

**SUMMARY REPORT OF INVESTIGATION**

Date/Time/Location of Incident:	March 30, 2019 / 3:40 pm / ██████████, Chicago, IL 60620.
Date/Time of COPA Notification:	April 10, 2019 / 6:15 pm.
Involved Officer #1:	Officer Jeremy Rice / Star#15844 / Employee ID# ██████████ / DOA: October 26, 2015 / Unit: 007/124 / Male / Black.
Involved Officer #2:	Officer Jairus Adams / Star#8158 / Employee ID# ██████████ / DOA: August 29, 2016 / Unit: 007 / Male / Black.
Involved Individual #1:	██████████ / Male / Black.
Case Type:	03G – Improper Search.

**I. ALLEGATIONS<sup>1</sup>**

Officer	Allegation	Finding
Officer Jeremy Rice	1. Searching the vehicle ██████████ occupied, without justification.	Exonerated
	2. Arresting ██████████, without justification.	Exonerated
Officer Jairus Adams	1. Searching the vehicle ██████████ occupied, without justification.	Exonerated
	2. Arresting ██████████, without justification.	Exonerated

**II. SUMMARY OF EVIDENCE<sup>2</sup>**

Officers Jeremy Rice and Jarius Adams (collectively “the Officers”) were on patrol when they observed a white Dodge Challenger fail to stop at a stop sign. The Officers stopped the vehicle and approached the occupants (██████████, driver and ██████████, front seat passenger.) As the Officers approached the vehicle ██████████ was observed moving around the passenger compartment, in a manner that caused the Officers to believe ██████████ was concealing

<sup>1</sup> When this complaint was registered, ██████████ alleged that his phone was not returned to him upon his release by the Department. However, during his statement to COPA, ██████████ made no such allegation. Additionally, a review of the related Inventory Sheets reveals that ██████████’ phone was returned to him. It is for these reasons COPA determined that no allegation related to a phone were warranted. See Attachment 14.

<sup>2</sup>COPA conducted a full and complete investigation of this matter, including the interview of all pertinent civilian and officer 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.

an object.<sup>3</sup> The Officers also observed an open container of alcohol, specifically Remy Martin in the passenger compartment of the vehicle, and detected the odor of cannabis emitting from the vehicle.<sup>4</sup> The Officers requested [REDACTED] and [REDACTED] exit the vehicle. As [REDACTED] exited the vehicle, unpackaged cannabis was visible on the floorboards of the driver's seat.<sup>5</sup> Once the [REDACTED] and [REDACTED] exited the vehicle both were detained in handcuffs.<sup>6</sup> Officer Rice searched the vehicle and located a loaded firearm in the glove compartment.<sup>7</sup> Officer Rice spoke with [REDACTED] who relayed that the vehicle and firearm belong to [REDACTED].<sup>8</sup>

[REDACTED] was arrested and transported to the 007th District Station. Upon arrival at the station [REDACTED] was read his Miranda Warnings which he acknowledged and waived. [REDACTED] insisted that the firearm was not his.<sup>9</sup> During processing [REDACTED] provided Officer Rice a clear plastic bag containing cannabis.<sup>10</sup> Additional investigation confirmed that [REDACTED] did not possess a Firearm Owner Identification Card (FOID) or a Concealed Carry License (CCL).<sup>11</sup>

### III. LEGAL STANDARD

For each Allegation COPA must make one of the following findings:

1. Sustained - where it is determined the allegation is supported by a preponderance of the evidence;
2. Not Sustained - where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;
3. Unfounded - where it is determined by clear and convincing evidence that an allegation is false or not factual; or
4. Exonerated - where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

A **preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that the conduct occurred and violated Department policy. *See Avery v. State Farm Mutual Automobile Insurance Co.*, 216 Ill. 2d 100, 191 (2005), (a proposition is proved by a preponderance of the evidence when it has found to be more probably true than not). If the evidence gathered in an investigation establishes that it is more likely that the misconduct occurred, even if by a narrow margin, then the preponderance of the evidence standard is met.

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<sup>3</sup> Att. 1, pg. 3; *also see* Att. 5 from 00:41 to 00:46 and Att. 22 from 00:33 to 00:52.

<sup>4</sup> Att. 1, pg. 3.

<sup>5</sup> Att. 5 from 01:10 to 01:55.

<sup>6</sup> COPA notes that [REDACTED] initially provided a first name of [REDACTED] to Officer Adams. Att. 22 from 01:58 to 02:18. Once out of the vehicle, Officer Adams, who was in direct contact with [REDACTED], returned the vehicle keys to [REDACTED] pocket. Att. 22 at 02:18.

<sup>7</sup> Att.1, pg. 3, *also see* Att. 5 from 01:55 to 04:11.

<sup>8</sup> Att. 5 from 04:45 to 05:40.

<sup>9</sup> Att. 8 from 00:30 to 02:53

<sup>10</sup> Att. 8 at 04:13.

<sup>11</sup> Att. 1, pg. 3.



**Appendix A**

Assigned Investigative Staff

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<b>Squad#:</b>	8
<b>Investigator:</b>	Garrett Schaaf
<b>Supervising Investigator:</b>	Jessica Ciacco
<b>Deputy Chief Administrator:</b>	Angela Hearts-Glass