

SUMMARY REPORT
CHICAGO POLICE DEPARTMENT

SUSTAINED
LOG NO 1033096

TYPE
CR, CONF

DATE OF REPORT
26-JUL-2012

TO: CHIEF ADMINISTRATOR, INDEPENDENT POLICE REVIEW AUTHORITY

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
[REDACTED]	9182	[REDACTED]	[REDACTED]	113	

REFERENCE NOS. (LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: [REDACTED] ST, CHICAGO, IL 60655	DATE / TIME: 12-JAN-2010 04:01	BEAT: [REDACTED]
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
[REDACTED]	9161	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	M / WHI	[REDACTED]	[REDACTED]-2004	NO	YES

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
[REDACTED]	RANK: 9173, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	M / WHI	[REDACTED] 46
[REDACTED]	RANK: 9171, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	F / WHI	[REDACTED] 44
[REDACTED]	[REDACTED] CHICAGO, IL	[REDACTED]	[REDACTED]	M / WHI	[REDACTED] 45
[REDACTED]	[REDACTED] ORLAND PARK, IL	[REDACTED]	[REDACTED]	M / WHI	[REDACTED] 53
[REDACTED]	[REDACTED] CHICAGO, IL	[REDACTED]	[REDACTED]	M / WHI	[REDACTED] 27

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
[REDACTED]	[REDACTED]	CHICAGO, IL	[REDACTED]	M / WHI	[REDACTED] 31
[REDACTED]	RANK: 9171 STAR NO: [REDACTED] EMP NO# [REDACTED]	[REDACTED]	[REDACTED]	F / WHI	[REDACTED] 44

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
[REDACTED]	RANK: 9161, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	M / WHI	[REDACTED] 61
[REDACTED]	RANK: 9161, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	M / BLK	[REDACTED] 40
[REDACTED]	RANK: 9161, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	M / WHI	[REDACTED] 40
[REDACTED]	RANK: 9161, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	M / WHI	[REDACTED] 58
[REDACTED]	RANK: 9161, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	M / WHI	[REDACTED] 34
[REDACTED]	RANK: 9161, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	F / BLK	[REDACTED] 27
[REDACTED]	RANK: 9161, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	M / S	[REDACTED] 28
[REDACTED]	RANK: 9161, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	M / WHI	[REDACTED] 29
[REDACTED]	RANK: 9161, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	F / WHI	[REDACTED] 29
[REDACTED]	RANK: 9161, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	M / S	[REDACTED] 32
[REDACTED]	RANK: 9161, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	F / WHI	[REDACTED] 31
[REDACTED]	RANK: 9161, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	F / WHI	[REDACTED] 31
[REDACTED]	RANK: 9161, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	M / WHI	[REDACTED] 39
[REDACTED]	RANK: 9161, STAR NO: [REDACTED] EMP NO: [REDACTED]	[REDACTED]	[REDACTED]	M / WHI	[REDACTED] 38
[REDACTED]	[REDACTED] CHICAGO, IL	[REDACTED]	[REDACTED]	F / WHI	[REDACTED] 45
[REDACTED]	[REDACTED] CHICAGO, IL	[REDACTED]	[REDACTED]	M / BLK	[REDACTED] 59
[REDACTED]	[REDACTED] CHICAGO, IL	[REDACTED]	[REDACTED]	M / WHI	[REDACTED] 43
[REDACTED]	[REDACTED] CHICAGO, IL	[REDACTED]	[REDACTED]	M / WHI	[REDACTED] 47
[REDACTED]	[REDACTED] CHICAGO, IL	[REDACTED]	[REDACTED]	F / WHI	[REDACTED] 46

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NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
[REDACTED]	[REDACTED]	PALOS HEIGHTS, IL	[REDACTED]	M / WHI	[REDACTED] / 23

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

** SEE LAST PAGE FOR INSTRUCTIONS FOR STATING ALLEGATIONS, AND COMPLETING THE REMAINDER OF THE SUMMARY REPORT.

Please See Page 4

INSTRUCTIONS FOR THE SUMMARY REPORT
AFTER COMPLETING THE FORM, CONTINUE THE SUMMARY REPORT ON 8 1/2 x 11 INCH WHITE PAPER.

ALLEGATIONS

In narrative form, state how, when, where, and by whom the complaint was received. State the date, time, and location where the incident occurred, and summarize the complaint. If more than one allegation is made, enumerate each allegation as follows:

- No. 1 (Summarize the allegation)
- No. 2 (Summarize the allegation)

2. EVIDENCE

Number and attach all statements, reports, and other evidence gathered, on the lower right hand corner. The Complaint Log number must also be entered on the lower right hand corner of each attachment. Following are numbered (EXAMPLES ONLY).

Attachments:

- No. 1 Face Sheet - Yellow
- No. 2 Letter of complaint from victim
- No. 3 Statement of victim
- No. 4 Statement of witness (give name)
- No. 5 Report of member (give name)
- No. 6 Statement of member (give name)
- No. 7 Progress report of investigator (give name)
- No. 8 Copy of certified letter to reporting party
- No. 9 Copy of Alcoholic Influence Report (accused)
- No. 10 General Offense Case Report, R.D. _____
- No. 11 Signed Sworn Affidavit

3. INVESTIGATION

In narrative form, indicate the fact-finding processes followed and the information ascertained as a result of the investigation. Whenever reference is made to an attachment, indicate the attachment number.

4. FINDINGS

Each allegation must be classified as either of the following:
Unfounded - Exonerated - Not Sustained - Sustained - No Affidavit.

If the classification is "Sustained," indicate the rule number violated, the context of the rule, and how the rule was violated by the member.

Example: Allegation No. 1. Unfounded
Allegation No. 1. Sustained - Violation of Rule 12,
Failure to wear the uniform as prescribed, in that on 27 Feb 84
the accused was found to be wearing a non-prescribed short
sleeve shirt.

Even though the original allegation(s) may be Unfounded, etc., the investigation may uncover a violation of serious nature unrelated to the original complaint, in which case disciplinary action should be recommended for the other violation.

Example: Allegation No. 1. Unfounded
Allegation No. 2. Not Sustained Other violation: Sustained-
Violation of Rule 26, Failure to provide the Department with
a current address and telephone number, in that the
accused related in his statement that he had moved and
obtained a new telephone number and he had failed to
provide this information to the Department.

**SUMMARY OF PREVIOUS DISCIPLINARY ACTIONS and
RECORD OF PREVIOUS COMPLIMENTARY HISTORY
IN SUSTAINED CASES ONLY**, copies of the accused member's
Summary of Previous Disciplinary Actions and Record of Previous
Complimentary History will be included as attachments to the final
investigation report. Refer to the General Order entitled "Complaint and
Disciplinary Procedures."

5. RECOMMENDATION FOR DISCIPLINARY ACTION

One (overall) recommendation for disciplinary action will be made by the investigator. The recommendation will be for all sustained findings; recommendations will not be made for each sustained allegation

- Examples:
- 1. Violation noted, no disciplinary action warranted.
 - 2. That the accused member be reprimanded.
 - 3. That the accused member be suspended for days
 - 4. That the accused member be separated from the Department.

6. DATE INITIATED: (Date complaint was received for investigation)

7. DATE COMPLETED: (Date of this report)

8. ELAPSED TIME: (Total time, expressed in days)

(Investigator)
Rank Name Star No. Unit

9. APPROVALS

The investigator will initiate the Command Channel Review form (CPD-44. 113-A) by completing the Investigator section.

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ALLEGATIONS:

On 12 January 2010, at 0923 hours, Lieutenant [REDACTED] # [REDACTED] Unit [REDACTED] contacted the Independent Police Review Authority, via PAX, and registered this complaint with Intake Aide [REDACTED] Employee # [REDACTED] on behalf of the complainant, Sergeant [REDACTED]. The complainant alleged that on 12 January 2010, at 0439 hours, in the vicinity of [REDACTED] Police Officer [REDACTED] # [REDACTED] Unit [REDACTED]

1. Was intoxicated while off duty;
2. Failed to secure his weapon;
3. Assaulted Sergeant [REDACTED]
4. Verbally abused Sergeant [REDACTED] in that he directed profanity at her and referred to Sergeant [REDACTED] as a "cunt";
5. Brought discredit on the Department, in that he interfered with the Chicago Fire Department personnel that were attempting to treat [REDACTED] and he was subsequently arrested.

[REDACTED] and [REDACTED] further alleged in statements to IPRA Investigator [REDACTED] # [REDACTED] that on 12 January 2010, at approximately 0439 hours, in the vicinity of [REDACTED] Officer [REDACTED]

6. Shot [REDACTED] and
7. Provided false statements to investigating police officers and detectives regarding this incident when he indicated that [REDACTED] shot himself.¹

¹ Given [REDACTED] professed expertise and knowledge of handguns, his statement and Sworn Affidavit were considered to be sufficient to fulfill the affidavit requirement for allegations #6 and #7.

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INVESTIGATION:

In her **Initiation Report** dated 12 January 2010, Sergeant [REDACTED] # [REDACTED] reported that she responded to [REDACTED] for a call of a Person Shot. Sergeant [REDACTED] arrived on the scene and found that Chicago Fire Department Ambulance #17 was on the scene and the shooting victim, [REDACTED] was inside the ambulance. Police Officer [REDACTED] # [REDACTED] was on the scene and appeared to be highly intoxicated. Officer [REDACTED] related that [REDACTED] shot himself with Officer [REDACTED] duty weapon. Officer [REDACTED] then became belligerent and irate with Sergeant [REDACTED]. Sergeant [REDACTED] asked Officer [REDACTED] to step away from the ambulance and Officer [REDACTED] started swearing and yelling at Sergeant [REDACTED]. Officer [REDACTED] told Sergeant [REDACTED] words to the effect of, "I'm going to ride in the ambulance, fuck you." Sergeant [REDACTED] asked Officer [REDACTED] to step away from the ambulance again and Officer [REDACTED] came at Sergeant [REDACTED] while swinging his arms. Officer [REDACTED] actions placed Sergeant [REDACTED] in fear of receiving a Battery. Officer [REDACTED] # [REDACTED] Officer [REDACTED] # [REDACTED] Officer [REDACTED] # [REDACTED] and Officer [REDACTED] # [REDACTED] assisted Sergeant [REDACTED] by performing an emergency take down. Officer [REDACTED] was placed into custody and transported to Area 2. (Att. 4)

