



Log # 2025-0000573

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On February 4, 2025, the Civilian Office of Police Accountability (COPA) received an initiation report from Sgt. Randal Baker with the Chicago Police Department (CPD).² The complainant, ██████████, alleged CPD officers illegally stopped him, handcuffed him, detained him, and searched his vehicle during a traffic stop at or near 6300 South Racine Avenue at approximately 1:15 a.m. on February 4, 2025.³ After its investigation, COPA reached findings of Exonerated for the allegations.

II. SUMMARY OF EVIDENCE⁴

██████████ was driving his vehicle when Officers Franceska Alvelo and Hammam Hammam stopped him near 64th Street and Racine. The officers said the reason for the stop was that ██████████ vehicle was observed leaving the area of a “shots fired” call.⁵ Upon approaching ██████████ vehicle, Officer Hammam allegedly detected a strong odor of raw cannabis emanating from the vehicle.⁶ The officers directed ██████████ to exit his vehicle and subsequently handcuffed him. Officer Hammam then searched ██████████ car, including the trunk, ultimately finding a small amount of cannabis that was improperly stored.⁷

██████████ disposition during the stop was uncooperative and loud, directing insulting language and slurs at the involved officers.⁸ He was observed reaching around the interior of the car after the stop was initiated and before Officer Hammam directed him to exit the vehicle.⁹ The officers issued ██████████ a citation for the cannabis.¹⁰ When he threw the citation on the ground, Officer Hammam issues another citation for littering.¹¹

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 Att. 20.

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 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, police reports, and interviews.

⁵ Att. 34, pg. 10, lns 17 to 19; Att. 35, pg. 10, lns. 19 to 21.

⁶ Att. 21.

⁷ Att. 21.

⁸ See Att. 4, 13.

⁹ Att. 21; Att. 35, pg. 11, lns 1-10. Officer Hammam asked ██████████ about this on BWC. See Att. 13, at 2:10.

¹⁰ Att. 21.

¹¹ Att. 35, pg. 12, lns. 12-17.

III. ALLEGATIONS

Officers Franceska Alvelo and Hammam Hammam:

1. Conducting a traffic stop of [REDACTED] without justification.
- Exonerated
2. Detaining [REDACTED] in handcuffs, without justification
- Exonerated

Officer Hammam:

3. Searching [REDACTED] vehicle, without justification.
- Exonerated

IV. CREDIBILITY ASSESSMENT

[REDACTED] provided a statement to COPA,¹² as did the involved CPD personnel. This investigation did not reveal any evidence that caused COPA to question the credibility of any of the individuals (sworn or unsworn) who provided statements nor their ability to accurately recollect what occurred. The officers' statements were consistent with the footage from their body worn camera

V. ANALYSIS¹³

A. The traffic stop was justified in the circumstances

Police officers are permitted to conduct brief investigatory stops of people where there is an objectively reasonable basis to believe that the person is committing, is about to commit, or has committed a criminal offense.¹⁴ Officers must possess specific and articulable facts which, combined with rational inferences from these facts, reasonably warrant their belief.¹⁵ An investigatory stop must be justified at its inception and the officer must be able to point to specific and articulable facts which, taken together with rational inferences from those facts, reasonably warrant the governmental intrusion upon the constitutionally protected interests of the private citizen.¹⁶

In order to lawfully detain a person and conduct a brief investigative detention (a “*Terry*”¹⁷ stop”) the officer is required to have, at the minimum, a reasonable, articulable suspicion of criminal activity.¹⁸

¹² Att. 26.

¹³ For a definition of COPA's findings and standards of proof, *see* Appendix B.

¹⁴ S04-13-09, at subsection II.C.1.

¹⁵ *Id.*

¹⁶ *People v. Timmsen*, 2016 IL 118181 at ¶9 (quoting *Terry*, 392 U.S. at 20-21).

¹⁷ *Terry v. Ohio*, 392 U.S. 1 (1968).

¹⁸ *People v. Ludeman*, 222 Ill. 2d 530, 542, 857 N.E.2d 187, 195 (2006).

The ISR of the event stated that ██████████ was stopped for being in the vicinity of a location where shots were fired.¹⁹ In the totality of the circumstances, including the time of day when the stop was initiated, COPA concludes this is reasonable suspicion to justify stopping ██████████ and conducting a field interview. This allegation is, therefore, exonerated by clear and convincing evidence.

B. The temporary detention of Mr. ██████████ in handcuffs was not misconduct

“[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 officers.”²⁰ 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.”²¹ To handcuff a person, officers must have a sufficiently reasonable concern for officer safety.²² Whether an officer’s handcuffing was reasonable depends on the totality of the circumstances.²³ Officers must have reasonable articulable suspicion to believe that their safety is in danger to handcuff persons.²⁴ 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.²⁵

After approaching the vehicle, Officer Hammam detected a strong odor of cannabis emanating from the vehicle. This justified removing ██████████ from the vehicle and detaining him while conducting a lawful search of the vehicle. The odor of raw cannabis alone may provide probable cause to conduct a warrantless search of a vehicle.²⁶

In the circumstances, COPA concludes that placing ██████████ in handcuffs and detaining him for officer safety was justified because ██████████ was lawfully stopped in an area where shots were fired and ██████████ behavior during the incident was generally combative and argumentative. . The ISR completed by Officer Hammam indicates that ██████████ was “highly irate” and was reaching around the interior of the car.²⁷ In his statement to COPA, Officer Hammam indicated that that he observed ██████████ suspiciously reaching around the passenger compartment of his car. The BWC recordings from the incident corroborate these assertions. COPA finds those observations,

¹⁹ Att. 21; also see Att. 14 (location of shots fired) and Att. 17 (Event Query -shots fired).

