



Log # 2024-0006291

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On July 25, 2024, the Civilian Office of Police Accountability (COPA) received an Initiation Report from Lieutenant Geoff Pienta reporting alleged misconduct by members of the Chicago Police Department (CPD). The report alleged that on July 25, 2024, Officer Joseph Gniadek, Officer Connor Riley, Officer John Sambo and Officer Bryan Schied committed misconduct by using excessive force on [REDACTED] by pulling him out of his vehicle during a traffic stop and causing injury to his chin.² Upon review of the evidence, COPA served additional allegations that Officers Gniadek, Riley, Sambo and Schied searched [REDACTED] property and vehicle, without justification and that they failed to de-escalate the incident. COPA also alleged that Officers Gniadek, Riley and Schied committed uniform violations, that Officer Sambo failed to timely activate his body-worn camera (BWC), and that Officer Riley made an inaccurate statement in a Traffic Stop Statistical Study report.

Following its investigation, COPA reached Sustained findings regarding the allegations of failing to de-escalate, un-professional behavior and uniform violations against Officers Gniadek, Riley and Schied. COPA also Sustained allegations against Officer Gniadek for firearm pointing, Officer Riley for making an inaccurate statement in the TSSS report that he prepared, and against Officer Sambo for late activation of his BWC.

II. SUMMARY OF EVIDENCE³

On July 25, 2024, at approximately 1:53 am, in the vicinity of 3800 S. Ashland Avenue, Officers Gniadek, Riley, Sambo, and Schied pulled over a gray Land Rover sport utility vehicle being driven by [REDACTED] on Ashland Avenue. [REDACTED] was the sole occupant of the vehicle. Officers Riley and Gniadek were in one squad vehicle driven by Officer Riley and Officers Sambo and Schied were in another squad vehicle driven by Officer Sambo.

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 The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including BWC footage, ICC footage, police reports, and officer interviews. COPA attempted multiple times to obtain an interview from [REDACTED] but was unsuccessful. (CO-1402261, CO-1404663, CO-1404814, CO-1433929).

Minutes before, during an unrelated traffic stop, officers witnessed [REDACTED] vehicle flee a traffic stop attempted by another unit and then reappear travelling west on Pershing Road.⁴ The officers could not identify which unit they saw attempt the traffic stop.⁵ The officers stated that they also observed the vehicle travelling at a high rate of speed and driving through multiple red light traffic signals.⁶

Officers Gniadek, Riley, Sambo and Schied boxed in [REDACTED] vehicle on Ashland with Officers Sambo and Schied pulling in front of the vehicle and Officers Gniadek and Riley pulling behind it.⁷ The windows on [REDACTED] vehicle were tinted.⁸ Officer Gniadek exited his squad vehicle and pointed his firearm at [REDACTED] vehicle.⁹ Officer Schied also pointed his firearm at [REDACTED] vehicle immediately after exiting his vehicle.¹⁰ Officers Gniadek and Schied stated that they pointed their fire arms in the direction of [REDACTED] vehicle because [REDACTED] had committed the crime of fleeing and based on their experience there is often criminal activity that occurred in the vehicles or there a firearm in the vehicle.¹¹ Also, Officer Schied stated that it was difficult to see through the tint in [REDACTED] vehicle's window.¹²

Officers directed [REDACTED] to show his hands and [REDACTED] complied.¹³ They then asked [REDACTED] to step out of the vehicle.¹⁴ [REDACTED] was wearing a seat belt. Officer Gniadek and Officer Schied approached the passenger side of Burk's vehicle and Officer Schied opened the passenger side door. While at the passenger side of the vehicle, Officer Gniadek stated, "Get out of the fucking car."¹⁵ Officer Riley and Officer Sambo approached the driver side of [REDACTED] vehicle. Officer Sambo informed [REDACTED] that he was driving at an excessive rate of speed.¹⁶

Officer Sambo attempted to open [REDACTED] door. [REDACTED] asked why Officer Sambo was opening his door and attempted to prevent Sambo from opening the door.¹⁷ Officer Sambo grabbed [REDACTED] right wrist and [REDACTED] freed his arm from the grasp and moved his hand to his right side.¹⁸ Officer Sambo directed Officer Schied to unbuckle [REDACTED] seat belt.¹⁹ Officer Schied leaned inside the vehicle and attempted to unbuckle [REDACTED] seatbelt. [REDACTED] reached down to his

⁴ Att. 60, Statement of Officer Bryan Schied (transcript), pg. 9, lns. 1 to 3; Att. 61, Statement of Officer John Sambo (transcript), pg. 9, lns. 5 to 15; Att. 62, Statement of Officer Joseph Gniadek (transcript), pg. 9, lns. 14 to 19.

