

SUMMARY REPORT OF INVESTIGATION¹

I. EXECUTIVE SUMMARY

Date of Incident:	July 14, 2017
Time of Incident:	3:45pm
Location of Incident:	2344 W. 21 st PL
Date of COPA Notification:	July 17, 2017
Time of COPA Notification:	12:00pm

Officers Langan and Zawada pulled over a vehicle driven by ██████████ for operating a vehicle with only one operational tail light. After a preliminary investigation uncovered that ██████████ possessed a suspended driver’s license, the officers decided to impound ██████████ vehicle. Officers ordered the passenger ██████████ to exit the vehicle. ██████████ refused to comply, stating he was going to call his lawyer, and Officers Langan and Zawada grabbed his arm and forcibly removed him from the vehicle. COPA finds that the officers were justified in removing ██████████ from the car, however did not have probable cause to curb the car initially.

II. INVOLVED PARTIES

Involved Officer #1:	LANGAN Jeffrey, star #20683, employee ID# ██████████, Date of Appointment – December 5, 2005, Detective, Date of Birth – ██████████, 1982, Male, White
Involved Officer #2:	ZAWADA Roman, star# 8849, employee ID# ██████████, Date of Appointment – November 24, 2003, Police Officer, Date of Birth – ██████████, 1981, Male White
Involved Officer #3:	FERENZI Lawrence, star #8890, employee ID# ██████████, Date of Appointment – September 2, 1997, Police Officer, Date of Birth – ██████████, 1958, Male, White
Involved Subject #1:	██████████ 32, Hispanic Male
Involved Subject #2:	██████████ 24, Hispanic Male

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.

Involved Subject #3: [REDACTED] Hispanic Female

III. ALLEGATIONS

Officer	Allegation	Finding
Officer Jeffery Langan	It is alleged that on July 14, 2017, at approximately 1550 hours, at or about 2344 W. 21ST PL, you reinjured complainant's right hand by using excessive force despite him informing you of his injuries.	Exonerated
	It is alleged, through the Civilian Office of Police Accountability, that you failed to accurately described the facts and circumstances concerning the incident involving the use of force on the Tactical Response Report.	Unfounded
	It is alleged, through the Civilian Office of Police Accountability, that you failed to accurately described the facts and circumstances concerning the arrest of Mr. [REDACTED]	Unfounded
	It is alleged, through the Civilian Office of Police Accountability that you stopped Mr. [REDACTED] without justification	Sustained
	It is alleged, through the Civilian Office of Police Accountability, that you arrested Mr. [REDACTED] without justification.	Exonerated
Officer Roman Zawada	It is alleged that on July 14, 2017, at approximately 1550 hours, at or about 2344 W. 21ST PL, you reinjured complainant's right hand by using excessive force despite him informing you of his injuries.	Exonerated
	It is alleged through the Civilian Officer of Police Accountability that you failed to complete a Tactical Response Report	Sustained
	It is alleged, through the Civilian Office of Police Accountability, that you failed to accurately described the facts and circumstances concerning the arrest of Mr. [REDACTED]	Unfounded
	It is alleged, through the Civilian Office of Police Accountability, that you stopped Mr. [REDACTED] without justification	Sustained
	It is alleged, through the Civilian Office of Police Accountability, that you arrested Mr. [REDACTED]	Exonerated

	without justification.	
Officer Lawrence Ferenzi	It is alleged that on July 14, 2017, at approximately 1550 hours, at or about 2344 W. 21ST PL, you reinjured complainant's right hand by using excessive force despite him informing you of his injuries.	Exonerated
	It is alleged, through the Civilian Office of Police Accountability, that you failed to accurately described the facts and circumstances concerning the arrest of Mr. [REDACTED]	Unfounded
	It is alleged, through the Civilian Office of Police Accountability, that you stopped Mr. [REDACTED] without justification	Unfounded
	It is alleged, through the Civilian Office of Police Accountability, that you arrested Mr. [REDACTED] without justification.	Exonerated

IV. APPLICABLE RULES AND LAWS

Rules

- Rule 1
 - Rule 6
-

General Orders

- 1. Chicago Police General Order G03-02-02
 - 2. Chicago Police General Order G03-02-01
-

Special Orders

- 1. Chicago Police Special Order S06-01
-

Federal Laws

- 1. Fourth Amendment
-

State Laws

- 1. Chicago Municipal Code 09-76-050(c).

