



Log # 2025-0671

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On Monday, February 10, 2025, the Civilian Office of Police Accountability (COPA) received a website complaint from [REDACTED] reporting alleged misconduct by members of the Chicago Police Department (CPD). [REDACTED] alleged that on June 23, 2024, Officer Francisco Castelan, #16078, Officer Eduardo Camilo, Jr., #18624, and Officer Umer Khan, #16971, arrested him, searched his vehicle, seized his firearm, and impounded his vehicle, all without justification.² Following its investigation, COPA reached **Sustained** findings regarding all allegations brought against all three officers.

II. SUMMARY OF EVIDENCE³

On the morning of June 23, 2024, Officers Camilo, Khan, and Castelan were on patrol in an unmarked CPD squad car.⁴ Officer Camilo was driving, Officer Khan was in the front passenger seat, and Officer Castelan was in the passenger-side rear seat.⁵ The officers initially traveled south on N Cicero Ave., and then turned east onto W Irving Park Rd.⁶ After driving east for several blocks,⁷ Officer Camilo executed a U-turn and then turned south onto N Kilpatrick Ave.⁸ The officers drove south for several more blocks and then stopped [REDACTED] white Maserati SUV near the intersection of N Kilpatrick Ave. and W Berenice Ave.⁹

Officer Camilo approached the Maserati and advised the driver, [REDACTED] that he was being stopped because the Maserati's temporary license plate was not visible.¹⁰ Officer Castelan walked

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 body-worn camera (BWC) footage, police reports, a civilian interview, and officer interviews.

⁴ Att. 2, pg. 3. The arrest report was authored by Officer Camilo.

⁵ Att. 9 at 0:00 to 0:19; Att. 10 at 0:00 to 0:15; Att. 11 at 0:00 to 0:05.

⁶ Att. 11 at 0:05 to 0:32.

⁷ Att. 11 at 0:32 to 1:00.

⁸ Att. 11 at 1:00 to 1:15.

⁹ Att. 11 at 1:15 to 1:50; Att. 2, pgs. 2 to 3.

¹⁰ Att. 9 at 2:04 to 2:18.

around to the Maserati's passenger side and greeted the vehicle's only other occupant, [REDACTED] who was in the front passenger seat.¹¹ Officer Khan examined the Maserati's tinted rear window, which had a barely-visible temporary license plate attached to the interior of the dark glass; he obtained the registration number and entered it into the squad car's portable data terminal (PDT).¹²

Officer Camilo asked [REDACTED] for his driver's license.¹³ [REDACTED] provided the license, and while he was searching for his insurance documentation, Officer Camilo asked him if there was a weapon in the Maserati.¹⁴ [REDACTED] said there was a firearm and indicated that it was located beneath his seat.¹⁵ They continued to converse about [REDACTED] residency in Wisconsin and his travel plans; however, after [REDACTED] said he was just visiting Chicago, Officer Camilo asked him to exit from the Maserati.¹⁶ [REDACTED] got out of the Maserati and handed Officer Camilo his Wisconsin Concealed Carry License (CCL); Officer Camilo told him that he should have provided this license sooner, which prompted [REDACTED] to complain that Officer Camilo had not asked him for it.¹⁷ Officer Castelan, who was still standing on the passenger side of the Maserati, asked [REDACTED] to also exit, and she remained standing on the sidewalk at a distance from [REDACTED] throughout most of this incident.¹⁸ Officer Camilo went back to the CPD squad car and checked [REDACTED] identification on the PDT while Officer Khan and [REDACTED] remained standing beside the Maserati.¹⁹

Officer Castelan joined Officer Camilo in the squad car, and Officer Camilo told him [REDACTED] had a valid Wisconsin CCL and was not wanted for any crimes.²⁰ The officers then began to discuss the question of whether a Wisconsin CCL was valid in Illinois.²¹ Officer Castelan searched for an answer on his cellphone and then, having found the webpage he was looking for, stated that Illinois does not reciprocally recognize Wisconsin's CCL.²² Officer Camilo began searching on his own cellphone, located an informational brochure published by the Illinois State Police (ISP), and began reading from it.²³ The passage he read stated that a person who is not a resident of Illinois but who possesses a valid CCL from another state may carry a concealed firearm

¹¹ Att. 10 at 2:00 to 2:14.

¹² Att. 11 at 1:50 to 2:45; Att. 8, pg. 1.

¹³ Att. 9 at 2:18 to 2:22; Att. 10 at 2:14 to 2:18.

¹⁴ Att. 9 at 2:22 to 2:40; Att. 10 at 2:18 to 2:36.

¹⁵ Att. 9 at 2:40 to 2:51; Att. 10 at 2:36 to 2:47.

¹⁶ Att. 9 at 2:51 to 3:51; Att. 10 at 2:47 to 3:47.

¹⁷ Att. 9 at 3:51 to 4:20; Att. 11 at 3:38 to 4:06.

¹⁸ Att. 10 at 3:47 to 4:15.

¹⁹ Att. 9 at 4:20 to 5:49; Att. 10 at 4:15 to 5:45.

²⁰ Att. 9 at 5:49 to 5:53; Att. 10 at 5:45 to 5:49.

²¹ Att. 9 at 5:53 to 6:57; Att. 10 at 5:49 to 6:53.

²² Att. 9 at 6:57 to 7:05; Att. 10 at 6:53 to 7:00.

