

**BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO**

**IN THE MATTER OF THE APPEAL BY** )  
**[NAME REDACTED],** ) **No. 23 AA 32**  
**APPLICANT FOR THE POSITION OF** )  
**PROBATIONARY POLICE OFFICER,** ) **(Candidate No. [redacted])**  
**CITY OF CHICAGO.** )

**FINDINGS AND DECISION**

[Name redacted] (hereinafter referred to as “Applicant”) applied for a probationary police officer position with the City of Chicago. In a letter dated August 31, 2023, the Office of Public Safety Administration gave Applicant written notice of its decision to remove Applicant from the list of eligible applicants for this position (“Eligibility List”) due to the results of a background investigation, along with the reason(s) for the disqualification decision (“Notice”).

In a letter dated August 9, 2023, Applicant appealed this disqualification decision to the Police Board by filing a written request specifying why the Department of Police (“Department”) erred in the factual determinations underlying the disqualification decision and bringing to the Board’s attention additional facts directly related to the reason(s) for the disqualification decision, pursuant to Section 2-84-035(b) of the Municipal Code of Chicago (“Appeal”). No Response was filed by the Office of Public Safety Administration.

Police Board Appeals Officer Mamie Alexander has reviewed the Notice and Appeal.

**APPEALS OFFICER’S FINDINGS, CONCLUSIONS, AND RECOMMENDATION**

Appeals Officer Mamie Alexander, as a result of a review of the above material, submits the following findings of fact, conclusions of law, and recommendation to the Police Board.

### **Filings by the Parties**

Applicant filed a timely appeal as provided by Section 2-84-035(b) of the Municipal Code of Chicago. No Response was filed within the time period allowed by the Police Board Rules of Procedure.

According to the Notice, Applicant was removed from the list of eligible applicants for the position of probationary police officer for the following reasons:

- IV. Pre-employment Investigation Standards for Applicants to the Position of Police Officer

#### **B. Disqualification Based on Criminal Conduct**

##### **7. Other Criminal Conduct**

##### **b) Conduct Indicating Dishonesty**

(1) Credibility, honesty and veracity are extremely important characteristics for a police officer to possess on and off duty. Honesty is required to ensure the integrity of police operations and investigations and to protect the public and maintain its trust in the police. The pre-employment investigation therefore looks for information that shows that the applicant has a reputation or propensity for truthfulness, is believable and has a personal history free from deceit or fraud.

(2) Any conduct demonstrating a reputation or propensity for dishonesty will be grounds for disqualification. Conduct demonstrating a propensity for dishonesty includes but is not limited to conduct that would constitute theft; embezzlement; forgery; false impersonation; identity theft; bribery; eavesdropping; computer crimes; fraud; money laundering; deceptive practices; or perjury.

##### **c) Conduct Indicating Violent Tendencies**

Police officers are required to act reasonably and professionally at all times and to maintain control over their emotions in the exercise of their duty. These qualities are vital to a police officer's ability to

protect the public and its trust in the police. Applicants who have demonstrated a propensity for violence do not meet those requirements. Therefore, any conduct demonstrating a propensity for violence will be grounds for disqualification. Conduct demonstrating a propensity for violence includes but is not limited to, conduct which would constitute murder; kidnapping; sex offenses; assault; battery; aggravated battery; offenses against property; robbery; domestic violence; disorderly conduct; and mob action. As noted above, an applicant who has engaged in any act falling within the scope of this section that constitutes a felony will be found unsuitable for employment.

An applicant who has engaged in any act falling within the scope of this section that constitutes a misdemeanor within the last three (3) years (from the date of PHQ submission), or more than one (1) time in his or her life, will be found unsuitable for employment.

**e) Conduct Affecting Government Functions**

Police officers are required to respect the functions of other public service employees and their ability to do so is vital to the Chicago Police Department's mission to protect the public and its trust in the police. Therefore, any conduct adversely affecting government functions will be grounds for disqualification. Conduct adversely affecting government functions includes but is not limited to, conduct which would constitute treason, *interference with public officers*, interference with penal institutions, interference with judicial procedure and official misconduct. As noted above, an applicant who has engaged in any act falling within the scope of this section that constitutes a felony will be found unsuitable for employment. An applicant who has engaged in any act falling within the scope of this section that constitutes a misdemeanor within the last three (3) years (from the date of PHO submission), or more than one (1) time in his or her life, will be found unsuitable for employment.

