



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

### I. EXECUTIVE SUMMARY

On December 13, 2023, the Civilian Office of Police Accountability (COPA) received an initiation report from Sergeant Harold Robinson documenting that ██████████ had reported alleged misconduct by members of the Chicago Police Department (CPD). ██████████ alleged that on December 13, 2023, four CPD members, later identified as Officers Demetrius Robinson-Stanford, Michael Baciu, Anthony Alvarez, and Jacob Geary improperly detained him and searched him without justification.<sup>2</sup> Upon review of the evidence, COPA served additional allegations that Officers Demetrius Robinson-Stanford, Michael Baciu, Anthony Alvarez, and Jacob Geary failed to turn on their body-worn cameras (BWC) and failed to complete an Investigatory Stop Report (ISR). Following its investigation, COPA reached sustained findings regarding the allegations of unjustified detention and search, failure to complete an ISR, and failure to activate BWC.

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

On December 13, 2022, at approximately 6:10 pm, Officers Demetrius Robinson-Stanford, Michael Baciu, Anthony Alvarez, and Jacob Geary drove southbound in an unmarked SUV (later identified as vehicle 4620, bearing license number MP11 402) near the 300 block of W Jackson Blvd. and S Kedzie Ave.<sup>4</sup> As they approached the southwest corner of Kedzie Ave. and W Jackson Blvd., the officers made a U-turn and stopped within a few feet of ██████████<sup>5</sup> who was walking northbound on the sidewalk along Kedzie Ave. The front-seat passenger officer (later identified as Officer Alvarez) immediately left the car and approached ██████████<sup>6</sup> The back-seat passenger-side officer (later identified as Officer Baciu) came behind Officer Alvarez and immediately joined him.<sup>7</sup> With both officers next to ██████████ identified himself by name and asked why he had been stopped. Officer Alvarez told ██████████ that they (the officers) had a bulletin with his name on

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<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 Global Positioning System (GPS) data, Police Observation Device (POD) camera recordings, BWC recordings, civilian interviews, and CPD member interviews.

<sup>4</sup> Atts. 13, 14, and 32.

<sup>5</sup> Att. 3, POD 711W at 6:17:15.

<sup>6</sup> Att. 2 at 6:16 to 7:13.

<sup>7</sup> Att. 2 at 7:24 to 8:21.

it at the station on Kedzie. In turn, ██████ told the officers he could not be the person on the bulletin as he had just gone to court.<sup>8</sup> ██████ was then told by Officer Baciu not to run.<sup>9</sup>

Officer Alvarez pushed ██████ up against a fence, and both officers searched him. Both officers went into ██████ jacket pockets.<sup>10</sup> Officer Alvarez ran his hand along ██████ waistband,<sup>11</sup> and Officer Baciu checked ██████ left jacket pockets. As the officers completed the search, the driver of the police vehicle, later identified as Officer Robinson-Stanford,<sup>12</sup> joined Officers Alvarez and Baciu, who told him that ██████ did not have any contraband. The officers allowed ██████ to leave, returned to their vehicle, and drove southbound on S Kedzie Ave. A fourth officer, later identified as Officer Geary, was seated in driver-side back seat,<sup>13</sup> but he remained in the vehicle throughout the incident.<sup>14</sup> The officers did not offer or issue ██████ an Investigatory Stop Receipt.

### III. ALLEGATIONS

#### **Officers Demetrius Robinson-Stanford, Anthony Alvarez and Michael Baciu:**

1. Detaining ██████ without justification.
  - Sustained, Violation of Rules 2, 3, 6, and 8.

#### **Officers Demetrius Robinson-Stanford, Anthony Alvarez and Michael Baciu:**

2. Searching ██████ without justification.

##### **Officer Demetrius Robinson-Stanford**

- Unfounded

##### **Officers Antony Alvarez and Michael Baciu**

- Sustained, Violation of Rules 2, 3, 6, and 8.

#### **Officers Demetrius Robinson-Stanford, Anthony Alvarez, Michael Baciu, and Jacob Geary:**

3. Failed to complete an Investigative Stop Report, in violation of Special Order S04-13-09 (10 July 2017).
  - Sustained, Violation of Rules 2, 3, 5, 6, 10, and 11.
4. Failed to activate his Body Worn Camera, in violation of Special Order S03-14 (30 April 2018).
  - Sustained, Violation of Rules 2, 3, 5, 6, 10, and 11.