²³ Att. 9 at 7:05 to 7:58; Att. 10 at 7:00 to 7:55. *See also* Att. 20, "Transport Your Firearm Legally," pg. 2.

in a vehicle “while travelling through Illinois.”²⁴ However, Officer Camilo did not read the final sentence of the text; that sentence explained that a non-resident with a valid out-of-state CCL and in possession of a firearm may exit their vehicle, but must leave their firearm locked within it.²⁵ Officer Camilo told Officer Castelan that he understood the passage he had read to mean that ██████ could only lawfully possess a firearm in his vehicle if he was traveling continuously through Illinois on the highways, and it was his view that the fact ██████ had stopped in Chicago to spend time with ██████ meant that ██████ was in violation of the law.²⁶ Officer Castelan did not object to this line of reasoning, and both officers then determined that they would arrest ██████ and confiscate his firearm.²⁷ Officers Camilo and Castelan exited the squad car and rejoined Officer Khan, who had been standing in front of ██████ for the past several minutes while the other officers deliberated.²⁸

Officer Camilo told ██████ that his Wisconsin CCL was not valid in Illinois and that he was only allowed to drive with a firearm in Illinois if he stayed on the highways.²⁹ ██████ said he had been stopped by CPD officers once before and had been told that it was permissible for him to have his firearm with him while driving as long as he did not remove it from the vehicle.³⁰ At the same time that Officer Camilo was having this conversation with ██████ Officer Castelan was showing Officer Khan a Wisconsin concealed carry reciprocity map on his cellphone which demonstrated that a Wisconsin CCL was not valid in Illinois.³¹ The three officers then gathered for a private discussion at their squad car, and they all agreed that they should arrest ██████³² The officers returned to ██████ advised him he was under arrest, and placed him in handcuffs.³³ Officer Khan transmitted a radio message requesting a transport vehicle to pick up ██████³⁴ When Officer Camilo offered to allow ██████ to drive the Maserati SUV back to her home, both ██████ and ██████ agreed to this arrangement.³⁵

²⁴ Att. 20, pg. 2. The brochure’s content is arranged in a question-and-answer format, and the passage Officer Camilo read was a response to the question, “I HAVE A CONCEALED CARRY LICENSE ISSUED BY ANOTHER STATE, IS MY LICENSE RECOGNIZED IN ILLINOIS?” The brochure’s answer reads as follows: “No. Illinois does not recognize concealed carry licenses from other states. However, a resident from another state who has a valid concealed carry license from their home state may carry a concealed firearm within a vehicle while traveling through Illinois. If the non-resident leaves his or her vehicle unattended, the firearm shall be stored within a locked vehicle or locked container within the vehicle.”

²⁵ Att. 20, pg. 2.

²⁶ Att. 9 at 7:58 to 8:10; Att. 10 at 7:55 to 8:07.

²⁷ Att. 9 at 8:10 to 8:34; Att. 10 at 8:07 to 8:31. During this part of the conversation, Officers Camilo and Castelan also discussed whether they should have ██████ Maserati towed, but Officer Castelan said he did not believe that was necessary.

²⁸ Att. 9 at 8:34 to 8:45; Att. 11 at 8:22 to 8:31.

²⁹ Att. 9 at 8:45 to 9:11.

³⁰ Att. 9 at 9:11 to 9:46.

³¹ Att. 10 at 8:41 to 9:40; Att. 11 at 8:31 to 9:30.

³² Att. 9 at 9:43 to 10:26; Att. 10 at 9:40 to 10:21; Att. 11 at 9:30 to 10:11.

³³ Att. 9 at 10:26 to 11:13; Att. 10 at 10:21 to 11:10; Att. 11 at 10:11 to 11:00.

³⁴ Att. 11 at 11:00 to 11:20.

³⁵ Att. 9 at 11:34 to 12:00; Att. 11 at 11:20 to 11:46.

At approximately the same time, Officer Castelan opened the Maserati's driver-side door, retrieved [REDACTED] firearm and holster from underneath the driver's seat,³⁶ and unloaded the firearm.³⁷ He then placed the firearm, ammunition, and holster in a plastic evidence bag and briefly searched inside the Maserati's center console storage box before leaving the vehicle.³⁸ Officer Khan attempted to check the Maserati's Vehicle Identification Number (VIN) using the squad car's PDT, but when the search did not return a result, [REDACTED] gave the officer permission to go into the vehicle's glovebox to retrieve the title certificate.³⁹ Officer Khan opened the glovebox and located the title certificate quickly, but then continued to search by lifting up several of the other items in the compartment.⁴⁰ Officer Khan then reached his hand underneath the passenger seat and briefly searched that area before leaving the vehicle.⁴¹ Officer Khan brought the title certificate to Officer Castelan, who examined it and determined it was genuine.⁴² Officer Khan then returned the title certificate to the Maserati's front passenger seat.⁴³

Officer Sean Finnigan, #6543, then arrived to transport [REDACTED] to the district police station.⁴⁴ After [REDACTED] was taken away, [REDACTED] told Officers Castelan and Khan that she had been the victim of an attempted robbery the night before and that [REDACTED] had come this morning to drive her home from a friend's house.⁴⁵ While they were talking, Officer Castelan had been seated in the squad car while he spoke to another CPD member on his cellphone; after the call ended, he told the other officers that they had to impound [REDACTED] Maserati.⁴⁶

[REDACTED] retrieved her possessions from the Maserati and walked away on foot; Officer Khan then sat in the Maserati while Officers Camilo and Castelan entered their CPD vehicle and also prepared to depart.⁴⁷ Officer Finnigan drove [REDACTED] to the station.⁴⁸ After [REDACTED] had been admitted to lockup, Officers Camilo and Khan entered [REDACTED] cell and read him his *Miranda* rights; [REDACTED] consented to speaking to the officers without an attorney, and he answered their questions about his movements that day.⁴⁹

³⁶ The firearm was a .40 caliber Glock 27 handgun. See Atts. 2 to 7.