2. Chicago Municipal Code 9-80-240
3. ILCS 5/6-303

V. INVESTIGATION²

a. Interviews

In an interview with COPA on November 13, 2017, **Complainant** [REDACTED] (herein [REDACTED]) stated that on July 14, 2017, she received a call from her brother [REDACTED] (herein [REDACTED]) in which he related that the police stopped him and were arresting their brother [REDACTED] (herein [REDACTED]) and that [REDACTED] wanted [REDACTED] to take the kids that were in the car. [REDACTED] stated she went to where her brothers were stopped and that she started recording the incident as soon as she arrived on scene. [REDACTED] saw [REDACTED] in the passenger seat and her nephews in the back of the car. [REDACTED] asked the police officers what was going on, and why her brother was being arrested. [REDACTED] stated that the officers did not want to tell her anything and that Officer Ferenzi told her to get the children that were in the car. [REDACTED] told her brother [REDACTED] to call [REDACTED] another sister that is familiar with the legal system. [REDACTED] stated that as soon as she said that, an officer snatched the phone out of [REDACTED] hand then pulled him out of the car while the children in the backseat were screaming. [REDACTED] stated that she was letting the officers know that [REDACTED] had an injured hand and to be careful with him. [REDACTED] related that the officers were twisting him around and that Officer Ferenzi was attempting to block her from recording. [REDACTED] then moved and attempted to record at a different angle. [REDACTED] stated that the officers failed to read her brothers their rights, tell her where they were taking her brother or why [REDACTED] was being arrested.³

In an interview with COPA on July 19, 2017 **Complainant** [REDACTED] stated that on the July 14, 2017, he was the passenger in a vehicle driven by his brother [REDACTED] on his way to a nearby store with three small children in the backseat. [REDACTED] stated that they were pulled over by Chicago Police officers. One officer asked [REDACTED] for his identification and the other officer asked [REDACTED] to step out of the vehicle. [REDACTED] stated that the children in the back seat noticed that [REDACTED] was being placed in handcuffs and tried to leave the car. [REDACTED] then stepped out of the car to attempt to prevent his nephew from leaving the car. While out of the car, [REDACTED] asked [REDACTED] to retrieve his phone and clothes. [REDACTED] related that as he walked back to the passenger seat, one of the officers followed him. [REDACTED] related that he called his sister and told her that [REDACTED] was being arrested and requested she come to the scene. [REDACTED] stated that as soon as his sister arrived she started to record the incident. [REDACTED] related that his sister told him to call the family attorney and when he attempted to make a call one of the officers slapped the phone away from him. [REDACTED] stated that an officer took his arm and twisted it and pulled him out of the car, despite telling the officer that he has suffered gunshot wounds in the past. Once out of the car the officers handcuffed [REDACTED] and took him to the station. [REDACTED] stated that the officers did tell him that the car was

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 11

going to be impounded but at no time did they ever tell him to get out of the car. ██████ stated that officers never read him his rights, and never had their body worn camera on.⁴

In an interview with COPA on July 11, 2018, **Detective Roman Zawanda** stated that on July 14, 2017, he was assigned to the tactical team in the 12th district. Officer Zawanda stated that he was on routine patrol with Officer Jeffery Langan. Officer Zawanda stated that he saw ██████ operating a vehicle with one broken tail light and decided to pull the vehicle over for a traffic citation. Officer Zawanda stated that ██████ was unable to produce a driver's license but provided the officer a name. Officer Zawanda looked up the name that ██████ gave on his in-car computer. An arrest picture came up which displayed a man that looked different from ██████ with a distinctive tattoo. Officer Zawanda checked to see if ██████ had the same tattoo that the man in the picture had which he did not. Officer Zawanda then ordered ██████ out of the car. Officer Zawanda stated that he was going to arrest ██████ for giving a wrong name and driving without a license.

