



Log # 2022-0401

## FINAL SUMMARY REPORT<sup>1</sup>

### I. EXECUTIVE SUMMARY

On February 3, 2022, the Civilian Office of Police Accountability (COPA) received a telephone complaint from ██████████ reporting alleged misconduct by two members of the Chicago Police Department (CPD). ██████████ alleged that on January 28, 2022, Officer Mario Fuentes and Sergeant (Sgt.) Edward Ranzzoni seized his person, used restraints on him for longer than was reasonable, searched his vehicle, and seized his vehicle, all without justification. Additionally, he alleged that Officer Fuentes engaged in a verbal altercation with him and used excessive force while detaining him, also without justification.<sup>2</sup> Following its investigation, COPA reached sustained findings regarding the allegations of Officer Fuentes engaging in an unjustified verbal altercation, of both Officer Fuentes and Sgt. Ranzzoni using restraints on ██████████ for longer than was reasonable, and of both Officer Fuentes and Sgt. Ranzzoni seizing ██████████ and his vehicle without justification.

### II. SUMMARY OF EVIDENCE<sup>3</sup>

On January 28, 2022, at approximately 12:40 pm, Officer Fuentes and Sgt. Ranzzoni were engaged in a parking enforcement operation aimed at moving illegally parked vehicles out of tow zones to make space for snowplows deployed to combat an approaching snowstorm. Officer Fuentes was driving an unmarked police vehicle, Sgt. Ranzzoni was sitting in the back seat, and they were also accompanied by Officer Felix Vega and Officer Jorge Garza. The body-worn camera (BWC) evidence from this incident showed that before they engaged with ██████████ the officers had passed two other cars parked in the same tow zone on E Superior St. without writing tickets for them, with Officer Fuentes commenting at one point, “Nobody in this car, can’t tell them to leave.”<sup>4</sup> During his recorded interview, Officer Fuentes explained that he had made the decision to conduct a stop on ██████████ when he observed him beginning to drive away, which in his view, indicated that ██████████ might have been trying to avoid contact with the police because he had weapons or contraband with him. Specifically, Officer Fuentes stated, “[T]o my knowledge and experience, that street alone, I’ve recovered many firearms off that street based off similar actions where someone looks at the police engaging in police activity such as talking to someone

---

<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including BWC footage, police reports, officer interviews, and a civilian interview.

<sup>4</sup> Att. 3 at 12:39:26 to 12:40:06.

on a tow zone, they realize they're in a tow zone and that – they know that we're going to talk to them. So in my eyes, that built up to my reasonable suspicion that he might be falling into that.”<sup>5</sup>

Officer Fuentes drove alongside [REDACTED] and addressed him through the window of the police vehicle, saying, “What's going on, boss? About to pull off? Do me a favor. Hold up.”<sup>6</sup> Officer Fuentes pulled in front of [REDACTED] vehicle, and he and Sgt. Ranzzoni both got out to speak with him. As they approached [REDACTED] who was seated in the driver's position of his white Audi SUV, [REDACTED] immediately began loudly complaining that the officers were “harassing Black people.”<sup>7</sup> When [REDACTED] stated, “I'm a law-abiding citizen,” Officer Fuentes said, “I don't care what you are.”<sup>8</sup> [REDACTED] continued speaking assertively and at one point also began raising his previously-opened driver-side window, to which the officers objected. [REDACTED] also initially resisted cooperating with Officer Fuentes' request that he lower his front passenger-side window. Eventually, the officers ordered him to exit the vehicle and Officer Fuentes began attempting to detain him in handcuffs.

