



Log # 2024-0187

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

COPA received a complaint over the phone from ██████████ regarding a traffic stop on January 11, 2024 at approximately 7:50 pm at 6259 S. Springfield Ave. COPA interviewed ██████████ on September 17, 2024, wherein he said he was detained and his car was searched for no reason.² Upon reviewing the evidence, COPA determined the traffic stop, vehicle search and detention of ██████████ and the passenger were justified. However, during the course of the stop, Chicago Police Department (CPD) officers conducted a street stop of another individual, ██████████. COPA investigators interviewed ██████████ on February 2, 2024. ██████████ said he was stopped for no reason by CPD officers on January 11, 2024, while crossing the street and they searched his pockets.^{3 4}

COPA served allegations against Officers Nicholas Reno and Santos Ruiz for detaining and searching ██████████ and failing to complete necessary paperwork. COPA served allegations against Officer Michael Wilson for detaining ██████████ and failure to complete necessary paperwork. COPA served allegations against Officers David Kachiroubas and Omar Lezama for failure to report misconduct. Following its investigation, COPA reached sustained findings for all allegations against Officers Reno, Ruiz and Wilson, and not sustained findings against Officers Kachiroubas and Lezama.

II. SUMMARY OF EVIDENCE⁵

On January 11, 2024, at approximately 7:50 pm, CPD officers stopped ██████████ for having covers on his license plate and tinted windows.⁶ Officers said they smelled marijuana and

¹Appendix 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 Att. 30 pgs. 15 and 19-21 (██████████ transcribed statement).

³ 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.

⁴ Att. 4, pg. 10 (██████████ transcribed statement).

⁵ 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, POD video, CPD reports, the complainant's statement, and officer interviews.

⁶ Att. 12, pgs. 1-2 (Investigatory Stop Report for ██████████)

██████████ said he had marijuana, but the amount was under the legal limit.⁷ The passenger said she had a concealed carry license and had a weapon on her person. Officers asked for the weapon to secure it, asked both occupants out of the car, and conducted a search of the vehicle based on the smell of both burnt and raw cannabis.⁸ Towards the end of the traffic stop, Officers Wilson and Ruiz observed an individual on foot (now known to be ██████████) who crossed against the signal at the intersection of West 63rd and South Springfield Ave. and stopped him.⁹ They conducted an investigatory stop of ██████████ and were assisted by Officers Reno, Kachiroubas and Lezama.¹⁰ Officer Ruiz told ██████████ he was stopped for J-walking and crossing the street against the light. Officers Reno and Ruiz did a pat-down of ██████████ but did not recover any contraband.¹¹ ██████████ provided his name to the officers and Officer Ruiz ran his information through the PDT (portable data terminal) and his name did not come back with any wants or warrants.¹² ██████████ was released without being ticketed and was not provided any receipt for the stop.¹³

III. ALLEGATIONS

Officer Nicholas Reno

1. Detained ██████████ without justification.
 - Sustained, Violation of Rules 2, 3 and 6.
2. Searched ██████████ without justification.
 - Sustained, Violation of Rules 1, 2, 3, 6 and 8.
3. Failed to complete an Investigatory Stop Report for ██████████
 - Sustained, Violation of Rules 3, 5, 6 and 10.
4. Failed to provide an Investigatory Stop Receipt to ██████████
 - Sustained, Violation of Rules 3, 5, 6 and 10.

Officer Santos Ruiz

1. Detained ██████████ without justification.
 - Sustained, Violation of Rules 2, 3 and 6.
2. Searched ██████████ without justification.
 - Sustained, Violation of Rules 1, 2, 3, 6 and 8.
3. Failed to complete an Investigatory Stop Report for ██████████
 - Sustained, Violation of Rules 3, 5, 6 and 10.

⁷ Att. 6 at 19:47:46 (Liera BWC); Att. 12, pg. 2.

⁸ Att. 12, pg. 2; Att. 13, pg. 2 (Investigatory Stop Report for Leslie Gonzalez).

⁹ Att. 40, pg. 8 (Ofc. Wilson Transcribed Statement); Att. 46, pg. 7 (Ofc. Ruiz Transcribed Statement).

¹⁰ Att. 40, pgs. 9-10.

¹¹ Att. 47, Pg. 11 (Ofc. Reno Transcribed Statement); Att. 46, pg. 11.

¹² Att. 8 at 19:59:33 (Ruiz BWC); Att. 46, pg. 14.

¹³ Att. 8 at 20:01:15; Att. 40, pg. 15; Att. 46, pg. 13; Att. 47, pgs. 15-16.

