

**SUMMARY REPORT OF INVESTIGATION**

**I. EXECUTIVE SUMMARY**

Date of Incident:	December 18, 2017
Time of Incident:	6:51 pm
Location of Incident:	[REDACTED]
Date of COPA Notification:	December 18, 2017
Time of COPA Notification:	9:14 pm

On December 18, 2017, off-duty Police Officer Corry Williams arrived in his mother’s SUV at his home, located on the 3600 block of South Prairie Avenue, in Chicago. While parked and gathering his belongings, an unknown individual approached the passenger’s side of the vehicle. This unknown individual tapped on the passenger’s side window and motioned to his wrist, as though he was requesting the time. Officer Williams looked into his driver’s side mirror and observed another individual, now known as [REDACTED], approaching from the rear of the SUV with a revolver in hand. Officer Williams then removed his Glock GMBH firearm from his holster and positioned the gun near his right thigh. [REDACTED] pointed his revolver at the driver’s side window and demanded that Officer Williams exit the vehicle. Both [REDACTED] and Officer Williams reached to open the driver’s door at the same time. As the door opened, Officer Williams discharged his weapon once, striking [REDACTED] in the lower right abdomen. [REDACTED] attempted to flee, but fell, approximately five to seven feet from the location of the shooting. The other unknown offender fled.

Officer Williams asked neighbors who had exited their homes to call 911 for assistance. Officer Williams held [REDACTED] at gunpoint until assistance arrived. Officer Williams and [REDACTED] were transported via ambulance to different hospitals for evaluation and treatment. [REDACTED] survived his injury.

**II. INVOLVED PARTIES**

Involved Officer #1:	Corry Williams, Star #: 17104, employee ID#: [REDACTED] Date of Appointment: August 2, 1999, Police Officer, Unit of Assignment: 11th District, Date of Birth: [REDACTED] 1974, Male, Black.
Involved Individual #1:	[REDACTED], Date of Birth: [REDACTED], 1999, Male, Black.

### III. ALLEGATIONS

Any discharge of an officer's firearm results in a mandatory notification to COPA. This investigation was initiated pursuant to such notification. Over the course of this full and comprehensive investigation, COPA did not uncover evidence that would require the proffer of allegations of excessive force.

### IV. APPLICABLE RULES AND LAWS

---

#### General Orders

---

1. General Order 03-02: Use of Force; effective October 16, 2017 – February 27, 2020
  2. General Order 03-02-03: Firearms Discharge Incidents Involving Sworn Members; effective October 16, 2017 – February 27, 2020
- 

#### Federal Laws

---

1. U.S. Constitution, 4<sup>th</sup> Amendment
- 

#### State Laws

---

1. 720 ILCS 5/7-5, Peace Officer's Use of Force in Making Arrest

### V. INVESTIGATION<sup>1</sup>

#### a. Interviews

COPA interviewed Witness Officer Peter Delgado<sup>2</sup> on January 16, 2018. On December 18, 2017, Officer Delgado was on duty, assigned to Beat #263, with his partner Officer Anthony Demeritte. They were assigned to an unmarked squad car. Officer Delgado was equipped with a body worn camera. At approximately 6:51 pm Officer Delgado received a radio transmission regarding a battery in progress at or near 36th Street and Prairie Ave. He then received another radio transmission regarding an individual with a gun. Officers Delgado and Demeritte responded to this later transmission and headed towards the 3600 Block of Prairie. While en route, they received another radio transmission about an off-duty police officer being involved in an incident.

Officers Delgado and Demeritte were the first officers to arrive on the scene. After activating his body worn camera, he exited the squad car. Officer Delgado observed one black male, now known as off-duty Officer Corry Williams, standing, and a younger black male, now known as [REDACTED], lying next to the curb. Officer Williams told him that he had a weapon on his person and learned that he remained in possession of said weapon until Sgt. Madia arrived

---

<sup>1</sup> COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

<sup>2</sup> Attachment 40.

on the scene. Officer Delgado went to [REDACTED] and discovered that he had a gunshot wound in his lower right-side abdomen. Officer Delgado remained at his side until paramedics arrived.

