



Log # 2022-0004696

## FINAL SUMMARY REPORT<sup>1</sup>

### I. EXECUTIVE SUMMARY

On November 1, 2022, the Civilian Office of Police Accountability (COPA) received a complaint from ██████████ reporting alleged misconduct by members of the Chicago Police Department (CPD). ██████████ alleged that on November 1, 2022, Officers Demetrius T. Prothro, Carl J. Smith, Lauren A. Holt, Ariel J. Williams and Craig W. Adams III, detained him, handcuffed him, and searched his vehicle, all without justification.<sup>2</sup>

COPA served additional allegations that officers did not give ██████████ a passenger in the car at the time of the stop, appropriate documentation in connection with the stop. COPA served allegations against all officers at the scene for failure to timely activate their body worn cameras (BWCs). An additional charge of misconduct was brought by COPA against Officer Prothro alleging he engaged in unsafe acts in clearing a firearm in the immediate vicinity of a child, ██████████ and ██████████ infant daughter, who had been an additional passenger in the vehicle. COPA brought a further allegation against Officer Adams regarding failure to cooperate in its investigation.<sup>3</sup>

Following its investigation, COPA reached sustained findings for all officers regarding the detention of ██████████ and ██████████ the search of ██████████ vehicle, the failures to properly document the traffic stop, and the detention of ██████████ and ██████████ COPA sustained the allegation against Officer Williams regarding her failure to timely activate her assigned BWC, but determined the BWC allegations against the other officers to be unfounded. COPA sustained the allegation against Officer Prothro regarding unsafe acts in proximity to ██████████ and Dillon's child. COPA found insufficient evidence to sustain the allegation against Officer Adams for failure to cooperate with the investigation.

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<sup>1</sup> 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.

<sup>2</sup> 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. On December 19, 2022, ██████████ filed a civil lawsuit (22C7135) regarding this incident containing the same allegations he made to COPA. The suit was dismissed following a settlement. See Att. 2, 37, 57.

<sup>3</sup> Officer Adams was scheduled for interview at COPA on March 2, 2023, on March 15, 2023, and on March 30, 2023. He did not appear for any of the scheduled interview dates, although his attorney did appear on at least one occasion.

COPA originally closed this case with a final summary report dated May 1, 2024.<sup>4</sup> CPD's Superintendent subsequently requested that the matter be reopened for additional investigation, with which COPA agreed.<sup>5</sup> COPA completed additional investigative steps and finalized this report.

## II. SUMMARY OF EVIDENCE<sup>6</sup>

Tactical Officers Prothro, Smith, Adams, Holt, and Williams, who were working in two separate vehicles, conducted an investigatory stop of [REDACTED] and [REDACTED] as they were getting out of [REDACTED] vehicle, which was stopped in a tow zone in front of [REDACTED] residence.<sup>7</sup> The vehicle's headlights were on but one was not working.<sup>8</sup> When the officers arrived, they repeatedly asked about alcohol, drugs, or firearms, and said something about bottles of alcohol. [REDACTED] indicated there was a registered firearm in the vehicle.<sup>9</sup> Officer Prothro felt [REDACTED] bag and asked what was in it. [REDACTED] said it was "what I smoke," but did not respond to Officer Prothro's suggestion that it was cannabis.<sup>10</sup>

Officers Prothro and Smith handcuffed [REDACTED] within 32 seconds of the initiation of the stop.<sup>11</sup> Officer Smith removed some forms of identification from [REDACTED] pocket and handed an Illinois firearms owner's identification card (FOID) to Officer Adams.<sup>12</sup> Officers Prothro and Holt searched [REDACTED] vehicle. Officer Holt manipulated and moved the purse that was on the passenger front seat,<sup>13</sup> opened the rear passenger door of the vehicle, and searched the rear passenger compartment.<sup>14</sup> None of the officers asked [REDACTED] for his consent to the search.

Officer Prothro then removed a lockbox from the vehicle and used [REDACTED] keys to open it, finding two semi-automatic pistols loaded with magazines.<sup>15</sup> Officer Prothro cleared one

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<sup>4</sup> Att. 45.

<sup>5</sup> Att. 47, 48.

<sup>6</sup> 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 (BWC) footage, officer interviews, non-CPD member interview(s), and other documentation, including Assignment and Attendance (A&A) sheets.

<sup>7</sup> Att. 34, pg. 14, lns. 22 to 23, and pg. 15, lns. 12 to 21. In his statement to COPA (Att. 72), Officer Adams indicated he was merely a cover officer. [REDACTED] and [REDACTED] were coming home from a social engagement at this time. See Att.79 at pg. 8, lns. 6 to 20.

<sup>8</sup> Att. 34, pg. 11, lns. 4 to 10.

<sup>9</sup> Att. 34, pg. 13, lns. 3 to 6; Att. 7 at 02:01.

<sup>10</sup> Att. 7 at 01:17.

