

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1015003/U #08-06

INVESTIGATION

NUMBER: Log #1015003/U#08-06

INVOLVED

OFFICER #1: “Officer A” (Chicago Police Sergeant); Male/White; 39 years old; On-Duty; Plainclothes; Year of Appointment – 1992

OFFICER #1’s

INJURIES: None Reported

INVOLVED

OFFICER #2: “Officer B” (Chicago Police Officer); Male/Black; 34 years old; On-Duty; Plainclothes; Year of Appointment – 1999

OFFICER #2’s

INJURIES: None Report

INVOLVED

OFFICER #3: “Officer C” (Chicago Police Officer); Male/Black; 45 years old; On-Duty; Plainclothes; Year of Appointment – 1995

OFFICER #3’s

INJURIES: None Reported

SUBJECT:

“Subject 1”; Male/Black; 24 years old

SUBJECT’S

INJURIES: Treated for multiple gunshot wounds to both thighs, left arm, and middle abdomen area at Stroger Hospital and released.

DATE/TIME:

16 March 2008, 2224 Hours.

LOCATION:

1613 W. Lake St. (Parking Lot of CHA Development)
Beat 1333

SUMMARY OF INCIDENT:

On 16 March 2008, at approximately 2210 hours, in the vicinity of 5500 S. State, Robbery Victim/Witness 1 and Robbery Victim/Witness 2 waved down CPD Detective 2 and CPD Detective 1. Robbery Victim/Witness 1 and Robbery Victim/Witness 2 were victims of an Armed Robbery that had just occurred at 58 E. 57th Street. Robbery Victim/Witness 1 and Robbery Victim/Witness 2 identified the offenders' vehicle to the detectives. Two males and two females were inside the offenders' vehicle. CPD Detective 2 and CPD Detective 1 radioed for assistance as they followed the offenders' vehicle. The offenders entered the northbound Dan Ryan and then the westbound I-290. In the vicinity of Roosevelt Road, officers activated their emergency equipment in an attempt to curb the offenders' vehicle. The offenders fled and a traffic pursuit ensued. Robbery Victim/Witness 1 and Robbery Victim/Witness 2 followed the pursuit in a personal vehicle. At approximately 150 N. Paulina, the driver of the offenders' vehicle, Subject 2, exited the vehicle and ran into the West Haven housing development. One of the rear seat passengers, Subject 1, also ran toward the West Haven Housing Development. CPD Detective 2 and CPD Detective 1 took the two remaining subjects, Subject 3 and Subject 4 Alias, into custody.

Officers pursued Subject 2 into the housing development and placed him into custody at 16XX W. Maypole. While Subject 2 was being taken into custody, Officer A and Police Officer E heard several officers shouting, "He's coming your way! He has a gun!" (referring to Subject 1). Subject 1 pointed a firearm at Officer A, who ordered Subject 1 to drop his weapon. Subject 1 did not drop his firearm. Officer A, in fear for his safety, discharged his firearm twice at Subject 1. Subject 1 ran into a courtyard and several officers chased him. In the courtyard, Subject 1 turned and pointed his firearm at Officer A and Police Officer C. Several officers ordered Subject 1 to drop his firearm, but Subject 1 refused. Officer A, Officer C, and Officer B each discharged their firearms at Subject 1.

Subject 1 continued to run through the courtyard and into the parking lot located at 1617 W. Lake. In the parking lot, Subject 1 turned and pointed his firearm at Officer B. Officer B, in fear for his life, discharged his firearm several times at Subject 1. Subject 1 dropped his firearm, raised his hands, and fell to the ground.

INVESTIGATION:

In an interview on 17 March 2008 with CPD Detective 3, **Subject 2** stated that Subject 1¹ picked him up in a grey vehicle and they drove to buy vodka. The men picked up Subject 3 and Subject 4 Alias and drove to the south side. Subject 2 stated that he observed two black male subjects, now known to be Robbery Victim/Witness 1 and Robbery Victim/Witness 2, standing by a vehicle. Subject 1 told Subject 2, "Pull over right here, I'm fixin' to hit them." Subject 2 understood Subject 1 to mean that he intended to rob Robbery Victim/Witness 1 and Robbery Victim/Witness 2. Subject 2 stated that he saw Subject 1 rob Robbery Victim/Witness 1 and Robbery Victim/Witness 2. When Subject 1 returned to their vehicle, Subject 2 saw him holding a gun in his right hand. Subject 1 told Subject 2 he "got" a chain and a wallet. Subject 2 drove to the expressway, at which time he observed police lights and sirens. Subject 2 stated that he drove to the west side and stopped the vehicle near Maypole and Paulina. Subject 2 stated that he exited the vehicle and ran to Subject 1's townhouse. Once inside the townhouse, Subject 2 heard police shouting and he heard gunshots. Subject 2 stated that he was subsequently taken into custody. (Att. 52)

In an interview on 17 March 2008 with CPD Detective 4 and CPD Detective 5, **Subject 1**, stated that he and "some friends" were in a car traveling north on the expressway.² Subject 1 could not recall who was driving or how many people were in the vehicle with him. Subject 1 stated that as they drove north on the expressway, he observed blue police lights behind them. Subject 1 stated that they continued north on the expressway. Subject 1 stated that when the vehicle came to a stop, he exited the vehicle. Subject 1 stated that his gun "fell out" when he exited the vehicle. Subject 1 stated that he never discharged his firearm. Subject 1 also did not know where he dropped his firearm. Subject 1 refused to answer any additional questions or provide any more information regarding this incident. (Att. 52)