COPA interviewed Witness Officer Anthony Demeritte<sup>3</sup> on January 16, 2018. On December 18, 2017 Officer Demeritte was assigned to Beat 263 with partner Officer Peter Delgado. At approximately 6:51 pm, Officer Demeritte received a radio call regarding an individual with a gun holding an offender in the 3600 block of Prairie Ave. Officers Demeritte, and Delgado arrived at the scene within three to four minutes. They were the first responding unit. Officer Demeritte observed a male on the ground, now known as [REDACTED], off-duty Officer Corry Williams, and another male with a security vest, now known as Agent Martin Dixon of the Illinois Gaming Board. Officer Demeritte indicated that Officer Williams possessed a firearm. Officer Williams stated that he had been approached on the passenger side of his vehicle by an individual who asked for the time. Officer Williams then relayed that he observed [REDACTED] point a gun at his driver's side window.

Sergeant David Madia, from Beat #220, arrived and took control of the scene. While on scene, Officer Demeritte went to [REDACTED] to see if he had been shot. [REDACTED] indicated that he was struck in the lower abdomen. Officer Demeritte handcuffed [REDACTED] before he was transported to the hospital.

COPA interviewed Witness Sgt. David Madia<sup>4</sup> on January 19, 2018. On December 18, 2017 Sgt. Madia was assigned to work in the 2nd District. Sgt. Madia heard an initial radio transmission at approximately 6:55 PM regarding a fight in progress. He then heard another radio call regarding shots being fired. Sgt. Madia responded to this later radio transmission. Upon arrival, Sgt. Madia observed other CPD units. He exited his vehicle and observed an off-duty police officer, now known as Officer Williams, holding a revolver. There was an individual laying on his back, towards the parkway, being handcuffed. He learned that this individual had been shot. Officer Williams was standing in the middle of the street when Sgt. Madia first approached him. He observed Officer Williams holding a firearm down by his leg. Officer Williams placed the gun flat on the street while relaying that this gun belonged to the offender. Sgt. Madia then put on gloves and recovered the weapon and placed the weapon in his vehicle, where it stayed until an evidence technician processed the firearm. Officer Williams relayed to him that he was not injured and that he was the victim of a carjacking. Officer Williams also provided information about another possible offender. Sgt. Madia remained on the scene until the scene was cleared.

COPA interviewed Witness Illinois State Trooper Martin Dixon<sup>5</sup> on May 29, 2018. On December 18, 2017, Trooper Dixon was off-duty and in the third-floor residence of [REDACTED] when he heard what he believed was a gunshot emanating from outside. Trooper Dixon opened the window of the third-floor residence and heard an individual exclaim, "he tried to rob me, he tried to rob me."<sup>6</sup> Trooper Dixon's vision was obscured by a tree and he was unable to discern

---

<sup>3</sup> Attachment 39.

<sup>4</sup> Attachment 63.

<sup>5</sup> Attachment 83.

<sup>6</sup> *Id.* at 4:16.

who made this statement. Trooper Dixon then communicated with 911 regarding what he had heard, that he was an off-duty police officer, and that he was going outside to further investigate.

Before exiting the residence, Trooper Dixon retrieved his badge and firearm. Upon exiting, Trooper Dixon observed an African American male, who later identified himself as an off-duty Chicago Police Officer, standing over a younger looking African American Male, now known as [REDACTED], and holding him at gunpoint. The off-duty Chicago Police Officer indicated that the male had tried to rob him. The off-duty Chicago Police Officer further relayed that two individuals had previously approached his vehicle, one on the passenger side and one on the driver's side. Trooper Dixon observed the off-duty officer had two weapons in his hand. In his right hand was one firearm in the low-ready position and in his left hand was a revolver, which he indicated belonged to the individual on the ground. The individual on the ground was moaning in pain and continually attempted to raise his shirt. Trooper Dixon assisted the off-duty officer by holding [REDACTED] at gun point, by positioning his firearm in the low-ready position. Officers in civilian dress arrived approximately one minute later, Trooper Dixon exited the scene, and later gave an interview to a detective who had been canvassing the area.

