

**SUMMARY REPORT OF INVESTIGATION**

Date/Time/Location of Incident:	April 4, 2021 / 7:56 p.m. / 7900 S. Cottage Grove Ave.
Date/Time of COPA Notification:	April 6, 2021 / 3:54 p.m.
Involved Officer #1:	Kevin Moran, Star No. 16162, Employee ID# [REDACTED], Date of Appointment: December 27, 2018, Rank: Police Officer, Unit of Assignment: 005/716, DOB: [REDACTED], 1997, Male, White
Involved Officer #2:	Frank Staszel, Star No. 18755, Employee ID# [REDACTED], Date of Appointment: December 27, 2018, Rank: Police Officer, Unit of Assignment: 005/716, DOB: [REDACTED], 1997, Male, White
Involved Individual #1:	[REDACTED] DOB: [REDACTED], 1985, Female, African American
Case Type:	4 <sup>th</sup> Amendment - traffic stop

**I. ALLEGATIONS**

<b>Officer</b>	<b>Allegation</b>	<b>Finding</b>
Officer Moran	It is alleged by [REDACTED] that on or about April 4, 2021, at approximately 7:45 p.m. at or near 7900 S. Cottage Grove Ave., Officer Kevin Moran Star No. 16162, committed misconduct through the following acts or omissions, by:  1. conducting a traffic stop without justification.	<b>EXONERATED</b>
Officer Staszel	It is alleged by [REDACTED] that on or about April 4, 2021, at approximately 7:45 p.m., at or near 7900 S. Cottage Grove Ave., Officer Frank Staszel Star No. 18755, committed misconduct through the following acts or omissions, by:  1. conducting a traffic stop without justification.	<b>EXONERATED</b>

## II. SUMMARY OF EVIDENCE<sup>1</sup>

On April 4, 2021, at approximately 7:56 p.m., members of the Chicago Police Department conducted a traffic stop near 7900 S. Cottage Grove Ave. Officers Kevin Moran and Frank Staszal activated their vehicle's emergency lights to signal the driver to stop her vehicle. ██████████ (██████████ responded by curbing her Toyota Camry near the intersection of 79<sup>th</sup> Street and Cottage Grove Ave. Thereafter, ██████████ contacted the Civilian Office of Police Accountability and filed a complaint alleging the officers conducted the traffic stop without justification.

The **Body Worn Camera videos**<sup>2</sup> of Officers Moran and Staszal capture the traffic stop<sup>3</sup> involving ██████████. The videos show the officers running ██████████ license plate number<sup>4</sup> through their PDT (portable data terminal), then curbing her vehicle on 79<sup>th</sup> Street. Officer Staszal approaches the driver's side of the vehicle and informs ██████████ they stopped her because she was driving with her high beams on, and the lights impaired the officers' vision. ██████████ responds she did not realize her brights were on and does not know how to turn them off or lower the beam. Officer Staszal explains she may have accidentally turned her high beams on, and he advises her how to adjust the light setting to the standard level. After ██████████ tries different settings, Officer Staszal walks to the front of her vehicle and confirms the high beams are no longer on. He then walks back to the police vehicle with ██████████ driver's license and conducts a name check. When Officer Staszal returns to ██████████ vehicle, he asks if she has her concealed carry firearm on her and she replies no. The officers do not issue a traffic citation and ██████████ is free to continue on her way. The videos show the entire traffic stop lasted approximately three minutes.

██████████ stated in her **COPA complainant**<sup>5</sup> that the officers had no reason to pull her over. She stated her "brights" were not on and her lights are set on auto in her 2018 Toyota Camry.

## III. ANALYSIS AND CONCLUSION

██████████ alleged Officers Moran and Staszal conducted a traffic stop without justification. ██████████ denied driving with her vehicle's bright lights on, but the officers stated her high beams distracted them and caused a hazard as she followed behind their vehicle on 79<sup>th</sup> Street. After examining the available BWC videos and documentary evidence, COPA finds there is clear and convincing evidence the traffic stop was lawful and proper.

Police officers are authorized to conduct investigatory stops when they have reasonable articulable suspicion that the person stopped is committing, is about to commit, or has committed a criminal offense.<sup>6</sup> During an investigatory stop, subjects may be asked to identify themselves

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<sup>1</sup> COPA conducted a full and complete investigation of this matter, including the collection and review of all digital and documentary 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.

<sup>2</sup> Attachments No. 2 and 3.

<sup>3</sup> The OEMC Event Query also documents the traffic stop. See Attachment No. 4.

<sup>4</sup> The Number Plate Report indicates the officers ran the license plate number of ██████████ black 2018 Toyota Camry at 7:56 p.m. See Attachment No. 5.

<sup>5</sup> CMS Face Sheet. On April 6, 2021, ██████████ initiated her COPA complaint over the phone.

<sup>6</sup> 725 ILCS 5/107-14(a) delineates the authority for conducting an investigatory stop.

and provide an explanation for their actions.<sup>7</sup> In the State of Illinois, a vehicle’s high beams must be dimmed when it is within 500 feet of another vehicle traveling in the opposite direction, or when it is following within 300 feet of another vehicle traveling in the same direction.<sup>8</sup>

In this case, COPA finds the video evidence establishes [REDACTED] high beams were on at the time Officers Staszal and Moran curbed her vehicle. The officers acted to eliminate a safety hazard caused by [REDACTED] as she approached a busy intersection with her bright lights on, in violation of Illinois traffic law. Therefore, the officers had reasonable articulable suspicion to conduct the traffic stop.

After careful consideration of all the facts, COPA finds that it is highly probable that [REDACTED] failed to comply with the Illinois statute regarding driving with headlamps. Accordingly, COPA finds that the traffic stop was not unjustified and this allegation is **EXONERATED**.

Approved:



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Matthew Haynam  
*Deputy Chief Administrator*

8/31/2021

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Date

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<sup>7</sup> CPD Special Order S04-13-09(V)(B), Investigatory Stop System, effective date July 10, 2017.

<sup>8</sup> 625 ILCS 5/12-210(a)-(b).

Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	6
<b>Investigator:</b>	Emmily Stokes
<b>Supervising Investigator:</b>	Steffany Hreno
<b>Deputy Chief Administrator:</b>	Matthew Haynam