



Log # 2024-2583

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On February 26, 2024, the Civilian Office of Police Accountability (COPA) initiated an investigation after learning of a civil lawsuit filed in the U.S. District Court (Northern District of Illinois).² In the lawsuit, ██████ alleged misconduct by members of the Chicago Police Department (CPD). Specifically, ██████ alleged that on January 28, 2021, Officer Carlos Vega (Officer Vega) improperly searched his vehicle, planted suspected cocaine, and improperly arrested him.³ Upon review of the evidence, COPA served additional allegations that Officer Vega failed to activate and deactivate his body worn camera (BWC) in a timely manner, stated words to the effect of “yeah ok, fuck you then” to ██████ and provided a false, misleading, inaccurate, and/or incomplete statement in the Original Case Incident Report. Following its investigation, COPA reached **Sustained** findings regarding Officer Vega’s untimely BWC activation and use of unprofessional language.

II. SUMMARY OF EVIDENCE⁴

On January 28, 2021, at approximately 10:57 pm, Officers Vega and Manuel De Avila were on routine patrol when they conducted a traffic stop of ██████ vehicle near the 7200 block of S. Loomis Blvd.⁵ Officer De Avila approached ██████ and asked if he “saw the stop sign” before requesting his identification.⁶ Officer De Avila asked ██████ if he had a Firearms Owners Identification (FOID) card, and ██████ said yes but denied having a firearm in his vehicle.⁷ Initially, when Officer De Avila asked ██████ for identification, ██████ attempted to hand the officer a plastic baggy from the center console.⁸ Officer De Avila then requested ██████ step out of the vehicle due to what the officers deemed his nervous behavior.⁹

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 Att. 1, ██████ v. City of Chicago, 23-CV-16230.

³ 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.

⁴ 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, Vehicle GPS, police reports, civilian interviews, and officer interviews.

⁵ Att. 3, Original Case Incident Report

⁶ Att. 4, Officer De Avila BWC, at 2:00 to 2:45

⁷ Att. 4, at 2:28 to 2:35

⁸ Att. 5, Officer Vega’s 1st BWC, at 00:04; Att. 4, at 2:40.

⁹ Att. 4, at 3:09.

The officers asked [REDACTED] for his driver's license and followed up again, asking if there was "anything in the car," to which [REDACTED] said no and shook his head.¹⁰ Officer De Avila looked inside the open door of the driver's side and under the seat – where he found a black Smith & Wesson 9mm handgun.¹¹ When [REDACTED] was confronted about the firearm under his seat after he said he did not have one, [REDACTED] explained that he "didn't want the altercation."¹² Officer Vega returned to his CPD vehicle and used the in-car PDT to run [REDACTED] information, confirming that [REDACTED] had both a FOID and CCL.¹³ Officer Vega then informed [REDACTED] that his firearm had an aftermarket laser sight attachment which was prohibited by law.¹⁴ While [REDACTED] was still handcuffed, Officer Vega asked Officer De Avila, in Spanish, "Que queries hacer?" (translation: "what do you want to do?")¹⁵ Officer De Avila responded, "whatever you wanna do, bro."¹⁶

With [REDACTED] handcuffed, the officers went back to further search his vehicle, starting with the driver's side before moving to the trunk.¹⁷ [REDACTED] later told COPA that as Officer Vega left the trunk, the officer put his left hand in his pocket and went to the passenger side of the vehicle, which BWC confirmed.¹⁸ In his statement to COPA, Officer Vega explained that he placed his left hand in his pocket because his hands were cold and he did not have gloves.¹⁹ Officer Vega then opened the front passenger side door of [REDACTED] vehicle, and his BWC captured a pair of shoes on the floorboard of the vehicle.

At approximately 11:12:16 pm, Officer Vega's BWC deactivated as he leaned forward into the vehicle, and his camera appeared to make contact with the passenger seat.²⁰ Prior to the deactivation, the BWC footage only showed the pair of shoes on the floorboard of the vehicle—no clear knotted plastic bag.²¹ Then, at approximately 11:12:30 pm, Officer Vega's BWC was reactivated, and there was a clear knotted plastic bag visible on the passenger side floorboard.²² Officer Vega told COPA that as he leaned into the vehicle, he saw the plastic bag underneath the passenger's seat and pulled it out.²³ He explained that, in order to look under the passenger's seat, he had to place his upper chest against the seat cushion, which had inadvertently caused his BWC to deactivate.²⁴

¹⁰ Att. 4, at 3:35 to 3:45

¹¹ Att. 4, at 4:10 to 4:25; and Att. 52, Property Inventory #14847859

¹² Att. 4, at 5:43.