**COPA interviewed Witness [REDACTED]**<sup>7</sup> on November 5, 2019, pursuant to an Administrative Subpoena. On December 18, 2017, [REDACTED] began walking down Prairie Street, on foot, from 35th Street, when she heard someone yell, "get out."<sup>8</sup> She then looked up from her phone and observed someone<sup>9</sup> at a car. She looked back down at her phone, before observing people running around a vehicle and then heard a gunshot.<sup>10</sup> After hearing a gunshot, she observed a woman nearby attempting to park her vehicle and [REDACTED] proceeded to get her attention. She asked this woman if she had heard anything and the woman opined, "that was not a gunshot."<sup>11</sup> [REDACTED] entered the vehicle with this unknown woman and proceeded to drive past the vehicle she had previously observed people running around. As they were driving past this vehicle, she observed a man,<sup>12</sup> with a gun in his hand, standing over another man<sup>13</sup>, who was lying on the ground and had been shot.

[REDACTED] relayed that she believed she saw a total of four people involved in the incident, three people and the officer. She did not see any physical contact between the man and the individual lying on the ground. She did not recall if this man had pointed his firearm at the individual lying on the ground. [REDACTED] spoke to police officers on the scene and a detective shortly after arriving at home. The information she relayed to them is consistent with the information she relayed to COPA.

**COPA interviewed Involved Officer Corry Williams**<sup>14</sup> on December 28, 2017. On December 18, 2017, Officer Corry Williams previously had worked the 5:30 AM to the 2:30 PM

---

<sup>7</sup> Attachment 96. Numerous attempts to interview [REDACTED] had been unsuccessful as she refused to honor requests for interviews and prior subpoenas. See Attachments 65 and 90.

<sup>8</sup> Attachment 96 at 6:50.

<sup>9</sup> [REDACTED] described this individual as a black male. *Id.* at 12:41.

<sup>10</sup> [REDACTED] described the sound as a singular "pop". *Id.* at 15:50.

<sup>11</sup> *Id.* at 7:35.

<sup>12</sup> [REDACTED] described this individual as a black male. *Id.* at 17:40.

<sup>13</sup> [REDACTED] stated that this individual was the black male that had been originally standing outside the vehicle, upon her first observation. *Id.* at 17:04.

<sup>14</sup> Attachment 44.

shift in the 11th District. He was off duty at the time of this incident. At approximately 6:50 pm, Officer Williams was parked on the east side of the street at 3601 S. Prairie in his mother's white Honda CRV (SUV). It was dark outside, and no lights were on inside the vehicle. Officer Williams was in the vehicle alone and preparing to exit. As he was gathering papers, a phone charger, and untying his right shoe, he noticed a black male approach the passenger's side window. This black male had a hoodie tightened to his face. The black male tapped on the window and pointed towards his wrist. Officer Williams then looked into his driver's side mirror where he observed [REDACTED] with a red hoodie tight on his face. [REDACTED] approached the driver's side door from the rear of the vehicle while holding a blue steel long barrel gun.

Officer Williams had a "Glock 42"<sup>15</sup>, initially holstered on his right side. When he observed [REDACTED] coming from the rear of the SUV, Officer Williams removed his weapon from the holster with his right hand. [REDACTED] arrived at the driver's side door and placed his hand on the door handle. When [REDACTED] had his hand on the driver's side door handle, Officer Williams had his gun near his thigh. Officer Williams and [REDACTED] opened the door simultaneously. [REDACTED] pointed the gun at Officer Williams and said, "get the fuck out before I kill you."<sup>16</sup> [REDACTED] was holding the gun close to his body, with his arm bent, and was pointing it less than two feet from Officer Williams. Officer Williams leaned back and discharged his weapon one time.

