

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	November 4, 2019.
Time of Incident:	3:00 P.M.
Location of Incident:	6500 S. Cottage Grove, Chicago, IL 60637.
Date of COPA Notification:	November 4, 2019.
Time of COPA Notification:	3:27 P.M.

At approximately 3:00 p.m., November 4, 2019, near 6500 S. Cottage Grove, Chicago, IL 60637. **Accused Police Officers Carlos Delatorre (“Officer Delatorre”), Star #21794 and Constantino Martinez (“Officer Martinez”), Star #12428**, both from Unit 311, Gang Enforcement- Area Central, were driving in their squad car, traveling eastbound on 65th Street, a one way street, and made a U-turn and began traveling westbound. The Complainant, [REDACTED] ([REDACTED] and another individual, [REDACTED] ([REDACTED] were standing on the sidewalk by a gate near a strip of stores. Officers Delatorre and Martinez conducted a street stop of the two individuals. Officer Delatorre stopped the [REDACTED] and handcuffed and searched him. Officer Martinez walked towards [REDACTED] and stopped, handcuffed, and searched him. The officers name checks of both [REDACTED] and [REDACTED]. After getting the results of the name checks, the officers took the handcuffs off [REDACTED] and [REDACTED] and departed the area.

[REDACTED] alleges that the officers conducted a street stop without justification, handcuffed him without justification, searched him without justification and threatened him by saying, “If I see you here again, I will arrest you.”

II. INVOLVED PARTIES

Involved Officer #1:	Carlos Delatorre, Star # 5284 ¹ Employee ID# [REDACTED], Date of Appointment:03-09-2009, Rank: P.O., Unit of Assignment: 006 District, DOB: [REDACTED]-1985, Gender: Male, Race: White.
Involved Officer #2:	Constantino Martinez, Star # 12428, Employee ID# [REDACTED], Date of Appointment: 04-06-2015, Rank: P.O., Unit of Assignment: 002 District, DOB: [REDACTED]-1992, Gender: Male, Race: White.
Involved Individual #1:	[REDACTED] DOB: [REDACTED]-1987, Gender: Male, Race: Black.

¹ Officer Delatorre was a police officer at that time but since then he has been promoted to detective. His star number is now 21794.

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Officer Carlos Delatorre	It is alleged by [REDACTED] that on or about November 4, 2019 at approximately 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637. Officer Delatorre committed misconduct in that he conducted a street stop without justification.	Exonerated
	2. It is alleged by [REDACTED] that on or about November 4, 2019 at approximately 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Delatorre committed misconduct in that he detained [REDACTED] without justification.	Exonerated
	3. It is alleged by [REDACTED] that on or about November 4, 2019 at approximately 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Delatorre committed misconduct in that he handcuffed [REDACTED] [REDACTED] without justification.	Exonerated
	4. It is alleged by [REDACTED] that on or about November 4, 2019 at approximately 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Delatorre committed misconduct in that he searched [REDACTED] without justification.	Sustained/ 1 Day Suspension
	5. It is alleged by [REDACTED] that on or about November 4, 2019 at approximately 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Delatorre committed misconduct in that he threatened [REDACTED] by saying, "If I see you around here again, I will arrest you."	Not Sustained
	6. It is alleged that on November 4, 2019 at or about 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Delatorre committed misconduct in that he failed to document the search of [REDACTED] with an	Sustained/ 2 Days Suspension

	Investigatory Stop Report and issue an Investigatory Stop Report receipt.	
Officer Constantino Martinez	1.It is alleged by [REDACTED] that on or about November 4, 2019 at approximately 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Delatorre committed misconduct in that he conducted a street stop without justification.	Exonerated
	2. It is alleged by [REDACTED] that on or about November 4, 2019 at approximately 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Delatorre committed misconduct in that he detained [REDACTED] without justification.	Exonerated
	3. It is alleged that on November 4, 2019 at or about 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Martinez committed misconduct in that he; failed to document the search of [REDACTED] with an Investigatory Stop Report and issue an Investigatory Stop Report receipt.	Sustained/ 2Days Suspension

IV. 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.
2. **Rule 5:** Failure to perform any duty.
- 3.**Rule 8:** Disrespect or maltreatment of any person, while on or off duty.

