

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1068458/U#14-11

INVESTIGATION

NUMBER: Log #1068458/ U#14-11

OFFICER

INVOLVED #1: “Officer A” (Chicago Police Officer); Male/Hispanic; 38 years old; On Duty; In Uniform; Year of Appointment – 1998

OFFICER #1’S

INJURIES: None Reported

OFFICER

INVOLVED #2: “Officer B” (Chicago Police Officer); Male/White; 30 years old; On Duty; In Uniform; Year of Appointment – 2014

OFFICER #2’S

INJURIES: None Reported

OFFICER

INVOLVED #3: “Officer C” (Chicago Police Officer); Male/Hispanic; 35 years old; On Duty; In Uniform; Year of Appointment – 2000

OFFICER #3’S

INJURIES: None Reported

OFFICER

INVOLVED #4: “Officer D” (Chicago Police Officer); Male/White; 29 years old; On Duty; In Uniform; Year of Appointment – 2004

OFFICER #4’S

INJURIES: None Reported

WITNESS

OFFICER #1: “Officer E” (Chicago Police Officer); Male/White; 26 years old; On Duty; In Uniform; Year of Appointment – 2009

WITNESS

OFFICER #2: “Officer F” (Chicago Police Officer); Male/Hispanic; 45 years old; On Duty; In Uniform; Year of Appointment – 2001

WITNESS

OFFICER #3: “Officer G” (Chicago Police Officer); Male/Hispanic; 46 years old; On Duty; In Uniform; Year of Appointment – 2004

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1068458/U#14-11

WITNESS

OFFICER #4: "Officer H" (Chicago Police Sergeant); Male/White; 50 years old; On Duty; In Uniform; Year of Appointment – 1990

WITNESS

OFFICER #5: "Officer I" (Chicago Police Officer); Male/Black; 38 years old; On Duty; In Uniform; Year of Appointment – 2000

SUBJECT: "Subject 1"; Male/Hispanic; 18 years old

SUBJECT'S

WEAPON: Multiple kitchen knives; 3.5 inch knife with brown plastic handle, 4.5 inch knife with tan handle, 7.5 inch knife with brown wooden handle, and 10.5 inch knife with brown handle.

SUBJECT'S

INJURIES: Multiple gun shot wounds. Pronounced dead at the scene.

LOCATION:

XXXX W. 50th Street
Beat 923

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1068458/U#14-11

SUMMARY OF INCIDENT:

On 07 April 2014, at approximately 1802 hours, Officers A and B responded to XXXX W. 50th Street in response to a domestic dispute at that location. Upon arrival, the officers observed the subject, now known to be Subject 1, who was sitting on the front porch steps, holding a two year-old child and refused to give the child to another male, now known to be Witness 2. Subject 1 had one hand in his backpack and stated that he was holding a 9mm pistol and he was not going back to jail. A struggle ensued between Witness 2 and Subject 1 near the doorway of the residence. Eventually, Witness 2 was able to take possession of the child and they ran into the residence. Subject 1 followed directly behind Witness 2 and the struggle continued in the kitchen area, where Subject 1 obtained several knives. Witness 2 was able to escape from Subject 1 and proceeded to the rear of the house, where the child and a female, now known as Witness 3, waited.¹

Additional officers were requested, included those who were equipped with a taser. Several officers instructed Subject 1, in both English and Spanish, to drop the knives. Subject 1 refused to comply and again stated that he was not going back to jail. Subject 1 held a small knife to his throat and punctured his throat. Subject 1 then picked up a larger knife (approximately 10-12" blade) and held it against his throat. Subject 1 then pointed the knife to the officers as he stepped towards Officer A and assisting officers. The involved officers discharged their firearms and their tasers at Subject 1. Subject 1 retreated to a back room where he fell forward and expired.²

¹ During the course of the investigation it was determined that Subject 1 entered the residence while holding the child and a struggle ensued between Subject 1 and Witness 2. At this time, Witness 5 came up and grabbed the child and ran out of the residence with the child. The child was not located inside the residence when the police involved shooting occurred.