[REDACTED] actively resisted the officers' efforts to handcuff him, stiffening his arms and pulling them away while Officer Fuentes repeatedly ordered him to stop resisting.<sup>9</sup> The officers eventually used three pairs of handcuffs to secure [REDACTED] who loudly complained of his arm being bent by their efforts.<sup>10</sup> During the handcuffing process, [REDACTED] expressed his displeasure by making angry remarks and directing the word “nigga” at officers at least twice.<sup>11</sup> Officer Fuentes responded to [REDACTED] by saying, “First of all, I'm not a ‘nigga.’ What the fuck is your problem?”<sup>12</sup> Officer Fuentes then announced that [REDACTED] vehicle was going to be towed.<sup>13</sup> When [REDACTED] asked why, Sgt. Ranzzoni responded by saying, “You're parked in a tow zone! You're parked in a tow zone, big guy!”<sup>14</sup> Shortly afterward, Officer Fuentes shouted to [REDACTED] “Your fifty-thousand-dollar car is my car now! No, no, it's my car now! It's my car now! It's my car now! My car now!”<sup>15</sup> Officer Fuentes stated during his interview that he had detected the odor of burnt cannabis coming from the vehicle while [REDACTED] was being removed from it, and he subsequently conducted a narcotics search of the vehicle.<sup>16</sup> No narcotics were found. The officers kept [REDACTED] in handcuffs for approximately another twelve minutes as Officer Fuentes radioed for a tow with Sgt. Ranzzoni's approval.<sup>17</sup> GPS data from the police vehicle showed that the officers remained on scene for over an hour while waiting for the arrival of a tow truck.<sup>18</sup>

---

<sup>5</sup> Att. 33, pg. 17, lns. 7 to 15.

<sup>6</sup> Att. 3 at 12:40:20.

<sup>7</sup> Att. 3 at 12:40:38.

<sup>8</sup> Att. 3 at 12:40:46 to 12:40:49.

<sup>9</sup> Att. 3 at 12:42:08 to 12:42:50.

<sup>10</sup> Att. 3 at 12:42:08.

<sup>11</sup> Att. 2 at 12:42:40.

<sup>12</sup> Att. 3 at 12:42:43.

<sup>13</sup> Att. 3 at 12:43:26.

<sup>14</sup> Att. 3 at 12:43:26.

<sup>15</sup> Att. 3 at 12:43:30.

<sup>16</sup> Att. 33, pg. 22, lns. 6 to 14.

<sup>17</sup> Att. 3 at 12:43:30 to 12:55:56.

<sup>18</sup> Atts. 2 and 3 at 12:43:30 and following of each demonstrate the continuation of the officers' interaction with [REDACTED] also, Att. 13 shows the record of GPS data.

Throughout this time, ██████ waited outside and remained near his vehicle.<sup>19</sup> During his statement with COPA, Officer Fuentes explained that he and the other officers were specifically waiting for the tow truck to arrive to prevent ██████ from getting back into his vehicle and driving away in it.<sup>20</sup>

██████ was issued a parking citation (Citation No. 0071993504) and charged with parking in a tow zone where signs are posted.<sup>21</sup> His vehicle was towed under Section 9-92-030(f) of the Municipal Code of Chicago (MCC), which authorizes towing "[w]hen an unattended vehicle is parked illegally in an officially designated and marked 'tow zone....'"<sup>22</sup> An administrative law judge from the Department of Administrative Hearings later found ██████ "not liable" for the violation because the City of Chicago failed to meet its burden of proof.<sup>23</sup>

### III. ALLEGATIONS

#### **Officer Mario Fuentes:**

On January 28, 2022, commencing at about 12:40 p.m., at or near 131 East Superior Street, Chicago, Illinois, Officer Mario A. Fuentes committed misconduct through the following acts and/or omissions:

1. Officer Fuentes engaged in a verbal altercation with ██████ without justification;
  - Sustained, Violation of Rules 2, 3, 8, and 9.
2. Officer Fuentes seized the person of ██████ without justification;
  - Sustained, Violation of Rules 2, 3, and 6.
3. Officer Fuentes used excessive force in detaining ██████
  - Exonerated.
4. Officer Fuentes used restraints in detaining ██████ without justification or for longer than was reasonable;
  - Sustained, Violation of Rules 2, 3, 5, 6, and 10.
5. Officer Fuentes searched the vehicle of ██████ and/or caused the search of the vehicle of ██████ without justification; and/or
  - Not Sustained.
6. Officer Fuentes seized the vehicle of ██████ without justification.
  - Sustained, Violation of Rules 2, 3, 5, 10, and 11.

