

SUMMARY REPORT OF INVESTIGATION

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| Date/Time/Location of Incident: | October 31, 2019/ 9:23am/ 6900 S. Lafayette Blvd. |
| Date/Time of COPA Notification: | October 31, 2019/ 10:40am |
| Involved Officer #1: | Matthew Lucki, Star No. 3055, Employee ID No. [REDACTED], Date of Appointment: April 16, 2010, PO, Unit of Assignment 007, DOB: [REDACTED], 1984, male, White |
| Involved Officer #2: | Matthew Hecker, Star No. 12229, Employee ID No. [REDACTED], Date of Appointment: April 6, 2015, PO, Unit of Assignment 007, DOB: [REDACTED], 1988, male, White |
| Involved Individual #1: | [REDACTED] DOB: [REDACTED], 1974, male, Black |
| Case Type: | Unjustified Stop |

I. ALLEGATIONS

| Officer | Allegation | Finding |
|----------------|--|------------|
| Officer Lucki | It is alleged that on or about October 31, 2019, at approximately 9:23am, at or near 6900 S. Lafayette, Officer Matthew Lucki, Star No. 3055, committed misconduct by stopping [REDACTED] without justification. | Exonerated |
| Officer Hecker | It is alleged that on or about October 31, 2019, at approximately 9:23am, at or near 6900 S. Lafayette, Officer Matthew Hecker, Star No. 12229, committed misconduct by stopping [REDACTED] without justification. | Exonerated |

II. SUMMARY OF EVIDENCE¹

On October 13, 2019, [REDACTED] provided a statement to COPA investigators at COPA offices.²

¹ 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, pursuant to COPA Guideline Modified Summary Report of Investigation Template and Approvals, effective February 13, 2019.

² Att. 20 (Audio).

On the day of the incident, [REDACTED] had been driving his vehicle attempting to visit a friend who lived at [REDACTED] Perry Ave. While [REDACTED] was driving slowly back and forth on different blocks looking for Perry Avenue, he noticed an unmarked police vehicle. [REDACTED] later noticed the vehicle trailing him as he crossed 71st and Vincennes Ave. [REDACTED] who stated that he was unfamiliar with the area, stopped his vehicle in the vicinity of [REDACTED] Wentworth, believing that address to be [REDACTED] Perry Ave. [REDACTED] then parked and climbed the porch of the building at [REDACTED] Wentworth. [REDACTED] noticed that the unmarked police vehicle performed a U-turn and pulled over nearby. [REDACTED] stood on the porch of the Wentworth Avenue location knocking on the door and calling his friend for about six to seven minutes and the police vehicle remained.

[REDACTED] then got back in his car and was followed by the police vehicle to the vicinity of 69th and Lafayette Avenue, at which time the police vehicle pulled [REDACTED] over. A uniformed officer, now known to be Officer Lucki, exited the police vehicle and approached the driver's side of [REDACTED] car. Another officer, now known to be Officer Hecker, approached on the passenger's side of [REDACTED] car. Officer Lucki told [REDACTED] that he pulled him over because one of [REDACTED] taillights was out and because [REDACTED] was making frequent stops. [REDACTED] told Officer Lucki that the officer had been following him and waiting for him. Officer Lucki denied that was the case and took [REDACTED] license to run in his police vehicle. When Officer Lucki returned the license, [REDACTED] told Officer Lucki that the officers had been following him. Officer Lucki reiterated that [REDACTED] had been making frequent stops.

[REDACTED] stated to COPA investigators that he believed he was racially profiled because the officers had no other reason to stop him and because the officers waited five to six minutes before stopping him. [REDACTED] also mentioned that he was headed in one direction and the officers were headed in another when the officers made a U-turn to follow [REDACTED] on Lafayette Avenue. [REDACTED] also told COPA investigators that one of his taillights looked like it was out.

The body-worn camera ("BWC") video of Officer Lucki³ and Officer Hecker⁴ show the officers pulling [REDACTED] over. The video is consistent with [REDACTED] recounting of the stop. Officer Lucki asks for [REDACTED] license and tells [REDACTED] that his taillight is out. When [REDACTED] states that the officers had been waiting for him, Officer Lucki admits to seeing [REDACTED] driving around and thinking that it was weird that [REDACTED] kept pulling over but denies waiting for [REDACTED] Officer Lucki also gives [REDACTED] directions to reach [REDACTED] Perry. Officer Hecker does not speak to [REDACTED]

III. ANALYSIS AND CONCLUSION

Analytical summary and findings:

Department members are prohibited from engaging in racial profiling and bias based policing activities.⁵ Specifically, when making routine law enforcement decisions, including

³ Att. 10.

⁴ Att. 9.

⁵ G02-04 Prohibition Regarding Racial Profiling and Other Biased Based Policing.

traffic stops, members may not use race or ethnicity.⁶ Failing to follow this directive is a violation of Rule 6.⁷

Based on clear and convincing evidence, COPA finds that [REDACTED] allegation of an unjustified stop against Officer Lucki and Officer Hecker is **Exonerated**. [REDACTED] admits that one of the taillights in the car may have been out, which was the reason the officers provided for his stop. Officers are charged with enforcing compliance ordinance violations.⁸ A nonfunctioning taillight is a compliance ordinance violation and is thus sufficient to justify the stop of [REDACTED]. And, to the extent that [REDACTED] believed that the officers were unfairly focusing attention on him, [REDACTED] admits that prior to the stop he had been driving around slowly, unsure of the address of his friend's home. [REDACTED] also stated that he walked up to the door of a home that he believed might be the address of his friend and stood there for several minutes. Even if [REDACTED] only stopped once and not multiple times as Officer Lucki stated, [REDACTED] admitted behavior can still be reasonably considered suspicious by officers regardless of [REDACTED] race.

Also, although there is no basis to conclude that Mr. [REDACTED] is not credible, based on the comportment of Officer Lucki and Officer Hecker when interacting with [REDACTED] as captured on their respective BWCs, there is also no basis for any adverse credibility determination with respect to the officers. For example, when Officer Lucki entered the police vehicle to run [REDACTED] license, he indicated to Officer Hecker, in a gruff manner, that he was not waiting for [REDACTED] and that he was not concerned about [REDACTED]. Although the officer's comments were unpleasant, their unvarnished nature, outside of the earshot of [REDACTED] tends to support Officer Lucki's assertion that the officers were not targeting [REDACTED]. For the above reasons, the evidence does not support that the officers' stop of [REDACTED] was unjustified. [REDACTED] allegations against Officer Lucki and Officer Hecker are **Exonerated**.

Approved:

[REDACTED]

8-26-2021

Angela Hearts-Glass
Deputy Chief Investigator

Date

⁶ G02-04 (III)(B).

⁷ Rule 6 – Disobedience of an order or directive, whether written or oral.

⁸ S04-14-04 (A)(1).

Appendix A

Assigned Investigative Staff

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|-----------------------------------|---------------------------|
| Squad#: | 12 |
| Investigator: | Vanessa McClinton-Jackson |
| Supervising Investigator: | Andrew Dalkin |
| Deputy Chief Investigator: | Angela Hearts-Glass |