³⁷ Att. 10 at 11:10 to 11:29.

³⁸ Att. 10 at 11:29 to 12:13.

³⁹ Att. 11 at 11:46 to 14:43.

⁴⁰ Att. 11 at 14:43 to 14:50.

⁴¹ Att. 11 at 14:50 to 14:55.

⁴² Att. 10 at 15:05 to 16:00; Att. 11 at 14:55 to 15:51.

⁴³ Att. 11 at 15:51 to 16:27.

⁴⁴ Att. 9 at 16:41 to 16:56; Att. 11 at 16:27 to 16:43.

⁴⁵ Att. 9 at 16:56 to 18:03; Att. 11 at 16:43 to 17:49.

⁴⁶ Att. 10 at 17:59 to 18:15.

⁴⁷ Att. 9 at 18:20 to 19:12; Att. 11 at 18:05 to 19:47.

⁴⁸ Att. 46 at 0:00 to 6:06.

⁴⁹ Att. 12 at 0:00 to 8:35; Att. 13 at 0:00 to 8:34.

The charges listed on [REDACTED] Arrest Report were Aggravated Unlawful Use of a Weapon and License Plates Not Visible/or Covered.⁵⁰ The Arrest Report documents that the officers contacted Felony Review and an Assistant State's Attorney identified as "Martin" approved the felony weapon charge.⁵¹ [REDACTED] attended a court hearing on September 3, 2024, at which time both of the charges were dismissed.⁵²

After the criminal case was dismissed, [REDACTED] requested that the Department of Administrative Hearings rule to have his vehicle impoundment costs refunded to him. Due to scheduling conflicts, continuances were approved during brief hearings held on July 7, 2024, and September 3, 2024.⁵³ On September 26, 2024, a full hearing was held on the matter, and Officer Castelan appeared as the sole witness for the City of Chicago.⁵⁴ During this hearing, Officer Castelan defended the decision he and his partners made to arrest [REDACTED] on the grounds that [REDACTED] Wisconsin CCL was not recognized by the state of Illinois and that he was stopping in Chicago while possessing a firearm rather than continuously traveling through the city.⁵⁵ However, by the time he was interviewed by COPA he had significantly changed his viewpoint and had decided that [REDACTED] should not have been arrested.⁵⁶

[REDACTED] also brought a civil lawsuit against the three involved officers and City of Chicago after the dismissal of his criminal case.⁵⁷ In the defendants' answer to [REDACTED] civil complaint, the defendants admitted that the Illinois Concealed Carry Act allowed a nonresident to transport a concealed firearm within his vehicle if he possessed a concealed carry license issued under the laws of his own state and that there was no requirement that a nonresident with a concealed carry license must pass through Illinois without stopping and only take highways.⁵⁸ [REDACTED] lawsuit was dismissed after a settlement was reached, and [REDACTED] was subsequently awarded \$75,000.00 on July 24, 2025.⁵⁹

[REDACTED] participated in a recorded interview with COPA, during which he gave an account of the incident which closely matched the timeline of the officers' BWC recordings.⁶⁰ He explained that prior this incident he had been driving [REDACTED] to her house so she could retrieve a key for her

⁵⁰ Att. 2, pg. 1.

⁵¹ Att. 2, pg. 3.

⁵² Att. 16, pg. 1. [REDACTED] Aggravated Unlawful Use of a Weapon charge received a nolle prosequi disposition, while his License Plates Not Visible/Or Covered charge received a non-suit disposition.

⁵³ Atts. 72 and 73 (transcripts); Atts. 62 and 63 (audio recordings).

⁵⁴ Att. 71, pg. 3, ln. 17, to pg. 17, ln. 20 (transcript); Att. 61 at 4:13 to 15:00 (audio recording).

⁵⁵ Att. 71, pg. 16, ln. 1, to pg. 17, ln. 15; Att. 61 at 13:26 to 14:50.

⁵⁶ Att. 38, pg. 18, lns. 5 to 19.

⁵⁷ Atts. 52, 53, and 54.

⁵⁸ Att. 53, pg. 5.

⁵⁹ Att. 56. COPA requested that the Department of Law provide any available recordings, transcripts, or other documentation related to this civil lawsuit, but no responsive documents were discovered. *See* CO-1494154, CO-1496942, and CO-1499604.

⁶⁰ Atts. 14 and 15.

car, but he had been stopped by the police because his temporary license plate was not visible on the rear of his vehicle.⁶¹ He had informed the officers that he had a firearm beside him in the vehicle,⁶² and provided them with his Wisconsin CCL,⁶³ but the officers nevertheless arrested him for carrying the firearm inside the vehicle.⁶⁴ On the following day, ██████ appeared before a judge and was released on his own recognizance, but did not get out of lockup until 12:30 am.⁶⁵ When ██████ appeared at court again to answer to the weapon charge brought against him, the judge offered to throw out his case as long as he agreed to forfeit the ownership of his firearm.⁶⁶ ██████ reluctantly agreed to this,⁶⁷ his charge was dismissed,⁶⁸ and was required to pay \$2,200.00 to get his vehicle out of impound.⁶⁹ ██████ told COPA that he later attended an administrative hearing where he challenged the impound fee, and the judge determined that he was wrongfully arrested and awarded him a refund of the fee.⁷⁰ ██████ told COPA that he attended one more court hearing after that, during which the firearm charge was expunged from his record.⁷¹ ██████ also told COPA that he believed this stop had occurred because the officers racially profiled him.⁷²

All three officers reported that they had initiated this traffic stop because ██████ temporary license plate was not visible through the Maserati's tinted rear window.⁷³ When asked to explain the reason for ██████ arrest, the officers each made statements to the effect that they had arrested ██████ because he had no Illinois FOID or CCL, and because they believed his possession of a Wisconsin CCL did not afford him the right to keep an accessible firearm inside his vehicle.⁷⁴ Each of the officers also stated that the weapon charge they were bringing against ██████ gave them the justification to impound his Maserati.⁷⁵

⁶¹ Att. 15, pg. 4, lns. 14 to 21.

