

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	January 27, 2022
Time of Incident:	8:29 p.m.
Location of Incident:	736 N. Ridgeway Ave Chicago, IL 60624
Date of COPA Notification:	January 28, 2022
Time of COPA Notification:	10:36 a.m.

COPA was notified of a death in custody by email from CPIC on January 28, 2022, at 10:36 a.m.¹ The subject, ██████████ was stopped while walking on the street by Officers; Owens, Hinojosa, Carreon, and Hanson for drinking a substance that appeared to be alcohol and smoking what appeared to be marijuana. During the street stop, Officer Hanson asked if he could search ██████████ responded with words to the effect of, “Yeah, go ahead.”² During the rest of the stop, she did not respond to any other questions the officers’ asked her. Officers Owens and Hinojosa handcuffed her. She appeared to walk backward, shake, and fall to the ground. The officers took the handcuffs off ██████████ due to her experiencing a medical emergency. They called for an ambulance. Officer Hinojosa and Officer Hanson performed sternal rubs on ██████████ chest to wake her up from what appeared to be an overdose. ██████████ was unresponsive. Firetruck #64 arrived and administered NARCAN to ██████████ hand. The ambulance arrived and took her to the Norwegian Hospital, where she was pronounced dead at 9:16 p.m. While COPA did not find evidence of misconduct that contributed to ██████████ death, COPA did serve allegations regarding the officers’ use of body-worn camera and Officer Hanson’s search of ██████████ These allegations are Sustained, in part.

II. INVOLVED PARTIES

Involved Officer #1:	Monty Owens, Star # 11975, Employee ID# ██████████, Date of Appointment: 03/16/2018, Rank: PO, Unit of Assignment: 214, DOB: ██████████ 1993, Gender: Male, Race: Black.
Involved Officer #2:	Ricardo Hinojosa, Star #18773, Employee ID# ██████████, Date of Appointment: 4/16/2019, Rank: PO, Unit of Assignment: 214, DOB: ██████████/1993, Gender: Male, Race: White.
Involved Officer #3:	Alexander Carreon, Star #4968, Employee ID# ██████████, Date of Appointment: 6/25/2018, Rank: PO, Unit of

¹ Attachment #18.

² Attachment #26 at 11:34.

Involved Officer #4:	Assignment: 214, DOB: ██████1995, Gender: Male, Race: White.
Involved Individual #1:	Casey Hanson, Star #5083, Employee ID# ██████, Date of Appointment: 6/25/2018, Rank: PO, Unit of Assignment: 214, DOB: ██████1995, Gender: Male, Race: White.
	██████████ DOB: ██████/1991, Gender: Female, Race: Black. (Expired at 9:16 p.m. on January 27, 2022.)

III. ALLEGATIONS

Officer	Allegation	Finding
Officer Owens	It is alleged that on January 27, 2022, at or about 8:29 p.m. at or near 736 N. Ridgeway, Chicago, IL 60624. Officer Owens committed misconduct in that he; 1. failed to comply with S03-14 by failing to timely active his body-worn camera.	Sustained
Officer Hinojosa	It is alleged that on January 27, 2022, at or about 8:29 p.m. at or near 736 N. Ridgeway, Chicago, IL 60624. Officer Hinojosa committed misconduct in that he; 1. failed to comply with S03-14 by failing to timely active his body-worn camera.	Sustained
Officer Carreon	It is alleged that on January 27, 2022, at or about 8:29 p.m. at or near 736 N. Ridgeway, Chicago, IL 60624. Officer Carreon committed misconduct in that he; 1. failed to comply with S03-14 by failing to timely active his body-worn camera.	Sustained
Officer Hanson	It is alleged that on January 27, 2022, at or about 8:29 p.m. at or near 736 N. Ridgeway,	

Chicago, IL 60624. Officer Hanson committed misconduct in that he;

1. failed to comply with S03-14 by failing to timely active his body-worn camera.

Sustained

2. searched [REDACTED] without justification.

Not Sustained

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 5: Failure to perform any duty.

