



Log # 2024-0003552

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On April 22, 2024, the Civilian Office of Police Accountability (COPA) became aware of alleged misconduct by Chicago Police Department (CPD) Officer Colleen Gardner and Sergeant Kerry Ferrantella² involving two members of the public, ██████████ and ██████████ T. ██████████ alleged that on April 15, 2024, the accused officers handcuffed, detained, searched, and arrested him without justification. D. ██████████ alleged that on April 15, 2024, the accused officers handcuffed and detained him without justification.³ COPA served additional allegations of misconduct on the accused officers for failing to complete a Traffic Stop Statistical Study (TSSS) Driver Information Card and failing to complete an Investigatory Stop Report (ISR) for T. ██████████ Following its investigation, COPA sustained all the allegations against the accused, except for the allegation that the detention and handcuffing of D. ██████████ were unjustified.

II. SUMMARY OF EVIDENCE⁴

Body worn camera (BWC) footage depicted that Officer Gardner and Sergeant Ferrantella were dressed in casual civilian clothes but wore vests that identified them as CPD members. They were riding in an unmarked CPD vehicle. Officer Gardner and Sergeant Ferrantella stopped the vehicle in which ██████████ (the driver) and his brother ██████████ (the front seat passenger) were traveling, after allegedly witnessing D. ██████████ fail to use his turn signal and failing to stop at a marked stop line.⁵

Sergeant Ferrantella informed D. ██████████ of the observed traffic violations and requested his license and registration.⁶ While D. ██████████ provided his license and registration, Sergeant Ferrantella

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 At the time of the incident, Sergeant Ferrantella was an officer. He was promoted to the rank of Sergeant on June 1, 2025.

³ One or more of these allegations fall within COPA's jurisdiction pursuant to Chicago Municipal Code § 2-78-120. COPA determined it would be the primary investigative agency in this matter.

⁴ The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including body worn camera footage, officer statements, statements from the involved members of the public, and police reports.

⁵ Att. 9, Original Case Incident Report, lists 625 ILCS 5/11-804-A (Fail to Signal) and 625 ILCS 5/11-306-C-1 (Fail to stop at Clearly Marked Stop Line on Red Signal) as observed traffic offenses resulting in the investigatory stop of ██████████ and ██████████. However, neither offense was captured on BWC or ICC.

⁶ Att. 3, BWC of Officer Ferrantella, at 02:57 to 03:34.

observed T. [REDACTED] in the front passenger seat without his seat belt fastened.⁷ Sergeant Ferrantella requested T. [REDACTED] identification,⁸ but he refused to provide the identification. T. [REDACTED] was directed to exit the vehicle, and he complied without any resistance. Officer Gardner immediately handcuffed T. [REDACTED] with the assistance of Sergeant Ferrantella, and told T. [REDACTED] that he was being detained.⁹

Sergeant Ferrantella subsequently returned to the driver's side of the vehicle and instructed D. [REDACTED] to step out.¹⁰ After some hesitation, D. [REDACTED] exited the vehicle. Sergeant Ferrantella handcuffed D. [REDACTED] and told him he was being detained. Sergeant Ferrantella told D. [REDACTED] "So your passenger is in custody, so an inventory search is going to be performed of your vehicle."¹¹ D. [REDACTED] indicated that he did not understand why the arrest of the passenger led to the search of his vehicle.

Additional CPD officers arrived on the scene. Officers went into T. [REDACTED] pockets and retrieved an identification card. Officer Gardner returned to her unmarked CPD vehicle and ran the information from the two identification cards through a CPD database (LEADS).¹² Meanwhile, Sergeant Ferrantella conducted an extensive search of D. [REDACTED] vehicle, including the center armrest, glove box, and trunk. He did not recover any contraband.¹³

