

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	June 6, 2018
Time of Incident:	8:12 pm
Location of Incident:	4719 S. Prairie Avenue, Chicago, IL 60615
Date of COPA Notification:	June 6, 2018
Time of COPA Notification:	8:54 pm

On June 6, 2018, at approximately 7:30 pm, Sergeant Curtis Wallace #2207 was monitoring the POD¹ camera located at 300 E. 47th Street. The camera captured [REDACTED], [REDACTED] ([REDACTED]) and another individual engage in multiple hand-to-hand narcotics transactions underneath the CTA Green Line. When Sergeant Wallace determined there was probable cause to arrest both subjects, he met four members of his tactical team at 48th Street and Prairie Avenue, where he relayed a description of the subjects and coordinated the team's response to the area. Sergeant Wallace led a caravan of three police vehicles northbound on Prairie Avenue, then eastbound on 47th Street. He stopped and exited his vehicle at the Green Line and directed [REDACTED] to come to him. [REDACTED] fled southbound in the alley under the Green Line, then jumped the wooden fence that runs along the east end of the vacant lot at 4719 S. Prairie Avenue (the "wooden fence"). Sergeant Wallace pursued and attempted to follow [REDACTED] over the fence but injured his ankle and was unable to continue the foot pursuit. [REDACTED] fled westbound in the vacant lot, toward Prairie Avenue. Forensic evidence establishes [REDACTED] was armed with a Smith & Wesson pistol that discharged inside the left cargo pocket of his jeans as he ran through the vacant lot. [REDACTED] then discarded the pistol, which forensic investigators later recovered approximately thirty feet from the wrought iron fence that runs along the west end of the vacant lot (the "wrought iron fence").²

By this point, the second police vehicle in the caravan had stopped on 47th Street, just east of Prairie Avenue. Officer Sheldon Thrasher #17871 exited this vehicle and immediately ran around the corner onto the east sidewalk of Prairie Avenue, in an apparent attempt to cut off [REDACTED]. Officer Thrasher ran southbound on the sidewalk and heard a gunshot coming from the vicinity of the vacant lot. Officer Thrasher slowed down and stopped at the south end of the building at 303 W. 47th Street. At the same time, [REDACTED] continued to flee westbound and approached the wrought iron fence separating the vacant lot from the sidewalk. [REDACTED] grabbed the top of the wrought iron fence with both hands and attempted to pull himself over it. Officer Thrasher discharged his weapon three times at [REDACTED], striking him once in the right mid-back. [REDACTED] was pronounced deceased shortly thereafter.

¹ Police Observation Device.

² Appendix A is a diagram showing [REDACTED]'s flight path, the location where the Smith & Wesson pistol was recovered, and the locations of [REDACTED] and Officer Thrasher at the time of the officer-involved shooting.

COPA’s investigation determined that [REDACTED] was unarmed and both of his hands were on the wrought iron fence at the time that Officer Thrasher discharged his weapon. COPA finds it was not objectively reasonable for Officer Thrasher to believe [REDACTED] posed an imminent threat to his life, and his use of deadly force was outside of Department policy.

II. INVOLVED PARTIES

Involved Officer #1:	Thrasher, Sheldon; Star #17871; Employee # [REDACTED]; Date of Appointment: July 15, 2013; Police Officer; Unit 002; DOB: [REDACTED], 1988; Male; Black.
Involved Officer #2:	Moy, Jonathan; Star #18360; Employee # [REDACTED]; Date of Appointment: November 25, 2013; Police Officer; Unit 002; DOB: [REDACTED], 1982; Male; Asian Pacific Islander.
Involved Officer #3:	Medina, Julio; Star #11085; Employee # [REDACTED]; Date of Appointment: August 31, 2012; Police Officer; Unit 002; DOB: [REDACTED], 1982; Male; White Hispanic.
Involved Officer #4:	Rodriguez, Alfredo; Star #17867; Employee # [REDACTED]; Date of Appointment: March 15, 2013; Police Officer; Unit 002; DOB: [REDACTED], 1980; Male; White Hispanic.
Involved Individual #1:	[REDACTED]; DOB: [REDACTED], 1994; Male; Black.

III. ALLEGATIONS

Officer	Allegation	Finding
Officer Sheldon Thrasher #17871	It is alleged by the Civilian Office of Police Accountability that on June 6, 2018, at or about 8:12 pm, at or near 4719 S. Prairie Avenue:	
	1. Officer Thrasher discharged his firearm at or in the direction of [REDACTED] without legal justification and in violation of CPD policy.	SUSTAINED
	2. Officer Thrasher failed to timely activate his BWC.	SUSTAINED
	3. Officer Thrasher stated words to the effect of, “You see your homie right there? You see your homie shot? You see your homie, you see your homie shot? Get back, get back.”	SUSTAINED
	4. Officer Thrasher engaged in an unjustified verbal altercation with bystanders after discharging his firearm at or in the direction of [REDACTED].	SUSTAINED

	<p>5. Officer Thrasher unnecessarily displayed his weapon immediately upon exiting his police vehicle.</p> <p>It is further alleged that on or about July 18, 2018, at approximately 11:17 am, at 1615 W. Chicago Avenue, Officer Sheldon Thrasher #17871 committed misconduct through the following acts or omissions of Department policy by:</p> <p>6. Making one or more false, misleading, inaccurate, and/or incomplete statements in his interview with COPA, when he stated, "I was peaking my head around the corner...I saw a guy with what appeared to be a gun in his hand," in violation of Rules 10 and 14.</p> <p>7. Making one or more false, misleading, inaccurate, and/or incomplete statements in his interview with COPA, when he stated, "I looked in that lot, and nobody else was in the lot where he was at...and he still had the gun on him," in violation of Rules 10 and 14.</p>	<p>NOT SUSTAINED</p> <p>NOT SUSTAINED</p> <p>NOT SUSTAINED</p>
Officer Jonathan Moy #18360	1. It is alleged by the Civilian Office of Police Accountability that on June 6, 2018, at or about 8:12 pm, at or near 4719 S. Prairie Avenue, Officer Moy failed to activate his BWC in accordance with CPD policy.	SUSTAINED
Officer Julio Medina #11085	1. It is alleged by the Civilian Office of Police Accountability that on June 6, 2018, at or about 8:12 pm, at or near 4719 S. Prairie Avenue, Officer Medina failed to activate his BWC in accordance with CPD policy.	SUSTAINED
Officer Alfredo Rodriguez #17867	1. It is alleged by the Civilian Office of Police Accountability that on June 6, 2018, at or about 8:12 pm, at or near 4719 S. Prairie Avenue, Officer Rodriguez failed to activate his BWC in accordance with CPD policy.	SUSTAINED

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

2. Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
3. Rule 6: Disobedience of an order or directive, whether written or oral.
4. Rule 8: Prohibits disrespect to or maltreatment of any person, while on or off duty.
5. Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
6. Rule 38: Unlawful or unnecessary use or display of a weapon.

General Orders

1. G03-02: Use of Force (Eff. Oct. 16, 2017 – Feb. 28, 2020)
2. G03-02-01: Force Options (Eff. Oct. 16, 2017 – Feb. 28, 2020)

Special Orders

1. S03-14: Body Worn Cameras (Eff. April 30, 2018)

V. INVESTIGATION³

COPA obtained and reviewed relevant video, audio, forensic, and documentary evidence associated with this officer-involved shooting. Additionally, COPA interviewed more than fifteen (15) civilian and officer witnesses, including the accused officers. The following is a summary of the material evidence obtained and analyzed by COPA in this investigation.

a. Interviews

i. Police Officers

In a **statement to COPA on June 20, 2018, Sergeant Curtis Wallace #2207⁴** stated on the date and time of the incident, he was a tactical team sergeant assigned to Beat 264. That evening, he decided to monitor the POD located at 47th Street and Prairie Avenue, which is a designated hot spot⁵ associated with the sale of narcotics by members of the Del Mob street gang. The POD faces the south side of 47th Street and captures the area across the street from the entrance to the Green Line. As Sergeant Wallace watched the POD from the 2nd District station, he observed two black males selling what appeared to be cannabis, and a third black male soliciting unlawful business on a bicycle. One of the men selling cannabis, now known as ██████████, was wearing a blue windbreaker with yellow trim around the collar. The POD captured ██████████ taking cannabis out of a sandwich bag and separating it into smaller zip-lock bags. It also showed ██████████ and the second man, who was wearing a gray hoodie, making multiple hand-to-hand transactions

³ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

⁴ Atts. 78, 150.

⁵ Att. 204, pg. 2. A "hot spot" is a geographically specified area that is designated for the enforcement of Chicago Municipal Code Sections 8-4-015 ("Gang Loitering") and 8-4-017 ("Narcotics-Related Loitering").

on 47th Street. Sergeant Wallace stated he did not see anyone with a firearm, and he saw no indication [REDACTED] or the others were armed.

Sergeant Wallace watched the POD for a total of ten to fifteen minutes, and Sergeant James Gochee joined him for some of that time. After Sergeant Wallace observed [REDACTED] and the man wearing the gray hoodie make three hand-to-hand transactions, he decided to terminate the surveillance and arrest both individuals. Sergeant Wallace requested an event number for a POD mission over his radio and then used his cell phone to call his team members. Sergeant Wallace explained that two of his officers were in the station processing an arrest, but Officers Thrasher, Moy, Medina, and Rodriguez were on patrol, answering radio calls and making traffic stops. Sergeant Wallace called Officers Thrasher and Medina and requested that they and their partners meet him near 48th Street and Prairie Avenue. Approximately five minutes later, Sergeant Wallace met all four officers and told them to follow him to 47th Street and the Green Line, where he planned to arrest [REDACTED] and the man wearing the gray hoodie. Sergeant Wallace informed Officer Thrasher and the other officers where both subjects were located, what they were wearing, and what crimes they committed.

Sergeant Wallace drove the lead police vehicle, followed by Officers Thrasher and Moy in the second vehicle, and Officers Rodriguez and Medina in the third vehicle. The caravan drove northbound on Prairie Avenue, and then turned eastbound on 47th Street at a slow rate of speed. Sergeant Wallace stated Sergeant Gochee was monitoring the POD while they were en route, but he did not receive any updated information. He believed it was going to be a routine stop, explaining, “a lot of times when we go over there, nobody ever runs, you know.”⁶ As Sergeant Wallace turned onto 47th Street, he observed four males standing under the Green Line on the south side of the street. One of them said, “Damn, it’s three cars,”⁷ then they all started walking in separate directions. Sergeant Wallace stopped and exited his vehicle next to the alley at approximately 311 E. 47th Street. He saw the three individuals he observed on the POD and immediately focused on [REDACTED], who was the closest to his vehicle. [REDACTED] did not have anything in his hands, and Sergeant Wallace saw no indication he was armed.

Sergeant Wallace told [REDACTED] to stop and come here, but [REDACTED] backpedaled, then turned around and started running. He fled southbound down the alley that runs underneath the Green Line, and Sergeant Wallace gave chase on foot. [REDACTED] did not appear to be reaching for anything as he fled, and Sergeant Wallace did not unholster his weapon. After approximately twenty-five feet, [REDACTED] reached the northern end of the wooden fence, and he used both hands to jump the fence. Sergeant Wallace attempted to grab [REDACTED] on the fence but missed. He then started to follow [REDACTED] over the fence, but as he placed his foot on the fence, he injured his ankle and fell to the ground. Sergeant Wallace could not see [REDACTED] through the fence and did not know where he ran.

Approximately four seconds after [REDACTED] jumped the fence, Sergeant Wallace heard two gunshots, then a one to two second pause, then three more gunshots. The gunshots sounded very close, like they were coming from the other side of the fence, and Sergeant Wallace believed someone was shooting at him. He could not see [REDACTED] or any members of his team at the time

⁶ Att. 150, pg. 26, lines 15-16.

⁷ Att. 150, pg. 29, line 18.

he heard the shots, and he did not see who fired them. He did not hear anyone—officers or civilians—say anything during the pause between the shots. Sergeant Wallace used his radio to request an ambulance, and he heard an officer report shots were fired at and by the police. He then crawled back to his vehicle. Two officers drove Sergeant Wallace to the University of Chicago Medical Center, where he was treated for a torn Achilles tendon and released the same evening.

In statements to COPA on July 18, 2018 and October 30, 2020,⁸ Officer Sheldon Thrasher #17871⁹ stated on the date and time of the incident, he was a tactical team officer assigned to Beat 264E. Officer Thrasher and his partner, Officer Jonathan Moy, were on routine patrol when Sergeant Wallace contacted them and asked them to meet him on 48th Street, between Prairie Avenue and Indiana Avenue. When the officers arrived at the location, Sergeant Wallace told them they were going to locate two subjects he observed on the POD selling narcotics at 47th Street and the Green Line. Sergeant Wallace provided descriptions for both subjects, but Officer Thrasher could not recall the specific descriptions he conveyed. Sergeant Wallace did not indicate either subject might be armed, and Officer Thrasher explained that his team had made hundreds of narcotics-related arrests in the area, and “no one ever ran. No one was ever armed, ever.”¹⁰

Sergeant Wallace drove the lead police vehicle northbound on Prairie Avenue, then eastbound on 47th Street. Officers Moy and Thrasher followed in the second police vehicle, which Officer Moy drove. Two of the officers’ teammates, Officers Rodriguez and Medina, followed in the third police vehicle. When the caravan turned onto 47th Street, Officer Thrasher observed Sergeant Wallace stop and exit his vehicle at the mouth of the alley that runs underneath the Green Line. Sergeant Wallace made a hand gesture, which Officer Thrasher interpreted as Sergeant Wallace telling someone to come to him, but Officer Thrasher could not see to whom Sergeant Wallace gestured. Sergeant Wallace then began sprinting southbound in the alley. Assuming Sergeant Wallace was engaged in a foot pursuit, Officer Thrasher immediately exited his own vehicle to assist. Officer Thrasher ran around the corner and proceeded southbound on the east sidewalk of Prairie Avenue, intending to cut off whomever Sergeant Wallace was chasing. Officer Thrasher did not communicate his plan to Officer Moy before exiting their vehicle, and he did not know Officer Moy’s location during the remainder of the incident.

