

**INVESTIGATION**

**NUMBER:** Log# 1026942 / U# 09-17

**INVOLVED**

**OFFICERS:** “Officer A” (Chicago Police Officer); Male/White; 34 years old;  
On-Duty; Civilian Dress; Year of Appointment – 2000  
  
“Officer B” (Chicago Police Officer); Male/Hispanic; 34 years old;  
On-Duty; Civilian Dress; Year of Appointment – 1997  
  
“Officer C” (Chicago Police Officer); Male/Hispanic; 38 years old;  
On-Duty; Civilian Dress; Year of Appointment – 2006

**INVOLVED  
OFFICERS’  
INJURIES:**

**Officer B** – laceration to right knee  
**Officer C** – fracture to left foot

**INVOLVED  
SUBJECT:**

“Subject 1”; Male/Black; 29 years old

**INVOLVED  
SUBJECT’S  
INJURIES:**

One (1) graze wound to left side of head  
One (1) GSW to forehead  
One (1) GSW to left jaw  
One (1) GSW to right wrist  
Fatal.

**INITIAL  
INCIDENT:**

Controlled Narcotic Delivery.

**DATE/TIME:  
LOCATION:**

02 June 2009/2042 hours  
2340 West Madison – street  
Beat 1332

### **Summary of Incident:**

On 02 June 2009, Officers from Unit 189 Narcotics Division (teams 6215, 6215A, 6215B, 6215C, 6215E, 6215F, 6260A, 6260F) were conducting an ongoing narcotics investigation relative to a controlled narcotic delivery. The investigation involved a predetermined agreed delivery of a large amount of MDMA (ecstasy). The delivery was arranged with the cooperation of a Confidential Informant (C/I) and the location of the delivery was 2340 West Madison Avenue (Walgreen's Parking Lot). The C/I provided the description of the vehicle and physical description (including clothing) of the "target" of the delivery, now identified as Subject 1. The members of the team were assigned as Enforcement Officers and Surveillance Officers. Once the vehicle of Subject 1 entered the location, the Enforcement officers were notified and instructed to conduct a traffic stop. Officers A and C approached Subject 1's vehicle.<sup>1</sup> Subject 1 put his vehicle in reverse in an attempt to flee and ran over the left foot of Officer C in the process. Subject 1's vehicle continued in reverse at a high rate of speed and struck the vehicle of Officers B and D.<sup>2</sup> Officer D, who had exited his vehicle to assist the members of his team, was forced to "dive" back into his vehicle to avoid being struck by Subject 1's vehicle. Subject 1's vehicle continued in reverse until it (Subject 1's vehicle) struck a pole. Officers A and C, who continued their foot pursuit of Subject 1 announced their office, gave Subject 1 verbal commands to exit the vehicle, with their weapons drawn. At this point, Subject 1 "revved" the engine of his vehicle and drove his vehicle in the direct path of Officers A, C, and D, who had no means of escape.<sup>3</sup> At this point, in fear of the death or great bodily harm to Officers A, B, C, and D discharged his weapon one (1) time. Officers A and C in fear of their own life, the safety of each other, the safety of their teammates and the safety of citizens in the parking lot, to stop the threat discharged their weapons, seven (7) and nine (9) times respectively. Subject 1's vehicle continued forward, striking the vehicle of Officers B and D and a pole. The officers approached Subject 1's vehicle and removed the key from the ignition. Medical assistance was requested for Subject 1 who appeared to be injured. The scene was secured and proper notifications were made.

It should be noted that no Roundtable Panel was conducted post incident as the incident required further investigation prior to taking any compelled statements.

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<sup>1</sup> During the course of this investigation, Officer A was promoted to the rank of Sergeant. Based on Officer A's rank at the time of this incident and for the purposes of this report Officer A will be identified as "Officer A."

<sup>2</sup> During the course of this investigation, Officer B was promoted to the rank of Sergeant. Based on Officer B's rank at the time of this incident and for the purposes of this report Officer B will be identified as "Officer B."

<sup>3</sup> Officer D was able to "dive" back into his police vehicle a second time to avoid being struck by Subject 1's vehicle. Subject 1's vehicle struck the police vehicle of Officers Andaverde and Elstner before it struck a second pole and came to stop.

