

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER WENDY A. WILLIAMS,) **No. 18 PB 2942**
STAR No. 19091, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
) **(CR No. 1081229)**
RESPONDENT.)

FINDINGS AND DECISION

On January 25, 2018, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Wendy A. Williams, Star No. 19091 (hereinafter sometimes referred to as “Respondent”), recommending the Respondent be discharged from the Chicago Police Department for violating the following Rules of Conduct, which set forth expressly prohibited acts:

- 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 14: Making a false report, written or oral.

A hearing on these charges against the Respondent took place before Hearing Officer Thomas E. Johnson on September 18, October 16, and October 17, 2018. 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 Johnson 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 by the Department of Police of the City of Chicago.

2. A copy of the charges filed, and a notice stating the date, place, and time the initial status hearing would be held, were personally served upon the Respondent not fewer than five (5) days before the date of the initial status hearing for this case.

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

Introduction

4. Police Officer Wendy Williams began as a police officer on August 13, 1998. She has, however, been assigned to the Department's Alternate Response Section since 2002 on account of various medical conditions. While she has performed different tasks at the Alternate Response Section over the years, her principal task (and the task with which she was charged in 2016 when the events here took place) was to answer non-emergency phone calls from residents seeking information or the assistance of the police. Supervisors are able to monitor officers taking calls through a computer system that shows when an officer is on a call, writing a report, or in the "ready" position, i.e. available to take the next call. Officers must be in the "ready" position, unless they are on an approved break or lunch.

On June 6, 2016, Sergeant Jesse Terrazas was supervising Officer Williams and determined that she was not in the "ready" position for more than one hour, though she was not engaged in a call or on an authorized break. Superintendent's Exhibit No. 27 is a computer-generated log from June 6, 2016, that confirms that Officer Williams was not in the "ready" position for more than one hour between 11:00 am and 12:30 pm. This time period was not her

lunch break or an otherwise authorized break time. Sergeant Terrazas testified that he was aware that Officer Williams had previously been admonished about poor performance in her call-taking, and therefore conducted a formal counseling session with Officer Williams on June 6, 2016, accompanied by Sergeant Richard Bednarek. Superintendent's Exhibit No. 1 is the counseling report Sergeant Terrazas prepared, which sets out Officer Williams's infraction of the rules that day. He testified that Officer Williams indicated she had no response to the allegations made, which is documented on the form, and that she then signed the form.

Officer Williams denied that she was counseled on June 6, 2016, for not being in the "ready" position and denies being in a room that day with Sergeant Terrazas, as she claims that earlier in the day, Sergeant Terrazas had made a sexually-related comment to her. Her signature does appear on the counseling form, but she claims it could have been cut and pasted. She claims she went to Lieutenant Donna Dowd that day to apologize for not being in the "ready" position, but did not speak with Lieutenant Dowd because Sergeant Terrazas was in the room with Lieutenant Dowd. The Board finds this testimony by Officer Williams to be not credible, as it is uncorroborated, she does not explain why she did not apologize or otherwise speak to Lieutenant Dowd at another point in the day, her signature does appear on the counseling form, and computer records show she clearly was not in the "ready" position that day for an extended period.

Charges Against the Respondent

5. The Respondent, Police Officer Wendy A. Williams, Star No. 19091, charged herein, is **guilty** of violating Rule 2 and Rule 14 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about June 7, 2016, Officer Williams generated a fictitious Original Case Incident Report under RD number HZ297178. Said report contained fabricated information, including, for example, that purported victim Bob Henderson stated that he lost his cell phone and/or an iPhone 3 near a bus stop and/or near 4645 South Knox Avenue in Chicago, Illinois, or words to that effect, when, in fact, no such incident was reported. Officer Williams thereby violated Rule 2 and Rule 14.

See the findings set forth in paragraph no. 4 above, which are incorporated here by reference. The evidence overwhelmingly establishes that Officer Williams prepared ten separate false police reports on June 7, June 9, and June 13, 2016. Eight of these are Original Case Incident reports purporting to document lost-property complaints by civilians (Superintendent's Exhibit Nos. 3-5, 7-8, and 10-12). In addition, her June 13, 2016, Daily Activity Report (Superintendent's Exhibit No. 13) and June 13, 2016, Alternate Response Call Screening Volume Report (Superintendent's Exhibit No. 14) (which document her activities for that day) included mention of the false Original Case Incident reports completed that day, and so these summary reports are also false. Officer Williams admitted in her statement to the Bureau of Internal Affairs that she generated each of these reports (see Superintendent's Exhibit No. 23). Her name was auto-generated on the reports, once she initiated them, and the reports are linked to her beat and position in the Alternate Response Section by the unit assignment sheets for these particular days (Superintendent's Exhibit Nos. 2, 6 and 9).

