

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	December 28, 2017
Time of Incident:	4:20 p.m.
Location of Incident:	3151 W. Harrison Street-Area 4 SWAT, Unit 353
Date of COPA Notification:	December 28, 2017
Time of COPA Notification:	5:57 p.m.

On December 28, 2017, at approximately 4:20 p.m., after firearms training at Area 4 SWAT, Sergeant Michael Tews, #1463, removed the magazine to his handgun¹ and began to disassemble the handgun in the range office. Sgt. Tews, unaware that the weapon had a round in the chamber, pulled the trigger to release the slide forward and discharged a round into a wooden table, causing minor damage. The spent shell casing and fired bullet were recovered and inventoried.² Notifications to the chain of command were made.

II. INVOLVED PARTIES

Involved Officer #1:	Michael Tews, Star #1463, Employee ID# [REDACTED], Date of Appointment: October 28, 2002, Rank: Sergeant, Unit of Assignment: 011, DOB: [REDACTED], 1977, Male, White.
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III. ALLEGATIONS

Officer	Allegation	Finding
Sergeant Michael Tews	1. It is alleged that Sgt. Tews unintentionally discharged his weapon, in violation of Rule 10.	Sustained

IV. APPLICABLE RULES AND LAWS

Rules

¹ Glock GMBH 17 semi-automatic, registration # [REDACTED], serial no. [REDACTED]. See att. 4

² Att. #7-9mm spent shell casing Inventory No. # [REDACTED] and Att. 8-fired 9mm bullet inventory No. # [REDACTED].

1. Rule 10-Inattention to duty.

V. INVESTIGATION³

a. Interviews

In a statement to COPA on February 8, 2018, **Accused Sergeant Michael Tews, 1463**,⁴ stated that on December 28, 2017, he was assigned to the 11th District but detailed to Unit 353, Area 4 SWAT.⁵ On December 28, 2017, Sgt. Tews exited the SWAT range after firearms training and went to the cleaning station in the office outside the firing range to disassemble and clean his pistol.⁶ While standing over a wooden table, Sgt. Tews began to disassemble his pistol by cocking the slide back a quarter cock and squcczing two small levers. Sgt. Tews explained that the operating procedure for disassembling the Glock pistols requires you to squeeze the trigger to remove the slide. When Sgt. Tews squeezed the trigger to get the slide off, the gun went off and a round struck a wooden table. Sgt. Tews believed that the chamber was empty when he squeezed the trigger. Sgt. Tews recovered the spent casing and fired bullet. Sgt. Tews stated that no one was injured from the incident.

Following the incident, Sgt. Tews notified SWAT training Sergeant Matthew Little, #885, via telephone and informed him of what had occurred. Shortly thereafter, Acting Watch Commander Arturo Torres, #1149, arrived at the SWAT unit and Sgt. Tews explained to him what had occurred. Sgt. Tews stated that he is going to ensure this incident does not happen again by getting a new weapon because he never liked the operating procedure for disassembling the Glock pistols.

b. Physical Evidence

The **Bureau of Internal Affairs Synoptic Report**⁷ indicates that Sergeant James Fiedler, #1989, conducted a breath test in accordance with Department policy and took a urine sample from

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. #16, 18. On February 6, 2017, Sgt. Tews was promoted to a sergeant and on the date and time of the incident, he was working as sergeant.

⁵ According to Sgt. Tews, he "had only been with them (SWAT) for three to four days" ... prior to the incident. Att. #16, Pg. 9, lines10-12.

⁶ Semi-automatic Glock 17 pistol.

⁷ Atts. #9-14.

Sergeant Michael Tews. His Blood Alcohol Content was .000 and no drugs were found in Sgt. Tews’ system at the time of the incident.

The **Crime Scene Processing Report**⁸ indicates that an evaluation of the cartridge case ejected from Sgt. Tews’ weapon was performed. The casing was determined to be a “WIN 9m Luger” consistent with having been fired and the Sgt. Tews’ firearm was capable of firing 9mm Luger ammunition.

c. Documentary Evidence

The **Initiation Report, Original Case Incident Report, and Tactical Response Report (TRR)** contain essentially the same account of the incident as Sergeant Tews provided in his statement to COPA.⁹

VI. ANALYSIS

Rule 10 of the Rules and Regulations of the Chicago Police Department prohibits an officer from being “inattentive to duty.” As Sgt. Tews was cleaning his firearm, he failed to ensure that the chamber of the weapon was empty. Sgt. Tews admitted that when he depressed the trigger of his firearm to release the slide from the frame, he was unaware that a live round was in the chamber. This caused the round in the chamber to be discharged and struck a wooden table. Sgt. Tews was inattentive to duty when he failed to recognize that the firearm was still loaded and did not properly secure his firearm.

VII. CONCLUSION

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

Officer	Allegation	Finding
Sergeant Michael Tews	1. It is alleged that Sgt. Tews unintentionally discharged his weapon.	Sustained

⁸ Att. #19.

⁹ Atts. #4, #5, #6.

Approved:

[Redacted Signature]

Shannon Hayes [Redacted]
Acting Deputy Chief Administrator – Chief Investigator

5/29/18

Date

Appendix A

Assigned Investigative Staff

Squad#:	Seven
Major Case Specialist:	Jessica Sanchez
Supervising Investigator:	Mark Javier
Acting Deputy Chief Administrator:	Shannon Hayes