¹³ Att. 5, at 4:15 to 6:00; and Att. 2, Arrest Report.

¹⁴ Att. 5, at 11:45 to 12:10; and Att. 51, MCC provision.

¹⁵ Att. 4, at 15:10 to 15:16; and Att. 54, Google Translate, (visited June 9, 2026).

¹⁶ Att. 4 at 15:12.

¹⁷ Att. 5, at 12:35 to 14:10.

¹⁸ Att. 38, [REDACTED] Complainant Statement, at pg. 5, lns. 1 to 9; and Att. 4, at 17:05 to 17:10.

¹⁹ Att. 49, Officer Vega COPA Statement, at pg. 45, lns. 17 to 24; and pg. 46, lns. 1 to 4. For context: COPA acknowledges the incident occurred in January and there was snow visibly on the ground.

²⁰ Att. 5, at 14:30 to 14:42.

²¹ Att. 53, Screenshot of Officer Vega's BWC; and Att. 5, at 14:35.

²² Att. 6, Officer Vega's 2nd BWC, at 0:10 to 0:12.

²³ Att. 49, pg. 49, ln. 10 to pg. 50, ln. 5.

²⁴ Att. 49, pg. 49, lns. 13 to 19, and pg. 54, lns. 1 to 5.



Figure 1: Approximately seven seconds before Officer Vega's BWC deactivated, no clear plastic bag was visible on the floorboard of [REDACTED] vehicle.



Figure 2: After Officer Vega reactivated his BWC, a clear plastic bag was visible on the floorboard on the passenger side. COPA added an arrow indicating the location of the plastic bag.

Officer Vega tossed the plastic bag onto the driver's seat of [REDACTED] vehicle and continued searching the rear passenger side of the vehicle.²⁵ Officer Vega asked [REDACTED] what was in the plastic bag, and [REDACTED] replied, "where?"²⁶ Officer Vega then showed [REDACTED] the plastic bag, at which point [REDACTED] shook his head and stated, "oh don't do that, don't do that, don't do that to me."²⁷ [REDACTED] continued to deny the bag belonged to him, alleging that Officer Vega "just put that there."²⁸ Officer Vega returned from the vehicle and said the plastic bag was on the passenger side, "right by the passenger's seat."²⁹ [REDACTED] told the officers, "whatever that is, that was just put there, because I did not have that."³⁰ Officer Vega responded he "didn't put shit there."³¹ Officer Vega then clarified his earlier comment, explaining that the bag was "right underneath the passenger seat."³² [REDACTED] responded by saying he witnessed Officer Vega place his hand in his left pocket prior to searching the vehicle.³³ Officer Vega responded to [REDACTED] allegation by stating "what left pocket? Dude, I didn't even go in my pockets. Yeah ok, fuck you then."³⁴

[REDACTED] was arrested and transported to the 7th District station for processing. He was charged with possession of cocaine, possession of a laser sight attachment, and two traffic violations.³⁵

III. ALLEGATIONS

Officer Carlos Vega:

1. Planting suspected cocaine in the vehicle of [REDACTED]
 - Not Sustained.
2. Searching [REDACTED] vehicle, without justification.
 - Exonerated.
3. Arresting [REDACTED] without justification.
 - Exonerated.
4. Failing to activate your body worn camera in a timely manner, without justification.
 - Sustained, in violation of Rules 2, 3, 5, 6, and 10.
5. Prematurely deactivating your body worn camera, without justification.
 - Not Sustained.

²⁵ Att. 6, at 0:15 to 0:40.

²⁶ Att. 6, at 0:38 to 0:50.

²⁷ Att. 6, at 0:50 to 1:00.

²⁸ Att. 4, at 18:15 to 18:45.

²⁹ Att. 4, at 19:10 to 19:20.

³⁰ Att. 4, at 19:30 to 19:45.

³¹ Att. 4, at 20:25 to 20:35.

³² Att. 4, at 20:55 to 21:00.

³³ Att. 4, at 21:00 to 21:10.

³⁴ Att. 6 at 3:46 to 3:53.

³⁵ Att. 2.

