



Log # 2023-5083

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On October 27, 2023, the Civilian Office of Police Accountability (COPA) received a telephone complaint from [REDACTED] alleging misconduct by members of the Chicago Police Department (CPD).² [REDACTED] explained that on October 26, 2023, he struck a parked vehicle while driving after suffering a seizure. [REDACTED] alleged that Sergeant (Sgt.) Anthony Ceja and Officer Gerardo Silva forcefully pulled him from his vehicle, handcuffed him, and along with Officer Jordon Coil searched his vehicle, all without justification.³ [REDACTED] also told COPA that Sgt. Ceja ordered Officer Silva to Taser [REDACTED] without justification and that Officer Silva pointed a Taser at him but did not discharge it.⁴ Near the end of the interaction, [REDACTED] alleged that Officer Kevin Beck failed to address his complaint that his handcuffs were too tight. Upon review of the evidence, COPA served additional allegations that Sgt. Ceja, Officer Silva, and Officer Coil failed to provide [REDACTED] with an Investigatory Stop Receipt and that Sgt. Ceja stated words to the effect of “shut up” to [REDACTED].

Following its investigation, COPA reached sustained findings on allegations against Sgt. Ceja for forcefully pulling [REDACTED] from his vehicle without justification, stating words to the effect of “shut up” to [REDACTED] directing an officer under his supervision to use a Taser against [REDACTED] without justification, and searching [REDACTED] vehicle without justification. COPA also reached sustained findings against Officer Silva and Officer Coil for searching [REDACTED] vehicle without justification. All other allegations were Not Sustained.

II. SUMMARY OF EVIDENCE⁵

On October 26, 2023, at approximately 10:40 pm, Chicago Fire Department (CFD) Ambulance 57 and Engine 45 responded to an automobile accident near 4834 S Prairie Ave.⁶ The CFD Patient Care Report documented that the thirty-year-old male driver of a vehicle that struck

¹ Appendix A includes case identifiers such as the date, time, and location of the incident, the involved parties and their demographics, and the applicable rules and policies.

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

³ Att. 1 at 11:15.

⁴ Att. 1 at 08:25.

⁵ The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including CPD reports, Chicago Fire Department (CFD) reports, Body Worn Camera (BWC) recordings, and interviews of the complainant and the accused CPD members.

⁶ Att. 3, pg. 1; Att. 4.

a parked car “was alert, uncooperative with crews, denies injury, or seizure. Male driver appears to be decisional, no alcohol detected, or impairment, slight abrasion on forehead.”⁷ After [REDACTED] refused medical assistance, CFD personnel requested that police respond to the scene to assist with a combative patient.⁸ Sgt. Ceja was the first to respond, followed by Officers Coil, Silva, and Beck.⁹

A CFD member told Sgt. Ceja that [REDACTED] did not want to get out of the vehicle, that he may have had a seizure, that he refused medical assistance, and that he looked “pretty angry.”¹⁰ Sgt. Ceja approached the crashed vehicle as the CFD member opened [REDACTED] door to reveal [REDACTED] sitting in the driver’s seat and the front airbags deployed. Sgt. Ceja asked [REDACTED] if he was alright and then asked [REDACTED] to put his hands on the steering wheel.¹¹ Shortly thereafter, [REDACTED] objected to the CFD member opening his door without warning and said that he felt disrespected.¹² After a brief conversation where Sgt. Ceja inquired about [REDACTED] condition and about how the crash occurred, Sgt. Ceja told [REDACTED] to stop reaching as he bent over toward the passenger front seat.¹³ [REDACTED] complied and told Ceja he was looking for his keys, and Sgt. Ceja responded that his keys were the least of his worries. Sgt. Ceja then asked [REDACTED] for his name, and [REDACTED] responded with his first name, [REDACTED] but he remained silent when Sgt. Ceja asked for his surname. Sgt. Ceja then noticed that [REDACTED] head was bleeding and brought it to [REDACTED] attention,¹⁴ but [REDACTED] refused medical assistance again.¹⁵

Sgt. Ceja then said, “We can do this easy or we can do this hard, you understand me?”¹⁶ [REDACTED] then appeared to initiate a telephone call, and Sgt. Ceja then asked [REDACTED] to step out of the vehicle while simultaneously applying a handcuff to [REDACTED] left wrist. [REDACTED] remained seated and emphatically said he would get out of the vehicle on his own. Sgt. Ceja ordered [REDACTED] out of the vehicle several more times as [REDACTED] continued to protest. Sgt. Ceja then told Officer Silva to tase [REDACTED] when he failed to comply.¹⁷ Officer Silva unholstered his Taser and momentarily pointed it at [REDACTED] Sgt. Ceja and Officer Coil continued to order [REDACTED] to get out of the vehicle. Officer Coil then applied a handcuff to [REDACTED] right wrist.¹⁸ Sgt. Ceja and Officer Silva attempted to pull [REDACTED] out of the vehicle by the handcuffs,¹⁹ but [REDACTED] braced

⁷ Att. 20, pg. 2.

⁸ Att. 2, pg. 2; Att. 4, pg. 5.

⁹ Att. 3, pg. 1.

¹⁰ Att. 5 at 22:41:35.

¹¹ Att. 5 at 22:41:50.

¹² Att. 5 at 22:42:12.

¹³ Att. 5 at 22:42:53.

¹⁴ Att. 5 at 22:43:16.

¹⁵ Att. 5 at 22:43:39.

¹⁶ Att. 5 at 22:44:15.

¹⁷ Att. 6 at 22:44:34.

¹⁸ Att. 6 at 22:45:08.