Resident calls to the Alternate Response Section are recorded on an Exacom system, which was described by Brandyn Smith, who manages the Chicago Police Department system from Exacom's offices in New Hampshire. These recorded calls cannot be deleted or missed, and they pick up dropped calls, busy calls, and inaudible calls. Sergeant Christ Tsoukalas, from the Chicago Police Department Bureau of Internal Affairs ("BIA"), listened to all of the calls to Officer Williams's station on the dates of June 7, June 9, and June 13, 2016, and did not hear calls from any of the civilians whose names appeared on the eight suspect Original Case Incident

Reports Officer Williams completed. At her BIA interview, Officer Williams also listened to the tapes and confirmed that she did not hear any calls from any civilians that comported with her reports. These recordings, for each of the days in question, were admitted into evidence as Superintendent's Exhibit Nos. 16-18.

Police Officer James Franklin examined the Department's Aurora system, which tracks the phone numbers of calls into the Alternate Response Section. He looked for the phone numbers of the purported callers on seven of the eight Original Case Incident Reports Officer Williams had completed, and none of these phone numbers appeared on the Aurora system. His testimony was entered by way of stipulation, and his report is Superintendent's Exhibit No. 15. In addition to this, Sergeant David DeMato of the Alternate Response Section called the phone numbers in these Original Case Incident Reports and investigated the street addresses listed. He could not reach the purported victims at these phone numbers and found that the addresses did not exist or (contrary to the narratives in the Original Case Incident Reports) were commercial and not residential properties, and some of the bus stop locations mentioned were not accurate (see the parties' stipulation as to facts, and Superintendent's Exhibit Nos. 21 and 24).

Officer Williams told the BIA she had no explanation as to why there were no civilian calls corresponding to the Original Case Incident Reports. At the hearing, she admitted studying these reports but could offer no explanation as to how the reports were generated, given the absence of calls from civilians with these names and phone numbers. She raised the question of why she would engage in such an elaborate fraud, when she had spent nearly twenty years with the Department when she had no prior discipline. The Board, however, finds that given the overwhelming and comprehensive evidence of guilt, and the absence of evidence rebutting the Superintendent's allegations, the question raised is not enough to support a finding of not guilty.

Nor does the Board believe all of the documentary evidence presented resulted from computer or system errors or rogue conduct as Officer Williams speculated in her case, as the Board finds Mr. Smith's testimony about how the Exacom system works, as well as the testimony of Sergeant Tsoukalas, Officer Franklin and Sergeant DeMato to be convincing, particularly given its corroboration by the numerous documents and the absence of recordings noted above. In addition, Officer Williams hand-wrote the times of her false reports on Superintendent's Exhibit Nos. 13 and 14.

While Officer Williams stressed the importance of the many medical conditions with which she is dealing, there was no testimony offered to suggest that these conditions caused her to write the false reports at issue here. Dr. Jennifer Swoyer, Officer Williams's primary care physician, testified to sixteen years of treating Officer Williams for migraines and mental health problems (which she herself did not diagnose), and that some of her medications can cause drowsiness and fatigue, but she did not suggest that these possible side effects could explain why someone would write false reports. Indeed, Dr. Swoyer cleared Officer Williams for her desk job at the Alternate Response Section, so it appears to the Board that nothing about Officer Williams's condition would suggest she was incapable of doing paperwork at the Department with integrity. Ms. Laura McGee Otunde is a licensed social worker, who began seeing Officer Williams in July of 2018, after the events at issue took place. She also did not offer any testimony to suggest that Officer Williams's medical condition explained her initiation of these false reports.

Officer Williams also argues that the false statements contained in the ten false documents were not willful or material, and therefore are not a violation of Rule 14. She notes that detectives were not assigned to these lost property reports or other police resources

committed to investigating them, and there were no civilians victimized. The Board, however, finds that the pattern of false statements evident on these ten reports does not represent a mistake or an oversight, but rather an intentional and calculated attempt to falsify police information and reports. Virtually every fact on the Original Case Incident Reports was false. This was not an isolated instance but took place over a sustained period. The Board finds that Officer Williams's use of "lost property" on each of these reports was done with her understanding that no detective or other police officer would be assigned to investigate the reports, thus shielding her from discovery and further evidencing the intentional and planned nature of her conduct. Officer Williams's false reports wrongly stated the volume and nature of her own work, and compromised the Chicago Police Department's crime data (as each report was assigned an RD and Event number). The Board thus finds Officer Williams's conduct was willful and material.

6. The Respondent, Police Officer Wendy A. Williams, Star No. 19091, charged herein, is **guilty** of violating Rule 2 and Rule 14 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about June 7, 2016, Officer Williams generated a fictitious Original Case Incident Report under RD number HZ297226. Said report contained fabricated information, including, for example, that purported victim Rose Jose stated that she lost her wallet near 2149 North Cicero Avenue in Chicago, Illinois, or words to that effect, when, in fact, no such incident was reported. Officer Williams thereby violated Rule 2 and Rule 14.

