

SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

310739

DATE OF REPORT (DAY-MO.-YEAR)

16 March 2006

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or
In SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION ☐ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☒ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

| | | | | | | |
|--|------------|---|---------------------|--------------------------|---|-----------------------|
| FROM-INVESTIGATOR'S NAME Gwendolyn HARRIS | | RANK P/A | STAR NO. 7938 | SOCIAL SEC. NO. ----- | EMPLOYEE NO. [REDACTED] | UNIT ASSIGN. 121-S |
| ADDRESS OF INCIDENT [REDACTED] | | DATE OF INCIDENT - TIME 19 Jan 06 2220 | | BEAT OF INCIDENT 212 | LOCATION CODE* 17 | |
| NAME 1. Timothy HAYES | | RANK P/O | STAR NO. 7308 | SOCIAL SEC. NO. ----- | EMPLOYEE NO. [REDACTED] | UNIT ASSIGN. 009 |
| NAME 2. John DOWLING | | RANK P/O | STAR NO. 19486 | SOCIAL SEC. NO. ----- | EMPLOYEE NO. [REDACTED] | UNIT ASSIGN. 009 |
| ACCUSED | SEX/RACE | D.O.B. | DATE OF APPOINTMENT | | DUTY STATUS (TIME OF INCIDENT) | |
| | 1. M/W | [REDACTED] 66 | 13 Apr 98 | | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | |
| | | | | | <input type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN | |
| | | | | | PHYS. COND. CODE† 01 | |
| ACCUSED | 2. M/W | [REDACTED] 58 | 18 Mar 96 | | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | |
| | | | | | <input type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN | |
| | | | | | PHYS. COND. CODE† 01 | |
| | | | | | | |
| IF APPLICABLE - DATE ARRESTED/INDICTED | | CHARGES | | COURT BRANCH | DISPOSITION & DATE | |
| 1. | | | | | | |
| 2. | | | | | | |
| COMPLAINANTS | NAME | *ADDRESS** | | CITY STATE | TELEPHONE | SEX/RACE |
| | [REDACTED] | [REDACTED] | | [REDACTED] | [REDACTED] | F/O |
| | | | | | | |
| | | | | | | |
| COMPLAINANTS | [REDACTED] | [REDACTED] | | [REDACTED] | [REDACTED] | M/W |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| VICTIMS | NAME | ADDRESS** | | CITY STATE | TELEPHONE | SEX/RACE |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| WITNESSES | NAME | ADDRESS** | | CITY STATE | TELEPHONE | SEX/RACE |
| | None | | | | | |
| | | | | | | |
| | | | | | | |

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

ALLEGATIONS
SEE PAGES 1-3 FOR INVESTIGATION.

I.A.D. LOCATION CODES*

| | |
|----------------------------------|--|
| 01 Food Sales/Restaurant | 11 Public Transportation Veh./Facility |
| 02 Tavern/Liquor Store | 12 Park District Property |
| 03 Other Business Establishment | 13 Airport |
| 04 Police Building | 14 Public Property - Other |
| 05 Lockup Facility | 15 Other Private Premise |
| 06 Police Maintenance Facility | 16 Expressway/Interstate System |
| 07 CPD Automotive Pound Facility | 17 Public Way - Other |
| 08 Other Police Property | 18 Waterway, Incl. Park District |
| 09 Police Communications System | 19 Private Residence |
| 10 Court Room | |

I.A.D. PHYSICAL CONDITION CODES†

| |
|---|
| 01 No Visible Injury - Apparently Normal |
| 02 No Visible Injury - Under Influence |
| 03 Injured, Not Hospitalized |
| 04 Injured, Not Hospitalized - Under Influence |
| 05 Injured, Hospitalized |
| 06 Injured, Hospitalized - Under Influence |
| 07 Injured, Refused Medical Aid |
| 08 Injured, Refused Medical Aid - Under Influence |
| 09 Deceased |
| 10 Deceased - Under Influence |

* * IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

SUMMARY

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).
In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

SEE PAGES 4 through 7 for INVESTIGATION

| | | | | |
|-------------|---|--|---|--|
| ATTACHMENTS | INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS: | INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS: | PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: |
| | 6,7,11 | None | None | 14 |

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.

Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

SEE PAGE 8 FOR FINDINGS & RECOMMENDATIONS

REVIEWED BY

MAY 26 2006

FINDINGS-RECOMMENDATIONS

| | | | | | |
|--|-----------|--|-----------|--|----|
| DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION) | 20 Jan 06 | DATE COMPLETED (DATE OF THIS REPORT) | 16 Mar 06 | ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS) | 55 |
| Investigator will initiate the Command Channel Review form by completing the Investigator's Section. | | INVESTIGATOR'S SIGNATURE | | 7938 | |

IF NECESSARY, USE AN 8½ x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

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Additional Accused:

3. Police Officer Douglas HARTZ, Star # 11757 Employee [REDACTED] Unit 009
M/W DOB [REDACTED] 67 DOA 17 Feb 98 Sworn On duty Phys. Code 01

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1. **ALLEGATIONS**

Accused #1. Police Officer Timothy HAYES, #7308, Unit 009

- Allegation 1. It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plainclothes Police Officer Timothy HAYES, #7308, Unit 009, made an unjustified traffic stop of [REDACTED] while she was driving her 2001 Nissan Sentra bearing Illinois license plate [REDACTED]
- Allegation 2. It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plainclothes Police Officer Timothy HAYES verbally abused [REDACTED] when he stated to her, "Get out you stupid cunt."
- Allegation 3. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] Police Officer Timothy HAYES, #7308, conducted an illegal search of [REDACTED] 2001 Nissan vehicle bearing Illinois plate [REDACTED], and [REDACTED] personal handbag, and [REDACTED] bag.
- Allegation 4. It is alleged by [REDACTED] and [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plainclothes Police Officer Timothy HAYES, #7308, failed to identify himself when requested to do so.
- Allegation 5. It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] Police Officer Timothy HAYES told [REDACTED] to take off her jacket.
- Allegation 6. It is alleged by Police Agent Gwendolyn HARRIS, #7938, Unit 121, that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plainclothes Police Officer Timothy HAYES, #7308, failed to generate a Contact Information Card following an investigatory street stop of [REDACTED]
[REDACTED]

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Accused #2. Police Officer John DOWLING, #19486, Unit 009

- Allegation 1. It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plainclothes Police Officer John DOWLING, #19486, Unit 009, made an unjustified traffic stop of [REDACTED] while she was driving her 2001 Nissan Sentra bearing Illinois license plate [REDACTED]
- Allegation 2. It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plainclothes Police Officer John DOWLING pulled [REDACTED]
[REDACTED]
- Allegation 3. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] Police Officer John DOWLING , #19486, struck [REDACTED] several times about the face using his forearm.
- Allegation 4. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plainclothes Police Officer John DOWLING , #19486, unbuckled [REDACTED] belt and improperly searched him.
- Allegation 5. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plainclothes Police Officer John DOWLING , #19486, was verbally abusive using profanities.
- Allegation 6. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plainclothes Police Officer John DOWLING , #19486, conducted an illegal search of [REDACTED] 2001 Nissan vehicle bearing Illinois plate [REDACTED] and [REDACTED] personal handbag and [REDACTED] bag.
- Allegation 7. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plainclothes Police Officer John DOWLING , #19486, failed to identify himself when requested to do so.

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Police Officer John DOWLING (continued)

Allegation 8. It is alleged by Police Agent Gwendolyn HARRIS, #7938, Unit 121, that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plainclothes Police Officer John DOWLING, #19486, failed to generate a Contact Information Card following an investigatory street stop of [REDACTED]

Accused #3 Police Officer Douglas HARTZ, #11757, Unit 009

Allegation 1. It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plainclothes Police Officer Douglas HARTZ, #11757, Unit 009, made an unjustified traffic stop of [REDACTED] while she was driving her 2001 Nissan Sentra bearing Illinois license plate [REDACTED]

Allegation 2. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plainclothes Police Officer Douglas HARTZ, #11757, failed to identify himself when requested to do so.

Allegation 3. It is alleged by Police Agent Gwendolyn HARRIS, #7938, Unit 121, that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plainclothes Police Officer Douglas HARTZ, #11757, failed to generate a Contact Information Card following an investigatory street stop of [REDACTED]

2.

EVIDENCE

1. Complaint Against Department Member and Complaint Register Investigation Conflict Certification.
2. Initiation Report of Sergeant Thomas DONEGAN, #1764, Unit 002, dated 20 January 2006.
3. Complainants [REDACTED] Sworn Affidavits for Complaint Register Investigation.
4. Report of Agent Gwendolyn HARRIS, #7938, "Identification of Accused" dated 23 January 2006, and related documents.

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5. Report of Agent Gwendolyn HARRIS, #7938, "License Plate for Complainant [REDACTED]" dated 06 Feb 06 and related document.
6. Statement of Complainant [REDACTED], dated 23 Jan 2006.
7. Statement of Complainant [REDACTED] dated 25 Jan 06.
8. Report of Agent Gwendolyn HARRIS, #7938, "Identification of Accused by Complainant [REDACTED]" dated 26 Jan 06.
9. Copies of Portable Data Terminal (PDT) Messages for Beat 962E.
10. Illinois State Police Inquiry of License Plate [REDACTED]
11. Copy of Inquiry for Search Contact Card [REDACTED]
[REDACTED]
12. Statement of Police Officer Timothy HAYES, #7308, Unit 009, dated 28 Feb 06 and related documents.
13. Statement of Police Officer John DOWLING, #19486, Unit 009, dated 28 Feb 06 and related documents.
14. Statement of Police Officer Douglas HARTZ, #11757, Unit 009, dated 28 Feb 06, and related documents.

INVESTIGATION

Following assignment to this complaint on 23 January 2006, the Initiation Report written by Sergeant Thomas DONEGAN, #1764, Unit 002, was reviewed. Sergeant DONEGAN reported that [REDACTED] alleged that while driving her vehicle with a male passenger named [REDACTED] on 19 January 2006, at approximately 2220 hours, at [REDACTED], three male white, plainclothes police officers in an unmarked vehicle bearing Illinois plate M152709, stopped and searched her vehicle without justification, as well as herself, her purse, and her passenger. DONEGAN's report further reflected that [REDACTED] alleged one of the officers was verbally abusive towards her and told her to take off her shirt, while the other two officers opened [REDACTED]'s pants and were verbally abusive towards him.

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Motor Maintenance Division records revealed that license plate M152709 was assigned to vehicle #3840, a 2005 Chevrolet Impala, of the 9th District. Consequently, 9th District Attendance and Assignment Records for 19 January 2006, reflected that Tactical Police Officers Timothy HAYES, #7308, John DOWLING, #19486, and Douglas HARTZ, #11757, used vehicle #3840 as Beat 962E from 1700 to 0130 hours.

On 23 January 2006, complainant [REDACTED] appeared at the Internal Affairs Division to sign the required Sworn Affidavit and provide a formal statement. [REDACTED] stated that after exiting Interstate 90/94, she was driving her vehicle eastbound on 47th Street with a passenger named [REDACTED] when an unmarked car with flashing blue lights pulled her over. She stated that two white males exited the unmarked car and ran to both sides of her vehicle and opened the doors. The third male white (HARTZ) stood behind her vehicle and watched. She stated that the male who communicated with her (HAYES) called her a cunt, grabbed her top and told her to take it off. She stated that she took off her suit jacket so she had on a bra and a tank top, but she was not searched. She further stated that one of the other accused males (DOWLING) was physically aggressive with her passenger in that he grabbed her passenger's shirt and took things from his pockets. [REDACTED] stated that the accused (DOWLING) unbuckled the passenger's pants and searched down his pants.

[REDACTED] related that as she and her passenger stood at the back of her vehicle, the accused (HAYES and DOWLING) searched her vehicle, her purse, and her passenger's bag. [REDACTED] alleged that the male whites did not tell her why she was stopped, nor did they identify themselves as police officers. She stated that when her passenger asked them for their badge numbers, the accused said meet them at 51st Street and they would give them the information. [REDACTED] stated that the accused then left the scene. [REDACTED] stated she memorized the plate number on the unmarked car was M152709. She also stated that she did not see any of the accused complete a card for stopping her.

[REDACTED] viewed Department photographs of male, white officers assigned to 9th District Tactical teams and third watch. She positively identified Officer Timothy HAYES as the male who verbally abused her and told her to remove her jacket. However, she could not identify the two other officers.

Complainant [REDACTED] appeared at the Internal Affairs on 25 January 2006, to sign a Sworn Affidavit, make a formal statement, and submit his letter wherein he described the alleged incident. [REDACTED] stated that he and [REDACTED] had just left a hockey game. He stated that they exited the expressway at 47th Street and traveled eastbound for about two blocks when he saw the police car with three men inside. He stated that the driver (HAYES) of the police vehicle gave him an unusual look. He stated that [REDACTED] immediately pulled over and all three of the officers rushed to [REDACTED] vehicle as one of them yelled, "When you see a police car you should stop right away."

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Immediately prior to his interview, [REDACTED] viewed Department photographs and identified Officer John DOWLING as the accused who aggressively pulled him from the vehicle, struck him in his face with his forearm three or four times, and searched him around his waist and groin area. [REDACTED] stated that DOWLING unzipped his pants and felt around his waist inside his pants, but he [REDACTED] did not feel abused because it was scanning.

[REDACTED] stated that he heard one of the officers (HAYES) call [REDACTED] a cunt and [REDACTED] had her hands on the trunk of the car with her jacket off. He stated that the other two accused were searching [REDACTED] car and purse, as well as his bag. He stated that when the officers learned that [REDACTED] car was clean, they bolted back to their car and left without giving any explanation as to why he and [REDACTED] were stopped. [REDACTED] alleged that he asked the driver (HAYES) for identification and the accused said meet him at 51st Street at Wentworth. [REDACTED] stated that each of the officers had radios and he believed it was DOWLING who ran [REDACTED] license plate, but he did not see either of the accused write anything. [REDACTED] reported that he knew the plate number of the police vehicle because the incident lasted about ten minutes.

