



Log # 2024-0008396

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On November 16, 2024, the Chicago Police Department's Crime Prevention and Information Center (CPIC) notified the Civilian Office of Police Accountability (COPA) of a Chicago Police Department (CPD) officer-involved shooting that occurred on November 16, 2024, at approximately 3:46 am, in the vicinity of 50 W. Polk Street.² In the hours following the shooting, COPA learned that Officer Karla Alvarez #18544, while off duty, exchanged gunfire with unknown male individuals during an armed robbery of the officer's friend. COPA determined that Officer Alvarez's use of deadly force complied with CPD policy and did not serve any allegations of misconduct.

II. SUMMARY OF EVIDENCE³

At approximately 2:00 am on November 16, 2024, Officer Alvarez finished her tour of duty at the 012th District Station. Officer Alvarez drove her personal vehicle, a white Honda Civic,⁴ to a restaurant⁵ where her friend ██████ worked, in order to meet with ██████⁶ Officer Alvarez parked her vehicle outside the restaurant, and ██████ came to the vehicle's window and spoke with Officer Alvarez.⁷

Officer Alvarez remained in the Honda on the north side of Polk Street; the vehicle was facing west with its headlights on.⁸ ██████ received a call on his cell phone and walked eastbound on the north sidewalk of Polk Street.⁹ ██████ walked to the northwest corner of Polk and Federal

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 CPD member discharges their firearm. Therefore, COPA determined it would be the primary administrative investigative agency in this matter.

³ The following is a summary of what COPA finds most likely occurred during this incident. This summary utilized information from several different sources, including 3rd party video surveillance footage, CPD reports and CPD member statements, OEMC transmissions, and Officer Alvarez's 911 call.

⁴ Att. 90, pg. 5.

⁵ Half Sour, located at 755 S. Clark (Att. 90, pg. 13).

⁶ Att. 86, pg. 6, lns. 22 to 23. COPA made attempts to contact ██████ by telephone and in person but was unsuccessful in obtaining an interview with him. See CMS notes CO-1426779 and CO-1426778.

⁷ Att. 86, pg. 8, ln. 22 to pg. 9, ln. 3.

⁸ Att. 86, pg. 14, lns. 2 to 12.

⁹ Att. 90, pg. 13.

streets, where he stopped.¹⁰ Because ██████ was talking too long on his cell phone and because she was tired and wanted to go home, Officer Alvarez decided to make a U-turn to drive up to ██████ and say goodbye to him.¹¹

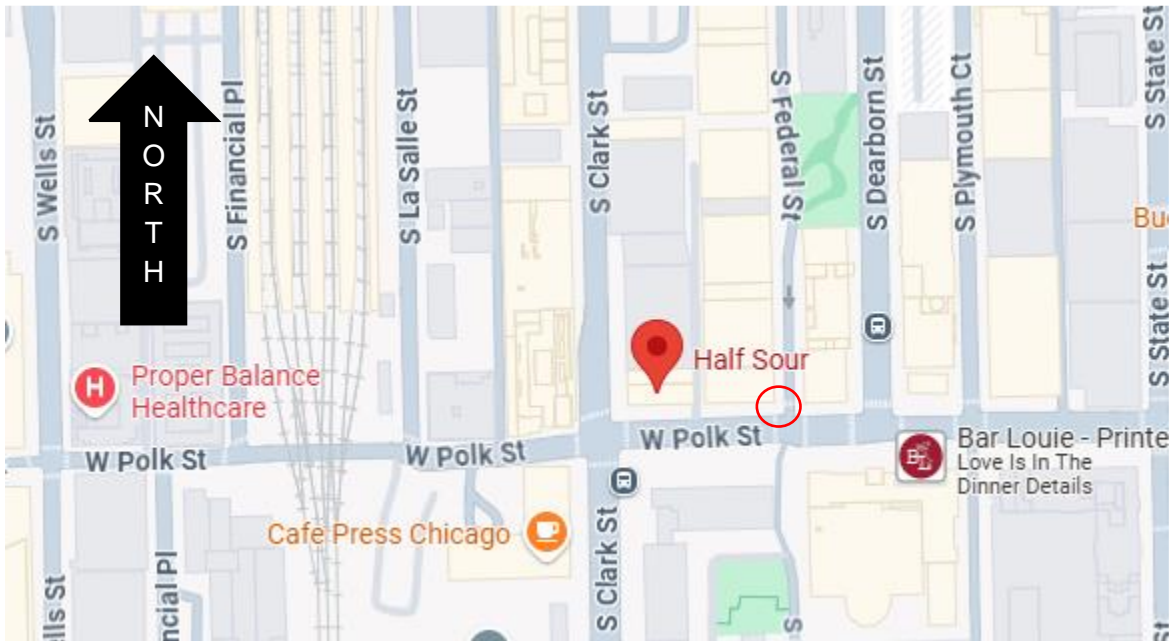


Figure 1: This image, from Google Maps, depicts the area where the incident occurred. The red circle marks ██████ approximate location when he was confronted by masked assailants.

