

**SUMMARY REPORT OF INVESTIGATION**

**I. EXECUTIVE SUMMARY**

Date:	May 22, 2018.
Time:	6:35 P.M.
Location of Incident:	[REDACTED]
Date/Time of COPA Notification:	June 27, 2018/2:00 P.M.
Case Type:	Search Warrant.

On May 22, 2018, Search Warrant # [REDACTED], was written by the affiant, **Officer Turner #16484**. The search warrant is for the following; the residence of [REDACTED], for an individual named [REDACTED] multiple weapons, magazines, ammunition, and documentation proofing who lives at the residence. The search warrant was executed on the same day it was issued, May 22, 2018. During the execution of the search warrant the home was unoccupied, and a firearm, firearm box and some pills were found in the residence and were inventoried.

[REDACTED] alleges that the location of [REDACTED], is his residence and he is the only one who has lived there for the past few years. He also alleges, the search was warrant based on false information that must have been provided by the John Doe. He finally alleges, that his firearm was taken even though he has a valid FOID card and Concealed Carry License (CCL).

**I. INVOLVED PARTIES**

Involved Officer #1:	Vincent Turner, Star #16484, Employee ID# [REDACTED], Date of Appointment:9/29/2014, P.O., Unit of Assignment:189, DOB:[REDACTED]/1978, Male, Black.
Involved Individual #1:	[REDACTED] DOB: [REDACTED]/1971, Male, Black.

**II. ALLEGATIONS**

Officer	Allegation	Finding
Officer Vincent Turner	It is alleged by [REDACTED] that on May 22, 2018, at approximately 6:35 P.M. at or near [REDACTED]	

	<p>██████████ Apt. 2. Officer Turner committed misconduct by;</p> <p>1.Unlawfully entered ██████████ residence without justification.</p> <p>2.Unlawfully searched ██████████ residence without justification.</p> <p>3.Unlawfully seized property that belong to ██████████ without justification.</p>	<p><b>Exonerated.</b></p> <p><b>Exonerated.</b></p> <p><b>Exonerated.</b></p>
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**III. APPLICABLE RULES AND LAWS**

Rules

1. **Rule 2:** Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.

Special Orders

1.**S04-19:** Search Warrants.

**IV. INVESTIGATION<sup>1</sup>**

**a. Interviews**

On June 22, 2018, the **Complainant**, ██████████ gave COPA an audio recorded interview.<sup>2</sup> In the interview he stated he came home from work and saw his door was kicked in and observed some items were missing. He realized it was not a break in and that it was the Chicago Police Department, since he found the search warrant on the coffee table. He went to the 7<sup>th</sup> District, later that night, and spoke to Officer Vincent Turner, who informed him that his confidential informant (CI) told him that the person on the search warrant, ██████████ lives at his residence, which Mr. ██████████ denies. He found out they took his firearm, firearm boxes, utility bills and some pills. The reason he came into COPA to give a statement was because he still has not received his property.

<sup>1</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 opened under IPRA 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.

<sup>2</sup> Attachment #5.

On September 16, 2021, Accused Officer Turner<sup>3</sup> gave COPA an audio recorded interview. In the interview he related the requirements and steps that need to be taken for a John Doe (“J. Doe”) search warrant. The steps and requirements are the following; the J. Doe has to be questioned about the information regarding the subject and residence of the search warrant. The J. Doe has to have known the subject was inside the residence within 24-48 hours prior to the search warrant being executed. Once the search warrant is approved by their supervisors it is taken to a judge. The J. Doe and the affiant go in front of the judge, the judge can ask the J. Doe questions regarding the search warrant. Once the judge signs off on the search warrant, the affiant takes the search warrant back to his or her lieutenant and the lieutenant signs off on it. They then initiate a team to execute the search warrant.

The J. Doe used in this search warrant is a federal informant. Officer Turner has used this J. Doe more than nine times in the past, while the ATF and FBI have also used this J. Doe in previous search warrants, which leads the J. Doe to be very credible. The J. Doe has known ██████████ who he believes has lived at the residence of the search warrant, for approximately a year and a half. Officer Turner stated, “I am always very particular to make sure I am at the right residence. I take the J. Doe multiple times to the residence. I took this J. Doe to the residence, he pointed out that it was the residence on more than 7 occasions.”<sup>4</sup> The J. Doe saw ██████████ at the residence within the 24-hour span before the search warrant was executed. During the execution of the search warrant, no one was home, and the officers recovered one firearm, a firearm box, as well as two bottles of pills that did not belong to ██████████. Since the search warrant was for weapons inside the residence, it was within Department Rules and Regulations to inventory the firearm. He recalled possibly seeing the complainant, ██████████ at the District sometime after the search warrant was executed but he did not recall a conversation with him, since this occurred multiple years ago.

#### b. Digital Evidence

The **Body Worn Camera (BWC)** of Officer Turner<sup>5</sup> shows the following: Officer Turner drives to a residence and approaches the red/brown brick building. Numerous officers are also present, along with Sgt. Anderson, star #31376. They all walk into the vestibule of the building and walk up the stairs to the second floor. An officer states, “Police. Search Warrant. Open the door.”<sup>6</sup> After there is no answer at the door, they enter the residence. No one is present in the home. The search of the residence begins, and two firearms and firearm boxes are located and placed in bags for inventory, along with medicine belonging to ██████████ as well as a Peoples Gas receipt for ██████████. The search warrant evidence recovery logs, and actual search warrant, are put on a chair. of the officers then leave the residence.

