

**SUMMARY REPORT OF INVESTIGATION**

**I. EXECUTIVE SUMMARY**

Date of Incident:	November 20, 2018
Time of Incident:	10:25 AM
Location of Incident:	██
Date of COPA Notification:	November 20, 2018
Time of COPA Notification:	11:29 AM

On November 20, 2018, at approximately 10:25 AM, at a Chicago Police Department (“CPD”) training facility, Officer ██████████ (“Officer ██████████”), Star ██████████, detailed to the Education and Training Division, discharged two live rounds from his duty weapon during a training simulation. No injuries resulted from the incident.

**II. INVOLVED PARTIES**

Involved Officer #1:	████████████████████, Star# ██████████, Employee ID# ██████████, Date of Appointment: ██████████1995, Rank: Police Officer, Unit of Assignment: Education and Training Division, DOB: ██████████1973, Male, White
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**III. ALLEGATIONS**

Officer	Allegation	Finding / Recommendation
Officer ██████████	1. It is alleged that on November 20, ██████████, ██████████, ██████████, at approximately 10:25 AM, Officer ██████████ accidentally discharged two live rounds from his duty weapon during a training simulation, a violation of Rule 10.	Sustained/2 day suspension

#### IV. APPLICABLE RULES AND LAWS

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##### Rules

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#### 1. Rule 10: Inattention to duty.

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

##### a. Interviews

On December 10, 2018, accused Police Officer ██████████, (“Officer ██████████”), gave COPA his audio recorded interview. Officer ██████████ stated on November 20, 2018, at approximately 10:25 AM, he was detailed as an Instructor at the ██████████ Training Facility, Training and Education Division, at ██████████. Officer ██████████ stated his duty hours were from 7:00 AM November 20, 2018 until 12:30 AM November 21, 2018. Officer ██████████ stated he worked the same duty hours the previous day, with a six-hour break between the end of his shift at approximately 12:30 AM November 20, 2018, and the beginning of his next shift at 7:00 AM.

Officer ██████████ stated on the date and the time in question, his duties were that of a “role player” in full CPD uniform, for a use-of-force training exercise. Officer ██████████ stated he was staging for the training exercise in a small storage room adjacent to the northwest side of the gymnasium. Officer ██████████ stated Officer ██████████, (“Officer ██████████”), Star ██████████ and Officer ██████████, (“Officer ██████████”)<sup>2</sup>, Star ██████████, both instructors assigned to the Education and Training Division, were also present. Officer ██████████ stated his task that day was to fire two shots from his simulation weapon in the gymnasium since the training exercise involved a “shots-fired” incident. However, Officer ██████████ stated on the date and approximate time of the incident, instead of firing two rounds from his simulation weapon, he fired two live rounds from his duty weapon.

Officer ██████████ stated, “we were rushing to get things done.”<sup>3</sup> He stated that he fired the two rounds believing they were from the simulation weapon. Officer ██████████ stated the dispatch call that began the training exercise came out before he finished loading the simulation weapon. Officer ██████████ stated he therefore had not switched out his duty weapon for the simulation weapon. Officer ██████████ stated he instinctively went to the holster where the simulation weapon was supposed to be but instead it was his duty weapon. Officer ██████████ stated he fired the two prescribed shots to begin the training exercise up and into the corner of the gymnasium and immediately knew afterwards that they were live rounds. Officer ██████████ stated Officers ██████████

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<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> On November 20, 2018, Officer ██████████ and Officer ██████████ completed witness To-From Reports describing their respective observations of the incident.

<sup>3</sup> Attachment 14 at 7:40

and [REDACTED] were present and approximately ten feet behind him in a smaller room when the discharges occurred. Officer [REDACTED] stated no one was present inside the gymnasium.

Officer [REDACTED] stated after the discharges occurred, he immediately phoned his supervisor, Sergeant [REDACTED] (“Sgt. [REDACTED]”), informing her of the incident. Officer [REDACTED] stated that the training continued with the officers scheduled to complete the exercise. Officer [REDACTED] stated after the scheduled officers completed the exercise, training was stopped for Sgt. [REDACTED] to complete her investigation.