⁶² Att. 15, pg. 4, lns. 1 to 4.

⁶³ Att. 15, pg. 5, lns. 17 to 21.

⁶⁴ Att. 15, pg. 6, lns. 3 to 7.

⁶⁵ Att. 15, pg. 9, lns. 4 to 21.

⁶⁶ Att. 15, pg. 10, lns. 3 to 6.

⁶⁷ Att. 15, pg. 10, lns. 7 to 16.

⁶⁸ Att. 15, pg. 10, ln. 17.

⁶⁹ Att. 15, pg. 10, lns. 18 to 20.

⁷⁰ Att. 15, pg. 10, ln. 20, to pg. 12, ln. 22. ██████ said this hearing occurred on December 5, 2024. *See* Att. 15, pg. 28, lns. 11 to 13.

⁷¹ Att. 15, pg. 12, ln. 23, to pg. 13, ln. 4. ██████ believed his final hearing was on January 13, 2025. *See* Att. 15, pg. 28, lns. 13 to 14. COPA attempted to locate records of this hearing but found none because his record was expunged.

⁷² Att. 15, pg. 30, ln. 1, to pg. 31, ln. 21. COPA did not serve the officers with allegations of racial bias because the BWC evidence demonstrates that ██████ temporary license plate was attached behind his tinted rear window and was not clearly visible except at a very close distance. Consequently, COPA finds by a preponderance of evidence that the initial reason for this traffic stop was valid.

⁷³ Att. 34, pg. 7, lns. 1 to 7 (Officer Khan); Att. 38, pg. 7, lns. 17 to 19 (Officer Castelan); Att. 41, pg. 16, lns. 2 to 5 (Officer Camilo).

⁷⁴ Att. 34, pg. 7, ln. 15, to pg. 8, ln. 4 (Officer Khan); Att. 38, pg. 8, lns. 1 to 11 (Officer Castelan); Att. 41, pg. 7, ln. 18, to pg. 8, ln. 20 (Officer Camilo).

⁷⁵ Att. 34, pg. 10, lns. 8 to 9 (Officer Khan); Att. 38, pg. 11, ln. 23, to pg. 13, ln. 3 (Officer Castelan); Att. 41, pg. 44, lns. 13 to 17 (Officer Camilo).

Officer Camilo told COPA he had not known that CPD had published a training bulletin which specifically stated that non-residents with out-of-state CCLs were permitted to keep an accessible firearm in their vehicles, provided they did not remove the firearm from the vehicle;⁷⁶ he said he had instead based his decision to arrest [REDACTED] on information he read from the ISP website.⁷⁷ Officer Castelan had been equally unfamiliar with CPD policy concerning out-of-state CCLs and said he could not recall receiving training on this topic.⁷⁸ Officer Khan said his understanding of the established policy was that non-residents traveling with CCLs were required to remain on the highways while in Illinois, and they were not permitted to make stops in Chicago unless their firearm was either locked away or disassembled.⁷⁹ Even after reviewing the relevant Illinois statute,⁸⁰ the CPD Special Order,⁸¹ the training bulletin,⁸² and the ISP website brochure,⁸³ Officer Khan continued to insist that [REDACTED] arrest had been justified because he had not remained driving on the highways.⁸⁴

Each officer made a point of mentioning that they had presented the details of [REDACTED] arrest to an Assistant State's Attorney (ASA) and had subsequently received approval to bring a felony weapons charge against [REDACTED].⁸⁵ Officers Camilo and Khan also denied all four of the allegations COPA served to them.⁸⁶

Officer Castelan told COPA that his experience preparing for [REDACTED] civil lawsuit had taught him that he and his partners had been in error when they arrested [REDACTED] he said that after going through this process and having been required to review the relevant General Orders, he had learned that the State of Illinois permits a non-resident with an out-of-state CCL to have a firearm in their vehicle, provided that it stays inside the vehicle.⁸⁷ When asked to respond to the four allegations against him, Officer Castelan admitted he had arrested [REDACTED] without justification.⁸⁸ However, he denied the other three allegations.⁸⁹ At the conclusion of his COPA interview, Officer Castelan asked to make an addendum to his statement: He said he had attended [REDACTED]

⁷⁶ Att. 59, ETB# 14-01, Firearm Concealed Carry (revised April 2021).

⁷⁷ Att. 41, pg. 25, lns. 5 to 14. The BWC evidence shows that Officer Camilo did not read the last sentence of the ISP website's segment on out-of-state CCLs. *See* Att. 9 at 7:05 to 7:58 and Att. 10 at 7:00 to 7:55. *See also* Att. 20, "Transport Your Firearm Legally," pg. 2.

⁷⁸ Att. 38, pg. 11, lns. 17 to 23.

⁷⁹ Att. 34, pg. 12, ln. 10, to pg. 13, ln. 10.

⁸⁰ Att. 22, 430 ILCS 66/40, Non-Resident License Applications.

