



CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

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Recommendation to Reopen Chicago Police Department Disciplinary Investigation

CPD Log #2024-0007030

OIG Case #C2025-0000000086

Published October 17, 2025

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Pursuant to the Municipal Code of Chicago (MCC) § 2-56-230(c)(ii), the Public Safety section of the City of Chicago Office of Inspector General (OIG) conducts reviews of individual closed disciplinary investigations conducted by the Civilian Office of Police Accountability (COPA) and the Chicago Police Department's (CPD) Bureau of Internal Affairs (BIA). Based on those reviews, OIG may make a recommendation to reopen the investigation to address a deficiency materially affecting its outcome.¹

COPA investigated allegations that CPD members Majid Mustafa, Star #15771, and Crystal Campos, Star #5776, used excessive force against the complainant and failed to complete a Tactical Response Report (TRR) to document the force used during a traffic stop. COPA administratively closed Log #2024-0007030, stating its preliminary investigation did not result in sufficient objective verifiable evidence of misconduct to warrant serving allegations.

During its review, OIG identified that COPA did not conduct an analysis of whether Officer Mustafa's actions in reaching into the vehicle, unlocking the door, and opening the complainant's vehicle door constituted an improper warrantless search.

OIG recommended that COPA reopen the investigation to consider all available evidence and conduct an analysis of whether Officer Mustafa improperly searched the complainant's vehicle when Officer Mustafa reached into the complainant's vehicle and unlocked the driver's side door.

In response to OIG's recommendations, COPA declined to reopen the investigation. In its letter, COPA states, "Even if Officer Mustafa's intrusion into the complainant's vehicle did constitute a search, however, such search would have been authorized under the search incident to arrest exception to the warrant requirement. Under the search-incident-to-arrest doctrine, an arrestee's person and the area within their immediate control are subject to search." COPA also stated the CPD member was more likely than not to have probable cause to justify the complainant's arrest when the complainant informed the CPD member that they did not have a driver's license, which was confiscated in a prior traffic stop

OIG's letter to COPA containing its recommendations is attached in Appendix A. COPA's response is attached as Appendix B.

¹ Once BIA or COPA has responded to an OIG recommendation to reopen an investigation, and once the underlying investigation has reached a final disciplinary decision, OIG's recommendation letters and the agencies' responses will be published on OIG's website. In these procedural postures, OIG's recommendations to reopen and the agencies' responses have been available and, from time to time, released pursuant to MCC § 2-56-250 and the Illinois Freedom of Information Act. These recommendations to reopen, issued pursuant to MCC § 2-56-230(c), are separate from OIG's own confidential investigative work, which is governed by the confidentiality provisions set out in MCC § 2-56-110.



Deborah Witzburg | Inspector General
City of Chicago
Office of Inspector General
231 S. LaSalle Street, 12th Floor
Chicago, IL 60604
Phone: (773) 478-7799

Via Electronic Mail

March 6, 2025

ANDREA KERSTEN
CHIEF ADMINISTRATOR
CIVILIAN OFFICE OF POLICE ACCOUNTABILITY
1615 WEST CHICAGO AVENUE, 4TH FLOOR
CHICAGO, ILLINOIS 60622

Re: Log #2024-0007030

Dear Chief Administrator Kersten:

Pursuant to § 2-56-230(c)(ii) of the Municipal Code of Chicago (MCC), the Office of Inspector General's (OIG) Public Safety section has conducted a preliminary review of the investigation conducted by the Civilian Office of Police Accountability (COPA) in Log #2024-0007030. OIG recommends that COPA reopen the investigation to investigate all potential allegations. Log #2024-0007030 is currently in a Closed/No Finding status.

