



Log # 2023-0553

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On February 8, 2023, the Chicago Police Department's Crime Prevention and Information Center (CPIC) notified the Civilian Office of Police Accountability (COPA) of an officer-involved shooting that occurred at approximately 3:08 am.² The incident, captured on body worn camera (BWC), and 3rd party surveillance video, began when ██████ pointed a handgun at a ██████ a security guard for Christina's Place, a bar located at 3759 N Kedzie. ██████ called 911 and Officers Jose Carcamo³ and Jorge Ulloa responded to the scene where they encountered ██████ with a gun in his hand. Officers engaged in a foot pursuit that ultimately ended when both officers discharged, fatally wounding ██████ in the alley behind 3753 N Troy. Upon review of the evidence, COPA served allegations that Officers Jose Carcamo and Jorge Ulloa discharged their firearms at or in the direction of ██████ in violation of G03-02. COPA also served allegations that Officers Carcamo and Ulloa failed to timely activate their body worn camera, failed to notify OEMC of a foot pursuit, and failed to render medical aid to ██████. Following a review of all the available evidence, COPA reached **Sustained** and **Not Sustained** findings.

II. SUMMARY OF EVIDENCE⁴

On the morning of Wednesday, February 8, 2023, at approximately 2:55 am, ██████ was involved in an altercation inside Christina's Place, located at 3759 N. Kedzie.⁵ ██████ Christina's security guard, escorted ██████ out and returned inside.⁶ However, ██████ refused to leave, pounded on the glass and appeared to either display his middle finger or some other sign to the patrons inside the bar.⁷ ██████ went outside the bar again to encourage ██████ to leave.⁸ Eventually, ██████ left but returned less than one minute later where he is seen banging on the glass and making a gesture with his left hand while keeping his right hand in

¹ Appendix A includes case identifiers such as the date, time, and location of the incident, the involved parties and their demographics, and the applicable rules and policies.

² Pursuant to § 2-78-120 of the Chicago Municipal Code, COPA has a duty to investigate all incidents in which a Chicago Police Department member discharges their firearm. Therefore, COPA determined it would be the primary administrative investigative agency in this matter.

³ Officer Jose Carcamo was a Probationary Police Officer at the time of this incident.

⁴ The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including BWC footage, neighborhood surveillance cameras, 911 calls and radio transmissions, Chicago Police Department (CPD) official reports, ISP Crime Lab, and Inventoried Evidence Reports.

⁵ Att. 51, Christina's Place Merged Surveillance.

⁶ Att. 51 at 0:00 to 0:35.

⁷ Att. 51 at 0:35 to 1:00.

⁸ Att. 51 at 0:56.

his jacket pocket.⁹ ██████ again exited the bar to tell ██████ to leave – but this time – at approximately 2:58 am, ██████ pulled a gun from his right jacket pocket and pointed it at ██████¹⁰ ██████ put his hands up and walked backwards to the bar where eventually the police were called.¹¹ ██████ left and walked East on Grace before disappearing from the bar security camera's view at approximately 2:59 am.¹²

Officers Carcamo and Ulloa responded to the call and as they were speaking to the patrons outside of Christina's Place, one of the individuals outside yelled that they spotted ██████¹³ The officers then began to drive in the direction that ██████ was heading in on foot. At approximately 3:07 am, Officers Carcamo and Ulloa encountered ██████ walking with the gun in his hand near 3749 N. Troy Street.¹⁴ The officers exited their vehicle with their firearms drawn and reportedly ordered ██████ to drop his weapon.¹⁵ ██████ fled from the officers on foot Northbound on Troy before turning right and heading East on Grace, with the officers in pursuit.¹⁶ After turning East on Grace, ██████ ran to the alley behind 3753 N. Troy Street, where he fell to the ground with his gun in his left hand.¹⁷ Officers caught up to him and ordered him to stay on the ground.¹⁸ As ██████ began to get up, his weapon, which was in his left hand, appeared to discharge – as a puff of smoke is visible.¹⁹ Both officers also discharged their firearms, nearly simultaneously.²⁰