Officer Thrasher ran southbound on the sidewalk, along the west side of the building at 303 E. 47th Street. As he approached the second boarded-up window from the south end of the building, he heard a single gunshot that sounded like it came from the vacant lot at 4719 S. Prairie Avenue. The building obstructed Officer Thrasher’s view of the vacant lot, and he did not see who fired the shot. Officer Thrasher immediately slowed down, unholstered his weapon, and stopped at the southern end of the building. He leaned forward and peeked his head around the corner of the building, which gave him an unobstructed view of the entire vacant lot. Officer Thrasher observed a black male, now identified as ██████████, running westbound in the vacant lot with what

⁸ Several considerations delayed the second interview. Primarily, there were significant delays to the overall investigation due to limitations placed on the forensic testing due to the civil suit filed in this matter, 2018-L-████████. Specifically, the firearms evidence testing was not completed until August 19, 2020. This delay prevented COPA from conducting a complete review of all evidence in the case until such testing was complete. At such time, COPA found it necessary to serve additional allegations against Officer Thrasher (Allegations 5 and 6) and schedule his second interview.

⁹ Atts. 217-18, 223, 226-29, 232.

¹⁰ Att. 217, pg. 52, line 19.

appeared to be a firearm in his hand. [REDACTED] was the only person in the vacant lot, and Officer Thrasher assumed [REDACTED] fired the gunshot he had just heard. However, Officer Thrasher acknowledged the gunshot could have come from Sergeant Wallace or a third party, and [REDACTED] could have been running away from the gunfire.

When Officer Thrasher saw [REDACTED] with the firearm, he jerked back for cover and briefly lost sight of [REDACTED]. Moments later, Officer Thrasher moved forward again and observed [REDACTED] running westbound, in his direction. [REDACTED] jumped onto the wrought iron fence and began to hoist himself over it with his feet. Simultaneously, [REDACTED] began turning his body to face Officer Thrasher. Officer Thrasher did not recall where [REDACTED]'s hands were, but he acknowledged, "I didn't see the gun in his hand while on the fence. So, no, I don't—I didn't really look at it. I just know what I heard and the split second with him coming right at me, he forced me to engage."¹¹ Officer Thrasher discharged his weapon three times in [REDACTED]'s direction; he stated he did not have time to announce his office or provide verbal commands to [REDACTED] prior to firing. After Officer Thrasher discharged his weapon, [REDACTED] dropped from the fence and fell to the ground just inside the wrought iron fence. Officer Thrasher observed a silver and black handgun in the vacant lot a few feet behind [REDACTED].

Officer Thrasher immediately called out a 10-1¹² and shots fired by the police, and then requested an ambulance for [REDACTED]. A crowd of bystanders began to approach the scene, at which point Officer Thrasher realized he was the only officer present and activated his BWC.¹³ When Officers Rodriguez and Medina arrived at the scene, Officer Thrasher pointed to the firearm in the vacant lot and told them to guard the weapon. Officer Thrasher stayed on the sidewalk and began talking to [REDACTED], telling him to keep breathing and stay awake. Initially, [REDACTED] responded, "Okay, okay,"¹⁴ but he started gasping for breath and became unresponsive. A group of five or six bystanders approached Officer Thrasher and accused him of killing their friend. Officer Thrasher responded, "Do you see what he got? That's why I had to do what I had to do. Do you see, he's got a gun."¹⁵ Officer Thrasher denied he argued with anyone at the scene or engaged in an unjustified verbal altercation with bystanders. As soon as other officers arrived and took over crowd control, Lieutenant Spradley directed Officer Thrasher to wait in a squad car; Officer Thrasher complied.

In a **statement to COPA on July 6, 2018, Officer Jonathan Moy #18360**¹⁶ stated on the date and time of the incident, he was a tactical team officer assigned to Sergeant Wallace's team. Officer Moy was operating an unmarked Ford Explorer, and his partner, Officer Thrasher, was the passenger. The officers were on routine patrol when Sergeant Wallace contacted them and asked them to meet him at 48th Street and Prairie Avenue. Officers Moy and Thrasher drove to the location, where they met Sergeant Wallace and two other members of their team, Officers Rodriguez and Medina. Sergeant Wallace informed the group they were going to conduct a street

¹¹ Att. 217, pg. 110, lines 1-4.

¹² A 10-1 is a radio call indicating an officer in need of emergency assistance.

¹³ Officer Thrasher admitted he did not activate his camera when he exited his vehicle and engaged in the foot pursuit, heard the gunshot, saw [REDACTED] with the firearm, or discharged his weapon. He explained it was a high-stress situation, and his only concern was his sergeant's safety, not turning on his BWC.

¹⁴ Att. 217, pg. 116, line 10.

¹⁵ Att. 217, pg. 123, lines 18-20.

¹⁶ Atts. 125-126, 147.

stop of two subjects whom he observed on the POD, selling narcotics at the 47th Street Green Line stop. Sergeant Wallace provided a description of both subjects, but Officer Moy could not recall the specific information he relayed. Sergeant Wallace did not indicate either subject might be armed.

Officer Moy drove the second police vehicle northbound on Prairie Avenue, then eastbound on 47th Street. As he turned onto 47th Street, Officer Moy observed Sergeant Wallace's vehicle stop at the foot of the alley, approximately fifty feet in front of him. Sergeant Wallace exited his vehicle and ran southbound in the alley. Officer Moy saw multiple civilians fleeing, but he could not see the person Sergeant Wallace was pursuing. Almost simultaneously, Officer Thrasher exited the passenger's side of Officer Moy's vehicle and ran southbound on Prairie Avenue. Officer Thrasher did not say anything before he exited the vehicle, but Officer Moy assumed he was going to attempt to cut off one of the fleeing subjects. Officer Moy could not recall if Officer Thrasher's weapon was drawn at the time he got out of the vehicle.

As soon as Officer Thrasher closed the passenger's side door, Officer Moy drove eastbound on 47th Street. When he reached the Green Line, however, he realized Sergeant Wallace's vehicle obstructed his ability to turn into the alley. Officer Moy drove around the block, turning southbound on Calumet Avenue, westbound on 48th Street, and northbound on Prairie Avenue. As he drove, he heard a radio call of a 10-1, shots fired at and by the police, at 40th Street and Prairie Avenue.¹⁷ He did not hear any gunshots and was not aware that his partner discharged his weapon. Officer Moy saw officers in the vacant lot on Prairie Avenue, but as he was about to exit his vehicle, he heard Sergeant Wallace request an ambulance at the Green Line. Officer Moy drove back to the Green Line, where he located Sergeant Wallace and helped carry him back to his vehicle.

Officer Moy then returned to the vacant lot on Prairie Avenue, where he observed a large crowd gathering on the sidewalk and street. Three officers were inside the vacant lot, standing next to [REDACTED], who was lying face down on the ground. When Officer Moy approached, he realized [REDACTED] matched the description of one of the subjects Sergeant Wallace observed on the POD. Officer Moy rendered medical aid to [REDACTED] until EMS personnel arrived. He stated he did not notice the weapon in the vacant lot until he saw Officer Medina standing guard over it. Officer Moy could not recall how far the weapon was from [REDACTED], or whether he could see it from the sidewalk. He could not recall what Officer Thrasher said to him at the scene, and he denied discussing the shooting with Officer Thrasher since the date of the incident.

Officer Moy stated he activated his BWC after he helped Sergeant Wallace into his vehicle, and they were waiting for EMS to arrive. He acknowledged he did not activate it until three and a half minutes after the shooting, but explained, "I was busy driving, and then I heard the Sergeant was calling for an ambulance so that was my first and number one priority, more so than turning

¹⁷ When Officer Thrasher called out shots fired by the police, he erroneously stated he was at 40th Street and Prairie Avenue. The dispatcher repeated the inaccurate location over the radio for the next two and a half minutes, until Officer Thrasher finally clarified he was at 47th Street and Prairie Avenue. As a result of the error, Officer Moy did not initially believe Officer Thrasher was connected to the shooting.

on my camera and covering my ass.”¹⁸ Officer Moy insisted he followed Department policy by activating his camera as soon as it was safe to do so.

In a **statement to COPA on June 29, 2018, Officer Julio Medina #11085**¹⁹ stated on the date and time of the incident, he was a tactical team officer assigned to Beat 264D. He was driving an unmarked Ford Explorer and his partner, Officer Alfredo Rodriguez, was the passenger. Officer Medina stated they were on routine patrol when Officer Rodriguez received a phone call from Sergeant Wallace instructing them to meet him at 48th Street and Indiana Avenue. When they arrived at the location, Sergeant Wallace instructed both officers, as well as Officers Thrasher and Moy, to follow him to 47th Street and the Green Line. Sergeant Wallace relayed that he watched the POD inside the station, and he wanted to arrest two black males who were selling narcotics underneath the Green Line. Sergeant Wallace provided clothing descriptions for both subjects, but Officer Medina could only recall that one of the subjects was wearing a shirt with a bright yellow collar. Sergeant Wallace did not indicate either subject might be armed.

After the brief meeting at 48th Street and Indiana Avenue, Officer Medina drove the third police vehicle northbound on Prairie Avenue, then eastbound on 47th Street. As he turned onto 47th Street, he observed Sergeant Wallace stop the lead police vehicle underneath the Green Line, next to the mouth of the alley. Officers Thrasher and Moy stopped just behind Sergeant Wallace, and Officer Medina decided to drive around their vehicle to get a better vantage point. As he pulled around, he observed Sergeant Wallace exit his vehicle and started chasing someone. Officer Medina only saw a glimpse of the person Sergeant Wallace was pursuing, now known to be [REDACTED]. He could not tell if [REDACTED] matched the description of either subject they planned to arrest, nor could he see if [REDACTED] was armed.

Sergeant Wallace’s vehicle blocked the entrance to the alley, so Officer Medina decided to drive around the block to cut off [REDACTED] from the south. Officer Medina stated he did not see Officer Thrasher exit the second police vehicle and did not hear any gunshots as he drove around the block. He first realized something was wrong when he heard a radio call of a 10-1. Officer Medina activated his BWC²⁰ and stopped his vehicle on the 4700 block of S. Prairie Avenue, where he saw Officer Thrasher standing on the east sidewalk, next to the wrought iron fence. When Officer Medina exited his vehicle, Officer Thrasher pointed at the vacant lot and stated, “There’s a weapon in the lot.”²¹ Officer Medina jumped the wrought iron fence and ran to stand guard over the weapon. He observed [REDACTED] lying on the ground next to the fence, approximately ten to fifteen feet away from the weapon. Officer Medina stated the physical proximity of [REDACTED] to the weapon was the only reason he believed they were connected. Up to this point, he had no reason to believe either subject they planned to arrest was armed.

Officer Medina denied the allegation that he failed to timely activate his BWC. He stated the Department trained him to activate his camera whenever he was interacting with a member of

¹⁸ Att. 147, pg. 49, lines 7-10.

¹⁹ Atts. 123, 169.

²⁰ Officer Medina told detectives he activated his BWC earlier, when he saw Sergeant Wallace pursuing [REDACTED] under the Green Line. Att. 184, pg. 30.

²¹ Att. 169, pg. 32, lines 6-7.

the public. In this case, he turned on his BWC while he was still inside his vehicle, before he interacted with any members of the public.

In a **statement to COPA on June 29, 2018, Officer Alfredo Rodriguez #17867**²² provided essentially the same account of the incident as his partner, Officer Medina. Officer Rodriguez added that after the shooting, he approached [REDACTED] and observed a gunshot wound to his left back. Officer Rodriguez put on latex gloves and attempted to render medical aid to [REDACTED] while his partner stood guard over the firearm in the vacant lot.

Officer Rodriguez denied the allegation he failed to timely activate his BWC. He stated he activated his camera while he and Officer Rodriguez were on 48th Street, driving around the block, and still inside his vehicle.

In a **statement to COPA on June 27, 2018, Sergeant James Gochee #1301**²³ stated on the date and time of the incident, he was a tactical sergeant in the 2nd District, assigned to Beat 263. At approximately 7:30 pm, Sergeant Gochee and Sergeant Wallace began monitoring the POD located at 300 E. 47th Street. As Sergeant Gochee watched the POD, he observed two individuals cutting and selling cannabis underneath the Green Line. Sergeant Gochee identified one of the subjects as [REDACTED], and he described the second subject as a black male wearing a gray hoodie and blue jeans. Sergeant Gochee did not see either subject with a firearm, but he observed [REDACTED] patting both pockets of his jeans, “like he making sure something was there, and it was not his weed.”²⁴ To Sergeant Gochee, this was a clear indication [REDACTED] might be armed. He did not mention his observations to Sergeant Wallace.

Sergeants Gochee and Wallace watched [REDACTED] make two or three narcotics transactions over the course of ten to twenty minutes. Sergeant Wallace informed Sergeant Gochee he was going to mobilize his tactical team to arrest [REDACTED]. Sergeant Wallace called Officer Thrasher, provided him a description of [REDACTED], and said they were going to converge on [REDACTED]'s location. As Sergeant Wallace prepared to leave, Sergeant Gochee told him he would continue to monitor the POD and would communicate any updated information. Sergeant Wallace left the 2nd District at approximately 8:00 pm, and Sergeant Gochee did not have any further contact with him or his team members prior to the shooting.

As Sergeant Gochee continued to monitor the POD, he observed [REDACTED] run southbound in the alley, followed by a black streak he later learned was Sergeant Wallace. Seconds later, he heard a radio call of a 10-1, shots fired. Sergeant Gochee immediately responded to the scene, where he assisted with crowd control and identified an eyewitness²⁵ for detectives to interview. He rode in the back of the ambulance with [REDACTED] to the University of Chicago Medical Center, and he was present when [REDACTED] was pronounced deceased.

²² Atts. 117, 161.

²³ Atts. 111, 162.

²⁴ Att. 162, pg. 17, lines 22-23.