General Orders

1.G04-01: Preliminary Investigations.

Special Orders

1.S03-14: Body Worn Cameras.

2.S04-13-09: Investigatory Stop Systems.

V. INVESTIGATION

a. Interviews

In his recorded statement with COPA on March 10, 2022, **Police Officer Hinojosa**³ stated he observed Officers Hanson and Carreon conducting a street stop. Officers Hinojosa and Owens stopped and exited their vehicle to assist the officers. Officer Hanson asked [REDACTED] questions. He did not remember what questions Officer Hanson asked [REDACTED] but he never heard [REDACTED] respond. [REDACTED] tensed up and balled up her fists by her side. Officer Hansen removed [REDACTED] backpack, and Officers Owens and Hinojosa handcuffed [REDACTED] based on her previous actions and the possibility that she had a weapon.

[REDACTED] walked backward, jolted up, and fell to the ground. Officer Hinojosa observed [REDACTED] foaming at the mouth and thought she was having an overdose. Officer Hinojosa removed the handcuffs from [REDACTED] and placed her in a seated position. Officer Hinojosa never saw [REDACTED] put anything in her mouth during the encounter. Officer Carreon immediately requested an EMS over the radio. Officer Hinojosa conducted sternum rubs on her chest, which is used in

³ Attachment #20, 33.

overdoses to wake up a person while waiting for an authorized person to arrive with NARCAN. [REDACTED] reacted to the sternum rubs by coming in and out of consciousness and coughing. The fire truck arrived and confirmed she had overdosed. They administered NARCAN into [REDACTED] arm or fist, and she did not appear to react to the NARCAN. The firefighters picked her up and placed her in a mobile seat, bringing her to the ambulance. The ambulance requested the officers to go to the hospital since EMS personnel found narcotics in her mouth. They arrived at the hospital and later talked with a doctor, who told them she had passed away. Officers Hanson and Carreon wrote the paperwork and made notifications. Officer Hinojosa said he did not notice his BWC was off until [REDACTED] fell to the ground, which was when he activated it.

In his recorded statement with COPA on March 10, 2022, **Police Officer Owens**⁴ stated substantially the same as Officer Hinojosa and added that he and Officer Hinojosa were driving down the street by North Ridgeway Avenue when an unknown white female approached them. The unknown white female told the officers she bought drugs from a person in all black just down the street. Officer Owens said he did not get her name because, in his experience, people lie about who and where they buy drugs.

The officers proceeded through the alley onto North Ridgeway Avenue and observed Officer Hanson and Officer Carreon conducting a street stop. Upon arrival, Officers Owens and Hinojosa exited their vehicle and assisted the officers. Officer Owens never heard [REDACTED] speak during the encounter. [REDACTED] made a little hop, and she was not responding to questions which led him to put her in handcuffs because he thought she was trying to conceal something. [REDACTED] began to fall, and Officer Hinojosa immediately removed the handcuffs. Officer Carreon requested an ambulance. Officer Hinojosa performed sternum rubs on [REDACTED] chest. The fire truck arrived, and the firefighters administered NARCAN to [REDACTED] was placed in a chair and brought to the ambulance that had arrived. The EMTs requested that Officers Owens and Hinojosa follow them to the hospital. At the hospital, the officers learned that the EMTs found a bag of narcotics in [REDACTED] mouth. Officer Owens mentioned he stopped [REDACTED] in the past regarding potentially selling drugs. During that encounter, she did not talk. Officer Owens initially believed his BWC was activated, but he realized it was off when [REDACTED] fell to the ground. Officer Owens subsequently activated his BWC.

