sup> Officers observed [REDACTED] engaging in various hand-to-hand transactions. Officers curbed [REDACTED]'s vehicle and after they figured out he could not produce a license, officers asked him out of the vehicle. As [REDACTED] exited the vehicle, officers observed a clear plastic bag protruding from Chandler's waistband area which contained suspect heroin. [REDACTED] was relocated to the 2<sup>nd</sup> district and was later released without charging.

On November 9, 2018, officers placed a call to a cell phone number that had been previously used in narcotic transactions. The officers were instructed to meet an unknown individual in the 4300 block of Champlain. A short time later a gold 4 door vehicle arrived with two males inside. The driver was determined to be [REDACTED]. [REDACTED] rolled down the driver side window and reached between his legs and retrieved two green tinted zip lock bags containing a white powdered substance. The vehicle then drove northbound and was stopped near 204 E. 47<sup>th</sup> Street. [REDACTED] was inside the vehicle on the passenger side and was placed in custody for the events of October 18, 2018. During the arrest, [REDACTED] pulled away and pushed Officer Blouin. Officer Blouin performed a take down on [REDACTED]. Officers also recovered fifty-five green tinted plastic bags suspect heroin. [REDACTED] complained of injury and CFD ambulance responded to the 2<sup>nd</sup> district and [REDACTED] refused medical attention.

According to the [REDACTED]'s **arrest report**, he was arrested on November 9, 2018 for battery and possession of a controlled substance.<sup>11</sup> The narrative states that he was placed into custody for possession of a controlled substance that occurred on October 18, 2018. While Officer Blouin was placing [REDACTED] into custody he began to pull away from Officer Blouin by shoving and pushing with his arms and hands. Officer Blouin performed a takedown and he received a laceration to his left elbow. [REDACTED] also received an abrasion to his right cheek from the takedown. [REDACTED] was transported to the 2<sup>nd</sup> district for further processing and an ambulance responded to the district, but [REDACTED] refuses medical attention.

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<sup>9</sup> Att. 19.

<sup>10</sup> Att. 48.

<sup>11</sup> Att. 11.

According to the **tactical response report** (TRR) completed by Officer Blouin, [REDACTED] did not follow verbal directions, pulled away and pushed and shoved.<sup>12</sup> Officer Blouin's response was member's presence, verbal direction/control techniques, escort holds, take down and emergency handcuffing. The narrative states, while responding officer was attempting to place a second handcuff on the above subject, he resisted arrest. The above subject pulled away from responding officer and then shoved him in the chest as he attempted to flee. Responding officer did an emergency takedown on the subject. Responding officer injured his right elbow while taking the arrestee to the ground. The arrestee also claimed his jaw was injured during the takedown. The narrative under the lieutenant incident commander review section states, subject related that he fought with the officers and pushed them because he didn't want to get arrested. He also related that he had drugs in him and now just wants it to be over. Responding lieutenant inquired what he meant by that and he related that he wants to go to court and get the process over.

An **investigatory stop report** (ISR) created by Officer Hester document that [REDACTED] was stopped on October 17, 2018 because he was involved in a narcotics transaction.<sup>13</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 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

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<sup>12</sup> Att. 15.

<sup>13</sup> Att. 44.

“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

### Officer Michael Hester

COPA makes a finding of **Exonerated** for **allegation #1** against Officer Hester in that he detained ██████ without justification. According to all three officers, ██████ was stopped on October 17, 2018 because he was engaged in a narcotics transaction with an undercover officer. The officers had probable cause to arrest, let alone detain ██████ based on their partner officers’ statements that ██████ was engaged in an undercover buy, as such COPA finds this allegation exonerated.

COPA makes a finding of **Unfounded** for **allegation #2** against Officer Hester in that he failed to complete an investigatory stop report on October 17, 2018. During Officer Hester’s COPA interview, he presented COPA with a copy of the ISR that he completed on October 17, 2018 for the encounter he had with ██████. As such, COPA finds this allegation unfounded.

