

INDEPENDENT POLICE REVIEW AUTHORITY

LOG #1035057/U#10-14

**INVESTIGATION**

**NUMBER:** LOG#1035057/U #10-14

**OFFICERS**

**INVOLVED:** “Officer A” (Chicago Police Officer); Male/Hispanic; 30 years old; On Duty; Civilian Dress; Year of Appointment – 2004

**WITNESS**

**OFFICERS:** “Officer B” (Chicago Police Sergeant); Male/White; 40 years old; On Duty; Civilian Dress; Year of Appointment – 1996

“Officer C” (Chicago Police Officer); Male/White; 33 years old; On Duty; Civilian Dress; Year of Appointment – 2002

“Officer D” (Chicago Police Officer); Male/White; 28 years old; On Duty; Civilian Dress; Year of Appointment – 2004

**OFFICERS’**

**INJURIES:** None reported

**SUBJECT:** “Subject 1”; Male/Black; 28 years old

**SUBJECT’S** Multiple Gun Shot Wounds – Fatal  
**INJURIES:**

**INITIAL**

**INCIDENT:** The involved officer and witness officers heard gunshots and saw muzzle flashes. The officers exited the squad car and ran on foot toward the muzzle flashes. The subject was seen running with his right hand down at his side. The subject pointed his gun at Officer A after he was ordered to drop his gun.

**DATE/TIME/** 01 April 2010, 0044 hours

**LOCATION:** Beat 1524

INDEPENDENT POLICE REVIEW AUTHORITY

LOG #1035057/U#10-14

**SUMMARY OF INCIDENT:**

On 01 April 2010, at approximately 0044 hours, Officer B, Officer A, Officer C, and Officer D were driving eastbound on Huron Av. in an unmarked vehicle. The officers were assigned to Unit 315, Gang Enforcement Unit. There had been reports of shots fired near Pine Ave. and Huron St. earlier in the day. As the officers patrolled the area, they heard gunshots and saw muzzle flashes on Pine Av. Officers A, C, and D exited the squad car and ran on foot while Officer B drove eastbound on Huron. Officers C and D ran south on Pine Ave. and Officer A ran east on Huron St. toward the alley.

While on the sidewalk of Pine Ave., Officer C observed a black male, later identified as Subject 1, running northbound toward him. Officer C saw that Subject 1 was holding his right hand down at his side. Officer C announced his office by yelling, "Stop!" "Police!" Officer C then shined his flashlight at Subject 1. Subject 1 ran east into a gangway where Officer A was positioned. Officer C and Officer D continued to pursue Subject 1 while continuing to yell for him to drop the gun. Officer C and Officer D lost sight of Subject 1 as he approached the alley. Officer A arrived at the alley and Subject 1 approached Officer A from the north. Officer A had his weapon already drawn and flashlight out when Subject 1 approached him. Officer A announced his office, shined the flashlight at Subject 1, and ordered him to drop the weapon. Subject 1 held the gun in his right hand and pointed it at Officer A as he continued to approach him. In fear for his life, Officer A fired his weapon several times at Subject 1. Subject 1 fell to the ground while still holding the gun in his right hand. Officer C approached after the shots were fired and kicked the gun out of Subject 1's reach. Subject 1 was deceased at the scene and was not transported to a hospital for treatment. It was subsequently learned that sixteen-year-old [Shooting Victim] had been shot near Pine Ave. and Huron St., where the officers had originally seen and heard gunfire. [Shooting Victim] later died from his injuries at Mount Sinai Hospital.

INDEPENDENT POLICE REVIEW AUTHORITY

LOG #1035057/U#10-14

**INVESTIGATION:**

Officer B **related to the Roundtable panel** that he was driving the unmarked squad car. Officer A was in the front passenger seat and Officer C and Officer D were in the back seat. While touring the area around Pine Ave. and Huron Street, they heard several gunshots. Officer A, Officer C, and Officer D exited the squad car and Officer B continued traveling eastbound on Huron St. Officer B heard someone yell, "Police!" "Police!" Drop the gun!" Officer B then heard gunshots. He called over the police radio to check on the well-being of the officers and drove to Ohio Street and into the alley between Pine Ave. and Lotus where he observed Subject 1 laying on the ground.

Officer D **related to the Roundtable panel** that after hearing the gunshots on Pine Ave., he, Officer A, and Officer C exited the squad car and ran southbound on Pine Ave. towards the gunfire. Officer D observed a male black, now known as Subject 1, running in Officer C's direction with his hands down at his side. Officer C yelled at Subject 1 to drop the gun. Subject 1 ran east through a gangway with Officer C and Officer D in pursuit. Officer D stated that he and Officer C lost sight of Subject 1 as he ran 15-20 feet ahead of them and then turned into an alley. Officer D heard Officer A yelling for Subject 1 to drop the gun, then heard gunshots. When Officer D and Officer C arrived at the alley, they saw Subject 1 lying on the ground. Officer C kicked Subject 1's gun away from his right hand.

