

INDEPENDENT POLICE REVIEW AUTHORITY  
PUBLIC REPORT OF INVESTIGATION

**INVESTIGATION**

**NUMBER:** Log #1007565; U #07-23

**OFFICER(S)**

**INVOLVED:** “Officer A” (Chicago Police Officer); Male/White; 36 years old; On Duty; In Uniform; Year of Appointment – 1999

“Officer B” (Chicago Police Officer); Male/Hispanic; 36 years old; On Duty; In Uniform; Year of Appointment – 2002

“Officer C” (Chicago Police Officer); Male/Hispanic; 32 years old; On Duty; In Uniform; Year of Appointment – 2000

“Officer F” (Chicago Police Officer); Male/White; 32 years old; On Duty; In Uniform; Year of Appointment – 2000

**OFFICER**

**INJURIES:** “Officer A” – Gunshot pellet graze to left temple, right hand, right forearm, and back of right arm; non-fatal

“Officer B” – None Reported

“Officer C” – Gunshot pellets embedded in inner right forearm; non-fatal

“Officer F” – Gunshot pellets embedded in back of right shoulder, graze to right side of head; non-fatal

**SUBJECT(S)**

**INVOLVED:** “Subject 1”; Female/Black; 50 years old

**SUBJECT**

**INJURIES:** “Subject 1” – Multiple gunshot wounds; fatal

**INITIAL**

**INCIDENT:** Battery With A Gun In Progress; Shots Fired

**DATE/TIME:** 15 July 2007, 2057 Hours

**LOCATION:** 5028 W. Adams, 2<sup>nd</sup> Floor  
Beat 1533

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Log #1007565; U #07-23

### **SUMMARY OF INCIDENT:**

On 15 July 2007 at approximately 2057 hours, Officers A, B and C along with Officers D, E and F responded to a battery with a gun in progress at 5028 W. Adams. While en route, the call was elevated to shots fired at 5028 W. Adams. When officers arrived at 5028 W. Adams they were met by Witness 1 who related that she and her mother, Witness 2, were attempting to collect rent from Subject 1 when an argument ensued and Witness 2 was struck in the face with a shotgun. Witness 1 also told officers that after she exited the house she heard two shots fired. Officers A, B, C and F entered the building and went to the 2<sup>nd</sup> floor while Officers D and E went to the rear of the building. Officers A and F stood in the hallway near the door to the second floor apartment and announced their office. The officers demanded entry into Subject 1's apartment. Officers B and C were on the stairs below the 2<sup>nd</sup> floor. There was no response to the officer's demands. However, the officers heard the sound of a shotgun being pumped.

Officer F kicked the door to the apartment and Officer A forced it open. When the door opened, Officer F observed Subject 1 pointing a shotgun at them. Subject 1 fired the shotgun and the officers, in fear for their lives, returned fire. Officers A and F were both struck by the shotgun pellet discharge and retreated for cover down the stairway to the landing between the 1<sup>st</sup> and 2<sup>nd</sup> floor. Subject 1 then pointed the shotgun out the apartment door and fired at Officers B and C who were still on the stairs above the 1<sup>st</sup> floor. The shotgun pellet discharge struck Officer C. Officers B and C then returned fire at Subject 1, causing her to fall to the floor in a sitting position. Officer C then loaded a fresh magazine as he and Officers A and B rushed to the doorway of the apartment. The officers observed Subject 1 on the floor attempting to pump the action of the shotgun. Fearing they were about to be fired upon again, Officers B and C discharged their weapons at Subject 1 who fell back onto the floor, fatally wounded.

INDEPENDENT POLICE REVIEW AUTHORITY  
Log #1007565; U #07-23

**INVESTIGATION:**

Witness 1 related to the roundtable panel an account of the incident that was consistent with the Summary of Incident. Witness 1 specifically related that she and her mother, Witness 2, were attempting to collect rent from Subject 1 when Subject 1 became irate and hit Witness 2 on the face with a shotgun. Witness 1 had her baby with her and tried to hide with the baby on the floor. Witness 1 was able to escape the apartment and while running out she saw Subject 1 and her mother struggling. Witness 1 called 911 and heard the shotgun go off while on the phone with the 911 operator. The 911 operator told Witness 1 to meet Emergency Medical Services (“EMS”) outside of the house, and when the Chicago Fire Department arrived she informed them that the lady upstairs had a gun. When police officers arrived they were told about the gun, and then they went upstairs. Witness 1 heard Subject 1 fire the shotgun and then heard the officers’ shots.

