

SUMMARY REPORT OF INVESTIGATION<sup>1,2</sup>

## I. EXECUTIVE SUMMARY

Date of Incident:	Aug. 26, 2015
Time of Incident:	10:00 pm
Location of Incident:	6601 S. Western Avenue
Date of COPA Notification:	Jan. 2, 2018
Time of COPA Notification:	2:51 pm

On the above date and time, [REDACTED] was arrested by Chicago Police in front of the Sixty Six Bar and charged with a felony count of impersonating a police officer. [REDACTED] was working security for the bar when Sgt Walter Chudzik saw him outside of the club interacting with the public while wearing a bulletproof vest with a patch that said "POLICE" and two holstered firearms on his person. Sgt Chudzik and Officer Ronald Walker asked [REDACTED] what department he worked for, [REDACTED] represented himself as a member of the Markham Police Department but was unable to produce credentials or a supervisor to corroborate his status. [REDACTED] was subsequently arrested for impersonating a police officer. [REDACTED] lodged a complaint with COPA alleging he was falsely arrested and the officer searched his car and recovered his firearms without justification.

## II. INVOLVED PARTIES

Involved Officer #1:	Walter Chudzik, #2273, Emp.# [REDACTED] DOA 10/26/98, Sgt., Unit 193 DOB 5/28/74 Male White
Involved Officer #2:	Ronald Walker #1459, Emp.# [REDACTED] DOA 12/18/00, PO, Unit 192, DOB 05/2/78 Male Hispanic
Subject #1:	[REDACTED] 1970, Male Black
Subject #2:	

## III. ALLEGATIONS

Officer	Allegation	Finding
Sgt. Chudzik	1. Without justification, arrested and falsely	Unfounded

<sup>2</sup> 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>charged [REDACTED] with impersonating a police officer</p> <p>2. Conducted an unlawful search and seizure of [REDACTED] vehicle and unlawfully seized his two firearms</p>	Unfounded
Officer Walker	<p>1. Without justification, arrested [REDACTED] and falsely charged [REDACTED] with impersonating a police officer</p> <p>2. Conducted an unlawful search and seizure of [REDACTED] vehicle and unlawfully seized his two firearms</p>	<p>Unfounded</p> <p>Unfounded</p>

**IV. APPLICABLE RULES AND LAWS**

Rules

1. Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
2. Rule 8: Disrespect to or maltreatment of any person, while on or off duty

Special Orders

1. Special Order S12-02 Private Security Forces

Federal Laws

1. Fourth Amendment of the US Constitution

State Laws

1. 720 ILCS 5/24-1 Unlawful Use of Weapons
2. 720 ILCS 5/24-2 Exemptions
3. 225 ILCS 447/10-30 (4) Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004

## V. INVESTIGATION<sup>3</sup>

### a. Interviews

On January 2, 2018, ██████ gave an interview to COPA regarding a complaint he wished to file against the Chicago Police Department. ██████ alleged that he was falsely arrested by two Department members on Aug. 26, 2015 at approximately 10:00 pm in front of the Sixty Sex Bar located on 6601 S. Western Avenue. ██████ was working security at his second job at the entrance of the bar and was unarmed but wearing a bulletproof vest which he used on his other job as a security guard for AGB Investigative Services. ██████ stated that his firearms were broken down and secured inside his vehicle in accordance with state law regarding the lawful transportation of firearms by licensed security guards to and from their workplace. ██████ stated that he was outside the bar at his post when Sgt. Chudzik and Off. Mitchell approached him and motioned him over to their unmarked squad car. ██████ stated that the officers wanted him to enter the bar and ask one of the patrons—a locally known drug dealer—to come outside so the officers could place him under arrest. ██████ refused to get involved. ██████ further stated that he feared for his life and the repercussions that could occur if he was perceived to have assisted CPD with the apprehension of the drug dealer.

After refusing several demands that ██████ comply with the officer's instructions, ██████ was placed under arrest and the officers took his car keys. Using the panic button on ██████ key fob, they found his vehicle and searched it, recovering ██████ two firearms which he used for his position with a private security firm AGB Investigative Services (AGB). According to ██████ those firearms were properly secured in his car. ██████ stated the officers confiscated ██████ vest and firearms and placed them into a separate CPD vehicle while he was driven to the station by Sgt. Chudzik. ██████ alleged that the officers in the second CPD vehicle altered his bulletproof vest, replacing a patch which read "PATROLMAN" with one that read "POLICE" by affixing the new patch to the Velcro on the back of the vest. ██████ further stated that a patch on the front of his vest was modified. Finally, ██████ claimed that two badges which he had never seen before were planted by the Department members.