In a **Synoptic Report**, Sergeant [REDACTED] # [REDACTED] Unit [REDACTED] reported that he responded to Area 2 regarding an attempted suicide by a non-department member who used Officer [REDACTED] firearm. The subsequent investigation of the incident revealed that Officer [REDACTED] was intoxicated and failed to secure his duty firearm. Sergeant [REDACTED] reported that Officer [REDACTED] called 911 at approximately 0437 hours on 12 January 2010 and reported a person shot. CFD Ambulance #17 responded as did on duty officers from the [REDACTED] District. The victim, [REDACTED] was placed in the ambulance and made ready for transport. Officer [REDACTED] attempted to enter the ambulance to accompany the victim to [REDACTED] hospital. Officer [REDACTED] was told that he could not leave the scene at that time because of the criminal investigation at the crime scene. Sergeant [REDACTED] described Officer [REDACTED] as highly intoxicated. Officer [REDACTED] became confrontational with Sergeant [REDACTED] who was on duty and in uniform. Officer [REDACTED] told Sergeant [REDACTED] "Fuck you, I am going with my friend." Officer [REDACTED] swung his arms and advanced toward Sergeant [REDACTED] placing her in fear of receiving a Battery. Officer [REDACTED] had to be restrained and was arrested. It was also determined that [REDACTED] used Officer [REDACTED] firearm to shoot himself in the head. Officer [REDACTED] was transported to Area 2 as the detectives conducted the criminal investigation. It was determined that Officer [REDACTED] would be arrested for Assault. Officer [REDACTED] was given a breath test that resulted in a BAC of .093 at [REDACTED] hours. Officer [REDACTED] was relieved of his police powers and ordered to appear at the Internal Affairs Division on 13 January 2010 at 1000 hours for reassignment and to produce his Bond slip. Officer [REDACTED] was provided with Employee Assistance Program information. (Att. 35)

In a statement with IPRA on 25 January 2010, the complainant Sergeant [REDACTED] # [REDACTED] Unit [REDACTED] stated that on 12 January 2010, at approximately 0439 hours, in the vicinity of [REDACTED] she responded to a Person Shot call. Sergeant [REDACTED] stated that she was in uniform. Sergeant [REDACTED] indicated that the Office of Emergency Management and Communication notified the officers that an off-duty officer called in the person shot. When Sergeant [REDACTED] arrived at the scene, Officer [REDACTED] was by the back of the ambulance. Sergeant [REDACTED] stated that she remembered that Officer [REDACTED] and Officer [REDACTED] were at the back of the ambulance. Officer [REDACTED] was pounding on the back of the ambulance and Officer [REDACTED]

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██████████ and Officer ██████████ were trying to tell Officer ██████████ to relax. Sergeant ██████████ walked up and told Officer ██████████ to relax. Officer ██████████ told Sergeant ██████████ "Fuck you" and said words to the effect of that is my friend in there and I am going in the ambulance. Sergeant ██████████ asked Officer ██████████ for his friend's name and Officer ██████████ yelled the name "██████████". Sergeant ██████████ asked Officer ██████████ if ██████████ was a police officer and Officer ██████████ replied that he was not. One of the police officers on the scene told Officer ██████████ "Relax, that's a white shirt you're talking to" indicating Sergeant ██████████. Officer ██████████ responded, "I don't give a fuck who she is, fucking cunt bitch, I want in the ambulance." Officer ██████████ continued to attempt to get into the ambulance. Sergeant ██████████ stated that unknown officers told her later at the Area, that Officer ██████████ bounced into her but she did not remember that happening. Sergeant ██████████ took out her handcuffs at some point and Officer ██████████ raised his hand like he was going to hit her at some point, but Sergeant ██████████ did not recall which happened first. Officers on the scene performed an Emergency Takedown on Officer ██████████. Officer ██████████ kept his arms under his body and resisted the on duty officers' efforts to handcuff him. The officers were able to eventually handcuff Officer ██████████ and they brought him to Officer ██████████ and Officer ██████████ squad car. Officer ██████████ kicked at the windows of the squad car while he was inside it. Sergeant ██████████ stated that Officer ██████████ was belligerent, combative, and smelled of alcohol. Sergeant ██████████ stated that she did not enter the residence at ██████████ because she saw blood on the floor and she did not want to disturb the scene. (Att. 59)

In a statement to IPRA on 15 January 2010, Complainant ██████████ stated that he did not witness the incident. ██████████ stated that his nephew, ██████████ was drinking with Officer ██████████ at local bars. ██████████ and Officer ██████████ returned to Officer ██████████ residence and continued to drink. ██████████ was struck on the left side of his head with a round fired from Officer ██████████ duty weapon. ██████████ stated that his nephew is right-handed. ██████████ was brought to ██████████ Hospital for treatment of his injury. Officer ██████████ also showed up at ██████████ Hospital and spoke with ██████████ brother, ██████████ stated that he did not have any first hand knowledge of the incident but he declined to identify where he obtained his information so that he would not inadvertently mis-identify a source. ██████████ stated that it was his belief that Officer ██████████ discharged his weapon and struck ██████████ (Att. 18)

In a statement to IPRA on 15 January 2010, Complainant ██████████ stated that he did not witness the incident. ██████████ identified himself as ██████████ uncle. ██████████ stated that ██████████ father, ██████████ Sr, asked ██████████ to speak with a detective. ██████████ spoke with a detective, who ██████████ identified as "██████████". Detective ██████████ told ██████████ that ██████████ and Officer ██████████ were drinking heavily together. Detective ██████████ continued that Officer ██████████ went to the washroom at his house. When Officer ██████████ got out of the washroom, he saw that ██████████ had somehow gotten his hands on Officer ██████████ weapon. ██████████ cocked the hammer of Officer ██████████ weapon, put the gun to his head, and pulled the trigger. Officer ██████████ tried to stop ██████████ but he was not successful. ██████████ asked where ██████████ injury was and Detective ██████████ stated that it was above ██████████ left ear. ██████████ had seen ██████████ injury earlier and stated that it was about three inches behind and one inch above ██████████ left ear. ██████████ asked Detective ██████████ about the discrepancy between where he saw ██████████ injury was and where Detective ██████████ told him it was. Detective ██████████ told ██████████ that ██████████ was mistaken about the location

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of the injury. [REDACTED] provided his opinion that the account provided by Detective [REDACTED] was improbable. [REDACTED] stated that he had experience with firearms and knew that the model of Sig Sauer that was involved would not fire if the muzzle was pressed against [REDACTED] head as Detective [REDACTED] described. [REDACTED] stated that he had a Federal Firearm License approximately 10 to 15 years ago and is familiar with the Sig Sauer 9mm. (Att. 26)

In a statement to IPRA on 15 January 2010, **Complainant** [REDACTED] stated that he did not witness the incident. [REDACTED] is [REDACTED] brother. [REDACTED] stated that he had known Officer [REDACTED] for approximately ten years at the time of the incident. [REDACTED] stated that he went to high school and college with Officer [REDACTED]. [REDACTED] was with [REDACTED] on 11 January 2010 when the two were celebrating their father's birthday. After the celebration, [REDACTED] left to go to Officer [REDACTED] residence and [REDACTED] did not see his brother again.

[REDACTED] received a telephone call from his father at approximately 0550 hours. [REDACTED] father told [REDACTED] that [REDACTED] was at [REDACTED] Hospital. [REDACTED] went to the hospital and was later asked to identify his brother. [REDACTED] stated that he observed an injury to the left rear area of [REDACTED] head.

On 13 January 2010, Officer [REDACTED] went to [REDACTED] Hospital and [REDACTED] spoke with him there. [REDACTED] told Officer [REDACTED] that he did not think it was appropriate for Officer [REDACTED] to be there. [REDACTED] and Officer [REDACTED] went to the parking garage to smoke a cigarette and the two talked there. Officer [REDACTED] told [REDACTED] that [REDACTED] had been depressed and said "stupid shit sometimes..." [REDACTED] answered that he did not know and Officer [REDACTED] said, "You know he's on Vicodin and stuff like that." [REDACTED] then asked Officer [REDACTED] what happened and Officer [REDACTED] stated, "I was sitting in the front room and then he went to the bathroom and then the dog... and I got up and I went and checked on your brother, and your brother was standing there, with the gun, and, you know, I heard it go 'click' once and then I looked and he clicked it again and it went off." [REDACTED] became emotional at that time and Officer [REDACTED] asked again to speak with [REDACTED] Sr. [REDACTED] said that he did not think that was a good idea and went upstairs to tell Officer [REDACTED] father that Officer [REDACTED] was ready to leave. (Att. 23, 61, 187)

In a statement to IPRA on 15 January 2010, **Witness** [REDACTED] stated that he did not witness the incident. [REDACTED] stated that he encountered his cousin [REDACTED] at [REDACTED] Bar. [REDACTED] met Officer [REDACTED] for the first time at that time. [REDACTED] was intoxicated but [REDACTED] did not know if Officer [REDACTED] was intoxicated because he had just met Officer [REDACTED]. When the men left [REDACTED] Bar, Officer [REDACTED] drove [REDACTED] truck to Officer [REDACTED] house and [REDACTED] drove [REDACTED] truck to [REDACTED] father's house. [REDACTED] then drove his own vehicle home. [REDACTED] stated that he did not ever enter Officer [REDACTED] residence. [REDACTED] called [REDACTED] cell phone to tell [REDACTED] where his keys were. [REDACTED] did not answer. [REDACTED] learned later that [REDACTED] had sustained a gunshot wound to the head but [REDACTED] did not witness that injury. (Att. 30, 63)

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Attorney [REDACTED] informed Investigator [REDACTED] during a telephone call on 22 April 2010, that it was not clear that [REDACTED] would ever be capable of providing a statement regarding the incident. (Att. 161)

During a telephone call on 11 June 2012, Attorney [REDACTED] confirmed that [REDACTED] cannot provide a statement regarding this incident. (Att. 188)

In a statement with IPRA on 12 March 2010, **Witness Chicago Fire Department Paramedic in Charge** [REDACTED] stated that she responded to the scene of the incident with her partner, Paramedic [REDACTED]. The paramedics knocked on the door of the residence in order to get the attention of a man inside the residence so that he could put away a large dog that was inside the house. The man, now known to be Police Officer [REDACTED] put the dog away then returned to open the door. The paramedics entered the residence and Paramedic [REDACTED] observed a black semi automatic handgun on the floor near a man that was lying on the floor of the house. The man on the floor, now known to be [REDACTED] had a large pool of blood and brain matter on the floor around his head. Paramedic [REDACTED] told Paramedic [REDACTED] that [REDACTED] was still breathing. Officer [REDACTED] started to yell at the paramedics at about the same time that firefighters from Engine 92 arrived and entered the house. The ambulance crew prepared to put [REDACTED] onto a "stair chair" to get him into their ambulance. At that point, Officer [REDACTED] yelled things like, "he's breathing!" and "he's alive!" On duty police officers that had arrived on the scene had to restrain Officer [REDACTED]. The ambulance crew brought [REDACTED] to the ambulance and Officer [REDACTED] pounded on the back door of the ambulance, trying to get inside. Paramedic [REDACTED] stated that once [REDACTED] was inside the ambulance, they remained on the scene another six to seven minutes before they left. Paramedic [REDACTED] stated that she thought that Officer [REDACTED] was intoxicated because he smelled of alcohol and he was very belligerent. (Att. 145)