6. Was rude and unprofessional by stating words to the effect of “yeah, ok, fuck you then” to [REDACTED]
 - Sustained, in violation of Rules 2, 3, 6, 8, and 9.
7. Providing a false, misleading, inaccurate, and/or incomplete statement in Original Case Incident Report (#JE126183), regarding the circumstances under which the suspected cocaine was recovered from [REDACTED] vehicle.
 - 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.

In this case, both Officer Vega and Officer De Avila provided accounts that were generally consistent with each other and with the available BWC footage. However, COPA did identify several minor discrepancies in Officer Vega’s account. For example, Officer Vega stated it was a cold night, and when he was searching [REDACTED] vehicle, he did not realize he had his hands in his pockets.³⁶ Officer Vega told COPA that he did not have gloves on him during the stop, but the BWC footage from his partner, who was directly behind him, appears to refute that statement. Also, during the encounter [REDACTED] questioned why Officer Vega had his left hand in his pocket as he left the trunk area. Officer Vega told [REDACTED] that he did not have his left hand in his pocket, which is contradicted by the BWC footage. However, during his COPA statement, Officer Vega plausibly explained that at the time he was speaking to [REDACTED] he did not realize he had put his hand in his pocket. Additionally, COPA recognizes that the discrepancy about the gloves may be attributed to the passage of time.

Complainant [REDACTED] provided a statement to COPA that was consistent with the video evidence. Furthermore, [REDACTED] did not dispute that he initially lied to the officers about having a firearm in his vehicle. As a result, COPA finds [REDACTED] statement regarding the incident to be generally credible.

V. ANALYSIS³⁷

a. Planting Evidence

COPA finds Allegation 1, that Officer Vega planted a clear plastic bag of cocaine in the vehicle of [REDACTED] is **Not Sustained**. [REDACTED] complained that Officer Vega planted the plastic

³⁶ Att. 49, p. 48, lns 6-11.

³⁷ For a definition of COPA’s findings and standards of proof, *see* Appendix B.

bag in his vehicle and was adamant on BWC that the bag was not his.³⁸ Specifically, ██████ alleged that because Officer Vega had put his hands in his pockets after leaving the trunk of the vehicle and immediately before discovering the plastic bag, he must have pulled something from his pocket and planted it. Officer Vega denied this allegation, both on BWC and in his statement to COPA.³⁹ When asked about his hands, Officer Vega pointed out that the traffic stop occurred in January and it was very cold outside.⁴⁰ Officer Vega claimed he was only being blamed by ██████ because it was “easier” than ██████ taking accountability.⁴¹ Furthermore, Officer Vega noted that the officers had found a firearm under the driver’s seat, which ██████ previously said did not exist, a few minutes before finding the plastic bag under the passenger seat.⁴²

Here, the only objective evidence, BWC video, neither proves nor disproves that Officer Vega *planted* the plastic bag in ██████ vehicle. Officer Vega’s BWC recorded nearly the entire incident, only missing one second. The video shows that before Officer Vega leaned into ██████ vehicle and his BWC deactivated, the plastic bag was not visible on the passenger’s side floorboard. Then, after Officer Vega reactivated his BWC, the plastic bag was visible. Given this evidence, it is possible that ██████ allegation is true and Officer Vega planted the bag. However, it is just as likely, if not more likely, that Officer Vega leaned into the vehicle, reached under the passenger’s seat, and pulled out the plastic bag. He then reactivated his BWC upon realizing that it had inadvertently deactivated when he brushed against the passenger seat. Ultimately, there is insufficient evidence to prove which theory is true. The BWC evidence is inconclusive, and none of the parties’ credibility is so diminished as to be outcome determinative regarding this allegation. Therefore, COPA finds Allegation 1 is **Not Sustained**.

b. Searching ██████ Vehicle⁴³

COPA finds Allegation 2, that Officer Vega searched ██████ vehicle without justification is **Exonerated**. If officers discover probable cause of a crime during an investigatory traffic stop, they may search the vehicle for evidence related to the crime.⁴⁴ Under the “automobile exception” to the search warrant requirement, “law enforcement officers may undertake a warrantless search of a vehicle if there is probable cause to believe that the automobile contains evidence of criminal activity that the officers are entitled to seize.”⁴⁵ The scope of a warrantless search depends on “object of the search and the places in which there is probable cause to believe that it may be found.”⁴⁶ “When officers have such probable cause, the search may extend to ‘all parts of the vehicle in which

³⁸ Att. 6, at 0:50 to 1:30.