Copies of the Office of Emergency Management and Communications' (Personal Data Terminal) PDT messages for Beat 962E on 19 January 2006, reflect that a LEADS inquiry of the complainant's license plate (number [REDACTED]) was conducted at approximately 2222 hours. A search for Contact Card Information via the Department's CLEAR system for the names of [REDACTED] yielded negative results.

Formal statements were obtained from each accused. Police Officer Timothy HAYES stated that on 19 January 2006, he and his partners, DOWLING and HARTZ, were on narcotic surveillance in the [REDACTED]. He stated that he observed the driver of the vehicle in question roll down the window then a male black approached that vehicle, leaned down and appeared to make a hand to hand narcotic transaction. He stated that he identified himself as the police and asked [REDACTED] for her drivers license and proof of insurance. He stated that when he approached [REDACTED] vehicle, he told her that he observed her stop in the middle of [REDACTED] and observed what appeared to be a narcotic transaction. He stated that [REDACTED] told him that she had just come from a hockey game and was asking the male black that approached her car for directions. HAYES denied that he had [REDACTED] exit her car and remove her jacket, nor did he call her a cunt. He further denied that he searched [REDACTED] vehicle, her personal handbag and [REDACTED] bag. Officer HAYES stated that he completed a contact card for the stop and placed it in the 9th District bin at check off time. When queried as to why he did not search for proceeds of what he suspected to be a narcotic transaction, HAYES stated that after talking to the driver who produced a valid license and insurance, it was his discretion that she was only asking for directions.

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Police Officer John DOWLING also stated that he, HAYES and HARTZ were on surveillance on Princeton Avenue when [REDACTED] pulled her vehicle over and they observed a male black approach the driver's side. He too stated that [REDACTED] rolled down her window and he believed a drug transaction occurred. DOWLING stated that he did not speak to [REDACTED] during the stop in that it was Officer HAYES who identified themselves as police officers, and explained the reason for the stop. DOWLING stated that he and HARTZ acted as guard officers. He denied that he pulled [REDACTED] from the vehicle and struck him with his forearm. He denied that he unbuckled [REDACTED] belt and further denied that he searched [REDACTED], the vehicle or any bags. Officer DOWLING denied using profanities. DOWLING stated that it was Officer HAYES who completed a contact card for the stop, and he (DOWLING) has no explanation as to why a card was not found in the Department's database.

Police Officer HARTZ reiterated his partners' statements. He stated that a male approached the complainant's vehicle and there appeared to be a narcotic transaction. He stated that only Officer HAYES spoke to [REDACTED] and no one spoke with [REDACTED]. Officer HARTZ stated that he stayed at the rear right of the vehicle and did not speak at all. He stated that the complainants did not ask him to identify himself even though his badge was visibly attached to his vest. HARTZ reported that the business officer, (HAYES) completed the contact card.

In summary, complainants [REDACTED] alleged that their vehicle was unjustifiably stopped and searched by Officers HAYES, DOWLING, and HARTZ on 19 January 2006. The accused admitted that they stopped the complainants' vehicle and indicated that probable cause existed to do so. The accused denied that they searched complainant [REDACTED] the vehicle, or any personal bags because there was no need to search for narcotics after [REDACTED] allegedly explained to Officer HAYES that she was lost and only asked the male black for directions. The accused denied that the complainants exited the vehicle and denied that [REDACTED] was forcefully removed from the vehicle. Additionally, Officer DOWLING denied that he struck [REDACTED] in the face with his forearm.

Complainants [REDACTED] asserted that the accused were verbally abusive and failed to identify themselves when requested to do so. Officers HAYES and DOWLING denied that they were verbally abusive or profane. Officer HAYES denied that he told the complainants to proceed to 51st and Wentworth to learn their identities. Officers DOWLING and HARTZ stated that the complainants never asked them to identify themselves, adding they (accused) did not speak during the stop. This investigation has no independent witnesses or tangible evidence to prove or disprove allegations of an unjustified traffic stop, improper searches, verbal abuse, nor unwarranted physical contact.

Regarding the allegation that they failed to generate a contact information card, the officers created a documentation of the traffic stop when they ran the plate through LEADS. All three officers stated that a contact card was filled out and turned into the 9th District. Although there is no record of the contact card being submitted, it is possible that the contact information card was misplaced and not processed by other Department personnel. As such the allegation is not sustained.

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Based on the investigative file, the following findings are recommended.

3.

FINDINGS

Accused #1. Police Officer Timothy HAYES, #7308

Allegation 1. Not sustained.
Allegation 2. Not sustained.
Allegation 3. Not sustained.
Allegation 4. Not sustained.
Allegation 5. Not sustained.
Allegation 6. Not sustained.

Accused #2. Police Officer John DOWLING, #19486

Allegation 1. Not sustained.
Allegation 2. Not sustained.
Allegation 3. Not sustained.
Allegation 4. Not sustained.
Allegation 5. Not sustained.
Allegation 6. Not sustained.
Allegation 7. Not sustained.
Allegation 8. Not sustained.

Accused #3. Police Officer Douglas HARTZ, #11757

Allegation 1. Not sustained.
Allegation 2. Not sustained.
Allegation 3. Not sustained.

RECOMMENDATIONS

Accused #1. **Police Officer Timothy HAYES, #7308**
No disciplinary action warranted.

Accused #2. **Police Officer John DOWLING, #19486**
No disciplinary action warranted.

Accused #3. **Police Officer Douglas HARTZ, #11757**
No disciplinary action warranted.

COMPLAINT AGAINST DEPARTMENT MEMBER
CHICAGO POLICE DEPARTMENT

INITIAL COMPLAINT CATEGORY C.R. NO.

03B

310739

TO COMMANDING OFFICER INVESTIGATING UNIT

UNIT

MANNER COMPLAINT RECEIVED

INTERNAL AFFAIRS DIVISION -- SIS

121 -- SIS

☐ BELL ☒ PAX ☐ LETTER ☐ INTERPERSON

RECEIVED FROM COMPLAINANT BY-NAME

RANK

STAR/EMPL. NO.

UNIT NO.

DAY OF WK

DATE

TIME

FONEGAN, T.

SGT

1764

002

FRI

20 JAN 06

1:45

REGISTERED WITH O.P.S. BY-NAME

RANK

STAR/EMPL. NO.

UNIT NO.

DAY OF WK

DATE

TIME

P.O. FLORES, I. #15344 UNTI 141/SPRINGFIELD, A.

I/A

[REDACTED]

113

[REDACTED]

SAME

7:51

NAME

RANK

STAR NO.

UNIT NO.

SOCIAL SECURITY NO.

DUTY STATUS

1.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

2.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

3.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

4.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

5.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

6.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

7.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

8.

[REDACTED]

[REDACTED]

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[REDACTED]

☐ ON ☐ OFF

9.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

10.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

11.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

12.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

13.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

14.

[REDACTED]

[REDACTED]

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[REDACTED]

☐ ON ☐ OFF

15.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

16.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

17.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

18.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

19.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

20.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

21.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

22.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

23.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

24.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

25.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

26.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

27.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

28.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

29.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

30.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

31.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

32.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

33.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

34.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

35.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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36.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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37.

[REDACTED]

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38.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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39.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

40.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

41.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

42.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

☐ ON ☐ OFF

**Complaint Register Investigation Conflict Certification
Chicago Police Department**

CR#: 310739

I hereby certify that to the best of my knowledge, neither I, nor my spouse or domestic partner, my parent, my sibling or my child (hereinafter my household or immediate family), has a personal, professional or financial relationship with the victim(s), complainant(s), accused department member(s), witness department member(s), or civilian witness(es).

I further certify that to the best of my knowledge, the resolution of the matter under investigation will not positively or negatively affect my financial interests or the financial interest of any member of my household or immediate family.

I acknowledge that I must disclose to the Assistant Deputy Superintendent, Internal Affairs Division or the Chief Administrator, Office of Professional Standards, in writing, the acquisition of any financial interest or the development or the discovery of any personal interest that would directly affect my ability to conduct an impartial objective investigation and render unbiased decisions concerning the matter under investigation.

I acknowledge that I must disclose to the Assistant Deputy Superintendent, Internal Affairs Division or the Chief Administrator, Office of Professional Standards, in writing, the discovery that a member of my household or immediate family has a personal, professional or financial relationship with the victim(s), complainant(s), accused department member(s), witness department member(s), or civilian witness(es) or if a member of my household or immediate family will be positively or negatively affected by the resolution of the matter under investigation.



Signature

Gwendolyn HARRIS
Investigator

1/23/06
Date



Signature

Lieutenant Susan E. CLARK, #320
Supervisor

12 APR 06
Date

SIS

6/12

Unit 002
Wentworth District

20 January 2006

TO: Superintendent of Police
ATTN: Office of Professional Standards

FROM: Sergeant Thomas Donegan #1764

SUBJECT: Complaint Register Investigation Initiation #310739

C. R. Initiation
Report To Be
Included in
Investigator's File

This report is being submitted to initiate the above Complaint Register investigation.

Allegation: Verbal Abuse, Illegal Search, Conduct Unbecoming

Complainant:

[REDACTED]
F/6/24 DOB: [REDACTED] 1981

[REDACTED]
Phone [REDACTED] (Cell)
[REDACTED] (Home)

[REDACTED]
M/2/27

Phone: [REDACTED]

Accused Officers: 3 M/2 Unknown Officers in an unmarked vehicle with Illinois License Plate # M152709

Date of Complaint: 20 January 2006 0120 hrs.

Date of Incident: 19 January 2006 2220-2235 hrs. (Approximate)

Address of Incident: [REDACTED] (Approximate)

History of Complaint: The complainant related that she was driving her vehicle with her male passenger when she was pulled over. The officers exited their vehicle and ordered the complainants from their vehicle. One of the officers allegedly was verbally abusive to complainant [REDACTED] told her to take her shirt off, and searched her vehicle and purse for no reason. [REDACTED] related that two other officers searched complainant [REDACTED] by opening his pants and searching them and were verbally abusive toward him.

C. R. #

ATTACHMENT #

310739

2

1/2

Notifications:

002nd District Watch Commander: Captain Fluder #55
Operations Command: Flores #15344

0120 hrs.
0145 hrs.

 1764
Sergeant Thomas Donegan #1764

 55

C. R. # 310739
ATTACHMENT # 2 1/2

SWORN AFFIDAVIT FOR COMPLAINT REGISTER INVESTIGATION
CHICAGO POLICE DEPARTMENT

STATE OF ILLINOIS)
COUNTY OF COOK) CC

| | | |
|------------------------------------|---------------------|--------------------|
| Location of Incident [REDACTED] | Date 19 Jan 2006 | Time 2220 hours |
|------------------------------------|---------------------|--------------------|

I, [REDACTED] hereby state as follows:

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, I certify that the allegations set forth in my complaint are true and correct, except as to any matters therein stated to be on information and belief and as to such matters, I certify as aforementioned that I verily believe the same to be true.

[REDACTED]

Print Complainant's Name

GWENDOLYN HARRIS

Print Witness's Name

[REDACTED]

Complainant's Signature

[REDACTED]

Witness's Signature

1/23/06

Date

23 JAN 06

Date

SWORN AFFIDAVIT FOR COMPLAINT REGISTER INVESTIGATION
CHICAGO POLICE DEPARTMENT

STATE OF ILLINOIS)
COUNTY OF COOK) CC

| | | |
|------------------------------------|-------------------|--------------|
| Location of Incident [REDACTED] | Date 19 Jan 06 | Time 2220 |
|------------------------------------|-------------------|--------------|

I, [REDACTED] hereby state as follows:

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, I certify that the allegations set forth in my complaint are true and correct, except as to any matters therein stated to be on information and belief and as to such matters, I certify as aforementioned that I verily believe the same to be true.

[REDACTED]

Print Complainant's Name

[REDACTED]

Complainant's Signature

1-25-06

Date

Gwendolyn HARRIS

Print Witness's Name

[REDACTED]

Witness's Signature

25 JAN 06

Date

Internal Affairs Division
Special Investigations Section

23 Jan 06
CR# 310739

TO: Commanding Officer
Special Investigations Section
Internal Affairs Division

FROM: Police Agent Gwendolyn HARRIS, #7938
Special Investigations Section
Internal Affairs Division

SUBJECT: Identification of Accused

ALLEGATION: It is alleged by [REDACTED] F/6/24/ that on 19 Jan 06 at approximately 2220 hours, at [REDACTED] three unknown male white plain clothes officers in an unmarked vehicle, license plate M152709, stopped and searched her and a male passenger named [REDACTED] and her vehicle without justification. The complainant alleges that one of the officers was verbally abusive towards them.

After receipt of this complaint on 23 January 2006, the undersigned telephoned Motor Maintenance Division and requested Civilian Ruby DONAHUE to conduct a computer inquiry of license plate M152709. DONAHUE reported that said plate was assigned to vehicle #3840, a 2005 Chevrolet Impala, gray in color, which is assigned to the 009th District.

On 23 January 2006 at approximately 1200 hours, with the assistance of Agent Leatheia BRADY-RHODES, # 8780, Unit 121, complainant [REDACTED] viewed Department photographs of male, white officers assigned to 009 tactical teams and third watch. Complainant [REDACTED] positively identified Police Officer Timothy HAYES, #7308, as the male officer who approached her side of her vehicle, verbally abused her and told her to take off her jacket. [REDACTED] could not identify the two other officers she alleged were on the scene.

Unit 009 Attendance & Assignment Records for 19 January 2006, (tactical watch) indicate that vehicle #3840 was used from 1700 to 0130 hours by Police Officers John DOWLING, # 19486, Douglas HARTZ, #11757, and Timothy HAYES, #7308.