<sup>11</sup> Att. 6, at 01:17; Att. 7 at 01:28.

<sup>12</sup> Att. 5 at 03:13 and 03:34; Att. 7 at 03:30. The FOID was later returned to [REDACTED]. See Att. 5 at 06:50.

<sup>13</sup> Att. 4 at 02:56.

<sup>14</sup> Att. 4 at 03:06. See also Att. 5 at 02:52.

<sup>15</sup> Att. 4 at 04:31; Att. 7 at 03:41. The officers ran the serial numbers of both guns and found them to be registered to [REDACTED]. See Att. 66 at p. 17, lns. 12 to 15.

of the guns while pointing it downward and towards the hood of the vehicle, where a car seat/ infant carrier containing [REDACTED] and [REDACTED] baby was located. While Officer Prothro cleared the gun, the muzzle was pointed in the direction of the carrier and [REDACTED] who was standing at the front of the vehicle.<sup>16</sup>



Figure 1: Screenshot from Officer Prothro's BWC showing the gun pointed toward [REDACTED] and the baby.<sup>17</sup>

The traffic stop lasted approximately seven to eight minutes overall. [REDACTED] was cooperative throughout the incident and was not taken into custody.<sup>18</sup> None of the officers completed an Investigatory Stop Report (ISR), Traffic Stop Statistical Study (TSS) card, or any other paperwork related to this stop.<sup>19</sup>

### III. ALLEGATIONS:

#### Officer Carl J. Smith:

1. Detaining [REDACTED] without justification;  
-Sustained, Violation of Rules 2, 3, 6
2. Searching [REDACTED] vehicle, without justification.  
-Sustained, Violation of Rules 2, 3, 6

<sup>16</sup> Att. 7 starting at 4:22. In his attempt to clear the second gun, Officer Prothro inadvertently dropped it on the ground. He then retrieved it and placed it back in the lockbox. See Att. 8 at 02:55, Att. 7 at 04:58.

<sup>17</sup> Att. 7.

<sup>18</sup> [REDACTED] reported to COPA that he is frequently stopped by police when he is in the area around [REDACTED] home. He noted that officers seem to recognize his car and sometimes recognize him to the extent they address him by name at the start of a traffic stop. See Att.79 at pg. 4, lns. 7 to 10; pg. 5, lns. 1 to 20; and pg. 17 at lns. 4 to 12.

<sup>19</sup> Att. 34, pg. 60, lns. 6 to 12; pg. 61, lns. 17 to 19.

3. Detaining [REDACTED] without justification;  
-Sustained, Violation of Rules 2, 3, 6
4. Failing to complete an ISR to document the detention of [REDACTED] and [REDACTED]  
[REDACTED] without justification;  
-Sustained, Violation of Rules 2, 5, 6
5. Failing to timely activate his BWC, without justification.  
-Unfounded

**Officer Craig W. Adams III:**

1. Detaining [REDACTED] without justification;  
-Sustained, Violation of Rules 2, 3, 6
2. Searching [REDACTED] vehicle, without justification.  
-Sustained, Violation of Rules 2, 3, 6
3. Detaining [REDACTED] without justification.  
-Sustained, Violation of Rules 2, 3, 6
4. Failing to complete an ISR to document the detention of [REDACTED] and [REDACTED]  
[REDACTED] without justification;  
-Sustained, Violation of Rules 2, 5, 6
5. Failing to timely activate his BWC, without justification.  
-Unfounded
6. Failing to appear at COPA for scheduled interviews on three occasions (March 3, 2023,  
March 15, 2023, and March 30, 2023), without justification.  
-Not Sustained

**Officer Demetrius T. Prothro:**

1. Detaining [REDACTED] without justification.  
-Sustained, Violation of Rules 2, 3, 6
2. Searching [REDACTED] vehicle, without justification.  
-Sustained, Violation of Rules 2, 3, 6
3. Detaining [REDACTED] without justification.  
-Sustained, Violation of Rules 2, 3, 6
4. Failing to complete an ISR to document the detention of [REDACTED] and [REDACTED]  
[REDACTED] without justification;  
-Sustained, Violation of Rules 2, 5, 6
5. Clearing a firearm in the presence of a child, without justification;  
-Sustained, Violation of Rules 2, 6
6. Failing to timely activate his BWC, without justification.  
-Unfounded

**Officer Lauren A. Holt:**

1. Detaining [REDACTED] without justification;  
-Sustained, Violation of Rules 2, 3, 6
2. Searching [REDACTED] vehicle, without justification.  
-Sustained, Violation of Rules 2, 3, 6
3. Detaining [REDACTED] without justification;  
-Sustained, Violation of Rules 2, 3, 6
4. Failing to complete an ISR to document the detention of [REDACTED] and [REDACTED]  
[REDACTED] without justification.  
-Sustained, Violation of Rules 2, 5, 6
5. Failing to timely activate her BWC, without justification.  
-Unfounded