Officer [REDACTED] stated CPD Evidence Technicians recovered two .40 caliber live rounds fired from his Springfield XD40 duty weapon high on the gymnasium wall near the ceiling. Officer [REDACTED] stated because he was not ready to begin, he possibly could have stopped the training exercise. Officer [REDACTED] stated the day of the incident was his first time as a role player for the training simulation. Officer [REDACTED] stated his normal role is that of an evaluator.

#### b. Physical Evidence

In a **To-From Report** to [REDACTED], Chief, Bureau of Internal Affairs from Sergeant [REDACTED], (“Sgt. [REDACTED]”), Star [REDACTED], Bureau of Internal Affairs, states on November 20, 2018, at 11:50 AM, he was notified by Police Officer [REDACTED], Star [REDACTED], Crime Prevention and Information Center (“CPIC”), regarding a weapons discharge incident involving on-duty Officer [REDACTED]. The report states Sgt. [REDACTED] arrived at the [REDACTED]<sup>th</sup> District at 12:40 PM and prepared a Notice of Alcohol and Drug Testing Following a Firearms Discharge Incident form which Officer [REDACTED] read and signed at 12:45 PM.

The report states Officer [REDACTED] submitted a breath sample which revealed a BAC of .000. The results of the test were provided to Lieutenant [REDACTED], Star no. [REDACTED], Education and Training Division. Officer [REDACTED] provided a urine sample in the presence of Sergeant [REDACTED], Star no. [REDACTED], Bureau of Internal Affairs.<sup>4</sup> The urine specimen was delivered by Sgt. [REDACTED] and received by Police Officer [REDACTED], Star [REDACTED], Random Drug Testing Unit, on November 20, 2018. On November 26, 2018, the urine specimen of Officer [REDACTED] was reported as negative by Quest Diagnostics.<sup>5</sup>

#### c. Documentary Evidence

In an **Initiation Report** to [REDACTED], [REDACTED] Education and Training Division, from Sgt. [REDACTED] states that she was notified on November 20, 2018 at 10:25 AM that Officer [REDACTED] accidentally fired two live rounds from his duty weapon in the gymnasium. The report states Sgt. [REDACTED] went to the gymnasium and spoke with Officer [REDACTED] and witness Officers [REDACTED] and [REDACTED]. The report states Officer [REDACTED] is an Instructor for the Force Mitigation Unit and was preparing to conduct scenarios. The reports states Officer [REDACTED] said

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<sup>4</sup> Attachments 11 and 13

<sup>5</sup> Attachment 15

he was preparing to start scenarios and forgot to remove his duty weapon and replace it with the training weapon that is used for scenarios. When it was time to start scenarios, Officer [REDACTED] removed his weapon from his holster and fired two rounds. The report states after firing the weapon, Officer [REDACTED] immediately realized that he made a mistake. The report states Officer [REDACTED] forgot to replace his duty weapon with the blue training weapon used for the scenarios. The report states there were no participants or other instructors in the area where the shots were fired.<sup>6</sup>

In a **To-From Report** to [REDACTED], [REDACTED], Education and Training Division, witness Officer [REDACTED] stated with respect to this incident, he was role playing as a dispatcher. The report states witness Officer [REDACTED] was role playing as an offender, and Officer [REDACTED] was role playing as an on-duty police officer in a scenario-based training. The report states there were no other participants in the immediate area at that time. The report states Officer [REDACTED] was in full uniform, including his duty belt. The report states Officer [REDACTED], role playing as the dispatcher, dispatched radio checks to the training participants while Officer [REDACTED] followed the guidelines of the role-playing scenario and discharged two shots from his training weapon. The reports states soon thereafter, Officer [REDACTED] realized he accidentally discharged his duty weapon. The report states that no one was injured and that no participants were in view. The report states the rounds were discharged in a direction away from any possible bystanders in open space, towards the ceiling of the Near North High School, a police training facility. The report states Sgt. [REDACTED] was immediately notified of the accidental discharge.<sup>7</sup>