³⁹ Att. 4, at 20:25 to 20:35; and Att. 49, at pg. 88, lns. 10 to 11.

⁴⁰ Att. 49, at pg. 39, lns. 18 to 20.

⁴¹ Att. 49, at pg. 88, lns. 3 to 7.

⁴² Att. 49, at pg. 24, lns. 20 to 21; and Att. 49, at pg. 28, lns. 19 to 24.

⁴³ COPA did not serve an allegation on Officer De Avila, who conducted the initial search of ██████ vehicle. Officer De Avila conducted a limited protective sweep of the immediate area where ██████ was seated, based on ██████ nervous behavior and response to questions about having a CCL. Officer De Avila’s search was brief, its scope was narrow, and it yielded a firearm ██████ previously claimed was not present.

⁴⁴ *People v. Clark*, 92 Ill. 2d 96, 99 (1982) (citing *United States v. Ross*, 456 U.S. 798 (1982)).

⁴⁵ *People v. James*, 163 Ill. 2d 302, 312 (1994) (citing *Carroll v. United States*, 267 U.S. 132 (1925)).

⁴⁶ *United States v. Ross*, 456 U.S. 798, 824 (1982).

contraband or evidence could be concealed, including closed compartments, containers, packages, and trunks.”⁴⁷

Officers may also search a vehicle subject to a search incident to a lawful arrest. Police may perform a warrantless vehicle search incident to a recent occupant’s arrest 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 believe evidence relevant to the crime of arrest might be found in the vehicle.”⁴⁸ In *New York v. Belton*, the U.S. Supreme Court held that officers may search incident to arrest objects and containers within an “arrestee’s immediate control.”⁴⁹

In this case, Officer Vega engaged in a search of [REDACTED] vehicle after detaining and then arresting [REDACTED] for possession of a firearm with an unlawful attachment. [REDACTED] had also directly misled officers about a firearm being in the vehicle, while accurately telling them he was a FOID and CCL license holder. As a result, Officer Vega conducted a search of [REDACTED] vehicle to ensure no more weapons were inside the vehicle. The evidence shows that Officer Vega had probable cause to search the vehicle, and that the search was also conducted incident to a lawful arrest. Therefore, COPA finds Allegation 2 is **Exonerated**.

c. Arresting [REDACTED]

COPA finds Allegation 3, that Officer Vega arrested [REDACTED] without justification is **Exonerated**. An officer must have probable cause to arrest a person.⁵⁰ “Probable cause to arrest exists when the totality of the facts and circumstances known to a police officer would lead a person of reasonable caution to believe that the person apprehended has committed a crime, and its existence depends on the totality of the circumstances at the time of the arrest.”⁵¹ Officers may arrest a person when they have probable cause to believe that the person has committed even a minor offense.⁵² In Illinois, if an officer asks a CCL license holder if they are in possession of a firearm, the license holder must disclose that he or she is in possession of a firearm, present their license, and identify the location

⁴⁷ *United States v. Richards*, 719 F.3d 746, 754 (7th Cir. 2013) (emphasis added) (quoting *United States v. Williams*, 627 F.3d 247, 251 (7th Cir. 2010)).

⁴⁸ *People v. Bridgewater*, 235 Ill. 2d 85, 94 (2009) (quoting *Arizona v. Gant*, 556 U.S. 332, 343 (2009)) (internal quotation marks omitted).

⁴⁹ See *New York v. Belton*, 453 U.S. 454, 454 (1981) (quoting *Chimel v. California*, 395 U.S. 752, 763 (1969)).

⁵⁰ *People v. Johnson*, 408 Ill. App. 3d 107, 119 (1st Dist. 2010) (citing *Beck v. Ohio*, 379 U.S. 89, 91, (1964)).

⁵¹ *People v. D. W. (In re D. W.)*, 341 Ill. App. 3d 517, 526 (1st Dist. 2003).

