

INDEPENDENT POLICE REVIEW AUTHORITY
LOG# 1012947/U# 07-37

INVESTIGATION

NUMBER: Log #1012947/U#07-37

INVOLVED

OFFICER: “Officer A” (Chicago Police Officer); Male/White; 26 years old; On Duty;
In Uniform; Year of Appointment – 2005

OFFICER’S

INJURIES: None Reported

SUBJECT: “Subject 1”; Male/White Hispanic; 50 years old

SUBJECT’S

INJURIES: Multiple gunshot wounds. Pronounced dead at the scene by ME Inv.

DATE/TIME: 28 December 2007, 0336 Hours

LOCATION: 4200 block of W. Ogden Ave.
Beat 1013

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SUMMARY OF INCIDENT:

On 28 December 2007, at approximately 0336 hours, at the location on the 4200 block of W. Ogden Ave., Officer B and Officer C responded to a "Battery Just Occurred" call on the 4200 block of W. Ogden Ave. Witness 2 met the officers outside the building and led them to the second floor apartment. Witness 2 informed the officers that his brother, Subject 1, had threatened Subject 1's fiancée, Witness 1, with a knife. Before they entered the apartment Officer D and Officer E arrived on the scene. When Witness 2 and the officers entered the apartment they found Subject 1 standing in a hallway holding a kitchen knife above his head. The officers announced their office and told Subject 1 to drop the knife. Subject 1 replied, "I'm gonna kill everyone."

Witness 1 ran into a bedroom and closed the door. Subject 1 kicked that door but it did not open. The officers heard what sounded like someone "rustling through a silverware drawer." Subject 1 ran out of the apartment through the rear kitchen door and closed the door behind him. Officer B requested a supervisor with a Taser to come to the scene. Officer A arrived on the scene and stayed in the apartment with Officer C while the other officers left the apartment to search for Subject 1. Witness 1 and Witness 2 told Officer A and Officer C that Subject 1 might be hiding on the roof of the building. Officer A and Officer C used a ladder provided by Witness 2 to climb onto the roof behind the apartment building. Officer A and Officer C found Subject 1 crouching in a corner on the sloped roof still holding the knife. Officer A ordered Subject 1 to come out of the corner and drop the knife. Subject 1 stood up and approached the officers at a fast pace still holding the knife. Officer A and Officer C retreated while ordering Subject 1 to drop the knife. Subject 1 replied, "You're going to have to kill me." Officer A continued to retreat until he reached an area of the roof that sloped downward. Subject 1 continued to advance toward Officer A. Officer A then discharged his firearm three times, striking and fatally wounding Subject 1.

INVESTIGATION:

The witness, Witness 1, related to the Roundtable Panel an account of the incident that was consistent with the Summary of Incident. Witness 1 stated that she and her fiancé, Subject 1, live with his half-brother, Witness 2. Witness 1 stated that she knew that Subject 1 suffered from bipolar disorder, schizophrenia, paranoia, and cirrhosis of the liver. On the night of the incident Subject 1 had been drinking. Witness 1 and Subject 1 argued over her not taking his last name. According to Witness 1, Subject 1 told her he was sick, he had one year to live and that he did not want to live anymore. Witness 1 unsuccessfully attempted to calm Subject 1 down. Subject 1 retrieved a small pen knife from his coat pocket. Subject 1 "swiped" at Witness 1 with the knife and told her he was going to kill her. Subject 1 then tried to hit Witness 1 with a lamp. Witness 1 called out to Witness 2 for help. Witness 2 ran in and wrestled Subject 1. Witness 1 held Subject 1 down and Witness 2 retrieved a cold compress. They tried to hold the cold compress against Subject 1's head to calm him down but he stood up and smashed a lamp. Witness 1 gave her cell phone to Witness 2 and told him to call the police. Witness 2 left and returned. Witness 1 heard knocking at the apartment door. Subject 1 pushed against the door

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and Witness 1 ran into her son's bedroom and locked the door. Subject 1 punched the door and called her a "witch." Witness 1 heard a police officer ask where was Subject 1 and she replied he might be on the roof. The officers went up to the roof and, shortly thereafter, Witness 1 heard three gunshots. Witness 1 stated she was in the living room when she heard the gunshots. Witness 1 did not hear any yelling or screaming from the roof. (Att. 5)