Officer Ulloa stated in his interview with COPA that after ██████ had fallen and verbal commands were given for him to stay down, ██████ instead started to get up with the firearm still in his hand and began to turn and raise the firearm toward Officer Ulloa. Officer Ulloa also believed that he heard a round go off at that moment and the exchange of gunfire occurred.²¹ Officer Carcamo provided a similar account in his statement to COPA explaining that after ██████ had fallen down he gave him verbal commands to stay down but ██████ got up, turned, and pointed his firearm at Officer Ulloa which prompted Officer Carcamo to discharge.²² Officer Carcamo also heard a gunshot to which he believed came from Ververde's firearm.²³

⁹ Att. 51 at 1:28 to 1:45.

¹⁰ Att. 51 at 2:00.

¹¹ Att. 68; and Att. 14, OEMC Event Report Pgs. 39-40. 911 Dispatcher relayed that a man wearing a white hat and beige jacket with a gun was making threats to the staff at Christina's Place, pointed his gun at the door, and refused to leave.

¹² Att. 51 at 2:10 to 2:32.

¹³ Att. 9, pg. 9, lns. 17 to 24 and pg. 10, lns. 1 to 10; Att. 10, pg. 21, lns. 1 to 14.

¹⁴ Att. 1, Officer Carcamo BWC at 1:19; and Att. 2, Officer Ulloa BWC at 1:40

¹⁵ Att. 1 at 1:19; and Att. 2 at 1:35, COPA is unable to independently verify if verbal commands were issued because neither Officer Carcamo nor Officer Ulloa had activated their BWC. However, verbal commands can be heard as Officer Ulloa turns East onto Grace. Att. 9, pg. 14, lns. 11 to 13; Att. 10, pg. 24, lns. 14 to 17.

¹⁶ Att. 2, 1:35 to 2:08.

¹⁷ Att. 2 at 2:09.

¹⁸ Att. 2 at 2:09.

¹⁹ Att. 1 at 1:40; and Att. 48 at 0:05.

²⁰ Att. 2 at 2:10.

²¹ Att. 10, pg. 25, lns. 8 to 15 and pg. 26, lns 4 to 12.

²² Att. 9, pg. 10, lns. 22 to 24; pg. 11, lns. 1 to 2; pg. 19 lns. 2 to 7.

²³ Att. 9, pg. 19, lns. 8 to 19.

██████████ had a gunshot wound to the neck, left arm, left thigh, and a graze wound to the left foot.²⁴ Officer Ulloa radioed in “shots by police,” relayed their beat number, location, and requested an ambulance.²⁵ Both officers remained at some distance from ██████████ who was on the ground, and issued verbal commands to stay down and not move.²⁶ Officer Carcamo told ██████████ who is seen moving slightly, that an ambulance was on the way.²⁷ Meanwhile, Officer Ulloa, who approached ██████████ from a distance at a different angle announced that ██████████ still had a gun on him in his left hand.²⁸ Officers Carcamo and Ulloa explained that they did not approach ██████████ to provide medical care as they waited for EMS to arrive because they deemed the scene to be unsafe as ██████████ was still in possession of the firearm and at some point was still moving.²⁹

Approximately two minutes after the shooting, additional officers arrived at the scene to assist.³⁰ As the assisting officers approached, both Officers Carcamo and Ulloa cautioned them that ██████████ still has a gun in his hand.³¹ Officer Ulloa then asked Officer Carcamo if he’s okay, and said he thinks ██████████ “popped some rounds at us.”³² At 3:11 am, Officer Ulloa slowly approached ██████████ and kicked the gun out of his hand.³³ Immediately after, Sgt. Joseph Zaccagnino separated Officers Carcamo and Ulloa.³⁴ Sgt. Robert Kellinger caught up with Sgt. Zaccagnino and both Officers Carcamo and Ulloa and asked them who fired shots.³⁵ The officers responded that they both did.³⁶ Sgt. Kellinger then radioed to get clearance to turn off his camera.³⁷

