



Log # 2022-5336

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On December 17, 2022, the Civilian Office of Police Accountability (COPA) received a website complaint from ██████████ alleging misconduct by members of the Chicago Police Department (CPD). ██████████ alleged that on December 17, 2022, Police Officers Daniel Sakalis and Daniel Rodriguez pulled him over and arrested him without justification.² Upon review of the evidence, COPA served additional allegations that Officers Sakalis and Rodriguez searched ██████████ vehicle without justification, failed to complete an Investigative Stop Report (ISR), failed to provide ██████████ with an ISR receipt, and failed to activate their Body Worn Cameras (BWC). Following its investigation, COPA reached sustained findings regarding Officer Rodriguez's search of ██████████ and all of the allegations initiated by COPA.

II. SUMMARY OF EVIDENCE³

On December 17, 2022, at approximately 9:51 pm,⁴ Officers Rodriguez and Sakalis stopped a vehicle driven by ██████████ in front of Sony's Submarine at 5124 W Chicago Ave.⁵ Officer Sakalis approached the driver's side of the vehicle and spoke with ██████████ through the window. ██████████ asked the officer what the problem was. According to ██████████ Officer Sakalis answered that he was stopped because he was "acting suspicious."⁶ Officer Sakalis originally reported in a Traffic Stop Statistical Survey that the reason for the stop was an unlit headlight.⁷ Later, after he reviewed the In-Car Camera (ICC) footage of the incident, Officer Sakalis said that the vehicle's bright lights were on, ██████████ was speeding, and ██████████ did not use his signal when

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. No allegation was brought against the officers for an unjustified arrest because he was not arrested, only detained.

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, ICC footage, police reports, civilian interviews, and CPD member interviews.

⁴ ██████████ web complaint identified the time of the stop as 9:00 pm. Att. 1. Global Positioning System (GPS) records documented the time of the stop as 9:51 to 9:58 pm. Atts. 44 and 45.

⁵ Att. 1, pg. 2.

⁶ Att. 3, pg. 5, Ins. 11 to 18.

⁷ Att. 16.

turning, all of which were possible citations.⁸ ICC footage showed that the vehicle the officers followed after making a U-Turn had two operational headlights.⁹

█████ claimed the officer who came to his window (Officer Sakalis), forcefully pulled him out of the vehicle by his wrist.¹⁰ As he was being taken out of the vehicle, █████ told the officers he did not consent to any searches.¹¹ ICC footage showed that Officer Sakalis opened the driver's side door, and █████ exited his vehicle on his own.¹² The officers handcuffed █████ once he and the officers reached the rear of the vehicle.¹³ When Officer Sakalis asked █████ for his driver's license, █████ told him he had some sort of identification in his pocket.¹⁴ Officer Sakalis retrieved █████ wallet from his left-front pants pocket and removed the ID without performing any further search.¹⁵ Both the wallet and the identification were promptly returned. █████ told COPA that Officer Rodriguez "searched his person" including all of his pockets.¹⁶ ICC footage captured Officer Rodriguez reaching into █████ pockets and lifting up his shirt.¹⁷ When COPA asked Officer Rodriguez how he responded to the allegation that he searched █████ without justification, he simply responded "No."¹⁸

Shortly thereafter, Officer Rodriguez relocated to the open driver's side door and proceeded to enter and apparently search the vehicle.¹⁹ When COPA asked Officer Rodriguez if █████ gave him permission to search the vehicle, he responded that he did not need permission. He claimed there was an open container of alcohol in the vehicle, in plain sight, which gave him the right to search.²⁰ He also said he first saw the open container of alcohol when he was near the driver's side door.²¹ ICC footage showed that Officer Rodriguez did not remove anything, including a container of alcohol, from █████ vehicle.²² Furthermore, █████ made no reference to alcohol during his interview, and Officer Sakalis stated that he "vaguely remembered" █████ actions as being consistent with having consumed alcohol.²³ He went on to say he did not feel █████ was impaired, he did not recall seeing any alcohol in the vehicle, and he did not recall Officer Rodriguez mentioning that he saw an open container of alcohol in █████ vehicle.²⁴

⁸ Att. 30, pg. 6, lns. 21 to 24; pg. 7, lns. 1 to 4.