⁵² *Atwater v. City of Lago Vista*, 532 U.S. 318, 354 (2001) (holding an arrest for a misdemeanor seatbelt violation only punishable by a fine did not violate the Fourth Amendment); *People v. Fitzpatrick*, 2013 IL 113449, ¶ 24 (holding an arrest for the petty offense of walking in the middle of the street does not violate Article I, Section 6 of the Illinois Constitution); see also M.C.C. §. 2-84-230 (stating members of the police department may arrest persons violating city ordinances). Pursuant to the other requirements to searches incident to arrest, officers may also perform a search incident to a lawful arrest for minor violations. *People v. Fitzpatrick*, 2013 IL 113449, ¶¶ 19, 24.

of the firearm.⁵³ Furthermore, in the City of Chicago, it is a violation of the Municipal Code to possess a laser sight on a firearm.⁵⁴

In this case, Officers De Avila and Vega conducted a traffic stop of [REDACTED] after he failed to use a turn signal and failed to stop at a stop sign.⁵⁵ Officer De Avila approached [REDACTED] and asked if he “saw the stop sign,” before requesting [REDACTED] identification and FOID card.⁵⁶ [REDACTED] said he had a FOID card but denied having a firearm in his vehicle.⁵⁷ Officer De Avila then requested [REDACTED] step out of the vehicle due to his nervous behavior.⁵⁸ The officers asked [REDACTED] for his driver’s license and followed up again asking if there was “anything in the car,” to which [REDACTED] said no and shook his head.⁵⁹ Officer De Avila looked inside the open door of the driver’s side and under the seat – where he found a black Smith & Wesson 9mm handgun.⁶⁰ When confronted about the firearm found under his seat, [REDACTED] said he “didn’t want the altercation.”⁶¹ Officer Vega then informed [REDACTED] that his firearm had an aftermarket laser sight attachment which was prohibited by law.⁶² As a result, Officers Vega and De Avila placed [REDACTED] under arrest for possession of a laser sight on his firearm.⁶³ Therefore, COPA finds this Allegation is **Exonerated**.

d. Untimely Activation and Premature Deactivation of BWC

COPA finds Allegation 4, that Officer Vega failed to timely activate his BWC, is **Sustained**. However, Allegation 5, that Officer Vega prematurely deactivated his BWC, is **Not Sustained**.

CPD members are required to activate their BWCs at the beginning of an incident and record the entire incident for all law-enforcement-related activities.⁶⁴ The decision to record is mandatory, not discretionary.⁶⁵ If circumstances prevent the activation of a BWC at the beginning of an incident, members will activate their camera “as soon as practical.”⁶⁶ Furthermore, CPD members are not permitted to deactivate their BWCs unless: (a) “the entire incident has been recorded and the member is no longer engaged in a law enforcement activity,” (b) a victim of a crime requests its deactivation, (c) a witness or community member wishing to report a crime requests its deactivation, or (d) the member is interacting with a confidential informant.⁶⁷

⁵³ Illinois Compiled Statutes, 430 ILCS 66/10(h), Firearm Concealed Carry Act.

⁵⁴ Att. 51, City of Chicago Municipal Code 8-20-060: Possession of a laser sight accessory.

⁵⁵ Att. 2.

⁵⁶ Att. 4, at 2:00 to 2:45.

⁵⁷ Att. 4, at 2:28 to 2:35.

⁵⁸ Att. 4, at 03:09.

⁵⁹ Att. 4, at 3:35 to 3:45.

⁶⁰ Att. 4, at 4:10 to 4:25; and Att. 52 Property Inventory #14847859.

⁶¹ Att. 4 at 5:43.

⁶² Att. 5, at 11:45 to 12:10; and Att. 51.

⁶³ Att. 2

⁶⁴ Att. 42, S03-14 (III)(A)(2), Body Worn Cameras (effective April 30, 2018 to December 29, 2023).

⁶⁵ Att. 42, S03-14 (III)(A)(1).

⁶⁶ Att. 42, S03-14 (III)(A)(2).

⁶⁷ Att. 42, S03-14 (III)(B)(1).

In this case, Officer De Avila's BWC shows that the traffic stop began at approximately 10:56:57 pm, but Officer Vega did not activate his BWC until 10:59:33 pm.⁶⁸ Officer Vega admitted to his "mistake" when he failed to timely activate his BWC at the beginning of the traffic stop.⁶⁹ Officer Vega also [REDACTED] that, per his training, he should have activated his BWC as he stepped out of his vehicle.⁷⁰

With regard to the premature deactivation of his BWC, Officer Vega told COPA that when he looked under the passenger seat of [REDACTED] vehicle, he placed his upper chest against the seat cushion, which inadvertently caused his BWC to deactivate.⁷¹ Officer Vega went on to explain that the event button on his BWC is nearly flush with the exterior of the camera, and it can be susceptible to inadvertent activation and deactivation.⁷² While the timing of the deactivation is unfortunate, it is notable that Officer Vega reactivated his BWC in enough time that only one second of video was not captured.⁷³ Furthermore, COPA does not have any objective verifiable evidence to disprove Officer Vega's claim that the seat cushion may have caused the deactivation.