T. [REDACTED] was issued a citation for failing to wear a seat belt, and was transported to the 7th District Police Station and charged with Resisting/Obstruction a Peace Officer.¹⁴ Sergeant Ferrantella and Officer Gardner did not complete an Investigatory Stop Report (ISR) in respect of the interaction with T. [REDACTED].¹⁵ D. [REDACTED] was released and issued an Investigative Stop Receipt.¹⁶ Sergeant Ferrantella again told D. [REDACTED] that "the reason we searched your vehicle was because your passenger was placed under arrest."¹⁷

Upon releasing D. [REDACTED] from handcuffs, Sergeant Ferrantella stated, "Sir, you are valid. You have insurance; everything is fine. I don't understand why your passenger felt that going down this path was beneficial to him, but I assure you it is not."¹⁸ On October 4, 2024, the seatbelt violation against T. [REDACTED] was dismissed for want of prosecution ("Officer Not in Court").¹⁹

⁷ Att. 3, at 03:24 to 03:36.

⁸ Att. 3, at 03:36 to 03:48.

⁹ Att. 2, BWC of Officer Gardner, at 04:16 *et seq.*

¹⁰ Att. 3, at 04:44 to 04:52.

¹¹ Att. 3, at 06:10.

¹² Att. 2, from 5:10 to 10:25.

¹³ Att. 3, at 06:27 to 11:14; Att. 2, at 10:32 to 11:02.

¹⁴ Att. 16, Transcribed Interview of Officer Ferrantella, pg. 13, lns. 8 to 12.

¹⁵ Att. 13, Transcribed Interview of Officer Gardner, pgs. 16 to 17, lns. 19 to 4.

¹⁶ Att. 16, pg. 13, lns. 8 to 12.

¹⁷ Att. 2, from 12:53 to 12:58.

¹⁸ Att. 3, at 11:47 to 11:58.

¹⁹ Att. 23, District 1 Court Case Summary Case No. 24TR10030412.

III. ALLEGATIONS

A. Sergeant Kerry Ferrantella:

1. Arresting [REDACTED] without justification.
 - Sustained, in violation of Rules 2, 3, 5, 6, and 10.
2. Detaining [REDACTED] without justification.
 - Not Sustained.
3. Handcuffing [REDACTED] without justification.
 - Not Sustained.
4. Searching [REDACTED] vehicle without justification.
 - Sustained, in violation of Rules 2, 3, 5, 6, and 10.
5. Failing to complete a Traffic Stop Statistical Study Driver Information Card documenting the traffic stop of [REDACTED]
 - Sustained, in violation of Rules 2, 3, 5, 6, and 10.
6. Failing to complete an Investigatory Stop Report documenting the interaction with [REDACTED]
 - Sustained, in violation of Rules 2, 3, 5, 6, and 10.

B. Officer Colleen Gardner:

1. Arresting [REDACTED] without justification.
 - Sustained, in violation of Rules 2, 3, 5, 6, and 10.
2. Detaining [REDACTED] without justification.
 - Not Sustained
3. Failing to complete a Traffic Stop Statistical Study Driver Information Card documenting the traffic stop of [REDACTED]
 - Sustained, in violation of Rules 2, 3, 5, 6, and 10.
4. Failing to complete an Investigatory Stop Report documenting the interaction with [REDACTED]
 - Sustained, in violation of Rules 2, 3, 5, 6, and 10.

IV. CREDIBILITY ASSESSMENT

The credibility of an individual relies primarily on two factors: the individual's truthfulness and 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 later accurately recall the event from memory.

BWC footage captured and documented the incident in question. Based on a review of the footage and statements, the accounts provided by D. [REDACTED] and T. [REDACTED] are found to be credible.²⁰ In contrast, the accounts provided by Sergeant Ferrantella and Officer Gardner raise concerns regarding their accuracy and consistency.

T. [REDACTED] was arrested by Sergeant Ferrantella and Officer Gardner for Resisting/Obstructing, despite the absence of any observable resistance or obstruction on his part. Although T. [REDACTED] initially declined to provide identification, officers were ultimately able to confirm his identity through other means. Despite this, Sergeant Ferrantella proceeded to conduct an extensive search of D. [REDACTED] vehicle, citing T. [REDACTED] failure to provide identification as justification. Sergeant Ferrantella later stated that the vehicle was searched pursuant to a lawful arrest. However, the ISR completed by Sergeant Ferrantella described the search as an inventory search,²¹ raising questions about the true justification for the search.

