

**SUMMARY REPORT OF INVESTIGATION**

Date/Time/Location of Incident:	October 12, 2019 / 5:00am / 3841 W Augusta Blvd.
Date/Time of COPA Notification:	June 5, 2020 / 6:53pm
Involved Officer #1:	Charles O'Connor, Star #8546, Employee ID # [REDACTED], Date of Appointment: 27/01/2003, Rank: PO, Unit of Assignment: 011, DOB: [REDACTED] 1984, Male, White.
Involved Officer #2:	William Sierzega, Star #19352, Employee ID # [REDACTED], Date of Appointment: 12/12/2016, Rank: PO, Unit of Assignment: 011, DOB: [REDACTED], 1995, Male, White.
Involved Officer #3:	Alec Gomez, Star #13917, Employee ID # [REDACTED], Date of Date of Appointment: 17/04/2017, Rank: PO, Unit of Assignment: 011, DOB: [REDACTED] 1993, Male, Hispanic.
Involved Individual #1:	[REDACTED] DOB: [REDACTED], 1983, Male, Black.
Involved Individual #2:	[REDACTED] Male, Black.
Case Type:	4 <sup>th</sup> Amendment

**I. ALLEGATIONS**

<b>Officer</b>	<b>Allegation</b>	<b>Finding/ Recommendation</b>
Alec Gomez	It is alleged that on October 12, 2019, at approximately 05:00am, at or around 3841 W Augusta Blvd., Officer Alec Gomez:  1. Detained [REDACTED] without justification.	Exonerated

Charles O'Connor	<p>It is alleged that on October 12, 2019, at approximately 05:00am, at or around 3841 W Augusta Blvd., Officer William Sierzega:</p> <p>1. Detained [REDACTED] without justification.</p>	Exonerated
William Sierzega	<p>It is alleged that on October 12, 2019, at approximately 05:00am, at or around 3841 W Augusta Blvd., Officer William Sierzega:</p> <p>1. Detained [REDACTED] without justification.</p>	Exonerated

**II. SUMMARY OF EVIDENCE**

On June 5, 2020, at approximately 6:53 pm, Chicago Police Department (“CPD”) Officers Alec Gomez (“Officer Gomez”), and Charles O’Connor (Officer O’Conner”) observed a vehicle with two male subjects sitting inside. Officer Gomez approached the driver’s side of the vehicle and interacted with Mr. [REDACTED] ( [REDACTED] the complainant. Officer O’Connor approached the front passenger side of the vehicle and interacted with Mr. [REDACTED] ( [REDACTED] locked the doors as the officers approached. Upon approach, Officer Gomez observed an open container of alcohol inside the vehicle.<sup>1</sup> Upon observing the alcohol, Officer Gomez instructed [REDACTED] to step out of the vehicle. [REDACTED] refused to step out of the vehicle, stating that he did not consent to a search of the vehicle and requested that a sergeant be called to the scene.<sup>2</sup> Meanwhile, Officer O’Connor observed that the vehicle’s city sticker (affected to the passenger side of the from windshield) was expired.<sup>3</sup> Officer Gomez instructed [REDACTED] and [REDACTED] not to drink the alcohol inside of the vehicle numerous times.<sup>4</sup> [REDACTED] picked up an additional cup of alcohol located at or near the front driver side door and began to pour the alcohol onto inside of the interior of his vehicle. Finally, [REDACTED] agreed to step out of the vehicle after Officer William Sierzega (“Officer Sierzega”) arrived on scene. Officer Sierzega asked [REDACTED] to complete a sobriety test; however, [REDACTED] refused the test.<sup>5</sup> After Officer Sierzega gave [REDACTED] a final opportunity to take the sobriety test, [REDACTED] refused and was subsequently arrested for DUI.<sup>6</sup> [REDACTED] was released from the scene after the officers checked his identification.

<sup>1</sup> Att. 7 Timestamp 01:20 - 01:38.  
<sup>2</sup> Att. 7 Timestamp 01:38 - 01:54.  
<sup>3</sup> Att. 19 Timestamp 06:50 - 06:54.  
<sup>4</sup> Att. 9 Timestamp 01:22 - 03:25.  
<sup>5</sup> Att. 20. Timestamp 05:36 - 07:02, 07:13 - 09:22.  
<sup>6</sup> Att. 4 Timestamp 04:15 - 04:30.

**III. ANALYSIS AND CONCLUSION**

COPA finds, by clear and convincing evidence that the allegations are **Exonerated**.

The interaction between the accused officers and the complainant initially began as a consensual encounter but converted into an investigatory “*Terry*” stop, once the officer(s) observed an open alcohol container in the vehicle. The presence of alcohol gave rise to reasonable suspicion that [REDACTED] may have been operating a vehicle under the influence of alcohol. Furthermore, the open container of alcohol established probable cause for Hayward’s arrest, the search of the vehicle, and the search vehicle’s occupants.

Based upon a totality of the circumstances COPA finds the allegations against Officer Alec Gomez, Officer Charles O’Connor, and Officer William Sierzega are **Exonerated**.

Approved:

[REDACTED]

10/29/2021

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Matthew Haynam  
*Deputy Chief Administrator*

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Date

Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	7
<b>Investigator:</b>	Kenneth Cabell
<b>Supervising Investigator:</b>	Dortricia Penn
<b>Deputy Chief Administrator:</b>	Matthew Haynam