

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	June 29, 2019 / 2:30 pm / 935 North Lorel Ave., Chicago, Illinois 60651
Date/Time of COPA Notification:	September 20, 2019
Involved Officer #1:	Reginald Engram Jr., Star #8828, Emp. ID # [REDACTED] Appointed: June 16, 2017, Police Officer, Unit 193, Male, Black
Involved Officer #2:	Christopher Lockhart, Star #9930, Emp. ID # [REDACTED] Appointed: June 16, 2017, Police Officer, Unit 189, Male, Black
Involved Officer #3:	Maria Sigartau, Star #16288, Emp. ID # [REDACTED] Appointed: August 25, 2014, Police Officer, Unit 193, Female, White
Involved Lieutenant #1:	Wilfredo Roman Jr., Star #723, Emp. ID # [REDACTED] Appointed: June 19, 2000, Police Lieutenant, Unit 376, Male, Hispanic
Involved Individual #1:	[REDACTED] DOB: [REDACTED], 1961, Male, Black
Case Type:	False Arrest

I. ALLEGATIONS

Officer	Allegation	Finding
Officers Engram and Lockhart	1. Arrested [REDACTED] without justification.	Not Sustained
	2. Planted drugs in the vicinity of [REDACTED]	Not Sustained
	3. Made one or more false, misleading, inaccurate, incomplete, and/or inaccurate statements when completing the Arrest Report and Case Report for [REDACTED]	Not Sustained
	4. Failed to activate his body worn camera in violation of S03-14 Body Worn Cameras.	Sustained

Lt. Roman and Officer Sigartau	1. Arrested ██████████ without justification. 2. Planted drugs in the vicinity of ██████████ 3. Made one or more false, misleading, inaccurate, incomplete, and/or inaccurate statements when assisting with the Arrest Report and Case Report for ██████████	Not Sustained Not Sustained Not Sustained
Lt. Roman	4. Failed to activate his body worn camera in violation of S03-14 Body Worn Cameras	Exonerated
Officer Sigartau	4. Failed to activate her body worn camera in violation of S03-14 Body Worn Cameras.	Exonerated

II. SUMMARY OF EVIDENCE

On June 29, 2019, at approximately 2:30 pm, at or near 828 N. Lorel Ave.,¹ Officer Maria Sigartau observed an individual, whom she later identified as ██████████ repeatedly enter and exit a vacant lot in the area. Officer Sigartau reported that on multiple occasions, she saw ██████████ ride his bicycle northbound on Lorel Ave., stop and walk into the empty lot, bend down, and pick up unknown objects. ██████████ then got back on his bicycle and rode southbound to Chicago Ave., where he exchanged the objects with unknown individuals for an unknown amount of US currency.² Based on her training, Officer Sigartau recognized this activity as hand-to-hand narcotic transactions.³ She relayed what she saw, including descriptions of ██████████ and the purchasers, to her team members over the radio. When Officers Christopher Lockhart and Reginald Engram, Jr. heard Officer Sigartau describe one of the individuals who purchased narcotics from ██████████ the officers stopped two individuals who matched that description.⁴ Neither of the individuals stopped had any narcotics on them, although one indicated that she had drugs earlier in the day.⁵ Just north of the empty lot, at 935 N. Lorel Ave.,⁶ Lieutenant Wilfredo Roman, Jr. detained ██████████ based on Officer Sigartau's description.⁷ Shortly thereafter, Chicago Police Department (CPD) members recovered narcotics from the empty lot, where Officer Sigartau had observed ██████████ picking up the objects he sold to other individuals.⁸ ██████████ was then arrested and transported to the 15th District for processing.⁹ During her interview with COPA, Officer

¹ Att. 15, pg. 2.

² Att. 15, pg. 3; Att. 26, pgs. 6 to 7.

³ Att. 26, pg. 10.

⁴ Att. 23, pgs. 9 to 10.

⁵ Att. 21, 2:20 to 2:26.

⁶ The Arrest Report (Att. 15) indicates that the location of arrest was 935 N. Lorel Ave., while in his letter (Att. 7), ██████████ states the location of arrest was 940 N. Lorel Ave.

⁷ Att. 28 at 9:44.

⁸ Att. 23, pgs. 11 to 12.

⁹ Att. 15, pg. 3.

Sigartau reviewed ██████ booking photo and confirmed he was the individual she saw conducting narcotics transactions from the empty lot.¹⁰

On September 23, 2019, COPA received a signed and verified letter from ██████¹¹ ██████ alleged that on June 29, 2019, CPD members stopped and searched him for no reason near the corner of W. Chicago Ave. and N. Lorel Ave. ██████ said that after the members found nothing, they released him, and he got back on his bicycle and left the scene. Approximately two blocks north, at 940 North Lorel Ave., ██████ alleged that he was stopped again, this time by Lt. Roman. Lt. Roman handcuffed and searched ██████ then reportedly told ██████ that other CPD members had a video of him selling drugs. ██████ responded that Lt. Roman was mistaken because he (██████) had not been in the area. During Lt. Roman's interview with COPA, he stated that although he could not recall the specific description Officer Sigartau had provided for the individual engaging in narcotics transactions, he stopped ██████ based on that description. Lt. Roman also recalled that Officer Sigartau said the individual was both walking and on a bicycle, and ██████ was stopped while riding his bicycle.¹²

