

**INVESTIGATION**

**NUMBER:** Log #1037879, U #10-025

**OFFICERS**

**INVOLVED:** “Officer A” (Chicago Police Sergeant); Male/White; 38 years old; On Duty; In Full Uniform; Year of Appointment – 1997

“Officer B” (Chicago Police Officer); Female/White; 35 years old; On Duty; Civilian Dress; Year of Appointment – 2004

**OFFICERS’**

**INJURIES:** #1: None Reported.

#2: None Reported.

**SUBJECT:** “Subject 1”; Male/Black; 24 years old

**SUBJECT’S**

**INJURIES:** Through-and-through gunshot wound to the middle/right side of chest and middle/right side of back.

**DATE/TIME**

**OF INCIDENT:** 07 July 2010 at 1545 hours

**LOCATION**

**OF INCIDENT:** 6120 S. Racine Ave., Chicago, Illinois 60636, Beat 713 (former Chicago Police Department District 7 Police Station)

**U# 10-025/Log#1037879****SUMMARY OF INCIDENT:**

On 07 July 2010, at approximately 1540 hours, Chicago Police Department Officer C was ending his tour of duty working special duty with the Targeted Response Unit (TRU) at the former 007th District police station, located at 6120 S. Racine Ave. Officer C was at the rear of his personal vehicle in the south parking lot of the police station, when the subject, Subject 1, entered the parking lot. A witness (now known to be Witness 1) was landscaping alongside the parking lot of the station and observed a fight between Officer C and Subject 1. Three gunshots were fired and Subject 1 walked out of the parking lot, crossing the street to the east side of Racine Ave. Subject 1 then fired shots at a bystander, Witness 2, and robbed Witness 2 of his blue tool bag.

Officer D was working inside of the police station when she thought that she heard fireworks outside. She went outside to investigate and saw Subject 1 walking around with blood on his face. Thinking that Subject 1 was a crime victim, Officer D went back into the police station to retrieve a radio to call for assistance. Upon re-exiting the building, Officer D was confronted by Subject 1, who was holding a handgun in his right hand. Officer D took cover behind a police squad car in the parking lot. She directed Subject 1 to drop his weapon, but Subject 1 did not comply with this police order and instead responded by saying, "Go ahead. Shoot me." Subject 1 then began to walk toward the squad car and continued to wave his gun at Officer D. Officer D repeated her order for Subject 1 to stop and drop his weapon, but he did not comply and continued saying, "Go ahead. Shoot me."

Officer A and Officer B were inside of the police station when they heard gunshots fired outside of the building. They went to the front door of the station where they observed Subject 1 threatening Officer D at gunpoint. Both Officer A and Officer B ordered Subject 1 to drop his weapon, but Subject 1 failed to comply with their orders. Officer B fired several rounds at Subject 1, but did not hit him. Subject 1 lifted up his gun and leveled it at Officer A. Officer A then fired at Subject 1 once and hit Subject 1 in the middle/right side of his chest. Subject 1, who was wounded, was placed in handcuffs and transported to Advocate Christ Medical Center, located at 4440 W 95th St in Oak Lawn, Illinois.

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On 07 July 2010, at approximately 2235 hours, a **Roundtable** panel was conducted regarding this officer-involved shooting. The following involved officers and witnesses appeared before the Roundtable panel:

**CPD Detective 1** related to the Roundtable panel that Officer C was ending his tour of duty at the time that the incident occurred. He reported that a landscaper (Witness 1), who had been cutting bushes alongside the police station parking lot, observed the fight between Subject 1 and Officer C. Subject 1 next exited the parking lot of the police station and then shot at and robbed a bystander. Subject 1 then moved toward the front door of the police station where he held Officer D at gunpoint. Officer A and Officer B responded to this threat to Officer D by ordering Subject 1 to drop his weapon, but Subject 1 failed to comply with their orders. Officer B fired several rounds at Subject 1, but missed. Officer A fired at Subject 1 once, hitting him. Subject 1 was wounded and transported to Christ Hospital.

CPD Detective 1 stated that video footage recorded by a camera on the police facility depicted Subject 1 walking south on Racine Ave., and entering the parking lot of the police station. The video did not depict Subject 1 shooting Officer C, but did show Subject 1 exiting the police station parking lot and walking east, then northwest, across Racine Ave. The footage next showed Subject 1 waving the gun in his hand. Officer D is depicted avoiding Subject 1 by moving around the parked squad car. Next, Subject 1 can be seen falling to the ground. CPD Detective 2 of Area 1 related that a copy of the video would be made available to IPRA.

CPD Detective 1 related that Officer C's slain body was found face-up between two police squad cars in the parking lot. He reported that Officer C had sustained at least two gunshot wounds to his face. The hatchback of Officer C's vehicle was found open. A bag was found in the vehicle's trunk with Officer C's duty belt on top of the bag. Three cartridge casings were recovered to the west of Officer C's head and approximately ten shell casings were recovered on Racine Ave. Five .9mm caliber casings and one .45-caliber casing were recovered near where Officer A and Officer B fired their weapons. During the incident, gunshots struck a rear vent window of the squad car that was parked in front of the police station and one of the front doors of the building.