¹⁹ Att. 6 at 22:45:20.

his right foot against the floorboard to defeat his extraction.²⁰ Officer Coil entered the passenger side of the vehicle and pushed [REDACTED] from behind to assist in forcing [REDACTED] from the vehicle.²¹

The officers successfully removed [REDACTED] from the vehicle and struggled with him as they adjusted their handcuffs. [REDACTED] protested the treatment and told the officers to let him go. Sgt. Ceja responded by telling [REDACTED] to “shut up;” [REDACTED] then continued to tell Sgt. Ceja and Officer Silva that they were hurting him, and Sgt. Ceja told [REDACTED] to “shut up” at least three more times.²² Sgt. Ceja told [REDACTED] not to hit the officers and explained to [REDACTED] that they had to restrain him until another police vehicle came.²³ [REDACTED] denied hitting any of the officers and then complained that they hit him. Sgt. Ceja and Officer Silva then walked [REDACTED] to the police vehicle equipped with a cage and placed him in the rear passenger compartment.²⁴ [REDACTED] sister, who was both his roommate and a nurse, arrived and spoke with Sgt. Ceja.²⁵ [REDACTED] told Sgt. Ceja that [REDACTED] had epilepsy, had recently been assaulted by police officers, and suffered from Post Traumatic Stress Disorder (PTSD).²⁶ [REDACTED] explained that [REDACTED] girlfriend had contacted her and said that [REDACTED] had a seizure while driving.²⁷

Sgt. Ceja then entered [REDACTED] vehicle and searched the center console and the area around the driver’s seat.²⁸ Sgt. Ceja appeared to uncover [REDACTED] identification and then looked in the back seat and appeared to locate [REDACTED] wallet.²⁹ Sgt. Ceja gave the items he found and [REDACTED] keys to [REDACTED] who would later take possession of the vehicle.³⁰ Officer Coil searched the area around the front passenger seat of [REDACTED] vehicle and then briefly searched the rear passenger compartment.³¹ Officer Silva searched the area around the driver’s seat, opening and reaching into the center console, and then searched the rear passenger compartment and opened the rear liftgate to search the trunk.³²

[REDACTED] told Officer Beck, as he sat in the cage vehicle, that his co-workers applied his handcuffs too tightly.³³ Officer Beck asked [REDACTED] to please wait a bit. Soon after, [REDACTED] went to the police vehicle to speak with [REDACTED] to help calm him down.³⁴ After a brief conversation, Sgt. Ceja removed [REDACTED] handcuffs and allowed him to leave with his sister.³⁵

²⁰ Att. 6 at 22:46:05.

²¹ Att. 7 at 22:45:03.

²² Att. 5 at 22:48:18 to 22:48:39.

²³ Att. 5 at 22:48:45.

²⁴ Att. 5 at 22:50:20.

²⁵ Att. 5 at 22:52:29.

²⁶ Att. 5 at 22:52:34 and 22:53:53.

²⁷ Att. 1 at 07:00.

²⁸ Att. 5 at 22:55:56.

²⁹ Att. 5 at 22:56:00.

³⁰ Att. 5 at 22:59:00.

³¹ Att. 7 at 22:51:45.

³² Att. 6 at 22:51:39.

³³ Att. 5 at 23:00:29.

³⁴ Att. 5 at 23:01:02.

³⁵ Att. 5 at 23:05:16.

III. ALLEGATIONS

Sgt. Anthony Ceja and Officer Gerardo Silva

- Handcuffing [REDACTED] without justification.
-NOT SUSTAINED

Sgt. Anthony Ceja

- Forcefully pulling [REDACTED] from his vehicle, without justification.
-SUSTAINED, violation of Rules 2, 3, 6, and 8.
- Stating words to the effect of “shut up” to [REDACTED]
-SUSTAINED, violation of Rules 2, 3, 6, and 8.
- Directing police officer(s) under his supervision to use a Taser against [REDACTED] without justification.
-SUSTAINED, violation of Rules 2, 3, 6, and 38.

Sgt. Anthony Ceja, Officer Jordon Coil, and Officer Gerardo Silva

- Searching [REDACTED] vehicle, without justification.
-SUSTAINED, violation of Rules 2, 3, 6, and 8.
- Failing to offer or provide [REDACTED] with an Investigatory Stop Receipt.
-NOT SUSTAINED

Officer Gerardo Silva

- Forcefully pulling [REDACTED] from his vehicle, without justification.
-NOT SUSTAINED
- Displaying a Taser at or in the direction of [REDACTED] without justification.
-NOT SUSTAINED

Officer Kevin Beck

- Failing to address [REDACTED] complaint about his handcuffs being too tight.
-NOT SUSTAINED

IV. CREDIBILITY ASSESSMENT

The credibility of an individual relies primarily on two factors: 1) the individual's truthfulness and 2) the reliability of the individual's account. The first factor addresses the honesty of the individual making the statement, while the second factor speaks to the individual's ability to accurately perceive the event at the time of the incident and then accurately recall the event from memory.

The investigation did not reveal any evidence that caused COPA to doubt the credibility of ██████████'s recollection of the incident was largely corroborated by the accused CPD members' BWC recordings. Any discrepancies can be attributed to imperfections in his memory and to the fact that the incident was precipitated by an automobile crash where ██████████ suffered from a seizure and from an apparent head injury.

COPA finds that the account given by Sgt. Ceja is unreliable. Sgt. Ceja told COPA that he repeatedly asked ██████████ for a driver's license and insurance, and Sgt. Ceja explained that he detained ██████████ because he unlawfully failed to produce these items.³⁶ However Sgt. Ceja's BWC recording shows that Sgt. Ceja never asked ██████████ for his driver's license or proof of insurance before handcuffing ██████████ – he only asked ██████████ for his name. Also, Sgt. Ceja told COPA that had he known he was hurting ██████████ during their interaction, he would have done things differently.³⁷ However, Sgt. Ceja's BWC recording shows that ██████████ stated repeatedly that Sgt. Ceja and Officer Silva were hurting him, and there was no visible change in their tactics.³⁸

Officer Beck, Officer Coil, and Officer Silva provided accounts that are substantially corroborated by their BWC recordings, and COPA finds that they are credible. However, for the reasons discussed below, COPA does not credit Officer Coil's and Officer Silva's proffered explanations for some of the actions they took during their encounter with ██████████

V. ANALYSIS³⁹

a. Handcuffing ██████████ without justification

COPA finds that the allegation against Sgt. Ceja and Officer Silva for handcuffing ██████████ without justification is **Not Sustained**. An investigatory stop is the temporary detention and questioning of a person in the area where the person was stopped based on reasonable articulable suspicion that the person is committing, is about to commit, or has committed a criminal offense.⁴⁰ With regard to the use of handcuffs during an investigatory stop, the critical question is

³⁶ Att. 29 at 18:30 and 19:58. Also see 20:10-20:20.