[REDACTED] 7938
Agent Gwendolyn HARRIS, #7938

APPROVED:

[REDACTED] 4/11/06
Supervising Sergeant
Special Investigations Section
Internal Affairs Division

[REDACTED]
Lieutenant Susan E. CLARK, #320
Commanding Officer
Special Investigations Section
Internal Affairs Division

C. R. # 310739
ATTACHMENT # 4

1/4

| Attribute | Value |
|----------------|---------|
| SSN: | |
| Last Name: | HAYES |
| First Name: | TIMOTHY |
| Middle Name: | J |
| Working Dist.: | 009 |
| Dist. Res.: | 022 |
| Watch: | 4 |
| Race: | X |
| Weight: | 195 |
| Height: | 510 |
| Sex: | M |

C. R. # 310739
ATTACHMENT # 4 $\frac{2}{4}$

color: GRAY

310739
C. R. # 4
ATTACHMENT # 3/4

009 DISTRICT 009
3501 S LOWE

PAYROLL
NO. 1180

DATE 19 JAN 06

PAGE 21

[illegible]

75A-SUSPENSION OPTION WORKING REGULAR P.D.
76-EXCUSED FROM DUTY W/O PAY (AS ORDERED)
77-EXCUSED FROM DUTY W/O PAY (INCL. SUMMA
78-SUMMARY PUNISHMENT W/O PAY (WORKING IN
79-ABSENT WITHOUT PERMISSION W/O PAY

80-DAY OFF
81-DAY OFF COMP. TIME
82-ANNUAL VACATION
83-SICKNESS INJURED NOT
84-INJURED ON DUTY

85-SICKNESS IN FAMILY (SWORN MEMBERS C
86-DEATH IN FAMILY
87-MILITARY LEAVE
88-JURY DUTY
89-EXCUSED FROM DUTY NON DISCIPLINARY
90-BABY BIRTH (CHILD DAV

ANNUAL DAY
ED W/O PAY-NO SUPV APPROVAL
AGE LEAVE
OFF HOLIDAY WITH PAY

TERMINATION
CODES

SIGNATURE OF WATCH COMMANDER OR UNIT HEAD

CPD-11.505 (REV. 6/191)

G. H. # 4 4/4

Internal Affairs Division
Special Investigations Section

06 Feb 06
CR# 310739

TO: Commanding Officer
Special Investigations Section
Internal Affairs Division

FROM: Police Agent Gwendolyn HARRIS, #7938
Special Investigations Section
Internal Affairs Division

SUBJECT: License Plate for complainant [REDACTED]

ALLEGATION: It is alleged by [REDACTED] that on 19 Jan 06 at 2220 hours at [REDACTED], three unknown male white plainclothes officers in an unmarked vehicle, license plate M152709 stopped and searched her and a male passenger named [REDACTED] and her vehicle without justification. The complainant alleges that one of the officers was verbally abusive towards them.

On 23 January 2006, at approximately 1430 hours, complainant [REDACTED] telephoned the undersigned and indicated that the license plate number to her vehicle was [REDACTED]

Additionally, the undersigned asked [REDACTED] to clarify her clothing that was removed during the alleged traffic stop. [REDACTED] stated that she took off her jacket. She further stated that her tank top was not removed or raised at any time.

[REDACTED] 7938
Agent Gwendolyn HARRIS, #7938

APPROVED:

[REDACTED] #1491
Supervising Sergeant
Special Investigations Section
Internal Affairs Division

[REDACTED]
Lieutenant Susan E. CLARK, #320
Commanding Officer
Special Investigations Section
Internal Affairs Division

C. R. # 310 739
ATTACHMENT # 5 1/2

Internal Affairs Division
Special Investigations Section

Statement of civilian complainant [REDACTED] relative to the following allegation(s):

The complainant [REDACTED] alleges that on 19 Jan 06 at 2220 hours at [REDACTED] three unknown male white plainclothes officers in an unmarked vehicle, license plate #M152709, stopped and searched her and a male passenger named [REDACTED] and her vehicle without justification. The complainant alleges that one of the officers was verbally abusive towards them.

Statement taken at: Room 5041, Internal Affairs Division, 3510 S Michigan, Chicago, Illinois, 60605.

Questioned and typed by Agent Gwendolyn HARRIS, #7938, Unit 121.

Date: 23 January 2006, 1110 hours

Witness: _____
C.R. #310739

HARRIS: What is your name and date of birth?

Complainant: [REDACTED] 1981.

HARRIS: What is your address and phone number?

[REDACTED] My permanent address is [REDACTED]
[REDACTED] cell number.

HARRIS: What happened to you on 19 January 2006?

[REDACTED] I was driving down 47th Street after exiting 90-94, going east. There was an unmarked car following my vehicle very slowly for maybe a minute. Then, flashing blue lights came from the car for about 3 seconds and I pulled over to the right side of the road. Two white males got out of the car and ran to both of the sides of my vehicle and opened our doors. One officer was verbally abusive and he grabbed my top and told me to take it off. He was swearing at me and the other male was aggressively physical with my passenger grabbing his shirt and taking things out of his pockets, telling him to put his hands on the roof of my car. The white male told me to stand behind my vehicle and put both of my hands on top of the back of the car. I asked him repeatedly why I was pulled over and he did not tell me. They did not identify themselves as police officers. They kept on swearing and were verbally abusive and questioned me, why I was there, my name, where I lived. Then the white male approached my passenger and grabbed his belt buckle, unbuckled his belt and started searching down his pants. They did not explain what they were looking for. He then told my passenger to go to the back of the car and put his hands on the vehicle next to me. They

began to search my vehicle, my trash, glove box, purse, and the passenger's bag.

One of the white males told me to put my top back on and they were communicating with a cell phone to call in my last name, vehicle license plate number and the whole process happened for about ten minutes. Then one of the officers said, Are these kids free to go, and one of the white males said, Yeah they can go and as they were walking to their vehicle, my passenger asked for their badge numbers and they said meet us at the station at 51st Street and we'll give it to. Then all three males got in their car and left.

HARRIS: You stated that one told you to take off your top. What were you wearing?

I was wearing a bra and black tank top and a vested gray buttoned down suit jacket.

HARRIS: What did you take off?

The suit jacket so I had on a bra and a tank top.

HARRIS: Did you take the jacket off yourself?

He grabbed the jacket and said take it off. I took it off.

HARRIS: Were you searched physically, if yes, explain,

No, I was not.

HARRIS: Who was your passenger, provide name address and phone number.

I have a contact number, his first name is I don't know his last name.

HARRIS: How was one of officers physically aggressive with your passenger,

When stepped out of the vehicle, he pinned him to the door grabbed his jacket and started going through his pockets. Later he took belt buckle, unbuckled it and searched down his pants.

HARRIS: What specifically did the officers say that was abusive.

He said when he opened the door, Get out you stupid cunt. I said what did I do, and he just kept swearing at me.

HARRIS: Was anything abusive said to IF yes, what.

I can't recall anything specifically.

HARRIS: Were there three officers or two?

Three. One was handling the car and communicating to me, one was physically, aggressive with [REDACTED] and one was behind the vehicle just standing there watching.

HARRIS: Describe your vehicle, make model color and plates.

It's a Nissan Centra, gold, 2001, I don't know the plates it's registered under my [REDACTED]

HARRIS: What is your [REDACTED]

[REDACTED] the same home address.

HARRIS: Was anything found in your vehicle?

No.

HARRIS: Was any damage to your car?

No.

HARRIS: Did you hear what information was exchanged over the police radio about your car?

There was no police radio, we realized it was a cell phone.

HARRIS: Describe the officers, starting with the one who approached you. Provide an age, height, hair color, anything that stood out to you.

I would say white males, ranging mid 30 to late 30's. They all had dark brown hair, probably between 5 11 and 6 feet. There was nothing really specific about the one who approached me. He weighed maybe 190 pounds, 5'11. They were wearing jeans, black tops with black bullet proof vests, no visible badges.

HARRIS: What was the color of the car they were in.

It was navy blue. Unmarked car, no siren but just flashing blue lights.

HARRIS: What was the plate on the car.

M152709.

HARRIS: Do you remember what make and model?

No, I can't. The third officer behind my car was just watching I

don't recall if he had a gun, but the other two did.

HARRIS: At any time, did one of the officers draw his weapon?

[REDACTED] No.

HARRIS: Did you go to 51st Street, If yes, what happened there?

[REDACTED] Yes I did, I arrived at 51st Street, I dropped [REDACTED] off at [REDACTED] and then when to 51 Street around 1215 am. I gave a verbal report to Sergeant DONEGAN. He took the verbal report until about 0145 and referred me to Internal Affairs and the Office of Professional Services and said he was not able to verify that those were his men because that would mean he was investigating a case. I explained that I was there because they told us to come to the station at 51st Street and their badge numbers would be given to us. But he was not able to verify that those men were his staff.

HARRIS: Why did you take [REDACTED] them drive to the station almost 2 hours after the incident.

[REDACTED] Because [REDACTED] and I were shaken up and needed time to talk about it. [REDACTED] was intimidated and just wanted to go home. I spoke to some [REDACTED] to calm down. I don't think I was in a state to go to the police station right away. After I calmed down I went.

HARRIS: Who were the friends that you spoke with?

[REDACTED] I spoke to [REDACTED]
[REDACTED]

HARRIS: Give me contact numbers for your witnesses.

[REDACTED] I don't have his number we don't have a land line.
[REDACTED]

HARRIS: Did you see any of the officers complete a card or report for stopping you?

[REDACTED] No.

HARRIS: Is there anything that you wish to add to this statement?

[REDACTED] No.

HARRIS: After reading this statement consisting of 4 pages and finding that it contains the responses you have given, will you sign it?

[REDACTED] Yes.

Statement terminated 1150 Hours.

After the review of this statement, the following information/questions is/are to be answered/added.

Statement resumed; 1300 hours,

HARRIS: Are all three of the officers male white?

[REDACTED] Yes, all three were white males.

HARRIS: How do you know the license plate number?

[REDACTED] When I was told to stand in the back of car with hands on the vehicles I looked at it several times and memorized it.

HARRIS: When did you write the plate number down?

[REDACTED] Immediately after they left.

HARRIS: Is anything missing from your car or purse?

[REDACTED] Not to my knowledge, no.

HARRIS: After reading this statement and finding the responses you have given, will you sign it?

[REDACTED]

TIME terminated, 1303 hours.

After complainant [REDACTED] read this statement, the following will asked/ added for clarification.

1305 hours.

[REDACTED]; On page one. Three white males got out of the car. Two approached my vehicle. One ran to the driver's side, the other to the passenger, and the third remained behind my vehicle.

HARRIS: At anytime during the stop, did you hear what you believed to be a police radio,

[REDACTED] No.

1315 hours

[REDACTED]

[REDACTED]

Police Agent Gwendolyn HARRIS, #7938
Special Investigations Section
Internal Affairs Division

[REDACTED]

Internal Affairs Division
Special Investigations Section

Statement of complainant [REDACTED] relative to the following allegation(s):

The complainant, [REDACTED] alleges that on 19 January 2006 at approximately 2220 hours, at [REDACTED] three unknown male white plainclothes officers in an unmarked vehicle, license plate M152709, stopped the vehicle driven by [REDACTED] (F/6/24), searched him, [REDACTED] and her vehicle without justification.

Statement taken at: Room 5041, Internal Affairs Division, 3510 S Michigan, Chicago, Illinois, 60605.

Questioned and typed by Agent Gwendolyn HARRIS, #7938, Unit 121.

Date: 25 January 2006, 1840 hours

Witness:

C.R. #310739

HARRIS: What is your name and date of birth?

Complainant: [REDACTED] 1975.

HARRIS: What is your address and phone number?

HARRIS: What happened to you 19 Jan 06 at approximately 2220 hours?

[REDACTED] We just got off the expressway at 47th Street, there's a bridge there where I saw the police car. I saw the cruiser, the 3 guys were in. I thought the driver gave me an unusual look. [REDACTED] immediately pulled over and all 3 rushed to the doors. The officer I identified pulled me out really forcefully, hitting me with his forearm and yelled "When you see a police car you should stop right away". The one I identified ordered me to empty my pockets in my jacket and pants. He patted me on the outside thoroughly then pulled me up to the sidewalk made me unzip my pants and belt and started feeling around my groin area. I was wondering what he was looking for and it made me very nervous. While this was going on they yelled at [REDACTED] made her get out of the car and I heard one of them call her the "C" word. She had her hands on the truck of the car standing there with her jacket off. The other two were looking through the car and one was on his radio trying to run the car through the police systems. He looked at my license, but I don't know if he called it in. I'm pretty sure that all 3 of them looked through the car, [REDACTED] purse, my bag. They offered no explanation for stopping us. I think this took about ten minutes.

When they got back theat the car was clean, they immediately bolted back to their car and left us amazingly fast. I asked the one driving for some identification and he said meet him at 51st Street at Wentworth.

HARRIS: Who is [REDACTED]

[REDACTED] [REDACTED] It was her car, we were on our way back from a hockey game.

HARRIS: What other name does [REDACTED] use?

HARRIS: How many times did the officer that you identified hit you with his forearm?

[REDACTED] Probably three or four times.

HARRIS: Were you injured?

[REDACTED] No.

HARRIS: Did you unzip your pants or did the officer?

[REDACTED] He did. Then after the search, he told me to zip them back up.

HARRIS: What do you mean that he searched down your pants?

[REDACTED] He unbuttoned them and felt just around the waist, I didn't feel abused, it was just lightly scanning.

HARRIS: Were the officer's hands inside/outside your pants? Explain.

[REDACTED] Inside.

HARRIS: Explain how the officers were abusive?

[REDACTED] The one identified was the most aggressive. From the beginning I was pulled out of the car and struck by the forearm several times. They were rough in patting me down and twisting me around, pulled me on the side walk. I was extremely scared that he was going to take me away or off 47th Street.

HARRIS: What did the officers say to you and [REDACTED] when they approached her car?

[REDACTED] Yelled to get out the car. From there they seemed furious for some reason thinking that we did not stop right away. We pulled over as soon as we saw the lights. He asked me when was the last time I was locked up and asked me if I was from the suburbs. I told him, no I live on the northside.

HARRIS: What do you mean they called your friend a C word

[REDACTED]: I heard the one by [REDACTED] say what are you doing you cunt.

HARRIS: Which officer was using his cell phone during the stop?