A red Nissan traveling southbound on Clark Street entered the left turn only lane, then appeared to turn eastbound on Polk Street.¹² The Nissan crossed the intersection of Polk and Federal Streets heading eastbound, made a U-turn in the vicinity of Polk and Dearborn Streets, and drove westbound on Polk Street.¹³ As Officer Alvarez started making her U-turn, she observed the Nissan also making its U-turn.¹⁴ Officer Alvarez completed her U-turn and drove eastbound on Polk Street.¹⁵ The Nissan stopped at the west crosswalk of the intersection of Polk and Federal Streets, as ██████ stood on the northwest corner of that intersection with his back toward Polk Street.¹⁶ Two individuals exited the Nissan through the front and rear passenger doors, ran toward ██████ and grabbed him.¹⁷

¹⁰ Att. 61, at 03:20 to 03:29.

¹¹ Att. 86, pg. 13, ln. 19 to pg. 14, ln. 1, and pg. 9, lns. 11 to 13.

¹² Att. 74, at 59:38 to 59:48.

¹³ Att. 61, at 03:32 to 03:42.

¹⁴ Att. 86, pg. 9, lns. 14 to 18.

¹⁵ Att. 61, at 03:38 to 03:43.

¹⁶ Att. 61, at 03:47 to 03:48.

¹⁷ Att. 61, at 03:48 to 03:50.

The two individuals, who wore ski masks, threatened ██████ with handguns and demanded his mobile phone as well as the password to the phone.¹⁸ One of the individuals grabbed the phone from ██████ hand while the second individual stood behind ██████¹⁹ Officer Alvarez observed one of the individuals pointing a gun at ██████ left side; Officer Alvarez screamed something at the individuals.²⁰ The two individuals looked in her direction but continued “doing what they were doing.”²¹

Officer Alvarez retrieved her auxiliary firearm, a subcompact 9mm pistol,²² from under her vehicle’s seat.²³ The individual who was pointing his gun at ██████ then pointed the gun at Officer Alvarez.²⁴ Officer Alvarez held her firearm in her right hand, extended it out of her window, and fired at that individual.²⁵ Officer Alvarez told COPA that she was not sure if she or the individual fired first, but it might have been simultaneous.²⁶ ██████ ducked down and ran northbound on Federal Street, while the two individuals ran toward the passenger side of the Nissan and fired multiple times at Officer Alvarez as she drove away.²⁷

Officer Alvarez also told COPA that she was still moving forward in her vehicle when she shouted at the individuals accosting ██████²⁸ and she came to a full stop before she retrieved her firearm.²⁹ However, third-party surveillance footage of the incident shows that Officer Alvarez’s vehicle remained in motion as she approached and then drove past ██████ and the individuals, and as they turned their attention to and began firing at her.³⁰

Officer Alvarez accelerated through the intersection, and the two individuals appeared to fire several rounds in her direction.³¹ The two individuals re-entered the Nissan through the passenger side doors; the driver of the Nissan, who had remained inside the vehicle, opened the driver’s side door and appeared to also fire a single round in the direction of Officer Alvarez’s

¹⁸ Att. 90, pg. 13.

¹⁹ Att. 61, at 03:51 to 03:53.

²⁰ Att. 86, pg. 10, lns. 1 to 12. ██████ stated to CPD that he heard Officer Alvarez yell, “No!” (Att. 90, pg. 13).

²¹ Att. 86, pg. 10, lns. 12 to 14.

²² A Sig Sauer P365, 9mm semi-automatic pistol, with a ten-round capacity magazine (Att. 30, pg. 1); the firearm was registered with the City of Chicago on August 28, 2023 (Att. 32), and Officer Alvarez last qualified with this firearm on September 1, 2023 (Att. 20).

²³ Att. 86, pg. 10, lns. 18 to 19.