General Orders

- 1.**G01-01:** Vision, mission statement and core values.

Special Orders

- 1.**S03-14-09:** Investigator Stop System.
- 2.**S10-02-03:** Gang and Narcotics- Related Enforcement.

Federal Laws

1. 4th Amendment, U.S Constitution.

V. INVESTIGATION**a. Interviews**

In his recorded interview with COPA on November 5, 2019,² the **Complainant**, ██████████ ██████████ (██████████) stated he was standing by the outside of a gate talking to another guy on the opposite side of the gate. He saw the officers make a U-turn on 65th Street traveling west in the opposite one-way direction on 65th Street and Cottage Grove. The officers jumped out of the vehicle and one officer walked to the guy that was standing next to him. The other officer walked towards him. The officer whose star number is 5284 (Delatorre), grabbed ██████████ by his left arm put it behind ██████████ back and then placed him into handcuffs. The officer did not tell him why he was stopping him, but asked him if he had anything on him, other than a knife he could already see. ██████████ responded that he did not. The officer then searched his jacket and pockets and asked for his ID, ██████████ took his wallet out from his pocket. The officer searched his wallet. The other officer ran his name and the other male's name. "I was standing there listening to the lady on the call and she said, his name came back a member of the Gangster Disciples but he's clear and said that I was on parole but he's not on parole anymore and he's clear."³ The partner said to take the cuffs off and let them go. The officer said, "Man, if I see you anywhere around here a block away, I'm locking you up."⁴ He was free to leave and departed the area. The complainant stated, "By going in my pockets and searching me, with no call, I feel totally disrespected."⁵

On January 27, 2021, **Accused Police Officer Delatorre** gave COPA an audio recorded interview.⁶ In the interview he related that on the date in question, Mr. ██████████ and another individual, were loitering in a Hotspot designated by the Chicago Police Department. He and Officer Martinez exited their vehicle to conduct an investigatory stop, that was a dispersal, meaning splitting up a group or gathering of people, causing them to leave. Both individuals were detained and their names were run over dispatch. They were dispersed and a dispersal number was given over OEMC. He stated, "They were told not to return to the Hotpot within twelve hours or they could be arrested for loitering."⁷ He continued to say, "It is a part of the procedures to advise them as a dispersal of the consequences."⁸ When asked about why Mr. ██████████ was handcuffed, he responded "Mr. ██████████ was detained because he was loitering in a CPD designated Hotspot. He was detained for that reason and handcuffed for officer safety due to him being in the presence of another individual, and having knowledge of Mr. ██████████ being combative or aggressive at times."⁹ He said he was aware of other officers having incidents of Mr. ██████████ since he's known for

² Attachment #5.

³ Attachment #5 at 7:00.

⁴ Attachment #5 at 7:50.

⁵ Attachment #5 at 8:00.

⁶ Attachment #40.

⁷ Attachment #40 at 14:25.

⁸ Attachment #40 at 14:40.

⁹ Attachment # 40: 15:00.

approaching officers in an aggressive manner.¹⁰ Officer Delatorre stated, “He was searched because he was loitering in a high narcotic area, as well as myself had the knowledge he likes to sell lose cigarettes on 65th and Cottage, I believe he had loose domination of USC and loose cigarettes, but I am not one hundred percent sure at this time.”¹¹ He was advised not to return, due to the Hotspot policy, within 12 hours. When asked if he wrote an ISR, he responded with, “To the best of my knowledge, I did not write an investigatory stop report.”¹² When asked if an ISR should have been made he responded with, “Absolutely, that was an oversight”.¹³

On February 11, 2021, **Accused Police Officer Martinez** gave COPA an audio recorded interview.¹⁴ In the interview he related a similar account to that given by Officer Delatorre. He elaborated that the location of the incident, 6500 South Cottage Grove, is a priority 1 or 2 Hot Spot for narcotics and gang loitering.¹⁵ He stated he conducted a stop of two individuals and called it over the radio as a narcotics dispersal. The stop was conducted due to the two individuals who were loitering in known Hot Spot. Officer Martinez also noticed they had multiple bulges around the side or front pocket area which are known to be used for guns. He stated, “Mr. [REDACTED] is known in the area for selling lose cigarettes and narcotics in the area.”¹⁶ The two individuals were handcuffed for officer safety, patted down, and searched, their names were run over the radio on OEMC. They were, eventually, dispersed with a narcotics dispersal to leave the area and instructed to not return for 12 hours.¹⁷ The narcotics dispersal is used when individuals are engaged in narcotics related loitering. The dispersal is ran over OEMC citing the exact location the order was issued and the number of persons the order was issued to. When asked about if an ISR was written, Officer Martinez did not recall and stated “I might not have done one. Maybe I forgot and one should have been made with a narcotics dispersal.”¹⁸

