



## TRIBUNE INVESTIGATION



OAK BROOK POLICE DEPARTMENT

# ON GUARD, UNCHECKED

From shopping malls to violent street corners, security guards are meant to protect the public but operate with little scrutiny

BY ELYSSA CHERNEY, SAM ROE AND CECILIA REYES | Chicago Tribune

**T**he shooting took place at the upscale Oak Brook mall, on a Sunday in June, in the middle of the afternoon.

Stores went into lockdown, customers took cover and police raced to the scene, only to find that the gunman was a security guard who had shot someone trying to steal Rolex watches from a jewelry store.

The suspect had attempted to smash a display case with a hammer. Records show that when the guard drew his gun, the man put his hands in the air and lay face down on the floor.

The guard told police that when he approached with handcuffs, the man jumped up and came toward him, so he shot the man in the leg.

The Oak Brook police chief



JOHN J. KIM/CHICAGO TRIBUNE

Levert Jones leaves his mother's home last month in Detroit. At top, Jones was shot by a security guard while attempting to rob a jewelry store in Oak Brook in 2013. The guard fired while Jones was on the ground, according to surveillance video.

described an even more aggressive suspect, telling reporters initially that the man ignored the guard's order to put down the hammer and then "started to advance."

But store surveillance video obtained by the Tribune contradicts both the guard's account and the police chief's statement in key ways.

The video shows that the man dropped the hammer and that he remained on the floor, with his hands behind his back, as the guard walked toward him. Holding a gun in one hand and handcuffs in the other, the guard stepped beside the man, bent down and fired his gun while the man was still on the ground, according to the video, police reports and court re-

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## TRIBUNE INVESTIGATION ON GUARD, UNCHECKED

# Little scrutiny of many guards

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cords.

The bullet ripped through the man's lower torso, damaging his appendix, small intestines and colon, medical records show.

The man survived, pleaded guilty to attempted armed robbery and served nearly four years in prison. But since the 2013 shooting, no one, including the state regulators responsible for monitoring the security industry, has challenged the guard's version of events.

Unlike police officers, who in recent years have faced widespread and intense scrutiny over excessive force, including the fatal shooting of Laquan McDonald, the growing industry of private security guards often operates unwatched and unchecked, a Tribune investigation has found.

State regulators issue licenses to guards but exercise alarmingly little oversight over what amounts to a massive, shadow police force that Illinois businesses, neighborhoods and citizens increasingly rely on for day-to-day safety.

In the last seven years, the Tribune could not find a single case where the state disciplined a guard for his or her role in a shooting. In fact, Illinois regulators don't even track incidents in which guards fire guns. Training requirements, meanwhile, are extremely limited — even barbers must complete more classroom time — and Illinois has set no standards for the use of force.

Using state and police records, court documents and media reports, the Tribune found that Illinois guards fired their guns in work-related incidents at least 37 times since April 2011, the earliest period for which the state could provide information. Three additional incidents involved off-duty police officers working as security guards. Eleven people died in these shootings, including a 20-year-old woman who was shot in the head as two security guards at a Chicago liquor store fired a barrage of bullets at a fleeing SUV.

Illinois law requires security companies to report shootings to the Illinois Department of Financial & Professional Regulation, the agency that licenses guards. The agency then can open an investigation to determine if the guards remain fit for duty.

But the Tribune found 11 shootings since April 2011 that were not reported as required, and none of the firms was disciplined by the state, records show. The Tribune identified an additional 10 shootings that weren't reported, but there wasn't enough information available to determine whether or not they needed to be. That's because Illinois law exempts small in-house security forces from the requirement.