In his recorded statement with COPA on March 14, 2022, **Police Officer Hanson**⁵ stated substantially the same as the above officers. On January 28, 2022, Officers Hanson and Carreon observed [REDACTED] smoking what appeared to be marijuana. Officers Hanson and Carreon exited the vehicle, approached [REDACTED] and smelled a strong odor of marijuana. [REDACTED] continued to walk and disregarded the officer's verbal commands to stop; she eventually came to a stop. Officer Hanson conducted the field interview of [REDACTED] and noticed a water bottle with a brown liquid, possibly alcohol. [REDACTED] was pulling up her pants, fidgeting, and acting anxious. Officer Hanson said, "What's wrong? Do you have something on you are not supposed to have?"⁶ [REDACTED] responded, "No, you can search me,"⁷ she began removing items from her pockets. Officer Hanson stated he searched the exterior area of [REDACTED] clothing. When [REDACTED] spoke, Officer Hanson

⁴ Attachment #21, 32.

⁵ Attachment #25, 31.

⁶ Attachment #25 at 13:45.

⁷ Attachment #25 at 13:51.

did not see anything inside her mouth. Officers Owens and Hinojosa walked toward them to assist with the stop. They took off the backpack that she had on and handcuffed her. Officers Owens and Hinojosa handcuffed [REDACTED] because of her nervous and fidgeting movements. [REDACTED] took a step backward and fell to the ground. At that moment, Officer Hanson believed she was possibly overdosing.

Officer Carreon called for an ambulance, and Officer Hinojosa performed sternum rubs on [REDACTED] chest. Officer Hanson said he also administered sternum rubs on [REDACTED] chest. The Fire Department arrived on the scene before the ambulance. The firefighters confirmed she was having an overdose and administered NARCAN to one of her hands. They moved her onto a rollable chair and brought her to the ambulance. They were requested to the hospital by the EMTs. The EMTs found a bag in her mouth with narcotics inside. They arrived at the hospital, and EMT personnel gave them the drugs. Officer Hanson wrote the ISR and Case Report and made the necessary notifications. Officer Hanson thought he had his BWC on when [REDACTED] fell to the ground, but he realized it was off and activated it.

In his recorded statement with COPA on March 14, 2022, **Police Officer Carreon**⁸ stated substantially the same as the above officers. Officer Carreon further related that on January 28, 2022, he heard Officer Hanson ask [REDACTED] questions. Officer Carreon only recalled one question that Officer Hanson asked; “Do you mind if I search you,”⁹ [REDACTED] responded with what he can remember to be, “Yeah, go ahead.”¹⁰ He confirmed she was fidgeting and acting nervous and anxious, and she also did not respond to any other questions Officer Hanson asked her.

Officers Owens and Hinojosa arrived on the scene, and Officer Carreon walked down the street to look into the mailboxes where [REDACTED] was standing when they first approached her. Officer Carreon did not find anything in the mailboxes and walked back to the officers. Officers Hinojosa and Owens handcuffed [REDACTED] because she was making fidgeting movements, balling her fist up by her side. Shortly after, [REDACTED] fell to the ground. Officer Carreon believed [REDACTED] had a medical emergency, such as an overdose. Officer Hinojosa removed the handcuffs from [REDACTED] and conducted sternum rubs to her chest.

Officer Carreon called for an ambulance over the radio. The Fire Department arrived on the scene before the ambulance and administered NARCAN to [REDACTED] hand. [REDACTED] was placed in the ambulance when it arrived. The EMTs found a bag of narcotics inside her mouth and requested the officers to the hospital to inventory the drugs. The officers arrived at the hospital and spoke with a doctor. The doctor told them [REDACTED] had expired, and Officer Carreon made the necessary notifications. Officer Carreon realized his BWC was off when [REDACTED] fell to the ground, which is when he activated the BWC.

⁸ Attachments #26, 34.

⁹ Attachment #26 at 11:29.

¹⁰ Attachment #26 at 11:34.

b. Digital Evidence

The officers' **Body-Worn Camera (BWC)**¹¹ depicted Officer Hanson in front of ██████ she shook her leg and moved her head left to right. Officer Hanson holds multiple items in his hand. Officer Hanson searches ██████ pockets; she pulls her pants up. Officers Owens and Hinojosa handcuff ██████ Officer Hanson continues the search in her jacket pockets. ██████ balls her hands up and makes a fist, and Officer Hanson opens them up and finds a twenty-dollar bill. ██████ looks upward and walks backward. ██████ body shakes, and she falls to the ground. Officer Hinojosa takes the handcuffs off ██████ and they move her to a seated position by the fence.