⁸¹ Att. 27, S06-05-02(II)(D), Firearm Concealed Carry Act (effective August 16, 2019, to present).

⁸² Att. 59, pg. 1.

⁸³ Att. 20, pg. 2.

⁸⁴ Att. 34, pg. 13, ln. 19, to pg. 16, ln. 14. Officer Castelan read the Illinois statute, the CPD Special Order, the CPD training bulletin, and the ISP website brochure out loud.

⁸⁵ Att. 34, pg. 30, lns. 3 to 9 (Officer Khan); Att. 38, pg. 13, ln. 21, to pg. 14, ln. 6, and pg. 16, lns. 12 to 18 (Officer Castelan); Att. 41, pg. 18, lns. 1 to 14 (Officer Camilo).

⁸⁶ Att. 34, pg. 32, ln. 11, to pg. 33, ln. 15 (Officer Khan); Att. 41, pg. 45, ln. 18, to pg. 46, ln. 13 (Officer Camilo).

⁸⁷ Att. 38, pg. 9, lns. 3 to 8.

⁸⁸ Att. 38, pg. 16, ln. 5, to pg. 17, ln. 2.

⁸⁹ Att. 38, pg. 16, lns. 3 to 12.

preliminary criminal hearing at the Skokie, IL courthouse and had learned that the case was dismissed without prejudice because [REDACTED] had no prior criminal record and was in possession of a Wisconsin CCL; he explained that the reason for the dismissal was not because [REDACTED] had been wrongfully arrested.⁹⁰

III. ALLEGATIONS

Officer Eduardo Camilo, Jr.:

1. Arresting [REDACTED] without justification.
 - Sustained, violation of Rules 2, 3, 6, 8, 10, and 11.
2. Searching [REDACTED] vehicle, without justification.
 - Sustained, violation of Rules 2, 3, 8, 10, and 11.
3. Seizing [REDACTED] firearm, without justification.
 - Sustained, violation of Rules 2, 3, 6, 8, 10, and 11.
4. Impounding [REDACTED] vehicle, without justification.
 - Sustained, violation of Rules 2, 3, 6, 8, 10, and 11.

Officer Francisco Castelan:

1. Arresting [REDACTED] without justification.
 - Sustained, violation of Rules 2, 3, 6, 8, 10, and 11.
2. Searching [REDACTED] vehicle, without justification.
 - Sustained, violation of Rules 2, 3, 8, 10, and 11.
3. Seizing [REDACTED] firearm, without justification.
 - Sustained, violation of Rules 2, 3, 6, 8, 10, and 11.
4. Impounding [REDACTED] vehicle, without justification.
 - Sustained, violation of Rules 2, 3, 6, 8, 10, and 11.

Officer Umer Khan:

1. Arresting [REDACTED] without justification.
 - Sustained, violation of Rules 2, 3, 6, 8, 10, and 11.
2. Searching [REDACTED] vehicle, without justification.

⁹⁰ Att. 38, pg. 18, lns 5 to 19.

- Sustained, violation of Rules 2, 3, 8, 10, and 11.
- 3. Seizing [REDACTED] firearm, without justification.
 - Sustained, violation of Rules 2, 3, 6, 8, 10, and 11.
- 4. Impounding [REDACTED] vehicle, without justification.
 - Sustained, violation of Rules 2, 3, 6, 8, 10, and 11.

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 accurately recall the event from memory. "Credibility involves more than demeanor. It apprehends the over-all evaluation of testimony in the light of its rationality or internal consistency and the manner in which it hangs together with other evidence."⁹¹

Officers Camilo, Castelan, and Khan each gave statements to COPA and provided substantially similar accounts of the circumstances leading to [REDACTED] arrest.⁹² Officer Khan told COPA that he had prepared for his interview by spending approximately five minutes reviewing the case report from [REDACTED] arrest; having already refreshed his memory, his recollection of events closely matched the details captured in the report.⁹³ Officer Castelan related that he recently met with the City of Chicago Corporation Counsel regarding [REDACTED] civil suit, and the Corporation Counsel showed him his BWC recording, the BWC of another officer, the arrest report, and other related documents; consequently, he also had an excellent recollection of this incident.⁹⁴ Officer Camilo, on the other hand, had not seen any reports or videos prior to his COPA interview, and initially had a very limited recollection of [REDACTED] arrest.⁹⁵ After he was permitted to view his BWC and related reports, Officer Camilo reported that his memory was refreshed.⁹⁶ While none of these officers were able to draw solely from their individual memories while recounting the circumstances of this arrest, COPA nevertheless found no reason to doubt the factual accounts they provided. Moreover, COPA observed that each of the officers appeared to

⁹¹ *Carbo v. United States*, 314 F.2d 718, 749 (9th Cir. 1963).

⁹² Atts. 34, 38, and 41.

⁹³ Att. 34, pg. 6, lns. 5 to 17.

⁹⁴ Att. 38, pg. 6, ln. 13, to pg. 7, ln. 9.

⁹⁵ Att. 41, pg. 6, ln. 22, to pg. 8, ln. 22. Officer Camilo remembered that this incident arose from a traffic stop, that the arrest was for Unlawful Use of a Weapon, and that [REDACTED] had a Wisconsin CCL, but had difficulty recalling other details.

⁹⁶ Att. 41, pg. 16, lns. 20 to 23.

believe that they were acting lawfully when they arrested ██████ for having a firearm in his vehicle, even though the evidence later demonstrated that they were mistaken in that belief.

█████ memory of the incident was excellent, and he provided a thorough and detailed narrative which closely matched the video evidence. This investigation has not revealed any evidence that would cause COPA to doubt his credibility.