When EMTs arrived, they pronounced ██████████ dead at the scene at approximately 3:30 am.³⁸ ██████████ toxicology report found his blood alcohol concentration (BAC) was 0.248, and the presence of THC.³⁹ While Officer Ulloa was transported by CFD Ambulance 61 to Swedish Covenant and Officer Carcamo was sent to Illinois Masonic by CFD Ambulance 33.⁴⁰

Chicago Police Department Evidence Technicians (ETs) recovered and inventoried a tan Glock 19 semi-automatic firearm with an extended 31-round magazine, which Officer Ulloa had

²⁴ Att. 117.

²⁵ Att. 2 at 2:16 to 3:35.

²⁶ Att. 1 at 2:22.

²⁷ Att. 1 at 2:37.

²⁸ Att. 1 at 2:40; Att. 2 at 3:08.

²⁹ Att. 9 pg. 26 lns. 6 to 16; Att. 10 pg. 40 lns. 8 to 19.

³⁰ Att. 34, PO Mary Rasso at 2:00.

³¹ Att. 2 at 4:10; and Att. 34 at 2:38.

³² Att. 2 at 4:35 to 3:42.

³³ Att. 2, at 5:30 to 6:00.

³⁴ Att. 25, Sgt. Zaccagnino BWC at 3:50.

³⁵ Att. 22, Sgt. Kellinger BWC at 3:20.

³⁶ Att. 22, at 3:30.

³⁷ Att. 22, at 3:20 to 4:30.

³⁸ Att. 111, Case Supplement Report, Pg. 2.; and Att. 120 CFD Ambulance Report

³⁹ Att. 114, ME’s Toxicology Report

⁴⁰ Att. 111, Pg. 5.

kicked away from ██████ left hand.⁴¹ ETs also inventoried a fired cartridge casing in the chamber of ██████ Glock 19, consistent with ██████ firing.⁴²

Later, Illinois State Police (ISP) conducted a gunshot residue test on ██████ and determined he had either fired his weapon or had both hands in the environment of a discharged weapon.⁴³

III. ALLEGATIONS

PO Jose Carcamo:

1. Discharging your firearm at or in the direction of ██████ in violation of General Order 03-02.
 - **Not Sustained**
2. Failing to timely activate your body-worn camera in violation of Special Order 03-14.
 - **Sustained, in violation of Rules 2, 3, 5, 6, and 10.**
3. Failing to notify OEMC of a foot pursuit in violation of General Order 03-07.VII.
 - **Not Sustained**
4. Failing to provide medical care to ██████ in violation of General Order 03-06.
 - **Not Sustained**

PO Jorge Ulloa:

1. Discharging your firearm at or in the direction of ██████ in violation of General Order 03-02.
 - **Not Sustained**
2. Failing to timely activate your body-worn camera in violation of Special Order 03-14.
 - **Sustained, in violation of Rules 2, 3, 5, 6, and 10.**
3. Failing to notify OEMC of a foot pursuit in violation of General Order 03-07.VII.
 - **Not Sustained**
4. Failing to provide medical care to ██████ in violation of General Order 03-06.
 - **Not Sustained**

⁴¹ Att. 40, CPD Inventory Report.

⁴² Att. 40; and Att. 38, CPD Firearms Receipt and Worksheet.

⁴³ Att. 107, ISP Gunshot Residue Results.

IV. CREDIBILITY ASSESSMENT

This investigation did not reveal any evidence that caused COPA to question the credibility of any of the individuals (sworn or unsworn) who provided statements.

