

INDEPENDENT POLICE REVIEW AUTHORITY

LOG#1029271 /U#09-33

**INVESTIGATION**

**NUMBER:** LOG #1029271 / U#09-33

**OFFICER**

**INVOLVED:** “Officer A” (Chicago Police Officer); Female/White; 32 years old; On Duty; In Uniform; Year of Appointment – 2006  
(Did not discharge weapon).

**OFFICER(1)’S**

**INJURIES:** Abrasions to knees; Transported to Little Company of Mary Hospital. Treated and released.

**OFFICER**

**INVOLVED:** “Officer B” (Chicago Police Officer); Male/Hispanic; 32 years old; On Duty; In Uniform; Year of Appointment – 2000

**OFFICER(2)’S**

**INJURIES:** None reported.

**OFFICER**

**INVOLVED:** “Officer C” (Chicago Police Officer); Male/White; 31 years old; On Duty; In Uniform; Year of Appointment – 2000

**OFFICER(3)’S**

**INJURIES:** None reported.

**OFFICER**

**INVOLVED:** “Officer D” (Chicago Police Officer); Male/White; 30 years old; On Duty; In Uniform; Year of Appointment – 2000

**OFFICER(4)’S**

**INJURIES:** None reported.

**SUBJECT:**

“Subject 1”; Male/Black; 16 years old

**SUBJECT’S**

**INJURIES:** Gunshot wound to the right hand (through and through); Transported to Trinity Hospital. Treated and released.

**INITIAL**

**INCIDENT:** Robbery-Armed.

**DATE/TIME**

**OF INCIDENT:** 17 August 2009, 1426 hours.

**LOCATION:**

8145 S. Blackstone—On the street.

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**SUMMARY OF INCIDENT:**

On 17 August 2009, at approximately 1426 hours, Chief A of Internal Affairs Division was in the area responding to an assist call from Officers E and F (assigned to Beat 4129) in relation to a robbery that occurred in the vicinity of the 8100 block of Blackstone. When Chief A arrived at the scene, the officers informed him that the victim, Robbery Victim, did not speak English. Chief A translated for the officers. Robbery Victim informed Chief A that a young black male, now known as Subject 1, robbed him at gunpoint, took his mobile phone, his wallet and \$200.00 USC. Robbery Victim also related that the vehicle utilized by the subject, Subject 1, was parked on the 8100 of South Blackstone. Chief A contacted Commander A and informed him of the situation.

Officers A and B (assigned to Beat 462A, an unmarked Chevy Malibu) were on the 8200 block of Dante. Officers C and D arrived and set up surveillance in a covert vehicle on the 8200 block of Blackstone. Officers C and D observed Subject 1 exit a residence on the 8200 block of Blackstone and approach a black vehicle parked at approximately 8137 South Blackstone. Subject 1 entered the vehicle and it pulled off from the curb. Officers A and B drove around the corner from Dante with their emergency equipment activated to attempt to stop Subject 1 from fleeing the area. Subject 1 used the vehicle he was driving to ram head on with the officers vehicle. Subject 1 then placed his vehicle in reverse and drove backwards onto the parkway on the east side of Blackstone. Officer A exited her vehicle and attempted to remove Subject 1 from his vehicle. Officer A approached the vehicle and grabbed the driver's side door handle. Subject 1 placed the vehicle in drive and dragged her southbound on the parkway for several feet. Subject 1 drove southbound and attempted to strike Officer C who discharged his weapon at Subject 1. Subject 1 then drove the vehicle onto southbound Blackstone and attempted to strike Officer D, who discharged his weapon at Subject 1 as he drove toward him.

Subject 1 then traveled southbound on Blackstone and struck several parked vehicles before stopping at 8241 S. Blackstone. Subject 1 exited the vehicle and fled the area on foot. Officers apprehended Subject 1 in the rear yard of 8230 S. Harper.

Subject 1 sustained a through and through gunshot wound to the right hand. Subject 1 was transported to Trinity Hospital, where he was treated and released to police custody. Officer A was transported to Little Company of Mary Hospital where she was treated for abrasions to the knees and released.