⁵ A Number Plate Report (Att. 43) indicates that the plate on [REDACTED] vehicle was first run at approximately 1:27 am; again, run at approximately 1:57 am; and again, at approximately 2:08 am

⁶ Att. 60, pg. 10, lns. 3 to 7; Att. 61, pg. 9, ln. 24 to pg. 10, ln. 7; Att. 62, pg. 11, lns. 18 to 21.

⁷ Att. 14, BWC of Officer Bryan Schied at 2:01.

⁸ Att. 13, BWC of Officer Joseph Gniadek at 2:05.

⁹ Att. 13 at 2:00 to 2:06.

¹⁰ Att. 14 at 1:58 to 2:00.

¹¹ Att. 60, pg. 11, lns. 16 to 24; Att. 62, pg. 14, ln. 19 to pg. 15, ln. 3.

¹² Att. 62, pg. 15, lns. 17 to 19.

¹³ Att. 14 at 2:00 to 2:05.

¹⁴ Att. 14 at 2:01 to 2:06.

¹⁵ Att. 13 at 2:08 to 2:09.

¹⁶ Att. 12, BWC of Officer Connor Riley at 2:23 to 2:25.

¹⁷ Att. 14 at 2:13 to 2:17.

¹⁸ Att. 14 at 2:24 to 2:31.

¹⁹ Att. 14 at 2:20 to 2:25.

right hip with this right hand and Officer Sambo grabbed his right arm.²⁰ [REDACTED] stated that he would unbuckle himself and Officer Riley told him not to reach.²¹ Officer Gniadek then crossed behind [REDACTED] vehicle to the driver's side, opened the rear driver side door, and leaned into the vehicle behind [REDACTED]. With his gun drawn and pointed in the direction of [REDACTED] Officer Gniadek stated to [REDACTED] words to the effect of, "I'm going to fucking shoot you. Get the fuck up right now," and Get up, motherfucker."²² While this was occurring, Officer Schied remained in the front passenger side of the car. At the same time, Officer Riley stated, "Put it right at his fucking head."²³

Officers Riley and Sambo pulled [REDACTED] out of the vehicle while [REDACTED] held on to his steering wheel with this right hand.²⁴ Officers Sambo, Riley and Gniadek then brought [REDACTED] to the ground, face down.²⁵ Officer Schied came around to the driver side of the vehicle while [REDACTED] was held on the ground and stated, "When we tell you to get out of the car, you get out of the fucking car."²⁶ Officer Schied then assisted with handcuffing [REDACTED] hands behind his back.²⁷ Officers Schied and Riley searched [REDACTED] vehicle, including the trunk, and the items inside.²⁸ Officer Schied searched a black bag, pulled out a pouch from inside and stated "Got a lot of weed."²⁹ Other CPD units and [REDACTED] wife arrived on scene. Officer Schied stated to [REDACTED] wife that [REDACTED] took off on I94 when they attempted to stop him and that [REDACTED] was driving at a high rate of speed.³⁰ Officer Schied stated that officers could search the vehicle because there was marijuana in the vehicle that was in plain view.³¹ Officer Schied did not recall whether any cannabis was inventoried.³² Officer Gniadek stated that that the search of [REDACTED] vehicle was justified because [REDACTED] fled the previous stop, reached in the vehicle, would not obey verbal commands and would not roll all of his windows down.³³ Officer Gniadek stated that [REDACTED] made no aggressive moves toward the officers.³⁴

While handcuffed, [REDACTED] was made to stand at the back of his vehicle and searched. [REDACTED] informed officers that his license expired.³⁵ Officer Sambo's BWC activated when [REDACTED] was standing at the back of his vehicle handcuffed.³⁶ [REDACTED] was taken into custody and issued three

²⁰ Att. 14 at 2:29 to 2:31.

²¹ Att. 12 at 2:42 to 2:44.

²² Att. 13 at 2:55 to 3:08.

²³ Att. 12 at 2:51 to 2:53.

²⁴ Att. 14 at 3:05 to 3:08.

²⁵ Att. 14 at 3:14 to 3:15.

²⁶ Att. 14 at 3:14 to 3:17.

²⁷ Att. 14 at 3:18 to 3:28.

²⁸ Att. 14 at 3:58 to 5:32; Att. 12, at 4:15 to 5:56.

²⁹ Att. 14 at 4:58 to 5:03.

³⁰ Att. 14 at 5:54 to 6:07.

³¹ Att. 14 at 6:18 to 6:21; Att. 60, pg. 17, lns. 17 to 21.

³² Att. 60, pg. 18, lns. 2 to 3.

³³ Att. 62, pg. 21, lns. 17 to 24.

³⁴ Att. 62, pg. 20, lns. 9 to 17.