Subject 1 and Subject 2 refused to cooperate with this investigation. (Att. 14, 29-30)

Robbery Victim/Witness 2 related to the **Roundtable Panel** an account of the incident that was consistent with the Summary of Incident. Robbery Victim/Witness 2 stated that he and his friend, Robbery Victim/Witness 1, observed a black male subject, now known to be Subject 1, approach Robbery Victim/Witness 1 and place a gun against Robbery Victim/Witness 1's body. Subject 1 said, "Give me everything." Robbery Victim/Witness 1 raised his hands and Subject 1 took Robbery Victim/Witness 1's wallet and necklace and \$20 USC from Robbery Victim/Witness 2. Subject 1 got into a Buick LeSabre and drove away. Robbery Victim/Witness 2 stated that there were two males and two females in the Buick LeSabre. Robbery Victim/Witness 2 and Robbery Victim/Witness 1 noted the license plate and decided to follow the Buick LaSabre. At 5500 S. State, Robbery Victim/Witness 2 and Robbery Victim/Witness 1

¹ Chicago Police Department reports related to the incident consistently refer to the subject as "Subject 1." Other attachments spell Subject 1's first name as "[Name Withheld]" and "[Name Withheld]." In the interest of clarity and consistency, this report will refer to the subject as "Subject 1."

² According to the available reports and accounts, the subjects drove northbound on the Dan Ryan Expressway, exited to the Eisenhower Express and drove on the Eisenhower Expressway to the Ashland Avenue exit.

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waved down two detectives and told them that they had just been robbed by a man with a gun in the Buick LeSabre. The detectives and Robbery Victim/Witness 2 and Robbery Victim/Witness 1, in separate vehicles, followed the Buick LeSabre onto the Dan Ryan Expressway. Several additional police vehicles also followed them onto the expressway. The Buick LeSabre eventually exited the Eisenhower Expressway at Ashland Avenue. Robbery Victim/Witness 2 and Robbery Victim/Witness 1 parked their vehicle at the corner of Maypole and Paulina and exited the car. Robbery Victim/Witness 2 saw officers running after Subject 1. Subject 1 held a handgun. Robbery Victim/Witness 2 heard officers order Subject 1 to put his gun down and then he heard two gunshots. Robbery Victim/Witness 2 again heard officers tell Subject 1 to put the gun down. Robbery Victim/Witness 2 then heard multiple gunshots. Robbery Victim/Witness 2 also saw another black male run inside a house and identified him as one of the occupants of the Buick LeSabre. (Att. 24)

In a statement to IPRA on 29 March 2008, **Robbery Victim/Witness 2** stated that his friend, Robbery Victim/Witness 1, drove him, his cousin, [Name Withheld], and her son, to Robbery Victim/Witness 1' apartment. They dropped [Name Withheld] and her son at the apartment and then drove to the corner to park the car. Robbery Victim/Witness 1 and Robbery Victim/Witness 2 exited the car and were approached by a black male subject, now identified as Subject 1. Subject 1 walked up to Robbery Victim/Witness 1 and pointed a semi-automatic handgun at Robbery Victim/Witness 1 and robbed Robbery Victim/Witness 1 and Robbery Victim/Witness 2 of their money, jewelry, cell phones, and wallets. Subject 1 got into a Buick LeSabre and drove away. Robbery Victim/Witness 1 and Robbery Victim/Witness 2 told [Name Withheld] to call 911. Robbery Victim/Witness 2 and Robbery Victim/Witness 1 got into their vehicle and followed the Buick LeSabre. At 5500 S. State St., Robbery Victim/Witness 2 and Robbery Victim/Witness 1 yelled to CPD Detective 2 and CPD Detective 1 that they had been robbed and pointed out the Buick LeSabre. The detectives followed the Buick LeSabre and Robbery Victim/Witness 1 and Robbery Victim/Witness 2 followed the detectives. Robbery Victim/Witness 1 stated that they followed the Buick LeSabre to Maypole and Paulina and parked near a school. Robbery Victim/Witness 2 saw Subject 1 and the Buick LeSabre's driver, Subject 2, exit the vehicle and run between two buildings. Robbery Victim/Witness 2 saw Subject 1 holding the handgun as he ran. Subject 2 ran into a residence and Subject 1 continued to run toward the sidewalk. A large group of officers chased Subject 1 and he ran back towards the town homes. Robbery Victim/Witness 2 and Robbery Victim/Witness 1 saw officers pounding on the door of a residence. Robbery Victim/Witness 2 and Robbery Victim/Witness 1 yelled to the officers that Subject 1 was running toward the officers and that Subject 1 had a gun. Waarrith heard two gunshots and officers say, "He's shooting at us." Robbery Victim/Witness 1 and Robbery Victim/Witness 2 moved for cover, at which time Robbery Victim/Witness 2 heard multiple gunshots. Robbery Victim/Witness 2 stated that a short while later Subject 2 opened the door to the residence and he was taken into custody. Robbery Victim/Witness 2 stated that throughout the incident he "heard 'every' officer" order Subject 1 to drop his weapon. Robbery Victim/Witness 2 also stated that he did not see the shooting. (Att. 26)

