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LAW ENFORCEMENT OFFICER TRAINING CASE OF THE MONTH

By Don Hays

Month of February – 2026 - ALTERNATIVE

LAW ENFORCEMENT OFFICER TRAINING CASE OF THE MONTH

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Juan Mendez v. City of Chicago, et al., 160 F.4th 888, December 3, 2025.

THE CASE: The police received notice of a shot being fired at a specific location. Two Officers approached the house where the shots were fired. After briefly speaking with the Officers, Mendez fled. The Officers chased. During the chase, Mendez was seen holding something in his hand while swinging his arm toward the Officers. An Officer shot and wounded Mendez. Was the Officer justified in using deadly force against Mendez?

FACTS: In the early morning of May 26, 2018, while it was still dark, Juan Mendez fired a handgun outside of his home in Chicago. The Chicago Police Department detected the gunshot using ShotSpotter technology, which resulted in a radio alert of a shot fired. Two Officers (Officer One and Officer Two) responded and arrived near that address within about two minutes. Upon arriving, Officer One saw Mendez and a juvenile on a nearby porch. Neither he nor Officer Two saw anyone else in the area. Officer One stood at the gate of the home alongside the sidewalk and exchanged a few brief words with Mendez and the juvenile. Officer Two then joined him and opened the gate. He asked Mendez and the juvenile, “You guys don't have anything on you you're not supposed to have, right?” and entered the front yard while telling them to stand up. Mendez remained seated and did not respond. As Officer Two walked up the porch stairs, Mendez stood up, jumped off the porch and over a fence, and began running down an alleyway. The two officers gave chase. Before turning down the alley, Officer Two stated, “I'll shoot you.” Officer One yelled from up ahead, “Waistband,” “Waistband,” “Waistband,” “Keep your hands up,” and “Hands up.” He then shouted, “He's got it in his hand.” Mendez fell down at approximately this same time, allowing the officers to get closer to him. Mendez got back up and looked back over his right shoulder. As he turned, his right hand and arm swung in the officers' direction. Officer One's body-camera footage shows Mendez was holding something in his right hand. But the video lacks sufficient clarity to identify or discern the object with any certainty. Officer Two then yelled, “I'll shoot you,” and immediately shot Mendez three times. One bullet struck Mendez's right shoulder, and the others struck his lower back. Mendez fell to the ground, and a gun landed about 10 feet in front of him. All of these events happened very quickly, within seconds. While lying on the ground, Mendez stated he “wasn't going to shoot.” The gunshot wounds have left him paralyzed from the waist down.

Mendez sued the City of Chicago, Officer One, and Officer Two. He brought several claims, including a Fourth Amendment excessive-force claim against Officer Two, an Illinois law battery claim against Officer Two, and an indemnification claim against the City of Chicago for Officer Two's actions. Following discovery, both sides moved for summary judgment, and the district court granted the defense motion. The district court rejected the Fourth Amendment excessive-force claim largely based on the body-camera footage. It acknowledged that the footage was too unclear to establish that Mendez had pointed a gun at the officers. But it concluded that the video was clear enough to show that Mendez had swung his arm toward the officers with something in his hand. That fact, combined with the surrounding circumstances, convinced the district court that a reasonable officer in Officer Two's position would have had probable cause to believe that Mendez threatened the safety of the officers or others. It then explained that Mendez could not win on the relevant state law claims without winning on his Fourth Amendment claim. Mendez appealed the order of the District Court.

THE LAW: “A claim that a law enforcement officer used excessive force during a stop or arrest is analyzed under the Fourth Amendment.” “The touchstone of the Fourth Amendment is reasonableness, as measured in objective terms.” Assessing the “reasonableness of police force requires analyzing the ‘totality of the circumstances.’” This requires “‘careful attention to the facts and circumstances’ relating to the incident, as then known to the officer.” “Where the officer has probable cause to believe that the suspect poses a threat of serious physical harm, either to the officer or to others, it is not constitutionally unreasonable to prevent escape by using deadly force.”

ISSUE #1: Did Officer Two's use of deadly force against Mendez violate the Fourth Amendment?

ARGUMENT: On appeal, Mendez argued that under the circumstances of this case, Officer Two violated his Fourth Amendment rights by using lethal force against him.

FINDINGS: After closing viewing Officer Two's body camera data, the Court of Appeals concluded that Officer Two had probable cause to believe that Mendez posed a threat of serious physical harm under the totality of the circumstances. Specifically, the Court noted that the Officers arrived at the scene to investigate a gunshot notice only two minutes or so after receiving the radio dispatch. Officer Two approached Mendez on the porch only to see him jump a fence and run down an alleyway in response. Officer Two chased Mendez while hearing Officer One yell, "Waistband," "Waistband," "Waistband." He then heard Officer Two shout, "Hands up," and "He's got it in his hand." At this point, Officer Two saw Mendez fall, get back up, and look over his right shoulder at the officers. As Mendez turned, Officer Two saw Mendez's right arm swing in the officers' direction with something in his hand. The Court of Appeals concluded that all of these circumstances combined to make Officer Two's use of force reasonable.

