

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	August 21, 2018
Time of Incident:	7:30 p.m.
Location of Incident:	3000 W. Harrison St., Chicago, IL 60612
Date of COPA Notification:	August 22, 2018
Time of COPA Notification:	10:36 a.m.

Mr. ██████████ (██████████) was stopped and searched without justification by Officers Williams and Strnad (collectively “the Officers”) while driving for having an inoperable headlight on his vehicle. The Officers did not issued ██████████ a citation or any other documentation for the traffic stop.

COPA learned through the investigation that the officers failed to document the traffic stop as required by the Department in Special Order S04-14-09 and Special Order S04-13-09, in that they did not complete a Traffic Stop Statistical Study (TSSS) Card, did not complete an Investigatory Stop Report (ISR), and did not provide ██████████ with an ISR receipt.

II. INVOLVED PARTIES

Involved Officer #1:	Malik Williams, Sr., Star #19816, Employee ID # ██████████, Date of Appointment: August 31, 2015, Rank: Police Officer, Unit of Assignment: 009, Unit of Detail: 714, Male, Black. ¹
Involved Officer #2:	Marc Strnad, Star #3401, Employee ID # ██████████, Date of Appointment: February 16, 2017, Rank: Police Officer, Unit of Assignment: 025, Unit of Detail: 714, Male, White.
Involved Individual #1:	██████████ Male, Black.

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Officer Mark Williams, Sr.	1. Stopped and detained ██████████ without justification.	Exonerated.

¹ On February 8, 2022, prior to providing a statement to COPA, Officer Malik A. Williams Sr. resigned from the Department. See Att. 18.

	<p>2. Searched [REDACTED] without justification.</p> <p>3. Failure to document the traffic stop of [REDACTED] in the Traffic Stop Statistical Study (TSSS), in violation of Special Order 04-14-09.</p> <p>4. Failure to complete an Investigatory Stop Report (ISR), in violation of Special Order 04-13-09.</p> <p>5. Failure to provide [REDACTED] with an ISR Receipt, in violation of Special Order 04-13-09.</p>	<p>Close Hold.²</p> <p>Close Hold.</p> <p>Close Hold.</p> <p>Close Hold.</p>
Officer Marc Strnad	<p>1. Stopped and detained [REDACTED] without justification.</p> <p>2. Failure to document the traffic stop of [REDACTED] in the Traffic Stop Statistical Study (TSSS), in violation of Special Order 04-14-09.</p> <p>3. Failure to complete an Investigatory Stop Report (ISR), in violation of Special Order 04-13-09.</p> <p>4. Failure to provide [REDACTED] with an ISR Receipt, in violation of Special Order 04-13-09.</p>	<p>Exonerated</p> <p>Sustained</p> <p>Sustained</p> <p>Sustained</p>

IV. INVESTIGATION

a. Interviews

In his statement to COPA on August 22, 2018, the complainant, [REDACTED]³ stated that on August 19, 2018, near the intersection of Cermak and Pulaski., he was stopped by Officers Williams and Strnad for driving with an inoperable headlight. While conversing with [REDACTED] Officer Williams asked [REDACTED] when he was going home. [REDACTED] replied he was going home on Monday and was only in town because he was helping his family with a fundraiser for his brother’s death. Officer Williams gave him am warning that if he did not go home Monday and he saw him again, he [Officer Williams] was going to have a problem with him. Officer Williams did not issue [REDACTED] a citation for the headlight.

[REDACTED] did not go home on Monday as he initially told Officer Williams. [REDACTED] was stopped again on August 21, 2018, for driving with an inoperable headlight near the intersection

² Close Hold is a status used to preserve the ability for further investigation should the accused member return to the Department.

³ Att. 8.

of Harrison and Sacramento by the Officers. Officer Williams asked ██████ to get out of the car and patted him down. ██████ cousin was also asked to exit the vehicle. Officer Williams asked ██████ if he could search his vehicle and ██████ consented. After Officer Williams was done searching the vehicle, he asked ██████ if he could bring him a gun. ██████ told Officer Williams that he did not have a gun nor did he know anyone that could bring him a gun. Officer Williams then asked ██████ for his cell phone number so that he could call him later and talk. ██████ gave Officer Williams his phone number, but never received a phone call from him. The Officers left the scene, no citation was issued, and no other document was provided.

In his statement to COPA on July 26, 2022, **Officer Marc Strnad**⁴ stated that he did not have an independent recollection of the incident, and that he briefly worked with Officer Williams, who was not his regular partner. Officer Strnad was shown a copy of ██████ identification, GPS and LEADS reports and other Department reports to assist him in recollecting the traffic stop of ██████ however Officer Strnad continued to indicate that he could not recall the incident. Officer Strnad denied the allegations made against him and could not recall any conversations with ██████⁵

b. Documentary Evidence

The Office of Emergency Management and Communications (**OEMC**) **Number Plate Search**⁶ documents an Iowa license plate (████████) was ran by Officer Williams on August 21, 2018, at approximately 7:30 p.m.

The **Attendance & Assignment Sheets**⁷ documents that Officers Williams and Strnad were working out of Unit 714 – Summer Mobile Patrol on the 3rd watch and assigned to Beat 4463 / Car 8858 on August 21, 2018.