²⁴ Att. 86, pg. 10, lns. 19 to 22.

²⁵ Att. 86, pg. 23, lns. 1 to 12. In her statement to COPA, Officer Alvarez related that she did not recall who shot first and said that both Officer Alvarez and the individual may have discharged their firearms simultaneously. (Att. 86, pg. 10, ln. 23 to pg. 11, ln. 2). Video surveillance of the incident did not clearly capture Officer Alvarez’s discharge; however, 3rd party footage did capture what appeared to be a muzzle flash by one of the unknown individuals. (Att. 61, at 03:55).

²⁶ Att. 86, pg. 10, lns. 23 to 24.

²⁷ Att. 61, at 03:55 to 03:58.

²⁸ Att. 86, pg. 17, lns. 7 to 10.

²⁹ Att. 86, pg. 17, lns. 3 to 6.

³⁰ Att. 61 at 3:50 to 4:00.

³¹ Att. 61, at 03:56 to 03:58. CPD evidence technicians recovered four fired cartridge cases from the location of the incident (Att. 29, pg. 1).

vehicle.³² The Nissan then headed westbound on Polk Street and turned northbound on Clark Street.³³

Officer Alvarez drove eastbound on Polk Street and turned left (north) on State Street for one block.³⁴ Officer Alvarez called 911 from the vicinity of East Balboa Drive and State Street, identifying herself as an off-duty police officer and stating that she “just got in a shootout” and “they shot at my car.”³⁵ Officer Alvarez then located ██████ who noticed that the front driver’s side tire of Officer Alvarez’s Honda was flat.³⁶ Officer Alvarez informed the 911 dispatcher that she was trying to drive to the nearest police station.³⁷ The dispatcher provided “1718 S. State”³⁸ as the nearest police station, and Officer Alvarez drove to the 001st District Station.³⁹

At the 001st District Station, Officer Jacob Eidinger #10865, who was working as the front desk officer, told Officer Alvarez to holster her firearm.⁴⁰ She replied that she did not have a holster on her person. Officer Eidinger then instructed Officer Alvarez to place her firearm on the countertop so he could retrieve it for safekeeping.⁴¹ Officer Alvarez proceeded to take the magazine out of her firearm and eject the round from the chamber, and she placed all the items on the countertop.⁴²

Officer Eidinger gathered Officer Alvarez’s off duty firearm, carried it to the tactical office, and handed it to one of the sergeants.⁴³ Lt. Spataro #410 reported over the radio that Officer Alvarez had arrived at the 001st District Station.⁴⁴ Lt. Spataro also ordered Officer Alvarez and ██████ to be separated.⁴⁵ Sgt. Regnier handed Officer Alvarez’s firearm to Lt. Spataro.⁴⁶ Lt. Spataro then gave the firearm to Sgt. Anthony Ceja #1005 in an envelope, to hold until the sergeant handed it to CPD evidence technicians.⁴⁷

³² Att. 61, at 03:59 to 04:01.

³³ Att. 61, at 04:06 to 04:14. The Nissan was abandoned in the vicinity of 2200 E. Marquette Drive, and CPD evidence technicians recovered five fired cartridge cases from the interior and exterior of the Nissan. (Att. 26, pg. 1; Att. 66.)

³⁴ Att. 86, pg. 18, ln. 24 to pg. 19, ln. 10.

³⁵ Att. 40, at 00:12 to 00:22.

³⁶ Att. 90, pg. 14.

³⁷ Att. 40, at 01:32 to 01:36.

³⁸ Address for the 001st Police District Station.

³⁹ Att. 40, at 02:23 to 02:38.

⁴⁰ Att. 85, pg. 7, lns. 12 to 17.

⁴¹ Att. 85, pg. 7, lns. 17 to 18.

⁴² Att. 85, pg. 7, lns. 22 to 24, pg. 9, lns. 9 to 11. In her statement to COPA, Officer Alvarez explained that she cleared her firearm in order to hand it over to the desk officer (Att. 86, pg. 29, lns. 10 to 19); this is consonant with good safety practices and training.

⁴³ Att. 85, pg. 9, lns. 12 to 19. Sgt. James Regnier #1774 did not recall whether he placed the firearm inside an envelope after receiving it from Officer Eidinger, but the weapon was eventually placed inside a firearm inventory envelope. (Att. 82, pg. 6, lns. 13 to 16). Sgt. Regnier also stated he believed that the firearm had not been “broken down” when he received it. (Att. 82, pg. 6, lns. 11 to 12).