³⁵ Att. 12 at 8:05 to 8:12.

³⁶ Att. 15, BWC of Officer John Sambo at 2:00.

citations for disobeying a red signal and one citation for reckless driving.³⁷ His vehicle was taken to be impounded but was relinquished to [REDACTED]³⁸

Officers Riley, Gniadek and Schied were wearing baseball caps with the brim of the cap facing backwards.³⁹ Officer Riley prepared a TSS report related to [REDACTED] stop. In the report, Officer Riley indicated that no search was conducted of [REDACTED] or his vehicle by typing "N" next to the "Vehicle" and "Driver" categories on the row labeled "Searched Conducted."⁴⁰ Officer Riley stated that the response was not accurate and that he made a mistake while checking the boxes.⁴¹ Officers Gniadek, Riley and Schied stated acknowledged that they made statements using profanity. Officers Riley and Schied stated that they made the statements because of the heightened situation⁴² and Officer Riley added, it was "street terminology in attempts to persuade" [REDACTED] to get out of the vehicle.⁴³ Gniadek also stated that he used the language to get [REDACTED] to cooperate.⁴⁴ The officers also stated that they attempted to de-escalate the encounter with [REDACTED] by giving verbal commands and by using control holds.⁴⁵

III. ALLEGATIONS

Officer Joseph Gniadek:

- Pointing a firearm at [REDACTED] without justification.
 - Sustained, in violation of CPD Rules 2, 3, 6, 8, and 38.
- Engaging in unprofessional behavior by directing words toward [REDACTED] to the effect of "Get out of the fucking car," and "I'm going to fucking shoot you. Get the fuck up right now," and Get up, motherfucker."
 - Sustained in violation of CPD Rules 2, 3, 6, 8, 9 and 10.
- Failing to de-escalate.
 - Sustained, in violation of CPD Rules 2, 3, 5, 6 and 10.
- Searching [REDACTED] belongings, without justification.
 - Sustained in violation of CPD Rules 1, 2, 3, 5, 6, and 10.
- Searching [REDACTED] vehicle, without justification.
 - Sustained in violation of CPD Rules 1, 2, 3, 5, 6, and 10.

³⁷ Att. 10, [REDACTED] Traffic Citations.

³⁸ Att. 3, Supplemental Case Report; Att. 62, pg. 33, lns. 5 to 15.

³⁹ Att. 1 Initiation Report.

⁴⁰ Att. 11, Traffic Stop Statistical Study.

⁴¹ Att. 64, Statement of Officer Connor Riley (transcript) p. 29, lns. 2 to 17.

⁴² Att. 60, pg. 15, lns. 11 to 21; Att. 64, pg. 19, lns. 1 to 14.

⁴³ Att. 64, pg. 19, lns. 15 to 16;

⁴⁴ Att. 62, pg. 17, lns. 5 to 15.

⁴⁵ Att. 60, pg. 21, ln. 21 to pg. 22, ln. 5; Att. 61, pg. 17, lns. 11 to 22; Att. 64, pg. 20, ln. 16 to pg. 21, ln. 3

- Pulling [REDACTED] onto the ground (without justification).
 - Exonerated
- Violating Uniform and Property Order, U04-01.
 - Sustained in violation of CPD Rules 2, 3, 5, 6, 10 and 12.

Officer Connor Riley

- Engaging in unprofessional behavior by directing words toward [REDACTED] to the effect of, "Put it right at his fucking head. We'll fucking shoot you. Get the fuck up right now, get up you fucker."
 - Sustained in violation of CPD Rules 2, 3, 5, 6, 8, 9, and 10.
- Failing to de-escalate.
 - Sustained in violation of CPD Rules 2, 3, 5, 6, and 10.
- Searching [REDACTED] belongings, without justification.
 - Sustained in violation of CPD Rules 1, 2, 3, 5, 6, and 10.
- Searching [REDACTED] vehicle, without justification.
 - Sustained in violation of CPD Rules 1, 2, 3, 5, 6, and 10.
- Pulling [REDACTED] onto the ground (without justification).
 - Exonerated.
- Violating Uniform and Property Order, U04-01.
 - Sustained in violation of CPD Rules 2,3,5,6, 10, and 12.
- Making and/or adopting a false, misleading, incomplete, and/or inaccurate statement in the Traffic Stop Statistical Study related to this incident by reporting, "Search Conducted: Vehicle N, Driver N."
 - – Sustained in violation of CPD Rules 2, 3, 5, 6, and 10

Officer John Sambo:

- Failing to timely activate his body worn camera.
 - Sustained in violation of CPD Rules 2, 3, 5, 6 and 10
- Failing to de-escalate.
 - Not Sustained.
- Searching [REDACTED] belongings, without justification.
 - Sustained in violation of CPD Rules 1, 2, 3, 5, 6, and 10.
- Searching [REDACTED] vehicle, without justification.
 - Sustained in violation of CPD Rules 1, 2, 3, 5, 6 and 10.

