

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

<b>IN THE MATTER OF THE APPEAL BY</b>	)	
<b>[NAME REDACTED],</b>	)	<b>No. 24 AA 04</b>
<b>APPLICANT FOR THE POSITION OF</b>	)	
<b>PROBATIONARY POLICE OFFICER,</b>	)	<b>(Applicant No. [redacted])</b>
<b>CITY OF CHICAGO.</b>	)	

**ORDER**

[Name redacted] (hereinafter referred to as “Applicant”) applied for a probationary police officer position with the City of Chicago. In a letter dated January 5, 2023, the Office of Public Safety Administration (“OPSA”) gave Applicant written notice of its decision to remove Applicant from the list of eligible applicants for this position due to the results of a background investigation, along with the reason(s) for the disqualification decision and the process for appeal (“Notice”). The Notice was sent to Applicant via email on January 5, 2023. On November 9, 2023, Applicant’s attorney filed with the Police Board a letter of representation. Applicant’s appeal was filed with the Police Board on January 16, 2024.

On April 18, 2024, Police Board Appeals Officer Mamie Alexander entered an Order allowing Applicant to provide information as to why Applicant’s appeal was not filed within 60 days of January 5, 2023, and allowing OPSA to respond to Applicant’s filing. Both parties filed information in accordance with Appeals Officer Alexander’s Order.

The Notice to Applicant clearly and correctly stated Applicant’s right to file an appeal, how to file an appeal, and the time limit for doing so.

Section 2-84-035(b)(2) of the Municipal Code of Chicago states: “The applicant may, no later than 60 calendar days from the date on the notice, appeal the decision of the Department by filing with the Board a written request specifying why the Department erred in the factual

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determinations underlying the disqualification decision, or bringing to the Board’s attention additional facts directly related to the reason(s) for the disqualification decision.” Section 2-84-035(f) of the Municipal Code states: “Failure to file timely appeal. If an applicant does not file a timely appeal as provided in subsection (b), such applicant *shall* be deemed to have waived his or her right under this section to appeal the Department’s decision to remove the applicant from the eligibility list.” (Emphasis added.)

Applying this law to the facts of this matter, Applicant waived his right to appeal OPSA’s disqualification decision. The Police Board does not have the discretion to extend the deadline for Applicant to submit an appeal and does not have the discretion to consider Applicant’s appeal.

**IT IS HEREBY ORDERED** that Applicant’s appeal is **dismissed**.

This order is entered by a majority of the members of the Police Board: Kyle Cooper, Paula Wolff, Steven Block, Mareilé Cusack, and Nanette Doorley.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 16<sup>th</sup> DAY OF MAY 2024.

Attested by:

/s/ KYLE COOPER  
President

/s/ MAX A. CAPRONI  
Executive Director