



Brandon Johnson
Mayor

Department of Police · City of Chicago
3510 S. Michigan Avenue · Chicago, Illinois 60653

Larry B. Snelling
Superintendent

December 27, 2024

Andrea Kersten
Chief Administrator
Civilian Office of Police Accountability (COPA)
1615 West Chicago Avenue, 4th Floor
Chicago, Illinois 60622

Re: Superintendent's Partial Non-Concurrence with Findings and with Penalty Recommendations
Complaint Log No. 2023-0004622
Officer Antonio Whitfield, Star No. 19651
Officer Aubrey Webb, Star No. 5105
Officer Michael Ambrose, Star No. 19607

Dear Chief Administrator Kersten:

After a careful review of the above referenced complaint log number investigation, the Chicago Police Department (Department) does not concur with all of the recommended sustained findings nor with the penalty recommendations as they pertain to Officer Antonio Whitfield, Star No. 19651, Officer Aubrey Webb, Star No. 5105 and Officer Michael Ambrose, Star No. 19607. Pursuant to the Municipal Code of Chicago, the Department provides the following comments.

The COPA investigation recommended a penalty of a suspension of 30 to 90 days for Officer Antonio Whitfield after concluding that he:

1. Struck [REDACTED] with a CPD vehicle without justification;
2. Drove without due regard for the safety of all persons;
3. Failed to timely activate his body worn camera.

The COPA investigation also recommended a penalty of a suspension of up to 30 days for Officer Aubrey Webb and Officer Michael Ambrose after concluding that they:

1. Engaged in a foot pursuit in violation of G03-07.

Regarding Officer Whitfield, the Department concurs with the sustained findings for Allegation #2 and #3. For these actions, the Department recommends a penalty of a 5-day suspension. Regarding Allegation #1, the Department does not concur with the sustained finding and recommends an alternate finding of Unfounded. Body Worn Camera Footage and POD video footage shows [REDACTED] running alongside the vehicle and then attempted to cross over the vehicle toward the passenger side to evade being captured. When [REDACTED] fell to the ground, he was on the other side of the vehicle not in front which is where he likely would have been had Officer Whitfield hit him with the vehicle. The video evidence is consistent with P.O. Whitfield's recollection of the incident. P.O. Whitfield explained

to COPA that he intended to contain Mr. ██████ utilizing the body of the unmarked CPD vehicle as a barricade to force Mr. ██████ towards his partners and away from Gregory Elementary School, located two blocks to the south. In the Investigative Stop Report (ISR) authored by P.O. Ambrose, it is explained that Mr. ██████ attempted to jump over the hood of the vehicle causing him to fall to the ground. P.O. Whitfield further explained that, "[██████] cuts, like, directly in front of the vehicle and at some point, making – while making contact with the vehicle which I believe I – I slammed on the brakes immediately trying to prevent it, but by the time I committed I saw [██████] go down in the street to the right of the vehicle." P.O. Whitfield explained that "never did I, like, mow him down, like, drive straight at him." As support for the sustained finding, COPA states that as ██████ was running from the left side of the vehicle to the right side, Officer Whitfield turned the steering wheel from the left to the right. This is entirely consistent with Officer Whitfield attempting to avoid a collision with ██████

Regarding Officer Webb and Officer Ambrose, the Department does not concur with the sustained findings and recommend an alternate finding of Not Sustained. Officer Ambrose explained to COPA, "Leading up to the stop, we observed the passenger known as ██████ scan the area looking for various routes to escape and then bend at the waist to retrieve a black satchel bag. He then proceeded to abruptly exit the vehicle at which point we exited ours and he began to flee from the traffic stop while holding the satchel bag close to his chest. Based on my own personal training through the Chicago Police Department along with participating in hundreds of [Unlawful Use of Weapon] arrests over the course of my career, we reasonably believed that he was attempting to conceal an illegal firearm and that it was more so illegal because a normal CCL holder wouldn't have fled from a traffic stop abruptly."74 Officer Ambrose told COPA, "based on my training and experience as a police officer, I believed he was fleeing...possession of a weapon."75 "So very commonly, we deal with satchel bags quite often because they're easy to discard when fleeing, and then also, it's an easy means of access as well for retrieving a firearm whether it's for protection or to do a shooting or things like that. And so a lot of times, we see the satchel bags. Coupled with his actions, it just leads us to believe that there's more to it. And there's been plenty of arrests where people will take their satchel bag and they start scanning the area. They have a nervous, distressed look on their face. And then they'll adjust the satchel bag to, you know, try to obscure our view from it, see if it's heavily downward weighted, if there's an L-shaped object, and things like that."

Officer Webb explained, "[w]e observed the male offender moving his head, looking for an avenue of escape. He opened the door and then we saw him tightly gripping the satchel, fleeing the traffic stop." "[B]ased on my training and experience as a police officer, I believed he was fleeing...possession of a weapon." Officer Webb cited his training and experience as a police officer when he told COPA, "[██████] quickly opened the door and then he grabbed tightly the satchel and he fled on foot. And based on my reasonable suspicion, I believe he was in possession of a firearm. That's the reason why I pursued him."

These two officers engaged in a foot pursuit because they had established Reasonable Articulate Suspicion that ██████ was armed with an illegal firearm. The Supreme Court in *Illinois v. Wardlow* reasoned "that headlong flight, while not indicative of wrongdoing, is the consummate act of evasion and as such suggests wrongdoing." Using common sense judgments and inferences about human behavior, the court held that the officers were justified in suspecting that the defendant was involved in criminal activity and in investigating further. In this case, factors such as nervousness at observing

police, grasping at or manipulating a satchel carried by [REDACTED] unprovoked flight, presence in a high crime area, the officers' knowledge, training, and experience are all relevant factors to determine whether the officers had reasonable articulable suspicion to engage in a foot pursuit.

On behalf of Superintendent Larry B. Snelling, the Department looks forward to discussing this matter with you pursuant to MCC 2-78-130(a)(iii).

Sincerely,

[REDACTED]

Lieutenant Robert A. Flores
Department Advocate
Bureau of Internal Affairs
Chicago Police Department