³⁷ Att. 29 at 22:35.

³⁸ Att. 5 at 22:45:50.

³⁹ For a definition of COPA's findings and standards of proof, see Appendix B.

⁴⁰ See Att. 50, Special Order S04-13-09(II)(A), (C), Investigatory Stop System (effective July 10, 2017, to present). Reasonable articulable suspicion is an objective legal standard that is less than probable cause but more substantial

whether the use of handcuffs is reasonably necessary for safety under the specific facts of the case, and there are situations where concerns for the safety of the police officer or the public justify handcuffing a detainee for the brief duration of an investigatory stop.⁴¹

Here, both Sgt. Ceja and Officer Silva claimed that they had justification for handcuffing ██████. Sgt. Ceja told COPA that ██████ was detained for failing to provide a driver's license and insurance.⁴² He also explained that based on his experience, a driver who crashes into a parked car may be under the influence of drugs or alcohol.⁴³ However, Sgt. Ceja also confirmed that he never asked ██████ about drugs or alcohol.⁴⁴ Officer Silva told COPA that ██████ was handcuffed because he was being momentarily detained because the officers could not verify his identity.⁴⁵ Further, Officer Silva explained that he was unsure if ██████ was a threat to him or to anyone else on scene, as they were still conducting their preliminary investigation. Officer Silva also reasoned that ██████ refused multiple verbal commands to exit his vehicle, which caused Officer Silva to become concerned that ██████ might have a weapon in his vehicle.⁴⁶

BWC footage shows that although Sgt. Ceja asked ██████ for his name, he only responded with ██████ and then remained silent when asked for his surname.⁴⁷ However, Sgt. Ceja never asked ██████ for his address and never asked ██████ for his driver's license or proof of insurance before ██████ was removed from his vehicle. Furthermore, BWC footage showed that ██████ was only asked once to exit his vehicle before the first set of handcuffs were applied, and ██████ may not have heard or understood the request.⁴⁸

BWC footage also shows that there was no mention of drugs or alcohol while Sgt. Ceja, Officer Silva, and Officer Coil were on scene. Furthermore, none of the available CPD reports make any mention of drugs or alcohol, and the CFD Patient Care Report documented, "Male driver appears to be decisional, no alcohol detected, or impairment, slight abrasion on forehead," and there is no evidence that Sgt. Ceja inquired about suspected drug or alcohol use during his discussions with CFD personnel on scene.

Before handcuffing ██████ Sgt. Ceja made a single, tenuous attempt to determine ██████ identity, but he did not ask for a driver's license. As Sgt. Ceja mentioned, the accident itself could have suggested possible drug and alcohol consumption, but Sgt. Ceja had already been told by CFD personnel that ██████ may have suffered a seizure, and Sgt. Ceja made no apparent

than a hunch or general suspicion. Reasonable articulable suspicion depends on the totality of the circumstances which the sworn member observes and the reasonable inferences that are drawn are based on the sworn member's training and experience. Reasonable articulable suspicion can result from a combination of particular facts, which may appear innocuous in and of themselves, but taken together amount to reasonable suspicion.

⁴¹ People v. Arnold, 394 Ill. App. 3d 63, 71 (2d Dist. 2009).

⁴² Att. 29 at 19:45 and 20:15.

⁴³ Att. 29 at 12:03. Sgt. Ceja also stated that this type of crash could also indicate a medical condition.

⁴⁴ Att. 41, pg. 15, Ins. 5 to 17.

⁴⁵ Att. 28 at 23:00.

⁴⁶ Att. 28 at 23:10 to 23:45.

⁴⁷ Att. 28 at 04:40.

⁴⁸ Att. 5 at 22:42:28 to 22:44:30.

attempts to investigate the possibility of drug or alcohol impairment. However, Sgt. Ceja did have the authority to order [REDACTED] to exit his vehicle, and [REDACTED] did not immediately comply with the order.⁴⁹ After Sgt. Ceja placed one handcuff on [REDACTED] physically resisted by pulling away and by bracing his foot against the floorboard. Also, while the officers may have acted prematurely, Officer Silva's concern that [REDACTED] may have had a weapon in the vehicle was not wholly unreasonable given [REDACTED] earlier refusal to get out of the vehicle when asked by CPD personnel, his silence when asked by Sgt. Ceja for his surname, and his failure to immediately exit the vehicle when told to do so by Sgt. Ceja. Also, it was reasonable for Officer Silva to rely on Sgt. Ceja's judgment that handcuffing was necessary: Sgt. Ceja was Officer Silva's direct supervisor, Sgt. Ceja had been on scene before Officer Silva, and Officer Silva did not know what Sgt. Ceja may have observed earlier in the encounter. For these reasons, COPA finds there is insufficient evidence to prove the allegation that **Sgt. Ceja and Officer Silva** handcuffed [REDACTED] without justification by a preponderance of the evidence, and the allegation is **Not Sustained**.

b. Forcefully pulling [REDACTED] from his vehicle, without justification.

