CITY OF CHICAGO POLICE BOARD

PUBLIC MEETING

February 21, 2019

STENOGRAPHIC REPORT OF PROCEEDINGS

had in the above-entitled matter held at Chicago
Public Safety Headquarters, 3510 South Michigan
Avenue, Chicago, Illinois, at 7:38 o'clock p.m.

POLICE BOARD MEMBERS PRESENT:

MR. GHIAN FOREMAN, President
MS. EVA-DINA DELGADO
REV. MICHAEL EADDY
MR. STEVE FLORES
MR. JOHN P. O'MALLEY, JR.
MR. JOHN SIMPSON (via audio conference)

ALSO PRESENT:

MR. FRED WALLER, Chief of Patrol, Chicago
Police Department
MS. CHARISE VALENTE, General Counsel to
the Superintendent of Police
MS. SYDNEY ROBERTS, COPA Chief
Administrator
MR. MAX A. CAPRONI, Executive
Director, Police Board
MEMBERS OF THE PUBLIC

REPORTED BY: April T. Hansen, CSR, RPR
License No.: 084-004043
PRESIDENT FOREMAN: Good evening. I'm Ghian Foreman, President of the Chicago Police Board and I'm calling the meeting to order. Board Member John Simpson is unable to attend this meeting in person. Is there a motion to permit remote attendance?

REV. EADDY: So moved.

PRESIDENT FOREMAN: Is there a second.

MS. DELGADO: Second.

PRESIDENT FOREMAN: All in favor?

(Ayes in unison.)

PRESIDENT FOREMAN: The motion passes.

The first item of business is approval of the minutes of the Board's regular public meeting, held on January 17, 2019. Is there a motion to approve the minutes?

MR. FLORES: So moved.

REV. EADDY: Second.

PRESIDENT FOREMAN: All in favor?

(Ayes in unison.)

PRESIDENT FOREMAN: Any opposed? The motion passes.

Our next regular public meeting will be on Thursday, March 21, at 7:30 p.m. here at Chicago
Public Safety Headquarters.

At this time I ask for a motion to close a series of executive sessions for the purposes of considering personnel matters in litigation as authorized by Sections 2(c), (1), (3), (4), and (11) of the Illinois Open Meetings Act. Is there such a motion?

REV. EADDY: So moved.

MR. FLORES: Second.

PRESIDENT FOREMAN: All in favor?

(Ayes in unison.)

PRESIDENT FOREMAN: None opposed. The motion passes.

A report of disciplinary action taken by the Board during the previous month has been made available at this evening's meeting. This report and its written findings and decisions are written on the Board's website.

There are several disciplinary matters to announce. Board Member Flores will report on the first matter.

MR. FLORES: Thank you, President Foreman.

Pursuant to Section 2-78-130 of the Municipal Code of Chicago, I considered one matter
on which the Chief Administrator of the Civilian
Office of Police Accountability and the
Superintendent of Police did not agree regarding
the discipline of a police officer.

In Request to Review number 19 RR 01, the
chief Administrator recommended that Police Officer
Matthew Skalski be suspended for two days for
unlawfully searching an individual. The
Superintendent recommended that this allegation be
classified as unfounded.

In my opinion, the Superintendent met
the burden of overcoming the Chief Administrator's
recommendation for discipline.

PRESIDENT FOREMAN: Thank you, Mr. Flores.

Board Member Simpson will report on the
next three matters. Since Board Member Simpson is
on the phone, I'm going to try to put the
microphone close. If you can't hear it, court
reporter, inform us.

MR. SIMPSON: President Foreman, can you hear
me?

PRESIDENT FOREMAN: Yes.

MR. SIMPSON: Thank you, sir.

Pursuant to same Section cited by Board
Member Flores, I reviewed three matters in which the Chief Administrator of the Civilian Office of Police Accountability and the Superintendent of Police did not agree.

In Request for Review number 19 RR 02, the Chief Administrator recommended that Police Officer Timmie Deberry be suspended for ten days for failing to immediately report that he accidentally discharged his firearm. The Superintendent recommended no disciplinary action.

In my opinion, the Superintendent did not meet the burden of overcoming the Chief Administrator's recommendation for discipline.

In Request for Review number 19 RR 03, the Chief Administrator recommended that Police Officer Nicolas Abramson be suspended for ten days for unnecessarily displaying his firearm while off duty. The Superintendent recommended that this allegation be classified as unfounded.

In my opinion, the Superintendent did meet the burden of overcoming the Chief Administrator's recommendation for discipline.

