



**Brandon Johnson**  
Mayor

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

**Larry B. Snelling**  
Superintendent

March 17, 2025

Robin Murphy  
General Counsel  
Civilian Office of Police Accountability (COPA)  
1615 West Chicago Avenue, 4th Floor  
Chicago, Illinois 60622

Re: Superintendent's Non-Concurrence with Findings and with Penalty Recommendation  
Complaint Log No. 2024-0002320  
Officer Victor Lopez # 16182

Dear General Counsel Murphy:

After a careful review of the above referenced complaint log number investigation, the Chicago Police Department (Department) does not concur with the recommended sustained findings nor with the penalty recommendation as they pertain to Officer Victor Lopez. Pursuant to the Municipal Code of Chicago, the Department provides the following comments.

The COPA investigation recommended a penalty of a suspension of up to 30-days for Officer Victor Lopez after concluding that he:

1. Performed a pat down on [REDACTED] without justification;
2. Handcuffed [REDACTED] without justification;
3. Failed to utilize de-escalation techniques to prevent or reduce the need for force when interacting with [REDACTED]

With regard to Allegation #1 and Allegation #2, the Department recommends an alternative finding of Exonerated.

Officer Lopez requested that [REDACTED] who was combative and defiant during the entirety of the stop, to keep his hands out of his pockets. [REDACTED] responded by ignoring Officer Lopez' request, saying P.O. Lopez was "scary" and needs "another job." Officer Lopez conducted a limited search of [REDACTED] outer clothing to dispel his concerns that [REDACTED] may have a weapon that could be used against him. This is consistent with the Department policy that a protective pat down can be performed if the officer has Reasonable Articulate Suspicion that the subject is armed and dangerous or reasonably suspects that the person presents a danger of attack to the officer or another. Further, the use of handcuffs does not by itself convert a Terry stop into an arrest, and the fact that handcuffing takes place before an officer has probable cause to arrest is not an automatic violation of the fourth amendment. There is no prohibition to handcuffing the detainee for the brief duration of an investigatory stop.

In this particular situation, Officer Lopez not only had Reasonable Articulate Suspicion, he also had probable cause to make an arrest. [REDACTED] had an expired registration plate, improperly displayed temporary permit, refused a lawful order to produce his driver's license, and refused the officer's request to keep his hands visible during the stop. These actions are not only violation of the Illinois Vehicle Code as fineable offenses, but violation of MCC 9-40-030 (Obedience to police, traffic control aide, and fire department orders). Under MCC 9-40-030, a person violates this section if they fail to keep his/her hands easily visible to the police officer (9-40-030(3)) and fails to provide appropriate identification such as a driver's license (9-40-030(4)) upon request. A violation of this section is subject to a fine and a term of imprisonment of not more than six months. COPA's determination that an officer may only handcuff a person if their actions are "furtive or threatening" is without merit. Mr. [REDACTED] actions and refusal to comply with the officers' lawful orders made him subject to arrest.

The Department does not concur with COPA's assertion that once the vehicle registration issue was resolved, the officers were prohibited from requesting a driver's license from the person operating the vehicle. In this case, Officers Lopez, Peci, and Capello lawfully stopped [REDACTED] vehicle and then requested that he, the driver, produce a driver's license as required by law. This is clearly stated in 625 ILCS 5/6-101 (h), A person may be required to produce when so requested a physical driver's license to a law enforcement officer, a representative of a State or federal department or agency, or a private entity and is subject to all applicable laws and consequences for failure to produce such a license. Upon reviewing [REDACTED] vehicle registration and driver's license information, Officers Lopez, Peci, and Capello then exercised their discretion according to law and Department policy and let him go without further investigation. An ISR receipt was issued to [REDACTED] that documented their interaction.

Regarding Allegation #3, the Department recommends an alternate finding of Not Sustained. COPA concedes that Officer Lopez did not engage in a verbal altercation with [REDACTED] yet claims that Officer Lopez failed to utilize de-escalation techniques. Officer Lopez correctly explained that handcuffing in this instance was used to deescalate the situation. As explained, handcuffing was appropriate here and upon being placed in handcuffs, Officer Lopez calmly explained to [REDACTED] that "I don't appreciate you yelling at me, you're agitated, you keep putting your hands in your pockets." Consistent with our policies related to de-escalation, Officer Lopez varied the level of assertiveness of his communication with [REDACTED] adjusted his verbal communication techniques, and allowed a different member, P.O. Peci, to initiate verbal communications. It is clear that [REDACTED] calmed himself down and was open to listening to the officers' direction only after being handcuffed.

The Department looks forward to discussing this matter with you pursuant to MCC 2-78-130(a)(iii).

Sincerely,

[REDACTED]  
Larry B. Shelling  
Superintendent  
Chicago Police Department