**Investigation:**

During the course of this investigation, [Female Person] as Special Administrator of the Estate of Subject 1 filed Civil Suit 2009 L 13075. On 12 October 2012, the Civil Suit was Voluntarily Dismissed.<sup>4</sup>

Attempts to interview **Involved Subject 1** post incident were met with negative results. Medical Personnel from Stroger Hospital related that Subject 1 sustained multiple gun shot wounds and that his prognosis for recovery was poor. Subject 1 had minimal brain wave activity and was unable to communicate/breathe of his own accord as he was on a ventilator. Subject 1 expired on 05 September 2009.

The **Chicago Fire Department (CFD) Ambulance Report** for Subject 1 indicates that he was transported to Stroger Hospital for treatment of multiple gunshot wounds. Advanced Life Support (ALS) efforts were initiated, and Cardio Pulmonary Resuscitation (CPR) started.

In her **Report of Postmortem Examination** of Subject 1 (58 Sep 2009) **Assistant Medical Examiner Doctor A.** opined that Subject 1's cause of death on 05 September 2009, was sepsis due to anoxic encephalopathy due to multiple gunshot wounds. Doctor A ruled the Manner of Death as Homicide.

The **Department Reports** relative to Subject 1 (CB 17583694/RD HR354694) indicate that during a narcotics investigation information was received that identified a black male subject driving a four (4) door Ford Taurus now known to be Subject 1 was to deliver three hundred (300) Ecstasy pills to the location of 2340 West Madison Avenue. Surveillance was established by the members of the 6215 Narcotics Team. When Subject 1's vehicle was observed at the location, the officers assigned to enforcement broke surveillance by approaching Subject 1 and announcing their office. Subject 1 upon observing Officer C approach placed his vehicle in reverse and struck/drove over the foot of Officer C. Subject 1 continued his attempt to flee (in reverse) and struck the vehicle of Officers B and D.<sup>5</sup> Subject 1 then placed his vehicle in drive and purposely drove in the path of Officers A and C at which time Officers A, B, and C discharged their weapons. The proper notifications were made. Emergency Medical Services were requested. The scene was secured. The involved officers' weapons were turned over to the forensic services division, inventoried and sent to the Illinois State Police (ISP) Forensic Laboratory for testing. The fired cartridge cases and fired bullets recovered from the scene as well as the suspect narcotics recovered from Subject 1's vehicle were inventoried and sent to ISP for testing. Photographs were taken of the scene, involved vehicles, involved parties, and recovered evidence

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<sup>4</sup> There is no evidence to suggest that Civil Suit 2009 L13075 was settled by the Department of Law and/or any monies paid by the City of Chicago. Based on the facts of this investigation, the claims by [Female Person] are without merit. (Att. 86).

<sup>5</sup> Officer B sustained an injury to his knee and Officer D sustained an injury to his neck/shoulder.

Detective Division Personnel went to Stroger Hospital to ascertain the injuries sustained by Subject 1. Medical Personnel reported that Subject 1 sustained a graze wound to the left side of the head, a gun shot wound to the left ear, gun shot wound to the left side of the jaw and a gun shot wound to the right wrist.<sup>6</sup>

Detective Division Personnel canvassed the area and interviewed multiple civilian witnesses, who heard gun shots but did not witness the incident.<sup>7</sup>

Multiple **canvasses** were conducted by IPRA, in the vicinity of the incident for the purpose of identifying witnesses. The canvasses were met with negative results.

**Walgreen's Employees** working on the date and time of the incident were contacted by IPRA, for the purpose of identifying witnesses. None of the employees observed the incident.

Attempts to identify **additional witnesses** i.e. tenants in the 2237 and 2240 West Madison Avenue Buildings, employees of McDonald's Restaurant located at 23 North Western Avenue, and Walgreen's Drug Store located at 2340 West Madison Avenue, were met with negative results.

The **Evidence Technician (E.T.) Photographs, Video of the Scene and Related Crime Scene Processing Reports** generated under RD # HR354932 were obtained.

The **Office of Emergency Management and Communications (OEMC) Radio transmissions and related Event Queries** for this incident were obtained. OEMC was notified of the weapons discharge and Emergency Medical Service (EMS) was requested to the location.<sup>8</sup>

The **Security Video footage** from **Walgreen's** located at 2340 West Madison Avenue was obtained but provides no evidentiary value. The video footage is for the interior of the store as there are no exterior cameras.

