

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
DETECTIVE TIMOTHY McDERMOTT,) **No. 14 PB 2855**
STAR No. 21084, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
RESPONDENT.) **(CR No. 1061847)**

FINDINGS AND DECISION

On March 24, 2014, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Detective Timothy McDermott, Star No. 21084 (hereinafter sometimes referred to as “Respondent”), recommending that the Respondent be discharged from the Chicago Police Department for violating the following Rules of Conduct:

- Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 8: Disrespect to or maltreatment of any person, while on or off duty.
- Rule 38: Unlawful or unnecessary use or display of a weapon.

The Police Board caused a hearing on these charges against the Respondent to be had before Jacqueline A. Walker, Hearing Officer of the Police Board, on August 28, 2014.

Following the hearing, the members of the Police Board read and reviewed the record of the proceedings and viewed the video-recording of the testimony of the witnesses. Hearing Officer Walker made an oral report to and conferred with the Police Board before it rendered its findings and decision.

POLICE BOARD FINDINGS

The Police Board of the City of Chicago, as a result of its hearing on the charges, finds and determines that:

1. The Respondent was at all times mentioned herein employed as a police officer or as a detective by the Department of Police of the City of Chicago.

2. The written charges, and a Notice stating when and where a hearing on the charges was to be held, were served upon the Respondent more than five (5) days prior to the hearing on the charges.

3. Throughout the hearing on the charges the Respondent appeared in person and was represented by legal counsel.

4. The Respondent filed a Motion to Strike and Dismiss requesting that the charges filed against him be stricken and the case dismissed for the following reasons: (a) the failure to bring timely charges violates the due process rights of the Respondent; (b) the charges should be barred by laches; (c) the investigation by the Police Department failed to follow General Order G08-01; and (d) the charges are time-barred by the five-year statute of limitations established by 65 ILCS 5/10-1-18.1. The Respondent's Motion to Strike and Dismiss is **denied** for the reasons set forth below.

a. Due Process. Citing *Morgan v. Department of Financial and Professional Regulation*, 374 Ill.App.3d 275, 871 NE2d 178 (1st Dist 2007), and *Lyon v. Department of Children and Family Services*, 209 Ill.2d 264 (2004), the Respondent claims that the Constitution precludes such a lengthy delay in the investigation of the Respondent's alleged misconduct. *Morgan* and *Lyon*, however, involved a delay in *adjudication* of allegations of misconduct after the respective plaintiffs had been suspended from their jobs—not delay in the *investigation* leading to the initial

suspensions. *Morgan* involved a clinical psychologist accused of sexually abusing a patient, where the state took fifteen months to decide the case after the suspension. *Lyon* involved a teacher accused of abusing students where the director of DCFS failed to honor specific regulatory time limits for decision-making.

The Respondent's case before the Police Board is different from *Morgan* and *Lyon*, as the Respondent in his Motion is complaining about the delay from the time of the incident to the bringing of charges, not the time it took to try him once the charges were filed and he was suspended without pay. This difference is important because the due-process analysis in *Morgan* and *Lyon* is triggered by the state's decision to deprive the psychologist and teacher of their jobs, thus preventing them from working for prolonged periods of time before they were accorded the opportunity to have a hearing and decision to clear their names. Here, the Respondent was working and was being paid his full salary and benefits during the entire period from the time of the incident up to the filing of charges with the Police Board. The Due Process clause precludes a state or local government from "depriving any person of life, liberty or property [i.e. a public job] without due process of law." Here, the Respondent was not suspended without pay from his job until *after* the charges against him were filed. Therefore, the Respondent was *not* deprived of his job prior to the filing of charges, and any delay in bringing the charges is therefore *not* a violation of the Respondent's due process rights.

