

INDEPENDENT POLICE REVIEW AUTHORITY

Log# 1031979/ U# 09-47

INVESTIGATION

NUMBER: Log# 1031979/ U# 09-47

INVOLVED

OFFICERS: “Officer A” (Chicago Police Officer); Male/White; 36 years old;
On-Duty; In uniform; Year of Appointment – 1998

“Officer B” (Chicago Police Officer); Male/White; 36 years old;
On-Duty; In uniform; Year of Appointment – 1999

INVOLVED

OFFICERS’

INJURIES:

Officer B sustained a laceration to his left thumb.

INVOLVED

SUBJECT:

“Subject 1”; Male/White; 30 years old

SUBJECT’S

INJURIES:

Multiple gunshot wounds, fatal.

INITIAL

INCIDENT:

A call of a Domestic with a Knife.

DATE/TIME:

19 NOV 09, 2110 hours

LOCATION:

Residence on the 5100 block of North Leavitt – inside
Beat 2031

SUMMARY OF INCIDENT:

On 19 November 2009 at approximately 2109 hours, Officer A and Officer B responded to a radio call of a “Domestic with a Knife” at a residence on the 5100 block of North Leavitt Street involving a man who was off his medication. Upon arrival at the scene, the officers approached the front of the building where they were met by a male, Witness 1, who directed them to the rear of the building in order to make entry to the 1st floor apartment.

Officer A entered the apartment first followed by Officer B. Upon entering the apartment, the officers saw an older male and female, Witness 5 and Witness 6, and instructed them to go inside a bedroom. The officers heard a male and woman arguing as they walked down the hallway. The officers announced themselves as they proceeded into the apartment. Officer A peeked around a corner and saw the subject, Subject 1, a.k.a. “R,” arguing with his wife, Witness 2 by the apartment’s front door. Subject 1 was holding a “butcher knife” in his hand. Witness 2 was trying to stop Subject 1 from leaving. Officer A observed puncture marks on the door.

The officers told Subject 1 to drop the knife. Subject 1 broke free from Witness 2, yelled, “mother fucker, mother fucker!” and ran toward the officers holding the knife upward. Officer A backed up and pushed Officer B into Witness 2’s bedroom. Officers Officer A and Officer B fired their weapons at Subject 1. Subject 1 fell to the floor and then stood up again. Officer A and Officer B fired again at Subject 1. Subject 1 was placed into custody and transported by a Chicago Fire Department (CFD) ambulance to Illinois Masonic Hospital where he was pronounced dead.

INVESTIGATION:

Detective A, related to the **Roundtable Panel** that **Witness 3** (10 YOA), the son of Witness 2, was interviewed by Detective B, Area Three Detective Division. Witness 3 said that Subject 1 was upset and screaming that the Jews were putting drugs in the school. Witness 2 was cut when she tried to calm Subject 1 down. Witness 3 stated that Witness 7¹ took him and his brother, Witness 4, from the scene. Shortly thereafter, they heard gunshots.

Detective A related to the **Roundtable Panel** that **Witness 4** (7 YOA), the son of Witness 2, was interviewed by Detective B and stated that Subject 1 was yelling in both English and Arabic. Subject 1 grabbed a knife and threatened Witness 2. Witness 4 stated that Witness 7 took him and his brother, Witness 3, to the basement. Witness 4 stated that the lights went out and he heard gunshots. An ambulance came and took Subject 1 away.

Officer A related to the **Roundtable Panel** that he and Officer B were on routine patrol when they received a radio call of a “Domestic with a Knife” on the 5100 block of North Leavitt. Upon arrival, the officers were met by a male, Witness 1, who told them that he would take them to the back of the apartment because the subject, Subject 1, was blocking the front door. Officer A stated that he and Officer B drew their weapons as they entered the apartment through the kitchen. As Officer A and Officer B walked through the apartment, they heard a commotion in the hallway. The officers observed an elderly couple and told them to go into a bedroom.