² Diagram of the Scene documented that Subject 1 fled and fell into the rear bedroom. There was no residents located in the rear bedroom when the officers fired in that direction. All of the residents were located in the side bedroom

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1068458/U#14-11

INVESTIGATION:

There was no **Arrest Report** for Subject 1. The **Department Case Report** noted to refer to the Detective Supplemental Report for the summary of the investigation.

A **Tactical Response Report** completed by Officer A documented that Subject 1 “did not follow verbal direction,” “fled,” was an “imminent threat of battery,” “attack[ed] with a weapon,” and used “force likely to cause death or great bodily harm [with a] weapon.” Officer A responded with “member presence”, “verbal commands”, and the use of his “firearm”. The narrative documented that the subject was “armed with a large knife.” CPD Deputy Chief A approved the TRR submitted by Officer A and documented that Officer A’s actions were in compliance with Department Directives.

The **Officer’s Battery Report** for **Officer A** documented that he did not receive any injuries.

A **Tactical Response Report** completed by Officer B documented that Subject 1 “did not follow verbal direction,” “fled,” was an “imminent threat of battery,” “attack[ed] with a weapon,” and used “force likely to cause death or great bodily harm [with a] weapon.” Officer B responded with “member presence”, “verbal commands”, and the use of his “firearm.” The narrative documented that the subject was “armed with a large knife.” CPD Deputy Chief A approved the TRR submitted by Officer B and documented that Officer B’s actions were in compliance with Department Directives.

The **Officer’s Battery Report** for **Officer B** documented that he did not receive any injuries.

A **Tactical Response Report** completed by Officer C documented that Subject 1 “did not follow verbal direction,” “fled,” was an “imminent threat of battery,” “attack[ed] with a weapon,” and used “force likely to cause death or great bodily harm [with a] weapon.” Officer C responded with “member presence”, “verbal commands”, and the use of his “Taser (probe discharge)”. The narrative documented that the subject was “armed with a large knife.” CPD Deputy Chief A approved the TRR submitted by Officer C and documented that Officer C’s actions were in compliance with Department Directives.

The **Officer’s Battery Report** for **Officer C** documented that he did not receive any injuries.

A **Tactical Response Report** completed by Officer D documented that Subject 1 “did not follow verbal direction,” “fled,” was an “imminent threat of battery,” “attack[ed] with a weapon,” and used “force likely to cause death or great bodily harm [with a] weapon.” Officer D responded with “member presence”, “verbal commands”, and the use of his “Taser (probe discharge)”. The narrative documented that the subject was “armed with a large knife.” CPD Deputy Chief A approved the TRR submitted by

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1068458/U#14-11

Officer D and documented that Officer D's actions were in compliance with Department Directives.

The **Officer's Battery Report** for **Officer D** documented that he did not receive any injuries.

The **Chicago Fire Department Ambulance Report** documented that Subject 1 had multiple gunshot wounds around his entire body. Subject 1 was found lying on his stomach, with his eyes dilated and unresponsive.

IPRA sent a **certified letter** to the family of Subject 1 detailing that IPRA is conducting an investigation into the police involved shooting involving Subject 1.

There were no **Medical Records** for Subject 1 as he was pronounced dead at the scene.

Medical Examiners Report documented that Subject 1 was examined on 08 April 2014. The report related that Subject 1 sustained thirteen gun shots (one in his chest, one in his back, one in his pelvis, one in his forearm, one in his lower left leg, four in his buttocks, four in his thighs) throughout his body. There was an incised wound to the neck approximately 1/8 inch deep. This wound was located in the anterior midline 11.5 inches from the top of the head. The cause of death was multiple gun shot wounds.

