

SUMMARY REPORT OF INVESTIGATION¹

I. EXECUTIVE SUMMARY

Date of Incident:	July 24, 2015
Time of Incident:	7:00pm
Location of Incident:	██████████
Date of COPA Notification:	July 28, 2015
Time of COPA Notification:	10:30am

On July 24, 2015, officers responded to a call of a man with a gun. Upon arriving to the scene, they were flagged down by an individual who gave a description of the man with the gun. Officers stopped ██████████ who matched the description given to them by the individual, and performed a pat down for weapons. After no weapons were found, ██████████ was handcuffed and placed into the back of the unmarked squad car. Officers continued their investigation and realized that the report of a man with a gun was false and released ██████████ without charging him.

II. INVOLVED PARTIES

Accused Officer #1:	Peter Chambers, star # 1076, employee ID# ██████████, Date of Appointment: 4-28-2008, Sergeant, Date of Birth: ██████████-1984, Male, White
Subject #1:	██████████ Male, Black, Date of Birth: ██████████ 1976

III. ALLEGATIONS

Officer	Allegation	Finding
Officer Peter Chambers	1. Grabbed ██████████ and pushed him against a fence causing an injury to ██████████ chest, in violation of Chicago Police Rule 8.	Not Sustained

¹ On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

	<p>2. Stated words to the effect of, "I don't give a damn what his mother has to say" in violation of Chicago Police Rule 2.</p>	<p>Not Sustained</p>
	<p>3. Stated words to the effect of, "That's why I don't like you motherfuckers, always want something handed to your ass" In violation of Chicago Police Rule 2.</p>	<p>Not Sustained</p>
	<p>4. Stated words to the effect of, "Do you understand what the fuck I'm saying" in violation of Chicago Police Rule 2.</p>	<p>Not Sustained</p>
	<p>5. Illegally seized [REDACTED] within the Fourth Amendment, by hand-cuffing, and placing [REDACTED] in the back of a squad car after a pat down was executed that produced no weapons, and having no probable cause to effectuate an arrest, in violation of Chicago Police Rule 6.</p>	<p>Sustained</p>

IV. APPLICABLE RULES AND LAWS

Rules

Rule 2: prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 6: prohibits disobedience of any order or directive whether written or oral.

Rule 8: prohibits disrespect to or maltreatment of any person, while on or off duty.

General Orders

General Order 02-02: The First Amendment and Police Actions

Section III (B): The Fourth Amendment

1. "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized."
2. What a person seeks to preserve as private, including oral communications, even in an area accessible to the public, may be constitutionally protected under the Fourth Amendment.
3. The Fourth Amendment protects against governmental intrusion not justified by an appropriate governmental interest.

Federal Laws

1. Fourth Amendment

V. INVESTIGATION²

a. Interviews

In an interview with IPRA on September 24, 2015, Complainant ██████████ stated that he acts as a landlord of the premises located at ██████████. On the date in question he was having a landlord tenant dispute with one of his tenant's son, ██████████ on the porch of the two-flat apartment building³. ██████████ stated that the tenant's son, ██████████ an adult with a history of mental illness, did not live at the premises, and was upset because he believed that his mother rented the apartment in his name and demanded to see the lease. ██████████ stated that he objected to this request and told ██████████ that if he did not act better and change his attitude he would be banned from the premises. ██████████ then walked off down the street.

██████████ stated that he saw ██████████ walk to the corner and get on his phone to call police. Subsequently, an unmarked squad truck was driving down the block and ██████████ flagged down this truck. ██████████ further stated that he overheard ██████████ speaking to the officers. He heard ██████████ tell the officers that he (██████████) had a gun and that ██████████ pointed a gun at him. After hearing this, ██████████ stated that he walked off his porch in the direction of the unmarked squad truck and attempted to address the police.

² COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

³ ██████████ mother is ██████████

██████████ then stated that four unknown officers got out of the truck. One officer in particular stated "I don't give a damn what his mother has to say" then grabbed ██████████ and asked ██████████ if he had a gun.

██████████ denied having a gun but was searched via a pat down by a short unknown officer. The officers then attempted to walk him back to the squad truck telling ██████████ to calm down. ██████████ related that he grew frustrated and became agitated because he felt that the officers were not listening to him. ██████████ protested walking to the car and told the officers that he did not commit a crime so he should not be going to the car. ██████████ stated he told the officers that he knows his rights and that he did not do anything.