On the night of the incident IPRA Investigator A attempted to interview Witness 1, but she refused because she was too upset. During that conversation Witness 1 said that before the police arrived, Subject 1 cut her right hand with the pocket knife. Witness 1 showed IPRA Investigator A a small cut on her hand. Witness 1 also informed IPRA Investigator A that Subject 1 had not been taking his medication to "control his mental problems" and that prior to the incident he had been drinking beer. (Att. 8)

Attempts to obtain a statement from Witness 1 were unsuccessful. (Att. 70, 84-89, 91-93)

The witness, Witness 2, related to the Roundtable Panel an account of the incident that was consistent with the Summary of Incident. Witness 2 stated he was in his room when he heard Subject 1 and Witness 1 arguing. Witness 2 walked into the living room to break up the fight. Subject 1 retrieved a pocket knife and tried to stab Witness 1 with it. Witness 2 had Subject 1 sit on the couch while he got a cold towel to calm him down. Witness 1 gave Witness 2 her cell phone to call the police. When the officers arrived Witness 2 went downstairs to let them in. When Witness 2 returned with the officers he found the apartment door had been locked. One of the officers walked back downstairs to ring the bell to the apartment. The door was opened and Witness 2 and the officers went inside. Witness 2 then saw Subject 1 standing in the kitchen holding a knife in his left hand. The officers told Subject 1 to drop the knife. Subject 1 replied, "No one is getting out of here alive." Subject 1 ran out the back door and the officers went to look for him. Witness 2 told the officers that Subject 1 might be on the roof behind the back porch and gave the officers a step ladder so they could look for him. Witness 2 then waited in the living room. Witness 2 stated that he heard three gunshots but did not hear any shouts prior to the gunshots. Witness 2 stated that Subject 1 was right-handed. (Att. 5)

In a statement to IPRA on 28 December 2007, the witness, Witness 2, stated he was living with his brother, Subject 1, and Subject 1's fiancée, Witness 1. Witness 2 stated that he was aware that Subject 1 takes medication for "mental problems." On the night of the incident Witness 2 heard Subject 1 and Witness 1 fighting. Witness 2 heard Subject 1 "breaking things" in the apartment. Witness 2 went to the living room and saw Subject 1 holding a pocket knife in his hand. Witness 2 grabbed Subject 1 from behind and tried to hold him back. Witness 2 stated that he saw Witness 1's hand was bleeding and assumed that Subject 1 had already stabbed her, and now was trying to cut her throat. Witness 2 and Subject 1 pushed against a wall and Witness 2 released Subject 1, who then lunged at Witness 1 again. Witness 2 pulled him back. Witness 2 attempted to keep Subject 1 away from Witness 1 for the next twenty minutes. During the struggle Subject 1 stabbed Witness 2's left hand with the knife. Witness 2 then went to call the police. Witness 2 explained that Subject 1 had pulled the house phones from the walls so he had to use Witness 1's cell phone to call the police. Witness 2 then went to a window and saw police officers outside. Witness 2 walked downstairs to let the officers in and when they returned he

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found the apartment door was locked. He knocked and Witness 1 eventually opened the door. Witness 2 and the officers entered the apartment and Subject 1 ran into the kitchen. Witness 2 stated that he saw Subject 1 holding a knife in his hand. Witness 2 did not know if that was the same knife he originally had. The officers pointed their guns at Subject 1 and ordered him to drop the knife. Witness 2 stated he also told Subject 1 to drop the knife. Subject 1 replied, "No one's getting out of here alive." Subject 1 ran out of the kitchen, through the porch, and then onto the roof behind the back porch. The officers followed Subject 1 outside and Witness 2 waited in the living room. More officers arrived and about twenty minutes later Witness 2 heard three gunshots. Witness 2 stated that on the night of the incident Subject 1 drank beer, but he was not drunk. (Att. 7)

In a statement to IPRA on 28 December 2007, the witness, Witness 3, stated that she was asleep in her bed when she heard yelling in her neighbor's backyard. Witness 3 got up and saw uniformed police officers running in the neighbor's yard near the alley. Witness 3 also heard someone say "drop the knife." Witness 3 then heard several gunshots. Witness 3 gathered her four children and brought them to her bedroom to keep the safe if there was more gunfire. Witness 3 stated that she did not know her neighbors across the hall and she did not hear any yelling or fighting inside the apartment building. (Att. 6)