⁴⁴ Att. 55, pg. 2; Att. 49, at 52:02 to 52:16.

⁴⁵ Att. 79, pg. 11, lns. 15 to 18.

⁴⁶ Lt. Spataro described the firearm as being inside an evidence bag. (Att. 82, pg. 12, ln. 18 to pg. 13, ln. 2.)

⁴⁷ Att. 76, pg. 10, lns. 13 to 22.

Officer Alvarez discharged her firearm one time during this incident,⁴⁸ and CPD evidence technicians recovered one fired cartridge case from the rear passenger seat of Officer Alvarez's Honda.⁴⁹ Evidence technicians also processed Officer Alvarez's firearm, recovering nine live rounds, stamped "Hornady 9 mm Luger +P."⁵⁰ In addition to the flat tire, a bullet hole was observed on the driver's side rear quarter panel of Officer Alvarez's Honda.⁵¹

III. ALLEGATIONS

Pursuant to section 2-78-120 of the Municipal Code of Chicago, COPA has a duty investigate all incidents in which a CPD member discharges their firearm in a manner that could potentially strike another individual. During its investigation of this incident, COPA did not find evidence to support formal allegations related to Officer Alvarez's firearm discharge.

IV. CREDIBILITY ASSESSMENT

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

COPA interviewed Officers Alvarez and Eidinger, Sgts. Ceja and Regnier, and Lt. Spataro.⁵² COPA assessed the credibility of the five CPD members utilizing the truthfulness and reliability criteria referenced above. None of the evidence reviewed in this matter caused COPA to doubt the truthfulness of any of the CPD members. The CPD members provided statements approximately one to two months after the incident, and their statements appeared mostly consistent with 3rd party surveillance footage and police reports.

However, one portion of Officer Alvarez's account did not entirely correspond with the 3rd party surveillance footage. Specifically, Officer Alvarez told COPA that her vehicle was completely stopped when she retrieved her firearm and fired out of her vehicle. The footage, however, shows that Officer Alvarez's vehicle never came to a complete stop during the relevant period of time. COPA finds that this discrepancy, though potentially material, was likely attributable to the general unreliability of memory, particularly during tense and fast-paced situations, rather than any intentional untruthfulness.

⁴⁸ Att. 12, pg. 1.

⁴⁹ Att. 31, pg. 1. The fired cartridge case was stamped "Hornady 9 mm Luger +P."

⁵⁰ Att. 30, pg. 1.

⁵¹ Att. 27, pg. 3.

⁵² Atts. 75 to 77, 79 to 80, and 82 to 86.

V. ANALYSIS⁵³

COPA finds by a preponderance of the evidence that the use of deadly force by Officer Alvarez was objectively reasonable, necessary, and proportional to the circumstances she faced. COPA further finds that Officer Alvarez engaged in some de-escalation tactics as required by CPD policy prior to using deadly force, and that the totality of the circumstances did not allow for the officer to engage in a more comprehensive range of de-escalation tactics. It also appears that Officer Alvarez discharged her weapon from a moving vehicle. However, doing so was within CPD policy under the totality of the circumstances facing Officer Alvarez, because it was done as a last resort and was necessary to protect against an imminent threat to life.

CPD's stated highest priority is the sanctity of human life. In all aspects of their conduct, CPD expects that its members act with the foremost regard for the preservation of human life and the safety of all persons involved.⁵⁴ 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.⁵⁵ 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 that a person offers.⁵⁶

Additionally, 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."⁵⁷ 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."⁵⁸

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."⁵⁹ Officers are expected to modify their use of force as circumstances change and in ways

⁵³ For a definition of COPA's standard of proof, *see* Appendix B.

⁵⁴ Att. 16, G03-02(II)(A), De-escalation, Response to Resistance, and Uses of Force (effective June 28, 2023 to present).

⁵⁵ Att. 16, G03-02(III)(B)

⁵⁶ Att. 16, G03-02(III)(B)(3).

⁵⁷ Att. 16, G03-02(IV)(C).

⁵⁸ Att. 16, G03-02(IV)(C)(1-2).

