

**SUMMARY REPORT OF INVESTIGATION**

**I. EXECUTIVE SUMMARY**

Date of Incident:	06 April 2019
Time of Incident:	08:34 p.m.
Location of Incident:	6700 South Harvard Avenue
Date of COPA Notification:	06 April 2019
Time of COPA Notification:	10:03 p.m.

The complainant was traveling in his personal vehicle with two passengers—his cousin and a friend. Police officers observed the men were not wearing seatbelts and initiated a traffic stop. The complainant curbed his vehicle. The officers approached and asked to see the complainant’s license. He displayed a photograph of the license on his mobile phone, but the officers refused to look at the image. The officers ordered the complainant and his passengers to exit the vehicle and placed all three in handcuffs. The passengers objected to the officers’ actions, and the officers responded with abusive language. Although the officers learned the complainant held a valid driver’s license while still on the scene, they placed him in custody and impounded his vehicle.

**II. INVOLVED PARTIES**

Involved Officer #1:	Officer Jairus Adams, Star #8158, Employee # [REDACTED] Appointed 29 August 2016, Police Officer, Unit 007 Born , Male, Black
Involved Officer #2:	Officer Jason Davis, Star #15630, Employee # [REDACTED] Appointed 12 December 2016, Police Officer, Unit 007, Born , Male, Black
Involved Officer #3:	Officer Jeremy Rice, Star #15844, Employee # [REDACTED] Appointed 26 October 2015, Police Officer, Unit 007 Born , Male, Black
Involved Officer #4:	Officer William Watson, Star #8986, Employee # [REDACTED] Appointed 26 April 2016, Police Officer, Unit 007 Born, Male, Black
Involved Individual #1:	[REDACTED] Born 1995, Male, Black
Involved Individual #2	[REDACTED] Born 1992, Male, Black

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Officer Adams	<p>It is alleged that on or about 06 April 2019, at approximately 08:34 p.m., at or near 6700 South Harvard Avenue in Chicago, Officer Adams, Star #8158, committed misconduct in that:</p> <ol style="list-style-type: none"> <li>1. he initiated a traffic stop without justification;</li> <li>2. he placed [REDACTED] and [REDACTED] in handcuffs without justification;</li> <li>3. he searched [REDACTED] vehicle without justification;</li> <li>4. he impounded [REDACTED] vehicle without justification;</li> <li>5. he subjected [REDACTED] to prolonged detention without justification;</li> </ol> <p>Additionally, it is alleged by COPA, by and through Deputy Chief Angela Hearts-Glass, that Officer Adams committed misconduct in that:</p> <ol style="list-style-type: none"> <li>6. he failed to complete an Investigatory Stop Report regarding an incident that occurred on or about 06 April 2019 at approximately 08:34 p.m., at or near 6700 South Harvard Avenue in Chicago.</li> </ol>	<p>Exonerated</p> <p>Not Sustained</p> <p>Unfounded</p> <p>Sustained/ Violation Noted</p> <p>Sustained/ Violation Noted</p> <p>Sustained/ Violation Noted</p>
Officer Davis	<p>It is alleged that on or about 06 April 2019, at approximately 08:34 p.m., at or near 6700 South Harvard Avenue in Chicago, Officer Davis, Star #15630, committed misconduct in that:</p> <ol style="list-style-type: none"> <li>1. he used abusive, profane, and unprofessional language, including, without limitation, the phrases “fuck you,” “how about you shut the fuck up,” and nobody gives a fuck about you.”</li> </ol>	<p>Sustained/ 1-day Suspension</p>
Officer Rice	<p>It is alleged that on or about 06 April 2019, at approximately 08:34 p.m., at or near 6700 South</p>	

<p>Officer Rice (continued)</p>	<p>Harvard Avenue in Chicago, Officer Adams, Star #15844, committed misconduct in that:</p> <ol style="list-style-type: none"> <li>1. he initiated a traffic stop without justification;</li> <li>2. he placed [REDACTED] and [REDACTED] in handcuffs without justification;</li> <li>3. he searched [REDACTED] vehicle without justification;</li> <li>4. he impounded [REDACTED] vehicle without justification;</li> <li>5. he subjected [REDACTED] to prolonged detention without justification;</li> <li>6. he made unnecessary threats of physical force; and,</li> <li>7. he used abusive, profane, and unprofessional language, including, without limitation, the phrases “ass,” “shit,” “clown ass,” “little boyfriends,” “punk ass.”</li> </ol> <p>Additionally, it is alleged by COPA, by and through Deputy Chief Angela Hearts-Glass, that Officer Adams committed misconduct in that:</p> <ol style="list-style-type: none"> <li>8. he failed to complete an Investigatory Stop Report regarding an incident that occurred on or about 06 April 2019 at approximately 08:34 p.m., at or near 6700 South Harvard Avenue in Chicago.</li> </ol>	<p>Exonerated</p> <p>Not Sustained</p> <p>Sustained/ 05-Day Suspension</p>
<p>Officer Watson</p>	<p>It is alleged that on or about 06 April 2019, at approximately 08:34 p.m., at or near 6700 South Harvard Avenue in Chicago, Officer Adams, Star #8986, committed misconduct in that:</p> <ol style="list-style-type: none"> <li>1. he used excessive force by pushing [REDACTED] Against a police vehicle without justification; and,</li> <li>2. he used abusive, profane, and unprofessional language, including, without limitation, the word “motherfucker.”</li> </ol>	<p>Not Sustained</p> <p>Sustained/ Violation Noted</p>

#### IV. APPLICABLE RULES AND LAWS

---

##### Rules

---

1. Rule 2: "Conduct which impedes Departmental policy."
  2. Rule 8: "Maltreatment of any person."
  3. Rule 9: "Unjustified verbal or physical altercation with any person."
- 

##### General Orders

---

1. General Order G03-02-01, Force Options
  2. General Order G07-03, Vehicle Towing and Relocation Operations
- 

##### Special Orders

---

1. Special Order S04-13-09, Investigatory Stop System
  2. Special Order S06-13, Bond Procedures
  3. Special Order S07-03-05, Impoundment of Vehicles for Municipal Code Violations
- 

##### Federal Laws

---

1. U.S. Const., amend. IV.
- 

##### State Laws

---

1. 625 ILCS 5/6-112 (requiring drivers to carry licenses).
2. 625 ILCS 5/7-602 (requiring drivers to carry proof of insurance).
3. 625 ILCS 5/12-603.1 (requiring drivers and passengers to wear seatbelts).

#### V. INVESTIGATION

##### a. Interviews

██████████ the first of two complainants in this matter, gave a sworn statement to the Civilian Office of Police Accountability ("COPA") on 01 November 2019.<sup>1</sup> According to Mr. ██████████ on the night of April 6, 2019, he was traveling with his friend (Daireon Williams) and his cousin (██████████) in the latter's personal vehicle. ██████████ was driving, and ██████████ was in the rear. He was not wearing a seatbelt. The group had come from the residence of ██████████ girlfriend and was returning home.