Officer Zawanda stated that ██████ exited the car and became very hostile and aggressive towards officers. Officer Zawanda stated that ██████ was swearing and calling them names. Officer Zawanda related that ██████ kept getting out of the car and approaching the officers in an aggressive manner. Officer Zawanda stated that he and his partner ordered ██████ back in the car several times, Officer Zawanda stated that he told ██████ that he could take the vehicle and leave with the children. According to Officer Zawanda, ██████ refused to remain in the vehicle, so he then told ██████ that the vehicle would be impounded. Officer Zawanda then stated that ██████ got into the car refused to get out. Officer Zawanda stated that ██████ reached toward the center console of the car and tried to make a phone call. Officer Zawanda related that he feared that ██████ might have been reaching for a weapon, so he got closer to him and ordered him to get out of the car. Officer Zawanda stated that ██████ was handcuffed and escorted out of the vehicle by himself, Officer Lagan, and Officer Frenzi. ██████ was then placed into custody after his sister and mother came onto the scene. Officer Zawanda stated that did not use much force to take ██████ and did not fill out a TRR because he did not believe he used enough force to warrant one.⁵

In an interview with COPA June 26, 2018, **Officer Jeffery Langan** stated that on July 14, 2017, he was assigned to the 12th District tactical team with Officer Zawada. He was the passenger and Officer Zawanda was the driver. While on patrol he noticed that a back-tail light of ██████ vehicle was out. Officer Zawanda activated his emergency lights and sirens and pulled over the vehicle. Officer Langan stated that he approached the passenger side of the vehicle while Officer Zawanda engaged the driver. Officer Langan stated that after speaking to the driver for a couple of minutes Officer Zawanda walked back to the squad car and told Officer Langan that the driver did not had a license but provided a name. Officer Langan stated that he ran the name the driver had given in the in-car computer and saw a picture of a man with tattoos that bore a resemblance to the driver but was not an exact match. Officer Langan related that he and Officer Zawanda exited their vehicle and asked the driver to step out of the car and questioned the driver for why the driver did not have the tattoo that was pictured on the in-car computer. The driver then confessed that he gave the officers a false name and then told the officers his name was ██████. Officer Langan then discovered that ██████ had a warrant out for his arrest. When Officer

⁴ Attachment 12

⁵ Attachment 24

Langan attempted to arrest [REDACTED] stepped out of the vehicle and started to shout and yell at the officers.⁶

In an interview with COPA on June 15, 2018, **Officer Lawrence Ferenzi** stated that on July 14, 2017, he was assigned to the 12th District and working routine patrol alone in a beat car. Officer Ferenzi stated that he responded to a unit needing assistance to transport an arrestee. Upon arrival Officer Ferenzi saw two tactical officers with a car stopped and someone in the car. Officer Ferenzi stated that people were screaming and yelling behind the officers. One of those individuals identified herself as the sister of the man in the car and was recording the interaction. Officer Ferenzi told the sister that she could record the interaction but that she was interfering, and that she would have to back away from the officers.

Officer Ferenzi remembers the officers repeatedly telling the offender in the car to step out and that one of the officers reached into the car and took him out and handcuffed the offender. Officer Ferenzi recalls the offender resist the officer's verbal commands as well as the arrest by trying to pull away.⁷

b. Digital Evidence

[REDACTED] captured a portion of the portion of the police interaction on a cell phone video. The duration of the video is 2:06. [REDACTED] can be seen sitting in the passenger seat of a car with Officer Langan and Officer Zawada standing over him. [REDACTED] tells the officers that she needs to know what is going on and Officer Ferenzi replies, "no you don't," and instructs her to take her children out of the car. [REDACTED] then asks for Officer Ferenzi's name, and he responds by telling her.