⁹ Att. 21 at 00:35.

¹⁰ █████ was interviewed by COPA on December 28, 2022.

¹¹ Att. 3, pg. 5, lns. 19 to 21.

¹² Att. 21 at 01:15.

¹³ Att. 21 at 01:41.

¹⁴ Att. 27, pg. 13, lns. 7 to 9.

¹⁵ Att. 27, pg. 13, lns. 6 to 9 and 13 to 14.

¹⁶ Att. 3, pg. 11, lns. 14 to 15. *See also* pg. 12, lns. 4 to 5.

¹⁷ Att. 21 at 02:10; Att. 3, pg. 11, lns. 14 to 15; Att. 34, pg. 13, lns. 18 to 23.

¹⁸ Att. 35, pg. 13, lns. 18 to 23.

¹⁹ Att. 21 at 02:57.

²⁰ Att. 34, pg. 14, lns. 6 to 10; pg. 16, lns. 7 to 9.

²¹ Att. 34, pg. 16, lns. 10 to 11.

²² Att. 21 at 03:59 to end.

²³ Officer Daniel Sakalis was interviewed by COPA on April 12, 2023, and again on July 27, 2023, due to technical difficulties with the recording of the earlier interview.

²⁴ Att. 27, pg. 14, ln. 19, to pg. 15, ln. 13.

Once Officer Rodriguez completed the vehicle search, Officer Sakalis appeared to take what he removed from [REDACTED] wallet to the police vehicle.²⁵ When he returned to [REDACTED] vehicle, Officer Rodriguez removed the handcuffs from [REDACTED] and Officer Sakalis returned what he took from [REDACTED] wallet, which was only [REDACTED] identification. [REDACTED] and the officers then left the scene.²⁶

Officer Sakalis acknowledged that he did not issue [REDACTED] a citation for any of the aforementioned offenses. He did not feel it was necessary because [REDACTED] name check came back clear, and because for the most part he was cooperative. Officer Sakalis explained that he and Officer Rodriguez exercised their discretion regarding the matter.²⁷ Both Officer Sakalis and Officer Rodriguez acknowledged that due to a miscommunication, neither officer completed the required ISR.²⁸ Officer Rodriguez confirmed that he did not present [REDACTED] with the related ISR receipt, but Officer Sakalis claimed that he did.²⁹ But [REDACTED] told investigators that he did not receive any type of paperwork of any kind from the officers.³⁰ Neither officer activated their BWC while on scene, which they both confirmed during their interviews with COPA.³¹

III. ALLEGATIONS

Police Officers Daniel Rodriguez and Daniel Sakalis:

- Stopped [REDACTED] without justification as he drove his vehicle.
-Not Sustained
- Failed to complete an Inventory Stop Report as required by Special Order SO 4-13-09.
-Sustained, Violation of Rules 2, 3, 5, 6, and 10.
- Failed to provide [REDACTED] with an Investigatory Stop Receipt as required by Special Order SO 4-13-09.
-Sustained, Violation of Rules 2, 3, 5, 6, and 10.
- Failed to activate his Body Worn Camera upon stopping [REDACTED] as required by SO 3-14.³²

²⁵ Att. 21 at 04:07.

²⁶ Att. 21 at 07:15.

²⁷ Att. 27, pg. 15, lns. 14 to 18; pg. 14, lns. 13 to 18; Att. 30, pg. 7, ln. 19, to pg. 8, ln. 3.

²⁸ Att. 30, pg. 12, ln. 11, to pg. 13, ln. 8; Att. 35, pg. 14, lns. 11 to 22. Although the required ISR was not completed, a Traffic Stop Statistical Study-Driver Information Card was prepared by Officer Sakalis for this incident. *See* Att. 16. It is important to note that when Officer Sakalis prepared the card, he listed the violation as “Headlight Two Required to Motor Vehicle,” apparently in error. Att. 27, pg. 17, lns. 14 to 23. Here, this form *does not* replace the required ISR. *See* Att. 19, S04-13-09(VIII)(A)(1 to 3), Investigatory Stop System.