This inconsistency, coupled with the lack of legal basis for the arrest of T. [REDACTED] further undermines the credibility of Sergeant Ferrantella and Officer Gardner. Given the totality of the evidence, including the BWC footage and the questionable basis for the vehicle search, D. [REDACTED] and T. [REDACTED] are deemed more credible in their accounts of the incident.

V. ANALYSIS²²

a. Arrest of T. [REDACTED]

COPA finds Allegation #1 against Sergeant Ferrantella and Officer Gardner, that they arrested [REDACTED] without justification, is **Sustained**. An officer must have probable cause to arrest a person.²³ "Probable cause to arrest exists when the totality of the facts and circumstances known to a police officer would lead a person of reasonable caution to believe that the person apprehended has committed a crime, and its existence depends on the totality of the circumstances at

²⁰ [REDACTED] provided COPA with a statement on May 7, 2024 (Atts. 1 and 24), and [REDACTED] provided COPA with a statement on December 3, 2024 (Atts. 19 and 22).

²¹ Att. 10, ISR for D. [REDACTED]

²² For a definition of COPA's findings and standards of proof, see Appendix B.

²³ *People v. Johnson*, 408 Ill. App. 3d 107, 119 (1st Dist. 2010) (citing *Beck v. Ohio*, 379 U.S. 89, 91, (1964)).

the time of the arrest.”²⁴ The officer’s subjective belief is not determinative; rather probable cause is an objective standard.²⁵ Officers may arrest a person when they have probable cause to believe that the person committed a minor offense.²⁶

In determining whether a person has been arrested, the appropriate inquiry is whether a reasonable person would feel free to decline the officers’ requests or otherwise terminate the encounter. . . . [T]he crucial test is whether, taking into account all of the circumstances surrounding the encounter, the police conduct would “have communicated to a reasonable person that he was not at liberty to ignore the police presence and go about his business.”²⁷

Illinois courts consider the following factors in determining whether an arrest has occurred in a particular place:

(1) the time, place, length, mood and mode of the encounter between the defendant and the police; (2) the number of police officers present; (3) any indicia of formal arrest or restraint, such as the use of handcuffs or drawing of guns; (4) the intention of the officers; (5) the subjective belief or understanding of the defendant; (6) whether defendant was told he could refuse to accompany police; (7) whether the defendant was transported in a police car; (8) whether the defendant was told he was free to leave; (9) whether the defendant was told he was under arrest; and (10) the language used by officers.²⁸

Additionally, Special Order S04-13-09, Investigatory Stop System, provides that during an investigatory stop, subjects can be asked to identify themselves and to provide an explanation for their actions; however, a failure to do so is not, in and of itself, an arrestable offense or grounds for further detention, and a subject may choose not to answer any of the officer’s questions. If at the conclusion of an investigatory stop, the individual is unable or refuses to provide identification and there is no probable cause to arrest, there is a procedure: the sworn member will enter “John

²⁴ *People v. D. W. (In re D. W.)*, 341 Ill. App. 3d 517, 526 (1st Dist. 2003).

²⁵ *People v. Chapman*, 194 Ill. 2d 186, 218-19, (2000).

²⁶ *Atwater v. City of Lago Vista*, 532 U.S. 318, 354 (2001) (holding an arrest for a misdemeanor seatbelt violation only punishable by a fine did not violate the Fourth Amendment); *People v. Fitzpatrick*, 2013 IL 113449, ¶ 24 (holding an arrest for the petty offense of walking in the middle of the street does not violate Article I, Section 6 of the Illinois Constitution); see also M.C.C. §. 2-84-230 (stating members of the police department may arrest persons violating city ordinances). Pursuant to the other requirements to searches incident to arrest, officers may also perform a search incident to a lawful arrest for minor law violations. *People v. Fitzpatrick*, 2013 IL 113449, ¶ 19 (citing *People v. Hoskins*, 101 Ill. 2d 209, 216 (1984)), ¶ 24.

