



Log # 2022-0004506

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On October 20, 2022, the Civilian Office of Police Accountability (COPA) received a telephone complaint from [REDACTED] ([REDACTED] reporting alleged misconduct by members of the Chicago Police Department (CPD). [REDACTED] alleged that on October 19, 2022, Officers Elyse Rodriguez #14262, Jose Velazquez #19316, Eric Wojciechowski #5656, conducted a stop without justification. [REDACTED] also alleged the above officers' and Officer Shahrukh Ali #14112 conducted a vehicle search without justification.² Upon review of the evidence, COPA served additional allegations to Officers Rodriguez, Velazquez and Wojciechowski for failing to complete an Investigatory Stop Report (ISR) and issuing ISR receipts to unknown occupants 1 and 2, and Officer Ali for failing to timely activate his Body Worn Camera (BWC). Following its investigation, COPA reached both sustained and exonerated findings.

II. SUMMARY OF EVIDENCE³

On October 19, 2022, at approximately 4:20 pm, at or near 6124 S. Ashland Avenue, Officers Rodriguez, Wojciechowski and Velazquez observed a blue vehicle commit a traffic violation by failing to use its turn signal. Footage from the officers BWC captured a blue vehicle come to a stop in a parking lot. Officer Rodriguez approached one of the unidentified occupants,⁴ who exited the vehicle with his hands up.⁵ Officers Rodriguez and Velazquez approached the occupant, while Wojciechowski stayed on the rear side of the vehicle. Officer Velazquez proceeded to handcuff and pat down the occupant.⁶ Officer Rodriguez then instructed the remaining occupants to roll down their windows and show their hands. Officer Wojciechowski then asked the driver [REDACTED] ([REDACTED] for a driver's license. [REDACTED] appeared to have opened the door and then tried closing it. Officer Wojciechowski did not allow [REDACTED] to close the door and continued to ask [REDACTED] for a driver's license. Officer Wojciechowski then asked [REDACTED] to step out of the vehicle. [REDACTED] did not want to comply, but was eventually

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 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.

³ 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*, etc.].

⁴ This unidentified unknown occupant has been designated as unknow occupant #1 for the purpose of this investigation.

⁵ Att. 5, Officer Rodriguez's BWC at 2:00 to 2:13.

⁶ Att. 7, Officer Velazquez's BWC at 2:18 to 2:38.

escorted out of the vehicle and handcuffed by Officers Wojciechowski and Rodriguez.⁷ While Officer Velazquez held onto ██████████ Officer Wojciechowski proceeded to handcuff and pat down another unidentified occupant.⁸ Officer Rodriguez instructed ██████████ out of the vehicle and conducted a pat down but did not handcuff her.⁹ Officers Rodriguez and Wojciechowski searched the immediate areas of the vehicle and nothing illegal was found.¹⁰ Officer Ali arrived as an assisting unit and told ██████████ to get off the phone.¹¹ ██████████ did not cooperate, and Officer Ali grabbed her arm, and with the assistance of Officers Rodriguez and Venessa Miranda #11806, were able to place handcuffs on ██████████. Because of ██████████ resistance, Officer Rodriguez's BWC was knocked off her vest. Due to a malfunction on the BWC, Officer Rodriguez was not able to re-attach it to her vest.¹² Officer Velazquez asked ██████████ for her driver's license, and she said it was inside the door, but Officer Velazquez found nothing. Officer Velazquez then searched the glove box compartment and found ██████████ driver's license and handed it to Officer Wojciechowski.¹³ While searching the vehicle, Officer Ali found an ashtray with suspected burnt cannabis inside.¹⁴ Officer Wojciechowski asked ██████████ for her insurance card and returned her driver's license. Officer Rodriguez placed her BWC camera on the dashboard and it captured the handcuffs being removed from ██████████ and the remaining occupants. Officer Wojciechowski was observed handing ██████████ an ISR receipt.¹⁵

During COPA's investigation, COPA was not able to obtain In Car Camera due to the squad car not being equipped with one.¹⁶ COPA personnel also conducted a CLEARNET search for the missing ISR's on the unidentified occupants. COPA personnel ran each officers Login ID (PC) number in the CLEARNET system from October 19 to November 02, 2023. Results showed that ISR's had been completed for the front occupants, but ISR's for the rear occupants were not completed.¹⁷ ██████████ was issued a citation for conducting an improper turn at an intersection.¹⁸

⁷ Att. 6, Officer Wojciechowski's BWC at 2:24 to 3:52

⁸ Att. 6, Officer Wojciechowski's BWC at 4:27 to 5:30, This unidentified unknown occupant has been designated as unknow occupant #2 for the purpose of this investigation.