COPA finds that the allegation against Sgt. Anthony Ceja and Officer Gerardo Silva for forcefully pulling [REDACTED] from his vehicle, without justification, is **Sustained**. CPD seeks to gain voluntary compliance when consistent with personal safety. CPD members are expected to develop and display skills and abilities to act in a manner to eliminate the need to use force and to resolve situations without resorting to force. CPD members may only use force when required under the circumstances to serve a lawful purpose.⁵⁰ Also, CPD members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a CPD member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time.⁵¹ Among other things, when it is safe and reasonable to do so, CPD members should use time as a tactic by slowing down the pace of the incident.⁵² When it is safe and feasible to do so, CPD members must allow people to voluntarily comply with lawful verbal direction.⁵³ And, CPD members must continually assess an incident based on the totality of the circumstances and must determine if the level of force employed should be modified based upon the subject's actions or other changes in the circumstances. The level of force must de-escalate as resistance decreases, provided that the CPD member remains in control and as safety permits.⁵⁴

⁴⁹ As the driver of a vehicle involved in a crash with significant property damage and personal injury, [REDACTED] was obliged to remain on scene and to identify himself to police. Once Sgt. Ceja arrived, identified himself as a police officer, and asked [REDACTED] for his name, the incident became the equivalent of a traffic stop, as [REDACTED] had been operating the vehicle and was still seated in the driver's seat. A police officer may order the driver to get out of his vehicle as a precautionary measure during any lawful traffic stop. See *People v. Gonzalez*, 294 Ill. App. 3d 205, 210 (1998) (citing *Pennsylvania v. Mimms*, 434 U.S. 106, 109 (1977)).

⁵⁰ Att. 51, General Order G03-02(II)(C), De-Escalation, Response to Resistance, and Use of Force (effective June 28, 2023, to present).

⁵¹ Att. 52, General Order G03-02-01(II)(B), (C)(1), Response to Resistance and Force Options (effective June 28, 2023, to present).

⁵² Att. 52, G03-02-01(III)(C)(1).

⁵³ Att. 52, G03-02-01(III)(C)(4).

⁵⁴ Att. 52, G03-02-01(IV)(B)(2).

Sgt. Ceja told COPA that pulling someone out of a vehicle by handcuffs attached to their wrists is normal practice for CPD officers.⁵⁵ Sgt. Ceja explained that once ██████ pulled away and put his foot in a door jamb to prevent his extraction, he would have to use “any means necessary” to pull ██████ out of the vehicle to detain him.⁵⁶ COPA then asked Sgt. Ceja why another method was not used to extract ██████ from the vehicle, and Sgt. Ceja responded that it was because ██████ reached to his right, and Sgt. Ceja could not see if there was a weapon or contraband where ██████ was reaching. Sgt. Ceja also reasoned that because ██████ was a larger gentleman who was heavier set, pulling him by the handcuffs was a reasonable way to remove him from his vehicle.⁵⁷ When asked why he did not give ██████ more time to exit the vehicle, Sgt. Ceja responded that he gave ██████ four minutes to exit the vehicle, and he spoke calmly to ██████ until ██████ failed to turn over his driver’s license and insurance, and at that point the investigation needed to continue.⁵⁸ Sgt. Ceja said he could not recall if ██████ told him or any of the other CPD members that they were hurting him.⁵⁹ When asked if he would have handled things differently had he known he and the other officers were hurting ██████ Sgt. Ceja responded “yes,” provided he knew their actions were hurting ██████⁶⁰

Officer Silva told COPA that he could not recall whether ██████ told him they were hurting him or that he was injured, and ██████ size factored in when they decided to use two sets of handcuffs and pull him out of the vehicle using the handcuffs.⁶¹ Officer Silva also explained that based on his training and experience, when someone becomes an active resister, it is sometimes difficult to determine the best way to get them out of a vehicle.⁶² Further, Officer Silva said that ██████ was given sufficient time to exit the vehicle voluntarily and that officers were attempting to de-escalate the situation by removing ██████ from the vehicle to another space.⁶³ Officer Silva also pointed out that Sgt. Ceja was on scene first and initiated the process of pulling ██████ from the vehicle.⁶⁴

COPA finds that Sgt. Ceja failed to respond to ██████ repeated statements that he would get out of the vehicle on his own.⁶⁵ CPD directives require members to allow subjects to voluntarily comply when safe and feasible, and members must reduce the amount of force used as resistance decreases. Sgt. Ceja did not do either of these things during this encounter. Sgt. Ceja also failed to acknowledge and respond to ██████ repeated statements that the officers were hurting him, even though Sgt. Ceja told COPA that under those circumstances he would have adjusted his

⁵⁵ Att. 29 at 20:52.

⁵⁶ Att. 29 at 21:04.

⁵⁷ Att. 29 at 21:18 to 21:50.

⁵⁸ Att. 29 at 21:52.

⁵⁹ Att. 5 at 22:45:51.

⁶⁰ Att. 29 at 22:40.

⁶¹ Att. 29 at 24:30.

⁶² Att. 29 at 25:47.

⁶³ Att. 29 at 28:00 to 28:40.

⁶⁴ Att. 29 at 29:10.

⁶⁵ Att. 5 at 22:44:40.

tactics. BWC footage showed that Sgt. Ceja spent little time attempting to identify [REDACTED] nor did he ask [REDACTED] for his driver's license or proof of insurance before handcuffing him and then pulling him from his vehicle. For these reasons, COPA finds by a preponderance of evidence that Sgt. Ceja violated Rules 2, 3, 6, and 8 by forcefully pulling [REDACTED] from his vehicle without justification, and this allegation is **Sustained as to Sgt. Ceja**. COPA also finds that there is insufficient evidence to prove that Officer Silva forcefully pulled [REDACTED] from his vehicle without justification, as Officer Silva reasonably relied on direction from his supervisor, Sgt. Ceja, and did not know what Sgt. Ceja had observed or what [REDACTED] may have said or done before his arrival on scene. For these reasons, this allegation is **Not Sustained as to Officer Silva**.

c. Searching [REDACTED] vehicle, without justification

COPA finds that the allegation against Sgt. Anthony Ceja, Officer Jordan Coil, and Officer Gerardo Silva for searching [REDACTED] vehicle, without justification, is **Sustained**. Much like with pat downs, "the search of the passenger compartment of an automobile, limited to those areas in which a weapon may be placed or hidden, is permissible if the police officer possesses a reasonable belief based on specific and articulable facts which, taken together with the rational inferences from those facts, reasonably warrant the officer in believing that the suspect is dangerous and the suspect may gain immediate control of weapons."⁶⁶ In other words, absent probable cause, police officers may search the passenger compartment of a vehicle only if they have reasonable, articulable suspicion that its occupant is dangerous and may have a weapon hidden therein.

