

## Charges Filed with the Police Board

The following charges have been filed with the Police Board by the Superintendent of Police. The public is reminded that the filing of charges is not evidence of guilt. The accused officer is presumed innocent and is entitled to a fair hearing at which the Superintendent has the burden of proving guilt by a preponderance of the evidence.

POLICE BOARD  
CITY OF CHICAGO

NOTICE REGARDING CASE No. 21 PB 2998

Please be advised that:

- The following Charges and Specifications contain profane statements that some may find offensive.
- The identity of the individual to whom the statements were allegedly directed has been redacted to protect this individual's privacy.

## AMENDED CHARGES AGAINST POLICE OFFICER JOSE TROCHE-VARGAS

Police Officer Jose Troche-Vargas, Star Number 6430, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the date of the alleged violations:

- 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 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- 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 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 14: Making a false report, written or oral.

### SPECIFICATIONS

1. On or about June 28, 2019, at or around 2202 North Kimball Avenue, Chicago, Illinois, while on duty and in uniform, Police Officer Jose Troche-Vargas said to [REDACTED], an arrestee, "you're lucky I have a camera on me or I would fuck you up," and/or called him, "mother fucker," or "bitch," and/or said to him, "I don't need no fucking badge; I don't need no fucking gun; I will beat your mother fucking ass, bitch," and/or "shut the fuck up," and/or "I'm not the one to fuck with, I'll tell you that right now, nigger," or said words to the effect of one or more of the above statements. [REDACTED] was detained and/or in the back of a police car when Officer Troche-Vargas directed one or more of the above statements towards him. Officer Troche-Vargas thereby engaged in
  - a. Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department, in violation of Rule 2, and/or
  - b. Failure to promote the Department's efforts to implement its policy or accomplish its goals, in violation of Rule 3, and/or

- c. Disrespect to or maltreatment of any person, while on or off duty, in violation of Rule 8, and/or
  - d. Any unjustified verbal or physical altercation with any person, while on or off duty, in violation of Rule 9.
- 2. On or about June 28, 2019, at or around 2202 North Kimball Avenue, Chicago, Illinois, while on duty, Police Officer Jose Troche-Vargas failed to activate his body worn camera ("BWC") even though he was engaged in law-enforcement activity. Officer Troche-Vargas thereby engaged in
  - a. Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department, in violation of Rule 2,
  - b. Failure to promote the Department's efforts to implement its policy or accomplish its goals, in violation of Rule 3, and/or
  - c. Disobedience of an order or directive, whether written or oral (Special Order 03-14 Body Worn Cameras) in violation of Rule 6.
- 3. On or about February 15, 2018, at approximately 5:18 p.m., at or around 5353 West Altgeld Street, Chicago, Illinois, while driving his personal vehicle off-duty, Police Officer Jose Troche-Vargas stopped his vehicle suddenly and/or slammed on his brakes, causing a traffic crash with a bicycle a fourteen-year-old minor was riding; and/or exited his vehicle and grabbed the minor on the torso, shoulder, or other body part; and/or engaged in a "take-down" of the minor or threw the minor to the ground; and/or tackled, wrestled, or struggled with the minor on the ground; and/or punched, struck with a closed hand, or otherwise struck the minor. Officer Troche-Vargas thereby engaged in
  - a. Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department, in violation of Rule 2,
  - b. Failure to promote the Department's efforts to implement its policy or accomplish its goals, in violation of Rule 3, and/or
  - c. Disrespect to or maltreatment of any person, while on or off duty, in violation of Rule 8, and/or
  - d. Any unjustified verbal or physical altercation with any person, while on or off duty, in violation of Rule 9.

4. On or about February 15, 2018, after Police Officer Troche-Vargas interacted with a fourteen-year-old minor in the vicinity of 5353 West Altgeld Street, Chicago, Illinois, the minor was arrested, and Officer Troche-Vargas prepared/submitted an arrest report for the minor containing one or more false, misleading, inaccurate, or incomplete statements relating to the circumstances surrounding the traffic crash and/or Officer Troche-Vargas' physical altercation with the minor. One or more of the statements in the arrest report were inconsistent with the account Officer Troche-Vargas provided on the scene: for instance, in the arrest report, Officer Troche-Vargas states that he and the minor "fell to the ground" after Officer Troche-Vargas "grabbed [the minor's] upper torso," while Officer Troche-Vargas admitted on the scene that he engaged in a "takedown" of the minor or stated words to that effect; and/or, in the arrest report, Officer Troche-Vargas states that he exited his vehicle to check on the minor, while at the scene, Officer Troche-Vargas reported that he exited his vehicle because the minor had indicated that he/the minor might be armed, or stated words to that effect. Officer Troche-Vargas thereby engaged in
  - a. Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department, in violation of Rule 2,
  - b. Failure to promote the Department's efforts to implement its policy or accomplish its goals, in violation of Rule 3, and/or
  - c. Making a false report, written or oral, in violation of Rule 14.
  
5. On or about February 15, 2018, after Police Officer Troche-Vargas interacted with a fourteen-year-old minor in the vicinity of 5353 West Altgeld Street, Chicago, Illinois, Officer Troche-Vargas prepared/submitted a Tactical Response Report ("TRR") containing in the narrative section, one or more false, misleading, inaccurate, or incomplete statements relating to the circumstances surrounding the traffic crash and/or Officer Troche-Vargas' physical altercation with the minor. One or more of the statements in the TRR narrative were inconsistent with the account Officer Troche-Vargas provided on the scene: for instance, in the TRR narrative, Officer Troche-Vargas states that he and the minor "fell to the ground" after Officer Troche-Vargas "grabbed [the minor's] upper torso," while Officer Troche-Vargas admitted on the scene that he engaged in a "takedown" of the minor or stated words to that effect; and/or, in the TRR, Officer Troche-Vargas states that he exited his vehicle to check on the minor, while at the scene, Officer Troche-Vargas reported that he exited his vehicle because the minor had indicated that he/the minor might be armed, or stated words to that effect. Officer Troche-Vargas thereby engaged in
  - a. Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department, in violation of Rule 2,

- b. Failure to promote the Department's efforts to implement its policy or accomplish its goals, in violation of Rule 3, and/or
- c. Making a false report, written or oral, in violation of Rule 14.

Based on the foregoing charges and specifications, the Superintendent recommends that Officer Jose Troche-Vargas, Star Number 6430, be separated from the Chicago Police Department.



David O. Brown  
Superintendent of Police

APPROVED AS TO FORM

*/s/ Hillina Tadesse Tamrat*

HILLINA T. TAMRAT  
Chief Assistant Corporation Counsel

Filed: April 28, 2022  
POLICE BOARD  
Case No. 21 PB 2998  
(Original charges filed on September 22, 2021)