As a result, COPA finds Allegation 4 is **Sustained**, while Allegation 5 is **Not Sustained**.

e. Verbal Abuse

COPA finds Allegation 6, that Officer Vega stated words to the effect of "yeah, ok, fuck you then," to and in the direction of [REDACTED] is **Sustained**.

The version of General Order G02-01 that was in effect at the time of this incident required CPD members to "treat all persons with the courtesy and dignity which is inherently due to every person as a human being, ... act, speak, and conduct themselves in a professional manner, ... and maintain a courteous, professional attitude in all contacts with the public."⁷⁴ The policy also mandated that officers would "not exhibit a condescending attitude or direct any derogatory terms towards any person in any manner."⁷⁵

The CPD Rules of Conduct further stress the requirement that CPD members treat all individuals in a respectful manner. CPD Rule 2 prohibits any action or conduct which impedes CPD's policy and goals or brings discredit upon CPD, and it expressly applies to both the professional and private conduct of all CPD members.⁷⁶ Rule 3 prohibits actions that fail to

⁶⁸ Atts. 4 and 5.

⁶⁹ Att. 49, at pg. 22, lns. 22 to 24.

⁷⁰ Att. 49, at pg. 23, lns. 8 to 9.

⁷¹ Att. 49, at pg. 49, lns. 13 to 19, and pg. 54, lns. 1 to 5.

⁷² Att. 49, at pg. 56, lns. 16 to 24.

⁷³ Atts. 5 and 6, Officer Vega's first BWC recording ends at approximately 11:12:16 pm, and his second recording resumes at approximately 11:12:17 pm.

⁷⁴ Att. 62, G02-01(III)(B), Human Rights and Human Resources (effective October 5, 2017 to June 30, 2022).

⁷⁵ Att. 62, G02-01(III)(D).

⁷⁶ Att. 61, Rule 2, Rules and Regulations of the Chicago Police Department (effective April 16, 2015, to present).

promote CPD's efforts to implement its policy or accomplish its goals.⁷⁷ Rule 8 prohibits any disrespect or maltreatment of any person, while on or off duty.⁷⁸ Finally, Rule 9 prohibits CPD members from engaging in any unjustified verbal or physical altercation with any person, while on or off duty.⁷⁹

In this case, Officer Vega clearly violated the stated rules above when he used words to the effect of "yeah, ok, fuck you then,"⁸⁰ directed at [REDACTED]. Moreover, Officer Vega acknowledged making the comment, and he admitted that his language was rude and unprofessional.⁸¹ Therefore, COPA finds that Allegation 6, is **Sustained**.

f. False or Misleading Reports

COPA finds Allegation 7, that Officer Vega provided a false, misleading, inaccurate, and/or incomplete statement in Original Case Incident Report (#JE126183), regarding the circumstances under which the suspected cocaine was recovered from [REDACTED] vehicle, is **Not Sustained**. CPD Rule 14 forbids an officer from making a false report, written or oral.⁸² An officer cannot be found guilty of a Rule 14 violation unless it has been determined that (1) the officer willfully made a false statement and (2) the false statement was made about a fact that was material to the incident under investigation.⁸³ A statement is "material" when the statement has "a natural tendency to influence, or are capable of influencing, the decision-making body to which it was addressed."⁸⁴ COPA must also show that the statement was false.

In this case, Officer Vega reported that he found a "clear knotted plastic bag containing a white powdery substance" underneath the passenger seat of [REDACTED] vehicle.⁸⁵ Officer Vega, in his statement to COPA, repeated that he found a "clear, knotted plastic bag containing substance cocaine," under the passenger seat.⁸⁶ Unfortunately, Officer Vega's BWC was briefly obstructed during the search and only captured the plastic bag after he relocated it to the passenger's side floorboard. As discussed above, [REDACTED] alleged that the plastic bag was never underneath the passenger's seat, and that Officer Vega planted it in the vehicle. However, COPA does not have objective, verifiable evidence showing that Officer Vega provided a false, misleading, inaccurate, and/or incomplete statement in his Original Case Incident Report. Similarly, COPA does not have

⁷⁷ Att. 61, Rule 3.