V. ANALYSIS⁹⁷

a. Arresting ██████ without justification.

COPA finds that the allegations against Officers Camilo, Castelan, and Khan, that they arrested Martin Bailey without justification, are **Sustained**.

An officer must have probable cause to arrest a person.⁹⁸ “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.”⁹⁹ The officer’s subjective belief is not determinative; rather probable cause is an objective standard.¹⁰⁰

Illinois law requires anyone seeking to acquire a firearm, stun gun, or taser within the State to first obtain a Firearm Owner’s Identification Card (FOID) issued by the Illinois State Police.¹⁰¹ Additionally, any Illinois resident who wishes to carry a concealed firearm must first obtain an Illinois CCL,¹⁰² also issued by the Illinois State Police.¹⁰³ In this case, Officers Camilo, Castelan, and Khan arrested ██████ because he had a firearm in his vehicle but had “no valid FOID or CCL,”¹⁰⁴ and only had a Wisconsin CCL “which the State of Illinois does not recognize.”¹⁰⁵ However, the relevant Illinois FOID statute states, “The provisions of this Section regarding the possession of firearms . . . do not apply to . . . [n]on-residents who are currently licensed or registered to possess a firearm in their resident state.”¹⁰⁶ Also, the Illinois Firearm Concealed Carry Act provides, “Nothing in this Act shall prohibit a non-resident from transporting a concealed firearm within his or her vehicle . . . [if] the non-resident: (1) is not prohibited from owning or

⁹⁷ For a definition of COPA’s findings and standards of proof, see Appendix B.

⁹⁸ *People v. Johnson*, 408 Ill. App. 3d 107, 119 (1st Dist. 2010) (citing *Beck v. Ohio*, 379 U.S. 89, 91, (1964)).

⁹⁹ *People v. D. W. (In re D. W.)*, 341 Ill. App. 3d 517, 526 (1st Dist. 2003). Probable cause is also defined for CPD members in Special Order S04-13-09(II)(D), Investigatory Stop System (effective July 10, 2017, to February 3, 2026). Att. 26.

¹⁰⁰ *People v. Chapman*, 194 Ill. 2d 186, 218-19 (2000).

¹⁰¹ Att. 29, pg. 1, 430 ILCS 65/2(a)(1).

¹⁰² Att. 30, pg. 1, 430 ILCS 66/10(c).

¹⁰³ Att. 30, pg. 1, 430 ILCS 66/10(a).

¹⁰⁴ Att. 2, pg. 3.

¹⁰⁵ Att. 3, pg. 2.

¹⁰⁶ Att. 29, pg. 1, 430 ILCS 65/2(b)(10).

possessing a firearm under federal law; (2) is eligible to carry a firearm in public under the laws of his or her state or territory of residence, as evidenced by the possession of a concealed carry license or permit issued by his or her state of residence, if applicable; and (3) is not in possession of a license under the Act. If the non-resident leaves his or her vehicle unattended, he or she shall store the firearm within a locked vehicle or locked container within the vehicle”¹⁰⁷

At the time of the traffic stop, [REDACTED] firearm was concealed inside his vehicle, and he had a valid CCL issued by the state of Wisconsin, allowing him to possess the firearm under the terms specified by Illinois law. All three officers told COPA that they had believed that [REDACTED] Wisconsin CCL did not permit him to have a firearm inside his vehicle while driving in Chicago and stated that they had arrested him for this reason alone. The BWC evidence shows that Officer Camilo took the lead in establishing this mistaken line of reasoning; he read out an incomplete passage from an Illinois State Police informational pamphlet from his cellphone and then convinced Officer Castelan that they should arrest [REDACTED] confiscate his firearm, and impound his vehicle.¹⁰⁸ Shortly afterward, all three officers convened to discuss the matter, and Officer Khan also gave his willing approval of Officer Camilo’s plan to arrest [REDACTED]¹⁰⁹ However, the officers’ understanding of the Illinois statute was incorrect and [REDACTED] arrest was based on their mistake of law. For these reasons, COPA finds by a preponderance of evidence that Officers Camilo, Castelan, and Khan arrested [REDACTED] without justification, in violation of Rules 2, 3, 6, 8, 10, and 11, and the allegation is **Sustained** for all three officers.

b. Searching [REDACTED] vehicle and seizing his firearm, without justification

COPA finds that the allegations against Officers Camilo, Castelan, and Khan for searching [REDACTED] vehicle and seizing his firearm without justification are **Sustained**.

When a police officer initiates a traffic stop of a concealed carry licensee or a non-resident carrying a concealed firearm, upon request of the officer the licensee or non-resident must disclose to the officer that he or she is in possession of a concealed firearm. The disclosure requirement is satisfied if a non-resident presents to the officer evidence that he or she is qualified to carry a firearm. Upon request of the officer, the non-resident must also identify the location of the concealed firearm and permit the officer to safely secure the firearm for the duration of the investigation.¹¹⁰

¹⁰⁷ Att. 31, pgs. 1 to 2, 430 ILCS 66/40(e).

¹⁰⁸ Att. 9 at 7:05 to 8:34; Att. 10 at 7:00 to 8:07. *See also* Att. 20, “Transport Your Firearm Legally,” pg. 2.

¹⁰⁹ Att. 9 at 9:43 to 10:26; Att. 10 at 9:40 to 10:21; Att. 11 at 9:30 to 10:11.

¹¹⁰ Att. 30, pg. 2, 430 ILCS 66/10(h); Att. 27, S06-05-02(II)(E-G).