²⁷ *Florida v. Bostick*, 501 U.S. 429, 436-37 (1991) (quoting *Michigan v. Chesternut*, 486 U.S. 567, 569 (1988)); see also *People v. Jackson*, 348 Ill. App. 3d 719, 728 (“To determine whether an arrest occurred in a particular case, we consider the totality of the circumstances and ask ‘whether a reasonable person, innocent of any crime, would have believed that he was not free to leave.’”).

²⁸ *People v. Jackson*, 348 Ill. App. 3d 719, 728 (citing *People v. Willis*, 344 Ill. App. 3d 868, 875 (2003)); *Delaware*, 314 Ill. App. 3d at 370; *People v. Williams*, 303 Ill. App. 3d 33, 40 (1st Dist. 1999); *People v. Wallace*, 299 Ill. App. 3d 9, 17-18, (1998); *People v. Lenius*, 293 Ill. App. 3d 519, 534-35, (1st Dist. 1997)).

Doe” or “Jane Doe,” as appropriate, in the name field, provide as much of the stop information as possible, indicate the refusal in the narrative field and describe the reason for the stop and/or the circumstances of the stop in as much detail as possible, including a description of any unusual clothing, manner, or behavior.²⁹

T. ██████ was ordered to provide identification because he was not wearing a seatbelt, and he refused to identify himself. Sergeant Ferrantella stated that T. ██████ obstructed his investigation by refusing to identify himself.³⁰ However, the officers later retrieved T. ██████ identification and confirmed his identity. T. ██████ was subsequently issued a citation for not wearing a seat belt, and he was placed in custody, arrested, and charged with Resisting/Obstructing.³¹ COPA concluded that T. ██████ refusal to speak did not rise to the level of obstructing a lawful investigation, especially since his identity had been confirmed and there was no active resistance or interference. Therefore, COPA finds that this allegation is Sustained against Sergeant Ferrantella and Officer Gardner.

b. Detention of D. ██████

COPA finds Allegation #2 against Sergeant Ferrantella and Officer Gardner, that they detained ██████ without justification, is **Not Sustained**. BWC depicted that Sergeant Ferrantella and Officer Gardner stopped D. ██████ for failing to signal and failing to stop at a clearly marked stop line on a red signal. This is also documented in an ISR for D. ██████³² Officers are authorized to initiate investigatory stops when they observe a contravention of the law.³³ However, the officers did not issue any citations to D. ██████ who was the driver. D. ██████ alleged that officers stopped him for no reason,³⁴ but there is insufficient evidence to conclude that the stop itself was conducted without justification. Therefore, COPA finds that this allegation is Not Sustained.

c. Sergeant Ferrantella handcuffing D. ██████

COPA finds Allegation #3 against Sergeant Ferrantella, that he handcuffed ██████ without justification, is **Not Sustained**. “[H]andcuffing is proper during an investigatory stop only when it is a necessary restraint to effectuate the stop and foster the safety of the

²⁹ Att. 25, (V)(B) and (VIII)(7)(a-d).

³⁰ Att. 16, pg. 18, lns. 1 to 20.

³¹ According to the arrest report (Att. 8) T. ██████ was arrested for a violation of “720 ILCS 5.0/31-1-A” that provides as follows: “Resisting or obstructing a peace officer, firefighter, or correctional institution employee. (a) A person who knowingly: (1) resists arrest, or (2) obstructs the performance by one known to the person to be a peace officer, firefighter, or correctional institution employee of any authorized act within his or her official capacity commits a Class A misdemeanor.”

³² Att. 10.

³³ S04-13-09, paras. II.A. and IV.A., recapitulating the provisions of 725 ILCS 5/107-14.