V. ANALYSIS⁴⁴

a. There is insufficient evidence to show that Officers Ulloa's and Carcamo's firearm discharge violated CPD policy

Following a thorough review, COPA finds insufficient evidence to support a finding that the use of deadly force by Officers Ulloa and Carcamo violated CPD policy. Allegation 1 against Officers Ulloa and Carcamo is therefore **Not Sustained**. CPD members are only authorized to use force that is objectively reasonable, necessary, and proportional, under the totality of the circumstances, to ensure the safety of a member or a third person, stop an attack, make an arrest, control a subject, or prevent escape.⁴⁵ This means that CPD members may use only the amount of force necessary to serve a lawful purpose. The amount and type of force used must be proportional to the threat, actions, and level of resistance a person offers.⁴⁶

The use of deadly force is permitted only as a “last resort” when “necessary to protect against an imminent threat to life or to prevent great bodily harm to the member or another person.”⁴⁷ A CPD member may use deadly force in only two situations: (1) to prevent “death or great bodily harm from an imminent threat posed to the sworn member or to another person;” or (2) 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.”⁴⁸ A threat is considered imminent “when it is objectively reasonable to believe that: (a) the person’s actions are immediately likely to cause death or great bodily harm to the member or others unless action is taken; **and** (b) the person has the means or instruments to cause death or great bodily harm; **and** (c) the person has the opportunity and ability to cause death or great bodily harm.”⁴⁹ Officers are expected to modify the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary.⁵⁰

In this case, Officers Ulloa and Carcamo responded to a call for service about a man with a gun. When Officers Ulloa and Carcamo encountered ██████████ he had a gun in his hand and fled on foot from the officers. While in pursuit, officers ordered ██████████ several times to drop his weapon. Eventually, as Officers Ulloa and Carcamo reached the mouth of alley, ██████████ slipped

⁴⁴ For a definition of COPA’s findings and standards of proof, *see* Appendix B.

⁴⁵ G03-02 (III)(B)

⁴⁶ G03-02 (III)(B)(3).

⁴⁷ G03-02(IV)(C).

⁴⁸ G03-02(IV)(C)(1-2).

⁴⁹ G03-02(IV)(B) (emphasis added).

⁵⁰ G03-02(III)(C)(2).

and fell to the ground with the gun in his left hand. When ██████ attempted to get up, he used his left hand – still holding the gun – causing the gun to discharge. Officers Ulloa and Carcamo discharged their firearms nearly simultaneously. In their statements to COPA, both Officers Ulloa and Carcamo said they heard ██████ gun discharge and responded by discharging their firearms.

Under the totality of the circumstances, COPA does not have sufficient evidence to find Officers Ulloa and Carcamo’s belief that ██████ posed an imminent threat was objectively unreasonable. Likewise, COPA finds insufficient evidence to show that Officers Ulloa and Carcamo’s use of deadly force was not necessary or proportional. Officers can be heard on BWC ordering ██████ to drop his weapon. It was only when ██████ fell and attempted to get up using his gun, causing it to discharge, that Officers Ulloa and Carcamo resorted to the use of deadly force. Based on a totality of the circumstances, COPA cannot find that Officers Ulloa and Carcamo’s use of deadly force violated CPD policy; therefore, Allegation 1 against Officers Ulloa and Carcamo is **Not Sustained**.

b. Officers Ulloa and Carcamo failed to timely activate their BWCs

COPA finds Allegation 2 that Officers Ulloa and Carcamo failed to timely activate their BWCs is **Sustained**. CPD requires members to activate their BWCs “at the beginning of an incident” and to “record the entire incident.”⁵¹ In his statement to COPA, Officer Carcamo said he activated his BWC “after we opened fire.”⁵² While Officer Carcamo explained that with everything going on, activating his BWC was the “last thing” on his mind.⁵³ However, given he was responding to a service call about a man with a gun he should not have waited until the last minute to activate his BWC. Simply put, Officer Carcamo had plenty of time to activate his BWC prior to engaging in a foot pursuit and discharging his weapon. Similarly, Officer Ulloa admitted in his statement to COPA that he “probably should have activated it sooner.”⁵⁴ Therefore, COPA finds Allegation 2 for both officers is **Sustained**.

