



Log # 2024-0003378

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On April 12, 2024, the Civilian Office of Police Accountability (COPA) received a telephonic complaint from ██████████ reporting alleged misconduct by members of the Chicago Police Department (CPD). ██████████ alleged that on March 18, 2024, CPD members unlawfully stopped and detained him without justification.² In addition, it was alleged that ██████████ vehicle was searched without justification, and he was not provided with an Investigatory Stop Receipt nor was an Investigatory Stop Report completed. COPA identified Sgt. Erick Seng and Officers Joseph Vecchio, Ziad Mansour, and Guirlene Hyppolite as the accused in this incident. COPA reached sustained findings for all of the allegations against Sgt. Seng and Officer Vecchio, and not sustained findings for Officers Mansour and Hyppolite.

II. SUMMARY OF EVIDENCE³

On March 18, 2024, at approximately 7:10 pm, Sgt. Seng and Officer Vecchio were on routine patrol, driving northbound on North Franklin Street. Sgt. Seng made a U-turn after passing ██████████ who was driving southbound. Sgt. Seng activated his lights and sirens and curbed ██████████ vehicle. Officer Vecchio approached the vehicle and asked ██████████ to roll down his window and produce his driver's license. ██████████ asked why he was being pulled over, and Officer Vecchio responded, "We'll let you know."⁴ After further inquiry by ██████████ about the stop, Officer Vecchio responded with, "I believe your registration is expired."⁵ ██████████ handed his license to Officer Vecchio, who returned to the CPD vehicle and ran ██████████ name.

Upon learning that ██████████ license and registration were current and valid, Officer Vecchio walked back to ██████████ vehicle and returned his license. The two then engaged in a heated conversation about the reason for the stop. At that point, Officer Vecchio told ██████████ to exit his vehicle, but ██████████ refused and asked for a supervisor. Officer Vecchio immediately responded, "This is him right here...That's why it's not going to go good for you."⁶ Sgt. Seng

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, an interview of ██████████ and officer interviews.

⁴ Att. 7 at 2:32.

⁵ Att. 7 at 3:12.

⁶ Att. 7 at 5:25.

approached ██████ identified himself as a police sergeant, and asked ██████ to exit the vehicle. ██████ continued to question why he had to exit the vehicle when his license and registration were valid. Eventually, Officer Vecchio reached into ██████ vehicle, unlocked the driver's side door, and escorted ██████ from the vehicle.⁷

Additional officers, including Officers Mansour, Hyppolite, Darrell Willis, and Zachary Carmen, arrived on scene to assist. ██████ was placed into handcuffs and escorted to the back of his vehicle. At Officer Vecchio's direction, Officer Willis conducted a protective pat-down of ██████ and remained with ██████. At the same time, Officers Vecchio, Mansour, Hyppolite, Carmen, and Sgt. Seng conducted a search of ██████ vehicle, including the front and rear seats, floorboard, center console, glove compartment, trunk, and at least one zipped bag. Approximately one minute after beginning the search, Officer Vecchio was captured on Body Worn Camera (BWC) commenting that he smelled cannabis.⁸ The officers, however, did not locate any contraband or weapons during the vehicle search. Eventually, they released ██████ without issuing him any citations, and they neither offered nor issued ██████ an Investigatory Stop Receipt.

III. ALLEGATIONS

Sgt. Erick Seng:

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

Officer Joseph Vecchio:

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

Sgt. Erick Seng and Officer Joseph Vecchio:

2. Searching ██████ vehicle without justification.
 - Sustained, Violation of Rules 1, 2, 3, and 6.
3. Failing to complete an Investigatory Stop Report documenting the interaction with ██████
 - Sustained, Violation of Rules 2, 3, 5, 6, and 10.
4. Failing to provide ██████ with an Investigatory Stop Receipt.
 - Sustained, Violation of Rules 2, 3, 5, 6, and 10.

Officer Ziad Mansour and Officer Guirlene Hyppolite:

1. Searching ██████ vehicle without justification.
 - Not Sustained.

⁷ Att. 7 at 6:55.

⁸ Att. 7 at 8:57 (the vehicle search began at 7:48).

