



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

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**POLICE INVOLVED DEATH DECISION MEMORANDUM
DECEDENT: ISIDRO VALVERDE**

I. OVERVIEW

This matter involved the fatal shooting of Isidro Valverde by Chicago Police Officers Jose Carcamo and Jorge Ulloa. During the course of the investigation, investigators interviewed civilian and law enforcement witnesses and reviewed radio communications, photographs of the scene, police reports, medical records, the Cook County Medical Examiner Post-Mortem Report, the results of forensic examinations, 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 Chicago Police Officers Jose Carcamo and Jorge Ulloa.

II. STATEMENT OF FACTS

The evidence presented at any criminal proceeding resulting from this incident would show as follows: On February 8, 2023, at or about 2:58 am, Isidro Valverde was involved in an altercation with a security guard at Christina's Place Bar located at 3759 North Kedzie. Security

footage obtained from outside of the bar shows that during the altercation, the security guard and Valverde appeared to speak to each other before Valverde pointed a handgun at the security guard. The security guard can be seen putting his hands up and slowly backing away from Valverde. In an interview with investigators, the security guard stated that he went outside of the bar to tell Valverde to stop knocking on the window of the bar when Valverde pulled out the gun and pointed it at the security guard. Valverde then walked eastbound on Grace Street. Shortly after, the security guard went back inside Christina's Place Bar and called the police.

Chicago Police Officers Jose Carcamo #16923 and Jorge Ulloa #13936 responded to the scene and encountered Valverde walking with the gun in his hand near 3749 North Troy Street. The officers exited their vehicle and ordered Valverde to drop his weapon. Valverde then fled from the officers on foot. The officers continued to pursue Valverde on foot and continued to order Valverde to stop and to get on the ground. Valverde then ran into the alley behind 3753 North Troy Street where he fell to the ground with the handgun containing an extended magazine still in his hand. Officers repeated verbal commands to stay on the ground. As Valverde began to stand up, his body angled towards Officer Carcamo, his handgun discharged, and both officers discharged their firearms. Valverde was struck in the neck and died at the scene from his injuries.

The incident was captured on the body-worn cameras of Officer Carcamo and Officer Ulloa. The dispatch and radio communications include a recorded 911 call from a bar employee and communications between dispatchers and the officers.

Officers recovered a semi-automatic handgun from Valverde, which was later found to have a fired cartridge casing in the chamber at the ejection port. The weapon recovered was a Glock 19 9MM semi-automatic pistol, Serial #BTRE924, with an extended magazine with 25 live rounds. In addition, 11 "Win 9mm Luger +P" casings were recovered from the street, parking lot and church yard where the officers fired. The firearms and casings were submitted to the Illinois State Police Crime Laboratory where they were analyzed. The testing revealed that all 11 fired cartridge casings came from the officers' weapons. DNA testing was performed on swabs taken from the weapon recovered near Valverde's body which identified a DNA profile that matches the DNA profile of Isidro Valverde.

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 would require proof beyond a reasonable doubt that the involved officers were not legally justified in using deadly force against Isidro Valverde. In other words, a judge or a jury would have to find that Officer Ulloa and Officer Carcamo's belief that they or others were in imminent danger of great bodily harm or death -- was not reasonable. In this case, however, the evidence shows that Officer Ulloa and Officer Carcamo each had a reasonable belief that Isidro Valverde put both officers in imminent danger of great bodily harm or death.

The analysis for making a charging decision must look at whether Officer Ulloa and Officer Carcamo's decision to use deadly force was reasonable under the totality of the circumstances. A review of the evidence in this case reveals that the officers acted reasonably in self-defense after Valverde failed to comply with numerous verbal commands to stop, to get on the ground and to drop his weapon. Valverde then continued to fail to comply with verbal orders when he fell to the ground and the firearm discharged while he was standing up and turning towards the officers. It is possible that when Valverde began to stand after falling in the alley that he accidentally discharged his weapon. However, this would not change the result given the proximity of the officers to the weapon, and Valverde's failure to follow commands. While Valverde did not point the weapon at the officers, the firearm discharged while he was standing and turning towards them in the alley. Additionally, the officers were provided information from the dispatcher that Valverde had a gun and had previously pointed it at an employee at Christina's Place Bar shortly before officers arrived and engaged in the foot pursuit.

The body-worn camera footage from Officer Ulloa and Officer Carcamo support the self-defense issues as well as the possibility that Valverde's firearm accidentally discharged. 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 Jorge Ulloa and Officer Jose Carcamo against Isidro Valverde 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 September 30, 2024, 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 City of Chicago 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.