




**J. Hanley**

WINNEBAGO COUNTY STATE'S ATTORNEY

DATE: November 13, 2023  
TO: The People of Winnebago County  
FROM: J. Hanley, State's Attorney 

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**OFFICER INVOLVED DEATH DECISION MEMORANDUM  
DECEDENT: Lamar D. Bell**

**I. Introduction**

On July 17, 2023 at approximately 8:00 p.m., troopers with the Illinois State Police conducted a traffic stop of a red, 2010 Cadillac in the area of Kishwaukee and 10th Avenue in Rockford, Illinois. Trooper Daniel Monaco (#7125) and Master Sergeant Michael Steele (#6100) approached the vehicle and removed the driver, Lamar D. Bell, from the vehicle and placed him in handcuffs. During the traffic stop, it was determined that Bell had likely ingested cocaine. Trooper Monaco called for an ambulance and Bell was transported via ambulance to Swedish American Hospital. Bell was pronounced dead at the hospital. Bell died as a result of the adverse effects of cocaine.

The Illinois State Police, Division of Internal Investigation, conducted the investigation into Lamar Bell's death.<sup>1</sup> Their investigation included interviews of those involved, video evidence, physical evidence, lab analysis, and the results of Bell's autopsy. The ISP provided its final report of investigation to this Office.

The purpose of this memorandum is to provide the community with an explanation of the facts of the incident, the legal principles involved, and this Office's decision as to whether any law enforcement officer should be charged criminally for their actions during the incident.<sup>2</sup>

**II. Prosecutorial Standard for Filing Criminal Charges**

In making a charging decision, the State's Attorney makes a determination of whether there is sufficient admissible evidence to prove each element of an offense beyond a reasonable doubt.

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<sup>1</sup> The Winnebago-Boone County Integrity Task Force did not conduct the investigation as the Illinois State Police is not a member agency of the Task Force.

<sup>2</sup> The State's Attorney does not make any determinations regarding whether an officer may have violated police department policy or civil (non-criminal) laws.

This analysis is consistent with the American Bar Association Criminal Justice Standard 3-4.3 which provides: “A prosecutor should seek or file criminal charges only if the prosecutor reasonably believes that the charges are supported by probable cause, that admissible evidence will be sufficient to support conviction beyond a reasonable doubt, and that the decision to charge is in the interest of justice.”

This is the same standard that the Winnebago County State’s Attorney’s Office applies to all criminal prosecutions. This analysis also requires the State’s Attorney to evaluate whether there is sufficient evidence to overcome any affirmative defense that the accused is likely to raise.

### **III. Facts<sup>3</sup>**

On July 17, 2023, at 7:59 p.m., ISP Trooper Monaco conducted a traffic stop of a red, 2010 Cadillac in the area of Kishwaukee and 10th Avenue in Rockford, Illinois. The initial reason for the traffic stop was the Cadillac’s tinted windows. Before Trooper Monaco made his initial approach, Master Sergeant Steele arrived on scene. Trooper Monaco and Master Sergeant Steele approached the vehicle.

Trooper Monaco approached the Cadillac from the driver’s side. Lamar Bell, the driver, was the only person in the car. After speaking to Bell for a short time and because Bell was acting erratically and in light of his “furtive” movements, Trooper Monaco asked Bell to exit the vehicle. Bell turned away from Trooper Monaco and reached into the back seat. Trooper Monaco asked Bell again to exit the car. While Bell was exiting the vehicle, Trooper Monaco noticed a small baggie containing a white powdery substance (suspected cocaine). After Bell exited the car, Trooper Monaco searched Bell for weapons, handcuffed him, and placed Bell in the front passenger seat of his patrol car.

Trooper Monaco and Master Sergeant Steele then proceed to search the Cadillac. Trooper Monaco found a white powdery substance (suspected cocaine) on the front driver’s seat of Bell’s vehicle. During the continued search of Bell’s vehicle, Trooper Monaco found additional small clear plastic baggies containing a white powdery substance (suspected cocaine) inside a packaged roll of toilet paper. Master Sergeant Steele noticed the small clear baggies were torn and wet. Trooper Monaco stated, “Maybe he put them in his mouth and spit them out?” Trooper Monaco further stated: “He ate all of this,” and “He chewed it all off and ate it all.” Trooper Monaco then told Master Sergeant Steele that he was going to Mirandize Bell and ask Bell “what it is,” and “how much of it that he ate,” because it “could be a problem.”