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. In this case, ██████ provided a detailed account of the incident that was consistent with the BWC footage and other evidence. He also remained consistent in his version of events, both during the traffic stop and in his subsequent statement to COPA. Overall, COPA found ██████ to be credible.

Officer Hyppolite stayed consistent with her version of the event; however, Sgt. Seng, Officer Vecchio, and Officer Mansour did not.⁹ In her statement to COPA, Officer Hyppolite articulated that her role in searching ██████ vehicle was predicated on her understanding of the duties of an assisting officer, as she only engaged in the search after observing Officer Vecchio searching ██████ vehicle.¹⁰ She also informed COPA that her status at the time of the incident was that of a probationary police officer (PPO).

In his statement to COPA, Sgt. Seng stated the probable cause for the traffic stop was that ██████ was not wearing a seatbelt. Sgt. Seng told COPA he saw this as he was driving past ██████ in the opposite direction of travel. He also stated that he always communicates the reason for a traffic stop with his partner, who on this day was Officer Vecchio. Officer Vecchio, however, told COPA that he initially believed the traffic stop was due to expired registration. He stated that he relied the observations of his sergeant or someone else in the police vehicle, but Sgt. Seng and Officer Vecchio were the only two occupants of the vehicle. Overall, COPA finds these discrepancies lessened both members' credibility. Additionally, COPA notes that Officer Vecchio's comment about smelling cannabis, which he made over a minute into the vehicle search, appears to be an after-the-fact justification for his actions.

Finally, there are aspects of Officer Mansour's statement that diminished his credibility, albeit to a much lesser degree than Sgt. Seng and Officer Vecchio. Officer Mansour told COPA that he began searching ██████ vehicle after he approached from the passenger's side and heard Officer Vecchio state that he smelled "weed." Officer Mansour made this statement after he was allowed to view his BWC at COPA; however, his BWC shows he began searching the vehicle and glove compartment before Officer Vecchio's comment. Although this portion of Officer Mansour's COPA statement was inconsistent with the BWC footage, he provided additional reasons for engaging in the vehicle search that did correspond with the evidence. Specifically, Officer Mansour stated he began searching the vehicle because he saw Officer Vecchio searching the vehicle, and he heard Officer Vecchio allege that ██████ had made "furtive movements."¹¹

⁹ COPA evaluated the CPD members' statements for potential Rule 14 violations; however, COPA ultimately determined there was insufficient evidence to meet its burden of proof that any of the members provided willfully false statements.

¹⁰ Att. 43, pg. 12.

¹¹ Att. 49, pgs. 8 to 9.

V. ANALYSIS¹²

a. Allegation #1 against Sgt. Seng – Stopping ██████████ without justification.

COPA finds **Allegation #1** against Sgt. Seng, that he stopped ██████████ without justification, is sustained. Special Order S04-13-09 defines an investigatory stop 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. Additionally, the higher standard of probable cause is met “when 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.”¹³

Here, Sgt. Seng told COPA he pulled ██████████ over under the pretext of not wearing his seatbelt. Ordinarily, this practice would prove lawful.¹⁴ However, it is the contradiction between the justifications provided by Sgt. Seng and Officer Vecchio that calls the stop into question. As stated previously, Officer Vecchio’s reason was that of expired registration. Upon applying a preponderance of the evidence analysis, COPA finds that Sgt. Seng’s purported reason for the stop is inadequate.

In his interview with COPA, Sgt. Seng told COPA that the probable cause for the traffic stop was that ██████████ was not wearing a seatbelt.¹⁵ Sgt. Seng explained that he initiated the stop after driving past ██████████ vehicle and personally observing the seatbelt violation. He further stated that he always communicates the reason he stops an individual to his partner.¹⁶ Here, however, Sgt. Seng’s partner provided a different reason for the stop. BWC footage captured Officer Vecchio telling ██████████ the reason for the stop was an expired registration. Officer Vecchio only changed his explanation to a seatbelt violation after checking ██████████ driver’s license information in LEADS and returning to ██████████ vehicle.¹⁷ The inconsistency of what was said by both Sgt. Seng and Officer Vecchio, on the date of the incident as well as in their statements to COPA, fails to show justification for the stop. Additionally, ██████████ repeatedly and consistently denied the seatbelt violation, both at the time of the traffic stop and in his COPA statement.¹⁸ Finally, although the video is not conclusive, it does appear that ██████████ was wearing a seatbelt as Officer Vecchio first approached his vehicle.¹⁹

For these reasons, COPA finds it is more likely than not that Sgt. Seng initiated the traffic stop of ██████████ without justification, and this allegation is **sustained** based on the preponderance of the evidence.

