



Brandon Johnson
Mayor

Department of Police · City of Chicago
3510 S. Michigan Avenue · Chicago, Illinois 60653

Larry B. Snelling
Superintendent

October 2, 2023

Andrea Kersten
Chief Administrator
Civilian Office of Police Accountability
1615 West Chicago Avenue, 4th Floor
Chicago, Illinois 60622

Re: Superintendent's Non-Concurrence with Penalty Recommendation
Complaint Log No. 2022-0003777

Dear Chief Administrator Kersten:

After a careful review of the above referenced complaint log number, the Chicago Police Department (Department) concurs with the recommended sustained finding but does not concur with the recommended penalty for Officer Ryan McCallum, Star No. 16333.

The COPA investigation recommended a penalty of a 5-day suspension for Officer McCallum after concluding that he:

1. Unintentionally discharged his firearm without justification.

The Department agrees that this allegation should be sustained. But the Department believes that a 5-day suspension is excessive and recommends a 1-day suspension. Pursuant to the Municipal Code of Chicago, the Department provides the following comments.

At the time of the incident, the accused member was part of a team of SWAT officers assigned to clear a house after a subject with an ax had been taken into custody. Officer McCallum stated he had his weapon in his right hand and a shield in his left hand. He stated that when he opened the closet door, the door jerked back and hit his right hand and caused him to pull the trigger. Officer McCallum also admitted that he should have holstered his firearm before opening the closet door.

In addition to the fact that Officer McCallum has no disciplinary history and an impressive complimentary history with 124 awards in his 10-year career, the Department also acknowledges that Officer McCallum immediately reported the accidental discharge and took full responsibility for it. Officer McCallum was also subjected to the follow as part of his assignment to the SWAT team.

1. He was formally counselled by his supervisor two days after the incident;
2. He completed three days of remedial training for weapons handling, ballistic shield use and threat assessment training;
3. He was relieved of his assistant team leader position within SWAT;

4. He was not allowed to be field deployed after this incident until all remedial training was successfully completed.

If the purpose of discipline is to correct errant behavior and modify future conduct, then the Department believes that this can be accomplished with this lesser suspension that would support the principal of progressive discipline. An accidental discharge should be treated as an action that shows that an officer is not as adept as they should be in handling a firearm. It is not a matter of disregarding an order or failure to follow a policy. A higher suspension would simply be punitive and would serve no purpose to improve the officer's firearms handling skills and therefore is not in this officer's nor the Department's best interest.

The Department looks forward to discussing this matter with you pursuant to MCC 2-78-130(a)(iii).

Sincerely,



Earl B. Shelton
Superintendent
Chicago Police Department