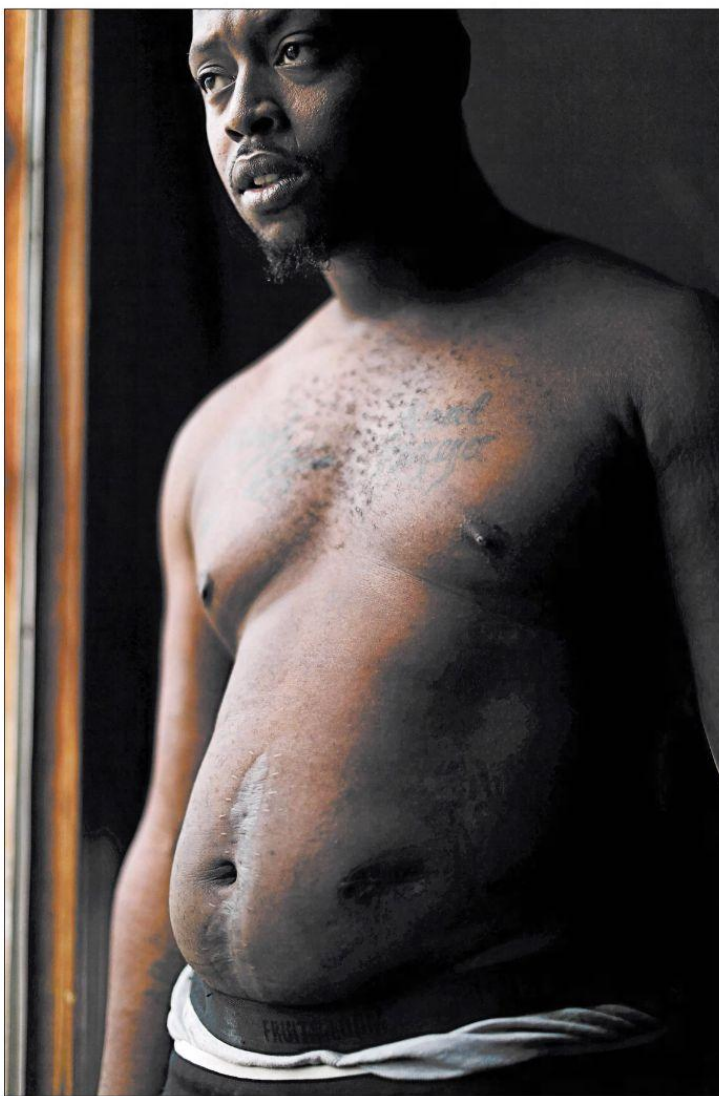
R. Paul McCauley, a professor emeritus of criminology at Indiana University of Pennsylvania, said the unreported shootings signal a lack of accountability in the industry.

"I think that's unacceptable," he said. "I'm assuming the legislative intent was not to allow security people to be so-called cowboys."

The number of licensed security workers in Illinois — a category that includes locksmiths and private detectives in addition to guards — has grown by about 20 percent over the last decade, a Tribune analysis of state records found. As of June, there were more than 97,000 licenses, though some might not currently be working. The number of working security guards nationwide reached 1.1 million last year, almost double the total for police officers, according to the U.S. Bureau of Labor Statistics.

These people are doing dangerous work — guards are often the first to respond to a crime in progress. In 2016, 33 guards were slain on the job in the U.S., according to federal data. In Illinois, at least 12 guards have been shot in recent years, according to a Tribune review of news accounts. Six of those shootings were fatal, including that of a security guard killed in a Robbins bar this month by a police officer responding to a call about gunfire.

Yet training requirements in Illinois are meager compared with those for law enforcement. Unarmed guards must complete 20 hours of training while armed guards need 40 hours, half of which must focus on firearms. By contrast, Chicago police recruits spend six months in the academy followed by three months of



JOHN J. KIM/CHICAGO TRIBUNE

Levert Jones displays the surgical scars from his gunshot wound. Jones pleaded guilty to the attempted armed robbery at C.D. Peacock.



STACEY WESCOTT/CHICAGO TRIBUNE

There were 10 customers and six salespeople in the C.D. Peacock jewelry store at Oakbrook Center when security guard Doyle Farrell shot Levert Jones on June 23, 2013.

training on the street.

A handful of states require armed guards to pass a mental health examination; Illinois is not among them. Guards here must undergo a background check, but the state has discretion to grant anyone a license. No one, including people convicted of violent felonies and registered sex offenders, is barred by law from becoming a guard.

Some guards don't face any oversight at all from state regulators, as small forces of fewer than five guards who provide in-house security don't need to be licensed. For example, a restaurant could hire two people to provide security on weekends, and those work-

ers would not be required to undergo training and would face no oversight or professional discipline for misconduct.

"It makes no sense," said Steve Amity, executive director of the National Association of Security Companies, the industry's leading trade group. "Anybody out there functioning as a security officer should be under the same requirements, restrictions and regulations."

Though the public trusts guards for protection, many have proved capable of committing crimes themselves, a Tribune analysis found. In the last decade, nearly 1,800 current and former security workers were disciplined

by the state over criminal convictions or failure to report such cases, according to the analysis. In dozens of instances, the Tribune found, the crimes were serious: sex offenses, domestic violence, battery, drug charges and, in three cases, murder.

Bryan Schneider, head of the Illinois Department of Financial & Professional Regulation, declined through a spokesman to be interviewed for this story, as did Jessica Baer, director of the agency's division of professional regulation. The agency asked for questions in writing and then did not answer them.

In a brief statement, the department said it reviews all reports of

shootings, complaints and other information to determine whether disciplinary action should be taken. The agency said it oversees more than a million licensees in a variety of professions and pays special attention to security workers and companies. The department said its "top priority is ensuring public safety."

When the Tribune requested various records related to guard shootings, the department provided very few, saying most of the documents were either confidential or didn't exist. In its examination of the Oak Brook mall shooting, the Tribune used police records to identify the guard as Doyle Farrell, now 60.

