



Log # 2023-5345

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On November 13, 2023, ██████████ telephoned the Civilian Office of Police Accountability (COPA) and registered this complaint. ██████████ alleged that on or about November 11, 2023, at approximately 6:45 pm, at or near 4028 W. Congress Parkway, Chicago Police Department (CPD) Officer Patrick Aziz committed misconduct by stopping ██████████ without justification, searching ██████████ without justification, excessively pulling on ██████████ right fingers, and refusing to provide his name and/or badge number upon request. COPA served two additional allegations against Officer Aziz for failing to activate his body-worn camera (BWC) and failing to complete an Investigatory Stop Report (ISR).

After its investigation, COPA reached not sustained and sustained findings for the allegations against Officer Aziz.

II. SUMMARY OF EVIDENCE²

On the evening of November 11, 2023, ██████████ was heading home from his job at O'Hare Airport. As ██████████ walked west on Congress Parkway from Pulaski Road, an unmarked police vehicle pulled up next to him. Before Officer Aziz exited the vehicle, he asked ██████████ if he had a gun. ██████████ answered that he did not have a gun, at which time Officer Aziz exited the front passenger seat of the unmarked police vehicle.³

██████████ stated that Officer Aziz exited the vehicle and grabbed him by his hand while telling ██████████ to lift his shirt so that Officer Aziz could see if he had a gun. ██████████ protested and tried to push Officer Aziz' hand away from him.⁴ Officer Aziz then called out to the other officers in the car for assistance. The driver officer then exited the vehicle and lifted his shirt, finding that ██████████ did not have a gun.⁵ ██████████ explained that when Officer Aziz grabbed his right hand he pulled ██████████ fingers, causing pain and swelling to them. ██████████ did not seek

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 The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including civilian and officer interviews, third-party photographs, 911 audio and radio transmissions.

³ Att. 2, pg. 5, line 9 to pg. 6, line 12.

⁴ Att. 2, pg. 6, lines 2 to 5.

⁵ Att. 2, pg. 6, line 13 to pg. 7, line 7.

medical attention for the injury to his fingers.⁶ In his statement to COPA, Officer Aziz denied using any physical force, explaining that the only physical contact he had with ██████ was to perform a protective pat down on his outer clothing.⁷

According to ██████ he then asked for Officer Aziz' badge number, but Officer Aziz responded that he did not have a badge number.⁸ ██████ stated that the officers returned to vehicle, but before the officers drove away ██████ used his cell phone to take pictures of the vehicle and Officer Aziz.⁹ ██████ also provided COPA with a photograph he took of Officer Aziz, who was in uniform with his last name visible on his police coat.¹⁰ Officer Aziz appeared seated in the front seat of a vehicle.

In his statement to COPA, Officer Aziz stated that he could not recall who he was working with on the day of this incident.¹¹ When Officer Aziz first saw ██████ it appeared that ██████ had a heavily weighted object in his front waistband area. Officer Aziz stated that the size and shape were consistent with a firearm. Officer Aziz also observed that ██████ appeared to get nervous when he saw the officers. ██████ then tried to avoid eye contact with them while turning his body and using his arm to conceal his waist area from the officers. Based on his experience with numerous arrests for unlawful use of a firearm, Officer Aziz stated that ██████ actions were consistent with someone attempting to conceal that they were illegally in possession of a firearm.¹² However, Officer Aziz also stated that, ultimately, Willaims had not been in possession of a firearm.¹³

At 6:45 pm, ██████ telephoned the Office of Emergency and Communication (OEMC) and reported that officers in a white truck twisted his wrist and asked him if he had any weapons. ██████ informed the dispatcher that he was walking home and did not want to wait for a sergeant. ██████ was transferred to the 011th District Station to speak with the desk sergeant.¹⁴

██████ also provided COPA with photographs of the license plate of the police vehicle Officer Aziz was purportedly traveling in as well as the location of the alleged incident.¹⁵ Per the Attendance and Assignment Records (A&As), there were six officers assigned to CPD Vehicle #2684 at the same time: Officer Aziz, Officer Michael Baci, Officer Anthony Alvarez, Officer

⁶ CMS Note CO-1366338.

⁷ Att. 13, pg. 20, line 23 to pg. 21, line 7.