²⁵ The witness Sergeant Gochee spoke to was subsequently identified as [REDACTED].

In a statement to COPA on August 7, 2018, Lieutenant Ernest Spradley #627²⁶ stated on the date and time of the incident, he was a tactical lieutenant in the 2nd District. That evening, Lieutenant Spradley was in his office at the 2nd District when he observed Sergeant Wallace sitting at a computer, monitoring the POD located at 47th Street and the Green Line. When Lieutenant Spradley approached Sergeant Wallace, the sergeant pointed out a group of four or five men who were visible on the POD. Sergeant Wallace related that two of the men appeared to be selling narcotics, and he was going use his tactical team to conduct a POD mission at that location. Sergeant Wallace did not indicate the subjects might be armed, and when Lieutenant Spradley glanced at the POD, he did not see either man with a firearm.

Approximately 15 minutes later, Lieutenant Spradley heard Officer Thrasher call out a 10-1 and shots fired at and by the police via radio. Lieutenant Spradley immediately responded to the scene, where he observed officers rendering medical aid to Sergeant Wallace in the rear seat of a squad car. Sergeant Wallace complained of severe ankle pain, and Lieutenant Spradley directed the officers to drive him to the hospital rather than wait for a second ambulance to arrive. Lieutenant Spradley then walked around the corner, where he observed Officer Thrashers and other officers standing inside the vacant lot, and ██████ lying on the ground nearby. ██████ was breathing heavily and attempting to speak, but Lieutenant Spradley did not notice any physical injuries. Lieutenant Spradley observed a two-tone 9mm semi-automatic pistol on the ground inside the vacant lot, approximately 25 feet from the wrought iron fence.

Later that evening, Lieutenant Spradley spoke to Sergeant Wallace at the University of Chicago Hospital and Officer Thrasher at the 2nd District. Both members related essentially the same account of the incident they provided to COPA, with one material difference. Officer Thrasher told Lieutenant Spradley he gave ██████ verbal commands prior to discharging his weapon, though Lieutenant Spradley could not recall exactly what words Officer Thrasher used. Lieutenant Spradley ensured Officer Thrasher documented this information in his TRR, which the lieutenant reviewed for accuracy and approved.

ii. Civilian Witnesses

In a statement to COPA on June 12, 2018, ██████²⁷ provided his account of the incident. ██████ stated he works at the ██████, which is located at ██████. On the date and time of the incident, ██████ was walking to the ██████ from the New York Deli, which is located next to the 47th Street Green Line stop. As he exited the deli, he observed ██████ and a few other people standing across the street, next to the alley that runs underneath the L. ██████ stated ██████ regularly hung out at that location, and he walked past

²⁶ Atts. 219-222.

²⁷ Atts. 31-32, 35, 110. Immediately after the incident, first responding officers and detectives interviewed ██████ at least four times. The first two of these interviews were captured on responding officers' BWC videos. See Att. 81, Sergeant Gochee's BWC at 8:15:51 pm; Att. 96, Officer Saul Rodriguez's BWC at 8:31:40 pm. Except as noted below, ██████ related essentially the same account of the incident to CPD that he subsequently told COPA. However, he provided different names and identifying information to different CPD members, variously identifying himself as ██████ and ██████. When ██████ provided a sworn statement to COPA on June 12, 2018, he identified himself as ██████, DOB: ██████/1966. COPA investigators subsequently verified that the name and identifying information ██████ provided to COPA were accurate.

him nearly every day. ██████ did not know ██████ personally but had spoken to him in passing on prior occasions. He never saw ██████ with a gun, including on the date of the incident.

After ██████ left the deli, he crossed 47th Street and walked westbound toward his work. As he approached Prairie Avenue, he observed three unmarked police vehicles drive slowly northbound on Prairie Avenue, and then turn eastbound on 47th Street. One of the vehicles briefly stopped and an officer, now identified as Officer Thrasher, exited on foot. Officer Thrasher trotted around the corner and turned southbound on the east sidewalk of Prairie Avenue, as if he was going to cut someone off. His weapon was unholstered and pointed toward the ground. ██████ was on the southwest corner of 47th Street and Prairie Avenue, facing west, when he heard a single gunshot coming from behind him. He immediately ducked and turned around, and he observed Officer Thrasher in front of the third window from the southern end of the building at 303 E. 47th Street. Officer Thrasher jerked backwards and leaned his right shoulder back, like he was taking cover behind the building. ██████ stated the building obstructed Officer Thrasher's view of approximately half of the vacant lot at 4719 S. Prairie Avenue, and Officer Thrasher could not have seen around the side of the building from where he was standing.

After ██████ heard the shot, he observed ██████ climbing over the wrought iron fence.²⁸ ██████ had both hands on the top rung of the fence and was trying to grip the posts with his feet and hoist himself over it. He was not holding a weapon in either hand. At that moment, Officer Thrasher turned back southbound, took two side steps away from the building, raised his weapon and fired three shots at ██████. ██████ stated Officer Thrasher did not give any verbal commands prior to discharging his weapon. "It wasn't no halt, it wasn't no freeze; it wasn't lay down, and it was nothing. It was bang, bang, bang."²⁹ After Officer Thrasher fired, ██████ fell onto the grass inside the fence. Almost immediately, assisting officers and supervisors flooded the scene, and chaos, confusion, and yelling ensued. ██████ watched as the ambulance arrived and EMS personnel began doing CPR on ██████. He identified himself as a witness and provided statements to responding officers and detectives at the scene.

In a **statement to COPA on June 15, 2018**, ██████³⁰ stated on the date and time of the incident, he was sitting on the flowerpots on the south side of 47th Street, underneath the Green Line. ██████ was by himself, but he observed ██████ and a couple other people hanging out nearby. At first, ██████ was on a bicycle, but he later sat down underneath the Green Line, next to ██████. ██████ estimated he was there for approximately one hour when he saw an unmarked blue police SUV pull up beside him. A black male police officer, now identified as Sergeant Wallace, exited the vehicle. Sergeant Wallace walked toward ██████ and told him to stop and come here. ██████ took off running down the alley, and Sergeant Wallace pursued him on foot. At that point, ██████ was approximately eight to nine feet ahead of Sergeant Wallace, and ██████ did not see anything in either of their hands. ██████ lost sight of ██████ and Sergeant Wallace as they ran down the alley. He heard a fence rattle, then approximately three seconds later he heard five gunshots in rapid succession. ██████ did not see who fired any of the

²⁸ ██████ stated he did not see ██████ until he was on the fence. This is consistent with ██████'s vantage point, as the building at 303 E. 47th Street would have obstructed his view of the northern end of the vacant lot.

²⁹ Att. 110, pg. 14, lines 16-18.

³⁰ Atts. 64, 134. ██████ related essentially the same account of the incident during an electronically recorded interview (ERI) with CPD detectives on the night of the incident. Att. 67.

gunshots. Sometime later, ██████ observed Sergeant Wallace exit the alley, return to his vehicle, and drive away from the scene.³¹

██████ stated he did not know ██████ personally, but he had seen him on approximately five previous occasions. On the night of the incident, ██████ did not observe ██████ with a weapon and did not see any indication he was armed. To the contrary, ██████ explained that ██████ had been riding a bicycle, and “if he had a gun while he was ridin’ a bike, he would’a been grabbin’ on hisself to keep the gun from fallin’, and he wasn’t doin’ that.”³²

In a telephonic interview with ██████ on October 15, 2018³³, ██████ stated on the date and time of the incident, she was in a vehicle with her sister, ██████.³⁴ ██████ was the driver, and ██████ was the front seat passenger. ██████ stated they were traveling northbound on Prairie Avenue, approaching 47th Street, when she noticed a young man holding onto the wrought iron fence. It appeared to ██████ as if the young man, now identified as ██████, was trying to climb over the fence. Both of his hands were on the fence, and he was not holding a weapon. ██████ observed a police officer, now identified as Officer Thrasher, standing on the sidewalk near ██████. She did not notice if Officer Thrasher’s weapon was drawn or pointed in ██████’s direction, and she did not hear Officer Thrasher give any verbal commands to ██████. Immediately after the sisters’ vehicle drove past Officer Thrasher and ██████, ██████ heard five or six gunshots. ██████ turned their vehicle around,³⁵ and ██████ realized Officer Thrasher had just shot ██████. ██████ was lying on the ground inside the fence, and Officer Thrasher was standing next to him, just outside the fence, pointing his weapon at ██████. A second officer arrived, and he was standing inside the fence near ██████. His weapon was not drawn.

COPA investigators conducted canvasses³⁶ of the area near the shooting scene on June 6, 2018, and June 11, 2018. Investigators located two individuals who heard multiple gunshots, but neither witnessed the shooting or the events that preceded it.

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³¹ Att. 67 at 4:45 minutes; Att. 184, pg. 34.

³² Att. 134, pg. 19, lines 6-8.

³³ Att. 176. ██████ declined to provide COPA with a formal statement, stating she did not want to be involved in the investigation.

³⁴ ██████ called 911 after the incident and requested an ambulance at 47th Street and Prairie Avenue. A summary of the 911 call is included in the Digital Evidence section of this report. When a COPA investigator contacted ██████ on June 13, 2018, she stated she was driving northbound on Prairie Avenue at the time of the incident. She did not see the shooting, but reported her sister witnessed the incident from the front passenger’s seat of their vehicle. ██████ called 911 because she observed numerous police officers, but no ambulance. Att. 176.

³⁵ ██████ told detectives she drove a green Chevy Tahoe. Att. 184, pg. 44. The video from Dora’s Boutique shows a green Chevy Tahoe driving northbound on Prairie Avenue within seconds of the shooting. Approximately one minute later, the video captures the same vehicle driving southbound on Prairie Avenue Att. 37, 19000400 at 12:35-14:15 minutes.

³⁶ Atts. 46-48.

b. Digital Evidence³⁷**i. Video Evidence**

COPA obtained the video footage from **POD #7849 (OEMC/Operation Virtual Shield)**³⁸, which is located at 300 E. 47th Street. The video captures at least a half dozen individuals congregating underneath the 47th Street Green Line stop, including ██████, who arrives at 6:42 pm. He is wearing a white t-shirt and distinctive faded black jeans with cargo pockets. At 7:30 pm, the video captures ██████ with a clear ziplock bag containing a substance believed to be cannabis. He appears to be separating out the cannabis and repackaging it into smaller plastic bags. ██████ walks off camera for several minutes, then returns riding a bicycle and wearing a navy blue jacket with yellow trim. He and several other individuals then make multiple hand-to-hand transactions with people in vehicles.

Throughout the video, ██████ repeatedly pats both his right and left cargo pockets, and his left pocket appears to be weighed down by a heavy object. At 8:09:45 pm, ██████ reaches into his left cargo pocket and appears to manipulate an unidentifiable silver object. A black male on a bicycle approaches the group at 8:11:30 pm, and ██████ and the others begin to disperse in different directions. ██████ walks westbound on the sidewalk, and then turns southbound in the alley, off camera. At 8:11:52 pm, the video captures a black male, now identified as Sergeant Wallace, running southbound in the alley.

The camera operator then reorients the POD so it faces the southeast corner of 47th Street and Prairie Avenue. The video reveals an officer in civilian dress, now identified as Officer Thrasher, standing on the east sidewalk of Prairie Avenue next to the wrought iron fence. His weapon is drawn, and he appears to be on his radio. Additional officers arrive almost immediately, and Officer Thrasher appears to point toward something in the vacant lot. Neither ██████ nor Sergeant Wallace is visible on camera. The remainder of the POD video shows responding officers engaging in crowd control and securing the crime scene.

COPA obtained and reviewed the **BWC Video of Sergeant Wallace**³⁹ relevant to this incident. The video begins at 8:11:58 pm, as Sergeant Wallace leaves the meeting with his tactical team and enters his vehicle. He drives to 47th Street and the Green Line, where he stops and exits his vehicle at the mouth of the alley that runs underneath the L. Sergeant Wallace approaches a black male, now identified as ██████, and tells him to come here. ██████ flees southbound in the alley and Sergeant Wallace gives chase. When ██████ reaches the northeast corner of the vacant lot at 4719 S. Prairie Avenue, he jumps over the wooden fence and runs westbound in the lot. Sergeant Wallace attempts to follow ██████ but appears to injure himself on the fence.

At 8:12:01 pm, the video captures the sound of a single gunshot. Four seconds later, three more gunshots are audible. The video does not show who fired any of the shots. As Sergeant Wallace limps back to his vehicle, he goes over the air to request an ambulance, stating he is

³⁷ The relevant BWC video, POD video, 3rd party video, and Office of Emergency Management and Communications (OEMC) audio files are available on COPA's website at <https://www.chicagocopa.org/case/1089772/>.

³⁸ Att. 39.

³⁹ Att. 70. The timestamp on all BWCs is set to Universal Coordinated Time (UTC), which is five hours ahead of Central Standard Time (CST). For the purposes of this report, all times have been adjusted to CST.

injured but not shot. Officer Moy meets Sergeant Wallace at his vehicle, and Sergeant Wallace explains he injured his ankle when he attempted to jump the fence. As they wait for an ambulance, Sergeant Wallace instructs Officer Moy to respond to the 10-1 around the corner. After Officer Moy leaves, the dispatcher asks for a description of any offenders at large. Sergeant Wallace responds that two males fled south on Prairie Avenue, one wearing a blue windbreaker with a yellow collar and the other a gray hoodie and black jeans. The video ends at 8:24:17 pm, as responding officers drive Sergeant Wallace from the scene in the back of his own vehicle.

COPA obtained and reviewed the **BWC Video of Officer Thrasher**⁴⁰ relevant to this incident. The video begins at 8:12:02 pm, as Officer Thrasher is on the east sidewalk of Prairie Avenue, facing south. He approaches the south wall of 303 E. 47th Street and raises his weapon into a shooting position. At the same time, a black male, now identified as ██████, runs westbound through the vacant lot into Officer Thrasher's line of sight. As ██████ runs toward the wrought iron fence, he does not appear to see Officer Thrasher standing next to the building. ██████ extends his arms and grabs the fence with both hands, hoisting himself up until his head and shoulders have cleared the top of the fence.⁴¹ He then lets go of the fence and drops back into the vacant lot. ██████ attempts to run southbound, away from Officer Thrasher, but collapses to the ground after taking two steps. Although the video is blurry, he does not appear to be holding a weapon. (See Figures 1-3.)