The **Security Video footage** from **McDonald's Restaurant** (23 North Western Avenue) was obtained but contains no evidentiary value. The video footage for the south parking lot area captures the McDonald's property only.

On 12 August 2009, a **Trajectory Analysis** was performed on the vehicle driven by Subject 1 on the date of this incident. The purpose of the analysis was to ascertain if there was a violation of the Department's use of Deadly Force relative to firing at or into a moving vehicle. The trajectory rods were placed in the impact locations as allowed. A

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<sup>6</sup> Two (2) fired bullets were recovered one (1) from Subject 1's outer clothing and one from the ambulance floor.

<sup>7</sup> The citizens were contacted by IPRA to verify the accounts provided to Detective Division Personnel.

<sup>8</sup> Attempts made by IPRA to contact OEMC callers were met with negative results.

Leica Scan of the vehicle was conducted after the trajectory rod placement. The measurements of the trajectory rods were taken. The analysis results established no evidence to prove the Involved Officers fired at Subject 1's vehicle after the imminent threat of death or great bodily harm had passed. The analysis results did not establish the specific location of each of the Involved Officers when they fired and/or if there was a means of escape. While it is important to note that the angle measurements are +/- 7°, none of the analysis results indicate that the Involved Officers fired at the vehicle after it passed.

The **Illinois State Police (ISP) Division of Forensic Services Laboratory Reports** indicate that the fired evidence recovered came from the weapons of Officers A, B, and C. The weapons were examined; test fired and found to be in firing condition.

The ISP Reports further indicate that the narcotics recovered from Subject 1's vehicle (11688645) were tested and found to Methamphetamine, Methorphan and Benzylpiperazine.<sup>9</sup>

The following accounts reflect information discerned to Detective Division Personnel and IPRA.

**CPD Sergeant 1** provided an account which was consistent with the Summary of Incident, Department Reports and Department Members on scene. CPD Sergeant 1, who was the Supervisor of the controlled narcotic delivery, detailed the positioning of the vehicles, surveillance officers and enforcement officers. CPD Sergeant 1 related that upon seeing Subject 1's vehicle enter the lot, the surveillance team alerted the enforcement team units. At this point, CPD Sergeant 1 drove his vehicle into the Walgreen's parking lot through the entrance near Western Avenue. Subject 1 was attempting to exit the parking lot through the same Western Avenue entrance. Subject 1's vehicle was now directly in front of CPD Sergeant 1's vehicle. Officer C, who was wearing a black vest with his Chicago Police Star clearly visible, approached the driver's side of Subject 1's vehicle on foot. Officer C repeatedly announced his office and gave Subject 1 verbal commands. Subject 1 did not comply. Subject 1 put his vehicle in reverse and drives southeastern at a high rate of speed. Officers A and C pursued Subject 1 on foot as they gave verbal commands. CPD Sergeant 1 drove his vehicle eastbound in the Walgreen's parking lot then turned southbound. CPD Sergeant 1 exited his vehicle and began to go in the direction of Officers A and C. CPD Sergeant 1 heard loud noises followed by gunshots. CPD Sergeant 1 observed Officers A and C standing in front of Subject 1's vehicle with their guns drawn and directing verbal commands. CPD Sergeant 1 observed that Subject 1 was wounded and attempted to render aid. CPD Sergeant 1 was informed that CFD has been notified and that assist units were en route. CPD Sergeant 1 observed damage to the vehicle of Officers B and D on the front passenger fender and passenger door. Officers A, B, and C informed CPD Sergeant 1 that they discharged their weapons. CPD Sergeant 1 secured the crime scene and ensured that the proper notifications were made.

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<sup>9</sup> Benzylpiperazine is a Federally controlled Schedule I substance.

In his statement with IPRA on 16 October 2013, **Officer E** related an account of the incident consistent with the Summary of Incident, Department Reports and Department Members on the scene. Officers Shavers related that he did not witness the incident in its entirety. Officer E, who was assigned as the surveillance officer, observed Subject 1's vehicle traveling in reverse and Officer C running towards Subject 1's vehicle. Officer E heard several shots but did not know who fired the shots. Officer E then personally observed Officers A and C fire their weapons but could not provide the number of times fired by either. Officer E did not see what caused Officers A and C to fire their weapons as he was approximately forty to fifty (40-50) feet away when they (Officers A and C fired). Officer E did not fire his weapon.