⁸ Att. 2, pg. 7, lines 8 to 11.

⁹ Att. 2, pg. 7, lines 17 to 23.

¹⁰ Att. 3, pg. 2.

¹¹ Att. 13, pg. 8, lines 6 to 11.

¹² Att. 13, pg. 9, lines 6 to 17.

¹³ Att. 13, pg.9, lines 19 to 20.

¹⁴ Atts. 7 and 8.

¹⁵ Atts. 3 and 4.

Humberto Cruz, Officer Dexter Calhoun, and Officer Michael Walsh. The A&As also indicated that the start time for all of the aforementioned officers was 9:30 am.¹⁶

Officer Aziz did not recall whether ██████ asked for his badge number. Officer Aziz was unable to recall the conversation he had with ██████ during this encounter.¹⁷ Officer Aziz acknowledged that he did not activate his BWC at any time during the encounter with ██████.¹⁸ Officer Aziz also acknowledged that he did not complete an ISR, explaining that he was uncomfortable doing so because he did not have any BWC recording to reference.¹⁹

III. ALLEGATIONS

Officer Patrick Aziz:

1. Stopping ██████ without justification.
 - Not Sustained.
2. Searching ██████ without justification.
 - Not Sustained.
3. Excessively pulling on the fingers of ██████ right hand.
 - Not Sustained.
4. Refusing to provide his name and/or badge number upon request.
 - Not Sustained.
5. Failing to activate his body-worn camera, in violation of Special Order S03-14.
 - Sustained, in violation of Rules 2, 3, 5, 6, and 10.
6. Failing to complete an Investigatory Stop Report, in violation of Special Order S04-13-09.
 - Sustained, in violation of Rules 2, 3, 5, 6, and 10.

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.

██████ account was partially corroborated by his photographic evidence and his call to 911 not long after the incident. ██████ was also cooperative and participated in this

¹⁶ Att. 43. Note: In March 2024, COPA sent a letter to 11th District Commander Davina Ward notifying CPD of a pattern of cases in the 11th District where COPA was unable to verify important details due to inaccurate record keeping. In this case, had CPD kept more thorough records, COPA would have likely served allegations against additional officers. However, COPA was only able to positively identify Officer Aziz and, as such, he is the only officer facing allegations for this incident. See Att. 44.

¹⁷ Att. 13, pg. 24, lines 7 to 11.

¹⁸ Att. 13, pg. 9, ln. 24 and pg. 22, line 22.

¹⁹ Att. 13, pg. 22, line 22 to pg. 23, line 3.

investigation. Overall, COPA found ██████ to be credible. Officer Aziz did not recall this incident but, when confronted with evidence, admitted to COPA that he failed to activate his BWC and failed to complete an ISR. COPA also found Officer Aziz to be generally credible.

V. ANALYSIS²⁰

a. Stopping and Searching ██████

COPA finds the allegations that Officer Aziz stopped and searched ██████ without justification are **not sustained**. The Fourth Amendment of the U.S. Constitution protects people against unreasonable searches and seizures.²¹ According to CPD policy, an investigatory stop is defined as the temporary detention and questioning of a person in the vicinity where the person was stopped based on reasonable articulable suspicion that the person is committing, is about to commit, or has committed a criminal offense.²² In addition, a protective pat down is defined as 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.²³ For investigatory stops, a sworn member must possess specific and articulable facts which, combined with rational inferences from these facts, reasonably warrant a belief that the suspect is committing, is about to commit, or has committed a criminal offense.²⁴ For a protective pat down, a sworn member must possess specific and articulable facts, combined with rational inferences from these facts, that the suspect is armed and dangerous or reasonably suspects that the person presents a danger of attack to the sworn member or others in the area.²⁵