We recognize that the Circuit Court of Cook County, in *Orsa v. City of Chicago Police Board*, 11 CH 08166 (March 1, 2012) found that the protections of the Due Process clause are triggered by an unreasonable delay in the investigation of a matter, even if the officer retains his job, salary and benefits during the investigation. The Court cited *Stull v. Department of Children and Family Services*, 239 Ill.App.3d 325 (5th Dist. 1992). *Stull* involved a teacher accused of

sexually abusing two of his students. The statute and regulations governing DCFS investigations of child abuse provided strict time limits on the length of any investigation and on the time within which a hearing must be conducted and a decision entered if the adult found to have abused children sought a hearing. The *Stull* court found that DCFS had grossly violated these time limits and required expungement of the adverse finding against the teacher, even though the administrative appeal found that he had been properly “indicated” as an abuser. The *Stull* court did find that the teacher’s due process rights had been infringed, but it was not because of a delay in DCFS’s investigation of the case. The court held that due process was violated by the more than one-year delay in adjudicating the teacher’s appeal because during that period of time there was an indicated finding of child abuse lodged against the teacher and this finding prohibited him from working, *see* 239 Ill.App.3d at 335, thus triggering the kind of deprivation that is not present in the Respondent’s case. *Cavaretta v. Department of Children and Family Services*, 277 Ill.App.3d 16 (2nd Dist. 1996), also cited by the Circuit Court, is identical to *Stull*, which it relies upon. The *Cavaretta* court was quite careful to find that due process was not implicated until DCFS (after its investigation was complete) “indicated” the teacher as a child abuser and placed the teacher’s name in the state’s central registry, which directly deprived the teacher of the ability to work.¹

b. Laches. The Respondent argues that the doctrine of laches should apply here in supporting the dismissal of charges, for he argues that the delay in bringing the charges against him resulted in prejudice to him because any of his efforts to discover the identity of the unknown individual in the photograph are extremely narrowed due to the significant passage of

¹The Circuit Court also cited *Cleveland Board of Education v. Loudermill*, 470 U.S. 532 (1985), but only in general terms. There was no issue in *Loudermill* that a deprivation, for due process purposes, had occurred as it involved the discharge of school district employees.

time, thus hampering his ability to locate exculpatory evidence.

Laches is an equitable doctrine that is used to prevent a party in litigation from enforcing a right it otherwise has because it has not been diligent in asserting this right and the opposing party has been prejudiced by the delay. Private parties and public agencies are not on an equal footing when it comes to the application of the laches doctrine. Many cases, including *Van Milligan v Board of Fire and Police Commissioners of the Village of Glenview*, 158 Ill.2d 85, 630 NE2d 830 (1994), hold that laches can only be invoked against a municipality under “compelling” or “extraordinary” circumstances. In addition, the party that invokes the doctrine of laches has the burden of pleading and proving the delay and the prejudice. *Hannigan v. Hoffmeister*, 240 Ill. App. 3d 1065, 1074 (1st Dist. 1992). Under Illinois law, the Respondent must demonstrate that the Superintendent’s unreasonable delay caused material prejudice to the Respondent; the Respondent must submit evidence in support of his claims of prejudice (for example, testimony that witnesses could no longer recall what happened, or affidavits stating that records had been lost or destroyed during the intervening years). *Nature Conservancy v. Wilder*, 656 F.3d. 646 (7th Cir. 2011).

The Respondent has not demonstrated that the Superintendent caused the delay. The competent and un-contradicted testimony of Sergeant Michael Barz of the Chicago Police Department’s Bureau of Internal Affairs is that the Department came into possession of the photograph at issue in this case on January 31, 2013.

In addition, the Respondent has made no specific showing of any prejudice that resulted from a delay from the time the photograph was taken until the bringing charges before the Police Board. First, the Respondent failed to show that the delay in bringing the charges caused the Department to be unable to identify or locate the unknown man in the photograph. Sergeant

Barz testified as to what steps he took to try to identify the man. The Respondent did not, either in his cross-examination of Sergeant Barz or by presenting affidavits or testimony from others, show that records that could have identified the man were lost or destroyed or were otherwise unavailable due to the passage of time. Second, the Respondent contends that discovering the identity of the unknown individual in the photograph will assist in his defense, in that the person's identity and/or testimony may provide exculpatory evidence. This is, however, sheer speculation on the Respondent's part. Speculation about what a witness might say at trial is insufficient to show "material prejudice" for purposes of laches. *Van Milligan* (p. 91). Knowing the individual's identity and receiving his testimony might well have been detrimental to the Respondent. Consequently, any argument that the man's identity and testimony would have been helpful to the Respondent's defense is speculative.