**Witness 1** related, with the assistance of a Spanish translator, Officer G, that when the incident began, he was trimming bushes on the east edge of the police station parking lot when he heard arguing. Witness 1 turned and saw a police officer (now known to be Officer C) arguing and fighting with a black male (now known to be Subject 1). Witness 1 approached a car that was parked in the police station parking lot and told the female inside the vehicle (now known to be a civilian CPD employee, Patricia Harris) that he had observed a police officer who may need assistance. As Witness 1 spoke to Witness 3, he heard three gunshots. A few moments later, Witness 1 saw Subject 1 walking with a gun in his right hand towards the front of the police station. Witness 1 lost sight of Subject 1, but then heard five more gunshots and saw police officers exiting the building. He saw the officers confront Subject 1 in front of the police station and heard someone say, "Drop the weapon!" Witness 1 related that Subject 1 disregarded this order and instead fired several rounds from his gun. The officers returned fire and Subject 1 fell to the ground.

**Witness 2** related that he was working at 6117 S. Racine Ave. at the time of the incident. Witness 2 was outside sitting on the porch when he saw a man (now known to be Subject 1) walking on 61<sup>st</sup> Street to the west side of Racine Ave. He observed Subject 1 try to enter the side and back doors of the police station and then walked into the station's parking lot.

Witness 2 heard two gunshots and saw Subject 1 walk out of the parking lot heading east across Racine Ave. Subject 1 then fired three shots at Witness 2 and stole his blue tool bag. Witness 2 ran into 6117 S. Racine Ave., to the east end of the third floor (where he had a limited view of Racine Ave.). Witness 2 saw a female officer near a police vehicle parked in front of the facility. The female officer ordered Subject 1 to drop his weapon. Subject 1 fired two times at the female officer. Subject 1 then lowered his gun as if to reload. Witness 2 heard another gunshot and went downstairs.

**Witness 3** related that she is the timekeeper for Targeted Response Unit (TRU). At the time of the incident, Witness 3 was on a break, sitting in her car, which was parked at the east end of the parking lot next to a fence. She was smoking a cigarette and talking on her cell phone. A male landscaper approached Witness 3's car and indicated to her that there was a fight going on in the parking lot. Witness 3 exited her car and started walking around it. She stated that she heard gunshots, but at the time thought that the noise was from "firecrackers." Witness 3 then saw a male (now known to be Subject 1) walking in the parking lot and holding a gun. Subject 1, who had blood on him, turned and walked out of the parking lot. Witness 3 backed her car south in the parking lot and called the TRU office to relate what she had just witnessed. She stated that she then heard sirens and exited her vehicle to walk towards the front of the police station. Witness 3 observed Officer C lying on the ground between two cars in the parking lot.

**Officer D**, related that she was inside of the police station when she heard what sounded like "fireworks" outside. She went outside through the front door and saw a man (now known to be Subject 1) on the east side of Racine Ave. Subject 1 had blood on his neck and chest, causing Officer D to believe that he was a crime victim. Officer D went back inside the building to retrieve a radio and summon help for Subject 1. She came back outside and saw Subject 1 walking north on Racine Ave. He was carrying a bag and waving a gun. Officer D took cover near a light pole and squad car parked on the street. She directed Subject 1 to drop his weapon, to which he responded, "Go ahead. Shoot me." Subject 1 began to walk toward the squad car and continued to wave his gun. Officer D repeated her order for Subject 1 to stop and drop his weapon, but he did not comply and continued saying, "Go ahead. Shoot me." Officer D then observed Subject 1 fall to the ground. She saw a pool of blood near Subject 1 and kicked away his gun. Other police officers arrived at the scene. Officer D never fired her gun. She stated that she believed Subject 1 wanted to shoot her.

**Officer B**, related that she was working inside the police station when she heard gunfire. She looked through a window and observed a black male (now known to be Subject 1) in the mouth of the gangway at 6117 S. Racine Ave. Subject 1 raised his arm and Officer B heard gunfire. Officer B, Officer E, and Officer D went to the vestibule area near the front door of the police station. Officer B observed Subject 1 walk north on Racine Ave. Officer D went outside and Officer B heard a bullet hit one of the front doors in the area where Officer D had been standing. Officer B opened one of front doors and looked north on Racine Ave. Officer B saw Officer D on the driver's side of a squad car that was parked on the street. Subject 1 was holding a gun and was on the north side of the squad car. Officer B ordered Subject 1 to drop his gun several times. Subject 1 then raised his gun in Officer D's direction, causing Officer B to fire her weapon at

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Subject 1 because she feared for her own life and Officer D's life. Officer B stated that she was approximately 20 to 30 feet from Subject 1 when she fired at him.

The shots had no effect on Subject 1, who turned and smiled at Officer B. Officer B again ordered Subject 1 to drop his weapon. Subject 1 still did not comply with Officer B's command, forcing her to fire at him. Officer B then moved back into the police station. Officer A was in the vestibule and took the lead position in the doorway. He ordered Subject 1 to drop his weapon. Officer B could not see Subject 1 at this time. Officer A fired his weapon and Officer B heard someone say, "He's down! He's down!" Officer B and the other officers went outside and saw Subject 1 lying on the ground, still moving. Officer B ordered Subject 1 to stop moving and to put his hands up.

