

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	August 21, 2020 / 7:00 p.m. / 752 E. 75th St., Chicago, IL 60619.
Date/Time of COPA Notification:	March 24, 2021 / 2:55 p.m.
Involved Officer #1:	Officer Patryk Urbanek, Star #17284, Employee ID# [REDACTED], DOA: October 31, 2016, Unit: 006, Male, White.
Involved Officer #2:	Officer Christopher Fink, Star #17631, Employee ID# [REDACTED], DOA: December 12, 2016, Unit: 006, Male, White.
Involved Individual #1:	[REDACTED], Male, Black.
Case Type:	Improper Arrest

I. ALLEGATIONS¹

Officer	Allegation	Finding
Officers Urbanek and Fink	1. Stopping [REDACTED], without justification.	Exonerated.
	2. Arresting [REDACTED], without justification.	Exonerated.

II. SUMMARY OF EVIDENCE

On August 21, 2020 at approximately 7:00 p.m., Officers Patryk Urbanek and Christopher Fink (collectively “the Officers”) were on patrol when they observed a silver Lexus SUV fail to signal prior to changing lanes. The Officers stopped the vehicle and contacted the driver, [REDACTED]. The Officers requested [REDACTED]’ identification. [REDACTED] informed the Officers that his identification was in a bag in the rear seat of the vehicle. The Officers inquired if [REDACTED] was armed. [REDACTED] informed the Officers he was armed. The Officers requested [REDACTED] to exit the vehicle. Upon [REDACTED] exiting the vehicle, the Officers seized a loaded firearm from [REDACTED]’ waistband. The Officers requested [REDACTED] to produce a Firearm Owners Identification (FOID) card and Concealed Carry License (CCL) and permitted him to obtain his identification from the bag in his rear seat. [REDACTED] obtained his FOID card and Illinois Identification card and provided them to the Officers while informing the Officers that he was in the processing in obtaining his CCL. After learning this information, the Officers completed a name check on [REDACTED] and learned that he did not possess a CCL. Additionally, the Officers learned that while [REDACTED] had a valid driver’s license, he was not in possession of it during the interaction. Upon learning that [REDACTED] did not

¹ During his statement to COPA, [REDACTED] alleged the Officers searched his vehicle without justification. However, during our preliminary review, COPA discovered the search of his vehicle occurred after [REDACTED] was arrested for unlawful use of a weapon. Therefore, COPA determined there was no need to address the allegation.

have a valid CCL, he was transported to the 003rd District Station, where he was processed for failing to signal a lane change, not wearing a seat belt, operating an uninsured motor vehicle, failing to display a driver’s license, and unlawful use of a weapon.

III. ANALYSIS AND CONCLUSION

COPA finds that the allegations are **exonerated**. Department members may stop a vehicle when there is “at least [an] articulable and reasonable suspicion that the particular person stopped is breaking the law.”² “Reasonable Articulable Suspicion depends on the totality of the circumstances which the sworn member observed and the reasonable inferences that are drawn based on the sworn member’s training and experience.”³ Additionally, an member must have probable cause to arrest a subject.⁴ “Probable cause to arrest exists where the police have knowledge of facts that would lead a reasonable person to believe that a crime has occurred and that the subject had committed it.”⁵ The reasonable basis of any arrest “should be considered from the perspective of a reasonable officer at the time” of the arrest.⁶ Finally, Illinois law requires the possession of a CCL to carry a loaded or unloaded firearm in a concealed or semi-concealed manner.⁷

Here, COPA finds the Officers observed [REDACTED] fail to signal prior to making a lane change. Upon stopping the vehicle, the Officers learned that [REDACTED] possessed a loaded firearm on his person. After confirming that [REDACTED] did not possess a valid CCL, the Officers determined he would be arrested. The decisions by the Officers to stop and arrest [REDACTED] were reasonable and proper.

Approved:

[REDACTED]

11/20/2021

Matthew Haynam
Deputy Chief Administrator

Date

² *United States v. Rodriguez-Escalera*, 884 F.3d 661, 667-68 (7th Cir. 2018) (citing *Delaware v. Prouse*, 440 U.S. 648, 663 (1979)).

³ S04-13-09 II(C), Investigatory Stop System (effective July 10, 2017 to current).

⁴ *People v. Johnson*, 408 Ill. App. 3d 107 (citing *Beck v. Ohio*, 379 U.S. 89, 91, (1964).

⁵ S04-13-09 II(D).

⁶ S04-13-09 II(D).

⁷ 430 ILCS 66/10(g).

Appendix A

Assigned Investigative Staff

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