

SUMMARY REPORT OF INVESTIGATION

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| Date/Time/Location of Incident: | October 24, 2019, 12:23 p.m., 1917 W Division Street |
| Date/Time of COPA Notification: | October 24, 2019, 9:31 p.m. |
| Involved Officer #1: | Vanessa Barajas, star #10608, employee ID# [REDACTED] Date of Appointment: May 16, 2017, PO, Unit 014, DOB: [REDACTED], 1990, Female, White Hispanic |
| Involved Officer #2: | Chavon Trammell, star #14696, employee ID# [REDACTED] Date of Appointment: January 17, 2017, PO, Unit 014, DOB: [REDACTED] 1993, Male, Unknown |
| Involved Individual #1: | [REDACTED] DOB: [REDACTED] 1993, Male, Black |
| Involved Individual #2: | [REDACTED] DOB: [REDACTED] 1996, Male, Black |
| Case Type: | 03Q |

I. ALLEGATIONS

| Officer | Allegation | Finding |
|-------------------------|---|------------------------------|
| Officer Vanessa Barajas | It is alleged by [REDACTED] and [REDACTED] that on or about October 24, 2019 at approximately 12:23 p.m. at or near 1917 W Division Street, Officer Vanessa Barajas, star #10608, committed misconduct through the following acts or omissions, by: 1. profiling [REDACTED] and [REDACTED] and stopping them without justification; and 2. detaining [REDACTED] and [REDACTED] without justification. | Exonerated Exonerated |

II. SUMMARY OF EVIDENCE¹

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 investigations are summarized more succinctly in

On October 24, 2019, ██████████ (██████████ and his friend, ██████████ ██████████ (██████████) went to a nearby store, Smoke Times. As ██████████ and ██████████ exited ██████████ home, they observed a couple down the alley watching them and then quickly leaving.² As ██████████ and ██████████ exited Smoke Times, Officer Vanessa Barajas (Officer Barajas) stopped them, asked where they were coming from because someone called about them.³ Officer Barajas played the call for ██████████ and ██████████⁴ ██████████ said he believed the couple called the police. ██████████ provided his ID to Officer Barajas and ██████████ provided his social security card and information. Officer Adam Jaurigue (Officer Jaurigue) remained with ██████████ and ██████████ while Officer Barajas went to the police vehicle and ran their names. Officer Chavon Trammell and Officer John Ishaq arrived on scene. Officer Barajas returned ██████████ ID and ██████████ social security card and asked if they apologized to the officers for being aggressive. ██████████ explained he was upset because he thought Officer Barajas profiled him but realized it was the couple. ██████████ refused the Investigatory Stop Receipt and said the officers were alright.⁵ While ██████████ believed they were held for approximately twenty (20) minutes after providing identification, BWC shows the entire stop was approximately ten (10) minutes. Investigatory Stop Reports were completed for both ██████████ and ██████████⁶

██████████ explained to COPA that he felt Officer Barajas' treated him and ██████████ like criminals,⁷ and detained him for too long because his ID showed he lived in the neighborhood. Both ██████████ and ██████████ believed they had been racially profiled.⁸

III. ANALYSIS AND CONCLUSION

COPA finds the allegation that Officer Barajas profiled ██████████ and ██████████ ██████████ and stopped them without justification is **Exonerated**. An officer may stop any individual when the officer has reasonable grounds to believe the individual has committed or is about to commit a crime.⁹ It is undisputed that Officer Barajas had reasonable articulable suspicion to stop ██████████ and ██████████ based on a 911 call, which described ██████████ and ██████████ as possibly committing a crime. COPA understands ██████████ and ██████████ frustration and belief that they were racially profiled because police stopped them for exiting ██████████ home from the rear entrance and walking to a corner store to purchase items, which is ██████████ normal routine.

a Modified Summary Report of Investigation, pursuant to COPA Guideline Modified Summary Report of Investigation Template and Approvals, effective February 13, 2019.

² Attachments 7-8.

³ Individual called 911 at approximately 12:15 p.m. reporting two males, black, wearing bright yellow hoodie and Jurassic Park camouflage hoodie, walking north on Wood Street toward Division Street, who do not live in the house, leaving from someone's backyard. Attachment 19.

⁴ ██████████ was wearing a bright yellow hoodie and ██████████ was wearing the camouflage hoodie.

⁵ Attachments 7-8 and 14-17.

⁶ Attachments 10-11.

⁷ While ██████████ felt Officer Barajas treated them like criminals, BWC revealed Officer Barajas did not yell or use inappropriate language, she explained why she stopped him and ██████████ and let ██████████ listen to the OEMC dispatch information for himself to understand why she stopped him.

⁸ Attachments 7-8.

⁹ See A police officer may temporarily detain an individual for an investigatory stop when "the officer's decision is based on specific, articulable facts which warrant the investigative stop intrusion." *People v. Moore*, 286 Ill. App. 3d 649, 653 (3d Dist. 1997) (citing *Terry v. Ohio*, 392 U.S. 1, 21, (1968)); *People v. Stewart*, 242 Ill. App. 3d 599, 605 (1993)). "The police officer must have an 'articulable suspicion' that the person has committed or is about to commit a crime. *Moore*, 286 Ill. App. 3d at 653 (citations omitted).

In this case, [REDACTED] and [REDACTED] issue is with the neighbor who reported them, not with Officer Barajas. Clearly Officer Barajas did her job by stopping [REDACTED] and [REDACTED] within minutes of receiving the 911 information to investigate whether they committed a crime. Therefore, this allegation is **Exonerated**.

COPA finds the allegation that Officer Barajas detained [REDACTED] and [REDACTED] without justification is **Exonerated**. An officer may only temporarily restrict a person's freedom of movement as long as reasonably necessary to dispel or confirm the member's Reasonable Articulate Suspicion of criminal activity.¹⁰ As discussed above, Officer Barajas had reasonable articulable suspicion to believe [REDACTED] and [REDACTED] were the subjects of a 911 call. The detention lasted less than ten minutes. Time was prolonged because Officer Barajas played the OEMC call for [REDACTED] because he did not believe that he matched a description. The name checks also took longer due to [REDACTED] only possessing a social security card requiring further inquiry to confirm his identity. Officer Barajas released [REDACTED] and [REDACTED] a short period of time after she determined they were not involved in the commission of a crime. Therefore, this allegation is **Exonerated**.

Approved:

[REDACTED]

5-5-2020

Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

Date

¹⁰ Special Order S04-13-09 VIII.A.6.

Appendix A

Assigned Investigative Staff

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| Squad#: | Six |
| Investigator: | Elizabeth Brett |
| Supervising Investigator: | Elaine Tarver |
| Deputy Chief Administrator: | Angela Hearts-Glass |