Log #2024-0007030 concerns allegations that Chicago Police Department (CPD) Officers Majid Mustafa, Star #15771, and Crystal Campos, Star #5776, used excessive force against the complainant and did not complete a Tactical Response Report (TRR) during a traffic stop conducted on August 31, 2024, at approximately 1:30 a.m. The complainant was arrested, transported to CPD's 2nd District station, and ultimately released.¹ Officers Mustafa and Campos issued citations, a Pretrial Release Conditions form, and Vehicle Impoundment Seizure form to the complainant in the incident, but the complainant refused to accept their copies.² COPA closed its investigation having determined there to be a lack of sufficient verifiable evidence of misconduct.³

Officer Mustafa's BWC footage begins as Officers Mustafa and Campos approach the complainant's vehicle while the complainant calls 911 to request a Sergeant on scene.⁴ Officer Mustafa tells the complainant Officers pulled them over because they ran a red light. The complainant replies, "Oh, if it was red, I swear I did not even just notice that." Officer Mustafa requests the complainant's driver's license and proof of insurance, but the complainant states, "Let me just call the Sergeant first." The complainant tells Officer Mustafa they will show the Sergeant their driver's license and insurance

¹ COPA's electronic case file for Log #2024-0007030 in the case management system (CMS) does not contain any reports regarding the incident to clarify what citations the involved CPD members issued to the complainant.

² Attachment 2, at 1:22:00 – 1:23:58.

³ Attachment 22.

⁴ Attachment 1 at 2:45 – 3:15.

information. The complainant calls 911 again to request a Sergeant on scene and tells the 911 operator they have trauma from dealing with the police because they recently filed a lawsuit against the police for falsely accusing the complainant of driving under the influence in a prior traffic stop. The complainant requests a Sergeant on scene for their safety and well-being.⁵ Officer Mustafa asks the complainant for their driver's license and insurance information, but the complainant states they will wait for a Sergeant to arrive before providing their information. Officer Mustafa tells the complainant they cannot wait for a Sergeant as it is a lawful stop, and Officers need the information now. Officer Mustafa tells the complainant they are more than welcome to speak with a Sergeant once they arrive on scene, but repeats they need the complainant's information now. The complainant repeats they will wait on a Sergeant, and Officer Mustafa states, "Now."⁶

The complainant tells Officer Mustafa they do not have their driver's license with them as it was confiscated after the complainant's prior traffic stop. Officer Mustafa responds, "Then say that. Then say that. Then say that." The complainant tells Officer Mustafa, "You know what? I don't even want to talk to you. Get out of my face dude. I don't even know you. C'mon now. I'll wait 'til the Sergeant gets here." Officer Mustafa pulls at the driver's side door handle to open the complainant's door, but it does not open.⁷ Officer Campos's BWC footage shows Officer Mustafa attempt to open the driver's side exterior door handle before he reaches into the complainant's vehicle to unlock the driver's side door.⁸ Officer Mustafa tells the complainant to step out of the vehicle while reaching in to unlock the driver's side door. Officer Mustafa pulls at the exterior driver's side door handle to open the complainant's door. The complainant asks, "What's going on?" Officer Mustafa repeats the order to the complainant to step out of their vehicle. The complainant says, "Okay, I'll get out. I'll get out. What did I do?" Officer Mustafa places handcuffs on the complainant's wrist as they exit their vehicle and tells the complainant, "I'm asking you for a driver's license and you're saying you don't have one."⁹

Officers Mustafa and Campos place the complainant in handcuffs and detain the complainant at the rear of the vehicle. Officer Campos tells the complainant they will turn the vehicle off before reaching into the complainant's vehicle and placing the complainant's keys on top of the vehicle's hood. Officer Mustafa tells the complainant, "We're on a lawful traffic stop. Right now, you're in cuffs. Lawful traffic stop. You ran the red light, okay? You can't provide a driver's license; you can't show me insurance. C'mon man, work with me here." The complainant responds they don't "give a million fucks" and will show their information to a Sergeant once the Sergeant arrives before stating they have a picture of their driver's license on their phone. Officer Campos requests the complainant's name and date of birth, and the complainant states, "Nope. I'm already detained. Keep me detained until the Sergeant gets here. Keep me just like this."¹⁰

Sergeant Nicole Ramirez, Star #1748, arrives on scene and Officer Campos tells Sergeant Ramirez that they stopped the complainant after the complainant's vehicle ran a red light, but the complainant refuses to provide their driver's license and insurance information. The complainant tells Sergeant Ramirez they do not have their physical driver's license, but states their license is valid. The complainant tells Officers Mustafa and Campos that Sergeant Ramirez can conduct a name check to verify the status of their license. Sergeant Ramirez asks Officer Campos to run the complainant's

⁵ Ibid., at 3:20 – 4:45.