Officer C **related to the Roundtable panel** that upon hearing shots fired at Pine Ave. and Huron St., and he observed a group of people scattering from that area. Officer C, Officer D and Officer A exited the squad car and ran south on Pine St. Officer C saw a male black (Subject 1) running toward him. Officer C took out his flashlight, aimed it at Subject 1, and saw that he was holding a gun in his right hand. Officer C announced his office by yelling, "Police!" "Drop the gun!" Subject 1 ignored Officer C's command, ran east into a gangway at 639 N. Pine Ave., and then turned north into the alley at that location. Officer C and Officer D continued to pursue Subject 1 while yelling for him to drop the firearm. They lost sight of Subject 1 as he turned into the alley. Officer C heard Officer A yell, "Stop!" "Police!" Officer C then heard multiple gunshots and he and Officer D approached the alley saw Subject 1 lying on the ground. Officer C approached and saw that Subject 1 was still holding a gun in his hand so he kicked the gun away.

Officer A **related to the Roundtable panel** that he was the front passenger of the squad car driven by Officer B. He exited the squad car along with Officer C and Officer D when they heard gunfire. Officer A ran east on Huron St. and then turned south into the alley. As he was running, Officer A heard Officer C and Officer D yelling, "Police!" "Gun!" Subject 1 came around the corner of a garage and into the alley, running north towards Officer A with his firearm pointed at Officer A. Officer A yelled for Subject 1 to put the firearm down. Subject 1 continued in Officer A's direction with the firearm pointed at him. In fear for his life, Officer A retreated east and simultaneously fired his weapon eight times at Subject 1. Subject 1 fell to the ground. Officer C approached and kicked Subject 1's gun out of his hand. Officer A said he stood approximately fifteen feet away from Subject 1 when he fired at him.

CPD Detective 1 **related to the Roundtable panel** that Subject 1 sustained gunshot wounds to his face, his upper abdomen, his back, and the heel of his right hand. IPRA Investigator A from the Cook County Medical Examiner's Office pronounced Subject 1 dead at the scene at 0250 hours. Subject 1 had in his possession a .40 caliber Glock handgun.

**A canvass** of the location of incident revealed that several people heard gunshots, but no one witnessed the actual shooting.

**Evidence Technician (E.T.) photographs and post-mortem photographs** depict pictures of the scene, the recovered evidence, Subject 1's body and Subject 1's weapon.

Doctor A **performed A Cook County Medical Examiner's Postmortem Examination on Subject 1 on 01 April 2010**. The examination revealed that Subject 1 sustained seven thru and thru gunshot wounds. These wounds included a penetrating gunshot wound to the head and back, a perforating gunshot wound to the head, arm, and left upper arm, and a gunshot wound to the left abdomen, and to the right hand, which was covered with a glove. No soothing or stippling was noted on the skin around any of the gunshot wounds. Three medium caliber, semi-jacketed projectiles were recovered from Subject 1's body. There was also a small rectangular abrasion over Subject 1's left hip and a small linear abrasion on his left upper arm. Subject 1's death was caused by multiple gunshot wounds and manner of death, homicide.

The **Office of the Medical Examiner County of Cook, Illinois, Results of Toxicologic Analyses report** indicates that Subject 1 tested positive for Ethanol.

**The Tactical Response Report** completed by Officer A indicates that Subject 1 "did not follow verbal direction," "fled," "was an imminent threat of battery," and that he had a weapon. The report also indicates that Officer A fired his weapon at Subject 1 from over fifteen feet away.

**The Justifiable Homicide Case Supplementary Report** indicated that on 01 April 2010, at approximately 0045 hours, CPD Detectives 2 and 3 monitored a call by a Gang Enforcement Unit of "Shots Fired by the Police." CPD Detectives 2 and 3 relocated to the scene at the 600 block of North Pine St, in the alley between Pine Ave and Lotus Street and were met by other responding personnel. CPD Detectives 2 and 3 learned from officers at the scene that officers from the Gang Enforcement Unit gave chase to a fleeing subject (Subject 1) who had a firearm. As Subject 1 fled, he pointed a firearm at Officer A and Officer A, in fear for his life, fired his weapon, striking Subject 1. Further investigation revealed that at 601 N. Pine Ave., a homicide occurred approximately one minute prior to the police involved shooting.