COPA makes a finding of **Exonerated** for **allegation #3** against Officer Hester in that he stopped ██████ on October 18, 2018 without justification. According to Officers Hester, Blouin and Smith, ██████ was observed engaging in hand-to-hand narcotic transactions by other officers in the unit and those officers relayed that information to Officers Hester, Blouin and Smith and they curbed the vehicle ██████ was driving. ██████ also admitted that he had heroin on him on October 18 and that the officers recovered the heroin from him. Officers Hester, Blouin and Smith had a reason to stop ██████ on October 18, 2018 and ██████ also admitted to having drugs on him, as such this allegation is exonerated.

COPA makes a finding of **Unfounded** for **allegation #4** against Officer Hester in that he stripped search ██████ on October 18, 2018 without justification. According to ██████, on October 18, 2018 Officer Hester pulled him out of his vehicle and stripped searched him. However, there is body-worn camera footage from Officer Blouin’s camera that shows Officer Blouin approaching ██████ and patting ██████ down. Officer Hester approached on the passenger side and was dealing with the passenger, not ██████. Also, none of the officers present at the scene recalled ██████ being stripped searched on October 18, 2018. As such, COPA finds this allegation against Officer Hester to be unfounded.

COPA makes a finding of **Exonerated** for **allegation #5 and #6** against Officer Hester in that he failed to complete an investigatory stop report (ISR) and an arrest report for ██████ on October 18, 2018. Under Special Order S04-13-09, an investigatory stop is defined as the temporary detention and questioning of a person in the vicinity where the person was stopped based on reasonable articulable suspicion that the person is committing, is about to commit or has committed a criminal offense. Officer Hester stopped ██████ on October 18, 2018 based on information he received from another narcotics’ officer that ██████ may have been engaged in hand-to-hand narcotics transactions. After stopping ██████, officers found drugs on ██████’s person and ██████ was placed into handcuffs and transported to the district for further processing

but was released without charging. According to Officer Hester, he did not think he needed to create an investigatory stop report because he had already created one the day before and ██████ was already identified in that prior report. While there was no ISR report and no arrest report created, it is documented in the narcotics supplementary report that ██████ was detained and later released without charges. The narcotics supplementary reports denote the reason for the stop, the detention of ██████ and the transporting of ██████ to the district and the release of ██████ without charges. As such COPA finds this allegation exonerated.

COPA makes a finding of **Exonerated** for **allegation #7** against Officer Hester in that he stopped ██████ on November 9, 2018 without justification. According to Officer Hester, ██████ was stopped on November 9, 2018 because he engaged in a narcotic sell to an undercover officer. ██████ also admitted that he had drugs on him on November 9, 2018 and that officers recovered the drugs. As such, officers had a reason to stop ██████ and COPA finds this allegation exonerated.

COPA makes a finding of **Unfounded** for **allegation #8** against Officer Hester in that he pointed his weapon at ██████ without justification. According to ██████, Officers Hester and Blouin pointed their weapons at him when they approached him on November 9, 2018. According to Officer Hester, he approached on the driver's side of the vehicle and ██████ was located on the passenger side. Officer Hester was focused on the driver and he did not interact with ██████ on that day. Lastly, Officer Hester did not recall if his weapon was drawn when he approached the vehicle. While there is surveillance video at the liquor store, the video does not show whether or not Officer Hester had his weapon drawn as such, COPA finds this allegation unfounded.

### **Officer Stewart Blouin**

COPA makes a finding of **Exonerated** for **allegation #1** against Officer Blouin in that he detained ██████ without justification. According to ██████, Officer Hester approached him on October 17, 2018 and started asking him questions and asked for his identification so he could write a contact card. ██████ also mentioned that Officers Blouin and Smith were also present even though they did not exit their vehicle. According to all three officers, ██████ was stopped on October 17, 2018 because he was engaged in a narcotics transaction with an undercover officer. The officers had probable cause to arrest, let alone detain ██████ based on their partner officers statements that ██████ was engaged in an undercover buy, as such COPA finds this allegation exonerated.

COPA makes a finding of **Exonerated** for **allegation #2** against Officer Blouin in that he stopped ██████ on October 18, 2018 without justification. According to Officers Hester, Blouin and Smith, ██████ was observed engaging in hand-to-hand narcotic transactions by other officers in the unit and those officers relayed that information to Officers Hester, Blouin and Smith and they curbed the vehicle ██████ was driving. ██████ also admitted that he had heroin on him on October 18 and that the officers recovered the heroin from him. Officers Hester, Blouin and Smith had a reason to stop ██████ on October 18, 2018 and as such this allegation is exonerated.