Upon returning to his patrol car, Trooper Monaco read Bell his Constitutional “Miranda” rights, which Bell acknowledged he understood and Bell then informed Trooper Monaco he was willing to speak with him.

Trooper Monaco asked Bell, “What is that substance?” Bell replied, “Cocaine.” Trooper Monaco asked Bell, “How much did you consume while I was trying to stop you?” Bell replied, something to the effect of - Why would I eat cocaine. Bell began to shake from left to right

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<sup>3</sup> Unless noted otherwise, the recitation of facts was taken from written reports of the officers involved and body worn camera footage.

while seated in the front passenger seat. Trooper Monaco stated, "It seems like you got something going on right now, because you were not like this a little bit ago." Trooper Monaco asked Bell, "How much was in there?" Bell replied, "Three bags, I just bought it." Bell stated, "Call an ambulance, I swallowed some cocaine!" Trooper Monaco asked Bell, "Why do you need an ambulance?" Bell replied, "I swallowed some cocaine, a lot!" With a smile on his face, Bell stated, "Just playing, ha, ha." Trooper Monaco asked, "How much of that did you swallow?" Bell replied, "I didn't swallow nothing, I bought it, like three or four bags." Trooper Monaco said, "There are like seven or eight in there, and there are like three left" Bell stated, "I probably snorted it all, duh!" Bell then stated, "I need the hospital, I swear to god!" Bell yelled, "Call the ambulance!" Bell then stated, "Psych!" Bell began to kick his left leg inside of the patrol car and yelled, "Call the ambulance!" Bell continued to kick his leg and scream in his seat. It was at this time that Trooper Monaco requested an ambulance to the scene.

Bell was removed from inside the patrol vehicle and officers sat him on the grass near the curb and the patrol car. The troopers sat him up so he would not asphyxiate. While sitting on the grass by the curb, Bell yelled, "I'm going to die!" Trooper Monaco told Bell, "Just relax, they're coming. You have to relax." Bell stated, "I'm gonna be rich."

Rockford Park District Police Sergeant Ben Champion and other Park District police officers arrived to assist the ISP troopers with the traffic stop. Park District Sergeant Champion was aware that one of the troopers had called for an ambulance and subsequently called the direct line to Rockford Fire Department dispatch to ensure an ambulance was enroute, which was confirmed.

Rockford Fire Department Fire and EMS (RFD) personnel arrived where Bell was sitting on the ground, handcuffed. Trooper Monaco spoke to RFD personal and briefed them on the information he knew about Bell's condition and showed them the bag of cocaine that Bell was suspected of having ingested.

Bell was provided a non-rebreather mask. Bell was subsequently lifted and secured onto a stretcher and loaded into an ambulance to be transported. Once inside the ambulance, Bell's vitals were checked, and he began to seize. RFD personnel instructed the ISP officer to remove the handcuffs. As a precaution, automated external defibrillator (AED) pads were applied, 5 mg of Versed was provided, an IV was administered, and suction was performed. Upon arriving at Swedish American Hospital, Bell went into cardiac arrest and cardiopulmonary resuscitation (CPR) was initiated and continued into the hospital trauma room, where hospital personnel resumed care. Bell was pronounced dead at Swedish American Hospital.

Bell's autopsy, necropsy, and toxicology reports concluded that Bell's death was attributed to the "adverse effects of cocaine" and no evidence of other significant natural disease, injury, active infection, or congenital anomaly were present.

The autopsy revealed that Bell had an enlarged heart (460 grams). Further, during the autopsy, open clear plastic baggies and plastic baggies containing suspected cocaine were located in Bell's stomach and throat. Specifically, Bell's stomach contained 40 baggies containing suspected cocaine (approximate weight of 16.8 grams) and other pieces of clear plastic baggies.

Bell's throat contained two baggies containing suspected cocaine (approximate weight of 0.8 gram) and five knotted pieces of plastic bags. The Rockford Illinois State Police laboratory tested the suspected cocaine and confirmed it to be cocaine.