Sgt. Ceja explained that he searched [REDACTED] vehicle because he observed [REDACTED] reaching towards the passenger-side seat, and he could not see what was on the seat or what [REDACTED] was doing. BWC footage shows that when Sgt. Ceja told [REDACTED] to stop reaching, [REDACTED] immediately complied and told Sgt. Ceja that he was looking for his keys. Sgt. Ceja responded by telling [REDACTED] that finding his keys was the least of his worries.⁶⁷ Sgt. Ceja further explained that he was concerned about officer safety and that based on his experience, a weapon, alcohol, or narcotics could have been in the vehicle, all of which could have been causes for the vehicle crash.⁶⁸

Officer Coil told COPA that he had reasonable articulable suspicion to search the vehicle because [REDACTED] was behaving in a manner that indicated the possible presence of a weapon or contraband.⁶⁹ Officer Coil explained that based on his experience, people who refused to step out of a vehicle when ordered by the police, resisted, flailed their arms, or stiffened their body could be concealing contraband or a firearm. Based on these suspicions, Officer Coil searched front and back passenger-side seats, but no weapons or contraband were found.

⁶⁶ Michigan v. Long, 463 U.S. 1032, 1049 (1983) (internal quotations omitted).

⁶⁷ Att. 5 at 22:42:56.

⁶⁸ Att. 29 at 12:15; 27:36 to 28:01

⁶⁹ Att. 34 at 6:15 and 16:35.

Officer Silva told COPA that the search was more a “sweep” of the vehicle, and the rear cargo area of the vehicle was open and accessible to an occupant tossing something.⁷⁰ Officer Silva explained that the purpose of the sweep was to be sure there were no firearms in the vehicle and nothing that could poke, stab, or otherwise harm someone.⁷¹ Officer Silva also mentioned that based on his training and experience, the way that [REDACTED] was acting gave him reasonable articulable suspicion to search the vehicle, and he has had encounters where someone who was not willing to voluntarily exit a vehicle was concealing a firearm.⁷² BWC footage shows that Officer Silva searched the front driver’s seat area including the center console, rear driver’s side passenger compartment, and the rear cargo area including a brief look into a large plastic container.⁷³

Sgt. Ceja’s search uncovered what appeared to be [REDACTED] driver’s license, insurance information, and possibly a wallet. None of the CPD members expressed any contemporaneous concern that [REDACTED] may have been armed. [REDACTED] made no furtive movements other than reaching for his keys, and he immediately complied when Sgt. Ceja told him to stop reaching. The involved CPD members had never encountered [REDACTED] before and had no reason to believe he owned a firearm. Also, the encounter began because of a traffic crash that the officers were told may have been caused by [REDACTED] medical condition, and they had no reason to believe that crime was afoot or that [REDACTED] was committing, had committed, or was about to commit a crime. At the beginning of the encounter, [REDACTED] expressed concern because the number of police officer on scene led him to believe he was in trouble. Sgt. Ceja responded to [REDACTED] concern with, “Nobody’s saying you’re in trouble.”⁷⁴ While [REDACTED] initial refusal to exit the vehicle may have raised the officers’ suspicions, Sgt. Ceja was also aware that [REDACTED] may have suffered from a seizure, Sgt. Ceja noticed that [REDACTED] had a head injury, and the nature of the crash and the apparent damage to the vehicles should have alerted Sgt. Ceja to the likelihood that [REDACTED] difficulties in answering questions and obeying commands were related to his injuries or medical status. For these reasons, COPA finds by a preponderance of evidence that **Sgt. Ceja, Officer Silva, and Officer Coil** violated Rules 2, 3, 6, and 8 by searching [REDACTED] vehicle without justification, and this allegation is **Sustained** as to each of them.

d. Failing to offer or provide [REDACTED] with an Investigatory Stop Receipt.

COPA finds that the allegation against Sgt. Ceja, Officer Coil, and Officer Silva for failing to offer or provide [REDACTED] with an Investigatory Stop Receipt is **Not Sustained**. Per CPD policy, upon completing an investigatory stop that involves a protective pat down or any other search, sworn members are required to provide the subject of the stop a completed Investigatory Stop Receipt. The receipt must include the event number, the reason for the stop, and the sworn member’s name and star number.⁷⁵

⁷⁰ Att. 29 at 30:38.

⁷¹ Att. 29 at 31:00.

⁷² Att. 28 at 31:50.

⁷³ Att. 6 at 22:51:35.

⁷⁴ Att. 5 at 22:43:57.

⁷⁵ Att. 50, S04-13-09(VIII)(A)(3).