Officer Williams did not identify his office prior to shooting. After Officer Williams discharged his weapon, he heard a very loud scream from [REDACTED]. [REDACTED] took two steps back, held the midsection of his right side, and dropped his weapon. Officer Williams immediately exited the vehicle and recovered the weapon on the ground. [REDACTED] attempted to flee southbound before falling about five or seven feet near the rear of the SUV. The person on the passenger side fled on foot northbound, towards 35th street.

Officer Williams recovered [REDACTED] weapon and placed the weapon in his left pocket. He asked [REDACTED], "what the fuck is wrong with you kids?"<sup>17</sup> and identified his office.<sup>18</sup> [REDACTED] responded, "I'm sorry sir, I'm stupid, just let me go," and Officer Williams replied, "I can't let you go."<sup>19</sup> Officer Williams observed neighbors on their porch of [REDACTED]. He yelled to them that [REDACTED] tried to rob him and to call 911. Officer Williams stood in the street over [REDACTED] and assisted [REDACTED] in removing his hoodie. Officer Williams told [REDACTED] to relax and that an ambulance was coming.

The first officers arrived on the scene about three minutes after Officer Williams shot [REDACTED]. They arrived in an unmarked vehicle. Officer Williams informed the arriving officers that he was a police officer, that [REDACTED] tried to rob him, and that he was still in possession of [REDACTED] firearm. Another set of officers arrived, followed by Sgt. Madia. When the Sergeant arrived, Officer Williams still had [REDACTED] weapon on his person. Officer Williams placed [REDACTED] gun down on the street. Sgt. Madia then put on gloves and recovered the weapon by

---

<sup>15</sup> *Id.* at 7:14.

<sup>16</sup> *Id.* at 8:05.

<sup>17</sup> *Id.* at 12:10.

<sup>18</sup> *Id.*

<sup>19</sup> *Id.* at 12:16.

placing the weapon in his vehicle. Officer Williams gave the Sergeant a short synopsis of what happened.

### b. Digital Evidence

COPA obtained **Body Worn Camera Videos** relative to this incident from Officers **Ryan**<sup>20</sup>, **Zalinski**<sup>21</sup>, **Frederick**<sup>22</sup>, **Gamboa**<sup>23</sup>, **Delgado**<sup>24</sup>, **Demeritte**<sup>25</sup>, and **Winclechter**<sup>26</sup>. COPA also obtained a body worn camera video from **Sgt. Madia**,<sup>27</sup> which contains a brief statement by Officer Williams regarding what occurred during the attempted carjacking. This statement, by Officer Williams to Sgt. Madia, is consistent with the statement Officer Williams gave to COPA. Additionally, an in-car camera dashboard video from **Sgt. Madia's**<sup>28</sup> vehicle was recovered. The relevant videos depicted images from the scene after the incident occurred. The attempted aggravated vehicular hijacking and the subsequent firing of the weapon do not appear on any videos. Sgt. Madia's video captured him approaching off-duty officer Corry Williams, [REDACTED], and the subsequent recovery of Officer Williams' and [REDACTED]' firearms.

### c. Physical Evidence<sup>29</sup>

**Property Inventory No:** [REDACTED]<sup>30</sup> indicated a Glock, Model #42, .380, Semi-Automatic firearm, Serial No: [REDACTED] was recovered from Officer Corry Williams. **Property Inventory No:** [REDACTED]<sup>31</sup> indicated a fired cartridge case with a head stamp "Win 380 Auto" was recovered from the street at 3605 S. Prairie. **Property Inventory No:** [REDACTED]<sup>32</sup> refers to photographs taken from "Nest" camera owned by Marcos Hernandez. **Illinois State Lab Report**<sup>33</sup> indicated that the cartridge case recovered from the scene was fired from Officer Williams' firearm. **Property Inventory No:** [REDACTED]<sup>34</sup> indicated that a H&R, Inc. Model #929, .22LR Cal Revolver, Serial No: [REDACTED], was recovered by Sgt. Madia. **Illinois State Police Laboratory Report**<sup>35</sup> indicated that no latent impressions were obtained from the firearm inventoried under # [REDACTED].