#### **Sgt. Edward Ranzoni:**<sup>24</sup>

On January 28, 2022, commencing at about 12:40 p.m., at or near 131 East Superior Street, Chicago, Illinois, Sergeant Edward J. Ranzoni committed misconduct through the following acts and/or omissions:

<sup>19</sup> Att. 11 at 13:04:50 to 13:06:08; Att. 12 at 13:17:28 to 13:18:02.

<sup>20</sup> Att. 33, pg. 33, lns. 7 to 22.

<sup>21</sup> MCC 9-64-150(b).

<sup>22</sup> Att. 17 documents the FOIA response COPA received from the Department of Administrative Hearings.

<sup>23</sup> Att. 17, pg. 12.

<sup>24</sup> COPA received an Affidavit Override from CPD's Bureau of Internal Affairs to proceed with allegations against Sgt. Ranzoni without a signed affidavit from ██████ See Att. 24.

1. Sergeant Ranzzoni seized the person of ██████████ directed such seizure, approved such seizure, and/or failed to intervene to stop such seizure, without justification;
  - Sustained, Violation of Rules 2, 3, 6, and 11.
2. Sergeant Ranzzoni used restraints in detaining ██████████ without justification and/or for longer than was reasonable, directed the use of such restraints, approved the use such restraints, and/or failed to intervene to stop such use of restraints;
  - Sustained, Violation of Rules 2, 3, 5, 6, and 10.
3. Sergeant Ranzzoni searched the vehicle of ██████████ and/or caused the search of the vehicle of ██████████ without justification, and/or Sergeant Ranzzoni directed such search, approved such search, and/or failed to intervene to stop such search; and/or
  - Not Sustained.
4. Sergeant Ranzzoni seized the vehicle of ██████████ without justification, directed such seizure, and/or failed to intervene to stop such seizure.
  - Sustained, Violation of Rules 2, 3, 5, 10, and 11.

#### 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. ANALYSIS<sup>25</sup>

##### a. Regarding Officer Fuentes's verbal altercation with ██████████

COPA found that Allegation #1 against Officer Fuentes, that of having engaged in an unjustified verbal altercation with ██████████ is **sustained**. The CPD's Rules of Conduct establish a list of acts which are expressly prohibited for all members, including Rule 8 which states that officers may not engage in any behavior that would result in disrespect toward or maltreatment of any person.<sup>26</sup> Additionally, Rule 9 states that members are not permitted to engage in any unjustified verbal or physical altercation with any person.<sup>27</sup> During his interview with COPA, Officer Fuentes was asked why he told ██████████ "I don't care what you are," as evidenced by the BWC video.<sup>28</sup> Officer Fuentes' answered, "He said he was a law-abiding citizen at that point, which he wasn't. And I said, 'I don't care what you are.'"<sup>29</sup> When asked if he had a law enforcement purpose for saying this to ██████████ Officer Fuentes answered, "Probably not."<sup>30</sup> Following this, Officer Fuentes was asked if it was reasonable to say he regretted saying this to

<sup>25</sup> For a definition of COPA's findings and standards of proof, *see* Appendix B.

<sup>26</sup> Rules and Regulations of the Chicago Police Department, (V) Rules of Conduct, Rule 8, pg. 7 (effective April 16, 2015 to present).

<sup>27</sup> Rules and Regulations of the Chicago Police Department, (V) Rules of Conduct, Rule 9, pg. 7 (effective April 16, 2015 to present).

<sup>28</sup> Att. 3 at 12:40:47.

<sup>29</sup> Att. 33, pg. 20, lns. 15 to 17.