b. Digital Evidence

The **POD video** shows the interaction between Officers Delatorre, Martinez, and the complainant [REDACTED] from November 4, 2019 at 3:00 pm.¹⁹

There is no **Body Worn Camera (BWC)** available due to Officer Delatorre and Officer Martinez working unit 312, which in 2019 did not have a BWC requirement.

c. Documentary Evidence

The **Investigatory Stop Report (ISR)** indicates that no ISR was written or given for the stop of the Complainant, [REDACTED].²⁰

¹⁰ Attachment #40 at 16:10.

¹¹ Attachment #40 at 16:20.

¹² Attachment # 40 at 21:58.

¹³ Attachment #40 at 22:09.

¹⁴ Attachment #44.

¹⁵ Attachment #44 at 10:35.

¹⁶ Attachment #44 at 16:00.

¹⁷ Attachment #44 at 18:30.

¹⁸ Attachment #44 at 23:00.

¹⁹ Attachment #7.

²⁰ Attachment #25.

The **Event Query Report**, # 1930809782,²¹ indicates that at 6500 S. Cottage Grove Ave at 14:54 hrs., there was an event for a Hot Spot.

The preliminary **A&A Sheet** from November 4, 2019 from unit 311, gang enforcement- area 1.²² Officer Delatorre star# 5284 and Officer Martinez were both in vehicle #2698.

The final **A&A Sheet** from on November 4, 2019 from unit 311, gang enforcement- area 1.²³ Officer Delatorre's star# was changed due to his promotion to star#21794 and Officer Martinez were both in car 2698.

d. Other Evidence

The **CPD radio transmission** ²⁴ is the recording of Officer Martinez requesting name checks for [REDACTED] and [REDACTED] Dispatch responds, [REDACTED] comes back valid Gangster Disciples. He is clear. The second for [REDACTED] comes back no valid license. He is suspended and no convictions in the last 12 months. No probable cause investigative alert.²⁵

VI. 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 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.

²¹ Attachment #23.

²² Attachment #36.

²³ Attachment #10.

²⁴ Attachment #38.

²⁵ Attachment #38 at 22:00.

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.

VII. ANALYSIS

1. Officers conducted a street stop without justification.

The Fourth Amendment of the United States Constitution and the Illinois Constitution of 1970 guarantee the right of individuals to be free from unreasonable searches and seizures. U.S. Const., amend. IV; Ill. Const. 1970, art. I, § 6. Police-citizen encounters are categorized into three tiers: (1) an arrest of a citizen, which must be supported by probable cause; (2) a temporary investigative seizure conducted pursuant to *Terry v. Ohio*, 392 U.S. 1 (1968) and 725 ILCS 5/107-14, which must be supported by a reasonable, articulable suspicion of criminal activity; and (3) a consensual encounter, which does not implicate any Fourth Amendment interests. *People v. McDonough*, 239 Ill. 2d 260, 268 (2010).

In Gang and Narcotics Related Enforcement Special Order, states, "When a Department member observes two or more persons loitering in an area designated as a Hot Spot or a High-Level Gang Conflict Location, the member will determine if any criminal street gang member is present and if the persons are engaged in gang loitering in accordance with the following criteria and one is; the loitering is consistent with established patterns of gang loitering which contributed to the hot-spot areas designation."²⁶

Officers Delatorre and Martinez conducted a street stop of ██████████ after they observed him in the area of the known "Hot Spot" that was issued from an event query report. ██████████ was standing on the sidewalk with a male named ██████████ talking to another male on the other side of a gate which lead to a few stores. A temporary investigative seizure was conducted due to the Hot Spot notification and what is described above, in the Gang and Narcotics Related Enforcement Special Order, S10-02-03. That information gave them reasonable articulable suspicion to believe ██████████ could be committing a crime. Once the officers determined that he was not involved in criminal activity and his name check came back clear and for Gangster Disciples, ██████████ was released. Therefore, given that reasonable articulable suspicion existed, the stop of ██████████ was justified. Thus, COPA finds the allegation of the officers conducted a street stop without justification is **exonerated**.