4. Failed to provide an Investigatory Stop Receipt to [REDACTED]
 - Sustained, Violation of Rules 3, 5, 6 and 10.

Officer Michael Wilson

1. Detained [REDACTED] without justification.
 - Sustained, Violation of Rules 2, 3 and 6.
2. Failed to complete an Investigatory Stop Report for [REDACTED]
 - Sustained, Violation of Rules 3, 5, 6 and 10.
3. Failed to provide an Investigatory Stop Receipt to [REDACTED]
 - Sustained, Violation of Rules 3, 5, 6 and 10.

Officer David Kachiroubas

1. Failed to intervene and/or report misconduct of an improper search.
 - Exonerated

Officer Omar Lezama

1. Failed to intervene and/or report misconduct of an improper search.
 - Exonerated

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.

Officers Reno, Ruiz and Wilson had a recollection of the incident, and their statements were consistent with the bodycam video. They were forthcoming in their statements and provided details consistent with the BWC. Officers Lezama and Kachiroubas also recalled the incident, and their accounts were consistent with the BWC.

V. ANALYSIS¹⁴

a. Allegation 1 against Officers Reno, Ruiz and Wilson – Detained [REDACTED] without justification.

CPD defines an Investigatory stop as: “[t]he temporary detention and questioning of a person in the vicinity where the person was stopped based on Reasonable Articulate Suspicion that the person is committing, is about to commit, or has committed a criminal offense.”¹⁵ “Reasonable Articulate Suspicion is an objective legal standard that is less than probable cause, but more than a hunch or general suspicion. Reasonable Articulate Suspicion depends on the totality of the circumstances which the sworn member observes and the reasonable inferences that are drawn based on the sworn member’s training and experience.”¹⁶ CPD officers who conduct an investigatory stop are required to complete an Investigatory stop Report.¹⁷ Additionally, if the investigatory stop involved a protective pat down or any other search, officers are required to provide an Investigatory Stop Receipt to the subject.¹⁸

Here, Officers Wilson and Ruiz initially stopped [REDACTED] for J-walking and walking against the signal. [REDACTED] was then detained and patted down by Officers Ruiz and Reno.¹⁹ Officers Wilson and Ruiz asked whether [REDACTED] had any contraband on his person and general questions about what he was doing in the area.²⁰ In his statement to COPA, Officer Wilson said they conducted an investigatory stop of [REDACTED] to talk to him and keep the scene secure for the other traffic stop that was going on at the same time.²¹ Officer Wilson said the Officers were in an area known for gang activity and [REDACTED] had his cell phone out, had a face mask on, and suspected he might be affiliated with a gang.²² However, Officer Wilson said he did not suspect [REDACTED] of being involved in any criminal activity.²³ Officer Ruiz also said the area was a “high gang-conflict zone” and he observed [REDACTED] wearing a mask, throwing up gang signs, and recording with his cell phone.²⁴ Officer Ruiz said that seemed like “odd behavior.”²⁵ For his part, Officer Reno said he did not initially know the reason for the stop of [REDACTED] but saw Officers Ruiz and Wilson had stopped someone and went to assist them.²⁶ He said he did a pat down of [REDACTED] for officer safety

¹⁴ For a definition of COPA’s findings and standards of proof, *see* Appendix B.

¹⁵ Att. 41, S04-13-09(II)(A) Investigatory Stop System (Effective July 10, 2017 to present)

¹⁶ Att. 41, S04-13-09(II)(C).

¹⁷ Att. 41, S04-13-09(III)(C).

¹⁸ Att. 41, S04-13-09(VIII)(A)(3).

¹⁹ Atts. 8 and 11 at 19:58:59 (Ruiz and Wilson BWC); Att. 40, pgs. 11-12; Att. 46, pg. 11; Att. 47, pg. 11.

²⁰ Atts. 8 and 11 at 19:59:05.

²¹ Att. 40, pgs. 9-10.

²² Att. 40, pgs. 10 and 12.

²³ Att. 40, pg. 13.

²⁴ Att. 46, pgs. 6-7.

²⁵ Att. 46, pg. 11.

²⁶ Att. 47, pgs. 9-10.

(which will be discussed further below) and held onto [REDACTED] arm to detain him while Officer Ruiz went to run [REDACTED] information in the PDT.²⁷

While the Officers believed they had reason to detain [REDACTED] none of them could point to anything specific which led them to believe [REDACTED] was committing, was about to commit, or had committed a criminal offense, as required by the General Order. The initial reasons for the stop were municipal code violations.²⁸ This incident occurred in the winter in January, so the fact of [REDACTED] wearing a mask would not be unusual. The officers were generally concerned with safety and the scene of the traffic stop; however, those reasons are insufficient to form the basis of an investigatory stop. As such, COPA finds **Allegation 1** against Officers Reno, Ruiz and Wilson is **Sustained**.

b. Allegation 2 against Officers Reno and Ruiz – Searched [REDACTED] without justification.