²⁹ Att. 35, pg. 14, ln. 23, to pg. 15, ln. 7; Att. 30, pg. 13, ln. 13, to pg. 17, ln. 14.

³⁰ Att. 3, pg. 16, lns. 14 to 15.

³¹ Att. 30, pg. 15, ln. 16, to pg. 16, ln. 10; Att. 35, pg. 15, ln. 14, to pg. 16, ln. 3.

³² The Notification of Charges/Allegations forms signed by Officer Sakalis on April 12, 2023, and July 27, 2023, incorrectly denote the BWC directive number as “SO 4-13-19,” and the form signed by Officer Rodriguez on April 12, 2023, incorrectly denotes the BWC directive number as “SO 3-14-19.” Atts. 25, 28, and 32. The correct directive number is S03-14. Att. 23. Both officers admitted during their interviews with COPA that they knew they were required to activate their BWCs at the beginning of this incident, and both admitted that they failed to do so, offering

-**Sustained**, Violation of Rules 2, 3, 5, 6, and 10.

Police Officer Daniel Rodriguez:

- Searched the interior of [REDACTED] vehicle without his permission.
-**Sustained**, Violation of Rules 1, 2, 3, 6, and 8.
- Searched [REDACTED] without justification.
-**Sustained**, Violation of Rules 1, 2, 3, 6, and 8.

Police Officer Daniel Sakalis:

- Searched the interior of [REDACTED] vehicle without his permission.
-**Unfounded**
- Searched [REDACTED] without justification.
-**Unfounded**

IV. CREDIBILITY ASSESSMENT

The credibility of an individual relies primarily on two factors: 1) the individual's truthfulness, and 2) the reliability of the individual's account. The first factor addresses the honesty of the individual making the statement, while the second factor speaks to the individual's ability to accurately perceive the event at the time of the incident and then accurately recall the event from memory.

COPA finds that [REDACTED] provided a reliable, although imperfect, account of the incident, which was captured on an ICC video recording. [REDACTED] claimed that the officer who came to his window pulled him out of the vehicle, but the ICC recording showed that [REDACTED] exited the vehicle without assistance after being ordered to do so. [REDACTED] also mentioned that the police have, on many prior occasions, removed him from his vehicle, thrown him against his vehicle, and handcuffed and searched him, which may have affected his recollection of this part of this particular incident.

The accounts given by the officers are not reliable and are not supported by the available ICC recording. Officer Rodriguez claimed that he searched [REDACTED] vehicle because he noticed an open container of alcohol inside the vehicle, in plain sight. However, Officer Rodriguez did not remove any containers from the vehicle and did not mention finding an open container during the stop. An experienced police officer would not allow a driver to leave the scene of a traffic stop with an open container of alcohol still in his vehicle, and likewise would question the driver about the alcohol. Furthermore, it seemed at odds with Officer Rodriguez's statement that his mission that day, as a member of Unit 214, was to "provide safety for the community, looking for people that might be wanting to cause harm or other illegal activity in the area."³³ His duties were "to

the explanation that they either forgot to activate their BWC or that their attempt to activate the BWC must have somehow failed. *See* Att. 30, pg. 15, ln. 16, to pg. 16, ln. 10; Att. 35, pg. 15, ln. 14, to pg. 16, ln. 3.

³³ Att. 35, pg. 8, lns. 1 to 4.

patrol a certain area, provide services for the community, be it enforcement, traffic stops, respond to other calls and stuff like that.”³⁴

Officer Sakalis’s credibility regarding the reason for the traffic stop was diminished based on the errors and changing explanations given for them by Officer Sakalis. His explanation that he simply made a mistake on the TSSS, as discussed below, is unconvincing because he did not remember the possibility that the vehicle’s bright lights were on, the speed of the vehicle, or the failure to use the turn signal until after he viewed the ICC footage.