Robbery Victim/Witness 1 related to the Roundtable Panel an account of the incident that was consistent with the Summary of Incident and the account provided by Robbery Victim/Witness 2. Robbery Victim/Witness 1 stated that he was able to identify the black male that robbed him in a photo spread. Robbery Victim/Witness 1 also identified the two black

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females that were in the Buick LeSabre. (Att. 24)

In a statement to IPRA on 29 March 2008, **Robbery Victim/Witness 1** stated that he drove Robbery Victim/Witness 2 and Robbery Victim/Witness 2's cousin, [Name Withheld], and her son, "[Name Withheld]," to [Name Withheld]'s house. Robbery Victim/Witness 1 dropped [Name Withheld] and her son off at the house and he and Robbery Victim/Witness 2 parked the car at the corner. As they parked the car, Robbery Victim/Witness 2 pointed out a Buick LeSabre with two black males and two black females inside. Robbery Victim/Witness 1 and Robbery Victim/Witness 2 exited their car and one of the black males, now known to be Subject 1, exited the Buick and approached them. Subject 1 pointed a semi-automatic handgun at Robbery Victim/Witness 1 and robbed them of their money, cell phones and wallets. Subject 1 got back into the Buick LeSabre and Robbery Victim/Witness 1 identified the driver as Subject 2. Robbery Victim/Witness 1 stated that [Name Withheld] called 911. Robbery Victim/Witness 1 and Robbery Victim/Witness 2 got into their car to get the license plate of the Buick LeSabre. At 5500 S. State St., Robbery Victim/Witness 2 and Robbery Victim/Witness 1 yelled to CPD Detective 2 and CPD Detective 1 that they had been robbed and pointed out the Buick LeSabre. The detectives followed the Buick LeSabre and Robbery Victim/Witness 1 and Robbery Victim/Witness 2 followed the detectives. Robbery Victim/Witness 1 stated that they followed the Buick LeSabre to Maypole and Paulina and parked near a school. Robbery Victim/Witness 1 saw Subject 1 and Subject 2 get out of the Buick LeSabre and run through a gangway. Robbery Victim/Witness 1 saw Subject 1 holding a handgun as he ran from the officers. Robbery Victim/Witness 1 heard the officers on the scene repeatedly order Subject 1 to drop the gun. Robbery Victim/Witness 1 heard several gunshots, but did not see anyone discharge a firearm. Robbery Victim/Witness 1 stated that a short while later, he saw officers escort Subject 2 out of a nearby residence. (Att. 25)

In a statement to IPRA on 17 March 2008, **Witness 3** stated that she was standing outside her mother's home when her son, Subject 1, ran up to her. Witness 3 also saw fifty to one hundred police officers approaching from two different directions. Witness 3 told Subject 1 to stop, but he was running and "it looked like he didn't know what was going on." Subject 1 ran around Witness 3 and she did not see him holding a gun. Witness 3 told the officers not to shoot her son, but they "opened fire." Witness 3 added that every officer on the scene discharged their firearms. Witness 3 tried to get to Subject 1 to see if he was "OK," but the officers told her to shut up and threatened to Taser her. Seven or eight officers were punching and kicking Subject 1 while he was on the ground.

Witness 3 added that Subject 1 had only left the house only a few minutes before this incident. Witness 3 did not know if Subject 1 had been driving around or if he had been drinking or using any drugs. (Att. 15)

In a statement to IPRA on 17 March 2008, **Witness 4** stated he was asleep in his basement until the sound of multiple gunshots woke him. Witness 4 stated that the gunshots sounded as if they were right outside his house. Witness 4 retrieved his handgun, a chrome revolver, from a lockbox and yelled upstairs to his wife, Witness 5. Witness 4 then heard banging at his door. Witness 5 told him that the police were at the door. Witness 4 placed his gun on his bed and covered it with a blanket. Witness 4 went upstairs where he was stopped by

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multiple officers and taken outside. Witness 4 was taken to the police station after officers found his unregistered gun. Witness 4 stated that Subject 1 did not live in the home. (Att. 16)

In a statement to IPRA on 19 March 2008, **Witness 5** stated she was asleep in her bed when she was awoken by a loud noise at the door. Witness 5 went downstairs and saw Subject 2 inside her home. Witness 5 heard police “pounding” on the door. Witness 5 opened the front door and pushed Subject 2 toward the door. The officers took Subject 2 and came inside. Witness 5 gave the officers permission to search the residence for a gun. Witness 5 stated that she heard many gunshots, but did not see the shooting. The officers subsequently found Witness 4’s gun in the basement. (Att. 23)