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<sup>8</sup> Att.49. ██████ criminal history report indicated he was arrested on April 21, 2022, for misdemeanor aggravated assault/use of a deadly weapon. On November 11, 2022, he was put on supervised probation concerning the matter.

<sup>9</sup> Att. 2 at 10:27 to 10:59. ██████ said he was not sure why Officer Baciu told him not to run.

<sup>10</sup> Att. 2 at 12:49.

<sup>11</sup> Att. 2 at 13:11.

<sup>12</sup> Att. 2 at 7:24 to 8:21.

<sup>13</sup> Att. 2 at 10:04 to 10:10.

<sup>14</sup> Att. 2 at 10:58.

#### IV. CREDIBILITY ASSESSMENT

Besides ██████ eyewitness testimony, there is no direct evidence that the officers physically restrained and searched him. Therefore, COPA must make a finding based on the parties' credibility. An individual's credibility relies primarily on two factors: 1) the individual's truthfulness; and 2) the reliability of the individual's account. Factor one addresses the honesty of an individual making a statement. Factor two speaks to an individual's capacity to accurately assess the event as it occurred and then accurately recall the event from memory. ██████ stayed consistent with his version of the events. He did not wait to report it; instead, he reported the incident to the sergeant at the 11th District station within minutes.<sup>15</sup> In his COPA interview, ██████ said that the officers stopped their vehicle alongside him as he walked northbound on S Kedzie Ave. GPS data and POD video evidence corroborated ██████ statement. ██████ described standing face-to-face with the officers as they spoke. His description of each officer was confident and given with a high degree of detail and accuracy. ██████ description of each officer included detailed height, weight, perceived race, hair color, hairstyle, and clothing. COPA found ██████ was highly attentive with his observations and recall of the officers' descriptions and their actions throughout the event. These facts give weight and credibility to ██████ testimony.

All four accused officers repeatedly answered questions by saying, "I don't recall," and, "I don't remember," when they were interviewed by COPA within two months of the incident.<sup>16</sup> During their interviews, the officers offered explanations for their lack of memory. The officers explained it was hard to remember one day from another due to their lack of days off and the routine nature of most of their activities. Officer Alvarez noted he had worked almost "every single day... since Thanksgiving."<sup>17</sup> He explained that days were blurred, and "when you don't have any days off in between, every day is put together."<sup>18</sup> In this case, COPA found the four officers willingly answered all questions, did not dispute that the event may have occurred on the date and time in question, and did not refute the evidence presented to them. With those facts, plus all four officers having virtually no memory of the event or even the actual day, COPA finds all four officers were generally credible.

#### V. ANALYSIS<sup>19</sup>

##### a. Stop and Search Allegations

First, COPA finds Allegation #1 against Officers Robinson-Stanford, Alvarez, and Baciu that they detained ██████ without justification is **sustained**. COPA also finds Allegation #2 against Officers Alvarez and Baciu, that they searched ██████ without justification, is **sustained**. COPA

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<sup>15</sup> Att. 1, pg. 2.

<sup>16</sup> Atts. 17, 18, 19, and 20.

<sup>17</sup> Att. 50, pg. 12, lns. 23 to 24.

<sup>18</sup> Att. 50, pg. 14, lns. 2 to 3.

<sup>19</sup> For a definition of COPA's findings and standards of proof, see Appendix B.

finds Allegation #2 against Officer Robinson-Stanford, that he searched ██████ without justification is **unfounded**.

Here, as related to Allegation #1 and Allegation #2, each officer told COPA that they did not recall anything about the event. However, ██████ statement, corroborated by GPS data and POD camera recordings,<sup>20</sup> conclusively placed the named officers at the exact location and time of the event. Moreover, a POD recording supports ██████ account of the number of involved officers and the sequence of events.<sup>21</sup> Additionally, COPA studied the GPS data of the officers' vehicle on the evening of the event. The GPS data showed that the officers' vehicle, 4620, left ██████ location and stopped to conduct traffic enforcement approximately eight minutes later. The officers' BWC footage, related to that traffic stop, corroborated ██████ descriptions of each officer, the vehicle they drove, and the vehicle's license plate.<sup>22</sup> Specifically, the BWC footage confirmed ██████ account of each officer's seating position in the vehicle, which, in turn, established the role each officer played in the detention and search of ██████