Sgt. Ceja answered this allegation by explaining that he was under the impression that [REDACTED] was going to receive a traffic citation, making it unnecessary to give [REDACTED] the receipt. However, the investigatory stop report drafted by Officer Silva and approved by Sgt. Ceja documented that [REDACTED] was given a receipt.⁷⁶ Officer Coil told COPA that he and Officer Silva filled out the investigatory stop report because they searched the vehicle, but Officer Coil believed that Sgt. Ceja would have given [REDACTED] the receipt because Sgt. Ceja was the first CPD member to arrive on scene.⁷⁷ Officer Silva told COPA that he completed the investigatory stop report, and the officer who completed the report would normally give the subject the receipt. However, Officer Silva could not recall if he gave a receipt to [REDACTED].⁷⁸

It is unclear whether [REDACTED] was given a receipt at the scene. [REDACTED] told COPA that he received a receipt from CPD recently, but he could not recall if it was for this event or for an earlier police encounter.⁷⁹ The investigatory stop report drafted by Officer Silva documented that a receipt was given to [REDACTED] but Sgt. Ceja, Officer Coil, and Officer Silva were all unclear as to whether any of them gave [REDACTED] the receipt. For these reasons, COPA cannot show by a preponderance of evidence that **Sgt. Ceja, Officer Coil, or Officer Silva** failed to provide [REDACTED] with an investigatory stop receipt, and these allegations are **Not Sustained**.

e. Stating words to the effect of “shut up” to [REDACTED]

COPA finds that the allegation against Sgt. Ceja for stating words to the effect of “shut up” to [REDACTED] is **Sustained**. CPD members are required to act, speak, and conduct themselves in a courteous, respectful and professional manner, recognizing their obligation to safeguard life and property, and maintain a courteous, professional attitude.⁸⁰ Sgt. Ceja attempted to justify saying “shut up” to [REDACTED] by explaining that [REDACTED] was yelling irately and aggressively.⁸¹ However, Sgt. Ceja ultimately admitted to this allegation during his interview with COPA.⁸² For these reasons, COPA finds by a preponderance of evidence that **Sgt. Ceja** violated Rules 2, 3, 6, and 8 by stating words to the effect of “shut up” to [REDACTED] and this allegation is **Sustained**.

f. Directing police officer(s) under his supervision to use a Taser against [REDACTED] without justification.

COPA finds that the allegation against Sgt. Ceja for directing officers under his supervision to use a Taser against [REDACTED] without justification is **Sustained**. A Taser is an authorized force option against an active resister when a CPD member has a reasonable belief that the person presents a risk of serious injury to the member or others, and other reasonable force options are not readily available or would otherwise be ineffective under the circumstances

⁷⁶ Att. 2, pg. 1.

⁷⁷ Att. 34 at 21:52 and 23:30.

⁷⁸ Att. 28 at 34:08.

⁷⁹ Att. 43, pg. 38, Ins. 11 to 16.

⁸⁰ Att. 53, G02-01(III)(B)(3), Protection of Human Rights (effective June 30, 2022, to present).

⁸¹ Att. 29 at 31:47.

⁸² Att. 29 at 34:25.

at the time, or the person is exhibiting violent and aggressive behavior and there is objectively reasonable belief at the time that the person has committed a felony offense or any other offense against a person (e.g. battery, aggravated assault) or that disregards or endangers the bodily safety of others (e.g. reckless discharge of a firearm).⁸³ Furthermore, CPD policy cautions against deploying a Taser on a person who is at a greater risk of serious injury or death from Taser use, such as a person in medical distress or a person with a pre-existing medical condition that may become aggravated.⁸⁴

Sgt. Ceja told COPA that he directed Officer Silva to tase [REDACTED] because [REDACTED] failed to provide a driver's license and insurance after being involved in an accident, [REDACTED] refused to exit the vehicle and resisted when Sgt. Ceja attempted to remove him, and [REDACTED] had reached towards his right side before being handcuffed.⁸⁵ Sgt. Ceja clarified that he instructed Officer Silva to tase [REDACTED] because once he had one handcuff on [REDACTED] refused to give another officer his other hand and to exit the vehicle.⁸⁶ Sgt. Ceja stated that he sometimes uses the threat of being tased as a method to gain compliance, and he considered [REDACTED] to be an active resister because [REDACTED] pulled away, refused to follow verbal directions, pulled Sgt. Ceja and the assisting officer toward himself, and held his foot against the door jamb to gain leverage against extraction from the vehicle.⁸⁷ COPA asked Sgt. Ceja if he had taken [REDACTED] possible seizure and head injury into consideration during this part of the incident, and he responded yes; he also considered the possibility of alcohol or narcotics.⁸⁸

Here, BWC footage contradicts Sgt. Ceja's account that [REDACTED] failed to provide a driver's license and insurance after being involved in an accident. There is no evidence that Sgt. Ceja or any officer ever asked [REDACTED] for his driver's license or insurance. Secondly, Sgt. Ceja also claimed that he ordered the Taser after [REDACTED] failed to follow verbal directions and started pulling back into the vehicle. However, *if* Sgt. Ceja asked [REDACTED] to exit the vehicle before he was handcuffed, it was only once, and it is possible that [REDACTED] did not hear or understand the request. Sgt. Ceja's initial order for [REDACTED] to exit the vehicle was barely audible on BWC footage. Sgt. Ceja had already put a handcuff on [REDACTED] left wrist *before* he gave clear orders to [REDACTED] to exit the vehicle in an audible and repeated manner.

COPA finds that ordering the use of a Taser under these circumstances violated CPD policy. In short, even though [REDACTED] was an active resister, there were other techniques available to Sgt. Ceja to achieve compliance, including using time as a tactic as there was no immediate need to remove [REDACTED] from his vehicle. Furthermore, [REDACTED] was a person who was possibly vulnerable to injury or death from Taser use: Sgt. Ceja was aware that [REDACTED] was believed to have had an epileptic seizure before he ordered Officer Silva to Taser [REDACTED]. For these reasons,

⁸³ Att. 54, General Order G03-02-04(II)(D), Taser Use Incidents (effective June 28, 2023, to present).

⁸⁴ Att. 54, G03-02-04(II)(F)(6).

⁸⁵ Att. 29 at 15:07 to 16:21.

⁸⁶ Att. 29 at 16:54.

⁸⁷ Att. 19 at 17:15 to 18:30.

⁸⁸ Att. 19 at 18:58. Sgt. Ceja also disclosed that his wife suffered from epilepsy and that he was familiar with seizures and how they may affect someone. Att. 19 at 12:53 to 13:43.

COPA finds by a preponderance of evidence that **Sgt. Ceja** violated Rules 2, 3, 6, and 38 by directing an officer to use a Taser against [REDACTED] without justification, and this allegation is **Sustained**.

g. Displaying a Taser at or in the direction of [REDACTED] without justification.

