



OFFICE OF THE STATE'S ATTORNEY
COOK COUNTY, ILLINOIS

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POLICE INVOLVED DEATH DECISION MEMORANDUM
DECEDENT: MATTHEW WATSON

I. OVERVIEW

On July 12, 2015, Matthew Watson was shot and killed by River Forest Police Officer Daniel Humphreys after Watson was located on the scene of a murder and an attempted murder he had just committed. Watson was still wielding the shotgun used in the offense which Watson pointed at arriving police officers. Officer Humphreys discharged his service weapon multiple times at Watson and Watson returned fire striking River Forest Police Department Sergeant Christopher Pate. Watson died as a result of multiple gunshot wounds. The Illinois State Police Public Integrity Task Force (PITF) conducted an investigation into Watson's death. During the course of the investigation, investigators reviewed police reports, audio recordings of police radio traffic, 911 calls, and dash camera video. PITF investigators also interviewed numerous civilian and law enforcement witnesses and reviewed photographs of the scene, police reports, medical records and the results of forensic examinations. On December 8, 2016, PITF provided the Office of the Cook County State's Attorney its final report of investigation, pursuant to the Police and Community Relations Improvement Act.

The Office of the Cook County State's Attorney, as the agency responsible for making criminal charging decisions under Illinois law for incidents that occur in Cook County, reviewed the evidence collected during the investigation to determine whether there was a good-faith basis for filing criminal charges. After a thorough review, the Office has concluded that the evidence is insufficient to support criminal charges against Officer Humphreys.

II. STATEMENT OF FACTS

The evidence presented at any criminal proceeding resulting from this incident would show as follows:

On July 12, 2015, Officer Humphreys was dressed in full uniform and driving a marked squad car. Officer Humphreys monitored police radio traffic that a victim had been shot in her own home by her son. Officer Humphreys was dispatched to the location of 116 Lathrop in River Forest along with Sergeant Pate, also from the River Forest Police Department. Officer Humphreys arrived on scene armed with a firearm and Sergeant Pate arrived armed with a pepper ball gun which is a less lethal weapon. As Officer Humphreys approached the residence, the front door opened. Watson stood in the doorway, his face covered in blood and holding his side. In an effort to determine if Watson needed medical attention, Officer Humphreys ordered Watson to step out of the house and show his hands. Officer Humphreys observed that Watson was holding a black shotgun in his right hand; Humphreys drew his duty weapon, pointed it at Watson and ordered Watson to drop the shotgun. Officer Humphreys moved towards the driveway and attempted to take cover using the cars parked in the driveway. Watson raised his shotgun towards Officer Humphreys. Officer Humphreys then fired his weapon at Watson multiple times. Sergeant Pate also fired the pepper ball gun at Watson. Watson fired his shotgun and then crouched down behind the front porch half wall. At this time, Officer Humphreys moved back towards the center of the front yard to protect Sergeant Pate. Watson stood up, pointed the shotgun over the front porch brick wall and fired at Sergeant Pate. Sergeant Pate was shot and the shotgun shell lodged in his protective vest but did not penetrate his skin.

Officer Humphreys then fired his weapon multiple times at Watson, emptying the magazine in his weapon before reloading the weapon and keeping it aimed on Watson. Watson then crouched or fell down behind the front porch half wall. Additional officers arrived on scene and recovered the shotgun from Watson as he lay on the front porch.

The paramedics transported Matthew Watson to Loyola Medical Center where he was pronounced dead. A postmortem examination by the Cook County Medical Examiner's Office of Matthew Watson identified the cause of death as multiple gunshot wounds. Several close family members and friends confirmed that Watson exhibited extensive mental health issues shortly before the shooting.

Dash camera video and audio from Sgt. Pate's vehicle captured much of the incident. While Matthew Watson was outside of the view of the camera, the officers' actions were depicted including Officer Humphreys pointing his service weapon at the front porch, Officer Humphreys giving verbal demands to drop the weapon, shots being fired, Sergeant Pate arriving and pointing his pepper ball gun at the porch, Forest Park Officers McClintock and Sergeant Diano pointing their service weapons at the

front porch, all officers adjusting their positions to attain cover from the shots being fired, officers announcing shots are being fired, and officers announcing the shotgun being located.