After the shooting, Officer Thrasher approaches ██████ and stands near him, but on the opposite side of the wrought iron fence. Officer Thrasher activates his BWC and instructs ██████ to stay down. Responding officers arrive almost immediately, and Officer Thrasher points to the vacant lot and tells them, "It's a weapon right there. Weapon right there. Get the weapon. Go get the weapon."⁴² From the sidewalk, Officer Thrasher's BWC captures distant images of a black object in the vacant lot, now known to be the Smith & Wesson pistol. Responding officers jump the fence into the vacant lot and immediately stand guard over the weapon.

Officer Thrasher radios that no one is hurt but requests an ambulance for the offender. Several unidentified civilians, who are standing off camera, repeatedly yell the name ██████. Officer Thrasher turns toward them and says, "You see your homie right there? You see your homie shot? You see your homie, you see your homie shot? Get back, get back!"⁴³ He then reassures the civilians that ██████ is "woke." An unidentified bystander attempts to approach ██████, at which point the bystander and Officer Thrasher appear to engage in a verbal altercation, though the video does not clearly capture what either man is saying.

After approximately four minutes, Officer Thrasher enters the vacant lot and approaches Officer Medina, who is standing next to the weapon. He subsequently walks toward ██████, who is lying unresponsive on the ground. Officer Thrasher observes as other officers attempt to render medical aid, and EMS personnel arrive at the scene at approximately 8:19:30 pm. Officer Thrasher

⁴⁰ Att. 69.

⁴¹ At this point, Sergeant Wallace's BWC video captures the sound of Officer Thrasher's three gunshots. There is no audio from this portion of Officer Thrasher's BWC video; he did not activate his camera until 8:12:32 pm, 27 seconds after he discharged his weapon. At that point, Officer Thrasher's BWC automatically stored the previous 30 seconds of video without audio.

⁴² Att. 69 at 8:12:39 pm.

⁴³ Att. 69 at 8:13:23 pm.

waits in the vacant lot with Officers Moy, Rodriguez, and Medina until supervising officers arrive and instruct them to deactivate their cameras.⁴⁴



Figure 1. Screenshot from Officer Thrasher's BWC video showing [REDACTED] running westbound in the vacant lot, toward the wrought iron fence.

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⁴⁴ While they are waiting, an unidentified officer pulls Officer Thrasher aside and tells him that a bystander identified a man named [REDACTED] as being involved in the incident. Att. 69 at 8:24:30 pm. This is a possible reference to [REDACTED], who is discussed in footnote 75, below.



Figure 2. Screenshot from Officer Thrasher’s BWC video showing [REDACTED]’s position on the wrought iron fence as Officer Thrasher discharged his weapon.



Figure 3. Screenshot from Officer Thrasher’s BWC video showing [REDACTED]’s position as Officer Thrasher continued to discharge his weapon.

COPA obtained and reviewed the **BWC Video of Officer Moy**⁴⁵ relevant to this incident. The video begins at 8:15:00 pm as Officer Moy relocates from 47th Street and the Green Line to the vacant lot on Prairie Avenue. He enters the vacant lot and approaches ██████, who is lying on the ground next to the wrought iron fence. ██████ is moving slightly but is not communicating. Officer Moy assists other officers in rendering medical aid to ██████, including applying a pressure dressing to the gunshot wound to his back. At 8:19:39 pm, paramedics arrive and move ██████ out of the vacant lot on a stretcher.

Officers Moy, Thrasher, Rodriguez, and Medina wait in the vacant lot near the location of the recovered weapon. Officer Moy tells Officer Thrasher he initially drove past him after the shooting, as he heard Sergeant Wallace call for an ambulance and did not realize Officer Thrasher was involved in the incident. Officer Thrasher explains that when he exited their vehicle, he ran southbound on Prairie Avenue, believing ██████ would cut westbound across the vacant lot. Officer Thrasher points to south wall of 303 E. 47th Street, stating, “I get right there, and whoosh.”⁴⁶ He makes a ducking motion, as if a bullet just passed in front of his face. As the four officers wait in the vacant lot, Officer Moy repeatedly admonishes Officer Thrasher to stop talking. At 8:27:58 pm, supervising officers enter the lot and instruct them to deactivate their cameras.⁴⁷

COPA obtained and reviewed the **BWC Videos of Officers Rodriguez and Medina**⁴⁸ relevant to this incident. Officer Medina’s BWC video begins at 8:11:52 pm, and Officer Rodriguez’s BWC begins four seconds later. The videos show the officers driving eastbound on 47th Street, then southbound on Calumet Avenue. At the time of all four gunshots, they are on the 4700 block of S. Calumet Avenue.⁴⁹ The officers turn westbound on 48th Street, then northbound on Prairie Avenue. They exit their vehicle and approach Officer Thrasher, who points at the vacant lot and tells them to secure the weapon. Officer Rodriguez boosts Officer Medina over the wrought iron fence into the vacant lot, and Officer Medina immediately stands guard over the weapon. When Officer Rodriguez enters the vacant lot, he approaches ██████ and reassures him an ambulance is en route. He subsequently assists other officers in rendering medical aid. Officers Medina and Rodriguez both deactivate their BWCs at approximately 8:27:57 pm.

COPA obtained and reviewed the **CTA Video from the 47th Street Green Line stop**⁵⁰. The video includes footage from multiple cameras, including one that faces the south side of 47th Street, underneath the Green Line. The video captures ██████ and approximately six other civilians congregating on the south side of 47th Street. They disperse in different directions as an unmarked silver police vehicle approaches their location. ██████ initially walks westbound on the south sidewalk of 47th Street, then changes directions, and turns southbound in the alley.

⁴⁵ Att. 81.

⁴⁶ Att. 81, Officer Moy’s BWC at 8:22:10 pm. Officer Thrasher’s BWC video also captures the audio from this exchange, but it does not show Officer Thrasher’s hand and body movements.

⁴⁷ Per Special Order S03-14, Officers are permitted to deactivate their BWC upon instruction from a supervisor, once the scene is secure.

⁴⁸ Att. 72. COPA also obtained and reviewed 97 BWC videos from officers who responded to 4719 S. Prairie Avenue or the University of Chicago Medical Center following the incident, but none of them capture the foot pursuit or the shooting. Atts. 72-73, 81, 96, 207.

⁴⁹ The video does not reveal whether the gunshots were audible to the officers, as the first thirty seconds of the video does not contain audio.

⁵⁰ Att. 38.

Sergeant Wallace stops and exits the police vehicle at the mouth of the alley, at which point [REDACTED] runs southbound, off camera. Sergeant Wallace gives chase on foot with his weapon holstered. Seconds later, the video shows two other unmarked police vehicles drive eastbound on 47th Street, past Sergeant Wallace's vehicle. After the shooting, the video captures Sergeant Wallace hobble out of the alley and return to his vehicle with what appears to be an injured leg.

COPA obtained and reviewed the **Third-Party Video from New York Deli**⁵¹, which is located at 316 E. 47th Street. One of the cameras faces the south side of 47th Street and captures approximately the same footage as the CTA video. Additionally, the video shows the location of the second and third police vehicles at the time Sergeant Wallace exits the first police vehicle. The second vehicle stops on the south side of 47th Street, just east of Prairie Avenue. Both of the vehicle's front doors open but only the passenger officer, now identified as Officer Thrasher, exits the vehicle. He looks in Sergeant Wallace's direction, then turns and runs southbound onto the east sidewalk of Prairie Avenue. His weapon does not appear to be drawn but the video is too far away to determine conclusively. While the second vehicle is stopped, the third police vehicle passes it and continues eastbound on 47th Street. After Officer Thrasher exits the second vehicle, it also drives eastbound on 47th Street, past Sergeant Wallace's vehicle.

COPA obtained and reviewed the **Third-Party Video from Dora's Boutique**⁵², which is located at 4700 S. Prairie Avenue. The business is on the southwest corner of 47th Street and Prairie Avenue, and two of its cameras capture a portion of the incident. The first camera faces east on 47th Street. It shows three unmarked police vehicles driving northbound on Prairie Avenue, and then turning eastbound on 47th Street. As soon as the second vehicle turns the corner, it pulls over and a man, now identified as Officer Thrasher, exits the passenger's side of the vehicle. He runs westbound on the south sidewalk of 47th Street, and then turns southbound onto the east sidewalk of Prairie Avenue.⁵³ The second camera, which faces southeast on Prairie Avenue, captures the three police vehicles driving northbound on Prairie Avenue. Approximately fifteen seconds later, Officer Thrasher runs southbound on the east sidewalk of Prairie Avenue, along the west wall of 303 E. 47th Street. As Officer Thrasher approaches the southern end of the building, he appears to slow down, then stop at the end of the building. The video is grainy and does not clearly capture the remainder of the incident.

COPA made multiple attempts to obtain the **Third-Party Video from the Christian Tabernacle Church**⁵⁴ at 4712 S. Prairie Avenue. Following the incident, COPA investigators observed two exterior security cameras located next to the church's main door. The investigators visited the church on June 6, 2018, June 11, 2018, and June 12, 2018, to obtain a copy of any footage, but the church was closed on all three occasions. Over the next week, COPA personnel called the church more than five times but were unable to make contact with any of its employees. An investigator also emailed the church via a link on its website, but no one responded. Finally, COPA requested the assistance of CPD's Investigative Response Team (IRT) in obtaining the

⁵¹ Att. 45.

⁵² Att. 37.

⁵³ The video also captures a black male wearing a blue t-shirt, now identified as [REDACTED], standing on the southwest corner of 47th Street and Prairie Avenue. He watches Officer Thrasher run around the corner and appears to be looking in the direction of the vacant lot at the time of the shooting.

⁵⁴ Att. 135.

video, but the assigned sergeant reported that detectives had been unable to make contact with the church, as it was always closed.

On June 22, 2018, a COPA investigator received a phone call from church employee [REDACTED]. He reported the church's security cameras record in 24-hour intervals and the video from the night of the incident was not retained. COPA informed the IRT sergeant, who contacted [REDACTED] and made arrangements for detectives to examine the security camera system; however, they confirmed the system's retention period had passed and the video recorded on June 6, 2018 could not be recovered.

COPA requested the **In-Car Camera (ICC) Video**⁵⁵ for Beats 264 (Sergeant Wallace), 264E (Officers Thrasher and Moy), and 264D (Officers Medina and Rodriguez); however, none of the vehicles were equipped with ICCs on the night of the incident.

ii. Audio Evidence

The **ShotSpotter Data**⁵⁶ includes audio recordings of one gunshot fired at 8:12:02 pm, and three gunshots fired in rapid succession at 8:12:06 pm. The ShotSpotter reports indicate the first shot was fired at a latitude and longitude that corresponds to the southeast end of 301 E. 47th Street. The final three gunshots were fired on the parkway grass on the east side of Prairie Avenue, next to the northwest corner of the vacant lot at 4709 S. Prairie Avenue. All of the shooting locations calculated by ShotSpotter are accurate within a radius of 25 meters (82 feet).

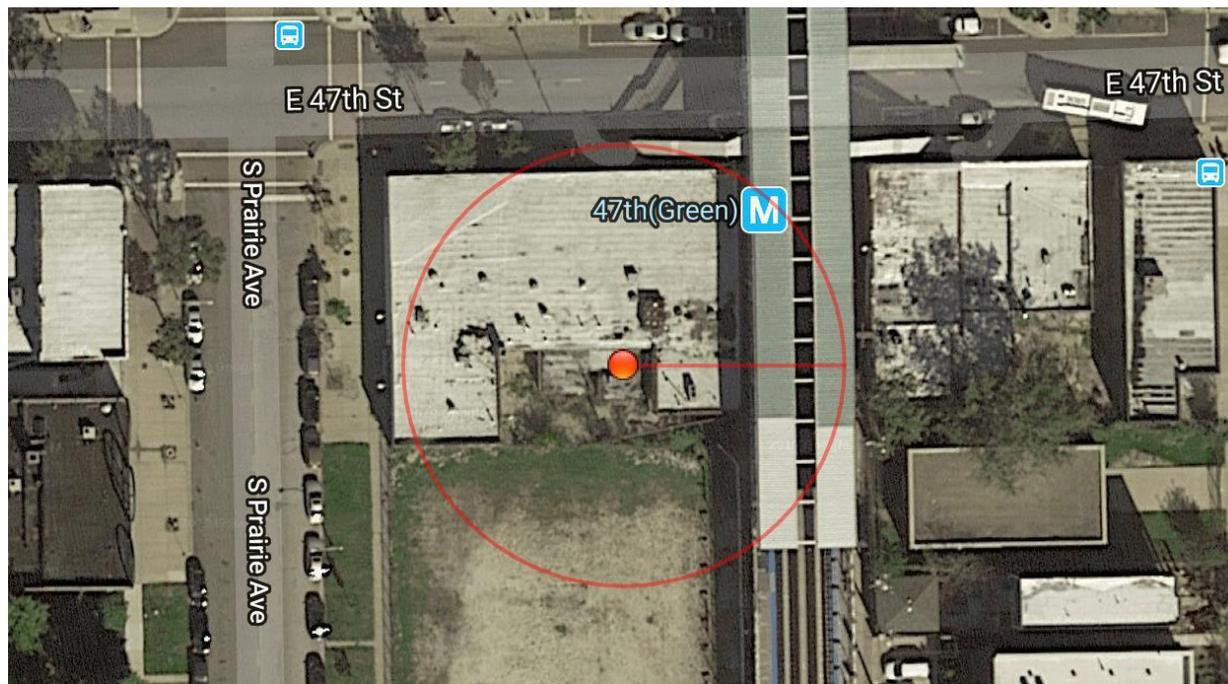


Figure 4. Diagram showing the location where ShotSpotter calculated the first gunshot was fired, accurate to within the area inside the red circle.