- Pulling [REDACTED] onto the ground (without justification).
 - Exonerated.

Officer Bryan Schied

- Pointing a firearm at [REDACTED] without justification.
 - Not Sustained.
- Engaging in unprofessional behavior by directing words toward [REDACTED] to the effect of, "Get out of the fucking car, and "When we tell you to get out of the car, you get out of the fucking car."
 - Sustained in violation of CPD Rules 2, 3, 5, 6, 8, 9 and 10.
- Failing to de-escalate.
 - Sustained in violation of CPD Rules 2, 3, 5, 6, and 10.
- Searching [REDACTED] belongings, without justification.
 - Sustained in violation of CPD Rules 1, 2, 3, 5, 6, and 10.
- Searching [REDACTED] vehicle, without justification.
 - Sustained in violation of CPD Rules 1, 2, 3, 5, 6, and 10.
- Violating Uniform and Property Order, U04-01.
 - Sustained in violation of Rule 2, 3, 5, 6, 10 and 12.
- Pulling [REDACTED] onto the ground (without justification).
 - Exonerated.

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 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.

This investigation did not reveal any evidence that caused COPA to doubt the credibility of any of the individuals who provided statements. COPA found officers' statements to be credible. The officers' accounts were internally consistent, and the officers did not have difficulty remembering details of the incident.

V. ANALYSIS⁴⁶

A. There is insufficient evidence that Officers Schied and Gniadek pointed their firearms at [REDACTED] without justification when initially approaching his vehicle, but Officer Gniadek was not justified when he climbed into [REDACTED] vehicle and pointed his firearm at [REDACTED]

There is insufficient evidence to support that Officers Schied and Gniadek were without justification when they pointed their weapons in the direction of [REDACTED] and his vehicle at the beginning of the stop.⁴⁷ Special Order S03-02 provides that CPD members “may only point a firearm at a person when it is objectively reasonable to do so under the totality of the circumstances faced by the member on the scene.”⁴⁸ Failing to follow this directive violates Rules 2, 3, 5, 6, 10 and 38. Here, evidence supports that more likely than not, minutes earlier, [REDACTED] fled from a unit attempting to conduct a stop, a criminal act.^{49,50} The officers accounts of the event are consistent and a license plate report recorded a noted observation of the vehicle minutes earlier, supporting the officers’ statements. The officers also observed [REDACTED] vehicle disregard red lights and move at a high rate of speed. Further, [REDACTED] windows had a dark tint that could make it difficult to see inside. While any of these factors alone may not indicate a heightened risk of danger sufficient to justify firearm pointing, collectively, they create a totality of circumstances under which it could be objectively reasonable to point firearms at [REDACTED]. COPA finds that with respect to **Officer Schied**, the firearm pointing allegation is **Not Sustained**.

However, verifiable evidence supports that Officer Gniadek was not justified when he pointed his weapon at [REDACTED] a second time from inside [REDACTED] vehicle. At that point in the stop, the circumstances had changed. Officers made entry into the vehicle and could see inside of the vehicle. Officer Gniadek should have been aware that [REDACTED] was wearing a seatbelt and could not follow the officers’ orders to exit his vehicle until the seatbelt was unfastened based on Officer Sambo’s repeated requests for Officer Schied to unbuckle [REDACTED]. Further, Officer Gniadek stated that [REDACTED] made no aggressive move toward officers. Also, Officer Schied was in the front seat, in close proximity to [REDACTED] and actively attempting to unbuckle the seat belt when Officer Gniadek pointed his weapon. By pointing his weapon towards the front of the vehicle while both Officer Schied and [REDACTED] were moving, Officer Gniadek unnecessarily created a dangerous situation for [REDACTED] and Officer Schied. COPA concludes, therefore that based on the totality of circumstances, Officer Gniadek’s pointing of his weapon at [REDACTED] in this instance, was unreasonable. COPA therefore finds that this allegation against **Officer Gniadek** is **Sustained**.

⁴⁶ For a definition of COPA’s findings and standards of proof, *see* Appendix B.

⁴⁷ In his statement, Officer Sambo also indicated that he initially pointed his weapon. However, as that was not captured in video and COPA finds insufficient evidence that the initial pointing by the officers was unreasonable, COPA did not bring this allegation for Officer Sambo.

⁴⁸ Att., D19-01(II)(E), Firearm Pointing Incidents.

⁴⁹ Att. 65, 625 ILCS5/11-204(a).