[REDACTED] proceeds to ask the two other officers for their name and they do not respond and tell her to back up. Officer Ferenzi tells [REDACTED] that she is "interfering" and escorts her away from the car. [REDACTED] tells Officer Ferenzi that she will report him to OPS and again asks for the name of Officer Zawada. [REDACTED] tells the officers that they are terrifying the kids. Officer Ferenzi responds by saying "that's way I said take the kids!" [REDACTED] tells the officer to lower his voice. Officer Ferenzi then tells [REDACTED] to "step back."

Officer Zawada opens that back door to the car and tells [REDACTED] to take the children out. [REDACTED] tells [REDACTED] to call [REDACTED] the lawyer. [REDACTED] proceeds to take out a cell phone. Officer Langan and Officer Ferenzi grab [REDACTED] arm preventing him from making a phone call. Officer Ferenzi tells [REDACTED] "You're under arrest, step out." [REDACTED] tells the officers that he got shot in his hands. Officer Ferenzi responds by saying "step out then." As Officer Langan goes to handcuff [REDACTED] gets in between Officer Langan and says, "do not be touching his shot hand." Officer Ferenzi gets in front of [REDACTED] and tells her to step back which she does. Officers Langan and Zawada attempt to handcuff [REDACTED] while he is still in the passenger's seat. [REDACTED] walks over to the officer and screams that the officers are harassing her brother. The video ends with Officer Langan and Zawada taking [REDACTED] out of the car while [REDACTED] screams at the officers that she will sue if they damage his injured hand.⁸

⁶ Attachment 25

⁷ Attachment 23

⁸ Attachment 17

c. Documentary Evidence

Medical Records from the University of Illinois Hospital indicate that [REDACTED] went to the emergency room on July 15, 2017, and complained of numbness and tingling in his right arm, and that he suffered several gun shots in his right arm in 2014. [REDACTED] did not feel pain and could make a fist. X-rays indicated that his arm was not fractured or dislocated, and [REDACTED] was counseled regarding a treatment plan.⁹

The **Arrest Report of** [REDACTED] indicates that he was charged with criminal trespass to vehicle and three counts of resisting arrest after he refused to get out of a vehicle that police officers were attempting to impound. The report was written by Officer Langan on July 14, 2017. Officer Langan wrote that he and Officer Zawanda were arresting the driver of the vehicle [REDACTED] and were attempting to impound the vehicle when [REDACTED] got into the automobile and refused to step out of the vehicle after the officers demanded him to. Officer Langan stated in his report that he and Officer Zawanda physically removed him from the vehicle and subsequently arrested him.¹⁰

The **Arrest Report of** [REDACTED] indicates that he was arrested for an outstanding warrant and charged with driving on a suspended license, along with operating a vehicle without insurance and an improper taillight. The report was written by Officer Langan on July 14, 2017. The report notes that [REDACTED] was pulled over after Officer Langan witnessed him driving a vehicle with a taillight that did not illuminate.¹¹

The **Tactical Response Report (TRR)** completed by Officer Langan documented that [REDACTED] failed to follow verbal directions. The TRR provides that in response Officer Langan conducted a wristlock and escort hold of [REDACTED].¹²

The **Tactical Response Report (TRR)** completed by Officer Ferenzi documented that [REDACTED] pulled away and that he pulled [REDACTED] arm.¹³

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

⁹ Attachment 10

¹⁰ Attachment 3

¹¹ Attachment 4

¹² Attachment 25

¹³ Attachment 23

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 occurred and violated 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 misconduct occurred, 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

COPA finds the allegation against Officers Zawada and Langan that they stopped ██████████ without justification is **sustained**.

