

SUMMARY REPORT OF INVESTIGATION¹

I. EXECUTIVE SUMMARY

Date of Incident:	November 5 th , 2016
Time of Incident:	4:30 pm
Location of Incident:	6000 N. Paulina Street
Date of COPA Notification:	November 6 th , 2016
Time of COPA Notification:	5:27 pm

On November 5th, 2016, at approximately 4:30 pm, near 6000 N. Paulina Street, during an armed robbery investigation, officers were following [REDACTED] who matched the physical description of the robbery offender. Mr. [REDACTED] committed a traffic violation and was pulled over and questioned. After it was determined that Mr. [REDACTED] was not involved in the armed robbery he was issued traffic citations and released. Mr. [REDACTED] alleges that Detective Angel Rodriguez, Star #20618, the officer who stopped him, unnecessarily pointed his firearm at him. COPA reviewed the allegation and recommends that it be unfounded.

II. INVOLVED PARTIES

Involved Officer #1:	Angel Rodriguez; Star #: 20618; Employee ID# [REDACTED]; Date of Appointment: 25 September 2006; Police Officer as Detective; Unit of Assignment: 610; Date of Birth: [REDACTED] 1973; Gender: Male; Race: Hispanic.
Subject #1:	[REDACTED] Date of Birth: [REDACTED] 1991; Gender: Male; Race: Black.

III. ALLEGATIONS

Officer	Allegation	Finding
Det. Angel Rodriguez	1. Displayed and pointed a firearm at [REDACTED] during a traffic stop without justification.	Unfounded

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

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule #38: Unlawful or unnecessary use or display of a weapon.

V. INVESTIGATION²**a. Interviews**

In his statement on November 12th, 2016, ██████████ stated that at the time of this incident, he was alone in his silver Chevy Impala driving to Lincolnwood Mall. Mr. ██████████ stated that he drove north on Clark Street and at Peterson Avenue he turned left. After Mr. ██████████ turned left he was pulled over by an unmarked police vehicle. Mr. ██████████ pulled over and parked on the side of the road. Mr. ██████████ watched the plainclothes officer⁴ exit his vehicle and approach Mr. ██████████ vehicle with his gun drawn and pointed at what appeared to be his head. Mr. ██████████ explained that he could see the officer by using his vehicle's driver's side mirror. Mr. ██████████ stated that the driver's side window was rolled down. Det. Rodriguez ordered Mr. ██████████ to make his hands visible and to place them on the steering wheel. Mr. ██████████ complied and Det. Rodriguez lowered his firearm. Det. Rodriguez instructed Mr. ██████████ to exit the vehicle, at which time he handcuffed Mr. ██████████ and walked him to the rear of the vehicle. Additional Officers were on the scene and Mr. ██████████ was searched and questioned. After the officers ran Mr. ██████████ driver's license and license plate he was uncuffed. One of the officers explained that he and his vehicle matched the description of a shooting suspect in the area. Det. Rodriguez issued Mr. ██████████ two traffic citations⁵ and told him to show up to the hearing. Det. Rodriguez said he would ask the judge to drop the tickets at that time. Mr. ██████████ described Officer Rodriguez as being a black male, muscular build, approximately 5'7 and between 30 and 40 years old.

In a statement to IPRA on March 16th, 2017, **Detective Rodriguez** stated that on the night of this incident he was on-duty, working alone in plainclothes, assigned to the robbery, burglary, theft team. Det. Rodriguez was dispatched to a call of an armed robbery near 6000 N. Winthrop Avenue. The dispatcher described the offender as being a black male, with dreadlocks, possibly wearing a red jacket or a red hoodie, and driving a grey Chevrolet Malibu.⁶ The dispatcher also stated that the offender fled in an unknown direction.

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

³ Attachment 7.

⁴ NKA Det. Angel Rodriguez.

⁵ One for Running a Red Light (TN017680) and the second for having a Cracked Windshield (TN017681).

⁶ The Chevrolet Malibu and Impala, are similar in appearance, with the Malibu appearing to be a smaller version of the Impala.

Det. Rodriguez responded to the call and canvassed the area. Det. Rodriguez stated that he spoke with an anonymous citizen walking a dog. The citizen informed Det. Rodriguez that a person matching the offender's description was inside a nearby courtyard talking to unknown people.