⁶ Ibid., at 5:35 – 6:08.

⁷ Ibid., at 6:08 – 6:20.

⁸ Attachment 4, at 6:08 – 6:15.

⁹ Attachment 1 at 6:20 – 6:35.

¹⁰ Ibid., at 6:38 – 7:47.

license plate and asks if the complainant's license is valid. Officer Campos checks the complainant's information on the portable data terminal (PDT) inside the CPD squad car. Officer Campos tells Sergeant Ramirez and Officer Mustafa that the complainant has a suspended driver's license.¹¹ Officers Mustafa places the complainant in the back of the CPD squad car and transports the complainant to CPD's 2nd District station for processing. Officers Mustafa and Campos impound the complainant's vehicle, and Officer Campos drives the complainant's vehicle to CPD's 2nd District station.¹²

COPA conducted a preliminary investigation and administratively closed Log #2024-0007030 without serving allegations. In COPA's Non-Final Summary Report Closure Memorandum it states, "COPA's investigation did not result in sufficient objective verifiable evidence of misconduct."¹³

Based on OIG's preliminary review of the evidence, Officer Mustafa appears to have conducted an improper warrantless search when he reached into the complainant's vehicle and unlocked the driver's side door. In *Carroll v. U.S.*, 267 U.S. 132 (1925), the U.S Supreme Court established that for police to conduct a warrantless search of a car, probable cause is required.¹⁴ Probable cause requires that "in justifying the particular intrusion the police officer must be able to point to specific and articulable facts which, taken together with rational inference from those facts, justifiably warrant that intrusion."¹⁵ In *New York v. Class*, 475 U.S. 106, 114 (1986), the Court held that "[w]hile the interior of an automobile is not subject to the same expectations of privacy that exist with respect to one's home, a car's interior as a whole is nonetheless subject to Fourth Amendment protection from unreasonable intrusions by the police."¹⁶ In *Class*, the Court found that police officers, who stopped the defendant for two traffic violations, by reaching into the interior of the defendant's car to remove from the dashboard certain papers obscuring the vehicle identification number, that "the intrusion into that space constituted a 'search.'"¹⁷ Further, similar to the instant circumstances, a Ninth Circuit Court of Appeals case, *United States v. Ngumezi*, held that "a police officer's act of opening a passenger door to a vehicle and leaning into the vehicle constituted an unlawful search."¹⁸ Thus, as an allegation of misconduct, COPA should consider whether Officer Mustafa's actions in reaching into the vehicle and unlocking the door, then opening the complainant's car door constituted an improper search.¹⁹

COPA's electronic case file for Log #2024-0007030 in the case management system (CMS) does not contain any reports regarding the incident to clarify whether there was probable cause to justify the warrantless search of the complainant's vehicle. Based on OIG's preliminary review, and without taking any position on any other aspect of the investigation or its findings, OIG recommends that COPA reopen Log #2024-0007030 to investigate and conduct an analysis of an allegation of improper search and any other applicable rule violations associated with this incident.

¹¹ Attachment 4, at 11:30 – 17:52.

¹² Attachment 1, at 18:01 – 30:31.

¹³ Attachment 22, p. 1.

¹⁴ *Carroll v. U.S.*, 267 U.S. 132 (1925).

¹⁵ *Terry v. Ohio*, 392 U.S. 1 (1968).

¹⁶ *New York v. Class*, 475 U.S. 106, 114 (1986).

¹⁷ *Id.*

¹⁸ *United States v. Ngumezi*, 980 F.3d 1285 (9th Cir. 2020).

¹⁹ Attachments 4 and 5.

Please contact Chief Investigative Analyst LaDonna Candia-Flanagan at lcandia-flanagan@igchicago.org or (773) 478-5614 with any questions. Please send your response to this recommendation within the time allowed by MCC § 2-56-245. OIG will consider a failure to respond in the time permitted by ordinance to be a declination of our recommendation. OIG looks forward to COPA's response and recommends that COPA incorporate this letter and its response into the electronic case file to provide for a complete record.