V. ANALYSIS³⁵

a. Stop

COPA finds the allegation that Officer Rodriguez and Officer Sakalis stopped ██████ without justification as he drove his vehicle is **Not Sustained**. A lawful traffic stop requires “at least [an] articulable and reasonable suspicion that the particular person stopped is breaking the law,” including traffic law.³⁶ Articulable and reasonable suspicion means that the police must be able to identify some particularized and objective basis for thinking that the person to be stopped is or may be about to engage in unlawful activity, amounting to more than a hunch.³⁷

Here, Officer Sakalis eventually gave varying accounts as to what he believed the justification was to stop ██████ vehicle. His original and documented answer, that there was an unlit headlight, was false and therefore did not amount to “reasonable suspicion”.³⁸ Upon review of the ICC footage, it was possible to see the vehicle driven by ██████ pass the officers traveling in the opposite direction, and both headlights were illuminated.³⁹ The ICC recording shows that the officers executed a U-turn immediately after ██████ vehicle passed them, and while his exact speed is impossible to determine from the recording, his vehicle appeared to be moving quickly. Officer Sakalis confirmed he did not use a radar gun to test ██████ speed.⁴⁰ GPS records indicate that the officers’ vehicle accelerated to at least 55 miles per hour while closing the distance to ██████ vehicle,⁴¹ also providing some support for Officer Sakalis’s claim that ██████ was speeding. Because ██████ vehicle was some distance away from the officers’ vehicle, it was difficult to tell whether or not ██████ used his turn signal when he pulled to the curb.⁴² For these reasons, COPA finds there is insufficient evidence to prove the allegation by a preponderance of

³⁴ Att. 35, pg. 8, lns. 7 to 10.

³⁵ For a definition of COPA’s findings and standards of proof, *see* Appendix B.

³⁶ *United States v. Rodriguez-Escalera*, 884 F.3d 661, 667-68 (7th Cir. 2018) (citing *Delaware v. Prouse*, 440 U.S. 648, 663(1979)).

³⁷ *United States v. Miranda-Sotolongo*, 827 F.3d 663, 666 (7th Cir. 2015) (quoting *United States v. Cortez*, 449 U.S. 411, 417(1981)).

³⁸ Att. 16; Att. 27, pg. 11, lns. 15 to 17; Att. 30, pg. 6, ln. 21, to pg. 7, ln. 4.

³⁹ Att. 21 at 00:36.

⁴⁰ Att. 14, pg. 14, lns. 2 to 4.

⁴¹ Atts. 44 and 45.

⁴² Att. 21 at 0:35 to 0:58.

the evidence, but also insufficient evidence to show that it was highly likely the stop was justified, and this allegation is **Not Sustained**.

b. Vehicle Search

COPA finds that Officer Rodriguez searched [REDACTED] vehicle without his permission, while Officer Sakalis did not. CPD members are required to comply with the Fourth Amendment to Constitution of the United States, which guarantees protection from unreasonable searches and seizures.⁴³ Under the “automobile exception” to the search warrant requirement, “law enforcement officers may undertake a warrantless search of a vehicle if there is probable cause to believe that the automobile contains evidence of criminal activity that the officers are entitled to seize.”⁴⁴ Also, a search based on reasonable articulable suspicion (RAS) is permissible when a CPD member has RAS that a lawfully stopped vehicle contains a weapon.⁴⁵ This type of search is limited to the areas of a vehicle that the current occupant(s) can reasonably reach, and which might contain a weapon. CPD members conducting this type of search cannot search locked containers or compartments, and they are generally prohibited from searching the trunk or areas outside the passenger compartment of the vehicle.

Here, ICC footage showed Officer Rodriguez enter [REDACTED] vehicle.⁴⁶ Officer Rodriguez, Officer Sakalis, and [REDACTED] all confirmed that Officer Rodriguez searched [REDACTED] vehicle.⁴⁷ Officer Rodriguez explained to COPA that he did not need [REDACTED] permission to search because there was open alcohol in the vehicle in plain sight.⁴⁸ There is no objective verifiable evidence of an open container of alcohol in [REDACTED] vehicle to corroborate Officer Rodriguez’s claim, and there is considerable evidence to doubt his claim. Officer Rodriguez did not remove any containers from the vehicle and did not mention finding an open container during the stop. An experienced police officer would be unlikely to allow a driver to leave the scene of a traffic stop with an open container of alcohol still in his vehicle, and likewise would question the driver about the alcohol and attempt to determine if the driver was impaired. Besides the purported open container of alcohol, Officer Rodriguez did not offer any other justification for his search of [REDACTED] vehicle (such as any suspicion that the vehicle contained a weapon), and Officer Rodriguez did not complete the required ISR to document the justification for his search. COPA finds by a preponderance of evidence that Officer Rodriguez did not have [REDACTED] permission to search the vehicle and that Officer Rodriguez did not have any other justification for the search, and this allegation against Officer Rodriguez is **Sustained**. By searching the vehicle without justification, Officer Rodriguez violated [REDACTED] rights under the Fourth Amendment and Rules 1, 2, 3, 6, and 8.