---

<sup>20</sup> Attachment 33.

<sup>21</sup> Attachment 43.

<sup>22</sup> Attachment 33.

<sup>23</sup> Attachment 43.

<sup>24</sup> Attachment 34.

<sup>25</sup> Attachment 34, 35.

<sup>26</sup> Attachment 35.

<sup>27</sup> Attachment 34, 43.

<sup>28</sup> Attachment 38.

<sup>29</sup> COPA also obtained the Synoptic Report for Officer Williams which indicated Officer Williams had a B.A.C. of .000. See Attachment 45.

<sup>30</sup> Attachment 47.

<sup>31</sup> Attachment 48.

<sup>32</sup> Attachments 46 and 64.

<sup>33</sup> Attachment 76.

<sup>34</sup> Attachment 18.

<sup>35</sup> Attachment 71.

#### d. Documentary Evidence

**OEMC Event Query<sup>36</sup> report for Event No: 1735212641** compiled the details of 911 calls pertaining to the incident on December 18, 2017. The report reflects numerous calls of shots fired and seeing two individuals **after** the shots were heard. However, none of the 911 calls indicate there were any witnesses to the actual shooting.

An **Arrest Report<sup>37</sup>** stated [REDACTED] was armed with a H & R .22 Caliber Blue Steel Revolver and approached off-duty police officer Corry Williams. [REDACTED] pointed his gun at Officer Williams and demanded Officer Williams's vehicle. Officer Williams, in defense of his life, discharged one round at [REDACTED]. [REDACTED] sustained a gunshot wound in the lower right abdomen. After being struck by the round, [REDACTED] dropped his handgun. The handgun was immediately recovered by Officer Williams. A second unknown offender fled the scene. Officer Williams was transported to Rush Presbyterian St. Luke's for evaluation and treatment. [REDACTED] was transported to Northwestern Hospital for treatment of his gunshot wound.

A **Tactical Response Report<sup>38</sup>** authored by Officer Williams indicated on December 18, 2017, at approximately 6:50 pm, Officer Williams discharged his Glock GMBH Model 42. Officer Williams stated that [REDACTED] was armed with a revolver. Officer Williams believed he was in imminent threat of battery by [REDACTED] and believed [REDACTED] used force likely to cause death or great bodily harm. Officer Williams described being ambushed by [REDACTED] and being held at gunpoint. Officer Williams acted in self-defense and acted to overcome resistance or aggression, as [REDACTED] was armed with a weapon. Officer Williams indicated that he fired one time and was the first to fire.

Lieutenant O'Donnell reviewed Officer Williams Tactical Response Report, per department policy and added additional comments. Lt. O'Donnell indicated that Officer Williams had pulled over and was inside his vehicle when he was approached by two offenders. One offender, [REDACTED] was armed with a H & R .22 caliber revolver and pointed the weapon at Officer Williams. [REDACTED] threatened to kill Officer Williams unless he exited his vehicle. Officer Williams, in defense of his life, discharged his weapon one-time, striking [REDACTED] in the abdomen. [REDACTED] dropped his handgun and attempted to flee but was stopped by the member.

A **Case Supplementary Report<sup>39</sup>** was authored by Detective Anthony Granat. Detective Granat interviewed Sgt. Madia at the scene. Sgt. Madia's statement was substantially similar to his statement given to COPA.

Detective Granat interviewed Officer Williams. Officer Williams stated he was returning home and had parked his vehicle across the street from his residence, located on the 3600 block of Prairie. Officer Williams was gathering his belongings when he was approached on the passenger

---

<sup>36</sup> Attachment 8.

<sup>37</sup> Attachment 4.

<sup>38</sup> Attachment 5.