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**INVESTIGATION:**

On 17 August 2009, a Roundtable Discussion Panel was conducted regarding the police involved shooting of Subject 1. Chief A, Witness 1, CPD Detective 1 (on behalf of Witness 2) and the involved officers, Officers A, B, C, and D, were present.

The **witness, Witness 1 related to the Roundtable panel** that she was in her bedroom, which is on the second floor of her residence, when she heard a loud noise from the street in front of the residence. Witness 1 looked out of her bedroom window, which faces the 8100 block of South Blackstone, and observed a black vehicle crash into a tree on the east side of the street. Witness 1 then observed a female officer in full uniform, now known as Officer A, exit a vehicle and yell for the vehicle to stop. Officer A grabbed the driver's side door of the vehicle and the vehicle sped off dragging Officer A. Officer A fell to the ground and then got to her feet. Witness 1 then observed a male white officer, now known as Officer D, standing on the front grass at approximately 8145 S. Blackstone with the black vehicle driving toward him. Officer D yelled "stop" several times. The vehicle did not stop, and Officer D fired three times at the vehicle. Witness 1 related that the black vehicle drove around a burgundy vehicle that was stopped in the middle of the street and sped off southbound on Blackstone. Witness 1 only saw Officer D fire his weapon.

**CPD Detective 1, who spoke on behalf of Witness 2, related to the Roundtable panel** that Witness 2 told her that he observed a black vehicle hit a tree, spin out of control and strike a white vehicle parked on the street. The black vehicle then stopped. The driver of the black vehicle pointed something out of the window in the direction of a male white officer, now known as Officer C, who was standing in the grassy area of 8145 S. Blackstone. The black vehicle started toward Officer C as if to strike him. Officer C yelled for the vehicle to stop, but the vehicle did not. Officer C, and a second officer to the right of the him on the parkway, now known as Officer D, fired at the vehicle. The black vehicle struck a burgundy van and drove off southbound on Blackstone.

**Chief A related to the Roundtable panel** that he responded to a call for an assist by Beat 412 for a translator. Chief A arrived in the vicinity of 8100 S. Blackstone. The officers working Beat 412 informed him that the victim, Robbery Victim, did not speak English. Robbery Victim related that an unknown male black, now known as Subject 1, took his wallet that contained \$200.00 USC and a mobile phone and drove off. Robbery Victim also related that the vehicle driven by Subject 1 was parked on the block of 8100 S. Blackstone. Robbery Victim identified the vehicle. Chief A notified OEMC of the plate number of the vehicle. The plate came back to a carjacking that occurred on 16 August 2009. Chief A contacted Commander A of the 4<sup>th</sup> District, informed him of the situation, and requested a Tactical Team to set up surveillance. Chief A watched the vehicle from a distance. A police covert vehicle and an unmarked unit assigned to the 4<sup>th</sup> District Tact arrived on the scene and kept the vehicle under surveillance. Chief A left the area. Moments later he returned to the area and assisted in the search for Subject 1. Chief A did not witness the incident.

**Officer A related to the Roundtable panel** an account that was consistent with the Summary of Incident and stated that that she and her partner, Officer B, received

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intelligence information from OEMC on a vehicle that was carjacked on 16 August 2009 and involved in a robbery. Officers A and B drove to 8200 South Dante to watch the vehicle, while Officers C and D sat in a covert vehicle at the corner of 8200 block of Blackstone. Officers C and D utilized car-to-car calls to Officers A and B to inform them that a black male, now known as Subject 1, was approaching the vehicle.

Officers A and B drove northbound onto Blackstone. The black vehicle drove toward them at a high rate of speed and struck their vehicle head on. The black vehicle reversed onto the sidewalk on the east side of Blackstone and struck a tree at approximately 8143-45 South Blackstone. The black vehicle stopped and Officer A exited her vehicle, approached the black vehicle, opened the driver's side door, reached in and attempted to grab Subject 1, who placed the vehicle in drive and drove toward a tree on the parkway while dragging Officer A. Officer A let go and fell to her knees. The vehicle drove toward Officer C, who was standing in the front yard on the grass at 8145 S. Blackstone and Officer D who was standing to the south of Officer C on the parkway grass. Officers C and D yelled for the vehicle to stop. The vehicle continued toward Officer C, who then fired at Subject 1. The vehicle then turned toward Officer D, who also yelled for the vehicle to stop. Officer D then fired his weapon.