For the reasons set forth above, the Respondent has not carried the burden of proving that he was prejudiced by a delay in the bringing of charges, nor has he demonstrated any "compelling" or "extraordinary" circumstances warranting a dismissal of this case due to laches.

c. General Order G08-01. The Respondent argues that the investigation by the Police Department failed to follow Chicago Police Department General Order G08-01, which requires a prompt and thorough investigation.

General Order G08-01 does not set an absolute deadline within which investigations must be completed, but provides that if they last more than 30 days, the investigator must seek and obtain an extension of time within which to complete the investigation. Here, the investigation lasted 148 days, from April 29 through September 13, 2013. There is no evidence in the record that the investigator failed to regularly seek, and was granted, extensions of time, in compliance with the General Order.

Once the investigator completes the process of gathering evidence, the matter is reviewed at several levels to ensure that a thorough investigation was conducted, as required by the General Order.

There is no evidence of any substantial violation of the General Order in this case. Even if, however, the General Order was violated, there is no provision in the General Order requiring the extraordinary remedy of dismissal of the case as a sanction for such a violation. The Board declines to extend the reach of the General Order in this manner.

d. Statute of Limitations. The Respondent argues that this case is time-barred under 65 ILCS 5/10-1-18.1, which states in relevant part:

Upon the filing of charges for which removal or discharge, or suspension of more than 30 days is recommended a hearing before the Police Board shall be held. If the charge is based upon an allegation of the use of unreasonable force by a police officer, the charge must be brought within 5 years after the commission of the act upon which the charge is based. The statute of limitations established in this Section 10-1-18.1 shall apply only to acts of unreasonable force occurring on or after the effective date of this amendatory Act of 1992.

For the reasons stated in the Board's Memorandum Opinion and Order issued in Police Board Case No. 11 PB 2776, Bruce Askew (which was affirmed in 2014 by the Circuit Court of Cook County in Case No. 12 CH 23464), the Board determines that the above section of 65 ILCS 5/10-1-18.1 ("Statute of Limitations") applies to the City of Chicago.

The Respondent argues that because the charges state that the Respondent and the other officer are "holding rifles," and state that the Respondent has "his right hand on the throat of the African-American man," the charges are based upon a use of unreasonable force. However, a more complete reading of the charges filed against the Respondent reveals that the Respondent is charged with violating several Rules of Conduct because he "appeared in a photograph," not because he is alleged to have engaged in the use of unreasonable force. Indeed, there is no

allegation that the Respondent used any force at all.

Consequently, the charges against the Respondent are not “based upon an allegation of the use of unreasonable force by a police officer” and therefore do not fall within the ambit of the Statute of Limitations.

5. The Respondent, Detective Timothy McDermott, Star No. 21084, charged herein, is **guilty** of violating, to wit:

Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department,

in that the Superintendent proved by a preponderance of the evidence the following charge:

Sometime between October 14, 1999, and July 1, 2003, while you were working in the Chicago Police Department’s Special Operations Section, you appeared in a photograph, with no valid police purpose, with former Chicago Police Officer Jerome Finnigan in the 11th District tactical office, or some other Chicago Police Department facility, in which you and Finnigan are both posing on your knees, holding rifles, and/or kneeling over an unknown African-American man, and/or the African-American man is wearing deer antlers on his head, lying on his stomach, and sticking his tongue out, and/or you have your right hand on the throat of the African-American man, thereby impeding the Department’s efforts to achieve its policy and goals and/or bringing discredit upon the Department.

The Respondent, Detective Timothy McDermott, in his testimony, identified himself as appearing in the subject photograph. He also identified the man to the left in the picture as being former Chicago Police Officer Jerome Finnigan.

The Respondent testified that he was unable to recall when the picture was taken, that he can’t be sure of the location of where the picture was taken, and that he was unable to identify the third man in the picture. However, the Respondent did testify as follows when asked about posing for the photograph:

Question [by Assistant Corporation Counsel Polk]: Do you remember posing for that photograph?

Answer [by Respondent]: Very, very vaguely.

Question: And what do you remember posing for that photograph?

Answer: I remember walking through and someone saying hey, Timmie, take a picture.

Question: And who was that?