COPA's investigation found that ██████ account was consistent, credible, confirmed by data and video evidence, and placed the officers at the time and location of the event. COPA's review of the known facts resulted in COPA drawing reasonable inferences from the evidence that concluded the identified officers physically stopped and searched ██████. The officers did not remember the stop and did not complete the required Investigatory Stop Report, as discussed below, that would have documented their justification, if any, for the stop and the search. The officers also failed to activate their BWCs, which also may have allowed them to refresh their recollections and explain the basis for the stop and the search. In the absence of any evidence that the accused officers had a lawful basis to detain or search ██████ and in light of ██████ credible account of his encounter with the officers, COPA finds that Officers Robinson-Stanford, Alvarez, and Baciú detained ██████ without justification and that Officers Alvarez and Baciú searched ██████ without justification. CPD policy prohibits officers from detaining, patting down, or searching the subject of an investigatory stop absent specific and articulable facts which, combined with rational inferences from those facts, give rise to reasonable articulable suspicion that criminal activity is afoot.<sup>23</sup> Further, officers may not perform a protective pat down or further search of a subject's clothing absent reasonable articulable suspicion that the subject is armed and dangerous or presents a danger of attack to officers or others.<sup>24</sup> Therefore,

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<sup>20</sup> Att. 14. GPS data indicated that, at 6:07:18 pm, vehicle 4620 stopped at the corner of the 300 block of S Kedzie Ave. and W Jackson Blvd. Vehicle 4620 was stationary for less than two minutes and then headed southbound on S Kedzie Ave.

<sup>21</sup> Att. 54 at 6:07:18 to 6:08:24. The POD camera captured blurred images of two officers exiting a parked SUV and walking southbound on the sidewalk along S Kedzie Ave. The POD video then showed a blurred image of a third officer exiting the driver's side of the vehicle and heading toward the first two officers. The POD then captured the three officers returning to the vehicle and heading southbound on S Kedzie Ave. Simultaneously, a male in a long, light-colored coat, which ██████ described he was wearing, walked away from the area. The POD footage reveals no actions past each officer's first few steps in ██████ direction.

<sup>22</sup> Att. 42 at 2:02 and Att. 29 at 2:05, 2:50, and 3:02.

<sup>23</sup> Att. 38, Special Order S04-13-09(III)(B) and (V)(A), Investigatory Stop System (effective July 10, 2017, to present).

<sup>24</sup> Att. 38, S04-13-09(III)(B) and (VI).

Officers Robinson-Stanford, Alvarez, and Baciu's actions violated CPD policy and Rules 2, 3, 6, and 8.

Concerning Allegation #2 against Officer Robinson-Stanford, ██████ told COPA that the officer later identified as Officer Robinson-Stanford joined Officers Alvarez and Baciu after they had searched him.<sup>25</sup> For this reason, COPA finds it highly probable that Officer Robinson-Stanford did not participate in the search of ██████ and **Allegation 2 against Officer Robinson-Stanford is unfounded.**

#### **b. Failure to write an ISR and activate Body Worn Camera**

COPA finds Allegation #3 and Allegation #4 against Officers Robinson-Stanford, Alvarez, Baciu, and Geary, that they failed to complete an ISR and failed to activate their BWCs, are **sustained.**

Under CPD policy, officers must complete an ISR whenever they initiate an investigatory stop unless they prepare another document that explains the basis for the stop and provides additional details about any actions taken against detainees.<sup>26</sup> Here, there was credible testimony by ██████ GPS data, and a POD video recording that placed the officers at the exact location and time of the incident, showing they had the opportunity to interact with ██████ recalled two officers, later joined by a third officer, stopping him and searching him. POD footage showed two officers exiting their vehicle and walking in ██████ direction. The POD footage then showed a third officer exiting the vehicle and walking in the ██████ direction. COPA did not find an ISR documenting ██████ stop in the relevant CPD database,<sup>27</sup> and the accused officers did not provide any evidence that they completed the required ISR. Given the GPS data, the POD video recording, and the lack of evidence contradicting ██████ statement, COPA finds by a preponderance of evidence that Officers Robinson-Stanford, Alvarez, Baciu, and Geary conducted an Investigatory Stop on ██████ and failed to complete the required ISR. Therefore, Officers Robinson-Stanford, Alvarez and Baciu, and Geary violated CPD policy and Rules 2, 3, 5, 6, 10, and 11.