The fact that Officer Aziz conducted an investigatory stop and protective pat down of ██████ is not in dispute. Rather, the question is whether Officer Aziz was justified in conducting this stop and search. Neither Officer Aziz nor ██████ deny the encounter occurred, and their accounts are similar in that they both acknowledge that Officer Aziz believed that ██████ was possibly in possession of a weapon. ██████ claimed that he was stopped and searched without justification. COPA also notes that ██████ was not in possession of an illegal firearm and was not arrested by CPD during this incident. On the other hand, Officer Aziz explained that he saw what appeared to be an object consistent with the size and shape of a firearm in the front ██████ waistband. Officer Aziz also explained that ██████ appeared to get nervous when he saw the officers. According to Officer Aziz, ██████ then tried to avoid eye contact with them while turning his body and using his arm to conceal his waist area from the officers. Officer Aziz' experience with multiple weapons arrests led him to believe that ██████ was possibly illegally in possession of a firearm, at which point he decided to stop ██████ for further investigation. Officer Aziz stated he believed he had reasonable articulable suspicion that ██████ was possibly

²⁰ For a definition of COPA's findings and standards of proof, *see* Appendix B.

²¹ U.S. Const., amend. IV.

²² Att. 46, S04-13-09 II(A), Investigatory Stop System (effective July 10, 2017 to present).

²³ Att. 46, S04-13-09 II(B).

²⁴ Att. 46, S04-13-09 II(C)(1).

²⁵ Att. 46 S04-13-09 II(C)(2).

armed with a firearm, and so during the investigatory stop Officer Aziz conducted a protective pat down of [REDACTED]

Without any other objective verifiable evidence, such as BWC video or an ISR that contemporaneously documented the purpose for this stop and search, COPA finds that there is insufficient evidence to prove or disprove these allegations. As such, these two allegations are not sustained by a preponderance of the evidence.

b. Excessive Force

COPA finds the allegation that Officer Aziz excessively pulled on the fingers of [REDACTED] right hand is **not sustained**. In this instance, [REDACTED] claimed that Officer Aziz used excessive force against him by pulling on his fingers. Officer Aziz denied this allegation. Although [REDACTED] claimed that he sustained pain and swelling to his fingers, he never sought medical attention and never took photographs. Given the lack of any other objective verifiable evidence to support [REDACTED] claim of excessive force, such as medical records or video of the incident, COPA finds that there is insufficient evidence to prove or disprove the allegation, and it is therefore not sustained by a preponderance of the evidence.

c. Failing to Provide his Name and/or Badge Number

COPA finds the allegation that Officer Aziz refused to provide his name and/or badge number upon request is **not sustained**. Although [REDACTED] stated that he asked Officer Aziz for his name and badge number, Officer Aziz was unable to recall what conversation he had with [REDACTED]. Although [REDACTED] used his cell phone to photograph Officer Aziz, he did not record the conversation. Since Officer Aziz never activated his BWC, the conversation between [REDACTED] and Officer Aziz was not memorialized. As such, COPA finds that there is insufficient evidence to prove or disprove the allegation, and it is therefore not sustained by a preponderance of the evidence.

d. Failing to Activate his BWC

COPA finds the allegation that Officer Aziz failed to activate his BWC is **sustained**. To increase transparency and improve the quality and reliability of investigations, CPD policy requires law-enforcement-related activities to be electronically recorded.²⁶ Law-enforcement-related activities include, but are not limited to, calls for service, investigatory stops, traffic stops, foot and vehicle pursuits, arrests, use of force incidents, emergency vehicle responses where fleeing suspects or vehicles may be captured on video leaving the crime scene, high risk situations, and any other instances when enforcing the law.²⁷ The decision to record is mandatory, not discretionary.²⁸ CPD members are required to activate their BWCs at the beginning of an incident

²⁶ Att. 45, S03-14 II(A), Body Worn Cameras (effective April 30, 2018 to December 29, 2023).

²⁷ Att. 45, S03-14 III(2)(a-r).

²⁸ Att. 45, S03-14 III(A)(1).

and record the entire incident.²⁹ If circumstances prevent the activation of a BWC at the beginning of an incident, the member will activate their camera as soon as practical.³⁰

Here, Officer Aziz engaged in police activity when he conducted an investigatory stop and pat down search of ██████████. Yet, he failed to activate his BWC at any point during their encounter. Officer Aziz explained that he thought he had turned his camera on, but also acknowledged that he failed to do so. Given this, COPA finds that this allegation is sustained by preponderance of the evidence, in violation of Rules 2, 3, 5, 6, and 10.

e. Failing to Complete an ISR

COPA finds the allegation that Officer Aziz failed to complete an ISR is **sustained**. CPD policy requires officers to complete an ISR when they conduct an investigatory stop.³¹ Upon 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 with a completed investigatory stop receipt.³²

As discussed above, Officer Aziz conducted an investigatory stop and pat down search of ██████████ during this incident, which required Officer Aziz to complete an ISR. Officer Aziz admitted that he should have completed an ISR but explained that he chose not to because he failed to record the incident on his BWC and was therefore uncomfortable completing the report. In light of this evidence, COPA finds that this allegation is sustained by preponderance of the evidence, in violation of Rules 2, 3, 5, 6, and 10.