██████████ stated that at this point he was grabbed and handcuffed against a chain link gate. He further alleged that the unknown officer pushed ██████████ into the gate and that the "prune" of the gate dug into his chest and punctured a hole through his shirt. At the time of the IPRA interview, ██████████ had a visible bruise to his left upper chest region that he stated he sustained from the incident. ██████████ was then placed in the police vehicle. ██████████ next alleged that a shorter officer rolled up the windows of the truck and said, "That's why I don't like you motherfuckers, you always want something handed to your ass. (You) need someone else to do (your) job for you. Do you understand what the fuck I'm saying?" ██████████ stated that the officers ran his name with the in-car computer and then released him afterward. (Att.#5, 8)

██████████ a witness, gave a statement to IPRA on January 6, 2016, at his home located on ██████████. He stated that he saw the entire incident from his front porch. He stated that ██████████ and a young man he knows to frequent the building (██████████) got into a verbal argument. He stated that ██████████ walked down the street to call the police, and that at the same time an unmark squad truck drove down the street. ██████████ stated that ██████████ flagged down a Chicago police unmarked squad and told the officers that ██████████ had a gun. ██████████ stated that ██████████ never had a weapon. ██████████ observed the four officers step out of their vehicle and pursue ██████████ stated that the officers were rough with ██████████ and very physical with him. He also stated that he never saw ██████████ against a fence and never saw his body touch a fence. He further related that ██████████ did not get punched in the chest or fall down. ██████████ went on to state that ██████████ was cooperating with officers and not resisting but officers were aggressively grabbing and pulling him toward the squad car. Finally, ██████████ stated that both ██████████ and the officers were cursing back and forth at each other, but he could not recall what words were actually used. (Att. 30)

In an interview with IPRA on May 24, 2016, **Officer Ted Jozefzak, star no. 15536**, stated he was working in the tactical unit in the 11th District. He stated that he was working as a plain clothes officer with three other officers; Chambers, Bouch, and Hanrahan. Officer Jozefzak stated that on the date in question he and his team responded to a call of a man with a gun. He stated that he recalled being flagged down by a man that stated he was just threatened by a man with a gun, and that the offender was right in front of ██████████.

Officer Jozefzak further related that he and his fellow officers approached [REDACTED] and engaged him in conversation. Officer Jozefzak stated that [REDACTED] was irate and angry, so the four officers detained him in the back of the squad car until officers could further figure out what happened. Officer Jozefzak also stated that [REDACTED] did not pull away while being handcuffed and that he “went along and followed suit.” Officer Jozefzak related that the officers then spoke to people of the house, the alleged victim ([REDACTED] the neighbors, and other people on the stoop. Officer Jozefzak stated that the officers agreed that they did not think the information provided by [REDACTED] was credible so they released [REDACTED]. Officer Jozefzak testified that he did not use any foul language in communicating with [REDACTED]. He also related that he did not hear any CPD members use foul language, and he does not remember who handcuffed [REDACTED] or any injuries suffered by [REDACTED] (Att. 33)

In an interview with IPRA on May 24, 2016, **Officer Matthew Bouch star no. 10723**, stated that on the date in question he was working as a tactical officer in the 11th District on beat 6734D. He further stated that he was likely wearing plain clothes and was working with three other officers; Officer Jozefzak, Officer Chambers, and Officer Hanrahan. Officer Bouch related that he was responding to a call of a man with a gun. His unit was not assigned to the case but decided to go because the officers were close in proximity. Before arriving to the location, the officers were flagged down by the victim who stated that someone with a gun threatened him and gave a description of the alleged offender. Officer Bouch then stated that the officers went to the person who matched that description ([REDACTED] and then detained him. Officer Bouch stated that the officers then gave [REDACTED] a “protective pat down”, to determine that there was no gun. [REDACTED] became aggressive and irate and then Officer Bouch stated that they placed him in the back of their vehicle to “calm him down”, so that the officers could figure out what was going on⁵. Officer Bouch then related the officers talked to [REDACTED] and [REDACTED] mother, and based on the information they received the officers determined that it was a landlord tenant dispute and let [REDACTED] out of the car. Officer Bouch stated that [REDACTED] was then un-cuffed and that officers completed a contact card. Officer Bouch stated that he did not use any foul language in communicating with [REDACTED]. He also related that he did not hear any CPD members use foul language and he does not remember who handcuffed [REDACTED]. Officer Bouch admits that he may have helped. Officer Bouch could not recall any injuries suffered by [REDACTED] (Att. 34)