[REDACTED] It wasn't a cell phone it was police radio. The one abusive to me

as I remember is the one who ran [REDACTED] license plate number. They each had radios. Even though they did not identify themselves it was obvious they were police because of their bullet proof vests and guns. One had his shield on his belt.

HARRIS: Why didn't you go the police station with [REDACTED] when she filed this complaint?

[REDACTED]: I wish I had, looking back. She gave me a ride. I live on the opposite end of the city and it was like 1030. I figured she would not get done with everything until one and it turns out it was after two.

HARRIS: Is your personal property taken or missing? If yes, what?

[REDACTED]: No.

HARRIS: Did you see or observe one of the officers writing anything? What?

[REDACTED]: Nothing.

HARRIS: Was any of [REDACTED] clothing removed? If yes, what.

[REDACTED]: Yes. They made her take off her jacket. When I saw her outside the car with her hands on the trunk her jacket was off.

HARRIS: Who removed her jacket?

[REDACTED]: I don't know. She described it to me that she was told to take it off. That must have happened when my back was turned.

HARRIS: What was the color, make, of the police vehicle?

[REDACTED]: White or blue. I assumed it was one of those Chevy Caprice that you see tactical officers in.

HARRIS: How do you know that plate number of the police vehicle?

[REDACTED]: There were a few minutes that went by while they were searching us and I remember seeing it.

HARRIS: Did one of the officers tell you why you were stopped?

[REDACTED]: No explanation whatsoever.

HARRIS: Is there anything that you wish to add to this statement?

[REDACTED]: Well, the main thing, as rough as the whole thing was egregious and abusive I can look on it a lot different if any explanation had been given. They were obviously looking for something specific. I was wandering if one of us fit a description for three specialized police officers to act like that. And I thought they were looking

for something because they thoroughly looked through the car, at least twice.

HARRIS: What is the color and make of your [REDACTED] car?

[REDACTED] Nissan, it's like beige or off white.

HARRIS: About how many minutes or blocks had you been off of the expressway before you were stopped.

[REDACTED] We had just gotten on 47th Street from the expressway, maybe two blocks. We were both driving eastbound. I believe they were in front of us we approached the light. [REDACTED] said the block that we had stopped on was technically University of Chicago property.

HARRIS: After reading this statement consisting of 4 pages and finding that it contains the responses you have given, will you sign it?

[REDACTED] N: Yes.

Statement terminated 1930 Hours.

[REDACTED] 7938
Police Agent Gwendolyn HARRIS, #7938
Special Investigations Section
Internal Affairs Division

After the review of this statement, the following information/questions is/are to be answered/added.

Internal Affairs Division
Special Investigations Section

26 Jan 06
CR# 310739

TO: Commanding Officer
Special Investigations Section
Internal Affairs Division

FROM: Police Agent Gwendolyn HARRIS, #7938
Special Investigations Section
Internal Affairs Division

SUBJECT: Identification of Accused by Complainant [REDACTED]

ALLEGATION: It is alleged by [REDACTED], F/6/24/ that on 19 Jan 06 at approximately 2220 hours, at [REDACTED], three unknown male white plain clothes officers in an unmarked vehicle, license plate M152709, stopped and searched her and a male passenger named [REDACTED] and her vehicle without justification. The complainant alleges that one of the officers was verbally abusive towards them.

On 25 January 2006, at approximately 1800 hours, complainant [REDACTED] appeared at the Internal Affairs Division for an interview. With the assistance of Sergeant Ronald MARTIN, #1193, Unit 121, complainant [REDACTED] viewed Department photographs of male, white officers assigned to District 009 tactical teams. [REDACTED] positively identified Officer John DOWLING, #19486, as the accused member who aggressively pulled him from his vehicle, struck him three times with his (DOWLING) forearm, then searched him around the waist and groin. Complainant [REDACTED] could not identify the two other officers allegedly on the scene.

Attached is complainant [REDACTED] written report that he submitted to the undersigned. [REDACTED] detailed his experience of the alleged traffic stop on 19 January 2006.

Unit 009 Attendance & Assignment Records for 19 January 2006, (tactical watch) indicate that Police Officers John DOWLING, # 19486, was on duty from 1700 to 0130 hours, and assigned to unmarked vehicle #3840, license plate M152709.

[REDACTED] 7938
Agent Gwendolyn HARRIS, #7938

APPROVED: [REDACTED]

[REDACTED] #1491
Supervising Sergeant
Special Investigations Section
Internal Affairs Division

[REDACTED]
Lieutenant Susan E. CLARK, #320
Commanding Officer
Special Investigations Section
Internal Affairs Division

C. R. # 310739
ATTACHMENT # 8 1/4

It is with great regret that I am forced to write this letter. As a Chicagoan I have spent more time defending the CPD than I would guess just about anyone. I believe that they do a terrific job keeping me, my family, and by and large the city of Chicago safe. However, the incident occurring on the night of January 19 is one that is so egregious and abusive that I can not sit still without reporting it in detail.

On the said night I was traveling, as a passenger in the car of my [REDACTED] (who has already provided her own statement and complaint) on 47th Street just passed the Dan Ryan Expressway when I noticed a sedan, license plate number M152709, being driven by a middle aged gentleman with some other people in the car, who I mistakenly thought were his family. I thought that the drive gave me a strange look but thought nothing of it until about a block later when we saw the lights of their cruiser flash. We immediately pulled over and three middle aged men, jumped out of their car and ran up to both mine and the driver's door.

I was pulled from the car and immediately started getting physically abused (at least to or three forearm jabs to the face) by one of the men who, while yelling at me and using profanity, never offered any explanation for stopping us or even identified himself as a police officer. I was continually berated and told to empty all of the pockets of my pants and jacket, which I promptly did.

The officer then took my ID and I was then fully patted down, all the way to my socks before being shoved on the sidewalk, where the officer took off my belt, unzipped and opened my pants and started feeling around my groin. I can attest to you that this was the most humiliating experience of my life. Again I can not stress enough times that I was never informed of any reason for either the stop or the searches.

As all this was going on [REDACTED] was also forced from the car, told to remove her jacket, and, forced to stand in the back of the car with her hands on the trunk. As I was pulled from the vehicle I heard one of the men call her a cunt among other verbal abuses. We also were forced to watch as they searched [REDACTED] car and purse repeatedly. As I was never worried that they would find anything I became more and more furious while at the same time worrying greatly about the safety of [REDACTED] and myself, however I can tell you that I was very worried not only about our safety but our very lives.

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When the officers, again having never identified themselves, realized that both of us had nothing in our past that would suggest anything criminal, and that there was nothing suggesting illegal activity on our person or in the vehicle, they immediately bolted toward their car again offering absolutely no explanation let alone an apology. I immediately asked for each of their ID numbers and the name of their superior officer at which time I was told to come to an address on 51st ST and the men then sped off as quickly as they had arrived. I can only describe these men as three white, dark haired men in their late thirty's or early forty's. They were each wearing jeans and dark jackets, armed with pistols and carrying police radios.

This incident is one that I find so sickening that I'm sure parts of this letter are shocking and horrific for you to read. I should only hope that you will then realize how rough it was when we were forced to go through this.



1-25-06

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| SSN | Last Name | First Name | Middle Name | Emp No | Star No | DOB |
|------------|-----------|------------|-------------|------------|------------------|-----------------|
| Height | Weight | race | sex | Watch | Working District | District Reside |
| [REDACTED] | DOWLING | John | J | [REDACTED] | 19486 | [REDACTED] 1958 |
| 511 | 195 | X | M | 4 | 009 | 008 |



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OFFICE OF EMERGENCY MANAGEMENT & COMMUNICATIONS
PDT MESSAGES

From: 19-JAN-2006 17:00:00 to 20-JAN-2006 01:59:59

Page: 1

PDTs: MDTP0519

Units: 962E

Persid: [REDACTED]

Msgnumber [REDACTED]

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| 19-JAN-2006 18:29:13 | MDTP0519 | RECEIVED | | | HOTDESK |
| 19-JAN-2006 18:29:15 | MDTP0519 | RECEIVED | | | HOTDESK |
| 19-JAN-2006 18:29:19 | MDTP0519 | RECEIVED | | | HOTDESK |
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| 19-JAN-2006 18:29:44 | MDTP0519 | RECEIVED | | | HOTDESK |
| 19-JAN-2006 18:29:43 | MDTP0519 | RECEIVED | | | HOTDESK |
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| <u>Msgnumber</u> | <u>Creation Date</u> | <u>Wks Name</u> | <u>Sent/Received</u> | <u>Message</u> | <u>Persid</u> | <u>Sender/Receiver</u> |
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PDT MESSAGES

From: 19-JAN-2006 17:00:00 to 20-JAN-2006 01:59:59

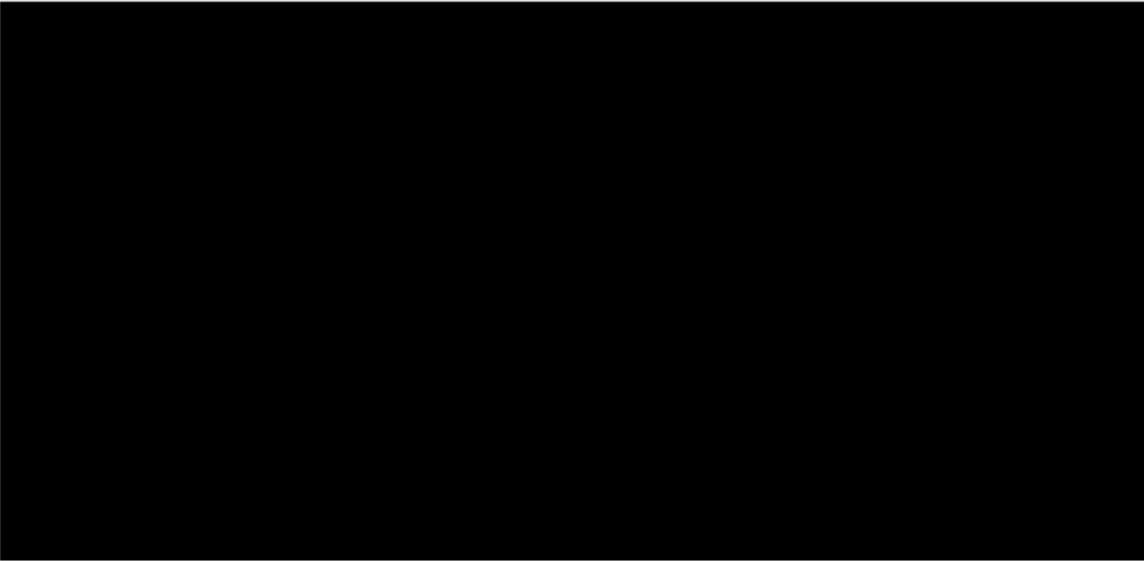
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From: 19-JAN-2006 17:00:00 to 20-JAN-2006 01:59:59

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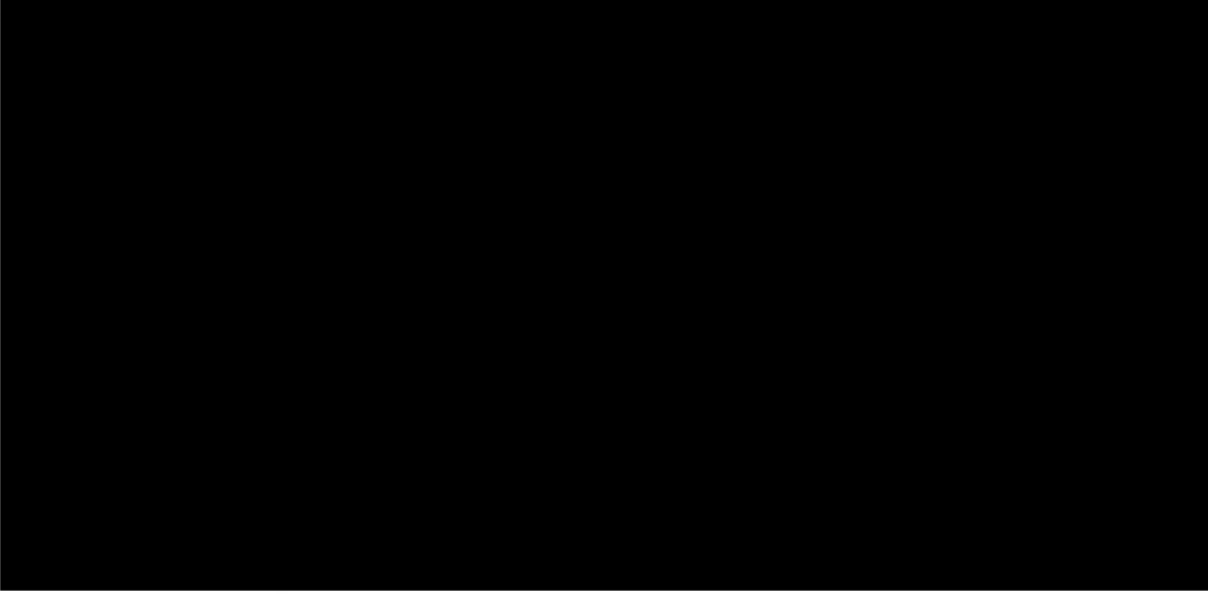
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PDT MESSAGES