⁵⁰ Att. 60, Statement of Officer Bryan Schied (transcript), pg. 9, Ins. 1 to 3; Att. 61, Statement of Officer John Sambo (transcript), pg. 9, Ins. 5 to 15; Att. 62, Statement of Officer Joseph Gniadek (transcript), pg. 9, Ins. 14 to 19.

B. Officers were justified in bringing ██████ to the ground.

Clear and convincing evidence supports that Officers Gniadek, Riley and Sambo were justified when they pulled ██████ to the ground. The primary question in reviewing use of force incidents is whether an officer's actions were reasonable based upon the totality of the circumstances. CPD policy lists several factors to consider when reviewing the reasonableness of a use of force incident, such as the severity of the crime at issue, as well as the level of threat and resistance posed to the officer. Specifically, General Order G03-02-01 delineates what types of force options are permissible based on the level of threat or resistance.⁵¹ CPD members are permitted to direct motorists to exit their vehicles during a traffic stop.⁵² They are also permitted to perform an emergency take down on active resisters.⁵³ Here, ██████ actively resisted an order to exit his vehicle by grabbing his steering wheel and evasively moving his arm. Officers, therefore, were justified under the directive to bring ██████ down in order to gain control of him. COPA finds this allegation against **Officers Gniadek, Riley and Sambo** to be **Exonerated**.

A review of relevant BWC evidence supports that Officer Schied was not involved in bringing ██████ to the ground and COPA finds the allegation against **Officer Schied** to be **Unfounded**.

C. Officers Gniadek, Riley, and Schied engaged in unprofessional behavior when they directed profanity toward ██████

Verifiable evidence supports that Officers Gniadek, Riley and Schied improperly directed profane language towards ██████. Per General Order G02-01, disrespectful comments toward civilians are unprofessional conduct that is contrary to CPD policy that members act in a respectful and professional manner.⁵⁴ Officer Schied admitted that the profane language he directed toward ██████ was inappropriate and all three officers were recorded on BWC directing profanities at ██████ and admitted to using profane language. The officers' justifications for the language are unavailing. As evidenced by Officer Sambo's non-use of profanity, such restraint reasonably indicates that use of profane language was not necessary to gain compliance or unavoidable in a heightened situation. Such conduct violated CPD Rules 2, 3, 5, 6, 8, 9 and 10. COPA finds the allegations against **Officers Gniadek, Riley and Schied** alleging unprofessional conduct relating to the use of profanity to be **Sustained**.

⁵¹ Att. 68, G03-02-01(IV) Response to Resistance and Force Options (effective June, 28, 2023 to present).

⁵² *Pennsylvania v. Mimms*, 98 S. Ct. 330 (1977).

⁵³ Att. 68, G03-02-01(IV)(B)(2)(3).

⁵⁴ Att. 71, G02-01(III)(B)(3), Protection of Human Rights, (effective June 30, 2022 to present).

D. Officers Gniadek, Riley and Schied failed to properly use de-escalation techniques to reduce the need for force.

Verifiable evidence supports Officers Gniadek and Riley did not properly use de-escalation techniques to reduce the need to use force on [REDACTED]. General Order G03-02 requires that members “use de-escalation techniques to prevent or reduce the need to use force, unless doing so would place a person or a Department member in immediate risk of harm, or de-escalation techniques would be clearly ineffective under the circumstances at the time.”⁵⁵ De-escalation techniques include, but are not limited to, “providing a warning and exercising persuasion and advice prior to the use of force.”⁵⁶ Failing to follow this directive is a violation of CPD Rules 2, 3, 5, 6 and 10. Here, the verbal commands and control holds used by the officer were appropriate de-escalation techniques. However, COPA deemed the profanity directed at [REDACTED] by Officers Gniadek, Riley and Schied was not an appropriate method of persuasion and undercut de-escalation efforts. COPA finds this allegation **Sustained** against **Officers Gniadek, Riley and Schied**.

Although Officer Sambo failed to activate his BWC in a timely fashion so that the entirety of his interaction with [REDACTED] was not captured, from what was captured on the BWC of the other officers, Officer Sambo maintained a respectful tone with [REDACTED] explained to [REDACTED] why the officers had stopped him, attempted to facilitate the removal of the seatbelt so that [REDACTED] could comply with the order to exit the vehicle, and limited his initial use of force to holding [REDACTED] arm when he began to reach. With respect to **Officer Sambo**, COPA finds this allegation to be **Not Sustained**.