A **Canvass** was conducted on 08 April 2014 near the location of XXXX W. 50th Street. IPRA Investigators A and B were unable to locate any residents that witnessed the incident in question.

Crime Scene Processing Report #246481 and **#246484** documented items inventoried and photographs of the scene. The report also documented that all of the involved officer's weapons were recovered in the presence of CPD Deputy Chief A at the Area Central Detectives Division. The reports were submitted by Officers J and K.

Evidence Technician Photographs documented the crime scene and the subject's weapons (various knives). A large knife with a brown wooden handle was photographed on the floor in the bedroom near Subject 1's body. One small knife was photographed on the kitchen floor and another small knife was photographed in an open kitchen drawer. A medium sized knife with a brown wooden handle was photographed in the kitchen sink. Additional photographs were taken of multiple gun shot wounds to Subject 1.

Illinois State Police Forensic Science Laboratory Reports documented under Lab Case #C14-012442 that firearms belonging to Officers A and B were tested and in proper working condition. The unfired cartridges were analyzed for caliber and type only. The cartridge casings recovered from the scene were fired from each of the officer's weapons.

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1068458/U#14-11

The related **OMEC Event Queries** documented that at 1746 hours on 07 April 2014, Witness 2 called 911 to report that his sister's child's father, Subject 1, was at XXXX W. 50th Street and was violating an Order of Protection and refused to return a 2 year-old child. At 1748 hours, Beat 923 was dispatched to that location. Between 1751 hours and 1800 hours, several other units were dispatched to that location. At 1802 hours, a police officer reported shots fired by the police at XXXX W. 50th Street.

In a digitally recorded statement to IPRA on 08 April 2014, conducted by IPRA Investigator A, **Witness 1** related that she and the subject, now known as Subject 1, have a child together, now known as [Child]. Witness 1 related that on 07 April 2014, she was at her residence located at XXXX W. 50th Street and found Subject 1 sitting on the porch with their son. Witness 1 had an order of protection against Subject 1 after he battered her in February 2013. An argument ensued to the point that Subject 1 refused to release their son and leave the premises.

Witness 1 related that her brother, now known to be Witness 2, called the police and, when the police arrived, Witness 1 went outside and told the officers that she wanted Subject 1 to release the child. At this time, Subject 1 had his hands inside his book bag. An officer asked him to take his hands out of the bag and Subject 1 stated, "No."³ The officer asked Subject 1 what was inside the bag and Subject 1 stated, "a 9 millimeter."⁴ Subject 1 then stood up and entered the residence. Witness 1 then heard her brother, Witness 2, and her friend, now known to be Witness 5, plead with Subject 1 to release the child. At some point, Witness 5 grabbed the book bag and tossed it out of the house; she then grabbed the child and ran out of the house.

Witness 1 stayed outside of the house and heard gun shots, but did not witness the police involved shooting.

In a digitally recorded statement to IPRA on 14 May 2014, conducted by IPRA Investigator C, **Witness 2** related that on 07 April 2014, his sister, now known as Witness 1, came into his room and alerted him that her ex-boyfriend, now known to be Subject 1, was outside, sitting on the front steps of the house playing with their child, now known to be [Child]. Witness 2 exited the house and began to argue with Subject 1 about the child. After several minutes, Witness 2 called 911 to report that Subject 1 was violating an Order of Protection since he was on the property.

Once the police arrived, Subject 1 was holding the child with his left hand, placed his right hand inside his book bag and announced that he had a gun in the bag. The officers repeatedly tried to convince Subject 1 to drop the weapon. Eventually, Subject 1 got up and forced his way into the residence by pushing Witness 2 to the side. When Subject 1 did this, an individual, now known to be Witness 5, grabbed the child and ran to the street. Once Subject 1 entered the house, Witness 2 and his other sister, now known to be Witness 3, attempted to stop Subject 1 from advancing into the residence, but Subject 1 overpowered them and continued into the kitchen where he grabbed a small

³ Attachment 34, Page 8, Line 17

⁴ Attachment 34, Page 8, Line 20

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1068458/U#14-11

knife. Witness 2 and Witness 3 ran to one of the bedrooms in the back of the house, where he stood by the door and watched the situation. Officers entered the residence with their guns drawn and pleaded with Subject 1 to drop the knife and not to kill himself.