The vehicle sped off between a tree and a silver Toyota pickup truck parked on the street. The black vehicle drove southbound on Blackstone striking several vehicles in its path. Officer A related that she heard approximately five gunshots but did not discharge her weapon. There were no civilians on the street at the time of the incident.

**Officer B related to the Roundtable panel** in essence the same information as Officer A. Officer B further related that after his vehicle was struck head on by Subject 1, Subject 1 stopped for a moment, placed the vehicle in reverse (striking a tree) and then placed the vehicle in drive. As Subject 1 drove onto the parkway, he drove towards Officers C and D. In fear for his safety, and his partners' safety as well, he fired his weapon.

**Officer C related to the Roundtable panel** that he and his partner, Officer D were in a covert vehicle at the corner of 8200 S. Blackstone and observed Subject 1 exit a residence at 8XXX S. Blackstone. Subject 1 walked northbound toward 8100 S. Blackstone, crossed at the corner of 8100 Blackstone and walked toward a black vehicle that was parked on the street at approximately 8151 S. Blackstone. Subject 1 approached the vehicle, looked around, opened the door and entered the vehicle. Officers C and D, utilizing car-to-car radio, contacted Officers A and B and told them about Subject 1's actions. Officers A and B were sitting on the 8100 block of Dante and drove to the 8100 Block of Blackstone with their emergency equipment activated. As they turned northbound onto Blackstone, Subject 1 struck them head on with his vehicle.

Officers C and D exited their vehicle. Officer A exited her vehicle, approached Subject 1's vehicle, opened the door and attempted to pull him out. Subject 1 placed the vehicle in drive, and drove onto the parkway and struck a white vehicle and a burgundy van parked on the street. Subject 1 dragged Officer A along the side of the vehicle. Officer C moved to the grassy area in front of 8145 S. Blackstone and Officer D stood on the parkway near Officer C. Officer A released her hold on the driver's side door and

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Subject 1 then drove toward Officer C, who yelled for Subject 1 to stop. Subject 1 did not stop and Officer C, in fear for his safety, drew his weapon and fired one round at Subject 1. Subject 1 then drove toward Officer D who was standing on the parkway near a tree in an attempt to get out of the vehicle's path, but Subject 1 drove toward Officer D. Officer D fired one shot at Subject 1. Subject 1 sped off southbound on Blackstone. Officer C ran after Subject 1 and saw him strike several parked vehicles on the 8200 block of Blackstone. Officer C estimated that the distance between him and Subject 1 was less than a foot when he fired his weapon. Officer C fired his weapon because he was in fear for his safety and the safety of his partners.

**Officer D related to the Roundtable panel** in essence the same information as Officer C. Officer D related that after Subject 1 struck Officers A and B's vehicle, Subject 1 backed his vehicle in an attempt to leave the area, struck a tree on the parkway, placed the vehicle in drive, drove forward, and struck a white vehicle parked on the street. Officer A approached the vehicle and attempted to pull Subject 1 out, but Subject 1 placed the vehicle in gear and dragged Officer A onto the parkway. Officer A let go of the vehicle and the vehicle continued moving forward toward Officer C who ordered Subject 1 to stop. Officer C fired one shot at the vehicle. The vehicle swerved on the parkway southbound toward Officer D who was standing on the parkway. Officer D fired four times at Subject 1. As the vehicle sped off the parkway, Subject 1 struck a tree, traveled southbound on Blackstone, and struck several parked vehicles. Officer D estimated that Subject 1 was less than two feet from him when he discharged his weapon. Officer D, in fear for his safety and the safety of the other officers, discharged his weapon at Subject 1. There were no civilians on the street at the time of incident.

