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COOK COUNTY, ILLINOIS**

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**POLICE INVOLVED DEATH DECISION MEMORANDUM  
DECEDENT: KETURA WILSON**

**II. OVERVIEW**

This matter involved the fatal shooting of Ketura Wilson, by Oak Forest Police Officer Ryan Grab and Sergeant Argelio Lopez that occurred on April 3, 2022. The Illinois State Police Public Integrity Task Force (PITF) 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 Oak Forest Police Officer Ryan Grab and Sergeant Argelio Lopez.

**II. STATEMENT OF FACTS**

The evidence presented at any criminal proceeding resulting from this incident would show as follows: On April 3, 2022, at or about 11:51am, Oak Forest Police Officer Ryan Grab #167 and Sergeant Argelio Lopez #107 both discharged their weapons at Ketura Wilson after Wilson discharged her weapon at Oak Forest Police Officer Mark Carlson #161 in the entryway of a local grocery store as she fled from police during a mental health crisis. Ketura Wilson was

fatally wounded from multiple gunshot wounds. Officer Carlson suffered multiple gunshot wounds to his liver and colon with extensive injuries. Oak Forest Police Officers were not equipped with body worn cameras at the time of this incident. However, the incident is captured on video surveillance footage from the grocery store.

The firearm that Wilson was carrying was a black Glock Model 43 9mm handgun with a laser attachment with 2 live rounds with a capacity of 7 total rounds. The firearm that Officer Grab was carrying was a Stag-15 .223 rifle containing a magazine with 18 live rounds with a capacity of 40 total rounds. Lastly, the firearm Sergeant Lopez was carrying was a black Glock 19 pistol with a magazine containing 17 live rounds with a total capacity of 18 total rounds.

When the Illinois State Police Division of Forensic Sciences completed a Firearm/Toolmark examination on the relevant ballistic evidence, they determined that four fired projectiles and ten cartridge cases that were recovered from the scene came from Officer Grab's Stag-15 .223 rifle. Additionally, one bullet fragment recovered from Officer Carlson's person during surgery and one fired cartridge recovered from the scene were both determined to have come from Katura Wilson's Glock Model 17. Lastly, one fired cartridge case recovered from the scene was determined to be from Sergeant Lopez's Glock 19.

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 Officer Grab and Sergeant Lopez were not legally justified in using deadly force against Ketura Wilson. In other words, a judge or a jury would have to find that Officer Grab's and Sergeant Lopez's respective beliefs that they or others were in imminent danger of great bodily harm or death were not reasonable. In this case, however, the evidence demonstrates that Officer Grab and Sergeant Lopez had a reasonable belief that Wilson's actions were putting Officer Grab and Sergeant Lopez and others in imminent danger of great bodily harm or death.

The analysis for making a charging decision must consider whether Officer Grab's and Sergeant Lopez's respective decisions to use deadly force was reasonable under the totality of the circumstances. A review of the evidence in this case reveals that both Officer Grab and Sergeant Lopez acted reasonably in self-defense. On the date of the incident, Oak Forest police were originally dispatched to a mental health wellness check concerning Wilson displaying strange behavior in her car. Officer Lorek, the responding officer, determined in his initial interaction with Wilson that a mental health evaluation was warranted and requested an Oak

Forest ambulance for that purpose. While at the original dispatch location, several officers including Officer Grab and Sergeant Lopez tried to work with Wilson as well as her family members to get her out of her car and surrender all weapons. Despite the efforts of Oak Forest Police and Wilson's family, Wilson left the original dispatch location driving around the ambulance in her car that was sent to help her while disobeying all commands from officers to turn off the car and exit the car. Wilson's brother, out of concern, attempted to ram her car to keep her from leaving the scene without any prompting by Oak Forest police to do so as she drove around the responding ambulance.

Wilson exited her vehicle after crashing into her brother's car and began running on 159th St. with a black handgun in her hand. Wilson tried to enter various businesses with said handgun after repeatedly being commanded to stop running, get down on the ground and release her weapon. Oak Forest officers pursued Wilson by foot and by squad car while simultaneously warning businesses not to open the door for her out of public safety concerns. In addition to trying to enter several businesses while armed, Wilson also tried to gain access to cars in the store parking lot as she ran away from officers and her family. Upon arriving at the Food 4 Less, Officer Lorek deployed both his taser and a taser belonging to Officer Carlson unsuccessfully to keep Wilson out of the store that was full of customers and employees. As Wilson ran into the Food 4 Less, officers came in behind her, commanding that she put down her weapon, but she still did not comply. As Officer Carlson, who was the second officer to enter and the first officer to remain to the right of the shelving unit turned around, Wilson fired two shots wounding Officer Carlson.

Officer Grab entered the store hearing Officer Lorek and other officers announce the presence of a gun as Officer Carlson had already been shot by Wilson. Officer Grab turned around in the entryway of the store and saw Wilson running at him with a firearm in hand behind a group of individuals trying to leave the store. Officer Grab began to fire his rifle as Wilson kept running past him. Sergeant Lopez fired a shot in return as he fell to the ground with Officer Carlson as Officer Carlson fell after being shot by Wilson.

The evidence, including the video footage, clearly supports that Officer Grab and Sergeant Lopez discharged their weapons at Wilson after Wilson shot Officer Carlson leaving him with significant injuries to his liver and colon and turned with that same weapon at Officer Grab and other members of the public around him. Oak Forest police officers, including Officer

Grab and Sergeant Lopez, employed various de-escalation tools until the actions of Ketura Wilson left them no choice but to resort to deadly force.

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 Officer Grab and Sergeant Lopez against Ketura Wilson 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 December 27, 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 Oak 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.