Review of 911 calls related to this event revealed two calls made by Watson's mother requesting medical and police assistance; she indicated that she had been shot by her son and he remained in the house armed. Multiple neighbors also called 911 indicating they heard gunshots and that an officer was injured in an active shooting scene. A paramedic also reported two officers shot and injured outside 116 Lathrop. Police radio communications revealed that officers were dispatched to the scene of an active domestic and, upon arrival, officers reported a shotgun was fired at them from the front door.

Investigators recovered a shotgun carrier with shotgun shells on Matthew Watson's bedroom floor. Evidence technicians recovered two fired shotgun shell casings, three pepper ball gun pellets, fifteen 9mm spent shell casings and one emptied Glock magazine in front of the residence. A pepper ball gun was recovered from the front lawn of 120 Lathrop.

Upon entering the residence, officers found Watson's mother in the bathroom of the residence suffering from a shotgun wound to the leg and a wound to the head where Watson struck her with the butt of his shotgun. There was evidence of a shotgun blast to the ceiling of the bathroom where Watson's mother had been barricaded. Watson's mother informed police that her son Matthew shot her and her boyfriend, William Carlson.

William Carlson was found lying on a bed surrounded by blood, and was pronounced dead on the scene. The Cook County Medical Examiner found that Carlson had three shotgun wounds to the left lower leg, left upper leg and left chest with evidence of close range firing on the skin. Buckshot was recovered from the left upper thigh and chest area at the time of autopsy. One spent shotgun round was located in the hallway, one spent shotgun round was located in the east bedroom and three spent shotgun rounds were located in the west bedroom where Carlson's body was located.

III. LEGAL STANDARD

In making any charging decision, the Office of the Cook County State's Attorney is bound by the Illinois Criminal Code. The Illinois Use of Force in Defense of Person statute provides in pertinent part:

A person is justified in the use of force against another when and to the extent that he reasonably believes that such conduct is necessary to defend himself or another against such other's imminent use of unlawful force. However, he is justified in the use of force which is intended or likely to cause death or great bodily harm only if he reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself or another, or the commission of a forcible felony.

720 ILCS 5/7-1 (a).

The statute regarding an officer's use of force provides in pertinent part:

A peace officer . . . need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. He is justified in the use of any force which he reasonably believes to be necessary to affect the arrest and of any force which he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest. However, he is justified in using force likely to cause death or great bodily harm only when he reasonably believes that such force is necessary to prevent death or great bodily harm to himself or such other person, or when he reasonably believes both that: (1) such force is necessary to prevent the arrest from being defeated by resistance or escape; and (2) the person to be arrested has committed or attempted a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay.”

720 ILCS 5/7-5.

IV. ANALYSIS AND CONCLUSION

A criminal prosecution for either first- or second-degree murder would require proof beyond a reasonable doubt that Officer Humphreys was not legally justified in using deadly force against Matthew Watson. In other words, a judge or jury would need to conclude that Officer Humphreys did not reasonably believe that he or others were in imminent danger of great bodily harm from Watson. Watson used deadly force against Officer Humphreys and Sergeant Pate to evade arrest after he committed forcible felonies including the attempted murder of his mother, the murder of her boyfriend, and the attempted murder of Sergeant Pate and Officer Humphreys. As a result, Officer Humphreys shot Watson. The uncontroverted evidence established that Officer Humphreys fired multiple times at Watson as Watson pointed a shotgun at both officers, wielding the weapon and covered in blood from the murder and attempted murder he had just committed inside the residence. Accordingly, based on the evidence reviewed in this matter and the applicable legal standards, the evidence is insufficient to support the filing of criminal charges, as Officer Humphreys' use of deadly force against Watson was reasonable under the totality of the circumstances. Therefore, the Office is not filing criminal charges in this case.

This conclusion is based entirely on the relevant criminal laws and standards of proof in Illinois and does not limit administrative action by the River Forest Police Department or civil actions where

less-stringent laws, rules, and legal standards of proof apply. The Office expresses no opinion regarding the propriety or likelihood of success of any such actions.