Officer A stated that he announced his office and peeked around a corner. Officer A then observed a male, Subject 1, and a female, Witness 2, at the other end of the hallway. Subject 1 was holding a knife in the air. Officer A told Subject 1 to put the knife down but Subject 1 refused. Officer A stated that Subject 1 screamed profanities and ran toward Officers Officer A and Officer B. Officer A backed up as far as he could go and, in fear for his life, fired his weapon. Subject 1 fell to the floor. Witness 2 ran to Subject 1 and Subject 1 stood up again with the knife in his hand. Officer A stated that Officer B fired his weapon and Subject 1 fell again. (Att. 4)

In a **statement to the Independent Police Review Authority (IPRA) on 16 May 2011**, **Officer A** stated that he and Officer B responded to a radio call involving a domestic incident with a knife. They arrived at the location and were met by an unknown male who directed them toward the rear of the residence on the 5100 block of North Leavitt. The unknown male told the officers that the subject, now known as Subject 1, was barricaded behind the front door of the first floor apartment. Officer A stated that as he and Officer B entered the building, they heard screaming from inside the apartment and drew their weapons. Officer A observed an older couple standing at the end of the hallway near the living room and told them to go into a bedroom. As Officer A walked farther down the hallway with Officer B behind him, Officer A said, “Chicago Police. Drop the knife.” Officer A peeked around the corner and observed Subject 1 with his

¹ Sister of Witness 2

arm around a woman, now known as Witness 2, and wielding a knife in his right hand above her head.

Officer A backed up, peeked around the corner again, and said, "Sir, Chicago Police. Drop the knife." At that point, Subject 1 yelled obscenities at Officer A and ran toward him with the knife in his hand. Officer A back pedaled to the end of the hallway but ran out of space. Officer A then fired one shot. Subject 1 continued to advance toward Officer A with the knife in his hand, so Officer A fired several more times; Officer B also fired his weapon. Officer A stated that Subject 1 was approximately five to ten feet away from him when he fired his weapon. Once Subject 1 fell, Officer A made notification of the weapons' discharge and requested an ambulance. (Att. 59)

Officer B related to the **Roundtable Panel** that he and Officer A answered a radio call regarding "a man with a knife who is off his medication" at a residence on the 5100 block of North Leavitt. Upon arrival at the scene, the officers were met by a man, Witness 1, who told them that they should go to the back entrance to get into the apartment. Officer B and Officer A heard yelling and screaming as they entered the apartment through the rear entrance. The officers observed an elderly couple as they walked down the hallway and told them to get back. Officer B announced his office and saw a male, Subject 1, holding a knife. Officer B told Subject 1 to drop the knife but he refused and ran toward the officers. Officer B stated that he and Officer A back pedaled, but Subject 1 kept running toward them while holding the knife. In fear for his life, Officer B stated that both he and Officer A fired at Subject 1. Subject 1 fell but stood up again and ran toward Officer A. Officer B fired again and Subject 1 fell to the floor. (Att. 4)

In a **statement to IPRA on 16 May 2011**, **Officer B** stated that he and Officer A responded to a radio call involving a domestic incident with a knife. When they walked toward the residence on the 5100 block of North Leavitt, a gentleman waved them down and directed them toward the rear of the residence. The gentleman told the officers that a man with a knife, Subject 1, was behind the front door. As Officer B and Officer A entered the residence through the rear of the building, they heard a commotion and screaming. There was a long hallway from the back of the residence to the front. As the officers walked down the hallway, they observed an older couple at the front of the hallway. The couple was pleading with Subject 1 saying, "Hey, stop this already. Drop the knife." The officers told the couple to go into a bedroom. As Officer B and Officer A continued down the hallway, parallel to each other with Officer A just a step in front of Officer B, they yelled, "Chicago Police. Drop the Knife"

Officer A, who was on the left side of the hallway, observed Subject 1 with the knife and stepped back. Subject 1 then came around the corner charging at the officers with the knife raised in the air. Officer B stated that he and Officer A back pedaled and fired their weapons. Subject 1 fell, but then stood up and kept coming at the officers with the knife so they fired several more times. Officer B stated that Subject 1 was approximately five to ten feet away from him when he fired his weapon. Officer A then

announced “Shots fired by the police” over the radio and requested an ambulance. (Att. 62)

The **Tactical Response Reports of Officers Officer B and Officer A** indicate that they used deadly force against Subject 1 after he advanced at them with a raised knife in a threatening manner. Officer B fired six rounds and Officer A fired eight rounds. (Att. 7, 9)

The **Officer’s Battery Report of Officer B** indicates that he sustained non-fatal, minor injury after Subject 1 attempted to stab/ cut him with a knife. (Att. 8)

The **Officer’s Battery Report of Officer A** indicates that Subject 1 attempted to stab/ cut him with a knife. Officer A did not sustain any injury. (Att. 10)

In a **statement to the Independent Police Review Authority (IPRA) on 20 November 09, Witness 5** stated that he was in his bedroom when his grandson Witness 3 told him that “R,” (Subject 1) cut his mother’s hand. Witness 5 went downstairs and observed his daughter, Witness 2, holding Subject 1 against a door, trying to stop him from leaving. Witness 5 stated that Subject 1 was holding a large kitchen knife in his right hand and screaming in Arabic. Subject 1 told Witness 5 to say the word, “peace.”