In a statement with IPRA on 14 November 2011, **Witness Chicago Fire Department Paramedic** [REDACTED] provided a statement that was consistent with the account provided by her partner, [REDACTED]. Paramedic [REDACTED] stated that as she was preparing to set up the "stair chair" to transport [REDACTED] Officer [REDACTED] charged at her. Paramedic [REDACTED] added that she was afraid Officer [REDACTED] was going to hit her at this point. Paramedic [REDACTED] described Officer [REDACTED] as being intoxicated in that he was "loud and obnoxious," and that he walked with an unsteady gait. (Att. 176, 177)

In a statement with IPRA on 12 March 2010, **Witness Chicago Fire Department Firefighter** [REDACTED] stated that he was working on Engine 92 and he responded to the scene of the incident. Firefighter [REDACTED] stated that he entered the residence at [REDACTED] behind the crew of Ambulance 17 and in front of unknown Chicago Police Officers. A white male subject, now known to be [REDACTED] was on the floor of the residence. [REDACTED] had a "halo" of blood around his head and a firearm about 1 to 2 feet away from him. A second male white subject, now known to be Officer [REDACTED] was inside the residence, identified himself as an off-duty police officer and stated that his friend had shot himself. Officer [REDACTED] continued to yell at the ambulance crew and the firefighters. Officer [REDACTED] had to be restrained by the on-duty officers. Firefighter [REDACTED] stated that at one point after [REDACTED] had been moved outside, Officer [REDACTED] directed profanity at a female uniformed sergeant on the scene. (Att. 147)

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In a statement with IPRA on 12 March 2010, **Witness Chicago Fire Department Firefighter/Emergency Medical Technician** [REDACTED] provided an account of the incident consistent with the account provided by Firefighter [REDACTED]. Firefighter [REDACTED] added that he used his foot to slide the firearm further away from the off-duty police officer, now identified as Officer [REDACTED]. Firefighter [REDACTED] also added that Officer [REDACTED] was within an arm's length of an on-duty white female uniformed sergeant when he yelled at her. Firefighter [REDACTED] stated that he witnessed on-duty officers tackle Officer [REDACTED] to the ground and handcuff him. (Att. 149)

In a statement with IPRA on 12 March 2010, **Witness Chicago Fire Department Firefighter** [REDACTED] provided an account of the incident that was consistent with the accounts provided by Firefighter [REDACTED] and Firefighter/EMT [REDACTED]. Firefighter [REDACTED] stated that Officer [REDACTED] was inside the residence and appeared to be intoxicated because he slurred his speech and stumbled. Firefighter [REDACTED] stated that he saw that Officer [REDACTED] had been arrested, but Firefighter [REDACTED] did not see why he had been arrested. (Att. 151)

A **Canvass** of the vicinity of the incident produced no additional witnesses or information. (Att. 15, 16, 32, 34)

A **Chicago Fire Department Ambulance Incident Detail** indicated that Ambulance #17 was dispatched at 0438 hours, arrived at the scene at 0442 hours, and left the scene at 0457 hours. The narrative of the incident detail reported that the ambulance crew responded to treat a gunshot victim. A dog at the door kept the paramedics outside until a man inside the house put the dog away. The paramedics found an unresponsive patient on the floor with a single gunshot wound to the left side of his head and surrounded by a large area of blood and brain matter. A black handgun was four feet from the patient's feet. After the paramedics had been treating the patient for about twenty seconds, the man that let them into the house began to storm the paramedics. CPD officers were able to restrain the man so that the paramedics could bring the patient outside. The ambulance crew brought the patient outside and into the ambulance. The man then beat on the door and screamed at the crew. After approximately one to two minutes, CPD officers got the man away from the ambulance. (Att. 8)

Medical Records relative to [REDACTED] stay at [REDACTED] Hospital indicated that [REDACTED] was treated for a gunshot wound to the left side of his head. Several reports from consulting physicians describe the injury as self-inflicted but surgical reports, discharge and admission paperwork and some consultations do not describe the injury as self-inflicted. The reports that do not refer to [REDACTED] injury as self-inflicted simply describe it a gunshot wound. [REDACTED] was non-verbal during his stay at [REDACTED] Hospital and infections complicated his recovery. [REDACTED] was discharged from [REDACTED] Hospital on 25 March 2010 in stable condition. The discharge paperwork also indicated that he needed Physical and Occupational Therapy. (Att. 162)

During a telephone call on 18 April 2012, **Radiologist** [REDACTED] [REDACTED] told Investigator [REDACTED] that [REDACTED] injuries were consistent with a single gunshot wound to the head. Dr. [REDACTED] stated that the bullet ricocheted inside [REDACTED] skull and that the bullet also fragmented inside [REDACTED] brain at some point. (Att. 184, 185)

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OEMC Transmissions indicated that Officer █████ placed several telephone calls to 911. During Officer █████ initial call, he first requested a sergeant and said that his friend had committed suicide. The call-taker transferred Officer █████ call to a Fire Department dispatcher without acknowledging his request for a sergeant. Officer █████ stated that his friend was dead and then realized that he was breathing. Officer █████ frequently used profanity and disregarded questions from the call-taker and dispatcher during the calls. Officer █████ called the first time at 04:35:58 hours. Officer █████ called a second time demanding an ambulance at 04:40:00 hours. (Att. 67, 68, 74-127, 175, 186)

A **Crime Scene Processing Report** dated 12 January 2010, documented that Officer █████ weapon, a Sig Sauer Model P226, 9mm, semi automatic pistol with a 4" barrel and a stainless steel and black finish, was recovered with a fired cartridge casing in the firing chamber and a fully loaded 15 round capacity magazine in the weapon. Evidence Technicians also recovered and inventoried a black "Don Hume" holster, blood swabs, two hair samples, five bottles of beer, a gunshot residue collection kit, a blue shirt, a green shirt, a pair of jeans, a pair of socks, and a pair of briefs. (Att. 69)

A report from the **Illinois State Police Division of Forensic Services Forensic Science Center at Chicago** dated 22 January 2010, indicated that upon examination of a Sig Sauer pistol (serial # █████), blood was present on the pistol.² (Att. 66)

A report from the **Illinois State Police Division of Forensic Services Forensic Science Center at Chicago** dated 01 February 2010 indicated that Officer █████ weapon was examined, found to be in firing condition, and test fired.³ (Att. 130)

A report from the **Illinois State Police Division of Forensic Services Forensic Science Center at Chicago** dated 21 January 2010 indicated that testing of an Illinois State Police Scanning Electron Microscope/Gunshot Residue (ISP SEM/GSR) kit recovered from █████ revealed that the analysis of samples from Officer █████ right and left hand contained particles characteristic of background samples. According to the report, those results indicated that "█████ may not have discharged a firearm with either hand. If he did discharge a firearm, then the particles were removed by activity, were not deposited, or were not detected by the procedure."

A blue shirt recovered from Officer █████ was also submitted for primer gunshot residue (PGSR) analysis. Samples from the right and left cuffs of the blue shirt were also tested and contained particles characteristic of background samples. According to the report, those results indicated that "the sampled areas of the blue shirt may not have contacted a PGSR related item or may not have been in the environment of a discharged firearm. If they were, then the particles were not deposited, were removed by activity, or were not detected by the procedure."

A green shirt, a pair of blue jeans, and a pair of grey shoes were not analyzed. (Att. 159)

² The pistol was received by the Forensic Service Center under Inventory number █████. The serial number of the pistol is that of a pistol registered to Officer █████ See Attachments 42 and 69.

³ Additional items submitted for examination were: 15 unfired cartridges, one fired cartridge case, and one magazine. It was determined that the fired cartridge case had been fired from Officer █████ firearm.

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A green shirt, a pair of blue jeans, and a pair of grey shoes were not analyzed. (Att. 159)

A report from the **Illinois State Police Division of Forensic Services Forensic Science Center at Chicago** dated 24 February 2010 reported that testing of an ISP SEM/GSR kit recovered from two shirts recovered from [REDACTED] indicated that sampled areas of a blue short-sleeved shirt "may not have contacted a PGSR related item or may not have been in the environment of a discharged firearm. If they were, particles were not deposited, were removed by activity, or were not detected by the procedure." Testing of the right cuff of a green long-sleeved shirt indicated that it "contacted a PGSR related item or was in the environment of a discharged firearm." (Att. 160)

A report from the **Illinois State Police Division of Forensic Services Forensic Science Center at Chicago** dated 20 October 2010 indicated that five beer bottles, one pistol, one discharged cartridge casing, fifteen live cartridges, and one magazine were examined for latent fingerprints. Examination of the beer bottles revealed latent impressions suitable for comparison. Four of the latent impressions were made by Officer [REDACTED] and one of the latent impressions was made by [REDACTED]. An additional latent impression did not match fingerprint cards for Officer [REDACTED] or [REDACTED]. Examination of the pistol, the discharged cartridge casing, fifteen live cartridges, and the magazine did not reveal any latent impressions suitable for comparison. (Att. 174)

During a telephone call on 11 April 2012, **Forensic Scientist [REDACTED]** told Investigator [REDACTED] that he could not make a statement regarding features on a specific weapon due to multiple variants possible even in weapons with the same model numbers. When asked about the possibility that Officer [REDACTED] weapon would not discharge if it were placed against [REDACTED] head (as alleged by Witness [REDACTED]), Forensic Scientist [REDACTED] stated that he could not speculate about that possibility without re-examining Officer [REDACTED] weapon. Forensic Scientist [REDACTED] did state that some variants of the Sig Sauer P226 include a 'Stand Off' feature that would function as described by Witness [REDACTED]. (Att. 183)

A report from the **Illinois State Police Division of Forensic Services Forensic Science Center at Chicago** dated 22 May 2012, indicated that Officer [REDACTED] weapon was re-examined. The re-examination determined that the weapon did not have any "additional parts/devices attached to it that function solely as a 'stand off device.'" (Att. 189)

In a telephone call on 31 July 2012, **Forensic Scientist [REDACTED]** told Investigator [REDACTED] that, although there was no part/device on Officer [REDACTED] weapon that functioned solely as a 'stand off device, the recoil spring guide could take the weapon out of battery if it was the primary point of contact of the weapon with a solid surface. Scientist [REDACTED] also stated that if the recoil spring guide was not the primary point of contact, the weapon would not fire if the slide was moved back a distance of approximately 1/16th of an inch to 1/8th of an inch. (Att. 196)