2. Officers detained and handcuffed ██████████ without justification.

A police officer may temporarily detain an individual for an investigatory stop when "the officer's decision is based on specific, articulable facts which warrant the investigative stop intrusion." *People v. Moore*, 286 Ill. App. 3d 649, 653 (3d Dist. 1997) (citing *Terry v. Ohio*, 392 U.S. 1, 21, (1968)); *People v. Stewart*, 242 Ill. App. 3d 599, 605 (1993))." The police officer must have an 'articulable suspicion' that the person has committed or is about to commit a crime. *Moore*,

²⁶ Special Order S10-02-03 #2, a.

286 Ill. App. 3d at 653 (citations omitted). An officer may not detain an individual based on mere hunches or unparticularized suspicions.

Courts have found that “handcuffing is the type of action that may convert an investigatory stop into an arrest because it heightens the degree of intrusion and is not generally part of a stop.” See *id.* (citing *People v. Wells*, 403 Ill. App. 3d 849, 857 (1st Dist. 2010); *Delaware*, 314 Ill. App. 3d at 370; *People v. Tortorici*, 205 Ill. App. 3d 625, 628 (3d Dist. 1990)). “There are situations in which concerns for the safety of the police officer or the public justify handcuffing the detainee for the brief duration of an investigatory stop.” *People v. Arnold*, 394 Ill. App. 3d 63, 71 (2009). The critical question is whether “the use of such restraints is [] reasonably necessary for safety under the specific facts of the case.” *People v. Arnold*, 394 Ill. App. 3d 63, 71 (2d Dist. 2009). If not, “their use will indicate that the encounter should be viewed as an arrest.” *Id.*

As previously discussed, above, Officers had reasonable articulable suspicion to stop and detain [REDACTED]. Officer Delatorre detained [REDACTED] and Officer Martinez detained the [REDACTED] since they were talking to another male in a designated Hot Spot location. Upon learning that [REDACTED] was carrying a knife in his pocket, Officer Delatorre temporarily handcuffed him for officer safety. The investigatory stop was brief enough to determine that [REDACTED] is a member of the Gangster Disciples but was released and told to disperse for 12 hours from the location. Thus, COPA finds the allegation that the officers detained and handcuffed [REDACTED] without justification to be **Exonerated**.

3. Officer Delatorre searched [REDACTED] without justification.

The Supreme Court has established two tests for when a “search” occurs under the Fourth Amendment. First, a search occurs when government actors “physically occup[y] private property for the purpose of obtaining information.” *United States v. Jones*, 565 U.S. 400, 404 (2012). And second, even absent a physical trespass, a search occurs when “an expectation of privacy that society is prepared to recognize as reasonable is infringed.” *United States v. Jacobsen*, 466 U.S. 109, 113 (1984) (citing *Katz v. United States*, 389 U.S. 347 (1967)).

In the Investigatory Stop System special order S04-13-09, it states, the search during an Investigatory Stop in which the sworn member conducts a pat down of the outer clothing of a person for weapons for the protection of the sworn member or others in the area. If, during a Protective Pat Down of the outer clothing, the sworn member touches an object which the sworn member reasonably believes is a weapon, the sworn member may reach into that area of the clothing and retrieve the object. A Protective Pat Down is not a general exploratory search for evidence of criminal activity.²⁷

The POD video reveals that Officer Delatorre walked out of the unmarked CPD vehicle and walked straight to [REDACTED] handcuffing, and searching his person. Officer Martinez then conducted a radio name-check of the Complainant. Upon learning that he had no holds, [REDACTED] was unhandcuffed and allowed to leave. The officers then departed the area.

²⁷ Investigatory Stop System; S04-13-09, 17-067 DK, number 2, Protective Pat down.

The only reasonable articulable suspicion to search [REDACTED] was an event stating there was Hot Spot on the street [REDACTED] was on. That information in itself is not reasonable to conduct a full search of the complainant and his person. Thus, COPA finds that the Officer Delatorre searched [REDACTED] without justification is **Sustained**.

