



Log # 2024-0000155

FINAL SUMMARY REPORT¹

I. EXECUTIVE SUMMARY

On January 9, 2024, the Chicago Police Department's (CPD) Crime Prevention and Information Center (CPIC) notified the Civilian Office of Police Accountability (COPA) of an officer-involved shooting that occurred at approximately 1:37 pm near [REDACTED]² COPA learned that an off-duty CPD member, Officer Lawrence Kilgore Wooden, discharged his firearm at an unknown male subject who fired his weapon at Officer Kilgore-Wooden. Following its investigation, COPA determined that Officer Kilgore-Wooden's use of deadly force complied with CPD policy, and no allegations related to this incident were served on him.

II. SUMMARY OF EVIDENCE³

On January 9, 2024, at approximately 1:37 PM, at or near [REDACTED]. Off-duty Officer Kilgore-Wooden was working on his dirt bike under his carport in his backyard. When he got the dirt bike started, he proceeded to go through his gangway to the front yard of his residence. Soon thereafter, his dirt bike stalled on him. Officer Kilgore-Wooden got the dirt bike started again and drove towards 72nd St. and Spaulding Ave., where the dirt bike again stalled. After a couple of minutes, he once again got the dirt bike started.⁴

After a few more turns, Officer Kilgore-Wooden found himself going eastbound on 73rd St. toward Spaulding Ave. Once he got to 73rd St., Officer Kilgore-Wooden heard what he believed to be gunshots.⁵ As he then turned, facing northbound at the intersection of 73rd St. and Spaulding Ave., his dirt bike stalled again.⁶ Believing he just heard gunshots, Officer Kilgore-Wooden looked around the area and observed his an individual shoveling snow on the west side

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, where applicable, BWC footage, ICC footage, third-party video, police reports, civilian interview(s), officer interview(s).

⁴ Att. 96, Pages 7-8, Lines 9-24, 1-2

⁵ Att. 96, Page 8, Lines 3-11

⁶ Att. 96, Page 8, Line 7-9

of the Spaulding Ave.; and the individual did not react as if they heard the gunshots.⁷ Officer Kilgore-Wooden then heard approximately five additional gunshots.⁸ Officer Kilgore-Wooden continued to look around the area and observed east of him a male individual wearing a multicolored jacket, possibly beige or khaki pants, and a ski mask walking toward him with his right hand in his front waistband. In response, Officer Kilgore-Wooden immediately put his hand in his front waistband.⁹

The unknown male individual walked closer towards Officer Kilgore-Wooden, and they made eye contact.¹⁰ Officer Kilgore-Wooden felt that the distance between him and the unknown male individual was approximately 20-30 feet.¹¹ The unknown male individual then pulled out a firearm, got into a combat position,¹² and discharged the firearm at Officer Kilgore-Wooden. Officer Kilgore-Wooden then himself got into a combat position,¹³ and with a two-handed grip,¹⁴ he returned fire towards the unknown male individual.¹⁵ Officer Kilgore-Wooden believed he discharged his firearm between four and six times.¹⁶ Officer Kilgore-Wooden ran west back along 73rd St. towards Christiana Ave. Once he felt it was safe to do so, Officer Kilgore-Wooden called 911.¹⁷

The third-party video captured the exchange of gunfire.¹⁸ The video shows Officer Kilgore-Wooden traveling eastbound on 73rd St. toward Spaulding Ave. when his dirt bike appears to stall at the southwest corner of 73rd St. and Spaulding Ave. The unknown male individual is observed walking southbound on Spaulding Ave. toward 73rd St. When he reaches the corner, the unknown male individual raises his right arm towards Officer Kilgore-Wooden, who is seated on his dirt bike. The unknown male individual discharges a firearm towards Officer Kilgore-Wooden, who gets off his dirt bike and runs westbound for cover as he and returns fire. The unknown male individual then runs eastbound.