Evidence Technician Photographs depict the interior and exterior of [REDACTED] residence at [REDACTED]. Additional photographs depict Officer [REDACTED] handgun and a holster on the floor of the residence. Photographs depict [REDACTED] with bandaged injuries and intubated in a hospital bed. Photographs also depict Officer [REDACTED] inside what appears to be an interview room in a Chicago Police District Station. (Att. 70-73)

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According to the **Arrest Report (Central Booking # [REDACTED])** and **Case Report (Records Division # [REDACTED])**, [REDACTED] was arrested 12 January 2010 for Simple Assault against Sergeant [REDACTED]. The Incident Narrative section of the Arrest and Case Reports indicated that Officer [REDACTED] was highly intoxicated, belligerent and very irate. Officer [REDACTED] began to swing his arm placing Sergeant [REDACTED] in fear of receiving a Battery. Officers [REDACTED] and [REDACTED] used Emergency Takedown techniques in response to Officer [REDACTED] actions. Officer [REDACTED] was taken into custody and transported to Area 2 for questioning. According to the Lockup Keeper Processing section of the Arrest Report, Officer [REDACTED] was received into the lockup at 1231 hours and at that time he did not show any signs of being under the influence of alcohol/drugs. (Att. 5, 6)

Sergeant [REDACTED] Officers [REDACTED] and [REDACTED] completed **Tactical Response Reports (TRR)** regarding their contact with Officer [REDACTED]. Sergeant [REDACTED] also completed an **Officer's Battery Report (OBR)**. Sergeant [REDACTED] and Officer [REDACTED] both described Officer [REDACTED] as an Assailant: Assault in that Officer [REDACTED] presented an imminent threat of a battery, did not follow verbal direction, stiffened, and pulled away. Sergeant [REDACTED] responded with her presence and verbal commands. Officer [REDACTED] responded with Escort Holds, Wristlock, Member Presence, Verbal Command, and Takedown/Emergency Handcuffing techniques. Officers [REDACTED] and [REDACTED] all described Officer [REDACTED] as an Active Resister in that he Pulled Away, Stiffened, and Did Not Follow Verbal Commands. Each officer responded with Verbal Direction, Member Presence, and Takedown/Emergency Handcuffing techniques. Officer [REDACTED] also reported that he controlled Officer [REDACTED] legs. Officer [REDACTED] also used Escort Holds, Wristlock, and an Armbar. Sergeant [REDACTED] OBR indicated that she did not sustain any injuries as a result of this incident. (Att. 9-14)

The **Detective Supplementary Report** indicated that the assigned detectives were assigned to their case as an Attempt Suicide investigation. The detectives learned that [REDACTED] shot himself in the head with a handgun that belonged to Officer [REDACTED]. CFD Ambulance #17 brought [REDACTED] to [REDACTED] Hospital. [REDACTED] District police personnel responded to the scene and requested detectives and crime scene personnel be assigned to the scene. The detectives examined the scene of the incident and observed the physical evidence. The detectives interviewed Officer [REDACTED] and Officer [REDACTED] who related essentially the same facts as listed in their Case Report. Sergeant [REDACTED] told detectives that Officer [REDACTED] was highly irate and uncooperative, and that he had been placed into custody for assaulting responding officers. The detectives requested that two Forensic Investigators respond to a gun shot residue test on Officer [REDACTED]. The detectives reported that Officer [REDACTED] handgun had a spent cartridge casing in the chamber of the weapon. The detectives interviewed several witnesses to the incident. The detectives first interviewed [REDACTED] District Police Officer [REDACTED].

Officer [REDACTED] told detectives that she was off-duty and her co-worker, who was also off-duty, Officer [REDACTED] picked her up and they drove to [REDACTED] Bar at 112th and Western. Officers [REDACTED] and [REDACTED] arrived at [REDACTED] at approximately 0001 hours on 12 January 2010. Officers [REDACTED] and [REDACTED] met other [REDACTED] District police officers, Officers [REDACTED] and [REDACTED]. Officer [REDACTED] stated that she also met a friend of Officer [REDACTED] whose name she did not recall. Officer [REDACTED] described

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Officer [REDACTED] friend as a white male with a medium to large build, approximately 30 years old wearing a green T-shirt with "I Recycle" on the front and a pair of jeans. The group then went from [REDACTED] Bar to [REDACTED] Bar at 104th and Western. The group hung out at [REDACTED] for a short time and she and the others left around 0330 hours. Officer [REDACTED] was not certain if Officer [REDACTED] and his friend left. Officer [REDACTED] did not think that Officer [REDACTED] or his friend were intoxicated and everything appeared to be fine throughout the night.

The detectives interviewed [REDACTED] brother, [REDACTED]. [REDACTED] stated that he was at his parents' house for dinner with [REDACTED] until [REDACTED] left at approximately 2200 hours to go to Officer [REDACTED] house. [REDACTED] described [REDACTED] and Officer [REDACTED] as friends since childhood and former college roommates. [REDACTED] was unaware of any depression or domestic or personal problems in his brother's life. [REDACTED] and his father, [REDACTED] Sr., told detectives that [REDACTED] was ambidextrous but favored his left hand when writing.

The detectives interviewed Officer [REDACTED] Sergeant [REDACTED] the 2nd Watch coordinator, had de-activated the video recording equipment in the interview room as "Circumstances thus far indicated the wound [REDACTED] sustained was most likely self inflicted." Officer [REDACTED] requested an attorney and attorney [REDACTED] and Fraternal Order of Police Representative [REDACTED] sat in during the interview. Officer [REDACTED] did not answer questions regarding his actions outside his residence but did answer questions regarding [REDACTED] injury. Officer [REDACTED] told detectives that he was at his residence with [REDACTED] on the date of the incident. [REDACTED] had previously told Officer [REDACTED] about personal problems involving his girlfriend, his unemployment, his use of painkillers, and a broken neck that [REDACTED] had sustained. Officer [REDACTED] stated that [REDACTED] went into Officer [REDACTED] bedroom to pet Officer [REDACTED] dog. Officer [REDACTED] told detectives that he did not remember exactly where he had his gun in his bedroom. After a short time, Officer [REDACTED] entered the bedroom as [REDACTED] exited the room. Officer [REDACTED] turned and saw [REDACTED] holding Officer [REDACTED] handgun in his left hand and pressed to the left side of his head. [REDACTED] pulled the trigger and the gun did not discharge. [REDACTED] laughed and pulled the trigger again. The gun discharged and [REDACTED] fell to the floor. Officer [REDACTED] called 911 to request medical attention for [REDACTED]. The interview was terminated at this point.

The detectives interviewed a friend of [REDACTED] named [REDACTED]. [REDACTED] did not witness the incident but was interviewed for insight into [REDACTED] life and possible motivation for a suicide attempt. [REDACTED] stated that [REDACTED] would get "extremely depressed during a girlfriend breakup" and that [REDACTED] would make comments about wanting to "end it" when he drank during such times. [REDACTED] also stated that [REDACTED] and his father were constantly fighting. [REDACTED] stated that [REDACTED] father would hire and fire [REDACTED] and [REDACTED] would likewise quit his job with his father then go back when [REDACTED] needed money.

The detectives interviewed Officer [REDACTED] Officer [REDACTED] and Officer [REDACTED]. Officers [REDACTED] and [REDACTED] stated that they had never met [REDACTED] before the night of the incident. The detective's supplementary report did not record if Officer [REDACTED] had met [REDACTED] on the night of the incident or before then. Officer [REDACTED] added that Officer [REDACTED]

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██████ told him that ██████ had broken his neck and suffered from chronic pain. Officer ██████ also told detectives that both Officer ██████ and ██████ told him that ██████ had broken his neck and that the painful injury had caused him to be out of work recently.

Finally, the detectives interviewed ██████ La Porta's girlfriend, ██████ did not witness the incident and provided background information regarding ██████ La Porta's mental state and the problems that she and ██████ are experiencing in their relationship. ██████ stated that ██████ had neck surgery in 2007 and has lived in constant pain since then. ██████ told detectives that ██████ took Vicodin for pain and steroids for strength. ██████ added that she and ██████ have had domestic problems recently due to her dependency on a prescription sleep aid. ██████ had recently sent ██████ a text message stating that he was leaving her due to her drug use. ██████ added that ██████ worked 10 to 14 hours a day performing manual labor which did not help his chronic pain. ██████ added that ██████ had never said anything to her about hurting or injuring himself. (Att. 133)

According to an **Alcohol/Drug Influence Report**, Officer ██████ was given a Breathalyzer test at 1217 hours on 12 January 2010 at the ██████ District Police Station by Sergeant ██████ # ██████ Unit ██████ Sergeant ██████ noted that Officer ██████ had a slight odor of alcohol on his breath at that time. The Breathalyzer results indicated that, at 1219 hours, Officer ██████ Blood Alcohol Content (B.A.C.) was .093g/210L. (Att. 44, 53)

A **Back Extrapolation** calculation dated 22 January 2010 and completed by Dr. ██████ Jr of the Illinois State Police—Division of Forensic Services, Forensic Science Center—Chicago, indicated that Officer ██████ Blood Alcohol Content at the time of the incident was between .169 g/dL and .246 g/dL. (Att. 60)

In a statement with IPRA on 21 January 2010, **Police Officer** ██████ # ██████ stated that he was off-duty at the time of the incident. Officer ██████ stated that he worked with Officer ██████ on the ██████ District Tactical team but Officer ██████ was recently transferred off of the Tactical team to work midnights. Officer ██████ stated that he was friends with Officer ██████ Officer ██████ stated that he is also friends through work with Officer ██████ Officer ██████ and Officer ██████ Officer ██████ stated that he had not met ██████ before the date of the incident. Officer ██████ had spoken to Officer ██████ previously about a friend of Officer ██████ that had broken his neck or his back at work. Officer ██████ could not recall who decided to go out that night or who invited Officer ██████ Officer ██████ stated that he does not regularly go to ██████ Bar or to ██████ Bar, but he has been to both bars before. Officer ██████ did not know how much anyone else had to drink but he stated that he had two to three 12oz. bottles of beer throughout the night. Officer ██████ went to ██████ by himself, left ██████, and drove himself to ██████ Bar as well. Officer ██████ stated that, while at ██████, he played bean bags with ██████ and the two talked briefly. Officer ██████ spoke with ██████ about the injury to ██████'s neck and his problems with his girlfriend. Officer ██████ did not recall if ██████ or Officer ██████ were intoxicated and did not recall anything unusual about either man's behavior. Officer ██████ stated that he left after the bean bag game, as did Officer ██████ and Officer ██████ Officer ██████ then went home alone. Officer ██████ stated that

