

SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	December 5, 2018
Time of Incident:	8:36 p.m.
Location of Incident:	[REDACTED]
Date of COPA Notification:	December 5, 2018
Time of COPA Notification:	9:43 p.m.

On December 5, 2018, the CPD/FBI Violent Crimes Task Force was conducting a carjacking investigation mission that occurred in the [REDACTED], [REDACTED], and [REDACTED] Districts. Members of the team located a stolen vehicle [REDACTED] bearing Illinois license plate # [REDACTED] at the location of [REDACTED]. Involved officers conducted a surveillance of the vehicle at which time two (2) involved individuals [REDACTED] (driver) and [REDACTED] (passenger) were observed entering the vehicle and driving away. Officers conducted covert surveillance of the vehicle to [REDACTED] and [REDACTED] where officers attempted to stop the vehicle at which time a traffic crash occurred at approximately [REDACTED].

The driver, Mr. [REDACTED], exited the vehicle on the driver's side and fled from the vehicle running west on [REDACTED]. The passenger, Mr. [REDACTED], was arrested on the scene. Detective [REDACTED] initiated a foot pursuit and while running over uneven ground discharged his firearm downward, striking the ground.

II. INVOLVED PARTIES

Involved Officer #1:	Detective [REDACTED], Star # [REDACTED], Employee [REDACTED], Appointment Date [REDACTED], 1991, Unit [REDACTED], Male, White, Birth Date [REDACTED], 1970
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III. ALLEGATIONS

Officer	Allegation	Finding/Recommendations
Detective [REDACTED]	1. On December 5, 2018, at approximately 8:36 p.m., at [REDACTED], the accused unintentionally discharged his firearm during a foot pursuit, in violation of Rule 10.	Not Sustained

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 10: Inattention to duty

General Orders

1. General Order 03-02-03, Section III, B

V. INVESTIGATION¹

a. Interviews

In a **statement** to COPA on December 17, 2018, **Accused Detective** ██████████ stated that he was on-duty and part of a covert surveillance team conducting carjacking investigations, when his team observed two (2) males entering a stolen vehicle and driving away. Officers conducted covert surveillance of the vehicle and followed the vehicle to ██████████ and ██████████, where officers attempted to stop the vehicle at which time a traffic crash occurred at approximately ██████████.

The driver, Mr. ██████████, exited the vehicle on the driver's side and fled from the vehicle running west on ██████████. Detective ██████████ initiated a foot pursuit and while chasing after the offender, was running on a parkway that whose surface was uneven and discharged his firearm downward, striking the ground. Detective ██████████ did not remember having his finger on the trigger and believes in an attempt to regain his balance the weapon discharged. Det. ██████████ stated that no one was struck or injured by the firearm discharge.

b. Digital Evidence

The **Evidence Technician Photographs and COPA Photographs**³ depict multiple photos of the scene.

¹ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

² Att. 16

³ Att. 20, 27

Video⁴ footage from [REDACTED] shows the traffic accident as well as Mr. [REDACTED] exiting the vehicle and running westbound on [REDACTED]. It further shows Detective [REDACTED] running westbound in pursuit of Mr. [REDACTED]. During the foot pursuit, Detective [REDACTED] ran over uneven ground and nearly fell. The video clearly shows Det. [REDACTED] tripping on the uneven ground and moving his body in an attempt to regain his balance and discharged his firearm downward, striking the ground.

c. Documentary Evidence

The **Detective Supplementary Report**⁵ for RD# [REDACTED] document a robbery and aggravated vehicular hijacking of a [REDACTED] at [REDACTED]. The stolen unoccupied vehicle was recovered at [REDACTED].

The **Detective Supplementary Report**⁶ for RD# [REDACTED] document that an unintentional discharge-non-fatal firearm discharge with no injury occurred at [REDACTED].

The **Tactical Response Report**⁷ submitted by Detective [REDACTED] reflects that he was on-duty and in the vicinity of [REDACTED] when he was engaged in a foot pursuit of an offender, [REDACTED], who fled from a stolen motor vehicle. During the foot pursuit, Detective [REDACTED] accidentally discharged his weapon into the ground.