As they travelled along 67th Street, they observed a police vehicle "tailgating" them.<sup>2</sup> After the police vehicle followed the group for "five or six blocks," ██████████ and Williams lowered their windows and "nodded" at the officers in the police vehicle.<sup>3</sup> The officers activated their emergency lights, and ██████████ stopped his vehicle.

---

<sup>1</sup> See att. 18.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

Two officers (Officer Adams and Officer Rice) exited the police vehicle. Officer Rice approached ██████ window. ██████ asked the officer to provide a reason for the traffic stop. Officer Rice ignored the request and asked ██████ for his license and insurance. ██████ provided his license, but he only had “a picture of his insurance on his phone.”<sup>4</sup> Officer Rice stated, “Well, no, you need your physical card on you.”<sup>5</sup>

Officer Rice became “aggravated” and “started to disrespect” the three men.<sup>6</sup> In response, the men “started to disrespect [the officer].”<sup>7</sup> The officer ordered them to exit the vehicle. They protested, saying “Why? Do we really have to get out of the car? He showed you his insurance, his license, and everything. And it’s okay.”<sup>8</sup> Officer Rice responded, “No. We need you to get out of the car.”<sup>9</sup> “Five to six” additional officers arrived on the scene.<sup>10</sup> Officer Rice removed ██████ and immediately placed him in the police vehicle. Other officers removed Williams and placed him in handcuffs. ██████ whose shoe was off, remained seated and asked, “Can I at least put my shoe on?”<sup>11</sup> One of the assisting officers (Officer Watson) denied his request and removed him from the vehicle.

Outside, Watson placed ██████ in handcuffs and asked for his information. ██████ turned around to answer, but Officer Watson “grabbed [his] jacket” and “threw him against the hood” of his police vehicle.<sup>12</sup> The officers searched ██████ stated, “You can search me. But can I at least put my shoe on?”<sup>13</sup> One of the officers replied, “No.”<sup>14</sup> However, another officer intervened and said, “You can let him get his shoe.”<sup>15</sup> The officers then retrieved the shoe and gave it to ██████

Meanwhile, Officer Rice searched the interior of ██████ vehicle. Once Rice completed his search, ██████ asked whether the vehicle would be released. Officer Rice answered “disrespectful[ly],” saying, “No. You guys aren’t getting shit back!”<sup>16</sup> ██████ then asked for permission to retrieve his phone and wallet from the car. Rice said, “No. You’re all not getting nothing. You all will have to find a way.”<sup>17</sup>

The officers removed ██████ handcuffs. As they released ██████ Officer Rice attempted to provoke him by saying, “You’re all big and bad now. You’re out of the cuffs. Hit me!”<sup>18</sup> ██████ replied, “No, I’m not going to hit you, man, because you’re trying to get me arrested.”<sup>19</sup> Officer

---

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

Rice continued “talking crazy” to ██████<sup>20</sup> ██████ reciprocated, saying “Man, if you didn’t have a vest on—if you weren’t the police—yeah, I would have hit you.”<sup>21</sup>

At that point, Officer Rice returned to his police vehicle and transported ██████ to the station. Officer Adams seized ██████ vehicle, leaving ██████ and Williams stranded without their phones and wallets. The two men borrowed a stranger’s phone and got a ride to the police station. There, they reunited with ██████ and filed a complaint against the officers. ██████ received a traffic ticket, but ██████ and Williams did not receive an investigative stop receipt.

The men left the police station and walked across the street to retrieve ██████ vehicle. As they neared the vehicle, Officer Rice drove by them and shouted, “Get out of the street, bitch!”<sup>22</sup>

██████████ the second of two complainants in this matter, gave a sworn statement to COPA on 07 February 2020.<sup>23</sup> According to Mr. ██████ on the night of April 6, 2019, he was travelling in his Dodge Charger with ██████ and Daireon Williams. On 67th Street, he noticed a police vehicle “was trailing” him. The driver (Officer Rice) was “watching [him] through the window.”<sup>24</sup> Eventually, the officer signaled for ██████ to stop, and ██████ curbed his vehicle.<sup>25</sup> Officer Rice approached, and ██████ asked him to state the reason for the traffic stop. Officer Rice answered that he had stopped ██████ because no one in his vehicle “had any damn seatbelts on.”<sup>26</sup> ██████ doubted the officer’s explanation as he believed the officer would have been unable to see into ██████ vehicle from where he initially encountered it on the road.

The officer asked ██████ for his driver’s license and proof of insurance. ██████ stated that he had photographs of his license and insurance papers. ██████ attempted to show him the photographs, but the officer “didn’t want to do any of that” and began giving ██████ orders to exit the vehicle.<sup>27</sup> ██████ attempted to explain that his license and insurance were valid. The officer threatened to impound ██████ vehicle. He then reached inside the vehicle and opened the door. He took hold of ██████ arm, pulled him outside, and placed him in handcuffs. Officer Rice placed ██████ in the rear of the police vehicle. The officer “was trying to make it seem like [██████████] was telling jokes. It was funny to him.”<sup>28</sup>

██████████ observed additional officers remove ██████ and Williams from his vehicle. ██████ heard an officer refuse ██████ request to retrieve his shoe. ██████ then observed the officers push ██████ up against the hood of a police vehicle.

While he waited in the police vehicle, ██████ gave his information to Officer Rice’s partner (Officer Adams). In contrast to Officer Rice, Officer Adams “was real cool—he just sat back and

---

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> *See* att. 32.

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

ran [REDACTED] name.”<sup>29</sup> Officer Adams even acknowledged that [REDACTED] had a valid driver’s license. Nevertheless, Officer Rice transported [REDACTED] to the police station, and another officer followed them there in [REDACTED] personal vehicle. At the station, [REDACTED] spoke again with Officer Adams. Officer Adams expressed sympathy for [REDACTED] and advised him there was “no point” in impounding his vehicle.<sup>30</sup> [REDACTED] received a ticket for not wearing a seatbelt.

[REDACTED] and Williams met [REDACTED] at the police station. The three men filed complaints against the officers who stopped them. The group left the station and went to retrieve [REDACTED] vehicle. As they crossed the street, Officer Rice passed them in his police vehicle and shouted “Get out of the street, bitch!”

**Accused Officer Jairus Adams, Star #8158, gave a sworn statement to COPA on 27 February 2020.**<sup>31</sup> According to Officer Adams, on the date of the incident, he and Officer Rice initiated a traffic stop of a vehicle after Officer Rice observed the driver ([REDACTED] was not wearing a seatbelt. The driver curbed his vehicle, and the two officers approached. Officer Rice, who was on the driver’s side, asked [REDACTED] for his license and proof of insurance.