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| Msgnumber | Creation Date | Wks Name | Sent/Received | Message | Persid | Sender/Receiver |
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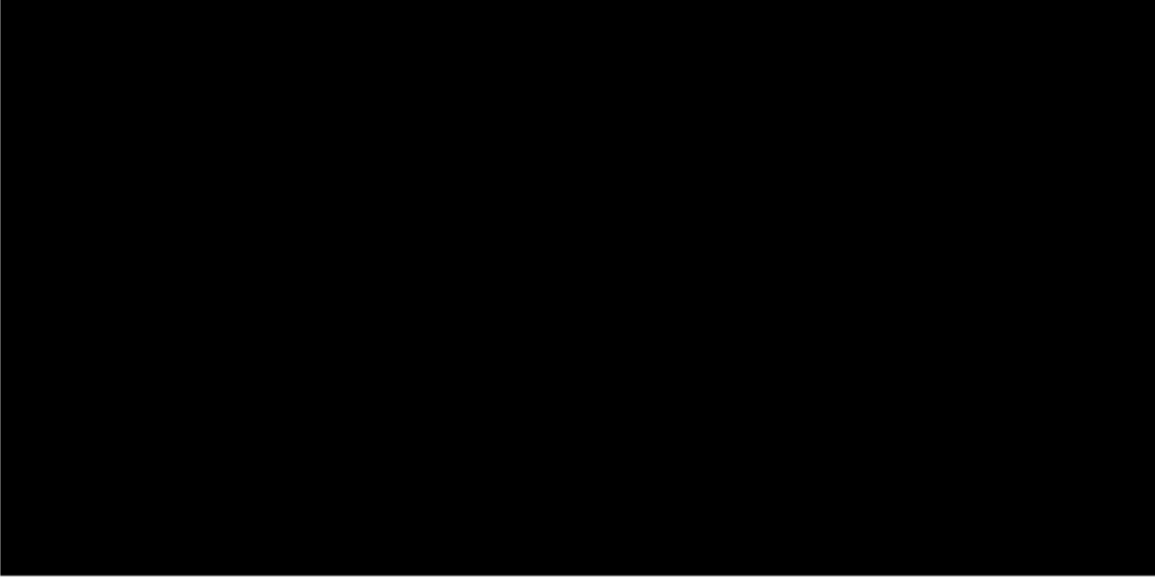




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| <u>Msgnumber</u> | <u>Creation Date</u> | <u>Wks Name</u> | <u>Sent/Received</u> | <u>Message</u> | <u>Persid</u> | <u>Sender/Receiver</u> |
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| <u>Msgnumber</u> | <u>Creation Date</u> | <u>Wks Name</u> | <u>Sent/Received</u> | <u>Message</u> | <u>Persid</u> | <u>Sender/Receiver</u> |
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Page: 11

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From: 19-JAN-2006 17:00:00 to 20-JAN-2006 01:59:59

Page: 12

| Msgnumber | Creation Date | Wks Name | Sent/Received | Message | Persid | Sender/Receiver |
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PDT MESSAGES

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| <u>Msgnumber</u> | <u>Creation Date</u> | <u>Wks Name</u> | <u>Sent/Received</u> | <u>Message</u> | <u>Persid</u> | <u>Sender/Receiver</u> |
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| | 19-JAN-2006 22:22:43 | MDTP0519 | RECEIVED | [REDACTED] | | HOTDESK |
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| | 19-JAN-2006 22:22:45 | MDTP0519 | RECEIVED | [REDACTED] | | HOTDESK |

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OFFICE OF EMERGENCY MANAGEMENT & COMMUNICATIONS
PDT MESSAGES

From: 19-JAN-2006 17:00:00 to 20-JAN-2006 01:59:59

Page: 14

| Msgnumber | Creation Date | Wks Name | Sent/Received | Message | Persid | Sender/Receiver |
|------------|----------------------|----------|---------------|------------|--------|-----------------|
| [REDACTED] | 19-JAN-2006 22:22:45 | MDTP0519 | RECEIVED | [REDACTED] | | HOTDESK |
| [REDACTED] | 19-JAN-2006 22:45:38 | MDTP0519 | RECEIVED | | | HOTDESK |
| [REDACTED] | 19-JAN-2006 22:45:48 | MDTP0519 | RECEIVED | | | HOTDESK |
| [REDACTED] | 19-JAN-2006 22:45:52 | MDTP0519 | RECEIVED | | | HOTDESK |
| [REDACTED] | 19-JAN-2006 22:45:54 | MDTP0519 | RECEIVED | | | HOTDESK |
| [REDACTED] | 19-JAN-2006 22:47:30 | MDTP0519 | RECEIVED | | | PDS28 |
| [REDACTED] | 19-JAN-2006 22:47:30 | MDTP0519 | RECEIVED | | | PDS28 |
| [REDACTED] | 19-JAN-2006 22:49:06 | MDTP0519 | RECEIVED | | | HOTDESK |
| [REDACTED] | 19-JAN-2006 22:49:20 | MDTP0519 | RECEIVED | | | HOTDESK |
| [REDACTED] | 19-JAN-2006 22:49:21 | MDTP0519 | RECEIVED | | | HOTDESK |
| [REDACTED] | 19-JAN-2006 22:49:22 | MDTP0519 | RECEIVED | | | HOTDESK |
| [REDACTED] | 19-JAN-2006 22:51:46 | MDTP0519 | RECEIVED | | | LEADS |

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OFFICE OF EMERGENCY MANAGEMENT & COMMUNICATIONS
PDT MESSAGES

From: 19-JAN-2006 17:00:00 to 20-JAN-2006 01:59:59

Page: 15

| <u>Msgnumber</u> | <u>Creation Date</u> | <u>Wks Name</u> | <u>Sent/Received</u> | <u>Message</u> | <u>Persid</u> | <u>Sender/Receiver</u> |
|------------------|----------------------|-----------------|----------------------|----------------|---------------|------------------------|
| [REDACTED] | 19-JAN-2006 22:51:46 | MDTP0519 | RECEIVED | [REDACTED] | | LEADS |
| [REDACTED] | 19-JAN-2006 22:51:46 | MDTP0519 | RECEIVED | | | LEADS |
| [REDACTED] | 19-JAN-2006 22:51:46 | MDTP0519 | RECEIVED | | | LEADS |
| [REDACTED] | 19-JAN-2006 22:51:47 | MDTP0519 | RECEIVED | | | LEADS |
| [REDACTED] | 19-JAN-2006 22:51:47 | MDTP0519 | RECEIVED | | | LEADS |
| [REDACTED] | 19-JAN-2006 22:51:46 | MDTP0519 | RECEIVED | | | LEADS |
| [REDACTED] | 19-JAN-2006 22:51:46 | MDTP0519 | RECEIVED | | | LEADS |
| [REDACTED] | 19-JAN-2006 22:51:46 | MDTP0519 | RECEIVED | | | LEADS |
| [REDACTED] | 19-JAN-2006 22:51:46 | MDTP0519 | RECEIVED | | | LEADS |
| [REDACTED] | 19-JAN-2006 22:51:46 | MDTP0519 | RECEIVED | | | LEADS |

C.R.# 310739

ATTACHED


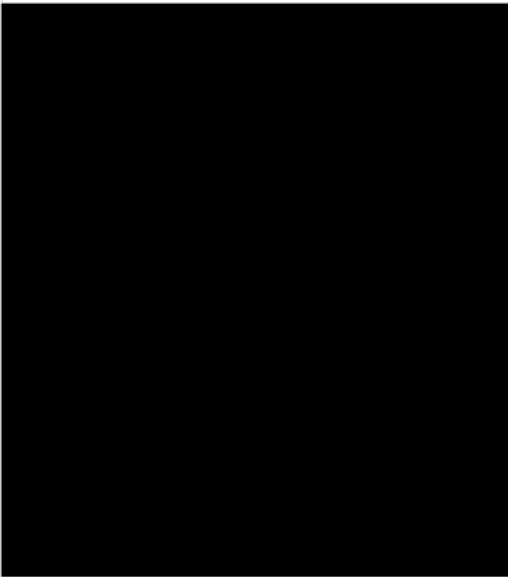
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OFFICE OF EMERGENCY MANAGEMENT & COMMUNICATIONS
PDT MESSAGES

From: 19-JAN-2006 17:00:00 to 20-JAN-2006 01:59:59

Page: 16

| <u>Msgnumber</u> | <u>Creation Date</u> | <u>Wks Name</u> | <u>Sent/Received</u> | <u>Message</u> | <u>Persid</u> | <u>Sender/Receiver</u> |
|---|----------------------|-----------------|----------------------|--|---------------|------------------------|
|  | 19-JAN-2006 22:59:07 | MDTP0519 | RECEIVED |  | | LEADS |
| | 19-JAN-2006 22:59:09 | MDTP0519 | RECEIVED | | | LEADS |
| | 19-JAN-2006 23:18:38 | MDTP0519 | RECEIVED | | | LEADS |
| | 19-JAN-2006 23:18:38 | MDTP0519 | RECEIVED | | | LEADS |
| | 19-JAN-2006 23:36:44 | MDTP0519 | RECEIVED | | | LEADS |
| | 19-JAN-2006 23:36:44 | MDTP0519 | RECEIVED | | | LEADS |

C. R. # 310739
ATTACHMENT # 9 16/16

Harris, Gwendolyn N.

From: Harris, Gwendolyn N.
To: [REDACTED]
Cc:
Subject: leads history information
Attachments:

Sent: Tue 24-Jan-06 10:28 AM

[REDACTED]
Your name was referred to me for assistance in obtaining info for an Internal Affairs Division investigation.

Kindly determine what police officer(s) conducted a leads check on Illinois license plate number [REDACTED] on 19 January 2006 around 2200 hours and forward the officer(s) name to the me via the e-mail

Thank you. Police Agent G. Harris, 312-745-6330

B - NW
C - W

C. R. # 310739
ATTACHMENT # 10 1/2

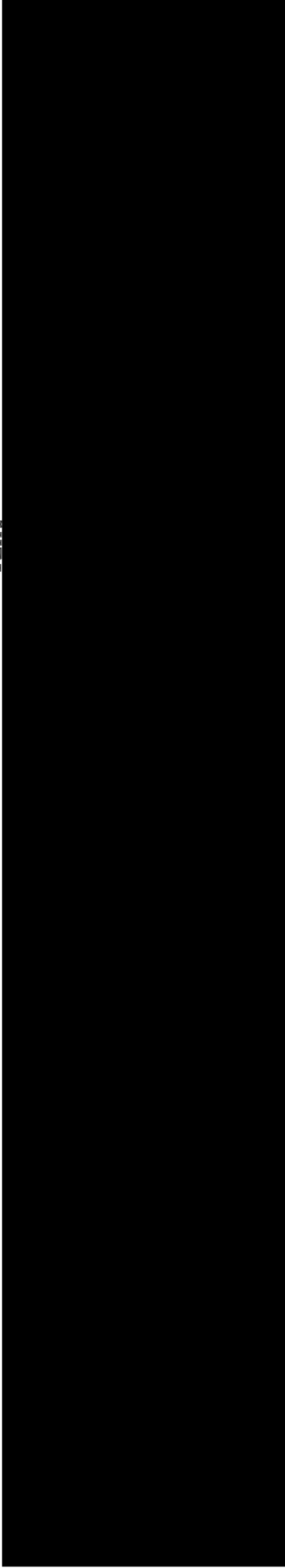
[REDACTED] 1/26/2006

BUREAU OF APPLICATION DEVELOPMENT AND MANAGEMENT
INQUIRY ON LICENSE PLATE NUMBER

LIC/

TIME SOR DES SEQ

TEXT



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C. R. # 310739
ATTACHMENT # 10 ²/₂



> Search Contact Card

☒ **TIP** For less restrictive Contact Card searches please use the CLEAR Data Warehouse - Tactical Rep

| | | | |
|----------------------------|---|----------------------|---|
| Card No. | <input type="text"/> | | |
| Contact Date From | <input type="text" value="18-JAN-2006"/> | To | <input type="text" value="23-JAN-2006"/> |
| Submitting Beat | <input type="text" value="9%"/> | | Card T |
| Contact Type | <input type="text" value="-- Select --"/> | | |
| Contact Street No. Between | <input type="text" value="0"/> | And | <input type="text" value=""/> |
| Dir. | <input type="text" value=""/> | Street | <input type="text" value=""/> |
| Last Name | <input type="text" value=""/> | First Name | <input type="text" value=""/> |
| Nickname | <input type="text" value=""/> | | |
| Sex | <input type="text" value="FEMALE"/> | Race | <input type="text" value="-- Select --"/> |
| Height From | <input type="text" value=""/> | To | <input type="text" value=""/> |
| Build | <input type="text" value="- Select -"/> | Eye Color | <input type="text" value="- Select -"/> |
| Hair Color | <input type="text" value="- Select -"/> | | |
| Complexion | <input type="text" value="- Select -"/> | Clothing Description | <input type="text" value=""/> |
| Scar Mark Type | <input type="text" value="- Select -"/> | Location | <input type="text" value="- Select -"/> |
| Description | <input type="text" value=""/> | | |
| License Plate No. | <input type="text" value=""/> | State | <input type="text" value=""/> |
| Vehicle Year | <input type="text" value=""/> | Make | <input type="text" value=""/> |
| Drivers License No. | <input type="text" value=""/> | SSN | <input type="text" value=""/> |
| OCD-I No. | <input type="text" value=""/> | RD No. | <input type="text" value=""/> |
| Gang Name | <input type="text" value=""/> | Faction Name | <input type="text" value=""/> |
| NAGIS Inbox | <input type="text" value=""/> | | |
| 1st/2nd Officer Star | <input type="text" value=""/> | Employee No. | <input type="text" value=""/> |
| Name | <input type="text" value=""/> | | |

☒ **TIP** When searching on Last Name and/or First Name using the first character(s) will not work. Please enter the person's complete Last Name and/or First Name.
Use wildcard % in Submitting Beat, Contact Beat, Nickname, Clothing Description, Scar Mark Description, and License No. fields (e.g. %NIKE%).
Vehicle Year is 4 digits (e.g. 2004)

C.R.# 310739
ATTACHMENT # 11 1/3

2/9/2006



[Contact Card Home](#) | [Logout](#) | [Help](#)

[Search Contact Card](#)

[Home](#) » [Contact Card](#) > Search Contact Card

Search Results

No records found.

User: [REDACTED]
Module: 11020 \$Revision: 1.53 \$

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C. R. # 310739
ATTACHMENT # 11 ^{2/3}
2/9/2006



[Contact Card Home](#) | [Logout](#) | [Help](#)

[Search Contact Card](#)

[Home](#) » [Contact Card](#) > [Search Contact Card](#)

Search Results

No records found.

