



Log # 2019-0910

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

The Civilian Office of Police Accountability (COPA) initiated this investigation on April 22, 2019, after receiving this complaint as an undated, mailed-in letter written by Mr. ██████² In his letter, Mr. ██████ reported misconduct by two members of the Chicago Police Department (CPD). Specifically, Mr. ██████ alleged that at approximately 1:45 pm on April 13, 2019, Officer Alexis Cotton #17625 and another CPD member later determined to be Detective (then Officer) Kevin Knabjian #21594 (previously #17303) unjustifiably stopped his vehicle, searched it, failed to provide their names when asked, and failed to provide him with an Investigatory Stop Receipt documenting the incident. Upon reviewing the available evidence, COPA served additional allegations to both Officer Cotton and Detective Knabjian for failing to complete a Traffic Stop Statistical Study (TSSS) and for failing to complete an Investigatory Stop Report (ISR).³ Following its investigation, COPA reached sustained findings regarding the allegations of failing to complete a TSSS and failing to complete an ISR.

II. SUMMARY OF EVIDENCE⁴

No body worn camera or in car camera video was available to document this incident.⁵ COPA requested POD video from a camera positioned in the approximate vicinity of the alleged incident, but once it was received the recording proved to have no relevant footage.⁶ Mr. ██████ gave a recorded interview at COPA's offices in which he stated that the accused Officers told him they initiated the traffic stop because he failed to signal before turning, although he believed the officers were lying to him.⁷ He explained that he had been asked to exit his vehicle and had been patted-down, and then witnessed one of the officers conducting a search inside his vehicle.⁸

¹ Appendix A includes case identifiers such as the date, time, and location of the incident, the involved parties and their demographics, and the applicable rules and policies.

² Att. 1, pgs. 1-3.

³ One or more of these allegations fall within COPA's jurisdiction pursuant to Chicago Municipal Code § 2-78-120. Therefore, COPA determined it would be the primary investigative agency in this matter.

⁴ The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including police reports, PDT records, civilian interviews, and officer interviews.

⁵ Att. 16. The Officers had no body worn cameras assigned at the time of the alleged incident, and no ICC video was available.

⁶ Att. 22. The POD video does not show the alleged incident.

⁷ Att. 15 at 1:17.

⁸ Att. 15, 5:45-7:06.

Officer Cotton stated in his interview with COPA that he could not recall conducting this traffic stop.⁹ He also could not remember if he completed a TSSS or an ISR for the stop.¹⁰ When asked if he refused to give his name when Mr. ██████ asked for it, Officer Cotton answered that he would have had no reason to avoid giving his name because it was printed on his vest.¹¹ He also stated that the unit he was assigned to at the time of this alleged incident had not been issued Body Worn Cameras.¹²

Detective Knabjian also gave an interview at COPA's offices and also asserted that he had no recollection of conducting this traffic stop.¹³ Additionally, he confirmed that he had not been assigned a body worn camera on the date of the alleged incident.¹⁴ When asked if he refused to give his name to Mr. ██████ he, like Officer Cotton, also stated that his name was on his vest and that he would have had no reason to withhold his name if asked for it.¹⁵ Officer Knabjian said he had no memory of completing a TSSS or an ISR for this stop, and also could not remember if his partner had done so.¹⁶

In the absence of any direct video evidence showing the traffic stop, COPA relied upon a series of records searches to discern the verifiable facts of this case. The fact that Mr. ██████ had been able to provide specific data points in his complaint (in particular the star number to identify Officer Cotton along with the date, time, and location of the encounter) lent greater credibility to his account of the situation, and by correlating these details with information from the records searches COPA uncovered two significant discoveries. First, a Caboodle GPS search showed that on the reported date the Officers' assigned vehicle was in a stopped position from 1:43 pm to 1:50 pm at 7200 S. Winchester, which matched the details of the complaint.¹⁷ Second, the PDT record search showed that the Officers conducted database searches for ██████ license plate at 1:41 pm and for his name at 1:43 pm.¹⁸ Taken together, these two pieces of evidence established that the Officers' assigned vehicle was present and in a stopped position at the time and place described in the complaint, and that the Officers had taken sufficient interest in Mr. ██████ to check his vehicle and his record.

Multiple searches were conducted for a Traffic Stop Statistical Survey related to this incident, but no such documentation was found under either of the Officers' names.¹⁹ Additionally, Investigatory Stop Report searches conducted under both names also produced no results.²⁰

⁹ Att. 33 at 17:24.

¹⁰ Att. 33 at 16:56.

¹¹ Att. 33 at 18:22.

¹² Att. 33 at 19:15.

¹³ Att. 32 at 11:37.

¹⁴ Att. 32, 11:04-11:10.

¹⁵ Att. 32 at 19:04.

¹⁶ Att. 32, 20:53-21:49.