Bell's toxicology screening revealed positive amounts of the following analytes, measured in nanograms per milliliter:

Analyte	Result/Units
Midazolam	57ng/mL
Benzoylecgonine (Cocaine Degradation Product)	9800 ng/mL
Cocaine	9300 ng/mL
Delta-9 carboxy THC	37 ng/mL
Delta-9-THC	4.7 ng/mL
Amphetamine	6.3 ng/mL
Methamphetamine	25 ng/mL
MDA	10 ng/mL
MDMA	65 ng/mL
Positive for naloxone and caffeine	

#### IV. Application of the Facts to the Legal Standard

In order to charge an officer criminally for Bell's death, there are two potentially applicable charges: (A) involuntary manslaughter; and (B) failure to render aid/official misconduct.

##### A. Involuntary Manslaughter

To prove involuntary manslaughter, an officer would have had to have taken some action that caused Bell's death. In order to prove involuntary manslaughter, the State would have to prove each of the following elements: (1) an act which causes death, (2) that act was likely to cause death or great bodily harm, and (3) that act was performed recklessly. *People v. Sexton*, 31 Ill.App.3d 593 (5<sup>th</sup> Dist., 1975). See *People v. Bolden*, 103 Ill.App.2d 377 (1<sup>st</sup> Dist., 1968) (The gist of the offense is the reckless performance of an act likely to cause death.)

With respect to all those involved, the facts do not support the crime of involuntary manslaughter. The officers present did not take any action which resulted in Bell's death. Bell ingested a significant amount of cocaine and ultimately died as a result of this. Bell's cause of death was attributed to "the adverse effects of cocaine." There was no act of another, committed recklessly or otherwise, that caused Bell's death.

##### B. Failure to Render Aid/Official Misconduct

As part of the recently passed "SAFE-T Act," the Illinois legislature created a duty to render aid for law enforcement officers. 720 ILCS 5/7-15. The statute reads:

It is the policy of the State of Illinois that all law enforcement officers must, as soon as reasonably practical, determine if a person is injured, whether as a result of a use of force or otherwise, and render medical aid and assistance consistent with training and request emergency medical assistance if necessary.

A failure to render aid would subject a law enforcement officer to prosecution for the crime of "official misconduct." 720 ILCS 5/33-3(a)(1).

The facts and circumstances of this incident do not support a charge of official misconduct for any of the law enforcement officers present. Because Trooper Monaco and Master Sergeant Steele initiated the traffic stop and had the most significant interaction with Bell, the analysis below focuses on their actions.

Trooper Monaco initiated a lawful vehicle stop of the car Bell was driving. Trooper Monaco and Master Sergeant Steele approached the vehicle and had a brief initial conversation with Bell. During that conversation, Bell was acting erratically and Trooper Monaco described his movements as "furtive."

Based upon his observations, Trooper Monaco removed Bell from the car, handcuffed him, and placed him in the front seat of his patrol car. In removing Bell from Bell's vehicle, Trooper Monaco saw a small clear plastic bag with an unknown white powdery substance (suspected cocaine) on the driver's seat.

While this was happening, officers from the Rockford Park District Police Department arrived. Trooper Monaco asked Park District Officer Wilson to watch Bell while he searched Bell's vehicle.

During the search of Bell's vehicle, Trooper Monaco found smaller clear baggies of suspected cocaine inside a packaged roll of toilet paper. Master Sergeant Steele noticed that the baggies were torn and wet and stated to Trooper Monaco: "Maybe he put them in his mouth and spit them out?" Trooper Monaco stated: "He ate all of this," and "He chewed it all off and ate it all." Trooper Monaco then told Master Sergeant Steele that he was going to Mirandize Bell and ask Bell "what it is," and "how much of it that he ate," because it "could be a problem."

Trooper Monaco returned to his patrol car to question Bell about what the troopers had found in his vehicle. Up to this point, there was not enough information for the troopers to reasonably believe that Bell was suffering a medical emergency and thus, required an ambulance. Trooper Monaco's decision to investigate further was reasonable.

After advising Bell of his Miranda rights, Trooper Monaco began questioning Bell, which is summarized below.

