

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	December 23, 2019/1:49 P.M./3201 N. Broadway, Chicago, IL 60613.
Date/Time of COPA Notification:	December 26, 2019/10:40 A.M.
Involved Officer #1:	Carlos Castillo, Star #11674, Employee ID# [REDACTED], Date of Appointment:06-03-2013, Rank: P.O., Unit of Assignment: 019, DOB: [REDACTED]1974, Gender: Male, Race: White.
Involved Officer #2:	Pakorn Santisuk, Star#7083, Employee ID#[REDACTED], Date of Appointment: 09-18- 2017, Rank: P.O., Unit of Assignment: 019, DOB: [REDACTED]1987, Gender: Male, Race: Asian/Pacific Islander.
Involved Individual #1:	[REDACTED], DOB: [REDACTED]1990, Gender: Male, Race: White.
Case Type:	Excessive Force

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Carlos Castillo	1.It is alleged by [REDACTED] that on or about December 23, 2019, at approximately 1:49 p.m., at or near 3201 N. Broadway, Chicago, IL 60613. Officer Carlos Castillo, star# 11674, committed misconduct through the following acts or omissions, by: arresting [REDACTED] without justification.	Exonerated
	2. It is alleged by [REDACTED] that on or about December 23, 2019, at approximately 1:49 p.m., at or near 3201 N. Broadway, Chicago, IL 60613. Officer Carlos Castillo, star# 11674, committed misconduct through the following acts or omissions, by: forcefully taking [REDACTED] to the ground without justification.	Exonerated

Officer Pakorn Santisuk	<p>3. It is alleged by [REDACTED] that on or about December 23, 2019, at approximately 1:49 p.m., at or near 3201 N. Broadway, Chicago, IL 60613. Officer Carlos Castillo, star# 11674, committed misconduct through the following acts or omissions, by: seizing [REDACTED]'s vehicle without justification.</p>	Exonerated
	<p>1. It is alleged by [REDACTED] that on or about December 23, 2019, at approximately 1:49 p.m., at or near 3201 N. Broadway, Chicago, IL 60613. Officer Pakorn Santisuk, star# 7083, committed misconduct through the following acts or omissions, by: arresting [REDACTED] without justification.</p>	Exonerated
	<p>2. It is alleged by [REDACTED] that on or about December 23, 2019, at approximately 1:49 p.m., at or near 3201 N. Broadway, Chicago, IL 60613. Officer Pakorn Santisuk, star# 7083, committed misconduct through the following acts or omissions, by: forcefully taking [REDACTED] to the ground without justification.</p>	Exonerated
	<p>3. It is alleged by [REDACTED] that on or about December 23, 2019, at approximately 1:49 p.m., at or near 3201 N. Broadway, Chicago, IL 60613. Officer Pakorn Santisuk, star# 7083, committed misconduct through the following acts or omissions, by: seizing [REDACTED]'s vehicle without justification.</p>	Exonerated

II. SUMMARY OF EVIDENCE¹

On December 23, 2019, Officers Carlos Castillo and Pakorn Santisuk were responding to a call from OEMC dispatch to the Walgreens that is located at 3201 N. Broadway, due to a hit and run in that occurred in the parking lot.² Multiple callers stated a man in blue scrubs in a Jeep

¹COPA conducted a full and complete investigation of this matter, including the interview of all pertinent civilian and officer 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 opened under IPRA are summarized more succinctly in a Modified Summary Report of Investigation, pursuant to COPA Guideline Modified Summary Report of Investigation Template and Approvals, effective February 13, 2019.

² Attachment #6.

Cherokee hit two parked vehicles in the parking lot, then walked in Walgreens.³ Officers Castillo and Santisuk arrived at the Walgreens parking lot and activated their Body Worn Cameras (BWC) which captured the incident on video. When the officers arrive at Walgreens, two witness in the parking lot inform them that the man driving the Jeep Cherokee and wearing blue scrubs went into the store.⁴ The officers walk into Walgreens and observe the Complainant, [REDACTED], wearing blue scrubs, trying to purchase items. [REDACTED] took approximately 15 minutes to pay with his credit card. He appeared to be intoxicated. Officer Castillo then speaks to the manager of the store, who informs him that [REDACTED] was holding up the line.⁵ At this time, the officers follow [REDACTED] out to his vehicle in the parking lot. The officers speak with [REDACTED] as he tries to put the items in his vehicle and let him know he is going to be arrested for the hit and run that occurred and for a DUI, since he appears to be intoxicated. He resists arrest by pulling away from Officer Castillo and trying to get into the driver seat of his vehicle. At that point, he kicks Officer Castillo in the leg, several times.⁶ The officers grab [REDACTED]'s shoulder and jacket to get him out of the vehicle and on to the ground to place him under arrest. [REDACTED] appears to have a cut on his forehead, likely due to the emergency take down. Several assisting officers arrive and take him to the hospital.

