

SUMMARY REPORT OF INVESTIGATION

Date/Time/Location of Incident:	June 7, 2019 / 8:53 p.m. / 2416 W. 71st Street
Date/Time of COPA Notification:	June 12, 2019 / 12:09 p.m.
Involved Officer #1: Mahmoud Haleem	Officer Mahmoud Haleem / Star# 14193 / Employee ID# [REDACTED] / Date of Appointment: May 5, 1997 / Police Officer / 8th District / White Male.
Involved Officer #2: Martin Kirkel	Officer Martin Kirkel / Star# 13946 / Employee ID# [REDACTED] / Date of Appointment: February 2, 2015 / Police Officer / 8th District / White Male
Involved Individual #1:	[REDACTED] / DOB [REDACTED] 1980 / Black Male
Involved Individual #2:	[REDACTED] / DOB [REDACTED] 1979 / Black Male
Case Type:	False Arrest

I. ALLEGATIONS

Officer	Allegation	Finding
Officer M. Haleem	1. It is alleged that on or about June 7, 2019, at or near 2416 W. 71st Street, Officer Haleem arrested Mr. [REDACTED] without justification.	Unfounded

II. SUMMARY OF EVIDENCE¹

In a statement to COPA, the complainant, [REDACTED] told investigators that Officer Haleem arrested him for no apparent reason on June 7, 2019. Mr. [REDACTED] said he was merely standing outside when Officer Haleem approached him and told him he was under arrest. Mr. [REDACTED] said he and a female friend had ordered food from Baba’s fast food and he was standing outside smoking a cigarette. Mr. [REDACTED] said he told Officer Haleem that he had ordered food and was waiting for it. Mr. [REDACTED] said he didn’t know why Officer Haleem approached him, and when Officer Haleem told him he was under arrest, he didn’t resist arrest although he didn’t know why he was being arrested. Mr. [REDACTED] also said he believed Officer Haleem was harassing him because he was previously arrested by him.

¹COPA 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.

Bodycam footage from the incident shows that Officers Haleem and Kirkel directed Mr. [REDACTED] and Mr. [REDACTED] to disperse from the area for loitering, which Mr. [REDACTED] refused to do. Officer Kirkel can be heard telling Mr. [REDACTED] that he and [REDACTED] have been standing there all day and have to leave. Mr. [REDACTED] refused to leave the sidewalk in front of Baba's fast food restaurant and defiantly told Officer Haleem that *he* should leave. Officer Haleem then directed Mr. [REDACTED] to put his hands behind his back and Mr. [REDACTED] ignored Officer Haleem's verbal directions, side-stepped Officer Haleem, and then swatted Officer Haleem's arms away when Officer Haleem attempted to handcuff him. Mr. [REDACTED] continued to resist arrest and ignore verbal direction to place his hands behind his back, telling Officer Haleem he wasn't "putting shit behind [his] back." Officer Kirkel eventually handcuffed Mr. [REDACTED] and he was placed into custody.

The arrest report and original case incident report documents that Mr. [REDACTED] and Mr. [REDACTED] were known gang members. The reports document that Mr. [REDACTED] and Mr. [REDACTED] were loitering on the sidewalk in front of Baba's restaurant and were blocking pedestrian foot traffic on the sidewalk. The reports further document there is a no loitering sign posted outside of an adjacent business they were in front of. Mr. [REDACTED] was charged with aggravated battery to a peace officer, resisting arrest, and gang loitering.

III. ANALYSIS AND CONCLUSION

The bodycam footage from the incident corroborates the Officers' account of what happened, as well as the narrative descriptions in the arrest report and the original case incident report. The reports accurately document that Mr. [REDACTED] was loitering in front of a restaurant, refused to disperse from the immediate area, resisted arrest, and struck Officer Haleem.

Mr. [REDACTED] mischaracterizes large portions of the incident in his statement to COPA. He claimed he was merely standing outside smoking; however, Mr. [REDACTED] was not smoking a cigarette but rather standing on the sidewalk in an immovable manner and refused to acknowledge Officer Haleem's order to disperse. Mr. [REDACTED] never mentioned to Officer Haleem that he had ordered food and was waiting for it, but rather told Officers Haleem and Kirkel to "keep it moving." Mr. [REDACTED] claimed he was arrested for no reason, but the reports and bodycam clearly document the reasons for his arrest. Mr. [REDACTED] was arrested by Officer Haleem for driving on a suspended license in May, one month prior to this incident. Whether Mr. [REDACTED] was driving on a suspended license is a factual determination and that incident is unrelated to this arrest. Because COPA finds that Mr. [REDACTED] arrest here was justified, we are not addressing the harassment allegation. Based on the preceding, COPA finds the allegation that Officer Haleem arrested Mr. [REDACTED] without justification is Unfounded.

Approved:

[REDACTED]

5-5-2020

Deputy Chief Administrator – Chief Investigator Date

Appendix A

Assigned Investigative Staff

Squad#:	06
Investigator:	Linda Wyant
Supervising Investigator:	Elaine Tarver
Deputy Chief Administrator:	Angela Hearts-Glass