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he has been out socially with Officer [REDACTED] in the past and does not know if Officer [REDACTED] carries a weapon while he is off-duty. Officer [REDACTED] did not have any further contact with Officer [REDACTED] or [REDACTED] on the date of the incident. (Att. 56)

In a statement with IPRA on 21 January 2010, Police Officer [REDACTED] # [REDACTED] stated that he was off-duty at the time of the incident. Officer [REDACTED] stated that he met Officer [REDACTED] approximately two months before his statement. Officer [REDACTED] stated that he knows Officer [REDACTED] from work and that Officer [REDACTED] is his regular partner. Officer [REDACTED] stated that that he does not know Officer [REDACTED] but he knows that Officer [REDACTED] and Officer [REDACTED] are friends. Officer [REDACTED] met [REDACTED] for the first time on the date of the incident. Officer [REDACTED] stated that he had been in several social situations with Officer [REDACTED] Officer [REDACTED] did not know if Officer [REDACTED] typically carries a weapon while he is off-duty. Officer [REDACTED] was unaware if Officer [REDACTED] had his weapon on his person while they were at the bars. Officer [REDACTED] did not know if Officer [REDACTED] or [REDACTED] were intoxicated on the date of the incident. Officer [REDACTED] stated that he did not observe any unusual behavior from either Officer [REDACTED] or [REDACTED] on the night of the incident. Officer [REDACTED] stated that he drank three to four beers throughout the course of the night. Officer [REDACTED] did not speak with [REDACTED] during the night except to greet him. While they were at [REDACTED] on the night of the incident, Officer [REDACTED] told Officer [REDACTED] that [REDACTED] had hurt his neck but Officer [REDACTED] did not know any details of the injury. (Att. 55)

In a statement with IPRA on 21 January 2010, Police Officer [REDACTED] # [REDACTED] stated that she was off-duty at the time of the incident. Officer [REDACTED] stated that she had not met [REDACTED] before the night of the incident. Officer [REDACTED] stated that she knows Officers [REDACTED] and [REDACTED] from work and that Officer [REDACTED] is a close friend. Officer [REDACTED] stated that she had approximately three to four bottles of beer throughout the night, but she did not know how much anyone else had to drink. Officer [REDACTED] stated that she picked Officer [REDACTED] up at her residence and drove her to [REDACTED] and then [REDACTED] Officer [REDACTED] and [REDACTED] were at [REDACTED] when Officer [REDACTED] and Officer [REDACTED] arrived. Officer [REDACTED] did not see Officer [REDACTED] with a weapon at the bar. Officer [REDACTED] stated that she did not observe any unusual behavior from [REDACTED] or Officer [REDACTED] and they did not show any signs of intoxication. (Att. 57)

In a statement with IPRA on 21 January 2010, Police Officer [REDACTED] # [REDACTED] stated that she was off-duty at the time of the incident. Officer [REDACTED] stated that she is friends with Officer [REDACTED] and has also taken care of his dog for him. Officer [REDACTED] stated that she first met [REDACTED] on the night of the incident. Officer [REDACTED] did not discuss [REDACTED] before the night of the incident. Officer [REDACTED] went to [REDACTED] with Officer [REDACTED] Officer [REDACTED] drank two or three bottles of beer while she was at [REDACTED]. When [REDACTED] was closing, the group decided to continue on to Brewbaker's. Officer [REDACTED] and Officer [REDACTED] went together. Officer [REDACTED] stated that the men in the group played bean bags and she talked with Officer [REDACTED] Officer [REDACTED] stated that she had one beer at [REDACTED] before she and Officer [REDACTED] decided to go home. Officer [REDACTED] stated that she was home and she received a telephone call from Officer [REDACTED] who was working at the [REDACTED] District on midnights. Officer [REDACTED] told Officer [REDACTED] that something occurred at Officer [REDACTED] house and that she should go there. Officer [REDACTED]

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█ went to Officer █ home. Officer █ stated that she did not see an ambulance on the scene when she arrived. Officer █ also stated that she did not see or speak to Officer █ on the scene, but she did see detectives speaking to someone that she assumed was Officer █ in the back of a squad car. Officer █ spoke with either a supervisor or a detective at the scene and that person informed her that someone had been shot at Officer █ residence but it was not Officer █ or a police officer. (Att. 58)

In a statement with IPRA on 11 February 2010, witness Lieutenant █ #█ stated that he was assigned as the █ District Watch Commander on the 2nd Watch on the date of the incident. Lieutenant █ stated that he had heard of Officer █ from a previous Complaint Register investigation involving a fight in a bar between Officer █ and another police officer. Lieutenant █ said that he does not know Officer █ personally. Lieutenant █ stated that he learned of the shooting at Officer █ residence from the 1st Watch Watch Commander, Captain █ Lieutenant █ decided to respond to the "Person Shot call" in case it involved a fatality. As Lieutenant █ left the █ District Station, Captain █ told him that the incident involved an off-duty police officer, now known to be Officer █

When Lieutenant █ arrived at the scene, he spoke with Sergeant █ who apprised him of the situation. Sergeant █ informed Lieutenant █ that Officer █ weapon discharged and his friend was struck in the head. Sergeant █ stated that it was unclear what had happened and who had discharged the weapon. Lieutenant █ told Sergeant █ to handle the scene as if Officer █ had discharged his weapon, as that would ensure the most secure and most complete investigation of the incident.

Sergeant █ also told Lieutenant █ that Officer █ had attempted to attack Sergeant █ and four officers tackled him to the ground and taken him into custody. Lieutenant █ stated that Sergeant █ told him that Officer █ had been banging on the back of the ambulance. Sergeant █ told Officer █ to back off and Officer █ repeatedly refused. After Sergeant █ told Officer █ to back off for the third time, he charged her with his arms raised. Sergeant █ told Lieutenant █ that she thought Officer █ was intoxicated. Sergeant █ also stated that Officer █ directed profanity at her once or twice and that he had called her a "fucking cunt."

Officer █ refused to speak with anyone else on the scene besides Lieutenant █ When Officer █ spoke with Lieutenant █ he only inquired about his friend. Lieutenant █ stated that Officer █ appeared intoxicated based on his changing demeanor, disheveled clothing, and flushed face.

Lieutenant █ stated that there was a large pool of congealed blood on the floor of Officer █ residence. A handgun and holster were next to the pool of blood. Lieutenant █ was not sure, but thought that the handgun was not in the holster. Lieutenant █ saw pieces of scalp and brain tissue on the south wall of the residence. There were some bloody footprints on the floor of the residence as well. Lieutenant █ stated that due to the location of the footprints, the footprints appeared to be from the ambulance crew. Lieutenant █ entered the residence with Sergeant █ One to two officers were inside but Lieutenant █ did not recall which officers were inside. No other people

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were inside the residence. Lieutenant [REDACTED] stated that he did not have any contact with Officer [REDACTED] at Area 2. (Att. 128)

In a statement with IPRA on 09 February 2010, Witness Police Officer [REDACTED] # [REDACTED] stated that he was assigned to Beat [REDACTED] with Police Officer [REDACTED] # [REDACTED]. Officer [REDACTED] stated that his Beat was assigned to the Person Shot call and that they were informed at that time that an off-duty officer was involved. When they arrived at the scene, they saw an ambulance crew inside the residence working on a victim. Officer [REDACTED] saw a gun on the floor. Officer [REDACTED] stated that Officer [REDACTED] was inside the residence, yelling, shouting, and trying to push past a firefighter that was holding him back. Officer [REDACTED] went to restrain Officer [REDACTED] while Officer [REDACTED] stood over the gun. Officer [REDACTED] had his back to the gun and did not see what Officer [REDACTED] did. Officer [REDACTED] smelled alcohol on Officer [REDACTED] breath. The paramedics that were treating the victim said that they wanted to bring the victim outside. Once the victim was outside, Officer [REDACTED] seemed to calm down and went outside with other officers. Officer [REDACTED] and Officer [REDACTED] secured the residence and made sure the other emergency personnel went outside. Officer [REDACTED] went to the front porch and made sure no one entered the residence until detectives arrived. Officer [REDACTED] saw that Officer [REDACTED] tried to get into the ambulance and Sergeant [REDACTED] advised him to let the paramedics work on the victim. Officer [REDACTED] heard Officer [REDACTED] call Sergeant [REDACTED] a 'fucking cunt' and tell her 'you're nobody, fuck you.' At that point, Officer [REDACTED] called Officer [REDACTED] and Officer [REDACTED] turned his head. When Officer [REDACTED] looked back, Officer [REDACTED] was on the ground with five or six officers attempting to restrain him. Eventually, an unknown officer was able to handcuff Officer [REDACTED]. Officer [REDACTED] assumed that Officer [REDACTED] was placed in a squad car but he did not see that as he was distracted by an unknown white female subject who identified herself as a friend of Officer [REDACTED]. Officer [REDACTED] stated that he did not think it was worth the trouble to ask that female additional questions. (Att. 64)

In a statement with IPRA on 18 February 2010, Witness Police Officer [REDACTED] # [REDACTED] stated that he was assigned to Beat [REDACTED] with Police Officer [REDACTED] # [REDACTED]. Officer [REDACTED] stated that he and his partner responded to the scene to assist Officer [REDACTED] and Officer [REDACTED] with a shooting involving an off-duty police officer. Officer [REDACTED] went into the residence and stood between Officer [REDACTED] and the paramedics that were treating his friend inside of the residence. Officer [REDACTED] was upset, agitated, yelling, and telling the paramedics to work on his friend. Officer [REDACTED] stated that he did not know if Officer [REDACTED] was intoxicated as he concentrated his efforts on securing the scene. Officer [REDACTED] saw a handgun and a holster on the floor several feet away from each other. The paramedics brought the victim outside and, after all the emergency personnel were outside, Officer [REDACTED] also went outside. Officer [REDACTED] saw Officer [REDACTED] standing near the rear of the ambulance and yelling that he wanted to get inside. Sergeant [REDACTED] told Officer [REDACTED] to calm down and he told her 'fuck you' and called her a 'fucking cunt.' Officer [REDACTED] raised his hand to Sergeant [REDACTED] and it appeared as though he was about to strike her. Officers [REDACTED] and [REDACTED] took Officer [REDACTED] to the ground, handcuffed him and took him into custody. Officer [REDACTED] was placed in a squad car. Officer [REDACTED] and Officer [REDACTED] spoke with another supervisor on the scene, Sergeant [REDACTED] and he released them from the scene. The officers returned to the [REDACTED] District Station and then ended their tour of duty. (Att. 129)

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In a statement with IPRA on 19 February 2010, **Witness Police Officer** [REDACTED] # [REDACTED] stated that he was assigned to Beat 2222R with Police Officer [REDACTED] # [REDACTED]. The officers responded to a call of Person Shot with an off-duty officer involved. Upon arrival at the scene, Officer [REDACTED] entered the residence. Officer [REDACTED] stated that he saw Officer [REDACTED] and that Officer [REDACTED] was obviously intoxicated. Officer [REDACTED] stated that he could smell alcohol on Officer [REDACTED]. Officer [REDACTED] was belligerent and that "every other word [REDACTED] used] was profanity." Officer [REDACTED], Officer [REDACTED], Officer [REDACTED] and Officer [REDACTED] were inside the residence and two of them, Officer [REDACTED] could not say who, held Officer [REDACTED] back when the paramedics brought the victim outside. Officer [REDACTED] did not enter the residence because, as he was about to, the paramedics were exiting with the victim.