COPA makes a finding of **Exonerated** for **allegation #3** against Officer Blouin in that he terminated his body-worn camera early on October 18, 2018. According to Officer Blouin, he did have on a body-worn camera on October 18, 2018, however he was not supposed to have one on. Officer Blouin stated that he was told by Sergeant Avery that body-worn cameras are not used by narcotics because it could compromise an undercover officer's identity. According to Officer Blouin, at the time of this incident he was detailed to work with narcotics, and he checked out a body cam and activated it out of habit. Officer Blouin also stated he deactivated the camera because he saw an undercover officer's vehicle approaching the scene where they had [REDACTED] stopped. Officer Hester who is assigned to the narcotics unit and has been assigned for a number of years also confirmed that officers assigned to narcotics are not assigned/do not wear body-worn cameras. As such, COPA finds this allegation exonerated.

COPA makes a finding of **Not Sustained** for **allegation #4** against Officer Blouin in that he placed [REDACTED] in handcuffs without justification on October 18, 2018. Officer Blouin did not recall why he placed handcuffs on [REDACTED] but stated that it was narcotic related. However, [REDACTED] was detained that day and transported to the district but subsequently released without charging. Under G06-01-02, department members are responsible for the safety and security of persons in their custody. A person taken into Department custody will be searched prior to transport and restrained in such a manner as to prevent escape and to provide for the safety of the public, the person in custody, and the officers involved. While Officer Blouin did not recall the exact reason he placed handcuffs on [REDACTED], it is a requirement to restrain an individual when they are being taken into custody and in this particular case [REDACTED] was taken into custody even though he was released without charging. As such, COPA finds this allegation not sustained.

COPA makes a finding of **Exonerated** for **allegation #5 and #6** against Officer Blouin in that he failed to complete an investigatory stop report and an arrest report for [REDACTED] on October 18, 2018. Under Special Order S04-13-09, an investigatory stop is defined as the temporary detention and questioning of a person in the vicinity where the person was stopped based on reasonable articulable suspicion that the person is committing, is about to commit or has committed a criminal offense. Officer Blouin did not recall the exact reason that he stopped [REDACTED], but he stated that it was narcotic related. Officer Blouin stated that [REDACTED] was only detained on October 18, 2018. Officer Blouin stated that [REDACTED] was not arrested because he was released without being charged. Officer Blouin did not create an arrest report nor did he create an investigatory stop report for [REDACTED] on October 18, 2018. Officer Blouin stated that he did not do an investigatory stop report because [REDACTED] was already identified on October 17, 2018 and an investigatory stop report was completed on that date. While there was no ISR report and no arrest report created, it is documented in the narcotics supplementary report that [REDACTED] was detained and later released without charges. The narcotics supplementary reports denote the reason for the stop, the detention of [REDACTED] and the transporting of [REDACTED] to the district and the release of [REDACTED] without charges. As such COPA finds this allegation exonerated.

COPA makes a finding of **Not Sustained** for **allegation #7** against Officer Blouin in that he failed to activate his body-worn camera on November 9, 2018. Officer Blouin does not even recall whether or not he was wearing a body-worn camera on the date of the incident and he stated that he should not have been wearing one because he was working narcotics. Officers assigned/detailed to narcotics are not assigned body-worn cameras. Even if Officer Blouin would



have been wearing a body-worn camera on the date of the incident, he was previously instructed by a sergeant to not wear one so he would have been proper in not activating it, as such COPA finds this allegation not sustained.

COPA makes a finding of **Exonerated** for **allegation #8** against Officer Blouin in that he stopped [REDACTED] on November 9, 2018 without justification. According to Officer Blouin, on the date of the incident, [REDACTED] was the passenger in a vehicle that had made a narcotics transaction. [REDACTED] also admitted that he had drugs on him on November 9, 2018 and that officers recovered the drugs. As such, officers had a reason to stop [REDACTED] and COPA finds this allegation exonerated.

