

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER TIMOTHY MASON,) **No. 22 PB 3004-2**
STAR No. 17394, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
RESPONDENT.) **(CR No. 2019-4852)**

ORDER

On April 27, 2022, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Timothy Mason, Star No. 17394 (hereinafter referred to as “Respondent”), recommending that the Respondent be discharged from the Chicago Police Department for violating the Department’s Rules of Conduct (a copy of the charges is attached as Exhibit A).

On October 13, 2022, the Superintendent moved to withdraw the charges against the Respondent without prejudice because the Respondent resigned from the Chicago Police Department. The Police Board has considered the Superintendent’s motion.

IT IS HEREBY ORDERED that the Superintendent’s motion is **granted**, and the proceedings before the Police Board are terminated.

This Order is entered by a majority of the members of the Police Board: Ghian Foreman, Steven A. Block, Mareilé B. Cusack, and Nanette Doorley. (Vice President Paula Wolff recused herself from this case as required by §2-78-130(a)(iii) of the Municipal Code of Chicago.)

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 17th DAY OF NOVEMBER, 2022.

Police Board Case No. 22 PB 3004-2
Police Officer Timothy Mason
Order

Attested by:

/s/ GHIAN FOREMAN
President

/s/ MAX A. CAPRONI
Executive Director

Exhibit A

Charges

Attached are the charges 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. In this case, the accused officer resigned from the Chicago Police Department prior to a full hearing on the charges.

CHARGES AGAINST POLICE OFFICER MARK JOHNSON

Police Officer Mark Johnson, Star Number 8781, 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 10: Inattention to duty.
- Rule 14: Making a false report, written or oral.

SPECIFICATIONS

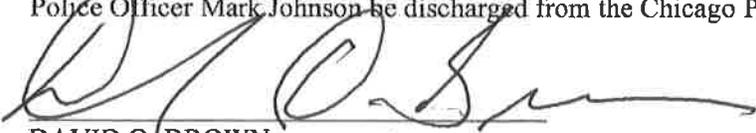
1. On or about November 28, 2019, at or near 802 E. 79th Street in Chicago, Illinois, at approximately 3:58pm, Police Officer Mark Johnson dragged and/or carried Mr. Bernard Kersh ("Mr. Kersh") to a Chicago Police Department vehicle while Mr. Kersh was unconscious; and/or failed to treat Mr. Kersh with dignity and/or respect and/or failed to show concern or consideration for Mr. Kersh's physical and/or medical state or condition, thereby:
 - a. Violating Rule 2, any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - b. Violating Rule 3, any failure to promote the Department's efforts to implement its policy or accomplish its goals.
 - c. Violating Rule 6, disobedience of an order or directive, whether written or oral, to wit: General Order G03-02-01.
 - d. Violating Rule 8, disrespect to or maltreatment of any person, while on or off duty.

- e. Violating Rule 9, engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
 - f. Violating Rule 10, inattention to duty.
2. On or about November 28, 2019, at or near 802 E. 79th Street in Chicago, Illinois, at approximately 3:58pm, Police Officer Mark Johnson failed to activate his body-worn camera at the beginning of an incident involving Mr. Bernard Kersh and/or failed to activate his body-worn camera while he was engaged in law-enforcement-related activities, thereby:
- a. Violating Rule 2, any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - b. Violating Rule 3, any failure to promote the Department's efforts to implement its policy or accomplish its goals.
 - c. Violating Rule 6, disobedience of an order or directive, whether written or oral, to wit: Special Order S03-14(III)(A).
 - d. Violating Rule 10, inattention to duty.
3. On or about November 28, 2019, at or near 802 E. 79th Street in Chicago, Illinois, at approximately 3:58pm, Police Officer Mark Johnson failed to secure Mr. Bernard Kersh with a vehicle safety belt while transporting him in a Chicago Police Department vehicle, thereby:
- a. Violating Rule 2, any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - b. Violating Rule 3, any failure to promote the Department's efforts to implement its policy or accomplish its goals.
 - c. Violating Rule 6, disobedience of an order or directive, whether written or oral, to wit: Uniform and Property Directive U02-01-03(III)(B)(6).
 - d. Violating Rule 10, inattention to duty.