⁴³ Att. 46, G02-01(IV)(B), Protection of Human Rights (effective June 30, 2022, to present).

⁴⁴ *People v. James*, 163 Ill. 2d 302, 312 (Ill. 1994) (citing *Carroll v. United States*, 267 U.S. 132 (1925)).

⁴⁵ *Michigan v. Long*, 463 U.S. 1032 (1983).

⁴⁶ Att. 21 at 03:02.

⁴⁷ Att. 3, pg. 6, lns. 4 to 6; Att. 27, pg. 13, lns. 21 to 22; Att. 35, pg. 13, ln. 24, to pg. 14, ln. 10.

⁴⁸ Att. 35, pg. 16, lns. 7 to 9.

Officer Sakalis did not recall if there was an open container of alcohol in [REDACTED] vehicle, and there is no evidence that Officer Sakalis ever performed any sort of search in [REDACTED] vehicle. Because Officer Sakalis did not enter or search [REDACTED] vehicle, COPA finds there is clear and convincing evidence that this allegation is false or not factual and is **Unfounded**.

c. Search-[REDACTED]

COPA finds that Officer Rodriguez searched [REDACTED] without justification, while Officer Sakalis did not. CPD members are required to comply with the Fourth Amendment to Constitution of the United States, which guarantees protection from unreasonable searches and seizures.⁴⁹ Here, ICC footage supported [REDACTED] claim that Officer Rodriguez searched inside his pockets during the traffic stop.⁵⁰ Officer Rodriguez denied searching [REDACTED] without justification.⁵¹ However, Officer Rodriguez failed to document any reason for performing a search by completing an ISR, Officer Rodriguez did not offer any justification for the search during his interview with COPA, and no justification for the search is apparent on the ICC recording.

Generally, a protective pat down is permissible only when a CPD member has lawfully detained a person based on either reasonable articulable suspicion or probable cause, and the CPD member “develops additional Reasonable Articulable Suspicion that the subject is armed and dangerous or reasonably suspects that the person presents a danger of attack to the officer or another.”⁵² In those circumstances, the CPD member may conduct a protective pat down that is limited to an over-the-clothing patting of a person’s outer clothing to determine if they possess a weapon. Generally, a protective pat down does not include the searching of personal effects or the contents of a person’s pockets. However, if a CPD member is completing a protective pat down and encounters an object that, based on their training and experience, the CPD member can readily identify as a weapon or other contraband, they may seize the object.⁵³ A protective pat down is intended to reduce the risk of harm to CPD members and others during a lawful detention, and it is not intended to assist CPD members in locating evidence of a crime.⁵⁴

Here, even if a protective pat down was somehow justified, Officer Rodriguez went beyond the scope of a protective pat down by reaching his hands into [REDACTED] pockets. With no contemporaneous justification documented in an ISR, no justification offered to COPA during his interview, and no justification apparent in the ICC recording of the search, COPA finds by a preponderance of evidence that Officer Rodriguez’s search of [REDACTED] was not justified, and this allegation against Officer Rodriguez is **Sustained**. By searching [REDACTED] without justification, Officer Rodriguez violated [REDACTED] Fourth Amendment rights and Rules 1, 2, 3, 6, and 8. In regard to the allegation against Officer Sakalis, COPA finds there is clear and convincing evidence

⁴⁹ Att. 46, G02-01(IV)(B).

⁵⁰ Att. 21 at 02:10; Att. 3, pg. 11, ln. 22, to pg. 12, ln. 5.

⁵¹ Att. 35, pg. 13, lns. 18 to 23.

⁵² Att. 22, S04-13-09(IV)(B), (VI)(A)(1), Investigatory Stop System (effective July 10, 2017, to present); *see also* 725 ILCS 5/108-1.01.