#### c. Documentary Evidence

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<sup>3</sup> Attachment #34.

<sup>4</sup> Attachment #34 at 20:35.

<sup>5</sup> Attachment #38.

<sup>6</sup> Attachment #38 at 1:23.

The **Search Warrant**<sup>7</sup> indicates the search warrant is for the following; the residence of [REDACTED], for [REDACTED] weapons, firearm boxes, ammunition, and any documentation of residence for him.

The **Complainant for Search Warrant**<sup>8</sup> reveals that the search warrant information is from a J. Doe that has known [REDACTED] for about one and a half years. He had last seen [REDACTED] inside the location, with multiple firearms, a day prior.

The **Evidence Recovery logs**<sup>9</sup> reflect that, eleven (11), items were recovered from the residence.

The **CLEAR Search Warrant information**<sup>10</sup> shows when the search warrant was executed which was May 22, 2018, at 6:35 P.M. It shows there was 18 CPD members and one ATF member present during the search.

The **Original Case Report**<sup>11</sup> details that the search warrant was recorded on BWC, It details what occurred once the officers arrived at residence, what was recovered and what was left at the residence, such as the search warrant and the Evidence Recovery logs.

[REDACTED] **provided documents**<sup>12</sup> which are; his FOID card, State Identification and Concealed Carry Permit and the Chicago residential lease.<sup>13</sup>

## V. 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 reviewed complied with Department policy. *See Avery v. State Farm Mutual*

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<sup>7</sup> Attachment #34.

<sup>8</sup> Attachment #21.

<sup>9</sup> Attachment #14.

<sup>10</sup> Attachment #23.

<sup>11</sup> Attachment #8.

<sup>12</sup> Attachment #6.

<sup>13</sup> Attachment #16.

*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 conduct complied with Department policy than that it did not, even if by a narrow margin, then the preponderance of the evidence standard is met.

**Clear and convincing evidence** is a higher standard than a preponderance of the evidence but lower than the "beyond-a-reasonable doubt" standard required to convict a person of a criminal offense. See *e.g.*, *People v. Coan*, 2016 IL App (2d) 151036 (2016). Clear and Convincing can be defined as a "degree of proof, which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true." *Id.* at ¶ 28.

## VI. ANALYSIS

### 1. Officer Turner unlawfully entered ██████████ residence without justification.

Prior to preparing a Complaint for Search Warrant (CCMC-1-219) and Search Warrant (CCMC-1-220), it is the affiant Department member's responsibility to take all the proper investigative steps to provide for the integrity of the search warrant and ensure that the information is properly verified and corroborated. This preparation will include a review of the Rules and Regulations of the Chicago Police Department, state and constitutional law, and the appropriate research, investigation, and operational planning.<sup>14</sup>

Officer Turner obtained the search warrant from information the John Doe provided to him. The John Doe and Officer Turner then appeared before a judge who had the opportunity to ask questions of the John Doe, regarding the information used in the search warrant which was used to establish probable cause to issue the search warrant. Additionally, the John Doe, as stated in previous paragraphs above, has provided reliable information to both Officer Turner and other law enforcement agencies, in the past, which establish his credibility. The judge signed off on the search warrant on May 22, 2018, at approximately 10:00 am. The search warrant was executed on May 22, 2018, at 6:35 P.M. Therefore, there was probable cause to issue the search warrant. The allegation that Officer Turner unlawfully entered ██████████ residence, without justification, is **EXONERATED**.

### 2. Officer Turner unlawfully searched and seized property from within ██████████ residence without justification.

Given that Officer Turner was in possession of a valid search warrant for ██████████ residence, the subsequent search of that residence, and seizure of property described in the search warrant, is also valid. The Officers were within Department Rules and Regulations to execute the search warrant, search inside the residence, and seize any items listed on the search warrant. Thus, leading the allegation that Officer Turner unlawfully searched ██████████ residence without justification to be **EXONERATED**.

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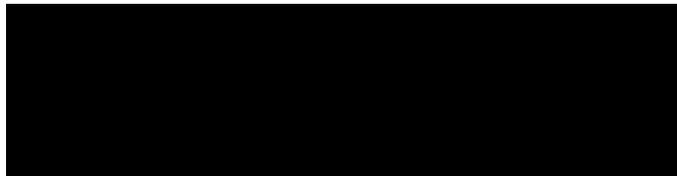
<sup>14</sup> S04-19- Search Warrant, V1. Search Warrant development, letter B.

**VII. CONCLUSION**

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding / Recommendation
Officer Vincent Turner	<p>It is alleged by [REDACTED] that on May 22, 2018, at approximately 6:35 P.M. at or near [REDACTED] Chicago, IL 60637 Apt. 2. Officer Turner committed misconduct by;</p> <p>1.Unlawfully entered [REDACTED] residence without justification.</p> <p>2.Unlawfully searched [REDACTED] residence without justification.</p> <p>3.Unlawfully seized property that belong to [REDACTED] without justification.</p>	<p><b>Exonerated.</b></p> <p><b>Exonerated.</b></p> <p><b>Exonerated.</b></p>

Approved:



12-19-2021

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 Angela Hearts-Glass  
 Deputy Chief Investigator

\_\_\_\_\_  
 Date

Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	12
<b>Investigator:</b>	Madilyn Kohs
<b>Supervising Investigator:</b>	Andrew Dalkin
<b>Deputy Chief Administrator:</b>	Angela Hearts-Glass