Answer: I don't even remember who said it. It could have been the other person in the photograph. It could have been someone else in the office.²

The Respondent further testified that it appears that the photograph was taken in a police district office, but that he "can't be 100% sure."³ In addition, the Respondent testified that he knew for a fact that the picture was taken in the time period in which he worked in the Special Operations Section, which he testified was from October 14, 1999, through May 26, 2003.

The Respondent testified that he willingly participated in the photograph, and that the photograph served no police purpose.

Furthermore, the Respondent testified that in the photograph he is holding a long gun (he stated that he could not tell if it is a rifle or not), that he is kneeling down, that the African-American man has deer antlers on his head, and that he (the Respondent) has his right hand near or on the neck area of the third man.

The appearance of the Respondent in this photograph shows conduct that impedes the Department's efforts to achieve its policy and goals and brings discredit upon the Department.

6. The Respondent, Detective Timothy McDermott, Star No. 21084, charged herein, is **not guilty** of violating, to wit:

Rule 6: Disobedience of an order or directive, whether written or oral,
in that the Superintendent did not prove by a preponderance of the evidence the following
charge:

² Hearing transcript, p. 17.

³ Hearing transcript, p. 18.

Count I: Sometime between October 14, 1999, and July 1, 2003, while you were working in the Chicago Police Department's Special Operations Section, you appeared in a photograph, with no valid police purpose, with former Chicago Police Officer Jerome Finnigan in the 11th District tactical office, or some other Chicago Police Department facility, in which you and Finnigan are both posing on your knees, holding rifles, and/or kneeling over an unknown African-American man, and/or the African-American man is wearing deer antlers on his head, lying on his stomach, and sticking his tongue out, and/or you have your right hand on the throat of the African-American man, thereby failing to ensure an arrestee's right to have dignified treatment under the law, and/or failing to treat an arrestee with respect, in violation of General Order 92-01, Section II, and/or General Order 02-01, Section II, thereby disobeying an order or directive, whether written or oral.

The Superintendent failed to prove this charge by a preponderance of the evidence, because the Superintendent failed to present any evidence that the unknown African-American male in the photograph was an arrestee, and therefore did not prove that the Respondent failed to ensure an arrestee's right to have dignified treatment under the law, failed to treat an arrestee with respect, or failed to treat an arrestee with courtesy and dignity, as this charge and the following charge allege.

(Board Members Foreman and Fry dissent from this finding. Section II of the General Order states that "all *persons* have the right to dignified treatment under the law" and that "[e]very Department member is responsible for treating each *person* with respect..." [emphasis added]. Board Members Foreman and Fry therefore find that the Respondent violated the General Order regardless of whether the unknown African-American male in the photograph was an arrestee.)

7. The Respondent, Detective Timothy McDermott, Star No. 21084, charged herein, is **not guilty** of violating, to wit:

Rule 6: Disobedience of an order or directive, whether written or oral,
in that the Superintendent did not prove by a preponderance of the evidence the following

charge:

Count II: Sometime between October 14, 1999, and July 1, 2003, while you were working in the Chicago Police Department's Special Operations Section, you appeared in a photograph, with no valid police purpose, with former Chicago Police Officer Jerome Finnigan in the 11th District tactical office, or some other Chicago Police Department facility, in which you and Finnigan are both posing on your knees, holding rifles, and/or kneeling over an unknown African-American man, and/or the African-American man is wearing deer antlers on his head, lying on his stomach, and sticking his tongue out, and/or you have your right hand on the throat of the African-American man, thereby failing to treat an arrestee with courtesy and dignity, in violation of General Order 92-01, Section III, and/or General Order 02-01, Section III, thereby disobeying an order or directive, whether written or oral.

See the findings set forth in paragraph no. 6 above, which are incorporated here by reference.

(Board Members Foreman and Fry dissent from this finding. Section III of the General Order states that "Department members will treat all *persons* with the courtesy and dignity which is inherently due every person as a human being." [Emphasis added.] Board Members Foreman and Fry therefore find that the Respondent violated the General Order regardless of whether the unknown African-American male in the photograph was an arrestee.)

