

**INDEPENDENT POLICE REVIEW AUTHORITY**

**Log #1064709, U #13-31**

**INVESTIGATION**

**NUMBER:** Log #1064709, U #13-31

**OFFICER #1:** “Officer A” (Chicago Police Officer); Female/Black; 48 years old;  
Off- Duty; Year of Appointment – 1999

**OFFICER’S  
INJURIES:** None Reported.

**SUBJECT:** “Subject 1”; Male/Black; 17 years old

**SUBJECT’S  
INJURIES:** Several gunshot wounds to his arm, upper body, and face. Treated  
at Christ Hospital.

**DATE/TIME  
OF INCIDENT:** 06 September 2013 at 0935 hours

**LOCATION  
OF INCIDENT:** XXXX S. Sacramento Avenue  
Beat 835

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**SUMMARY OF INCIDENT:**

06 September 2013, at approximately 0930 hours, off-duty Chicago Police Officer A, was asleep in the upstairs bedroom of her residence, located at XXXX S. Sacramento Avenue. Officer A got up from her bed to use the restroom and heard “scraping” noises coming from the first floor of her home. She went downstairs to investigate and saw a black male (now known as Subject 1) inside of her brother’s bedroom, attempting to steal electronics. Officer A, armed with her service weapon, identified herself as a police officer and instructed Subject 1 to get down on the floor. Subject 1 disobeyed numerous verbal commands given by Officer A to get down and then lunged at Officer A. Officer A, in fear of her life, discharged her firearm at Subject 1 six times, striking him in his arm, upper body, and face. Subject 1 fell to the floor. Officer A immediately reported the incident by calling 9-1-1 on her cellular telephone.

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Per the **Preliminary Summary Report**, on 06 September 2013, at approximately 0930 hours, Officer A was asleep in her upstairs bedroom when she heard someone repeatedly ringing her doorbell. She looked out of the windows of the two other second-floor bedrooms facing the front of her house, but did not see anyone standing on her front porch. Officer A then entered her second floor bathroom. While in the bathroom, Officer A heard scraping noises coming from the first floor. Officer A retrieved her service weapon from her bedroom and her cell phone from the second floor bathroom before walking down the stairs to the first floor.

When she got downstairs, Officer A observed that the door to her brother's bedroom was open. She approached the bedroom and heard noises inside. Officer A stood in the doorway of the bedroom and saw a black male (now known as Subject 1) inside of the bedroom. Subject 1 was pulling wires and cords from her brother's electrical equipment on a table inside of the bedroom. Officer A identified herself as a police officer and told Subject 1 to get on the floor. Subject 1 turned and moved toward Officer A by climbing over the bed. Officer A then discharged her revolver six times at Subject 1, striking him in his arm, upper body, and face. Subject 1 fell to the floor and Officer A immediately used her cell phone to call 9-1-1. Officer A told 9-1-1 that she was a police officer and had shot a person inside of her home. She also requested an ambulance for Subject 1. Subject 1 was taken to Christ Hospital via a CFD ambulance.

**The victim, Subject 1**, did not provide a statement to IPRA. Multiple attempts were made to contact the juvenile Subject 1 via his mother, (Subject 1's Mother). Initially, (Subject 1's Mother) was responsive to the R/I's attempts to interview her son, but wanted to speak to a lawyer before allowing her son to give a statement. On 28 September 2013, (Subject 1's Mother) informed the R/I that an unknown civil attorney had been retained for her son and that the attorney would be calling the R/I to schedule a statement. To date the R/I has received no phone calls from this attorney, nor has (Subject 1's Mother) responded to any of the R/I's attempts to contact her.

A **canvass** of the area surrounding XXXX S. Sacramento Avenue was performed on 06 September 2013. It yielded no eyewitnesses.

**The Chicago Fire Department Incident Detail Report** for Incident #132490764 documents that CFD Unit A58 was dispatched to XXXX S. Sacramento Ave., on 06 September 2013, at 0943 hours. According to the report, the patient, "[Last Name]," was shot three times.

**Medical Records** from **Advocate Christ Medical Center** document that "Alias" (Subject 1's alias name for treatment) was admitted on 06 September 2013 with gunshot wounds to the left eye, chest/abdomen, neck, right hand, and shoulder. Subject 1 underwent emergency surgery. He had multiple soft tissue injuries from the gunshot wounds. Additionally, Subject 1 also had a left clavicle fracture, left rib fractures, and left orbital fractures.

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**Medical Records** from **Cermak Hospital** show that Subject 1 was transported from Christ Hospital to Cermak Hospital on 17 September 2013. He arrived at the Emergency Room at 1216 hours. Subject 1 related that he was feeling better. He was evaluated and discharged at 1455 hours. Subject 1 was seen again on 22 September 2013 for a follow-up and complaints of abdominal pain at the gunshot wound site.

**Medical Records** from **John H. Stroger, Jr. Hospital** show that Subject 1 was treated status post gunshot wound for a small bowel obstruction from 29 September 2013-02 October 2013.

An **Illinois State Police Laboratory Report** for **RD#HW-439847** dated 24 October 2014 indicates that examination of CPD Inventory #12996748 was completed for Exhibit #1, a Smith & Wesson, model 66-1, .357 Magnum caliber revolver, serial #69K6535. The firearm was examined, found to be in firing condition, and test fired. The firearm displayed rifling characteristics of five lands and grooves with a right hand twist. Exhibit #2 was comprised of six Winchester brand 38 Special +P caliber fired cartridge cases. All of the Exhibit #2 cartridge cases were identified as being fired from Exhibit #1.