In an interview with IPRA on May 24, 2016, **P.O. Thomas Hanrahan star no. 4780**, stated that he was assigned to gang enforcement in the 11th District and that he was out on patrol on the date in question. He stated that he was with Officer Chambers, Officer Jozezak, and Officer Bouch, and that they were assigned to an unmarked Ford Explorer. He stated that they responded

⁴ Officer Jozefzak was not clear during his interview as to which officer in particular released [REDACTED]

⁵ Officer Bouch was not clear during his interview as to which officer in particular placed him in the back of the vehicle.

to a man with a gun call heard over the radio so the officers went to that location. Officer Hanrahan stated that as soon as they arrived at the location they were met by the caller, [REDACTED] and that after meeting with [REDACTED] the officers went to [REDACTED] who was standing down the street and asked him what was going on. Officer Hanrahan stated [REDACTED] fit the description of the man with the gun so the officers went to him first. Officer Hanrahan stated that [REDACTED] was loud and irate. Officer Hanrahan then stated, "we ended up talking to him, calming him down and we cuffed him". Officer Hanrahan related that the officers conducted a pat down and no officer felt any weapons so then the officers decided to put [REDACTED] back of their vehicle. Officer Hanrahan then explained that the officers interviewed [REDACTED] mother and [REDACTED] himself. Officer Hanrahan related that from these interviews he and his team realized that there was never a gun and that [REDACTED] was actually helping the [REDACTED] mother. After receiving this information, Officer Hanrahan and the other officers released [REDACTED] Officer Hanrahan was the driver of the vehicle. Officer Hanrahan did not recall who handcuffed [REDACTED] and did not see [REDACTED] handcuffed on a gate. Officer Hanrahan also related that he did not hear any department member use any foul language. (Att.38)

In an interview with IPRA on May 24, 2016, **Sargeant Peter Chambers star no. 2367**, stated that on the date in question he was working as a tactical police officer for the 11th District and he was working with multiple police officers that day. Sgt. Chambers related that the reason he was at [REDACTED], was that his team was responding to a call of a man with a gun. As the officers were arriving to the call they were flagged down by a subject which identified himself as the victim ([REDACTED] Sgt. Chambers stated that [REDACTED] gave a description of the offender. Sgt. Chambers and his team then proceeded in their vehicle to the location of [REDACTED].

Once in front of the address Sgt. Chambers saw a man matching the description given to them by [REDACTED] Sgt. Chambers stated that he got out of his vehicle and approached [REDACTED] for a field interview, at which time Sgt. Chambers said that [REDACTED] was belligerent, irate and aggressive. Sgt. Chambers admitted that [REDACTED] was not physically aggressive but was yelling. Sgt. Chambers then stated that he detained [REDACTED] in handcuffs and that [REDACTED] continued to be loud and boisterous.

Sgt. Chambers related that [REDACTED] was causing people to come out of their homes and for officer safety reasons he placed [REDACTED] in back of the squad car. Sgt. Chambers further stated that he used no force to hand cuff [REDACTED] and that [REDACTED] never pulled away or resisted. Sgt. Chambers stated that he ran a name check on [REDACTED] which came back clear.

Sgt. Chambers then stated that after further investigation he and the other officers learned that the initial caller had mental issues and determined that the man with a gun incident never occurred. Chambers testified that he did not observe any department member grab [REDACTED] and put him against a gate. When asked about whether Sgt. Chambers told [REDACTED] "That's why I don't like you motherfuckers, always want something handed to your ass." Sgt. Chambers chuckled and

denied that he made the statement. Sgt. Chambers further testified that he did not use any foul language in communicating with [REDACTED]. He also related that he did not hear any CPD members use foul language and he does not recall any injuries suffered by [REDACTED] (Att.36)