Officer Owens says, "She swallowed it; why would you swallow it."¹² They call for an ambulance. Officer Hinojosa performs sternum rubs on ██████ chest. Officer Hanson looks in her bag, walks towards ██████ and performs sternum rubs. Officer Hinojosa continues the sternum rubs. An unknown black male standing on the street asks some inaudible questions. Officer Hanson responds, "We think she OD'd or something."¹³ Officer Hanson asks him if he knows if she does heroin, and the unknown male says something inaudible. Officer Hanson puts his hand on ██████ wrist and then walks down the street. He walks back toward the officers. The Fire Department arrives, and firefighters get out to help ██████ They inject a needle into her hand and move her onto a moveable chair. They take her down the street towards the fire truck.

c. Documentary Evidence

The **Investigatory Stop Report (ISR)**¹⁴ indicated that ██████ was walking down the street drinking from a water bottle with a brown liquid, suspected alcohol, and smoking what appeared to be marijuana. Officers Hanson and Carreon conducted the Investigatory Stop, but ██████ did not comply with the officer's commands. ██████ stopped walking, showed signs of a drug overdose, and fell to the ground. The officers conducted a sternal rub on her chest. Truck 64 arrived, and the Fire Department staff administered NARCAN via an injection into her hand. The paramedics transported ██████ to Norwegian Hospital. Officers arrived at the hospital and spoke with the doctors. The medical staff told the officers that they retrieved narcotics from ██████ a black plastic bag containing a pink-tinted plastic bag containing a white powder-like substance, suspected heroin, and eight-blue-tinted plastic bags containing a hard rock-like substance, suspected crack cocaine. ██████ was pronounced dead at 9:16 p.m.

The **Case Report #JF126285**¹⁵ details substantially the same described in the ISR.

The **Case Supplementary Report**¹⁶ details they recovered four grams of cocaine- crack and five grams of heroin in the baggies.

¹¹ Attachments #4, 5, 6, 7. The BWCs of Officers Hanson, Hinojosa, Owens and Carreon. The officers video footage were essentially the same. The BWCs buffers for the first two minutes and there is no audio.

¹² Attachment #6 at 2:15.

¹³ Attachment#5 at 7:06.

¹⁴ Attachment #3.

¹⁵ Attachment #1.

¹⁶ Attachment #9.

The **Case Supplementary Report**¹⁷ details that Dr. ██████ performed an autopsy on the remains of ██████ and deferred the cause and manner of death pending toxicological studies.

The **Inventory Reports** indicated that the officers recovered and inventoried cocaine and heroin.¹⁸

The **Event Query Report**¹⁹ shows the ambulance that was requested, and it also details the death at Norwegian American Hospital.

The **CFD Run Report**²⁰ stated that when the ambulance arrived, ██████ was in a stair chair in care of T36. ██████ was unresponsive and placed into an ambulance with no signs of injury or trauma. T36 administered 2mg of NARCAN before the arrival of the ambulance. CPR began to initiate with BVM ventilation. As the paramedics intubated ██████ a black object was observed in ██████ airway. The paramedics removed the object, and they inserted the intubation tube. Four rounds of epinephrine started throughout the ICCA protocol without change. The patient got transferred to the Humboldt Park ER staff room 1.

The **Investigative Report**²¹ during the postmortem examination details COPA arrived at the Cook County Medical Examiner's Office to observe the postmortem examination of ██████ (ME#2022-02248). Ms. ██████ appeared to have lividity on her back, and the lividity is indicative of the position she had been in since her expiration. Dr. ██████ stated the time of death was 9:16 p.m., on January 27, 2022. Ms. ██████ had a small bruise on the left side of her head; Dr. ██████ noted that the bruising appeared to be from a fall ██████ might have had while unconscious. During the examination, photos began of ██████ Dr. ██████ noted that at Norwegian Hospital, the doctors found multiple bags in her mouth and throat, which got taken out before she conducted the examination. Nothing further was found inside of Ms. ██████ throat. Dr. ██████ stated the cause of death was likely an overdose, but the cause of death is pending the toxicology report.