⁵⁵ Atts. 11, 68, 95, 216. COPA obtained and reviewed 24 ICC videos from responding officers, but they did not contain any relevant footage. Atts. 71, 208.

⁵⁶ Atts. 193-196.

The **Office of Emergency Management and Communications (OEMC) Event Queries⁵⁷ and Radio Transmissions⁵⁸** document the following relevant and material communications. At 7:30:06 pm, Sergeant Wallace requests an event number for a POD mission at 47th Street and the Green Line. The next relevant transmission occurs at 8:12:12 pm, when Officer Thrasher reports shots fired at and by the police at 48th Street and Prairie Avenue. Approximately fifteen seconds later, he radios, “We got a weapon over here, we got a weapon over here. 10-1, 10-1.”⁵⁹ Sergeant Wallace then requests an ambulance at 314 E. 47th Street, stating that he is injured but not shot. At 8:13:03 pm, Officer Thrasher radios, apparently in response to Sergeant Wallace’s transmission, “No one’s hurt over here. No one’s hurt over here. Send an ambulance for the offender.”⁶⁰ He also requests crowd control. The dispatcher asks for a description of any offenders at large, and Sergeant Wallace responds that two males fled southbound on Prairie Avenue. He states one of the males is wearing a gray hoodie and black jeans, and the other is wearing a blue and yellow windbreaker.

Over the next several minutes, the radio transmissions clarify that ambulances are needed for both Sergeant Wallace and ██████████, at two separate locations. Ambulance 57 and Truck 15 arrive at the scene at 8:18:02 pm and 8:18:57 pm, respectively.

The **OEMC 911 Calls⁶¹** reveal that at 8:15:38 pm on June 6, 2018, an anonymous female called 911 to request an ambulance at 47th Street and Prairie Avenue. The recording captures the caller, now identified as ██████████, telling the dispatcher, “The police, they shot this guy. He had his hands on the gate.”⁶² ██████████ is then transferred to the dispatcher for the Chicago Fire Department (CFD). She repeats her location, then states, “The police, the kid was on the gate. They shot him like five times. He wasn’t even doing nothing. He wasn’t moving. They shot him five times when he was on the gate. The police.”⁶³

c. Physical Evidence

i. Forensic Evidence

The **Crime Scene Processing Reports⁶⁴, Evidence Plat⁶⁵, and Inventory Sheets⁶⁶** document the recovery of evidence from 4719 S. Prairie Avenue, including three Winchester (Win) 9mm Luger +P fired cartridge cases recovered from the parkway grass. Additionally, forensic investigators (FIs) recovered a stolen Smith & Wesson Model SD40, .40 caliber semi-automatic pistol (Serial # ██████████) from the vacant lot. FIs measured the location of the weapon as 29.0

⁵⁷ Atts. 7-8, 88.

⁵⁸ Atts. 82-84, 89, 171.

⁵⁹ Att. 82 at 28 seconds. The dispatcher misheard Officer Thrasher’s location as 40th Street and Prairie Avenue, and for the next two and a half minutes she reported the 10-1 was at that location. At 8:14:42 pm, Officer Thrasher finally clarified he was at 47th Street and Prairie Avenue

⁶⁰ Att. 82 at 1:02 minutes.

⁶¹ Att. 85-86. The 911 calls quoted herein were transcribed by a COPA investigator.

⁶² Att. 85 at 0:15.

⁶³ Att. 86 at 0:25.

⁶⁴ Atts. 27-28.

⁶⁵ Att. 102.

⁶⁶ Att. 18.

feet east of the wrought iron fence and 25.01 feet south of the south wall of 303 W. 47th Street.⁶⁷ The reports also note possible firearm damage to the sixth, tenth, and eleventh spires of the second panel of the wrought iron fence.

At the University of Chicago Medical Center, an FI administered a gunshot residue kit to ██████'s hands at 2:03 am on June 7, 2018. At the Medical Examiner's (ME) Office, a FI recovered and inventoried ██████'s clothing and personal property, including a "Staple" brand blue zipper front jacket with white and yellow trim, a pair of black "Fusai" brand jeans⁶⁸, and four zip lock baggies containing suspected cannabis. Additionally, the ME recovered one fired bullet from ██████'s body.

The reports also document the processing of Officer Thrasher's Springfield Armory Model XD-9, 9mm semi-automatic pistol (Serial # ██████) and the Smith & Wesson pistol recovered from the vacant lot. Officer Thrasher's weapon, which had a nineteen-round capacity magazine, was found to have sixteen live rounds of ammunition in the magazine and one live round in the chamber of the weapon (all Win 9mm Luger +P). The Smith & Wesson pistol contained a fourteen-round capacity magazine loaded with two Federal 40 S&W cartridges and eleven PMC 40 S&W cartridges. An FI also recovered one Federal 40 S&W fired cartridge case from the chamber of the pistol. The reports note that an FI swabbed both firearms for the presence of DNA.

The FI's Photographs⁶⁹ and Crime Scene Video⁷⁰ depict the shooting scene from various angles. They include images of the three fired cartridge cases recovered from the parkway grass and the Smith & Wesson pistol recovered from the vacant lot. The photographs also document suspected firearm damage to three of the spires in the wrought iron fence. Additionally, an FI photographed the path of the foot pursuit, including the alley underneath the Green Line, the wooden fence on the east end of the vacant lot, the building on the north side of the vacant lot (301-303 E. 47th Street), and the vacant lot itself. At the Area Central Detective Division, an FI took photographs of Officer Thrasher and his weapon. At the University of Chicago Medical Center, an FI took photographs of ██████'s body.

A COPA investigative report⁷¹ documents the measurements taken on August 7, 2018 of the wrought iron fence and the location of possible firearm damage on the third section of the fence south of 303 E. 47th Street. A COPA evidence specialist measured the total height of the fence to be 6 feet, 3.5 inches. The damage to the sixth spire was 3 feet 10.5 inches from the ground. The damage to the tenth spire was 4 feet, 8.5 inches from the ground, and the damage to the eleventh spire was 4 feet, 9 inches from the ground.

⁶⁷ According to the plat, the vacant lot is 130.10 feet deep (east-west) and 175.04 feet long (north-south).

⁶⁸ The General Progress Reports (GPRs) note a "cut/possible hole in [left front] lower pocket" of ██████'s jeans. Att. 184, pg. 107.

⁶⁹ Atts. 144-146.

⁷⁰ Att. 175.

⁷¹ Att. 168.

The **Illinois State Police (ISP) Forensic Science Laboratory Report—Latent Prints**⁷² documents the processing of the Smith & Wesson pistol recovered from 4719 S. Prairie Avenue, including the magazine, thirteen live cartridges recovered from the magazine, and one fired cartridge case recovered from the chamber of the weapon. An ISP forensic scientist located one latent fingerprint impression on the inside of the frame of the pistol. The impression did not match ██████'s fingerprints, and a search of the ABIS/NGI⁷³ databases produced negative results. The ISP scientist also located a latent impression on the pistol's magazine, which the ABIS database matched to ██████.⁷⁴ The examination of the thirteen cartridges and one fired cartridge case recovered from the magazine and chamber of the pistol did not reveal any latent impressions suitable for comparison.

The **ISP Laboratory Report—DNA**⁷⁵ documents the biological testing of the swabs taken of the Smith & Wesson pistol. An ISP forensic scientist determined the swabs contained the DNA profiles of at least four people. All of the profiles were inconclusive, meaning they were not suitable for comparison to any DNA standards or entry into the CODIS⁷⁶ database.

The **ISP Forensic Science Laboratory Report—Firearms**⁷⁷ documents the examination and testing of Officer Thrasher's Springfield Armory 9mm pistol. The pistol was operable as received, and it was test fired using the magazine submitted with the weapon. Three Winchester 9mm Luger +P fired cartridge cases recovered from the parkway grass at 4719 S. Prairie Avenue and one fired bullet recovered from ██████'s body at the ME's Office were found to have been fired by Officer Thrasher's weapon.

The **ISP Forensic Science Laboratory Reports—Microscopy Trace**⁷⁸ documents the testing of the Gun Shot Residue (GSR) evidence collection kits administered to the back of ██████'s hands, the cuffs on his jacket, and the left cargo pocket of his jeans.⁷⁹ ██████'s hands and sleeve cuffs tested negative for GSR, leading the ISP forensic scientist to conclude, "█████ ██████ may not have discharged a firearm with either hand. If he did discharge a firearm, then the particles were not deposited, were removed by activity, or were not detected by the procedure."⁸⁰ However, when ISP subsequently tested the left cargo pocket of ██████'s jeans, the

⁷² Att. 201. The ISP reports summarized below do not document where each individual piece of evidence was recovered, but they do reference the inventory numbers associated with each piece of evidence. The inventory number can then be cross-referenced with the associated inventory sheets, crime scene processing reports, FI's photos, and FI's plat, which refer to the specific location where each piece of evidence was recovered. See Atts. 18, 27-28, 102, 144.

⁷³ Automated Biometric Information System/Next Generation Identification

⁷⁴ A name check of ██████ (DOB: ██████, 1991) reveals he was arrested or detained near the location of the incident a total of ten times between June 2018 and June 2019. It is not known for certain how, or if, ██████ was associated with ██████. However, ██████'s mugshot closely resembles the black male wearing the gray hoodie who was captured on the BWC and POD videos from the incident. That individual was with ██████ at the time of the incident and was the second person CPD planned to arrest for narcotics sales. COPA investigators attempted to contact ██████ by phone, email, mail, and a personal visit to his last-known address, but their efforts were unsuccessful. Att. 202; Investigator's Case Log, pgs. 15-16.

⁷⁵ Att. 209.

⁷⁶ Combined DNA Index System

⁷⁷ Att. 173.

⁷⁸ Atts. 206, 215.

⁷⁹ A suspected bullet hole was discovered in this pocket, so it was tested for GSR. See Atts. 92 and 184.

⁸⁰ Att. 206, pg. 2.

results revealed that both the inside and outside of the pocket were positive for GSR. The ISP scientist determined that the sampled fabric was either in the environment of a discharged firearm or came into contact with an item containing primer gunshot residue particles.

The **ISP Crime Scene Services Command—3D Scan and Animation Reports**⁸¹ document the production of a forensic animation of the shooting scene. On July 31, 2018, ISP personnel collected ten 3D laser scans of 4719 S. Prairie Avenue and the surrounding area. ISP integrated the scans with the available video and audio evidence from the shooting and produced a forensic animation that includes twenty-four screen shots and six fly-through videos. The animation demonstrates Officer Thrasher’s approximate location and line of sight at the time of the first gunshot, as well as when he discharged his own weapon.⁸² One of the screen shots produced by ISP is included below. (*See* Figure 5.)

According to ISP Investigative Sergeant Cary Morin,⁸³ who created the forensic animation, at the time of the first gunshot Officer Thrasher was running along the west side of the building at 303 E. 47th Street. Sergeant Morin used synchronized video of the incident to determine Officer Thrasher had not reached the southern end of the building and was closer to the third (northernmost) boarded-up window, when the first gunshot occurred. From that location, the building obstructed Officer Thrasher’s view of the vacant lot, and he would not have been able to see a person standing where the gun was recovered. However, as Officer Thrasher moved farther south, his view of the vacant lot increased. Sergeant Morin testified that from the location where Officer Thrasher discharged his weapon, it was possible, albeit unlikely, that Officer Thrasher could have seen a person standing where the gun was recovered, or the gun itself.⁸⁴

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⁸¹ Atts. 181-183; see also Atts. 156-158.

⁸² A COPA digital forensic analyst also created a synchronized video of the incident, which overlays the audio from Sergeant Wallace’s BWC with the video from Dora’s Boutique and Officer Thrasher’s BWC. The COPA synchronized video shows Officer Thrasher’s location at the time of the first gunshot and is consistent with the ISP forensic animation. Atts. 199-200.

⁸³ On October 19, 2020, Sergeant Morin provided a deposition in █████ v. *City of Chicago, et. al*, 2018-L-█████, the civil suit arising from this incident. Atts. 224-25.

⁸⁴ Sergeant Morin explained, “[B]ased off the video it did not appear that Officer Thrasher had cleared beyond the corner of the building prior to drawing his weapon or prior to firing, for that matter. It’s hard to tell if he gets beyond the corner. So depending on how close he gets to the corner of the building, I would say it’s doubtful that you would be able to see Officer Thrasher from where the gun is at.” Att. 224, pg. 76, lines 12-20.

