

## Fact Sheet Regarding the Shooting of Laquan McDonald

### Brief Facts and Timeline for the Incident and Investigation

- On October 20, 2014 at 41<sup>st</sup> and Pulaski, a Chicago police officer shot and killed a juvenile, Laquan McDonald, who was carrying a knife.
- The Independent Police Review Authority (IPRA), a civilian independent agency, is charged with investigating all officer-involved shootings. IPRA opened its investigation into this incident within hours of the shooting. Between Oct. 20 and Oct. 28, IPRA interviewed witnesses and collected evidence. On Oct. 29, the officer was stripped of his police powers.
- For every officer-involved shooting, IPRA sends the evidence to the Cook County State's Attorney so that state prosecutors can determine whether to pursue a criminal investigation. Several days after the incident, IPRA sent the evidence in this case, including the dash camera video, to the Cook County States Attorney's Office. The evidence was also later shared with the FBI and the Office of the U.S. Attorney as prosecutors initiated state and federal criminal investigation. Per standard practice, IPRA then suspended its administrative investigation so as not to interfere with the criminal investigation.
- On November 24, 2015, the Cook County States Attorney Anita Alvarez charged officer Van Dyke with first degree murder.
- That same day, the Chicago Police Department suspended him without pay.
- Once the criminal case has concluded, IPRA will resume and finish its administrative investigation.

### Q&A

**Q: Why wouldn't the city release the video?**

A: The video is evidence in an active criminal investigation and a grand jury has been convened to determine whether criminal charges should be brought. We did not want to do anything that might interfere with the ongoing investigation. For example, releasing a video during a pending investigation has the potential to compromise eyewitness testimony because witnesses may adjust their testimony to fit what they or others perceive in the video. Not releasing evidence during an ongoing criminal investigation is consistent with the longstanding practice of federal, state and local law enforcement authorities. As we stated months ago, the City planned to release the video once the investigation had concluded.

**Q: What is the status of IPRA's investigation into this incident?**

A: IPRA started its investigation immediately after the shooting. After collecting evidence and interviewing witnesses, IPRA sent the evidence to state and federal prosecutors who initiated a

criminal investigation. Once the criminal investigation started, per standard practice, IPRA had to suspend its investigation so as not to interfere with the criminal proceedings.

**Q: Why was the Chicago Police Department able to suspend this officer without pay?**

A: The Chicago Police Department requires that officers be able to lawfully carry a firearm as a condition of their employment. After the Cook County State's Attorney charged Officer Van Dyke with first degree murder, the States Attorney revoked his Firearm Owner ID Card, making it clear that he can no longer lawfully carry a firearm. The officer was immediately suspended without pay.

**Q: When an officer is not currently facing criminal charges, as is true for Officer Dante Servin, what is the process for terminating that officer's employment?**

A: The Independent Police Review Authority is responsible for investigating all police-involved shooting incidents. When a criminal investigation emerges from the same incident, IPRA's investigation is placed on hold until the criminal investigation is complete. Once IPRA resumes its investigation, it may recommend an officer be terminated. At that point the Superintendent has 60 days to review the recommendation, and if he agrees, charges are filed with the Police Board. The Police Board will then hold a hearing and make a final determination.