**Officer A**, related that he was working on the second floor of the police facility when he heard gunshots. He looked out a window and saw a crowd of people running on 61<sup>st</sup> Street. Officer A went to the first floor of the police facility and saw Officer B and a female black officer (now known to be Officer E) in the doorway. Someone said, "A guy is shooting at me!" Officer A opened one of the front doors and saw Subject 1 standing on the west sidewalk, holding a gun in his right hand. Officer A ordered Subject 1 to drop the gun, but Subject 1 instead leveled the gun at Officer A. Officer A fired one shot at Subject 1, who fell instantly. Other police officers arrived on the scene and placed Subject 1 in custody. At the time of his arrest, Subject 1 was bare-chested and wore dark pants.

**Paramedic A** related that she responded to the parking lot of the police station because of a report of a gunshot victim. Engine 116 was already on the scene and its personnel said that Officer C was "DOA," or dead on arrival. Paramedic A was going to leave, but then heard a call for a second ambulance. Paramedic A and her partner drove their ambulance onto Racine Ave. and observed a man (now known to be Subject 1) covered in blood and handcuffed. He had a wound in the center-right part of his chest with an exit wound in his right armpit. Subject 1 was alert and oriented. He was placed in the ambulance and stated, "Please don't let me die. I didn't mean to shoot the officer." Subject 1 flailed his arms and ripped off medical equipment from his body. A female police officer entered the rear of the ambulance to try to talk to Subject 1. Paramedic A related that she heard Subject 1 say that Officer C hit Subject 1 on his temple with his gun and that the gun fell to the ground. Subject 1 said that he picked up the gun and shot Officer C. He described the shots as being very fast.

CPD Detective 1 entered the ambulance, advised Subject 1 of his Miranda rights, and asked him what he had done. Paramedic A heard Subject 1 reply that he fought with Officer C and shot him three times with the officer's gun. CPD Detective 1 asked Paramedic A if she heard Subject 1 state that he understood his Miranda rights. Paramedic A said that Subject 1 said that he understood his Miranda rights.

**CPD Detective 3**, related that he went to Christ Hospital and saw Subject 1, who did not say anything about the incident. Doctor A told CPD Detective 3 that Subject 1 had a gunshot wound to the middle/right side of his chest and the middle/right side of his back (through-and-through). Subject 1 had a one-inch laceration above his left ear and a small abrasion

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to a knuckle of his right middle finger. Subject 1 was combative with the emergency room staff. He was intubated and given Fentanyl.<sup>1</sup>

**In a statement** given to the Independent Police Review Authority on 07 July 2010, **Witness 4** stated (through Officer G, serving as a Spanish translator) that on the day of the incident, he was trimming bushes at the police station at 6120 S. Racine Ave. Witness 4 heard some gunshots coming from the parking lot of the police station. He turned and saw a black male holding a firearm by his side and walking along calmly. The black male (now known to be Subject 1) exited the parking lot onto Racine Ave. He looked toward Witness 4 and crossed the street. Before reaching the sidewalk, Subject 1 discharged the firearm in the direction of a house. Subject 1 then reached the sidewalk and discharged the firearm again in the same direction. Next, Subject 1 went into a gangway and returned holding a bag. Witness 4 then observed a squad car near the entrance to the police station.

Subject 1 next crossed the street and went toward the entrance of the police station. A female police officer standing by the squad car yelled something to Subject 1. Subject 1 came toward the female police officer (now known to be Officer D) with a firearm on the side of his leg. Witness 4 then heard gunshots fired “of a smaller caliber” than he had heard before. Witness 4 stated that Subject 1 did not comply with the police officer’s commands. He then heard one “louder” gunshot fired and saw Subject 1 fall to the ground. The firearm fell from Subject 1’s hand. At that time, more police officers arrived, kicked the firearm away, and handcuffed the black male. Witness 4’s foreman approached the officers and informed them that there had been a police officer in the parking lot where the first gunshots fired had been heard. A female police officer ran in that direction and returned crying and telling the others what she had seen.

**In a statement** given to the Independent Police Review Authority on 07 July 2010, **Witness 5** stated that at the date and time in question she was inside her second floor apartment playing an online video game when she heard several gunshots outside. Witness 5 stated that she looked outside from her front balcony and saw her building’s maintenance man (Witness 2) running away and yelling for help. She then saw a shirtless black male (now known to be Subject 1) walk from her building’s gangway toward the police station directly across Racine Ave. Witness 5 stated that Subject 1 was holding a black, semi-automatic handgun and carrying a backpack.

A white male uniformed police officer and a black female uniformed officer exited the police station. Witness 5 stated that Subject 1 discharged his firearm two or three times at the officers. Witness 5 also stated that it appeared that the female officer discharged her firearm in the air. Witness 5 heard the officers repeatedly order Subject 1 to drop his weapon. Subject 1 replied, “Motherfucker! I’m gonna get you!” and, “I ain’t gonna put down shit!” Subject 1 continued shooting at the police officers. Witness 5 stated that she saw the officers discharge their firearms at the Subject 1, who fell to the ground and was taken into custody.