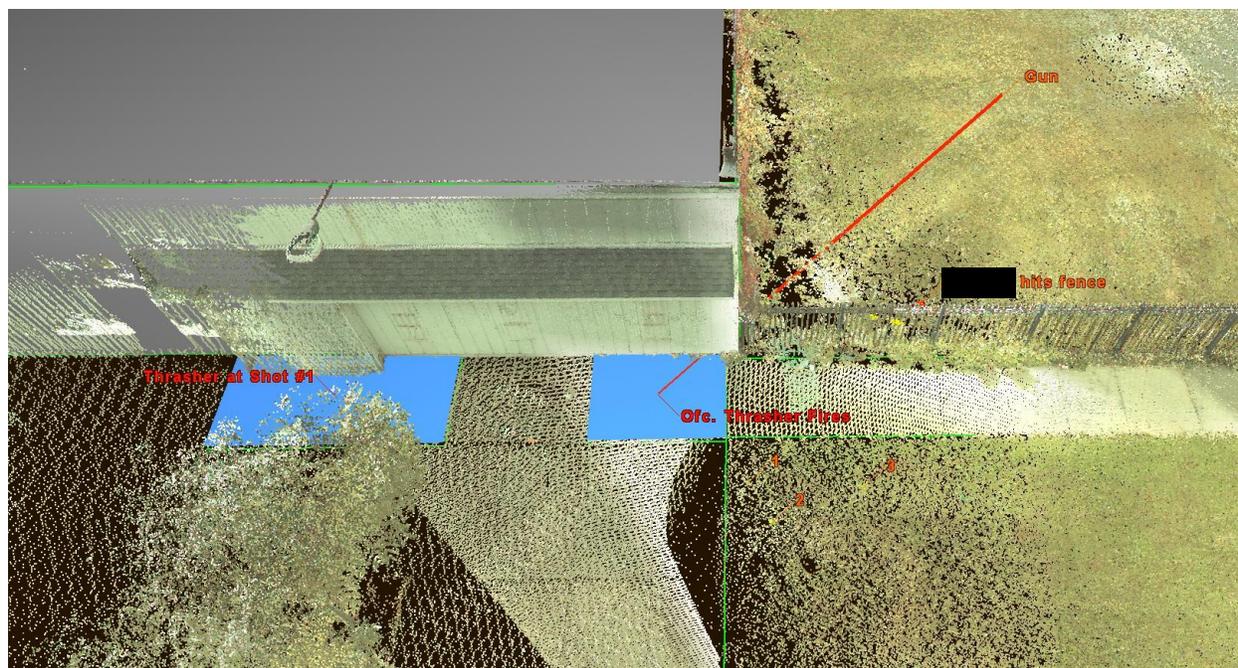


Figure 5. Diagram produced by ISP. The blue box on the left shows Officer Thrasher's approximate location at the time of the first gunshot. The blue box on the right shows Officer Thrasher's location and line of sight at the time he discharged his weapon. The location where the Smith & Wesson pistol was recovered is also documented and noted as 'Gun' in the diagram.⁸⁵

The **GPS Data**⁸⁶ for the three involved police vehicles is consistent with the accounts provided by Sergeant Wallace and his tactical team.

ii. Medical Evidence

The **Chicago Fire Department (CFD) Ambulance Report**⁸⁷ states paramedics from Ambulance 57 arrived at 4700 S. Prairie Avenue at 8:18:02 pm. They found [REDACTED] lying prone in the vacant lot, surrounded by officers and bystanders. He presented with a single gunshot wound to the mid back, approximately three inches to the right of his spine. CPD officers had applied an occlusive dressing to the wound prior to the paramedics' arrival. Upon first contact, [REDACTED] was alert and appeared to know what was happening, but he was not responding to questions. After paramedics moved [REDACTED] into the ambulance, he stopped breathing and went into cardiac arrest. Paramedics initiated CPR, administered epinephrine, and transported [REDACTED] to the University of

⁸⁵ Sergeant Morin testified that he added the red line to represent the obstructing angle caused by the building. If Officer Thrasher was standing to the right of the red line, he would have been able to see a person standing where the gun was recovered. If Officer Thrasher was standing to the left of the red line, the building would have obstructed his view. See Att. 224, pg. 136, lines 11-22.

⁸⁶ Atts. 15-16, 131-133.

⁸⁷ Att. 41.

Chicago Medical Center, where the hospital's trauma team took over resuscitative efforts at 8:33 pm.⁸⁸

██████████'s **Medical Records**⁸⁹ indicate he arrived at the University of Chicago Medical Center at 8:35 pm on June 6, 2018. ██████████ was in cardiac arrest following a single gunshot wound to the right mid back and was reportedly without a pulse for fifteen minutes prior to his arrival at the hospital. Doctors intubated ██████████, inserted a chest tube, administered epinephrine, and continued CPR, but he remained in cardiac arrest. Dr. ██████████ pronounced ██████████ deceased at 8:41 pm.

The **Report of Postmortem Examination**⁹⁰ indicates that the autopsy of ██████████, ██████████ was performed in the morgue of the Cook County Medical Examiner's Office on June 7, 2018, beginning at 7:30 am. The autopsy determined ██████████ sustained a single gunshot wound to the right side of the back, centered at a point 19.4375 inches below the top of the head and 1.125 inches to the right of the posterior midline. ██████████'s overall height was noted to be 72 inches. The projectile perforated the skin and soft tissues of the back, the tenth thoracic vertebra, the upper and lower lobes of the left lung, and penetrated into the left fourth rib. The assistant medical examiner recovered a deformed gray metal projectile with a copper-colored jacket from ██████████'s left fourth rib. The direction of the wound track was back to front, right to left, and upwards.

Defects on ██████████'s jacket, t-shirt, and tank top corresponded to the location of the gunshot wound. There was no soot deposit or gunpowder stippling on the surrounding cloth or skin, and no evidence of close-range firing. ██████████ tested positive for marijuana. The ME ruled ██████████'s cause of death was a gunshot wound to the back, and his manner of death was Homicide.

The **ME's Photographs**⁹¹ include images of ██████████'s body, which show a gunshot wound to the right mid back, a sutured laceration to the right eyebrow, and abrasions on the tops of both hands. Additionally, the ME's investigator photographed ██████████'s clothing and personal property, including a navy-blue jacket with yellow trim around the collar and a pair of faded black cargo jeans. The photos show suspected bullet damage to the back of the jacket and the left cargo pocket of the jeans. (See Figure 6.)

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⁸⁸ The CFD Non-Transport report completed by Truck 15 indicates that its personnel assisted Ambulance 57 in performing CPR on ██████████ while the ambulance was en route to the University of Chicago Medical Center. Additionally, the report notes a second patient was a CPD member who transported himself to the hospital. Att. 41.

⁸⁹ Att. 149.

⁹⁰ Att. 170.

⁹¹ Att. 92.



Figure 6. ME's photo showing apparent bullet damage to the left cargo pocket of ██████'s jeans.⁹²

Sergeant Wallace's Medical Records⁹³ state he arrived at the University of Chicago Medical Center at 8:31 pm on June 6, 2018. Sergeant Wallace presented with left ankle pain, which he reported that he sustained during the pursuit of an assailant. Doctors diagnosed Sergeant Wallace with a fractured left ankle and a partial tear of the Achilles tendon, and he was discharged from the hospital at 10:50 pm the same evening.

CPD's Bureau of Internal Affairs (BIA) administered a **breathalyzer test**⁹⁴ to Officer Thrasher at 11:51 pm on June 6, 2018, revealing his breath alcohol concentration was .000. Officer Thrasher also submitted to a urine drug test on the same date, which produced negative results.

d. Documentary Evidence

i. Department Reports

The **Tactical Response Report (TRR)**⁹⁵ completed by Officer Thrasher indicates that he was on-duty, in civilian dress, and alone at the time of the incident. The report states Officer Thrasher encountered ██████ during a POD mission that was both drug and gang related. ██████ did not follow verbal directions, fled, posed an imminent threat of battery with a weapon, physically attacked with a weapon, and used force likely to cause death or great bodily harm. According to the TRR, ██████ used a semi-automatic pistol to shoot at Officer Thrasher. ██████

⁹² Att. 92 at "June 7, 2018 SD 059.jpg." This photo has been cropped for emphasis.

⁹³ Att. 159. There is no ambulance report for Sergeant Wallace, as he was transported to the hospital by responding officers.

⁹⁴ Atts. 26, 104.

⁹⁵ Att. 6.

fired the first shot, and Officer Thrasher responded by discharging his weapon a total of three times. He also used the following force mitigation efforts: member presence, verbal direction/control techniques, movement to avoid attack, and additional unit members. Officer Thrasher did not sustain any injuries as a result of the incident.

The **Detectives' Supplementary Reports and General Progress Reports (GPRs) for RD # [REDACTED]/Assault-Aggravated PO: Handgun⁹⁶** document detectives' attempt to interview Officer Thrasher after the incident. At the scene, Officer Thrasher reported "there was one offender and that he saw a weapon. P/O S. Thrasher stated that he heard one gunshot. P/O. S. Thrasher stated that he fired three shots. P/O S. Thrasher stated that the weapon is in the lot."⁹⁷ Detectives ended the interview because Officer Thrasher was visibly shaken and unable to continue. Approximately two years later, on May 20, 2020, detectives conducted a formal interview of Officer Thrasher, who provided essentially the same account of the incident he told COPA. Detectives also interviewed Sergeant Wallace, Officer Moy, Officer Rodriguez, Officer Medina, and Sergeant Gochee. Except as noted above, all of the officers related essentially the same information to detectives that they provided to COPA.

The reports also document the results of a canvass that detectives conducted after the incident. Detectives located at least seven civilians who heard multiple gunshots but did not see the shooting. Additionally, detectives interviewed [REDACTED], whom COPA investigators were unable to locate.⁹⁸ [REDACTED] related he was walking eastbound on the north side of 47th Street. When he was just east of Prairie Avenue, he observed a juvenile running westbound on the south sidewalk of 47th Street. [REDACTED] heard four or five gunshots but refused to provide additional information to detectives.

Detectives also conducted two interviews with [REDACTED], who identified himself as [REDACTED]. Although most of the information [REDACTED] provided to detectives is consistent with his COPA statement, there is one material difference. [REDACTED] told detectives Officer Thrasher did not unholster his weapon until he heard the first gunshot. In his statement to COPA, [REDACTED] related Officer Thrasher's weapon was already unholstered and pointed at the ground when Officer Thrasher ran around the corner onto the east sidewalk of Prairie Avenue.⁹⁹

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⁹⁶ Atts. 178-180, 184, 214.

⁹⁷ Att. 184, pgs. 32-33.

⁹⁸ Att. 184, pgs. 44, 118. COPA investigators made personal visits to three potential addresses for [REDACTED] but were unable to locate him. Phone calls with [REDACTED], [REDACTED]'s brother, revealed that [REDACTED] is homeless and does not have a phone. Investigators subsequently contacted A Safe Haven Foundation, where [REDACTED] was ordered to participate in electric home monitoring, but a counselor stated he was no longer a resident. Att. 136; Investigator's Case Log, pgs. 1, 4, 6, 10.

⁹⁹ Compare Att. 179, pg. 19; Att. 110, pg. 20, line 23 – pg. 21, line 20.

The **Alpha/Star Query Search Report**¹⁰⁰ for Officer Thrasher states he is 6'04" tall and weighs 190 lbs.

ii. Other Documentary Evidence

The **Department of Justice Bureau of Alcohol, Tobacco, Firearms and Explosives National Tracing Center Report, Trace # [REDACTED]**¹⁰¹, documents that on August 27, 2015, [REDACTED] of Avon, IN purchased the Smith & Wesson pistol that was recovered from the vacant lot from Fort Liberty Firearms, Inc., located at 8401 E. US Hwy 36, Suite C, Avon, IN 46123.¹⁰²

COPA obtained and reviewed the complete **Facebook Records**¹⁰³ for the account believed to have belonged to [REDACTED]. CPD served Facebook with Search Warrant # [REDACTED], which resulted in the digital preservation of more than 13,000 pages of material from the account "[REDACTED] ([REDACTED])." These materials include at least one photograph of [REDACTED] with a weapon that generally resembles the Smith & Wesson pistol recovered from the scene.

COPA obtained and reviewed the **Cell Phone Records**¹⁰⁴ of Sergeant Wallace and Officer Thrasher between June 6, 2018 and June 8, 2018. The records reveal a series of calls and text messages between Sergeant Wallace and Officers Thrasher and Moy between 7:30 pm and 7:58 pm. The content of the calls and messages appear to be the coordinated response to the location of the incident.

The **Complaint at Law in the Circuit Court of Cook County, Illinois ([REDACTED])**¹⁰⁵ alleges on June 6, 2018, Officer Thrasher shot [REDACTED] without justification, causing his death. As of the date of this report, the case is still pending.

VI. LEGAL STANDARD

a. Use of Deadly Force¹⁰⁶

The main issue in evaluating every use of force is whether the amount of force the officer used was objectively reasonable in light of the totality of the circumstances faced by the officer.¹⁰⁷ Factors to be considered in assessing the reasonableness of force include, but are not limited to, (1) whether the subject was posing an imminent threat to the officer or others; (2) the risk of harm,

¹⁰⁰ Att. 160.

¹⁰¹ Att. 49.

¹⁰² According to the final detectives' supplementary report, the pistol was reported stolen from Indianapolis, IN, on January 5, 2018 (NCIC # [REDACTED]). Att. 184, pgs. 19-20.

¹⁰³ Atts. 184, pgs. 94-100, 179-187; Atts. 185-186.

¹⁰⁴ Atts. 153, 174. All the times have been adjusted to CST.

¹⁰⁵ Att. 166.

¹⁰⁶ On October 16, 2017, the Department materially modified its Use of Force policy. The Department's current Use of Force Policy prohibits the use of deadly force under circumstances that would be permissible under the Fourth Amendment to the United States Constitution and Illinois state law. COPA's analysis focuses solely on whether Officer Thrasher complied with General Order G03-02. COPA cites case law solely for guidance on how to interpret common concepts or terms.

¹⁰⁷ General Order G03-02(III)(B)(1).

level of threat or resistance presented by the subject; (3) the subject's proximity or access to weapons; (4) the severity of the crime at issue; and (5) whether the subject is actively resisting arrest or attempting to evade arrest by flight.¹⁰⁸

The Department's "highest priority is the sanctity of human life."¹⁰⁹ Discharging a firearm is deadly force under Department policy.¹¹⁰ Department policy dictates that "[t]he use of deadly force is a last resort that is permissible only when necessary to protect against an imminent threat to life or to prevent great bodily harm to the member or another person."¹¹¹ Thus, a Department member may use deadly force in only two situations. First, deadly force may be used to prevent death or great bodily harm from an imminent threat posed to the sworn member or another person. Second, deadly force may be used to prevent an arrest from being defeated by resistance or escape, where the person to be arrested poses an imminent threat of death or great bodily harm to a sworn member or another person unless arrested without delay.¹¹² "A threat is imminent when it is objectively reasonable to believe that:

- a. the subject's actions are immediately likely to cause death or great bodily harm to the member or others unless action is taken; and
- b. the subject has the means or instruments to cause death or great bodily harm; and
- c. the subject has the opportunity and ability to cause death or great bodily harm."¹¹³

Department policy recognizes that Department members must "make split-second decisions—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation. These decisions must therefore be judged based on the totality of the circumstances known by the member at the time and from the perspective of a reasonable Department member on the scene, in the same or similar circumstances, and not with the benefit of 20/20 hindsight."¹¹⁴

b. Body Worn Cameras (BWCs)

Under Special Order S03-14, Department members are required to activate their BWCs whenever they are engaged in a law enforcement activity.¹¹⁵ This duty is mandatory, except where specifically indicated. Any member who knowingly fails to properly comply with the directive is subject to departmental discipline.¹¹⁶

S03-14 requires members to activate their BWCs at the beginning of an incident and record the entire incident for "all law-enforcement-related activities."¹¹⁷ The list of law-enforcement-related activities includes, but is not limited to: (a) calls for service; (b) investigatory stops; (c) traffic stops; (d) traffic control; (e) foot and vehicle pursuits; (f) arrests; (g) use of force incidents;

¹⁰⁸ *Id.*

¹⁰⁹ *Id.* at (II)(A).