**Officer Ariel J. Williams:**

1. Detaining [REDACTED] without justification.  
-Sustained, Violation of Rules 2, 3, 6
2. Searching [REDACTED] vehicle, without justification.  
-Sustained, Violation of Rules 2, 3, 6
3. Detaining [REDACTED] without justification.  
-Sustained, Violation of Rules 2, 3, 6
4. Failing to complete an ISR to document the detention of [REDACTED] and [REDACTED]  
[REDACTED] without justification.  
-Sustained, Violation of Rules 2, 5, 6;
5. Failing to timely activate her BWC, without justification.  
-Sustained, Violation of Rules 2, 5, 6;

**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. 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. [REDACTED] and [REDACTED] initially declined to provide interviews based on the advice of [REDACTED] attorney, but they did so after the lawsuit was dismissed.

## V. ANALYSIS<sup>20</sup>

### A. Traffic Stop/Detention

Officers may lawfully detain vehicle passengers when conducting a valid traffic stop.<sup>21</sup>

The officers stated reason for initiating [REDACTED] detention was because [REDACTED] was “parked” with his lights on, what the officers believed to be a violation of City ordinance. However, [REDACTED] was not “parked” for purposes of the city ordinance. Under the ordinance, Parking “means the standing of an unoccupied vehicle otherwise than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.”<sup>22</sup> Here, the vehicle was being unloaded at the time of the stop. Officers are expected to know the law they enforce absent an objectively reasonable mistake.<sup>23</sup> The officers’ mistake in this instance was not reasonable; the ordinance is not vague.

The other stated reason for stopping [REDACTED] was a non-functioning headlight. City ordinance prohibits operation of vehicle on a roadway if a light is broken, but there is no evidence the officers witnessed [REDACTED] operating the vehicle on any roadway with the broken light. It is also unclear how the broken headlight could form the basis of the stop because the officers’ approached from the vehicle’s rear and appear to have decided to initiate the stop before they could have seen the headlight.<sup>24</sup> Any difficulty in determining this issue must be resolved against the officers and in favor of the member of the public subject to the stop, not least of which because the stop was not properly documented by the officers in contravention of their duty to do so. As a result, COPA concludes that it is more likely than not that the officers did not observe the broken headlight until after they had initiated the stop; the non-functioning headlight did not form the basis for the stop.

[REDACTED] vehicle appears to have been positioned in an area where parking was not permitted (“tow zone”) at the time of this interaction with CPD officers; however there was no discussion or other indication of whether he was unloading the vehicle, stopping temporarily, or parking at the time the officers approached him.

The absence of paperwork regarding the stop weighs heavily on COPA’s conclusion here, in circumstances where the officers generally did not have a clear independent recollection of

<sup>20</sup> For a definition of COPA’s findings and standards of proof, *see* Appendix B.

<sup>21</sup> *U.S. v. Yancey*, 928 F.3d 627, 630 (7th Cir. 2019).

<sup>22</sup> M.C.C. § 9-4-010.

<sup>23</sup> *See U.S. v. McDonald*, 453 F.3d 958, 962 (7th Cir. 2006) (“A stop based on a subjective belief that a law has been broken, when no violation actually occurred, is not objectively reasonable.”).

<sup>24</sup> *See e.g.*, Atts. 6 and 7 at 20:52:52.

events and the events as depicted on BWC footage admit of multiple interpretations of what may have been the basis for the stop. Tellingly, at the time of the stop, ██████ was not advised of the basis for the stop.<sup>25</sup>

In their statements to COPA, at least two of the officers indicated that it was suspicious that ██████ exited the vehicle when officers approached.<sup>26</sup> However, it appears ██████ and ██████ had already exited the vehicle when the officers activated their emergency lights,<sup>27</sup> and, as the car was positioned outside ██████ residence, there is nothing reasonably or objectively suspicious about a mother, father, and child alighting from their car when they have arrived at their destination at the conclusion of their journey.

Moreover, the use of handcuffs to restrain ██████ during the stop was highly problematic. Here, ██████ was handcuffed at the beginning of the stop; according to Officer Prothro this was because ██████ bag was found to have cannabis in it. According to the information he provided in his statement to COPA, Officer Prothro appears to have handcuffed ██████ as a prophylactic measure,<sup>28</sup> which is generally inappropriate in a traffic stop.<sup>29</sup> As a general matter, handcuffs should not be used in an investigatory stop.<sup>30</sup> Handcuffing is proper during an investigatory stop only when it is a *necessary* restraint to effectuate the stop and foster the safety of the officers. When officers take measures such as handcuffing a suspect, those measures must be reasonable in light of the circumstances that prompted the stop, or that developed during its course.<sup>31</sup> To handcuff a person, officers must have a sufficiently *reasonable* concern for officer safety.<sup>32</sup> Whether or not an officer's application of handcuffs to a member of the public during an

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<sup>25</sup> Att. 55, at 08:10.