⁵³ Att. 22, S04-13-09(II)(E).

⁵⁴ Att. 22, S04-13-09(II)(B).

that this allegation is false or not factual, as Officer Sakalis's search was limited to removing [REDACTED] identification from his pocket, with [REDACTED] apparent consent.⁵⁵ Therefore, COPA finds by clear and convincing evidence that the allegation that Officer Sakalis searched [REDACTED] without justification is **Unfounded**.

d. Investigatory Stop Report/Investigatory Stop Receipt

COPA finds that Officer Rodriguez and Officer Sakalis failed to complete an Investigatory Stop Report and failed to issue an Investigatory Stop Receipt. Sworn CPD members who conduct an investigatory stop, probable cause stop when no other document captures the reason for the detention, and, if applicable, a protective pat down or other search in a public place, are required to submit an Investigatory Stop Report.⁵⁶ Upon the completion of an investigatory stop that involves a protective pat down or any other search, CPD members are required to provide the subject of the stop a completed Investigatory Stop Receipt. The Investigatory Stop Receipt must include the event number, the reason for the stop, and the sworn member's name and star number.⁵⁷

Here, ICC footage showed that [REDACTED] was stopped and removed from his vehicle by Officer Sakalis, and then handcuffed and detained. Officer Rodriguez performed a search of both [REDACTED] and his vehicle while in a public place, which required the completion of an ISR and issuance of an ISR receipt. Both officers admitted to COPA that they failed to complete the ISR and failed to issue an ISR receipt. For these reasons, COPA finds the preponderance of the evidence shows that Officer Rodriguez and Officer Sakalis violated CPD policy and Rules 2, 3, 5, 6, and 10, and the allegation is **Sustained**.

e. Body Worn Camera

COPA finds that the allegations against both Officer Sakalis and Officer Rodriguez for failing to activate their BWCs upon stopping [REDACTED] are **Sustained**. The decision to electronically record a law-enforcement-related encounter is mandatory, not discretionary, except where specifically indicated.⁵⁸ CPD members must activate their BWC at the beginning of all law-enforcement-related activities, including traffic stops, and must not deactivate their BWC until the entire incident has been recorded.⁵⁹

Here, COPA conducted an unsuccessful electronic search for BWC footage for both Officer Rodriguez and Officer Sakalis.⁶⁰ Later, both officers admitted their failure to comply with

⁵⁵ [REDACTED] told COPA that an officer requested his driver's license and that he gave it to them. The ICC recording shows Officer Sakalis speaking with [REDACTED] and then removing [REDACTED] wallet from his pocket. Att. 3, pg. 19, ln. 20, to pg. 20, ln. 4.

⁵⁶ Att. 22, S04-13-09(VIII)(A)(1).

⁵⁷ Att. 22, S04-13-09(VIII)(A)(3).

⁵⁸ Att. 23, S03-14(III)(A)(1), Body Worn Cameras (effective April 30, 2018, to December 31, 2023).

⁵⁹ Att. 23, S03-14(III)(A,B).

⁶⁰ Atts. 9, 10, 42, and 43. Officer Sakalis initiated a BWC recording at 9:18 pm on the date of [REDACTED] traffic stop, but that recording depicts a different traffic stop involving a different individual.

the CPD directive that required they activate their BWCs during this incident.⁶¹ For these reasons, COPA finds the preponderance of the evidence shows that Officer Rodriguez and Officer Sakalis violated CPD policy and Rules 2, 3, 5, 6, and 10, and the allegation is **Sustained**.

