REPORT OF PROCEEDINGS held at the City of Chicago Police Board Public Hearing held on March 19th, 2015, at City of Chicago Police Headquarters, 3510 South Michigan Avenue, Chicago, Illinois, on Thursday, March 19, 2015, at the hour of 7:30 p.m.

BOARD MEMBERS PRESENT:

MR. DEMETRIUS CARNEY (President)
MS. MELISSA BALLATE
MR. WILLIAM CONLON
MS. RITA A. FRY
MS. ELISA RODRIGUEZ
MS. RHODA SWEENEY
REV. MICHAEL EADDY (Audio Conference)
MR. GHIAN FOREMAN (Audio Conference)

ALSO PRESENT:

MR. MAX A. CAPRONI, Executive Director
MR. STEVEN MITCHELL, 1st Deputy Chief Administrator, IPRA
MR. WILLIAM E. BAZAREK, 1st Assistant General Counsel, CPD
MR. ALFONZA WYSINGER, First Deputy Superintendent of Police
MR. CARNEY: Good evening, everyone. I'm calling the Police Board meeting of March 19th to order.

Board Members Foreman and Eaddy are unable to attend this meeting in person and wish to attend via audio conference.

Is there motion to permit them to do so?

MS. BALLATE: So moved.

MR. CONLON: Second.

MR. CARNEY: All in favor?

MS. BALLATE: Aye.

MR. CARNEY: Aye.

MR. CONLON: Aye.

MS. FRY: Aye.

MS. RODRIGUEZ: Aye.

MS. SWEENEY: Aye.

MR. EADDY: (Present.)

MR. FOREMAN: (Present.)

MR. CARNEY: Opposed?

(No response.)

MR. CARNEY: The motion passes.

The first item of business is approval of the minutes of the Board's Public Meeting of
February 19th.

Is there a motion to approve?

MS. BALLATE: So moved.

MR. CONLON: Second.

MR. CARNEY: All in favor?

MS. BALLATE: Aye.

MR. CARNEY: Aye.

MR. CONLON: Aye.

MS. FRY: Aye.

MS. RODRIGUEZ: Aye.

MS. SWEENEY: Aye.

MR. EADDY: Aye.

MR. FOREMAN: Aye.

MR. CARNEY: Opposed?

(No response.)

MR. CARNEY: Our next meeting will be here at the Chicago Public Safety Headquarters at 35th and Michigan on April 16th at 7:30 standard time.

At this time, I'll ask for a motion to close a series of executive sessions for purposes of considering litigation and personnel matters, as authorized by the Open Meetings Act.

Is there such a motion?
MS. BALLATE: So moved.
MR. CONLON: Second.
MR. CARNEY: All in favor?
MS. BALLATE: Aye.
MR. CARNEY: Aye.
MR. CONLON: Aye.
MS. FRY: Aye.
MS. RODRIGUEZ: Aye.
MS. SWEENEY: Aye.
MR. EADDY: Aye.
MR. FOREMAN: Aye.

MR. CARNEY: Opposed?
(No response.)

MR. CARNEY: Our report of disciplinary actions taken by the Board during the previous month has been made available at this evening's meeting.

This report and the Board's written findings and decisions are posted on the our website.

The Police Board, as authorized by the Open Meetings Act, has considered in closed meeting several disciplinary cases. The Board will now take final action on these cases.
Regarding Case Nos. 14 PB 2870 and 2871, is there a motion to dismiss certain charges due to the five-year statute of limitations, find Police Officers Theron Jones — and Ms. Court Reporter, that's T-h-e-r-o-n, Jones — and Maria Fregoso, and that's F-r-e-g-o-s-o, hyphen, Hein, H-e-i-n, not guilty of the remaining charges relating to the unlawful detention and arrest and making false reports, and to restore each respondent to the position of police officer with the Chicago Police Department?

MS. FRY: So moved.

MR. CONLON: Second.

MR. CARNEY: All in favor?

MS. BALLATE: Aye.

MR. CARNEY: Aye.

MR. CONLON: Aye.

MS. FRY: Aye.

MS. RODRIGUEZ: Aye.

MS. SWEENEY: Aye.

MR. EADDY: Aye.