Witness 5 stated that his wife, Witness 6, came downstairs from the third floor. Witness 6 also repeated the word, “peace.” Subject 1 continued to hold the knife; one minute the blade was pointed upward, then downward, then sideways. Subject 1 stabbed the closet door ten to twelve times during this period. Witness 5 stated that he was afraid that Subject 1 would stab Witness 2.

Witness 5 stated that a short time later, two uniformed police officers came down the hallway. The officers told Witness 5 and Witness 6 to go into a bedroom. Witness 5 and Witness 6 complied. The officers told Subject 1 that everything was okay and that they were there to mediate the situation. The officers talked to Subject 1 for three to five minutes². At some point the officers asked Witness 2 to go into another room but Witness 5 could not see whether Witness 2 went.

Subject 1 started screaming in Arabic. Witness 5 stated that the officers started backing up and he believed that Subject 1 charged toward them. Witness 5 stated that he then heard several shots. Witness 5 heard some noise, followed by another shot. Witness 5 opened the bedroom door and saw Subject 1 lying on the floor with his face on the carpet. Witness 5 believed that the knife was under Subject 1’s body. The Fire Department came and took Subject 1 away. Witness 5 added that Subject 1 had not been taking his anti-depressant medication for the last couple of days. (Att. 12)

In a **statement to IPRA on 20 November 2009, Witness 7** stated that she was in the basement with her boyfriend, Witness 1, and heard yelling coming from the first floor

² Both Witness 2 and the involved officers stated that upon seeing the officers, Subject 1 immediately ran toward them with the knife.

apartment where her sister Witness 2 lived with her husband "R" (Subject 1). Witness 7 went upstairs and heard one of Witness 2's sons say, "Don't hurt my mom." Witness 7 knocked on the rear door of Witness 2's apartment and Witness 2's son, Witness 4, answered the door.

Witness 2's son, Witness 3, said that Subject 1 cut Witness 2 with a knife. Witness 7 saw that Subject 1 was holding a knife in his hand, so she took Witness 4 and Witness 3 out of the apartment. Witness 3 went down to Witness 7's apartment but Witness 4 wanted to stay with her. Witness 7 told Witness 1 to go into the apartment to calm Subject 1. Witness 7 heard what sounded like a knife banging against the wall, so she went downstairs and called "911."

Witness 7 stated that she and Witness 1 went to the front of the building to make sure that the gate and door were unlocked for the police. Witness 7 heard that Subject 1 and Witness 2's argument had moved to the front of their apartment near the front door, so she wanted to make sure that the police came in through the rear door. Witness 1 brought the officers through the back door and entered the apartment with them. Witness 7 and Witness 4 stayed on the rear stairwell.

Witness 7 stated that she heard the police officers trying to calm Subject 1, who was yelling at them. Subject 1's voice got louder and Witness 7 thought that Subject 1 was getting closer to the rear of the apartment. Witness 7 stated that she then heard gunshots, silence, then more gunshots. She went upstairs with Witness 4.

Witness 7 stayed upstairs with her nephews and son and saw more police officers come. Witness 7 stated that she knew that Subject 1 had issues with depression, but she had never seen him act in this manner. Witness 7 added that during the incident, Subject 1 was screaming in Arabic, which was unusual, as well as English, but he was talking too fast for her to understand the English portion. (Att. 15)

In a **statement to IPRA on 20 November 2009, Witness 1** stated that he was in the basement with his girlfriend, Witness 7, and heard arguing coming from upstairs. They went upstairs to find out what was happening. They opened the door to the apartment and saw Subject 1 holding a butcher knife and talking in a "Middle Eastern language." Witness 2, Witness 7's sister and Subject 1's wife, was trying to calm Subject 1. Witness 2 and Subject 1 were initially in the kitchen but eventually moved toward the living room at the front of the apartment.

Witness 7 took the kids out of the apartment and brought them upstairs. Witness 1 stayed in the apartment, and Witness 7 and Witness 2's father came downstairs to try to calm Subject 1, who was stabbing the wall with a knife. The police were called and Witness 1 went to the front of the building to wait for them.