E. Officers Gniadek, Riley, Sambo and Schied searched [REDACTED] vehicle and belongings without justification.

A preponderance of the evidence supports that Officers Gniadek, Riley and Schied searched [REDACTED] vehicle and belongings without justification. Unjustified warrantless searches are a violation of the 4th Amendment of the U.S. Constitution as well as CPD Rule 1, 2, 3, 5, 6, and 10. When officers perform a traffic stop, they may search the passenger compartment for weapons if they “possess an articulable and objectively reasonable belief that the suspect is potentially dangerous.” *Michigan v. Long*, 463 U.S. 1032, 1051 (1983). Here, [REDACTED] multiple traffic offenses, including fleeing from a stop, as well as his reluctance to exit the vehicle, were sufficient to support a reasonable belief [REDACTED] could have been armed and dangerous that justified a limited search of [REDACTED] passenger compartment.

However, the officers conducted a full search of [REDACTED] vehicle that extended beyond the passenger area and attempted to justify the broader search as permissible as a custodial search. Police may perform a warrantless vehicle search incident to a recent occupant’s arrest (custodial search) under two sets of circumstances: (1) “when the arrestee is unsecured and within reaching distance of the passenger compartment at the time of the search,” or (2) when it is “reasonable to

⁵⁵ Att. 67, G03-02(II)(D), De-escalation, Response to Resistance, and Use of Force (June 28, 2023 to present).

⁵⁶ Att. 67, G03-02(II)(D)(1).

believe evidence relevant to the crime of arrest might be found in the vehicle." *People v. Bridgewater*, 235 Ill. 2d 85, 94 (2009) (quoting *Arizona v. Gant*, 556 U.S. 332, 343 (2009)) (internal quotation marks omitted). If neither set of circumstances pertains, "a search of an arrestee's vehicle will be unreasonable unless police obtain a warrant or show that another exception to the warrant requirement applies." *Gant*, 556 U.S. at 351. Here, [REDACTED] was handcuffed and secured at the time of the search of his vehicle. Evidence of the cause of his arrest, traffic offenses, would not be found in his vehicle. Therefore, a custodial search would not be justified based on [REDACTED] arrest for traffic offenses.

Alternatively, Officer Schied claimed that the search of [REDACTED] vehicle, including his belongings, was permissible because of the presence of cannabis in plain view. Any cannabis in the vehicle that was not secured and sealed in a child-proof container would be in violation Chicago Municipal Code 7-24-099 (b)(4).⁵⁷ However, although verifiable evidence shows a yellow plastic bag in plain view in the center console that could be cannabis, there is no record of cannabis being inventoried, cannabis is not mentioned in the Original Case Report or Tactical Response Report, and no citation was given to [REDACTED] for any cannabis related offense. There is, therefore, insufficient evidence to establish that a cannabis related violation occurred that would justify the complete search of [REDACTED] vehicle and the belongings inside. COPA finds this allegation **Sustained** against **Officers Gniadek, Riley, Sambo and Schied**.

F. Officers Gniadek, Riley and Schied failed to wear their CPD uniforms as proscribed by CPD directives.

A preponderance of the evidence supports that Officers Gniadek, Riley and Schied failed to wear their head caps in the manner proscribed by CPD. CPD Directive U04-01 provides that CPD members are required to "Comply with uniform standards and specifications established by this and related directives."⁵⁸ Failure to follow the uniform directives is a violation of CPD Rules 2, 3, 5, 5, 10 and 12. With respect to baseball-styled caps, U04-01 provides that the caps be worn "in a straight forward position with the bill facing forward."⁵⁹ Here Officers Gniadek, Riley and Schied are shown on BWC wearing baseball-styled caps with the bill of their caps facing backward. COPA finds this allegation to be **Sustained** against **Officers Gniadek, Riley and Schied**.

G. Officer Riley incorrectly reported that [REDACTED] and his vehicle were not searched in the Traffic Stop Statistical Study he prepared.

A preponderance of the evidence supports that Officer Riley prepared a TSSS report that incorrectly indicated that [REDACTED] and his vehicle were not searched. CPD members are required to be attentive in the performance of their duties, including the completion of reports. Failure to meet this requirement is a violation of CPD Rules 2, 3, 5, 6 and 10. Officer Riley admitted that the TSSS

⁵⁷ Att. 69 Mun. Code. Chi. § 7-2-099.

⁵⁸ Att. 71, U04-01(II)(A)(4), Uniform and Appearance Standards (effective November 26, 2021 to July 29, 2024).

⁵⁹ Att. 71, Att. 71, U04-01 (VII)(I).

report indicated that searches of [REDACTED] and his vehicle had not occurred when in fact they had. He attributes the discrepancy to a clerical error. No evidence was discovered that refuted Officer Riley's claim. The fill-in nature of the form and brevity of the response, a single capital letter to indicate "yes" or "no," makes it more likely that an inadvertent error occurred than if a narrative response was entered. Nevertheless, the clerical error is indicative of Officer Riley's inattention, and such errors erode public trust in the integrity of the Department. COPA finds this allegation to be **Sustained** against **Officer Riley**.