Officer Adams, who was on the passenger’s side, did not hear [REDACTED] response. However, at some point, he became aware that [REDACTED] was not able to provide his license and insurance. The two officers asked [REDACTED] and the other two passengers ([REDACTED] and Daireon Williams) to exit the vehicle. Officer Rice removed [REDACTED] from the vehicle, and Officer Adams removed Williams from the vehicle. Additional officers arrived, and they removed [REDACTED] from the vehicle. Because the men were becoming visibly “agitated,” the officers placed all three in handcuffs to ensure everyone’s safety.<sup>32</sup>

Officer Adams obtained the names of all three men and ran their information. In the course of obtaining everyone’s information, he employed de-escalation techniques by “just trying to talk to” the men.<sup>33</sup> Officer Adams observed that, while he was taking these actions, his fellow officers were “just escalating” the encounter.<sup>34</sup>

Officer Adams ran [REDACTED] information and learned that he possessed “a valid license.”<sup>35</sup> However, Officer Adams continued to believe [REDACTED] lacked proof of his insurance and that, in the absence of a *physical* copy of [REDACTED] license, it was necessary to transport him to the station and obtain an “I bond.”<sup>36</sup> As a result, he left [REDACTED] in the custody of Officer Rice and transported [REDACTED] vehicle to the Seventh District Police Station. Later that night, Officer Adams learned that [REDACTED] needed his vehicle for work, and, for that reason, decided not to tow

---

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> *See* att. 30; att. 31.

<sup>32</sup> Att. 30.

<sup>33</sup> *Id.*

<sup>34</sup> *See id.* During his statement to COPA, when asked to describe the conduct of his fellow officers on the scene, Officer Adams stated his colleagues were “just escalating” the encounter. However, when asked to provide additional details, Officer Adams reversed his initial response and stated, the passengers “were escalating **more** than the officers.”

<sup>35</sup> *Id.*

<sup>36</sup> *Id.*

the car. Although Officer Adams recognized that Departmental policy “most likely” necessitated the completion of an Investigatory Stop Report, he failed to complete one.<sup>37</sup>

**Accused Officer Jason Davis, Star #15630, gave a sworn statement to COPA on 24 February 2020.**<sup>38</sup> According to Officer Davis, on the date of the incident, he and his partner (Officer Watson) responded to a call for assistance from Officer Rice and Officer Adams. At the scene, Officer Davis observed at least four other police officers engaged in a traffic stop of a vehicle with three occupants. The officers were ordering the passengers to exit the vehicle.

Officer Davis approached the rear of the vehicle and observed a passenger ( [REDACTED] “reaching down.”<sup>39</sup> [REDACTED] stated that he was reaching for his shoe, but Officer Davis and the other officers removed [REDACTED] from the vehicle before he could reach it. Then, to ensure “officer safety,” the officers placed [REDACTED] in handcuffs while they “verifi[ed] [whether] what [REDACTED] was reaching for was a weapon or actually his shoe.”<sup>40</sup>

Officer Davis moved [REDACTED] near a police vehicle. [REDACTED] shouted profanities at Officer Davis, and the officer replied, “Fuck you!”<sup>41</sup> [REDACTED] continued to shout profanity at the officers, “calling [them] ‘pussies,’ ‘bitches,’ [and] talking about fighting [them].”<sup>42</sup> [REDACTED] also “kept turning away from the police vehicle.”<sup>43</sup> In response, Officer Davis told him to “relax” and kept “turning” [REDACTED] back toward the vehicle so that “his body would be in control and he wouldn’t be able to kick [the officers] or anything like that.”<sup>44</sup>

At some point, Officer Davis observed [REDACTED] turn around and say something to Officer Watson. In response, Officer Davis and Officer Watson used their “hands” to “bend[] the top half of [REDACTED] body” over the hood of the police vehicle.<sup>45</sup> The officers held him there. [REDACTED] shouted profanities at the officers and complained about prior encounters he had had with the police. Officer Davis again told [REDACTED] to “relax.”<sup>46</sup>

Meanwhile, other officers ran [REDACTED] name. Once [REDACTED] was “cleared,” he requested permission to retrieve his shoe from the civilian vehicle.<sup>47</sup> Officer Watson initially declined [REDACTED] request “in a joking manner,” saying that the shoe was “evidence.”<sup>48</sup> [REDACTED] did not recognize that Watson was joking and became “frustrated.”<sup>49</sup> Officer Watson then retrieved [REDACTED] shoe from the vehicle and released him.<sup>50</sup>

---

<sup>37</sup> *Id.*

<sup>38</sup> *See* att. 24; att. 25; att. 26.

<sup>39</sup> Att. 24.

<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

<sup>42</sup> Att. 25.

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

<sup>48</sup> *Id.*

<sup>49</sup> *Id.*

<sup>50</sup> *Id.*

Officer Davis assisted the other officers in obtaining the name of another man (Daireon Williams) who had been removed from the civilian vehicle. Williams gave his name, and, after he was “cleared,” the officers released him.<sup>51</sup> Following that, Officer Rice and Officer Adams transported a third man to the Seventh District Police Station and towed the civilian vehicle. Officer Davis never learned the basis of the traffic stop or the reason for the tow.

**Accused Officer Jeremy Rice, Star #15844, gave a sworn statement to COPA on 26 February 2020.**<sup>52</sup> According to Officer Rice, on the date of the incident, he observed three men traveling in a vehicle. The men were not wearing seatbelts. Officer Rice initiated a traffic stop, and the driver (██████████) curbed his vehicle. Officer Rice approached ██████████ and informed him that he had committed a seatbelt violation. The officer asked ██████████ for his driver’s license, registration, and proof of insurance. ██████████ “did not provide” these materials, but did offer to show the officer photographs of the requested documents on his mobile phone.<sup>53</sup> Officer Rice refused to look at the photographs because he believed Illinois law requires drivers to carry “physical” copies of their licenses.<sup>54</sup> He was also concerned he might violate the Fourth Amendment if he examined an image stored on ██████████ phone without a warrant.<sup>55</sup>

Officer Rice ordered ██████████ to exit the vehicle and prepared to place him in custody. Initially, ██████████ did not comply, and Officer Rice requested that additional officers come to the scene. When several assisting officers arrived, ██████████ exited the vehicle. Officer Rice placed him in custody. “Due to the fact that [██████████] did not have a valid license—a physical license—on his person or auto insurance,” Officer Rice requested “a tow” (but not “an impound”) for ██████████ vehicle.<sup>56</sup> The assisting officers removed the vehicle’s two remaining occupants (██████████ and Daireon Williams) and placed them in handcuffs. Officer Rice performed an inventory search that included the armrest, glove compartment, and trunk.<sup>57</sup>

Throughout the incident, ██████████ and Williams “threatened” Officer Rice and made statements that implied they wanted to fight him.<sup>58</sup> In response to these threats, Officer Rice stated, “Do whatever it is you think you want to do.”<sup>59</sup> He also stated, “You don’t want to try all that big shit you were talking? Try that big shit you were talking.”<sup>60</sup> By these statements, he meant to communicate that, if ██████████ and Williams “wanted to” act on their “threat[s],” they “could,” and “the decision” was theirs.<sup>61</sup> Additionally, when Officer Rice responded to the two men, he used demeaning and profane language, including the words “ass,” “shit,” “clown ass,” “little boyfriends,” and “punk ass.”<sup>62</sup>

---

<sup>51</sup> *Id.*

<sup>52</sup> *See* att. 27; att. 28.