¹² For a definition of COPA’s findings and standards of proof, *see* Appendix B.

¹³ Att. 50, Special Order 04-13-09 (II)(D), Investigatory Stop System (effective July 10, 2017 to present).

¹⁴ *See Whren v. United States*, 517 U.S. 806, (1996).

¹⁵ Att. 37, pg. 10, lns. 21 to 24; pg. 11, ln. 1.

¹⁶ Att. 37, pg. 17, lns. 16 to 21.

¹⁷ Att. 7 at 4:25.

¹⁸ Att. 7 at 4:35; Att. 23, pgs. 6, 13 to 14.

¹⁹ Att. 7 at 2:16.

b. Allegation #1 against Officer Vecchio – Detaining ██████ without justification.

COPA finds Allegation #1 against Officer Vecchio, that he detained ██████ without justification, is sustained. An officer may conduct an investigatory stop if it is based on specific articulable facts which, combined with rational inferences from these facts, give rise to Reasonable Articulable Suspicion that criminal activity is afoot. The sole purpose of the temporary detention is to prove or disprove those suspicions.²⁰ In this case, COPA finds that Officer Vecchio’s decision to prolong ██████ detention was improper.²¹ At the onset of the traffic stop, Officer Vecchio ran ██████ driver’s license and vehicle registration and determined that both were valid. At that point, there was no reason for the officers to continue to detain ██████ Officer Vecchio, however, continued to argue with ██████ after returning his driver’s license. Officer Vecchio then ordered ██████ to exit the vehicle, claiming that ██████ had previously made furtive movements toward the floorboard of his vehicle.

While Officer Vecchio was captured on BWC asserting that ██████ was making furtive movements, ██████ vehemently denied doing so, both during the traffic stop and in his COPA statement. Additionally, there is no objective verifiable evidence that ██████ made furtive movements.²² His hands were seen in plain view, resting on his lap. The only reaching motion ██████ made was to retrieve his wallet from his back pocket when asked to produce his license.²³ The narrative of what was said versus what was seen, fails to justify the prolonged detention. As such, this allegation is **sustained** based on the preponderance of the evidence.

c. Allegation #2 against Sgt. Seng and Officer Vecchio, and Allegation #1 against Officers Mansour and Hyppolite – Searching ██████ vehicle without justification.

COPA finds Allegation #2 against Sgt. Seng and Officer Vecchio, that they searched ██████ vehicle without justification, is sustained. The Fourth Amendment to the Constitution of the United States guarantees protection from unlawful arrest and unreasonable search and seizure to all persons in this country.²⁴ In order to lawfully search a vehicle, officers must have a search warrant, consent, or probable cause that the vehicle contains evidence of a crime. Additionally, reasonable articulable suspicion of a threat to officer safety may suffice for a protective sweep of areas immediately accessible to the vehicle occupant(s) during an investigatory stop, but the scope of the search must be limited to the facts which give rise to the need for a search.²⁵ 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 Articulable Suspicion (RAS) in that the facts supporting RAS do not need to meet probable cause

²⁰ Att. 50 Special Order S04-13-09 (V)(A).

²¹ COPA has evaluated this issue separately from Sgt. Seng’s initial decision to conduct the traffic stop.

²² Att. 7.

²³ Att. 7 at 2:45.

²⁴ See G02-01(IV)(B), Protection of Human Rights (effective June 30, 2022 to present).

²⁵ *Terry v. Ohio*, 392 U.S. 1, 19 (1968), quoting *Warden v. Hayden*, 387 U.S. 294, 310 (1967).

