

SUMMARY REPORT OF INVESTIGATION¹

Date/Time/Location of Incident:	June 5, 2019 / 8:38pm / 7532 S. Dorchester Ave.
Date/Time of COPA Notification:	July 22, 2019 / 2:31pm
Involved Officer #1:	Connor Brackin, Star #15674, Employee # [REDACTED] Date of Appointment: 09/29/2014, Rank: PO, Unit of Assignment: 004, DOB: [REDACTED] 1988, Male, White
Involved Officer #2:	Ricardo Carrillo, Star #15705, Employee # [REDACTED] Date of Appointment: 09/29/2014, Rank: PO, Unit of Assignment: 004, DOB: [REDACTED] 1987, Male, White
Involved Individual #1:	[REDACTED] DOB: [REDACTED] 1999, Male, Black
Case Type:	Excessive Force

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Carrillo	It is alleged that on June 5, 2019 at approximately 8:38pm, at or around 7532 S. Dorchester, Officer Carrillo:	
	<ol style="list-style-type: none"> 1. Searched [REDACTED] vehicle without justification, in violation of Rule 10. 2. Wrestled [REDACTED] to the ground, breaking his leg, without justification, in violation of Rules 2,6,8 and 9. 	<p>Exonerated</p> <p>Unfounded</p>
Officer Brackin	It is alleged that on June 5, 2019 at approximately 8:38pm, at or around 7532 S. Dorchester, Officer Brackin:	
	<ol style="list-style-type: none"> 1. Searched [REDACTED] vehicle without justification, in violation of Rule 10. 2. Wrestled [REDACTED] to the ground, breaking his leg, without justification, in violation of Rules 2,6,8 and 9. 	<p>Exonerated</p> <p>Unfounded</p>

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.

II. SUMMARY OF EVIDENCE²

██████████ registered a complaint with COPA on July 22, 2019. In a digitally recorded statement³, ██████████ complained that Officers Carrillo and Brackin searched his vehicle during a traffic stop without justification or permission. ██████████ further complained that Officers Carrillo and Brackin used excessive force when they wrestled him to the ground, breaking his leg.

COPA reviewed body-worn camera footage⁴ of the incident and found it contradicted much of ██████████ account. The occupants of the vehicle can be heard telling the officers they had just been smoking marijuana. This supports the officers' accounts in the Original Case Incident Report⁵ and the Arrest Report⁶ that they smelled burnt cannabis upon approaching the vehicle.

The body-worn camera footage also clearly shows ██████████ pulling away from the officers and running from the scene. ██████████ is seen jumping a fence, falling to the ground on the other side of the fence, getting up and hopping on one leg seemingly in pain. ██████████ continues to flee until he is apprehended approximately two minutes later.

III. ANALYSIS AND CONCLUSION

COPA finds the search of ██████████ vehicle to be within policy. The search of the vehicle was premised on the smell of burnt cannabis that the officers detected. Under the “automobile exception” to the search warrant requirement, “law enforcement officers may undertake a warrantless search of a vehicle if there is probable cause to believe that the automobile contains evidence of criminal activity that the officers are entitled to seize.” *People v. James*, 163 Ill. 2d 302, 312 (Ill. 1994) (citing *Carroll v. United States*, 267 U.S. 132 (1925)). The odor of marijuana clearly provides the justification for the vehicle search. Therefore, COPA finds the allegation that Officers Carrillo and Brackin improperly searched ██████████ vehicle to be **Exonerated**.

COPA finds that Officers Carrillo and Brackin⁷ did not use any excessive force towards ██████████ and that ██████████ injuries were a direct result of his own actions. The body-worn camera footage shows that ██████████ injured himself while jumping over the fence. Neither Officer Carrillo nor Officer Brackin wrestled ██████████ to the ground or “fell” on him at any point. Therefore, COPA finds by clear and convincing evidence that ██████████ second allegation against Officers Carrillo and Brackin is **Unfounded**.

²COPA conducted a full and complete investigation of this matter, including the interview of all pertinent civilian and officer witnesses, and the collection and review of digital, documentary, and forensic evidence. As part of COPA's ongoing efforts to increase case closure capacity, certain cases are summarized more succinctly in a Modified Summary Report of Investigation, pursuant to COPA Guideline Modified Summary Report of Investigation Template and Approvals, effective February 13, 2019.

³ Att. 1.

⁴ Atts. 15 and 16.

⁵ Att. 10.

⁶ Att. 8.

⁷ Based on the BWC footage, COPA was able to make a determination about the allegations without serving allegations or interviewing the officers.

Approved:



Andrea Kersten
Deputy Chief Administrator – Chief Investigator

December 29, 2019

Date

Appendix A

Assigned Investigative Staff

Squad#:	4
Investigator:	Kerri Wyman
Supervising Investigator:	James Murphy-Aguilu
Deputy Chief Administrator:	Andrea Kersten