¹¹⁰ *Id.* at (III)(C)(1).

¹¹¹ *Id.* at (III)(C)(3).

¹¹² *Id.*

¹¹³ *Id.* at (III)(C)(2).

¹¹⁴ *Id.* at (II)(D).

¹¹⁵ Special Order S03-14(III)(A)(1).

¹¹⁶ *Id.* at (II)(A).

¹¹⁷ *Id.* at (III)(A)(2).

(h) seizure of evidence; (i) interrogations; (j) searches, including searches of people, items, vehicles, buildings, and places; (k) statements made by individuals in the course of an investigation; (l) requests for consent to search; (m) emergency driving situations; (n) emergency vehicle responses where fleeing suspects or vehicles may be captured on video leaving the crime scene; (o) high-risk situations; (p) any encounter with the public that becomes adversarial after the initial contact; (q) arrestee transports; and (r) any other instance when enforcing the law.¹¹⁸ If circumstances prevent a member from activating his or her BWC at the beginning of an incident, the officer must activate the BWC as soon as practical.¹¹⁹

Additionally, the order prohibits members from deactivating their cameras unless the entire incident has been recorded and the member is no longer engaged in a law-enforcement-related activity.¹²⁰ In circumstances involving an officer-involved shooting, the Department considers law-enforcement-related activity to be concluded when the highest-ranking on-scene Bureau of Patrol supervisor has determined the scene is secured.¹²¹ The order notes, “The scene may be considered secure when all offenders are in custody or otherwise not in the area, medical aid has been requested/administered or CFD is on the scene, the involved officers have been identified, and the crime scene has been established.”¹²²

c. Standard of Proof

For each allegation COPA must make one of the following findings:

1. Sustained - where it is determined the allegation is supported by a preponderance of the evidence;
2. Not Sustained - where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;
3. Unfounded - where it is determined by clear and convincing evidence that an allegation is false or not factual; or
4. Exonerated - where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

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

Clear and convincing evidence is a higher standard than a preponderance of the evidence but lower than the “beyond-a-reasonable doubt” standard required to convict a person of a criminal

¹¹⁸ *Id.*

¹¹⁹ *Id.*

¹²⁰ *Id.* at (III)(B)(a).

¹²¹ *Id.* at (III)(B)(a)(4).

¹²² *Id.*

offense. See *e.g.*, *People v. Coan*, 2016 IL App (2d) 151036 (2016). Clear and convincing is defined as a “degree of proof, which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true.” *Id.* at ¶ 28.

VII. LEGAL ANALYSIS

a. Allegations Against Officer Thrasher

i. Officer Thrasher’s Use of Deadly Force Violated Department Policy

Credibility Assessment

The credibility of an individual relies primarily on two factors: (1) the individual’s truthfulness, and (2) the reliability of their account. The first factor addresses the honesty of the individual making the statement, while the second factor speaks to their ability to accurately perceive the event at the time of the incident, and then accurately recall the event from memory.

A preponderance of the evidence demonstrates that Officer Thrasher’s account is not credible. COPA finds that Officer Thrasher’s version of events is not reliable based upon his failure to accurately perceive the events at the outset, and/or his inability to accurately recall the events.¹²³ His account is inconsistent with key evidence, such as the surveillance video, ISP forensic animations, eye witness accounts, and his own BWC video. There is minimal evidence, if any, to corroborate Officer Thrasher’s account. Officer Thrasher indicated that he was able to view the entire vacant lot, and ██████ was the only individual within the lot. Additionally, Officer Thrasher stated that he saw ██████ at the precise moment the gun was in his hand. Based upon the evidence, it is more probable than not, that Officer Thrasher did not see ██████ in possession of a firearm. Consequently, COPA finds that Officer Thrasher has either misperceived or inaccurately recalled the events in question.¹²⁴

Use of Force Analysis

As previously discussed, the threshold issue in determining the objective reasonableness of any use of deadly force is whether the subject posed an imminent threat of death or great bodily harm. As applied to Officer Thrasher, COPA must determine whether ██████ fit the following three criteria: (1) his actions were immediately likely to cause death or great bodily harm; (2) he had the means to cause death or great bodily harm; *and* (3) he had the opportunity and ability to cause death or great bodily harm.¹²⁵ For the reasons that follow, COPA finds that ██████ *did not* fit the above criteria, and therefore Officer Thrasher’s use of deadly force was *not* objectively reasonable.

¹²³ Please see later analysis section, in which COPA makes the finding that there is insufficient proof to demonstrate that Officer Thrasher’s statements were willfully false. Therefore, COPA incorporates that analysis into this credibility section as well.

¹²⁴ COPA is unable to determine whether Officer Thrasher unintentionally conflated what he knew at the precise moment that he discharged his weapon with facts he learned later while still on the scene of this incident.

¹²⁵ G03-02.

Officer Thrasher claimed he saw ██████ with a firearm in the vacant lot, and when ██████ began to scale the wrought iron fence, he was forced to engage with ██████. While it may be true that Officer Thrasher found himself in a position where he had to confront or engage ██████, the implication that he had to discharge his firearm at ██████ is not tenable in light of the totality of the circumstances. First, as discussed below, COPA has made a finding of fact that Officer Thrasher did not see ██████ with a gun. Indeed, ISP Sergeant Morin's forensic analysis determined that it was unlikely Officer Thrasher could have seen a person standing where the gun was recovered, or the gun itself. Additionally, the evidence of GSR (gunshot residue) *inside* of ██████'s cargo pant pocket is indicative that the firearm was inside ██████'s pocket at the time it was fired. This closes the small window of time in which this firearm would have been visible to anyone. The evidence also suggests that ██████ attempted to remove the firearm from his pants pocket when he unintentionally pulled the trigger. The firearm would have been barely visible, if at all, at the time it discharged, as it was still inside ██████'s pocket. Therefore, COPA finds that the firearm was only *potentially* visible in ██████'s hand during the time it took him to remove the firearm from his pocket and drop it to the ground. This further contributes to the unlikelihood that Officer Thrasher saw this precise moment during ██████'s flight across the vacant lot.¹²⁶

This finding alone would resolve the analysis, as there is no evidence to support that ██████ posed an imminent threat of death or great bodily harm. Additionally, it is clear that ██████ had neither opportunity nor means to cause death or great bodily harm, as the evidence establishes he was not in possession of any weapon at the time Officer Thrasher fired. All that Officer Thrasher knew was that ██████ fled an arrest attempt for selling marijuana, and he heard a gunshot prior to seeing ██████ at the wrought iron fence. Even so, there was no way for Officer Thrasher to ascertain the source of the gunfire, as other Department members were pursuing ██████ out of Officer Thrasher's sight. Indeed, Officer Thrasher acknowledged he did not see who fired the shot and did not know the location of any of his other team members. At the time Officer Thrasher heard the gunshot, ██████ was just as likely to have been fleeing from it, as the origin of the gunshot was initially unknown.¹²⁷

However, even if Officer Thrasher did see ██████ with a gun in the vacant lot, the mere possession of a firearm is not sufficient grounds to establish the above three components of an imminent threat of death or great bodily harm. Officer Thrasher acknowledged that he did not see a gun in ██████'s hand immediately before he discharged his weapon, while ██████ was on the fence. Additionally, contrary to Officer Thrasher's description, ██████ was not coming "straight at him." ██████ essentially ran in a straight line between the two fences that obstructed his path, and he was facing Prairie Avenue when he placed both hands on the fence and attempted to jump it. Finally, the evidence suggests ██████ did not see Officer Thrasher prior to Officer Thrasher's firearm discharge. The officer's location was at least partially concealed by the west wall of 303 E. 47th Street, and Officer Thrasher admitted he did not announce his office or give any verbal commands to ██████. As a result, ██████ had no reason to know there was a police officer

¹²⁶ Conversely, if Officer Thrasher had seen this moment, he would have seen ██████ dropping or discarding the weapon and, therefore, would reasonably know that ██████ was no longer armed with a firearm – before he discharged his own firearm.

¹²⁷ It is only through the results of ISP laboratory testing that COPA has been able to draw the conclusion that ██████ fired the gunshot audible to the officers present on the scene. The circumstantial evidence of the GSR results, as well as a lack of evidence that any other civilians or police officers other than Officer Thrasher fired their weapons, supports this conclusion. Obviously, this information was not known at the time of the incident itself.

waiting for him at the end of the vacant lot. In all, it is clear that [REDACTED] did not pose an imminent threat, as he lacked the means without a weapon, he lacked the opportunity while scaling a fence with both hands, and he was likely unaware of Officer Thrasher's presence. Regardless of the above discussion about *when* Officer Thrasher may have seen a gun, he failed to reassess whether [REDACTED] was an imminent threat before he used deadly force.

In all, COPA finds that [REDACTED] did not pose an immediate threat of death or great bodily harm, as he did not possess a firearm when shot by Officer Thrasher. Furthermore, any belief by Officer Thrasher to the contrary was objectively unreasonable and is not supported by the evidence. Consequently, Officer Thrasher's firearm discharge was in violation of Department policy regarding the use of deadly force, and this allegation is **Sustained**,

ii. Officer Thrasher Untimely Activated His BWC

Allegation #2 alleges Officer Thrasher failed to timely activate his BWC. The video shows that Officer Thrasher activated his camera at 8:12:32 pm, twenty-seven seconds *after* he discharged his weapon. As a result, the video does not capture Officer Thrasher's exact location and line of sight at the time of the first gunshot. There is also no audio of the initial gunshot, Officer Thrasher's gunshots, or any verbal commands Officer Thrasher might have given to [REDACTED]. Officer Thrasher was clearly engaged in law-enforcement-related activities when he exited the police vehicle and engaged in the foot pursuit of [REDACTED]. Additionally, Officer Thrasher should have activated his BWC when he was en route to assist Sergeant Wallace in arresting the individuals engaged in narcotics transactions. His intention and role were clear once his vehicle was moving towards the CTA station at the request of Sergeant Wallace. Even if Officer Thrasher failed to activate his BWC while initially on his way to assist with the arrests, he should have done so once he observed Sergeant Wallace begin the foot chase of [REDACTED]. This was Officer Thrasher's second opportunity to activate his BWC, yet he did not do so. In short, Officer Thrasher had ample opportunity to activate his BWC. The preponderance of the evidence demonstrates that he failed to activate his BWC in a timely manner in violation of Special Order 03-14, and therefore, this allegation is **Sustained**.

iii. Officer Thrasher Engaged in An Unjustified Verbal Altercation with Bystanders

Allegations #3 and #4 pertain to Officer Thrasher's interactions with bystanders immediately after the shooting. Officer Thrasher's BWC video captures him standing outside the wrought iron fence, near [REDACTED], as a crowd of bystanders gather on the corner of 47th Street and Prairie Avenue. As Officer Thrasher holds his weapon in his right hand, he states "You see your homie right there? You see your homie shot? You see your homie, you see your homie shot? Get back, get back!" The BWC video also shows Officer Thrasher engage in a verbal altercation with an unidentified bystander. Although the video does not clearly record what Officer Thrasher or the bystander say, both appear to be yelling at each other.

COPA recognizes that tensions were high following the shooting, and Officer Thrasher had a responsibility to keep bystanders off the crime scene. However, the bystanders to whom Officer Thrasher was speaking could reasonably have interpreted his words as a veiled threat. At the very least, Officer Thrasher's words appear to be taunting the civilian bystanders. Whatever Officer

Thrasher's subjective intent, it is clear that his words inflamed the situation rather than deescalated it. The preponderance of the evidence supports the finding that Officer Thrasher's tone and content created an unjustified verbal altercation, which is prohibited by Rule 9. He was disrespectful to both to the bystanders to whom he directed his comments as well as all of the civilians who heard his words, in violation of Rule 8. Additionally, Officer Thrasher's verbal altercation impeded the Department's efforts to achieve its policy and goals and brought discredit upon the Department, in violation of Rules 2 and 3. As a result, COPA finds that Allegations #3 and 4 are **Sustained**.

iv. There Is Insufficient Evidence to Prove That Officer Thrasher Unnecessarily Displayed His Weapon Immediately Upon Exiting His Vehicle

██████████ told COPA that Officer Thrasher's weapon was already unholstered and in his hand when he ran around the corner onto Prairie Avenue. This display of a weapon—before Officer Thrasher heard the first gunshot or had any indication ██████████ was armed—would arguably violate Rule 38, which prohibits the “unlawful or unnecessary use or display of a weapon.”

COPA need not reach this determination, however, as there is insufficient evidence to show when Officer Thrasher drew his weapon. ██████████ provided a different account to detectives than he did to COPA, stating Officer Thrasher did not draw his weapon until he heard the first gunshot. Officer Thrasher himself denied that he drew his weapon until after he heard the initial gunshot. Moreover, the video from Dora's Boutique is too grainy to determine if Officer Thrasher's weapon was unholstered when he exited the police vehicle and ran around the corner onto Prairie Avenue.¹²⁸ Due to the inconsistent statements of ██████████ and lack of objective evidence, there is insufficient evidence to either prove or disprove this allegation. Therefore, COPA finds that Allegation #5 against Officer Thrasher is **Not Sustained**.

v. There is Insufficient Evidence to Prove or Disprove that Officer Thrasher Willfully Made a Material False Statement.