<sup>53</sup> Att. 27.

<sup>54</sup> *Id.*

<sup>55</sup> *See* att. 28.

<sup>56</sup> Att. 27.

<sup>57</sup> *Id.*

<sup>58</sup> *Id.*

<sup>59</sup> *Id.*

<sup>60</sup> *Id.*

<sup>61</sup> *Id.*

<sup>62</sup> *Id.*

At some point, Officer Rice learned that ██████ had a valid driver's license. However, he believed it was still necessary to take ██████ to the station because, without a physical copy of the license, he had no bond to secure a release. As a result, Officer Rice transported ██████ to the Seventh District Police Station. There, the officer subjected ██████ to a custodial search and issued traffic tickets. He then released ██████ on an individual bond.<sup>63</sup>

Subsequent to the incident, Officer Rice prepared a tow report, but did not prepare an Investigatory Stop Report (or any other document that includes his narrative of the incident) as he did not believe there is any "case report that is associated with minor traffic violations."<sup>64</sup>

**Accused Officer William Watson, Star #8986, gave a sworn statement to COPA on 17 March 2020.**<sup>65</sup> According to Officer Watson, on the date of the incident, he and his partner (Officer Davis) were traveling in their police vehicle and observed Officer Adams and Officer Rice conducting a traffic stop. They stopped to see if the officers needed any assistance. As Officer Watson approached the scene, he saw that two men (██████████ and Daireon Williams) were detained while officers struggled to remove a third (██████████) from the rear of a civilian vehicle.

Eventually, the officers succeeded in removing ██████ and they placed him in handcuffs. Officer Watson monitored ██████ and found his statements to be aggressive and erratic. He became concerned that ██████ might have been suffering from the effects of a mental illness, drugs, or alcohol. At one point, ██████ turned toward Officer Watson, "as if he was going to get in [the officer's] face, like he was going to attempt to spit on [him] or headbutt [him]."<sup>66</sup> In response, Officer Watson said, "don't get in my face."<sup>67</sup> He then "pushed [██████████] out of his face and tried to gain control of him."<sup>68</sup>

██████████ "stiffen[ed] his body as if he wanted to continue to move."<sup>69</sup> *I.e.*, ██████ "was not allowing the officers to hold him," and he "kept trying to push backwards" as the officer "tried to gain control of him."<sup>70</sup> Officer Watson considered ██████ to be "an active resister" because he was "moving his body to avoid control" and refused to follow "verbal commands."<sup>71</sup> Accordingly, with the assistance of Officer Davis, he took hold of ██████ and held him against the police vehicle.

██████████ and Williams criticized the officers and "tried to make it a racial thing."<sup>72</sup> *I.e.*, Williams argued that, as black men, the officers should have treated the detained men (who are also black)

---

<sup>63</sup> See att. 27; att. 28.

<sup>64</sup> Att. 28.

<sup>65</sup> See att. 29.

<sup>66</sup> *Id.*

<sup>67</sup> *Id.*

<sup>68</sup> *Id.*

<sup>69</sup> *Id.*

<sup>70</sup> *Id.*

<sup>71</sup> *Id.*

<sup>72</sup> *Id.*

differently. When Williams invoked Officer Watson's race, "that kind of got to [him]," and he used "language he shouldn't have."<sup>73</sup> Specifically, he called ██████ a "motherfucker."<sup>74</sup>

## b. Digital Evidence

COPA obtained video from the body-worn cameras ("BWCs") from all four accused officers.<sup>75</sup>

### i. BWCs of Officer Adams and Rice<sup>76</sup>

As the footage begins, Officer Rice is driving a police vehicle, and Officer Adams is in the passenger's seat. The police vehicle stops, and they approach a silver Dodge Charger. Officer Rice is on the driver's side, and Officer Adams is on the passenger's. The Charger is occupied by three men. The windows of the driver (█████ Donuhue) and front passenger (Daireon Williams) are lowered. Neither man appears to be wearing a seatbelt.<sup>77</sup>

█████ asks Officer Rice to provide the reason for the traffic stop. Rice states that ██████ and his passengers have committed multiple seatbelt violations. Unsatisfied with the officer's answer, ██████ repeats his question multiple times. Each time, Officer Rice cites seatbelt violations as the basis of the stop and demands to see ██████ license and insurance. Eventually, ██████ shows the screen of his mobile phone to Officer Rice. The screen displays the image of a document which ██████ identifies as a photograph of his insurance. Apparently satisfied, Officer Rice requests to see ██████ driver's license.

█████ tells the officer he has a photograph of his license. Officer Rice warns him that he will not accept a photograph as proof of a valid driver's license. ██████ informs him that he does not have a physical copy of the license on his person. Officer Rice makes a request over his radio for additional police assistance and orders ██████ to exit the vehicle. He advises that, because ██████ does not have a physical copy of his license, he must "impound[]" ██████ vehicle.<sup>78</sup> ██████ protests, saying he has done nothing wrong. Officer Rice responds that ██████ is "trying to show off for [his] little boyfriends and shit."<sup>79</sup>

Additional police officers arrive on scene. Officer Adams and Officer Rice open the doors of ██████ vehicle. ██████ and Williams exit the vehicle, and the officers place both men in handcuffs. Officer Rice places ██████ in a police vehicle. Officer Adams escorts Williams to the rear of ██████ vehicle and instructs assisting officers (Officer Piell, Officer Davis, and Officer Watson) to remove ██████ third passenger (█████). The assisting officers order ██████ to exit the vehicle, but ██████ remains seated. The officers pull him from the vehicle and place him in handcuffs. ██████ becomes irate and shouts profanities at the officers. He also states that one of his shoes has come off and that he was attempting to retrieve it when the officers took hold of him. Once all three men are in handcuffs, Officer Rice searches ██████ vehicle.

---

<sup>73</sup> *Id.*

<sup>74</sup> *Id.*

<sup>75</sup> *See* att. 13; att. 14; att. 15; att. 23.

<sup>76</sup> *See* att. 13.; att. 14.

<sup>77</sup> *See* att. 14.

<sup>78</sup> *Id.*

<sup>79</sup> *Id.*

Meanwhile, Officer Adams talks with ██████ in the police vehicle. Officer Adams asks ██████ for his name and encourages him to cooperate, saying, “Bro, you’re going to have to go into the station. For what? You’re just wasting time, man. All you had to do is say, ‘Hey, this is my license.’”<sup>80</sup> ██████ explains that he does not have a physical copy of his license on his person and that Officer Rice refused to inspect a photograph he displayed on his phone. Officer Adams states that he is giving him another opportunity to provide the information. ██████ gives his name and birthdate. Officer Adams runs his information and states, “You’ve got a valid driver’s license.”<sup>81</sup>

Around this time, Officer Rice finishes searching ██████ vehicle and walks towards the police vehicle. Officer Rice passes ██████ and the footage captures the following exchange:<sup>82</sup>

OFFICER RICE: You got some ID on you?

