

**SUMMARY REPORT OF INVESTIGATION**

**I. EXECUTIVE SUMMARY**

Date of Incident:	January 30, 2018
Time of Incident:	5:50pm
Location of Incident:	727 E. 111 <sup>th</sup> St. (Female Locker Room 2 <sup>nd</sup> Floor)
Date of COPA Notification:	January 30, 2018
Time of COPA Notification:	6:50pm

On January 30, 2018, Officer Aina Harris accidentally discharged her firearm while in the 5<sup>th</sup> District female locker room, while transferring her gun from her duty belt to place it in her locker.

**II. INVOLVED PARTIES**

Involved Officer #1:	Aina Harris, star # 10172, employee ID# [REDACTED], Date of Appointment: October 27, 2003, Date of Birth: [REDACTED], 1971, Female, Black
----------------------	---

**III. ALLEGATIONS**

Officer	Allegation	Finding
Officer Aina Harris	It is alleged that on January 30, 2018, Officer Aina Harris accidentally discharged her firearm.	Sustained

#### IV. APPLICABLE RULES AND LAWS

---

##### Rules

---

1. Rule 10: Inattention to Duty

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

##### a. Interviews

In an interview with COPA on April 6, 2018, **Officer Aina Harris** stated that on the date in question she was in the female locker room of the 5<sup>th</sup> District and she was just finishing her shift. She stated that she took off her vest and as she went to take her gun out of her duty belt and place it in her locker the gun accidentally discharged. Officer Harris stated that there was no one else in the locker room and that she did not pull the trigger, and that the gun fired on its own. Officer Harris testified that she owned a Sig-Sauer and that her gun was fully loaded at the time (8 rounds in the magazine and one in the chamber). Officer Harris related that she notified a Sergeant Brown who then made all the mandatory notifications. Officer Harris stated that the same day the gun discharged she spoke with detectives, lieutenants and took the mandatory tests. Officer Harris stated that she has owned the gun for 15 years, and uses it every year to qualify. Officer Harris related that she cleans the gun about twice a year and the gun has never accidentally discharged before. Officer Harris stated that after the gun discharged she did no investigation as to why the gun malfunctioned and still uses the weapon as her primary gun. (Attachment 14)

##### b. Physical Evidence

The **Chicago Police Department Bureau of Internal Affairs conducted alcohol and drug testing** on Officer Harris on January 30, 2018. She performed her alcohol test at 8:24 pm and her drug test at 8:37 pm. Officer Harris was observed for 24 minutes from 8:00 pm to 8:24 pm, prior to taking both tests. Both her alcohol and drug tests came back negative. (Attachments 10 and 11)

The **forensic photographs** of the female locker room of the 5<sup>th</sup> District depict an approximately one-inch hole in a concrete wall about six feet above the ground. Other photographs are taken from approximately where Officer Harris was standing when her weapons discharged. (Attachment 6)

##### c. Documentary Evidence

---

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

The **Original Case Incident Report** documents that while in the woman's locker room in the 005<sup>th</sup> district police station Officer Harris accidentally discharged her weapon striking the wall causing minor damage, while in the process of changing out her duty weapon from her duty holster. The report provides that 9 rounds were recovered, one being a spent cartridge. Officer Harris had a Sig-Sauer model P239 which holds 8 rounds in the magazine and one in the chamber. (Attachment 3)

The **Tactical Response Report** of Officer Harris provides that she accidentally discharged her weapon while she was alone and on duty in the female locker room of the 5<sup>th</sup> District. The TRR reports that there was no witnesses or injuries. (Attachment 7)

The **Detective Supplementary Report** documents Detectives Margaret Wolanski, and Scott Shepard's investigation into this matter. The detectives report that they interviewed Officer Harris along with many of the officers that heard the gun shot. The detectives concluded their investigation on February 6, 2018, without making any findings. (Attachments 8 and 9)

**Initiation Reports** from Sergeants Sharon Brown # 2053, of the 5<sup>th</sup> District, and Richard Alvarez # 1968, of the Bureau of Internal Affairs, both memorialize that Officer Harris accidentally discharged her firearm in the 5<sup>th</sup> District female locker room. Both initiation reports list the notifications that were made and the approximate time that they were made. (Attachments 4 and 5)

## VI. ANALYSIS

COPA recommends a finding of **Sustained** against Officer Harris. Officer Harris is alleged to have accidentally discharged her firearm in the 5<sup>th</sup> District female locker room causing property damage to the wall. In her interview with COPA Officer Harris admitted that her gun went off while she was taking it out of her duty belt and placing it into her locker. Officer Harris testified that she did not have her hand on the trigger and the gun fired by itself. There were no injuries and the only damage was to the concrete wall of the locker room.

Officer Harris testified that she never made any attempts to discover why her gun accidentally discharged. She also stated that she still uses the gun despite its malfunction and that she did not clean her gun or take it to get it examined to ascertain the cause of the malfunction. Officer Harris testified that she has only cleaned her gun twice since she has owned the weapon. Officer Harris stated that she has owned the weapon for 15 years and has shot the weapon once a year, for the past 15 years when she qualifies. COPA finds it peculiar that Officer Harris claims the gun discharged on its own and then made no attempt to investigate why her gun supposedly spontaneously discharged. In fact, she stated that she continues to use the gun as her primary sidearm. If the gun did malfunction as described, it would be dangerous to Officer Harris and any person or officer she encounters while armed. In sum, Officer Harris admitted that her gun

discharged while she was handling the weapon in the 5<sup>th</sup> District female locker room therefore COPA must **Sustain** the allegation against Officer Harris that her weapon discharged in violation of rule 10, inattention to duty.

**VII. CONCLUSION**

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

Allegation	Finding
Officer Aina Harris It is alleged that on January 30, 2018, Officer Aina Harris accidentally discharged her firearm.	Sustained

Approved

Andrea Kersten  
Deputy Chief Administrator

Date

4/23/18

Appendix A

Assigned Investigative Staff

---

<b>Squad#:</b>	4
<b>Investigator:</b>	Dwight A. White
<b>Supervising Investigator:</b>	James Murphy Aguilu
<b>Deputy Chief Administrator:</b>	Andrea Kersten