

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	March 9, 2018 / 9:05 PM / ██████████ St.
Date/Time of COPA Notification:	March 12, 2018 / 9:35 AM
Involved Officer #1:	Officer Angel Collazo #4679 / Employee ID # ██████████ / DOA: 28 Jul 2008 / Unit: 015 / 189 / DOB: ██████████ 1983 / Male / Hispanic
Involved Individual #1:	██████████ / ██████████ 1979 / Male / Black
Case Type:	Search Warrant

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Angel Collazo	It is alleged by ██████████ on or about March 9, 2018, at approximately 9:05 PM, at or near ██████████ Chicago, IL 60644, that you Officer Angel Collazo committed misconduct through the following acts or omissions, by:	
	1. Failing to provide ██████████ with a copy of the executed searched warrant.	Exonerated
	2. Arresting ██████████ for being in possession of ammunition as a convicted felon, without justification.	Exonerated
	3. Searching the basement of ██████████, without justification.	Not Sustained
	4. Failing to inventory Gregory Barnes' \$1900 found in the basement of ██████████	Not Sustained

II. SUMMARY OF EVIDENCE

Mr. ██████████ was at his mother's home when CPD approached the residence to serve a search warrant. ██████████ was detained outside of the residence and ██████████ provided the door code to the search warrant team to get into the house without damaging the front door. ██████████ was ultimately arrested for being a felon in possession of ammunition. ██████████ alleged that he was not given a copy of the search warrant, was falsely arrested, \$1900 in cash was taken from the basement, and the house's basement was illegally searched.

Search warrant team affiant Officer Angel Collazo¹ and search warrant team supervisor Sergeant Eduardo Escalante² were both interviewed by COPA. Both Officer Collazo's and Sergeant Escalante's

¹ Att. 31

² Att. 28

recitation of what happened during the search warrant are similar. Officer Collazo confirmed that he wrote the John Doe search warrant affidavit. Sergeant Escalante confirmed that he was the supervisor overseeing the execution of the search warrant. Photographs of a copy of the search warrant left on a table in the second-floor apartment were reviewed.³ Photographs of ammunition that were recovered from the basement of the house were reviewed.⁴

Officer Collazo and Sergeant Escalante both said that ██████ freely stated that he did not have anything in the house other than some ammunition in the basement. ██████ voluntarily brought Officer Collazo and Sergeant Escalante into the basement and showed them where the ammunition was. ██████ alleged that he had hidden \$1900 in cash in the basement ceiling which was not there after he was released from custody. Officer Collazo and Sergeant Escalante only recovered the ammunition from the basement and that no search was conducted, and no cash was seized and inventoried. If cash were found elsewhere other than on ██████ person, it would have been inventoried according to Officer Collazo and Sergeant Escalante. Officer Collazo and Sergeant Escalante were the only CPD members in the basement of the residence and did not see any other search team personnel go into the basement. ██████ was a known felon prior to the execution of the search warrant and was subsequently arrested for being in possession of the ammunition he showed Officer Collazo and Sergeant Escalante.

The only available BWC for this search warrant execution is for the two officers that transported ██████ to the District for processing.⁵ A Ring doorbell video was reviewed but it only records activity in the front of the house.⁶ Inventory reports do not notate any cash being inventoried from the executed search warrant.⁷ COPA scheduled an interview with ██████ to clarify the allegations that he had previously made in his sworn statement.⁸ ██████ did not show up to the scheduled appointment and did not return any further contact attempts.

III. ANALYSIS AND CONCLUSION

COPA finds the allegation that Officer Collazo failed to provide ██████ with a copy of the executed search warrant is exonerated. Rule 6 prohibits Department members from the disobedience of an order or directive, whether written or oral. Special Order S04-19 requires a member of the search warrant team to provide a copy of the search warrant to the named individual on the warrant or leave a copy at the site of the search. A search warrant was executed on the second-floor apartment at ██████ with negative results. A copy of the search warrant was photographed on the table in the apartment. The second-floor unit's owner is ██████ mother who was not home at the time of the warrant's execution. COPA finds the allegation that Officer Collazo failed to provide a copy of the executed search warrant is **exonerated**.