Witness 2 related that he heard officers' radio several times for a taser. Witness 2 observed an officer explain to Subject 1 in English and in Spanish that he could help him and that he didn't have to kill himself. At some point Subject 1 picked up a bigger knife with an 8 to 10 inch blade and was pushing the knife into his neck. An officer then instructed Witness 2 to close the bedroom door, which he did. Shortly thereafter, he heard multiple gun shots. Witness 2 related that when the shooting stopped, he opened the door and the officers instructed him and his sister to get out of the house.

In a digitally recorded statement to IPRA on 08 April 2014, conducted by IPRA Investigator B and IPRA Investigator D, **Witness 3** related, in essence, the same information as Witness 1 and Witness 2. Witness 3 added that she and her brother were pushing Subject 1 away from the door in an effort to stop him from entering the residence. As they were doing this, Witness 5 was able to grab the child and take him away from Subject 1. Subject 1 then pushed her and Witness 2 out of the way, ran into the house and entered the kitchen where he pulled out a knife, approximately 7 inches in length, from one of the kitchen drawers. Subject 1 then held the knife against his chest and stated, "I'm not going back, I'm not going back." The officers tried to talk Subject 1 out of harming himself, but Subject 1 refused to drop the knife. Witness 3 related that "the officers did everything within their possibilities to get Subject 1 to drop the weapon."⁵ Witness 3 and Witness 2 then ran to a bedroom at the rear of the residence and closed the door. While inside the room, Witness 3 was attempting to escape out to the side window when she heard Subject 1 run down the hall and approximately twelve gunshots.

In a digitally recorded statement to IPRA on 08 April 2014, conducted by IPRA Investigator E, **Witness 4** related that he was in his basement, located at XXXX W. 50th Street, when he was asked to come outside by his upstairs neighbor, now known as Witness 2. Witness 4 went outside to the front of the residence and observed Witness 2's sister, now known as Witness 1 sitting on the front steps to the house. Witness 4 related that the subject, now known to be Subject 1, was also sitting on the steps and that he was holding Witness 1's son, [Child]. Witness 4 related that he and Witness 1 asked Subject 1 to release the child and leave the premises, but Subject 1 refused. Witness 4 related that Witness 2 called the police and that approximately ten minutes later a squad car arrived with two officers. As soon as the officers entered the walkway to the residence, Subject 1 picked up the child and attempted to enter the house. Witness 4 observed Witness 2 and Witness 1's friend, now known to be Witness 5, standing inside the doorway preventing Subject 1 from entering the house. Subject 1 forced his way into the house, at which time Witness 5 grabbed the child and ran out of the house. Subject 1 then made his way into the kitchen. Officers entered the residence and proceeded towards the kitchen where they repeatedly pleaded with Subject 1 to drop a knife.

⁵ Attachment 29, Page 7, Lines 12-14

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1068458/U#14-11

Witness 4 related that he was not inside the residence when the officers discharged their firearms.

The **Detectives Supplementary Report** (RD #HX214663 – Aggravated Assault with a Knife/Cutting Instrument) documented the Reporting Detectives investigation of the incident. On 07 April 2014, at approximately 1825 hours, the Reporting Detectives were assigned by CPD Sergeant 1 to investigate a police involved shooting which occurred at XXXX W. 50th Street. After arriving at the scene, the Reporting Detectives interviewed the involved police officers and the responding and witness officers who related, in essence, the same information about the incident that they provided in their statements to IPRA.