<sup>39</sup> Attachment 69.

side window by a man with a hood very tight to his face. This individual motioned to his wrist as if he were asking what time it was. Williams stated he felt uneasy and felt like he was being distracted. He immediately directed his attention to the driver's side mirror and observed a second individual with weapon in hand. This individual<sup>40</sup> was wearing a red hoodie and was walking near the rear of his vehicle. He then observed ██████ reach for the driver's door handle of his vehicle. Officer Williams also reached for the handle. ██████ said, "Get the Fuck out, I'm going to kill you." ██████ pointed his weapon at Officer Williams when he made this declaration. Officer Williams had already drawn his weapon and subsequently fired one shot while seated inside his vehicle. ██████ screamed in pain and took a few steps backward. ██████ then dropped his weapon and attempted to flee. Officer Williams recovered ██████' weapon. He then announced his office and held ██████ at gun point. Officer Williams requested that his neighbor call 911. Tactical officers arrived shortly thereafter. Officer Williams turned his both his weapon and ██████ weapon over to Sgt. Madia.

Detective Granat reported that a canvass of the area was performed, and two other individuals were interviewed. Illinois State Trooper Martin Dixon was interviewed and provided information consistent with his COPA interview.

Detective Meister interviewed ██████, who provided information consistent with her COPA interview on November 5, 2019.

Detective Meister also interviewed Officer Delgado and Officer Demeritte. The information they provided was consistent with the information they provided in their COPA statements.

**Firearms Training and Certification report**<sup>41</sup> for Officer Williams indicated that he had qualified a Glock 42 with Serial No: ██████ as an auxiliary weapon for use with the Chicago Police Department. His qualification of the Glock 42 was accomplished on June 8, 2016, and was valid at the time of this incident.

The **Mainframe Court Docket**<sup>42</sup> for Criminal Case ██████ showed ██████ was indicted on four counts of aggravated unlawful use of a weapon, one count of attempt aggravated vehicular hijacking, one count of attempted armed robbery, and one count of aggravated unlawful restraint. Mr. ██████ pled guilty to attempted armed robbery and was sentenced to four (4) years in the Illinois Department of Corrections.

## VI. LEGAL STANDARD

### A. Use of Deadly Force

---

<sup>40</sup> ██████

<sup>41</sup> Attachment 79.. While CPD regulations require officers to be qualified "annually" on their firearms, CPD records reflect that Officer Williams was considered to have been current in his qualification on this firearm. Clearly, this incident was more than one calendar year following his most recent qualification. Due to this discrepancy in CPD records and the common definition of the word "annually," COPA did not pursue allegations on this issue. See U04-02.

<sup>42</sup> Attachment 70.



The main issue in evaluating every use of force is whether the amount of force the officer used was objectively reasonable in light of the totality of the circumstances faced by the officer on the scene.<sup>43</sup> The analysis of the reasonableness of an officer's actions must be grounded in the perspective of "a reasonable officer on the scene, rather than with the 20/20 vision of hindsight" and "allow for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation."<sup>44</sup>

At the time of this incident, the factors to be considered in assessing the reasonableness of force included, but were not limited to, (a) whether the subject was posing an imminent threat to the officer or others; (b) the risk of harm, level of threat or resistance presented by the subject; and (c) the subject's proximity or access to weapons. <sup>45</sup> In all uses of force, the goal of a Department member's response is to resolve the incident "with the foremost regard for the preservation of human life and the safety of all persons involved."<sup>46</sup>

- a. At the time of this incident, a department member was permitted to use deadly force<sup>47</sup> in only two situations. First, to prevent death or great bodily harm from an imminent threat posed to the sworn member or another person. Second, to prevent an arrest from being defeated by resistance or escape, where the person to be arrested poses an imminent threat of death or great bodily harm to a sworn member or another person unless arrested without delay. <sup>48</sup>

Moreover, Illinois statute dictates that officer "need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. [The officer] is justified in the use of any force which he reasonably believes to be necessary to effect the arrest and of any force which he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest."<sup>49</sup>

Additionally, justifiable use of self-defense is codified under 720 ILCS 5/7-1, which states:

A person is justified in the use of force against another when and to the extent that is necessary to defend himself or another against such other's imminent use of unlawful force. However, he is justified in the use of force which is intended or likely to cause death or great bodily harm only if he reasonably believes that such force is necessary to prevent

---

<sup>43</sup> General Order G03-02(III)(B)(effective October 16, 2017 - ,February 27, 2020).