**In a statement** given to the Independent Police Review Authority on 07 July 2010, **Witness 6** stated that on the date in question at approximately 1530-1600 hours, he was in a garage at a job

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<sup>1</sup> Fentanyl is used to treat breakthrough pain. Fentanyl is in a class of medications called narcotic (opiate) analgesics. It works by changing the way the brain and nervous system respond to pain.  
<http://www.nlm.nih.gov/medlineplus/druginfo/meds/a605043.html#why>

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site in the area of 6133 S. Elizabeth when he heard a single gunshot, followed by two additional gunshots a few moments later. Witness 6 exited the garage, which faces the 7th District police station parking lot, and observed a black male walking northbound in the alley. Witness 6 described the black male (now known to be Subject 1) as wearing a pair of pants and no shirt and holding a gun in hand. He stated that Subject 1 discharged the weapon approximately five to six times. Witness 6 related that he was uncertain if Subject 1 was shooting at anyone or anything. Witness 6 went back into the garage. A few moments later, he heard a female voice yell out. He exited the garage and observed an unknown Caucasian female police officer yelling in the alley. The female instructed him to return to the garage, and Witness 6 complied. Witness 6 was about 200 feet from Subject 1 and was unable to provide a full description of him. He also did not observe the shooting of Officer C.

**In a statement** given to Independent Police Review Authority on 07 July 2010, **Witness 7** stated that he was removing weeds in the small parking lot in front of the police station at 6120 S. Racine Ave. at the time of the incident. Witness 7 finished pulling weeds in the parking lot and walked towards 61<sup>st</sup> Street to remove weeds from the sidewalk. He observed a black male (now known to be Subject 1) walking west on 61st Street. Witness 7 stated that Subject 1 was talking to himself and appeared to be under the influence of drugs. Witness 7 stated that Subject 1 looked at him, but Witness 7 simply ignored Subject 1 and continued working. A couple of seconds later, Witness 7 heard two gunshots fired. At first, he thought that the noise was from fireworks. Then, Witness 7 heard more gunshots fired and saw a man running into a house on Racine Ave. When Witness 7 realized that gunshots had actually been fired, he got on the ground. An individual from a residence on 61st Street brought Witness 7 inside of their home for safety. Witness 7 heard more shots fired and looked through a window to check on his work crew. Witness 7 observed Subject 1 pointing a firearm at the door of the police station. He did not observe any police officers on the scene at that time. Witness 7 moved away from the window and heard more gunshots fired. Witness 7 heard individuals outside stating, "He's down." Witness 7 exited the residence and observed Subject 1 on the ground. The witness stated that he heard more than six or seven gunshots fired.

**In a statement** given to the Independent Police Review Authority on 07 July 2010, **Witness 2** stated that he was sitting on the front porch of the building at 6117 S. Racine Ave., when he observed a young male (now known to be Subject 1) cross the street and attempt to enter the police station at 6120 S. Racine Ave. When Subject 1 was unable to enter the police building, he went around to the adjacent parking lot and was then out of Witness 2's view. Then, Witness 2 heard two gunshots fired. Subject 1 exited the parking lot and crossed Racine Ave., walking toward Witness 2. Subject 1 fired three rounds at Witness 2, who left his blue tool bag on the porch and ran into the building. Witness 2 reached the rear of the third floor, looked out of a window, and observed a Caucasian female police officer standing on the street. The police officer ordered Subject 1 to lower his weapon. Subject 1 fired twice at the police officer. Witness 2 was coming down the stairs and heard one more gunshot fired. When Witness 2 exited the building, he crossed the street towards the station and observed Subject 1 lying on the sidewalk. Witness 2's blue tool bag was lying next to Subject 1. Witness 2 informed the police officers on the scene that the blue bag belonged to him.

**In a statement** given to the Independent Police Review Authority on 15 July 2010, **Witness 8** stated that he was working landscaping the area at 6120 S. Racine Ave. At approximately 1535

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hours, he saw an unknown black male (now known to be Subject 1) enter the parking lot of the police station. The male, who was not wearing a shirt, was walking and talking to himself. Witness 8 stated that the man looked upset, but he was unable to understand what Subject 1 was saying. Witness 8 was near the main entrance to the police station when he saw Subject 1 walk out of the parking lot with a gun in his hand. Witness 8 then went to the landscaping truck to get a drink of water when he heard a gunshot. He saw Subject 1 shoot at another unknown black male approximately five times. Witness 8 was not a witness to the incident that occurred in the police station parking lot. Further, the responding police officers did not even know that the incident involving Officer C had occurred inside the parking lot until Witness 1, a witness who had been landscaping alongside the parking lot of the station, informed the officers of the fallen officer.

A **canvass** of the area at 6120 S. Racine Ave. yielded multiple persons who either did not witness the incident or refused to give statements. One of the witnesses located during this canvass was Witness 5. A summary of Witness 5's statement has been included in this report.