**F. Disqualification Based on Membership or Association with Criminal Organizations**

1. Police Officers are charged with upholding the law and defending the public from criminal activity. An applicant who is a member or affiliate of any criminal organization, including but not limited to a street gang, will

therefore be found unsuitable for employment.

2. Prior membership or affiliation in a criminal organization may be grounds for disqualification. An applicant who is a former member or affiliate of a criminal organization will be required to produce acceptable evidence to show that the membership in or affiliation with the criminal organization ceased for a period of five (5) years (for the date of the PHQ submission) or more prior to the date of application, and that the applicant has no current membership or affiliation with any criminal organization at the time of processing or hire.

**I. Disqualification Based on False Statements or Omissions and/or Failure to Cooperate in the Application Process.**

1. Honesty and credibility are vital characteristics for a police officer to possess in order to ensure the integrity of police operations and investigations and to protect the public and maintain its trust in the police. Honest and complete answers to background questions asked of applicants during the application process, as well as full cooperation with the application process, are thus extremely important to the maintenance of the Chicago Police Department's force and the integrity of its hiring process. Therefore, applicants are required to cooperate with the City of Chicago and the Chicago Police Department in all matters relating to the processing of their applications for the position of Police Officer. Any applicant who fails to cooperate with the City of Chicago and its Police Department in processing his or her application for the position of Police Officer shall be disqualified. Prohibited conduct within this category includes, but is not limited to: failure to provide any required information; failure to respond to requests for information in a timely manner; failure to respond to requests for interviews in a timely manner; failure to fully disclose all known information requested, whether it is beneficial or prejudicial to the applicant; making false or misleading statements in connection with any part of the application process; failing to include any material or relevant information requested by the City of Chicago or the Chicago Police Department; or failing to appear for scheduled appointments or processing sessions as directed.

Applicant was disqualified by Department based on conduct indicating dishonesty, conduct indicating violent tendencies, conduct affecting government functions, membership or association with criminal organizations, false statements or omissions and/or failure to cooperate

in the application process. This conduct included giving false statements in her Personal History Questionnaire (“PHQ”) and Kentech interview, shoplifting, fighting, interfering with a peace officer, gang affiliation, and failing to possess a valid Illinois driver’s license.

### **Appeal**

Applicant appeals the decision, stating that she was afraid to apply to become a police officer due to her past and the people that she previously associated with. She states that although she’s made mistakes in life, she has corrected them. Applicant says that she was truthful and open during the application process, and it is her dream to become a Chicago Police Officer. She explains that her arrest for interference with a peace officer took place after her brother was killed. She states that she was in shock and disbelief and ran under the tape to get to him. Applicant declares that she has not been in any other situations with the law since then, and believes that everything she has been through will help her to succeed in the CPD environment.

### **Findings of Fact**

Filings were timely.

Department provided the factual basis for its decision to disqualify Applicant and remove her name from the eligibility list. Department determined that Applicant’s conduct indicating dishonesty, violent tendencies, conduct affecting government functions, membership and association with criminal organizations, false statements or omissions and/or failure to cooperate in the application process were grounds for disqualification.

Department articulated the standards by which the conduct was assessed by section and paragraph, and articulation of the standard gives reasonable notice as to the basis for disqualification.

**Conduct Indicating Dishonesty**

Although Applicant indicated that she has never used drugs in her PHQ and Kentech interview, according to the Polygraph report, Applicant indicated that she tried marijuana in 2012.

In addition, according to the Kentech report, when asked about gang affiliations, Applicant stated that other than her brother, she did not have knowledge of any gang members in her neighborhood. However, in her Polygraph report, Applicant admitted that she was a member of the gang “Low Life/Black Disciple,” and got out after her son was born.

Applicant also admitted to shoplifting candy, baby wipes, diapers, underwear and ointments throughout her life, with the last time occurring in 2022.

**Criminal Conduct Indicating Violent Tendencies**

Applicant indicated that she was suspended twice and arrested for fighting in high school. She has also had fights with her brother, her child’s father, and another woman, with the last altercation occurring in 2019. Applicant also admits to hitting her child’s father with a belt and tazing him.

In her Appeal, Applicant states that although she’s made mistakes in life, life is about making mistakes and learning from them.