¹⁷ Att. 8, pg. 1.

¹⁸ Att. 9, pgs. 3-4.

¹⁹ Att. 21, Att. 22, and Att. 23. All TSSS searches were negative.

²⁰ Att. 26 and Att. 27. Both ISR searches were negative.

III. ALLEGATIONS

Officer Alexis Cotton:

1. It is alleged by [REDACTED] that on or about April 13, 2019, at approximately 1:45 p.m., at or near 7200 S. Winchester Ave. Chicago, IL that you, Alexis Cotton #17625 committed misconduct through the following acts or omissions by:
 - Stopping [REDACTED] without justification;
 - Not Sustained.
 - Searching [REDACTED] vehicle without justification;
 - Not Sustained.
 - Failing to provide your name upon request; and
 - Not Sustained.
 - Failing to issue [REDACTED] an Investigatory Stop Receipt.
 - Not Sustained.

2. It is alleged Deputy Chief Administrator Angela Hearts-Glass that on or about April 13, 2019, at approximately 1:45 p.m., at or near 7200 S. Winchester Ave. Chicago, IL that you, Officer Alexis Cotton #17625 committed misconduct through the following acts or omissions by:
 - Failing to complete a Traffic Stop Statistical Study, documenting Mr. [REDACTED] traffic stop; and
 - Sustained, violation of Rules 2, 3, 5, and 6, Violation Noted.
 - Failing to complete an Investigatory Stop Report.
 - Sustained, violation of Rules 2, 3, 5, and 6, Violation Noted.

Detective Kevin Knabjian:

1. It is alleged by [REDACTED] that on or about April 13, 2019, at approximately 1:45 p.m., at or near 7200 S. Winchester Ave. Chicago, IL that you, Officer Kevin Knabjian, committed misconduct through the following acts or omissions by:
 - Stopping Mr. [REDACTED] without justification;
 - Not Sustained.
 - Searching Mr. [REDACTED] vehicle without justification;
 - Not Sustained.
 - Failing to provide your name upon request; and
 - Not Sustained.
 - Failing to issue [REDACTED] an Investigatory Stop Receipt.
 - Not Sustained.

2. It is alleged by Deputy Chief Administrator Angela Hearts-Glass that on or about April 13, 2019, at approximately 1:45 p.m., at or near 7200 S. Winchester Ave. Chicago, IL that you, Officer Kevin Knabjian, committed misconduct through the following acts or omissions by:

- Failing to complete a Traffic Stop Statistical Study, documenting Mr. [REDACTED] traffic stop; and
 - Sustained, violation of Rules 2, 3, 5, and 6, Violation Noted.
- Failing to complete an Investigatory Stop Report.
 - Sustained, violation of Rules 2, 3, 5, and 6, Violation Noted.

IV. CREDIBILITY ASSESSMENT

This investigation did not reveal any evidence that caused COPA to doubt the credibility of any of the individuals who provided statements.

V. ANALYSIS²¹

a. Concerning Officer Cotton's and Detective Knabjian's conduct with regard to the traffic stop and its related events

COPA found that the Allegations lodged by [REDACTED] against both Officers, that of stopping Mr. [REDACTED] without justification, of searching Mr. Burdon's vehicle without justification, of failing to provide their names to Mr. [REDACTED] and of failing to issue an Investigatory Stop Receipt, are **not sustained**. The fact that Mr. [REDACTED] was able to report Officer Cotton's Star Number and other verifiable details in his initial complaint lent support to his claim that he had been stopped by Officer Cotton and his then-partner, but that information alone was not sufficient to demonstrate that any wrongdoing had taken place during the encounter. The fact that neither of the Officers could recollect this alleged incident was not surprising given the length of time that elapsed before they were interviewed, but in the absence of their input or of any other supporting evidence, it was not possible to determine whether the specific allegations made by Mr. [REDACTED] were true or not.

b. Concerning the failure of Officer Cotton and Detective Knabjian to document the traffic stop

COPA found that Allegations against both Officers, that of failing to complete a Traffic Stop Statistical Survey and of failing to complete an Investigatory Stop Report, are **sustained**. CPD members are required to "complete and submit a Traffic Stop Statistical Study-Driver Information Card for every traffic stop initiated unless a Personal Service Citation is issued, including traffic stops that result in a physical arrest or the issuance of another type of citation...."²² In the event that a member should issue a Personal Service Citation or other violation during a stop, the member is required to complete a Traffic Stop Statistical Study Sticker and affix it to the violation documentation.²³ Based on COPA's record searches, neither officer completed a TSSS for Mr. [REDACTED] traffic stop.

²¹ For a definition of COPA's findings and standards of proof, *see* Appendix B.

²² SO4-14-09 (V)(A).

²³ SO4-14-09 (V)(C-F).