In his statement with IPRA on 16 October 2013, **Officer D** related an account of the incident consistent with the Summary of Incident, Department Reports, Department Members on scene and his deposition.<sup>10</sup> Officers B and D, who were assigned as an enforcement unit positioned their vehicle east on Madison Avenue a short distance from the Walgreen's parking lot. Upon receiving notification that Subject 1 had arrived at the parking lot, Officer B drove the vehicle westbound on Madison Avenue and positioned the vehicle facing westbound on Madison Avenue, just short of the Walgreen's parking lot. Officer D observed Subject 1's vehicle driving in reverse in a southeastern direction as Officers A and C ran on foot in the direction of Subject 1's vehicle. Officer D exited his vehicle in an attempt to assist Officers A and C. Officer D heard one of the team members state words to the effect of "he's running," as he exited the vehicle. Upon exiting, Officer D observed that Subject 1's vehicle, which was in reverse, was coming directly towards him. Officer D, who described Subject 1's actions as "intentional," was forced to "dive" right back into the police vehicle on the passenger side to avoid being struck. Subject 1's vehicle struck the passenger door of the police vehicle. Officer D exited his vehicle and observed Officers A and C in front of Subject 1's vehicle. Officer D looked in the direction of Subject 1's vehicle, heard "loud engine noises" and observed Subject 1's vehicle was now headed forward towards him. Officer D, who was in fear of being struck by Subject 1's vehicle "dove" in his vehicle a second time, to avoid being struck. It was at that time that Officer D heard several gunshots but could not recall the number of rounds he heard. Officer D heard Officers A and C, who were in front of Subject 1's vehicle, shouting verbal commands. Officer D exited the police vehicle and went to the location of Subject 1's vehicle, which was against a light pole. Officer D observed Subject 1 to be injured. Officer D recalled that medical treatment was requested for Subject 1. Officer D sustained a neck injury as a result of this incident and was transported to Rush Medical Center via CFD Ambulance. Officer D related that Subject 1's actions led him to believe that he was going to be killed. Officer D related that the officers who fired their weapons did so for the safety of Officers A, C, and himself. Officer D did not fire his weapon.

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<sup>10</sup> Officer D was deposed on 04 October 2011 in regards to a civil lawsuit filed in the Circuit Court of Cook County, Law Division Number 09 L 13075.

The **Chicago Fire Department (CFD) Ambulance Report** for **Officer D** indicates that he was transported to Rush Hospital with a complaint of low back pain.

The **Tactical Response Report (TRR) of Officer A** identified Subject 1 as a Passive Resister (did not follow verbal direction), who progressed to an Active Resister (fled), escalated to an Assailant/Assault (imminent threat of battery), Assailant/Battery (attack with weapon) and Assailant/Deadly Force (use of force likely to cause death or great bodily harm/ weapon/vehicle). Officer A utilized member presence, verbal commands and firearm to subdue Subject 1. Officer A indicated that Subject 1 attempted to run him over with his vehicle. Officer A fired his Sig Sauer 228 seven (7) times and estimated his distance from Subject 1 to be five to seven (5-7) feet at time of discharge.

The **Officer's Battery Report (OBR) of Officer A** indicates that Subject 1 attempted to strike him with his vehicle.