⁹ Att. 5, Officer Rodriguez's BWC at 4:59 to 5:11.

¹⁰ Att. 5, Officer Rodriguez's BWC at 5:12 to 6:50.

¹¹ Att. 9, Officer Miranda's BWC at 2:11 to 2:21.

¹² Att. 5, Officer Rodriguez's BWC at 7:45 to 8:22.

¹³ Att. 7, Officer Velazquez's BWC at 10:26 to 11:08.

¹⁴ Att. 8, Officer Ali's BWC at 3:19 to 3:35.

¹⁵ Att. 5, at 19:14 to 20:48.

¹⁶ Att. 36.

¹⁷ Att. 17, 18, and 19.

¹⁸ Att. 26.

III. ALLEGATIONS

Officer Elyse Rodriguez:

1. Stopped the complainant's vehicle without justification.
 - Exonerated.
2. Searched the complainant's vehicle without justification.
 - Exonerated.
3. Failure to comply with order S04-13-09, by not completing an investigatory stop report for unknown occupant #1.
 - Sustained, Violation of Rule 3, 6, and 10.
4. Failure to comply with order S04-13-09, by not issuing an investigatory stop report receipt to unknown occupant #1.
 - Sustained, Violation of Rule 3, 6, and 10.
 - Failure to comply with order S04-13-09, by not issuing an Investigatory Stop Report Receipt for unknown occupant #1 Sustained, Violation of Rule 3, 6, and 10.
5. Failure to comply with order S04-13-09, by not completing an investigatory stop report for unknown occupant #2.
 - Sustained, Violation of Rule 3, 6, and 10.

Police Officer Jose Velazquez:

1. Stopping complainant's car without justification.
 - Exonerated.
2. Searching complainant's car without justification.
 - Exonerated.
3. Failure to comply with order S04-13-09, by not completing an investigatory stop report for occupant #1.
 - Sustained, Violation of Rule 3, 6, and 10.
4. Failure to comply with order S04-13-09, by not issuing an investigatory stop report receipt to unknown occupant #1.
 - Sustained, Violation of Rule 3, 6, and 10.
5. Failure to comply with order S04-13-09, by not completing an investigatory stop report for occupant #2.
 - Sustained, Violation of Rule 3, 6, and 10.
6. Failure to comply with order S04-13-09, by not completing an investigatory stop report for occupant #2.
 - Sustained, Violation of Rule 3, 6, and 10.

Police Officer Eric Wojciechowski:

1. Stopping complainant's car without justification.
 - Exonerated.
2. Searching complainant's car without justification.
 - Exonerated.
3. Failure to comply with order S04-13-09, by not completing an investigatory stop report for occupant #1.

- Sustained, Violation of Rule 3, 6, and 10.
- 4. Failure to comply with order S04-13-09, by not issuing an investigatory stop report receipt to unknown occupant #1.
 - Sustained, Violation of Rule 3, 6, and 10.
- 5. Failure to comply with order S04-13-09, by not completing an investigatory stop report for occupant #2.
 - Sustained, Violation of Rule 3, 6, and 10.
- 6. Failure to comply with order S04-13-09, by not completing an investigatory stop report for occupant #2.
 - Sustained, Violation of Rule 3, 6, and 10.

Police Officer Shahrukh Ali

1. Searching complainant's car without justification.
 - Exonerated.
2. Failure to comply with S03-14 by failing to timely activate your body worn camera.
 - Sustained, Violation of Rule 3, 6 and 10.

IV. CREDIBILITY ASSESSMENT

This investigation did not reveal any evidence that caused COPA to question the credibility of any of the individuals (sworn or unsworn) who provided statements.