In a digitally recorded statement to IPRA on 09 April 2014, **Officer A** related that he was partnered with Officer F when they responded to a call of a violation of an Order of Protection at XXXX W. 50th Street. Upon arrival, Officer A observed a male Hispanic, now known to be Subject 1, sitting on the front steps to the entrance of the house. Officer A walked towards Subject 1 and asked him to stand up, which Subject 1 refused to do. Officer A observed a black book bag next to Subject 1's right hip. Subject 1 reached into the bag and related that there was a 9 millimeter pistol inside it. Officer A then unholstered his weapon. Officer A related that there was a child, now known to be [Child], standing in front of Subject 1. Subject 1 picked up the child and placed the child on his lap. Officer A started talking to Subject 1 and stated, "We can talk this out. We can figure out what's going on. I don't even know why I'm here. Put your son down."⁶ This continued on for several minutes until Subject 1 turned around seemingly to place the child inside the house.

Officer A observed Subject 1 stand inside the entry way of the front door and thought that Subject 1 was going to hand the child over to a male, now known to be Witness 2, who was inside the house. Officer A then heard yelling and observed Subject 1 and Witness 2 shove each other. Seconds later, Officer A heard Witness 2 call out that he had the child. Officer A holstered his weapon, ran up the stairs and grabbed onto the back of Subject 1's sweatshirt to try and pull him out of the house. However, Subject 1 kept moving forward towards the kitchen and Officer A followed him. When they entered the kitchen, Subject 1 pulled out a knife from one of the drawers and started yelling that he was on parole and that he was not going back to prison. Officer A unholstered his weapon and ordered Subject 1 to put the knife down. Witness 2 was still inside the house and ran to a bedroom on the east side of the hallway. Officer A continued to order Subject 1 to drop the knife, but instead, Subject 1 placed the knife against his neck. Officer A related that, at first, Subject 1 was holding a small knife to his neck, but eventually switched to a larger knife. Officer A repeatedly ordered Subject 1 to drop the knife and lie on his stomach. The situation continued on for several minutes as additional officers entered the residence. Officer A related that Subject 1 pushed the knife into his neck and started yelling, "I'm going back there. I'm going back there,"⁷ meaning to the back room of the house where Witness 2 and Witness 3 were located.

⁶ Attachment 55, Page 11, Lines 18-20

⁷ Attachment 55, Page 25, Lines 17-18

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1068458/U#14-11

Officer A related that the situation began to escalate when Subject 1 became angrier and closed the distance between them. Officer A related that they were standing in the kitchen area, which was U-shaped, and there was a distance of 5 to 6 feet between them. Subject 1 then lowered the knife to his mid section, pointed it towards Officer A and lunged towards him. Officer A believed he was going to be stabbed and, in fear for his life, discharged his weapon in the direction of Subject 1. Subject 1 then turned and ran down the hall where the bedroom was located. Officer A feared that the individuals in the bedroom were going to be hurt and continued to discharge his weapon. Officer A related that he fired ten shots and did not stop firing his weapon until Subject 1 fell to the ground. As Officer A fired his weapon, he heard other officers fire their weapons and also heard an officer deploy his taser. Officer A stopped firing his weapon when Subject 1 was no longer a threat to him or the family inside the house. Officer A added that he yelled at Subject 1 to get down on the floor before he lunged at him and several officers ordered him to drop the knife. Officer A further related that there was no one, except for Subject 1, that was in the line of fire when he discharged his weapon.

In a digitally recorded statement to IPRA on 09 April 2014, **Officer B** related that, on 07 April 2014, he was called to assist officers at the location of XXXX W. 50th Street. Upon arrival, Officer B entered the residence and observed Officers A and F standing near the kitchen with their guns drawn. Inside the kitchen was the subject, now known as Subject 1, who was holding a knife to his throat. Officer B unholstered his weapon and stood between Officer A, who was to his right and Officer F, who was to his left. Officer B, along with Officers A and F, repeatedly ordered Subject 1 to drop the knife and attempted to calm him down. Subject 1 repeatedly responded by stating words to the effect, "You're gonna have to shoot me. You're gonna have to kill me. I'm not going back to prison."⁸ While standing in the kitchen, Officer B observed two people now known to be Witness 2 and Witness 3 down the hallway, in a room. Subject 1 then took the knife and tried to cut his arm with it, but was unsuccessful. Subject 1 dropped the knife and picked up a larger knife and held it to his throat.