Officer [REDACTED] left the residence and went to the ambulance. Officer [REDACTED] attempted to get into the ambulance and Officer [REDACTED] who was standing near the ambulance, told Officer [REDACTED] that he could not get inside. Officer [REDACTED] responded with words to the effect of "Fuck you, I'm going in anyway." Officer [REDACTED] tried to open the side door of the ambulance but found it was locked. Sergeant [REDACTED] told Officer [REDACTED] that he could not enter the ambulance. Officer [REDACTED] became more irate and started screaming at Sergeant [REDACTED]. Officer [REDACTED] screamed words to the effect of "fuck you," "Northside pussy police," "tunt," and other profanities at Sergeant [REDACTED]. Officer [REDACTED] face was inches away from Sergeant Kielbasa's face when he yelled at her. Officer [REDACTED] flailed his arms and his chest bumped Sergeant [REDACTED]. Sergeant [REDACTED] said something like, "That's it" and put her hand on her handcuff case. Officer [REDACTED] lunged at Sergeant [REDACTED]. Officer [REDACTED] grabbed Officer [REDACTED] by the wrists. Officer [REDACTED] performed an Emergency Takedown and brought Officer [REDACTED] to the ground. Officer [REDACTED] was able to put a handcuff on Officer [REDACTED] right wrist. Officer [REDACTED] used an armbar and Officer [REDACTED] used a wristlock to finish handcuffing Officer [REDACTED]. Officer [REDACTED] was placed in Beat 2222R's squad car. Officer [REDACTED] directed profanity at Officer [REDACTED] and Officer [REDACTED] as the three sat in the squad car. Officer [REDACTED] also attempted to kick the windows of the vehicle, but bars on the windows prevented him from doing any damage. Officer [REDACTED] asked about his friend's condition and Officer [REDACTED] stated that he did not have any information about Officer [REDACTED] friend. Detectives questioned Officer [REDACTED] but Officer [REDACTED] did not recall what anyone said. After about 50 minutes, Officer [REDACTED] and Officer [REDACTED] transported Officer [REDACTED] to Area 2. Officer [REDACTED] asked to use the washroom and detectives told him no. Officer [REDACTED] and Officer [REDACTED] searched Officer [REDACTED] took his shoestrings; his belt; and his other personal property, and placed it a plastic bag outside the interview room. Officer [REDACTED] did not have any further contact with Officer [REDACTED] (Att. 131)

In a statement with IPRA on 09 February 2010, **Witness Police Officer** [REDACTED] # [REDACTED] stated that he was assigned to Beat [REDACTED] with Officer [REDACTED]. Officer [REDACTED] stated that he and his partner responded to an OEMC call of Man Shot in the Head. When they arrived at the scene, he saw an ambulance crew inside the residence leaning over the subject. Officer [REDACTED] stated that he was the first officer to arrive at the scene. Officer [REDACTED] stated that he saw the ambulance crew and they appeared to be just starting to treat [REDACTED]. Officer [REDACTED] observed a pool of blood by [REDACTED] head. Officer [REDACTED] also noticed a blue steel semi automatic weapon near the pool of blood. Officer [REDACTED] stood over the gun to protect the crime scene. Officer [REDACTED] described Officer [REDACTED] as being belligerent and uncooperative. Officer [REDACTED] stated that there was alcohol all over the room and Officer [REDACTED] had a slight odor of alcohol about him. Officer [REDACTED]

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█ stated that his focus was on protecting the scene and protecting the paramedics so he did not pay much attention to what Officer █ was saying. Other officers arrived and shielded the paramedics from Officer █. Officer █ stated that he stayed inside the residence when everyone else moved outside. Officer █ stated that he did not witness anything that occurred outside. (Att. 65)

In a statement with IPRA on 19 February 2010, **Witness Police Officer █** # █ provided an account of the incident that was consistent with that given by his partner, Officer █. Officer █ stated that he did not enter the residence but that Officer █ did enter the residence. Officer █ stated that his initial contact with Officer █ occurred on the street after the paramedics brought █ out of the residence. Officer █ asked Officer █ how █ was doing and then attempted to enter the ambulance. Officer █ stated that he could smell the odor of an alcoholic beverage about Officer █ and that Officer █ slurred his speech. Officer █ stated that Officer █ directed profanity at him and Sergeant █ when they attempted to dissuade Officer █ from getting into the ambulance. Officer █ stated that Officer █ got very close to Sergeant █ "literally nose to nose," and called Sergeant █ a cunt several times. Officer █ stated that he believed Officer █ made contact with Sergeant █ and, at that point, she pulled out her handcuffs. When Sergeant █ pulled out her handcuffs, Officer █ lunged at her and Officer █ thought that Officer █ was about to batter Sergeant █. Officer █ performed an Emergency Takedown and kept Officer █ on the ground while other officers handcuffed him. (Att. 132)

In a statement with IPRA on 01 April 2010, **Witness Police Officer █** # █ stated that she was working Beat █ with Officer █ # █. Officer █ arrived on the scene as paramedics were bringing a gunshot victim out of the residence at █. Officer █ entered the residence after the paramedics and █ were outside but she did not get farther than the living room. Officer █ saw a puddle of blood and a pancake holster on the floor. Officer █ was not sure if she saw a handgun in the residence. Officer █ stated that after "a couple of minutes" she left the residence to see if assistance was needed outside. The paramedics were inside the ambulance working on █. Officer █ was trying to get inside the ambulance and Sergeant █ told him that he would have to wait but that officers could give him a ride later. Officer █ stated that Officer █ called Sergeant █ a "cunt bitch" and told her that she was a "disgrace to the uniform." Officer █ stated that Officer █ appeared intoxicated because his actions were aggressive and he was loud and emotional. Sergeant █ repeatedly told Officer █ to calm down but he continued to yell and curse at her. After several minutes, Sergeant █ pulled out her handcuffs and Officer █ lunged at her. Officer █ stated that officers, who she could not identify, attempted to take Officer █ into custody while he was standing but Officer █ pulled away. Unknown Officers then took Officer █ to the ground. Officer █ tried to pull away and struggled on the ground with officers but officers were able to handcuff Officer █. Officers stood up Officer █ and placed him in the rear of a squad car. Officer █ and Officer █ went to the hospital for a time, then went to Area 2 before ending their tour of duty. (Att. 157)

In a statement with IPRA on 25 March 2010, **Witness Police Officer █** # █ stated that he was assigned to Beat █ with Officer █. Officer █

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█ stated that as he and Officer █ arrived they saw paramedics bringing a man out of the residence. Officer █ was behind the paramedics as they brought the victim outside. Officer █ added that he went inside the residence and Officer █ told him to get crime scene tape and an RD number because Officer █ could not as the residence had not been cleared. Officer █ stated that he would clear the residence and he did. Officer █ stated that the house was empty save for the dog in the bedroom. Officer █ was able to search the bedroom, despite the presence of the dog, and found it empty. Officer █ estimated that he was inside the house for less than five minutes. Officer █ went outside and he and Officer █ taped off the scene with crime scene tape. While Officer █ was putting up the crime scene tape, he observed Officer █ yelling, being irate, and swearing at Sergeant █. Officer █ heard Officer █ call Sergeant █ a "cunt." Officer █ saw that Officer █ got in [Sergeant █] face' but he did not know if Officer █ made contact with her. Officer █ continued putting up the crime scene tape. Sergeant █ took a step back and then Officer █ lunged at her. Sergeant █ reached for her handcuffs and said, "That's it." At that point, other officers grabbed Officer █ and he became combative by pulling away and becoming stiff. Officer █ ran over to help control Officer █. Officer █ assisted Officer █ and Officer █ in handcuffing Officer █. Officer █ stated that he completed a TRR in which he described Officer █ as an Active Resister because he did not follow verbal direction, pulled away, and stiffened. The officers were able to handcuff Officer █. Officers brought Officer █ to a police Tahoe. Once Officer █ was in the Tahoe, Sergeant █ told Officer █ and Officer █ to go to the hospital with the victim. They stayed at the hospital for a 'few' hours, obtained the name of the treating physician, and remained updated on █ status. Officer █ did not have any further contact with Officer █. Officer █ stated that Officer █ appeared intoxicated in that he was rambling, his speech was slurred, and he 'reeked' of alcoholic beverages when Officer █ got close to Officer █ (Att. 156)

In a statement with IPRA on 02 March 2010, **Witness Police Officer █** #█ provided a statement that was consistent with that of his partner, Officer █. When the officers arrived on the scene, they went inside the residence and saw that paramedics were treating a male subject. Officer █ caught Officer █ attention as Officer █ leaned into the area where the paramedics worked saying, "Check his vitals, he's still breathing." Officer █ tried to speak with him and suggested they go outside for air. With that, Officer █ backed up against a wall for a short time. Officer █ stated that Officer █ appeared intoxicated because there were beer bottles on the table, his breath smelled of an alcoholic beverage and he was belligerent. The paramedics brought █ outside and Officer █ followed with Officer █ to his left. Officer █ went to the ambulance and attempted to enter it. Officer █ started saying things like, "You motherfuckers are soft;" and "You can't tell me what to do." Sergeant █ tried to calm Officer █ down and Officer █ called her a "cunt." Sergeant █ stepped backwards and took the handcuffs from her handcuff case. Other officers took Officer █ to the ground and then worked together to handcuff him. Officer █ was placed inside a squad car. Officer █ and Officer █ asked Sergeant █ and Sergeant █ if any more help was needed at the scene. The sergeant said that no more help was needed and Officer █ and Officer █ went to the █ District for check off. (Att. 141)