<sup>44</sup> *Plumhoff v. Rickard*, 572 U.S. 765, 775 (2014) (internal quotations and citation omitted).

<sup>45</sup> G03-02 at (III)(B)(1).

<sup>46</sup> General Order G03-02 (II)(A).

<sup>47</sup> Deadly Force is defined by Department Policy as "force by any means that is likely to cause death or great bodily harm. It includes but is not limited to: (a) the firing of a firearm in the direction of the person to be arrested; (b) the firing of a firearm at a vehicle in which the person to be arrested is riding; (c) intentional striking of a subject's head with an impact weapon; (d) application of a chokehold, defined as applying direct pressure to a person's trachea (windpipe) or airway (front of the neck) with the intention of reducing the intake of air." General Order G03-02 (III)(C)(1) .

<sup>48</sup> General Order G03-02-03(III)(C)(3).

<sup>49</sup> 720 ILCS 5/7-5.

imminent death or great bodily harm to himself or another, or the commission of a forcible felony<sup>50</sup>.

### B. Standard of Proof

When evaluating Officer Involved Shootings, COPA follows a **preponderance of the evidence** standard to determine whether the officer has violated department policy and requiring allegations to be brought against the officer. If a preponderance of the evidence does not show that the officer violated department policy, COPA will find the shooting to be within policy.

A **preponderance of evidence** can be described as evidence indicating that it is **more likely than not** that the conduct occurred and violated Department policy. *See Avery v. State Farm Mutual Automobile Insurance Co.*, 216 Ill. 2d 100, 191 (2005), (a proposition is proved by a preponderance of the evidence when it has found to be more probably true than not). If the evidence gathered in an investigation establishes that it is more likely that the misconduct occurred, even if by a narrow margin, then the preponderance of the evidence standard is met.

## VII. ANALYSIS

COPA finds Officer Williams' statement credible. His interview with COPA is consistent with earlier statements he gave to Trooper Martin, the responding officers, and Sergeant Madia. It is further corroborated by the witness interviews and physical evidence. Various witness accounts, as well as the reports provided by 911 callers, are materially consistent with each other as well. Also significant, Officer Williams immediately called for help from neighbors, many of whom placed 911 calls. The investigation has revealed only three eyewitnesses to the events leading up to and including the firearm discharge by Officer Williams. One of those eyewitnesses, ██████████ co-offender, fled that night and has yet to be apprehended. ██████████ did not provide an interview to COPA. However, ██████████ did plead guilty to the offense of attempt armed robbery, which indicates an admission to and judicial finding that he tried to take property from Officer Williams while armed with a dangerous weapon. Therefore, through his plea, he has provided material corroboration of Officer Williams' version of events. In sum, Officer Williams' account of the events is uncontroverted.

The evidence indicates that Officer Williams discharged his firearm one time at Mr. ██████████ striking him in his lower abdomen. As outlined below, a preponderance of the evidence demonstrates that Officer Williams' use of deadly force was objectively reasonable to prevent death or great bodily harm to himself.

The investigation has revealed that ██████████ and an unapprehended co-offender approached Officer Williams in an attempt to commit a variety of felonies. However, it is a reasonable inference from the evidence that ██████████ did not know that Officer Williams was a

---

<sup>50</sup> The definition of "forcible felony" includes robbery and "any other felony which involves the use or threat of physical force or violence against any individual." 720 ILCS 5/2-8.

