

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	January 8, 2021 / 11:10 a.m. / ██████████ Chicago, IL 60628.
Date/Time of COPA Notification:	January 18, 2021 / 4:02 p.m.
Involved Sergeant #1:	Sergeant Dennis Smith, Star # 1449, Employee ID# ██████████, DOA: October 23, 1995, Unit: 022, Male, White.
Involved Individual #1:	██████████, Male, Black.
Case Type:	Improper Seizure

I. ALLEGATIONS¹

Officer	Allegation	Finding
Officer Dennis Smith	1. Seizing ██████████’s firearm, without justification.	Exonerated.

II. SUMMARY OF EVIDENCE

On January 8, 2021, at approximately 11:10 a.m., Sergeant Dennis Smith and other Department members responded to a request for assistance from the Chicago Fire Department and Illinois Department of Aging Adult Protective Services (IDAAPS). Upon arrival, the Department members learned that IDAAPS had discovered a soiled, elderly female who was restrained and confined to a bed within the residence. As CFD, IDAAPS, and Department members were investigating the circumstances and wellbeing of the restrained female, ██████████ informed the members that the elderly female was his mother and that he was at the location to check on her. ██████████ also informed members that he was in possession of a firearm and provided a valid Firearm Owner Identification (FOID) card and Concealed Carry License (CCL). Once Sgt. Smith learned that ██████████ was armed, he requested to see the firearm. ██████████ protested and informed Sgt. Smith he was not obligated to show his firearm. Sgt. Smith informed ██████████ that he was required to show the firearm upon request and proceeded to remove the firearm from ██████████’s waist band.² Once CFD, IDAAPS and the members completed their investigation ██████████’s firearm was returned and he was free to leave.

III. ANALYSIS AND CONCLUSION

COPA finds that the allegation is **exonerated**. Department members are permitted to “secure a weapon is necessary for the safety of anyone” for “the duration of the contact with”

¹ When registering the complaint, ██████████ alleged Sgt. Smith used excessive force when he secured the firearm. However, based on our preliminary review, COPA determined that no force was used when he secured ██████████’s firearm.

² Sgt. Smith secured ██████████’s firearm by lifting the right side of ██████████’s jacket and removing the firearm from the holster. Att. 12 at 18:30.

Department members or other emergency service personnel.³ Here, COPA finds that [REDACTED] was armed with a lawfully possessed firearm during his interaction with CFD and Department personnel. However, Illinois law permitted law enforcement officers to secure [REDACTED]'s firearm during this interaction.

Approved:

[REDACTED]

11/19/2021

Matthew Haynam
Deputy Chief Administrator

Date

³ S06-05-02 II(G)(1). *Also see* 430 ILCS 66/10 (h-1).

Appendix A

Assigned Investigative Staff

Squad#:	14
Investigator:	Emmily Stokes
Supervising Investigator:	Garrett Schaaf
Deputy Chief Administrator:	Matthew Haynam