Chicago Police Department Rule 14 prohibits officers from “making a false report, written or oral.” To sustain such an allegation, a preponderance of the evidence must demonstrate that “(1) the officer willfully made a false statement; and (2) the false statement was made about a fact that was material to the incident under investigation.”¹²⁹

As an initial matter, the statements at issue were material. First, Officer Thrasher's observations regarding ██████████'s possession of a firearm implies that ██████████ had the means, opportunity, and ability to immediately cause death or great body harm. This fact is crucial to establishing whether an imminent threat existed. As previously mentioned, deadly force is permissible only when necessary to protect against an imminent threat, and the existence of this threat is a critical component to whether Officer Thrasher's firearm discharge was justified.

¹²⁸ The lack of objective evidence, primarily quality video footage, prohibits COPA from reaching a factual finding regarding when Officer Thrasher first removed his weapon from his holster. Therefore, COPA does not have clear and convincing evidence with which to potentially reach an Unfounded finding.

¹²⁹ Agreement between the City of Chicago and the Fraternal Order of Police Lodge No. 7, July 1, 2012 – June 30, 2017. Section 6.1M This agreement was still in effect on the date of the incident, as a new contract was not yet in effect.

Second, as discussed above, COPA has determined by a preponderance of the evidence that Thrasher's statement that he saw [REDACTED] with a firearm in his hand is false. This is supported by the ISP forensic analysis from Sergeant Morin, as well as video evidence. While not conclusive, such evidence is highly suggestive that Officer Thrasher's viewpoint could not have included the portion of the vacant lot in which the gun was discarded or dropped.

However, as to the third element, COPA finds that the preponderance of the evidence does not establish that Officer Thrasher made these false statements willfully. To be a willful false statement, the statement must be intentionally false. Officer Thrasher's false statements may be a result of his misperceptions or conflating of the facts he knew at the time of his firearm discharge with the facts he learned shortly thereafter. It is reasonable for Officer Thrasher's recollection to be influenced by what he learned after the fact. Consequently, his recollection may honestly be that he saw a gun in [REDACTED]'s hand, because he heard a gunshot and later recovered a gun. The fact that the evidence contradicts Officer Thrasher's recollection does not mean that he willfully provided a false statement. Indeed, Officer Thrasher was consistent in his second interview that he saw a firearm in [REDACTED]'s hand, and again insisted he was able to see this even after viewing the surveillance video. Moreover, COPA found Officer Thrasher's demeanor to be forthcoming and cooperative throughout his interviews. COPA finds that there is insufficient evidence to conclude that Officer Thrasher's statements were willful, and, therefore, cannot prove the third element necessary to sustain these two Rule 14 allegations. As a result, Allegations 6 and 7 against Officer Thrasher are **Not Sustained**.

b. Officer Moy Untimely Activated His BWC

The allegation against Officer Moy concerns his failure to timely activate his BWC. Officer Moy's BWC video shows that he activated his camera at 8:15:30 pm, approximately three and a half minutes after the shooting. By that point, Officer Moy had already dropped off Officer Thrasher, driven around the block (while the shooting occurred), helped Sergeant Wallace get into his vehicle, and waited for EMS to arrive. Officer Moy explained that he activated his BWC as soon as it was safe to do so; however, Sergeant Wallace's BWC video directly contradicts this statement. The video shows Officer Moy standing idly next to Sergeant Wallace's vehicle for approximately ninety seconds as he watched responding officers arrive at the scene. COPA finds that Officer Moy failed to activate his BWC at the beginning of the incident in violation of Special Order 03-14, and therefore the allegation against him is **Sustained**.

c. Officers Medina and Rodriguez Untimely Activated Their BWCs

The allegations against Officers Medina and Rodriguez involve the timeliness of their BWC activations. The videos show that Officers Medina and Rodriguez activated their cameras at 8:12:22 pm and 8:12:26 pm, respectively. At that time, they were driving around the block, and had just turned from 48th Street onto Prairie Avenue. The officers told COPA they did not hear the gunshots or see the shooting, and they activated their cameras as soon as they heard the 10-1 called over the air. This explanation is consistent with the officers' BWC videos, the radio transmissions, and the GPS data.

However, inclusive of the analysis for Officer Thrasher’s BWC allegation, Officers Medina and Rodriguez should have also activated their respective BWC videos once they were en route to assist Sergeant Wallace. At that time, their intention and roles were clear, and they were engaged in a law-enforcement-related activity. Special Order S03-14 does not allow Department members to delay activation of their BWCs until they exit their vehicles, and yet both officers stated that was their intention. Similar to Officer Thrasher, there was ample time for Officers Medina and Rodriguez to comply with S03-14 prior to exiting their vehicle. The preponderance of the evidence demonstrates that they failed to activate their BWCs at the beginning of the incident. Therefore, the allegations against Officers Medina and Rodriguez are **Sustained**.

VIII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings based on the preponderance of the evidence:

Officer	Allegation	Finding
Officer Sheldon Thrasher #17871	It is alleged by the Civilian Office of Police Accountability that on June 6, 2018, at or about 8:12 pm, at or near 4719 S. Prairie Avenue:	
	1. Officer Thrasher discharged his firearm at or in the direction of ██████████ without legal justification and in violation of CPD policy.	SUSTAINED
	2. Officer Thrasher failed to timely activate his BWC.	SUSTAINED
	3. Officer Thrasher stated words to the effect of, “You see your homie right there? You see your homie shot? You see your homie, you see your homie shot? Get back, get back!”	SUSTAINED
	4. Officer Thrasher engaged in an unjustified verbal altercation with bystanders after discharging his firearm at or in the direction of ██████████.	SUSTAINED
	5. Officer Thrasher unnecessarily displayed his weapon immediately upon exiting his police vehicle.	NOT SUSTAINED
It is further alleged that on or about July 18, 2018, at approximately 11:17 am, at 1615 W. Chicago Avenue, Officer Sheldon Thrasher #17871 committed misconduct through the following acts or omissions of Department policy by:		
6. Making one or more false, misleading, inaccurate, and/or incomplete statements in his interview with	NOT SUSTAINED	

	<p>COPA, when he stated, “I was peaking my head around the corner...I saw a guy with what appeared to be a gun in his hand,” in violation of Rules 10 and 14.</p> <p>7. Making one or more false, misleading, inaccurate, and/or incomplete statements in his interview with COPA, when he stated, “I looked in that lot, and nobody else was in the lot where he was at...and he still had the gun on him,” in violation of Rules 10 and 14.</p>	NOT SUSTAINED
Officer Jonathan Moy #18360	1. It is alleged by the Civilian Office of Police Accountability that on June 6, 2018, at or about 8:12 pm, at or near 4719 S. Prairie Avenue, Officer Moy failed to activate his BWC in accordance with CPD policy.	SUSTAINED
Officer Julio Medina #11085	1. It is alleged by the Civilian Office of Police Accountability that on June 6, 2018, at or about 8:12 pm, at or near 4719 S. Prairie Avenue, Officer Medina failed to activate his BWC in accordance with CPD policy.	SUSTAINED
Officer Alfredo Rodriguez #17867	2. It is alleged by the Civilian Office of Police Accountability that on June 6, 2018, at or about 8:12 pm, at or near 4719 S. Prairie Avenue, Officer Rodriguez failed to activate his BWC in accordance with CPD policy.	SUSTAINED

IX. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS

a. Officer Thrasher

i. Complimentary and Disciplinary History

Officer Thrasher has received one Problem Solving Award, two Attendance Recognition Awards, 11 Honorable Mentions, one Department Commendation, and one 2019 Crime Reduction Award. He has no sustained disciplinary history in the past five years.

ii. Recommended Penalty – Separation

COPA has determined Officer Thrasher’s use of deadly force against ██████████ on June 6, 2018, to be without justification and in violation of General Order 03-02. COPA also found Officer Thrasher failed to activate his BWC in accordance with Department directives and he engaged in an unjustified verbal altercation with citizens. The improper use of deadly force

against a citizen is an egregious act requiring severe consequences. Accordingly, COPA recommends separation from the Department.

b. Officer Moy

i. Complimentary and Disciplinary History

Officer Moy has received one Attendance Recognition Award, one Department Commendation, 18 Honorable Mentions, one 2019 Crime Reduction Award, one Police Officer of the Month Award, one Annual Bureau Award of Recognition, and one Unit Meritorious Performance Award. He has no sustained disciplinary history in the past five years.

ii. Recommended Penalty – Reprimand

COPA finds that Officer's Moy's actions were the result of a misunderstanding as to the requirements of S03-14 and not an attempt to prevent events from being captured on BWC. Accordingly, COPA recommends a reprimand.

c. Officer Medina

i. Complimentary and Disciplinary History

Officer Medina has received one Attendance Recognition Award, three Department Commendations, 24 Honorable Mentions, one 2019 Crime Reduction Award, and one complimentary letter. He has no sustained CR numbers and one SPAR, which he received on June 24, 2020 for a preventable traffic accident. Officer Medina received a reprimand as a result of that incident.

ii. Recommended Penalty – 1 Day Suspension

COPA finds that Officer's Medina's actions were the result of a misunderstanding as to the requirements of S03-14 and not an attempt to prevent events from being captured on BWC. Officer Medina has previously received a reprimand. Accordingly, COPA recommends a 1-Day suspension.

d. Officer Rodriguez

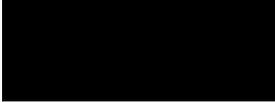
i. Complimentary and Disciplinary History

Officer Rodriguez has received one Military Service Award, four Department Commendations, 29 Honorable Mentions, and one 2019 Crime Reduction Award. He has no sustained disciplinary history in the past five years.

ii. Recommended Penalty - Reprimand

COPA finds that Officer's Rodriguez's actions were the result of a misunderstanding as to the requirements of S03-14 and not an attempt to prevent events from being captured on BWC. Accordingly, COPA recommends a reprimand.

Approved:



Andrea Kersten
Chief of Investigative Operations

November 30, 2020

Date



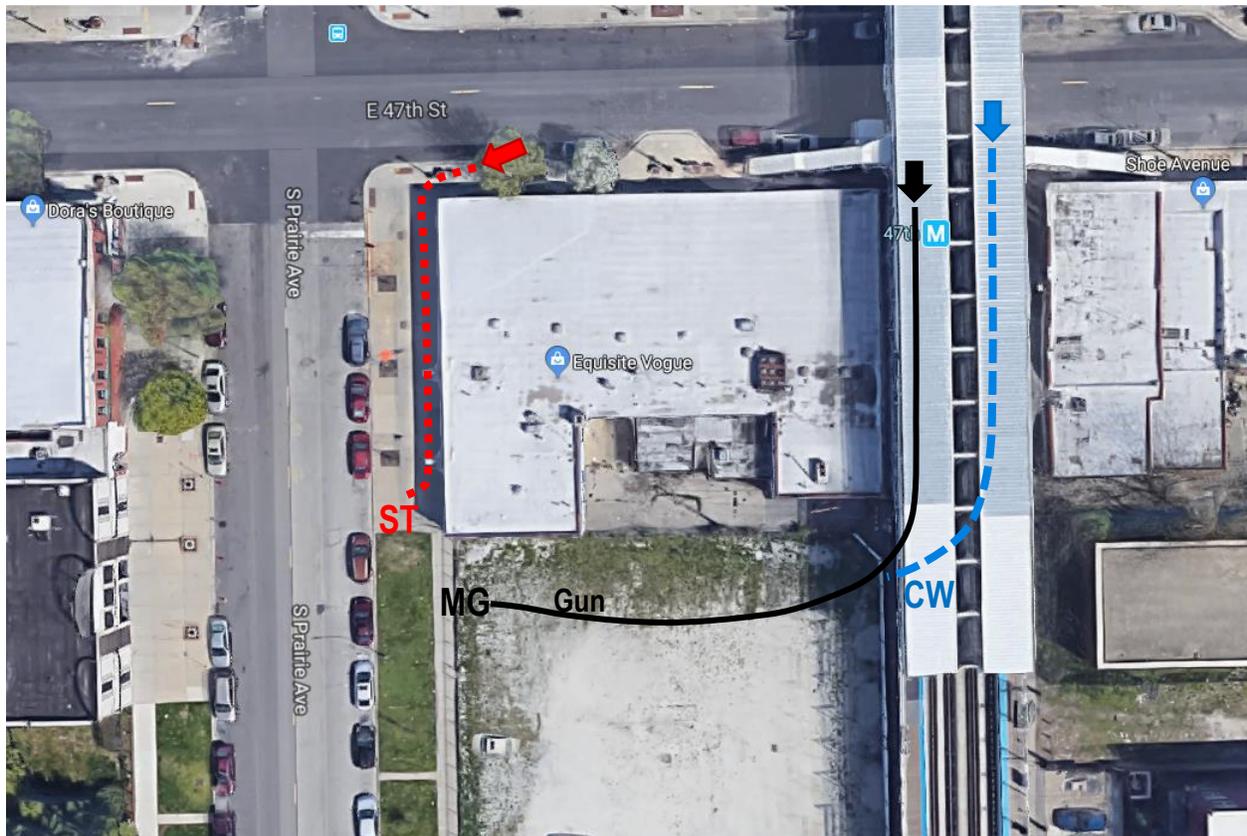
Sydney Roberts
Chief Administrator

November 30, 2020

Date

Appendix A

Diagram of [REDACTED]'s Flight Path and the Shooting Location



- Path of [REDACTED]
- Path of Officer Thrasher
- - - Path of Sergeant Wallace
- MG** Location where [REDACTED] was shot
- ST** Location where Office Thrasher discharged his weapon
- CW** Location where Sergeant Wallace injured his ankle
- Gun** Approximate location where the Smith & Wesson pistol was recovered

Appendix B

Assigned Investigative Staff

Squad#:	8
Major Case Specialist:	Steffany Hreno
Supervising Investigator:	Sherry Daun
Deputy Chief Administrator:	Angela Hearts-Glass