

INVESTIGATION

NUMBER: Log# 1045896 / U#11-28

INVOLVED

OFFICER #1: "Officer A" Chicago Police Officer; Female/Hispanic; 38 years old; On-Duty; in uniform; Year of Appointment - 1999

OFFICER #1

INJURIES: None

INVOLVED

OFFICER #2: "Officer B" Chicago Police Officer; Female/White; 31 years old; On-Duty; in uniform; Year of Appointment - 2006

OFFICER #2

INJURIES: Sprained ankle, bruises

SUBJECT #1: "Subject 1"; Male/Black; 38 years old

SUBJECT'S

INJURIES: Multiple gunshot wounds

LOCATION: 2050 South Monroe Street

DATE/TIME: 05 June 2011 at 0654 hours

TIME OF IPRA

NOTIFICATION: 0739 hours

SUMMARY OF INCIDENT:

This investigation in conjunction with information gained through the investigation by the Chicago Police Department, revealed the following:

On 05 June 2011, Officer A and Officer B,¹ who were assigned to Beat 1206J, responded to a burglary in progress at 2050 South Monroe Street. Upon their arrival, Officers A and B observed a black male, now known to be Subject 1, dragging a female, now known to be Witness 1, by the hair on the side driveway. Subject 1 observed Officers A and B and fled on foot. Officers A and B gave chase. Subject 1 ran through an adjacent vacant lot into the alley behind the address, and entered a yellow Ford Escape that was parked there. In an effort to apprehend Subject 1, Officer B ran to the driver's side of the vehicle and attempted to handcuff Subject 1 through the open door. Officer A entered the vehicle on the passenger's side. Subject 1, who resisted the efforts of Officers A and B, started the vehicle, and accelerated eastbound in the alley towards Seeley Avenue. When the vehicle accelerated, Officer B, who was situated between the driver's side door of the vehicle and the vehicle's door frame, jumped onto the running board of the vehicle while Officer A was still seated in the front passenger seat. While still accelerating eastbound, Subject 1 turned the vehicle to the left, striking a garbage container with the driver's side door. Subject 1 continued driving forward, sideswiping the vehicle into, against, and along the length of a brick building located on the north side of the alley, further pinning Officer B between the vehicle's door and the vehicle's door frame. As the vehicle neared the mouth of the alley at Seeley Avenue, Subject 1's vehicle struck a wooden telephone pole. After striking the pole, Subject 1 steered the vehicle directly at a telephone pole located on the east side of Seeley Avenue. At that time, Officer A discharged her firearm at Subject 1. Subject 1's vehicle then struck a curb on the east side of Seeley Avenue. Subject 1 then reversed the vehicle and accelerated backwards towards Officer B, who had become separated from the vehicle and was no longer on the vehicle's running board. At that time, an injured Officer B fired her weapon at Subject 1. After a preliminary review of the shooting, it was determined that further investigation was warranted relative to the Department's Directives relative to the Use of Deadly Force by Officers A and B. Subsequently, Officers A and B were served with allegations.²

¹ During the course of this investigation, Officer B was married and changed the Department records from her maiden name to reflect her married name, Officer B. Hereinafter, Officer B will be called Officer B.

² It should be noted that during the course of the incident, Civil Suit 13CV3225 was received and incorporated into this investigation. (Att. 121).

ALLEGATIONS:

It is alleged that on 05 June 2011, at approximately 0654 hours, in the vicinity of 2050 West Monroe, **Officers A and B:**

1. violated the Department's Directives.

It is further alleged that on an unspecified date, while at Vanguard Tactical Systems, formerly located at 10225 West Higgins Road, Rosemont, IL, while off-duty, **Officer A:**

2. failed to properly secure her weapon and subsequently obtained a weapon which was not registered to her.³

It is further alleged that on 05 June 2011, at approximately 0654 hours, in the vicinity of 2050 West Monroe, **Officer A:**

3. discharged a weapon which was not registered to her during a police involved shooting.

³ Allegations #2 and #3 relative to Officer A will not affect the investigation into the specific circumstances of this police involved shooting. In addition, these allegations were addressed in a mediation agreement. As such, this report will not contain a summary of the documents and statements relative to these allegations.