Respectfully,



Tobara Richardson
Deputy Inspector General for Public Safety
Office of Inspector General

cc: Deborah Witzburg, Inspector General, OIG
Samuel Chae, Associate General Counsel for Public Safety, OIG
LaDonna Candia-Flanagan, Chief Investigative Analyst for Public Safety, OIG
Robin Murphy, General Counsel, COPA
Angela Snell, Chief Investigative Law Officer, COPA
Yolanda Talley, Chief, Bureau of Internal Affairs, CPD

Appendix B | Department Response



May 9, 2025

Tobara Richardson
Deputy Inspector General for Public Safety
Office of Inspector General
740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654

Via Electronic Mail

Re: Re-Open Recommendation Log No. 2024-0007030

Dear Deputy Inspector General Richardson:

I am in receipt of your letter recommending that COPA re-open and conduct additional investigation into Log No. 2024-0007030. We understand the Office of the Inspector General - Deputy Inspector General for Public Safety (PSIG) recommends re-opening this case to investigate and analyze whether Officer Majid Mustafa, Star #15771, unlawfully searched the complainant's vehicle by reaching into the complainant's car and opening the door. For the reasons stated below, COPA does not concur with PSIG's recommendation to re-open.

PSIG argues COPA should re-open this investigation because the officer's physical intrusion into the complainant's vehicle constituted a search. Even if Officer Mustafa's intrusion into the complainant's vehicle did constitute a search, however, such search would have been authorized under the search incident to arrest exception to the warrant requirement. Under the search-incident-to-arrest doctrine, an arrestee's person and the area within their immediate control are subject to search.¹

It is more likely than not that Officer Mustafa had probable cause to justify the complainant's arrest when the officer reached into the complainant's vehicle. The complainant informed Officer Mustafa that they did have their driver's license with them as it was confiscated after a prior traffic stop.² The complainant also failed to provide insurance upon request.³ Each of these circumstances

¹ *Chimel v. California*, 395 U.S. 752, 63 (1969).

² Att. 1 at 6:11 to 6:13.

³ Att. 1. at 2:45 to 7:47.

provided Officer Mustafa with probable cause to arrest the complainant.⁴ Officer Mustafa was therefore authorized to conduct a search incident to arrest under these circumstances.⁵

Under COPA's ordinance, the Chief Administrator may, in their discretion, re-open any closed investigation upon PSIG's recommendation.⁶ Here, I cannot find an appropriate basis to re-open this investigation. I appreciate your continued diligent and careful review of closed COPA investigations.

Respectfully,



LaKenya White
Interim Chief Administrator
Civilian Office of Police Accountability

cc: Deborah Witzburg (OIG)
Samuel Chae (OIG)
Yolanda Talley (CPD)
Timothy Moore (CPD)
Robin Murphy (COPA)
Angie Snell (COPA)

⁴ See *People v. Bohannon*, 403 Ill. App. 3d 1074, 1078-79 (5th Dist. Ill. 2010) (holding officers authorized to arrest defendant for failure to provide a driver's license or insurance); see also *Corbett v. White*, No. 00 C 4461, 2001 U.S. Dist. LEXIS 13803, at *10 (N.D. Ill. Sept. 5, 2011) ("Illinois law is perfectly clear that an officer has probable cause to make a custodial arrest when a driver fails to produce a valid driver's license at the scene of a lawful stop of the automobile.") (citing cases).

⁵ Although the purported search in this case took place *before* the complainant's arrest, the specific order of events does not matter so long as probable cause for the arrest existed at the time of the search, and the actual arrest occurred soon after. *Rawlings v. Kentucky*, 448 U.S. 98, 111 (1980) ("where the formal arrest followed quickly on the heels of the challenged search of petitioner's person, we do not believe it particularly important that the search preceded the arrest rather than vice versa.") (citing *Bailey v. United States*, 389 F.2d 305, 308 (holding that "even if the formal arrest was not made until after the search, the search will be upheld so long as there is probable cause for an arrest before the search is begun")).

⁶ MCC § 2-78-120(x)(iii).



LaDonna Candia-Flanagan

Chief Investigative Analyst for Public Safety

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For further information about this report, please contact the City of Chicago Office of Inspector General, 231 S. LaSalle Street, 12th Floor, Chicago, IL 60604, or visit our website at igchicago.org.

Talk to Us

(833) TALK-2-IG/(833) 825-5244

talk2ig@igchicago.org

igchicago.org/talk2ig

OIG Business Office

(773) 478-7799

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