<sup>26</sup> Att. 34, p. 11, lns. 21-24. See also Att. 33 at p. 9, lns 8 to 16.

<sup>27</sup> See e.g., Atts. 6 and 7 at 20:52:57. See also note **Error! Bookmark not defined.**

<sup>28</sup> Att. 34, at pg. 12, ln. 21 to p. 13, ln. 5: "Further, because I don't know -- I don't this is my first encounter with him, this is a high crime area, it's nighttime, I'm not sure if he's going to be combative, so for officer safety so that he can't say I did anything, I can't say he did anything, we placed him in handcuffs. I asked him, was there anything in the vehicle, and I believe he said that he had a firearm in the rear of the vehicle unloaded. He did have a FOID card." See also p. 27, ln. 21 to p. 28, ln. 4: "I -- it's a high crime area, alcohol is on the top of the vehicle, he has cannabis on him. It's nighttime. I'm not sure if he is (unintelligible) he's Mike Tyson's son, so at this point we -- I don't want him to say that we did anything and I don't want to say that he did anything. So we detain and control the scene." There was some additional testimony regarding Officer Prothro's experience with members of the public concealing firearms in baby carriers.

<sup>29</sup> "The use of handcuffs substantially heightens the intrusiveness of a temporary detention and 'is not part of a typical Terry stop'. The Seventh Circuit has called 'troubling' the prospect of police officers handcuffing persons whom they have no probable cause to arrest. Nevertheless, there are situations in which concerns for the safety of the police officer or the public justify handcuffing the detainee for the brief duration of an investigatory stop...However, 'when arrest-like measures (such as handcuffing) are employed, they must be 'reasonable in light of the circumstances that prompted the stop or that developed during its course.'" *People v. Arnold* 394 Ill. App. 3d 63 (Ill. App. Ct. 2009) (citations omitted).

<sup>30</sup> *People v. Wells*, 403 Ill. App. 3d 849, 857 (1st Dist. 2010) (citing *People v. Arnold*, 394 Ill. App. 3d 63, 70 (2nd Dist. 2009)).

<sup>31</sup> *People v. Arnold*, 394 Ill. App. 3d 63, 71 (2nd Dist. 2009).

<sup>32</sup> See *People v. Johnson*, 408 Ill. App. 3d 107, 113 (2010), and the cases cited therein.

investigatory stop was, in fact, reasonable depends on the totality of the circumstances.<sup>33</sup> Officers must be able to articulate a reasonable suspicion that their safety is in danger.<sup>34</sup> No facts suggesting a risk to safety was articulated by the officers or were otherwise evident here.

The officers did not have a reasonable basis to detain [REDACTED] they had no basis to detain the passengers, and they improperly handcuffed [REDACTED]. *In the totality of the circumstances, COPA concludes that the stop was improper, and therefore misconduct.* Officers Prothro, Smith, Adams, Holt, and Williams each actively participated in [REDACTED] and [REDACTED] unlawful detention.

## B. Vehicle Search

“A traffic stop is reasonable only for the amount of time it takes to complete the seizure’s mission, to address the traffic violation that warranted the stop and attend to related safety concerns.”<sup>35</sup> When asked, [REDACTED] told the officers of the registered firearm(s) in his vehicle and was cooperative throughout. In this case, the officers unreasonably prolonged the stop by searching [REDACTED] car, opening the locked storage container containing [REDACTED] firearms, and handling his firearms.

In his statement to COPA, Officer Prothro was of the view he had probable cause to search [REDACTED] vehicle based upon the smell of alcohol coming from the vehicle. According to Officer Prothro, [REDACTED] had admitted to drinking alcohol and to possessing raw cannabis.<sup>36</sup> There was some evidence suggesting [REDACTED] had been drinking<sup>37</sup> and Officer Prothro indicated in his statement to COPA that, while he was at the scene, he had smelled raw cannabis emanating from [REDACTED] person.<sup>38</sup>

However, COPA cannot corroborate Officer Prothro’s assertion in his statement to COPA that [REDACTED] smelled of alcohol. Again, the absence of the appropriate contemporaneous reports by any of the involved officers weighs heavily in COPA’s conclusion. In the BWC footage, the officers never tell [REDACTED] they smell alcohol on him, instead repeatedly asking him whether there is alcohol in the vehicle. Officer Prothro does state something about bottles of alcohol being present but makes no indication they are open or otherwise improperly in the vehicle. Similarly,

<sup>33</sup> *People v. Daniel*, 2013 IL App (1st) 111876, ¶ 40, 987 N.E.2d 470.

<sup>34</sup> *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)). 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 (*People v. Colyar*, 2013 IL 111835, ¶ 32).

<sup>35</sup> *U.S. v. Yancey*, 928 F.3d 627, (7th Cir. 2019).

<sup>36</sup> Att. 34, pg. 38, lns. 18 to 23.

<sup>37</sup> Att. 34, pg. 12, lns. 16 to 17.