H. Officer Sambo failed to timely activate his BWC.

A preponderance of the evidence supports that Officer Sambo failed to timely activate his body worn camera in violation of Special Order S03-14. To increase transparency and improve the quality and reliability of investigations, CPD policy mandates all law-enforcement-related encounters to be electronically recorded on the officers' body worn camera (BWC). The policy requires officers to activate their camera at the beginning of an incident and to record the entire incident for all "law enforcement related activities," including, but not limited to calls for service, investigatory stops, traffic stops, traffic control, foot and vehicle pursuits, arrests, use of force incidents, high risk situations, statements made by individuals during the course of an investigation, searches, requests for consent to search, any encounter with the public that becomes adversarial after the initial contact, and any other instance when enforcing the law.⁶⁰ The recording of law-enforcement-related encounters is mandatory.⁶¹ Failure to follow this directive is a violation of CPD Rules 2, 3, 5, 6 and 10. Officer Sambo did not turn on his camera until after he had already begun performing a law enforcement related activity, holding a handcuffed [REDACTED]. The fact that Officer Sambo understood that his BWC should have been activated earlier than he activated it is reflected in his assertion that he believed he engaged it earlier. COPA finds this allegation against Officer Sambo to be **Sustained**.

VI. DISCIPLINARY RECOMMENDATION

a. Officer Joseph Gniadek

i. Complimentary and Disciplinary History⁶²

As of January 15, 2026, Officer Gniadek received a total of 53 awards, including one Department Commendation Award, one Democratic Convention Service Award (2024), one Emblem of Recognition-Physical Fitness and 50 Honorable Mention Certificate. In the last five years, Officer Gniadek has no Sustained Complaint History. In the last five years, Officer Gniadek has had two Sustained Findings Report (SPAR); both for Preventable Accident resulting in disciplinary action of 1 Day Off and Reprimand.

⁶⁰ Att. 70, S03-14(V)(A), Body Worn Cameras (effective December 29, 2023, to August 7, 2024).

⁶¹ Att. 70, S03-14 (III)(A).

⁶² Atts. 72, 73, 77

ii. Recommended Discipline

COPA has found that Officer Gniadek violated Rules 1, 2, 3, 5, 6, 8, 9, 10, 12, and 38 when he: pointed a firearm at ██████████ without justification; engaged in unprofessional behavior by directing words toward ██████████ to the effect of "Get out of the fucking car," and "I'm going to fucking shoot you, Get the fuck up right now," and "Get up, motherfucker;" failed to de-escalate; searched ██████████ belongings, without justification; searched ██████████ vehicle, without justification; pulled ██████████ onto the ground (without justification); and violated CPD Uniform and Property Order. On review, COPA found no substantive aggravating and/or mitigating circumstances regarding Officer Gniadek's actions in this matter. Based on the above, COPA recommends **1 -10 Days Suspension**.

b. Officer Connor Riley

i. Complimentary and Disciplinary History⁶³

As of January 15, 2026, Officer Riley received a total of 30 awards, including one Department Commendation Award, one Democratic Convention Service Award (2024), and 28 Honorable Mention Certificate. In the last five years, Officer Riley has no Sustained Complaint History and no Sustained Findings Report (SPAR).

ii. Recommended Discipline

COPA has found that Officer Riley violated Rules 1, 2, 3, 5, 6, 8, 9, 10, and 12 when he: engaged in unprofessional behavior by directing words toward ██████████ to the effect of, "Put it right at his fucking head. We'll fucking shoot you. Get the fuck up right now, get up you fucker;" failed to de-escalate; searched ██████████ belongings, without justification; searched ██████████ vehicle, without justification; violated CPD Uniform and Property Order; and made and/or adopted a false, misleading, incomplete, and/or inaccurate statement in the Traffic Stop Statistical Study related to this incident by reporting, "Search Conducted: Vehicle N, Driver N." On review, COPA found no substantive aggravating and/or mitigating circumstances regarding Officer Riley's actions in this matter. Based on the above, COPA recommends **1 -10 Days Suspension**.

c. Officer John Sambo

i. Complimentary and Disciplinary History⁶⁴

As of January 15, 2026, Officer Sambo received a total of 21 awards, including one Life Saving Award, one Department Commendation Award, one Military Service Award, one Democratic Convention Service Award (2024), two Emblem of Recognition-Physical Fitness and 15 Honorable Mention Certificate. In the last five years, Officer Sambo has no Sustained Complaint History and no Sustained Findings Report (SPAR).