8. The Respondent, Detective Timothy McDermott, Star No. 21084, charged herein, is **guilty** of violating, to wit:

Rule 8: Disrespect to or maltreatment of any person, while on or off duty,
in that the Superintendent proved by a preponderance of the evidence the following charge:

Sometime between October 14, 1999, and July 1, 2003, while you were working in the Chicago Police Department's Special Operations Section, you appeared in a photograph, with no valid police purpose, with former Chicago Police Officer Jerome Finnigan in the 11th District tactical office, or some other Chicago Police Department facility, in which you and Finnigan are both posing on your knees, holding rifles, and/or kneeling over an unknown African-American man, and/or the African-American man is wearing deer antlers on his head, lying on his stomach, and sticking his tongue out, and/or you have your right hand on the throat of the African-American man, thereby disrespecting or maltreating any person,

while on or off duty.

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference.

Additionally, the Respondent's appearance in this photograph, kneeling over the African-American male, who is lying on his stomach with deer antlers on his head, and the Respondent holding what appears to be a rifle and placing his right hand in the neck area of African-American man exhibits disrespect to or maltreatment of a person in violation of the Department's Rule, even if the man on the floor was not coerced into appearing in the photograph.

(Board Members Ballate, McKeever, Rodriguez, and Sweeney dissent from this finding. They state that there is no evidence that the unknown man was coerced into appearing in the photograph, and therefore there is insufficient evidence to find that the Respondent, by appearing in the photograph, disrespected or maltreated the man.)

9. The Respondent, Detective Timothy McDermott, Star No. 21084, charged herein, is **guilty** of violating, to wit:

Rule 38: Unlawful or unnecessary use or display of a weapon,
in that the Superintendent proved by a preponderance of the evidence the following charge:

Sometime between October 14, 1999, and July 1, 2003, while you were working in the Chicago Police Department's Special Operations Section, you appeared in a photograph, with no valid police purpose, with former Chicago Police Officer Jerome Finnigan in the 11th District tactical office, or some other Chicago Police Department facility, in which you and Finnigan are both posing on your knees, holding rifles, and/or kneeling over an unknown African-American man, and/or the African-American man is wearing deer antlers on his head, lying on his stomach, and sticking his tongue out, and/or you have your right hand on the throat of the African-American man, thereby unlawfully or unnecessarily using or displaying a weapon.

See the findings set forth in paragraph no. 5 above, which are incorporated here by

reference.

Furthermore, the appearance of the Respondent in this photograph with what appears to be a rifle in his hand, a photograph for which the Respondent admits there was no police purpose, is sufficient evidence to show unlawful or unnecessary use or display of a weapon in violation of the Department's Rule.

10. The Police Board has considered the facts and circumstances of the Respondent's conduct, and the evidence presented in defense and mitigation.

The Respondent offered the following evidence in mitigation, which the Board has considered thoroughly. Several witnesses (a former Superintendent of Police, a former Deputy Superintendent, and two Sergeants) testified credibly regarding the Respondent's positive job performance, character, and reputation. The Respondent has a complimentary history of 74 total awards, including 11 Department commendations, 41 honorable mentions, and 6 complimentary letters. He has no disciplinary history. However, the Respondent's accomplishments as a police officer and detective, his reputation and character, his complimentary history, and the lack of prior disciplinary history, do not mitigate the seriousness of his misconduct. The Board determines that the Respondent must be discharged from his position due to the serious nature of the conduct of which it has found him guilty.

The photograph depicting the Respondent and another police officer appearing to treat an African-American man not as a human being but as a hunted animal is disgraceful and shocks the conscience.⁴ By willingly appearing in such a photograph, the Respondent discredits the

⁴ The photograph is no less disgraceful and shocking even if the man on the floor consented to appear in the photograph.

Chicago Police Department and impairs its effective operation. Effective law enforcement depends upon a high degree of cooperation between the police department and the public it serves. Conduct such as the Respondent's breeds public contempt for and resistance to the Chicago Police Department, thereby impeding the Department's efforts to achieve the important goals of preventing crime, preserving the public peace, identifying and arresting those who commit crimes, and promoting respect and cooperation of all Chicagoans for the law and those sworn to enforce it.