User: [REDACTED]
Module 11020 \$Revision: 1.53 \$

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C. P. # 310739
ATTACHMENT # 11 ^{3/3}

2/9/2006

Internal Affairs Division
Special Investigations Section

Statement of accused Police Officer Timothy HAYES:, #7308, Unit 009,
relative to the following allegation(s):

Allegation 1. It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED], plain clothed Police Officer Timothy HAYES, #19486, Unit 009, made an unjustified traffic stop of [REDACTED] while she was driving her 2001 Nissan Sentra bearing Illinois license plate [REDACTED]

Allegation 2. It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Timothy HAYES verbally abused [REDACTED] when he stated to her, "Get out you stupid cunt."

Allegation 3. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] Police Officer Timothy HAYES, #19486, conducted an illegal search of [REDACTED] 2001 Nissan vehicle bearing Illinois plate [REDACTED] personal handbag, and [REDACTED] bag.

Allegation 4. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Timothy HAYES, #7308, failed to identify himself when requested to do so.

Allegation 5. It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] Police Officer Timothy HAYES told [REDACTED] to take off her jacket.

Allegation 6. It is alleged by Police Agent Gwendolyn HARRIS, #7938, Unit 121, that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Timothy HAYES, #7308, failed to generate a Contact Information Card following an investigatory street stop of [REDACTED]

Statement taken at: Room 5041, Internal Affairs Division, 3510 S Michigan, Chicago, Illinois, 60605.

Questioned and typed by Agent Gwendolyn HARRIS, #7938, Unit 121.

Date: 28 February 2006 1110 hours

Witness:

C.R. #310739

HARRIS: What is your name, rank, and unit of assignment?

Accused: Timothy HAYES, police officer, 009.

HARRIS: What is your date of appointment to the Department and employee number?

HAYES: 13 Apr 98, [REDACTED]

HARRIS: How long have you been assigned to your present unit?

HAYES: Since appointed.

HARRIS: Do you understand that this is an official Police Department report and that any deviation from the truth could result in additional allegations against you?

HAYES: Yes.

HARRIS: Are you represented by counsel of your choice, if so, identify him/her for the record.

HAYES: Yes, [REDACTED]

HAYES: I am not giving this statement voluntarily but under duress. I am only giving this statement at this time because I know that I may lose my job if I refuse.

HARRIS: What beat were you assigned to on 19 January 2006?

HAYES: 962E.

HARRIS: What is your pc code number to access Department communication systems?

HAYES: [REDACTED]

HARRIS: On 19 January 2006, who was/were your partner (s)? And his call number?

HAYES: Officer DOWLING and Officer HARTZ

HARRIS: Who was driving the vehicle on 19 January 2006?

HAYES: I was.

HARRIS: Did you stop [REDACTED] vehicle on 19 January 2006? If yes, explain why.

HAYES: Yes. I was on a narcotic surveillance in the [REDACTED] [REDACTED] I observed that vehicle in question stop and the driver of that vehicle roll down the driver side window, then a male black approached that vehicle on the driver's side, leaned down and I observed what appeared to be a hand to hand narcotic transaction.

HARRIS: What did you do when you approached the vehicle?

HAYES: The driver rolled down the drive's side window at which time I announced my office and explained to her the reason for my stop.

HARRIS: What did you say to [REDACTED] for your stop?

HAYES: That I observed her stop in the middle of [REDACTED]

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C.R.# 310739
ATTACHMENT # 12 2

██████████ at which time she was approached by a male black. What I observed what appeared be a hand to hand narcotics transaction.

HARRIS: Did you ask ██████████ to exit the vehicle?

HAYES: No, I did not.

HARRIS: What did you ██████████ say to you when you approached her vehicle?

HAYES: After I announced myself and the reason for my stop I asked her for her driver's license and proof of insurance, at which time she stated that she just came from a hockey game and was asking for directions.

HARRIS: She was asking who for directions.

HAYES: The male black that approached her car.

HARRIS: Did you state to ██████████ "Get out you stupid cunt"?

HAYES: No.

HARRIS: Did you tell ██████████ to remove her jacket? If yes, explain why?

HAYES: No.

HARRIS: Did you use profanities while conducting your stop of ██████████

HAYES: No.

HARRIS: Did you search the inside of ██████████ vehicle in any manner? If yes, why?

HAYES: No.

HARRIS: Did you search ██████████ personal handbag? If yes, why?

HAYES: NO.

HARRIS: Did you search ██████████ bag? If yes, why?

HAYES: No.

HARRIS: On 19 January 2006, were you in uniform or citizen's dress?

HAYES: Civilian dress.

HARRIS: Describe the Department vehicle that you were driving/riding on 19 January 2006.

HAYES: I don't ^{remember} the color I know it was unmarked. We just recently got ^{a new one.} ~~it~~ ██████████

HARRIS: When you stopped [REDACTED], did you identify yourself as the police? If yes, how so.

HAYES: Yes. I am officer HAYES with the Chicago police Department.

HARRIS: Did you tell [REDACTED] to meet you at 51st Street where you would identify yourself?

HAYES: No.

HARRIS: Did you prepare a Contact Information Card for the traffic stop of [REDACTED]?

HAYES: Yes, I did.

HARRIS: If you completed a contact information card, explain why neither of the complainants observed you or your partner(s) complete a card nor can this information be found in the Department's database?

HAYES: I did fill out a card on scene and when it was check off time I placed the card in the 009th District bin at the front desk.

HARRIS: Did you pursue the male black that you observed approached [REDACTED] vehicle.

HAYES: No.

HARRIS: If you suspected that a narcotics transaction had occurred, why didn't you search the vehicle or persons for the proceeds of that transaction.

HAYES: After talking with the driver who was able to produce a valid license and insurance it was my discretion that she indeed was lost and only asked for directions.

HARRIS: Did [REDACTED] exit the vehicle at any time.

HAYES: NO.

HARRIS: Did Officer DOWLING pull [REDACTED] from the vehicle?

HAYES: No.

HARRIS: Did Officer DOWLING search [REDACTED] person? If yes, explain why?

HAYES: NO.

HARRIS: What was Officer HARTZ doing during this stop?

HAYES: Enforcement officer.

HARRIS: Is there anything you wish to add to this statement?


HAYES: No.

HARRIS: After reading this statement consisting of 5 pages and finding that it contains the responses you have given, will you sign it?

HAYES: Yes.

Statement terminated 1135 Hours.


John HAYES:


Police Agent Gwendolyn HARRIS, #7938
Special Investigations Section
Internal Affairs Division

**ADMINISTRATIVE PROCEEDING RIGHTS (Statutory)
/NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT**

GIVEN TO ACCUSED

DATE

1110 28 FEB 06 TIME

NAME OF ACCUSED
Timothy HAYES

RANK
P/O

STAR NO.
7308

UNIT OF ASSIGNMENT
009

ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory)

The law provides that you are to be advised of the following:

1. Any admission or statement made by you in the course of this hearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire.
3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
4. You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements or responses constitute an official police report.
5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which your discharge will be sought.
7. You are further advised that by law any admission or statement made by you during the course of this hearing, interrogation or examination and the fruits hereof cannot be used against you in a subsequent criminal proceeding.

CHARGES/ALLEGATIONS

The law provides that if you are to be charged with a criminal offense or if your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS:

1. [REDACTED] (F/6/24)
2. [REDACTED] (M/1/30)
3. Police Agent Gwendolyn HARRIS, #7938
4. [REDACTED]

Allegation 1.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED], plain clothed Police Officer Timothy HAYES, #7308, Unit 009, made an unjustified traffic stop of [REDACTED] while driving her 2001 Nissan Sentra bearing Illinois plate [REDACTED]

Allegation 2.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Timothy HAYES, #7308, verbally abused [REDACTED] when he stated to her, "Get out you stupid cunt."

The undersigned hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing of the charges or allegations against him.

Witnesses:

Signature [REDACTED]

COMPLAINT REGISTER NO.

ATTACHMENT NO.

310739

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ADMINISTRATIVE PROCEEDING RIGHTS (Statutory)**/NOTIFICATION OF CHARGES/ALLEGATIONS**

CHICAGO POLICE DEPARTMENT

GIVEN TO ACCUSED

DATE

28 FEB 06

TIME

11/10

NAME OF ACCUSED
Timothy HAYESRANK
P/OSTAR NO.
7308UNIT OF ASSIGNMENT
009**ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory)**

The law provides that you are to be advised of the following:

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2. [REDACTED] (M/1/30)
3. Police Agent Gwendolyn HARRIS, #7938.
4. [REDACTED]

Allegation 3.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] Police Officer Timothy HAYES, #7308, Unit 009, conducted an illegal search of [REDACTED] 2001 Nissan vehicle bearing Illinois plate [REDACTED] personal handbag, and [REDACTED] bag.

Allegation 4.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Timothy HAYES failed to identify himself when requested to do so.

Allegation 5.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] Police Officer Timothy HAYES, #7308, told [REDACTED] to take off her jacket.

The undersigned hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing of the charges or allegations against him.

Witnesses:

Signature: [REDACTED]

COMPLAINT REGISTER NO.

310739

ATTACHMENT NO.

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**ADMINISTRATIVE PROCEEDING RIGHTS (Statutory)
/NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT**

GIVEN TO ACCUSED
DATE

TIME

28 FEB 06

1110

NAME OF ACCUSED
Timothy HAYES

RANK
P/O

STAR NO.
7308

UNIT OF ASSIGNMENT
009

ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory)

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3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
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6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which your discharge will be sought.
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COMPLAINANTS:

1. [REDACTED] (F/6/24)
2. [REDACTED] (M/1/30)
3. Police Agent Gwendolyn HARRIS, #7938
4. [REDACTED]

Allegation 6.

It is alleged by Police Agent Gwendolyn HARRIS, #7938, Unit 121, that on 19 January 2006 at approximately 2220 hours, at [REDACTED], plain clothed Police Officer Timothy HAYES, #7308, failed to generate a Contact Information Card following an investigatory street stop of [REDACTED]

The undersigned hereby acknowledges that he was informed of the rights and he acknowledges receipt in writing of the charges or allegations against him.

Witnesses:

Signature [REDACTED]

COMPLAINT REGISTER NO.

ATTACHMENT NO.

310739

12 8

ADMINISTRATIVE PROCEEDING RIGHTS (Statutory)**/NOTIFICATION OF CHARGES/ALLEGATIONS**

CHICAGO POLICE DEPARTMENT

GIVEN TO ACCUSED
DATE

20 Feb 06

TIME

1035

NAME OF ACCUSED
Timothy HAYESRANK
P/OSTAR NO.
7308UNIT OF ASSIGNMENT
009**ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory)**

The law provides that you are to be advised of the following:

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2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire.
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CHARGES/ALLEGATIONS

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Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS:

1. [REDACTED] (F/6/24)
2. [REDACTED] (M/1/30)
3. Police Agent Gwendolyn HARRIS, #7938
4. [REDACTED]

Allegation 1.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Timothy HAYES, #7308, Unit 009, made an unjustified traffic stop of [REDACTED] while driving her 2001 Nissan Sentra bearing Illinois plate 1203170.

Allegation 2.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED], plain clothed Police Officer Timothy HAYES, #7308, verbally abused [REDACTED] when he stated to her, "Get out you stupid cunt."

The undersigned hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing of the charges or allegations against him.

Witnesses:

Signature: [REDACTED]

COMPLAINT REGISTER NO.

310739

ATTACHMENT NO.

9/12

ADMINISTRATIVE PROCEEDING RIGHTS (Statutory)
/NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT

GIVEN TO ACCUSED
DATE

TIME

20 Feb 06

1035

NAME OF ACCUSED
Timothy HAYES

RANK
P/O

STAR NO.
7308

UNIT OF ASSIGNMENT
009

ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory)

The law provides that you are to be advised of the following:

1. Any admission or statement made by you in the course of this hearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire.
3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
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1. [REDACTED] (F/6/24)
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Allegation 3.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] Police Officer Timothy HAYES, #7308, Unit 009, conducted an illegal search of [REDACTED] 2001 Nissan vehicle bearing Illinois plate [REDACTED] personal handbag, and [REDACTED] bag.

Allegation 4.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED], plain clothed Police Officer Timothy HAYES failed to identify himself when requested to do so.

Allegation 5.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] Police Officer Timothy HAYES, #7308, told [REDACTED] to take off her jacket.

The undersigned hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing of the charges or allegations against him.

Witnesses:

Signature [REDACTED]

COMPLAINT REGISTER NO.

ATTACHMENT NO.

310739

10
12

ADMINISTRATIVE PROCEEDING RIGHTS (Statutory)**/NOTIFICATION OF CHARGES/ALLEGATIONS**

CHICAGO POLICE DEPARTMENT

GIVEN TO ACCUSED

DATE

20 Feb 06

TIME

1035

NAME OF ACCUSED
Timothy HAYESRANK
P/OSTAR NO.
7308UNIT OF ASSIGNMENT
009**ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory)**

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2. [REDACTED] (M/1/30)
3. Police Agent Gwendolyn HARRIS, #7938
4. [REDACTED]

Allegation 6.

It is alleged by Police Agent Gwendolyn HARRIS, #7938, Unit 121, that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Timothy HAYES, #7308, failed to generate a Contact Information Card following an investigatory street stop of [REDACTED]

The undersigned hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing of the charges or allegations against him.

Witnesses:

Signature: [REDACTED]

COMPLAINT REGISTER NO.

310739

ATTACHMENT NO.

12 11/12

WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL
CHICAGO POLICE DEPARTMENT

| NAME OF ACCUSED | RANK | STAR NO. | UNIT OF ASSIGNMENT |
|-----------------|------|----------|--------------------|
| Timothy HAYES | P/O | 7308 | 009 |

☐ WAIVER OF COUNSEL

I, the undersigned, hereby acknowledge that I have received and read the charges/allegations against me and I knowingly and voluntarily wish to proceed with the hearing, examination or interrogation without having counsel of my own choosing present to advise me during this hearing, examination or interrogation.