<sup>38</sup> Att. 34, pg. 24, lns. 7 to 8.

from COPA's review of the BWC footage, it does not appear that ██████ admitted to drinking alcohol or to possessing cannabis; at best this is an inference on the officers' part. ██████ in his statement to COPA, denied ever driving a vehicle with open containers of alcohol. He admitted to smoking cannabis from time to time, but indicated that it was legal to do so and that, if and when transported in his vehicle, any cannabis would have been transported in accordance with the applicable law in sealed containers.<sup>39</sup> The cannabis supposedly in ██████ bag was never removed from the bag or inspected by officers,<sup>40</sup> so the only indication of the manner in which any cannabis that may have been present was packaged was Officer Prothro's later assertion during his statement to COPA—again, not memorialized any contemporaneous report—that he smelled cannabis upon squeezing the bag, suggesting that it was not in an odor-proof container.

As such, COPA concludes that it is more likely than not that the officers did not have probable cause to search ██████ vehicle or the containers therein on the basis of there being open alcohol or improperly transported cannabis in the vehicle.

Similarly, ██████ statement to police that there was a registered firearm in the vehicle is insufficient to create probable cause of any crime sufficient to justify the search.<sup>41</sup> Instead, the officers learned that ██████ had a valid Illinois firearm owner's identification card (FOID). FOID holders are allowed to transport their weapons in closed containers within their vehicles.<sup>42</sup> An officer's authority to temporarily take custody of a firearm during an investigatory stop<sup>43</sup> is not authority to conduct any sort of additional search beyond what is necessary to take custody of the weapon.

Officers Prothro, Smith, Adams, Holt, and Williams are each responsible for the improper search. The law is well-settled that an officer who is present and fails to intervene but has an opportunity to prevent another officer from infringing a person's constitutional rights, is responsible for that failure.<sup>117</sup> *The officers did not have a lawful basis to search the vehicle as they did; their search of the vehicle was unlawful and, therefore, misconduct.*

### **C. Failure to file Investigatory Stop Report**

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<sup>39</sup> Att. 55, at 08:37. See also Att. 66 at p. 13.

<sup>40</sup> This is evident from a review of the totality of the BWC footage; see also Att. 34, p. 24 where Officer Prothro purports to identify the contents of the bag by squeezing it and identifying the smell. Again, this conclusion does not appear in any contemporaneous report, as none was completed.

<sup>41</sup> The search of the locked box was not lawful. *United States v. Ross*, 456 U.S. 798 (1982); Closed containers found in an automobile may be searched without a warrant when there is probable cause to believe that the container can contain the object of the search. Pursuant to the automobile exception, a warrantless search of a vehicle is authorized when there is probable cause to believe the vehicle contains contraband or evidence of criminal activity. Also, see *U.S. v. Valentine*, 517 F.Supp.2d 816 (W.D. Va. 2007). The officers had no facts to suggest that ██████ possessed the firearm unlawfully.

<sup>42</sup> Under Unlawful Use of Weapons (Uuw) in the Illinois Criminal Code, persons who have been issued a valid FOID card may transport a firearm anywhere in their vehicle or on their person, as long as the firearm is unloaded and enclosed in a case, firearm carrying box, shipping box, or other container. 720 ILCS 5/24-1 (a)(4).

<sup>43</sup> See note 55, below.

No ISR was completed for the stop. Officers Smith and Williams were of the view that the ISR should have been completed by the business officer on the scene, meaning Officer Prothro.<sup>44</sup> On the contrary, all officers involved in a stop must complete an ISR.<sup>45</sup> The requirement to complete an ISR is not merely an administrative one. The ISR provides both a contemporary record memorializing the justification for the stop<sup>46</sup> and is part of a larger system that helps CPD accomplish important public policy goals.<sup>47</sup>

*Each accused officer violated the relevant CPD standing order, as none of the officers completed an ISR for the traffic stop or subsequent detention of [REDACTED] and [REDACTED]*

#### **D. Unsafe acts in clearing [REDACTED] firearms**

CPD members are required to safeguard the lives and property of community members.<sup>48</sup> The sanctity of human life is CPD's highest priority.<sup>49</sup> Basic firearm safety requires an individual handling a firearm to always treat the firearm as if it is loaded and to point the muzzle of the firearm in a safe direction unless engaging a target.<sup>50</sup>

Officer Prothro cleared two semi-automatic pistols, with the muzzles oriented towards the front of the vehicle while an infant child in a car seat was on the hood of the vehicle. Officer Prothro gave conflicting testimony regarding whether or not he believed the pistols to be loaded at the time he handled them. He eventually said he thought they were loaded ("At this point, I definitely believed the firearm was loaded"),<sup>51</sup> but also indicated that he wasn't sure,<sup>52</sup> and also indicated that he could tell there was no round in the chamber because of the weight of the weapon,<sup>53</sup> indicating he cleared the pistols in front of his body worn camera to show that he was following established procedures. Officer Prothro's stated purpose in handling [REDACTED]

<sup>44</sup> Att. 33, pg. 38, lns. 6 to 12; Att. 35, at 19:43.