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.²⁶

COPA finds that Officer Vecchio and Sgt. Seng lacked justification to search [REDACTED] vehicle. First, the members lacked any reasonable belief, based upon specific and articulable facts, that [REDACTED] was dangerous and could gain immediate control of a weapon. In the context of a traffic stop, officers who conduct a protective sweep of a vehicle must reasonably believe they are confronting a situation more serious than a routine traffic violation,²⁷ and they must possess facts sufficient to believe that a vehicle may contain a weapon or contraband.²⁸ Additionally, the protective sweep must be limited to areas of the vehicle where a weapon may reasonably be located.²⁹

Here, Officer Vecchio removed [REDACTED] from his vehicle and placed him in handcuffs. Officer Vecchio then handed [REDACTED] over to an assisting officer, Officer Willis, and immediately began searching the driver's side area of [REDACTED] vehicle while Sgt. Seng searched the rear cabin behind the driver's seat. Officer Vecchio and Sgt. Seng cited [REDACTED] "furtive movements" as the reason for the search. The sequence of events, however, undermines their justification. Officer Vecchio and Sgt. Seng claimed they observed [REDACTED] making reaching movements as they initially approached his vehicle, but they waited several minutes before asking him to exit the vehicle. During much of this time, [REDACTED] was left alone in his vehicle while Officer Vecchio ran his information. If Officer Vecchio and Sgt. Seng had a genuine concern for their safety, common sense dictates that they would have immediately asked [REDACTED] to exit the vehicle and conducted the protective sweep. Additionally, [REDACTED] denied making furtive movements, and there is no objective evidence (such as video footage or independent eyewitnesses) contradicting his account. Therefore, COPA concludes that Officer Vecchio and Sgt. Seng lacked justification to conduct a protective sweep.

Officer Vecchio also claimed that the vehicle search was predicated on the smell of cannabis, but there is no evidence to support his claim. After a little over a minute into the search, Officer Vecchio commented, "It smells like weed too,"³⁰ in an apparent effort to feign probable cause to expand the vehicle search. Immediately after his statement, Officer Vecchio began to search [REDACTED] trunk.³¹ Officer Vecchio never questioned [REDACTED] about cannabis at any point during the stop, nor was any cannabis discovered. Additionally, he failed to complete an ISR or any other documentation to corroborate his claim. In order to justify the search of the trunk, Officer Vecchio was required to have probable cause, which he did not have. Thus, COPA concludes the search was unlawful.

²⁶ Att. 50, Special Order S04-13-09 (II)(D).

²⁷ See *People v. Jones*, 215 Ill. 2d 261, 271.

²⁸ See *People v. DeLuna*, 334 Ill. App. 3d 1, 17 (1st Dist. 2002); see also *United States v. Ross*, 456 U.S. 798, 806 (1982); *United States v. Johns*, 469 U.S. 478, 484 (1985); *People v. Pulido*, 2017 IL App (3d) 150215, ¶ 44.

²⁹ *Michigan v. Long*, 463 U.S. 1032, 1051 (1983).

³⁰ Att. 7 at 8:57.

³¹ Att. 7 at 9:17.

COPA finds that there was no RAS for the initial search of [REDACTED] vehicle, nor was there probable cause to extend the search to [REDACTED] trunk. As such, this allegation is **sustained** against Sgt. Seng and Officer Vecchio by a preponderance of the evidence.

However, COPA finds the allegation that Officers Mansour and Hyppolite searched [REDACTED] vehicle without justification is **not sustained**. Officers Mansour and Hyppolite were assist officers who neither initiated the traffic stop nor the vehicle search. During their COPA statements, both officers articulated that they did not search [REDACTED] vehicle until they observed Officer Vecchio searching the vehicle. Their actions were premised on a good faith belief that Officer Vecchio had sufficient justification to conduct the search. Additionally, Officer Hyppolite, who was a PPO at the time of the incident, told COPA that she thought her search was part of the duties of an assisting officer. She explained, “So when I arrive on scene and I saw the officer was searching... I was like, ‘Oh, let me help my fellow officers.’ That’s what I was supposed to do.”³²

Under these circumstances, COPA cannot conclude that Officers and Hyppolite knew or should have known the vehicle search was improper. Therefore, the allegation against them is not sustained.³³

d. Allegation #3 against Sgt. Seng and Officer Vecchio – Failing to complete an ISR documenting the interaction with [REDACTED]