Evidence from CPD Inventory #12996731 was also processed. Exhibit #3 was one metal fragment which was not suitable for further microscopic comparison. Exhibit #4 was one fired jacket fragment which was identified as being fired from Exhibit #1. Exhibit #5 was one fired bullet which was also identified as being fired from Exhibit #1.

229 (7 sets of) **ET Photos** were taken by Evidence Technician 1, on 06 September 2013. The first two sets of photographs depict the downstairs area of Officer A's home, including pictures of bloody clothing and various pieces of evidence with CPD evidence markers. The third and fourth set of photos show the second floor of the home. The fifth set of photos shows more pictures of the downstairs of the home. The sixth and seventh set of pictures depict the exterior of the home. There are photographs of a cracked window, presumably the window that Subject 1 utilized in order to enter Officer A's home.

The **CPD Crime Scene Video** begins at 1127 hours on 06 September 2013. The footage depicts the front of Officer A's residence. The camera pans to the side of the home and shows footage of the gateway and an open window. Next, the video shows the home's backyard porch, garage, and a gateway door to the alley, which appears to be unlocked. Further video footage shows windows on the side of the home that are shattered and bullet shells which are marked along the gateway on the side of the house. Footage captured from inside of the home depicts a gun on the dining room table and blood stains on the floor. Scenes from a first floor bedroom show blood on the mattress, floors, and table, in addition to holes through the window and drapes.

**CPD Event Queries** and **OEMC Transmissions** indicate that on 06 September 2013, at approximately 0936 hours, an off-duty police officer (now known as Officer A) called in a "10-1" to report a burglar in her home, located at XXXX S. Sacramento Ave.

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She is heard repeatedly telling someone (now known as Subject 1) not to move. A next-door neighbor, [Neighbor], who lives at XXXX S. Sacramento Ave., also called in a report of a burglary at Officer A's home on 06 September 2013 at 0938 hours. [Neighbor] reported seeing someone go into Officer A's home and hearing gunshots. Officer A made several other calls to 9-1-1 regarding when the police would be arriving at her home. Officer A also reported that Subject 1 was being taken to Christ Hospital for gunshots to his left hand, left upper back, left upper face, and right hand.

**Departmental Reports** for RD#HW-439847 document that Subject 1 was charged with Residential Burglary and Aggravated Assault of a Police Officer. The victim, Officer A, reported that Subject 1 forcibly and unlawfully entered her residence. A burglar alarm was present, but had been circumvented by Subject 1 who entered the residence through a side window. She reported that Subject 1 lunged at her in an attempt to defeat arrest. Officer A then utilized deadly force in defense of herself. There were no civilian witnesses.

Officer A's **Tactical Response Report** documents that Subject 1 did not follow verbal commands given by her and lunged at her. Officer A, in fear for her life, fired her weapon at Subject 1.

Officer A's **Officer's Battery Report** states that she did not sustain any injuries as a result of her encounter with Subject 1.

The **Synoptic Report** for Officer A for WD #13-8062 shows that she was not under the influence of drugs or alcohol at the time of the shooting.

In a **statement to IPRA, Officer A**, stated that on 06 September 2013, at approximately 0935 hours, she was asleep in her second floor bedroom at her home, located at XXXX S. Sacramento Avenue. She reported that she was home alone when she was awakened by someone repeatedly ringing her home's front doorbell. Officer A looked out of the windows of the other two other upstairs bedrooms, but did not observe anyone on her porch. Officer A went back to bed, but then got up to use the bathroom.

Officer A reported that she was in the bathroom using her cell phone when she heard a "sliding" noise. She explained that it sounded like something was being moved downstairs. Officer A stated that she next heard the chains on her dining room window blinds downstairs "jingling." She continued to hear scraping noises coming from downstairs and then heard something fall inside of the house. Officer A went to retrieve her on-duty weapon from a closet in her bedroom and then back to the bathroom to retrieve her phone before heading downstairs. When she got downstairs, she noticed that her brother's bedroom door was open. Officer A related that her brother, who was at work that morning, always closes his door before he leaves the house. She recalled that when she had looked outside earlier, her brother's truck was not parked out front.

Officer A entered her brother's bedroom and saw a tall, dark-skinned male wearing white gym shoes (now known as Subject 1) in the bedroom. Subject 1 was

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holding some electronic cords in his hand and moving computer equipment around. Officer A thought that Subject 1 had probably entered her home through a window. She pointed her firearm at Subject 1 and stated, "Freeze, police!" Officer A then stated, "Who are you? What are you doing in my house?" Subject 1, who was approximately four or five feet away from Officer A, turned around to face her. Officer A told him to "Get down!" Subject 1 ignored this instruction and began to move toward her. She continued to give him verbal commands not to move, but Subject 1 suddenly lunged at her. Officer A, who feared that Subject 1 would hurt her, fired her revolver six times, from about three or four feet away from Subject 1. She stated that she felt that she had no other option other than to shoot Subject 1.

After being shot, Subject 1 finally got down on the ground and Officer A called 9-1-1 to report the 10-1 incident and request an ambulance. Subject 1 did not speak to Officer A until after she shot him. After he had been shot, Subject 1 stated, "I'm getting ready to leave." Officer A again instructed Subject 1 not to move.

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### CONCLUSION:

The **Chicago Police Department's General Order 03-02-03, Section 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."  
(Att. 57)

Officer A's actions were reasonable based on the totality of the circumstances. Subject 1 broke into Officer A's home. She was unaware if Subject 1 had any weapons on him. Subject 1 ignored numerous verbal commands given by Officer A to "Get down!" He then lunged at her, creating an imminent threat of battery to Officer A, and placing her in fear of her life. Based on Subject 1's actions, Officer A's responsive actions were in compliance with the Department's Use of Force Policy.