████████ Are you talking to me?

OFFICER RICE: Oh, these motherfuckers! Goofy!

Officer Rice turns his attention to Officer Adams and tells him to get information from Williams. He adds that they will need to take ██████ to the station and tow his vehicle. Officer Adams exits the police vehicle, and he and Officer Rice approach Williams. Officer Adams calmly attempts to obtain Williams’s information.<sup>83</sup> However, Officer Rice persists in making exclamatory interruptions. The footage captures the following exchange:<sup>84</sup>

OFFICER RICE: [*to Williams*] You can walk your ass home after we take [████████] ass in and tow his car.

WILLIAMS: [*to Officer Rice*] Walk your ass home? What is the problem?

OFFICER ADAMS: [*to Williams*] Got your ID on you? Got your ID?

OFFICER RICE: [*to Williams*] We just asked you to get out of the car. We were being respectful to you.

WILLIAMS: [*to Officer Rice*] Why are you so tough? Just do your job and shut the fuck up! You aren’t fooling me.

OFFICER ADAMS: [*to Williams*] What’s your last name? What’s your last name?

WILLIAMS: [*to Officer Adams*] My last name is Williams, bro.

OFFICER RICE: [*to Williams*] Get your clown-ass out of here. Shorty, you a hundred-and-twenty pounds. I could bench press your little ass.

WILLIAMS: [*to Officer Rice*] And I’d probably fuck the shit out of your daughter.

OFFICER ADAMS: [*to Williams*] First name?

WILLIAMS: [*to Officer Adams*] D-A-I-R-E-O-N.

\* \* \*

OFFICER ADAMS: [*to Williams*] Birthday?

---

<sup>80</sup> Att. 13.

<sup>81</sup> *Id.*

<sup>82</sup> Att. 14.

<sup>83</sup> *See* att. 13.

<sup>84</sup> *Id.*

OFFICER RICE: [to *Officer Adams*] Man, just lock him up for refusing to give his name. Fuck it!

Officer Watson walks over and escorts Williams to a police vehicle. Officer Rice turns his attention to ██████ and the footage captures the following exchange:<sup>85</sup>

OFFICER RICE: Those cuffs are going to come off of you in about five seconds. You're going to be able to do whatever it is you think you want to do.

██████ Oh, I'm not going to take a swing at you or nothing.

OFFICER RICE: I want you to. I want you to.

Officer Adams questions ██████ and ██████ readily provides his information. Officer Adams steps away to run ██████ information. While Officer Adams is in the police vehicle, Officer Rice tells ██████ that he is going to report the traffic stop to ██████ employer. Officer Adams returns and informs Officer Rice that ██████ is cleared for release. Officer Rice orders assisting officers to remove ██████ handcuffs. Once he is free, ██████ asks to retrieve his missing shoe from ██████ vehicle. Officer Rice refuses the request, and Officer Davis adds, "that's evidence."<sup>86</sup> ██████ becomes upset and demands his shoe. Officer Rice relents, and Officer Davis retrieves the shoe. Officer Rice then resumes his attempts to provoke ██████ and the footage captures the following exchange:<sup>87</sup>

OFFICER RICE: You don't want to try all that big shit you were talking?

██████ I'm not going to get arrested. If you want to step back over there, we can.

OFFICER RICE: The cuffs are off you. We're not stepping nowhere. Do that tough shit you were talking!

██████ Bro!

OFFICER RICE: Exactly! I figured your bitch ass wasn't going to do shit! I figured you weren't going to do nothing . . . . Either way it goes, on or off duty, I'm still a police officer . . . . Walk your punk ass off! You ain't going to do shit!

Meanwhile, Officer Watson obtains William's information and clears him for release. He informs Officer Rice, and Officer Rice approaches the police vehicle in which Williams has been placed. Officer Rice instructs Williams to exit the police vehicle, and Williams complies. Officer Watson walks over and removes Williams's handcuffs. The footage records the following exchange:<sup>88</sup>

WILLIAMS: You're making my people look bad with this tough guy shit. How about you treat us with a little respect? I hope you remember that! . . . . You're a disappointment, bro. This tough guy shit!

OFFICER RICE: The cuffs are coming off. You can do whatever you think it is you want to do. I'm right here! I'm right here! They don't want to do nothing. They're all talk. That's what they do now. There ain't no in-betweens. Either you're going to be a gangster or you ain't.

---

<sup>85</sup> *Id.*

<sup>86</sup> *Id.*

<sup>87</sup> *Id.*

<sup>88</sup> *Id.*

Officer Rice returns to his police vehicle and drives to the station.

## ii. BWCs of Officers Davis and Watson<sup>89</sup>

Video from the BWCs of Officer Davis and Officer Watson is consistent with what is established by other evidence. The footage does, however, highlight two significant moments during the encounter. First, it records Officer Davis say “fuck you,” “nobody gives a fuck,” and, “shut the fuck up” to ██████ when the latter raises complaints about the officers’ actions.<sup>90</sup> Second, the video shows that, once he is in handcuffs, ██████ abruptly turns around, leans his body close to Officer Watson, and quietly asks, “Want to go in my pocket and get my ID?”<sup>91</sup> Officer Watson immediately takes hold of ██████ shoulders, pushes him against a police vehicle, and states, “Don’t get in my face, dude.”<sup>92</sup> Officer Watson then advises ██████ and Watson not “to make this something it doesn’t have to be.”<sup>93</sup> He points to ██████ and adds, “Specifically, this motherfucker right here.”<sup>94</sup>

## VI. ANALYSIS

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.

**Preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that the conduct occurred and violated Department policy.<sup>95</sup> 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 satisfied.

**Clear and convincing** is a higher standard than preponderance but less demanding than “proof-beyond-a-reasonable-doubt” that applies in criminal cases.<sup>96</sup> Clear and Convincing can be defined

---

<sup>89</sup> See att. 15; att. 23.

<sup>90</sup> Att. 15.

<sup>91</sup> Att. 23.

<sup>92</sup> *Id.*

<sup>93</sup> Att. 23.

<sup>94</sup> *Id.*

<sup>95</sup> 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 is found to be more probably true than not).

<sup>96</sup> See e.g., *People v. Coan*, 2016 IL App (2d) 151036 (2016).