COPA finds Allegation #3 against Sgt. Seng and Officer Vecchio, that they failed to complete an ISR documenting their interaction with [REDACTED] is sustained. Special Order S04-13-09 requires sworn members who conduct an investigatory stop to complete an investigatory stop report. The order goes on to state that sworn members who conduct an investigatory stop, a 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 into the investigatory stop database.³⁴

Here, neither Sgt. Seng nor Officer Vecchio completed an ISR. Sgt. Seng asserted that Officer Vecchio should have completed the report, while Officer Vecchio surmised that COPA might have missed the ISR during its investigation.³⁵ The evidence, however, shows there was no ISR. Both members searched [REDACTED] vehicle, and as such, they were both responsible for completing and submitting an ISR. Accordingly, COPA finds this allegation against Sgt. Seng and Officer Vecchio is **sustained** by a preponderance of the evidence.

³² Att. 43, pg. 12, lns. 10-14.

³³After interviewing Officers Mansour and Hyppolite, COPA elected not to serve an allegation against Officer Carmen, who also participated in the vehicle search as an assisting officer.

³⁴ Att. 50, Special Order S04-13-09 (VIII)(A)(1).

³⁵ Att. 37, pgs. 14 to 15; Att. 31, pgs. 10 to 11.

e. Allegation #4 against Sgt. Seng and Officer Vecchio – Failing to provide [REDACTED] with an Investigatory Stop Receipt.

COPA finds **Allegation #4** against Sgt. Seng and Officer Vecchio, that they failed to provide [REDACTED] with an Investigatory Stop Receipt, is sustained. Special Order S04-13-09 requires that, 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 with a completed investigatory stop receipt.³⁶ Here, both Sgt. Seng and Officer Vecchio admitted to not providing [REDACTED] with an investigatory stop receipt after searching his vehicle.³⁷ Further, Sgt. Seng asserted that he does not routinely carry investigatory stop receipts, as CPD does not readily provide them to its members.³⁸ Based on these admissions, as well as [REDACTED] statement and the BWC footage, COPA finds this allegation is **sustained**.

VI. DISCIPLINARY RECOMMENDATION

a. Sgt. Erick Seng

i. Complimentary and Disciplinary History³⁹

Sgt. Seng has been employed by CPD since February 20, 2000. He has received 307 awards, including nine Complimentary Letters, 14 Department Commendations, two Special Commendations, two Life Saving Awards, a Superintendent’s Honorable Mention Certificate, one Unit Meritorious Performance Award, and 256 Honorable Mentions. He has three prior sustained complaints, which are summarized below:⁴⁰

- A 10-day suspension for directing profanity at a subject, threatening the subject with arrest and/or the seizure of his vehicle in retaliation for his purportedly disrespectful attitude, failing to direct officers to complete an ISR, and failing to activate his BWC (2022-0004183).
- A 5-day suspension for failing to activate his BWC, failing to provide an Investigatory Stop Receipt, engaging in an unnecessary verbal altercation, and using profane language (2022-0005233); and
- A 1-day suspension for failing to ensure an inventory receipt contained the correct amount of money inventoried (2024-0002293).

Additionally, Sgt. Seng has received one recent SPAR, for non-compliance with motor vehicle pursuit requirements (1-day suspension).

³⁶ Att. 50, Special Order S04-13-09 (VIII)(A)(3).

³⁷ Att. 37, ln. 23 and Att. 31, lns. 10 to 12.

³⁸ Att. 37, pgs. 15 to 17.

³⁹ Att. 51.

⁴⁰ COPA notes that this list only includes Sgt. Seng’s sustained complaints in the last five years where the discipline is “final.”

ii. Recommended Discipline

COPA has found that Sgt. Seng violated Rules 1, 2, 3, 5, 6, and 10 when he stopped [REDACTED] without justification, searched [REDACTED] vehicle without justification, and failed to complete either an ISR or an ISR receipt. In mitigation, COPA acknowledges Sgt. Seng's exemplary complimentary history. In aggravation, COPA notes that Sgt. Seng has been a CPD member for over 20 years, and he should have known he was involved in an illegal search of [REDACTED] vehicle. He did not hold himself accountable for his actions, and he allowed Officer Vecchio to violate [REDACTED] rights with impunity. Additionally, Sgt. Seng made excuses for not completing an Investigative Stop Receipt, claiming he did not carry any with him due to a lack of inventory. Sgt. Seng's actions during this incident brought discredit to CPD and undermined the Department's efforts to uphold its policies and achieve its goals. His conduct also undermined the public's trust in law enforcement. Finally, COPA notes that Sgt. Seng has a significant disciplinary history, including for the types of misconduct he engaged in during this incident.