In a **To-From Subject Report**, IPRA Investigator A, notes that he went to Advocate Christ Hospital on 07 July 2010 at approximately 1915 hours in order to ascertain the medical condition of Subject 1. IPRA Investigator A learned that Subject 1's attending physician was Doctor A and that Subject 1 was in critical condition and unconscious. Subject 1 had sustained gunshot wounds to his right upper chest and right upper back. It had not yet been determined whether either wound was a result of a through-and-through gunshot injury.

In a **To-From Subject Report**, IPRA Investigator B, indicates that she telephoned Christ Medical Center, at approximately 0840 hours on 08 July 2010 for the purpose of obtaining information about Subject 1. IPRA Investigator B spoke to ER personnel, who stated that Subject 1 was transferred to the SINI (surgical-neurosurgical intensive care) unit. IPRA Investigator B then spoke to Officer H, who indicated that Subject 1 was in stable condition and was sedated.

**The Chicago Fire Department Incident Detail Report** shows that patient, Subject 1s (now known as the subject, Subject 1) was treated by CFD Vehicle C102 by paramedics Paramedic A and Paramedic B, for a gunshot wound to the chest with an exit wound under his right arm. It was noted that Subject 1 was combative and refused all advanced life support care. This report indicates that Officer I rode in the ambulance to Christ Hospital with Subject 1. Subject 1 told Officer I that when he approached Officer C in the parking lot, Officer C hit Subject 1 on the side of the head with his gun. A fight ensued between Subject 1 and Officer C. During the fight, Officer C dropped his gun. Subject 1 retrieved Officer C's gun and rapidly shot Officer C an unknown amount of times and ran away with the gun. Subject 1 later repeated this same story when questioned by a detective in the back of the ambulance.

The **Medical Records** of Subject 1 from **Advocate Christ Hospital** and **Medical Center** show that he was admitted on 07 July 2010 at 1723 hours for a gunshot wound to the chest. His admitting doctor was Doctor A. Subject 1's emergency room chart indicates that he was brought in by CPD after he shot and killed a police officer. Subject 1 was then shot by other police officers on the scene. The discharge summary report indicates that his final diagnosis was gun shot wound to the right hemothorax and liver laceration. Additionally, PCP<sup>2</sup> and cannabis were found in Subject

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<sup>2</sup> PCP or phencyclidine is a "dissociative" anesthetic that was developed in the 1950s as a surgical anesthetic. Its sedative and anesthetic effects are trance-like, and patients experience a feeling of being "out of body" and detached



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1's toxicology screen. Subject 1 was discharged from Christ on 15 July 2012 at 1648 hours and transferred to Cook County Jail by the Cook County Sheriff's Police Department.

The **Postmortem Examination Report** from the **Office of Medical Examiner**, County of Cook, Illinois, by Doctor B indicated that Officer C was examined on 08 July 2010 at 0800 hours. Officer C was received wearing his CPD uniform with both hands bagged. His nose was fractured and he had numerous fractured teeth. The report noted that multiple gunshot wounds were present in the body, including (1) a gunshot wound on the bridge of the nose, 3.5 inches below the top of the head and 0.5 inches to the right of the anterior midline; (2) a gunshot wound to the right parietal scalp at a location 0.5 inches below the top of the head and 3 inches to the right of the anterior midline; and (3) a gunshot wound to the right upper back 16 inches below the top of the head and 7 inches to the right of the posterior midline.

Additionally, Officer C sustained extensive craniocerebral injuries due to these gunshot wounds. Multiple contusions, abrasions, and bruises were also noted all over Officer C's body. Postmortem x-rays revealed extensive fragmentation of the skull with air in the intracranial cavity and the presence of tiny metallic fragments in the soft tissues of the neck. Doctor B's opinion was that Officer C's manner of death was homicide from multiple gunshot wounds.

The narrative of the **Crime Scene Processing Report** states that Forensic Investigator A, was requested by Beat 5890 to go to Christ Hospital where Subject 1 was photographed, a GSR (gunshot residue kit) was performed, his clothing was recovered and the subject was fingerprinted. The Forensic Investigator A was then requested to go to the Medical Examiner's Office, where he photographed Officer C and bagged his hands to preserve any biological evidence. This report also states that Subject 1 accosted Officer C and a fight ensued, which ultimately led to Subject 1 gaining control over Officer C's weapon. Subject 1 discharged the weapon at Officer C who sustained multiple gunshot wounds and expired on the scene. Officer C's weapon was recovered and swabbed for DNA inside CPD vehicle 6791 on the scene at 6142 S. Racine Ave. Further, the pistols of Officer A and Officer B were both recovered in the presence of car # 50 and CPD Deputy Chief A and were both swabbed for DNA.

The **Illinois State Police Laboratory Report** dated 26 July 2010, lists Exhibit 6 as swabs from grip on weapon Inventory #12064740 with the findings documented as "preserved." Exhibit 7 is listed as swabs from slide of weapon Inventory #12064740 with the findings documented as "blood indicated." Exhibit 8 is listed as swabs from trigger and trigger guard of weapon Inventory #12064740 with the findings documented as "blood indicated." Exhibit 60 is listed as Glock semi-automatic pistol belonging to Officer C. The findings were "blood indicated." Exhibit 61 is a magazine recovered from Glock semi-automatic pistol belonging to Officer C. No analysis was conducted on the magazine. According to a laboratory report from July 29, 2010, examination of Exhibits 60 and 61 revealed no latent impressions suitable for comparison.