In an interview on 17 March 2008 with Area Four CPD Detective 6, **Subject 3** stated that Subject 2 picked her up from her aunt’s home at 2118 hours on 16 March 2008. Subject 3 stated that Subject 2 was with Subject 4 Alias and Subject 1. Subject 3 stated that they purchased some alcohol and then “cruised around.” At some point Subject 1 told Subject 2 to “stop the car” so he could get out. Subject 2 pulled over and Subject 1 exited and walked over to two black males, now known to be Robbery Victim/Witness 1 and Robbery Victim/Witness 2, as they exited a blue Monte Carlo. Subject 3 stated that Robbery Victim/Witness 1 and Robbery Victim/Witness 2 held their hands up as Subject 1 searched them and Robbery Victim/Witness 1 gave his gold chain and wallet to Subject 1. Subject 3 stated that she realized that Subject 1 was robbing them. Subject 1 got into the backseat of Subject 2’s car and they drove away, and eventually entered the expressway. Subject 1 repeatedly told them not to look behind them because the police were following them. The police then activated their lights and sirens. Subject 3 stated that the police chased them. Subject 1 went through the stolen wallet and handed the gold chain to Subject 3 and told her to put it on. Subject 3 stated that she was afraid that Subject 1 may have been in possession of a handgun, so she did as he instructed. Subject 3 stated that Subject 2 eventually pulled over and both he and Subject 1 exited the vehicle and fled on foot. Subject 3 stated that she and Subject 4 Alias were immediately taken into custody. (Att. 52)

In an interview on 17 March 2008 with Area Four CPD Detective 7, **Subject 4** (aka Subject 4 Alias) stated that on the night of the incident, Subject 1 called her and asked her to “hook up.” Subject 4 agreed and she was subsequently picked up by Subject 1, Subject 2, and Subject 3. Subject 2 drove them around while they drank Grey Goose Vodka. Subject 4 stated that Subject 2 parked the car on Michigan Avenue and Subject 1 got out. Subject 1 approached another black male, now known to be Robbery Victim/Witness 1, as he got out of a dark colored vehicle. Subject 4 saw Subject 1 pointing a handgun at Robbery Victim/Witness 1. Subject 4 did not know what Subject 1 took from Robbery Victim/Witness 1. Subject 4 stated that Subject 1 then “patted down” the passenger, now known to be Robbery Victim/Witness 2, but she did not know what, if anything, Subject 1 took from him. After the robbery, Subject 1 got back into Subject 2’s vehicle and sat next to Subject 4 in the back seat. Subject 4 saw Subject 1 put the gun in the right front pocket of his jacket. Subject 4 stated that Subject 1 had taken a gold chain, a Subject 4 wallet, a black cell phone, and twenty dollars from Robbery Victim/Witness 1 and Robbery Victim/Witness 2. Subject 2 drove to the expressway and was chased by the police. Subject 2 exited the expressway at Ashland Avenue. and continued to drive “in circles” until he stopped the car on a side street. Subject 2 and Subject 1 exited the vehicle and fled on foot. Two female police officers immediately took Subject 4 and Subject 3 into custody. A few seconds

later, Subject 4 heard police officers yell “Stop!” and “Freeze!” Subject 4 heard gunshots in the courtyard area of the housing complex. (Att. 52)

Attempts to obtain the cooperation of Subject 3 and Subject 4 Alias by US Mail yielded negative results. (Att. 48-49, 90)

The **Case, Arrest, Tactical Response, and the Detective Supplementary Reports** contained an account of the incident that was consistent with the accounts provided to the Roundtable panel and the Summary of Incident. The reports document the fact that officers responded to a simulcast by CPD Detective 2 and CPD Detective 1, who were assigned to Beat 5171, and were following Armed Robbery offenders. The offenders’ vehicle traveled northbound on I-90/94. CPD Detective 2 and CPD Detective 1 were flagged down by the victims of the robbery at 5500 S. State. The traffic pursuit ended at 150 N. Paulina and two of the four offenders, Subject 3 and Subject 4 Alias, were taken into custody there. The other two offenders, Subject 1 and Subject 2, fled the scene on foot. Subject 2 was apprehended inside the apartment at 16XX W. Maypole. During the foot pursuit, Subject 1 pointed his firearm at Officer A, Officer E and Officer B. Officer A and Officer B discharged their firearms at Subject 1, striking him multiple times. Subject 1 was taken into custody at 1617 W. Lake. Subject 1 was transported to Stroger Hospital by CFD Ambulance #53. The reports indicate that Officer A discharged his firearm five times, Officer C discharged his firearm six times, and Officer B discharged his firearm fifteen times. (Att. 6-9, 19)

The **Arrest Report** for **Subject 2** documented that he was arrested after he was positively identified by the victims as being one of the offenders who participated in robbing the victims in that Subject 1 pointed a handgun at the victims and took two cell phones and a wallet that contained miscellaneous ID cards and credit cards, and approximately \$70.00 USC. (Att. 17)

The **Arrest Report** for **Witness 4** reported that he was taken into custody after officers arrested Subject 2 inside Witness 4’s residence. Witness 4 emerged from the basement and voluntarily stated, “I heard some gunshots and then heard someone pounding on my front door. That’s when I went to get my gun. It’s on my bed down in the basement.” Witness 4’s gun was recovered and he was placed under arrest and charged with U UW- No FOID, and having an unregistered firearm. (Att. 18)

The **Traffic Pursuit Report** indicates that Beat 5171 (CPD Detective 2 and CPD Detective 1) were waived down at 5500 S. State by two victims. The victims pointed out a grey Buick LeSabre with four occupants and stated that two of the occupants had just robbed the victims at gunpoint at 5700 S. Wabash. CPD Detective 2 and CPD Detective 1 followed the Buick LeSabre as it entered the northbound lanes of the Dan Ryan Expressway. CPD Detective 2 and CPD Detective 1 gave a flash message on Zone 5 detailing the incident. Beat 240, Beat 214, and Beat 231 responded to the radio call. The involved units entered the Dan Ryan and attempted to catch up with the offenders’ vehicle. At approximately Roosevelt Road, CPD Detective 2 and CPD Detective 1 activated their emergency equipment but the driver of the Buick LeSabre ignored it. Marked police units took the primary pursuit position. The driver of the Buick LeSabre continued to ignore the emergency equipment and proceeded westbound on I-