Traffic stops are seizures under the Fourth Amendment. *Whren v. United States*, 517 U.S.806, 809-10 (1996). The lawfulness of a traffic stop is analyzed under a *Terry* analysis. *People v. Bunch* 207 Ill. 2d 7, 14 (2003). The test is "(1)" whether the officer's action was justified at its inception, and (2) whether it was reasonably related in scope to the circumstances which justified the interference in the first place"

At the outset, Officers Zawanda and Langan curbed and detained ██████████ vehicle for driving with a single working taillight. The officers asserted that ██████████ violated Chicago Municipal Code 09-76-050(c). However, the officers were incorrect in their understanding of the ordinance. In fact, the ordinance states, "Each motor vehicle, trailer or semitrailer shall also exhibit at least one lighted lamp which shall be so situated as to throw a red light visible for at least 500 feet in the reverse direction" Chicago Municipal Code 09-76-050 (c) (emphasis added). Officers Zawada and Langan offered no other justification for initiating the traffic stop and no other lawful

basis is apparent from the record.¹⁴ Therefore, the initiation of the traffic stop was a violation of [REDACTED] constitutional rights therefore this allegation is **sustained**.¹⁵

COPA finds that officers Zawanda, Langan, and Ferenzi did not use excessive force while arresting [REDACTED] and therefore finds the allegation **exonerated**.

In *Graham v. Connor*, the United States Supreme Court settled an ongoing controversy by holding that all claims that law enforcement officers used excessive force during an arrest, investigatory stop or other seizure should be analyzed under the fourth amendment's protection against unreasonable seizures. The following factors are instructive in making the determination of whether an officer's use of force is reasonable: (1) "the severity of the crime at issue;" (2) "whether the suspect poses an immediate threat to the safety of the officers or others;" and (3) whether he is actively resisting arrest or attempting to evade arrest by flight." *Graham*, 490 U.S. at 396 (citing *Tennessee v. Garner*, 471 U.S. 1, 8-9 (1985))

Here, [REDACTED] alleged that Officers Zawada, Langan, and Ferenzi used excessive force when the one of the officers slapped his phone out of his hand, twisted his arm and pulled him out of the vehicle he was sitting in. [REDACTED] further alleges that the officers failed to ask him to step out of the vehicle, failed to read him his Miranda rights, and arrested him without justification.

Officers Zawada and Langan made the determination to impound the vehicle [REDACTED] [REDACTED] was in after discovering the driver of said vehicle, [REDACTED] was operating the car with a suspended license and without insurance. Therefore, under Chicago Municipal Code 9-80-240, and ILCS 5/6-303, the officers were well within their right to arrest [REDACTED] impound his car, and order passenger [REDACTED] to exit the car. [REDACTED] alleges that the officers failed to ask him out of the car. This allegation is contradicted by the cell phone video taken by [REDACTED] [REDACTED] which shows the officers demanding [REDACTED] to get out of the car. The video shows [REDACTED] refusing to step out of the vehicle and attempting to make a phone call before the officers on scene grab him by the hand, then arm, and pull him out of the car. When [REDACTED] refused to comply with verbal commands to step out of the vehicle, he became a passive resister. Therefore, as articulated in General Order G03-02-01, the officers could justifiably grab [REDACTED] arm and take him out of the vehicle.

¹⁴ The Fourth Amendment is not violated if an officer makes an objectively reasonable mistake of law. *Heien v. North Carolina*, 135 S. Ct. 530, 535-540 (2014). This case is clearly distinguishable from *Heien*. In *Hein* the Supreme Court held that the North Carolina statute regarding brake lights was ambiguous because it did not clearly specify whether vehicles were required to have one or two working brake lights. In contrast, the Chicago Municipal Code unambiguously requires only one working taillight. Officers Zawada and Langan correctly did not cite or otherwise rely on 625 ILCS 5/12-201(b), which requires vehicles to have two working taillights when operating on any highway in the state. The City of Chicago is a home rule unit and Chapter 12 of the Illinois Vehicle Code does not contain any prohibition on exercising concurrent home rule authority regarding the required equipment for motor vehicles. 5 ILCS 70/7 (West 2010); *Palm v. 2800 Lake Shore Drive Condo. Ass'n*, 2013 IL 110505, ¶32 ("to restrict the concurrent exercise of home rule power, the General Assembly must enact a law *specifically* stating home rule authority is limited.") (emphasis in original). Officers Zawada and Langan encountered [REDACTED] in the City of Chicago and therefore Chicago Municipal Code 09-76-050(c) governed the number of working taillights that [REDACTED] was required to have.