Date-Time _____ Signature _____

☒ REQUEST TO SECURE LEGAL COUNSEL

I, the undersigned, having been advised of my right to counsel of my own choosing at all hearings, examinations and interrogations in connection with the charges/allegations against me which have been given to me in writing and receipt of which is hereby acknowledged, elect to secure the services of counsel and agree to proceed with said hearing, examination or interrogation at

1000 hours, on 28 FEB 06 10 in Room 3510 S. Michigan
140 5th FL

_____ Chicago, Illinois, at which time said hearing, examination or interrogation shall be commenced. By placing my signature upon this statement, I affirm my wish to secure said counsel and agree to comply with Department hearing, examination or interrogation scheduled on the date aforesaid.

Date-Time 20 Feb 06 Signature _____

WITNESSES

1052

DISTRIBUTION

COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
Duplicate to affected member

CPD-44.106 (Rev. 10/93)

COMPLAINT REGISTER NO. 310739

ATTACHMENT NO. 12 12 12

Internal Affairs Division
Special Investigations Section

Statement of accused Police Officer John DOWLING, #19486, Unit 009, relative to the following allegation(s):

Allegation 1. It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING, #19486, Unit 009, made an unjustified traffic stop of [REDACTED] while she was driving her 2001 Nissan Sentra bearing Illinois license plate [REDACTED].

Allegation 2. It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING pulled [REDACTED] vehicle.

Allegation 3. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] Police Officer John DOWLING, #19486, struck [REDACTED] several times about the face using his forearm.

Allegation 4. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING, #19486, unbuckled [REDACTED] belt and improperly searched him.

Allegation 5. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING, #19486, was verbally abusive using profanities.

Allegation 6. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING, #19486, conducted an illegal search of [REDACTED] 2001 Nissan vehicle bearing Illinois plate [REDACTED] personal handbag and [REDACTED] bag.

Allegation 7. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED], plain clothed Police Officer John DOWLING, #19486, failed to identify himself when requested to do so.

Allegation 8. It is alleged by Police Agent Gwendolyn HARRIS, #7938, Unit 121, that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING, #19486, failed to generate a Contact Information Card following an investigatory street stop of [REDACTED]

Statement taken at: Room 5041, Internal Affairs Division, 3510 S Michigan, Chicago, Illinois, 60605.

Questioned and typed by Agent Gwendolyn HARRIS, #7938, Unit 121.

Date: 28 February 2006 1000 hours

Witness:

C.R. #310739

C.R. # 310739
ATTACHMENT # 13 1/14

HARRIS: What is your name, rank, and unit of assignment?

Accused: John DOWLING, police officer, 009.

HARRIS: What is your date of appointment to the Department and employee number?

DOWLING: 18 Mar 96, [REDACTED]

HARRIS: How long have you been assigned to your present unit?

DOWLING: Approximately 9 years.

HARRIS: Do you understand that this is an official Police Department report and that any deviation from the truth could result in additional allegations against you?

DOWLING: Yes.

HARRIS: Are you represented by counsel of your choice, if so, identify him/her for the record.

DOWLING: Yes. [REDACTED]

DOWLING: I am not giving this statement voluntarily, but under duress. I am only giving this statement at this time because I know that I may lose my job if I refuse.

HARRIS: What beat were you assigned to on 19 January 2006?

DOWLING: Beat 962E.

HARRIS: What is your call number?

DOWLING: That's the same thing.

HARRIS: What is your pc code number to access Department communication systems?

DOWLING: [REDACTED]

HARRIS: On 19 January 2006, who was/were your partner (s)?

DOWLING: Officer HAYES, 7308, and Officer HARTZ, 11757.

HARRIS: Who was driving the vehicle on 19 January 2006?

DOWLING: Officer HAYES.

HARRIS: Who was the front passenger during your tour that day?

DOWLING: Myself.

HARRIS: Did you at any time during that tour of duty, switch drivers? If yes, explain.

DOWLING: No.

HARRIS: Did you at any time during that tour of duty switch front and rear passengers? If yes, explain.

DOWLING: No.

HARRIS: Why did you stop [REDACTED] vehicle on 19 January 2006?

DOWLING: We were on surveillance, narcotics surveillance on Princeton Avenue when she pulled her vehicle over and we observed a male black approach the driver's side of the vehicle. She rolled down her window and it looked what appeared to be a drug transaction. She then proceeded to drive the vehicle southbound on Princeton and then eastbound on [REDACTED]

HARRIS: Did you explain to [REDACTED] why her vehicle was stopped?

DOWLING: No, I did not speak with her.

HARRIS: Did you explain to [REDACTED] why her vehicle was stopped?

DOWLING: No, I never spoke to him.

HARRIS: Did one of your partners explain to the complainants why their vehicle was stopped?

DOWLING: Yes, Officer HAYES spoke with the driver of the vehicle.

HARRIS: Did any of you speak to the passenger, [REDACTED]

DOWLING: NO.

HARRIS: Which of you was the officer to conduct an inquiry for the license plate for [REDACTED] vehicle, # [REDACTED]

DOWLING: I don't recall.

HARRIS: During the traffic stop, which of you acted as the guard officer?

DOWLING: Actually there were two of us , myself and Officer HARTZ.

HARRIS: What happened to the male black that you observed at [REDACTED] vehicle.

DOWLING: He ended up going northbound on Princeton. *I. BELIEVE* [REDACTED]

HARRIS: Did you pursue him?

DOWLING: No.

HARRIS: Did you pull [REDACTED] from the vehicle?

DOWLING: No, he remained in the vehicle the entire time of the stop.

HARRIS: Did you strike [REDACTED] about his face?

DOWLING: No. I did not.

HARRIS: Did you make physical contact against or upon [REDACTED] with your forearm ?

DOWLING: NO.

HARRIS: Did you search [REDACTED] person? If yes, why?

DOWLING: No.

HARRIS: Did you unbuckle his belt?

DOWLING: No.

HARRIS: Did you use profanities while conducting your stop of [REDACTED]
[REDACTED]

DOWLING: No, I did not.

HARRIS: Did you search the inside of [REDACTED] vehicle in any manner? If yes, why?

DOWLING: No.

HARRIS: Did you search [REDACTED] personal handbag? If yes, why?

DOWLING: No.

HARRIS: Did you search [REDACTED] bag? If yes, why?

[REDACTED]

DOWLING: No.

HARRIS: On 19 January 2006, were you in uniform or citizen's dress?

DOWLING: Civilian dress.

HARRIS: Describe the Department vehicle that you were driving/riding on 19 January 2006.

DOWLING: I don't remember the color it was an unmarked vehicle.

HARRIS: When you stopped [REDACTED] did you identify yourself as the police?

DOWLING: Yes. Officer HAYES identified himself, I never spoke to him. *THEM* [REDACTED]

HARRIS: What did Officer HAYES say?

DOWLING: He asked the driver for her driver's license and insurance and told her why she had been curbed because we were on a narcotics surveillance.

HARRIS: Did [REDACTED] specifically ask you to identify yourself?

DOWLING: Me personally, no.

HARRIS: Did [REDACTED] specifically ask you to identify yourself?

DOWLING: No, I never spoke with [REDACTED]

HARRIS: Who did [REDACTED] ask to identify himself?

DOWLING: I could not hear that conversation *WHEN* [REDACTED], she was talking to Officer HAYES.

HARRIS: If you could not hear that conversation, how do you know that HAYES identified himself and, you and HARTZ as the police?

DOWLING: I could not hear what she was saying to Officer HAYES.

HARRIS: Did you tell [REDACTED] to meet you at 51st Street where you would identify yourself?

DOWLING: No, I never spoke with either one of them.

HARRIS: Did you prepare a Contact Information Card for the traffic stop of [REDACTED]

DOWLING: Yes, a contact card was filled out, I did not fill it out Officer HAYES did.

HARRIS: If a contact information card was completed, explain why neither of the complainants observed you or your partner(s) complete a card nor can this information card be found in the Department's database?

DOWLING: I can't explain it, a contact was filled out. ^{CARD} [REDACTED]

HARRIS: Did Officer HAYES call [REDACTED] a cunt?

DOWLING: NO.

HARRIS: Did Officer HAYES tell [REDACTED] to take off her jacket?

DOWLING: No.

HARRIS: Is there anything you wish to add to this statement?

DOWLING: No.

HARRIS: After reading this statement consisting of 6 pages and finding that it contains the responses you have given, will you sign it?

DOWLING Yes.

Statement terminated 1025 Hours.

Statement resumed 1050 hours

After the review of this statement, the following questions are to be answered.

HARRIS: Who searched [REDACTED] vehicle?

DOWLING: No one searched it.

HARRIS: Did [REDACTED] get out of the vehicle at any time?

DOWLING: No.



HARRIS: In that you suspected a narcotic transaction occurred, explain what you did to investigate it?

DOWLING: Curbed the vehicle. Officer HAYES spoke with the driver, we did not smell any strong odor of narcotics, she presented a driver's license and insurance. She made no furtive movements and she was given her license back and let go.

HARRIS: If you believed that [REDACTED] had possibly committed a crime of a drug transaction, explain why you did not conduct a search for the proceeds of that transaction.

DOWLING: Basically the same thing that I just said.

HARRIS: Is this your normal practice or manner in which you conduct an investigation of narcotic transaction.

DOWLING: Sometimes. In this instance it appeared to be a drug transaction. And that's why we curbed the vehicle, there was no strong odor of narcotics emitting from the vehicle. She had a valid license and insurance and she was free to go.

HARRIS: Is there anything you wish to add to this statement.

DOWLING NO.

HARRIS: Afer reading this statement finding it contains the responses you have given will you sign it.

DOWLING: Yes.

Terminated 1059 hours

[REDACTED]
John DOWLING

[REDACTED] 7938
Agent G. HARRIS #7938

ADMINISTRATIVE PROCEEDING RIGHTS (Statutory)
/NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT

GIVEN TO ACCUSED

DATE

28 FEB 06

TIME

1000

NAME OF ACCUSED
John DOWLING

RANK
P/O

STAR NO.
19486

UNIT OF ASSIGNMENT
009

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Allegation 1.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING, #19486, Unit 009, made an unjustified traffic stop of [REDACTED] while she was driving her 2001 Nissan Sentra bearing Illinois plate [REDACTED]

Allegation 2.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING, #19486, pulled [REDACTED] from [REDACTED] vehicle.

Allegation 3.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] Police Officer John DOWLING, #19486, struck [REDACTED] several times about the face using his forearm.

The undersigned hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing of the charges or allegations against him.

Witnesses:

Signature

COMPLAINT REGISTER NO.

310739

ATTACHMENT NO.

13

8
14

ADMINISTRATIVE PROCEEDING RIGHTS (Statutory)
/NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT

GIVEN TO ACCUSED

DATE

28 FEB 06

TIME

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NAME OF ACCUSED
John DOWLING

RANK
P/O

STAR NO.
19486

UNIT OF ASSIGNMENT
009

ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory)

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The undersigned hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing of the charges or allegations against him.

Witnesses:

Signature: [REDACTED]

COMPLAINT REGISTER NO.

310739

ATTACHMENT NO.

13

2/14

ADMINISTRATIVE PROCEEDING RIGHTS (Statutory)**/NOTIFICATION OF CHARGES/ALLEGATIONS**

CHICAGO POLICE DEPARTMENT

GIVEN TO ACCUSED

DATE

28 FEB 06

TIME

1000

NAME OF ACCUSED
John DOWLINGRANK
P/OSTAR NO.
19486UNIT OF ASSIGNMENT
009**ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory)**

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2. [REDACTED] (M/1/30)
3. Police Agent Gwendolyn HARRIS, #7938, Unit 121
4. [REDACTED]

Allegation 4.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING, #19486, Unit 009, unbuckled [REDACTED] belt and improperly searched him.

Allegation 5.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED], plain clothed Police Officer John DOWLING, #19486, was verbally abusive using profanities.

The undersigned hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing of the charges or allegations against him.

Witnesses:

Signature

COMPLAINT REGISTER NO.

310739

ATTACHMENT NO.

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10/14

ADMINISTRATIVE PROCEEDING RIGHTS (Statutory)**/NOTIFICATION OF CHARGES/ALLEGATIONS**

CHICAGO POLICE DEPARTMENT

GIVEN TO ACCUSED

DATE

TIME

20 FEB 06

1035

NAME OF ACCUSED
John DOWLINGRANK
P/OSTAR NO.
19486UNIT OF ASSIGNMENT
009**ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory)**

The law provides that you are to be advised of the following:

1. Any admission or statement made by you in the course of this hearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with him as you desire.
3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
4. You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements or responses constitute an official police report.
5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which your discharge will be sought.
7. You are further advised that by law any admission or statement made by you during the course of this hearing, interrogation or examination and the fruits hereof cannot be used against you in a subsequent criminal proceeding.

CHARGES/ALLEGATIONS

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Furthermore, Department policy provides that you have a right to be advised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS:

1. [REDACTED] (F/6/24)
2. [REDACTED] (M/1/30)
3. Police Agent Gwendolyn HARRIS, #7938, Unit 121
4. [REDACTED]

Allegation 1.
It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING, #19486, Unit 009, made an unjustified traffic stop of [REDACTED] while she was driving her 2001 Nissan Sentra bearing Illinois plate [REDACTED]

Allegation 2.
It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED], plain clothed Police Officer John DOWLING, #19486, pulled [REDACTED] from [REDACTED] vehicle.

Allegation 3.
It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] Police Officer John DOWLING, #19486, struck [REDACTED] several times about the face using his forearm.

The undersigned hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing of the charges or allegations against him.

Witnesses:

Signature: [REDACTED]

COMPLAINT REGISTER NO.

310739

ATTACHMENT NO.

13

14

**ADMINISTRATIVE PROCEEDING RIGHTS (Statutory)
/NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT**

GIVEN TO ACCUSED

DATE

20 FEB 06

TIME

1035

NAME OF ACCUSED
John DOWLING

RANK
P/O

STAR NO.
19486

UNIT OF ASSIGNMENT
009

ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory)

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Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS:

1. [REDACTED] (F/6/24)
2. [REDACTED] (M/1/30)
3. Police Agent Gwendolyn HARRIS, #7938, Unit 121
4. [REDACTED]

Allegation 4.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING, #19486, Unit 009, unbuckled [REDACTED] belt and improperly searched him.