██████ was charged criminally with impersonating a police officer, and asserts that the charges against him are unlawful and a result of his refusal to cooperate with Department members. ██████ alleged that his vehicle was illegally searched and that the arresting officers falsely claimed that he was openly and illegally carrying his firearms while he was working outside the Sixty Sex Bar.<sup>4</sup>

### b. Digital Evidence

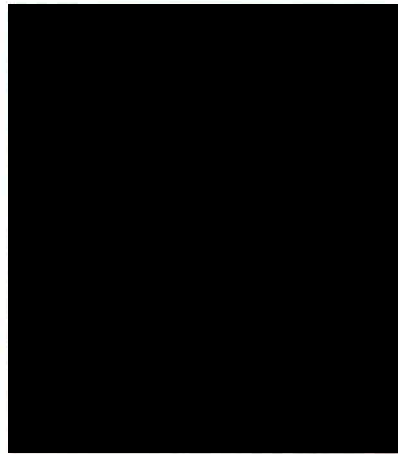
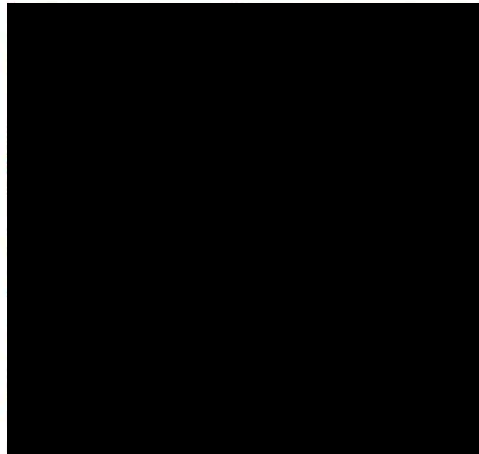
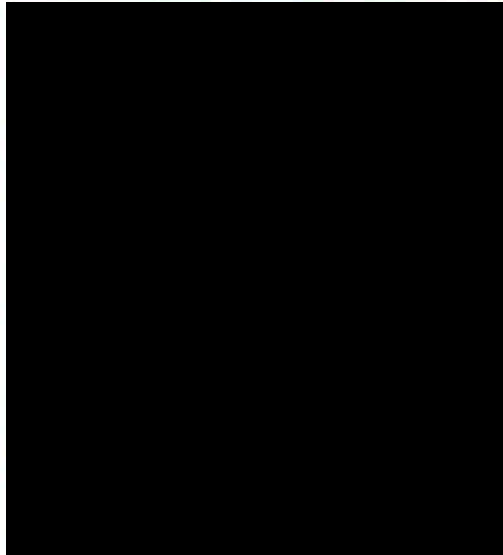
COPA Investigator Fleury contacted the Cook County State's Attorney's Office (CCSAO) to physically inspect the vest recovered by CPD and being held for prosecution against ██████

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<sup>3</sup> COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

<sup>4</sup>Attachment # 4

COPA Forensic Specialist Annmarie Kurylowicz took digital photographs of the evidence. Relevant pictures are included below.<sup>5</sup>



**c. Physical Evidence**

COPA inspected the physical evidence recovered by CPD and held by CCSAO. The physical evidence consists of a bulletproof vest worn by [REDACTED] on the date of the incident, one Sturm, Ruger & Co. P89m 9 mm pistol with one magazine containing fifteen live rounds and one in the chamber for a total of sixteen, one Smith & Wesson model 910 9 mm pistol with one magazine containing ten live rounds and one in the chamber for a total of eleven, two silver metallic badges inscribed reading "TACTICAL S.S.A SPECIAL POLICE [REDACTED]" and "POLICE SPECIAL PATROL [REDACTED]" respectively, two fabric patches with Velcro backings reading "PATROLMAN S.S.A. TACT UNIT [REDACTED]" and "PATROLMAN SPECIAL OFFICER [REDACTED]" respectively, and one "POLICE" patch attached by Velcro to the back of the bulletproof vest. The patch appeared affixed to the vest at the time COPA examined the evidence.

<sup>5</sup> Attachment # 8-14

Also present was a Firearm Owners Identification ('FOID') card, an Illinois Department of Financial and Professional Regulations ('IDFPR') Firearm Control card, and a Permanent Employee Registration Card ('PERC') all issued to [REDACTED].<sup>6</sup>

#### d. Documentary Evidence

A description of the services AGB Investigative Services was screen captured from the agency's website on Mar. 27, 2018. AGB is a private security firm. AGB typically operates in Special Service Areas ('SSAs') as part of a property tax based program that allows business owners and chambers of commerce to fund extra security to augment CPD presence. These AGB agents have limited authority in that they can detain individuals but cannot make arrests. However, AGB agents are well-equipped with tactical gear and semi-automatic pistols comparable to the firearms used by police agencies such as CPD, and the use of those firearms is governed by applicable FOID and security guard/private investigator rules.<sup>7</sup>

There are many different divisions within AGB's operating structure, from the basic "patrolman" designation to "tactical" units to Special Response Teams ('SRTs').