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290. The Buick LeSabre exited I-290 at Ashland Avenue and drove north to Van Buren Street. At Van Buren Street, the vehicle turned to travel westbound on Van Buren Street. At Paulina, the offenders' vehicle turned and went north on Paulina to Lake Street. At Lake Street, the car turned and continued through the south alley between Ashland and Maypole. The offenders' vehicle continued west on Maypole, then north on Paulina, and stopped at approximately 150 N. Paulina. Subject 2 and one of the rear passengers, Subject 1, jumped out of the vehicle and ran into a public housing complex to the east. Subject 2 was caught at 16XX W. Maypole. Subject 1 was taken into custody at 1619 W. Lake after the police involved shooting. (Att. 39)

The **Crime Scene Processing Report** stated that a Taurus Millennium PT111, Serial Number: TUK06260, was recovered from parking space #37. The Crime Scene Processing Report also reported that Subject 1's hands were swabbed for gun shot residue testing while Subject 1 was at Stroger Hospital to receive treatment for gunshot wounds. Forensic Investigators also inventoried Officer B's weapon, Officer C's weapon and Officer A's weapon for testing at the Illinois State Police Forensic Services Section. (Att. 33)

Evidence Technician ("ET") Photographs depict Subject 1 laying on a gurney or bed. Subject 1's body is covered by a blanket and only his head is visible. The photographs do not depict any obvious injury to Subject 1's face. (Att. 37)

The ET photographs of Subject 2 do not depict any injury. (Att. 37)

The **Chicago Fire Department ("CFD") Ambulance Report** indicates that on 16 March 2008, at 2226 hours, Ambulance #53 was dispatched to 1619 W. Lake Street for a gunshot victim. At 2235 hours, Ambulance #53 arrived at that location and found Subject 1 alert, handcuffed and sitting on a sidewalk. Subject 1 stated that he had been shot. It was reported there was a small delay in removing Subject 1 to the ambulance due to the police searching for any weapons. Once in the ambulance Subject 1's clothing was removed. Subject 1 had a gunshot wound to his left hand/wrist, with the entrance wound to the wrist and exit wound to the hand. Subject 1 also had three gunshot wounds to both legs near his thighs, with a possible through and through gunshot wound to his left leg, and entering his right leg. The third gunshot wound was to Subject 1's left hip. Subject 1 was transported to Stroger Hospital without incident. (Att. 13)

Medical Records obtained from Stroger Hospital and Cermak Health Services indicate that Subject 1 robbed two pedestrians and fled in a car and was pursued by police. Subject 1 then fled on foot and was subsequently shot by the police. Subject 1 sustained multiple gunshot wounds. Subject 1 sustained a gunshot wound to his left anterior elbow, two gunshot wounds to the distal radius/ulnar aspect of the wrist area, one gunshot wound to the right anterior midportion of the femur, one gunshot wound to the posterior aspect of the right femur, one gunshot wound to the posterior right hip, one gunshot wound to left flank area, and three gunshot wounds to left medial femur area midportion. (Att. 40, 41)

A report from the **Illinois State Police ("ISP") Division of Forensic Services** indicated that Subject 1 may not have discharged a firearm with either hand. If he did discharge a firearm, then the particles were removed by activity, were not deposited, or were not detected by the

procedure. (Att. 87)

A report from the **Illinois State Police (“ISP”) Division of Forensic Services** indicates that the firearms belonging to Officer A and Officer B and Officer C were test fired and found to be in firing condition. The ISP report also indicates that five of the bullets/bullet fragments submitted for comparison were fired from Officer A’s firearm, eleven were fired from Officer B’s firearm, and six were fired from Officer C’s firearm. One bullet/bullet fragment submitted for comparison was found to be unsuitable for testing or comparison and therefore could not be identified or eliminated as having been fired from any of the officers’ weapons. (Att. 88)

In a report from the **Illinois State Police (“ISP”) Division of Forensic Services**, it is reported that examination of an inventoried debit card did not reveal any latent impressions suitable for comparison. (Att. 89)

CPD Detective 1 related to the Roundtable panel an account of the incident that was consistent with the Summary of Incident. (Att. 24)

In a statement with IPRA on 25 February 2011, **CPD Detective 1**, stated that on the night of the incident she and her partner, CPD Detective 2, were “flagged down” by the victims, now known to be Robbery Victim/Witness 1 and Robbery Victim/Witness 2, of an armed robbery. Robbery Victim/Witness 1 and Robbery Victim/Witness 2 pointed the offenders’ vehicle out and told the detectives that the offenders had guns. CPD Detective 1 and CPD Detective 2 notified OEMC, via their police radio, that the offenders were armed. CPD Detective 1 and CPD Detective 2 followed the offenders’ vehicle northbound on the Dan Ryan Expressway. Near Roosevelt Road, CPD Detective 2 activated the squad car’s emergency equipment and attempted to curb the offenders. The subjects did not stop, but instead sped up. CPD Detective 1 and CPD Detective 2 followed the offenders’ vehicle west on I-290 and as it exited at Ashland Avenue. The offenders’ vehicle suddenly stopped and the two male occupants, now known to be Subject 2 and Subject 1, exited the vehicle and fled on foot. CPD Detective 1 stated that she saw several tactical officers chase Subject 2 and Subject 1. CPD Detective 1 stated that she and CPD Detective 2 stayed with the offenders’ vehicle and secured the two female occupants, now known to be Subject 3 and Subject 4 Alias. CPD Detective 1 stated that she heard gunshots. CPD Detective 1 stated that she did not see the shooting. (Att. 80)