In his statement with IPRA on 16 October 2013, **Involved Officer A** related an account of the incident consistent with the Summary of Incident, Department Reports, Department Members on scene and his deposition.<sup>11</sup> Officer A, who was assigned as an enforcement officer, related that during the controlled buy, Subject 1 "started to move," (i.e. make good his escape). Officer A related that Officer C announced his office, ordered Subject 1 to exit the vehicle and advised Subject 1 that he was under arrest. Subject 1 put his vehicle in reverse and at a high rate of speed attempted to flee, striking Officer C in the process. Subject 1 then drove his vehicle backwards at a high rate of speed and struck the police vehicle of Officers B and D. Subject 1's vehicle continued backward and struck a large pole. Officers A and C, who began to approach the location of Subject 1 with the intent of placing Subject 1 into custody, were now in front of Subject 1's vehicle. Officer A heard Subject 1 "gun" the engine, as the vehicle "lunged" towards Officers A and C. Officer A estimated the distance of Officer C and himself to be within five (5) feet. Officer A recalled that he announced his office and ordered Subject 1 to stop the vehicle numerous times, but Subject 1 did not comply.<sup>12</sup> It was at this point, that Officer A in fear of the safety of both Officer C and himself fired his weapon. Officer A did not recall the specific number of times he fired his weapon, but stated that he fired his weapon until he stopped the threat. Officer A described the positioning of Officer C and himself as that of a "fatal funnel," in that neither had any means of escape. Officer A recalled that during this incident his focus was on Subject 1. Officer A opined that Subject 1 was using his vehicle as weapon against Officer C and himself. Once Subject 1's vehicle came to a stop, Officer A approached. Officer A stated that his weapon was out when he approached the vehicle as felt the members of his team and himself were still in danger. Once it was determined that the threat of danger was eliminated and Subject 1 was observed to be injured, medical assistance was requested. Officer A was not injured as a result of this incident.

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<sup>11</sup> Officer A was deposed on 27 September 2011 in regards to a civil lawsuit filed in the Circuit Court of Cook County , Law Division Number 09 L 13075.

<sup>12</sup> Officer A related that while he and the members of his team were dressed in tactical gear, their attire contained multiple readily identifiable visible markers which established their identities as police officers.

The **Tactical Response Report (TRR) of Officer B** identified Subject 1 as a Passive Resister (did not follow verbal direction), who progressed to an Active Resister (fled), escalated to an Assailant/Assault (imminent threat of battery), Assailant/Battery (attack with weapon) and Assailant/Deadly Force (use of force likely to cause death or great bodily harm/ weapon/vehicle). Officer B utilized member presence, verbal commands and firearm to subdue Subject 1. Officer B indicated that Subject 1 attempted to run three (3) officers over with his vehicle. Officer B fired his Smith and Wesson 4583TSW one (1) time and estimated his distance from Subject 1 to be five to ten (5-10) feet at time of discharge.

The **Officer's Battery Report (OBR) of Officer B** indicates that while Officer B was pursuing an offender he sustained a non-fatal major injury (broken bones/serious lacerations/internal injuries). Officer B sustained his injury when the Department vehicle that Officer B was seated in was struck by Subject 1's vehicle.

In a statement with IPRA on 05 November 2013, **Involved Officer B** related an account of the incident which was consistent with the Summary of Incident, Department Reports and Department Members on the scene. Officer B related that on the date and time of this incident, he and Officer D were in their predetermined location awaiting the takedown signal when words to the effect of "he's running," came over the radio. Officer B, who was the driver officer, remained in the car while Officer D exited. At that point, Officer B observed Subject 1's vehicle driving in reverse at a fast speed in the direction of his vehicle with Officers A and C giving chase on foot. Officer D was able to get back in the vehicle before Subject 1's vehicle struck the Department vehicle of Officers B and D. After striking the vehicle of Officers B and D, Subject 1's vehicle struck a pole. Officers B and D exited their vehicle and attempted to approach Subject 1's vehicle. As Officer B approached Subject 1's vehicle, he (Officer B) heard the engine. Subject 1's vehicle then "screeched forward" in the direction of Officers A, C, and D. Upon seeing Subject 1's vehicle headed in the direction of Officers A, C, and D, Officer B related that he fired one (1) shot at Subject 1's vehicle. Officer B then heard several more gunshots. Officer B "ducked down" to remove himself from the line of fire. At that point, Officer B believed that Officer D was "crushed" between the two (2) vehicles as he (Officer B) did not know that Officer D was able to get back inside the vehicle and was out of harms way. Officer B fired one (1) shot as he was in fear of the safety of Officer D, who did not have a path of escape from Subject 1's vehicle from the location where Officer B was positioned. Officer B estimated the speed of Subject 1's vehicle to be approximately fifteen (15) miles per hour, with engine revving, and tires screeching. After Subject 1's vehicle struck the Department vehicle of Officers B and D a second time, it (Subject 1's vehicle) struck the pole for a second time. When Subject 1's vehicle stopped, several officers approached Subject 1's vehicle. Officer B recalled that when he put Subject 1's vehicle in park, he (Officer B) observed Subject 1 to be injured. One of the officers on the scene removed the keys from the ignition. An ambulance was requested to the scene. After firing his weapon, Officer B made the required notifications.<sup>13</sup>

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<sup>13</sup> It should be noted that Officer B identified an error relative to the account of the narrative he provided to the Detectives post incident. The Case Report indicates that Officer D fired his weapon one (1) time. Officer B clarified that he fired one (1) shot not Officer D.