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.”<sup>97</sup>

**A. THERE IS CLEAR AND CONVINCING EVIDENCE THAT THE ACCUSED OFFICERS HAD JUSTIFICATION TO INITIATE THE TRAFFIC STOP.**

The complainants alleged that the accused officers initiated a traffic stop without justification. There is no doubt a traffic stop took place. But, it is well established under federal, state, and local law that police officers may initiate a traffic stop when there are “specific and articulable facts which . . . give rise to [a] reasonable articulable suspicion that criminal activity is afoot.”<sup>98</sup> Under Illinois law, it is illegal to operate a vehicle without wearing a seatbelt.<sup>99</sup>

In video of the incident, ██████ does not appear to be wearing his seatbelt while the vehicle is curbed, and Officer Rice repeatedly invokes the seatbelt violation as the basis for the stop. Also his statement to COPA, ██████ conceded that he was also not wearing a seatbelt. Taken together, this evidence supports a firm and abiding belief that, prior to initiating the traffic stop, the accused officers were able to see that at least some of the occupants in ██████ vehicle were not wearing seatbelts. Therefore, the officers had a reasonable articulable suspicion to justify the stop. **For these reasons, COPA finds Allegation #1 against Officer Adams and Allegation #1 against Officer Rice are EXONERATED.**

**B. THERE IS INSUFFICIENT EVIDENCE TO DETERMINE WHETHER THE ACCUSED OFFICERS HAD JUSTIFICATION TO PLACE THE COMPLAINANTS IN HANDCUFFS.**

The complainants alleged that Officers Adams and Rice placed them in handcuffs without justification. Courts have recognized that, while “the use of handcuffs” during a traffic stop “heightens the degree of intrusion and is not generally part of a stop,” the law permits police officers to apply handcuffs in circumstances which give rise to legitimate concerns for the safety of the officers or the public.<sup>100</sup> More specifically, police officers may use handcuffs during a traffic stop if the restraints are “reasonably necessary” to ensure the officers’ safety.<sup>101</sup>

Here, the officers state that they handcuffed ██████ after observing him reach for an unknown object on the floor of the vehicle. While it later became apparent that ██████ was reaching for his shoe, it is possible that, as a result of ██████ movements, the officers may have developed a reasonable apprehension for their safety. ██████ was handcuffed because he initially refused to follow directives and exit the vehicle and both ██████ and Williams expressed hostility towards the officers. While these factors do *tend* to weigh in the officers’ favor, the evidence is too scant to establish a firm and abiding belief that handcuffs were “reasonably necessary under the

---

<sup>97</sup> *Id.* at ¶ 28.

<sup>98</sup> Special Order S04-13-09.

<sup>99</sup> See 625 ILCS 5/6-112.

<sup>100</sup> *People v. Daniel*, 2013 IL App. (1st) 111876 ¶39 (2013) (quoting *People v. Johnson*, 408 IL App. (3d) 113, 113 (2010)).

<sup>101</sup> *Daniel*, 2013 IL App. (1st) at ¶¶40-41.

circumstances” of this incident. **For these reasons, COPA finds the evidence does not satisfy the standard required to exonerate the officers, and Allegation #2 against Officer Adams and Allegation #2 against Officer Rice are NOT SUSTAINED.**

**C. THE EVIDENCE SHOWS THE ACCUSED OFFICERS SEARCHED AND IMPOUNDED THE COMPLAINANT’S VEHICLE WITHOUT JUSTIFICATION.**

The complainants alleged that Officer Adams and Officer Rice searched and impounded [REDACTED] vehicle without justification. In his statement to COPA, Officer Rice acknowledged that he requested [REDACTED] vehicle be “towed,” but distinguished this from “impoundment” (as he believed these actions are governed by different legal standards). However, video from the scene makes clear that Officer Rice explicitly advised fellow officers of his intent to “impound” [REDACTED] vehicle. He also acknowledged searching the vehicle, adding that, based on his understanding of the law, he had authority to conduct an inventory search.

Departmental policy does not permit impoundment for seatbelt violations.<sup>102</sup> And Illinois law explicitly forbids police officers from “search[ing] or inspect[ing] a motor vehicle, its contents, the driver, or a passenger solely because” of a seatbelt violation (*i.e.*, the basis of the traffic stop in this case).<sup>103</sup> The officers cannot point to the absence of a driver’s license or proof-of-insurance since [REDACTED] showed both of these materials were valid while still on the scene and prior to the tow and inventory search. Accordingly, there was no lawful basis for vehicular impoundment, and by extension, an inventory search. **For these reasons, COPA finds Allegation #4 against Officer Adams and Allegations #4 and #5 against Officer Rice are SUSTAINED. Allegation #3 against Officer Adams is UNFOUNDED because the officer never participated in the search of [REDACTED] vehicle.**

**D. THE EVIDENCE SHOWS THAT THE ACCUSED OFFICERS SUBJECTED THE COMPLAINANT TO A PROLONGED DETENTION.**

The complainants alleged that [REDACTED] was subjected to a prolonged detention. The U.S. Supreme Court has stated that “a police stop exceeding the time needed to handle the matter for which the stop was made violates the Constitution’s shield against unreasonable seizures.”<sup>104</sup> Thus, a traffic stop “‘become[s] unlawful if it is prolonged beyond the time reasonably required to complete th[e] mission’ of issuing a ticket for the violation” and performing other tasks related to the enforcement of traffic laws (*e.g.*, checking the driver’s license, determining whether there are outstanding warrants against the driver, and inspecting the automobile registration).<sup>105</sup>

---

<sup>102</sup> See Special Order S03-07-05.

<sup>103</sup> 625 ILCS 5/12-603.1(f).

<sup>104</sup> *Rodriguez v. United States*, 575 U.S. \_\_\_\_ (2015).

<sup>105</sup> *Id.* (quoting *Illinois v. Caballes*, 543 U.S. 405, 407 (2005)).

Here, Officers Adams and Rice initiated a traffic stop after they observed ██████ commit a petty traffic offense.<sup>106</sup> Instead of serving ██████ a citation for the offense on the scene, they placed him in custody and escorted him to the police station. Clearly, these actions were not “reasonably required” to serve the ticket for the traffic offense. On the contrary, Departmental policy explicitly states that “a person charged with a petty traffic offense” is eligible for release if he “execute[s] a promise to comply by signing the white copy of each of the individual petty offense citations.”<sup>107</sup>

In their statements to COPA, the officers defended their actions by pointing to the fact that ██████ had only photographs of his driver’s license and insurance policy. To be sure, Illinois law does require every driver to carry both proof of insurance and his license: “every operator of a motor vehicle . . . shall carry within the vehicle evidence of insurance”<sup>108</sup> and also must “have his driver’s license . . . in his immediate possession at all times when operating” the vehicle.”<sup>109</sup> However, the law also makes clear that “the display of electronic images of a cellular phone or other type of portable electronic device” constitutes acceptable proof of insurance.<sup>110</sup> And, with respect to the license requirement, the law states that, even if a person fails to produce his license during a traffic stop, he “shall not be convicted if he produces . . . satisfactory evidence that [his] driver’s license . . . was valid” at the time of the stop.<sup>111</sup> ██████ displayed an electronic image of his insurance policy, and the officers became aware that ██████ possessed a valid driver’s license while still on the scene. Therefore, the officers should have recognized that there was no basis to charge ██████ under the statutes requiring motorists to exhibit proof of their insurance policies and driver’s licenses. As a result, the officers cannot look to these provisions to justify their decision to transport ██████ police station.