On August 22, 2017, **Sergeant Peter Chambers star no. 2367**, was interviewed by IPRA as an accused officer. Sgt. Chambers stood by his May 24, 2016, testimony regarding the first four allegations. Regarding the fifth allegation, Sgt. Chambers stated that [REDACTED] was detained due to the totality of the circumstances. He articulated that the totality of circumstances; first, receiving an OEMC dispatch of a person with a gun; second upon arriving on scene being flagged down by a person claiming to be the victim of the person with a gun, and that said victim gave a description of [REDACTED] and added that [REDACTED] pointed a gun at him. Third, Sgt. Chambers related that when he approached [REDACTED] he was yelling, and was irate and belligerent. Sgt. Chambers then said that all these factors lead him to the decision to place [REDACTED] in handcuffs and place him in the back of the squad car. Sgt. Chambers stated that he never considered [REDACTED] to be under arrest and that he only detained him. Sgt. Chambers could not remember how long [REDACTED] was detained but asserted that it was under 30 minutes. Sgt. Chambers further stated that [REDACTED] allowed officers to hand-cuff him and he did not pull away, or fight. He further stated that [REDACTED] was not physically aggressive towards him or his fellow officers. Sgt. Chambers also stated that initially he thought that [REDACTED] would be placed in custody for an assault charge, since he was identified on the scene by the victim as the offender, so he was handcuffed and placed in back of the squad car. Sgt. Chambers testified that as soon as it was determined that the victim had mental issues and that the man with a gun complaint was most likely a false complaint. [REDACTED] was un-handcuffed and a contact card was filled out.

In an interview with IPRA on May 24, 2016, **Officer Benjamin Garcia star no. 13284** stated that he did not remember anything about the date in question. According to CPD records, Officer Garcia's beat was assigned to the man with a gun call. (Att. 35)

In an interview with IPRA on June 09, 2016, **Officer Richard Caro star no. 5368** could not remember anything about the date in question. According to CPD records Officer Caro's beat was assigned to the man with a gun call. (Att. 37)

b. Documentary Evidence

On January 6, 2016, at 11:55am, IPRA / COPA Investigator Lakeisha Davis made a personal visit to the residence of [REDACTED] and [REDACTED] at [REDACTED]. However, there were no names on the mailbox and no answer at the residence. This attempt to contact the [REDACTED] was unsuccessful. (Att. 20, 32)

On November 24, 2015, IPRA / COPA Investigator Lakeisha Davis attempted to contact [REDACTED] via certified mail to [REDACTED]. The

certified letter was returned as unclaimed. This attempt to contact [REDACTED] was unsuccessful. (Att. 21, 25)

On November 24, 2015, IPRA / COPA Investigator Lakeisha Davis attempted to contact potential witness [REDACTED] via certified mail to [REDACTED] who lived on the first floor of the two-flat apartment building, and may have been a potential witness. The certified letter was returned as unclaimed. This attempt to contact [REDACTED] was unsuccessful. (Att. 22, 26)

Medical records reveal that on July 26, 2015, [REDACTED] walked into Mount Sini Hospital located on California Ave on 15th Street, Chicago IL 60608, and initially complained of an prior altercation with police. The medical records state that [REDACTED] told them that he was pushed on a fence and was hit in the left chest with fist. The records further document that [REDACTED] measured the pain as a 6 out of 10. (Att. 19)

[REDACTED] submitted **three photographs** to IPRA investigators via email. Attachment 10 shows the bruise on [REDACTED] left chest, and what looks to be and abrasion line. Attachment 11 shows a closer view of the bruise and the abrasion line. Attachment 12, is another close-up photograph of [REDACTED] bruise and abrasion line. None of the photos are dated, and all of them were sent to IPRA Investigator Mark Hitt on July 29, 2015. (Att. 10, 11, 12)

A **Contact Card** was written by Officer Chambers which lists the officer's interaction with [REDACTED] as an investigatory stop. It documents all pertinent information about [REDACTED] including his height, weight, clothing description, age, and address. In summary; the officer who filled out the contact card articulated the reason for the reasonable suspicion and interaction with [REDACTED] was that the officers were responding to a call with a man about a gun.