Canvasses of the location of incident did not produce any additional witnesses or information. (Att. 9, 11-12, 75)

The Case and Tactical Response Reports contained an account of the incident that was consistent with the account provided to the Roundtable Panel and the Summary of Incident. The reports indicated that Subject 1 repeatedly ignored the officers' orders to drop the knife, and that he verbally threatened the officers. Officer A discharged his firearm in fear for his safety and the safety of his fellow officers. (Att. 15-17)

A transcript of a CD prepared by the Office of Emergency Management and Communications indicated that a male who identified himself as "[Name Withheld]" and who identified his brother as "Subject 1" reported that Subject 1 was "going crazy" on [Name Withheld's] sister-in-law. [Name Withheld] reported that Subject 1 had a knife. Beat 1013 was assigned to the incident and later requested a sergeant. When Beat 1013 requested the sergeant, he reported, "He's got a knife and talking about no one leaving alive." A short time later, Beat 1020 requested an ambulance. The remainder of the transcript consisted of communications relating to shots being fired by the police. (Att. 117)

Evidence Technician photographs depict what appears a broken lamp on the floor of the living room inside the apartment, drops of blood on the floors, and blood smeared on the wall in a hallway.

The Evidence Technician photographs also depict Subject 1's body on the roof of the building and a Witness 3 handled knife to the right of his body. (Att. 19-67)

The Chicago Fire Department's Ambulance Report stated that on arrival the paramedics found Subject 1 unresponsive, pulse-less, and non-breathing. Subject 1 was lying face down on

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a roof. Chicago Police Officers on the scene stated that Subject 1 and a police officer were on the roof when Subject 1 went after the officer with a knife and was shot. Subject 1 was rolled onto his back and with limited amount of contact a single entry gunshot wound was seen to the left chest. The paramedics applied a cardiac monitor confirmed asystole. A knife was seen lying a few feet away from Subject 1. Subject 1 had moderate blood loss. Pupils were fixed and dilated. CPD beat 1020 on scene and declared it a crime scene and no further contact with Subject 1 was made. It was also noted that the delay in making contact with Subject 1 was due to having a problem gaining access to a yard with locked fences and needing a ladder to be placed by truck 48 to the roof and then having to force entry through a door. (Att. 69)

A report from the Illinois State Police Division of Forensic Services dated 11 January 2008, indicates that the firearm belonging to Officer A was test fired and found to be in firing condition. Officer A's firearm was found to contain eleven unfired Speer 9mm Luger cartridges. The ISP report also indicates that the three recovered Speer 9mm Luger fired casings were fired from Officer A's firearm. (Att. 78)

A report from the Illinois State Police Division of Forensic Services dated 11 March 2009, indicates that the inventoried knife had no latent prints suitable for comparison. (Att. 90)

The Office of the Medical Examiner Report of Postmortem Examination of Subject 1 determined that he sustained gunshot wounds to his chest and neck area. Examination of the skin surrounding each of the entrance wounds showed no evidence of soot, powder, or stippling. Subject 1 also had multiple abrasions and superficial puncture wounds over the right side of his face and neck and contusions on his hands and right elbow. The toxicological analysis indicated that Subject 1 tested positive for ethanol (Vitreous Humor: 244 MG/DL; Central Blood: 243 MG/DL). It was determined that Subject 1 died of multiple gunshot wounds. (Att. 82)

Officer A related to the Roundtable Panel an account of the incident that was consistent with the Summary of Incident. (Att. 5)

In a statement to IPRA on 16 September 2010, Officer A related that he and his partner, Officer F, responded to a domestic incident. Prior to arriving at the location Officer A was notified that Subject 1 threatened to kill several people and that Officer B requested additional officers. Upon arrival Officer A and Officer F were to the rear of the building. From the rear of the building Officer A saw and heard Witness 1 yelling out of a window that Subject 1 was on the roof. Officer A and Officer F then entered the apartment and used a step ladder to climb onto the roof of the garage at the back of the building. Officer A, Officer C, and Officer D climbed onto the roof to look for Subject 1. Officer A stated that Subject 1 was found crouched in a "cubby hole" in a "drop off" from the roof. Officer A stated that ordered Subject 1 to stand up and show his hands. Subject 1 jumped up and pointed a knife at the officers. Subject 1 yelled, "You've got to kill me 'cause I'm coming for you." Officer A repeatedly ordered Subject 1 to drop the knife but instead Subject 1 walked towards the officers. Officer A stated that he backed away from Subject 1, who repeatedly threatened to "kill" Officer A. Officer A backed up nearly to the edge of the roof. Subject 1 continued to approach, closing the distance between himself and Officer A, who discharged his firearm three times at Subject 1, who fell down and dropped the knife. Officer A stated that he believed Officer G call for an ambulance. (Att. 111)