Additionally, CPD members are required to complete an Investigatory Stop Report each time they conduct an Investigatory Stop and in any situation in which a detention occurs but no other documentation exists.²⁴ COPA did not locate an ISR for this traffic stop, although based on the preponderance of available evidence it was apparent that the Officers conducted an Investigatory Stop in this case and therefore should have completed this documentation.

VI. DISCIPLINARY RECOMMENDATION

a. Officer Alexis Cotton

i. Complimentary and Disciplinary History²⁵

Officer Cotton's complimentary history includes 63 achievements, including one Department Commendation, three Unit Meritorious Performance Awards, and one Top Gun Arrest Award. His recent disciplinary history includes one Sustained allegation for Insubordination, resulting in a Violation Noted.

ii. Recommended Discipline

COPA has found that Officer Cotton violated Rules 2, 3, 5, and 6 by failing to document this traffic stop with a TSSS and an ISR. Officer Cotton denied any wrongdoing during his statement and professed to have no memory of conducting this stop. However, the evidence of the PDT record showed that a name search was conducted on ██████████ which demonstrated that a stop must have occurred and that there must have been an interaction in which Mr. ██████████ name became known to the Officers. The absence of any documentation to record this encounter is contrary to CPD policy, and COPA therefore recommends a 3-day Suspension.

b. Detective Kevin Knabjian

i. Complimentary and Disciplinary History²⁶

Detective Knabjian's complimentary history includes 77 achievements, including six Department Commendations, three Unit Meritorious Performance Awards, one Top Gun Arrest Award, and one Superintendent's Honorable Mention. His recent disciplinary history includes one Sustained allegation for Insubordination, resulting in a Reprimand.

ii. Recommended Discipline

COPA has found that Detective Knabjian, like Officer Cotton, violated Rules 2, 3, 5, and 6 by failing to document the stop of Mr. ██████████ with a TSS and an ISR. Detective Knabjian also stated in his interview that did not have any recollection of this traffic stop. As both Officer Cotton and Detective Knabjian are equally responsible for completing all necessary

²⁴ SO4-13-09 (III)(C-D).

²⁵ Att. 37.

²⁶ Att. 36.

documentation, the disciplinary measure for each should be distributed equally. Therefore, COPA recommends 3-day Suspension.

Approved:

[Redacted Signature]

Sharday Jackson
Deputy Chief Administrator – Chief Investigator

June 29, 2023

Date

Appendix ACase Details

Date/Time/Location of Incident:	April 13, 2019 / 1:45 pm / 7200 S. Winchester Ave., Chicago, IL
Date/Time of COPA Notification:	April 22, 2019 (date of log creation) / Time unknown
Involved Officer #1:	Officer Alexis Cotton / Star #17625 / Employee ID # [REDACTED] / Date of Appointment: March 15, 2013 / Unit of Assignment: 009 / Male / Hispanic
Involved Officer #2:	Detective Kevin Knabjian / Star #21594 / Employee ID # [REDACTED] / Date of Appointment: December 14, 2012 / Unit of Assignment: 610 / Male / White
Involved Individual #1:	[REDACTED] / Male / Black

Applicable Rules

- Rule 2:** Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3:** Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 5:** Failure to perform any duty.
- Rule 6:** Disobedience of an order or directive, whether written or oral.
- Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9:** Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 10:** Inattention to duty.
- Rule 14:** Making a false report, written or oral.
- Rule 38:** Unlawful or unnecessary use or display of a weapon.
- Rule __:** *[Insert text of any additional rule(s) violated]*

Applicable Policies and Laws

- SO4-14-09: Illinois Traffic and Pedestrian Stop Survey (effective March 23, 2018 – present).
- SO4-13-09: Investigatory Stop System (effective July 10, 2017 – present).

Appendix B

Definition of COPA’s Findings and Standards of Proof

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 a proposition is proved.²⁷ For example, 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. 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.”²⁸

²⁷ 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 is found to be more probably true than not).

²⁸ *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4th ed. 2000)).

Appendix C

Transparency and Publication Categories

Check all that apply:

- Abuse of Authority
- Body Worn Camera Violation
- Coercion
- Death or Serious Bodily Injury in Custody
- Domestic Violence
- Excessive Force
- Failure to Report Misconduct
- False Statement
- Firearm Discharge
- Firearm Discharge – Animal
- Firearm Discharge – Suicide
- Firearm Discharge – Unintentional
- First Amendment
- Improper Search and Seizure – Fourth Amendment Violation
- Incidents in Lockup
- Motor Vehicle Incidents
- OC Spray Discharge
- Search Warrants
- Sexual Misconduct
- Taser Discharge
- Unlawful Denial of Access to Counsel
- Unnecessary Display of a Weapon
- Use of Deadly Force – other
- Verbal Abuse
- Other Investigation