MR. FOREMAN: Aye.

MR. CARNEY: Any opposed?
MR. CARNEY: Voting in favor are Board Members Foreman, Ballate, Conlon, Eaddy, Fry, Rodriguez, Sweeney and myself.

The motion carries.

Is there a motion to adopt the written findings and decisions that have been reviewed by all the Board members who participated in the case?

MS. BALLATE: So moved.

MS. FRY: Second.

MR. CARNEY: All in favor?

MS. BALLATE: Aye.

MR. CARNEY: Aye.

MR. CONLON: Aye.

MS. FRY: Aye.

MS. RODRIGUEZ: Aye.

MS. SWEENEY: Aye.

MR. EADDY: Aye.

MR. FOREMAN: Aye.

MR. CARNEY: Any opposed?

(No response.)

MR. CARNEY: The motion passes by unanimous consent.
Regarding Case No. 14 PB 2877, is there a motion to find Police Officer Robert Drell not guilty of violating Department rules by working secondary employment while on the medical roll and to reinstate him to his position within the Chicago Police Department?

MS. BALLATE: So moved.

MR. EADDY: Second.

MR. CARNEY: By a show of hands, all those in favor?

(WHEREUPON, Ms. Ballate, Ms. Rodriguez and Ms. Sweeney so indicated by a show of hands.)

MR. EADDY: Aye.

MR. FOREMAN: Aye.

MR. CARNEY: Any opposed? May I have a show of hands?

(WHEREUPON, Mr. Carney, Mr. Conlon and Ms. Fry so indicated by a show of hands.)

MR. CARNEY: Voting in favor are Board Members Foreman, Ballate, Eaddy, Rodriguez and Sweeney.

Opposed are Board members Conlon, Fry and
The motion passes.

Is there a motion to adopt the written findings and decisions and dissent that have been reviewed by all Board Members who participated in the case?

MS. BALLATE: So moved.
MR. CONLON: Second.
MR. CARNEY: All in favor?
MS. BALLATE: Aye.
MR. CARNEY: Aye.
MR. CONLON: Aye.
MS. FRY: Aye.
MS. RODRIGUEZ: Aye.
MS. SWEENEY: Aye.
MR. EADDY: Aye.
MR. FOREMAN: Aye.

MR. CARNEY: Any opposed?
(No response.)
MR. CARNEY: The motion carries by unanimous consent.

The Board's decision in all the cases on which the Board took final action this evening will
be entered as of today's date, and will be issued to the parties.

A copy of the written decisions will be posted on the Board's website within ten business days pursuant to the Municipal Code of Chicago.

Earlier this evening, as required by the Open Meetings Act, the Board met and considered minutes and recordings of all past closed meetings to determine whether the need for confidentiality still exists.

The Board Members unanimously agreed that it continues to be necessary to keep confidential the minutes and recordings of its past closed meetings.

Copies of orders issued by the Superintendent during the previous month are available in the back in those blue books.

The next item is the Superintendent's report to the Board. Is there a motion to waive the oral presentation and receive the report in writing?

MS. FRY: So moved.

MR. CONLON: Second.

MR. CARNEY: All in favor?

MS. BALLATE: Aye.
MR. CARNEY: Aye.

MR. CONLON: Aye.

MS. FRY: Aye.

MS. RODRIGUEZ: Aye.

MS. SWEENEY: Aye.

MR. EADDY: Aye.

MR. FOREMAN: Aye.

MR. CARNEY: Any opposed?

(No response.)

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

The only speaker we have signed up this evening is Mr. Robert More.

Mr. Robert More?

MR. MORE: Yes, Mr. Carney.

MR. CARNEY: Mr. More, can you remove your hat?

MR. MORE: No, that's fine.

MR. CARNEY: Remove your hat, please.

MR. MORE: Again, lack of respect, but there is no lack of respect to referring to me as
anti-Semitic or to truncate my conveyances when you don't find them compatible with your agenda. That's no disrespect there. We have to get your definition of respect, Mr. Carney, but, first of all, I have to get this thing to come back on.

Mr. Wysinger, Assistant Superintendent Wysinger, if that's your title if I'm correct, where is Superintendent McCarthy?