VI. DISCIPLINARY RECOMMENDATION

a. Police Officer Daniel Rodriguez

i. Complimentary and Disciplinary History⁶²

Officer Rodriguez has received three Department Commendations, nine Honorable Mentions, and at least seven other awards and commendations. Officer Rodriguez was suspended for three days for a December 2019 incident involving civil rights violations. Officer Rodriguez also received a notation of "no disciplinary action" for a sustained complaint under the summary punishment process for a November 2022 preventable accident.

ii. Recommended Discipline

COPA has found that Officer Rodriguez violated Rules 1, 2, 3, 6, and 8 by searching [REDACTED] and [REDACTED] vehicle without justification. COPA has also found that Officer Rodriguez violated Rules 2, 3, 5, 6, and 10 by failing to complete an ISR to document his interaction with [REDACTED] by failing to give [REDACTED] an ISR receipt, and by failing to record the interaction with his BWC. Properly completed ISRs document stops and searches of members of the public by the police and help ensure that CPD members are exercising their law-enforcement authority in a constitutional manner. Likewise, BWC recordings are important tools used to document police interactions with members of the public, and failure to capture the entirety of an encounter, as required by CPD directives, tends to undermine public trust in CPD. By both conducting improper searches of [REDACTED] and his vehicle, and by failing to properly document the interaction electronically and in report format, Officer Rodriguez's actions violated [REDACTED] rights and tended to undermine public confidence in CPD. Based on these findings and considering Officer Rodriguez's complimentary and disciplinary history, COPA recommends a **five-day suspension**.

⁶¹ Att. 30, pg. 15, ln. 16, to pg. 16, ln. 10; Att. 35, pg. 15, ln. 14, to pg. 16, ln. 3.

⁶² Att. 37.

b. Police Officer Daniel Sakalis

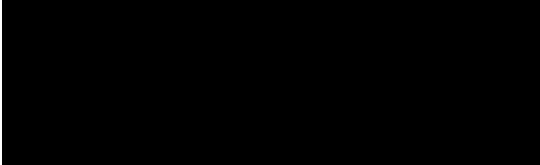
i. Complimentary and Disciplinary History⁶³

Officer Sakalis has received one Department Commendation, the Traffic Stop of the Month Award, seventeen Honorable Mentions, and at least two other awards and commendations. Officer Sakalis has no recent sustained complaint registers, but he was reprimanded through the summary punishment process for a November 2023 incident involving failure to perform assigned tasks.

ii. Recommended Discipline

COPA has found that Officer Sakalis violated Rules 2, 3, 5, 6, and 10 by failing to complete an ISR to document his interaction with [REDACTED] by failing to give [REDACTED] an ISR receipt, and by failing to record the interaction with his BWC. Properly completed ISRs document stops and searches of members of the public by the police and help ensure that CPD members are exercising their law-enforcement authority in a constitutional manner. Likewise, BWC recordings are important tools used to document police interactions with members of the public, and failure to capture the entirety of an encounter, as required by CPD directives, tends to undermine public trust in CPD. By failing to properly document the interaction electronically and in report format, Officer Sakalis’s actions tended to undermine public confidence in CPD. Based on these findings and considering Officer Sakalis’s complimentary and disciplinary history, COPA recommends a **three-day suspension.**

Approved:



6/17/2024

Matthew Haynam
Deputy Chief Administrator – Chief Investigator

Date

⁶³ Att. 38.

Appendix A**Case Details**

Date/Time/Location of Incident:	December 17, 2022 / 9:51 pm / 5124 W Chicago Ave.
Date/Time of COPA Notification:	December 17, 2022 / 11:22 pm
Involved Police Officer #1:	Daniel Rodriguez, Star #9766, Employee ID # [REDACTED], DOA: June 27, 2016, Unit: 011, Male, White Hispanic
Involved Police Officer #2:	Daniel Sakalis, Star #12400, Employee ID # [REDACTED], DOA: March 16, 2017, Unit: 016, Male, White
Involved Individual #1:	[REDACTED] Male, Black

Applicable Rules

- Rule 1:** Violation of any law or ordinance.
- 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.

Applicable Policies and Laws

- SO3-14: Body Worn Cameras (effective April 30, 2018, to date December 29, 2023)
- SO4-13-09: Investigatory Stop System (effective July 10, 2017, to present)
- G02-01: Protection of Human Rights (effective June 30, 2022, to present)
- Fourth Amendment to the Unites States Constitution

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.⁶⁴ 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.”⁶⁵

⁶⁴ See *Avery v. State Farm Mut. Auto. Ins. Co.*, 216 Ill. 2d 100, 191 (2005) (“A proposition proved by a preponderance of the evidence is one that has been found to be more probably true than not true.”).

⁶⁵ *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4th 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