CPD Detective 2 related to the Roundtable panel an account of the incident that was consistent with the Summary of Incident. (Att. 24)

In a statement to IPRA on 10 March 2011, **CPD Detective 2**, stated that on the night of the incident, CPD Detective 1 was her partner. CPD Detective 2 related essentially the same information as CPD Detective 1. CPD Detective 2 stated that when the offenders’ vehicle came to a stop on Maypole, Subject 2 exited and fled on foot. CPD Detective 2 stated she initially exited her squad car and chased Subject 2 but stopped when she saw several tactical officers also chasing him. CPD Detective 2 returned to the offenders’ car to assist CPD Detective 1. CPD Detective 2 returned to the offenders’ car and saw Subject 1 exit the vehicle. CPD Detective 2 grabbed Subject 1 and they wrestled. Subject 1 pushed CPD Detective 2 and ran away. CPD Detective 2 chased him a short distance until she saw additional officers chasing Subject 1. CPD

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Detective 2 again returned to the offenders' vehicle to assist CPD Detective 1 with the remaining two occupants. CPD Detective 2 stated that as she was taking one of the female occupants out of the vehicle, she heard gunshots. CPD Detective 2 stated that she forced the female to the ground for cover because she did not know where the gunshots were coming from. CPD Detective 2 did not witness the shooting. (Att. 82)

In a statement with IPRA on 15 February 2011, **Officer D**, stated he was assigned as a tactical officer and his partners were Officer A and Officer E. Officer E was driving and Officer A was the rear passenger. Officer D stated that on the night of the incident, a detective unit sent out a "flash message" regarding an armed robbery. The detectives were following the offender's vehicle north on the Dan Ryan Expressway and provided a description of that vehicle. Officer D and Officer E entered the northbound Dan Ryan at 35th Street and joined the pursuit as the third police vehicle behind the offender's vehicle. The offenders drove northbound on the Dan Ryan, then west on the Eisenhower Expressway, and exited at Ashland Avenue. The offenders drove to approximately 161 N. Paulina and stopped. Officer D saw Subject 2 exit the vehicle and run into a housing complex. Officer D, Officer A, and Officer E chased Subject 2 into the complex. Subject 2 ran into the residence at 16XX W. Maypole. Officer E and Officer A tried to open the door but it was locked. Officer D stood on the sidewalk in front of the residence while Officer A and Officer E "banged" on the door and said, "Police! Open the door!" Officer D heard a commotion behind him and turned around. Officer D saw Subject 1 running to a parking lot to the south. Officer D heard other officers yell, "Watch out! He's got a gun!" Subject 1 ran with a handgun in his right hand. Officer D chased Subject 1 through the parking lot and then east along a sidewalk. Subject 1 then ran north and back into the housing complex in the direction of Officer A and Officer E, who were still on the landing of the residence Subject 2 ran into. Officer D stated that Subject 1 was about fifty to sixty feet ahead of him. Officer D heard Officer A repeatedly order Subject 1 to drop his gun, but Subject 1 did not drop the gun. Officer D stated that Officer A then fired twice at Subject 1. Subject 1 continued to run north past Officer A. Officer D stated that Officer A joined the foot chase as they continued north. Officer D stated that numerous officers were converging on Subject 1 as he ran through an open field. Subject 1 stopped, turned toward the officers and raised his firearm to shoulder level. Officer D heard multiple gunshots and saw Subject 1 turn away and continue running north into a parking lot. Subject 1 ran around a building and Officer D lost sight of him. By the time Officer D reached the parking lot, Subject 1 was in custody. Officer D ran back to Officer E and they were able to gain entry into the residence and take Subject 2 into custody. (Att. 74)

Officer E related to the Roundtable panel an account of the incident that was consistent with the Summary of Incident. (Att. 24)

In a statement to IPRA on 18 February 2011, **Officer E**, stated that on the night of the incident, he was working with Officer A and Officer D. Officer E stated he was driving the squad car when they monitored a radio call from CPD Detective 2 and CPD Detective 1 regarding an armed robbery. A description of the offenders' vehicle and its location was also given out via the radio. CPD Detective 2 and CPD Detective 1 radioed that they were following the offenders' vehicle northbound on the Dan Ryan Expressway. Officer E entered the expressway at 35th Street and followed the offenders' vehicle. Officer E stated that the police vehicles had their emergency equipment activated. Officer E stated that they followed the