I spoke to someone in his office at 3:30 and I was informed that he is in Chicago today. He's in the office.

Mr. Bazarek, do you know where -- is there an explanation for why the Superintendent is not here tonight?

MR. CARNEY: Continue, Mr. More.

MR. MORE: Mr. Carney, why do you -- why don't you let them answer the question and let the public see that there is a question to be answered?

MR. CARNEY: Because it's our meeting and I'm running the meeting.

MR. MORE: So that's hearsay and you have control over the true minutes?

MR. CARNEY: I do. Continue.
MR. MORE: And that is not -- that does not let me enjoy my First Amendment rights.

MR. CARNEY: Continue, Mr. More.

MR. MORE: You have control over the content of my conveyances? What authority do you cite to support that position?

MR. CARNEY: Continue, Mr. More.

MR. MORE: Okay. Under my objection, I don't consent to this.

First of all, I have to get this off my conscious. I do not consent to have anything as a citizen of the City of Chicago presented to the City of Chicago Police Department from the Anti-Defamation League.

There are references to training materials from the ADL. It is my understanding that that's the Anti-Defamation League. Is that correct, Mr. Bazarek?

What does the ADL stand for? I don't consent to anything from the Anti-Defamation League. The Anti-Defamation League is committed to getting rid of people like me at any cost.

Number two, I don't consent to have any arrangement in the City of Chicago as a citizen of
the City of Chicago in which there is any
provisation of grave sins against the Sixth and
Ninth Commandments under the auspices of stopping
prostitution.

There is not a legitimate way to prevent
prostitution by having employees of the City of
Chicago who are dressed in a way that's not
compatible with the requirements of modesty of
dress. I don't consent to that.

Next question to the Assistant
Superintendent speaking for the City of Chicago:
The People vs. Clark and the People vs. Moreno, the
Illinois Supreme Court has declared that there is a
Constitutional protected right under the First
Amendment to make audio recordings of all government
activity in which there is no interest which society
is ready to recognize, Katz vs. US, in an interest
in privacy as being reasonable.

MR. CARNEY: Mr. More, please finish up.

MR. MORE: Okay. My question is: Has that --
People vs. Moreno and People vs. Clark, is that now
the policy?

Are all the members of the City of
Chicago Police Department of Chicago familiar with
that ruling that we have a Constitutionally
protected right that's been recognized by the
Illinois Supreme Court to record activity under the
First Amendment without interference from any member
of any police state?

Please answer that question. Has that
been disseminated at the street level?

MR. BAZAREK: Mr. More, our policies as you
know -- we've talked about this before -- Department
procedure is available to you online.

The Chicago Police Department follows the
law.

MR. MORE: So it has been disseminated at the
street level. I can take this and when I have an
interaction with members of the Chicago Police
Department --

MR. CARNEY: Thank you, Mr. More. Your time is
up. Thank you.

MR. MORE: -- on the street --

MR. CARNEY: At this time, we have no other
speakers who have signed up to speak in advance.

Is there a motion to adjourn?

MS. FRY: So moved.

MR. CONLON: Second.
MR. CARNEY: All those in favor?

MS. BALLATE: Aye.

MR. CARNEY: Aye.

MR. CONLON: Aye.

MS. FRY: Aye.

MS. RODRIGUEZ: Aye.

MS. SWEENEY: Aye.

MR. EADDY: Aye.

MR. FOREMAN: Aye.

MR. CARNEY: Any opposed?

(No response.)

MR. CARNEY: The motion passes and the meeting is adjourned.

(Meeting Adjourned.)
STATE OF ILLINOIS  

COUNTY OF W I L L  

I, KATHLEEN A. MARTHALE, CSR No. 84-4036, a Certified Shorthand Reporter of the State of Illinois, do hereby certify that I reported in shorthand the proceedings had at the meeting aforesaid, and that the foregoing is a true, complete, and correct transcript of the proceedings of said meeting as appears from my stenographic notes so taken and transcribed under my personal direction.

IN WITNESS WHEREOF, I do hereunto set my hand at Chicago, Illinois, this 3rd day of April, 2015.

KATHLEEN A. MARTHALE, CSR No. 84-4036
Certified Shorthand Reporter