V. ANALYSIS¹⁹

COPA finds allegation #1 against Officers Rodriguez, Wojciechowski and Velazquez regarding stopping the complainant's car without justification **exonerated**. Under the Illinois Compiled Statutes (ILCS), "no person may so turn any vehicle without giving an appropriate signal in the manner hereinafter provided." In all three recorded statements provided by the officers, all officers state a similar answer to why the complainant's vehicle was stopped. Officers recall seeing a vehicle commit a traffic violation, subsequently stopping the complainant's vehicle. In two of the ISR's that were completed, it was reported that the vehicle was driving northbound on Ashland Avenue and failed to use a turn signal when turning into a parking lot.²⁰ In conclusion, the evidence gathered during this investigation shows that officers conducted a traffic stop violation and issued the driver a citation.

COPA finds allegation #2 against Officers Rodriguez, Wojciechowski and Velazquez regarding the search of the complainant's car without justification be **exonerated**. Under CPD Special Order S04-13-09: Investigatory Stop System,²¹ "reasonable articulable suspicion depends on the totality of the circumstances which the sworn member observes and the reasonable

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

²⁰ Atts. 1 and 2.

²¹ Att. 34, CPD Special Order S04-13-09: Investigatory Stop System (effective 10 July 2017 to present).

inferences that are drawn based on the sworn member's training and experience. Reasonable articulable suspicion should be founded on specific and objective facts or observations about how a subject behaves, what the subject is seen or heard doing, and the circumstances or situation in regard to the subject that is either witnessed or known by the officer.”

In the officer’s statement to COPA, when asked about the search, Officer Rodriguez related that she had reasonable articulable suspicion based on the passenger exiting the vehicle when being stopped and [REDACTED] actions when being asked to step out. Officer Rodriguez stated “I had reasonable suspicion right away. As soon as, like, I, you know, the vehicle failed to, to use a turn signal right in front of us, and then when we turned on our, our or activated our emergency lights, I just saw a back passenger, just to me, it looked like they were just trying to get away. He complied. So that kind of raised my awareness of theirs possibly something in the vehicle, but he was very compliant. The driver was not. So, his actions indicated to me that he did not want to come out for some reason, and he could possibly be hiding a weapon of some sort.”²²

When asking Officer Wojciechowski about the vehicle search, he explained that he was only aiding the search due to Rodriguez already searching the vehicle.²³ Lastly when asking Officer Velazquez about the vehicle search, he explained that [REDACTED] was asked for a driver’s license multiple times. [REDACTED] then told Officer Velazquez that the driver’s license was in the door panel or cup holder area, after searching he did not find anything, but then looked in the glove box which resulted in a positive find for [REDACTED] driver’s license.²⁴ In conclusion, the evidence gathered during this investigation shows that officers were within CPD policy when conducting the search.

COPA finds allegations #3, #4, #5 and #6 against Officer Rodriguez, Wojciechowski and Velazquez regarding failure to comply with order S04-13-09, by not completing an investigative stop report and failing to issue investigatory stop receipts to both unknown occupants to be **sustained**. Under CPD directive S04-13-09: Investigatory Stop System,²⁵ “an investigatory stop is the temporary detention and questioning of a person in the vicinity where the person was stopped. A protective pat down is a limited search during an investigatory stop in which the sworn member conducts a pat down of the outer clothing of a person for weapons for the protection of the sworn member or others in the area. Sworn members who conduct an investigatory stop are required to complete an investigatory stop report to ensure a sworn member documents the facts and circumstances of a protective pat down or other search, including a statement of the facts establishing reasonable articulable suspicion to pat down an individual for potential weapons. Upon the completion of an investigatory stop that involves a protective pat down or any other search, sworn members are required to provide the subject of the stop a completed investigatory stop receipt.”

²² Att. 30, pg. 11, lns. 9 to 23.

²³ Att. 31, pgs. 10 to 11, lns. 8 to 4.

²⁴ Att. 32, pg. 11, lns. 22 to pg. 12, lns. 8.

²⁵ Att. 34.