When the officers approached [REDACTED] he became irate and belligerent. The Contact Card further reports that the officers detained [REDACTED] during the investigation. The officers ran [REDACTED] name and discovered that he had no warrants and released [REDACTED] (Att. 13)

VI. ANALYSIS

Accused: Sgt. Peter Chambers
Allegations 1-4: Not Sustained
Allegation 5: Sustained

COPA recommends a finding of **Not Sustained** for **Allegation # 1** against Sgt. Chambers who is alleged to have *Grabbed [REDACTED] and pushed him against a fence causing an injury to [REDACTED] chest.* Sgt. Chambers, admitted to handcuffing [REDACTED] but denied pushing him up against a gate or a fence. The other officers remember [REDACTED] being handcuffed but couldn't identify who performed the cuffing. Moreover, all denied [REDACTED] was pushed against the gate or

█████ sustained injuries. However, more convincingly, ██████████ an independent eye witness, stated that he never saw ██████ against a fence and never saw his body make contact with a fence, nor did he see ██████ fall, or get punched in the chest. Since there is insufficient evidence to support this allegation it thus must be found **Not Sustained**.

COPA recommends a finding of **Not Sustained** for **Allegation # 2** against Sgt. Chambers who is alleged to have used words to the effect of *"I don't give a damn what his mother has to say."* ██████ testified that an unidentified officer made this statement as the officer approached ██████. Each of the officers denied making this statement. The eye witness, ██████ stated in his interview that he heard cursing and foul language used by the plain clothed Chicago police officers but he could not remember what was said specifically. Sgt. Chambers stated that he was the first to approach ██████ but denied saying these words. There is no other evidence available that can corroborate this allegation. Therefore, this allegation must be found **Not Sustained**.

COPA recommends a finding of **Not Sustained** for **Allegations # 3 & # 4** against Sgt. Chambers who is alleged to have used words to the effect of *"That's why I don't like you motherfuckers, always want something handed to your ass...Do you understand what the fuck I'm saying."* According to ██████ this statement was made while the windows were rolled up in the squad car. Sgt. Chambers admits to being in the car with ██████ but laughed off the accusation before denying he made the statement. Without more additional evidence of the statement there is insufficient evidence to support this allegation, therefore this allegation must be **Not Sustained**.

COPA recommends a finding of **Sustained** for **Allegation #5** against Sgt. Chambers, who is alleged to have *illegally seized ██████ under the Fourth Amendment, by hand-cuffing, and placing ██████ in the back of a squad car after a pat down was executed that produced no weapons, and having no probable cause to effectuate an arrest.* From the statements synthesized from the officers and witness interviews, COPA finds that ██████ was unreasonably arrested by Sgt. Chambers when he was handcuffed and placed in back of the police vehicle after a pat down revealed that he was not carrying a gun.

The Fourth Amendment of the United States Constitution and the Illinois Constitution of 1970 guarantees 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 5/102-15, 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).

A person is seized when her freedom of movement is restrained by physical force or a show of authority. *People v. Almond*, 2015 IL 113817, 57. The test is whether a reasonable person would conclude, in light of the totality of the circumstances, that she is not free to leave. *Id.* The following factors, outlined in *United States v. Mendenhall*, 446 U.S. 544, 553 (1980), indicate a seizure has occurred: (1) the threatening presence of several officers; (2) the display of a weapon by an officer; (3) some physical touching of the person; or (4) using language or tone of voice compelling the individual to comply with the officer's requests. *Almond*, 2015 IL 113817, ¶ 57. "[T]he absence of any of the *Mendenhall* factors is 'highly instructive' on the issue of whether a seizure has occurred." *Id.*

The first question to answer is whether Sergeant Chambers possessed reasonable articulable suspicion that ██████ was engaged in criminal activity such that Sergeant Chambers was entitled to perform a *Terry* stop. In their statements to investigators, all the officers admit that they were responding to a man with a gun call. ██████ stated that the officers searched him and asked if he had a gun, which he answered "no". This is corroborated by Officer's Jozefzak testimony, where he stated that his team got out of the car and searched ██████ to ascertain whether he had a gun or not. All the officers involved admitted that they were called out for a man with a gun call, and that ██████ matched the description that they received from OEMC, and ██████ who held himself out to be the victim on scene. ██████ even stated that ██████ pointed a gun at him. COPA finds that the officers had probable cause to stop and search ██████ given the information they possessed on scene.