<sup>45</sup> Investigatory Stop System S04-13-09 (VIII)(A)(1): "Sworn members who conduct an Investigatory Stop, Probable Cause stop when no other document captures the reason for the detention . . . are required to submit an Investigatory Stop Report into the Investigatory Stop Database."

<sup>46</sup> S04-13-09 (VIII)(A)(1): "All of the factors that support Reasonable Articulate Suspicion in order to temporarily detain an individual for investigation, Probable Cause when a stop is made and no other document captures the reason for detention, and, if applicable, all of the factors that support Reasonable Articulate Suspicion in order to perform a Protective Pat Down will be documented in the narrative portions of the database."

<sup>47</sup> Pursuant to S04-13-09 (I) these include "compliance with the rights guaranteed to the public under the United States Constitution, the State of Illinois Constitution, and the law".

<sup>48</sup> Protection of Human Rights, G02-01 (effective June 30, 2022) at para. (II)(C).

<sup>49</sup> Firearm Discharge and Officer-Involved Death Incident Response and Investigation, G03-06 (effective April 15, 2021), at para. (III)(A).

<sup>50</sup> <https://www.nssf.org/articles/4-primary-rules-of-firearm-safety/>

<sup>51</sup> Att. 34, pg. 45, lns. 18 to 21.

<sup>52</sup> Att. 34, pg. 45, ln. 10.

<sup>53</sup> Att. 34, pg. 45, lns. 14 to 17. In order for this extraordinary claim to be true, it would require an exceptional amount of sensitivity to the differences in the weight of a pistol, which he was handling for the first time, with or without a single round in the chamber.

firearms was to ensure that the firearms were not loaded.<sup>54</sup> This would not have been a concern if the firearms had remained safely locked in their storage container.

A police officer can temporarily take custody of firearms in the course of an investigative stop<sup>55</sup> and this appears this may be *part* of what Officer Prothro was purporting to do.<sup>56</sup> That said, in the totality of the circumstances, while it may have been reasonable for Officer Prothro to take temporary custody of the locked storage box, it was unreasonable for Officer Prothro to take [REDACTED] keys, open the box, and handle firearms Officer Prothro believed to be loaded in close proximity to [REDACTED] infant daughter. *Officer Prothro's actions were careless, dangerous, and created unnecessary risk to members of the public and to fellow officers and were therefore misconduct.*

### **E. BWC activation**

CPD members are obliged to activate their assigned BWC units to “event mode” at the beginning of an incident and record the entire incident for all law-enforcement-related activities.<sup>57</sup> Per the relevant standing order, traffic stops are law-enforcement-related activities.<sup>58</sup>

*Officer Williams did not timely activate her BWC*; she admitted this in her statement to COPA.<sup>59</sup>

Conversely, Officer Prothro activated his BWC upon exiting his vehicle and he initiated the traffic stop within seconds of exiting his vehicle. Officer Adams, Officer Holt, and Officer Smith all timely activated their BWC units before exiting their vehicles and interacting with [REDACTED] and their infant daughter.

### **F. Failure to cooperate with investigation**

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<sup>54</sup> Att. 34, pg. 35, lns. 5 to 6.

<sup>55</sup> 430 ILCS 66/10 (h) and (h-1).

<sup>56</sup> Part of the officer’s motivation appears to have been to inspect the firearms. Att. 34, p. 13, lns. 6-16: “Then he said the firearm was in a box. I tend to recover the firearms temporarily until we can confirm FOID cards and/or CCLs in which -- at that time, that's what I did. It was already alcohol in the vehicle, firearms was back there where a child was at. He had cannabis on him which you can't have those things with a firearm. Combined, he's actually drinking alcohol based off me smelling everything and firearms being where they were. So I recovered the firearms *to ensure that they weren't defaced* and for officer safety” (emphasis added).

<sup>57</sup> S03-14(III)(A)(2).

<sup>58</sup> S03-14(III)(A)(2)(c), and S03-14(III)(2)(e).

<sup>59</sup> See Att. 35 at 25:17.

Failure to cooperate with an investigation into alleged misconduct is itself a violation of CPD policy,<sup>60</sup> city ordinance,<sup>61</sup> and, if not subject to appropriate sanction, threatens to undermine the city's scheme of police accountability.

Officer Adams did not appear for interview by COPA on three occasions in March of 2023 despite COPA having transmitted notifications of these interview dates in the normal course. When interviewed in 2025, not only did Officer Adams have no independent recollection of the incident, but he indicated that he had not received notification of the scheduled interview dates in March 2023 and had no other awareness of the COPA investigation into this incident.<sup>62</sup> There was insufficient evidence to show on a balance of probabilities that Officer Adams ever intended not to comply with the requirements of Rule 51A.