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In a statement with IPRA on 23 February 2010, **Witness Police Officer** [REDACTED] # [REDACTED] provided an account of the incident that was consistent with the accounts provided by other officers. Officer [REDACTED] stated that she arrived on the scene as paramedics were bringing the subject out of the house to the ambulance. Officer [REDACTED] saw Officer [REDACTED] become irate and start banging on the ambulance door. Officer [REDACTED] was yelling things like, "That's my fucking friend in there, fuck you!" Sergeant [REDACTED] tried to calm Officer [REDACTED] down by talking to him and telling him that they could drive him to the hospital. Officer [REDACTED] continued screaming at Sergeant [REDACTED] saying things like "dumb motherfuckers," "you ain't shit" and he called her a "cunt." As Officer [REDACTED] screamed, he began to wave his arms. Sergeant [REDACTED] reached for her handcuffs and backed up. As Sergeant [REDACTED] backed up, Officer [REDACTED] Officer [REDACTED] and Officer [REDACTED] performed an Emergency Takedown on Officer [REDACTED]. The officers handcuffed Officer [REDACTED]. Officer [REDACTED] kept one arm underneath him for a short time before the officers maneuvered him to handcuff him. The officers brought him to Beat [REDACTED] R's Tahoe and placed him inside. Officer [REDACTED] stated that Officer [REDACTED] appeared intoxicated in that he failed to follow Sergeant [REDACTED] directions and was belligerent and irate. Later, at Lieutenant [REDACTED] direction, Officer [REDACTED] gave Officer [REDACTED] dog to an unknown off-duty female officer. (Att. 137)

In a statement with IPRA on 03 March 2010, **Witness Police Officer** [REDACTED] # [REDACTED] provided an account of the incident that was consistent with the account provided by his partner, Officer [REDACTED]. Officer [REDACTED] arrived on the scene as paramedics were bringing the subject outside. Officer [REDACTED] ran to the ambulance and tried to get inside by banging on the doors and yelling. Officer [REDACTED] appeared intoxicated in that he slurred his speech and his whole demeanor appeared that he was intoxicated. Sergeant [REDACTED] tried to calm Officer [REDACTED] down, told him that he could not get into the ambulance, and then told him that she would give him a ride to the hospital. Officer [REDACTED] acted belligerent and aggressive and started calling Sergeant [REDACTED] names like "Northside skanky cop," "Northside bitch," "motherfucker," "bitch," "whore" and "cunt." Officer [REDACTED] swung his arms and "chest bumped" Sergeant [REDACTED]. Sergeant [REDACTED] reached for her handcuffs and Officers [REDACTED] and [REDACTED] started to take Officer [REDACTED] into custody. Officer [REDACTED] tried to grab Officer [REDACTED] and Officer [REDACTED] pulled away. Officer [REDACTED] moved in to help and "somehow" they all ended up on the ground. Officer [REDACTED] held Officer [REDACTED] legs to ensure that he did not kick officers. Officer [REDACTED] kept his arms underneath him and officers had to get Officer [REDACTED] arms out from under him. The officers handcuffed Officer [REDACTED] and placed him in Officer [REDACTED] and Officer [REDACTED]'s squad car. Officer [REDACTED] stated that he and Officer [REDACTED] were assigned to write the case report. When Officer [REDACTED] attempted to obtain information from Officer [REDACTED] he refused to speak with anyone but a supervisor. (Att. 142)

In a statement with IPRA on 11 January 2011, **Accused Police Officer** [REDACTED] # [REDACTED] stated that he has been friends with [REDACTED] since childhood. [REDACTED] called Officer [REDACTED] on the night of 11 January 2010 and stated that he was in the neighborhood and wanted to do something. Officer [REDACTED] had plans to go to [REDACTED] Bar with friends from work. Officer [REDACTED] identified the friends as Officer [REDACTED] Officer [REDACTED] Officer [REDACTED] and Officer [REDACTED]. Officer [REDACTED] told [REDACTED] about his plans and [REDACTED] stated that he wanted to come along. [REDACTED] went to Officer [REDACTED] house to pick him up to go out. Officer [REDACTED] estimated that [REDACTED] arrived a little

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after 2200 hours. Officer [REDACTED] noticed that [REDACTED] appeared sleepy in that he was closing his eyes and slurring his words. Officer [REDACTED] stated that he thought that [REDACTED] was intoxicated, but [REDACTED] insisted that he was just tired. Officer [REDACTED] also knew that [REDACTED] took Vicodin for an ongoing neck problem but [REDACTED] said he had not taken it that night. The men left Officer [REDACTED] home and Officer [REDACTED] stated that neither man had anything to drink at that time.

Officer [REDACTED] stated that he left his duty weapon, holstered, in his nightstand in his bedroom when they left his house to go to [REDACTED]. Officer [REDACTED] friends showed up at the bar, but he could not say who arrived when or in what order. Officer [REDACTED] observed that it appeared as though everyone drove by him or herself. Officer [REDACTED] stated that he introduced [REDACTED] to his co-workers and as [REDACTED] would leave the table Officer [REDACTED] explained to each of them that he was on Vicodin for a neck injury. Officer [REDACTED] could not say how many drinks he had at [REDACTED] but he stated that he only drank beer. Officer [REDACTED] and [REDACTED] had time for a private conversation while they were at the bar. During that conversation, [REDACTED] told Officer [REDACTED] about problems he was having with his girlfriend and that he would like to go to sleep and never wake up. Officer [REDACTED] stated that [REDACTED] made statements like that in the past and Officer [REDACTED] did not consider that statement unusual. The group was at [REDACTED] until closing time and they made a decision to continue on to [REDACTED] s. [REDACTED] drove himself and Officer [REDACTED] straight to [REDACTED] s.

At [REDACTED], Officer [REDACTED] met [REDACTED] cousin, [REDACTED]. The group played bean bags. Officer [REDACTED] stated that he had more to drink there, but he did not recall how much or drinking anything other than beer. After a while, [REDACTED] did not appear to be groggy any more and became more lively. At some point, they decided to leave the bar and Officer [REDACTED] left with [REDACTED] and [REDACTED]. The men reached Officer [REDACTED] residence and Officer [REDACTED] stated that he wanted cigarettes. [REDACTED] said he was going to go and get some cigarettes. [REDACTED] and Officer [REDACTED] went inside Officer [REDACTED] house while [REDACTED] left the area without entering Officer [REDACTED] residence. Officer [REDACTED] retrieved three bottles of beer from his refrigerator. Officer [REDACTED] said that he got three bottles of beer because he expected [REDACTED] to come back.

At some point, [REDACTED] got up and walked into Officer [REDACTED] bedroom. Officer [REDACTED] considered [REDACTED] action to be unusual in that there really was not anything of interest inside the bedroom. Officer [REDACTED] got up and walked to the bedroom. There was not much room inside the bedroom and Officer [REDACTED] and [REDACTED] switched places and Officer [REDACTED] ended up inside the bedroom and [REDACTED] stood just outside the bedroom. Officer [REDACTED] turned around and saw that [REDACTED] was holding Officer [REDACTED] handgun in his left hand to the left side of his head. [REDACTED] was laughing and then Officer [REDACTED] heard a click but the gun did not discharge. Officer [REDACTED] moved toward [REDACTED] to try to grab the handgun. Officer [REDACTED] did not recall if he was able to grab the gun or not, but [REDACTED] pulled the trigger again. The weapon discharged, [REDACTED] fell down and blood started pooling near his head.

Officer [REDACTED] stated that the next thing he knew, he was on the phone with a dispatcher yelling for help. Officer [REDACTED] may have called 911 again but he was not certain. Officer [REDACTED]

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heard [REDACTED] breathing heavily and stayed with him talking to him and rubbing his chest. Officer [REDACTED] stated that the next thing he knew, paramedics were pounding on the door and they told him to put his dog away. Officer [REDACTED] put the dog away, opened the door, and the paramedics began treating [REDACTED]

Officer [REDACTED] stated that he does not remember what was going on at the time because he was in shock and lost his focus several times. Officer [REDACTED] stated that he was not sure if he was intoxicated. The paramedics transported [REDACTED] outside and Officer [REDACTED] followed them. Officer [REDACTED] stated that he went outside and then tried to get into the ambulance. Officer [REDACTED] stated that he was pounding on the side of the ambulance so the paramedics would let him inside. Officer [REDACTED] stated that he did not remember anyone trying to stop him from getting into the ambulance. Officer [REDACTED] stated that he remembered a lot of yelling and a lot of officers around him. Officer [REDACTED] stated that he vaguely remembers having contact with Sergeant [REDACTED]. Officer [REDACTED] stated that he remembered "just like a little bit of an argument. I was just emotional over the situation. Um, pretty much the next thing I knew was I was in handcuffs being placed in one of the trucks." Officer [REDACTED] stated that he was arrested for assault but he did not recall much from the scene because he was emotional and in shock over everything that occurred.

Officer [REDACTED] denied failing to secure his weapon and stated that he believed it to be secure because he lives alone, he had it in his bedroom and he did not give anyone permission to go into his bedroom, and it was in a drawer that no one had permission to open. Officer [REDACTED] stated that he believed the weapon to be secure but also stated, "I wish that I did have um, the lock that came with the gun on it." Officer [REDACTED] stated that he was not sure, but did not think he was intoxicated while off duty. Officer [REDACTED] denied assaulting Sergeant [REDACTED] and stated that he was found not guilty in court. Officer [REDACTED] stated that he did not remember if he directed profanity at Sergeant [REDACTED] and did not recall if he called Sergeant [REDACTED] a cunt. Officer [REDACTED] was asked if he brought discredit to the Chicago Police Department by being arrested and he answered, "It seems to be a question that only the Department could answer. Um, all I could say is uh I was arrested and found not guilty later on." Officer [REDACTED] denied shooting [REDACTED] and denied providing a false, misleading, or inaccurate statement to detectives or anyone else regarding this incident.⁴ (Att. 171, 172)

⁴ As noted in footnote 1, [REDACTED] alleged that Officer [REDACTED] shot [REDACTED] and lied to the investigating officers and detectives regarding what occurred inside his residence. [REDACTED] allegations were based on his understanding of the functioning and safety features of Officer [REDACTED] weapon.

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CONCLUSION:

The Reporting Investigator recommends that **ALLEGATION #1** against **Police Officer [REDACTED] # [REDACTED] Unit [REDACTED]** that he was intoxicated while off-duty, be **Sustained**. Officer [REDACTED] was at two bars and he admitted to drinking alcohol on the night of the incident. When Officer [REDACTED] submitted to a Breathalyzer test at 1217 hours, his blood alcohol content was .093. A back extrapolation of those results indicated that Officer [REDACTED] blood alcohol content at the time of the incident was between .169 and .246. Every witness officer that was on the scene and that had contact with Officer [REDACTED] indicated they observed signs of intoxication from Officer [REDACTED]. The evidence supports **ALLEGATION #1** therefore, the finding is **SUSTAINED**.