COPA finds that the allegation against Officer Silva for displaying a Taser at or in the direction of [REDACTED] without justification, is Not Sustained. Officer Silva told COPA that he drew and pointed his Taser at [REDACTED] because he was ordered to do so by his supervisor, Sgt. Ceja. Officer Silva further explained that based on CPD's use-of-force model, [REDACTED] became an active resister when he refused to exit the vehicle and used his own force to defeat extraction.⁸⁹ Because of the hectic nature of the situation, Officer Silva decided that if he simply pointed his Taser at [REDACTED] it may have helped bring about compliance.⁹⁰

According to Officer Silva, he relied on his training and experience and decided not to Tase [REDACTED] based on the number of people around and his desire to find another way to gain [REDACTED] compliance. Officer Silva also believed there were enough CPD members on scene to gain compliance by continued use of verbal commands.⁹¹ Also, because he arrived after Sgt. Ceja and did not initially speak with CFD personnel, at the time he drew his Taser Officer Silva was unaware of the possibility that [REDACTED] had a seizure. Officer Silva first learned this information from [REDACTED] around the time he searched [REDACTED] vehicle.⁹² For these reasons, COPA finds there is insufficient evidence to prove the allegation against **Officer Silva** by a preponderance of the evidence, and it is **Not Sustained**.

h. Failing to address [REDACTED] complaint about his handcuffs being too tight.

COPA finds that the allegation against Officer Beck for failing to address [REDACTED] complaint about his handcuffs being too tight is Not Sustained. Here, Officer Beck responded to a call for a cage car and relocated to the scene. Shortly after he arrived, he began to gather information so that he could fill out the traffic crash report.⁹³ Sgt. Ceja walked over to Officer Beck and gave him [REDACTED] identification and wallet. Sgt. Ceja and other officers then brought [REDACTED] and placed him in the back seat of Officer Beck's cage car, a name check was performed, and reports were drafted.⁹⁴ A short time later, Sgt. Ceja informed Officer Beck that [REDACTED] had a seizure and a vehicle accident.⁹⁵

⁸⁹ Att. 28 at 16:10 to 18:00.

⁹⁰ Att. 28 at 16:50. In order to defeat extraction, once the second handcuff was placed on him, [REDACTED] pressed down on the floorboard with his foot as officers attempted to pull [REDACTED] out of the vehicle.

⁹¹ Att. 28 at 19:30.

⁹² Att. 6 at 22:53:12.

⁹³ Att. 36 at 06:53 to 07:40.

⁹⁴ Att. 8 at 22:50:26.

⁹⁵ Att. 8 at 22:54:25.

After some time in the back seat of Officer Beck's car, ██████ told Officer Beck that the handcuffs were too tight.⁹⁶ Officer Beck acknowledged his communication, explained that the more ██████ moved around, the tighter they may feel, and asked ██████ to give the other officers a minute. Just over a minute later, ██████ told Officer Beck it had been five to ten minutes since he complained about tight handcuffs.⁹⁷ Officer Beck responded that it had only been a minute and a half and to give them a little more time. Less than a minute later ██████'s sister, approached Officer Beck's car and spoke with ██████ in an effort to calm him down so he could be released.⁹⁸ ██████ was released five to six minutes later, once the necessary paperwork was completed.⁹⁹

Officer Beck explained to COPA that handcuffs, which are an oval shape that follows the contours of a person's wrist, were not meant to be comfortable and are steel on skin. Handcuffs can begin to hurt if the wearer twists inside them, causing the wrist to have less space within the cuff. Officer Beck told investigators that he did not check ██████ hand cuffs for fit because by the time he would have been able to check, ██████ had already begun to speak with his sister and Sgt. Ceja. ██████ made no earlier or later complaints about the handcuffs, and Officer Beck did not recall seeing any marks on ██████ wrists.¹⁰⁰

██████ was in Officer Beck's car for approximately sixteen and mentioned that his handcuffs were tight twice. The wait ██████ experienced, about two-and-a-half minutes between the time he first complained about the handcuffs until his sister and Sgt. Ceja came to speak with him was minimal and was not unreasonable considering the totality of the circumstances. For this reason, COPA finds there is insufficient evidence to prove the allegation against **Officer Beck** by a preponderance of the evidence, and it is **Not Sustained**.

VI. DISCIPLINARY RECOMMENDATION

a. Sgt. Anthony Ceja

i. Complimentary and Disciplinary History¹⁰¹

Sgt. Ceja has received the Problem Solving Award, seven Department Commendations, sixty-three Honorable Mentions, five complimentary letters, and at least twenty-six other awards and commendations. Sgt. Ceja has one sustained complaint register within the past five years, with the designation "violation noted" for conduct unbecoming.¹⁰² Sgt. Ceja has also been reprimanded

⁹⁶ Att. 8 at 22:58:19.

⁹⁷ Att. 8 at 23:00:29.

⁹⁸ Att. 8 at 23:00:55.

⁹⁹ Att. 8 at 23:06:15.

¹⁰⁰ Att. 36 at 16:30 to 17:50.

¹⁰¹ Atts. 45 and 48.