Officer B related to the Roundtable Panel an account of the incident that was consistent with the Summary of Incident. (Att. 5)

In a statement to IPRA on 10 September 2010, Officer B stated that on the night of the incident he was working with Officer C. Officer B and Officer C responded to a "domestic call" involving a "person stabbed." Upon their arrival Officer B saw several officers, including Officer D, Officer E, and Officer A, already on the scene. Officer D and Officer E found Witness 2 outside the apartment building. Witness 2 was bleeding from his hand and told the officers that his brother (now known to be Subject 1) stabbed him and his sister-in-law. Witness 2 told the officers that Subject 1 was "upstairs with a knife." Witness 2 walked the officers to the upstairs apartment where they found the door locked. Witness 1 unlocked and opened the door for the officers. The officers entered the apartment and found Witness 1 also bleeding from her arms or her hands. Witness 1 also told the officers that Subject 1 "cut her." Officer B stated that they first saw Subject 1 standing in the kitchen area holding a knife over his head. Subject 1 told the officers that they "were going to have to kill him because he's going to kill everybody there." Officer B used his radio to request a supervisor with a Taser to respond. Witness 1 had run into a bathroom and locked the door behind her. Subject 1 kicked that door several times while trying to open the door. The officers approached Subject 1, at which point he ran out of the apartment through the rear door in the kitchen. Officer B ran out of the apartment through the front entrance and down the stairs to the front of the building in an attempt to cut Subject 1 off and place him under arrest. Officer B ran to the side of the building and "jumped a fence" on the east side of the building looking for Subject 1. Officer B stated that he did not know where the other officers were at that time. Officer B then saw Witness 1 leaning out of a window pointing to the roof of a garage and heard her say that Subject 1 was on the roof and that he still has the knife. Officer B ran back to the apartment and ran to the rear exit in the kitchen to gain access to the roof. Officer A, Officer D, and Officer C were already on the roof looking for Subject 1. While Officer B was looking for a way to get onto the roof he heard Officer A repeatedly yell, "Drop the knife!" Officer B also heard Subject 1 repeatedly say, "Well, you're going to have to kill me because I'm going to kill you." Officer B then heard three gunshots. Officer B could not see Subject 1 or any of the officers when they were on the roof at the time he heard the gunshots. Officer B was able to pull himself onto the roof. Officer B saw Subject 1 lying on the roof with the knife near his hand. Officer B believed that Officer A kicked the knife away from Subject 1's hand. Officer B called for an ambulance on the radio. (Att. 106)

Officer C related to the Roundtable Panel an account of the incident that was consistent with the Summary of Incident. (Att. 5)

In a statement to IPRA on 15 September 2010, Officer C stated that on the night of this incident he was working with Officer B. Officer C stated that they responded to a domestic disturbance call. Upon arriving Officer C saw Officer D and Officer E already on the scene. Witness 2 let the officers into the building and they ran upstairs to the apartment. Officer C stated that he saw that Witness 2 was bleeding from his right hand. Officer C and the other officers enter the apartment and find Subject 1 in the kitchen holding a knife. Witness 1 then locked herself in a separate room inside the apartment. Subject 1 attempted to open that door but could not. Subject 1 began to "bang" on that door and Officer B ordered Subject 1 to drop the