A police officer's violation of a single rule of conduct has long been held to be a sufficient basis for termination. *Siwek v. Police Board of the City of Chicago*, 872 N.E.2d 87 (2007), citing *Kinter v. Board of Police and Fire Commissioners*, 194 Ill. App. 3d 126 (1990), *King v. City of Chicago*, 60 Ill. App. 3d 504 (1978), and *Moriarty v. Police Board of the City of Chicago*, 7 Ill. App. 3d 978 (1972). No police officer, even one as highly decorated and well thought of as the Respondent, can be allowed to remain on the job when he appears an extremely offensive and demeaning photograph such as the one at issue in this case. The Board finds that Respondent's appearance in the photograph, by itself, is sufficiently serious to constitute a substantial shortcoming that renders his continuance in his office detrimental to the discipline and efficiency of the service of the Chicago Police Department, and is something which the law recognizes as good cause for his no longer occupying his office.

POLICE BOARD DECISION

The Police Board of the City of Chicago, having read and reviewed the record of proceedings in this case, having viewed the video-recording of the testimony of the witnesses,

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Detective Timothy McDermott

having received the oral report of the Hearing Officer, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopts the findings set forth herein by the following votes:

By a vote of 9 in favor (Demetrius E. Carney, Ghian Foreman, Melissa M. Ballate, William F. Conlon, Michael Eaddy, Rita A. Fry, Susan L. McKeever, Elisa Rodriguez, and Rhoda D. Sweeney) to 0 opposed, the Board **denies** the Respondent's Motion to Strike and Dismiss;

By votes of 9 in favor (Carney, Foreman, Ballate, Conlon, Eaddy, Fry, McKeever, Rodriguez, and Sweeney) to 0 opposed, the Board finds the Respondent **guilty** of violating Rule 2 and Rule 38;

By votes of 7 in favor (Carney, Ballate, Conlon, Eaddy, McKeever, Rodriguez, and Sweeney) to 2 opposed (Foreman and Fry), the Board finds the Respondent **not guilty** of violating Rule 6 (Counts I and II); and

By a vote of 5 in favor (Carney, Foreman, Conlon, Eaddy, and Fry) to 4 opposed (Ballate, McKeever, Rodriguez, and Sweeney), the Board finds the Respondent **guilty** of violating Rule 8.

As a result of the foregoing, the Board, by a vote of 5 in favor (Carney, Foreman, Conlon, Eaddy, and Fry) to 4 opposed (Ballate, McKeever, Rodriguez, and Sweeney), hereby determines that cause exists for discharging the Respondent from his position as a detective with the Department of Police, and from the services of the City of Chicago.

NOW THEREFORE, IT IS HEREBY ORDERED that the Respondent, Detective Timothy McDermott, Star No. 21084, as a result of having been found **guilty** of charges in Police Board Case No. 14 PB 2855, be and hereby is **discharged** from his position as a detective with the Department of Police, and from the services of the City of Chicago.

This disciplinary action is adopted and entered by a majority of the members of the Police Board: Demetrius E. Carney, Ghian Foreman, William F. Conlon, Michael Eaddy, and Rita A. Fry.

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DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 16th DAY
OF OCTOBER, 2014.

Attested by:

/s/ DEMETRIUS E. CARNEY
President of the Police Board

/s/ MAX A. CAPRONI
Executive Director of the Police Board

DISSENT

We hereby dissent from the Decision of the majority of the Board. There is no doubt that Respondent's conduct impedes the Department's efforts to achieve its policy and goals and brings discredit upon the Department. There is no doubt that the Respondent exercised poor judgment when he stepped into the picture. While there can be no excuse for agreeing to participate in the picture, there was no actual physical harm to the individual and Respondent has had a positive job performance since the picture was taken over 10 years ago. Respondent has displayed good character and has a good reputation. He has had many years of excellent service to the Department as a detective. Accordingly, we find that a suspension and not termination is a more fitting penalty for his poor judgment.

/s/ RHODA D. SWEENEY

/s/ MELISSA M. BALLATE

/s/ SUSAN L. McKEEVER

/s/ ELISA RODRIGUEZ

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THESE FINDINGS AND DECISION

THIS ____ DAY OF _____, 2014.

GARRY F. McCARTHY
Superintendent of Police