**In a statement to the Independent Police Review Authority (IPRA) on 17 August 2009, the witness, Witness 1,** stated that she was in bed when she heard crashing. Witness 1 went to the window and saw a black car ramming into a tree in reverse and two officers, now known as Officers A and D, with their guns drawn and yelling, "Police stop, get out of the vehicle" as the car was ramming into the tree and then hit cars parked on the street. Officer A was holding onto the open door of the car when the car started moving forward. Witness 1 related that it looked as if the car was going to drag Officer A along with it. Officer D then shot three times at the black car as it drove around a burgundy colored police car that was in the street and sped off. Witness 1 related that the police car then drove after the black car. She further added that she only witnessed one officer, Officer D, shoot at the black car.

**In a statement to IPRA on 18 August 2009, the witness, Witness 3,** stated that when she and several family members (Witness 10, Witness 7, Witness 6 and Witness 8) arrived home from grocery shopping, her grandfather, Witness 9, and a family friend, Tracy, were on the porch. Witness 3 also related that she observed her sister, Witness 8's boyfriend, Subject 1, walk off of the porch and head northbound on Blackstone. Subject 1 then got inside of a black car. As Witness 3 carried groceries inside of the house, she heard a commotion coming from 81<sup>st</sup> Street and Blackstone. Witness 3 saw a male white officer shoot at the car Subject 1 was driving. She then observed Subject 1 swerve on and off of the curb, striking several cars. Witness 3 related that Subject 1 drove the car southbound on Blackstone. Subject 1 then drove the car onto a curb near Tracy's house and ran eastbound. Witness 3 related that she then observed police officers pursuing

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Subject 1. She added that when she saw Subject 1 run, she did not observe any injuries to him and that she did not see him anymore after he ran.

**In a statement to IPRA on 17 August 2009, the witness, Witness 2,** related that he was emptying his trash when he walked to the front of his house and observed a black vehicle traveling northbound on Blackstone, a southbound street. The vehicle then traveled across the lawn at 8147 S. Blackstone onto the sidewalk, followed by officers, now known as Officers B, C, and D. The vehicle struck a tree at 8151 S. Blackstone and two parked vehicles. The officers were attempting to get out of the vehicle's path when the driver's side window of the vehicle opened and the black male inside, now known as Subject 1, pointed something at the officers. Witness 2 was unable to see what Subject 1 pointed out of the window. The officers then yelled stop several times but the vehicle continued moving toward the officers and the officers fired at the vehicle. Witness 2 stated that Subject 1 appeared to be driving purposely in the direction of the officers. The officers shot five to seven times. The officers then attempted to get in front of the vehicle to stop it but the vehicle kept going, veered off between parked vehicles, drove onto the street and headed southbound on Blackstone. The officers then chased the vehicle on foot. Witness 2 added that there were no other people on the street at the time of the incident, that he did not observe Officer A being dragged and that he did not clearly see Subject 1, other than that he was a black male, at the time of the incident.

**In a statement to IPRA on 18 August 2009, the witness, Witness 4,** stated that she was at home when she heard banging and went to look out of her front window. Witness 4 saw a black vehicle strike two parked cars. She could not see who was driving the vehicle but saw the vehicle drive through the grass in the front of her house and a figure outside of the black vehicle with a gun. Witness 4 then heard about five shots and saw the smoke and powder from the guns. She then got out of the window and ran to the back of her house and called "911." About ten minutes later, she observed police officers and her neighbors outside and heard a white male officer in civilian dress state to a sergeant that he had fired his weapon.

**In a statement to IPRA on 16 October 2009, the witness, Witness 5,** related that she and her sister, Witness 8, along with their small children, were on their porch when she observed Subject 1 walk northbound on Blackstone and get inside of a black car. Witness 5 stated that Subject 1 had backed back and was about to pull out of the space when an orange truck stopped in the middle of the street. A male white officer, now known as Officer B, exited the truck and started shooting at the back of Subject 1's car. Witness 5 stated that Subject 1 sped off driving southbound on Blackstone and hit five to six cars as he drove. Witness 5 stated that she then ran into the house and did not see anything else. Witness 5 added that prior to the shooting, Subject 1 came to the side of the porch and bought a cigarette from her.