The detectives viewed the scene and observed Subject 1 lying face down on the ground in the alley behind 643 N. Pine Ave. Subject 1 was wearing a black baseball style

INDEPENDENT POLICE REVIEW AUTHORITY

LOG #1035057/U#10-14

“batting” glove on his right hand. The detectives observed a black .40 caliber Glock handgun lying approximately five to six feet north of Subject 1’s body. The detectives also observed eight spent 9mm casings to the north and west of Subject 1.

The Case Supplementary Report included interviews of Officer A, Officer B, Officer C, and Officer D. The statements given by the officers of the incident were consistent with their accounts to the roundtable panel.

Additionally, the detectives canvassed the immediate vicinity of the location of incident and spoke to several people who stated that they heard gunfire, but did not witness the shooting.

**The OEMC Event Queries and CD recordings** contained information that on 01 April 2010, at 0043 hours, numerous citizens called 911 and reported hearing a range of ten to fifty shots fired near 500 N. Pine Ave. There was also a call that two subjects had been shot. There was a call of “shots fired by the police” at Pine Ave and Lotus and “one was down.” There were also numerous radio transactions between officers and the dispatcher.

**Reports from the Illinois State Police (ISP), Division of Forensic Services Laboratory Reports** indicated that Officer A’s Sig Sauer, 9 mm Luger, semi-automatic gun was examined, test fired, and found to be in firing condition. Eight Winchester 9 mm Luger fired cartridge cases were submitted for examination and were found to be fired from Officer A’s weapon.

A Gunshot Residue Collection Kit was administered to Subject 1’s glove.<sup>1</sup> The results indicated that the sampled areas of the gloves might not have been in the environment of a discharged firearm. If they were, the particles were not deposited, were removed by activity, or were not detected by the procedure.

**In a statement to IPRA on 16 November 2011**, Officer B related that on 01 April 2010, he was assigned to the Gang Enforcement Team on the first watch. Officer B was operating an unmarked squad car, in civilian dress and was working with Officer A, Officer C, and Officer D. On 01 April 2010, at approximately 0040 hours, while touring the area of Pine Ave and Huron St., the officers heard gunfire near Pine Ave and Huron St. Officer B observed a large crowd that scattered in different directions. Officer A, Officer C, and Officer D exited the vehicle with Officer C, Officer D ran southbound on Pine St., and Officer A ran to the alley between Pine and Lotus. While driving southbound on Lotus, Officer B heard a male voice yelling, “Police, gun, gun!” Officer B then heard Officer A say, “Police, stop, drop the gun!” and then he heard a round (more than 6) of gunfire.<sup>2</sup> Officer B stopped the squad car and waited to see if someone would come out of the alley. Officer B got on the police radio and asked Officer A numerous times if he was okay. Officer A then responded via the police radio, “Shots fired by the police.” Officer B then drove to the alley between Pine Ave and Lotus St. Officer B

---

<sup>1</sup> Subject 1 was wearing a baseball style glove on his right hand.

<sup>2</sup> Officer B stated that the shots came west and slight south of his location.

INDEPENDENT POLICE REVIEW AUTHORITY

LOG #1035057/U#10-14

stated that he arrived in the alley at approximately 1843 hours, and he observed Officer A standing with his firearm still in his hand. Officer C and Officer D were handcuffing Subject 1 who was on the ground. Officer B saw that Subject 1 was wearing a black glove on his right hand and a 40 Caliber Glock handgun on the ground approximately six and eight feet away from Subject 1's body.

According to Officer B, Officer A stated to him that he was coming down the alley and he heard Officer D shout, "Gun, gun, gun," and he could tell that Officer D was getting louder and closer to him. Officer A then saw Subject 1 exit the gangway and enter an open lot. Subject 1 then pointed a firearm at Officer A. Officer A shouted, "Stop, police" and in fear for his life, Officer A fired numerous times at Subject 1.

Officer B stated that he asked the Officers A, C and D why the firearm was laying near Subject 1's body and Officer C said that he kicked the firearm out of Subject 1's hand because Subject 1 was still moving. Officer B further related that the gunfire that he and his officers heard minutes before the police shooting, were from a shooting that was nearby that killed a young man at Pine and Ohio—a block away from the police shooting. Officer B reported that Subject 1 died at the scene.