⁷⁸ Att. 61, Rule 8.

⁷⁹ Att. 61, Rule 9.

⁸⁰ Att. 6 at 3:46 to 3:53.

⁸¹ Att 49, pgs. 42, 46, and 81 to 82.

⁸² Att. 61, Rule 14.

⁸³ See *Agreement between City of Chicago Department of Police and Fraternal Order of Police (FOP) Lodge No. 7* §6.1(M); see also G08-01-01: Department Member Bill of Rights (II)(N) (effective May 4, 2018 to June 30, 2022).

⁸⁴ See *United States v. Akram*, 152 F.3d 698, 700 (1998) (citing cases); *Taylor v. Police Bd.*, 2011 Ill. App., *P35 (1st) 101156 (1st Dist. 2011) ("The test of materiality for an allegedly perjured statement is whether the statement tends to prove or disprove an issue in the case.").

⁸⁵ Att. 3.

⁸⁶ Att. 49, at pg. 28, lns. 19 to 24.

enough objective evidence to meet the clear and convincing standard to exonerate Officer Vega of this allegation. Therefore, COPA finds the allegation is **Not Sustained**.

VI. DISCIPLINARY RECOMMENDATION

a. Officer Carlos Vega

i. Complimentary and Disciplinary History⁸⁷

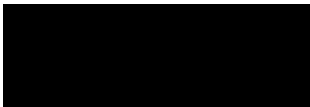
Officer Vega has been employed by CPD since December 14, 2015. In that time, he has received 108 total awards, including one life saving award, one resiliency award, two top gun arrest awards, one traffic stop of the month award, eight Department commendations, two special commendations, and 85 honorable mentions. Officer Vega has one previously sustained case against him in the last five years and one SPAR, which are detailed below:

- A 5-day suspension for a 2025 incident where he slammed the reporting party's cell phone into the ground, damaging it (Log 2025-0002760).
- No disciplinary action taken for a preventable accident in 2024.

ii. Recommended Discipline

COPA has found that Officer Vega violated Rules 2, 3, 5, 6, 8, 9, and 10 when he failed to timely activate his BWC and stated words to the effect of "yeah, ok, fuck you then," to [REDACTED]. In mitigation, COPA has considered Officer Vega's impressive complimentary history and lack of relevant prior discipline. Additionally, COPA credits Officer Vega for accepting responsibility for both allegations, and admitting that his language was rude and unprofessional. Therefore, COPA recommends Officer Vega receive a **reprimand** and **retraining** on the Department's BWC and Human Rights policies.

Approved:



Steffany Hreno
Deputy Chief Administrator

6/26/2026

Date

⁸⁷ Att. 57.

Appendix A**Case Details**

Date/Time/Location of Incident:	January 28, 2021 / 22:56 / 7230 S. Loomis Blvd
Date/Time of COPA Notification:	February 26, 2024 / 12:20
Involved Member #1:	Officer Carlos Vega, Star #17477, Employee # [REDACTED] DOA: December 14, 2015 , Unit: 006/189, Male, WWH
Involved Member #2:	Officer Manuel De Avila, Star #21131, Employee ID# [REDACTED] DOA: November 30, 2012, Unit: 610, Male, WWH
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 5:** Failure to perform any duty.
- ☒ **Rule 6:** Disobedience of an order or directive, whether written or oral.
- ☒ **Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
- ☒ **Rule 9:** Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- ☒ **Rule 10:** Inattention to duty.
- ☐ **Rule 14:** Making a false report, written or oral.
- ☐ **Rule 38:** Unlawful or unnecessary use or display of a weapon.

Applicable Policies and Laws

- G02-01, Human Rights and Human Resources (effective October 5, 2017 to June 30, 2022).
- S03-14: Body Worn Cameras (effective April 30, 2018, to December 29, 2023).
- Rules and Regulations of the Chicago Police Department (effective April 16, 2015, to present).
- City of Chicago Municipal Code 08-20-060: Possession of a laser sight, accessory firearm silencer or muffler.
- 430 ILCS 66/10, Firearm Conceal Carry Act

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.⁸⁸ 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.”⁸⁹

⁸⁸ 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).

⁸⁹ *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