INVESTIGATION:

Attempts to interview **Subject 1** were met with negative results. (Atts. 43, 44, 63, 128)

In a **statement with IPRA** on 05 June 2011, **Witness 2** related she was gardening in her backyard, when she observed a black female from the neighborhood, now known to be **Witness 1**, climbing the fence in her backyard and yelling for help. **Witness 1** told **Witness 2** that her husband was after her. **Witness 2** recalled **Witness 1** came to her residence approximately a year and a half prior to this incident and informed **Witness 2** that she had an Order of Protection against her husband. **Witness 2** and **Witness 1** entered **Witness 2**'s residence and called the police.⁴ **Witness 1**, who was in the kitchen, began yelling, "He's coming in," and a black male, now identified as **Subject 1**, entered the residence through the kitchen window. **Witness 2** took **Witness 1** to the basement in an attempt to keep her away from **Subject 1**. **Subject 1** followed **Witness 2** and **Witness 1** to the basement and began pleading with **Witness 1**. **Witness 2** exited the residence, blew her whistle and yelled for help. **Witness 1** exited the residence and she and **Witness 2** entered a marked police SUV that was parked in front of **Witness 2**'s home. While **Witness 2** and **Witness 1** were seated inside the police vehicle, **Witness 2** heard approximately four gunshots coming from the alley behind Monroe Street. At that time, **Witness 1** told **Witness 2** that **Subject 1** did not have a gun. **Witness 1** exited the vehicle and ran towards the alley. **Witness 2** then walked to the alley behind her home where she saw a yellow colored vehicle in the alley. **Witness 2** remained in the alley and spoke with some of her neighbors. (Atts. 36, 55).

In a **statement with IPRA** on 05 June 2011, **Witness 1** related on the date of this incident, she had a domestic incident with her daughters' father, **Subject 1**. **Subject 1** became aggressive with **Witness 1** and, in order to get out of the house, she made up a story that she had to pick up her parents and take them to the bus station. **Subject 1** insisted on accompanying her. **Subject 1** and **Witness 1** got into her vehicle, a yellow Ford Escape and **Subject 1** drove. **Witness 1** told him to pull over at one of the houses. **Subject 1** rang the doorbell and **Witness 1** then ran to the residence located at 2050 West Monroe Street. **Witness 1** approached an elderly woman, **Witness 2** and asked her to call 911. At this point, **Witness 1** saw **Subject 1** driving her vehicle on the street. **Witness 1** assumed **Subject 1** saw her because he reversed the vehicle. **Witness 1** then jumped over a fence and ran into **Witness 2**'s residence. **Subject 1** banged on the doors and twisted the knob in an attempt to get into the house. Eventually, **Subject 1** opened a window in the kitchen and climbed through the window. **Witness 1** and **Witness 2** were on separate phones speaking with 911 operators. **Witness 1** went into the basement and **Subject 1** followed. **Witness 1** heard a whistle blow. **Subject 1** choked **Witness 1** and then told her to get up and come with him. **Subject 1** dragged **Witness 1** out of the basement by her hair. There were two female police officers at the front of the house. **Subject 1** released **Witness 1** and ran past the officers towards the Escape that was parked in the alley. Both of the officers ran after him. **Witness 1** did not recall if the officers said anything to **Subject 1**. **Witness 1** observed **Subject 1** run through the alley and get into her vehicle. **Witness 1** estimated that she was approximately 20 feet from **Subject 1**'s location. According to **Witness 1**, one of the officers got in between the driver's side door which prevented him from closing it.⁵ From **Witness 1**' location, it appeared as if the officer was trying to do something to stop **Subject 1**. **Subject 1** started the vehicle and

⁴ A call was placed to Office of Emergency Management and Communications (OEMC) from the Mecher residence in Event 1115604990. (Att. 66).

⁵ **Witness 1** related that she could not distinguish between the two female officers because the incident happened fast. Statement of **Witness 1**, Page 23, Lines 20-24. (Att. 52)

drove off down the alley. At that point Witness 1 lost sight of the car. Witness 1 then heard approximately three gunshots and a crash, but she was unsure as to the order in which she heard them. Witness 1 related that Subject 1 was drinking earlier in the day and explained that alcohol caused him to be more violent. Witness 1 also stated that she and Subject 1 had a history of domestic incidents that spanned the 14 years they were together. (Atts. 19, 52).