As previously discussed, COPA has sustained allegations against all three officers for arresting ██████ without justification. The officers made this arrest based on their mistaken belief that ██████ possession of a Wisconsin CCL did not authorize him to keep an accessible firearm inside his vehicle while driving in Illinois unless he remained exclusively on the highways. Furthermore, all three officers discussed and agreed to their plan to arrest ██████ and to confiscate his property, and therefore all three are responsible for this misconduct.

Illinois law required ██████ to disclose his possession of a firearm and the location of the firearm within the vehicle, and he complied. ██████ was also required to permit officers to safely secure the firearm for the duration of the stop. In this case, the officers placed ██████ under arrest before he had the chance to voluntarily permit the officers to secure his firearm,¹¹¹ and when Officer Castelan then searched the Maserati and confiscated the firearm, he did so without ██████ consent.¹¹² However, as ██████ arrest was not justified due to the officers' error of law, the firearm search conducted in ██████ vehicle also was not justified. Also, while the officers would have been justified in seizing ██████ firearm for the duration of the stop, they were obligated to return it to him at the stop's conclusion rather than permanently depriving him of the firearm and placing him under arrest.

The BWC evidence further shows that the officers did not merely secure ██████ firearm and immediately discontinue their searches; they conducted additional, unnecessary searches. After Officer Castelan found ██████ firearm in the Maserati's front seat area and bagged it as evidence, he also opened the center console storage box and briefly searched inside it.¹¹³ Also, after Officer Khan retrieved the Maserati's title certificate from the glovebox (with ██████ implicit consent), he also quickly searched through the rest of the glovebox and felt underneath the front passenger seat.¹¹⁴ All three officers expressly agreed to arrest ██████ and seize his property, and there was no legal justification for them to do so. Therefore, COPA finds by a preponderance of evidence that the allegations against Officers Camilo, Castelan, and Khan for searching ██████ vehicle and seizing ██████ firearm without justification are **Sustained**, in violation of Rules 2, 3, 6, 8, 10, and 11.

c. Impounding ██████ vehicle, without justification

COPA finds that the allegations against Officers Camilo, Castelan, and Khan for impounding ██████ vehicle without justification are **Sustained**.

¹¹¹ Att. 9 at 10:26 to 11:13; Att. 10 at 10:21 to 11:10; Att. 11 at 10:11 to 11:00.

¹¹² Att. 10 at 11:10 to 11:29.

¹¹³ Att. 10 at 11:29 to 12:13.

¹¹⁴ Att. 11 at 14:43 to 14:55.

Under a Chicago ordinance, the owner of any motor vehicle found to contain “a firearm that is carried or possessed in violation of any applicable state or federal law . . . shall be liable to the City for an administrative penalty of \$2,000 plus any towing and storage fees applicable under Section 9-92-080.”¹¹⁵ The ordinance further states that when a “police officer has probable cause to believe that a vehicle is subject to seizure and impoundment pursuant to this section, the police officer shall provide for the towing of the vehicle to a facility controlled by the City or its agents.”¹¹⁶ The Department of Streets and Sanitation or its authorized agents are empowered to tow and impound a vehicle containing a firearm carried or possessed in violation of any applicable state or federal law, other than for the expiration of a FOID card or CCL of a person who otherwise remains qualified under Illinois law to possess or carry firearms.¹¹⁷

At the conclusion of [REDACTED] traffic stop, the officers determined that they could not allow [REDACTED] to take [REDACTED] Maserati because she did not have her driver’s license with her, and they instead decided to have Officer Khan drive it back to the district station.¹¹⁸ Later that same day, at approximately 10:35 am, Streets and Sanitation towed and impounded [REDACTED] vehicle for possession of an unlawful firearm.¹¹⁹ The tow-impoundment document drafted by Officer Castelan stated that [REDACTED] “was driving while carrying/having a firearm unlawfully.”¹²⁰ However, as discussed in the allegations above, [REDACTED] firearm possession appeared to be lawful, and the officers did not have evidence showing that [REDACTED] committed any other offense that would have warranted impounding his vehicle. For these reasons, COPA finds by a preponderance of evidence that Officers Camilo, Castelan, and Khan impounded [REDACTED] vehicle without justification, in violation of Rules 2, 3, 6, 8, 10, and 11, and these allegations are **Sustained**.

VI. DISCIPLINARY RECOMMENDATION

a. Officer Eduardo Camilo, Jr.

i. Complimentary and Disciplinary History¹²¹

Officer Camilo has been employed by CPD since June 17, 2019. He has received the Life Saving Award, 2 Police Officer of the Month Awards, 2 Department Commendation Awards, 43

¹¹⁵ Att. 48, Municipal Code of Chicago § 8-20-070(a). The mandated penalty does not apply to a person whose only violation derives from the expiration of a FOID card or concealed carry license, provided that the person “otherwise remains qualified under Illinois law to lawfully possess or carry firearms.” *See also* Att. 28, S07-03-05(III)(A)(1), Impoundment of Vehicles for Municipal Code Violations (effective October 1, 2022, to present).

¹¹⁶ Att. 48, MCC § 8-20-070(b).

¹¹⁷ Att. 28, S07-03-05(II)(A) and (III)(A)(1).

¹¹⁸ Att. 10 at 17:59 to 18:15; Att. 11 at 18:05 to 19:47.

¹¹⁹ Att. 65, pg. 3.

¹²⁰ Att. 65, pg. 3.

¹²¹ Atts. 76 and 78.