³⁴ Att. 24, at pg. 17, lns. 7 to 17.

officers.”³⁵ When officers take measures such as handcuffing a suspect, “they must be reasonable in light of the circumstances that prompted the stop, or that developed during its course.”³⁶ To handcuff a person, officers must have a sufficiently reasonable concern for officer safety.³⁷ Whether an officer’s handcuffing was reasonable depends on the totality of the circumstances.³⁸ Officers must have reasonable articulable suspicion to believe that their safety is in danger to handcuff persons.³⁹ Courts weigh factors such as the ratio of officers to persons during the incident, the confirmed or suspected presence of weapons, criminal activity in the neighborhood, and whether officers have reasonable articulable suspicion relating to a violent crime.⁴⁰

Here, Sergeant Ferrantella stated that because T. ██████ did not provide his identification, he was entitled to detain the occupants of the vehicle pursuant to a lawful arrest. However, D. ██████ had provided his identification and did not display any behavior indicating he posed a threat to the officers. Furthermore, if officers had genuinely perceived D. ██████ as a threat or safety risk, it would be reasonable to expect that they would have conducted a search of his person, which they did not. Based on the available evidence, including BWC footage and officer statements, there is insufficient evidence to either prove or disprove that the handcuffing of D. ██████ was improper or reasonable. Therefore, COPA finds that this allegation is Not Sustained.

d. Search of D. ██████ vehicle by Officer Ferrantella

COPA finds Allegation #4 against Officer Ferrantella, that he searched D. ██████ vehicle without justification, is **Sustained**. Officers may conduct a search incident to arrest (1) “when the arrestee is unsecured and within reaching distance of the passenger compartment at the time of the search,” or (2) when it is “reasonable to believe evidence relevant to the crime of arrest might be found in the vehicle.”⁴¹ Inventory searches are authorized when a vehicle is being impounded, and

³⁵ See *People v. Johnson*, 408 Ill. App. 3d 107, 113 (2010), for additional case law.

³⁶ *People v. Daniel*, 2013 IL App (1st) 111876, ¶ 40, 987 N.E.2d 470 (internal quotations omitted).

³⁷ *People v. Wells*, 403 Ill. App. 3d. 849, 857 (1st Dist. 2010) (citing *People v. Arnold*, 394 Ill. App. 3d 63, 71 (2nd Dist. 2009)); see also *People v. Colyar*, 2013 IL 111835, ¶ 46 (citing *e.g.*, *United States v. Glenna*, 878 F.2d 967, 972 (7th Cir. 1989)).

³⁸ *People v. Colyar*, 2013 IL 111835, ¶ 32.

³⁹ *People v. Colyar*, 2013 IL 111835, ¶ 45 (“when an officer has reasonable suspicion during an investigatory stop that the individual may be armed and dangerous, the officer is permitted to take necessary measures to determine whether the person is armed and to neutralize any threat of physical harm,”) (citing *Terry v. Ohio*, 392, U.S. 1, 24 (1968)).

⁴⁰ Compare *People v. Delaware*, 314 App. 3d 363, 371 (1st Dist. 2000) (handcuffing was unreasonable when three officers had no reasonable basis to continue to detain one defendant after hearing gunshots and observing him flee officers into an apartment, but observing no additional facts arising to reasonable suspicion or probable cause); with *People v. Richardson*, 2017 IL App (1st) 130203-B, ¶ 29 (handcuffing was reasonable at dusk when officers had reasonable suspicion that one of the subjects they stopped was armed, and the subjects outnumbered the officers).

⁴¹ *People v. Bridgewater*, 235 Ill. 2d 85, 94 (2009) (quoting *Arizona v. Gant*, 556 U.S. 332, 343 (2009)) (internal quotation marks omitted). If neither set of circumstances pertains, “a search of an arrestee’s vehicle will be unreasonable unless police obtain a warrant or show that another exception to the warrant requirement applies.” *Arizona v. Gant*, 556 U.S. 332, 332 (2009).

the officers are following a routine practice of securing and inventorying the vehicle's contents.⁴² Finally, officers may conduct a protective sweep of a vehicle when they have a reasonable suspicion that a vehicle's occupant is dangerous and could gain control of a weapon.⁴³

Here, D. ██████ did not give Officer Ferrantella permission to search his vehicle. D. ██████ was stopped for only a minor traffic violation, and he was not issued any citations, nor was his vehicle impounded. Officer Ferrantella stated that D. ██████ vehicle was searched pursuant to a lawful arrest. However, the ISR completed by Officer Ferrantella described the vehicle search as an inventory search. The ISR conflicts with Officer Ferrantella's statement to COPA describing the vehicle search as a search incident to arrest,⁴⁴ as well as with what was said to D. ██████ at the time of the incident.