Officer B related that his partner, now known to be Officer E, radioed for an officer with a taser. Officer B related that Subject 1 appeared to be under the influence of narcotics. The situation escalated to the point that Subject 1 began telling the officers that he was going to the back of the house where the family was located. Officer B related that Officer A repeatedly told Subject 1 that if he went to the back of the house, he was going to have to shoot him. Subject 1 held the knife to his throat for several more minutes before he lowered the knife, pointed it towards Officers A and B and lunged towards them. Officer B was in fear for his life, the life of Officer A, and the lives of the family members located inside the house, so he discharged his firearm at Subject 1. Officer B related that, once he fired his weapon, he heard other officers fire their weapons and an officer discharging a taser. Subject 1 then turned and ran towards the rear bedroom. Officer B related that he fired his weapon eleven times and stopped firing because his gun went into "slide lock." Once Officer B stopped firing his weapon, Subject 1 fell forward on to the floor. Officer B added that he was constantly giving

⁸ Attachment 58, Page 13, Lines 3-5

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1068458/U#14-11

Subject 1 verbal commands to drop the knife and that there was another way out of the situation.

In a digitally recorded statement to IPRA on 09 April 2014, **Officer C** related that, on 07 April 2014, he was equipped with a taser and responded to XXXX W. 50th Street due to officers needing a taser at that location. When he entered the residence, Officer C observed the subject, now known to be Subject 1, holding a knife to his neck and appeared to him to be under the influence because his eyes were big and fixed. Also inside the residence were several officers with their weapons drawn. Officer C gave verbal directions in English and Spanish to Subject 1 to drop the knife and no one would get hurt. Suddenly, Subject 1 pointed the knife towards the officers and lunged at them, at which time Officer C deployed his taser. Subject 1 then turned and ran towards the back bedroom. Officer C related that he heard eight gunshots and then saw Subject 1 fall face forward in the back room.

In a digitally recorded statement to IPRA on 09 April 2014, **Officer D** related that, on 07 April 2014, he was assigned to the 7th District and was partnered with Officer I. Officer D related that they were traveling northbound on Western when he observed several squad cars with their emergency equipment activated traveling at a high rate of speed in the opposite direction. Officer D switched his radio over to Zone 13 and heard officers call for a taser at XXXX W. 50th Street. Officer D went over the air and announced that he had a taser and would respond to the location. Once Officer D arrived at the location, he and his partner entered the residence and observed the subject, now known to be Subject 1, standing in the kitchen with a large knife to his throat. Officer D described Subject 1 as being agitated and irate, and he kept stating, "I'm gonna fucking go back there. I'm gonna fucking go back there."⁹ Officer D related that there were several officers already inside the house who pleaded with Subject 1 to drop the knife and lay down on the ground. Officer D learned that there were family members in the house, located down the hallway from the kitchen. Officer D was only in the house for about a minute when Subject 1 started making movements towards the officers. As he did this, Subject 1 lowered the knife from his throat, pointed it at the officers and then lunged towards them. Officer D then discharged his taser at Subject 1. Officer D related that, when he discharged his taser, he simultaneously heard pops and gunshots being fired by other officers. Subject 1 then ran down the hallway and collapsed into a bedroom.