OEMC Event Query #1523917768 documents the police action occurring at the location of 6601 S. Western Avenue as a disturbance call.<sup>8</sup>

A CPD Arrest Report from Aug. 27, 2015 describes the arrest of [REDACTED] for the offense of "False Impersonation of a Peace Officer with a Weapon." The Arrest Report stated that while on patrol in plainclothes and in an unmarked vehicle in the 8<sup>th</sup> District, Sgt. Chudzik and Off. Walker observed [REDACTED] standing outside of the Sixty Six bar wearing a what appeared to be a bulletproof vest with "POLICE" on the back of the vest and with two holstered firearms. The report states Sgt. Chudzik and Off. Walker approached [REDACTED] to inquire which police agency he worked for, and asked [REDACTED] to produce his police identification. The report states that [REDACTED] told the officers that he worked for the Markham Police Department, but he doesn't carry his identification with him when he's working a side job. [REDACTED] was then asked for the name and number for his immediate supervisor to confirm his employment status. The report states at this point, [REDACTED] confessed he was not a sworn police officer and that he works for an investigative security firm. [REDACTED] was then taken into custody and apprised of his Miranda rights. The report states that [REDACTED] was transported to the 8<sup>th</sup> District for processing and his firearms and vest were confiscated and inventoried.<sup>9</sup>

A CPD Original Case Incident Report describes the offense under Illinois Uniform Crime Report (IUCR) as being offense #3800—Interference with Public Officer—Interference Judicial Process. The report describes the firearms recovered and the number of live rounds in each gun.

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<sup>6</sup> Attachment # 8

<sup>7</sup> Attachment # 15, 16

<sup>8</sup> Attachment # 5

<sup>9</sup> Attachment # 6, 7

**VI. ANALYSIS**

After reviewing the available evidence COPA recommends a finding of **Unfounded** for the allegations against both Sgt. Chudzik and Off. Parker.

The Complainant, ██████████ alleged that Department members conspired to arrest him on false charges of impersonating a police officer. According to ██████████ the officers lied in alleging that ██████████ had both of his legally-owned firearms on his person while he worked security at the front door of the bar as well as a vest that had the words “Police” on the back.

██████████ alleges that his bulletproof vest was doctored by Department members, however COPA finds that this is factually untrue. The evidence shows that the vest, accompanying patches, and badges all belong to ██████████ is employed by AGB Investigative Services, an armed private security firm. AGB agents are equipped with uniforms, tactical gear, vehicles, and demarcations that strongly resemble actual law enforcement officers. ██████████ employer, AGB, utilized the last four digits of ██████████ social security number to serve as that agent’s badge number. The patch affixed to ██████████ vest had ██████████ which corresponds to ██████████ SSN that appears on a previous arrest report. It is improbable that Sgt. Chudzik or Off. Mitchell would have affixed a patch with a portion ██████████ SSN on his vest to frame ██████████ for impersonating a police officer. The other patch found on ██████████ person has a number ending in ██████████ which matches one of the metal badges ██████████ claimed to be planted.

Given COPA’s findings that ██████████ allegations related to the planted and altered evidence are wholly untrue, we find that he lacks credibility with respect too all claims. Thus, all the allegations against both officers are unfounded.

**VII. CONCLUSION<sup>10</sup>**

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

Officer	Allegation	Finding
Sgt. Chudzik	1. Without justification, arrested and falsely charged ██████████ with impersonating a police officer	Unfounded
	2. Conducted an unlawful search and seizure of ██████████ vehicle and unlawfully seized his two firearms	Unfounded

<sup>10</sup> Add additional rows for additional allegations and/or involved officers.

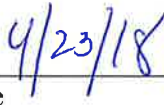
Officer Walker	<ol style="list-style-type: none"><li>1. Without justification, arrested and falsely charged [REDACTED] with impersonating a police officer</li><li>2. Conducted an unlawful search and seizure of [REDACTED] vehicle and unlawfully seized his two firearms</li></ol>	Unfounded  Unfounded
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Approved: 

[REDACTED]

Andrea Kersten  
*Deputy Chief Administrator – Chief Investigator*

Date

  
4/23/18

Appendix A

Assigned Investigative Staff

<b>Squad#:</b>	Squad 4
<b>Investigator:</b>	Michael Fleury
<b>Supervising Investigator:</b>	James Murphy-Aguili
<b>Deputy Chief Administrator:</b>	Andrea Kersten