Two police officers arrived and Witness 1 brought them to the back of the building and into the apartment. The officers told Witness 1 to stay back as they approached Witness 2 and Subject 1 in the front of the apartment. The officers called out

Subject 1's name and identified themselves as the police. Subject 1 came around the corner and "charged" at the officers with the knife. The officers fired six shots: five shots in a row, then a pause and another shot. Witness 1 saw Subject 1 fall to his knee after the first couple of gunshots, but Witness 1 moved so he could not see what happened after that. A lot of police officers came into the apartment after that. Witness 1 added that he did not know Subject 1 well, but he knew that Subject 1 had been in a mental institution when he was younger. (Att. 19)

In a **statement to IPRA on 20 November 2009, Witness 2** stated that she was putting her sons to bed and heard her husband "[Subject 1]" scream at the top of his lungs and run into the kitchen. Witness 2 followed him into the kitchen and asked what was wrong. Subject 1 stated that someone was trying to hurt the family and that it was his job to protect them. Witness 2 tried to tell Subject 1 that nothing was wrong, but he insisted that someone was trying to hurt them.

Subject 1 grabbed a large kitchen knife. Witness 2 tried to get the knife away from Subject 1 but he pulled away from her and the knife cut her hand. Witness 2 stated that her sister, Witness 7, heard what was going on and knocked on the door. Witness 7 took Witness 2's sons out of the apartment. Subject 1 tried to go out the rear door of the apartment, and then ran back through the apartment to get out the front. Witness 2 held Subject 1 against the wall to keep him inside the apartment.

Witness 2 stated that her parents arrived and also tried to calm Subject 1. Subject 1 started stabbing the knife against the door. As Witness 2 tried to talk to Subject 1, she heard someone say, "Hey [Subject 1]." Witness 2 saw a police officer come around the corner from the hallway with a gun in his hand. Subject 1 started running down the hallway toward a police officer. Witness 2 ran after him, but there was another police officer standing between Witness 2 and Subject 1, trying to hold her back³.

Both officers fired their guns at Subject 1. Witness 2 did not hear either officer say anything before they fired their weapons. Subject 1 fell against the wall and slid to the ground. The officers shot Subject 1 again. Witness 2 believed that the knife fell out of Subject 1's hand after he was shot the first time. Witness 2 stated that she ran to Subject 1. The officers told her that they called an ambulance. More police officers and the paramedics came at that point.

Witness 2 stated that Subject 1 has suffered with depression. She added that Subject 1 was prescribed Risperdal but stopped taking it at one point. (Att. 23)

In a **statement to IPRA on 20 November 2009, Witness 6** stated that she was taking a nap in her apartment and heard her grandson Witness 3 screaming. She woke up and Witness 3 came in her bedroom and told her that "[Subject 1]" cut his mother (Witness 2, who is Witness 6's daughter and Subject 1's wife). Witness 6 stated that her husband, Witness 5, went downstairs to find out what happened and she followed him. When she got to the first floor apartment, she saw Subject 1 standing with a long knife in his right hand. Witness 2 was hugging Subject 1.

³ Witness 2 never mentioned that an officer tried to hold her back in her interview with detectives. (Att. 43)

It looked like Subject 1 was trying to attack Witness 5, but Witness 6 did not know why. Witness 6 stated that she asked Subject 1 to put the knife down and everything would be fine. Subject 1 started stabbing the knife at the door. Witness 6 stated that her daughter, Witness 7, called the police.

When the police arrived, they told Witness 6 to get out of there. She and Witness 5 went into one of the bedrooms. Subject 1 asked who was there and Witness 6 believed that the officers identified themselves as police. Subject 1 started to charge the officers. One of the officers closed the door to the bedroom and told Witness 6 and Witness 5 to stay in the room. Witness 6 heard talking but could not hear exactly what was said. She then heard gunshots.

Witness 6 stated that she opened the door and saw Subject 1 on the floor. Subject 1 was flipping over at that point. One of the officers shot Subject 1 again as he was on the ground. Witness 6 later asked the officer why he continued to shoot Subject 1 and the officer said that Subject 1 still had the knife in his hand. Witness 6 stated that she could not see whether Subject 1 had a knife at that point. (Att. 27)

The **Crime Scene Processing Reports** indicate that one fired bullet was recovered from the Medical Examiner's Office, and five fired bullets were recovered at the scene and inventoried; five 9mm expended shells and seven 45 caliber expended shells were recovered and inventoried; a knife with a five inch wooden handle and an eight inch blade was recovered and inventoried; Officer A's weapon, a 45 caliber semi-automatic Sig Sauer, serial# G374604, and Officer B's weapon, a 9mm semi-automatic Beretta, serial# 623965, were also inventoried. (Att. 31-32)