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from their environment. Use of PCP in humans was discontinued in 1965, because it was found that patients often became agitated, delusional, and irrational while recovering from its anesthetic effects. Many PCP users are brought to emergency rooms because of PCP's unpleasant psychological effects or because of overdoses. In a hospital or detention setting, they often become violent or suicidal, and are very dangerous to themselves and to others.

<http://www.drugfree.org/drug-guide/pcp>

An **Illinois State Police Laboratory Report** dated 31 August 2010, lists Exhibits 19 through 23 and 25 as Winchester brand 9 mm Luger + P caliber fired cartridge cases which were fired in Exhibit 52, a Smith & Wesson, model CS9D (Chiefs Special), 9 mm Luger caliber semiautomatic pistol, serial #BAY6955. Exhibit 52 was examined, found to be in firing condition, and test fired. It displayed rifling characteristics of five lands and grooves with a right hand twist.

Exhibit 24 was a Winchester brand .45 Auto caliber fired cartridge case which was fired in Exhibit 56, a Glock, model 21, .45 Auto caliber semiautomatic pistol, serial #KYS727 and one Winchester brand .45 Auto caliber unfired cartridge. Exhibit 56 was examined, found to be in firing condition, and test fired. The firearm in Exhibit 56 displayed polygonal rifling characteristics of eight lands and grooved with a right hand twist. Visual examination of the unfired cartridge in Exhibit 56 did not reveal any remarkable characteristics.

Exhibits 26-30 and Exhibits 37-47 are listed as Winchester brand 9 mm Luger + P caliber fired cartridge cases. These cartridge cases were fired in Exhibit #60, the above-referenced Glock. Exhibit 60 was examined, found to be in firing condition, and test fired. The firearm in Exhibit 60 displayed polygonal rifling characteristics of six lands and grooved with a right hand twist.

An **Illinois State Police Laboratory Report** dated 01 October 2010 lists Exhibits 1-1C as an ISP SEM/GSR collection kit which was administered to Subject 1 and the resulting samples. The results of the GSR administered to Subject 1 did not affirmatively show that he discharged a firearm. It was noted that if he did discharge a firearm, then the particles were removed by activity, were not deposited, or were not detected by the procedure. Exhibits 2-2C are listed as an ISP SEM/GSR collection kit which was administered to Officer C and the resulting samples. The results of the GSR administered to Officer C show that he discharged a firearm, contacted a PGSR related item, or had his right hand in the environment of a discharged firearm.

An **Illinois State Police Laboratory Report** dated 26 April 2011 lists Exhibit 60A as the "swab of front of barrel of Glock pistol belonging to Officer C (blood indicated)." Exhibit 60B is listed as the "swab of top of slide of Glock pistol belonging to Officer C (blood indicated)." According to the Results, a human male DNA profile was identified in Exhibits 60A and 60B which matched the DNA profile of Subject 1 and did not match the DNA profile of Officer C.

A total of 54 **ET Photos** were taken by the Medical Examiner of Officer C. These photographs show multiple images of Officer C's body with gunshot wounds and blood-stained clothing.

The **Chicago Police Department Event Query No. 1018811495** indicates that there was a man with no shirt, black pants, and a blue bag on the north side of the (police) building at 6100 S. Racine Ave. This query indicates that shots were fired by the police and the offender (now known as Subject 1) was hit. Per the query, Subject 1, a 28-year-old black male was shot in the chest and taken to Christ Hospital. The query reports that shots were fired in the area of 6058 S. Racine Ave. Additionally, this event query indicates that a black male wearing no shirt was shooting the middle of the street. **Event Query No. 1018811553** indicates that shots were fired by police in the area of 6100 S. Racine Ave. The offender was hit and his condition was unknown. Further, this event query indicates that there was a police officer involved, but there was no information on who did the shooting. Finally, the event query shows that the offender was Subject 1, DOB: 26 Jan 26, who

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was shot once in the chest and that CFD Ambulance 36 responded. The police officer's name had not been released, but he was DOA.

In the **Chicago Police Department Arrest Report** of Subject 1, RD# HS398722, the incident narrative notes that the "above subject was taken into custody on scene after being identified as the person who shot and killed Chicago police Officer C, committed the armed robbery with a handgun of Witness 2 by taking a bag with several miscellaneous tools, and the attempted murder of Chicago police Officer B, Chicago police sergeant Officer A, Chicago police Officer D, Chicago police Officer E and Chicago police Officer F by use of a handgun. Subject transported to Christ Hospital for treatment."

The **Original Case Incident Report** for RD#HS398722 shows that Officer C suffered a fatal gunshot wound and was removed by Chicago Fire Department (CFD) ambulance #55 at 1725 hours on 07 July 2010. It also provides the names of the CPD personnel who responded to the scene.

The **Tactical Response Report of Officer A** states that Subject 1 was armed, did not follow verbal direction, and used a firearm weapon likely to cause death or great bodily harm. Officer A utilized member presence, verbal commands, and a semi-automatic pistol in response to the threat. CPD Deputy Chief A's finding was that Officer A's actions were in compliance with department procedures and directives.