**In a statement to IPRA on 07 January 2010, the subject, Subject 1,** stated that he had just left his girlfriend, Witness 8's, house at 8XXX S. Blackstone when he noticed police officers sitting on the corner. Subject 1 related that he continued to walk to his car, which he later admitted belonged to the carjacking victim, now known as Carjacking Victim. Subject 1 stated that the car was parked about a block north of Witness 8's house. When Subject 1 got inside of the car, a red Impala, with a male and female officer, now

known as Officers A and B, pulled in front of him. Subject 1 stated that Officer A jumped out of the car and said, “Freeze. Put your hands up.”<sup>1</sup> Subject 1 then put the car in reverse. Subject 1 related that “[Officer A] grabbed the door, and I know that didn’t happen. Because as soon as she got to run to the car, I took back off and jumped on the sidewalk and went forward and went down another block.”<sup>2</sup> Subject 1 stated that Officer A and the other officers did not say anything, but began shooting at him. Subject 1 was shot in the hand, lost control of the car, hit another car and jumped out of the car he was driving and ran and hid in a shed about twenty feet from where he crashed his car. Subject 1 related that he ran from the officers because he panicked and added that he only hit one car during the incident.

**In a statement to IPRA on 09 March 2012, the witness, Witness 6** related that she, along with Witness 8, were standing on her porch at 8XXX S. Blackstone, when a black car that was parked on 81<sup>st</sup> Street and Blackstone started flying southbound on Blackstone. Witness 6 stated that shots were being fired at the car but she did not see any officers at that time. The car crashed across the street, just south of Witness 6’ residence, and the driver, now known as Subject 1, ran eastbound. Witness 6 related police officers then chased Subject 1. Witness 6 added that although she did not observe any injuries to Subject 1, she did notice that he was holding his hand when he exited the car.

A **personal visit** was conducted to the witnesses, Witness 8 and Witness 9. Witness 10 related that Witness 9 had suffered two strokes and that his memory was adversely affected. Witness 9 related that he could not recall the 17 August 2009 incident and Witness 8 related that she did not witness the incident.

In a **telephone call** to the witness Witness 7, Witness 7 related that she did not witness the incident.

A **canvass** did not produce any additional witnesses.

A **Chicago Police Department Clear Map** indicated that there were no PODs at the location of the incident.

The **telephone calls to the phone numbers listed on Office of Emergency Management Communications (PCAD)** did not produce any additional witnesses.

The **Arrest Report** of Subject 1 documented an account of the incident that is consistent with the Summary of Incident and the accounts provided at the Roundtable. The report further noted that Subject 1 was charged with two counts of Aggravated Battery, Possession of a stolen vehicle and two counts of Aggravated Assault.

The **General Offense Case Report** documented an account of the robbery that is consistent with the Summary of Incident and the account Chief A provided at the Roundtable.

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<sup>1</sup> Att. 78, p.7, line 18.

<sup>2</sup> Att. 78, p.8, lines 16-20.

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The **Detective Supplemental Report** documented an account of the incident that is consistent with the Arrest Report. The report also documented the detective's canvass report and the items inventoried from the incident.

The **Tactical Response Reports (TRRs)** indicated that Subject 1 hit a squad car, dragged Officer A and attempted to hit Officers C and D with his vehicle. Officers B and C fired one (1) time and Officer D fired four (4) times in an attempt to stop Subject 1.

The **Officer Battery Reports (OBRs)** indicated that Officer A received non fatal injuries (bruises/swelling/minor abrasions) and Officers B, C and D were not injured during the incident. The reports also indicated that Subject 1 attempted to strike the officers with his vehicle.