Allegation 5.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING, #19486, was verbally abusive using profanities.

The undersigned hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing of the charges or allegations against him.

Witnesses:

Signature: [REDACTED]

COMPLAINT REGISTER NO.

310739

ATTACHMENT NO.

13 12/14

**ADMINISTRATIVE PROCEEDING RIGHTS (Statutory)
/NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT**

GIVEN TO ACCUSED
DATE

20 Feb 06

TIME

1035

NAME OF ACCUSED
John DOWLING

RANK
P/O

STAR NO.
19486

UNIT OF ASSIGNMENT
009

ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory)

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7. You are further advised that by law any admission or statement made by you during the course of this hearing, interrogation or examination and the fruits hereof cannot be used against you in a subsequent criminal proceeding.

CHARGES/ALLEGATIONS

The law provides that if you are to be charged with a criminal offense or if your separation from the Department will be sought, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

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Accordingly, you are hereby advised that the following allegations have been attributed to you:

COMPLAINANTS:

1. [REDACTED] (F/6/24)
2. [REDACTED] (M/1/30)
3. Police Agent Gwendolyn HARRIS, #7938, Unit 121
4. [REDACTED]

Allegation 6.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING, #19486, Unit 009, conducted an illegal search of [REDACTED] 2001 Nissan vehicle bearing Illinois plate [REDACTED] personal handbag and [REDACTED] bag.

Allegation 7.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING, #19486, failed to identify himself when requested to do so.

Allegation 8.

It is alleged by Police Agent Gwendolyn HARRIS, #7938, Unit 121, that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer John DOWLING, #19486, failed to generate a Contact Information Card following an investigatory street stop of [REDACTED]

The undersigned hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing of the charges or allegations against him.

Witnesses:

Signature

COMPLAINT REGISTER NO.

310739

ATTACHMENT NO.

13
14

WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL
CHICAGO POLICE DEPARTMENT

| NAME OF ACCUSED | RANK | STAR NO. | UNIT OF ASSIGNMENT |
|-----------------|------|----------|--------------------|
| John DOWLING | P/O | 19486 | 009 |

☐ WAIVER OF COUNSEL

I, the undersigned, hereby acknowledge that I have received and read the charges/allegations against me and I knowingly and voluntarily wish to proceed with the hearing, examination or interrogation without having counsel of my own choosing present to advise me during this hearing, examination or interrogation.

Date-Time _____ Signature _____

☒ REQUEST TO SECURE LEGAL COUNSEL

I, the undersigned, having been advised of my right to counsel of my own choosing at all hearings, examinations and interrogations in connection with the charges/allegations against me which have been given to me in writing and receipt of which is hereby acknowledged, elect to secure the services of counsel and agree to proceed with said hearing, examination or interrogation at

1000 hours, on 28 FEB 06, ~~at~~ in Room 3510 S Michigan I.A.D. - 5th FL

_____ Chicago, Illinois, at which time said hearing, examination or interrogation shall be commenced. By placing my signature upon this statement, I affirm my wish to secure said counsel and agree to comply with Department hearing, examination or interrogation scheduled on the date aforesaid.

Date-Time 20 FEB 06 Signature _____

WITNESSES

_____ 11052

DISTRIBUTION

COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
Duplicate to affected member

COMPLAINT REGISTER NO. 310739

ATTACHMENT NO. 13

14
14

Internal Affairs Division
Special Investigations Section

Statement of accused Police Officer Douglas HARTZ, #11757, Unit 009,
relative to the following allegation(s):

Allegation 1. It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Douglas HARTZ, #11757, Unit 009, made an unjustified traffic stop of [REDACTED] while she was driving her 2001 Nissan Sentra bearing Illinois license plate [REDACTED]

Allegation 2. It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Douglas HARTZ, #11757, failed to identify himself when requested to do so.

Allegation 3. It is alleged by Police Agent Gwendolyn HARRIS, #7938, Unit 121, that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Douglas HARTZ, #11757, failed to generate a Contact Information Card following an investigatory street stop of [REDACTED]

Statement taken at: Room 5041, Internal Affairs Division, 3510 S Michigan, Chicago, Illinois, 60605.

Questioned and typed by Agent Gwendolyn HARRIS, #7938, Unit 121.

Date: 28 February 2006 1200 hours

Witness:

C.R. #310739

HARRIS: What is your name, rank, and unit of assignment?

Accused: Douglas HARTZ, police officer, 009.

HARRIS: What is your date of appointment to the Department and employee number?

HARTZ: 17 Feb 98, [REDACTED]

HARRIS: How long have you been assigned to your present unit?

HARTZ: My entire career, 7 ½ years.

HARRIS: Do you understand that this is an official Police Department report and that any deviation from the truth could result in additional allegations against you?

HARTZ: Yes.

HARRIS: Are you represented by counsel of your choice, if so, identify him/her for the record.

HARTZ: Yes. [REDACTED]

HARTZ: I am not giving this statement voluntarily, but under duress. I am only giving this statement at this time because I know that I may lose my job if I refuse.

HARRIS: What beat were you assigned to on 19 January 2006?

HARTZ: I believe 962E.

HARRIS: What is your pc code number to access Department communication systems?

HARTZ: [REDACTED]

HARRIS: On 19 January 2006, who was/were your partner (s)?

HARTZ: Officers Tim HAYES and John DOWLING.

HARRIS: Did you stop [REDACTED] vehicle on 19 January 2006? If yes, explain why.

HARTZ: Yes. We were on narcotic surveillance and observed a male approach a vehicle. It appeared to be a transaction. The person left the scene and the vehicle proceeded.

HARRIS: What happened as the vehicle proceeded from the scene.

HARTZ: We curbed the vehicle.

HARRIS: What did you do upon approaching the vehicle?

HARTZ: I was a third officer in the vehicle so I stayed at the rear right trunk area of the car.

HARRIS: Did you explain to [REDACTED] why her vehicle was stopped?

HARTZ: No. I did not speak to them at all.

HARRIS: Did one of your partners explain to the complainants why their vehicle was stopped?

HARTZ: I believe Tim HAYES did he was the business officer.

HARRIS: Describe what you saw to make you believe that a narcotics transaction had occurred.

HARTZ: The window rolled down the person leaned into the car with his hands inside of the window so it looked like something was being passed.

HARRIS: Who was the officer that spoke to the passenger, [REDACTED]

HARTZ: No one. No officer spoke to him .

HARRIS: Which of you was the officer to conduct an inquiry for the license plate for [REDACTED] vehicle, # [REDACTED]

HARTZ: I believe it was John DOWLING because he was the front seat passenger, but Timmy could have run it. I was in the back seat.

HARRIS: On 19 January 2006, were you in uniform or citizen's dress?

HARTZ: Civilian dress.

HARRIS: What type of vehicle were you riding in.

HARTZ: It was an unmarked vehicle.

HARRIS: When you stopped [REDACTED] did you identify yourself as the police?

HARTZ: I didn't speak to either of them, but I was wearing a badge and a gun.

HARRIS: Was you badge visible? If yes, explain how.

HARTZ: Yes, It was attached to my vest.

HARRIS: Did [REDACTED] ask you to identify yourself?

HARRIS: NO. they did not.

HARRIS: Did you prepare a Contact Information Card for the traffic stop of [REDACTED]

HARTZ: No, I did not.

HARRIS: Why not?

HARTZ: Officer HAYES, the business officer, completed the contact card.

HARRIS: Did one of your partners search [REDACTED] vehicle?

HARTZ: No.

HARRIS: Did one of your partners search [REDACTED] handbag or [REDACTED] bag?

HARTZ; No. No one was searched.

HARRIS: Did DOWLING use profanities while conducting the stop of [REDACTED] and [REDACTED]

HARTZ: No he did not.

HARRIS: Did Officer HAYES call [REDACTED] a cunt during the traffic stop?

HARTZ: No I did not hear that.

HARRIS: Did Officer HAYES tell [REDACTED] to remove her jacket? If yes, why.

HARTZ: No.

HARRIS: Did DOWLING and HAYES search the inside of [REDACTED] vehicle in any manner? If yes, why?

HARTZ: No,

HARRIS: Are DOWLING and HAYES your normal partners.

HARTZ: No, they are on my team but not my normal partners.

HARRIS: Is there anything you wish to add to this statement?

HARTZ: No.

HARRIS: After reading this statement consisting of 4 pages and finding that it contains the responses you have given, will you sign it?

HARTZ: Yes.

Statement terminated 1225 Hours.

[REDACTED]
Douglas HARTZ

[REDACTED] 7438
Police Agent / Gwendolyn HARRIS, #7938
Special Investigations Section
Internal Affairs Division

**ADMINISTRATIVE PROCEEDING RIGHTS (Statutory)
/NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT**

GIVEN TO ACCUSED

DATE

28 FEB 06

TIME

1200

NAME OF ACCUSED
Douglas HARTZ

RANK
P/O

STAR NO.
11757

UNIT OF ASSIGNMENT
009

ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory)

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1. [REDACTED] (F/6/24)
2. [REDACTED] (M/1/30)
3. Police Agent Gwendolyn HARRIS, #7938
4. [REDACTED]

Allegation 1.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Douglas HARTZ, #11757, Unit 009, made an unjustified traffic stop of [REDACTED] while driving her 2001 Nissan Sentra bearing Illinois plate [REDACTED]

Allegation 2.

It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Douglas HARTZ, #11757, failed to identify himself when requested to do so.

Allegation 3.

It is alleged by Police Agent Gwendolyn HARRIS, #7938, Unit 121, that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Douglas HARTZ, #11757, failed to generate a Contact Information Card following an investigatory street stop of [REDACTED]

The undersigned hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing of the charges or allegations against him.

Witnesses:

Signature

COMPLAINT REGISTER NO.

ATTACHMENT NO.

310739

14 5/7

**ADMINISTRATIVE PROCEEDING RIGHTS (Statutory)
/NOTIFICATION OF CHARGES/ALLEGATIONS
CHICAGO POLICE DEPARTMENT**

GIVEN TO ACCUSED
DATE

TIME

20 FEB 06 1000

NAME OF ACCUSED
Douglas HARTZ

RANK
P/O

STAR NO.
11757

UNIT OF ASSIGNMENT
009

ADMINISTRATIVE PROCEEDINGS RIGHTS (Statutory)

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2. [REDACTED] (M/1/30)
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4. [REDACTED]

Allegation 1.

It is alleged by [REDACTED] that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Douglas HARTZ, #11757, Unit 009, made an unjustified traffic stop of [REDACTED] while driving her 2001 Nissan Sentra bearing Illinois plate [REDACTED]

Allegation 2.

It is alleged by [REDACTED] that on 19 January 2006, at approximately 2220 hours, at [REDACTED], plain clothed Police Officer Douglas HARTZ, #11757, failed to identify himself when requested to do so.

Allegation 3.

It is alleged by Police Agent Gwendolyn HARRIS, #7938, Unit 121, that on 19 January 2006 at approximately 2220 hours, at [REDACTED] plain clothed Police Officer Douglas HARTZ, #11757, failed to generate a Contact Information Card following an investigatory street stop of [REDACTED]

The undersigned hereby acknowledges that he was informed of the rights listed above and acknowledges receipt in writing of the charges or allegations against him.

Witnesses:

Signature [REDACTED]

COMPLAINT REGISTER NO.

ATTACHMENT NO.

310739

14

6/7

WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL
CHICAGO POLICE DEPARTMENT

| NAME OF ACCUSED | RANK | STAR NO. | UNIT OF ASSIGNMENT |
|-----------------|------|----------|--------------------|
| Douglas HARTZ | P/O | 11757 | 009 |

☐ WAIVER OF COUNSEL

I, the undersigned, hereby acknowledge that I have received and read the charges/allegations against me and I knowingly and voluntarily wish to proceed with the hearing, examination or interrogation without having counsel of my own choosing present to advise me during this hearing, examination or interrogation.

Date-Time _____ Signature _____

☒ REQUEST TO SECURE LEGAL COUNSEL

I, the undersigned, having been advised of my right to counsel of my own choosing at all hearings, examinations and interrogations in connection with the charges/allegations against me which have been given to me in writing and receipt of which is hereby acknowledged, elect to secure the services of counsel and agree to proceed with said hearing, examination or interrogation at

1000 hours, on 28 FEB 06, 19 in Room 3510 S MICHIGAN 1A0 - 5TH FL

_____ Chicago, Illinois, at which time said hearing, examination or interrogation shall be commenced. By placing my signature upon this statement, I affirm my wish to secure said counsel and agree to comply with Department hearing, examination or interrogation scheduled on the date aforesaid.

Date-Time 20 Feb 06 Signature _____

WITNESSES

DISTRIBUTION
COMPLAINT REGISTER INVESTIGATION

Original to investigator's file
Duplicate to affected member

CPD-44.106 (Rev. 10/93)

COMPLAINT REGISTER NO. 310739

ATTACHMENT NO. 14 7/7

Redaction Log

Total Number of Redactions in Document: 776

Redaction Reasons by Page

| Page | Reason | Description | Occurrences |
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Redaction Log

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Redaction Log

| Reason | Description | Pages (Count) |
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Redaction Log

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Redaction Log

Redaction Reasons by Exemption

| Reason | Description | Pages (Count) |
|--------|-------------|---|
| | | 1(1) 2(9) 3(2) 4(2) 5(21) 6(24) 7(13) 8(12) 9(14) 10(23) 11(15) 13(10) 14(2) 15(10) 16(2) 17(5) 18(5) 19(9) 20(1) 21(1) 22(2) 23(11) 24(1) 25(12) 26(14) 27(15) 28(20) 29(6) 30(6) 31(13) 32(17) 33(13) 34(7) 35(13) 36(4) 37(1) 38(4) 39(6) 40(2) 41(2) 42(2) 43(2) 44(2) 45(2) 46(2) 47(8) 48(9) 49(7) 50(2) 51(2) 52(5) 53(6) 54(2) 55(4) 56(3) 57(8) 58(2) 59(2) 60(22) 61(7) 62(13) 63(9) |