



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

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**POLICE INVOLVED DEATH DECISION MEMORANDUM**  
**DECEDENT: JOSE EVANS**

**I. OVERVIEW**

On January 12, 2025, Jose Evans was fatally shot by Officer Alex Weitzel of the North Riverside Police Department. The Illinois State Police Public Integrity Task Force (PITF) subsequently conducted an investigation which included the interviewing of civilian witnesses and fire department personnel, as well as the reviewing of police reports, radio transmissions, medical records, the Cook County Medical Examiner Post-Mortem Report, the results of forensic examinations, photographs of the scene, civilian video, and Body-Worn Camera (BWC) footage.

The CCSAO 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 CCSAO has concluded that the evidence is insufficient to support criminal charges against Officer Weitzel.

Pursuant to policies and enacted legislation, the CCSAO referred the case to the Office of the Illinois State's Attorneys Appellate Prosecutor (ILSAAP) for an additional independent review. ILSAAP reviewed the case and concurred that the evidence did not support criminal charges against Officer Weitzel.

## **II. LEGAL STANDARD**

In making any charging decision, the CCSAO is bound by the Illinois Criminal Code in effect at the time of the incident. The analysis and charging decision regarding this matter are governed by 720 ILCS 5/7-5(a) which states in part that:

[A peace officer] 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...

In pertinent part, Section 7/5 further mandates:

(f) The decision by a peace officer to use force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time of the decision, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force.

Additionally, in assessing the reasonableness of a police officer's use of deadly force, the United States Supreme Court has held that "the reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with 20/20 vision of hindsight." *Graham v. Connor*, 490 U.S. 386, 396 (1989). Accordingly, in assessing the evidence in this incident, the CCSAO's analysis regarding whether the actions of Officer Weitzel were reasonable requires consideration of the totality of the circumstances available on the scene as the incident was unfolding.

## **III. STATEMENT OF FACTS**

On January 10, 2025, Jose Evans arrived at CS<sup>1</sup>'s apartment in the 8500 Block of Cermak Road in North Riverside. Evans and CS shared a child in common. While visiting CS, Evans exhibited bizarre behavior and ultimately spent the night at CS's apartment. On Saturday, January 11, 2025, Evans continued acting erratically, with his behavior including but not limited to brandishing a knife and talking to walls. Initially, CS did not call 911, but on Sunday, January 12, 2025, Evans' behavior continued so CS called 911.

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<sup>1</sup> In order to preserve the individual's privacy, they will be referred to as "CS."

When officers, including Officer Alex Weitzel, arrived on scene, CS met them outside of her apartment building, informed them of what had been occurring, and requested that officers remove Evans from her home. Officer Weitzel, who was armed with a shield, as well as two other police officers, entered CS's apartment building. When Evans exited the apartment acting aggressively, all three officers exited the building and created space outside of the building, away from Evans.

After several minutes, Evans, exited the apartment building holding two butcher knives, one in each hand.



Officer Weitzel then pointed a firearm at Evans and Sgt. Jeff Miller of the Riverside Police Department pointed a beanbag shotgun at Evans. Evans approached the officers while brandishing the knives and yelled that the officers should “do it.” The officers gave repeated commands to Evans to drop the knives. Sgt. Miller initially fired two beanbag rounds at Evans, which were ineffective.



Evans then started running in the direction where CS, another civilian, and a North Riverside Police Officer were located. Sgt. Miller fired another beanbag round, which was ineffective. Officer Weitzel yelled, “Don’t drive towards them,” but Evans continued running in that direction.



Location of CS and officer next to garage

Evans running in direction of CS and officer while armed with two knives

Officer Weitzel then fired three rounds from his firearm at Evans. Two rounds struck Evans, with one striking Evans' left arm and another striking Evans through the back and into the heart. Evans fell to the ground and Officer Weitzel ceased firing. After being shot, Evans dropped one of the knives that he was carrying but held onto a second knife. The other knife was kicked out of his hand by a police officer who approached him after he was shot. Both knives wielded by Evans were recovered by law enforcement officers.



Blade length = approximately 8 inches  
Overall length = approximately 13 inches



Blade length = approximately 7 inches  
Overall length = approximately 12 inches

Evans was taken to Loyola Hospital where he was pronounced deceased. The Office of the Medical Examiner of Cook County later ruled Evans' cause of death as being due to multiple gunshot wounds with the manner of death being homicide. Portions of this incident were recorded on body worn cameras,

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

A criminal prosecution for either first- or second-degree murder requires proof beyond a reasonable doubt that Officer Weitzel was **not** legally justified in using deadly force against Evans. In other words, a judge or a jury would have to find that Officer Weitzel **did not** reasonably believe that he or others were in imminent danger of great bodily harm or death. In this case, however, the evidence demonstrates that Officer Weitzel was not unreasonable in his belief that Evan's actions were putting CS, other civilians, and law enforcement officers in imminent danger of great bodily harm or death. Accordingly, based on the evidence reviewed in this matter and the applicable legal standard, the evidence is insufficient to support a finding

beyond a reasonable doubt that Officer Weitzel was not legally justified in using deadly force against Evans.

The evidence established that officers responded to a call of a manic individual who was armed with two knives and was refusing to leave an apartment. Prior to the shooting occurring, officers attempted de-escalation measures as well as less lethal means. Inside the apartment complex, Officer Weitzel was armed with a shield and was supported by two other officers, including Sgt. Miller, who was armed with a beanbag shotgun. After Evans exited the apartment building and acted aggressively, Officer Weitzel and Sgt. Miller created space for Evans: they backed out of the apartment complex, went outside, and attempted to de-escalate by creating physical distance from Evans.

When Evans exited the apartment building, he was armed with two knives. He brandished the knives in the direction of officers, spread his arms out while holding the knives, and yelled to the officers that they should “do it.” Officers commanded Evans to drop the knives. Evans failed to comply with the commands and instead moved forward towards the officers. Initially, Sgt. Miller fired two nonlethal beanbag rounds at Evans. In response, Evans backed up and took cover behind a tree. Then, while still holding a knife in each hand, he began running in the direction of where civilians – including CS - were located. Officer Weitzel yelled, “Don’t drive towards them,” but Evans continued running in that direction. At that point, Officer Weitzel fired three rounds from his firearm and ceased fire as soon as Evans fell to the ground.

In evaluating the decision to use force likely to cause death, the decision shall be viewed from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officers at the time of the decision.

An examination of the totality of these circumstances reveals that at the time he fired at Evans, it was not unreasonable for Officer Weitzel to believe that Evans – who was brandishing knives, yelling “do it,” and acting aggressively – had a violent intent when he ran in the direction of CS, other civilians, and other law enforcement officers. Less lethal means had been attempted: the officers backed up from Evans, non-lethal beanbag rounds had been fired, and Evans was ignoring verbal commands to drop the knives. Despite these actions, Evans yelled that the officers should “do it,” he continued to hold onto the knives, and he started running in the direction where Officer Weitzel knew CS was located. Considering the totality of these

circumstances – with Evans disregarding officer commands and displaying a disregard for his own life by advancing on the officers and civilians while armed with knives and yelling at the officers to “do it” – Officer Weitzel was not unreasonable in believing that because Evans was moving in the direction of CS, other civilians, and other law enforcement officers Evans posed an imminent danger of great bodily harm or death to all of those individuals.

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 Weitzel against Evans was not unreasonable 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 enacted legislation, the CCSAO referred the review of the case to the Office of the Illinois State’s Attorneys Appellate Prosecutor (ILSAAP) for an additional independent review. ILSAAP has reviewed the case and on December 17, 2025 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 North Riverside 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.