¹⁵ Officer Zawada was presented with this allegation however the evidence is clear that Officer Zawada was called to the scene to transport arrestees and did not participate in the original detention of the car.

██████ also alleges that he was arrested without justification. Officer Langan charged ██████ with obstructing a peace officer. In Illinois a person who knowingly resists or obstructs the performance by one known to the person to be a peace officer commits the offense of obstruction. ██████ stated in his COPA interview that he knew that the men who pulled him over were police officers, and that they never told him to step out of the car. As stated above, the video taken by ██████ shows ██████ ignoring officer Zawada and Langan's request to step out of the car thus qualifying ██████ as a passive resister. Since ██████ was a passive resister at the time he refused to get out of the car, the officers were in their right to arrest and charge ██████ with obstruction. Thus, ██████ allegation that he was arrested without justification is **exonerated**.

COPA finds the allegation that Officers Zawada, Langan, and Ferenzi failed to accurately describe the facts and circumstances concerning the arrest of ██████ is **unfounded**. Chicago Police Special Order S06-01 item II-A (3) dictates that the arresting officer will be responsible for setting forth in the arrest report narrative sufficient information (elements of the offense and probable cause to arrest) to substantiate all charges placed against an arrestee. Here, COPA finds that the arrest report of ██████ which was written by Officer Langan accurately describes the elements of probable cause for obstruction and criminal trespass to vehicle. Therefore, this allegation must be determined **unfounded**.

COPA finds the allegation that Officers Langan failed to accurately describe the facts and circumstances in his Tactical Response Report is **unfounded**. Chicago Police General Order G03-02-02 Item IV-B (1) states that police officers involved in a reportable use of force incident, will complete a Tactical Response Report documenting the information as requested on the report. Here, because Officer Langan populated the appropriate boxes requested of him by the report, COPA finds that Officer Langan adequately described the facts and circumstances concerning the incident on his TRR and therefore this allegation must be found **unfounded**.

COPA makes a **sustained** finding that Officer Zawada failed to complete a Tactical Response Report. Chicago Police General Order G03-02-02 Item III-A requires officers to complete a tactical response report when officers use physical force in incidents involving an arrest of an offender committing an act obstructing a police officer. In this case, Officer Zawada stated that when he "handcuffed and escorted" ██████ out of the car he did not believe his actions warranted the completion of a tactical response report. Officer Zawada can be seen on cell phone video taken by ██████ grabbing ██████ arm and pulling him out of a vehicle. The force Officer Zawada is shown using in his arrest of ██████ is certainly the type of force the Chicago Police Department intended officers to document when it authored general order G03-02-02. It is not a coincidence that Officer Langan and Officer Ferenzi documented the force they used in compliance with general order G03-02-02. COPA must find that Officer Zawada failed to complete the Tactical Response Report.

VIII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. Officer Lagan

i. Complimentary and Disciplinary History

Officer Jeffery Langan has sixty-six (66) honorable mentions, two (2) department commendations, one (1) honorable mention ribbon award and one (1) traffic stop of the month award. Officer Langan has no publishable disciplinary history.

ii. Recommended Penalty, by Allegation.

1. Allegation No. 4

Officer Lagan stopped [REDACTED] vehicle based on a mistake of law. There is no evidence that the stop was done maliciously but instead inadvertently based on not knowing the plain language of the rule. While the stop ultimately led to two valid arrests, the stop violated the law and thus could jeopardize the ability of the state to secure convictions on those offenses. Moreover, the mistake avails the city to potential civil liability. Finally, while it appears clear to COPA that the mistake was not intentional, circumstances like this fuel public sentiment that these incidents are the result of nefarious intentions rather than simple mistakes. In the instant case, the one tail light rule is clear and unambiguous therefore department members must be aware that a single taillight does not serve as a basis for a probable cause traffic stop. In sum, based on the officers lack of disciplinary history, lack of malicious intent, and the clear evidence that this was a misunderstanding of law, COPA recommends a one day suspension.

b. Officer Zawada

i. Complimentary and Disciplinary History

Officer Roman Zawada has two hundred and thirteen (213) honorable mentions, eight (8) department commendations, one (1) lifesaving award, one (1) superintendent award of valor, one (1) police officer of the month award, one (1) honorable mention ribbon award and one (1) traffic stop of the month award. Officer Zawada has no publishable disciplinary history.

ii. Recommended Penalty, by Allegation.