The **Medical Examiners Report and photographs** did not reveal evidence of physical trauma to the body. The diagnoses are positive for phencyclidine in the amount of 380 ng/mL. Recovered from her oral cavity were intact baggies of an unknown substance. In the opinion section, her death was ruled an accident due to Phencyclidine Toxicity.²²

The **Toxicology Report** confirms the amount of phencyclidine of 380 ng/mL, THC of 7.8 ng/mL, positive amounts of Cotinine, Naloxone, Creatinine, Sodium, Potassium, Chloride, and Urea Nitrogen were present.²³

¹⁷ Attachment #16.

¹⁸ Attachments #10 and #11.

¹⁹ Attachment #2.

²⁰ Attachment #17.

²¹ Attachment #12.

²² Attachments #38, 39 - 100.

²³ Attachment #36.

VI. LEGAL STANDARD

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.

A **preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that the conduct reviewed complied with Department policy. *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 has found to be more probably true than not). If the evidence gathered in an investigation establishes that it is more likely that the conduct complied with Department policy than that it did not, even if by a narrow margin, then the preponderance of the evidence standard is met.

Clear and convincing evidence is a higher standard than a preponderance of the evidence but lower than the “beyond-a-reasonable doubt” standard required to convict a person of a criminal offense. See *e.g., People v. Coan*, 2016 IL App (2d) 151036 (2016). Clear and Convincing can be defined 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.” *Id.* at ¶ 28.

VII. ANALYSIS

1. *Officers Owens, Hinojosa, Carreon, and Hanson failed to comply with S03-14 by failing to timely activate their BWC.*

“The Department member will activate the system to event mode at the beginning of an incident and will record the entire incident for all law-enforcement-related activities. If circumstances prevent activating the BWC at the beginning of an incident, the member will activate the BWC as soon as practical. Law-enforcement-related activities include but are not limited to: calls for service, investigatory stops; traffic stops; traffic control; foot and vehicle pursuits; arrests; use of force incidents; seizure of evidence; interrogations; searches, including searches of people, items, vehicles, buildings, and places, statements made by individuals in the course of an investigation; requests for consent to search, emergency driving situations; emergency vehicle responses were fleeing suspects or vehicles may be captured on video leaving the crime scene; high-risk situations;

any encounter with the public that becomes adversarial after the initial contact; arrestee transports; any other instance when enforcing the law.”²⁴

The above officers conducted an Investigatory Stop of ██████████. All of the officers started their BWCs after the initial contact with ██████████. CPD members are required to activate their BWCs at the beginning of any incident, as described above. The above officers’ BWCs were all in buffer mode at the beginning of their contact with ██████████ which means no audio is available until they activate their BWCs. The buffer mode buffers back 2 minutes, with no audio, only visual. All of the officers started their BWC after ██████████ fell and should have started it at the beginning of the encounter. Thus, Allegation 1 against Officers Owens, Hinojasa, Carreon, and Hanson is **SUSTAINED**.

2. *Officer Hanson searched ██████████ without justification.*

In some instances, officers are permitted to conduct limited searches for weapons. However, officers are not permitted to conduct a limited search for weapons during every valid investigatory stop. *People v. Sorenson*, 196 Ill. 2d 425, 433 (2001). “The officer may subject the person to a limited search for weapons . . . only if the officer reasonably believes that the person is armed and dangerous.” *Id.* (citation omitted). An officer’s subjective belief is not determinative, but is probative in determining the validity of the frisk. *Id.* “. When a peace officer has stopped a person for temporary questioning pursuant to Section 107-14 of this Code and reasonably suspects that he or another is in danger of attack, he may search the person for weapons. If the officer discovers a weapon, he may take it until the completion of the questioning, at which time he shall either return the weapon, if lawfully possessed, or arrest the person so questioned.”²⁵ Alternatively, if an officer obtains express consent, they may conduct a search of individuals during investigatory stops.