Officer Santisuk's BWC ⁷from December 23, 2019, shows, Officer Santisuk and Officer Castillo arriving at the Walgreens parking lot. They speak with a male outside the store, who states, while pointing at a car, "This car was hit. You can see the purple mark from his car hitting this one. I think he went into the store."⁸ After walking into the Walgreens, they observe a man checking out at the register wearing blue scrubs who is later identified to be [REDACTED]. [REDACTED] is seen taking an inordinate amount of time checking out and attempts to leave without paying for his items. Officer Castillo states, "Hey, you got to pay for this stuff."⁹ [REDACTED] responds, "It's paid."¹⁰ Officer Castillo and the cashier say, "No, it's not."¹¹ [REDACTED] appears to walk back to pay for the items. Officer Santisuk speaks to the manager, who says, "Is he still there, he was holding up the register."¹² [REDACTED] finally pays for this his items and walks to his vehicle. The officers follow him to the vehicle. Once at the vehicle, Officer Castillo tells [REDACTED] to put the items in his car. [REDACTED] responds, "Fuck off"¹³ and he appears to put his hands behind his back. [REDACTED] opens the passenger side door and puts the items in the car. [REDACTED] opens the driver side door. Officer Castillo says, "You're not getting in your car."¹⁴ [REDACTED] tries to pull his arm away from Officer Castillo and kicks him in the leg multiple times while trying to stay in the car.¹⁵ Officers Castillo and Santisuk grab [REDACTED]'s arm and coat, and use an emergency

³ Attachment #5.

⁴ Attachment #43 at 2:00.

⁵ Attachment #43 at 12:00.

⁶ Attachment # 44 at 10:15.

⁷ Attachment #43.

⁸ Attachment #43 at 1:45.

⁹ Attachment #43 at 9:30.

¹⁰ Attachment #43 at 9:33.

¹¹ Attachment #43 at 9:36.

¹² Attachment #43 at 12:00.

¹³ Attachment #43 at 13:35.

¹⁴ Attachment #43 at 13:35.

¹⁵ Attachment #43 at 14:05.

take down to force ██████ to the ground.¹⁶ ██████ is placed under arrest and handcuffs are put on his wrists. Once assisting officers arrive, ██████ says, “I hit two cars, an SUV and another one back-to-back.”¹⁷ Assisting officers take him to the 19th District station, and then to the hospital.

On January 8th, 2020, the Complainant, ██████, gave COPA a video recorded interview.¹⁸ ██████ states, he has no memory from the day of the incident, the day after the incident and the day before the incident.¹⁹ ██████ explains, he has a diagnosis for major depression and panic attacks. He takes Adderall for ADHD, daily medicine for anxiety and takes Klonopin as needed.²⁰ ██████ stated, “The only thing I can remember is that; I walked out of Walgreens, I remember an officer asked if I could answer questions. I remember looking at him weird. It went blank after that. I remember sitting in my car. I remember asking if I was free to go then I remember being on the ground.”²¹ ██████ elaborated, that he takes a beta blocker that controls his heart rate and was taking Propanol, which was increased from 60 mg to 120 mg, in severe cases you can have an altered state of mind.²²

The Tactical Response Report (TRR) from Officer Santisuk²³ and Officer Castillo²⁴ indicate that ██████ was not following verbal demands, acting belligerent, abusive verbally and appeared to be under the influence of a substance. Officers Santisuk and Castillo told ██████ he could not get into his vehicle and he was going to be under arrest. ██████ attempted to flee by trying to get into his vehicle. Officers Santisuk and Castillo tried to place ██████ under arrest multiple times, since he was resisting and was not following verbal commands. ██████ tried to punch Officer Castillo and missed but connected with Officer Santisuk. Officers Santisuk and Castillo used an emergency take down and placed ██████ under arrest.