Witness 2 related to the roundtable panel an account of the incident that was consistent with the Summary of Incident. Witness 2 stated that she was there to collect rent from Subject 1. Subject 1 pulled out a shotgun and pointed it at her, then struck her on the head with the shotgun. Witness 2 was able to flee the apartment and heard three shots fired as she was fleeing. Witness 2 stated that when officers arrived she was already a block away in her car. Witness 2 did not witness the officers arrive or witness any portion of the shooting as she was already in her car.

**INVESTIGATION: (Continued)**

Officer B related to the roundtable panel an account that was consistent with the Summary of Incident. Officer B stated that when he and Officers A, C, and F entered the building they heard the sound of a weapon cycling. Officer F attempted to break the door to the apartment but was unable to. Officer A then attempted and was able to break the door. Subject 1 fired at them and Officers F and A returned fire. Subject 1 then entered the entryway of the apartment, facing them in the hallway and fired again. Officer C returned fire. Subject 1 then fired at Officers A and C. Officer B then returned fire and observed Subject 1 sitting on the floor, trying to rack the shotgun again. At that time Officers B and C both fired at Subject 1.

Officer A related to the roundtable panel an account that was consistent with the Summary of Incident. Officer A added that the officers heard the cycling of a shotgun as they approached the apartment. The apartment door was closed and Officer F tried, but failed, to force the door open. Officer A forced it open by pushing his shoulder into the door. Officer A added that he sustained injuries from shotgun pellets on the back of his triceps and forearm.

Officers C and F did not provide accounts to the roundtable panel. Both officers were hospitalized due to the injuries they sustained during the incident.

**INVESTIGATION: (Continued)**

In a statement to the IPRA on 19 June 2008, Officer C provided an account of the incident that is consistent with the Summary of Incident and related Department Reports. Officer C stated that as he entered Subject 1's apartment he was immediately shot in his forearm by Subject 1 who was holding a shotgun. Officer C returned fire and retreated down the stairs to reload and find cover. Once he re-loaded, Officer C went back up the stairs towards the second floor where Subject 1 was still pointing the shotgun at him from approximately ten feet away. Fearing for his life, Officer C fired several shots at Subject 1 and she fell to the ground. Officer C did not recall Subject 1 speaking to him or other officers present during the incident. Officer C sustained a gunshot to the right forearm.

In a statement to the IPRA on 20 June 2008, Officer B provided an account of the incident that is consistent with the Summary of Incident, related Department reports and the account he provided to the roundtable panel. Officer B stated that prior to entering the residence the officers were met by paramedics and a female victim, only identified as the "landlord," who informed the officers that Subject 1 had a gun and had already fired at her.

Upon entering the building, Officer B stood at the bottom of the stairs with Officer C directly in front of him and Officers F and A in front of them. Officer F kicked the door open after Subject 1 failed to open the door. The officers were immediately fired upon by Subject 1, and Officer B saw Officers F and A return fire and take cover at the bottom of the stairs. Officers B and C fired at Subject 1 as she pointed the shotgun at

INDEPENDENT POLICE REVIEW AUTHORITY  
Log #1007565; U #07-23

**INVESTIGATION: (Continued)**

them. All of the officers gave Subject 1 verbal commands to drop her gun, which she ignored. Subject 1 attempted to reload her weapon and fire at the officers and, in response, Officers B and C continued firing at Subject 1 until she was no longer a threat to them. Officer B did not reload his weapon.