In this case, Officer Hanson argues that he conducted the search of ██████████ after obtaining her consent. Officer Hanson conducted the Investigatory Stop of ██████████ due to her smoking marijuana and drinking what appeared to be alcohol. Once he approached her, she made fidgeting movements with her body and clenched her fists into a ball by her side. According to Officer Hanson, he said, “What’s wrong? Do you have something on you are not supposed to have?”²⁶ ██████████ responded, “No, you can search me,”²⁷ she began removing items from her pockets. According to Officer Carreon, ██████████ replied to Officer Hanson’s request to search her by stating, “Yeah, go ahead.”²⁸ Officer Hanson’s BWC that he activated late has no audio but visual in the beginning. However, the search has begun by the time the BWC begins. Thus, the BWC does not provide evidence to either prove or disprove whether ██████████ consented to the search. Therefore, there is insufficient evidence to prove the allegations base on a preponderance of the evidence or disprove the allegations by clear and convincing evidence. Thus, the allegation is **NOT SUSTAINED**.

²⁴ S03-14: Body Worn Cameras, III. Initiating, Concluding, and Justifying Records, A. Initiation of a Recording #2.

²⁵ 725 ILCS 5/108-1.01.

²⁶ Attachment #25 at 13:45.

²⁷ Attachment #25 at 13:51.

²⁸ Attachment #26 at 11:34.

VIII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS**a. Officer Owens****i. Complimentary and Disciplinary History**

1. Officer Owens has received 14 Complementary Awards and received a reprimand for Inattention to Duty (2022).

ii. Recommended Penalty

Officer Owens failed to activate his BWC at the beginning of the encounter as required by Special Order S03-14. The lack of BWC in this case prevented COPA from being able to ascertain the facts relative the the search of ██████████ COPA has also considered his complimentary history and recent disciplinary history. It is for these reasons that COPA recommends a **3-day Suspension**.

b. Officer Hinojosa**i. Complimentary and Disciplinary History**

1. Officer Hinojosa has received a 15 Complimentary Awards, including a Life Saving Award. Officer Hinojosa has received a reprimand for a Court Appearance Violation, a 2-day suspension for Inattention to duty, a 1-day suspension for Failure to Perform Assigned Tasks, and 1 Reprimand for a Preventable Accident.

ii. Recommended Penalty

Officer Hinojosa failed to activate his BWC at the beginning of the encounter as required by Special Order S03-14. The lack of BWC in this case prevented COPA from being able to ascertain the facts relative the the search of ██████████ COPA has also considered his complimentary history and recent disciplinary history. It is for these reasons that COPA recommends a **5-day Suspension**.

c. Officer Carreon**i. Complimentary and Disciplinary History**

1. Officer Carreon has received 11 Complementary Awards and has no recent disciplinary history.

ii. Recommended Penalty

Officer Carreon failed to activate his BWC at the beginning of the encounter as required by Special Order S03-14. The lack of BWC in this case prevented COPA from being able to ascertain the facts relative the the search of ██████████ COPA has also considered his complimentary history and recent disciplinary history. It is for these reasons that COPA recommends a **2-day Suspension**.

d. Officer Hanson

i. Complimentary and Disciplinary History

1. Officer Hanson has received 14 Complementary Awards, including two Life Saving Awards and has no recent disciplinary history.

ii. Recommended Penalty

Officer Hanson failed to activate his BWC at the beginning of the encounter as required by Special Order S03-14. The lack of BWC in this case prevented COPA from being able to ascertain the facts relative the the search of [REDACTED] COPA has also considered his complimentary history and recent disciplinary history. It is for these reasons that COPA recommends a **2-day Suspension**.

Approved:

[REDACTED]

[Sharday Jackson](#)
Deputy Chief Administrator

January 26, 2023

Date