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4. On or about November 28, 2019, Police Officer Mark Johnson made one or more false and/or misleading and/or incomplete and/or inaccurate statements in the Chicago Police Department Supplementary Report (RD# JC527821), to wit: by indicating that Mr. Bernard Kersh was alert and/or responsive prior to being placed into a marked Chicago Police Department vehicle, or words to that effect; and/or stating, "The offender who was at the feet of the LEMART trained R/O's was alert," or words to that effect; and/or stating, "the offender refused to respond and or answer the directives and requests to stand made by R/O's," or words to that effect; and/or stating, "[a]fter repeatedly admonishing the alert offender to stand, R/O's placed the offender who was . . . feigning unconsciousness into restraints," or words to that effect; and/or by omitting that Mr. Bernard Kersh lost consciousness, or omissions to that effect, thereby:
- a. Violating Rule 2, any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - b. Violating Rule 3, any failure to promote the Department's efforts to implement its policy or accomplish its goals.
 - c. Violating Rule 14, making a false report, written or oral.

Based on the foregoing charges and specifications, the Superintendent recommends that Police Officer Mark Johnson be discharged from the Chicago Police Department.



DAVID O. BROWN
Superintendent of Police

APPROVED AS TO FORM

/s/ Katherine Robillard
KATHERINE ROBILLARD
Assistant Corporation Counsel

FILED: April 27, 2022 POLICE BOARD Case No. 22 PB 3004-1
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CHARGES AGAINST POLICE OFFICER TIMOTHY MASON

Police Officer Timothy Mason, Star Number 15802, 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.

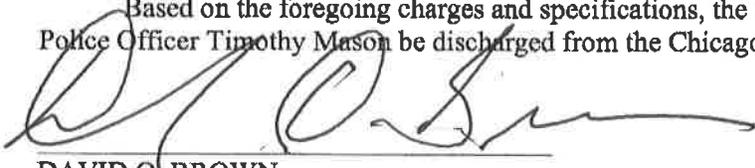
- Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 10: Inattention to duty.
- Rule 14: Making a false report, written or oral.

SPECIFICATIONS

1. On or about November 28, 2019, at or near 802 E. 79th Street in Chicago, Illinois, at approximately 3:58pm, Police Officer Timothy Mason failed to secure Mr. Bernard Kersh with a vehicle safety belt while transporting him in a Chicago Police Department vehicle, thereby:
 - a. Violating Rule 2, any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - b. Violating Rule 3, any failure to promote the Department's efforts to implement its policy or accomplish its goals.
 - c. Violating Rule 6, disobedience of an order or directive, whether written or oral, to wit: Uniform and Property Directive U02-01-03(III)(B)(6).
 - d. Violating Rule 10, inattention to duty.
2. On or about November 28, 2019, Police Officer Timothy Mason made one or more false and/or misleading and/or incomplete and/or inaccurate statements in the Chicago Police Department Supplementary Report (RD# JC527821), to wit: by indicating that Mr. Bernard Kersh was alert and/or responsive prior to being placed into a marked Chicago Police Department vehicle, or words to that effect; and/or stating, "The offender who was at the feet of the LEMART trained R/O's was alert," or words to that effect; and/or stating, "the offender refused to respond and or answer the directives and requests to stand made by R/O's," or words to that effect; and/or stating, "[a]fter repeatedly admonishing the alert offender to stand, R/O's placed the offender who was . . . feigning unconsciousness into restraints," or words to that effect; and/or by omitting that Mr. Bernard Kersh lost consciousness, or omissions to that effect, thereby:
 - a. Violating Rule 2, any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - b. Violating Rule 3, any failure to promote the Department's efforts to implement its policy or accomplish its goals.

c. Violating Rule 14, making a false report, written or oral.

Based on the foregoing charges and specifications, the Superintendent recommends that Police Officer Timothy Mason be discharged from the Chicago Police Department.



DAVID O. BROWN
Superintendent of Police

FILED: April 27, 2022
POLICE BOARD
Case No. 22 PB 3004-2

APPROVED AS TO FORM

/s/ Katherine Robillard
KATHERINE ROBILLARD
Assistant Corporation Counsel