<sup>30</sup> Att. 33, pg. 20, lns. 19 to 21.

██████████ to which he responded, “Oh, absolutely.”<sup>31</sup> When asked again to directly confirm whether he felt regretful for saying this, he answered, “Yeah.”<sup>32</sup>

During the struggle to handcuff ██████████ Officer Fuentes also said, “First of all, I’m not a ‘nigga.’ What the fuck is your problem?” in response to insulting comments ██████████ had made.<sup>33</sup> In his interview with COPA, the officer was asked to explain the language he had used during his interaction with ██████████ to which he answered that he had felt “frustrated given the weather, having – trying to do your job and having someone escalate you. It was just a back and forth matter. Again, I do regret that at that time.”<sup>34</sup>

In addition to Rules 8 and 9 which restrict CPD members from disrespecting or otherwise engaging in altercations with others, members are also expected to “use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time.”<sup>35</sup> When specifically asked if he believed his behavior was escalating the situation rather than de-escalating, Officer Fuentes agreed that he was escalating it, saying, “Yes, I was feeding into an argument with the complainant.”<sup>36</sup> Due to the fact that he did not de-escalate the conflict, used profanity while addressing a citizen, and mirrored a racial epithet back at a civilian, COPA finds that Allegation #1 against Officer Fuentes is **sustained**.

**b. Regarding the roles Officer Fuentes and Sergeant Ranzzoni played in detaining ██████████ and in searching his vehicle**

**i. Seizing the person of ██████████**

COPA found that Allegation #2 against Officer Fuentes, that of having seized the person of ██████████ without justification, and Allegation #1 against Sgt. Ranzzoni, that of having seized, directed to be seized, or of otherwise having approved the act of seizing ██████████ without justification, are **sustained**. CPD members are authorized to conduct an investigatory stop on a person “based on Reasonable Articulate Suspicion that the person is committing, is about to commit, or has committed a criminal offense.”<sup>37</sup> Reasonable Articulate Suspicion is defined as “an objective legal standard that is less than probable cause but more substantial than a hunch or general suspicion.”<sup>38</sup>

However, during his interview, Officer Fuentes explained that he decided to conduct this stop because ██████████ had seemed about to drive away, and because in his own prior experience he had “recovered many firearms off that street based off similar actions . . . such as talking to

<sup>31</sup> Att. 33, pg. 20, lns. 22 to 24.

<sup>32</sup> Att. 33, pg. 21, lns. 1 to 2.

<sup>33</sup> Att. 3 at 12:42:43.

<sup>34</sup> Att. 33, pgs. 23 to 24.

<sup>35</sup> Att. 37, G03-02(III)(C), De-escalation, Response to Resistance, and Use of Force (effective April 15, 2021 to present).

<sup>36</sup> Att. 33, pg. 28, lns. 5 to 6.

<sup>37</sup> Att. 38, S04-13-09(II)(A), Investigatory Stop System (effective July 10, 2017 to present).

<sup>38</sup> Att. 38, S04-13-09(II)(C).

someone on a tow zone . . . .”<sup>39</sup> He added that these previous experiences caused him to believe this could have been a similar situation and that ██████ “might be armed at that time or have contraband.”<sup>40</sup> Bearing in mind that the officers’ purpose for being on E Superior St. at this time was to move vehicles out of the tow zone in preparation for the arrival of snowplows, COPA considered Officer Fuentes’s decision to physically block ██████ vehicle and detain him merely because of his apparent willingness to depart from the tow zone to be contrary to their established parking enforcement mission. More importantly, Officer Fuentes’s explanation for the cause of this detention had not amounted to a reason “more substantial than a hunch or general suspicion” and therefore did not establish the Reasonable Articulate Suspicion required for an investigatory stop.<sup>41</sup>