COPA makes a finding of **Exonerated** for **allegation #9** against Officer Blouin in that he handcuffed [REDACTED] on November 9, 2018 without justification. Officer Blouin placed a handcuff on [REDACTED] for officer safety. According to Officer Blouin, [REDACTED] was reaching around while he was inside the vehicle and Officer Blouin did not know if he had a weapon in the vehicle or if he was trying to access a weapon. The second handcuff was placed on [REDACTED] when he was placed under arrest. General Order G06-01-02 states that a person taken into Department custody will be searched prior to transport and restrained in such a manner as to prevent escape and to provide for the safety of the public, the person in custody, and the officers involved. As such, COPA finds this allegation exonerated.

COPA makes a finding of **Unfounded** for **allegation #10** against Officer Blouin in that he forcefully removed [REDACTED] from the vehicle on November 9, 2018 without justification. According to [REDACTED], Officer Blouin yanked him out of the vehicle, picked him up and threw him to the ground and scraped his face. COPA was able to obtain surveillance video from 200 liquors which depicts some of the encounter between Officer Blouin and [REDACTED]. The video shows [REDACTED] exiting the vehicle on his own accord while Officer Blouin is just standing there. As such, COPA finds this allegation unfounded.

COPA makes a finding of **Exonerated** for **allegation # 11** against Officer Blouin in that he threw [REDACTED] down to ground on his face without justification on November 9, 2018. According to [REDACTED], Officer Blouin yanked him out of the vehicle, picked him up and threw him to the ground and scraped his face. COPA was able to obtain surveillance video from 200 liquors which depicts some of the encounter between Officer Blouin and [REDACTED]. The video shows [REDACTED] exiting the vehicle and as Officer Blouin attempts to place the handcuffs on [REDACTED], [REDACTED] tries to run away and Officer Blouin performs a takedown. General Order G03-02-01 pertains to force options, this directive outlines the various force options and the circumstances in which Department members are authorized to use such force. This general order classifies resisters into two categories, passive and active. An active resister is defined as a person who attempts to create distance between themselves and the member's reach with the intent to avoid physical control and/or defeat the arrest. One technique a department member is allowed to use with this type of resister is a takedown. A takedown is defined as the act of directing a subject to the ground to limit physical resistance, prevent escape or increase the potential for controlling the subject. [REDACTED] was classified as an active resister when he tried to defeat arrest by attempting to flee and Officer Blouin performed a takedown to gain compliance. As such, COPA finds this allegation exonerated.

COPA makes a finding of **Not Sustained** for **allegation #12** against Officer Blouin in that he stripped searched [REDACTED] on November 9, 2018. According to [REDACTED], Officer Blouin took [REDACTED] to a marked squad vehicle and placed him inside. Officer Blouin then pulled [REDACTED] back out of the marked vehicle and patted him down. Officer Blouin removed [REDACTED]'s belt and his pants fell down. According to [REDACTED], he had on shorts under his pants. [REDACTED] stated that his boxers were exposed, and he thinks his butt was exposed as well, but his genitals were never exposed. Officer Blouin denied strip searching [REDACTED] but he stated that he did search his person because he was being arrested. There is no video which captures the incident and there are no independent witnesses to the incident, as such COPA finds this allegation not sustained.

COPA makes a finding of **Unfounded** for **allegation #13** against Officer Blouin in that he pointed his weapon at [REDACTED] without justification on November 9, 2018. According to [REDACTED], officers approached him with their weapons drawn and pointed at him. Officer Blouin did not recall whether or not his weapon was drawn when he approached [REDACTED]. However, COPA did obtain surveillance video that shows Officer Blouin exiting his squad vehicle and then drawing his weapon and pointing it at the vehicle [REDACTED] was a passenger in as he approached the vehicle. Officer Blouin looked inside the window of the vehicle and then holstered his weapon before interacting with [REDACTED]. While the weapon was drawn there is no evidence it was pointed at [REDACTED]. As such, COPA finds this allegation unfounded.

### **Officer Candice Smith**

COPA makes a finding of **Exonerated** for **allegation #1** against Officer Smith in that she detained [REDACTED] without justification. According to [REDACTED], Officer Hester approached him on October 17, 2018 and started asking him questions and asked for his identification so he could write a contact card. [REDACTED] also mentioned that Officers Blouin and Smith were also present even though they did not exit their vehicle. According to all three officers, [REDACTED] was stopped on October 17, 2018 because he was engaged in a narcotics transaction with an undercover officer. The officers had probable cause to arrest, let alone detain [REDACTED] based on their partner officers statements that [REDACTED] was engaged in an undercover buy, as such COPA finds this allegation exonerated.