⁵⁹ Att. 16, G03-02(IV)(B) (emphasis added).

that are consistent with officer safety, including stopping the use of force when it is no longer necessary.⁶⁰

Based on its review of the evidence, COPA finds that it is more likely than not that Officer Alvarez's use of deadly force was objectively reasonable in light of the imminent threat she faced. Officer Alvarez reported that she only fired her weapon after verbal commands had not worked, and when one of the subjects was pointing a gun at her. Additionally, Officer Alvarez believed that she and the subject fired at each other simultaneously. As the surveillance footage does not capture the exact moment of Officer Alvarez's discharge, the video neither corroborates nor disproves her account of events. Without any contradictory evidence, and in light of the perceived truthfulness of Officer Alvarez's account, COPA finds that it is more likely than not that Officer Alvarez reasonably believed she faced an imminent threat of death or great bodily harm when she discharged her firearm. Officer Alvarez also reasonably believed that [REDACTED] faced an imminent threat of death or great bodily harm after she observed one of the subjects holding a gun to [REDACTED] side.⁶¹ Additionally, COPA finds by a preponderance of the evidence that the subject had the means or instruments and the opportunity and ability to cause death or great bodily harm.

The evidence further indicates that Officer Alvarez used only the amount of force necessary based on the circumstances she faced. Specifically, the evidence shows that she continually assessed the necessity for the use of force and attempted at least one de-escalation technique prior to using deadly force.⁶² When Officer Alvarez first encountered the subjects, she immediately engaged in verbal communications with them. It was only when one of the subjects pointed a gun at Officer Alvarez that she resorted to the use of deadly force. In addition, Officer Alvarez's use of deadly force was proportional to the threat she faced. Officer Alvarez fired her weapon only one time, after one of the subjects threatened both her and [REDACTED] her with a gun, and she stopped firing as she drove past the subjects and they no longer posed an imminent threat.

Additionally, CPD policy specifically prohibits CPD members from "firing from a moving vehicle, unless such force is a last resort and necessary, based on the specific circumstances confronting the sworn member, to protect against an imminent threat to life or to prevent great bodily harm to the sworn Department member or another person."⁶³ While Officer Alvarez told COPA that her vehicle was at a complete stop when she discharged her firearm, the surveillance video shows that her vehicle was in motion during the exchange of gunfire. Nevertheless, COPA finds that the specific circumstances created a need to fire to protect against an imminent threat of harm to herself, and that she fired as a last resort out of necessity.

⁶⁰ Att. 16, G03-02(II)(D)(2).

⁶¹ Att. 86, pg. 10, Ins. 1 to 11.

⁶² Namely, Officer Alvarez attempted to use communication to deescalate the encounter. *See* Att. 17, G03-02-01(III)(A), Response to Resistance and Force Options (effective June 28, 2023 to present).

⁶³ Att. 18, G03-02-03(II)(E)(7), Firearm Discharge Incidents - Authorized Use and Post-Discharge Administrative Procedures (effective June 28, 2023 to present).

In light of the foregoing analysis, and based on the totality of the circumstances, COPA finds by a preponderance of the evidence that Officer Alvarez’s use of deadly force complied with CPD policy.

Approved:



Steffany Hreno
Director of Investigations

3/28/2025

Date



LaKenya White
Interim Chief Administrator

3/28/2025

Date

Appendix A**Case Details**

Date/Time/Location of Incident:	November 16, 2024 / 3:46 am / 50 W. Polk Street.
Date/Time of COPA Notification:	November 16, 2024 / 4:10 am.
Involved Member #1:	Officer Karla Alvarez/ Star #18544/ Employee # [REDACTED] Date of Appointment: February 1, 2023/ Unit 012/ Female/ White Hispanic.
Involved Individuals #1 to 3:	UNKNOWN / Male / Black.

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.

Applicable Policies and Laws

- G03-02, De-escalation, Response to Resistance, and Use of Force (effective June 28, 2023, to present).
- G03-02-01, Response to Resistance and Force Options (effective June 28, 2023, to present).
- G03-02-03, Firearm Discharge Incidents – Authorized Use and Post-Discharge Administrative Procedures (effective June 28, 2023, to present).

Appendix B

Definition of COPA's Standard of Proof

COPA applies a preponderance of the evidence standard to determine whether allegations of excessive force are warranted or well-founded.⁶⁴ A **preponderance of evidence** is evidence indicating that it is more likely than not that a proposition is proved.⁶⁵ For example, if the evidence COPA gathers in an investigation establishes that it is more likely than not that misconduct occurred, even if by a narrow margin, then the preponderance of the evidence standard is met.

⁶⁴ See Municipal Code of Chicago, Ch. 2-78-110

⁶⁵ *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.”).

Appendix C

Transparency and Publication Categories

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