Finally, in Request for Review number 19 RR 04, the Chief Administrator recommended Police
Officer Marta Zamojska be suspected for two days for searching an individual without justification. The Superintendent recommended this allegation be classified as exonerated.

In my opinion, the Superintendent did meet the burden of overcoming the Chief Administrator's recommendation for discipline.

A copy of the written opinion for each of these matters will be posted on the Board's website as required by the Municipal Code.

Thank you, Mr. Foreman.

PRESIDENT FOREMAN: Thank you.

Pursuant to Rule 52 of the Police Department's Rules and Regulations, the Superintendent has requested the Board's permission to solicit funds from sponsor for the annual Police Recognition Ceremony and luncheon to be held in May 2019.

Is there a motion to approve the Superintendent's request, conditional upon an accounting of all funds received and expended being provided to the Police Board following the conclusion of the event?

MS. DELGADO: So moved.
MR. O'MALLEY: Second.

PRESIDENT FOREMAN: All in favor?

(Ayes in unison.)

PRESIDENT FOREMAN: The motion passes.

The general orders and other directives issued by the Superintendent of Police during the previous month are listed in the books made available at this evening meeting and are posted on the Police Department's website.

The next item is the Superintendent's report to the Board.

Is there a motion to waive the oral presentation and receive the monthly report in writing?

MS. DELGADO: So moved.

PRESIDENT FOREMAN: Second?

MR. FLORES: Second.

PRESIDENT FOREMAN: All in favor?

(Ayes in unison.)

PRESIDENT FOREMAN: The motion passes.

I will now call upon those members of the public who signed up in advance to speak. When your name is called, please step up to the microphone. We ask that you limit your comments to
two minutes.

The first speaker is Latoya Jones.
The next speaker is Latisha Jones.
The next speaker, Latonya Jones.
Next speaker is Anthony Jones.
Crista Noel.

MS. NOEL: Yes. They weren't able to make it and so Tony sent a statement for me to read.

PRESIDENT FOREMAN: Okay.

MS. NOEL: I speak here tonight on behalf of Betty Jones' family and friends. The family says that they're still struggling with the loss of their mother. No amount of words or even a word can express the pain that they are enduring on a daily basis.

The saying "laughing to stop from crying" is an understatement that they keep finding themselves facing. Continuously hearing about Mr. Rialmo and his unjustified actions taken on the night of her death, their mother's, has become so repetitive that it's like removing a scab off a sore that's trying to heal.

All we ask of the Board members here tonight is to give us some type of justice by
firing Mr. Rialmo and doing so in a timely manner.
We are not asking for you guys to be biased towards
him or looking for favor or sympathy from you.
What we are looking for is the truth to prevail,
and what that looks like and what that sounds like
is simply justice for our mother, Betty Jones.

PRESIDENT FOREMAN: Thank you.
MR. O'MALLEY: Thank you.
PRESIDENT FOREMAN: Ms. Noel, you were also
listed as a speaker, if you want to use your time.

MS. NOEL: All right.

(Chief of Patrol Waller joined
the meeting.)

MS. NOEL: So I'm here speaking on behalf of
Betty as well. I just want to remind the Police
Board about the evidence, the testimony, blaming
Betty for the shooting, Rialmo's testimony blaming
Betty for the shooting. The difference between his
deposition and his trial testimony. The trial
tactics every time he lied or contradicted or
perjured himself his lawyer called for a side bar.
The jury awarded the family money and
said they believed he believed, not that they
believed, that the shooting was justified.
Objective reasonableness is the standard the police
are held to to shoot, but not subjective
reasonableness. So it's not about what he
believed, it's about the totality of the
certifications.

The forensic evidence, Dr. Julie Melanik.
Dr. Melanik is an American Board of Pathology Board
Certified forensic pathologist practicing forensic
medicine in San Francisco, California, and CEO of
Pathology Experts, Inc. She's the one who
tested on behalf of Quintonio.

Dr. Melanik has been qualified as an
expert witness in forensic pathology, neuro
pathology, and wound interpretation. She has a
subspecialty training in surgery and has published
and consulted on cases of medical malpractice and
therapeutic complications. She trains doctors and
attorneys on forensic pathology, proper death
reporting interpretation. She has been invited to
lecture at professional conferences on the subjects
of death certification, complications of therapy,
forensic toxicology, and in custody death.

She testified that Rialmo's to story was
not supported by the forensics, specifically the
trajectory of the bullets and the stippling, which is when a bullet fires, it will spray like little metal pieces. The stippling from the gun does not support Rialmo's version of the events.