4. *Officer Delatorre threatened [REDACTED] by saying, "If I see you around here again, I will arrest you."*

Gang and Narcotics Related Enforcement S10-02-03 indicates, when a Department member observes two or more persons loitering in an area designated as a Hot Spot or a High Level Gang Conflict Location, the member will determine if any criminal street gang member is present and if the persons are engaged in gang loitering, If a Department member determines that such persons are engaged in gang loitering, the member will: verbally inform all of the persons engaged in the gang loitering that they are doing so in an area where loitering by criminal street gangs is prohibited. Complete an Investigatory Stop Report (CPD-11.910) for all persons engaged in gang loitering consistent with the procedures outlined in the Department directive entitled "Investigatory Stop System." Members will include the dispersal time, the number of persons dispersed, and the event number on each Investigatory Stop Report associated with the dispersal. Inform those persons that they will be subject to arrest if they fail to obey the order promptly or return within sight or hearing of the location where the order was issued and engage in further gang loitering within eight hours, except that if the Superintendent has designated the area as one temporarily associated with a Heightened Level of Violence, then within 12 hours for those times that have been so designated as a 12-hour dispersal area.²⁸

[REDACTED] stated, in his interview with COPA, that Officer Delatorre told him if he saw him around here again, he would arrest him. Saying that to an individual during an Investigatory Stop is a type of action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department. During Officer Delatorre's interview with COPA he explained, they were told not to return to the Hotspot within 12 hours or they could be arrested for loitering. Its standard procedures to advise them of the consequences of returning.²⁹ Due to the officers not having BWC during the incident, since in 2019, BWC for Unit 311 was not required, no audio exists to confirm what [REDACTED] alleged was true. Therefore, there is insufficient evidence to prove the allegations by a preponderance of the evidence, COPA finds the allegation that Officer Delatorre threatened [REDACTED] by saying, "If I see you around here again, I will arrest you" is **Not Sustained**.

5. *Officers failed to document the search of [REDACTED] with an Investigatory Stop Report and issue an Investigatory Stop Receipt.*

The Investigatory Stop System per S04-13-09 states, "the documentation of Investigatory Stops, Protective Pat Downs or other searches resulting from stops, for documenting probable cause stops when no other document captures the reason for the detention." The Investigatory Stop System also indicates, officers are responsible for; entering and maintaining Investigatory Stop Reports into the Investigatory Stop Database, completing a hard copy Investigatory Stop

²⁸ S10-02-03- Gang and Narcotics Related enforcement.

²⁹ Attachment #40 at 14:40.

Report, and accessing information from the Investigatory Stop Database. The Investigatory Stop Receipt will be given to the subject of the pat down or search during the Investigatory Stop.³⁰

In the database search for the Investigatory Stop Report (ISR), no ISR can be found for the stop of [REDACTED]. It follows, that if no ISR was completed, then [REDACTED] was not given an Investigatory Stop Receipt. An ISR should have been completed due to the Investigatory Stop of [REDACTED] and the search of his person. COPA finds the allegations against the officers for failure to document the stop and the search of [REDACTED] with an Investigatory Stop Report and failure to issue an Investigatory Stop Receipt per S03-14-09 to be **sustained**.

VIII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. Officer Delatorre

i. Complimentary and Disciplinary History

1. Officer Delatorre has received; a 2009 Crime Reduction an Award, 2019 Crime Reduction Award, 3 Attendance Recognition Awards, 2 Complimentary Letters, a Department Commendation, 52 Honorable Mentions, a NATO Summit Service Award, a Police Officer of the Month Award, and a Unit Meritorious Performance Award.

2. Officer Delatorre has no disciplinary history.

ii. Recommended Penalty, by Allegation

1. Allegation No. 4

a. COPA recommends One Day Suspension.

b. Mitigating Factors: Officer Delatorre's Complimentary History demonstrates that normally he is attentive to duties and responsibilities as a sworn member of CPD.

c. Aggravating Factors: Searched Mr. [REDACTED] person and should have conducted a protective pat down.

2. Allegation No. 6

a. COPA recommends Two Days Suspension.