It is for these reasons, and consistent with the principles of progressive discipline, that COPA recommends Sgt. Seng receive a **1 to 29 day suspension**. COPA further recommends that Sgt. Seng receive **retraining** on warrantless vehicle searches, his obligations under S04-13-09, and his responsibilities as a CPD supervisor.

b. Officer Joseph Vecchio

i. Complimentary and Disciplinary History⁴¹

Officer Vecchio has been employed by CPD since June 16, 2019. He has received 143 awards, including ten Department Commendations, two Special Commendations, one Top Gun Arrest Award, one Superintendent's Honorable Mention Certificate, and 126 Honorable Mentions. He has two prior sustained complaints, which are summarized below:⁴²

- A reprimand for failing to document a traffic stop per CPD policy by not submitting a Traffic Stop Statistical Study – Driver Information Card (2023-0000861);
- A 2-day suspension for failing to immediately notify OEMC and failing to complete a Department Vehicle Traffic Crash or Damage Report when he was involved in a traffic crash involving a CPD vehicle (2024-0002494).

ii. Recommended Discipline

COPA has found that Officer Vecchio violated Rules 1, 2, 3, 5, 6, and 10 when he detained [REDACTED] without justification, searched [REDACTED] vehicle without justification, and failed to complete either an ISR or an ISR receipt. In mitigation, COPA acknowledges Officer Vecchio's extensive complimentary history. In aggravation, COPA notes that Officer Vecchio failed to

⁴¹ Att. 52.

⁴² COPA notes that this list only includes Officer Vecchio's sustained complaints in the last five years where the discipline is "final."

acknowledge his misconduct or accept responsibility for his actions. He provided conflicting reasons as to why [REDACTED] was stopped and detained. He also offered unsubstantiated, after-the-fact justifications for the search of [REDACTED] vehicle, raising serious questions about his credibility. Having been on the job for six years, Officer Vecchio should have known he was involved in an illegal search of [REDACTED] vehicle. Furthermore, Officer Vecchio’s actions during this incident brought discredit to CPD and undermined the Department’s efforts to uphold its policies and achieve its goals. His conduct undermined the public’s trust in law enforcement, particularly when members of the public are lawfully stopped for traffic violations. Finally, COPA notes that this is not the first time Officer Vecchio has been disciplined for failing to complete required reports.

It is for these reasons, and consistent with the principles of progressive discipline, that COPA recommends Officer Vecchio receive a **minimum suspension of 1 to 29 days**. COPA further recommends that Officer Vecchio receive **retraining** on warrantless vehicle searches and his obligations under S04-13-09.

Approved:

[REDACTED]

10/9/2025

Steffany Hreno
Acting Deputy Chief Administrator

Date

Appendix A

Case Details

Date/Time/Location of Incident:	March 18, 2024 / 7:10 pm / 750 N. Franklin St.
Date/Time of COPA Notification:	April 12, 2024 / 3:01 pm
Involved Member #1:	Erick Seng, Star# 2677, Employee ID# 16301, Date of Appointment: February 28, 2000, Unit 018, Male, White
Involved Member #2:	Joseph Vecchio, Star# 14469, Employee ID# 126921, Date of Appointment: October 16, 2019, Unit 018, Male, White
Involved Member #3:	Ziad Mansour, Star# 11202, Employee ID# 120580, Date of Appointment: May 16, 2017, Unit 018, Male, White
Involved Member #4:	Guirlene Hyppolite, Star# 16103, Employee ID# 133579, Date of Appointment: December 30, 2022, Unit 001, Female, Black
Involved Individual #1:	██████████ 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 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.

Applicable Policies and Laws

- Fourth Amendment to the United States Constitution.
- S04-13-09, Investigatory Stop System (effective July 10, 2017 to present).
- G02-01, Protection of Human Rights (effective June 30, 2022 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.⁴³ 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.”⁴⁴

⁴³ 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).

⁴⁴ *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