Farrell declined to answer detailed questions from the Tribune about the shooting, but he described the encounter to police detectives in two separate video-recorded interviews. Police and state's attorneys did not pursue charges against him.

A supervisor at the security company where Farrell worked described him as an "excellent employee" who always showed up on time and had never been disciplined, according to a police report. He had not previously fired his gun while on the job, the supervisor told police.

The man Farrell wounded, Levert Jones, is now 30 and lives in Detroit. He says he made a terrible mistake that day but didn't deserve to be shot.

Jones said he had never seen the video from the store until the Tribune showed it to him.

"Damn, you know what I'm saying?" he said after watching it. "Why did he shoot me, bro? Why did he shoot me?"

## A robbery, interrupted

On the afternoon of the shooting, Jones and two other men walked into Oakbrook Center, an





Surveillance video from a jewelry store at Oakbrook Center shows Levert Jones smashing a jewelry case with a hammer, top photo. Shortly after, Jones was shot by security guard Doyle Farrell, an event captured by surveillance video, bottom photo.

**"I always hope I never have to pull my gun on nobody. I have seen a lot of security officers get hurt ... so I try my best not to take no chances."**

— security guard Doyle Farrell

supervisor on the case, defended his department's decision not to pursue charges against Farrell. The DuPage County state's attorney's office said it reviewed the case reports and agreed.

"The attack felt worse to him than it looks on our video," King said. "But of course, easy for us to say now, sitting here like this."

Still, Oak Brook police officials said, a trained police officer likely would have handled things differently.

Before handcuffing a suspect, Kruger said, a lone police officer is supposed to radio for backup and wait for it to arrive, if possible. Guards, by contrast, usually have to dial 911 from a cellphone, explain the situation to dispatchers and wait for officers to be assigned, a process that takes much longer.

Kruger said his original statement to the news media was made about an hour after the shooting based on preliminary information given to him by his officers.

He added that some retail surveillance videos have little value as evidence because their quality is too poor to determine what transpired. Specifically, he said, the video from C.D. Peacock is so choppy that it may not capture every movement of the suspect.

Deputy Chief Jason Cates said he thought Farrell was giving an honest account of what happened, but the trauma of experiencing a robbery attempt, and shooting someone for the first time may have affected his ability to describe the encounter precisely.

"There's no sound associated with this video, and we're not seeing it from the perspective of this security guard," Cates said.

At the time of the shooting, police records show, Farrell was working for Command Security Corporation and assigned to the C.D. Peacock store. State records show the company did not report the incident to the Illinois Department of Financial & Professional Regulation as required by law, and there is no evidence authorities investigated. Public records requests by the Tribune yielded no state documents related to the shooting.

Representatives from Virginia-based Command Security declined to comment on the case. Tom Keenan, a spokesman for C.D. Peacock, said the company no longer uses Command Security for reasons unrelated to the shooting. Oakbrook Center did not return multiple messages seeking comment.

When the Tribune first called Farrell, he said he was in the back of the store during the robbery attempt and didn't fire the shot.

In a subsequent conversation, a reporter informed him that numerous police records — including his own witness statement — showed that he had indeed shot Jones.

Farrell responded that he didn't want to talk about it.

"It's something years ago that happened that I'm trying to get behind me," he said. "It's in the past."

Farrell said he still works as a guard; records show he has an active license and has never been disciplined. He did not respond to additional requests for comment.

Jones, meanwhile, pleaded guilty to attempted armed robbery, and his accomplices were never caught. He served just under four years in prison. The entire time, he said, he had to wear a colostomy bag to collect waste because of his gunshot wound. "It was worse than hell," Jones recalled.

Now on parole, Jones is living in Michigan, where he said he does landscaping work.

Though years have passed since he was shot, Jones said he continues to struggle with medical complications, such as back pain and bladder problems. He is also thinking about getting help with the psychological scars left by the shooting.

"I don't cope. I just try to get through it," Jones said. "I just try to get through the days."

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## Coming next

A young woman dies when security guards open fire.

outdoor shopping complex that boasts luxury stores like Burberry and Louis Vuitton. After eating at Subway and Skurro, the men made their way to the C.D. Peacock jewelry store around 3:45 p.m., police reports show.

Inside, Farrell was sitting in a chair behind a desk. It was a busy day. The store was filled with 10 customers and six salespeople.

What happened next is laid out in detail in police reports, the surveillance video and two video-recorded police interviews with the guard.

Two workers asked the three men if they needed help, but no one replied.

Jones, wearing jeans and a baggy white T-shirt, walked toward a glass case of Rolex watches and stopped behind it. He put his hands on top of the case and leaned over it, then suddenly pulled a 4-pound hammer from his waistband. He swung it twice, cracking the case.