In the officers' statement to COPA, all officers were asked questions regarding why two ISR's and two ISR receipts were missing. In Officer Rodriguez's statement, she admitted that all four passengers should have received ISR's. Yet she then states "That's not how I, I ever took it. It's one event. We gave one person one. That's just how we always took it."²⁶ In Officer Wojciechowski statement when asked about why two of the ISR's were not completed for the unknown occupants he states "ISR's were not completed for them." A follow up question was asked to why the ISR's were not completed, Officer Wojciechowski stated "Again, I, I don't know".²⁷ In Officer Velazquez's statement he states "The individual that I detained and handcuffed, I didn't give him an ISR receipt because he was just, we were just detaining him, detaining him at the moment. I didn't search him. He was just given a, protective pat-down"²⁸ but later then stated that an ISR should've been provided afterwards.²⁹ In conclusion, evidence gathered during this investigation shows that officers were not within CPD policy due to ISR's not being completed and ISR receipts not being issued.

COPA finds allegation #1 against Office Ali regarding searching complainant's car without justification to be **exonerated**. As mentioned above under CPD Special Order S04-13-09: Investigatory Stop System,³⁰ "probable cause exists where the police have knowledge of facts that would lead a reasonable person to believe that a crime has occurred and that the subject has committed it. This differs from Reasonable Articulate Suspicion (RAS) in that the facts supporting RAS do not need to meet probable cause requirements, but they must justify more than a mere hunch. The facts should not be viewed with analytical hindsight but instead should be considered from the perspective of a reasonable officer at the time that situation confronted him or her." In Officer Ali's statement to COPA, he was asked about the search and explained he conducted a search based on his experience and observation.³¹ Officer Ali also stated that he smelled and observed burnt cannabis from standing outside in plain view.³² In conclusion, the evidence gathered during this investigation shows that Officer Ali was within policy when conducting such search.

COPA finds allegation #2 against Officer Ali regarding failure to comply with S03-14 by failing to timely activate his body worn camera to be **sustained**. Under CPD directive S03-14: Body Worn Cameras,³³ "department members will activate the system to event mode at the beginning of an incident and will record the entire incident for all law-enforcement-related activities. If circumstances prevent activating the BWC at the beginning of an incident, the member will activate the BWC as soon as practical." Officer Ali's BWC shows the moment he arrived at the scene and began a law enforcement related activity, however his BWC was not activated.³⁴ In Officer Ali's statement to COPA when asked about the delay in the BWC activation, he

²⁶ Att. 30, pg. 18, lns. 15 to pg. 19, lns. 7.

²⁷ Att. 31, pg. 13, lns. 21 to pg. 14, lns. 17.

²⁸ Att. 32, pg. 14, lns. 3 to pg. 15, lns. 4.

²⁹ Att. 32, pg. 15, lns. 5 to 13.

³⁰ Att. 34.

³¹ Att. 33, pg. 15, lns. 15 to pg. 17, lns. 2.

³² Att. 33, pg. 10, lns. 9 to 16.

³³ Att. 35, Special Order S03-14- Body Worn Cameras (effective 30 April 2018 to 29 December 2023).

³⁴ Att. 8, Officer Ali's BWC at 0:47 to 1:06.

immediately admitted to not timely activating it.³⁵ He explained that when [REDACTED] started walking in his direction, it might have slipped his mind, but activated it as soon as he remembered.³⁶ In conclusion, the evidence gathered in this investigation shows that Officer Ali was not within CPD policy due to failing to activate his BWC at the beginning of a law enforcement related activity.

VI. DISCIPLINARY RECOMMENDATION

a. Police Officer Elyse Rodriguez

i. Complimentary and Disciplinary History³⁷

Officer Rodriguez's complementary and disciplinary history is comprised of one crime reduction award, one department commendation, four emblems of recognition (physical fitness), 76 honorable mentions, one honorable mention ribbon award, one superintendent's award of valor, three SPAR reports which resulted in a reprimand (preventable accident, court appearance violation, failure to perform assigned tasks) and no sustained complaints.

ii. Recommended Discipline

COPA has considered Officer Rodriguez's complimentary and disciplinary history. Officer Rodriguez violated department policy by not completing ISR's and not issuing ISR receipts to the unknown occupants. COPA recommends a **violation noted**.

b. Police Officer Eric Wojciechowski

i. Complimentary and Disciplinary History³⁸

Officer Wojciechowski's complementary and disciplinary history is comprised of one crime reduction award, one department commendation, 47 honorable mentions, no SPAR reports and no sustained complaints.

ii. Recommended Discipline

COPA has considered Officer Wojciechowski's complimentary and disciplinary history. Officer Wojciechowski violated department policy by not completing an ISR and not issuing an ISR receipt to the unknown occupants. COPA recommends a **violation noted**.

c. Police Officer Jose Velazquez

³⁵ Att. 33, pg. 11, lns. 2 to 9.