Officer A's Sig Sauer has a **magazine capacity** of nine rounds. Officer B's Beretta has a magazine capacity of sixteen rounds. (Att. 84)

The **Justifiable Homicide Case Report, RD# HR-659593**, indicates that Officer A and Officer B responded to a domestic disturbance call of a man with a knife in a 1st floor apartment at a residence on the 5100 block of North Leavitt. Upon their arrival, the officers were directed to enter the apartment through the rear entrance. When the officers entered the apartment, they heard a woman and man screaming near the front of the apartment. They also observed an elderly couple in a hallway leading to the front of the apartment. The officers instructed the elderly couple to move to safety. The officers announced their office and continued down the hallway toward the front of the apartment. As Officer A neared the front hall area by the front door, he saw a man (Subject 1) with a large butcher knife over his head and a woman standing in front of him. Officer A ordered Subject 1 to drop the knife but instead Subject 1 immediately pushed the woman aside and charged at Officer A, holding the butcher knife over his head with the blade pointed downward. Both officers backed up but Subject 1 quickly approached them. In fear for their lives, both officers fired at Subject 1. (Att. 41)

The **Case Supplementary Report** indicates that Witness 2 told the detectives essentially the same information as provided in her statement to IPRA. Additionally, Witness 2 stated that when the police arrived from the back of the residence, she tried to restrain Subject 1 but he pushed her aside and ran toward the police with a knife. Witness 2 stated that she could not stop Subject 1 and he was shot. Witness 2 added that Subject 1 was supposed to take three different types of medication; however, he stopped taking them in June 2009. Witness 2 also told the detectives that in November or December 2008, Subject 1 placed a knife to his throat and threatened to kill himself. Subject 1 was hospitalized and kept in a psych ward until March 2009.

Officer B told detectives essentially the same information as he provided to the Roundtable panel and in his statement to IPRA. Additionally, Officer B stated that as Subject 1 ran toward him and Officer A with the knife, he backed up into the same bedroom that the elderly couple had entered. Officer B continued to shoot at Subject 1 from the doorway of the bedroom. Subject 1 went down quickly but started to get up, still holding the knife and moving toward Officer A. Officer B fired again at Subject 1, at which time he fell to the floor.

Officer A told detectives essentially the same information as he provided to the Roundtable panel and in his statement to IPRA. Additionally, Officer A stated that as he and Officer B entered the apartment, they heard a man and a woman arguing, with the woman saying put down the knife. Officer A and Officer B drew their weapons. Officer A stated that as he and Officer B moved further down the hall, they announced "Chicago Police" several times. When Officer A reached the end of the hall, he peeked around the corner and saw Subject 1 with a large butcher knife. Officer A ordered Subject 1 to drop the knife, but Subject 1 instead raised the knife over his head with the blade downward, and charged at Officer A yelling, "mother fucker, mother fucker." Officer A stated that he tried to back up, but as Subject 1 closed in on him, he fired his weapon several times. Subject 1 fell to the floor but started to get up, still clutching the knife and moving toward Officer A. Subject 1 was shot again.

Witness 8 (12 YOA), the son of Witness 7, told detectives that he was in his third floor apartment when he heard his aunt's boyfriend (Subject 1) yelling loudly in Arabic and banging on the walls. Witness 8 stated that his mother knocked on the third floor door and he let her into the apartment. He stated that his mother was in the company of his cousins, Witness 3 and Witness 4. Witness 8 stated that his mother and Witness 4 went back downstairs. Subject 1 kept yelling and Witness 8 heard more loud banging. Witness 7 ran back into the apartment with Witness 4. Witness 8 stated that he did not know that the last loud banging was gunshots, but he stated that he heard his mother yelling, "You killed him."

Witness 1 and Witness 7 told detectives essentially the same information as provided in their statements to IPRA.

Witness 3 and Witness 4 told detectives an account consistent with the information relayed by Detective A at the Roundtable Panel.

Witness 5 told detectives essentially the same information as provided in his statement to IPRA. Additionally, Witness 5 stated when he tried to calm Subject 1, Subject 1 started talking about Jews, how they make him feel like less of a man, and he also talked about people trying to take things away from him. Witness 5 stated that Subject 1 started speaking in Arabic and stabbed the front entrance door several times.