VI. DISCIPLINARY RECOMMENDATION

a. Officer Patrick Aziz

i. Complimentary and Disciplinary History³³

Officer Aziz' complimentary history is comprised of 32 awards, the highlights of which include one Unit Meritorious Performance Award, one Military Service Award, one Life Saving Award, and two Department Commendations. His disciplinary history includes five SPARs with sustained findings: 1) an October 2023 preventable accident, resulting in a reprimand, 2) an April

²⁹ Att. 45, S03-14 III(A)(2).

³⁰ Att. 45, S03-14 III(A)(2).

³¹ Att. 46, S04-13-09 III(C).

³² Att. 46, S04-13-09 VIII(A)(3).

³³ Atts. 47 and 48. Note: CPD's Bureau of Internal Affairs (BIA) previously investigated Officer Aziz under Log 2023-3858 and sustained three allegations against him: one for deactivating his BWC before the completion of law enforcement related activity, one for failing to notify OEMC about a foot pursuit, and another for failing to render medical aid after a foot pursuit. BIA recommended that Officer Aziz receive a 7-day suspension. However, the case is not yet final, as Officer Aziz is currently grieving these findings and/or the disciplinary recommendation.

2023 preventable accident, resulting in no disciplinary action taken, 3) a May 2024 preventable accident, resulting in a 3-day suspension, 4) an August 2024 medical roll violation, resulting in a 1-day suspension, and 5) a November 2024 BWC violation, resulting in a 1-day suspension.

ii. Recommended Discipline

COPA has found that Officer Aziz violated Rules 2, 3, 5, 6, and 10 when he failed to activate his BWC and failed to complete an ISR. In mitigation, COPA notes Officer Aziz' complimentary history. In addition, Officer Aziz was forthcoming when he acknowledged that he failed to activate his BWC and failed to complete an ISR. In aggravation, COPA notes that Officer Aziz' lack of BWC video and failure to complete an ISR hindered this investigation. Due to the lack of video and reports (as well as CPD's inaccurate record keeping) COPA was unable to identify the other involved CPD members. Indeed, the only reason COPA was able to positively identify Officer Aziz was because [REDACTED] photographed his nametag during the incident. Moreover, had Officer Aziz and his unnamed partners acted in accordance with CPD policy by activating their BWCs and completing a report, COPA may have been able to make positive findings (such as exonerated or sustained), as opposed to making a finding of not sustained for most of these allegations. Instead, COPA, CPD and the public will never know precisely what happened because Officer Aziz failed in his duty to activate his BWC and complete the necessary report.

Finally, COPA notes that Officer Aziz has a recent SPAR for a BWC violation, which is misconduct that he repeated in this case. Based on the principle of progressive discipline, COPA recommends a penalty in the range of a **3-to-30 day suspension** and **retraining** on CPD's BWC Policy and Investigatory Stop System Policy.

Approved:

[REDACTED]

Steffany Hreno
Director of Investigations

2/20/2025

Date

Appendix ACase Details

Date/Time/Location of Incident:	November 11, 2023 / 6:45 pm / 420 S. Pulaski Road, Chicago, IL 60624.
Date/Time of COPA Notification:	November 13, 2023 / 1:19 pm.
Involved Member #1:	Officer Patrick Aziz / Star #16188 / Employee ID # [REDACTED] / DOA: February 16, 2021 / Unit 011 / Male / Asian Pacific Islander.
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.

Applicable Policies and Laws

- U.S Constitution, amendment IV.
- Special Order S03-14, Body Worn Cameras (effective April 30, 2018 to December 29, 2023).
- Special Order S04-13-09, Investigatory Stop System (effective July 10, 2017 to 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.³⁴ 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.”³⁵

³⁴ 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).

³⁵ *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