In a statement to the IPRA on 23 June 2008, Officer A provided an account of the incident that is consistent with the Summary of Incident, related Department reports and the account he provided to the roundtable panel. Officer A stated that when he forced the apartment door open he was immediately struck by pellets from Subject 1's shotgun, and he retreated back down the stairs. Subject 1 fired again and Officer F was struck; Officer A rushed Officer F down the stairs and out of the building. Officer A heard several gunshots and then later saw Officer B clearing the apartment. Officer A sustained a graze wound to the forehead and was shot in the right arm and shoulder.

In a statement to the IPRA on 08 July 2008, Officer F provided an account of the incident that is consistent with the Summary of Incident and related Department reports. Officer F stated that after forcing the door open, Subject 1 stood at the threshold of her doorway and pointed her shotgun directly at Officer F's face. Officer F turned away and Subject 1 fired, striking him in the head, shoulder, vest, and left index finger. Officer F returned fire, firing approximately five rounds, and fell back to a safer location further

**INVESTIGATION: (Continued)**

down the stairs. When Officer F went back up the stairs, Subject 1 was lying on the ground.

A letter received from the Fraternal Order of Police indicated that Officers F and C were unwilling to waive their HIPPA rights and would not provide their medical information for the investigation.

The report from the Chicago Police Department Assistant Deputy Superintendent (“ADS”) included an account of the incident that is consistent with the Summary of Incident.

A canvass was conducted and Witness 3 was identified and interviewed. Witness 4 was also identified during the canvass. Attempts to contact witness 4 via letters and personal visit were met with negative results. Witness 4 therefore, was not interviewed.

In an interview with IPRA on 16 July 2007, Witness 3 stated she was outside her house and observed a woman come out of 5028 W. Adams. The woman came over to Witness 3 and her friends and told them that her sister pulled a gun on her. Witness 3 never saw the woman’s sister. Witness 3’s friends called police. Witness 3 heard a shot coming from inside 5028 W. Adams before the police arrived but did not see anyone shooting. A fire truck arrived first but they waited for the police to arrive, and when they

**INVESTIGATION: (Continued)**

did there were two cars with three officers in each one. The officers entered the house and Witness 3 heard 4-5 more gunshots from inside the house. Witness 3 did not observe anyone run out of the building and later saw the police bring a long gun out of the house. Witness 3 did not know the woman who told them to call the police or the woman's sister.

The Ambulance Report for Officer F indicates that paramedics responded to a call of "a woman beat with a shotgun." Upon arrival they heard multiple shots being fired and several police officers running in the direction of the gunshots. Officer F approached paramedics and informed them that he had been shot. Officer F sustained what appeared to be several buck shots to the right side of his head and shoulder. Paramedics requested additional ambulances. The Ambulance Report for Officer A indicates that he was shot in the right bicep, wrist and forearm from a shotgun. Officer A was taken to Mount Sinai Hospital. The Ambulance Report for Officer C indicates he sustained a shotgun wound to the right forearm. Officer C had an entrance but no exit wound to his right forearm. Officer C was transported to Mount Sinai Hospital.

The Tactical Response Reports from the involved officers indicate that Officer A fired four (4) times, Officer B fired sixteen (16) times, Officer F fired five (5) times and Officer C fired twenty-six (26) times.



**INVESTIGATION: (Continued)**

The Case Supplementary Report from Area 5 includes accounts of the incident that are consistent with the Summary of Incident and the accounts provided at the roundtable.

The Office of Emergency Management Communications (“OEMC”) Event Queries for the incident indicate a female was beat in the head with a double-barrel shotgun. The offender is identified only by a first name, which matches the first name of Subject 1. The offender lived on the third floor and was described as a female/black, wearing a black/brown sun dress. It was reported that the offender was firing at officers. Multiple shots were heard and various ambulances were called to the scene for injured officers. The offender was described as Dead on Arrival (“DOA”) at the address of incident and was not transported to the hospital.

The Evidence Technician Photographs depict Officers C, F and A and their various injuries; the exterior of 5028 W. Adams; the shotgun used by Subject 1; the apartment door that was forced open by officers; an interior door at 5028 W. Adams with various bullet holes embedded in it; and Subject 1 lying on the floor in the entryway to the third floor apartment.