PRESIDENT FOREMAN: Thank you, Ms. Noel.

MS. NOEL: Can I ask you for another minute, please.

PRESIDENT FOREMAN: Okay.

MS. NOEL: The cops that are arguing on behalf of Rialmo are arguing that some guys who look at shooting policies, which changes as of the implementation of the consent decree, shooting policy will change, said that the shooting was justified. They always say that 99.9 percent of the time. But they are not forensic pathologists. So they should not be considered once forensics establishes the facts.

Conduct unbecoming. This in and of itself is a fireable offense. He knocked the guy out in the bar over a coat. Maybe you can give him a pass, he was upset, he had just murdered two people.

PRESIDENT FOREMAN: Ms. Noel, I'm sorry, I thought you were about to conclude. So I do need
to keep it moving. We have some other speakers.

MS. NOEL: Okay.

PRESIDENT FOREMAN: Thank you.

MS. NOEL: I'll finish up next month.

PRESIDENT FOREMAN: Next speaker is Sharnett Harris. Sharnett Harris?

Octavia Mitchell. Good evening.

MS. MITCHELL: Good evening. I spoke with -- this is for Ms. Valente, I spoke with you February 6, 2019, asking if you could help me to get the DNA swabs in my son's, Isael Jackson's, case that is missing. You got in touch with me today right before the Board meeting, and all you sent me was a court order from Judge Coleman who stated that if we had these DNA swabs, it would be crucial to show evidence if it can show that Isael did not touch this gun.

So we did some DNA where Isael's fingerprints was not on his gun. So I'm trying to get these DNA swabs that for some reason just disappeared off the face of earth. June 12, 2018, you sent me the papers from Judge Coleman, but I'm quite sure you seen why I put an appeal and we were in -- we just asked for mediation to resolve this
with the City August 1, 2018.

But the City didn't want to resolve this because wherever they have this DNA, they're making it hard for me to get.

So I'm asking you, Ms. Valente, you attorney for the City, do you know the procedures and protocol for me to get this DNA? Because it belongs to me. I am the estate of Isael Jackson, and anything with him he dead or alive that belongs to him and is connected to him belongs to me. I put in a Freedom of Act several times. I can get everything but these DNA samples that disappeared off the face of the earth.

Ms. Valente? Hello? What is your name? Am I saying your name wrong?

MS. VALENTE: Ms. Mitchell, I did send an email to you and your attorney, Mr. Aaron. You and I did have more than one phone conversation with you and your attorney. As I explained to you prior to the meeting, I was out of the office for the last few days, today is my first day back, and I sent you information that I thought would be helpful.

MS. MITCHELL: You sent me information that I already have. You sent me court information that I
already know about. I'm not asking you that.

I'm asking for Isael Jackson's DNA. Can you tell me how do I go about getting that DNA that I'm steadily asking the City for that somehow disappeared. I have it right here what you sent me where it was collected. Yes, it was. But where is it? It just stops. You collected it and now it's gone.

Yes, I was misrepresented at first by an attorney that did not request it. But I'm requesting it. I'm his mother. Whether that attorney requested it or not, I'm entitled to that DNA, and I'm tired of asking for his DNA. I've been as nice and polite as I can be.

Now, I'm quite sure you being the City's attorney, you know how to get that DNA and I'm quite sure you know where that DNA is at.

MS. VALENTE: And, ma'am, as I told you earlier, I did speak with your attorney that was at your request, Mr. Philip Aaron, who I believe is out in Seattle. You said he was representing you, he said he was representing you. So I think what you're asking for is legal advice that you should be getting by ask him.
MS. MITCHELL: No. I'm asking for what I'm entitled to. Are you telling me I'm not entitled to this DNA?

MS. VALENTE: Ma'am, I'm not telling you that. What I'm saying is you're asking for legal advice --

MS. MITCHELL: No, ma'am. No, I'm not. I'm asking you for what belongs to me if the City has it. That's what I'm asking for. I'm asking you for something that is connected to my son that belongs to me.

PRESIDENT FOREMAN: I'm going to get your information after this and --

MS. MITCHELL: You all tell me that every time I come in here.

PRESIDENT FOREMAN: I haven't told you that.

MS. MITCHELL: Okay.

PRESIDENT FOREMAN: I haven't told you that.

MS. MITCHELL: Okay.

PRESIDENT FOREMAN: So I'm going to get your information and I'll ask a few questions and try to see.