c. Notifying OEMC of a foot pursuit

COPA finds Allegation 3 that Officers Ulloa and Carcamo failed to notify OEMC of a foot pursuit in violation of General Order 03-07.VII is **Not Sustained**. CPD requires that officers engaging in a foot pursuit “immediately, or as soon as safely practical,” notify OEMC.⁵⁵ In his statement to COPA, Officer Ulloa said he believed he radioed in the foot pursuit but did not give his location.⁵⁶ Following a review of OEMC transmissions, COPA could not confirm this, however there is an inaudible radio call in from Officer Ulloa’s assigned 1742 beat that occurs approximately 30 seconds before the shots fired notification.⁵⁷

⁵¹ Att. 130, G03-07 (VII), Foot Pursuits

⁵² Att. 9, at pg. 24, ln. 9

⁵³ Att. 9, at pg. 24, lns. 14-18

⁵⁴ Att. 10, at pg. 38, lns. 4-5; and pg. 46, lns. 9-12.

⁵⁵ Att. 122

⁵⁶ Att. 10 pg. 17, lns. 4 to 6

⁵⁷ Att. 93 at 7:30

While COPA finds it likely that inaudible radio call is Officer Ulloa's OEMC notification, it cannot be sure as neither Officer Ulloa nor Carcamo had activated their BWC to record the notification. Therefore, COPA finds that Allegation 3 is **Not Sustained**.

d. Providing medical care to [REDACTED]

COPA finds Allegation 4 that Officers Ulloa and Carcamo failed to provide medical aid to [REDACTED] is **Not Sustained**. CPD General Order G03-06 states in part, a CPD member responding to the scene of an officer-involved firearm discharge will request medical attention, "as soon as it is safe and feasible to do so," provide "lifesaving aid consistent with their Department training."⁵⁸ It further states, CPD members "may provide appropriate medical care consistent with their training," which may include "providing first aid and/or arranging for transportation to an emergency medical facility."⁵⁹ In this case, immediately after discharging their firearms, Officers Ulloa and Carcamo could see [REDACTED] still moving and in possession of his firearm.⁶⁰ Officers called for an ambulance and instructed [REDACTED] to stay down and informed him an ambulance was on the way.⁶¹ A few minutes later, after more officers arrived to help secure the scene, Officer Ulloa walked up to [REDACTED] and kicked the gun out of his hand.⁶² When EMTs arrived, they pronounced [REDACTED] dead at approximately 3:30 am.⁶³

In their statements to COPA, Officer Ulloa and Carcamo said they did not approach [REDACTED] to render medical aid because they determined the scene was unsafe as [REDACTED] was moving and still in possession of the firearm.⁶⁴ Following a review of the evidence, COPA can confirm that [REDACTED] retained possession of his firearm in his hand and appeared to be moving slightly. However, COPA is unable to prove or disprove whether the scene was secure enough for officers to approach [REDACTED] and provide appropriate medical care consistent with their training. Therefore, COPA finds Allegation 4 is **Not Sustained**.

⁵⁸ Att. 125, G03-06 (VI)(D)(1), Firearm Discharge and Officer-Involved Death Incident Response and Investigation (effective April 15, 2021 to present).

⁵⁹ Att. 125, G03-06 (VI)(D)(1)(a).

⁶⁰ Att. 1 at 2:40; Att. 2 at 3:08.

⁶¹ Att. 1 at 2:37

⁶² Att. 2, at 5:30 to 6:00.

⁶³ Att. 111, Case Supplement Report, Pg. 2.; and Att. 120 CFD Ambulance Report

⁶⁴ Att. 9 pg. 26 lns. 6 to 16; Att. 10 pg. 40 lns. 8 to 19.