## **VI. DISCIPLINARY RECOMMENDATION<sup>63</sup>**

### **a. Officer Carl J. Smith:**

#### **i. Complimentary and Disciplinary History<sup>64</sup>**

Officer Smith has been with CPD since August 16, 2019. In that time, he received 105 awards and recognitions, to include a police officer of the month award, 98 honorable mentions, and a special commendation. He received a reprimand for neglect of duty in 2024 related to a 2021 incident.

#### **ii. Recommended Discipline**

Officer Smith violated Rules 1, 2, 3, 5, and 6 when he detained [REDACTED] and [REDACTED] searched [REDACTED] vehicle, and failed to complete an ISR. Officer Smith denied the allegations and provided his perspective and justification regarding each, although none of the justifications

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<sup>60</sup> Complaint and Disciplinary System, G08-01, effective December 29, 2023 at para. (IV)(D)(4) reflects the current requirement that CPD members will “cooperate with any ongoing administrative Log Number investigation and with personnel from the COPA, BIA, and Accountability Sergeants including...cooperating fully with directions to report to and appear for administrative interviews with COPA, OIG, BIA, or Accountability Sergeants and acknowledge receipt of the service of allegations.” At the time of the original incident and at the time that Officer Adams was originally summoned for interview, the version of the general order then in force (effective December 13, 2021) contained identical language at para. (V)(D)(4). See Att. 58. See also Rule 51A.

<sup>61</sup> M.C.C. 2-78-140, Cooperation in investigations. It shall be the duty of every officer, employee, department, and agency of the City to cooperate with the Office in any investigation undertaken pursuant to this chapter. Any employee or appointed officer of the City who violates any provision of this chapter shall be subject to discipline, including but not limited to discharge, in addition to any other penalty provided in this chapter.

<sup>62</sup> Att. 72.

<sup>63</sup> COPA policy, Disciplinary and Remedial Recommendations (effective June 24, 2021).

<sup>64</sup> Att. 59, pg. 1 to 3.

he provided met the threshold for COPA to conclude that his actions were within CPD policy. COPA recommends a suspension of 1-29 days. In addition to the recommended penalty range, COPA recommends CPD to consider the presence of aggravating and mitigating factors to determine how discipline should be applied consistently and fairly across all involved members. In aggravation, Officer Smith failed to acknowledge responsibility in his COPA statement, including trying to place blame for not documenting the incident on Officer Prothro. In mitigation for Officer Smith, COPA notes his relative lack of recent discipline and the fact that he was not the officer who was most involved in this incident.

**b. Officer Craig Adams III**

**i. Complimentary and Disciplinary History<sup>65</sup>**

Officer Adams has been with CPD since March 16, 2017. In that time, he received 130 awards, including 118 honorable mentions, three department commendations, a Superintendent's honorable mention, a problem solving award, and a life saving award. He received two SPARs in 2024, resulting in a reprimand for failing to perform assigned tasks and no disciplinary action for failing to have current license plate or city sticker.

**ii. Recommended Discipline**

COPA has found that Officer Adams violated Rules 1, 2, 3, 5, and 6 when he assisted with the detention of [REDACTED] and failed to complete an ISR. COPA recommends a suspension of 1-29 days. In addition to the recommended penalty range, COPA recommends CPD to consider the presence of aggravating and mitigating factors to determine how discipline should be applied consistently and fairly across all involved members. In aggravation for Officer Adams, COPA notes he did not take full responsibility for his actions during this incident, including not attending his scheduled appointments at COPA during the initial investigation. COPA also notes his recent discipline for failing to perform an assigned task, which is similar to one of his sustained allegations in this case. In mitigation, COPA notes Officer Adams' lesser involvement in the incident, particularly that he was one of the cover officers to provide security for the other officers.

**c. Officer Demetrius T. Prothro**

**i. Complimentary and Disciplinary History<sup>66</sup>**

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<sup>65</sup> Att. 59, pg. 4 to 6.

<sup>66</sup> Att. 59, pg. 7 to 9.

Officer Prothro has been with CPD since May 16, 2018. In that time, he received 258 various awards, including 241 honorable mentions, three top gun arrest awards, two police officer of the month awards, and three traffic stop of the month awards. He does not have any recent disciplinary or SPAR history.

## **ii. Recommended Discipline**

Officer Prothro was the business officer on this stop. COPA has found that Officer Prothro violated Rules 1, 2, 3, 5, and 6 when he detained [REDACTED] and [REDACTED] searched [REDACTED] vehicle, failed to complete an ISR, and that he endangered the lives of CPD members and of members of the public (including that of [REDACTED] and [REDACTED] infant daughter) by clearing a firearm while the barrel was pointed in an unsafe direction. COPA recommends a suspension of 1-29 days. In addition to the recommended penalty range, COPA recommends CPD to consider the presence of aggravating and mitigating factors to determine how discipline should be applied consistently and fairly across all involved members. In aggravation, the sustained allegations are serious, involving both Constitutional rights of members of the public as well as public safety and officer safety. In further aggravation, COPA notes Officer Prothro was more involved in this incident than the other officers on the scene, including being the one to negligently handle the firearm. In mitigation, COPA notes Officer Prothro's substantial complimentary history and lack of recent disciplinary history and the fact that he accepted responsibility for at least one of the allegations.