The **Chicago Fire Department (CFD) Ambulance Records** reported that Emergency Medical Technicians (EMTs) responded to a call of an injured victim at 8200 S. Blackstone Ave. and found Officer A, who related to the EMTs that the offender, now known as Subject 1, drove off and ran his car into a tree as she held on to him. Officer A was not injured but was transported to Little Company of Mary Hospital for treatment. EMTs also responded to a call of a gun shot victim at 8230 S. Harper Ave. and found that Subject 1 was shot in his hand. Subject 1 was transported to Trinity Hospital for treatment.

The **Medical Records** from Trinity Hospital indicated that Subject 1 sustained a gunshot wound to the right hand. Subject 1 was treated and released into police custody.

The **Inventory Sheets** indicated that Officers B, C and D's guns, ammunition and DNA Swabs; Subject 1's Gun Shot Residue Kit and airbag; bullet shells and fired bullets; blood swabs from Subject 1's car; various pieces of plastic from wrecked vehicles and a blood swab from a storage box were inventoried.

The **Illinois State Police Division of Forensic Services Lab Report (ISP)** dated 10 September 2009 reported that Officer B's weapon, a 9 Millimeter Smith and Wesson, was test fired, found to be in firing condition and had a barrel with rifling characteristics of five lands and grooves with a right hand twist. Also, Officer C's weapon, a 9 Millimeter Sig Sauer Luger Semiautomatic, was test fired, found to be in firing condition and had a barrel with rifling characteristics of six lands and grooves with a right hand twist. In addition, Officer D's weapon, a Smith and Wesson 45 Automatic Semiautomatic, was test fired, found to be in firing condition and had a barrel with rifling characteristics of six lands and grooves with a right hand twist.

The **Office of Emergency Management and Communications Event Queries (PCAD)** documented the carjacking victim's 16 August 2009 telephone calls to "911" and the 17 August 2009 telephone calls citizens made to "911"/Chicago Police Department transmissions regarding Subject 1's shooting.

The **Office of Emergency Management and Communications (OEMC)** Recordings of transmissions made by citizens and Department Personnel provided information consistent with the Summary of Incident, including the reporting of the



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carjacking, the robbery, and the reports of shots fired by the police and ambulance requests.

The **Crime Scene Processing Reports** documented an account of the incident that is consistent with the Summary of Incident, the accounts provided at the Roundtable and the narrative of the arrest report. The Crime Scene Processing Reports further noted that evidence technicians took photos and made a video of the crime scene.

The **Evidence Technician Photographs and Video Tape** depicted the location of the incident and the surrounding area. The photos further showed bruises to Officer A's legs and a gunshot wound to Subject 1's right hand, a damaged tree and several damaged vehicles (including damage to the police car Subject 1 hit) and other evidence that was collected and inventoried at the scene.

**In a statement to IPRA on 10 August 2011, the witness, Officer A** related that she, along with her partner, Officer B, were assigned to do surveillance of a car that was parked in the 8100 Block of South Blackstone Ave. The car had been involved in a robbery. Officer A related that she and Officer B parked their vehicle one block over from the car when Officers C and D, who were parked in a covert vehicle on Blackstone Ave., notified them that the guy, now known as Subject 1, was heading to the car. Officers A and B activated their emergency equipment and headed northbound on Blackstone Ave. Subject 1's vehicle, which was heading southbound on Blackstone Ave., struck Officers A and B's vehicle head on. Officer A then exited the squad car as Subject 1 placed his car in reverse, hitting trees, cars.

Officer A stated that when Subject 1's car got stuck on a big tree, she ran to the car while announcing her office and ordering him to stop, opened the door and grabbed Subject 1 by his clothes. Officer A related that Subject 1 did not say anything to her but responded by putting the car in drive and driving her into a tree. Officer A related that when Subject 1 hit a parked car, she let go of him and the car and fell to the ground. Officer A related that when she got up, she heard shots. She further related that although she never observed any of the officers discharge their weapon, she did see Officer C with his gun out and Subject 1's car heading towards Officer D. Officer A related that she then observed Officer D jumping out of the way. Subject 1 drove the car for a block before he crashed and Officer A, along with Officers B, C and D chased him. Officer A further added that she did not discharge her weapon during the incident and that she received bruises and scrapes to her legs and was subsequently treated at Little Company of Mary Hospital for her injuries.