Trooper Monaco asked Bell, "What is that substance?" Bell replied, "Cocaine." Trooper Monaco asked Bell, "How much did you consume while I was trying to stop you?" Bell replied with something to the effect of - Why would I eat cocaine? Bell began to shake from left to right while seated in the front passenger seat. Trooper Monaco stated, "It seems like you got

something going on right now, because you were not like this a little bit ago.” Trooper Monaco asked Bell, “How much was in there?” Bell replied, “Three bags, I just bought it.” Bell stated, “Call an ambulance, I swallowed some cocaine!” Trooper Monaco asked Bell, “Why do you need an ambulance?” Bell replied, “I swallowed some cocaine, a lot!” With a smile on his face, Bell stated, “Just playing, ha, ha.” Trooper Monaco asked, “How much of that did you swallow?” Bell replied, “I didn’t swallow nothing, I bought it, like three or four bags.” Trooper Monaco said, “There are like seven or eight in there, and there are like three left” Bell stated, “I probably snorted it all, duh!” Bell then stated, “I need the hospital, I swear to god!” Bell yelled, “Call the ambulance!” Bell then stated, “Psych!” Bell began to kick his left leg inside of the patrol car and yelled, “Call the ambulance!”

Bell’s statements alone did not provide Trooper Monaco or the other officers clarity as to whether Bell had ingested cocaine. A review of Trooper Monaco’s reports and the body worn camera footage demonstrate that the deciding factor in requesting an ambulance was Bell’s actions combined with his statements. Per Trooper Monaco, Bell turned sideways in the squad car and began kicking the computer/mount, dash mounted radar unit, and the gear shift. Bell leaned out of the car to the point that he was nearly horizontal to the ground. It was then that officers began removing Bell from the squad car and Trooper Monaco requested an ambulance.

Of note, from the time the wet baggies were found in the car, where troopers had some inclination that Bell could have swallowed cocaine, until Trooper Monaco called for an ambulance was approximately seven minutes.

It is clear from the facts and circumstances detailed above, derived mostly from the officers statements and their body worn camera footage, that there was no unwarranted or unreasonable delay in requesting an ambulance for Bell. Trooper Monaco and Master Sergeant Steele did not violate their duty to render aid and specifically, to request emergency medical assistance when necessary.

Further, Trooper Monaco and Master Sergeant Steele did not violate their duty to render medical aid and assistance consistent with their training.

Bell was removed from the squad car and sat on the curb. According to Trooper Monaco, they attempted to sit Bell in an upright position so that he would not asphyxiate. However, Bell would not sit upright and laid down on the grass.

Trooper Monaco and the officers on-scene continued to monitor Bell and tried to calm him down while waiting for the ambulance/EMS personnel to arrive. Per Trooper Monaco, Narcan was not warranted as Bell was not exhibiting signs of opioid overdose as he was conscious and was able to maintain an open airway.<sup>4</sup> Further, the officers had no information indicating that Bell had opioids in his system. The drug Bell admitted to consuming was cocaine, which is not an opioid, and thus, Narcan was not an appropriate response.

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<sup>4</sup> On September 15, 2021, Trooper Monaco attended a training/update related to opioid overdoses to included, recognizing signs and symptoms of opioid overdoses, how Narcan works, how to properly administer Narcan, and Narcan’s effectiveness against opioid overdoses only and how it is non-effective against a narcotic.

While laying down, Bell repeatedly demanded that officers pump his heart or chest. The officers there, including Trooper Monaco, correctly understood that because Bell was conscious, breathing, and had a pulse, CPR was not an appropriate response. And they, along with EMS personnel that arrived, told Bell this.

Bell was conscious and breathing while being put onto a stretcher and into an ambulance. While en route to the hospital, Bell began "seizing." Life saving measures were administered on Bell while he was being transported to the hospital and at the hospital. Bell died at the hospital. As indicated above, Bell had significant amounts to drugs in his system, particularly cocaine, and died as a result of the adverse effects of cocaine.

Once an ambulance was called and while Bell was laying on the grass, administering Narcan or performing CPR were not appropriate medical responses to Bell. Their continued observation of Bell while awaiting the arrival of EMS personnel was the appropriate and reasonable response. As such, Trooper Monaco and the officers present met their duty to render medical aid and assistance.

## **V. Conclusion**

Based upon the evidence reviewed and the applicable legal standards, no criminal charges will be filed in this case.