About 30-45 minutes later, Det. Rodriguez drove north on Broadway Avenue, past Thorndale Avenue, when he saw a grey Malibu travelling east towards Winthrop Avenue. Det. Rodriguez followed the Malibu as it then travelled south on Winthrop Avenue. The Malibu then parked on the west side of the street, near the aforementioned courtyard. Det. Rodriguez drove past the Malibu and parked on the east side of Winthrop Avenue. Det. Rodriguez saw the Malibu's driver⁷ exit the vehicle, walk into the courtyard, and speak to two unknown male black subjects. Det. Rodriguez stated that Mr. ██████ matched the description given of the armed robbery offender. Det. Rodriguez used to radio to request that additional police units respond to his location.

Det. Rodriguez stated that as other police units arrived the Malibu drove away. Det. Rodriguez followed the Malibu and notified the dispatchers that he is following a car possibly related to an armed robbery. Det. Rodriguez followed the Malibu for a short while as other officers converged on their location. Once the Malibu made a left turn through the red light at Clark Street and Peterson the officers pulled it over. Det. Rodriguez added that he did not activate his vehicle's emergency equipment.

Det. Rodriguez stated that after the Malibu stopped on the side of the street he (Officer Rodriguez) exited his police vehicle and walked toward the rear of the Malibu with his gun drawn and pointed at the ground in the low-ready position. Det. Rodriguez explained that he drew his firearm because the original call was that of an armed robbery. Det. Rodriguez added that he did not immediately know how many occupants were inside the Malibu, or if any of the occupants were armed, Det. Rodriguez approached the driver's side door from the rear of the vehicle and ordered Mr. ██████ to show his hands. Mr. ██████ complied, and once Det. Rodriguez could see that Mr. ██████ was not holding anything in his hands, Det. Rodriguez holstered his firearm and instructed Mr. ██████ to exit the Malibu. Det. Rodriguez explained to Mr. ██████ that he was stopped because he turned left on a sold red light, and explained that he matched the description of an armed robbery offender. Det. Rodriguez stated that after speaking with Mr. ██████ and running his license plates, which came back clear, it was determined that Mr. ██████ was not involved in the armed robbery. Det. Rodriguez issued Mr. ██████ moving violations for running the red light and for having a cracked windshield.

Det. Rodriguez described Mr. ██████ demeanor as polite and cooperative throughout the entire incident. Det. Rodriguez stated that he never pointed his handgun at Mr. ██████

b. Digital Evidence

⁷ NKA ██████

A **CLEAR Map Printout**⁸ indicated that there were no PODs⁹ near 6000 N. Paulina Street.

A search of **In-Car Camera**¹⁰ resulted in no video being located based on the information provided.

c. Physical Evidence

None applicable.

d. Documentary Evidence

The **Investigatory Stop Receipt**¹¹ indicated that Det. Rodriguez stop Mr. [REDACTED] because he (Mr. [REDACTED]) fit the description from a flash message.

The Traffic Citations (TN017680) for Turning on a Red Signal and TN017681 for having a cracked windshield

VI. ANALYSIS

Mr. [REDACTED] stated that during a traffic stop, Det. Rodriguez pointed his firearm at him and ordered him to make his hands visible and place them on the steering wheel. Mr. [REDACTED] stated that he complied and Det. Rodriguez subsequently lowered his firearm. Det. Rodriguez explained that he ordered Mr. [REDACTED] to make his hands visible and to place them on the steering wheel. Mr. [REDACTED] complied and once Det. Rodriguez determined that Mr. [REDACTED] was not a threat, he holstered his firearm.

Det. Rodriguez' actions are reasonable and within the guidelines of the Chicago Police Department's policies considering that Mr. [REDACTED] matched the description of the offender of the armed robbery Det. Rodriguez was investigating at the time of this incident. Det. Rodriguez and Mr. [REDACTED] provided consistent accounts of the incident, that Det. Rodriguez holstered his firearm after Mr. [REDACTED] complied by showing his hands, demonstrating to Det. Rodriguez that he was not a threat.

VII. CONCLUSION

⁸ Attachment 12.

⁹ Police Observation Device.

¹⁰ Attachment 14.

¹¹ Attachment 10.

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

Officer	Allegation	Finding
Det. Angel Rodriguez	1. Displayed and pointed a firearm at [REDACTED] during a traffic stop without justification.	Unfounded

[REDACTED]
Approved: [REDACTED]

Erica Sangster
Acting Deputy Chief Administrator

7/16/18
Date

Appendix A

Assigned Investigative Staff

Squad#:	8
Major Case Specialist:	Brian Killen
Supervising Investigator:	Robert Coleman
Acting Deputy Chief Administrator:	Erica Sangster