**In a statement to IPRA on 02 August 2011, the accused, Officer B** related that he, along with his partner, Officer A, was assigned to do surveillance of a car that was parked in the 8100 Block of South Blackstone Ave. The car had been involved in a robbery and carjacking. Officer B related that he and Officer A parked their car one block east of Blackstone Ave. when Officers C and D, who were parked in a covert vehicle on Blackstone Ave., notified them that a black male, now known as Subject 1, was getting inside of the car. Officers C and D told Officers A and B to stop Subject 1. Officer B, who was driving, then activated his emergency equipment and headed northbound on Blackstone Ave. Subject 1's vehicle, which was heading southbound on

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Blackstone Ave., struck Officers A and B's vehicle head on. Subject 1 then reversed, and at a high rate of speed, hit cars, drove onto the sidewalk and hit a tree.

Officer A then exited the squad car and ran towards Subject 1. Officer B then drove the squad car two car lengths forward, parked next to a van, and lost sight of Officer A. Officer B exited the squad car and ran towards Subject 1's car. While in the street, Officer B heard shots and observed Officer D shoot at Subject 1's car as Subject 1 drove towards him and Officer C. Officer B related that Officers C and D were standing on the sidewalk near the parkway of a home. Officer B stated that he thought Officer A had been dragged by the car because he did not see her. As Subject 1 drove the car off of the sidewalk and back onto the street, approximately five-to-ten feet from Officer B, Officer B shot at him once. Officer B stated that he was not in the direct path of the car but fired his weapon because he had just observed Subject 1 attempting to hit Officers C and D and thought that Subject 1 was dragging Officer A under the car.

Subject 1 kept driving southbound on Blackstone Ave. Officer B then got back into the squad car and placed it in reverse. Officer B related that once he got back inside of the squad car, he observed Officer A running towards him. Officer A got inside of the squad car and they pursued Subject 1 down Blackstone Ave. A block later, the officers saw that Subject 1 had crashed the car and fled eastbound. Officer B stated that he did not have any physical or verbal contact with Subject 1 at the time of the incident, that he did not know if he hit anyone or anything when he discharged his weapon, and that he did not observe any injuries to Officer A. Officer B related that Officer A was just sore.

**In a statement to IPRA on 02 August 2011, the accused Officer C** related that he and his partner, Officer D were conducting surveillance of a vehicle that was reported stolen in a vehicle hijacking and used in a robbery. While parked in a covert vehicle on the 8200 Block of South Blackstone Ave., Officer C related that he and Officer D saw an individual, now known as Subject 1, exit a residence and get inside of the vehicle that was under surveillance. Officers C and D then radioed Officers A and B to stop Subject 1.

Officers A and B drove northbound onto Blackstone Ave. with their lights and sirens activated. Subject 1, who was driving southbound on Blackstone, rammed head on into their vehicle. After hitting Officers A and B's vehicle, Subject 1 backed his car up onto a parkway and struck a vehicle and a tree. Subject 1's vehicle became wedged between the tree and a van. Officers A, C, and D approached Subject 1's vehicle on foot. Officer A opened Subject 1's door and reached inside and tried to grab him but Subject 1 put the car in gear, and while the door was open, drove forward and dragged Officer A.

Subject 1 drove southbound on the lawns of the residences and drove directly towards Officer C while dragging Officer A. Officer C related that he attempted to move out of Subject 1's way and ordered him to stop. Officer A then fell, causing her to be free from the moving vehicle. Officer C tried to move as best as he could when the car got within a foot of him and he fired his gun once. Subject 1 kept driving and headed directly towards Officer D, who was standing about ten feet from Officer C on the same parkway. Officer D then discharged several rounds from his gun. Subject 1 drove onto the street and hit several cars.

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Subject 1 headed southbound on Blackstone Ave. hitting several parked before he crashed the vehicle in the 8200 Block of South Blackstone Ave. and fled eastbound. Officer C added that when Subject 1 fled southbound on Blackstone Ave., he and Officer D got in their squad car and pursued him. Officer C further added that he was not injured during the shooting, that he did not know if he hit anyone or anything when he discharged his weapon, and that he was one of the officers that escorted Subject 1 to a police vehicle to await an ambulance when he was apprehended.