**Conduct Affecting Government Functions**

Applicant was arrested on June 3, 2020 for Interference with a Peace Officer. Applicant states that her brother was killed that night, and she ran under the tape to be by his side. She

states that she knows that her actions were wrong, but she was in shock and wanted to help him.

### **Membership or Association with Criminal Organizations**

Department alleges that according to the Kentech report, Applicant failed to disclose her previous association with a street gang. This information was disclosed during Polygraph exam only. In addition, she failed to disclose that her children's father, [Name redacted] (“[Name redacted]”) is a self-admitted Black Gangster Disciple. This information was found during the R/I's criminal search. While Applicant indicated that their relationship was from 2013-2017, Applicant recently had another baby with [Name redacted].

### **False Statements or Omissions and/or Failure to Cooperate in the Application Process**

Applicant took the CPD written exam in October, 2021, and as of July 25, 2023, she still did not possess a valid Illinois driver's license, which is a requirement to become a Chicago Police Officer.

### **Conclusions of Law**

Section IV. of the Bureau of Support Services Special Order contains the Pre-Employment Investigation Standards for Applicants to the Position of Police Officer (“Standards”) that are applicable to this Appeal.

Based on the details provided in the Notice, Applicant's past conduct contains numerous violations that could be considered grounds for disqualification based on Department's Standards.

Applicant misrepresented her drug use and gang affiliation, and admitted to shoplifting

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throughout her life, which could constitute violations of Sections B(7)(b)(1) and (2). She also admitted to being arrested for fighting in high school and continuing to fight as an adult with her brothers, child's father and a woman who made a comment about her son. Applicant's play fighting with her child's father included striking him with a belt and tazing him. Each of these actions could be found to indicate violent tendencies, in violation of Section B(7)(c).

Applicant was also arrested for interfering with a police crime scene in 2020, and admitted to gang affiliation prior to her child's birth in her Polygraph report, in violation of Sections B(7)(e) and F.

Last, Applicant does not possess a valid Illinois driver's license, which is a requirement to become a Chicago Police Officer. As a result, she could be disqualified for Failing to Cooperate in the Application Process, in violation of Section I.

While Applicant's Appeal adequately explains her arrest for interfering with a peace officer and learning from her mistakes, it does not specifically address Department's allegations of dishonesty, fighting, shoplifting, gang affiliation, and failure to obtain a valid driver's license.

No additional facts, evidence or arguments were submitted in Applicant's Appeal that support her contention that Department erred in disqualifying Applicant based upon conduct indicating dishonesty, conduct indicating violent tendencies, membership or association with criminal organizations, false statements or omissions and/or failure to cooperate in the application process.

In considering and weighing the numerous grounds for disqualification that were presented, Applicant has failed to show, by a preponderance of the evidence, that the decision to remove her from the Eligibility List was erroneous.

**Recommendation**

Based on my findings and conclusions set forth above, I recommend that the decision to remove Applicant from the list of eligible applicants for the position of probationary police officer be **affirmed**.

Respectfully submitted,

*/s/ Mamie A. Alexander*

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Mamie Alexander  
Appeals Officer

Date: December 14, 2023

**POLICE BOARD DECISION**

The members of the Police Board of the City of Chicago have reviewed the Appeals Officer's findings, conclusions, and recommendations.

The Police Board hereby adopts the Appeals Officer's findings, conclusions, and recommendation by a vote of 9 in favor (Kyle Cooper, Paula Wolff, Steven Block, Aja Carr-Favors, Mareilé Cusack, Nanette Doorley, Michael Eaddy, Ghian Foreman, and Andreas Safakas) to 0 opposed.

**NOW THEREFORE, IT IS HEREBY ORDERED** that the decision to remove [**Name redacted**] from the list of eligible applicants for the position of probationary police officer is **affirmed**.

This decision and order are entered by a majority of the members of the Police Board: Kyle Cooper, Paula Wolff, Steven Block, Aja Carr-Favors, Mareilé Cusack, Nanette Doorley, Michael Eaddy, Ghian Foreman, and Andreas Safakas.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 21<sup>st</sup> DAY OF DECEMBER, 2023.

Attested by:

/s/ GHIAN FOREMAN  
President

/s/ MAX A. CAPRONI  
Executive Director