

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	January 2, 2019/ 8:30pm/ 13█ S. Kolin Ave.
Date/Time of COPA Notification:	January 3, 2019/ 11:48am
Involved Officer #1:	Guillermo Gama Jr., Star #17268, Emp. #█, DOA: August 31, 2015, Officer, Unit 010/716, DOB: █, 1984, Male, Hispanic
Involved Officer #2:	Adolfo Bolanos, Star #16767, Emp. #█, DOA: April 28, 2014, Officer, Unit 010, DOB: █, 1981, Male, Hispanic
Involved Individual #1:	█ DOB: █, 1999, Female, Black
Case Type:	Improper detention

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Guillermo Gama, Jr.	<p>It is alleged that on or about January 2, 2019, at approximately 8:30 pm, at or near 13█ S. Kolin Ave, Officer Guillermo Gama, star #17268, committed misconduct through the following acts or omissions:</p> <ol style="list-style-type: none"> 1. stopped █ without justification. 2. grabbed and held █ arm and/or wrist without justification. 	<p>Exonerated</p> <p>Unfounded</p>
Officer Adolfo Bolanos	<p>It is alleged that on or about January 2, 2019, at approximately 8:30 pm, at or near 13█ S. Kolin Ave, Officer Adolfo Bolanos, star #16767, committed misconduct through the following acts or omissions:</p> <ol style="list-style-type: none"> 1. stopped █ without justification. 2. searched █ █ vehicle without justification. 	<p>Exonerated</p> <p>Unfounded</p>

II. SUMMARY OF EVIDENCE¹

On January 2, 2019, Officers Gama and Bolanos performed a traffic stop on [REDACTED] vehicle for a broken taillight. The following day, [REDACTED] called into COPA to file a complaint regarding the incident, and she provided a statement to COPA on January 14, 2019.² According to [REDACTED] on the date and time of the incident, she was driving home when she observed officers conducting a traffic stop across the street from her house. After [REDACTED] parked and exited her vehicle, two officers pulled up and stopped behind her vehicle. Officer Gama approached [REDACTED] informed her he stopped her because her taillight was out, and asked for her license and insurance. [REDACTED] refused to provide her information and told Officer Gama she was already out of her vehicle when the officers pulled up, so it was not a valid traffic stop. As [REDACTED] spoke to Officer Gama, his partner, Officer Bolanos, approached the passenger's side of her vehicle. Officer Bolanos ordered [REDACTED] boyfriend, [REDACTED] to exit the vehicle. [REDACTED] alleged that Officer Bolanos then illegally searched her vehicle.

According to [REDACTED] as Officer Bolanos searched her vehicle, Officer Gama grabbed her arm/wrist area and told her she was going to be arrested if she did not provide her license and insurance. Officer Gama held her wrist for approximately ten minutes and refused to let go of her. [REDACTED] alleged that another police vehicle then pulled up with two female officers, and one of the female officers also grabbed [REDACTED] arm for approximately five minutes. [REDACTED] continued to tell the officers she would not provide her information because she was already out of the vehicle when the officers stopped her. She then called 911 and asked for a supervisor, but one never arrived. The officers attempted to issue [REDACTED] tickets, but she went upstairs to her apartment and refused to come back downstairs to sign the tickets. Eventually, the officers just left.

COPA also interviewed [REDACTED]³ who stated he was still seated in the front passenger's seat of [REDACTED] vehicle when he heard her arguing with officers. [REDACTED] alleged he heard an officer call [REDACTED] a bitch, and he thought an officer may have pushed [REDACTED]. Both [REDACTED] and [REDACTED] admitted to COPA that there was weed inside her vehicle.

The body worn camera (BWC) videos⁴ of Officers Gama and Bolanos capture the entire incident. The videos show the officers activate their emergency lights and pull up behind [REDACTED] vehicle, as [REDACTED] exits the driver's seat of her vehicle and steps onto the sidewalk. Officer Gama approaches [REDACTED] and explains they stopped her because her taillight is out. [REDACTED] refuses to provide her information, insisting it is not a valid traffic stop because she was outside her vehicle by the time the officers pulled up. However, she repeatedly admits she was just driving the vehicle and knows her taillight is out. As Officer Gama requests her license and insurance, [REDACTED] becomes increasingly louder and more belligerent, ultimately screaming at the officers while continuing to refuse to cooperate with them. [REDACTED] states the police are harassing her, but Officer Gama

¹COPA 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.

² Att. 3.

³ Att. 4.

⁴ Att. 23. COPA also obtained and reviewed the BWC videos of the assisting officers and sergeant, all of whom activated their cameras when they arrived at the scene.

responds he has never had any prior interactions with her. [REDACTED] mother comes outside and also begins yelling at Officer Gama, and [REDACTED] calls 911 to request a supervisor. Eventually, Officer Gama approaches [REDACTED] and places his hand on her right wrist, stating he is going to arrest her if she does not provide her license and insurance. Officer Gama releases [REDACTED] after approximately one minute,⁵ when additional officers arrive at the scene and a female officer takes over interactions with [REDACTED]

As Officer Gama speaks with [REDACTED] outside her vehicle, Officer Bolanos approaches the passenger's side of the vehicle, where [REDACTED] is still seated in the front seat. Officer Bolanos asks if there is any weed in the vehicle, and [REDACTED] responds, "Yeah, we got some weed in the car."⁶ Officer Bolanos relays this information to his partner, then asks [REDACTED] out of the vehicle. As Officer Bolanos and [REDACTED] stand next to [REDACTED] vehicle, Officer Gama searches the passenger compartment of the vehicle, including the glove box, seat pockets, and center console. Officer Gama then prepares to issue [REDACTED] a citation, but she and her mother have gone inside their residence and [REDACTED] refuses to come back outside. Several minutes later, a sergeant arrives at the scene and communicates with [REDACTED] and her mother through an open window. The mother tells the sergeant her daughter is not coming out, and the sergeant responds a warrant will be issued for [REDACTED] arrest. [REDACTED] mother responds, "We don't give a fuck about that."⁷ The sergeant and officers then return to their vehicles and depart the scene.