The Related **Departments including General Offense Case and Supplementary Reports (HT 331501) and the Arrest Report of Subject 1 (CB 18157754)** documents essentially the same information as provided in the Summary of Incident of this report. Additionally, Chicago Fire Department Ambulance #45 Paramedics 1 and 2 reported that when they arrived at the location, they initiated medical assistance for Subject 1, who was lying in the street. According to Paramedics 1 and 2, Subject 1 was responsive, complaining of pain, but physically resisted their efforts and struggled with them. Eventually Paramedics 1 and 2 were able to provide medical assistance and transported Subject 1 to the hospital. At the scene, the Detectives noted there was a single tire track that ran adjacent and parallel to the south of the perimeter of the property located at 28 South Seeley Avenue. They also noted that a garbage can was lying on its side, atop the tire track and partially blocking the alley. There was damage to it consistent with being struck by a car. The tire track was consistent with having been caused by the left front tire of the SUV while the car drove east along the south perimeter of that property, into the garbage container, into and along the south brick wall of the building, and then into the wooden telephone pole near the mouth of the alley. There were also paint transfer deposits, consistent with the color of the SUV, on the bricks and mortar along the south wall of 28 South Seeley Avenue. A chrome wheel cover, which matched those of the SUV, was laying in the vegetation adjacent to the west end of the brick wall. The wheel cover matched those of the SUV. A black sideview mirror, which appeared recently damaged and abraded at its outermost edge, was recovered in the vegetation adjacent to the brick wall.⁶ A set of tire tracks consisting of abrasions to the pavement with deposited black rubber, was observed on the east side of Seeley, just north of a wooden telephone pole. Those tracks were consistent with the SUV having been driven at a high rate of speed into the east curb of Seeley. A set of faint tire tracks ran back and away from the curb in a slight northwest direction and were consistent with having been caused by the front tires of the SUV while the car was reversed and accelerated away from the curb.

Multiple citizens, who were taking a safety course at the Ride Chicago Motorcycle School, were interviewed by detectives.⁷ While the citizens saw and heard various events prior to Officers A and B discharging their weapon(s), none saw the incident in its entirety and/or the weapon(s) discharge. (Atts. 122, 124).

A **Canvass** of the vicinity of the incident produced three witnesses (4, 5, and 6). (Atts. 21, 22).

⁶ The recovered mirror was designed for use of the driver's side and matched the rear view mirror that remained on the passenger's side of the SUV.

⁷ Attempts to contact the citizens attending potential witnesses 8, 9, 10, 11, 12, and 13 were unsuccessful. (Att. 57, 58, 59, 60, 61, 62)

In a **statement with IPRA** on 05 June 2011, **Witness 4** related she was standing on her front porch when a man, now known to be Subject 1, drove by in a truck and asked her if she saw a lady. Witness 4 replied that she had not seen anyone. Subject 1 turned into the alley and Witness 4 lost sight of him. When Witness 4 saw Subject 1 again, he was in the rear of Witness 2's residence. Witness 4 observed a woman, now known to be Witness 1 banging on the door and yelling for help. Subject 1 went into the yard and started to beat Witness 1. Subject 1 then dragged Witness 1 by her hair and struck her with an unknown object. The elderly neighbor, Witness 2 blew her whistle and yelled for help. A police vehicle drove down the lot and ended up in front of Witness 2's residence. When Subject 1 saw the officers, he let go of Witness 1's hair and ran. The officers chased Subject 1, who ran towards his vehicle which was parked in the back of Witness 2's residence. Subject 1 got into the vehicle and one of the officers got into the passenger side of the vehicle. Subject 1 drove off. Witness 4 heard one of the officers yell for Subject 1 to stop the vehicle. Witness 4 did not see what occurred in the alley, but heard the noise of the vehicle hitting what she believed to be garbage cans. Witness 4, who admitted she did not see what occurred, believed the vehicle stopped on Seeley. Witness 4 could offer no explanation as to why she believed the vehicle stopped. Witness 4 related she heard two gunshots and went into her residence. A few minutes later, she exited her residence, walked to the corner and observed Subject 1, who was bleeding on the ground. The officers were handcuffing him and telling him to be quiet. Witness 4 could not provide any further information. (Atts. 24, 53).