When asked about his motive for removing ██████ from the vehicle, Officer Fuentes said his decision was determined by “the totality of the circumstances at that point. Again, he didn’t want to roll down that window for my partner. He rolled his window back up on me. He dropped his hands. He kept moving around in the vehicle. At that point, those actions are, to me, to my knowledge and experience, are indicative to those who have contraband at that point.”<sup>42</sup> COPA also noted that Sgt. Ranzzoni had not intervened to learn what Officer Fuentes’s thought process was or to prevent him from making an unjustified stop. During Sgt. Ranzzoni’s interview, he said it was his practice to allow the officers under his supervision to make their own decisions about the stops they initiated in his presence, specifically saying, “Officer Fuentes was initiating it so it would be ultimately up to him.”<sup>43</sup> Due to the fact that this detention was not supported by Reasonable Articulate Suspicion, and that Sgt. Ranzzoni was complicit in allowing it to occur, COPA finds that Allegation #2 against Officer Fuentes and Allegation #1 against Sgt. Ranzzoni are **sustained**.

## ii. Use of force

COPA found that Allegation #3 against Officer Fuentes, that of using excessive force in detaining ██████ is **exonerated**. When questioned about the reason why he chose to detain ██████ in handcuffs, Officer Fuentes said he made the decision “because he just wasn’t listening. He was getting loud. He was already irate. He’s a big guy. God forbid if we got into a fight, he probably would have beat us all up.”<sup>44</sup> Officers have broad discretion in determining which situations require a temporary detention to ensure the safety of all persons involved, and although the act of seizing ██████ had been improper, COPA found that the amount of force that Officer Fuentes employed while restraining him in handcuffs was not excessive.

Every interaction between police officers and citizens involves a spectrum of potential force usage, as even the mere presence of a uniformed officer qualifies as a minimal use of force.<sup>45</sup> CPD members are trained to view the use of force according to whether the subject involved is a

<sup>39</sup> Att. 33, pg. 17, lns. 9 to 12.

<sup>40</sup> Att. 33, pg. 17, lns. 17 to 18.

<sup>41</sup> Att. 38, S04-13-09(II)(C).

<sup>42</sup> Att. 33, pg. 21, lns. 8 to 14.

<sup>43</sup> Att. 34, pg. 24, lns. 3 to 4.

<sup>44</sup> Att. 33, pg. 23, lns. 1 to 4.

<sup>45</sup> Att. 39, G03-02-01(IV)(A), Response to Resistance and Force Options (effective April 15, 2021 to present).

cooperative person, a passive resister, an active resister, or an assailant, with greater levels of force being permitted as the subject's behavior becomes more dangerous.<sup>46</sup> In this case, the BWC video showed [REDACTED] stiffening his arms, ignoring instructions, and generally behaving in a manner consistent with an active resister.<sup>47</sup> Once Officer Fuentes had determined that the safest course of action was for [REDACTED] to be restrained, [REDACTED] resistance to the officers' efforts was unlawful and may have warranted increasing uses of force to obtain his compliance. COPA found that under the circumstances, Officer Fuentes's actions while applying the handcuffs to [REDACTED] were within established policy and did not involve any excessive use of force. On the contrary, the use of three interlinked pairs of handcuffs on [REDACTED] which relieved him from having to stretch his arms too far behind his back, appeared to be an act of consideration for [REDACTED] comfort during this detention. COPA also found it telling that, during his recorded statement, [REDACTED] had indicated that the particular issue he had with the way he was restrained was related to the difficulty he felt in trying to hold his arms behind his back. He related his experience of being handcuffed by Officer Fuentes by saying, "I'm telling him, um, stop bending my arm. I'm a big guy; you got to double-cuff me."<sup>48</sup> In fact, [REDACTED] had been triple-cuffed by the officers to cause him less stretching and distress, and this contributed to COPA's finding that no excessive force was used in this situation. As such, COPA finds Allegation #3 against Officer Fuentes is **exonerated**.

