



**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: ALEXIS WILSON

I. OVERVIEW

This matter involved the fatal shooting of Alexis Wilson by Dolton Police Officer Jared Carlton. During the course of the investigation, investigators interviewed civilian and law enforcement witnesses and reviewed 911 calls, police radio transmissions, photographs of the scene, police reports, medical records, the Cook County Medical Examiner Post-Mortem Report, the results of forensic examinations, video surveillance, and Body-Worn Camera (BWC) 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 Dolton Police Officer Jared Carlton.

II. STATEMENT OF FACTS

The evidence presented at any criminal proceeding resulting from this incident would show as follows: On July 27, 2021, at approximately 12:50 A.M., Dolton Police Officer Jared Carlton and Dolton Police Officer Ryan Perez, as well as two other Dolton Police Officers responded to a 911 call from employees of Baba's Famous Steak and Lemonade Restaurant regarding a woman with a gun banging on the drive-thru window.

Officer Carlton and Officer Perez, in separate marked squad cars, with their emergency lights activated, were the first to arrive on scene at Baba's at 685 Sibley Boulevard. Both Officers parked their squad cars in front of Wilson's van, which was stationary in the drive-thru lane. The passenger's side of Officer Perez's marked squad SUV was closest to Wilson's vehicle, somewhat boxing her vehicle in. Officer Carlton and Officer Perez, in full uniform, approached Wilson's vehicle with their guns drawn and ordered Wilson and her front seat passenger to show their hands. Both occupants raised their hands in the air. Officer Carlton approached the front passenger's side of Wilson's vehicle and ordered the front seat passenger out of the vehicle. The front seat passenger complied and was patted down by Officer Carlton at the rear passenger's side of the van.

Officer Perez wedged himself in between Wilson's driver's door and the Baba's drive-thru window. Wilson was seated in the driver seat wearing a sports bra and a robe wrapped around the bottom half of her body. Officer Perez ordered Wilson to shut the car off, but Wilson did not comply. Officer Perez ordered Wilson to step out of the vehicle approximately four times, to which she replied, "I'm naked." Officer Perez advised Wilson multiple times to cover herself with the robe and step out of the vehicle, but Wilson did not comply. Officer Perez moved so that he could partially open the driver side door. A metal object was heard hitting the pavement. Officer Carlton, who had reholstered his weapon, drew closer to the open front passenger side door and ordered Wilson approximately four more times to step out of the vehicle. Wilson again replied, "I'm naked." Wilson remained seated in the driver seat with both hands on the steering wheel. Officer Perez, who had reholstered his weapon, reached into the vehicle and grasped Wilson's left forearm and moved it toward him at the open driver door. Wilson appeared to turn her upper body toward Officer Perez with her right arm raised and then quickly leaned back away from Officer Perez as a slap sound was heard. There are conflicting witness accounts regarding whether Wilson struck Officer Perez or Officer Perez struck Wilson. Due to the angle of the camera, it is unclear who slapped whom. Officer Carlton leaned his upper body into the open front passenger side door of Wilson's vehicle and appeared to reach toward Wilson.

Suddenly, with both officers leaning into the front doors of Wilson's vehicle, with their feet on the ground, Wilson rapidly accelerated the vehicle. Officer Perez dislodged himself from the driver side door. Officer Carlton grabbed on to the B-Pillar of the open passenger side door as he was dragged. Wilson struck and side-swiped Officer Perez's squad SUV with the passenger side of her vehicle. There was insufficient room for Wilson's vehicle to clear Officer Perez's vehicle, but Wilson continued forward and struck Officer Perez's vehicle. The force of Wilson's vehicle caused her passenger door to partially close trapping Officer Carlton's lower body between the door and the vehicle. Tire squealing was heard as Wilson accelerated north out of Baba's parking lot and then east onto Sibley Boulevard. Officer Perez and Officer Carlton's BWC footage during this time appeared to show the front passenger side of Wilson's vehicle, from which Officer Carlton was hanging, never fully closed. While hanging partially in Wilson's vehicle, Officer Carlton fired his gun approximately seven times at Wilson. Wilson was struck on the right side of her head, right side of her neck, right arm, right chest, right flank, upper left back, and left thigh. Officer Perez fired multiple shots at the fleeing vehicle but did not strike Wilson or her vehicle. Wilson's van traveled approximately 300 feet, jumped the curb, and crashed into a commercial building occupied by a business located 703 Sibley Boulevard. The impact caused the building's roof to collapse onto the top of the van while Wilson and Officer Carlton remained inside the van.

