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Kane County State's Attorney's Office / Illinois State Police / St. Charles Police Department

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Kane County State's Attorney Closes Investigation into December 1, 2024 Officer-Involved Shooting

St. Charles, Ill. – Kane County State's Attorney Jamie L. Mosser announced today that her office will not pursue criminal charges against St. Charles police officers involved in the fatal shooting of 41-year-old Daniel H. Escalera.

The Illinois State Police conducted a thorough investigation of Escalera's shooting, which was presented to the Kane County State's Attorney's Office pursuant to the Police and Community Relations Improvement Act 50 ILCS 727. Officials examined body worn camera audio and video recordings, statements from witnesses to the events, physical evidence from the scene of the shooting, and the results of an autopsy. Based on that investigation, the State's Attorney's Office found no wrongdoing on the part of the officers and the review of the matter is now considered closed.

The investigation determined that on December 1, 2024, a 911 caller reported seeing Escalera wielding a chainsaw entering River Glen of St. Charles, a senior living facility. St. Charles Police Department officers were dispatched. The first officer to arrive made contact with Escalera inside the facility at the doorway to the cafeteria. He was near multiple residents. The officer displayed his taser and gave multiple verbal commands for Escalera to drop the chainsaw. Escalera entered the cafeteria and started the chainsaw. The officer deployed his taser, striking Escalera in the chest. Escalera was briefly knocked down before getting back up, grabbing the chainsaw, and then running toward the officer. The officer retreated into the lobby and was joined by a second St. Charles Police officer.

Both officers quickly returned to the cafeteria and a third officer followed Escalera through a secondary doorway of the cafeteria and eventually back into the lobby, where Escalera held the chainsaw over his head and charged toward the officer. The officer fired two shots which both missed Escalera. Escalera physically collided with the officer, striking him with the chainsaw and dropping the chainsaw. The officer fired a third shot as Escalera fled toward a hallway, hitting him in the left forearm.

Once reaching the hallway, Escalera stopped to the immediate right of an elderly resident in a wheelchair, turned toward the officers, and held his hands forward in a position which appeared to imitate holding a firearm. The officer fired a fourth shot striking Escalera in the chest. Escalera immediately collapsed to the floor and officers handcuffed him before immediately providing medical treatment to the gunshot wound. Paramedics soon arrived and took over life sustaining measures. Escalera was transported to Delnor Hospital where he was pronounced deceased.

The Kane County Coroner's Office diagnosed Escalera as having methamphetamine intoxication and multiple gunshot wounds. The cause of death was ascribed to multiple gunshot wounds. Toxicology reports showed the presence of amphetamines, methamphetamines, and olanzapine.

Based upon a review of the investigation and all evidence obtained, the St. Charles Police officer had the reasonable belief that the deadly force he employed was necessary to prevent death or great bodily harm to himself or other individuals.

In accordance with the Illinois State Police's commitment to integrity and public transparency, the video of the event is being made available to the public and can be found by clicking https://ispvideos.illinois.gov/media/videos/ois_st_charles_12-01-24-mp4.html

This video is being released after consultation with and authorization by the Kane County State's Attorney. Illinois State Police provided Escalera's family the opportunity to review the video before its release to the public.

"I first want to thank the St. Charles police officers for acting to de-escalate the situation before being forced to resort to the deadly use of force," said State's Attorney Mosser. "My thanks also to the Illinois State Police for their diligent and thorough investigation into this incident, and to the Kane County Coroner's Office and the St. Charles Police Department for providing critical support and transparency throughout this process. Every case of an officer-involved shooting must be carefully and thoroughly investigated. This scrutiny maintains the public's confidence in law enforcement and ensures the protection of the civil rights of those involved. After a comprehensive and thorough review of the investigation into this tragic incident, it is clear that the officers here acted in accordance with both department policy and Illinois law. The evidence demonstrates that his actions were appropriate and justified in the circumstances. Acknowledging the tragic loss of life and offering condolences to Mr. Escalera's family, my office has therefore closed the investigation into this matter."

"I am very proud of how our Officers responded to this incident," said St. Charles Acting Chief of Police Eric Majewski. "They were confronted with a fast-paced situation in which they attempted all means of de-escalation to protect the elderly residents and themselves that had been placed in immediate harm's way."

To request the full final report, please contact the SAO FOIA officer at saofia@KaneCountyIL.gov

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