Employees and customers ran for the door. One salesperson, a 45-year-old woman, ducked behind a counter and curled into the fetal position.

Farrell drew his .357 Magnum Smith & Wesson revolver, pointed it at Jones and told him to freeze, police records state.

"Don't shoot me!" Jones said, according to a customer's account to police.

Jones dropped the hammer on the case, raised his hands and walked to the center of the store, where he lay on his stomach. By then, Jones' accomplices had bolted out the door.

Farrell ordered Jones not to move, witnesses and Farrell later told police.

Jones, unarmed and on the floor, held his hands behind his back as Farrell walked toward him holding the gun and bent down, the store video shows. The guard later told police that Jones jumped up and came toward him.

That's when, Farrell said, he fired his gun.

"You shot me! You shot me! Get me an ambulance!" Jones said, the same customer told police.

Farrell responded, "I told you not to move," according to a statement from the 45-year-old saleswoman.

On the video recording, Jones appears to have moved as Farrell attempted to handcuff him, but the guard's back blocked most of the camera's view of Jones in that moment.

Later, Oak Brook police Detective Vel Torlo would testify that when he watched the video, he saw Jones "turn in an attempt to flee or possibly even fight the security guard." He did acknowledge, however, that Jones never got onto his feet or knees and remained in a prone position on the ground the entire time the guard was behind him.

Jones told the Tribune that he complied with Farrell's orders and that he thought about running but did not.

Inside the jewelry store, when police arrived, they found Jones on the ground, groaning. Blood had soaked through his shirt. According to a police report, Jones asked an officer: "Why did the guy shoot me?"

Paramedics transported Jones to Advocate Good Samaritan Hospital, where a surgeon cut open his abdomen to assess and treat damage to his internal organs. He would spend four days in the hospital.

The bullet that hit Jones passed through his body, leaving no fragment behind, according to medical records obtained by the Tribune with Jones' permission. A police report states that one surgeon who treated Jones "speculated" he was shot from behind because the bullet hole in his back was slightly smaller than the one in his front. Another surgeon wrote in the medical records that

the bullet had entered through Jones' abdomen and left through the lower back, without discussing the size of the wounds.

Contacted by the Tribune, both surgeons said they are not experts in ballistics or forensics and could not say for sure where the bullet struck Jones. They said they focus on repairing damage caused by a bullet, not its trajectory.

Following the shooting, Farrell told detectives at the Oak Brook police station that he initially thought the hammer might have been a gun and didn't know if Jones had more weapons.

"I was walking towards him to put my handcuffs on him," Farrell said in the video-recorded interview. "Before I got, even from maybe a foot, he jumped up off the floor and came towards me. So that's when I shot him."

He also said: "I didn't know if he was coming towards me to attack me or trying to get away or what."

Police Chief James Kruger told reporters at the mall a similar but more dramatic story, one in which Jones did not drop the hammer and came at the guard.

Two days later, police wanted to interview Farrell again. A detective had watched the store surveillance video — the same one the Tribune would eventually obtain — and she had additional questions.

When Farrell got there, two detectives conducted the interview. One told Farrell she was getting ready to wrap up the investigation and wanted to give him an opportunity to relay any more information.

Farrell didn't waver from his original statement. "I was fearing for my life because when I asked him to lay down, he looked at me and jumped towards me," Farrell said. "He was coming toward me."

During the interview, Farrell was visibly upset and in tears, a police report states. He said he couldn't sleep and didn't have

anyone to talk to about what happened. He told detectives that he felt lucky because in robberies, "they usually take out the security guards first." Farrell also said he was worried that Jones' accomplices might be looking for him.

The interview was brief, just eight minutes. Video of the interview shows that the detectives did not ask him any questions about the surveillance video.

During his two interviews with police, Farrell described the dangers of his job. At a different jewelry store, Farrell said, robbers took a diamond and then tried to run him over with a vehicle when he chased after them. Farrell also said he knew a security guard who was badly beaten with his own gun by bank robbers, according to a video of his interview with police.

"I always hope I never have to pull my gun on nobody," said Farrell, who told police he had 20 years of experience. "I have seen a lot of security officers get hurt ... so I try my best not to take no chances."

## The value of a video

One recent morning, Oak Brook police Patrol Cmdr. Mark King sat down in his office to answer questions about the shooting and the surveillance video.

He said he had seen the video before but agreed to review it again at the Tribune's request.

A reporter flipped open her computer, plugged in a USB flash drive and clicked play. The video, obtained from Oak Brook police through a public records request, shows Jones lying on his stomach, his hands behind his back, as Farrell walks toward him with his gun drawn.

The video is grainy and jerky, but it does not show Jones jumping up or approaching Farrell to attack, as the guard told police.

As he studied the video, King a