³⁶ Att. 33, pg. 10, lns. 10 to 20.

³⁷ Att. 29.

³⁸ Att. 29.

i. Complimentary and Disciplinary History³⁹

Officer Velazquez’s complimentary and disciplinary history is comprised of one crime reduction award, one attendance recognition award, two complimentary letters, five emblems of recognition (physical fitness), 52 honorable mentions, one military service award, one police medal, one special commendation, two superintendent’s award of valor, one-unit meritorious performance award, no SPAR reports and no sustained complaints.

ii. Recommended Discipline

COPA has considered Officer Velazquez’s complimentary and disciplinary history. Officer Velazquez violated department policy by not completing an ISR and not issuing an ISR receipt to the unknown occupants. COPA recommends a **violation noted**.

d. Police Officer Shahrukh Ali

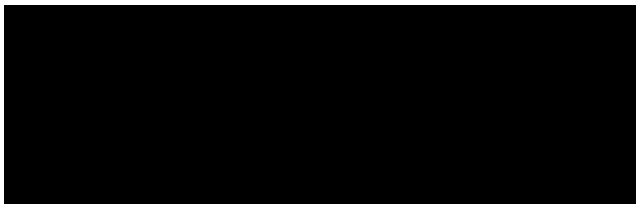
i. Complimentary and Disciplinary History⁴⁰

Officer Ali’s complimentary and disciplinary history is comprised of one crime reduction award, one attendance recognition award, one complimentary letter, one department commendation, three emblems of recognition (physical fitness), 182 honorable mentions, two honorable ribbon awards, six top gun arrest awards, one traffic stop of the month award, one-unit meritorious performance award, no SPAR reports and no sustained complaints.

ii. Recommended Discipline

COPA has considered Officer Ali’s complimentary and disciplinary history. Officer Ali violated department policy by not timely activating his BWC. COPA recommends a **violation noted**.

Approved:



Angela Hearts-Glass
Deputy Chief Administrator-Chief Investigator

3-29-2024

Date

³⁹ Att. 29.

⁴⁰ Att. 27.

Appendix A**Case Details**

Date/Time/Location of Incident:	October 19, 2022 / 04:20 PM / 6124 S. Ashland Ave, Chicago, IL, 60636
Date/Time of COPA Notification:	October 20, 2022 / 03:08 PM
Involved Member #1:	Elyse Rodriguez, Star #14262, employee ID # [REDACTED] Date of Appointment: January 17, 2017, Unit of Assignment: 007, Female, White Hispanic
Involved Member #2:	Jose Velazquez, Star #19316, employee ID # [REDACTED], Date of Appointment: December 02, 2013, Unit of Assignment: 007, Male, White Hispanic
Involved Member #3:	Eric Wojciechowski, Star #5656, employee ID # [REDACTED], Date of Appointment: December 17, 2018, Unit of Assignment: 007, Male, White
Involved Member #4:	Shahrukh Ali, Star #14112, employee ID # [REDACTED], Date of Appointment: October 26, 2015, Unit of Assignment: 007, Male, Asian/Pacific Islander
Involved Individual #1:	[REDACTED] Female, Black or African American
Involved Individual #2:	[REDACTED] Male, Black or African American
Involved Individual #3:	Unidentified individual #1, rear left passenger
Involved Individual #4:	Unidentified individual #2, rear right passenger

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

- S0413-09: Investigatory Stop System (effective 10 July 2017 to present)
- S03-14: Body Worn Cameras (effective 30 April 2018 to 29 December 2023)

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.⁴¹ 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

⁴¹ 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).

evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true.”⁴²

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

⁴² *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4th ed. 2000)).

- Unnecessary Display of a Weapon
- Use of Deadly Force – other
- Verbal Abuse
- Other Investigation