### iii. Use of restraints without regard for the time duration of detention

COPA found that Allegation #4 against Officer Fuentes and Allegation #2 against Sgt. Ranzoni, both of which concern the use of restraints on [REDACTED] without justification and/or for longer that was reasonable, are **sustained**. The application of handcuffs to a subject constitutes a use of force which is meant to ensure the compliance of a detainee or arrestee, but as with any use of force the practice of handcuffing must be "objectively reasonable, necessary, and proportional."<sup>49</sup> The requirement to be objectively reasonable, which is at issue in the case of these allegations, cannot be strictly defined but according to CPD policy is guided by concerns such as whether the person is posing an imminent threat to others, the risk of harm or level of resistance presented by that person, the person's proximity or access to weapons, and other factors.<sup>50</sup> In this situation, [REDACTED] was handcuffed after he exited his vehicle for officer safety, but after he had begun behaving in a substantially calmer manner and it was evident to all the officers that he was merely being ticketed rather than arrested, it would have been most reasonable to release the cuffs. The fact that Officer Fuentes and Sgt. Ranzoni did not release them until after more than twelve minutes had elapsed was unreasonable under the circumstances. Consequently, COPA finds that these allegations are **sustained**.

---

<sup>46</sup> Att. 39, G03-02-01(IV)(A-C).

<sup>47</sup> Att. 3 at 12:42:08 to 12:42:50.

<sup>48</sup> Att. 16 at 5:34 to 5:39.

<sup>49</sup> Att. 37, G03-02(II)(D).

<sup>50</sup> Att. 37, G03-02(III)(B).

#### iv. Searches of the vehicle

COPA found that Allegation #5 against Officer Fuentes and Allegation #3 against Sgt. Ranzzoni, both of which concern the act of searching [REDACTED] vehicle or of causing it to be searched without justification, are **not sustained**. Warrantless searches of citizens and their property have been strictly limited by the Fourth Amendment of the United States Constitution and the Illinois Constitution, which established “the right of individuals to be free from unreasonable searches and seizures.”<sup>51</sup> However, under current law, police officers have been permitted to conduct impromptu searches of individuals under specific circumstances, such as when the officers have a reasonable suspicion that a subject may be armed and are able to articulate the basis for that suspicion.<sup>52</sup> Additionally, the law has permitted police officers to conduct a limited search of an individual’s vehicle during a traffic stop provided that they have a reasonable articulable suspicion that a weapon is located there.<sup>53</sup> If the circumstances of the situation are such that an officer has probable cause to believe that the vehicle contains contraband or evidence of a crime, a warrantless search is permitted provided that the type of search is limited to the range of possible locations suggested by the scope of the potential crime being investigated.<sup>54</sup>

In the case of the vehicle searches conducted in this incident, Officer Fuentes stated during his interview that he had smelled the odor of burnt cannabis emanating from the vehicle when [REDACTED] was removed from it.<sup>55</sup> If true, this would have constituted sufficient probable cause to search the vehicle in the places where cannabis or other drugs would be likely to be hidden. However, no drugs were found during the searches, and as a result COPA cannot positively confirm that Officer Fuentes actually smelled cannabis in the vehicle and did not simply claim to have smelled it to create a pretext for a search. In the absence of any other evidence confirming the probable cause, COPA found that these search-related allegations can be neither proven nor disproven and are therefore **not sustained**.

#### c. Regarding the impounding of [REDACTED] vehicle

COPA found that Allegation #6 against Officer Fuentes, that of having seized [REDACTED] vehicle without justification, and Allegation #4 against Sgt. Ranzzoni, that of having unjustifiably seized, directed to be seized, or of otherwise having approved the act of seizing [REDACTED] vehicle, are **sustained**. The fact that the citation that was used to tow the vehicle had originally been intended to apply only to unattended vehicles was a telling point, as was the fact that neither Officer Fuentes nor Sgt. Ranzzoni had been aware that they had made a mistake in towing [REDACTED] attended vehicle. When Sgt. Ranzzoni was asked during his interview about the municipal ordinance that was cited for the towing of [REDACTED] vehicle, he explained that he had not been aware that the ordinance specified was to be used to tow unattended vehicles.<sup>56</sup> He added, “Otherwise, I wouldn’t have approved that report that day on body camera.”<sup>57</sup> Officer Fuentes was

<sup>51</sup> People v. Colyar, 2013 IL 111835, ¶ 31 (citing U.S. Const., amend. IV; Ill. Const. 1970, art. I, § 6).