²⁰ See *People v. Johnson*, 408 Ill. App. 3d 107, 113 (2010), for additional case law.

²¹ *People v. Daniel*, 2013 IL App (1st) 111876, ¶ 40, 987 N.E.2d 470 (internal quotations omitted).

²² *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)).

²³ *People v. Colyar*, 2013 IL 111835, ¶ 32.

²⁴ *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)).

²⁵ 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).

²⁶ *People v. Molina*, 2024 IL 129237.

²⁷ Att. 22.

combined with ██████ disposition, to be sufficient in the circumstances to justify a conclusion in a reasonable officer that ██████ may have posed to the safety of officers, such as to justify the temporary use of handcuffs. This allegation is, therefore, exonerated by clear and convincing evidence.

C. Given the smell of cannabis, the search of the vehicle in any place cannabis may have been secreted was justified in the circumstances

The Fourth Amendment protects citizens from unreasonable searches.²⁸ Searches without a warrant are presumed to be unreasonable except under certain circumstances. Under the “automobile exception” to the search warrant requirement, “law enforcement officers may undertake a warrantless search of a vehicle if there is probable cause to believe that the automobile contains evidence of criminal activity that the officers are entitled to seize.”²⁹ When officers have such probable cause, the search may extend to ‘all parts of the vehicle in which contraband or evidence could be concealed, including closed compartments, containers, packages, and trunks.’³⁰ Officers are not limited to searching the driver’s possessions; “police officers with probable cause to search a car may [also] inspect passengers’ belongings found in the car that are capable of concealing the object of the search.”³¹

“Probable cause exists when based on known facts and circumstances, a reasonably prudent person would believe that contraband or evidence of a crime will be found in the place to be searched.”³² This is an objective standard, viewed from the perspective of a reasonable officer, who is allowed to rely on their training and experience.³³

Here, a search of ██████ vehicle was justified based upon the strong scent of raw cannabis emanating from the vehicle. The odor of raw cannabis alone may provide probable cause to conduct a warrantless search of a vehicle. Officer Hammam documented the smell of cannabis in the ISR, and his BWC recording captured him talking to ██████ about it, which ██████ did not dispute. Therefore, this allegation is exonerated by clear and convincing evidence.

Approved:

████████████████████

December 19, 2025

Shannon Hayes
Acting Deputy Chief Administrator – Chief
Investigator

 Date

²⁸ U.S. Const. amend. IV.

²⁹ *People v. James*, 163 Ill. 2d 302, 312 (111. 1994) (citing *Carroll v. United States*, 267 U.S. 132 (1925)).

³⁰ *United States v. Richards*, 719 F.3d 746, 754 (7th Cir. 2013) (citing *United States v. Williams*, 627 F.3d 247, 251 (7th Cir. 2010)).

³¹ *Wyoming v. Houghton*, 526 U.S. 295, 307 (1999).

³² *U.S. v. Richards*, 719 F.3d 746, 754 (7th Cir. 2013).

³³ *U.S. v. Richards*, 719 F.3d 746, 754 (7th Cir. 2013).

Appendix ACase Details

Date/Time/Location of Incident:	January 12, 2025 / 2:18 a.m. / 751 North Cicero Avenue, Chicago, IL 60644
Date/Time of COPA Notification:	January 12, 2025 / 2:48 a.m.
Involved Officer #1:	Hammam M. Hammam, Star #7752, Employee ID# [REDACTED] Date of Appointment: September 30, 2022, Unit of Assignment: 007, Male, White
Involved Officer #2	Francheska Alvelo, Star #7484, Employee ID# [REDACTED] Date of Appointment: September 30, 2022, Unit of Assignment: 007, Female, White
Involved Individual #1:	[REDACTED] Male, Black

Applicable Rules

- Rule 1:** Violation of any law or ordinance.
- Rule 2:** Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3:** Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 5:** Failure to perform any duty.
- Rule 6:** Disobedience of an order or directive, whether written or oral.
- Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
- Rule 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 37:** Failure to identify.
- Rule 38:** Unlawful or unnecessary use or display of a weapon (Taser).

Applicable Policies and Laws

- U.S. Const. amend. IV
- 625 ILCS 5/11-502.15, Possession of adult use cannabis in a motor vehicle³⁴

³⁴ "(a) No driver may use cannabis within the passenger area of any motor vehicle upon a highway in this state; (b) No driver may possess cannabis within any area of any motor vehicle upon a highway in this state except in a secured, sealed or resealable, odor-proof, child-resistant cannabis container that is inaccessible."

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.³⁵ For example, if the evidence gathered in an investigation establishes that it is more likely that the conduct complied with Department 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.”³⁶

³⁵ 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).

³⁶ *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
- Failure to Identify