

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	November 27, 2020/10:00 am/345 N. Central Ave
Date/Time of COPA Notification:	December 24, 2020/3:40 pm
Involved Officer #1:	Darrian Hudson, Star #9888, Employee ID# [REDACTED], Date of Appointment: June 16, 2017; Police Officer, Unit of Assignment; 015, DOB: [REDACTED], 1990, Male, Black.
Involved Individual #1:	[REDACTED], [REDACTED], 1975, Male, Black.
Case Type:	4 th Amendment Violation

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Darrain Hudson	<p>It is alleged that on or about November 27, 2020, at approximately 10:00 am, at or near 345 N. Central Ave, while driving in his vehicle, Officer Hudson:</p> <ol style="list-style-type: none"> 1. Stopped [REDACTED] without probable cause. 2. Failed to inform [REDACTED] that he was being recorded on his body worn camera (BWC). 3. Pulled [REDACTED] out of his vehicle. 4. Illegally searched [REDACTED] vehicle. 	<p>Not Sustained</p> <p>Unfounded</p> <p>Unfounded</p> <p>Unfounded</p>

II. SUMMARY OF EVIDENCE

In a telephone recorded statement to COPA on December 20, 2020, [REDACTED] stated that police officers stopped him at the location of the incident. Officer Hudson approached the driver’s side of Mr. [REDACTED] vehicle and another officer, identified later as Officer Christopher Lockhart, star #9930, approached the passenger side. Officer Hudson told Mr. [REDACTED] that he failed to use his turn signal, which Mr. [REDACTED] denied. Officer Hudson asked Mr. [REDACTED] to lower his passenger side window for Officer Cook, but Mr. [REDACTED] refused.² Officer Hudson then instructed Mr. [REDACTED] to get out of the vehicle, but he refused, because he had provided Officer Hudson his driver’s license and insurance and did not think that the officers had probable cause to request him out of the vehicle. Mr. [REDACTED] requested a supervisor at the scene. Mr. [REDACTED] stated that Officer Hudson grabbed him by his arm, pulled him out of the vehicle,

¹ Att. #1. Mr. [REDACTED] came to COPA on June 15, 2021, to sign a sworn affidavit, see attachment #2.

² Mr. [REDACTED] had tint film on his windows.

and escorted him to the back of his vehicle. Mr. ██████ stated that Officer Hudson failed to tell him that his body worn camera was recording the incident.

According to Mr. ██████ one of the officers³ told him that they could tow his car and take him to jail for driving with a suspended license. Mr. ██████ told the officer, “Fuck you,” and stated that his license was not suspended. The same officer also told Mr. ██████ that he had “weed” in the car, which Mr. ██████ denied, and called the officer a “Stupid Fuck head.” Mr. ██████ told the officer that if he did have “weed,”⁴ it did not matter because it is legal. Mr. ██████ stated that Officer Hudson illegally searched the inside of his car. The officers gave Mr. ██████ a break and let him leave without issuing any citations. Furthermore, Mr. ██████ stated that he recorded the incident on his cell phone.⁵

The Body worn Camera (BWC) videos from the incident⁶ capture the traffic stop. The following is a description of the incident, as captured in the videos. At approximately 10:15 a.m., Officer Hudson approaches Mr. ██████ vehicle and instructs him to lower his windows because Officer Lockhart could not see inside the tinted windows. Mr. ██████ tells Officer Hudson that he is dealing with him and does not have to roll his windows down, but he eventually rolls the window down. Officer Hudson tells Mr. ██████ that he stopped him because he failed to use his turn signal to which, Mr. ██████ denied. Mr. ██████ asked Officer Hudson if he was being recorded and Officer Hudson replies yes. Officer Hudson asks Mr. ██████ for his driver’s license and car insurance. Officer Hudson looks at the documents provided by Mr. ██████ and requests Mr. ██████ out of the car. Mr. ██████ refused to exit the vehicle and requests Officer Hudson’s commander at the scene. Officer Hudson explains to Mr. ██████ that his license is not valid and that he could ask him to step out of his car. Mr. ██████ states that his license is valid, refuses to exit the car, and grabs his cell phone. At 10:16 am, Officer Hudson opens Mr. ██████ driver’s side door and tells Mr. ██████ to comply. Officer Cook is now at the driver’s side with Officer Hudson and both officers tell Mr. ██████ that they are giving him a lawful order to exit his vehicle. Mr. ██████ continues to argue and refuses to exit the car. Officer Hudson then gives Officer David Cook, star #10288, the paper copy of the driver’s license and he walks away with it.⁷