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knife. Officer C heard Subject 1 say, "You're going to have to kill me because I'm coming after you." The officers pulled their firearms and Subject 1 ran out of the apartment through the rear door in the kitchen. Officer C remained in the apartment with Witness 1 and Witness 2 while Officer B, Officer D, and Officer E ran through the front door in an attempted to cut Subject 1 off. Officer C knocked the door and told Witness 1 that Subject 1 exited the rear of the apartment. Witness 1 then informed Officer C that there is no way to exit out of the rear and that Subject 1 must "still be there." Officer A then entered the apartment and Officer C told him what Witness 1 said about Subject 1 still being on the scene. Officer C and Officer A exited the apartment through the rear kitchen door and searched for Subject 1. Witness 1 also told the officers that Subject 1 sometimes went out onto the roof in the back of the building. Officer C and Officer A subsequently find Subject 1 crouched on the corner of the roof, still holding the knife in his hand. Officer C stated that Subject 1 pointed the blade of the knife towards them. The officers ordered Subject 1 to stand up and drop the knife. Subject 1 stood up but he did not drop the knife. Subject 1 walked towards the officer and threatened to "kill" them. The officers repeatedly ordered Subject 1 to drop the knife as they backed away from him. Officer C stated that he and Officer A backed up almost to edge of the roof. Officer A then discharged his firearm at Subject 1 three times. Subject 1 fell down and dropped the knife. Officer C stated that he did not fire because Officer A fired first and Subject 1 immediately fell down. Notifications were made over the radio and an ambulance was requested. (Att. 107)

Officer D related to the Roundtable Panel an account of the incident that was consistent with the Summary of Incident. (Att. 5)

In a statement to IPRA on 23 September 2010, Officer D stated on the night of the incident he was working with Officer E and that they responded to a domestic disturbance call with Officer B and Officer C. Upon arrival they were met outside by a white male (now known to be Witness 2) who was visibly injured. Witness 2 told the officers that there was a domestic disturbance in the second floor apartment. The officers followed Witness 2 to the second floor apartment. Officer D stated that they entered the apartment and found Subject 1 standing in the kitchen holding a knife. Subject 1 words to the effect, "You guys come after me, no one's leaving alive." Officer D heard Officer B call for back-up on his radio. Subject 1 walked further into the kitchen and Officer D lost sight of him. Officer D then heard what sounded like "drawers and silverware clinking." Officer D heard one of the other officers say Subject 1 was "going out the back." Officer D exited the apartment ran downstairs to the front of the building. Officer D explained that he believed Subject 1 was attempting to escape from the back porch and Officer D intended on cutting off his escape. Once Officer D ran to the back of the building he saw that there was no back porch or exit, only a garage. Officer D then heard people shouting, "He's on the roof!" Officer D ran back up to the second floor apartment and through the kitchen to the roof in the back of the building. Officer D stated that Officer A and Officer C were on the roof already. Officer D saw Officer A and Subject 1 facing each other. Officer D also saw that Subject 1 was still holding a knife in his hand and holding it over his head. Officer D heard Subject 1 say, "You're gonna have to kill me." Officer D heard Officer A repeatedly order Subject 1 to drop the knife. Subject 1 walked towards Officer A while Officer A walked backwards. Subject 1 closed the distance between him and Officer A. Officer D then heard gunshots and saw muzzle flashes come from Officer A's firearm. Subject 1 fell down and dropped the knife. Officer G immediately climbed onto the roof and called for an ambulance.

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(Att. 112)

Officer H related to the Roundtable Panel an account of the incident that was consistent with the Summary of Incident. (Att. 5)

In a statement to IPRA on 29 September 2010, Officer H stated that she responded to the incident after Officer B radioed his request for a supervisor. Officer H arrived on the scene and spoke to Officer B, who told her that there was a domestic disturbance and that the offender (now known to be Subject 1) was armed with a knife and had fled through the rear exit of the apartment. Officer H then heard an unknown person announce that Subject 1 might be on the roof. Officer H walked out to the rear porch and heard an unknown police officer yell, "He's out here!" Officer H's view of the roof was obstructed. Officer H heard an unknown police officer yell, "Drop it! Drop it!" Officer H then heard three gunshots. Officer H made her way onto the roof and saw Subject 1's body lying on the roof with a knife near his body. (Att. 113)

Officer E related to the Roundtable Panel an account of the incident that was consistent with the Summary of Incident. (Att. 5)