Special Order S03-14 requires that CPD members activate their BWCs at the beginning of an incident and record the entire incident for all law-enforcement-related activities, including investigatory stops, statements made by individuals during an investigation, and any other instances when enforcing the law.<sup>28</sup> COPA reviewed the BWC audit trail of each officer and found that none of them activated their BWC when they were said to have stopped ██████<sup>29</sup> Also, COPA found no evidence that something may have prevented the officers from activating their BWCs

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<sup>25</sup> Att. 2 at 11:26.

<sup>26</sup> Att. 38, S04-13-09(III)(C), (VII)(B), and (VIII)(A).

<sup>27</sup> Att. 57.

<sup>28</sup> Att. 41, Special Order S03-14(III)(A)(2), Body Worn Cameras (effective April 30, 2018, to present).

<sup>29</sup> Atts. 45, 46, 47, 48.

during that period. COPA, therefore, finds by a preponderance of evidence that Officers Robinson-Stanford, Alvarez, Baciu, and Geary violated CPD policy and Rules 2, 3, 5, 6, 10, and 11.

**V. DISCIPLINARY RECOMMENDATION<sup>30</sup>**

**a. Police Officer Demetrius Robinson-Stanford**

**i. Complimentary and Disciplinary History**

Officer Robinson-Stanford has received seven Department Commendations, two Police Officer of the Month Awards, 129 Honorable Mentions, and 4 other awards and commendations. Officer Robinson-Stanford was reprimanded in May 2023 for a preventable accident, but he has no other sustained complaint history.

**ii. Recommended Discipline**

COPA has found that Officer Robinson-Stanford violated Rules 2, 3, 6, 8 by detaining ██████████ without justification. COPA has also found that Officer Robinson-Stanford violated Rules 2, 3, 5, 6, 10, and 11 by failing to complete an ISR and by failing to record the stop using his BWC. Officer Robinson-Stanford was not one of the two officers who originally approached ██████████ and Officer Robinson-Stanford did not search ██████████. Nonetheless, he participated in the stop and was responsible for properly documenting his actions. COPA also notes that BWC recordings and ISRs are important tools used to document police interactions with members of the community, and failure to use these tools when required tends to undermine public confidence in CPD. Based on the nature of Officer Robinson-Stanford's misconduct, and considering his complimentary and disciplinary history, COPA recommends that Officer Robinson-Stanford receive a 2-day suspension.

**b. Police Officer Jacob Geary**

**i. Complimentary and Disciplinary History**

Officer Geary has received the Superintendent's Award of Valor, one Superintendent's Honorable Mention, seven Department Commendations, 104 Honorable Mentions, and the Police Officer of the Month Award. Officer Geary has been reprimanded twice: in October 2022, he was reprimanded for failure to perform assigned tasks, and in January 2023, he was reprimanded for a weapon/ammunition violation. Officer Geary has no other sustained complaint history.

**ii. Recommended Discipline**

COPA has found that Officer Geary violated Rules 2, 3, 5, 6, 10, and 11 by failing to complete an ISR and by failing to record the stop using his BWC. Officer Geary was not one of

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<sup>30</sup> The accused members' complimentary and disciplinary histories are included in Atts. 55 and 70.

the two officers who originally approached ██████ and Officer Geary did not search ██████. Nonetheless, he was a member of a team that conducted a stop, and all members of the team share responsibility for documenting their activity. COPA also notes that BWC recordings and ISRs are important tools used to document police interactions with members of the community, and failure to use these tools when required tends to undermine public confidence in CPD. Given Officer Geary's limited involvement in the stop, the fact that he did not exit the police vehicle, and considering his complimentary and disciplinary history, COPA finds that Officer Geary's failure to complete an ISR and failure to activate his BWC were likely inadvertent, and COPA recommends a designation of Violation Noted.