At approximately 10:17 a.m., Officer Hudson tells Mr. ██████ that his driver’s license is suspended and for him to step out of the vehicle. Mr. ██████ refuses and Officer Hudson opens the driver’s side door, grabs Mr. ██████ by his left arm and tells him that he does not want to have to pull him out. Mr. ██████ gets out of the car and states that his license is not suspended. Officer Lockhart who is nearby tells Mr. ██████ that he is acting in this manner, and he has “weed” in the car. Mr. ██████ states that “weed” is legal. Officer Hudson passes Mr. ██████ over to Officer Lockhart and then begins looking around inside the car. Mr. ██████ is continuously arguing with Officer Lockhart at the back of his car. At 10:19 am, Officer Cook informs Mr. ██████ that his driver’s license was suspended six days ago (11-21-20). Officer

³ Identified in the BWC videos as Officer Cook.

⁴ Marijuana.

⁵ COPA attempted to obtain a copy of the cell phone footage, but Mr. ██████ dropped his phone after the incident and the video was no longer available. See Column Note ██████.

⁶⁶ Atts. 3-4, BWC videos of Officers Christopher Lockhart, Derrain Hudson, and David Cook.

⁷ Officers Hudson, Lockhart, and Cook were partners on the date of incident and assigned to the same police vehicle.

Cook tells Mr. [REDACTED] that the system does not tell him the reason the license is suspended and that he must contact the Secretary of State Department for more information. Officer Lockhart, in essence, tells Mr. [REDACTED] that his behavior was not warranted because they were doing their job. He tells Mr. [REDACTED] to get his license resolved and the officers allow Mr. [REDACTED] to leave. The officers enter their police vehicle at 10:20 a.m.

A **Traffic Stop Statistical Study Report (TSSR [REDACTED])**⁸ dated November 27, 2020, documents that Mr. [REDACTED] was stopped for not using a turn signal at or near 5515 W. Lake St, Beat 1523. The search details section of the report indicates that the vehicle was searched, and no contraband was found.

III. ANALYSIS AND CONCLUSION

COPA finds **Allegation 1** against that Officer Darrian Hudson stopped the complainant without probable cause is **Not Sustained**. Officer Hudson related on BWC that he stopped Mr. [REDACTED] because he failed to signal. There is no footage to corroborate or refute that claim. Thus, there is insufficient evidence to either prove or disprove this allegation and the allegation is Not Sustained.

COPA finds that **allegations #2-#4** against Officer Darrian Hudson be **Unfounded**. BWC videos clearly contradict Mr. [REDACTED] account of the incident. In the BWCs, Mr. [REDACTED] was uncooperative and confrontational during the incident. First, in the BWC videos, Officer Hudson informs Mr. [REDACTED] why he was stopped and confirmed that he was being recorded. Next, Officer Hudson did not pull Mr. [REDACTED] out of his vehicle. Rather, he repeatedly asked Mr. [REDACTED] to get out of the vehicle and placed his hand on Mr. [REDACTED] arm. However, Mr. [REDACTED] was not pulled out of the vehicle but got out of the vehicle on his own. Lastly, Officer Hudson briefly searched the driver’s side of Mr. [REDACTED] vehicle after learning his license was suspended, an arrestable offense, and observing marijuana on his person, giving him probable cause to search Mr. [REDACTED] immediate area inside the vehicle. Thus, the BWC provides clear and convincing evidence that the allegations did not occur as alleged and these allegations are Unfounded.

Approved:

[REDACTED]

Sharday Jackson
Deputy Chief Administrator – Chief Investigator

4/29/22

Date

⁸ TSSR completed by Officer Hudson.