In a **statement with IPRA** on 05 June 2011, **Witness 5** related she and her boyfriend, Witness 7, were in bed at her residence when he asked her if she could hear yelling. Witness 5 got out of bed and joined Witness 7 at the window. Witness 5 stated she could see the alley behind her residence from the window. Witness 5 observed a black male wearing a white t-shirt and dark pants, now known to be Subject 1, running through a vacant lot towards a yellow Jeep. Two uniformed female police officers ran after Subject 1 and continuously yelled at Subject 1 to stop. Witness 5 did not observe anything in Subject 1's hands. Subject 1 got into the Jeep and started the vehicle. One of the officers with blonde hair, now known to be Officer B, was half inside and half outside the vehicle on the driver's side, and appeared to be holding onto the steering wheel. The vehicle moved forward and Officer B struck her legs on a garage in the alley, but continued to hold onto the vehicle. Witness 5 related that from her location, she could not see the other officer, now known to be Officer A, on the passenger's side of the vehicle. Witness 5 related that she heard what sounded like a vehicle strike a building as it continued through the alley eastbound towards Seeley Avenue. Shortly after hearing that noise, she heard what she believed to be approximately four gunshots coming from the alley near Seeley Avenue. At some point, Witness 7 went to the back porch of the residence. After Witness 5 heard the gunshots, she joined him there. Witness 5 observed Officer B moving like she was injured. Officer B handcuffed Subject 1 and told him to lie still, but Subject 1 continued to move. Witness 5 observed blood on Subject 1's shirt that she assumed came from gunshot wounds. (Atts. 28, 54).

In a **statement with IPRA** on 05 June 2011, **Witness 7** related that he heard whistling and someone hollering for help outside in the alley behind Monroe Street. Witness 7 woke up his girlfriend, Witness 5, and told her what he heard. Witness 7 opened the back door and observed a yellow colored SUV parked in the alley. Witness 7 observed two female uniformed officers running behind a black male, now known to be Subject 1. Subject 1 entered the yellow SUV and the two female officers followed him. One of the officers, now known to be Officer B, stood on the outer portion of the driver's side and yelled for Subject 1 to stop. The upper half of Officer B's body was inside the vehicle, while the lower half of her body remained outside the

vehicle. The other officer, now known to be Officer A, ran towards the passenger side of the vehicle, but Witness 7 could not see what occurred on that side of the vehicle. Subject 1 started the engine and drove away with the two officers. Witness 7 stated he then heard noises which sounded like the car striking something. He then heard two or three gunshots coming from the location in which the vehicle drove. Witness 7 and Witness 5 walked down the alley and observed Subject 1 lying on the ground, handcuffed, with blood on his T-shirt. Subject 1 attempted to stand up and the officers instructed him to remain on the ground. Officer A had a gun pointed at Subject 1. A short time later, an ambulance and additional officers arrived. The officers instructed everyone to leave the alley and Witness 7 complied. (Atts. 32, 56).

A Tactical Response Report (TRR) and Officer's Battery Report (OBR) for Officer A was prepared and submitted by Sergeant A. Subject 1 is described as a passive resister (did not follow verbal commands), who became an active resister (fled), and then escalated to an assailant (assault/battery/deadly force) when he attacked the officers with a vehicle, with force likely to cause death or great bodily harm. Officer A utilized member presence, verbal commands, takedown/emergency handcuffing, and discharged her firearm three times from a seated position.⁸ It is documented that Subject 1 struck a building and attempted to strike a utility pole to defeat arrest and injure Officers A and B. (Atts. 7, 8).

A Tactical Response Report (TRR) and Officer's Battery Report for Officer B was completed by Sergeant A. Sergeant A documented the actions of Subject 1 and Officer B in a manner consistent with the TRR completed for Officer A. Additionally, it is documented that while Officer B attempted to place Subject 1 into custody, he struck a building and attempted to strike a utility pole, which caused injuries to Officer B's lower extremities. Officer B discharged her weapon one time from a standing position.⁹ (Atts. 9, 10).

The **CPD Forensic Services Division Records** (Crime Scene Processing Reports, Video of Scene, Evidence Technician Photographic Records and Inventory Sheets) were obtained and incorporated into this investigation.¹⁰ The firearms of Officers A and B were recovered and inventoried for further forensic testing. (Atts. 13-15, 49).

Illinois State Police Forensic Science Laboratory Reports recorded under Laboratory Case #C11-025384 documenting the examination of recovered ballistic evidence in comparison to the firearms belonging to Officers A and B recovered at the scene were obtained and incorporated into this investigation. Both were test fired and found to be in firing condition. Three recovered cartridge cases were found to have been fired by Officer A and two recovered cartridge cases were found to have been fired by Officer B. (Att. 51).

Footage from Operation Virtual Shield POD #2278, which is located at 2000 West Madison Avenue, for the date and time of this incident, was obtained and viewed. No images and/or activity relative to the police-involved shooting were captured on the footage. (Atts. 46, 128).