Bud's Ambulance Emergency Medical Services responded to the scene and pronounced Wilson deceased. Officer Carlton was transported via ambulance to the University of Chicago Hospital where he was treated for a right ankle fracture and right shoulder injuries. A Cook County Medical Examiner performed an autopsy on Wilson and determined the cause of death to be multiple gunshot wounds and the manner of death to be homicide.

The events which occurred outside of Baba's were captured on Baba's exterior cameras. The officer-involved portions of the incident were captured on Officer Carlton and Officer Perez's BWCs. Witnesses reported Wilson banging a metal object on the drive-thru window. A long, narrow metal object was recovered from the drive-thru lane, near the Baba's drive-thru window. Additionally, a firearm was recovered from the passenger side floorboard of Wilson's

vehicle. DNA testing performed on swabs taken of that firearm were linked to Wilson and the front passenger.

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 death or 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.

720 ILCS 5/7-5(a) (West 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 officer was not legally justified in using deadly force against Alexis Wilson. In other words, a judge or a jury would have to find that Officer

Carlton'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 shows that Officer Carlton did have a reasonable belief that Alexis Wilson put Officer Carlton in imminent danger of great bodily harm or death.

The analysis for making a charging decision must look at whether Officer Carlton's decision to use deadly force was reasonable under the totality of the circumstances. Officer Carlton responded to a call of a woman with a gun. Officer Perez and Officer Carlton arrived on scene and approached Wilson's vehicle with their guns drawn. Wilson was ordered to exit the vehicle several times by both Officer Perez and Officer Carlton. Wilson did not comply. Without warning and with both of her vehicle's front doors open, with uniformed police officers leaning in, Wilson accelerated her vehicle. BWC video captured Wilson's tires squeal as she drove forward and crashed into Officer Perez's marked police squad vehicle. Officer Carlton's upper body was in the front passenger area of the vehicle and his feet on the ground. Officer Carlton's lower body, dragging on the ground, was then crushed by the passenger side door of Wilson's vehicle closing on him as it side-swiped the passenger side of Officer Perez's parked squad vehicle. Wilson continued forward out of Baba's parking lot before making an abrupt right turn onto Sibley Boulevard. Officer Carlton reportedly felt pain in his lower extremities, was unable to disengage from the vehicle, and discharged his weapon at Wilson as he feared for his life. At this point, it was not unreasonable for Officer Carlton to believe that Wilson's use of her van constituted threatening deadly force against Officer Carlton.

Officer Carlton was also justified in using deadly force to prevent Wilson from escaping after Wilson committed the forcible felony of aggravated battery. Wilson made clear her intention to defeat arrest during her interaction with the officers during which she refused to turn off or exit her vehicle. She then fled the scene while both officers were unsecured, leaning into her vehicle. Officer Carlton's lower body was crushed by the passenger side door closing from the force of striking up against Officer Perez's parked police SUV, as Wilson maneuvered away from the police and scene. After striking Officer Perez's vehicle, Wilson did not slow down or stop for Officer Carlton who was still hanging from the partially closed passenger side door. Wilson's wheels continued to squeal as she fled onto Sibley Boulevard. At this point, Officer Carlton's use of deadly force to prevent Wilson from continuing her efforts to escape

was justified under the totality of the circumstances.

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 Carlton against Alexis Wilson 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 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 February 8, 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 Dolton 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.