

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	10/04/2020 06:02pm 1213 W. 79th Street
Date/Time of COPA Notification:	10/22/2020 09:36am
Involved Officer #1:	John O’Brien, star #8344, employee ID # [REDACTED] Date of Appointment 08/29/2016, rank PO, Unit of Assignment 006, DOB [REDACTED] 1987, M, White
Involved Officer #2:	Timothy Norris, star #10005 employee ID # [REDACTED], Date of Appointment 09/27/2018, rank PO, Unit of Assignment 006, DOB [REDACTED] 1997, M, White
Involved Individual #1:	[REDACTED]/1978, Male, Black
Case Type:	Improper detention

I. ALLEGATIONS

Officer	Allegation	Finding
Officer John O’Brien	<p>It is alleged that on or about October 4th, 2020, at approximately 06:15p.m. in the vicinity of 7723 S Lafflin St., Officer O’Brien, star# 8344, committed misconduct through the following acts or omissions, by:</p> <ol style="list-style-type: none"> 1. Illegally detaining [REDACTED] without justification. 2. Illegally searching [REDACTED] without justification. 	Unfounded
Officer Timothy Norris	<p>It is alleged that on or about October 4th, 2020, at approximately 06:15p.m. in the vicinity of 7723 S Lafflin St., Officer Norris, star# 10005, committed misconduct through the following acts or omissions, by:</p> <ol style="list-style-type: none"> 1. Illegally detaining [REDACTED] without justification. 2. Illegally searching [REDACTED] without justification. 	Unfounded

II. SUMMARY OF EVIDENCE¹

On October 9th, 2020, COPA received a complaint from ██████████ (██████████) after he was involved in a traffic stop with Chicago Police Officers John O' Brien (O'Brien) and Timothy Norris (Norris). The incident occurred on October 4th, 2020, at approximately 06:02pm, at or near 1200 79th Street. O'Brien and Norris stopped ██████████ for failure to stop at a red light². Body worn camera (BWC) of the event showed O'Brien approached ██████████ on the driver's side of his vehicle and informed him of the reason for the stop. ██████████ who was filming the traffic stop on his cell phone as O'Brien approached, was asked for his driver's license. ██████████ was shortly thereafter asked to step out of the vehicle. ██████████ repeatedly asked O'Brien why he was being asked to step out of his vehicle. O'Brien, in turn, repeatedly ordered ██████████ to step out of his vehicle and informed him he had the legal authority to request him to do so. ██████████ eventually stepped out of the vehicle, under his own power, and was handcuffed and detained by both O'Brien and Norris. ██████████ was placed in the back of the CPD squad car# 8970 for approximately ten minutes while O'Brien ran his information through the Office of Emergency Management (OEMC)³. The stop was concluded when O'Brien asked ██████████ if he wanted an Investigatory Stop Report (ISR) and he confirmed he did. ██████████ was given ISR # ██████████, released from the squad car, and free to go.

On October 21st, 2020, ██████████ was interviewed by COPA Investigators, via phone, due to the Covid-19 pandemic. In his interview, ██████████ stated he was pulled over by two Chicago Police Officers who claimed he ran a red light near 79th and Loomis. ██████████ stated he never confirmed nor denied to officers he ran any red light. ██████████ also stated Officer O'Brien told him he could not record the incident as he was being handcuffed, however BWC of the incident appears to refute that allegation⁴. ██████████ stated he has had issues with the Chicago Police Department in the past and has other active cases with COPA⁵.

III. ANALYSIS AND CONCLUSION

COPA finds the allegation O'Brien and Norris illegally detained ██████████ to be **Unfounded**. Body worn camera from O'Brien showed ██████████ admitted he went through the red light without stopping. ██████████ offered the reason "I'm not in a rush, I thought I could make the light. That's the story." Initially, ██████████ did not exit his vehicle when directed by O' Brien. After several requests from O'Brien, ██████████ exited his vehicle and was handcuffed and detained by O'Brien and Norris. O'Brien was within his right as a sworn police officer to order ██████████ out of his vehicle⁶. The

¹ 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 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.

² Attachment 8

³ Attachment 5. At 7:12 minutes into BWC O'Brien gives justification for placing ██████████ in the police vehicle during the traffic stop due to the fact it was a busy street with lots of traffic.

⁴ Attachment 5. At 6:12 minutes into BWC of O'Brien tells ██████████ he is free to record the incident.

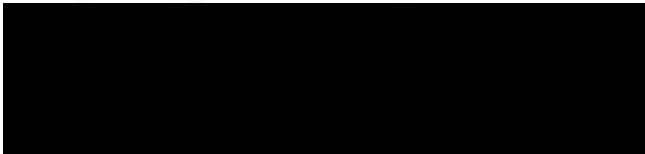
⁵ A search of the CMS database confirmed there are three active cases with ██████████ as the complainant.

⁶ Pennsylvania v. Mimms, 434 U.S. 106 (1977) holds a police officer ordering a person out of a car following a traffic stop and conducting a pat-down to check for weapons did not violate the Fourth Amendment to the United States Constitution.

accused officers were not interviewed by COPA due to the fact the allegations could be conclusively **Unfounded** by reviewing body worn camera related to the event.

COPA finds the allegation that O'Brien and Norris illegally searched ██████████ to be **Unfounded**. Body worn camera showed O'Brien conducted a protective pat down of ██████████ once he was handcuffed. O'Brien appeared to properly pat down the outer clothing of ██████████ for the presence of a weapon⁷. No weapon was found and ██████████ was placed in the back of CPD Squad #8970 while O'Brien ran his information through OEMC. The accused officers were not interviewed by COPA due to the fact the allegations could be conclusively **Unfounded** by reviewing body worn camera related to the event.

Approved:



Angela Hearts-Glass
Deputy Chief Investigator

8-12-2021

Date

⁷ 725 ILCS 5/108-1.01 delineates the authority for conducting a Protective Pat Down during an Investigatory Stop. When a peace officer has stopped a person for temporary questioning pursuant to Section 107-14 of this Code and reasonably suspects that he or another is in danger of attack, he may search the person for weapons. If the officer discovers a weapon, he may take it until the completion of the questioning, at which time he shall either return the weapon, if lawfully possessed, or arrest the person so questioned.

Appendix A

Assigned Investigative Staff

Squad#:	17
Investigator:	Curtiss Strong
Supervising Investigator:	Greg Little
Deputy Chief Investigator:	Angela Hearts-Glass