



**OFFICE OF THE STATE'S ATTORNEY  
COOK COUNTY, ILLINOIS**

**KIMBERLY M. FOXX**  
STATE'S ATTORNEY

**LAW ENFORCEMENT ACCOUNTABILITY DIVISION**  
2650 SOUTH CALIFORNIA AVENUE  
CHICAGO, ILLINOIS 60608

**POLICE INVOLVED DEATH DECISION MEMORANDUM**  
**DECEDENT: JAMAR TAYLOR a/k/a JAMAL TAYLOR**

**II. OVERVIEW**

This matter involved the fatal shooting of Jamar Taylor, also known as Jamal Taylor, by Amtrak Police Officer Jeremy Maske that occurred on August 24, 2021. The Chicago Police Department's Incident Response Team (IRT) conducted an investigation, interviewed civilian and law enforcement witnesses, and examined photographs of the scene, police reports, medical records, the results of forensic examinations, the Cook County Medical Examiner Post-Mortem Report and video footage.

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 Amtrak Police Officer Jeremy Maske.

**II. STATEMENT OF FACTS**

The evidence presented at any criminal proceeding resulting from this incident would show as follows: On August 24, 2021, officers with the Amtrak Police Department were alerted that Jamar Taylor was wanted in relation to a murder that had occurred in Oakland, California. The officers were further informed that Taylor was on the #6 Train that was scheduled to arrive

in Chicago's Union Station. Officers with the Amtrak Police Department contacted the #6 Train, confirmed that Taylor was on the train, and received a description of what Taylor was wearing.

Numerous officers with the Amtrak Police Department, as well as the Department of Homeland Security, planned to apprehend Taylor when he arrived in Chicago. When the #6 Train arrived, officers were placed at the ends of the platform, as well as the platform itself, to locate and apprehend Taylor as he exited the train. Detective Jeremy Maske, who was one of the officers involved in implementing this plan, was wearing a bullet proof vest with police identifiers and was positioned on the train platform where passengers from the #6 Train were debarking onto.

After the train arrived and the passengers were exiting, Detective Maske saw Jamar Taylor walking on the platform. Detective Maske approached Taylor, but Taylor immediately fled. Detective Maske announced his office as a police officer and pursued Taylor. As Taylor fled, he pulled out a handgun and fired a single shot. Detective Maske then unholstered his weapon and commanded Taylor to "Drop the Gun." Taylor continued running on the platform but was tackled by a civilian Amtrak employee. Taylor continued to hold onto his firearm in his right hand as he got up from the ground. Detective Maske then fired at Taylor, striking him in the neck and chest. Taylor died from his injuries. The shooting itself was captured on Detective Maske's body worn camera.

The firearm that Taylor was carrying was a Glock 48. Detective Maske's firearm was a Glock Model 17. When the Illinois State Police Division of Forensic Science completed a Firearm/Toolmark examination on the relevant ballistic evidence, they determined that the two fired cartridge casings that were recovered both came from Detective Maske's Glock 17. Additionally, a piece of fired bullet evidence came from Detective Maske's Glock 17. Two other pieces of fired bullet evidence – a metal fragment and a fired bullet jacket fragment – came from Taylor's Glock 48.

The Cook County Medical Examiner performed an autopsy and determined that the cause of death was multiple gunshot wounds and the manner was homicide.

### **III. LEGAL STANDARD**

In making any charging decision, the Office of the Cook County State's Attorney is bound by the Illinois Criminal Code in effect at the time of the incident. The Illinois Use of Force in Defense of Person statute provided 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) (West 2018).

The statute regarding an officer's use of force provided 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, based on the totality of the circumstances, to be necessary to effect the arrest and of any force which he reasonably believes, based on the totality of the circumstances, 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: (i) he reasonably believes, based on the totality of the circumstances, that such force is necessary to prevent death or great bodily harm to himself or such other person, or (ii) when he reasonably believes, based on the totality of the circumstances, both that:

(1) Such force is necessary to prevent the arrest from being defeated by resistance or escape and the officer reasonably believes that the person to be arrested is likely to cause great bodily harm to another; 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.

\* \* \*

A peace officer is not justified in using force likely to cause death or great bodily harm when there is no longer an imminent threat of great bodily harm to the officer or another.

720 ILCS 5/7-5(a) (2021).

#### **IV. ANALYSIS AND CONCLUSION**

A criminal prosecution for either first- or second-degree murder requires proof beyond a reasonable doubt that Detective Maske was not legally justified in using deadly force against Jamar Taylor. In other words, a judge or a jury would have to find that Detective Maske's belief that he or others were in imminent danger of great bodily harm or death was not reasonable. In this case, however, the evidence demonstrates that Detective Maske had a reasonable belief that Taylor's actions were putting Detective Maske and others in imminent danger of great bodily harm or death.

The analysis for making a charging decision must consider whether Detective Maske's decision to use deadly force was reasonable under the totality of the circumstances. A review of the evidence in this case reveals that Detective Maske acted reasonably in self-defense. When Taylor arrived in Union Station, he was wanted in connection with a murder that had recently occurred in Oakland, California. When Detective Maske first came into contact with Taylor, Detective Maske – through his language and his clothing – clearly identified himself as a police officer. Taylor immediately fled from Detective Maske. Though Taylor was unarmed when Detective Maske first made contact with him, as Taylor fled, he pulled out a firearm with his right hand. Based on Detective Maske's body worn camera footage, it appeared that after pulling out a firearm, Taylor fired a single round.

Less than twenty seconds after Detective Maske began chasing Taylor, a civilian Amtrak Employee attempted to tackle Taylor. Despite being tackled, Taylor continued holding onto his firearm. At that point of time Taylor had already fired once, still had possession of his firearm, and it was possible that Taylor could use the civilian employee who tackled him as a human shield, could fire upon a civilian, or could fire upon law enforcement officers. It was at that time that Detective Maske fired twice, striking and killing Taylor. The totality of these circumstances demonstrated that Taylor had pulled out a firearm, discharged his firearm, failed to comply with numerous verbal commands to drop his firearm, continued fleeing from law enforcement officers, and could use the firearm to inflict great bodily harm or death to Detective Maske, other law enforcement officers, or a civilian.

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 the use of deadly force by

Detective Maske against Jamar Taylor was reasonable under the totality of the circumstances. Therefore, the Cook County State's Attorney's Office will not pursue criminal charges in this case.

Pursuant to policies and legislation enacted at the urging of State's Attorney Foxx, after making its declination determination, the State's Attorney's Office referred the review of the case to the Office of the Illinois State's Attorneys Appellate Prosecutor (ILSAAP) for an additional review. ILSAAP has reviewed the case and on July 6, 2023, concurred that no criminal charges are appropriate.

This conclusion is based entirely on the relevant criminal laws and standards of proof in Illinois and does not limit administrative action by the Amtrak 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.