The **Chicago Fire Department (CFD) Ambulance Report** for **Officer B** indicates that he was transported to Rush Hospital with a complaint of right knee pain and laceration. Officer B informed ambulance personnel that a vehicle backed into the front right side quarter panel as he was attempting to exit from the front passenger side. Officer B struck his right knee and lower leg on the in car computer.

The **Tactical Response Report (TRR) of Officer C** identified Subject 1 as a Passive Resister (did not follow verbal direction), who progressed to an Active Resister (fled), escalated to an Assailant/Assault (imminent threat of battery), Assailant/Battery (attack with weapon) and Assailant/Deadly Force (use of force likely to cause death or great bodily harm/ weapon/vehicle). Officer C utilized member presence, verbal commands and firearm to subdue Subject 1. Officer C indicated that Subject 1 attempted to run three (3) officers over with his vehicle. Officer B fired his Sig Sauer P220 nine (9) times and estimated his distance from Subject 1 to be zero to five (0-5) feet at time of discharge.

The **Officer's Battery Report (OBR) of Officer C** indicates that while Officer B was pursuing an offender he sustained a non-fatal major injury (broken bones/serious lacerations/internal injuries). Officer C was struck by Subject 1's vehicle.

In a statement with IPRA on 16 October 2013, **Involved Officer C** related an account of the incident which was consistent with the related Department Reports and Department Members on the scene. Officer C related that when he approached Subject 1's vehicle, he (Officer C) ordered him to turn off the vehicle, show his hands and exit the vehicle. Subject 1 did not comply, rather he put his vehicle reverse and drove over Officer C's left foot. Subject 1 continued his attempt to make good his escape by driving "recklessly" in reverse. Subject 1's vehicle struck the passenger door of the vehicle of Officers B and D. Officer D was forced to "jump" back into the vehicle to avoid being struck. After Subject 1's vehicle struck the vehicle of Officers B and D, it (Subject 1's vehicle) struck a pole. Officers A and C approached Subject 1's vehicle at which time Subject 1 drove directly towards Officers A and C. Officer C, who was in fear of his safety as well as the safety of Officers Elstner and O'Toole, fired his weapon. Officer C related that Subject 1 was trying to kill him with his vehicle. Officer C did not independently recall the number of times he discharged his weapon. Upon review of his TRR, Officer C stated that he discharged his weapon nine (9) times. Officer C stated that because of his location to Subject 1's vehicle, he had no means of escape, which is the reason he fired his weapon. Officer C related that prior to the discharge of his weapon, he ensured that neither Officer A nor Officer D would be in his line of fire. As a result of this incident, Officer C sustained a fracture to his left foot.

The **Chicago Fire Department (CFD) Ambulance Report** for **Officer C** indicates that he was transported to Rush Hospital with a complaint of left foot pain. Officer C informed ambulance personnel that his left foot was run over by the vehicle of the offender.

## **CONCLUSION AND FINDING:**

This investigation found that Officers A, B, and 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 likely to cause death or great bodily harm, or;
    - b. is attempting 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."
- B. "Firing at or into a moving vehicle is authorized to prevent death or great bodily harm to the sworn member or another person."

The actions of Officers A, B, and C were in accordance with the provisions of the Department's Use of Deadly Force Policy. Officers A, B, and C discharged their firearms at Subject 1's vehicle only after Subject 1 drove his vehicle running over the foot of Officer C and in the direct pathway of Officers A, C, and D placing them in fear of their life as well as the safety of the other officers. This investigation revealed that it was Subject 1's intention to flee the location by any means necessary. Subject 1 "revved" his vehicle's engine and drove it in the direct path of Officers A, C, and D. While Officer D was able to move out of the path of Subject 1's vehicle, Officers A and C were not as they had no means of escape. This investigation revealed that Officers O'Toole, Andaverde or Martinez fired their weapons to prevent death or great bodily harm to themselves and/or their teammates. The actions of Officers A, B, and C were within the Department's Use of Deadly Force Policy.