The **Officer's Battery Report of Officer A** states that he was shot at, but did not sustain any injury.

The **Tactical Response Report of Officer B** states that the armed subject did not follow verbal direction, presented with an imminent threat of battery, attacked with a weapon and used a firearm weapon likely to cause death or great bodily harm. Like Officer A, Officer B utilized member presence, verbal commands, and a semi-automatic pistol in response to Subject 1's actions. CPD Deputy Chief A's finding was that Officer B's actions were in compliance with department procedures and directives.

The **Tactical Response Report of Desk Sergeant 1** relates the same information as the two prior TRRs, but states that Subject 1 disarmed Officer C and used deadly force against him. CPD Deputy Chief A's finding was that Officer C's actions were in compliance with department procedures and directives.

The **Tactical Response Report of Officer F** relates that Subject 1 was armed, did not follow verbal direction, and attacked with a weapon likely to cause death or great bodily harm. However, Officer F did not discharge a firearm.

The **Officer's Battery Report of Officer F** states that he was shot at by a man with a gun but did not sustain any injury.

The **Tactical Response Report of Officer D** relates essentially the same information as Officer F's TRR and like Officer F's report, Officer D's report states she also did not discharge a firearm at Subject 1.

The **Officer's Battery Report of Officer D** states that she was shot at by a man with a gun but did not sustain any injury.

The **Tactical Response Report of Officer E** relates no further details of substance, but shows that Officer E did not discharge a firearm at Subject 1.

The **Officer's Battery Report of Officer E** states that she was shot at by a man with a gun but did not sustain any injury.

In a **statement to IPRA** on 21 July 2010, **Officer E**, stated that on 07 July 2010 at approximately 1545 hours, she was on-duty and assigned to Operation Protection Youth (Unit 139) at 6120 S. Racine Ave. She recalled that she was sitting at her desk when she heard gunshots. Officer E ran to the window and looked across the street where the sound was coming from. She saw a black male (now known as Subject 1) shooting. Officer E related that she and Officer B made their way down to the first floor. They were joined by a sergeant (now known as Officer A) and an officer named "[Male First Name]" (now known as Officer F). She stated that the four of them were inside the vestibule near the front door which faces Racine Ave. Officer B opened the front door to assess the situation. Officer E could see that Subject 1 was standing on the sidewalk, approximately one and one-half car lengths away, and Officer D was shielding herself behind a squad car on the street. She relayed that Officer B then yelled for Subject 1 to put his weapon down.

Subject 1 did not comply with her order, causing Officer B to fire at Subject 1. Officer B then came back inside the police building and Subject 1 fired his weapon. A bullet from Subject 1's gun hit the door of the police station. After that, Officer A went to the door and opened it carefully. Officer A told Subject 1 to put down his weapon and shot at Subject 1. Officer E went outside of the police station when she was approached by a gentleman who had been cutting the hedge in the parking lot. In broken English, he said, "Office(r), down," and pointed toward the parking lot. Officer E ran toward the parking lot and saw Officer C's car with the trunk open. She then saw Officer C lying on the ground close to the chain-link fence.

In a **statement to IPRA** on 22 July 2010, **Officer D**, stated that at the time of the incident, she was working full-duty building security behind the front desk on the first floor. Officer D went outside of the police station to investigate what she thought were fireworks outside of the entrance door when she saw the offender (Subject 1) across the street. Subject 1 was covered in blood and walking northbound down Racine Ave. Officer D thought that Subject 1 was a crime victim and went inside the police station to get a radio. When she came back outside, about two or three minutes later, she saw that Subject 1 had a firearm. Officer D started pursuing him and had to take cover by a police squad car that was parked at roughly 6110 S. Racine Ave. She related that Subject 1 yelled at her several times, "Go ahead, shoot me! Kill me!" He then began walking around the squad car and fired at Officer D twice. At that time, several officers came out of the police building and one of the officers shot Subject 1. Subject 1 fell to the ground. He and his weapon were secured. An ambulance was called and Subject 1 was taken into custody.

In a **statement to IPRA** on 26 July 2010, **Officer F** stated that at the time of the incident, he was working in plainclothes at 6120 S. Racine Ave. as a Gang Enforcement Officer. Officer F was inside of the police station performing research when he heard three gunshots that he thought were fireworks. He heard some female officers scream, "He has a gun! He has a gun!" Officer F

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stepped out of his office towards the female officers, Officer B and Officer E, who were both at the front door area inside the police station's front door foyer. Officer B opened the front door and used it for shielding.

Officer F looked out of the door and saw a black male (now known to be Subject 1) wearing no shirt and blue jeans, carrying a bag on his shoulder and aiming a handgun at Officer D. Officer F recalled that Subject 1 had a "crazed" look in his eyes. Officer F stated that he was yelling at Subject 1 to drop his gun. Officer F stated that Subject 1 did not obey the command and instead pointed his gun towards Officer F and the other police officers. Subject 1 fired his gun, leaving a bullet hole in the police station's front door. At that time, a sergeant (now known to be Officer A) came down the stairs and repeatedly ordered Subject 1 to "Drop the gun!" Subject 1 did not comply with this order and Officer A took a single shot and hit Subject 1. After Subject 1 fell to the ground, Officer D ran over and kicked the offender's gun away. Officer F ran towards Subject 1 and helped to secure him.