When the officers issued traffic citations to ██████ for a seatbelt violation, they should have given him the opportunity to execute a promise to comply by signing the citations on the scene (as Departmental policy requires). Their failure to do so prolonged the traffic stop beyond the time reasonably required to investigate the violation and, thereby, encroached ██████ Fourth Amendment right against unreasonable seizures. **For these reasons, COPA finds Allegation #5 against Officer Adams and Allegation #5 against Officer Rice are SUSTAINED.**

**E. THE EVIDENCE SHOWS THAT THE ACCUSED OFFICER(S) MADE UNNECESSARY THREATS OF PHYSICAL FORCE AGAINST THE COMPLAINANTS.**

The complainants alleged that Officer Rice made statements challenging the complainants to fight him. Video evidence clearly corroborates these claims. *E.g.*, recordings from the incident show Officer Rice tell ██████ “Those cuffs are going to come off of you in about five seconds. You’re going to be able to do whatever it is you think you want to do.” When ██████ replied, “Oh, I’m not going to take a swing at you or nothing,” Officer Rice answered, “I want you to. I want you to.” After ██████ handcuffs were removed, Officer Rice exclaimed, “Try that big shit you were talking!” Officer Rice also made similar remarks to Williams.

---

<sup>106</sup> See 625 ILCS 5/6-112(d) (stating that it is a “petty offense” for a driver to operate a motor vehicle without wearing a seatbelt).

<sup>107</sup> Special Order S06-07.

<sup>108</sup> 625 ILCS 5/7-602.

<sup>109</sup> 625 ILCS 5/6-112.

<sup>110</sup> 625 ILCS 5/7-602(h).

<sup>111</sup> *Id.* (emphasis added).

In his statement to COPA, Officer Rice defended these statements as an acceptable response to threats the complainants had made against him early in the incident. In his view, his remarks were merely meant to communicate that, if ██████ and Williams “wanted to” act on these “threat[s],” they “could,” and “the decision” was theirs. The evidence belies the officer’s explanation. While it is true that, early in the incident, ██████ statements may have evinced a propensity for physical confrontation, BWC footage shows that, by the time Officer Rice makes statements challenging the men to a fight, ██████ is calm and cooperative. In fact, Officer Rice made many of his most provocative comments to the men while they were attempting to answer Officer Adams’s questions.

Under Departmental policy, an officer must “maintain one-on-one communication where only one member speaks at a time,” “continually evaluate the effectiveness of [his] communication” with a subject, and “vary the level of assertiveness” so that it is proportionate to the seriousness of the encounter.<sup>112</sup> During this incident, Officer Rice should have recognized when the complainants’ demeanor improved and ceased making aggressive and intimidating statements. Instead, he repeatedly challenged the men to a fight. These recurrent statements interrupted the important police work of his partner and clearly violated the officer’s obligation to “use de-escalation techniques” when it was safe and reasonable to do so.<sup>113</sup> **For these reasons, COPA finds allegation #6 against Office Rice is SUSTAINED.**

**F. THE ACCUSED OFFICERS ADMITTED TO USING ABUSIVE, PROFANE, AND UNPROFESSIONAL LANGUAGE.**

The complainants alleged several officers used unprofessional language. Officers Davis, Rice, and Watson acknowledged using profanity, and video from their BWCs confirms they used abusive language, including homophobic slurs, throughout the encounter. *E.g.*, It is undisputed that the officers used terms such as “punk ass”, “bitch ass”, “clown ass” and Officer Rice stated that ██████ was, “trying to show off in front of his little boyfriends. “While all three officers noted that the complainants acted aggressively and directed offensive or threatening statements towards them, they had a responsibility to attempt to de-escalate the encounter. The evidence shows they failed to do this. **For this reason, COPA finds Allegation #5 against Officer Adams, Allegation #1 against Officer Davis, Allegation #5 against Officer Rice, and Allegation #2 against Officer Watson are SUSTAINED.**

**G. THERE IS INSUFFICIENT EVIDENCE TO DETERMINE WHETHER THE ACCUSED OFFICER(S) USED EXCESSIVE FORCE AGAINST THE COMPLAINANTS.**

The complainants alleged that Officer Watson used excessive force when he pushed ██████ against a police vehicle. Officer Watson acknowledged pushing ██████ but claimed his actions were justified because ██████ made aggressive statements and moved a way that caused the officer to fear for his safety. Specifically, the officer was afraid ██████ might head-butt him, spit at him, or run into the street. In video footage of the incident, ██████ turns around and bends forward,

---

<sup>112</sup> General Order G03-02-01.

<sup>113</sup> *Id.*

bringing his head in close proximity to Officer Watson's. As he turns, ██████ quietly asks the officer to retrieve his identification from his pocket.

Under the *Force Options* directive, an officer's "use of force must be objectively reasonable, necessary, and proportional to the threat, actions, and level of resistance offered by a subject, *under the totality of the circumstances.*"<sup>114</sup> The force Officer Watson employed here is most similar to a "takedown"—*i.e.*, an action in which an officer "*physically direct[s]* a subject to the ground to limit physical resistance, prevent escape, or increase the potential for controlling the subject."<sup>115</sup> Takedowns are permissible if a subject is an active resister. Here, Officer Watson believed ██████ (the subject) might head-butt him or flee into the street. Both of these actions satisfy the criteria to find a person is active resister. However, there are also several factors present which undermine the reasonableness of the officer's belief: most significantly, ██████ made a quiet request which explained why he was turning to the face officer. While this observation is not sufficient to show the officer's actions violated Departmental policy, it militates against a firm and abiding belief in the reasonableness of the officer's actions. **For this reason, COPA finds Allegation #2 against Officer Watson is EXONERATED.**

#### **H. THE ACCUSED OFFICERS ADMITTED THAT THEY FAILED TO FILE AN INVESTIGATORY STOP REPORT.**

Finally, COPA brought allegations against Officers Adams and Rice for failing to complete an Investigatory Stop Report ("ISR"). Under Departmental policy, officers must complete an ISR whenever they initiate a traffic stop unless they prepare another document that explains the basis for the stop and provides additional details about any actions taken against detainees.<sup>116</sup> By their own admission, the accused officers did not prepare an Investigatory Stop Report. The only documents they prepared were traffic tickets. While these tickets may have satisfied reporting requirements with respect to ██████ detention, they do not document the actions officers took against ██████ and Williams. The policy clearly required the officers to compose a narrative of the incident, and they failed to do so. **For this reason, COPA finds Allegation #7 against Officer Adams and Allegation #8 against Officer Rice are SUSTAINED.**

### **VII. RECOMMENDED DISCIPLINE**

#### **A. OFFICER ADAMS**

Three allegations against Officer Adams are sustained. In determining what form of discipline to recommend, COPA considered the officer's training, disciplinary and complimentary history: Officer Adams has been a sworn member of CPD since 2016. His disciplinary history shows that there have not been any sustained findings of misconduct against him.

COPA also notes that Officer Adams's actions stand in marked contrast to the significantly more abrasive conduct of his partner, Officer Rice. He conducted his investigation professionally and attempted to deescalate the conflict between the officers and the complainants. In fact, the

---

<sup>114</sup> General Order G03-02-01 (original emphasis).