In a digitally recorded statement to IPRA on 08 April 2014, **Witness Officer E** in essence, related the same information as his partner, Officer B. Officer E added that, when he entered the kitchen, he heard Officers A and F state words to the effect of, "Drop the knife. Drop it, we'll talk about this. You don't need to do that,"¹⁰ towards the subject, now known to be Subject 1. Officer E related that Subject 1 had the knife up touching his neck and repeatedly stated, "You'll take me to prison. I can't go back to prison. I'm on parole."¹¹ This continued on for several minutes while Officer E radioed for an officer with a taser and an ambulance. Officer E related that he and several

⁹ Attachment 42, Page 9, Lines 25-26

¹⁰ Attachment 50, Page 15, Lines 16-18

¹¹ Attachment 50, Page 16, Lines 28-29

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1068458/U#14-11

officers said whatever they could to Subject 1 in an effort to get him to drop the knife, but he failed to comply. Officer E observed several individuals at the back of the house, and instructed them to get in the room and close the door. Officer E related that Subject 1 began stating that he wanted to go to the back of the house. Eventually, Subject 1 grabbed a larger knife. Several officers then stated, "Don't go to the back. Don't do it, don't do it."¹² Subject 1 responded by stating, "I'm going to the back, I'll go back there. Don't tase me, I'll go back there."¹³ Suddenly, Officer E heard gunfire and the tasers discharging. Officer E related that he saw Subject 1 run down the hall and then fall through a doorway.

In a digitally recorded statement to IPRA on 08 April 2014, **Officer F** in essence, related the same information as his partner, Officer A. Officer A entered the residence first and Officer F followed. As they entered the kitchen, Officer F observed the subject, now known to be Subject 1, fight with another individual, now known to be Witness 2. Officer F related that Officer A yelled at Witness 1 to get out of the kitchen, at which time Witness 1 ran to back bedroom. Officer F related that Subject 1 grabbed a knife and put it to his stomach, his wrist and then his neck and stated "I'm not going back to jail. I'm on parole.....you're gonna have to kill me."¹⁴ Additional officers arrived on the scene. At some point during this time, Subject 1 grabbed a larger knife and put it to his throat. An officer entered the residence with a taser and Subject 1 became nervous. Officer F related that Officer G started talking to Subject 1 in Spanish, asking him to put down the knife and telling him that he wouldn't go to jail, but Subject 1 wasn't paying attention and stated that he was going to the back of the house. Subject 1 then pointed the knife towards the officers and lunged towards them. Officer F heard shots and a taser being fired and observed Subject 1 turn around and run down the hall out of his view.

In a digitally recorded statement to IPRA on 07 April 2014, **Witness Officer G** related, in essence, the same information as his partner, Officer C. Officer G added that when he and his partner entered the residence he observed three officers with their guns drawn and pointed towards an individual, now known to be Subject 1, who was standing in the kitchen with a large knife to his throat. Officer G related that he walked in between Officers B and F and started talking to Subject 1 in Spanish. Officer G related that he told Subject 1, "Put the knife down. We're here to help....the officers can put their guns down if you put your knife down",¹⁵ but Subject 1 did not pay any attention to him. Subject 1 then yelled out, "Get back, get back. I'm gonna go to the back."¹⁶ Officer G related that Subject 1 dropped the knife down towards the officers and stepped forwards in one momentum in an effort to head towards the back of the house. As soon as Subject 1 did this, Officer G heard two tasers "pop" and then heard several gunshots. Officer G added that, when he was talking with Subject 1, he was displaying his hands to Subject 1 to show him that he had no taser or weapon. Further, Officer G related that he received Crisis Intervention Training and was applying his training to this situation.