VI. DISCIPLINARY RECOMMENDATION

a. Officer Jose Carcamo

i. Complimentary and Disciplinary History⁶⁵

Officer Jose Carcamo has received one honorable mention. His record indicates he has not previously been disciplined.

ii. Recommended Discipline

COPA has considered Officer Carcamo’s complimentary history and lack of disciplinary history. COPA has considered the nature of the misconduct in this case. COPA recommends a violation noted.

b. Officer Jorge Ulloa

i. Complimentary and Disciplinary History⁶⁶

Officer Jorge Ulloa has received 144 complimentary awards, including 135 honorable mentions, two complimentary letters, and one unit meritorious performance award. Officer Ulloa has received two reprimands, both for incidents that occurred in 2024. Officer Ulloa’s reprimands were for a court appearance violations and a failure to perform assigned tasks.

ii. Recommended Discipline

COPA has considered Officer Ulloa’s complimentary history and disciplinary history. COPA has considered the nature of the misconduct in this case. COPA recommends a Written Reprimand.

Approved:

[Redacted Signature]

Skazday Jackson
Deputy Chief Administrator – Chief Investigator

August 20, 2024
Date

[Redacted Signature]

Andrea Kersten
Chief Administrator

August 20, 2024
Date

⁶⁵ Att. 134.
⁶⁶ Att. 133.

Appendix ACase Details

Date/Time/Location of Incident:	February 8, 2023 / 3:08 am / 3753 N Troy, Chicago, Illinois
Date/Time of COPA Notification:	February 8, 2023, 3:18 am
Involved Officer #1:	Jose Carcamo, Star #16923, Employee ID # [REDACTED], Date of Appointment: April 25, 2022, Unit 017, Male, White Hispanic
Involved Officer #2:	Jorge Ulloa, Star #13936, Employee ID # [REDACTED], Date of Appointment: March 9, 2009, Unit 017, Male, S
Involved Individual #1:	[REDACTED] Male, White Hispanic

Applicable Rules

- Rule 2:** Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3:** Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 5:** Failure to perform any duty.
- Rule 6:** Disobedience of an order or directive, whether written or oral.
- Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9:** Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 10:** Inattention to duty.
- Rule 14:** Making a false report, written or oral.
- Rule 38:** Unlawful or unnecessary use or display of a weapon.
- Rule __:** *[Insert text of any additional rule(s) violated]*

Applicable Policies and Laws

- General Order 03-02, De-escalation, Response to Resistance, and Use of Force (effective April 15, 2021, to June 28, 2023).
- General Order 03-07, Foot Pursuits (effective August 29, 2022 to present).
- General Order 03-07-01, Department Review of Foot Pursuits (effective January 2023)
- General Order 03-06, Firearm Discharge and Officer Involved Death Incident Response and Investigation (effective April 15, 2021 to present).

Appendix B

Definition of COPA's Findings and Standards 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 allegation 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** can be described as evidence indicating that it is **more likely than not** that a proposition is proved.⁶⁷ For example, if the evidence gathered in an investigation establishes that it is more likely that the conduct complied with CPD policy than that it did not, 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 offense. Clear and convincing can be 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.”⁶⁸

⁶⁷ 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 is found to be more probably true than not).

⁶⁸ *People v. Coan*, 2016 IL App (2d) 151036, ¶ 28 (quoting Illinois Pattern Jury Instructions, Criminal, No. 4.19 (4th ed. 2000)).

Appendix C**Transparency and Publication Information**

Check all that apply:

- Abuse of Authority
- Body Worn Camera Violation
- Coercion
- Death or Serious Bodily Injury in Custody
- Domestic Violence
- Excessive Force
- Failure to Report Misconduct
- False Statement
- Firearm Discharge
- Firearm Discharge – Animal
- Firearm Discharge – Suicide
- Firearm Discharge – Unintentional
- First Amendment
- Improper Search and Seizure – Fourth Amendment Violation
- Incidents in Lockup
- Motor Vehicle Incidents
- OC Spray Discharge
- Search Warrants
- Sexual Misconduct
- Taser Discharge
- Unlawful Denial of Access to Counsel
- Unnecessary Display of a Weapon
- Use of Deadly Force – other
- Verbal Abuse
- Other Investigation