**In a statement at IPRA on 28 December 2011,** Officer A related that on 01 April 2010, at approximately 0045 hours, he, Officer D, Officer C and Officer B were touring the area of 643 N. Pine Ave. Officer A stated that there was an on-going gang conflict in the area and there was a murder at Lake St and Pine Ave earlier that evening. Officer B was the driver of the squad car, Officer A was the front passenger, and Officers C and D were in the back seats. While touring the area, the officers heard several gunshots and several people running in the vicinity south of 600 N. Pine Ave. Officer C and Officer D ran south down Pine Ave and Officer A ran east to Huron St. and then south to Lotus. While running south to the east alley at Pine Ave, Officer A heard Officer D screaming, "Gun, gun, gun!" Officer A then changed his direction to southeast to get to the other side of the alley and he observed Subject 1 run through a gangway in the east direction to enter the alley and then he turned north toward Officer A. Officer A observed that Subject 1 had a black semi-automatic firearm in his right hand, which was covered with a black glove. Officer A yelled, "Police, drop the gun! Police, drop the gun!" Subject 1 then raised the firearm and pointed it at Officer A. From approximately fifteen feet away, Officer A fired a succession of eight gunshots at Subject 1, striking him about his body.<sup>3</sup> Officer A called out, "Shots fired, shots fired" via the police radio. Officer C and Officer D arrived at the alley and Officer C kicked the firearm away from Subject 1's hand. Officer B arrived at the scene just as Officer A was getting up from handcuffing Subject 1. Officer D made notifications via the police radio and Officer A went to speak to Officer B.

**In a statement at IPRA on 27 February 2012,** Officer C corroborated Officer B and Officer A's account of the incident regarding their arrival to the location of incident. Additionally, Officer C stated when they heard the initial gunfire in the vicinity of Pine Ave and Huron St, he drew his firearm and he and Officer D ran parallel to one another

---

<sup>3</sup> Officer A had a Sig Sauer .09 mm 226 firearm.

INDEPENDENT POLICE REVIEW AUTHORITY

LOG #1035057/U#10-14

southbound on the east side of Pine Ave. Subject 1 ran toward Officer C and Officer C clearly saw a dark gun in Subject 1's hand. Officer C yelled, "Stop! Police, drop the gun!" When Subject 1 realized that Officer C was the police, he ran eastbound through a gangway. Officers C and D cautiously pursued Subject 1 through the gangway and Subject 1 ran northbound in an alley. Officers C and D lost sight of Subject 1 at that point. Officer C did not see Officer A, but heard Officer A yell, "Police! Police, police!" Officer C then heard numerous gunshots. He took cover and when the gunshots stopped, he proceeded to the alley behind 632 N. Pine Ave. Officer C saw Officer A bending down over Subject 1 and saw that Subject 1 still had a firearm in his hand. Officer C kicked the gun out of Subject 1's hand and he and Officer D handcuffed Subject 1. A few seconds later, Sgt. Rentnor arrived at the alley in the squad car. Officer D made the notifications to the Department via the police radio.

**In a statement at IPRA on 27 February 2012,** Officer D related essentially the same account of the incident as Officer C. Officer D added that he and Officer C both announced that they were police officers to Subject 1 prior to the shooting. He and Officer C had their firearms out when they were running after Subject 1. Once Officer A fired the shots at Subject 1, he and Officer C approached the alley and observed Officer A bent over Subject 1. Officer D and Officer C approached Subject 1 who was on the ground and kicked the firearm out of his right hand. Officer D observed blood coming from Subject 1's head and face. Officer D notified the Department of the police shooting over the police radio.

**CONCLUSION AND FINDING:**

The investigation revealed that the use of deadly force was **JUSTIFIED** and in compliance with Chicago Police Department policy and Illinois State statutes. 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 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;
    - b. has attempted to escape by use of a deadly weapon or;
    - c. otherwise indicated that he or she will endanger human life or inflict great bodily harm unless arrested without delay."

Officer A's actions were in accordance with the conditions of the Chicago Police Department's policy regarding the use of deadly force. Officer A, Officer C, Officer D, and Officer B were patrolling a highly infested gang area when they heard shots fired in their immediate vicinity. Officer A, Officer C, and Officer D exited the squad car on foot while Officer B drove in the direction of the gunfire. Officer A, Officer C, and Officer D saw Subject 1 running toward a gangway with a gun in his hand. Officer C and Officer D continued to pursue Subject 1 while yelling, "Police! Drop the gun!" Subject 1 failed to comply and ran into an alley causing Officer C and Officer D to lose sight of him. Meanwhile, Officer A had taken a route into the alley resulting in Subject 1 running directly toward Officer A. Officer A announced his office and ordered Subject 1 to drop the firearm. Subject 1 pointed his gun at Officer A, and in fear for his life, Officer A discharged his firearm several times striking Subject 1, fatally wounding him.