The OEMC **GPS Report**⁸ documents CPD vehicle #8858, assigned to Officers Williams and Strnad on August 21, 2018, and the GPS noted that they were stopped at the location of 3000 W. Harrison St. between 7:31 p.m. and 7:36 p.m.

The OEMC **PCAD Unit History**⁹ Report documents that a license plate from Iowa (████████) was ran by an officer with the Login ID of ██████ on August 21, 2018, at approximately 7:30 p.m. Through a search of the CPD Alpha/Star Query¹⁰ it was learned that this PC # is assigned to Officer Williams.

The OEMC **PDT Messages**¹¹ Report documents that ██████ information was ran through LEADS by Beat 4463 on August 21, 2018, at approximately 7:30 p.m.

⁴ Att. 60.

⁵ The Officers were assigned to the Summer Mobile Patrol Unit and were not equipped with body worn cameras.

⁶ Att. 9.

⁷ Att. 10.

⁸ Att. 11.

⁹ Att. 14. The Login ID of ██████ is assigned to Officer Williams. See Att. 12.

¹⁰ Att. 18.

¹¹ Att.15.

V. ANALYSIS AND CONCLUSION

COPA finds that Allegation #1 against Officers Williams and Strnad is **exonerated**. Department members are permitted to conduct a traffic stop when there is “at least [an] articulable and reasonable suspicion that the particular person stopped is breaking the law.”¹² “Reasonable Articulable Suspicion depends on the totality of the circumstances which the sworn member observed and the reasonable inferences that are drawn based on the sworn member’s training and experience.”¹³ Additionally, drivers in Illinois are required to ensure that their vehicle is equipped with “at least [two] lighted” headlights while operating on a roadway.¹⁴ Here, ██████ admitted that his vehicle’s headlights were not properly working when he was stopped by the Officers. This admission established probable cause that ██████ was in violation of the law and permitted the Officers to stop and detain him.

COPA finds Allegation #2 against Officer Strnad, that he failed to document the traffic stop of ██████ in the Traffic Stop Statistical Study (TSSS), is **sustained**. Department members required to complete and submit a Traffic Stop Statistical Study (TSSS) – Driver Information card for “[e]very traffic stop initiated unless a Personal Service Citation is issued.”¹⁵

In this instance, it is undisputed that Officer Strnad did not complete a TSSS card, nor did he issue ██████ a citation documenting the reason for the traffic stop. Therefore, COPA finds this allegation sustained.

COPA finds Allegations #3 and 4 against Officer Strnad that he failed to document the traffic stop and contact with ██████ in the Investigatory Stop Report and failed to provide ██████ with an ISR Receipt are **sustained**. Department members who complete an investigatory stop are required to complete an Investigatory Stop Report that details “[a]ll of the factors that support” the detention of the subject.^[1] However, if the member completes a detention based on probable cause and there is any other Department report that details the probable cause for the stop, the member is not required to complete an Investigatory Stop Report.^[2] Department members “are required to provide” an Investigatory Stop Receipt to any individual subjected to a “[p]rotective [p]at [d]own or any other search” during an Investigatory Stop.^[3]

In this instance, the Officers conducted a traffic stop of ██████ due to a traffic infraction. However, they failed to document the incident in a citation or TSSS card. Additionally, during the traffic stop, all information indicates that Officer Williams’ transitioned to an investigation related to firearms. While initially an ISR would not have been required for merely the traffic stop, once the Officers lengthened the stop, patted ██████ down, and searched his vehicle an ISR was

¹² *United States v. Rodriguez-Escalera*, 884 F.3d 661, 667-68 (7th Cir. 2018) (citing *Delaware v. Prouse*, 440 U.S. 648, 663 (1979)).

¹³ S04-13-09 II(C), Investigatory Stop System (effective July 10, 2017 to current).

¹⁴ 625 ILCS 5/12-211(a); 9-76-050(b) Municipal Code of Chicago.

¹⁵ S04-14-09 V (A)(C)(D) Traffic Stop Statistical Study Driver card (effective March 23, 2018).

[1] S04-13-09 VIII (A)(1), Investigatory Stop System (effective July 10, 2017, to current).

[2] S04-13-09 VII (B)(1)(a), Investigatory Stop System (effective July 10, 2017, to current).

[3] S04-13-09 VIII (A)(3), Investigatory Stop System (effective July 10, 2017, to current).

required. Additionally, once [REDACTED] was subjected to a search of this person, regardless of his consent, he was entitled to an Investigatory Stop Receipt, which was not issued. The failure to complete an ISR and to issue an Investigatory Stop Receipt, violated Department policy and Rules 2, 3, 6 and 10.

VI. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. Officer Marc Strnad

i. Complimentary and Disciplinary History

Officer Strnad has received 1 Crime Reduction Award (2019), 1 Attendance Award, 1 Complimentary Letter, 2 Physical Fitness Awards, 13 Honorable Mentions, 2 Unit Meritorious Performance Awards. He has no disciplinary history.

ii. Recommended Penalty:

COPA has considered Officer Strnad’s complimentary and disciplinary history. Officer Strnad violated Department rules by failing to properly document this incident. COPA recommends a Written Reprimand.

Approved:

[REDACTED]

Sharday Jackson
Deputy Chief Administrator – Chief Investigator

August 31, 2022

Date