Honorable Mention Certificates, and at least 3 other awards and commendations. Officer Camilo has no prior disciplinary history.

ii. Recommended Discipline

COPA has found that Officer Camilo violated Rules 2, 3, 6, 8, 10, and 11 by arresting [REDACTED] searching [REDACTED] vehicle, seizing [REDACTED] firearm, and impounding [REDACTED] vehicle, all without justification. In aggravation, Officer Camilo violated [REDACTED] right against unlawful search and seizure, and Officer Camilo also exposed CPD to civil liability. In mitigation, COPA notes that Officer Camilo attempted to ascertain if an arrest was appropriate and that his mistake does not appear to have been intentional. COPA also recognizes Officer Camilo's complimentary history and lack of disciplinary history. In consideration of these aggravating and mitigating factors, COPA recommends that Officer Camilo be **Reprimanded** and that he receives additional **training** regarding the Illinois Firearm Concealed Carry Act.

b. Officer Francisco Castelan

i. Complimentary and Disciplinary History¹²²

Officer Castelan has been employed by CPD since August 27, 2018. He has received 2 Life Saving Awards, 2 Department Commendation Awards, 37 Honorable Mention Certificates, and at least 10 other awards and commendations. Officer Castelan was reprimanded for a May 2022 incident where he failed to complete a required traffic crash report (Log No. 2022-0002004), and he was also reprimanded for a February 2025 incident where he gave possession of the complainant's vehicle to an unlicensed driver without the complainant's consent (Log No. 2025-0001296).

ii. Recommended Discipline

COPA has found that Officer Castelan violated Rules 2, 3, 6, 8, 10, and 11 by arresting [REDACTED] searching [REDACTED] vehicle, seizing [REDACTED] firearm, and impounding [REDACTED] vehicle, all without justification. In aggravation, Officer Castelan violated [REDACTED] right against unlawful search and seizure, and Officer Castelan also exposed CPD to civil liability. In mitigation, COPA notes that Officer Castelan attempted to ascertain if an arrest was appropriate and that his mistake does not appear to have been intentional. COPA also recognizes Officer Castelan's extensive complimentary history. In consideration of these aggravating and mitigating factors, COPA recommends that Officer Castelan be **Reprimanded** and that he receives additional **training** regarding the Illinois Firearm Concealed Carry Act.

¹²² Atts. 74 and 77.

c. Officer Umer Khan

i. Complimentary and Disciplinary History¹²³

Officer Khan has been employed by CPD since August 27, 2018. He has received the Life Saving Award, 2 Department Commendation Awards, 34 Honorable Mention Certificates, and at least 13 other awards and commendations. Officer Khan was reprimanded for a February 2025 incident where he gave possession of the complainant's vehicle to an unlicensed driver without the complainant's consent (Log No. 2025-0001296). Officer Khan has also been disciplined twice through the summary punishment process for uniform violations in June and July of 2026, receiving a notation of "no disciplinary action" for the first violation and a reprimand for the second violation.

ii. Recommended Discipline

COPA has found that Officer Khan violated Rules 2, 3, 6, 8, 10, and 11 by arresting [REDACTED] searching [REDACTED] vehicle, seizing [REDACTED] firearm, and impounding [REDACTED] vehicle, all without justification. In aggravation, Officer Khan violated [REDACTED] right against unlawful search and seizure, and Officer Khan also exposed CPD to civil liability. In mitigation, COPA notes that Officer Khan attempted to ascertain if an arrest was appropriate and that his mistake does not appear to have been intentional. COPA also recognizes Officer Khan's complimentary history. In consideration of these aggravating and mitigating factors, COPA recommends that Officer Khan be **Reprimanded and** that he receives additional **training** regarding the Illinois Firearm Concealed Carry Act.

Approved:


 Joshua T. Hunt
First Deputy Chief Administrator

6 August 2026

Date

¹²³ Atts. 75 and 79.

Appendix A**Case Details**

Date/Time/Location of Incident:	June 23, 2024 / 9:00 am / 3830 N Kilpatrick Ave., Chicago, IL 60641
Date/Time of COPA Notification:	February 10, 2025 / 10:48 am
Involved Officer #1:	Officer Eduardo Camilo, Jr. / Star #18624 / Employee ID # [REDACTED] / Date of Appointment: June 17, 2019 / Unit of Assignment: 017/216 / Male / White Hispanic
Involved Officer #2:	Officer Francisco Castelan / Star #16078 / Employee ID # [REDACTED] / Date of Appointment: August 27, 2018 / Unit of Assignment: 017 / Male / White Hispanic
Involved Officer #3:	Officer Umer Khan / Star #16971 / Employee ID # [REDACTED] / Date of Appointment: August 27, 2018 / Unit of Assignment: 017 / Male / Asian
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 10:** Inattention to duty.
- ☒ **Rule 11:** Incompetency or inefficiency in the performance of duty.

Applicable Policies and Laws

- 4th Amendment, United States Constitution
- 430 ILCS 65/2, Firearm Owner's Identification Card Required; Exceptions
- 430 ILCS 66/10, Issuance of Licenses to Carry a Concealed Firearm
- 430 ILCS 66/40, Non-Resident License Applications
- S04-13-09, Investigatory Stop System (effective July 10, 2017, to February 3, 2026)

- S07-03-05, Impoundment of Vehicles for Municipal Code Violations (effective October 1, 2022, to present)
- S06-05-02, Firearm Concealed Carry Act (effective August 16, 2019, to present)
- ETB# 14-01, Firearm Concealed Carry (effective March 2024, revised April 2021)

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.¹²⁴ For example, if the evidence gathered in an investigation establishes that it is more likely that the conduct complied with Department 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.”¹²⁵

¹²⁴ See *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.”).

¹²⁵ *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