

SUMMARY REPORT OF INVESTIGATION¹

Date/Time/Location of Incident:	August 9, 2019/9:52 p.m./10330 S. Michigan Ave., Chicago, IL 60628
Date/Time of COPA Notification:	August 23, 2019, 1:47 p.m.
Accused Officer #1:	Officer Anatheia Smith, Star #19338, Employee ID # [REDACTED], Date of Appointment: November 24, 2014, Rank: Police Officer, Race: White, Gender: Female, Unit of Assignment: 005, DOB: [REDACTED], 1983
Accused Officer #2:	Officer Androniki Ganczewski, Star #6177, Employee ID # [REDACTED], Date of Appointment: March 26, 2001, Rank: Police Officer, Race: White, Gender: Female, Unit of Assignment: 005, DOB: [REDACTED], 1973
Reporting Officer	Sergeant Jesse Carreno, Star #2091, Employee # [REDACTED], Date of Appointment: December 18, 2006, Rank: Sergeant, Race: Hispanic, Gender: Male, Unit of Assignment: 005, DOB: [REDACTED] 1982
Case Type:	Allegation of Racial Profiling

I. ALLEGATIONS

Officer	Allegation	Finding
Officer Anatheia Smith	It is alleged that on August 9, 2019, at approximately 9:52 Officer Anatheia Smith committed racial profiling when she pulled complainant over for speeding, because complainant maintains that he was not speeding.	Exonerated
Officer Androniki Ganczewski	It is alleged that on August 9, 2019, at approximately 9:52 Officer Androniki Ganczewski committed racial profiling when she pulled complainant over for speeding, because complainant maintains that he was not speeding.	Exonerated

¹ COPA 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.

II. SUMMARY OF EVIDENCE

The Complainant, ██████████ (██████████) maintains that he was a victim of racial profiling when police officers stopped him because they believed that he was speeding. ██████████ explained that this was racial profiling, because he said that he was not speeding, and therefore, he is an African-American who was stopped for no reason.

On August 9, 2019, Officers Anatheia Smith (“Officer Smith”) and Androniki Ganczewski (“Officer Ganczewski”) pulled ██████████ over for speeding. The Body Worn Camera (“BWC”) footage² shows that when the officers pulled ██████████ over, they immediately asked him why he was driving so fast. ██████████ immediately said that he was not speeding. He also said that he was driving right behind an unmarked police car and would not have been stupid enough to drive over the speed limit behind a police car.

The officers asked ██████████ for his driver’s license, and they took his license back to their car to run ██████████ license number. When they saw that ██████████ license was valid, they gave him back his license and told him that they did not need to see anything else from him, although ██████████ was ready to hand them what appeared to be an insurance card. As they ended the encounter, Officer Smith told ██████████ to be careful and to have a good night.

At that point, without explaining the reason, ██████████ asked that a supervisor be called to the scene. The officers immediately called their supervisor, who was near them. When Sergeant Jesse Carreno (“Sergeant Carreno”) arrived, he spoke to the officers who told him that they pulled ██████████ over for speeding, but when they checked his license and found it to be valid, they did not write a ticket. When Sergeant Carreno asked them how fast ██████████ was going, Officer Ganczewski said that ██████████ was driving between 40 and 45 miles per hour.

Sergeant Carreno went to speak to ██████████ and ██████████ told him that he wanted to make a complaint, because he believed that he had been a victim of racial profiling. ██████████ maintained that this was the case, because he was African-American, and while the officers told him that they pulled him over for speeding, he was not actually speeding. ██████████ said that he was driving under 30 miles per hour. Therefore, ██████████ believed that he had been pulled over for no reason. ██████████ also said that the officer heard the roar of his engine and assumed he was speeding, but he was not speeding.

III. ANALYSIS AND CONCLUSION

COPA has examined the relevant evidence in this case and has found a lack of evidence to support ██████████ claim of racial profiling. In fact, the evidence supports that the officers conducted traffic stop based on their belief that as they followed ██████████ he was driving 40 to 45 miles per hour, which was outside the speed limit. The mere fact that ██████████ is African-American and

² Atts. 12 and 13

believes that the officers incorrectly pulled him over for speeding, does not provide sufficient basis to sustain a claim of racial profiling.

The evidence shows that the officers pulled [REDACTED] over, because they believed he was speeding. The first thing the officers did was ask [REDACTED] why he was driving so fast. The officers initially took [REDACTED] license, but when they found that it was valid, they then returned his license and told him to be careful and have a good night. The stop was minimally intrusive, and the officers could have given [REDACTED] a speeding ticket but chose not to do so. The officers’ actions were the appropriate actions for an officer acting with a good faith belief that the car they were pulling over had been speeding.

Although [REDACTED] denied that he was speeding. The mere fact that an individual disagrees with an officer’s assertion of a traffic violation is not evidence of racial profiling or even evidence from which an inference of racial profiling can be drawn.

Significantly, [REDACTED] statement that the officers heard the roar of his engine and believed he was speeding for that reason, belies his claim of racial profiling, because he is essentially acknowledging that while the officers were incorrect in assuming that he was speeding because of the sound of his engine they did, in fact, have a valid reason for pulling him over.

It is also important to note that during his interview, as support for his claim of racial profiling, [REDACTED] said that the police are up to no good, and they try to make something up just to pull over African-Americans. [REDACTED] said he knows this because he has friends who are police officers who told him this. However, [REDACTED] attempt to impute racial profiling to all officers based on someone’s statement to him regarding the possible inappropriate behavior of one or more officers is not a basis for COPA to make such a determination in this case.

In sum, [REDACTED] claim is based on the fact that he was an African-American and does not believe that he was speeding. While [REDACTED] may have felt strongly that he was not speeding and that he was being racially profiled, COPA’s investigation revealed no other facts that support [REDACTED] claim. Conversely, we found there was clear and convincing evidence that a lawful basis existed for the stop. Therefore, we find that [REDACTED] claim that he was racially profiled because he an African-American who was stopped for no reason to be unsupported by video evidence. Accordingly, COPA reached a finding of exonerated for all allegations.

Approved:

[REDACTED]

December 29, 2019

Andrea Kersten
Deputy Chief Investigator

Date

Appendix A

Assigned Investigative Staff

Squad#:	3
Investigator:	Michele Lavin
Supervising Investigator:	Matthew Haynam
Deputy Chief Administrator:	Andrea Kersten