1. Allegation No. 2

Officer Zawada participated in taking [REDACTED] from the vehicle. Both Officer Lagan and Ferenzi filled out TRR's for the same contact with [REDACTED] Officer Zawada clearly should have filled out a TRR. While the violation is not a significant one in this case, the need for documentation is pivotal to transparency and public trust. Thus, COPA recommends a one-day suspension.

2. Allegation No. 4

For the same reasons as cited above for Officer Lagan, COPA recommends a one-day suspension.

IX. CONCLUSION

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

Officer	Allegation	Finding
Officer Jeffery Langan	<p>It is alleged that on July 14, 2017, at approximately 1550 hours, at or about 2344 W. 21ST PL, you reinjured complainant's right hand by using excessive force despite him informing you of his injuries.</p> <p>It is alleged, through the Civilian Office of Police Accountability, that you failed to accurately described the facts and circumstances concerning the incident involving the use of force on the Tactical Response Report.</p> <p>It is alleged, through the Civilian Office of Police Accountability, that you failed to accurately described the facts and circumstances concerning the arrest of Mr. [REDACTED]</p> <p>It is alleged, through the Civilian Office of Police Accountability that you stopped Mr. [REDACTED] without justification</p> <p>It is alleged, through the Civilian Office of Police Accountability, that you arrested Mr. [REDACTED] without justification.</p>	<p>Exonerated</p> <p>Unfounded</p> <p>Unfounded</p> <p>Sustained</p> <p>Exonerated</p>
Officer Roman Zawada	<p>It is alleged that on July 14, 2017, at approximately 1550 hours, at or about 2344 W. 21ST PL, you reinjured complainant's right hand by using excessive force despite him informing you of his injuries.</p> <p>It is alleged through the Civilian Officer of Police Accountability that you failed to complete a Tactical Response Report</p> <p>It is alleged, through the Civilian Office of Police Accountability, that you failed to accurately described the facts and circumstances concerning the arrest of Mr. [REDACTED]</p> <p>It is alleged, through the Civilian Office of Police Accountability, that you stopped Mr. [REDACTED] without justification</p> <p>It is alleged, through the Civilian Office of Police</p>	<p>Exonerated</p> <p>Sustained</p> <p>Unfounded</p> <p>Sustained</p> <p>Exonerated</p>

	<p>Accountability, that you arrested Mr. [REDACTED] without justification.</p>	
<p>Officer Lawrence Ferenzi</p>	<p>It is alleged that on July 14, 2017, at approximately 1550 hours, at or about 2344 W. 21ST PL, you reinjured complainant's right hand by using excessive force despite him informing you of his injuries.</p> <p>It is alleged, through the Civilian Office of Police Accountability, that you failed to accurately described the facts and circumstances concerning the arrest of Mr. [REDACTED]</p> <p>It is alleged, through the Civilian Office of Police Accountability, that you stopped Mr. [REDACTED] without justification</p> <p>It is alleged, through the Civilian Office of Police Accountability, that you arrested Mr. [REDACTED] without justification.</p>	<p>Exonerated</p> <p>Unfounded</p> <p>Unfounded</p> <p>Exonerated</p>

Approved:

[REDACTED]

June 10, 2019

 Andrea Kersten
 Deputy Chief Administrator

 Date

Appendix A

Assigned Investigative Staff

Squad#:	4
Investigator:	Dwight White
Supervising Investigator:	James Murphy-Aguilu
Deputy Chief Administrator:	Andrea Kersten