### **d. Officer Lauren A. Holt<sup>67</sup>**

#### **i. Complimentary and Disciplinary History**

Officer Holt has been with CPD since February 20, 2018. In that time, she received 130 various awards, including 121 honorable mentions and four department commendations. She has four sustained complaints in the last five years, resulting in two one-day suspensions, one two-day suspension, and a reprimand for neglect of duty and conducting unbecoming.

#### **ii. Recommended Discipline**

COPA has found that Officer Holt violated Rules 1, 2, 3, 5, and 6 when she detained [REDACTED] and [REDACTED] searched [REDACTED] vehicle, and failed to complete an ISR. COPA recommends a suspension of 1-29 days. In addition to the recommended penalty range, COPA recommends CPD to consider the presence of aggravating and mitigating factors to determine how discipline should be applied consistently and fairly across all involved members. In aggravation,

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<sup>67</sup> Att. 59, pg. 10 to 14.

COPA notes Officer Holt was not the main officer in this incident but did participate in the search. She also failed to take responsibility for her misconduct and has more recent discipline than the other officers in this incident. In mitigation, COPA notes Officer Holt also has an impressive complimentary history.

**e. Officer Ariel J. Williams**

**i. Complimentary and Disciplinary History<sup>68</sup>**

Officer Williams has been with CPD since April 16, 2018. In that time, she received 170 awards and commendations, to include 153 honorable mentions, three department commendations, a police officer of the month award, two special commendations, and the Superintendent’s award of tactical excellence. She received two reprimands related to 2022 incidents: one for failing to identify herself when asked and one for neglect of duty.

**ii. Recommended Discipline**

COPA has found that Officer Williams violated Rules 1, 2, 3, 5, and 6 when she detained [REDACTED] and [REDACTED] searched [REDACTED] vehicle, failed to complete an ISR, and failed to timely activate her BWC. COPA recommends a suspension of 1-29 days. In addition to the recommended penalty range, COPA recommends CPD to consider the presence of aggravating and mitigating factors to determine how discipline should be applied consistently and fairly across all involved members. In aggravation, Officer Williams was not the main officer involved in this incident but did engage in the improper detention of [REDACTED] and [REDACTED] and the search of [REDACTED] vehicle. In mitigation, Officer Williams acknowledged that she failed to timely activate her BWC and has a lengthy complimentary history.

Approved:

[REDACTED]

July 7, 2025

\_\_\_\_\_  
*Shannon Hayes*  
*Acting Deputy Chief Administrator*

\_\_\_\_\_  
Date

<sup>68</sup> Att. 59, pg. 15 to 18.

Appendix A

**Case Details**

Date/Time/Location of Incident:	November 1, 2022 / 9:20 p.m. / 8200 South Ellis Avenue, Chicago, IL 60619
Date/Time of COPA Notification:	November 1, 2022 / 10:28 p.m.
Involved Officer #1:	Officer Carl J. Smith, Star #18090, Employee ID# [REDACTED] Date of Appointment: August 16, 2019, Male, Black
Involved Officer #2:	Officer Craig W. Adams III, Star #12586, Employee ID# [REDACTED] Date of Appointment: March 16, 2017, Male, Black
Involved Officer #3:	Officer Demetrius T. Prothro, Star #8805, Employee ID# [REDACTED] Date of Appointment: May 16, 2018, Male, Black
Involved Officer #4:	Officer Lauren A. Holt, Star #18899, Employee ID# [REDACTED] Date of Appointment: February 20, 2018, Female, Black
Involved Officer #5:	Officer Ariel J. Williams, Star #6885, Employee ID# [REDACTED] Date of Appointment: April 16, 2018, Female, Black
Involved Individual #1:	[REDACTED] Male, Black
Involved Individual #2:	[REDACTED] Female, 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.
- Rule 51A:** Failure to testify or give evidence before any grand jury, coroner's inquest or court of law or before any governmental, administrative, or investigative agency.

**Applicable Policies and Laws**

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- U.S. Const. amend. IV.
- Parking Regulations, Chapter 9-64, Municipal Code of Chicago
- Cooperation in Investigations, 2-78-140, Municipal Code of Chicago
- Protection of Human Rights, G02-01 (effective June 30, 2022)
- BWC, S03-14, (effective October 17, 2017)
- Investigatory Stop System, S04-13-09, (effective July 10, 2017)

## 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.<sup>69</sup> 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.”<sup>70</sup>

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<sup>69</sup> 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).

<sup>70</sup> *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4<sup>th</sup> 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