See the findings set forth in paragraph nos. 4 and 5 above, which are incorporated here by reference.

7. The Respondent, Police Officer Wendy A. Williams, Star No. 19091, charged herein, is **guilty** of violating Rule 2 and Rule 14 in that the Superintendent proved by a preponderance of

the evidence the following charges:

On or about June 7, 2016, Officer Williams generated a fictitious Original Case Incident Report under RD number HZ297432. Said report contained fabricated information, including, for example, that purported victim Jason Cook stated that he lost his cell phone and/or an iPhone 3 near 1919 West Taylor Street in Chicago, Illinois, while out for lunch, or words to that effect, when, in fact, no such incident was reported. Officer Williams thereby violated Rule 2 and Rule 14.

See the findings set forth in paragraph nos. 4 and 5 above, which are incorporated here by reference.

8. The Respondent, Police Officer Wendy A. Williams, Star No. 19091, charged herein, is **guilty** of violating Rule 2 and Rule 14 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about June 9, 2016, Officer Williams generated a fictitious Original Case Incident Report under RD number HZ300086. Said report contained fabricated information, including, for example, that purported victim Robbins Cornel stated that he lost his cell phone and/or an iPhone 3 near a bus stop and/or near 2451 West Chicago Avenue in Chicago, Illinois, or words to that effect, when, in fact, no such incident was reported. Officer Williams thereby violated Rule 2 and Rule 14.

See the findings set forth in paragraph nos. 4 and 5 above, which are incorporated here by reference.

9. The Respondent, Police Officer Wendy A. Williams, Star No. 19091, charged herein, is **guilty** of violating Rule 2 and Rule 14 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about June 9, 2016, Officer Williams generated a fictitious Original Case Incident Report under RD number HZ300231. Said report contained fabricated information, including, for example, that purported victim Neal Covey stated that he lost his wallet near 6708 West Belmont Avenue in Chicago, Illinois, or words to that effect, when, in fact, no such incident was reported. Officer Williams thereby violated Rule 2 and Rule 14.

See the findings set forth in paragraph nos. 4 and 5 above, which are incorporated here by reference.

10. The Respondent, Police Officer Wendy A. Williams, Star No. 19091, charged herein, is **guilty** of violating Rule 2 and Rule 14 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about June 13, 2016, Officer Williams generated a fictitious Original Case Incident Report under RD number HZ305594. Said report contained fabricated information, including, for example, that purported victim Ruth Carlson stated that she lost her cell phone and/or an iPhone 5c near a bus stop and/or near 2120 West 114th Place in Chicago, Illinois, or words to that effect, when, in fact, no such incident was reported. Officer Williams thereby violated Rule 2 and Rule 14.

See the findings set forth in paragraph nos. 4 and 5 above, which are incorporated here by reference.

11. The Respondent, Police Officer Wendy A. Williams, Star No. 19091, charged herein, is **guilty** of violating Rule 2 and Rule 14 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about June 13, 2016, Officer Williams generated a fictitious Original Case Incident Report under RD number HZ305652. Said report contained fabricated information, including, for example, that purported victim Robert Larson stated that he lost his cell phone and/or an iPhone 5c near a bus stop and/or near 2724 West Farragut Avenue in Chicago, Illinois, or words to that effect, when, in fact, no such incident was reported. Officer Williams thereby violated Rule 2 and Rule 14.

See the findings set forth in paragraph nos. 4 and 5 above, which are incorporated here by reference.

12. The Respondent, Police Officer Wendy A. Williams, Star No. 19091, charged herein,

is **guilty** of violating Rule 2 and Rule 14 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about June 13, 2016, Officer Williams generated a fictitious Original Case Incident Report under RD number HZ305793. Said report contained fabricated information, including, for example, that purported victim Angie Weems stated that she lost her wallet near a bus stop and/or near 1820 South Halsted Street in Chicago, Illinois, or words to that effect, when, in fact, no such incident was reported. Officer Williams thereby violated Rule 2 and Rule 14.

See the findings set forth in paragraph nos. 4 and 5 above, which are incorporated here by reference.

13. The Respondent, Police Officer Wendy A. Williams, Star No. 19091, charged herein, is **guilty** of violating Rule 2 and Rule 14 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about June 13, 2016, Officer Williams falsified a Daily Activity Report—Alternate Response Section form because she documented on the form approximately three fictitious Original Case Incident Reports (RD numbers HZ305594, HZ305652, and/or HZ305793), when, in fact, no such incident(s) was(were) reported. Officer Williams thereby violated Rule 2 and Rule 14.