Sergeant Ferrantella further explained that he believed that T. ██████ was concealing his identity, potentially due to firearms he may have had in his possession, or he may have been a wanted offender for a warrant. However, T. ██████ was merely a passenger in the vehicle and was only culpable of a seat belt violation. He never acted or appeared to act in a threatening manner or exhibit any behavior suggesting he was dangerous or attempting to conceal a weapon. Although T. ██████ refused to provide his identification, this did not afford Sergeant Ferrantella the right to search D. ██████ vehicle.

Moreover, Sergeant Ferrantella exceeded the scope of a lawful search by conducting an extensive search of the vehicle, including the trunk. Even if the rear seats of D. ██████ sedan could be folded down to allow access to the trunk, neither D. ██████ nor T. ██████ had immediate or ready access to that area at the time of the stop. In short, Sergeant Ferrantella's justifications for the vehicle search were legally insufficient. Based on the conflicting explanations from Sergeant Ferrantella regarding the search of a vehicle that did not belong to T. ██████ including the fact that nothing was inventoried from the vehicle, and it was neither impounded nor towed, COPA finds that Sergeant Ferrantella's actions violated CPD policy. Therefore, this allegation is Sustained.

e. ISR for T. ██████

COPA finds Allegation #6 against Sergeant Ferrantella, and Allegation #4 against Officer Gardner, that they failed to complete an Investigatory Stop Report (ISR) documenting the interaction with ██████ is **Sustained**. Special Order S04-13-09, Investigatory Stop System, requires that "ISRs will be submitted for all Investigatory Stops and Protective Pat Downs that lead to an arrest, Personal Service Citations, Administrative Notices of Violation (ANOV), Curfew Violation Report, School Absentee Reports, or other enforcement action."⁴⁵ Sergeant Ferrantella stated that, to the best of his knowledge, an ISR was not completed for T. ██████ because he was

⁴² *South Dakota v. Opperman*, 428 U.S. 364, 372 (1976); *Florida v. Wells*, 110 S. Ct. 1632 (1990).

⁴³ *People v. Colyar*, 2013 IL 111835, ¶ 39 (citing *Michigan v. Long*, 463 U.S. 1032, 1050(1983)).

⁴⁴ Att. 16, pg. 13, lns. 8 to 12.

⁴⁵ Att. 25, (VIII)(2).

placed under arrest, and the report would have been redundant and unnecessary.⁴⁶ While Officer Gardner believed that an ISR was not necessary due to T. ██████ being placed in custody,⁴⁷ this is incorrect according to the Department policy. Therefore, COPA finds that this allegation is Sustained against Sergeant Ferrantella and Officer Gardner.

f. Traffic Stop Statistical Study (TSSS) Driver Information Card for D. ██████

COPA finds Allegation #5 against Sergeant Ferrantella, and Allegation #3 against Officer Gardner, that they failed to complete a Traffic Stop Statistical Study (TSSS) Driver Information Card documenting the traffic stop of D. ██████ is **Sustained**. Special Order S04-14-09, Illinois Traffic and Pedestrian Stop Statistical Study requires that “Department members will complete and submit a Traffic Stop Statistical Study-Driver Information Card for every traffic stop initiated unless a Personal Service Citation is issued, including traffic stops that result in a physical arrest or the issuance of another type of citation.”⁴⁸

In this case, there is no record of a TSSS card being completed for D. ██████ Sergeant Ferrantella and Officer Gardner did not issue any citations during the stop and could not recall whether they completed the required documentation. Additionally, they failed to complete a related report (ISR) for T. ██████ Based on this information, it appears more likely than not that the officers did not fulfill the reporting requirements. Therefore, COPA finds that this allegation is Sustained against Sergeant Ferrantella and Officer Gardner.