MS. MITCHELL: It's as simple as one, two, three. They give me two of the DNAs and neither
one of those DNAs is connected to my son. This third DNA, as Judge Coleman stated, is crucial to this case. And if they can just give me that DNA it will prove that my son didn't have that gun, just as well as there was no fingerprints of his on that gun. So I don't know what's the problem.

PRESIDENT FOREMAN: I'll get your information.

MS. MITCHELL: Okay.

PRESIDENT FOREMAN: And we will go from there.

MS. MITCHELL: Ms. Valente, you were unable to get the information for me?

MS. VALENTE: Ma'am, I believe I already answered your question. I apologize.

MS. MITCHELL: Thank you. I appreciate you.

PRESIDENT FOREMAN: Next speak is Queen Sister.

Next speaker, Robert More.

MR. MORE: It is February the 18th. No, February 21st. I have a technical problem here. Robert J. More speaking on behalf of St, Saint Michael, the Archangel.

First of all, regarding public notice now, once again we are facing this stonewall of the Superintendent not being present. So the issue of the state of mind for Rialmo claim and the issue of
state of mind both for criminal liability on 18 242
1346 1961, (inaudible) various other federal cases
as well as official misconduct is for the public
being deprived of that. And that's just critically
important again, because if that had been secured
prior to September 11 these other atrocities, the
false flags, the assassinations, the whole things
probably could have been preempted because of the
(inaudible).

What is the basis today, Mr. Gregler (phonetic) Mr. Breaker (phonetic), I can't remember
your first initials, of the Superintendent's absent
today. Why is he again absent?

CHIEF WALLER: The Superintendent had an urgent
matter that he could not miss. That's why he was
not --

MR. MORE: What exactly is the nature of that
matter?

CHIEF WALLER: I can't disclose what the exact
nature of that is. But he wishes that he could
have been here and that's why he's not here.

MR. MORE: I'll enter and continue because we
have to move on to other issues here.

Okay. So moving through this IE protocol
of meeting with the Superintendent, first of all, it's a long term solutionist. Sign the reverse Marshall law and negate all available (inaudible) in the law relative to myself and a certain portion of the population, and then we can go in and fix the problem. Because we can get at these community of 300, push the button, pull the strings, without having to encounter individuals who are subject to being disciplined for insubordination if they refuse to interfere with what's necessary to bring an end to this nightmare. Okay.

So there is reverse Michelle law. I invite you to provide your email address to me at the end of this meeting so we can move on forward on that. Because this is just incredibly laborious and again and again and again he's simply not here. I have such a long list of things to do. I need protocols set up that if my body is found dead to cover all these different possible contingencies.

PRESIDENT FOREMAN: Mr. More, your time is up.

MR. MORE: That's again 1 percent of what I need to say into the record. Enter and continue.

CHIEF WALLER: Mr. President, can I just address?
I'll give you my email. I have given you my card numerous times, my email is on my card.

MR. MORE: I don't have your card. I don't ever remember that.

CHIEF WALLER: I will give it to you again tonight.

MR. MORE: Thank you.

CHIEF WALLER: And then, I'll ask you, the last time I was here, to speak on -- you got your property back, you got your reports. All the things you had asked for, we got you that. And you never speak to those issues. You got your property and your reports that you requested.

MR. MORE: I sent a conditional commendation for yourself in regard to that. But the next step, nothing was accomplished.

CHIEF WALLER: I'll give you my email address.

MR. MORE: Okay. Got you. But I'm happy to discuss in front of the world as to the consideration, because there is a huge need for protection, subject to due process. There are all kinds of issues here, and all my objections to get to the bottom of it.

CHIEF WALLER: We will speak afterwards.
PRESIDENT FOREMAN: Thank you.

At this time all those persons who signed up in advance to speak have been recognized.

Is there a motion to adjourn?

MR. FLORES: So moved.

PRESIDENT FOREMAN: Is there a second?

MR. O'MALLEY: Second.

PRESIDENT FOREMAN: All in favor?

(Ayes in unison.)

PRESIDENT FOREMAN: The motion passes and the meeting is adjourned. Thank you.

(Meeting concluded at 7:56 o'clock p.m.)
STATE OF ILLINOIS  )

) SS:

COUNTY OF C O O K  )

April T. Hansen, being first duly sworn on oath, says that she is a court reporter doing business in the City of Chicago, and that she reported in shorthand the proceedings of said meeting, and that the foregoing is a true and correct transcript of her shorthand notes so taken as aforesaid, and contains the excerpts of proceedings given at said meeting.

IN TESTIMONY WHEREOF: I hereunto set my verified digital signature this 17th day of March 2019.

[Signature]

Illinois Certified Shorthand Reporter