COPA finds the allegation that Officer Collazo arrested ██████ for being in possession of ammunition as a convicted felon, without justification. Rule 6 prohibits Department members from the disobedience of an order or directive, whether written or oral. An officer must have probable cause to arrest a subject.⁹ "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".¹⁰ 720 ILCS 5/24-1.1(a) states "it is unlawful for a person to knowingly possess on or about his person or on his land or in his own abode or fixed place of business any weapon prohibited under Section 24-1 of this Act or any

³ Att. 13

⁴ Att. 14

⁵ Att. 17

⁶ Att. 15

⁷ Att. 12

⁸ Att. 27

⁹ Att. 32: S04-13-09 Investigatory Stop System: II. Definitions ~ D. Probable Cause – effective 10 July 2017

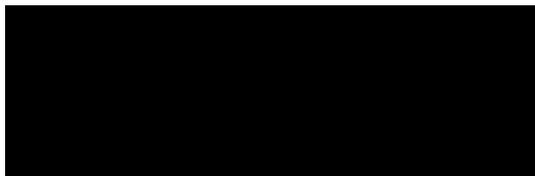
¹⁰ Att. 32: S04-13-09 Investigatory Stop System: II. Definitions ~ D. Probable Cause – effective 10 July 2017

firearm or any firearm ammunition if the person has been convicted of a felony under the laws of this State or any other jurisdiction.” Knowing ██████ to be a convicted felon, ██████ admission that he had ammunition, and then voluntarily showing Officer Collazo the location of the ammunition gave him probable cause to arrest ██████ for possessing ammunition as a convicted felon. COPA finds the allegation that Officer Collazo arrested ██████ for being in possession of ammunition as a convicted felon, without justification, is **exonerated**.

COPA finds the allegation that Officer Collazo searched the basement of ██████ St., without justification, is not sustained. Rule 6 prohibits Department members from the disobedience of an order or directive, whether written or oral. Special Order S04-19-01 procedure requires a supervisor respond when verbal consent to search is given. Officer Collazo and Sergeant Escalante both heard ██████ voluntarily admit that he had ammunition in the basement and willingly showed them the location. Both Officer Collazo and Sergeant Escalante deny there was a search of the basement and only went to where ██████ brought them. There is no written documentation of ██████ consent to search and his voluntary statement that he had ammunition and was willing to show the officers was not recorded. The search warrant team that executed the warrant were not wearing BWCs at the time. COPA was unable to independently verify if ██████ gave verbal consent and voluntarily brought Officer Collazo and Sergeant Escalante into the basement. COPA finds the allegation that Officer Collazo searched the basement of ██████ St., without justification, is **not sustained**.

COPA finds the allegation that Officer Collazo failed to inventory Gregory ██████ \$1900 found in the basement of ██████ St., is not sustained. Rule 6 prohibits Department members from the disobedience of an order or directive, whether written or oral. Special Order S04-19-01 requires that currency recovered during the execution of a consent to search incident will be processed and inventoried in accordance with Special Order S07-01-02, Inventorying Money. Special Order S07-01-02 requires that “all bulk amounts of United States Currency subject to inventory will be immediately placed in a Currency Inventory Bag at the scene, without a hand-count, unless otherwise directed by Asset Forfeiture Unit personnel.” ██████ alleged that \$1900 in cash was removed from the basement where he showed Officer Collazo and Sergeant Escalante the ammunition. Officer Collazo denies finding any cash and would have inventoried it properly if he did. Sergeant Escalante does not recall any currency being found and would have instructed it to be properly inventoried if it were. The only cash related to this search warrant that is documented is the cash found on ██████ person at the time of his detention. There is no BWC that can independently verify whether \$1900 in cash was found in the basement and was not inventoried. COPA finds the allegation that Officer Collazo failed to inventory ██████ \$1900 found in the basement of ██████ St., is **not sustained**.

Approved:



Matthew Haynam
Deputy Chief Administrator – Chief Investigator

10/7/2021

Date

Appendix A

Assigned Investigative Staff

Squad#:	2
Investigator:	Anthony Wall
Supervising Investigator:	Bob Coleman
Deputy Chief Administrator:	Matthew Haynam