III. ANALYSIS AND CONCLUSION

COPA finds Officers Castillo and Santisuk were justified in arresting and seizing ██████’s vehicle. The officers received information that a car, driven by who they later determined to be ██████, drove into the Walgreens parking lot, and hit two parked vehicles, before walking into the store.²⁵ In the store, he appeared to be intoxicated with some substance, verbally abusive to the Walgreen’s employee at the cash register and confused on why the officers were approaching him. After allowing him to walk to his car to confirm that he is the owner of the involved automobile, Officer Castillo initially attempted to place him under arrest for the accident. ██████ attempted to enter into his car but was stopped by Officer Castillo. As Officer Castillo attempted to place handcuffs on ██████, ██████ resisted the officers and kicks Officer Castillo in the leg. ██████ forced his way into his car and then kicks Officer

¹⁶ Attachment #43 at 14:20.

¹⁷ Attachment #43 at 20:55.

¹⁸ Attachment #8.

¹⁹ Attachment #8 at 2:50.

²⁰ Attachment #8 at 4:30.

²¹ Attachment #8 at 4:40.

²² Attachment #8 at 32:30.

²³ Attachment # 89.

²⁴ Attachment #108.

²⁵ Attachment #69.

Castillo again. Officers then have to conduct a takedown of [REDACTED]. Upon placing handcuffs on [REDACTED], he was then arrested for reckless driving, failing to reduce speed, resisting/obstructing arrest, aggravated battery of officers and a DUI- intoxicated compound.²⁶ As a result of this arrest, [REDACTED]'s vehicle can be seized incident to arrest.²⁷Therefore, COPA finds Officers Castillo and Santisuk were justified in arresting and seizing [REDACTED]'s vehicle.

COPA also finds the force used to get [REDACTED] from his vehicle to the ground did not violate Department policy. [REDACTED] was actively resisting arrest by getting into his vehicle, grabbing onto the steering wheel, and kicking Officer Castillo in the leg several times.

The Officers' Tactical Response Reports (TRR) indicate that [REDACTED], actively resisted arrest and kicked Officer Castillo in the leg several times. The force that was used to get the subject to the ground was in compliance with the Department use of force guidelines and in compliance with Department policy.²⁸ The Department's use of force module states, if a person is being an active resister, the officers may respond, reasonably, in order to apprehend a subject. One of those allowable methods is an emergency take down. In this incident, [REDACTED] actively resisted the officers' attempts to place him in handcuffs by pulling away, getting back into his car, and kicking Officer Castillo. Thus, the officers were justified in forcefully taking [REDACTED] to the ground to place him under arrest. As a result, COPA finds the actions Officers Castillo and Santisuk, implemented in arresting [REDACTED], seizing his vehicle, and forcefully taking him to the ground, did not violate Department policy, and all three of the allegations against Officer Castillo and Officer Santisuk are **Exonerated**.

IV. CONCLUSION

Officer	Allegation	Finding
Officer Carlos Castillo	1.It is alleged by [REDACTED] that on or about December 23, 2019, at approximately 1:49 p.m., at or near 3201 N. Broadway, Chicago, IL 60613. Officer Carlos Castillo, star# 11674, committed misconduct through the following acts or omissions, by: arresting [REDACTED] without justification.	Exonerated
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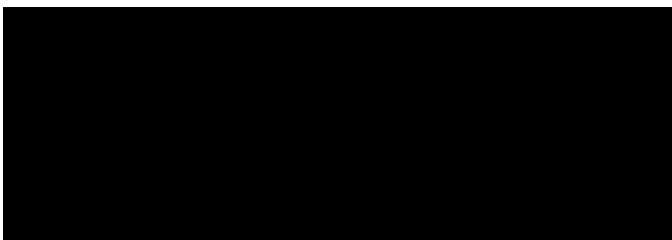
²⁶ Attachment #20.

²⁷ 10.44.040 Seizure of vehicle.

²⁸ Attachment #108.

Officer Pakorn Santisuk	3. It is alleged by [REDACTED] that on or about December 23, 2019, at approximately 1:49 p.m., at or near 3201 N. Broadway, Chicago, IL 60613. Officer Carlos Castillo, star# 11674, committed misconduct through the following acts or omissions, by: seizing [REDACTED]'s vehicle without justification.	Exonerated
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Approved:



Angela Hearts-Glass
Deputy Chief Investigator

5-26-2021

Date

Appendix A

Assigned Investigative Staff

Squad#:	12
Investigator:	Madilyn Kohs
Supervising Investigator:	Andy Dalkin
Deputy Chief Administrator:	Angela Hearts- Glass