Witness 5 stated that when the police arrived, they told him and Witness 6 to go into one of the bedrooms. Witness 5 and Witness 6 went into a bedroom but left the door slightly ajar. Witness 5 stated that he looked out the door and saw the police moving backward down the hallway. He then heard approximately four gunshots, scuffling in the hallway, one shot, more scuffling, and then two more shots. Witness 5 then opened the door and the police told him to be careful because Subject 1 still had a knife.

Witness 6 told detectives essentially the same information as provided in her statement to IPRA. Additionally, Witness 6 stated that when she went downstairs, Subject 1 was talking about Allah. Every time Subject 1 mentioned Allah, he stabbed the front door. Witness 6 stated that when the police arrived, they instructed her and Witness 5 to go into a bedroom, which they did. Witness 6 heard the police yell, "put the knife down" several times. Witness 6 stated that she then heard a commotion followed by two gunshots, a pause, two more gunshots, a pause, and then a few more gunshots. She stated that after each set of gunshots, she heard the police give Subject 1 directions but she could not hear what they were. Witness 6 and Witness 5 walked out of the bedroom and saw Subject 1 facedown on the floor bleeding. (Att. 43)

The **Event Queries and the Office of Emergency Management and Communications (OEMC) transmissions** indicate that someone called "911" from the Yackey residence and requested the police for a mentally unstable man who was holding a kitchen knife and possibly off of his medication. The transmissions also indicate that OEMC was immediately notified of the officers' weapons discharge, and an ambulance requested. (Att. 79-80)

The **Evidence Technician photographs** depict the scene of the shooting from various angles, the knife used by Subject 1, and photographs of Subject 1 with multiple gunshot wounds to his body. (Att. 35-39)

Officer B's medical records indicate that he sought medical attention due to a laceration to his left thumb caused by a cut, puncture or scrape. He also complained of body fluid exposure. (Att. 64, 83)

A **CFD Ambulance Report** indicates that Witness 2 reported that she was restraining a door during a family domestic situation. She complained of right lower abdominal and flank pain. Witness 2 was transported to Swedish Covenant Hospital. (Att. 29)

Witness 2's medical records indicate that she had an obstetric ultrasound and was examined for possible trauma. Witness 2 was 26.3 weeks pregnant. (Att. 81)

A **CFD Ambulance Report** indicates that a male patient referred to as John Doe (Subject 1) was found on his back with at least five gunshot wounds to the front of his body. Subject 1 was combative due to hypoxia. (Att. 40)

Subject 1's medical records indicate that he was brought by ambulance to Illinois Masonic Hospital for multiple gunshot wounds. Subject 1 arrived to the Emergency Department unresponsive and pulseless. Subject 1 was pronounced dead on 19 November 09 at 2206 hours. (Att. 82)

The **Medical Examiner's Postmortem Examination Report** indicates that Subject 1's cause of death is multiple gunshot wounds and the manner of death is homicide. The toxicologic analyses indicate that Subject 1's blood tested negative for Benzoylcegonine and Opiates; however, Subject 1 had 36 MG/DL of ethanol in his system at the time of the examination. (Att. 66)

Reports from the Illinois State Police Forensic Science Center (ISPFSC) dated 27 January 2010 indicates that Officer B's 9 mm Beretta was test fired and found to be in firing condition. Four fired casings and two fired bullets recovered were fired from Officer B's weapon. The report also indicates that Officer A's 45 caliber Sig Sauer was test fired and found to be in firing condition. Eight fired casings and four fired bullet/ bullet jacket fragments recovered were fired from Officer A's weapon. (Att. 52-53)

A **report from the ISPFSC dated 28 January 2010** indicates that the knife used by Subject 1 measures approximately 33.3cm. The blade measures approximately 19.9cm in length and up to 4.7cm in width. (Att. 54)

A **report from the ISPFSC dated 05 May 2010** indicates that the DNA extracted from the handle of the knife matches the DNA profile of Subject 1. (Att. 55)

A **report from the ISPFSC dated 20 July 2011** indicates that there were no latent impressions on the knife that were suitable for comparison. (Att. 56)

CONCLUSION AND FINDING:

This investigation found that Officer A and Officer B'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.”

Officer A and Officer B’s actions were in accordance with the conditions of CPD’s deadly force policy. Officer A and Officer B shot Subject 1 after he disregarded the officers’ verbal commands to drop his knife, and instead ran toward the officers wielding the knife in the air placing both officers in imminent fear of great bodily harm or death.