⁸ Sergeant A noted that at the time the TRR was completed, the number of shots reported to be fired was approximate and pending further investigation.

⁹ Sergeant A noted that at the time the TRR was completed, the number of shots reported to be fired was approximate.

¹⁰ It should be noted that no Evidence Technician (E.T) photographs of Subject 1 post incident were located.

Footage from Micro-POD #366, which is located at 2100 West Adams Street, for the date and time of this incident was obtained and viewed. No images and/or activity relative to the police involved shooting were captured on the footage. (Atts. 48, 128).

Surveillance Footage from the Chicago Housing Authority (CHA) property located at XX South Hoyne Avenue was obtained and viewed. A black female dressed in a pink or red nightgown, now known to be Witness 1, is seen running in front of the building. Witness 1 is then seen running down an alley at the rear of the property and climbing over a fence into a yard that bordered an alley. No images and/or activity relative to the police-involved shooting were captured on the footage. (Att. 39).

The **Office of Emergency Management and Communications (OEMC)** recorded transmissions and related Event Queries were obtained and incorporated into this investigation. An analysis of the transmissions and documents did not contain any information which was inconsistent with the facts contained in the Summary of Incident and accounts of Officers A and B. (Att. 66).

The **Chicago Fire Department (CFD) Ambulance Report** documents that Subject 1 was observed to have two gun shot wounds to his right upper chest, one gunshot wound to right upper arm and one gun shot wound to his right lower arm. Subject 1, who reported difficulty breathing, was transported to Stroger Hospital. (Att. 130).

It should be noted that attempts to obtain Subject 1's Medical Records from Stroger Hospital were met with negative results. (Atts.89, 90, 91).

In a statement with IPRA on 23 September 2011, **Involved/Accused Officer A** related she and her partner, Officer B, responded to a burglary in progress at 2050 West Monroe Street. When they arrived, Officer A observed a black male, now known to be Subject 1, pulling a female (Witness 1) by the hair. The officers parked and exited their vehicle. The officers told Subject 1 to stop and attempted to question him. Subject 1 let Witness 1 go and started running eastbound on Monroe Street. Officer A observed Subject 1 make movements, or "fiddle" with his front waistband, and believed Subject 1 might have a weapon. Subject 1 ran into a vacant lot next to the building and entered a vehicle parked in the alley. The officers gave Subject 1 several commands to stop running, but he did not comply. Officer B followed Subject 1 to the driver's side of the vehicle and Officer A went to the passenger's side. Officer A got into the passenger's side of the vehicle to prevent Subject 1 from starting the vehicle. Both officers gave him verbal commands and told him not to turn the engine on. Subject 1 repeatedly pushed Officer A away with his elbow. Subject 1 started the vehicle and drove toward a building. Officer B was still on the driver's side of the vehicle. The officers gave Subject 1 verbal directions multiple times to stop the vehicle. Subject 1 stated "Fuck you, you're going to have to, or I'm going to kill you both."¹¹ Subject 1 hit the building while Officer B was hanging onto the vehicle. Officer B yelled out and the tone of her voice changed. Officer A did not know what happened to Officer B or the extent of her injuries. Officer A unholstered her weapon and told him to stop the vehicle. Subject 1 replied, "Shoot me, I'm going to kill you both."¹² Officer A saw Subject 1 aim for a telephone pole and yelled for Officer B to get off the vehicle. Officer A could no longer see Officer B on the driver's side of the vehicle and did not know if

¹¹ Statement of Officer A. Page 11, Lines 15-16. (Att. 87)

¹² *Id.* at Page 12, Line 6.

something happened to her. Officer A discharged her weapon approximately two times at Subject 1's side waist area. Officer A explained she discharged her weapon because she was in fear for her own and Officer B's life. After she discharged her weapon, the vehicle struck a curb and came to a stop. Subject 1 put the vehicle into reverse and started to drive. The vehicle slowly came to a stop. The driver's side door was still open and Subject 1 rolled out of the vehicle. Officer A attempted to handcuff Subject 1, made the necessary notifications, and requested an ambulance. (Atts.82, 87).