III. ALLEGATIONS

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

⁷ Att. 96, Page 8, Lines 10-15

⁸ Att. 96, Page 12, Lines 15-19

⁹ Att. 96, Page 8, Lines 15-19

¹⁰ Att. 96, Page 8, Line 20

¹¹ Att. 96, Pages 16, 18, Lines 23-24, Lines 1-2

¹² Att. 96, Page 18, Lines 7-13

¹³ Att. 96, Page 20, Lines 16-18

¹⁴ Att. 96, Page 20, Lines 11-13

¹⁵ Att. 96, Page 8, Lines 21-24

¹⁶ Att. 96, Page 20, Lines 8-10

¹⁷ Att. 96, Page 9, Lines 2-4

¹⁸ Att. 95, 3rd party video located at [REDACTED].

IV. CREDIBILITY ASSESSMENT

This investigation did not reveal any evidence that caused COPA to doubt the credibility of any individuals (sworn or unsworn) who provided statements. COPA found Officer Kilgore-Wooden to be credible in his statement and that pertinent firearm discharge part of his account was consistent with the 3rd-party video evidence that COPA received and reviewed.

V. ANALYSIS¹⁹

By a preponderance of the evidence, COPA concludes that Officer Kilgore-Wooden's use of deadly force to be within CPD policy. 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 preserving human life and the safety of all persons involved.²⁰ 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.²¹ 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 a person offers.²²

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."²³ 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."²⁴

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."²⁵ Officers are expected to modify the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary.²⁶

¹⁹ For a definition of COPA's standard of proof, *see* Appendix B.

²⁰ G03-02 (II)(A), De-escalation, Response to Resistance, and Uses of Force (effective June 28, 2023 to present).

²¹ G03-02 (III)(B)

²² G03-02 (III)(B)(3).

²³ G03-02(IV)(C).

²⁴ G03-02(IV)(C)(1-2).

²⁵ G03-02(IV)(B) (emphasis added).

²⁶ G03-02(III)(C)(2).

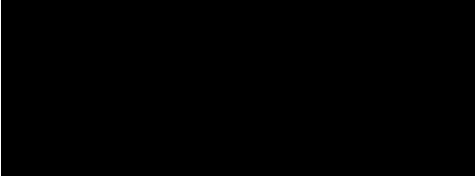
Based on the review of the evidence, COPA finds that Officer Kilgore-Wooden’s use of deadly force was objectively reasonable in consideration of the imminent threat he faced: Officer Kilgore-Wooden discharged his firearm in response to the unknown male individual pointing and discharging a firearm towards Officer Kilgore-Wooden.

Officer Kilgore-Wooden explained, and video evidence corroborated, the unknown male individual raising a firearm and discharging it towards Officer Kilgore-Wooden. Thus, COPA finds by a preponderance of the evidence that the unknown male individual had the means, opportunity, and ability to cause death or great bodily harm.

Finally, COPA finds Officer Kilgore-Wooden’s use of deadly force was proportional to the threat he faced. Officer Kilgore-Wooden fired his weapon only after the unknown male individual threatened him with his firearm. Officer Kilgore-Wooden fired six times and he stopped firing once the unknown male individual ran eastbound on 73rd street, no longer posed a threat.

In sum, based on a totality of the circumstances, COPA finds by a preponderance of the evidence that Officer Kilgore-Wooden ’s use of deadly force complied within CPD policy.

Approved:



6/17/2024

Matthew Haynam
Deputy Chief Administrator – Chief Investigator

Date



6/17/2024

Andrea Kersten
Chief Administrator

Date

Appendix ACase Details

Date/Time/Location of Incident:	January 9, 2024, 1:37 pm, [REDACTED].
Date/Time of COPA Notification:	January 9, 2024, 2:03 pm.
Involved Member #1:	Officer Lawrence Kilgore-Wooden, star# 19664, employee ID# [REDACTED], Date of Appointment, November 18, 2019, Unit of Assignment 010th, Male, Black
Involved Individual #1:	Unknown male subject

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 Uses of Force (effective June 28, 2023 to present)
- G03-02-01, Response to Resistance and Force Options (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.²⁷ A **preponderance of evidence** is evidence indicating that it is more likely than not that a proposition is proved.²⁸ 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.

²⁷ See Municipal Code of Chicago, Ch. 2-78-110

²⁸ *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