<sup>52</sup> Arizona v. Johnson, 555 U.S. 323 (2009).

<sup>53</sup> Michigan v. Long, 463 U.S. 1032 (1983).

<sup>54</sup> Maryland v. Dyson, 527 U.S. 465 (1999).

<sup>55</sup> Att. 33, pg. 22, lns. 6 to 14.

<sup>56</sup> Att. 34, pg. 34, lns. 9 to 18.

<sup>57</sup> Att. 34, pg. 34, lns. 20 to 21.



also questioned about the same ordinance, and answered, “I believe to my knowledge, to my understanding, that’s a tow zone, no park, no stand any time. I think that’s what it – what that goes to.”<sup>58</sup>

With regard to the reason the decision was made to tow [REDACTED] vehicle, Officer Fuentes said his thought process was motivated in part by the negative experience he had with [REDACTED] saying, “[A]t that point, I also wanted to tow the vehicle based on he had escalated the situation and his only warning at that point was the actual sign that was posted that it was a tow zone.”<sup>59</sup> Sgt. Ranzzoni said in his statement that he had allowed the officers under his supervision to use their own discretion to initiate stops and to make decisions about how to handle them: “I think it’s fair to say the – it’s the officer’s discretion. And if I – if I – it’s up to them. I either back them up if I feel it’s within policy. I’ll agree or not. But it’s up to the officer.”<sup>60</sup> Sgt. Ranzzoni then further clarified the reason why he permitted Officer Fuentes to have such control over the decisions relating to the stop, saying, “He’s initiating the stop. So whoever initiates it. It could be the passenger saying, ‘I want to pull that car over,’ but Officer Fuentes was initiating it so it would be ultimately up to him.”<sup>61</sup> When asked if he thought Officer Fuentes had displayed any unacceptable conduct during the stop, Sgt. Ranzzoni answered, “No. Absolutely not.”<sup>62</sup>

[REDACTED] was on scene, not being arrested and had the ability to move his vehicle. His vehicle was not unattended. Thus, COPA finds that Allegation #6 against Officer Fuentes and Allegation #4 against Sgt. Ranzzoni are **sustained**.

---

<sup>58</sup> Att. 33, pg. 40, lns. 20 to 22.

<sup>59</sup> Att. 33, pg. 21, lns. 15 to 18.

<sup>60</sup> Att. 34, pg. 23, lns. 13 to 17.

<sup>61</sup> Att. 34, pg. 24, lns. 1 to 4.

<sup>62</sup> Att. 34, pg. 39, ln. 19.

## VI. DISCIPLINARY RECOMMENDATION

### a. Officer Mario Fuentes

#### i. Complimentary and Disciplinary History<sup>63</sup>

Officer Fuentes's complimentary history is comprised of 150 awards, including one Superintendent's Award of Tactical Excellence, one Unit Meritorious Performance Award, one Military Service Award, one Police Officer of the Month Award, and 143 Honorable Mentions. His recent disciplinary history includes a January 2021 sustained finding (Operation/Personnel Violations Neglect of Duty) resulting in a Reprimand.