CPD defines a protective pat down 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.”²⁹ The Special Order goes on to say that 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.”³⁰

In this case, Officer Reno said he observed [REDACTED] cross his arms in front of his body and towards his waist as if he was concealing something.³¹ Officer Reno said that for officer safety, he did a pat down of [REDACTED] front waistline area by running his hand along the outside of [REDACTED] clothing and he also unzipped [REDACTED] hoodie to be certain there were no firearms underneath it, stating that sometimes individuals conceal a firearm in their armpit.³² Officer Reno said he did not know the initial reason for the stop of [REDACTED] at the time, but wanted to assist the other officers.³³ He also mentioned the area where the stop occurred was an area known for gang activity. Although [REDACTED] did appear to hold his arms in front of his body, there was no articulated reason to believe that he was armed or posed a danger to the officers. Officer Reno did not see [REDACTED] with a weapon. Simply being located in an area with gang activity is not sufficient to infer that an individual has any gang affiliation or possesses a weapon. Officer Reno said it appeared as if he was concealing something, but without a specific and articulable reason to believe that

²⁷ Att. 47, pg. 12.

²⁸ Municipal Code of Chicago, Pedestrians’ Rights and Duties, §§ 9-60-060 & 9-60-100.

²⁹ Att. 41, S04-13-09(II)(A).

³⁰ Att. 41, S04-13-09(II)(C)(2).

³¹ Att. 47, pgs. 10-11.

³² Att. 47, pgs. 11 and 14-15.

³³ Att. 47, pgs. 9-10.

██████████ was specifically concealing a weapon and posed a danger, there was insufficient reason to conduct a pat down.

As discussed earlier, Officer Ruiz said he saw ██████████ gesturing with his left hand and holding his cell phone in his right hand at the initiation of the stop.³⁴ Officer Ruiz said when they tried to stop ██████████ he had his right hand concealed.³⁵ Officer Ruiz went on to say that ██████████ kept his hand close to his body and Officer Ruiz was suspicious that ██████████ could be concealing a weapon.³⁶ Officer Ruiz said that in his training and experience when people don't show their hands and have them close to their waistband, they are trying to conceal something.³⁷ Officer Ruiz did not point to anything specific or articulable which led him to believe that ██████████ had a weapon or posed a danger of attack. Officer Ruiz's general suspicion about ██████████ was not enough to warrant a pat down. For the foregoing reasons, COPA finds **Allegation 2** against Officers Reno and Ruiz is **Sustained**.

c. Allegations 2–3 against Officer Wilson and 3–4 against Officers Reno and Ruiz – Failed to complete an Investigatory Stop Report for ██████████ and failed to provide an Investigatory Stop Receipt to ██████████

CPD officers who conduct an investigatory stop are required to complete an Investigatory stop Report.³⁸ Additionally, if the investigatory stop involves a protective pat down or any other search, officers are required to provide an Investigatory Stop Receipt to the subject.³⁹ As discussed earlier, COPA has determined this was an improper investigatory stop of ██████████. However, that does not absolve the officers of having to complete the proper documentation if they believed they were conducting a valid stop. Officers Reno, Ruiz and Wilson all agreed that an Investigatory Stop Report should have been completed and that it was essentially an oversight that one was not.⁴⁰ Further, since there was a pat down conducted in conjunction with this stop, they were required to provide ██████████ with an Investigatory Stop Receipt, which they did not. COPA finds **Allegations 2-3** against Officer Wilson, and **Allegations 3-4** against Officers Reno and Ruiz are **Sustained**.

d. Allegation 1 against Officers Kachiroubas and Lezama – Failed to intervene and/or report misconduct.

³⁴ Att. 46, pg. 10.

³⁵ Att. 46, pg. 11.

³⁶ Att. 46, pg. 11.

³⁷ Att. 46, pg. 12.

³⁸ Att. 41, S04-13-09(III)(C).

³⁹ Att. 41, S04-13-09(VIII)(A)(3).

⁴⁰ Att. 40, pgs. 14-15; Att. 46, pg. 13; Att. 47, pgs. 15-16.