III. ANALYSIS AND CONCLUSION

COPA finds that Allegation 1 against Officers Gama and Bolanos is **Exonerated**. Under Illinois law, "Every motor vehicle, trailer, or semi-trailer shall...exhibit at least 2 lighted lamps, commonly known as tail lamps, which shall be mounted on the left rear and right rear of the vehicle so as to throw a red light visible for at least 500 feet in the reverse direction."⁸ Officers Gama and Bolanos performed a traffic stop on [REDACTED] vehicle because one of her taillights was broken. Officer Gama's BWC video captures [REDACTED] repeatedly stating she knows her taillight is out, and it has been since August 2018, approximately five months before the traffic stop. Additionally, [REDACTED] admitted to COPA that she was driving her vehicle and had just pulled up in front of her house when officers approached her. COPA finds that the BWC video, coupled with [REDACTED] own admissions, constitutes clear and convincing evidence that [REDACTED] violated an Illinois traffic law. Therefore, the officers' decision to conduct a traffic stop on [REDACTED] vehicle was justified.

COPA finds Allegation 2 against Officer Gama is **Unfounded**. [REDACTED] alleged that Officer Gama grabbed and held her arm and wrist for approximately ten minutes without justification. Officer Gama's BWC video contradicts [REDACTED] assertion, as it only shows the officer holding [REDACTED] arm/wrist area for approximately one minute, and only after he told [REDACTED] he was going to place her under arrest for not providing her license. By that point, [REDACTED] was belligerent and screaming at the officers, and she had repeatedly refused to comply with their directions. COPA finds the BWC video provides clear and convincing evidence that Officer Gama did not grab/hold [REDACTED] arm for ten minutes, nor was his brief physical contact with her unjustified. In this

⁵ Att. 23, Officer Gama's BWC video at 5:30-6:35 minutes.

⁶ Att. 23, Officer Bolanos' BWC video at 38 seconds.

⁷ Att. 23, Officer Bolanos' BWC video at 23:56 minutes.

⁸ 625 ILCS 5/12-201(b).

situation, Officer Gama had ample reason to both handcuff and arrest [REDACTED] thus justifying the officer’s decision to briefly hold onto her wrist.

Allegation 2 against Officer Bolanos arises from the search of [REDACTED] vehicle. [REDACTED] claimed Officer Bolanos conducted the search without justification, but her allegation is contradicted by the officer’s BWC video, which shows he never searched [REDACTED] vehicle. Instead, Officer Bolanos and [REDACTED] stood next to [REDACTED] vehicle as Officer Gama searched the inside of the vehicle. Furthermore, COPA finds Officer Gama was justified in conducting the search. When Officer Bolanos first approached the passenger’s side of [REDACTED] vehicle, he asked [REDACTED] if there were any drugs in the car, and [REDACTED] admitted there was weed inside the vehicle. Officer Bolanos relayed this information to his partner, who then searched the vehicle based on [REDACTED] admission. Illinois law is clear that officers may conduct a warrantless vehicle search “if there is probable cause to believe that the automobile contains evidence of criminal activity that the officers are entitled to seize.”⁹ Recreational possession of cannabis was not legal in Illinois when the incident occurred,¹⁰ and [REDACTED] admission provided the officers with probable cause to search [REDACTED] vehicle. For these reasons, COPA finds Allegation 2 against Officer Bolanos is **Unfounded**.

[REDACTED] also alleged that a female officer held her arm for approximately five minutes without justification, and that she requested a sergeant but one never arrived. These claims are also contradicted by the officers’ BWC videos. The video footage shows a female officer walk up to [REDACTED] then momentarily place one hand on [REDACTED] arm as she tries to calm [REDACTED] down. The officer never grabs and holds [REDACTED] by the arm, as [REDACTED] claimed. Additionally, the BWC videos show a supervisor did arrive at the scene and speak to [REDACTED] through her apartment window, but [REDACTED] refused to come back outside. Given the fact that the entire encounter between [REDACTED] and the officers is captured on video, and the videos clearly reveal that [REDACTED] assertions are false, COPA finds the allegations against the officers are exonerated and unfounded.

Approved:

[REDACTED]

7/28/2021

Matthew Haynam
Deputy Chief Administrator – Chief Investigator

Date

⁹ *People v. James*, 163 Ill.2d 302, 312 (1994), citing *Carroll v. United States*, 267 U.S. 132 (1925).

¹⁰ The Illinois Cannabis Regulation and Tax Act, which legalized the recreational possession of cannabis, took effect January 1, 2020.

Appendix A

Assigned Investigative Staff

Squad#:	6
Investigator:	Chenese Brown
Supervising Investigator:	Steffany Hreno
Deputy Chief Administrator:	Matthew Haynam