In a statement to IPRA on 10 November 2010, Officer E stated that on the night of the incident he was working with Officer D. Officer E stated that he and Officer D responded to a domestic disturbance call with Officer B and Officer C. Upon arrival they were met outside by a white male (now known to be Witness 2). Witness 2 said to the officers, "My brother is upstairs and he has a knife." The officers followed Witness 2 to the second floor apartment where they found the apartment door to be locked. The officers knocked on the door but there was no answer. Officer E walked down to the first floor to ring the bell. While he was at the bottom of the stairs someone opened the door to the second floor apartment. Officer E walked up to the second floor apartment. He heard someone yelling, "You're not gonna take me out of here! You're not gonna take me alive." Officer E heard Officer B speaking to person in the kitchen, and also heard him radio for a supervisor. Officer E heard the other officers say that the offender fled through the rear of the apartment. Officer E ran out through the front entrance of the apartment and down to the first floor. Officer E ran out through the front door of the apartment building where he encountered Officer A and Officer F. Officer E explained the situation to them. Officer E remained outside on the east side of the building in an attempt to prevent the offender (now known to be Subject 1) from escaping that way. Officer E believed Officer A and Officer F went up to the second floor apartment. A few minutes later Officer E heard someone yelling from the back of the building, "Hands! I want to see hands!" and "Stop!" Officer E then heard approximately three gunshots. Officer E did not witness what occurred on the roof between any officers and Subject 1. Officer E did not witness the shooting. (Att. 114)

Officer G related to the Roundtable Panel an account of the incident that was consistent with the Summary of Incident. (Att. 5)

In a statement to IPRA on 08 November 2010, Officer G stated that on the night of the incident he was working Beat 1020. Officer G answered a call from a beat car requesting a supervisor with a Taser. Officer G arrived to find several officers on the scene looking for an offender (now known to be Subject 1). Officer G spoke with Officer B and possibly Officer H

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on his arrival at the scene. Officer G and Officer B began to climb through an opening in an enclosed porch to try to reach the roof where Subject 1 was thought to be. Officer G stated that Officer A, Officer D and Officer C were on the roof at that time. Officer G and Officer B located something to stand on and were in the process of climbing onto the roof when Officer G heard several voices yell, "Stop, drop the knife, drop the knife, drop the knife!" followed by gun shots. Officer G stated that he was behind Officer B when he heard the gun shots and he could not see anything. Officer G continued onto the roof and saw Subject 1's body lying on the roof and a knife near him. Officer G checked to make sure that Officer A was okay then summoned an ambulance for Subject 1. (Att. 115)

Officer F related to the Roundtable Panel an account of the incident that was consistent with the Summary of Incident. (Att. 5)

In a statement to IPRA on 24 November 2010, Officer F stated that on the night of the incident he was working with Officer A in full uniform. Officer F stated that they had started their tour of duty at midnight on 28 December 2007. Officer F stated that he and Officer A worked together at least three or four days a week at the time of the incident but Officer A has since transferred units and they do not work together any more. Officer F stated that he remembered that they were having a quiet tour of duty before they responded to assist after the officers that were already at the scene requested a Taser. When the officers arrived on the scene, they went to the second floor residence and encountered Officer B, Officer C, and Witness 2, who Officer F identified as one of the complainants on the domestic disturbance. Officer F and Officer A met the other officers in the kitchen and learned that the subject possibly fled to the rear of the residence and possibly was on the garage roof. The officers went to the rear of the residence and onto the back porch. There was garbage in the porch area and Officer F moved the garbage around to make sure that the subject was not hiding in there. Officer A, Officer D and Officer C went up to the garage roof and Officer F stayed in the enclosed porch area for the duration of the incident. Officer F heard Officer A yell for someone to, "Drop the knife, drop the knife!" then he heard two to three gunshots. Officer F never went to the roof and did not witness the shooting. (Att. 116)

CONCLUSION AND FINDING:

This investigation found that the use of deadly force by Police Officer A was **JUSTIFIED** and was in compliance with Department Policy and State statutes. According to the Chicago Police Department's General Order 02-08-03, III DEPARTMENT POLICY, A1 and A2,a,b,c.

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 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;
 - 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

Police Officer A's actions were in accordance with conditions one and two of the Chicago Police Department's deadly force policy. Subject 1 was observed by Officer B, Officer C, Officer D and Officer E holding a knife and threatening to kill everyone present. Subject 1 had previously cut and injured his brother and his fiancée. Subject 1 verbally and physically threatened to injure officers with a knife that he had repeatedly refused to drop.

It is reasonable that Officer A feared for his and others' lives when Subject 1 advanced on him with a knife raised above his head after Officer A had retreated, backwards, around more than half of the perimeter of the roof. Officer A knew that he was nearing the edge of the roof. By any reasonable standard, Officer A waited for a supervisor with a Taser to arrive for as long as he safely could have before discharging his weapon.