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offenders' vehicle as they drove west on I-290 and then exited at Ashland Avenue. The offender's vehicle stopped and Subject 2 exited and ran. Officer E exited the squad car and chased Subject 2. Officer E yelled, "Stop! Police!" Officer E stated that Subject 2 ran into one of the apartments in the "row houses" and locked the door behind him. Officer E and Officer A attempted to gain entry into the row house. Officer E stated that he then heard other officers yell, "he's coming right behind you and he's got a gun." Officer E saw Subject 1 run toward him and Officer A. Officer E stated that Subject 1 held a handgun. Officer A ordered Subject 1 to "Stop!" and "Freeze!" Subject 1 turned toward Officer A and Officer A fired two times at Subject 1. Officer E stated that he did not discharge his firearm because he did not have a clear shot at Subject 1. Subject 1 continued to run around the corner of a building and Officer E lost sight of him. Officer E stayed at the front door of the row house that Subject 2 entered. A few moments later, Officer E heard additional gunshots. Subject 2 opened the door to the row house. Officer E and other officers entered and took Subject 2 into custody. (Att. 79)

Officer A related to the Roundtable panel an account of the incident that was consistent with the Summary of Incident. (Att. 24)

In a statement with IPRA on 15 February 2011, **Officer A**, stated that on the night of the incident he was working with Officer D and Officer E when they monitored a radio call from another police unit that was following a vehicle involved in an armed robbery. Officer A and Officer D and Officer E entered the Dan Ryan Expressway at 35th Street and followed the offenders' vehicle northbound and then westbound on the I-290 Expressway. Officer A stated that they followed the offender's vehicle as it exited the expressway at Ashland Avenue and drove into a "cluster of row houses." The offender's vehicle stopped and Subject 2 exited and ran. Officer A and Officer E exited their squad car and chased Subject 2 while Officer D stayed with the offender's vehicle. Subject 2 ran into one of the apartments and locked the door behind him. Officer A and Officer E "pounded" on the door and attempted to gain access to the apartment. Officer A heard a commotion behind him and he turned around. Officer A heard officers yelling, "Police! Stop!" Officer A saw several officers chasing Subject 1. Officer A saw Subject 1 running towards him with a handgun in his right hand. Officer A drew his firearm from its holster and ordered Subject 1 to stop. Subject 1 pointed his gun at Officer A and Officer E, and Officer A discharged his firearm twice at Subject 1. Subject 1 ran around the corner of the building. Officer A used his radio to make the "shots fired" notification as he chased Subject 1 around the building. Officer A stated that Subject 1 ran into an open field. Subject 1 turned around with his gun in his hand and faced Officer A. Officer A and Officer C discharged their firearms at Subject 1, who turned and continued to run. Subject 1 ran through the open field and into a parking lot. In the parking lot, Subject 1 turned toward the officers again. Officer A stated that Officer B discharged his firearm at Subject 1. Subject 1 dropped his gun and said, "I'm done, I'm hit." Officers repeatedly ordered Subject 1 to "get down" but he refused. Subject 1 was forced to the ground and handcuffed. Officer A stated that he radioed for an ambulance for Subject 1 and secured the parking lot. (Att. 75)

Officer B related to the Roundtable panel an account of the incident that was consistent with the Summary of Incident. (Att. 24)

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In a statement to IPRA on 09 March 2011, **Officer B**, stated that on the night of the incident, his partner was Officer F. Officer B stated that they monitored the radio call from CPD Detective 1 and CPD Detective 2 that they were following the offenders of an armed robbery northbound on the Dan Ryan. Officer B drove the squad car and got on the Dan Ryan going north and followed the offenders. Near Canalport Avenue, Officer B activated his emergency equipment in an attempt to curb the offenders. Officer B stated that there were numerous police vehicles following the offenders. The offenders drove northbound on the Dan Ryan and then westbound on the I-290 Expressway at a high rate of speed. The offenders' vehicle exited at Ashland Avenue and came to an abrupt stop on Maypole. Subject 2 exited the vehicle and ran into one of the row house apartments. Two officers chased Subject 2 to the front door while Officer B ran to the rear outside of the apartment in case Subject 2 attempted to escape through the back. Officer B heard someone in the front of the residence yell, "He's got a gun! He's got a gun!" Officer B then heard two gunshots. Officer B then heard two more gunshots he attributed to a different caliber handgun than the first due to the different sound it made when fired. Officer B then saw Subject 1 run past him with a firearm in his hand. Officer B chased Subject 1 and repeatedly yelled, "Stop! Stop! Police!" Subject 1 repeatedly turned and pointed his gun as he ran. Officer B repeatedly discharged his firearm at Subject 1. Officer B stated that he specifically saw Subject 1 point his gun at Officer A. Subject 1 dropped his gun in a parking lot and was taken into custody. (Att. 81)

In a statement to IPRA on 15 February 2011, **Officer F** stated that on the night of the incident, his partner was Officer B. Officer B was the driver of their police vehicle. Officer F stated that he and Officer B were in their car in the parking lot of the 002nd District Station when they monitored a radio transmission from CPD Detective 2 and CPD Detective 1. CPD Detective 2 and CPD Detective 1 radioed that they were attempting to curb the offenders of an armed robbery and provided a description of the offenders' vehicle and its direction of travel. Officer F and Officer B entered the northbound lanes of the Dan Ryan Expressway at 47th Street. Officer F stated that the offenders' vehicle drove past them on the expressway followed by CPD Detective 2 and CPD Detective 1. Officer F and Officer B followed the offenders as they drove west on the Eisenhower and as they exited the expressway. Officer F stated that the offenders' vehicle came to a stop and Subject 2 exited and ran. Officer F stated that he and Officer B exited their vehicle and chased Subject 2 into a housing complex. Officer F stated that he saw numerous officers chase Subject 2 into a house and then he ran back to the offenders' car where CPD Detective 2 and CPD Detective 1 said to him, "He has a gun. He went that way" and pointed to the south. Officer F ran south and heard gunshots. Officer F stated that he continued to run to a parking lot where he saw numerous police officers and Subject 1, who was face down on the ground. Officer F saw a handgun on the ground about five feet away from Subject 1. Officer F heard an ambulance being requested on the radio. Officer F assisted with handcuffing Subject 1, who was conscious and responsive. (Att. 76)