**In a statement to IPRA on 02 August 2011, the accused Officer D** related that he and his partner, Officer C were conducting surveillance of a vehicle that was reported stolen in a vehicle hijacking and used in a robbery. While parked in a covert vehicle on the 8200 Block of South Blackstone Ave., Officer D related that he observed Subject 1, exit a residence and get inside of the vehicle that was under surveillance. Officers C and D then radioed Officers A and B to stop Subject 1.

Officers A and B drove northbound onto Blackstone Ave. with their emergency equipment activated. Subject 1, who was driving southbound on Blackstone Ave., rammed head on into their vehicle. After hitting Officers A and B's vehicle, Subject 1 put the vehicle in reverse and struck a tree. Subject 1's vehicle became stuck between the tree and a van. Officers A, C, and D approached Subject 1's vehicle on foot. Officer A opened Subject 1's driver's side door and attempted to pull him out but Subject 1 reversed and then drove forward, dragging Officer A. Officer D related that he then lost sight of Officer A.

Subject 1 accelerated the vehicle and headed towards Officer C, who was standing on the lawn of 8145 S. Blackstone Ave. Officer D, who was standing on the parkway of 8145 S. Blackstone Ave., about ten feet to the left of Officer C, observed Officer C take out his gun and shoot once at Subject 1. Officer D related that Subject 1 then turned the vehicle directly towards him. Officer D related that he attempted to get out of the vehicle's way and was telling Subject 1 to stop but he refused. Officer D related that Subject 1 was about five-to-ten feet from him when he discharged his weapon four times.

Officer D related that as Subject 1 headed southbound on Blackstone Ave., he swerved and hit several parked before he crashed the vehicle in the 8200 Block of South Blackstone Ave. and fled eastbound. Officer D related that it was at this time that he looked for Officer A and saw her running. Officer D related that the officers called for assist cars and he went to the residence where he observed Subject 1 leave from. While speaking with the owner of the residence, Officer D heard that Subject 1 was in custody. He then left the residence and went to where Subject 1 was captured and identified him as the offender. Officer D further added that he was not injured during the shooting and that he did not know if he had hit anyone or anything when he discharged his weapon.

**FINDINGS AND CONCLUSION:**

**Accused:                    Officer B**  
**Allegation #1:            Unfounded**

**Accused:                    Officer C**  
**Allegation #1:            Unfounded**

**Accused:                    Officer D**  
**Allegation #1:            Unfounded**

This investigation found that the use of deadly force by Officers B, C and D was in compliance with Department policy and State statutes. According to the Chicago Police Department's General Order No. 02-08-03, III A1 and A2, a, b, and c:

- 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 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."

The actions of Officers B, C and D were in accordance with the requirements of the Department's Use of Deadly Force policy. The statements of the independent witnesses, along with the evidence, corroborated the officers' accounts and therefore indicated that Officers B, C and D's reaction was based on the actions of Subject 1. Officers A and B were attempting to stop Subject 1, who had just got inside of a car that was reported stolen in a carjacking and used in a robbery, when he used his car to hit Officers A and B's squad car head on. Subject 1 then placed his vehicle in reverse, drove backwards onto the parkway on the east side of Blackstone and hit a tree.

Officer A exited her vehicle and was attempting to remove Subject 1 from the car when he put the gear in drive and dragged her southbound on the parkway. As he was dragging Officer A, Subject 1 attempted to strike Officers C and D, causing them to discharge their weapons at him. Officer B, who observed Subject 1's actions, and who also believed that Officer A was being dragged at the time, fired his weapon at Subject 1 to stop him. Subject 1 continued driving the vehicle southbound on Blackstone Ave., striking several parked vehicles before crashing at 8241 S. Blackstone Ave. and fleeing on foot before being apprehended in the rear yard of 8230 S. Harper Ave. Subject 1 sustained a through and through gunshot wound to the right hand.