Thus, the next step in the analysis is to determine whether Sergeant Chambers arrested ██████. In this case, COPA finds that the interaction between Sergeant Chambers and ██████ clearly went beyond an investigative detention, when Sergeant Chambers placed ██████ in the back of the police vehicle after determining that ██████ did not have a gun. *See People v. Almond*, 2015 IL 113817, ¶ 57 (a person is seized within the meaning of the Fourth Amendment when, considering the totality of the circumstances, a reasonable person would believe he is not free to leave). "A restriction of movement that is brief may amount to an arrest rather than a *Terry* stop if it is accompanied by use of force usually associated with an arrest, unless such use of force was reasonable in light of the circumstances surrounding the stop." *People v. Johnson*, 408 Ill. App. 3d 107, 113 (2d Dist. 2010) (citing *People v. Delaware*, 314 Ill. App. 3d 363, 370 (1st Dist. 2000)). 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)). But handcuffing and placing an individual into the back of a police vehicle does not *automatically* convert an investigatory stop into an arrest. *See, e.g., United States v. Stewart*, 388 F.3d 1079, 1084–85 (7th Cir. 2004); *People v. Starks*, 190 Ill. App. 3d 503, 509 (2d Dist. 1989).

In both the *Tortorici* and *Delaware* cases, the court held that the handcuffing converted a justified *Terry* stop into an arrest because at the time of handcuffing the officers had no indication that the suspect was armed or dangerous. 205 Ill. App. 3d 625, 628 (3d Dist. 1990); 314 Ill. App. 3d 363, 370 (1st Dist. 2000). In contrast, the court in *Starks* held the handcuffing did not convert the *Terry* stop into an arrest because the officers believed the defendant was armed and matched a robbery suspects description. 190 Ill. App. 3d 503, 509 (2d Dist. 1989). A review of the case-law clearly demonstrates that in the instant case, Sergeant Chambers converted the *Terry* stop into an arrest by handcuffing ██████ and placing him into a police vehicle where there was no indication of criminal activity because the officers did a protective pat down on ██████ and did not find a weapon on him.

Sergeant Chambers stated that ██████ was handcuffed and placed in back of the squad car so that the officers could “figure out what was going on”, and not because ██████ was suspected of committing a crime. During his two interviews, Sergeant Chambers gave multiple reasons for why he handcuffed ██████. In his first interview Sergeant Chambers stated that handcuffing ██████ was necessary for officer safety reasons because ██████ was a “bigger guy”, and he was yelling. However, yelling is not a crime, and there was not a valid officer safety issue because Sergeant Chambers, as well as his fellow officers agreed that ██████ was compliant and although agitated, he was not physically aggressive toward the officers. Furthermore, pursuant to the pat down, it was already determined that ██████ did not have a gun. Under the circumstances, ██████ was not a threat to Sergeant Chambers, and he was handcuffed and placed in the back of a squad car out of officer convenience instead of probable cause. Therefore, the allegation that ██████ was illegally seized under the Fourth Amendment is **Sustained**.

VII. CONCLUSION

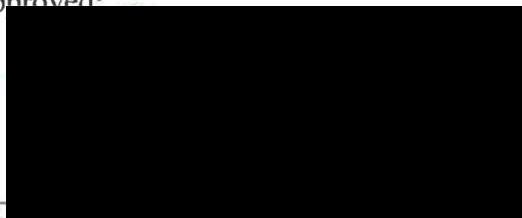
Based on the analysis set forth above, COPA makes the following findings:

Allegation	Finding
Officer Peter Chamber	
1. Grabbed ██████ and pushed him against a fence causing an injury to ██████ chest, in violation of Chicago Police Rule 8.	Not Sustained
2. Stated words to the effect of, “I don’t give a damn what his mother has to say” in violation of Chicago Police Rule 2.	Not Sustained
3. Stated words to the effect of, “That’s why I don’t like you motherfuckers, always want something handed to your ass” In violation of Chicago Police Rule 2.	Not Sustained
4. Stated words to the effect of, “Do you understand what the fuck I’m saying” in violation of Chicago Police Rule 2.	Not Sustained
5. Illegally seized ██████ within the Fourth Amendment, by hand-cuffing, and placing ██████ in the back of a squad car	Not Sustained

after a pat down was executed that produced no weapons, and having no probable cause to effectuate an arrest, in violation of Chicago Police Rule 6.

Sustained

Approved:



Andrea Kersten
Deputy Chief Administrator

3/23/18

Date

Appendix A

Assigned Investigative Staff

Squad#:	4
Investigator:	Dwight A. White
Supervising Investigator:	James Murphy- Aguilu
Deputy Chief Administrator:	Andrea Kersten

