



## Administrative Summary Report

Log No: 2019-0000176

This ASR provides crucial information to reporting parties, accused members and accused members' supervisors. The information contained herein is intended to display Department member's accountability and foster the relationship with members of the public by ensuring legitimacy and community confidence. The following are definitions of recommended findings:

- Sustained - where it is determined that the allegation is supported by the evidence;
- Not Sustained - where it is determined that there is insufficient evidence to prove the allegations;
- Unfounded - where it is determined by that an allegation is false or not factual; or
- Exonerated - where it is determined that the conduct described in the allegation occurred, but it is lawful and proper.

### INCIDENT DESCRIPTION

Hello,

I am the attorney for [REDACTED] who submits the following complaint:

On July 14, 2018, [REDACTED] was arrested by two Chicago police officers, Kelly Chan Badge 14507 and Javier Collazo Badge 11471. The officers committed the following violations of [REDACTED] rights and CPD directives.

The author of the arrest report made a false report. The report states that [REDACTED] was sitting on top of an orange cooler on the sidewalk of 7 [REDACTED] N Lawndale next to open containers of alcohol bottles of Hennessy and Remy Martin Cognac. However, body-worn camera from the arresting officers clearly shows that [REDACTED] was not sitting next to open containers of alcohol. The officers false report violated Rule 14 of the Rules of Conduct of the Chicago Police Department Making a false report, written or oral.

During the arrest, the arresting officers questioned [REDACTED] after he was in custody, including after he was handcuffed. At no point did the officers advise [REDACTED] of his Miranda rights, violating CPD General Order G0403 link

<http://directives.chicagopolice.org/directives/data/a7a57be212946bda6b3129477fa7bd068c1f6ec0d.html>. The failure to follow this order violates Rule 6 Disobedience of an order or directive, whether written or oral.

Attachments submitted <https://www.dropbox.com/sh/o6sk6l3i3kmubqs/AAAx2CJFASLi4jhJXVAVCf5ua?dl=0>

NOTE: Reporting COPA Investigator Whitehouse had numerous conversations with attorney [REDACTED] regarding the nature and scope of the allegations and explained the jurisdictional issues related to the investigation of this case. Attorney [REDACTED] stated that his client was not contesting the stop or the detention, but was specifically questioning the false information in the arrest report and the failure to read his client the Miranda warnings before questioning him.

Police report, CB 19673459

Screenshots of area next to [REDACTED] showing absence of bottles of Hennessy or Remy Martin Cognac

[REDACTED] is represented in this complaint by Community Activism Law Alliance. Please contact [REDACTED] to discuss. We have obtained bodyworncamera video by FOIA from the Chicago Police Department and can share these videos if needed.

**LOCATION OF OCCURRENCE:** 7 [REDACTED] N LAWNSDALE AVE , District 011

**DATE & TIME OF INCIDENT:** 14 Jul 2018, 23:21

**NARRATIVE SUMMARY:**



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The Investigator gathered available evidence as listed. Based on their respective findings, this log number investigation has been concluded with the recommendations listed. Evidence was evaluated and considered by the investigator to reach their findings.

- A sworn affidavit was obtained.
- Body Worn Camera video was available and reviewed.
- Various CPD reports or other documents related to this incident were available and analyzed.
- The Complainant or Reporting Party cooperated in the investigation and provided information.
- The accused party or parties were interviewed.
- Other evidence relevant to this particular investigation was used to reach the findings for one or more of the allegations made.

\*(Listed above are items for which the investigator has indicated as having been obtained and relevant to the investigation. This list is not inclusive of all items. For item list, please see Placeholder narrative text box below for more information.)

### INVESTIGATIVE CONCLUSION:

**Accused:** JAVIER COLLAZO  
**Rank:** POLICE OFFICER  
**Star Number:** 11471

**RECOMMENDED PENALTY:** 600 - NO ACTION TAKEN / NOT SUSTAINED / EXONERATED / UNFOUNDED

#### Allegations

##### 1 - Unfounded - Civil Rights Violation/Improper Arrest

**Allegation:** The Reporting Party [REDACTED] alleged that on 14 Jul 2018, at 2321 hours, at the location of 7 [REDACTED] N. Lawndale, Chicago, IL 60624 that Officer Javier Collazo, Star 11471, Employee No. [REDACTED] Unit 011 violated his rights by falsely arresting him and making a false report.

##### 2 - Unfounded - Civil Rights Violation/Improper Arrest/Miranda Rights Not Communicated

**Allegation:** The Reporting Party [REDACTED] alleged that on 14 Jul 2018, at 2321 hours, at the location of 7 [REDACTED] N. Lawndale, Chicago, IL 60624 that Officer Javier Collazo, Star 11471, Employee No. [REDACTED] Unit 011, did not read him his Miranda Warnings after arresting him.



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**Accused:** KELLY CHAN  
**Rank:** POLICE OFFICER  
**Star Number:** 14507

**RECOMMENDED PENALTY:** 600 - NO ACTION TAKEN / NOT SUSTAINED / EXONERATED / UNFOUNDED

### Allegations

#### 1 - Unfounded - Civil Rights Violation/Improper Arrest

**Allegation:** The Reporting Party [REDACTED] alleged that on 14 Jul 2018, at 2321 hours, at the location of 7 [REDACTED] N. Lawndale, Chicago, IL 60624 that Officer Kelly Chan, Star 14507, Employee No. [REDACTED] Unit 011 violated his rights by falsely arresting him and making a false report

#### 2 - Unfounded - Civil Rights Violation/Improper Arrest/Miranda Rights Not Communicated

**Allegation:** The Reporting Party [REDACTED] alleged that on 14 Jul 2018, at 2321 hours, at the location of 7 [REDACTED] N. Lawndale, Chicago, IL 60624 that Officer Kelly Chan, Star 14507, Employee No. [REDACTED] Unit 011 not read him his Miranda Warnings after arresting him.