In a **To-From Report** to [REDACTED], [REDACTED], Education and Training Division, witness Officer [REDACTED] stated he was wearing plainclothes as a role player in the scenario-based training at [REDACTED]. The report states Officer [REDACTED] was supposed to fire two simulation rounds in a safe direction. The report states Officer [REDACTED] heard what he believed to be two live rounds. The report states Officer [REDACTED] observed Officer [REDACTED] facing a safe direction after the accidental discharge. The report states witness Officer [REDACTED] was also in the vicinity where the two live rounds were heard and that no training participants were in the immediate area of the accidental discharge.<sup>8</sup>

Officer [REDACTED] completed a **Tactical Response Report (“TRR”)** related to this incident. Sergeant [REDACTED], (“Sgt. [REDACTED]”), Star no. [REDACTED], Education and Training Division, reviewed the TRR. The TRR was also reviewed Deputy Chief [REDACTED], Education and Training Division, who concluded that Officer [REDACTED]’s actions were negligent and not in compliance with CPD training standards.<sup>9</sup>

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<sup>6</sup> Attachment 4

<sup>7</sup> Attachment 7

<sup>8</sup> Attachment 6

<sup>9</sup> GO G03-02-02, Incidents Requiring the Completion of a Tactical Response Report

## VI. ANALYSIS

COPA concludes that on November 20, 2018, at approximately 10:25 AM, Officer [REDACTED], while on-duty and working in his capacity as an Instructor in a CPD training exercise, was inattentive to duty when he discharged two live rounds from his duty weapon into the gymnasium wall located at [REDACTED]. Officer [REDACTED] stated that he was rushed while getting ready to perform his duties for the exercise. While Officer [REDACTED] stated this was his first time as a role player and not his usual role as an Evaluator, he also stated he could have stopped the training exercise to ensure he was properly prepared to perform his duties. Officer [REDACTED] failed to make sure that he was fitted with the simulation weapon, and furthermore failed to make sure that the shots originated from his simulation weapon.

## VII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

### a. Officer [REDACTED]

#### i. Complimentary and Disciplinary History

1. Officer [REDACTED] has received a Problem-Solving Award, a Democratic National Convention Award, a Presidential Election Deployment Award, an Attendance Recognition Award, and a Special Service Award. Additionally, Officer [REDACTED] has received thirty-four Honorable Mentions, a Crime Reduction Ribbon, and three Department Commendations, a Police Officer of the Month Award, and eight Complimentary Letters. Officer [REDACTED] has also received a NATO Summit Service Award, a Life Saving Award, a Crime Reduction Award, three Unit Meritorious Performance Awards, and an Annual Bureau Award of Recognition.
2. Officer [REDACTED] has no department discipline in the last five years.

#### ii. Recommended Penalty, by Allegation

##### 1. Allegation No. 1

- a. COPA recommends a penalty of a 2 day suspension.
- b. Mitigating Factor: None
- c. Aggravating Factors: Officer [REDACTED] failed to exercise due care and caution by failing to ensure he was prepared to perform his role play in a safe manner, thereby showing an inattention to his duties as an Instructor for the Force Mitigation Unit.

**VIII. CONCLUSION**

Based on the analysis set forth above, COPA makes the following findings:

<b>Officer</b>	<b>Allegation</b>	<b>Finding / Recommendation</b>
Officer [REDACTED] [REDACTED]	1. That on November 20, 2018, at [REDACTED] [REDACTED], [REDACTED], at approximately 10:25 AM, Officer [REDACTED] accidentally discharged two live rounds from his duty weapon during a training simulation, a violation of Rule 10.	Sustained/2 day suspension

Approved:

\_\_\_\_\_  
[REDACTED]  
*Deputy Chief Administrator*

\_\_\_\_\_  
Date

Appendix A

Assigned Investigative Staff

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<b>Squad#:</b>	█
<b>Investigator:</b>	████████████████████
<b>Supervising Investigator:</b>	████████████████████
<b>Deputy Chief Administrator:</b>	██