See the findings set forth in paragraph nos. 4 and 5 above, which are incorporated here by reference.

14. The Respondent, Police Officer Wendy A. Williams, Star No. 19091, charged herein, is **guilty** of violating Rule 2 and Rule 14 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about June 13, 2016, Officer Williams falsified an Alternate Response Call Screening Volume Report because she documented on the form approximately three fictitious Original Case Incident Reports (RD numbers HZ305594, HZ305652, and/or HZ305793), when, in fact, no such incident(s) was(were) reported. Officer Williams thereby violated Rule 2 and Rule 14.

See the findings set forth in paragraph nos. 4 and 5 above, which are incorporated here by reference.

Penalty

15. The Police Board has considered the facts and circumstances of the conduct of which it has found the Respondent guilty, and the evidence presented in mitigation, including the Respondent's complimentary and disciplinary histories.

The Board has considered thoroughly the evidence the Respondent offered in mitigation, which includes the following: the testimony of Dr. Jennifer Swoyer and Ms. Laura McGee Otunde, as well as Officer Williams's arguments that a more progressive form of discipline should have been employed in this case. Officer Williams, who joined the Police Department in 1998, has a complimentary history of 13 total awards, including 7 honorable mentions; she has no sustained complaints on her disciplinary history.

Nevertheless, Officer Williams's service as a police officer, the above witnesses' testimony, and the lack of prior disciplinary history do not mitigate the seriousness of her misconduct.

The Board finds that the Officer Williams's misconduct is incompatible with continued service as a police officer and warrants her discharge from the Chicago Police Department. Officer Williams knowingly and intentionally fabricated official police reports. Such conduct is antithetical to that expected and required of a police officer, who at all times has a duty to act with honesty and integrity, not fabricate police reports in the course of one's official duties.

Officer Williams's dishonesty relates directly to her public duties as a police officer, and renders her unfit to hold that office. Trustworthiness, reliability, good judgment, and integrity are all material qualifications for any job, particularly one as a police officer. The duties of a police

officer include making arrests and testifying in court, and a police officer's credibility is at issue in both the prosecution of crimes and in the Police Department's defense of civil lawsuits. A public finding that a police officer falsified official reports is detrimental to the officer's credibility as a witness and, as such, is a serious liability to the Department. *See Rodriguez v. Weis*, 408 Ill.App.3d 663, 671 (1st Dist. 2011). Further, as noted in this opinion, Officer Williams offered testimony in her hearing that the Board found was not credible. The Board recognizes she was forthcoming about her behavioral health problems, but not honest about her conduct on duty. The Board values the integrity of officers in the line of duty and in their conduct during hearings before this Board. We emphasize the importance of honesty as a central element of police accountability.

The Board finds that the Respondent's conduct is sufficiently serious to constitute a substantial shortcoming that renders her continuance in her office detrimental to the discipline and efficiency of the service of the Chicago Police Department, and is something that the law recognizes as good cause for her to no longer occupy her office.

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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, 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 votes of 9 in favor (Ghian Foreman, Paula Wolff, Eva-Dina Delgado, Michael Eaddy, Steve Flores, John P. O'Malley Jr., John H. Simpson, Rhoda D. Sweeney, and Andrea L. Zopp) to 0 opposed, the Board finds the Respondent **guilty** of violating Rule 2 and Rule 14, as set forth in paragraph nos. 5 through 14 above.

As a result of the foregoing, the Board, by a vote of 9 in favor (Foreman, Wolff, Delgado, Eaddy, Flores, O'Malley, Simpson, Sweeney, and Zopp) to 0 opposed, hereby determines that cause exists for discharging the Respondent from her position as a police officer with the Department of Police, and from the services of the City of Chicago.

NOW THEREFORE, IT IS HEREBY ORDERED that the Respondent, Police Officer Wendy A. Williams, Star No. 19091, as a result of having been found **guilty** of all charges in Police Board Case No. 18 PB 2942, be and hereby is **discharged** from her position as a police officer 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: Ghian Foreman, Paula Wolff, Eva-Dina Delgado, Michael Eaddy, Steve Flores, John P. O'Malley Jr., John H. Simpson, Rhoda D. Sweeney, and Andrea L. Zopp.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 13th DAY OF DECEMBER, 2018.

Police Board Case No. 17 PB 2942
Police Officer Wendy A. Williams

Attested by:

/s/ GHIAN FOREMAN
President

/s/ MAX A. CAPRONI
Executive Director

DISSENT

The following members of the Police Board hereby dissent from the Findings and Decision of the majority of the Board.

[None]

RECEIVED A COPY OF

THESE FINDINGS AND DECISION

THIS ____ DAY OF _____, 2018.

EDDIE T. JOHNSON
Superintendent of Police