COPA makes a finding of **Exonerated** for **allegation #2** against Officer Smith in that she stopped [REDACTED] on October 18, 2018 without justification. According to Officers Hester, Blouin and Smith, [REDACTED] was observed engaging in hand-to-hand narcotic transactions by other officers in the unit and those officers relayed that information to Officers Hester, Blouin and Smith and they curbed the vehicle [REDACTED] was driving. [REDACTED] also admitted that he had heroin on him on October 18 and that the officers recovered the heroin from him. Officers Hester, Blouin and Smith had a reason to stop [REDACTED] on October 18, 2018 and as such this allegation is exonerated.

COPA makes a finding of **Not Sustained** for **allegation #3** against Officer Smith in that she failed to activate her body worn camera on October 18, 2018. Officer Smith did not recall if she was wearing a body worn camera on the date of the incident, however narcotics officers are

not required to wear body worn cameras. On the date of the incident, Officer Smith was working with the narcotics department. As such, COPA finds this allegation not sustained.

COPA makes a finding of **Exonerated** for **allegation #4** against Officer Smith in that she searched ██████'s vehicle on October 18, 2018 without justification. Under the Fourth Amendment, a search occurs when government actors physically occupy private property for the purpose of obtaining information. Even absent a physical trespass, a search occurs when an expectation of privacy that society is prepared to recognize as reasonable is infringed. However, 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.<sup>14</sup> According to Officer Smith, ██████ was observed by engaging in hand-to-hand transactions believed to be narcotic transaction and she was searching his vehicle for narcotics. As such, COPA finds this allegation exonerated.

COPA makes a finding of **Exonerated** for **allegation #5 and #6** against Officer Smith in that she failed to complete an investigatory stop report and an arrest report for ██████ on October 18, 2018. Under Special Order S04-13-09, an investigatory stop is defined as the temporary detention and questioning of a person in the vicinity where the person was stopped based on reasonable articulable suspicion that the person is committing, is about to commit or has committed a criminal offense. On October 18, 2018, ██████r was observed by a surveillance officer making several hand-to-hand transactions from the vehicle, and from that officer's experience, he believed it to be narcotics transactions. Officer Smith and her partner curbed the vehicle ██████ was in and detained him. According to Officer Smith, ██████ was not placed under arrest on October 18, 2018, only detained. Officer Smith did not complete any paperwork in regard to the detainment of ██████, but she stated that there should be a sup report from the surveillance officers. Officer Smith stated that she was new to the unit so she believed that the paperwork would be taken care of by other officers. While there was no ISR report and no arrest report created, it is documented in the narcotics supplementary report that ██████ was detained and later released without charges. The narcotics supplementary reports denote the reason for the stop, the detention of ██████ and the transporting of ██████ to the district and the release of ██████ without charges. As such COPA finds this allegation exonerated.

**VIII. CONCLUSION**

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

Officer	Allegation	Finding / Recommendation
Officer Michael Hester	1. It is alleged by ██████ that on or about October 17, 2018 at approximately 12:21 p.m. at or near 4300 S. Lake Park, Officer Michael Hester, star 7827, committed misconduct through	Exonerated

<sup>14</sup> *People v. James*, 163 Ill. 2d 302, 312 (Ill. 1994) (citing *Carroll v. United States*, 267 U.S. 132 (1925)).

<p>the following act or omission, detaining [REDACTED], without justification.</p>	
<p>2. It is alleged by COPA that on or about October 17, 2018 at approximately 12:21 p.m. at or near 4300 S. Lake Park, Officer Michael Hester, star 7827, committed misconduct through the following act or omission, by failing to complete an investigatory stop report for the interaction with [REDACTED].</p>	<p>Unfounded</p>
<p>3. It is alleged by [REDACTED] that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Michael Hester, star 7827, committed misconduct through the following act or omission, stopping [REDACTED], without justification.</p>	<p>Exonerated</p>
<p>4. It is alleged by [REDACTED] that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Michael Hester, star 7827, committed misconduct through the following act or omission, by strip searching [REDACTED], without justification.</p>	<p>Unfounded</p>
<p>5. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Michael Hester, star 7827, committed misconduct through the following act or omission, by failing to complete an investigatory stop report for the interaction with [REDACTED].</p>	<p>Exonerated</p>
<p>6. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Michael Hester, star 7827, committed misconduct through the following act or omission, by failing to complete an arrest report for the arrest of [REDACTED].</p>	<p>Exonerated</p>
<p>7. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Michael Hester, star 7827, committed misconduct through</p>	<p>Exonerated</p>