The On Call Incident Commander (OCIC), Lieutenant [REDACTED], noted that he reviewed available private video from [REDACTED] along with COPA investigators on scene. He further related that COPA would conduct an investigation relative to Detective [REDACTED] compliance with Department policy. Lieutenant [REDACTED] stated that all evidence at that time indicated this was an accidental shooting and never endangered anyone's life or damage any property.

The **Original Case Incident Report**,⁸ provide information that is consistent with Department reports.

The **Major Incident Notification Report**⁹ documented that at approximately 8:36 p.m. at [REDACTED], Detective [REDACTED] was involved in an unintentional discharge pursuant to arrest. There were no injuries.

The **Arrest Report**¹⁰ of [REDACTED], document that he was arrested for receiving, possessing, and/or selling a stolen vehicle.

⁴ Att. 21

⁵ Att. 11

⁶ Att. 26

⁷ Att. 10

⁸ Att. 25

⁹ Att. 23

¹⁰ Att. 6

The **Arrest Report**¹¹ of [REDACTED] document that he was arrested for receiving, possessing, and/or selling a stolen vehicle, possession of ammunition without a valid FOID card, robbery, and aggravated vehicular hijacking with a weapon.

The **Illinois Traffic Crash Report and Recovered Vehicle Supplementary Report**,¹² document that a crash report was generated for RD # [REDACTED] regarding a stolen [REDACTED] bearing license plate # [REDACTED] that was involved in a crash with several parked vehicles as well as Department vehicles. It further documents that the car was located at [REDACTED].

The **Office of Emergency Management and Communications Event Query Report**¹³ document that on December 5, 2018, at 8:36 p.m., shots fired call was reported at [REDACTED].

The **Crime Processing Report and Property Inventory Report**¹⁴ documents that Evidence Technicians [REDACTED] # [REDACTED] and [REDACTED] # [REDACTED] were assigned to process the scene of a stolen motor vehicle and an unintentional discharge. It further details that a fired cartridge case (Winchester 38) was processed and recovered from the trunk of a white Chevrolet Tahoe police vehicle and inventoried under RD# [REDACTED]. Evidence Technicians marked the area where the weapon was discharged and attempts to recover the fired cartridge case was unsuccessful.

The **Synoptic Report**¹⁵ documented that Detective [REDACTED] submitted to a random drug test conducted by Quest Diagnostics with negative results.

VI. ANALYSIS

Detective [REDACTED] unintentionally discharged his firearm when he lost his balance while pursuing a fleeing offender, thus firing one round into the ground. The unintentional firearm discharge occurred as a result of an involuntary muscle movement¹⁶, and the circumstances that led to the involuntary muscle movement were not foreseeable and did not reflect any negligence on the part of Detective [REDACTED].

For these reasons, COPA recommends a finding of NOT SUSTAINED for Allegation #1 against Detective [REDACTED].

VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

¹¹ Att. 7

¹² Att. 9,12

¹³ Att. 13

¹⁴ Att. 22,14

¹⁵ Att.15

¹⁶ Att. 30, [REDACTED], Section 15 Resources, Page 2-3, Involuntary Muscle Contractions and the Unintentional Discharge of a Firearm by [REDACTED].

Officer	Allegation	Finding
Detective [REDACTED] [REDACTED]	2. On December 5, 2018, at approximately 8:36 p.m., at [REDACTED] [REDACTED], the accused unintentionally discharged his firearm during a foot pursuit, in violation of Rule 10.	Not Sustained

Detective [REDACTED]

Complimentary and Disciplinary History

Detective [REDACTED] has no disciplinary history with the Department. Detective [REDACTED] complimentary history consists of 37 Honorable Mentions and 12 Complimentary Letters.

Approved:

[REDACTED SIGNATURE]

Angela Hearts-Glass
Deputy Chief Administrator – Chief Investigator

6-25-19
Date

Appendix A

Assigned Investigative Staff

Squad:	1
Major Case Specialist:	[REDACTED]
Supervising Investigator:	[REDACTED]
Deputy Chief Administrator:	Angela Hearts-Glass