General Order G08-01-02, Complaint Initiation and Log Number Investigation Assignment, states that an officer has a duty to report misconduct that is observed by immediately notifying a supervisor and preparing a written report.⁴¹

In this case, Officer Lezama said he was not aware of the initial reason for the stop of [REDACTED] and said he was there to assist the other officers.⁴² Officer Lezama did not see the interaction the other officers first had with [REDACTED] and he did not know what their reasons were for stopping him or searching him. Officer Kachiroubas said he observed [REDACTED] J-walking and that was the reason for the stop.⁴³ He said he did not know why Officers Reno and Ruiz searched [REDACTED] but believed they would have had their reasons for the search and Officer Kachiroubas had no reason to believe the search was improper.⁴⁴ Officer Kachiroubas said he thought it might have something to do with the way [REDACTED] was positioning himself away from the officers in a closed off fashion.⁴⁵

It was reasonable that Officer Lezama did not know the reason for the stop because he was not present for the initial encounter the other officers had with [REDACTED].⁴⁶ Therefore, he would not know the circumstances which led to the stop or the particular reasons the officers had to search. Officer Kachiroubas believed he knew the reason for the stop, but he did not know what other reasons the officers had to search, although he surmised it had something to do with [REDACTED] positioning. BWC showed Officers Kachiroubas and Lezama did not take participatory action that would have possibly given them more direct knowledge of why the other officers were searching [REDACTED]. Rather, BWC supports that Officers Kachiroubas and Lezama were, respectively, in a supportive, observant role. Based on the foregoing, COPA finds **Allegation 1** against Officers Lezama and Kachiroubas is **Exonerated**.

VI. DISCIPLINARY RECOMMENDATIONS

A. Officer Nicholas Reno

i. Complimentary and Disciplinary History

Officer Nicholas Reno has received a total of 112 awards, including 1 Crime Reduction Award, 4 Emblems of Recognition and 1 Special Commendation Award. He does not have any sustained complaints in the last five years.

⁴¹ Att. 49, G08-01-02(III)(B)(1), Complaint Initiation and Log Number Investigation Assignment (Effective December 31, 2022 to present).

⁴² Att. 38, pgs. 10-11 (Ofc. Lezama Transcribed Statement); Att. 39 (Ofc. Kachiroubas Transcribed Statement).

⁴³ Att. 39, pgs. 9.

⁴⁴ Att. 39, pgs. 10-12

⁴⁵ Att. 39, pgs. 10-12.

⁴⁶ Att. 23 at 19:58:54 (Lezama BWC).

ii. Recommended Discipline

COPA found that Officer Reno violated CPD’s mission and values by detaining and searching [REDACTED] without justification and failing to document the stop. COPA recommends **1-29 Days Suspension.**

B. Officer Santos Ruiz

i. Complimentary and Disciplinary History

Officer Santos Ruiz has received a total of 128 awards, including 2 Department Commendations, 2 Special Commendations and 1 Democratic Convention Service Award. He has no sustained complaints in the last five years.

ii. Recommended Discipline

COPA found that Officer Ruiz violated CPD’s mission and values by detaining and searching [REDACTED] without justification and failing to document the stop. COPA recommends **1-29 Days Suspension.**

C. Officer Michael Wilson

i. Complimentary and Disciplinary History

Officer Michael Wilson has received a total of 66 awards, including 1 Crime Reduction Award, 2 Department Commendations and 1 Special Commendation. He has no sustained complaints in the last five years.

ii. Recommended Discipline

COPA found that Officer Wilson violated CPD’s mission and values by detaining [REDACTED] without justification and failing to document the stop. COPA recommends **1-29 Days Suspension.**

[REDACTED]

7-10-2025

Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Case Details

Date/Time/Location of Incident:	January 11, 2024 / 7:58 pm / 3907 W. 63 rd Street
Date/Time of COPA Notification:	January 11, 2024 / 8:47 pm
Involved Member #1:	Nicholas Reno / Star #15106 / Employee No. [REDACTED] / Date of Appointment: June 5, 2023 / 8th District / White male
Involved Member #2	Santos Ruiz / Star #14135 / Employee No. [REDACTED] / Date of Appointment: May 16, 2018 / 8th District / Hispanic male
Involved Member #3	Michael Wilson / Star #4799 / Employee No. [REDACTED] / Date of Appointment: September 27, 2018 / 8th District / Black male
Involved Member #4	David Kachiroubas / Star# 19334 / Employee No. [REDACTED] / Date of Appointment: May 16, 2018 / 8th District / White male
Involved Member #5	Omar Lezama / Star# 19778 / Employee No. [REDACTED] / Date of Appointment: April 16, 2021 / 8th District / Hispanic male
Involved Individual #1	[REDACTED] / 28 years old / Hispanic male
Involved Individual #2	[REDACTED] / 22 years old / Hispanic female
Involved Individual #3	[REDACTED] / 19 years old / Hispanic male

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

Fourth Amendment to the United States Constitution

G08-01-02, Complaint Initiation and Log Number Investigation Assignment, *effective 12-31-21 to present.*

S04-13-09, Investigatory Stop System, *effective 7-10-17 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.⁴⁷ 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

⁴⁷ 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.”⁴⁸

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

⁴⁸ *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4th ed. 2000)).

- Verbal Abuse
- Other Investigation