¹² Attachment 50, Page 31, Lines 13-14

¹³ Attachment 50, Page 31, Lines 14-16

¹⁴ Attachment 44, Page 20, Lines 30-32

¹⁵ Attachment 48, Page 12, Lines 24-27

¹⁶ Attachment 48, Page 16, Line 32, Page 17 Line 1

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1068458/U#14-11

In a digitally recorded statement to IPRA on 08 April 2014, **Witness Officer I** related, in essence, the same information as his partner, Officer D. Officer I added that once they entered into the residence he observed the subject, now known to be Subject 1, standing in the kitchen holding a knife. Officer I learned from other officers that there were family members located in the rear of the residence. Officer I heard officers give Subject 1 verbal directions to put the knife down in English and in Spanish. Officer I related he did not have a clear view into the kitchen, nor could he see down the hallway where the family members were located. Officer I heard Subject 1 state, “Stay the fuck back. Stay back....I’m gonna fuckin’ go in the back. I’m gonna go back there. I’m gonna go back there.”¹⁷ Officer I related that verbal exchanges between the officers and Subject 1 continued for several minutes, until Officer I simultaneously heard a “pop” and a “volley of shots”. Due to Officer I’s vantage point, he did not see Subject 1 run to the rear of the residence.

In a digitally recorded statement to IPRA on 08 April 2014, **Officer H** related that when he arrived on the scene, he made his way into the kitchen and observed the subject, now known to be Subject 1, holding a large knife to his neck. Officer H stated to Subject 1, “You know this isn’t good for your family....Why don’t you just put the knife down and let’s end this...peacefully.”¹⁸ However, Subject 1 ignored Officer H. As soon as an officer entered the kitchen with a taser and pointed it at him, Subject 1 stated, “Don’t point that at me. If you point that at me...I’m gonna run down the hall.”¹⁹ Officer H related that he and the other officers then moved back and continued instructing Subject 1 to put down the knife. The officers continued to repeat this to Subject 1 until he lowered the knife, pointed it towards Officer A and took a step towards him. Officer H related that everything then happened simultaneously. Officer C fired his taser at Subject 1. Subject 1 turned and then ran down the hallway and officers fired their weapons. Officer H related that Subject 1 fell face first into a rear bedroom. Officer H ran down the hallway and observed the family members in the other bedroom and instructed them to leave the house. Officer H then walked into the room where Subject 1 was and observed him still holding the knife in his hand. Officer H removed the knife from Subject 1’s hand and radioed for an ambulance.

¹⁷ Attachment 46, Page 14, Lines 6-9

¹⁸ Attachment 40, Page 13, Lines 24-26

¹⁹ Attachment 40, Page 15, Lines 28-29

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1068458/U#14-11

CONCLUSION AND FINDING:

This investigation found that the use of deadly force by Officers A and B were **Justified** and in compliance with Chicago Police Department policy and Illinois State statutes. According to the Chicago Police Department's General Order 02-08-03, III:

- A. "a sworn member is justified in using force likely to cause death or great bodily harm 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."

Officers A and B responded to a violation of an Order of Protection at XXXX W. 50th Street. The situation escalated to the point that Subject 1 entered the residence, grabbed a knife and held it to his throat. Officers A, B and C gave multiple verbal directions to Subject 1 to drop the knife, but Subject 1 failed to comply. Officer G applied the techniques that he learned from Crisis Intervention Training to calm Subject 1 down and diffuse the situation, but Subject 1 refused to listen. Subject 1 then began stating that he was going to make his way to the rear of the residence, where several civilians were located. As Subject 1 continued to state this, he pointed the knife towards Officer A and stepped towards him. In fear for their lives and the lives of civilians located inside the residence, Officers A and B fired their weapons towards Subject 1. In addition, Officers C and D fired their tasers towards Subject 1. At no time were the civilians in the line of fire when the officers discharged their weapons. There were several witness officers and civilian witnesses who related in essence the same information that Subject 1 failed to comply with the officers commands.

Summarily, the actions of these officers were in accordance with the statute and Chicago Police Department deadly force policy "to prevent death or great bodily harm to the sworn member or to another person," because they reasonably believed that their lives

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1068458/U#14-11

were in danger when Subject 1 pointed a knife in the direction of Officer A and stepped towards him.