<sup>115</sup> *Id.* (original emphasis).

<sup>116</sup> See Special Order S04-13-09, Investigatory Stop System

complainants even remarked on Officer Adams maintained a calm and courteous demeanor. While it is abundantly clear that Officer Adams was not the instigator here, he still failed to ensure the actions in which he was participating conformed to Departmental policy. Accordingly, COPA recommends that Officer Adams receive a Violation-Noted for each of the allegations sustained against him.

#### **B. OFFICER DAVIS**

COPA sustained the allegation that Officer Davis used abusive and unprofessional language toward the complainants. In determining what form of discipline to recommend, COPA considered the officer's training, disciplinary and complimentary history: Officer Davis has been a sworn member of CPD since 2016. His disciplinary history shows two prior instances of misconduct:

17 June 2019, Preventable Accident, 01-day suspension  
05 February 2019, Preventable Accident, Reprimand

COPA recommends Officer Davis receive a 1-day Suspension for the allegation sustained against him.

#### **C. OFFICER RICE**

COPA sustained Six allegations against Officer Rice. In determining what form of discipline to recommend, COPA considered the officer's training, disciplinary and complimentary history. Officer Rice has been a sworn member of CPD since 2015. His disciplinary history shows one prior instance of misconduct:

18 September 2017, Miscellaneous Offense, 04-day suspension

COPA notes that the primary responsibility for the misconduct that occurred during this incident lies with Officer Rice. His abusive language, poor emotional control, and puerile attempts to antagonize the complainants escalated the incident unnecessarily. His actions alienated the complainants and made the encounter significantly more difficult for his partners. Taking all this into account, COPA recommends Officer Davis be retrained on Investigatory Stop Reports, Fourth Amendment Search & Seizures and Professional Conduct. COPA also recommends Officer Rice receive a 5-Day Suspension for each of the allegations sustained against him.

#### **D. OFFICER WATSON**

One allegation against Officer Watson is sustained. In determining what form of discipline to recommend, COPA considered the officer's training, disciplinary and complimentary history. Officer Watson has been a sworn member of CPD since 2016. His disciplinary history shows that there have not been any sustained findings of misconduct against him. For the sustained allegation in this matter, COPA recommends Officer Watson receive a Violation-Noted for the allegation sustained against him.

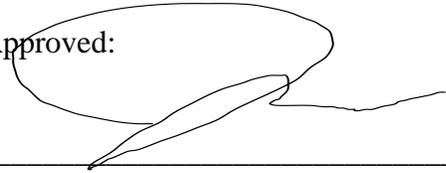
VIII. CONCLUSION

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

Officer	Allegation	Finding / Recommendation
Officer Adams	<p>It is alleged that on or about 06 April 2019, at approximately 08:34 p.m., at or near 6700 South Harvard Avenue in Chicago, Officer Adams, Star #8158, committed misconduct in that:</p> <ol style="list-style-type: none"> <li>1. he initiated a traffic stop without justification;</li> <li>2. he placed [REDACTED] and [REDACTED] in handcuffs without justification;</li> <li>3. he searched [REDACTED] vehicle without justification;</li> <li>4. he impounded [REDACTED] vehicle without justification;</li> <li>5. he subjected [REDACTED] to prolonged detention without justification;</li> </ol> <p>Additionally, it is alleged by COPA, by and through Deputy Chief Angela Hearts-Glass, that Officer Adams committed misconduct in that:</p> <ol style="list-style-type: none"> <li>6. he failed to complete an Investigatory Stop Report regarding an incident that occurred on or about 06 April 2019 at approximately 08:34 p.m., at or near 6700 South Harvard Avenue in Chicago.</li> </ol>	<p>Exonerated</p> <p>Not Sustained</p> <p>Unfounded</p> <p>Sustained/ Violation Noted</p> <p>Sustained/ Violation Noted</p> <p>Sustained/ Violation Noted</p>
Officer Davis	<p>It is alleged that on or about 06 April 2019, at approximately 08:34 p.m., at or near 6700 South Harvard Avenue in Chicago, Officer Davis, Star #15630, committed misconduct in that:</p> <ol style="list-style-type: none"> <li>1. he used abusive, profane, and unprofessional language, including, without limitation, the phrases “fuck you,” “how about you shut the fuck up,” and nobody gives a fuck about you.”</li> </ol>	<p>Sustained/ 1-day Suspension</p>
Officer Rice	<p>It is alleged that on or about 06 April 2019, at approximately 08:34 p.m., at or near 6700 South</p>	

	<p>Harvard Avenue in Chicago, Officer Adams, Star #15844, committed misconduct in that:</p> <ol style="list-style-type: none"> <li>1. he initiated a traffic stop without justification;</li> <li>2. he placed [REDACTED] and [REDACTED] in handcuffs without justification;</li> <li>3. he searched [REDACTED] vehicle without justification;</li> <li>4. he impounded [REDACTED] vehicle without justification;</li> <li>5. he subjected [REDACTED] to prolonged detention without justification;</li> <li>6. he made unnecessary threats of physical force; and,</li> <li>7. he used abusive, profane, and unprofessional language, including, without limitation, the phrases “ass,” “shit,” “clown ass,” “little boyfriends,” “punk ass.”</li> </ol> <p>Additionally, it is alleged by COPA, by and through Deputy Chief Angela Hearts-Glass, that Officer Adams committed misconduct in that:</p> <ol style="list-style-type: none"> <li>8. he failed to complete an Investigatory Stop Report regarding an incident that occurred on or about 06 April 2019 at approximately 08:34 p.m., at or near 6700 South Harvard Avenue in Chicago.</li> </ol>	<p>Exonerated</p> <p>Not Sustained</p> <p>Sustained/ 05-Day Suspension</p> <p>Sustained/ 05-Day Suspension</p> <p>Sustained/ 05-Day Suspension</p> <p>Sustained/ 05-Day Suspension</p> <p>Sustained/ 05-Day Suspension</p> <p>Sustained/ 05-Day Suspension</p>
<p>Officer Watson</p>	<p>It is alleged that on or about 06 April 2019, at approximately 08:34 p.m., at or near 6700 South Harvard Avenue in Chicago, Officer Adams, Star #8986, committed misconduct in that:</p> <ol style="list-style-type: none"> <li>1. he used excessive force by pushing [REDACTED] Against a police vehicle without justification; and,</li> <li>2. he used abusive, profane, and unprofessional language, including, without limitation, the word “motherfucker.”</li> </ol>	<p>Not Sustained</p> <p>Sustained/ Violation Noted</p>

Approved:



---

James Murphy-Aguilu  
*Deputy Chief Administrator – Chief Investigator*

10/16/20

---

Date

**Appendix A**

Assigned Investigative Staff

---

<b>Squad#:</b>	<b>06</b>
<b>Investigator:</b>	<b>Joshua Hock (Badge #55)</b>
<b>Supervising Investigator:</b>	<b>Elaine Tarver</b>
<b>Deputy Chief Administrator:</b>	<b>James Murphy-Aguilu</b>