██████ alleged he was arrested without justification and taken to the station, where Officers Lockhart and Engram, as well as an unidentified male Hispanic officer,¹³ told ██████ they would not charge him if he gave them a gun or information on any drug dealing. ██████ said he told the members that he did not know anything and did not want to participate in the interview. However, Officers Lockhart and Engram told COPA that they did not attempt to interview ██████ at the station.¹⁴ ██████ further claimed that the officers returned to the scene of his arrest and showed gang members a list of names, while indicating that ██████ had provided those names. ██████ said that the gang members subsequently beat him in retaliation for providing those names. Officers Lockhart and Engram told COPA they were unaware of any list of names, and they denied giving any names to gang members.¹⁵

There is no video footage of ██████ arrest.¹⁶ The only Body Worn Camera (BWC) video for this case was recorded by Officer Lockhart, and it captures Officers Lockhart and Engram stopping individuals who matched the descriptions that Officer Sigartau provided for ██████ purchasers.¹⁷

██████ maintained that he did not match the description that Officer Sigartau provided over the radio; however, COPA was unable to obtain the Office of Emergency Management & Communications records before the retention period elapsed.¹⁸ COPA did review the Event Query

¹⁰ Att. 26, pgs. 19 to 20.

¹¹ Att. 8 is ██████ initial letter to COPA, which is signed and verified. Att. 7 is a subsequent letter ██████ wrote to COPA that describes the same allegations of misconduct, but includes ██████ corrected criminal case number.

¹² Att. 26, pg. 8.

¹³ COPA was unable to determine the identity of this officer.

¹⁴ Att. 22, pgs. 15 to 16; Att. 23, pg. 24.

¹⁵ Att. 22, pg. 22; Att. 23, pgs. 25 to 26.

¹⁶ Att. 14.

¹⁷ Att. 21.

¹⁸ See CMS Notes.

Report for the arrest, but it does not contain a description of [REDACTED] or any individual selling drugs at that location.¹⁹

I. 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 a proposition is proved.²⁰ For example, 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.

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. 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.”²¹

III. ANALYSIS AND CONCLUSION

COPA finds **Allegation 2** against the accused CPD members, that they planted narcotics in the vicinity of [REDACTED] is **not sustained**. [REDACTED] claimed that Officers Lockhart, Engram, and Sigartau, as well as Lt. Roman, planted the narcotics. The CPD members, however, denied the allegation. They told COPA that Officer Sigartau observed [REDACTED] going through an empty lot, bending down, picking up objects, coming back, and exchanging the objects with unknown individuals for an unknown amount of US currency. Based on her training, Officer Sigartau recognized [REDACTED] actions as that of an individual conducting hand-to-hand narcotics transactions. Officer Sigartau then relayed [REDACTED] description to her team, which included Lt. Roman and Officers Lockhart and Engram. Based on this description, Lt. Roman detained [REDACTED] north of the empty lot. Officer Engram relocated to the empty lot and found narcotics in the location where Officer Sigartau had observed [REDACTED] picking up the objects he sold. Due to

¹⁹ Att. 27.

²⁰ 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).

²¹ See *e.g., People v. Coan*, 2016 IL App (2d) 151036 (2016).

the conflicting statements and lack of video evidence, COPA is unable to determine whether the CPD members planted the narcotics as alleged by ██████ by a preponderance of the evidence. Accordingly, COPA finds that Allegation 2 against Officers Lockhart, Engram, and Sigartau, as well as Lt. Roman, is not sustained.

COPA finds that **Allegations 1 and 3** against the CPD members, that they improperly arrested ██████ and authored false reports, are also **not sustained**. As discussed above, COPA lacks sufficient evidence to determine whether the CPD members planted narcotics as alleged by ██████. Since COPA was unable to determine the source of the narcotics, COPA is also unable to determine if the ██████ arrest was based on probable cause, and if the reports accurately detail that probable cause.

Finally, Allegation 4 against the CPD members concerns their failure to timely activate their BWCs. Officers Engram and Lockhart explained that they activated their BWCs when they stopped the individuals suspected of purchasing narcotics from ██████. However, after ██████ was arrested, the officers believed the incident was over, and it was unnecessary to reactivate their BWCs when they searched for and retrieved the narcotics from the empty lot. Because Department policy states that a CPD member will activate their BWC at the beginning of an incident and record the entire incident for all law-enforcement-related activities,²² COPA finds that Officers Engram and Lockhart should have had their BWCs activated while they searched for and recovered the narcotics from the empty lot. Therefore, COPA finds **Allegation 4** against Officers Engram and Lockhart is **sustained** as a violation of Rules 2, 3, 5, and 6.

However, COPA's investigation determined that Officer Sigartau was not equipped with a BWC, as she was working on a covert mission and a BWC is not an assigned part of her covert uniform. Additionally, as a 15th District lieutenant, Lt. Roman was not issued a BWC at the time of the incident. For these reasons, COPA finds there is clear and convincing evidence that **Allegation 4** against Officer Sigartau and Lt. Roman is **exonerated**.

VIII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. Officers Lockhart and Engram

i. Complimentary and Disciplinary Histories²³

Officer Lockhart has received 42 various awards and Officer Engram has received 29 awards. Neither officer has any sustained disciplinary history in the past five years.

ii. Recommended Penalty

COPA has found that Officers Lockhart and Engram violated Rules 2, 3, 5, and 6 when they failed to activate their BWCs during all law-enforcement-related activities, specifically when they searched for and recovered the narcotics from the empty lot. In this case, the officers' failure to keep their BWCs activated prevented COPA from reaching a positive finding with respect to

²² S03-14, Body Worn Cameras (effective April 30, 2018 to present).

²³ Atts. 31-32.

all of [REDACTED] allegations. The lack of video had a substantial and material effect on COPA's investigation; therefore, COPA recommends Officers Lockhart and Engram both receive **5-day suspensions**.

Approved:

[REDACTED]

Steffany Hreno
Director of Investigations

12/29/2022

Date