ISSUE #2: Did the Court of Appeals properly rely upon Officer Two's body camera data to support its findings?

ARGUMENT: On appeal, Mendez argued that the Court could not properly rely on Officer Two's body-camera footage because it is too unclear.

FINDINGS: The Court of Appeals agreed with this argument of Mendez, but only in part. According to the Court, the video was shaky, the lighting poor, and the events happened fast. These weaknesses kept the footage from definitively establishing that Mendez did, in fact, point a gun at the officers. However, the Court also noted that a video can be unclear for one purpose and clear for another. The Court concluded that this video showed with sufficient clarity that Officer Two saw Mendez run away, heard Officer One yell warnings, and witnessed Mendez turn toward the officers with some object in his raised hand, which was consistent with Officer Two's testimony. That was enough, in the opinion of the Court, to support the Court's findings that Officer Two acted reasonably when used lethal force against Mendez.

CAUTION: The Court of Appeals also issued a cautionary statement: It specifically stated, "Do not misinterpret what we are saying: video evidence enjoys no special status in law by virtue of being video evidence. It is not infallible. At the summary judgment stage, courts must always view facts in the light most favorable to the nonmoving party "only if there is a 'genuine' dispute as to those facts." "When opposing parties tell two different stories, one of which is blatantly contradicted by the record, so that no reasonable jury could believe it, a court should not adopt that version of the facts for purposes of ruling on a motion for summary judgment." Any type of evidence can perform this function, including videos. "But like any other evidence, videos that are 'unclear, incomplete, and fairly open to varying interpretations' cannot resolve evidentiary matters short of trial. That rule does not change today. Plenty of videos will leave enough unresolved to warrant trial.]

ISSUE #3: Based upon the above findings, could Mendez still pursue his Illinois claims of Battery against Officer Two and his demand for Indemnification from the State of Illinois?

FINDINGS: The Court of Appeals concluded that by resolving Mendez's Fourth Amendment claim it also resolved his pertinent state law claims. As to the battery claim, the Court noted that Illinois law provides that a "public employee is not liable for his act or omission in the execution or enforcement of any law unless such act or omission constitutes willful and wanton conduct." The Court concluded that Officer Two's use of force could not be considered willful and wanton for the same reasons it was reasonable under the Fourth Amendment. Therefore, Mendez's claim of Battery against Officer Two was rejected. Further, the Court noted that Officer Two's lack of liability caused Mendez's indemnification claim against the State of Illinois to fail also.

CONSLUSION: The Court of Appeals affirmed the judgment of the District Court in granting summary judgment in favor of the defendants in this case.

QUIZ QUESTIONS FOR THE MONTH OF FEBRUARY – 2026 - ALTERNATIVE

Juan Mendez v. City of Chicago, et al., 160 F.4th 888, December 3, 2025.

1. A claim that an Officer has used excessive force is analyzed under which Constitutional Amendment?
 - a. The First Amendment.
 - b. The Second Amendment.
 - c. The Fourth Amendment.
 - d. The Fifth Amendment.
2. Where an officer has probable cause to believe that a suspect poses a threat of serious physical harm, either to the officer or to others, it is not constitutionally unreasonable for the Officer to defend against that threat by using deadly force.
 - a. True.
 - b. False
3. In this case, did the fact that the Officer's body camera footage failed to affirm that Mendez actually pointed a firearm at the Officers render that footage unusable?
 - a. Yes.
 - b. No.
4. Even though the evidence in this case failed to support Mendez's Fourth Amendment claims, he was still able to pursue his Illinois claims of Battery and for Indemnification against the Officers and their employer City.
 - a. True.
 - b. False.

QUIZ QUESTIONS FOR THE MONTH OF FEBRUARY – 2026 - ALTERNATIVE

Juan Mendez v. City of Chicago, et al., 160 F.4th 888, December 3, 2025.

1. A claim that an Officer has used excessive force is analyzed under which Constitutional Amendment?
c. The Fourth Amendment.
2. Where an officer has probable cause to believe that a suspect poses a threat of serious physical harm, either to the officer or to others, it is not constitutionally unreasonable for the Officer to defend against that threat by using deadly force.
a. True. In such cases, the Fourth Amendment is not violated when Officers use deadly force to protect themselves or others.
3. In this case, did the fact that the Officer's body camera footage failed to affirm that Mendez actually pointed a firearm at the Officers render that footage unusable?
b. No. The Court held that despite the footage being too unclear to confirm that Mendez actually pointed a firearm at the Officers, it was still clear enough to show that Mendez's actions of pointing at the Officers justified the use of deadly force in response.
4. Even though the evidence in this case failed to support Mendez's Fourth Amendment claims, he was still able to pursue his Illinois claims of Battery and for Indemnification against the Officers and their employer City.
b. False. The Court of Appeals held that the same evidence that supported the Officer's defense against a claim that Mendez's Fourth Amendment rights had been violated supporting a finding that the Officer's conduct had not been willful or wanton and since the Officer was not held liable for his conduct, his City employer was also not held liable.