Officer C related to the Roundtable panel an account of the incident that was consistent with the Summary of Incident. (Att. 24)

In a statement to IPRA on 17 February 2011, **Officer C** stated that on the night of the incident, his partner was Officer G. Officer C stated that they monitored a radio call from CPD Detective 2 and CPD Detective 1 regarding a robbery that had just occurred. Officer C stated

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that they followed the offenders as they drove northbound on the Dan Ryan Expressway and then westbound on the Eisenhower Expressway. The offenders' vehicle exited the expressway and stopped on a side street. Subject 2 and Subject 1 exited the vehicle and ran into a low-rise housing complex. Officer C explained that he and Officer G were several cars behind the offenders' vehicle. Officer C exited his vehicle and followed a group of police officers chasing the offenders. Officer C saw Subject 2 run into one of the apartment but Subject 1 continued to run through an open, grassy, area. Officer C saw that Subject 1 held a handgun as he ran. Officer C also saw Officer A in the group of police officers chasing Subject 1. Officer C heard gunshots but did not see who shot. Subject 1 ran through an open area, turned and pointed the gun in the officers' direction. Officer C discharged his firearm several times at Subject 1. Subject 1 continued to run. Officer C ran around a building in an attempt to cut off Subject 1's escape. Officer C stated he heard more gunshots and heard police officers yelling, "Drop your gun!" Officer C approached and saw Subject 1's gun on the ground in a parking lot. Subject 1 was subsequently taken into custody. (Att. 77, 78)

In a statement to IPRA on 14 March 2011, **Officer H**, stated that on the night of the incident, his partner was Officer I and that they responded to a call of a "police chase" south of Madison. Officer H stated that when he arrived, he saw police officers chasing Subject 2. Subject 1 pushed CPD Detective 2 and fled. Officer H chased Subject 1 and saw that Subject 1 held a gun in his hand. Officer H stated that Subject 1 was 100 to 200 feet ahead of him. Officer H heard gunshots and slowed down. Subject 1 ran into a parking lot and Officer H heard more gunshots. Officer H stopped running and lost sight of Subject 1. A few moments later, Officer H heard over the radio that shots were fired by the police and that they needed an ambulance. Officer H did not see any officer discharge his firearm. (Att. 83)

In a statement to IPRA on 15 March 2011, **Officer I**, related essentially the same information as Officer H. Officer I stated that when he saw Subject 1 holding a gun, Officer I yelled, "Look out! He has a gun!" to two officers who were banging on the door on the porch of one of the residences. Subject 1 was behind the two officers when Officer I yelled out. One of the officers turned and faced Subject 1. That officer fired his weapon at Subject 1. Subject 1 continued to run into an open area, still holding his gun. Officer I continued to chase Subject 1 and heard multiple gunshots. Officer I did not know who was shooting. Officer I heard an officer yell "Freeze!" Subject 1 turned and pointed his gun at that officer and that officer discharged his firearm several times at Subject 1. Subject 1 threw his gun to the ground and was taken into custody. (Att. 84)

CONCLUSION AND FINDING:

This investigation found that Officer A's, Officer B's, and Officer C's use of deadly force was in compliance with Chicago Police Department policy. According to the Chicago Police Department's General Order 02-08-03, III.:

A. "a sworn member is justified in using force likely to cause death or great bodily harm only when he or she reasonably believes that such force is necessary:

1. to prevent death or great bodily harm to the sworn member or to another person, or;
2. to prevent an arrest from being defeated by resistance or escape and the sworn member reasonably believes that the person to be arrested:
 - a. has committed or has attempted to commit a forcible felony which involved the infliction, threatened infliction, or threatened use of physical force like to cause death or great bodily harm;
 - b. attempted to escape by use of a deadly weapon or;
 - c. otherwise indicates that he or she will endanger human life or inflict great bodily harm unless arrested without delay."

The officers' actions met the requirements of the Department's deadly force policy. The involved officers provided separate and consistent accounts of the incident, that Subject 1 had a gun and repeatedly disregarded verbal commands to stop running and drop the gun. Also, the officers consistently reported that Subject 1 repeatedly turned and pointed the gun at several officers during the foot chase. Fearing for their safety Officer A, and Officer B and Officer C discharged their firearms at Subject 1. It was reasonable that the officers feared for their safety when Subject 1 repeatedly failed to comply with their verbal direction and repeatedly pointed a firearm at several officers.

The officers' accounts that Subject 1 had a gun are corroborated by statements by witnesses, Robbery Victim/Witness 1 and Robbery Victim/Witness 2, both of whom stated they saw Subject 1 with the handgun when he pointed it at them and robbed them of their belongings. A gun was recovered on the scene of the incident.