In a statement with IPRA on 09 September 2011, **Involved/Accused Officer B** related she and her partner responded to a burglary in progress call at 2050 West Monroe. When they arrived at the location, Officer B observed a black male, now known to be Subject 1, dragging a black female (Witness 1) down the driveway by her hair. Officer B and her partner exited their vehicle. Subject 1 saw the officers and let go of Witness 1. As the officers approached Subject 1, Officer B retrieved her handcuffs. Subject 1 walked towards Officer B, but instead of stopping, he ran eastbound on Monroe Street. Officer B pursued Subject 1 on foot. Officer B saw Subject 1 touch the area of his waistband, which gave her the impression that he might have a weapon. Subject 1 ran towards the alley, where a yellow SUV was parked, and got into the vehicle. Officer B, who approached on the driver's side of the vehicle, attempted to remove Subject 1 from the vehicle and handcuff him. Subject 1 put the keys in the ignition, started the vehicle, and put it in drive. Officer B, who was in between the open door and Subject 1 (who was seated in the driver's seat) grabbed the steering wheel. At some point, Officer B jumped onto the running board of the car. Her partner, Officer A, was in the passenger's seat. Subject 1 drove the vehicle into a garbage can and along a brick wall. Subject 1 drove approximately 15 to 20 miles an hour. Subject 1 hit a curb as he exited the alley. Officer B heard Officer A tell her to get off the vehicle. Officer B jumped off the vehicle. Subject 1 then put the vehicle in reverse. At this point, Officer B drew her weapon and fired in his direction. Officer B estimated that she was standing approximately five feet behind the driver's side of the vehicle when she fired. Officer B and Officer A gave Subject 1 multiple verbal commands to stop the vehicle prior to Officer B discharging her weapon. Officer B was not aware that Officer A discharged her weapon. Officer B explained she fired at the vehicle because Subject 1 was reversing and she was in fear for her life because she thought Subject 1 was going to run her over. Officer B did not recall how many times she fired her weapon. After she fired, the vehicle came to a stop and Subject 1 fell out of the vehicle. Officer A exited the vehicle and attempted to handcuff Subject 1. Officer B attempted to assist her, but Officer A told her to stop because there was blood everywhere. Officer A made notification of shots fired and requested an ambulance. As a result of this incident, Officer B sustained a sprained left ankle and severe bruising on her right knee.¹³ (Atts. 74, 86).

¹³ **Evidence Technician Photographs** depict what appear to be scrapes, cuts and abrasions to Officer B's knees. The photographs also depict what appear to be multiple bruises on the left arm/elbow, and wrist of Officer B. (Att. 16).

CONCLUSION AND FINDING:

The Reporting Investigator recommends Allegation #1, that Officers A and B violated the Department's Directives relative to the use of deadly force be **UNFOUNDED**.

The facts and circumstances surrounding this event show that Officers A and B acted "to prevent death or great bodily harm to the sworn member or to another person," as they reasonably believed their lives were in imminent danger when Subject 1 deliberately, and with malicious intent, used his vehicle as a weapon in his attempt to cause death and/or great bodily harm to Officers A and B. Subject 1 not only intentionally drove his vehicle at a high rate of speed and purposely struck objects in the alley, but deliberately drove the vehicle in a manner that pinned Officer B between the door and door frame of the vehicle, while Officer A was seated in the passenger seat.

After striking a telephone pole in the alley, Subject 1 steered his vehicle directly at a telephone pole located on the east side of Seeley Avenue. Fearing for the safety of Officer B and herself, Officer A discharged her firearm at Subject 1. As a result, Subject 1's vehicle struck a curb on the east side of Seeley Avenue. At that time, Subject 1 reversed the vehicle and accelerated backwards towards the already injured Officer B, who was no longer on the vehicle's running board. Fearing for her safety, Officer B discharged her weapon. Once Subject 1's vehicle came to a stop, the officers did not fire any additional rounds.

The Cook County State's Attorney's Office reviewed this officer involved shooting, concluded there was no violation of the Illinois Compiled Statutes, and declined to file any criminal charges in this matter.

Based on the totality of the facts and circumstances, the Reporting Investigator finds that officers with similar training and experience as **Officers A and B** would reasonably believe that Subject 1 posed an immediate threat to their safety. The Reporting Investigator finds that the use of deadly force by **Officers A and B** is therefore objectively reasonable and **Within Policy** as outlined by the Use of Force Model; the Illinois State statute; and the Chicago Police Department's General Order 03-02-03, III, which states:

- 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 will endanger human life or inflict great bodily harm unless arrested without delay."

Therefore this allegation must be classified as unfounded.

Relative to **Allegations #2 and #3**, for Officer A, see the Mediation Agreement.