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CHAIRMAN

August 10, 2026

Honorable Eileen O'Neill Burke
State's Attorney of Cook County
Cook County State's Attorney's Office
69 West Washington, Suite 3200
Chicago, IL 60602

COPY

RE: Chicago Police Department Officer Involved Shooting of Kurt Kilbert

Dear State's Attorney Burke:

Pursuant to your request, this Agency has thoroughly reviewed the evidence provided to us by your office in the above matter.

Our goal was to address whether the fatal shooting of Kurt Kilbert on February 2, 2025, by Chicago Police Department Officers David Granado #8444, Alberto Temosihue, Jr., #10884, Joel Rodriguez #9368, Husam Masoud #5107, and Chicago Probationary Police Officer Michael Oswald #3796, warranted the filing of criminal charges, and whether the evidence was sufficient to overrule the declination of charges previously submitted by the Cook County State's Attorney's Office on or about April 13, 2026. No formal closure date was provided.

Based upon a comprehensive and independent evaluation of the information provided, we find that the decision by the Cook County State's Attorney's Office to decline prosecution is consistent with the evidence. This finding is strictly limited to the conclusion as to criminal charges and makes no determination regarding the existence of any administrative violations or the potentiality of civil liability.

We are returning all material sent by your Office directly to Lynn McCarthy, LERU Supervisor, 2650 South California – Room 13 B 40, Chicago, IL, 60608.

Please let me know whenever we can be of assistance.

Very truly yours,

Patrick J. Delfino
Director