police officer and did not expect him to be armed with his own firearm. Additionally, likely due to his experience as a police officer, Officer Williams was not easily duped by the co-offender's efforts to distract him while [REDACTED] snuck up on Officer Williams. Because they did not surprise their intended victim as planned, Officer Williams had the ability to covertly remove his firearm from his holster and hold it in his hand. Officer Williams' ability to very quickly comprehend this evolving situation permitted him to defend himself and escape death or great bodily harm from the actions of [REDACTED]. The combination of [REDACTED] display of the firearm and his verbal threat to inflict harm upon Officer Williams leave no doubt that Officer Williams was objectively reasonable in his belief that he may incur death or great bodily harm if he did not use deadly force.<sup>51</sup> Additionally, Officer Williams had no other options. He was by himself in a vulnerable position in a vehicle, facing two offenders with at least one visible firearm. COPA finds that an officer with similar training and experience as Officer Williams would reasonably believe that [REDACTED] posed an immediate threat of death or great bodily harm.<sup>52</sup>

Additionally, COPA finds that Officer Williams displayed restraint by using the least amount of force necessary to defend himself, under these circumstances. Officer Williams fired one shot from his firearm and was able to re-assess the circumstances. Officer Williams then determined that [REDACTED] dropped the weapon after he was shot and no longer presented an imminent threat of death or great bodily harm, and, therefore, did not fire his weapon again. Considering that this assessment was made in a split-second, COPA finds that Officer Williams' use of force was reasonable and proportionate to the threat with which he was presented. Based upon a thorough evaluation of the evidence discovered in the course of this investigation, as discussed above, COPA finds, by a preponderance of the evidence, that it was objectively reasonable for Officer Williams to believe that [REDACTED]'s actions were likely to cause death or great bodily harm unless action was taken.

COPA has also analyzed Officer Williams' use of force under 720 ILCS 5/7-1, a statute codifying the use of deadly force in self-defense. COPA recognizes that Officer Williams was off duty at the time of this incident and did not have the chance to identify himself as an officer prior to his use of force. Per the statute, a civilian is permitted to use deadly force to defend himself if he "reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself or another, or the commission of a forcible felony." COPA has determined, as illustrated by the evidence specified above, that Officer Williams was objectively reasonable in his belief that [REDACTED] could have caused him death or great bodily harm. Under this provision, COPA also considers that [REDACTED] was in the process of committing multiple forcible felonies including armed robbery, aggravated assault with a firearm, burglary of the vehicle, and likely would have committed an aggravated vehicular hijacking had Officer Williams not used force.<sup>53</sup> Even if he had been a civilian, Officer Williams would have been justified in defending himself in these circumstances.

---

<sup>51</sup> See *Bell v. Crow*, 321 F. 3d 637, 639 (7th Cir. 2003) (if a suspect threatens an officer with a weapon, the risk of serious physical harm has been established such that the police may use deadly force).

<sup>52</sup> See *Thompson v. Hubbard*, 257 F.3d 896 (8th Cir. 2001) (holding that there is no requirement that an officer wait until a shot is fired in his or her direction before employing deadly force to protect himself or herself).

<sup>53</sup> See 720 ILCS 5/18-2 and 720 ILCS 5/18-4, both of which are Class X felonies.

**VIII. CONCLUSION**

Based upon the analysis set forth above, COPA makes the following findings:  
The evidence establishes that Officer Williams believed that [REDACTED] posed an imminent threat of death or great bodily harm, and Officer Williams belief was objectively reasonable under the totality of the circumstances. COPA has determined by a preponderance of the evidence that Officer Williams' use of deadly force against [REDACTED] was objectively reasonable under the Chicago Police Department's General Orders, and therefore finds the use of deadly force to be Within Policy.

Approved:

[REDACTED]

Angela Hearts-Glass  
Deputy Chief Investigator

7-26-2021

\_\_\_\_\_  
Date

[REDACTED]

\_\_\_\_\_  
Andrea Kersten  
Interim Chief Investigator

7-26-2021

\_\_\_\_\_  
Date

Appendix A

Assigned Investigative Staff

---

<b>Squad#:</b>	12
<b>Investigator:</b>	Jason Lee
<b>Supervising Investigator:</b>	Andrew Dalkin
<b>Deputy Chief Administrator:</b>	Angela Hearts-Glass
<b>Attorney:</b>	Christopher Reed