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## MEDIA ADVISORY

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FOR INFORMATION:  
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**STATE'S ATTORNEY'S OFFICE CHARGES OFF-DUTY CHICAGO POLICE OFFICER  
WITH FIRST DEGREE MURDER**

The Cook County State's Attorney's Office has filed First Degree Murder charges against a Chicago Police Officer for an off-duty shooting incident in which a 38-year-old man was killed on the city's North West side.

Officer Lowell Houser, 57, was arrested and charged today for the murder of Jose Nieves after a criminal investigation of the incident was conducted by the State's Attorney's Office.

The charge is merely an accusation – the defendant is presumed innocent until and unless proven guilty.

**Houser will appear for a bond hearing tomorrow at noon at the Leighton Criminal Courts Building in Chicago.**

Background of the investigation:

When the incident occurred on Jan. 2, 2017, the Chicago Police Department responded to the scene, as did the Independent police Review Authority (IPRA), the body that investigates all officer-involved shootings in Chicago. IPRA also notified the State's Attorney's Office of this incident on the day it occurred.

Illinois State Law mandates that all investigations into officer-involved deaths cannot be conducted by the department that employs the involved officer. Pursuant to that state law, when it was learned that the shooter was a Chicago Police Department officer, and that there was any possibility that the officer was acting in the course of his law enforcement duties, CPD ceased involvement with the case and transferred the investigation to IPRA as the independent investigative agency.

Separately, the office of the Cook County State's Attorney is the entity responsible for making any decision to bring criminal charges against a person under state law for incidents that occur in Cook County. Accordingly, while IPRA conducts its administrative investigation into possible disciplinary charges, the State's Attorney's Office conducted a simultaneous investigation into possible criminal charges.

The SAO also requested and received assistance from the FBI in conducting the criminal portion of the investigation. Historically, administrative and criminal investigations have proceeded sequentially, not simultaneously. In this case the SAO, the FBI, and IPRA coordinated to ensure that investigations could proceed simultaneously without compromising the integrity of either the criminal or administrative process. It is the SAO's investigation that led to the charges announced today. Neither IPRA, the FBI, nor the Chicago Police Department played any role in today's charging decision.

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