⁶³ Atts. 78, 82, 83

⁶⁴ Atts. 74, 76, 80

ii. Recommended Discipline

COPA has found that Officer Sambo violated Rules 1, 2, 3, 5, 6, and 10 when he: failed to timely activate his body worn camera; failed to de-escalate; searched [REDACTED] belongings, without justification; and searched [REDACTED] vehicle, without justification. In aggravation, COPA considered Officer Sambo's actions relative to the totality of circumstances. In mitigation, COPA considered Officer Sambo's complimentary and disciplinary history including his Life Saving Award and Military Service Award. Based on the above, COPA recommends **Reprimand and Retraining on Constitutionally permitted searches of persons/vehicles and applicable Use of Force.**

d. Officer Bryan Schied

i. Complimentary and Disciplinary History⁶⁵

As of January 15, 2026, Officer Schied received a total of 50 awards, including one Department Commendation Award, one Democratic Convention Service Award (2024), and 48 Honorable Mention Certificate. In the last five years, Officer Schied has no Sustained Complaint History. In the last five years, Officer Schied has had one Sustained Findings Report (SPAR) for Preventable Accident resulting in disciplinary action of Reprimand.

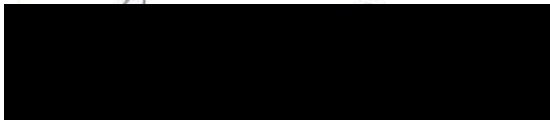
ii. Recommended Discipline

COPA has found that Officer Schied violated Rules 1, 2, 3, 5, 6, 8, 9, 10, and 12 when he: engaged in unprofessional behavior by directing words toward [REDACTED] to the effect of, "Get out of the fucking car, and "When we tell you to get out of the car, you get out of the fucking car.;" failed to de-escalate; searched [REDACTED] belongings, without justification; searched [REDACTED] vehicle, without justification; and violated CPD Uniform and Property Order. On review, COPA found no substantive aggravating and/or mitigating circumstances regarding Officer Schied's actions in this matter. Based on the above, COPA recommends **1 -10 Days Suspension.**

In addition to the recommended penalty range, COPA recommends that CPD consider the presence of aggravating and mitigating factors to determine how discipline should be applied consistently and fairly across all involved members.

⁶⁵ Atts. 79, 81, 84,

Approved:

A large black rectangular redaction box covering the signature of the Deputy Chief Administrator.

1-25-2026

Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

Date

Appendix A**Case Details**

Date/Time/Location of Incident:	July 25, 2024/ 1:53am/3800 S. Ashland Avenue
Date/Time of COPA Notification:	July 25, 2024/9:08am
Involved Member #1:	Joseph Gniadek, Star No. 19762, Employee ID No. [REDACTED] Date of Appointment: April 16, 2021, Unit of Assignment: 009, male, White
Involved Member #2:	Connor Riley, Star No. N/A, Employee ID No. [REDACTED] Date of Appointment: September 16, 2025, Unit of Assignment: 044, male, White
Involved Member #3	John Sambo, Star No. 4657, Employee ID No. [REDACTED] Date of Appointment: March 28, 2022, Unit of Assignment: 009, male, White
Involved Member #4	Bryan Schied, Star No. 18279, Employee ID No. [REDACTED] Date of Appointment: June 30, 2022, Unit of Assignment: 009, male, White
Involved Individual #1:	[REDACTED] male, Black

Applicable Rules

- ☒ **Rule 1:** Violation of any law or ordinance
- ☒ **Rule 2:** Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- ☒ **Rule 3:** Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- ☒ **Rule 5:** Failure to perform any duty.
- ☒ **Rule 6:** Disobedience of an order or directive, whether written or oral.
- ☐ **Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
- ☐ **Rule 9:** Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- ☒ **Rule 10:** Inattention to duty.
- ☒ **Rule 12:** Failure to wear the uniform as prescribed.
- ☒ **Rule 38:** Unlawful or unnecessary use or display of a weapon.

Applicable Policies and Laws

- U.S. Constitution Fourth Amendment
- 625 ILCS 5/11-204
- Mun. Code. Chi., 7-24-099 Prohibited possession or use of cannabis.
- D19-01, Firearm Pointing Incidents (effective November 1, 2019 to April 15, 2025).
- G03-02, De-escalation, Response to Resistance, and Uses of Force (effective June 28, 2023 to present).
- G03-02-01, Response to Resistance and Force Options (effective June 28, 2023 to present).
- S03-14, Body Worn Cameras (effective December 29, 2023 to August 7, 2024).
- S04-13-09: Investigatory Stop System (effective July, 10, 2017 to present).
- U04-01, Uniform and Appearance Standards (effective November 26, 2021 to July 30, 2024).

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.⁶⁶ 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.”⁶⁷

⁶⁶ 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).

⁶⁷ *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