#### ii. Recommended Discipline

COPA has considered Officer Fuentes's complimentary and disciplinary history. Officer Fuentes engaged in a verbal altercation with ██████████ without justification, seized ██████████ and his vehicle without justification, detained ██████████ without justification or for longer than was reasonable, and seized his vehicle without justification, in violation of Rules 2, 3, 5, 6, 8, 9, 10 and 11. COPA notes that Officer Fuentes admitted that he had escalated rather than de-escalated the situation with ██████████ and he said he felt regret for his conduct. He also expressed his confusion about the towing ordinance he had misapplied, and COPA accepts that he probably made a genuine mistake in that aspect of the encounter. However, his insistence on towing the vehicle was unreasonable. Additionally, the angry and even taunting attitude he used when interacting with a civilian was unsuited to a law enforcement professional. COPA also finds that, although ██████████ used it first, the racial epithet that Officer Fuentes mirrored back at ██████████ was particularly offensive. Considering these sustained allegations, COPA recommends that Officer Fuentes receive a **45-day suspension** and undergo de-escalation retraining before being returned to duty.

### b. Sgt. Edward Ranzoni

#### i. Complimentary and Disciplinary History<sup>64</sup>

Sgt. Ranzoni's complimentary history is comprised of 64 awards, including one Life Saving Award, seven Complimentary Letters, 16 Emblem of Recognition – Physical Fitness Awards, and 35 Honorable Mentions. His disciplinary history includes an October 2019 sustained finding (Operation/Personnel Violations Misuse of Department Equipment/Supplies) resulting in a Reprimand.

#### ii. Recommended Discipline

COPA has considered Sgt. Ranzoni's complimentary and disciplinary history and has sustained allegations related to seizing ██████████ and his vehicle without justification and

---

<sup>63</sup> Att. 35.

<sup>64</sup> Att. 36.

holding him in restraints for an unreasonable amount of time, in violation of Rules 2, 3, 5, 6, 10 and 11. COPA found it significant that throughout the encounter with [REDACTED] Sgt. Ranzzoni allowed Officer Fuentes to behave as if he felt he was entirely in charge rather than the sergeant. At one point, Officer Fuentes even seemed to give an order to his supervisor by saying, "Sarge, tell him to get out of the car," to which instruction Sgt. Ranzzoni immediately complied.<sup>65</sup> This, combined with the fact that Sgt. Ranzzoni had been complicit in towing [REDACTED] vehicle without legal justification, has led COPA to believe that the sergeant's lack of leadership was inappropriate for a CPD member tasked with leading officers in the field and substantially contributed to the outcome in this case. For these reasons, COPA recommends that Sgt. Ranzzoni receive a **60-day suspension** and undergo supervisory retraining before being returned to duty.

Approved:

[REDACTED]

Sharday Jackson  
*Deputy Chief Administrator – Chief Investigator*

May 30, 2023

Date

---

<sup>65</sup> Att. 3 at 12:41:28.

Appendix ACase Details

|                                 |   |
|---------------------------------|---|
| Date/Time/Location of Incident: | January 28, 2022 / 12:40 PM / 131 E. Superior Street, Chicago, Illinois   |
| Date/Time of COPA Notification: | February 3, 2022 / Approximately 9:28 AM  |
| Involved Officer #1:            | Mario Fuentes / Star #9793 / Employee ID # [REDACTED] / Date of Appointment: June 16, 2017 / Unit of Assignment: 018 / Male / Hispanic          |
| Involved Officer #2:            | Edward Ranzoni / Star #1776 / Employee ID # [REDACTED] / Date of Appointment: May 26, 1998 / Unit of Assignment: 018 / Male / Race Undetermined |
| 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 11:** Incompetency or inefficiency in the performance of duty.

Applicable Policies and Laws

- MCC 9-64-150: Parking prohibited – Fire stations, railroad crossings and hazardous locations (effective November 13, 2007 – present).
- G03-02: De-escalation, Response to Resistance, and Use of Force (effective April 15, 2021 – present).
- GO3-02-01: Response to Resistance and Force Options (effective April 15, 2021, to present).
- G08-05: Prohibition of Retaliation (effective December 30, 2020 – 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.<sup>66</sup> 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.”<sup>67</sup>

---

<sup>66</sup> 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).

<sup>67</sup> *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4<sup>th</sup> 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