**c. Police Officer Michael Baciu**

**i. Complimentary and Disciplinary History**

Officer Baciu has received one Department Commendation, two Top Gun Arrest Awards, 73 Honorable Mentions, and three additional awards and commendations. Officer Baciu has three sustained complaint registers within the past five years: he received a five-day suspension based on misconduct that occurred on March 17, 2020, a reprimand for misconduct that occurred on December 17, 2020, and a reprimand for misconduct that occurred on May 15, 2021. All of the sustained complaint registers involved, *inter alia*, failure to properly complete required reports. Officer Baciu has also been reprimanded in August 2022 for a preventable accident and in March 2023 for an equipment violation.

**ii. Recommended Discipline**

COPA has found that Officer Baciu violated Rules 2, 3, 6, 8 by detaining and searching ██████ without justification. COPA has also found that Officer Baciu violated Rules 2, 3, 5, 6, 10, and 11 by failing to complete an ISR and by failing to record the stop using his BWC. Officer Baciu was one of the two officers who originally approached ██████ and he should likely have taken the lead, along with Officer Alvarez, in assuring that the stop was properly documented. COPA also notes that BWC recordings and ISRs are important tools used to document police interactions with members of the community, and failure to use these tools when required tends to undermine public confidence in CPD. Based on the nature of Officer Baciu's misconduct, and considering his complimentary and disciplinary history, COPA recommends that Officer Baciu receive a 5-day suspension.

**d. Police Officer Anthony Alvarez**

**i. Complimentary and Disciplinary History**

Officer Alvarez has received two Superintendent's Honorable Mentions, five Department Commendations, the Life Saving Award, two Police Officer of the Month Awards, 127 Honorable Mentions, and 2 additional awards and commendations. Officer Alvarez was reprimanded in December 2022 for failure to perform assigned tasks and was suspended for one day in September

2022 for failure to perform assigned tasks. Officer Alvarez has no other sustained complaint history.

**ii. Recommended Discipline**

COPA has found that Officer Alvarez violated Rules 2, 3, 6, 8 by detaining and searching [REDACTED] without justification. COPA has also found that Officer Alvarez violated Rules 2, 3, 5, 6, 10, and 11 by failing to complete an ISR and by failing to record the stop using his BWC. Officer Alvarez was one of the two officers who originally approached [REDACTED] and he should likely have taken the lead, along with Officer Baci, in assuring that the stop was properly documented. COPA also notes that BWC recordings and ISRs are important tools used to document police interactions with members of the community, and failure to use these tools when required tends to undermine public confidence in CPD. Based on the nature of Officer Alvarez’s misconduct, and considering his complimentary and disciplinary history, COPA recommends that Officer Alvarez receive a 5-day suspension.

Approved:

[REDACTED]

7-31-2023

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Angela Hearts-Glass  
*Deputy Chief Administrator – Chief Investigator*

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Date



## Appendix A

### Case Details

Date/Time/Location of Incident:	December 13, 2022 / 6:08 pm / 300 S Kedzie Ave., Chicago, IL 60612.
Date/Time of COPA Notification:	December 13, 2022 / 6:55 pm
Involved Member #1:	Officer Demetrius Robinson-Stanford / Star #11341 / Employee ID # [REDACTED] / DOA: May 16, 2017 / Unit: 011 / Male / Black
Involved Member #2:	Officer Anthony Alvarez / Star #8833 / Employee ID# [REDACTED] / DOA: March 16, 2018 / Unit: 011 / Male / White Hispanic
Involved Member #3:	Officer Michael Baciu / Star #7528 / Employee ID# [REDACTED] / DOA: August 16, 2017 / Unit: 011 / Male / White
Involved Member #4:	Officer Jacob Geary / Star #11057, Employee ID# [REDACTED] / DOA: May 16, 2017 / Unit: 011 / 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 10:** Inattention to duty.
- Rule 11:** Incompetency or inefficiency in the performance of duty.

### Applicable Policies and Laws

- S04-14, Body Worn Cameras (effective April 30, 2018, to present).
- 50 ILCS 706-20
- S04-13-09, Investigatory Stop System (effective July 10, 2017, to present).
- 725 ILCS 5/107-14(a)(b).
- United States Constitution, Amendment IV: Prohibits search and seizure without probable cause.

## 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>31</sup> For example, if the evidence gathered in an investigation establishes that it is more likely that the conduct complied with CPD 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>32</sup>

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<sup>31</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>32</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