In a **statement to IPRA** on 16 July 2010, Involved **Officer B** stated that on 07 July 2010 at approximately 1545 hours, she was assigned to light duty at 6120 S. Racine Ave. When Officer B first heard gunshots, she was in her office on the second floor, on the north side of the building. She stated that there were two sets of gunshots. Upon hearing two or three gunshots, Officer B looked out of the window of her office. After Officer B looked out of her window and did not see anything, she relocated to the center of the police building and looked out the far south window. At that time, she saw a black male (now known to be Subject 1) entering the gangway across the street from the (police) building. After Officer B saw Subject 1 enter the gangway, she saw Subject 1 raise what she believes to be his right arm and then heard several gunshots. After hearing these gunshots, Officer B ran down the south stairs of the police building. Officer B relayed that another officer named "[Female First Name]" had run down from the second floor with her. She then saw Officer D exit the front door of the police station and then heard an ammunition round hit the building.

Officer B next opened the front door of the police station and stepped out onto the walkway. Officer B observed Officer D taking cover behind a squad car. She then saw Subject 1, who she had previously seen in the gangway on the west sidewalk to the north of her, approximately fifty to sixty feet in front of her. He was holding a gun in his right hand. Officer B proceeded to unholster her gun and ordered Subject 1 to drop his gun. After Officer B ordered Subject 1 to drop his gun several times, he did not comply and instead turned towards Officer D and raised the gun in his hand. Officer B feared that Subject 1 would kill Officer D, and thus, fired several rounds in Subject 1's direction. Subject 1 turned to face Officer B and smiled at her. She again ordered him to drop his weapon which he did not. Subject 1 began to move towards Officer B and Officer D, so Officer B fired several more rounds in his direction.

At that time, Officer A came up behind Officer B and she informed him that Subject 1 was shooting at the police. Officer A then took Officer B's position in the doorway and fired one round, which hit Subject 1. "[Female First Name]" then came running up to them stating that "He's shot, he's shot, he's a policeman, he's shot!" Officer B stated that she fired six rounds out of a Smith and Wesson Chief's Special, .9mm handgun. Officer B related that she was standing about 50 to 60 feet from Subject 1 when she first shot at him and then moved about ten yards closer to fire the second set of shots.

In a **statement to IPRA** on 23 July 2010, Involved **Officer A**, stated that at the time of the incident, he was in the men's bathroom on the second floor of the northwest end of the police station. The windows of the bathroom were open. He stated that he could see civilians running west on 61st Street. Officer A heard a series of gunshots and immediately went down to the main entrance of the building. When he reached the main entrance, he saw Officer B and two officers that he did not know. Officer A heard Officer B give a police command, but did not actually see her fire her gun. However, he stated that he could tell that Officer B fired her gun because of her body movement. Officer A stated that he asked Officer B what was going on and she replied that "He's shooting at the police." Officer A inquired where Subject 1 was and Officer B stated that he was "off to the left." Officer A gave Subject 1 the command, "Drop your gun!" Subject 1 turned and raised his pistol at Officer A. Officer A relayed that he was afraid that Subject 1 would kill him or another officer and was forced to fire at Subject 1. After firing his Glock .45 caliber gun at Subject 1, Officer A stated that he knew that hit Subject 1 since Subject 1 fell to the ground instantly and had a gunshot wound to his chest. Officer A advanced toward Subject 1 with the other police officers until assisting units arrived and handcuffed him.

**CONCLUSION:**

According to the **Chicago Police Department's General Order 02-08-03 (II)** governing Department Policy, the order states in relevant part:

- 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 involves 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."

This investigation found that Officer B's use of deadly force was objective reasonable based on the totality of the circumstances<sup>3</sup>, as Officer B stated that she was in fear for her own life and that of Officer D when she fired at Subject 1 to prevent death or great bodily harm to herself and others after giving Subject 1 several verbal commands to drop his weapon which he disregarded. Based upon his actions, Subject 1 posed an imminent threat to Officer B's life and the lives of all other officers present at the 007<sup>th</sup> District station that day. Moreover, none of Officer B's shots actually hit Subject 1. Therefore, Officer B was justified in her use of deadly force against Subject 1 at the 7th District police station. Officer B's actions were in accordance with the conditions of CPD's deadly force policy.

It is obvious that Subject 1 posed an imminent threat to Officer A's life and the lives of numerous individuals as well. This investigation has found that Officer A's use of deadly force was objective reasonable based on the totality of the circumstances, as Officer A was reasonably in fear for his life and that of the other police officers and civilian employees at the police station. Officer A's actions were in accordance with the conditions of CPD's deadly force policy.

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<sup>3</sup> See Tennessee v. Garner, 471 U.S. 1 (1985) (holding that all uses of deadly force must be objectively reasonable based upon the totality of the circumstances surrounding its use).