¹⁰² Sgt. Ceja also received the designation of "violation noted" for a 2010 incident involving verbal abuse, profanity. Given the amount of time that has passed since this infraction and the lack of similar, repeated misconduct, COPA did not consider the 2010 incident when recommending discipline in this case. See Att. 48.

through the summary punishment process for non-compliance with motor vehicle pursuit requirements in February 2025.

ii. Recommended Discipline

COPA has found that Sgt. Ceja violated Rules 2, 3, 6, and 8 by forcefully pulling [REDACTED] from his vehicle without justification, by stating words to the effect of “shut up” to [REDACTED] and by searching [REDACTED] vehicle without justification. COPA has also found that Sgt. Ceja violated Rules 2, 3, 6, and 38 by directing an officer under his supervision to use a Taser against [REDACTED] without justification. As a CPD supervisor exercising his authority in the presence of his subordinates, Sgt. Ceja should have set an example for the use of proper de-escalation techniques. Instead, he needlessly escalated the encounter and directed an officer to use improper force. Also, by searching [REDACTED] vehicle without justification, Sgt. Ceja’s actions tended to undermine confidence in CPD’s ability to treat members of the public fairly and to adhere to the Fourth Amendment’s requirements. Sgt. Ceja initially approached [REDACTED] and spoke to [REDACTED] with apparent concern for [REDACTED] safety and well-being, but Sgt. Ceja appeared to lose his patience when [REDACTED] did not immediately answer his questions and comply with his directions. Sgt. Ceja failed to consider [REDACTED] likely medical condition and his obvious injury as explanations for his conduct, and Sgt. Ceja resorted to using force when further de-escalation techniques would have been feasible and appropriate. Considering these findings, and considering Sgt. Ceja’s complimentary history and disciplinary history, COPA recommends that **Sgt. Ceja be suspended for between two and five days**, at the discretion of the Superintendent.

b. Police Officer Gerardo Silva

i. Complimentary and Disciplinary History¹⁰³

Officer Silva has received the Problem Solving Award, five Department Commendations, ninety-four Honorable Mentions, and at least six other awards and commendations. Officer Silva has one sustained complaint register within the past five years, with the designation of “violation noted” for a March 2022 incident involving neglect of duty. Officer Silva was also reprimanded through the summary punishment process for a preventable accident that occurred in March 2024.

ii. Recommended Discipline

COPA has found that Officer Silva violated Rules 2, 3, 6, and 8 by searching [REDACTED] vehicle without justification. By using his authority as a police officer to search a person’s vehicle without justification, Officer Silva’s actions tended to undermine confidence in CPD’s ability to treat members of the public fairly and to adhere to the Fourth Amendment’s requirements. COPA notes that Officer Silva was generally following the lead of Sgt. Ceja during this incident, but he remains responsible for his own actions, and he could have sought further guidance from Sgt. Ceja before conducting the search. Considering these findings, and also considering Officer Silva’s

¹⁰³ Atts. 45 and 47.

complimentary and disciplinary history, COPA recommends that **Officer Silva receive the designation of “violation noted,”** along with additional training in the investigatory stop system and search-and-seizure issues.

c. Police Officer Jordon Coil

i. Complimentary and Disciplinary History¹⁰⁴

Officer Coil has received the Life Saving Award, the Problem Solving Award, six Department Commendations, one-hundred-and-ten Honorable Mentions, and at least two other awards and commendations. Officer Coil has no sustained complaint registers, but he has been reprimanded twice through the summary punishment process for a May 2023 preventable accident and a July 2024 court appearance violation.

ii. Recommended Discipline

COPA has found that Officer Coil violated Rules 2, 3, 6, and 8 by searching [REDACTED] vehicle without justification. By using his authority as a police officer to search a person’s vehicle without justification, Officer Coil’s actions tended to undermine confidence in CPD’s ability to treat members of the public fairly and to adhere to the Fourth Amendment’s requirements. COPA notes that Officer Coil was generally following the lead of Sgt. Ceja during this incident, but he remains responsible for his own actions, and he could have sought further guidance from Sgt. Ceja before conducting the search. Considering these findings, and also considering Officer Coil’s complimentary and disciplinary history, COPA recommends that **Officer Coil receive the designation of “violation noted,”** along with additional training in the investigatory stop system and search-and-seizure issues.

Approved:

[REDACTED]

4-25-25

Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

Date

¹⁰⁴ Atts. 45 and 46.

Appendix A**Case Details**

Date/Time/Location of Incident:	October 26, 2023 / 11:23 pm / 4800 S Prairie Ave., Chicago, IL 60615
Date/Time of COPA Notification:	October 27, 2023 / 12:23 pm
Involved Member #1:	Sgt. Anthony Ceja, Star #1005, Employee ID # [REDACTED] DOA: October 29, 2007, Unit: 002, Male, Hispanic
Involved Member #2:	Police Officer Gerardo Silva, Star #19281, Employee ID # [REDACTED] DOA: April 16, 2021, Unit: 002, Male, White Hispanic
Involved Member #3:	Police Officer Jordan Coil, Star #17440, Employee ID # [REDACTED] DOA: August 16, 2021, Unit: 002, Male, White
Involved Member #4:	Police Officer Kevin Beck, Star #19453, Employee ID # [REDACTED] DOA: February 20, 2018, Unit: 002, Male
Involved Individual #1:	[REDACTED] Male, Black

Applicable Rules

- ☒ **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 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 38:** Unlawful or unnecessary use or display of a weapon.

Applicable Policies and Laws

- Special Order S04-13-09, Investigatory Stop System (effective July 10, 2017, to present).
- General Order G03-02, De-Escalation, Response to Resistance, and Use of Force (effective June 28, 2023, to present).
- General Order G03-02-01, Response to Resistance and Force Options (effective June 28, 2023, to present).
- General Order G02-01, Protection of Human Rights (effective June 30, 2022, to present).
- General Order G03-02-04, Taser Use Incidents (effective June 28, 2023, to present).

Appendix B

Definition of COPA's Findings and Standards of Proof

For each Allegation, COPA must make one of the following findings:

1. Sustained – where it is determined the allegation is supported by a preponderance of the evidence;
2. Not Sustained – where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;
3. Unfounded – where it is determined by clear and convincing evidence that an allegation is false or not factual; or
4. Exonerated – where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

A **preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that a proposition is proved.¹⁰⁵ 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.”¹⁰⁶

¹⁰⁵See *Avery v. State Farm Mut. Auto. Ins. Co.*, 216 Ill. 2d 100, 191 (2005) (“A proposition proved by a preponderance of the evidence is one that has been found to be more probably true than not true.”).

¹⁰⁶ *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