	<p>the following act or omission, by stopping [REDACTED], without justification.</p> <p>8. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Michael Hester, star 7827, committed misconduct through the following act or omission, by pointing your weapon at [REDACTED], without justification.</p>	<p>Unfounded</p>
<p>Officer Stewart Blouin</p>	<p>1. It is alleged by [REDACTED] that on or about October 17, 2018 at approximately 12:21 p.m. at or near 4300 S. Lake Park, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, detaining [REDACTED], without justification.</p> <p>2. It is alleged by [REDACTED] that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, stopping [REDACTED], without justification.</p> <p>3. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by terminating your body worn camera early before the end of your interaction with [REDACTED].</p> <p>4. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by placing [REDACTED] in handcuffs, without justification.</p> <p>5. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by failing to complete</p>	<p>Exonerated</p> <p>Exonerated</p> <p>Exonerated</p> <p>Not Sustained</p> <p>Exonerated</p>

an investigatory stop report for the interaction with [REDACTED].

6. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by failing to complete an arrest report for the arrest of [REDACTED].

Exonerated

7. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by failing to activate your body worn camera.

Not Sustained

8. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by stopping [REDACTED], without justification.

Exonerated

9. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by placing [REDACTED] in handcuffs, without justification.

Exonerated

10. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by forcefully removing [REDACTED] out of the vehicle, without justification.

Unfounded

11. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by throwing [REDACTED] down to ground on his face, without justification.

Exonerated

Officer Candice  
Smith

12. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by strip searching [REDACTED], without justification.

Not Sustained

13. It is alleged by [REDACTED] that on or about November 9, 2018 at approximately 10:40 a.m. at or near 204 E. 47<sup>th</sup> Street, Officer Stewart Blouin, star 4443, committed misconduct through the following act or omission, by pointing your weapon at [REDACTED], without justification.

Unfounded

1. It is alleged by [REDACTED] that on or about October 17, 2018 at approximately 12:21 p.m. at or near 4300 S. Lake Park, Officer Candice Smith, star 7844, committed misconduct through the following act or omission, detaining [REDACTED], without justification.

Exonerated

2. It is alleged by [REDACTED] that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Candice Smith, star 7844, committed misconduct through the following act or omission, by stopping [REDACTED], without justification.

Exonerated

3. It is alleged by [REDACTED] that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Candice Smith, star 7844, committed misconduct through the following act or omission, by failing to activate your body worn camera.

Not Sustained

4. It is alleged by [REDACTED] that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Candice Smith, star 7844, committed misconduct through the following act or omission, by searching [REDACTED]'s vehicle without justification.

Exonerated

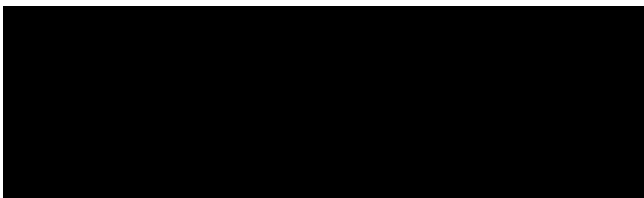
5. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Candice Smith, star 7844, committed misconduct through the following act or omission, by failing to complete an investigatory stop report for the interaction with [REDACTED].

Exonerated

6. It is alleged by COPA that on or about October 18, 2018 at approximately 9:25 a.m. at or near 4203 S. Prairie Ave, Officer Candice Smith, star 7844, committed misconduct through the following act or omission, by failing to complete an arrest report for the arrest of [REDACTED].

Exonerated

Approved:



Angela Hearts-Glass  
*Deputy Chief Investigator*

12-17-2020

Date



Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	6
<b>Investigator:</b>	Chenese Brown
<b>Supervising Investigator:</b>	James Murphy-Aguilu
<b>Deputy Chief Administrator:</b>	Angela Hearts-Glass