VI. DISCIPLINARY RECOMMENDATION

A. Sergeant Kerry Ferrantella

1. Complimentary and disciplinary history

Sergeant Ferrantella has been employed by CPD since April 25, 2016. He has received 81 awards, including two life-saving awards, three Department commendation awards, a problem-solving award, and a unit meritorious performance award. Sergeant Ferrantella has no disciplinary history.⁴⁹

2. Recommended Discipline

COPA has found that Sergeant Ferrantella violated Rules 2, 3, 5, 6, and 10 when he arrested D. ██████ without justification, searched D. ██████ vehicle without justification, failed to complete a TSSS Driver Information Card documenting the traffic stop of D. ██████ and failed to complete

⁴⁶ Att. 16, pg 25, lns. 13 to 23.

⁴⁷ Att. 13, pgs. 16 to 17, lns. 19 to 4.

⁴⁸ Att. 31 (V)(A).

⁴⁹ Att. 33.

an ISR documenting the interaction with T. [REDACTED] In aggravation, Sergeant Ferrantella’s actions during the incident undermine the Department’s efforts to uphold its policy and achieve its goals. His actions erode the public’s trust in law enforcement when the public is stopped for lawful traffic violations. In mitigation, Sergeant Ferrantella, who was an officer at the time, has no disciplinary history. Therefore, COPA recommends that Sergeant Ferrantella receive a **Suspension of 1-29 days**, and **Retraining** on Warrantless Vehicle Searches, Investigatory Stop System, and Illinois Traffic and Pedestrian Stop Statistical Study.

B. Officer Colleen Gardner

1. Complimentary and disciplinary history

Officer Gardner has been employed by CPD since June 25, 2018. She has received 55 awards, including two life-saving awards and three Department commendation awards. She has no sustained complaints. She received two SPARs: a radio call violation (no disciplinary action) and a court appearance violation (reprimand).⁵⁰

2. Recommended Discipline

COPA has found that Officer Gardner violated Rules 2, 3, 5, 6, and 10 when she arrested D. [REDACTED] without justification, failed to complete a TSSS Driver Information Card documenting the traffic stop of D. [REDACTED] and failed to complete an ISR documenting the interaction with T. [REDACTED] In aggravation, Officer Gardner’s actions during the incident undermine the Department’s efforts to uphold its policy and achieve its goals. In mitigation, Officer Gardner has no significant disciplinary history. Therefore, COPA recommends that Officer Gardner receive a **Suspension of 1-29 days**, and **Retraining** on Warrantless Vehicle Searches, Investigatory Stop System, and Illinois Traffic and Pedestrian Stop Statistical Study.

Approved:

[REDACTED]

10/20/25

LaKenya White
Interim Chief Administrator

Date

⁵⁰ Att. 32.

Appendix A**Case Details**

Date/Time/Location of Incident:	April 15, 2024 / 7:40 pm / 6331 S Ashland Ave, Chicago, IL 60636.
Date/Time of COPA Notification:	April 22, 2024 / 10:03 pm.
Involved Member #1:	Officer Colleen Gardner, Star: 6115, Employee ID # [REDACTED] DOA: June 25, 2018, Unit: 007, Female, White Hispanic.
Involved Member #2:	Officer Kerry Ferrantella, Star: 964, Employee ID # [REDACTED] DOA: April 25, 2016, Unit: 007, Male, White.
Involved Individual #1:	[REDACTED] Male, Black.
Involved Individual #2:	[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 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

- S04-13-09 Investigatory Stop System (effective July 10, 2017).
- S04-14-09 Illinois Traffic and Pedestrian Stop Statistical Study (effective March 23, 2018).

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.⁵¹ 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.”⁵²

⁵¹ 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).

⁵² *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