The Reporting Investigator recommends that **ALLEGATION # 2** against **Police Officer [REDACTED] # [REDACTED] Unit [REDACTED]** that he failed to secure his weapon, be **Sustained**. [REDACTED] obtained Officer [REDACTED] handgun and used it to shoot himself in the head. In his statement, Officer [REDACTED] stated that [REDACTED] had expressed suicidal thoughts on previous occasions. Officer [REDACTED] also stated that [REDACTED] had called him and Officer [REDACTED] told [REDACTED] about his plans for the night of the incident. [REDACTED] told Officer [REDACTED] that he would like to join Officer [REDACTED] for the night. [REDACTED] picked up Officer [REDACTED] at Officer [REDACTED] residence. Officer [REDACTED] did not take the opportunity to secure his weapon when he knew that [REDACTED] was going to be at his residence. Officer [REDACTED] also stated that he owned a gun lock for his weapon but did not have it on his weapon. According to Officer [REDACTED] after he and [REDACTED] returned to [REDACTED] house from [REDACTED] Bar [REDACTED] entered Officer [REDACTED] bedroom. Officer [REDACTED] found [REDACTED] actions unusual and went to see what he was doing. [REDACTED] had been able to locate Officer [REDACTED] weapon in that space of time. The evidence indicates that Officer [REDACTED] failed to secure his weapon.

The Reporting Investigator recommends that **ALLEGATION # 3** against **Police Officer [REDACTED] # [REDACTED] Unit [REDACTED]** that he assaulted an on-duty officer, be **Sustained**. When Sergeant [REDACTED] a uniformed Chicago Police Department supervisor, told Officer [REDACTED] that he could not get inside the ambulance, Officer [REDACTED] responded by yelling, screaming and directing profanity at Sergeant [REDACTED]. Officer [REDACTED] flailed his arms and approached Sergeant [REDACTED]. According to Sergeant [REDACTED], Officer [REDACTED], Officer [REDACTED], Officer [REDACTED], Officer [REDACTED], Officer [REDACTED], Officer [REDACTED], and Officer [REDACTED]. Sergeant [REDACTED] did not give an order to any of the officers on the scene to arrest Officer [REDACTED], yet Officers [REDACTED] and [REDACTED] all perceived that Officer [REDACTED] was a threat against Sergeant [REDACTED] person. Based on that perceived threat, the on-duty officers placed Officer [REDACTED] into custody for Assault on Sergeant [REDACTED]. Officer [REDACTED] stated that he did not specifically recall what occurred outside his residence. Officer [REDACTED] was found Not Guilty of that Assault during a criminal trial. Nevertheless the preponderance of the available evidence supports the allegation that Officer [REDACTED] assaulted Sergeant [REDACTED].

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The Reporting Investigator recommends that **ALLEGATION #4** against **Police Officer** [REDACTED] # [REDACTED] **Unit** [REDACTED] that he verbally abused Sergeant [REDACTED] in that he directed profanity at her and referred to her as a cunt, be **SUSTAINED**. Officer [REDACTED] Officer [REDACTED] Officer [REDACTED] Officer [REDACTED] Officer [REDACTED] Officer [REDACTED] and Officer [REDACTED] each recalled parts of what Officer [REDACTED] yelled at Sergeant [REDACTED] nevertheless, their accounts are sufficient to support this allegation. Officer [REDACTED] Officer [REDACTED] Officer [REDACTED] Officer [REDACTED] Officer [REDACTED] Officer [REDACTED] Officer [REDACTED] Officer [REDACTED] and Sergeant [REDACTED] all stated that they heard Officer [REDACTED] call Sergeant [REDACTED] a cunt. Officer [REDACTED] Officer [REDACTED] Officer [REDACTED] and Sergeant [REDACTED] all stated that Officer [REDACTED] said, "fuck you," to Sergeant [REDACTED] Officer [REDACTED] stated that he heard Officer [REDACTED] call Sergeant [REDACTED] 'Northside pussy police' and Officer [REDACTED] stated that he heard Officer [REDACTED] call Sergeant [REDACTED] 'skanky cop, Northside bitch, motherfucker, bitch, and whore.'" Officer [REDACTED] stated that she heard Officer [REDACTED] yell "dumb motherfuckers" and "you ain't shit" at Sergeant [REDACTED] Officer [REDACTED] stated that he did not recall what he or anyone else said at the scene of the incident. The preponderance of the evidence supports this allegation.

The Reporting Investigator recommends that **ALLEGATION #5** against **Police Officer** [REDACTED] # [REDACTED] **Unit** [REDACTED] in that his actions at the scene brought discredit on the Chicago Police Department, be **SUSTAINED**. Officer [REDACTED] was intoxicated and failed to secure his weapon which enabled [REDACTED] to use Officer [REDACTED] weapon to shoot himself in the head. Officer [REDACTED] proceeded to yell at the paramedics he summoned to his residence. Officer [REDACTED] also charged at Paramedic [REDACTED] while she was attempting to treat [REDACTED] Once the paramedics brought [REDACTED] outside to the ambulance, Officer [REDACTED] pounded on the door of the ambulance and yelled at and cursed at the police officers that tried to stop him from doing so. Officer [REDACTED] disregarded the instructions of a supervisor on the scene and directed profanity and inappropriate derogatory language at her. Officer [REDACTED] actions in full view of the responding Chicago Fire Department personnel and other Chicago Police Department personnel, especially his treatment of a uniformed supervisor and other officers brought discredit on the Chicago Police Department. Additionally, Officer [REDACTED] failure to secure his weapon and [REDACTED] resultant suicide attempt also brought discredit on the Chicago Police Department.

The Reporting Investigator recommends that **ALLEGATION #6** against **Police Officer** [REDACTED] # [REDACTED] **Unit** [REDACTED] that he shot [REDACTED] be **NOT SUSTAINED**. [REDACTED] is not capable of providing a statement regarding what occurred inside Officer [REDACTED] residence. Officer [REDACTED] denied shooting [REDACTED] stated that he believed that Officer [REDACTED] shot [REDACTED] based on his knowledge of the function and features of Officer [REDACTED] weapon, specifically that the Sig Sauer P226 9mm has a feature that would not allow the weapon to discharge if it were placed against a solid object. A report from the Illinois State Police Forensic Services Section indicated that Officer [REDACTED] weapon does not have any additional parts or devices that would stop the weapon from discharging if placed against a solid object. Subsequent conversations with the scientist that tested the weapon indicated that, depending on the primary point of contact between the weapon and a solid object and the position of the weapon's slide when the trigger is pulled, the weapon may or may not discharge. The evidence is insufficient to either sustain or refute the allegation that Officer [REDACTED] shot [REDACTED]

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The Reporting Investigator recommends that **ALLEGATION #7** against **Police Officer** [REDACTED] # [REDACTED] Unit [REDACTED] that he provided a false statement to detectives regarding the shooting of [REDACTED] be **NOT SUSTAINED**. [REDACTED] alleged that Officer [REDACTED] provided a false statement to detectives because he believed that Officer [REDACTED] shot [REDACTED] and Officer [REDACTED] told detectives that [REDACTED] shot himself. [REDACTED] indicated that he thought that the Sig Sauer P226 9mm has a feature that would prevent the weapon from discharging when it is pressed against a solid object. The report from the Illinois State Police Forensic Services Section indicated that Officer [REDACTED] weapon does not have any additional parts or devices that would function as a "stand off" device. [REDACTED] is unable to provide a statement regarding what occurred inside Officer [REDACTED] residence. The evidence is insufficient to either sustain or refute the allegation that Officer [REDACTED] provided a false statement regarding this incident.

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FINDINGS:

ACCUSED #1: Police Officer [REDACTED] # [REDACTED] Unit [REDACTED]

ALLEGATION #1: SUSTAINED – Violation of Rule 15, “Intoxication while on or off duty,” in that on 12 January 2010, at approximately 0439 hours, in the vicinity of [REDACTED] Police Officer [REDACTED] # [REDACTED] was intoxicated while off duty.

ALLEGATION #2: Count I - SUSTAINED – Violation of Rule 6, “Disobedience of an order or directive, whether written or oral,” in that on 12 January 2010, at approximately 0439 hours, at [REDACTED] Officer [REDACTED] # [REDACTED] disobeyed General Order 07-01-XVI-A-1, in that he did not secure his prescribed duty weapon while it was not on his person.

Count II – Sustained – Violation of Rule 10, “Inattention to duty,” in that on 12 January 2010, at approximately 0439, at [REDACTED] Police Officer [REDACTED] # [REDACTED] was inattentive to duty in that he failed to secure his weapon.

ALLEGATION #3: SUSTAINED – Violation of Rule 9, “Engaging in any unjustified verbal or physical altercation with any person, while on or off duty,” in that on 12 January 2010, at approximately 0439 hours, in the vicinity of [REDACTED] Police Officer [REDACTED] # [REDACTED] placed Sergeant [REDACTED] in reasonable fear of receiving a battery.

ALLEGATION #4: Count I – SUSTAINED – Violation of Rule 7, “Insubordination or disrespect toward a supervisory member while on or off duty,” in that on 12 January 2010, at approximately 0439 hours, in the vicinity of [REDACTED] Police Officer [REDACTED] # [REDACTED] directed profanity at Sergeant [REDACTED] and referred to her as a cunt.

Count II – SUSTAINED – Violation of Rule 9, “Engaging in any unjustified verbal or physical altercation with any person, while on or off duty,” In that on 12 January 2010, at 0439 hours, in the vicinity of [REDACTED] Police Officer [REDACTED] #19793, directed profanity at Sergeant Charmaine [REDACTED] and also called her a "cunt."

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ALLEGATION #5: SUSTAINED – Violation of Rule 2, “Any conduct which impedes the Department’s efforts to achieve its policy or goals or brings discredit on the Department,” in that on 12 January 2010, at approximately 0439 hours, in the vicinity of [REDACTED] Police Officer [REDACTED] # [REDACTED] engaged in conduct which brought discredit on the Department when he was intoxicated while off-duty, failed to secure his weapon, engaged in an unjustified verbal altercation with Sergeant [REDACTED] placing her in reasonable fear of receiving a battery, was insubordinate and disrespectful to Sergeant [REDACTED] when he directed profanity at her and referred to her as a cunt.

ALLEGATION #6: Not Sustained

ALLEGATION #7: Not Sustained

[REDACTED]
Investigator [REDACTED] 9/11/11

[REDACTED]
Supervising Investigator [REDACTED]