A report from the Illinois State Police Division of Forensic Services (“ISP”) dated 18 October 2007 reflects that, of the fired evidence recovered at the scene and at the

**INVESTIGATION: (Continued)**

autopsy, seven (7) bullets and twenty-six (26) cartridges were matched to Officer C's weapon; four (4) bullets and three (3) cartridges were matched to Officer A's weapon; five (5) bullets and sixteen (16) cartridges were matched to Officer B's weapon; and two (2) bullets and four (4) cartridges were matched to Officer F's weapon.<sup>1</sup> All four officers' weapons were examined, found to be in firing condition and test fired.

A report from ISP dated 04 September 2008 reflects that results of a gunshot residue collection kit administered to Subject 1 indicated that Subject 1 discharged a firearm, contacted a PGSR related item, or had both hands in the environment of a discharged firearm.

The Medical Examiner's Report indicates Subject 1 had a through and through gunshot wound of the left underside of the chin involving the left mandible; a through and through gunshot wound of the left underside of the chin involving the left mandible and the left temporal bone of the skull; a through and through gunshot wound of the right underside of the chin involving the tongue; a graze wound of the right medial breast; a gunshot wound of the left upper chest involving the skin, subcutaneous tissue, and musculature in the area; a through and through gunshot wound of the left lateral breast involving the skin and subcutaneous tissue; a gunshot wound of the left lateral breast involving the skin and subcutaneous tissue; a gunshot wound of the left chest involving

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<sup>1</sup> The ISP report dated 18 October 2007 also indicates that, of the recovered evidence at the scene, two (2) fired bullet fragments were unsuitable for microscopic comparison; two (2) metal fragments were unsuitable for microscopic comparison; one (1) bullet jacket fragment was unsuitable for microscopic comparison; and one (1) fired bullet and one (1) fired bullet jacket fragment could not be identified or eliminated as having been fired from Officer C's weapon.

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1007565; U #07-23

**INVESTIGATION: (Continued)**

ribs, heart, pulmonary vein, and right lung; a through and through gunshot wound of the left side of the chest involving the skin, subcutaneous tissue and musculature in the area; a graze wound of the left upper abdomen; and a through and through gunshot wound of the left forearm involving the left radius and ulna. The cause of death was multiple gunshot wounds. The manner of death was homicide.

**CONCLUSION AND FINDING:**

This investigation found that the use of deadly force by Officers B, C, F and A was in compliance with Chicago Police Department policy and State statutes. According to the Chicago Police Department's General Order No. 02-08-03, III:

- A. "a sworn member is justified in using force likely to cause death or great bodily harm only when he or she reasonably believes that such force is necessary:
  - 1. to prevent death or great bodily harm to the sworn member or to another person, or;
  - 2. to prevent an arrest from being defeated by resistance or escape and the sworn member reasonably believes that the person to be arrested:
    - a. has committed or has attempted to commit a forcible felony which involved the infliction, threatened infliction, or threatened use of physical force likely to cause death or great bodily harm or;
    - b. is attempting to escape by use of a deadly weapon or;
    - c. otherwise indicates that he or she will endanger human life or inflict great bodily harm unless arrested without delay."

The officers' actions were in accordance with the requirements of the Department's deadly force policy. When the officers arrived at the apartment building they were informed that Subject 1 had struck a citizen and fired a shotgun at the citizen. Officers announced their office and upon making entry were immediately fired upon by Subject 1. Several officers were struck at that time. Officers returned fire and gave verbal direction for Subject 1 to drop her weapon. Subject 1 responded by again firing at

**CONCLUSION AND FINDING: (Continued)**

the officers, and she continued making efforts to fire at officers even after she herself sustained gunshot wounds.

When they fired, the officers reasonably believed that they and others were in danger of death or great bodily harm from Subject 1. Subject 1 committed a forcible felony when she repeatedly fired at the officers. Subject 1 gave no indication that she was going to stop firing at the officers and in fact, even after being struck by gunfire, Subject 1 continued trying to cycle the shotgun in an effort to continue firing at officers.