³⁰ Investigatory Stop System, S04-13-09

b. Mitigating Factors: Officer Delatorre's Complimentary History demonstrates that normally he is attentive to duties and responsibilities as a sworn member of CPD.

c. Aggravating Factors: Failing to comply with Special Order Investigatory Stop System, S04-13-09, by not completing an Investigatory Stop Report.

b. Officer Martinez

i. Complimentary and Disciplinary History

1. Officer Martinez has received; a 2019 Crime Reduction Award, an Attendance Recognition Award, 2 Department Commendations, 4 Emblem of Recognition- Physical Fitness, 99 Honorable Mentions, 2 Honorable Mention Ribbon Awards, a Joint Operations Award, a Police Officer of the month Award, a Problem-Solving Award, a Special Commendation, a Superintends Award of Tactical Excellence, a Superintends Honorable Mention, a Top Gun Arrest Award, and a Traffic Stop of the Month Award.

2. Officer Martinez disciplinary history is; a SPAR from December 29, 2020 which was 016- Failure to Perform Assigned Tasks, and another SPAR from January 9, 2020 which was 025- Preventable Accident.

ii. Recommended Penalty, by Allegation

1. Allegation No. 3

a. COPA recommends Two Days Suspension.

b. Mitigating Factors: Officer Martinez's Complimentary History demonstrates that normally he is attentive to duties and responsibilities as a sworn member of CPD.

c. Aggravating Factors: Failing to comply with Special Order Investigatory Stop System, S04-13-09, by not completing an Investigatory Stop Report.

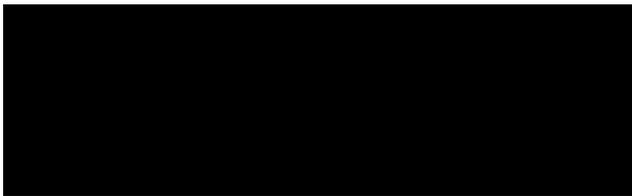
IX. CONCLUSION

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

Officer	Allegation	Finding / Recommendation
Officer Delatorre	1. It is alleged by ██████████ that on or about November 4, 2019 at approximately 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637. Officer Delatorre committed misconduct in that he conducted a street stop without justification.	Exonerated
	2. It is alleged by ██████████ that on or about November 4, 2019 at approximately 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Delatorre committed misconduct in that he detained ██████████ without justification.	Exonerated
	3. It is alleged by ██████████ that on or about November 4, 2019 at approximately 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Delatorre committed misconduct in that he handcuffed ██████████ without justification.	Exonerated
	4. It is alleged by ██████████ that on or about November 4, 2019 at approximately 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Delatorre committed misconduct in that he searched ██████████ without justification.	Sustained/ 1 Day Suspension.
	5. It is alleged by ██████████ that on or about November 4, 2019 at approximately 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Delatorre committed misconduct in that he threatened ██████████ by saying, "If I see you around here again, I will arrest you."	Not Sustained
	6. It is alleged that on November 4, 2019 at or about 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Delatorre committed misconduct in that he failed to document the search of ██████████ with an Investigatory Stop Report and issue an Investigatory Stop Report receipt.	Sustained/ Two Days Suspension.

<p>Officer Martinez</p>	<p>1. It is alleged by [REDACTED] that on or about November 4, 2019 at approximately 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Delatorre committed misconduct in that he conducted a street stop without justification.</p> <p>2. It is alleged by [REDACTED] that on or about November 4, 2019 at approximately 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Delatorre committed misconduct in that he detained [REDACTED] without justification.</p> <p>3. It is alleged that on November 4, 2019 at or about 3:00 p.m. at or near 6500 S. Cottage Grove, Chicago, IL 60637, Officer Martinez committed misconduct in that he; failed to document the search of [REDACTED] with an Investigatory Stop Report and issue an Investigatory Stop Report receipt.</p>	<p>Exonerated</p> <p>Exonerated</p> <p>Sustained/ Two Days Suspension.</p>
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Approved:



Angela Hearts-Glass
 Deputy Chief Investigator

5-28-2021

Date

Appendix A

Assigned Investigative Staff

Squad#:	12
Investigator:	Madilyn Kohs
Supervising Investigator:	Andrew Dalkin
Deputy Chief Administrator:	Angela Hearts- Glass
*Attorney:	Chris Reed